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ORDINANCE NO. 2020/012

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY
OF DEERFIELD BEACH, AMENDING ARTICLE X
“LOBBYIST REGISTRATION REQUIREMENTS” OF
CHAPTER 2 “ADMINISTRATION”; PROVIDING FOR
CONFLICTS, SEVERABILITY, CODIFICATION, AND AN
EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above “WHEREAS” clauses are true and correct and are incorporated herein.

Section 2. Chapter 2 “Administration,” Article X “Lobbyist Registration Requirements” is hereby amended to read as follows:

Chapter 2 – ADMINISTRATION

ARTICLE X – LOBBYIST REGISTRATION REQUIREMENTS

Sec. 2-532. Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this article, except where the context clearly indicates a different meaning:

Person means any individual, business, corporation, association, firm, partnership, nonprofit organization or other organization or group.

Principal means the person or entity, on whose behalf the lobbyist engages in the lobbying activity.

Sec. 2-533. - Lobbying registration and statements.

(a) *Registration required.* Prior to engaging in lobbying activities, every lobbyist shall file with the City Clerk and provide under oath the following information:

- (1) The lobbyist’s full name, business address and name and nature of business, occupation or profession.
- (2) The name, business address and name and nature of the business, occupation or profession of each of the lobbyists’ principals.

- (3) The general and specific subject matters that the lobbyist seeks to influence.
- (4) The extent of any direct business association by the lobbyist with any current or elected or appointed official or employee of the City of Deerfield Beach. For the purposes of this article, the term "direct business association" shall mean any mutual endeavor undertaken for profit or compensation.
- (5) A lobbyist representing a person shall provide an original lobbyist registration form prior to engaging in lobbying, providing for receive appropriate written authorization from said person to lobby on that person's behalf upon a particular subject matter. A copy of the applicable documentation, including but not limited to letters, agreements, minutes, motions or other evidence of action authorizing the lobbyist to lobby on behalf of the person shall be provided with the information required by this article.
- (6) Prior to engaging in lobbying, a lobbyist must submit a lobbyist registration form, the disclosure statement, pay the registration fee, and register through the City's online electronic contact log.

(b) Disclosure Statement Required. ~~Beginning July 1, 2009, and continuing annually thereafter, a~~ On or before July 15 of each year, each registered lobbyist shall submit to the City Clerk's Office a signed statement under oath, listing all lobbying expenditures, contingency fees, and the sources from which funds for making such expenditures and paying such contingency fees have come related to the City of Deerfield Beach lobbying activities incurred in the past twelve (12) months ~~and the sources of funds for such expenditures. The statement of expenditures for the period from July 1 to June 30, shall be filed no later than July 15 of each year.~~ Lobbying expenditures shall not include the lobbyist's own personal expenses for lodging, meals and travel. Said statements shall be rendered in the form provided by the City Clerk. A statement shall ~~only~~ be filed even if there have been no expenditures during a reported period. Discontinuance of lobbying activities during a year shall not relieve the lobbyist from the requirement of filing the statement required by this subsection for that portion of the year during which the lobbyist was engaged in lobbying activities.

(c) Completed registration forms and statements of lobbying expenditures shall be public records and open to public inspection.

(d) A lobbyist is required to amend any filed registration forms or statements of lobbying expenditures if any information in the registration or statement changes, within 30 days from the date of said change.

(~~e~~) Each person who withdraws as a lobbyist for a particular person shall file with the City Clerk notice of withdrawal as a lobbyist for that person. If a lobbyist withdraws at any point, no refund of the registration fee will be issued.

(ef) *List of current lobbyists.* The City Clerk's Office shall maintain a current list of registered lobbyists and all documentation required under this article.

(fg) *List of principals.* A lobbyist shall file a separate statement for each principal on whose behalf he or she lobbies.

(gh) *Registration fee.* An annual lobbyist registration fee may be established by resolution adopted by the City Commission. The initial fee shall be \$150.00 per principal/lobbyist. Such fee shall be for the purpose of providing funding to the City to offset the cost of recording, transcription, administration or any other costs incurred in compiling and maintaining these records and making them available to the public.

(hi) *Disclosure of Donations.* On or before January 15, April 15, July 15 and October 15 of each year, any lobbyist who was solicited by a member of the City Commission for a donation and any lobbyist who gave a donation to, or at the request of, a member of the Commission for any third party during the preceding quarter shall submit to the office of professional standards a signed statement under oath describing any such solicitation and any such donation.

(j) Registration statements are effective from July 1 of a given year through June 30 of the following year. Registration fees paid under (h) above cover lobbying activities during the effective period of the registration statement. A new registration statement shall be filed, and all required fees shall be paid, prior to engaging in any lobbying activities after expiration of a previously-filed registration statement.

Sec. 2-533A. - Contact Log.

(a) ~~— All lobbyists and their principals or employers who intend to meet with or otherwise communicate with a city commissioner at any city facility shall complete a contact log, on a form created by the city, which lists the name of the commissioner, the lobbyist's name, the entity by which the lobbyist is employed or for whom he or she is lobbying, the date and time of the meeting and the specific purpose and subject of the meeting. The log shall be completed contemporarily with the meeting and the log shall be filed daily with the city clerk and be available for public inspection.~~

(b) ~~— For any meetings with lobbyists, or their principals or employers outside of a city facility where lobbying occurs, the city commissioner shall, disclose the name of the lobbyist, the entity by whom the lobbyist is employed or for whom they are lobbying, the commissioner's name, the date, time and location of the meeting, and the specific purpose and subject matter of the meeting. The disclosure shall be in writing and filed with the city clerk within ten days of the meeting or prior to the vote on the subject of the lobbying activity, whichever occurs first. The disclosures shall be available for public inspection.~~

(a) To promote full and complete transparency, lobbyists who lobby a City Commissioner must, contemporaneously with the lobbying activity or as soon thereafter as is practicable (but in any event within three (3) business days after the lobbying activity occurs),

complete the online electronic contact log, which requires the Lobbyist to provide the following information:

- (1) Lobbyist name;
- (2) The name of the entity by which the lobbyist is employed;
- (3) The name of the person or entity for whom or which the lobbyist is lobbying;
- (4) The name of each City Commissioner lobbied by the lobbyist;
- (5) The name of each person attending or participating in any portion of the meeting or communication during which the lobbying activity occurred;
- (6) The date and time of the meeting or other communication during which the lobbying activity occurred;
- (7) The location of the meeting and mode of communication, as applicable, e.g. in person, by telephone, or by email exchange; and
- (8) The specific topics discussed in such meeting or communication.

(b) The obligation to complete the online contact log referenced in paragraph (b) above applies regardless of the location of the lobbying activity and applies whether the activity occurs in person, by telephone, electronic communication or in writing. The online contact log is available for public inspection.

Sec. 2-537. - Penalties.

Violation of any provision of this article shall be punishable by a fine of \$500.00 and the violator shall be subject to a Resolution of censure by the City Commission and shall be prohibited from lobbying the City of Deerfield Beach for a period of two years.

Section 3. All Sections or parts of Sections of the Code of Ordinances, all ordinances or parts of ordinances, and all Resolutions, or parts of Resolutions, in conflict with this Ordinance are repealed to the extent of such conflict.

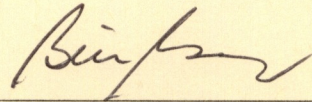
Section 4. The provisions of this Ordinance are declared to be severable, and, if any section, sentence, clause and/or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, which shall remain in effect, it being the legislative intent that this Ordinance shall stand despite the invalidity of any part.

Section 5. It is the intention of the City Commission and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the City Code of the City of Deerfield Beach, and that the sections of this Ordinance may be renumbered to accomplish such intent.

Section 6. That this Ordinance shall be effective immediately upon adoption on second reading.

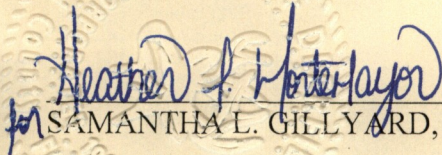
PASSED 1ST READING ON THIS 21ST DAY OF APRIL, 2020.

PASSED 2ND READING ON THIS 5TH DAY OF MAY, 2020.



BILL GANZ, MAYOR

ATTEST:



SAMANTHA L. GILLYARD, CMC, CITY CLERK

