CITY OF GLENDALE, CALIFORNIA

REPORT TO THE:

Joint ☐  City Council ☒  Housing Authority ☐  Successor Agency ☐  Oversight Board ☐

February 11, 2020

AGENDA ITEM


1. Introduction of Ordinance Amending Title 1 of the Glendale Municipal Code to add Chapter 1.11 Relating to Disclosure Obligations of Familial, Business and Community Organization Relationships between Councilmembers, Applicants and Individuals Seeking Government Entitlements, Awards, or Determinations before the City Council; Amending Title 2 to add Chapter 2.35 relating to Lobbyist Registration Requirements; and Amending Section 2.36.040 pertaining to Boards and Commissions

2. Resolution Establishing Fees Related to Lobbyist Registration.

3. Resolution Amending the Citywide Fee Resolution Regarding Administrative Citation Fine Amounts for Lobbyist Registration Requirements and Amending the Citywide Fee Schedule to Add Violations Subject to Fines for Lobbyist Registration Requirements.

COUNCIL ACTION

Public Hearing ☐  Ordinance ☒  Consent Calendar ☐  Action Item ☒  Report Only ☐

Approved for Feb 11, 2020 calendar

ADMINISTRATIVE ACTION

Submitted by:
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Approved by:
Yasmin K. Beers, City Manager

Reviewed by:
Roubik Golanian, Assistant City Manager

Michele Flynn, Director of Finance

Ardashes Kassakhian, City Clerk
RECOMMENDATION
Staff respectfully presents the proposed Ordinance amending Title 1 of the Glendale Municipal Code, 1995 (GMC) to add Chapter 1.11 relating to disclosure obligations of familial, business and community organization relationships between councilmembers, applicants and individuals seeking government entitlements, awards, or determinations before the City Council; amending Title 2 to add Chapter 2.35 relating to lobbyist registration requirements; and amending Section 2.36.040 pertaining to City Boards and Commissions to revise the definitions of “lobbyist” and “lobbying” for consistency.

If the City Council introduces and adopts the proposed Ordinance, it is recommended that the City Council adopt the accompanying two Resolutions to: 1) establish fees related to lobbyist registration, and 2) amend the Citywide Fee Resolution to add Administrative Citation Fine Amounts for lobbyist registration requirements.

BACKGROUND/ANALYSIS
On October 8, 2019, the City Council directed staff to prepare an Ordinance for the City Council's consideration relating to lobbyist registration requirements, and the disclosure of familial, business and community relationships between Councilmembers, applicants and individuals seeking government entitlements, awards and determinations before the City Council.

The proposed Ordinance amends two Titles of the GMC: 1) Title 2 by adding Chapter 2.35 to implement lobbyist registration, related requirements including, but not limited to, quarterly reporting, and enforcement provisions; and 2) Title 1 by adding Chapter 1.11 to set disclosure obligations in instances where a councilmember shares a familial, business or community organization relationship with an applicant or individual who is before the City Council seeking for an entitlement or decision. The proposed Ordinance also amends GMC Section 2.36.040 to revise the definitions of "lobbyist" and "lobbying" relating to City Boards and Commissions, to make them consistent with those set forth in Chapter 2.35.

Lobbyist Registration Requirements:
The proposed Ordinance amends Title 2 of the GMC by adding Chapter 2.35 setting forth the registration requirements for lobbyists.

The proposed Ordinance includes, but is not limited to, the following:

- Definition of "lobbyist", "lobbying" and related terms;
- Requirement that lobbyists and lobbyist firms register annually and submit quarterly reports setting forth their income and expenses;
- Provisions and procedures for the enforcement of the lobbyist registration requirements via administrative citations, fines, and civil and criminal enforcement; and
- Authorization of the City Council to set a lobbyist registration fee and related fees by Resolution.
Definitions:
In the proposed Ordinance, "lobbyist" is defined as any individual who receives any compensation by being employed, retained or under contract for the purposes of communicating with any city official for the purpose of influencing a legislative or administrative action. This definition also includes a "lobbyist firm", which is defined as an entity or organization that employs more than one lobbyist. The definition of "City Official" includes any elected or appointed officer of the City, appointed directors of City departments, and any City employee who is required to file a Statement of Economic Interests (Form 700). Board and Commission members are also included within the definition of "City Official".

The proposed Ordinance also defines other related items including, but not limited to terms such as "compensation" which means any economic consideration – whether monetary, in the form property, personal services or anything of value; and what acts constitute "contacting" a city official.

The proposed Ordinance also contains provisions defining prohibited conduct by lobbyists, which include intentionally deceiving a city official as to any material fact; and falsifying communications or the identity of persons or entities lobbying for.

Lobbyist Registration Requirements:
Under the proposed Ordinance, Lobbyists will be required to register no later than (10) days, after qualifying as such under the GMC, and prior to conducting any lobbying activities within the City. An individual or firm qualifies as a “lobbyist” or a “lobbyist firm” upon the earlier of either: 1) becoming employed, retained, or under contract for the purposes of lobbying a City official; or, 2) the receipt of any compensation. Registrations are subject to annual renewals and quarterly reports.

The information provided by the lobbyist will include the lobbyist’s identification information as well as the clients by whom the lobbyist is retained, the purpose for which the lobbyist is retained and the amount received, or to be received, by the lobbyist. The quarterly reports will contain information relating to the income received by the lobbyist and the expenditures made.

The proposed Ordinance contains the following exemptions from lobbyist registration requirements:

- Public officials who are acting within their official capacity.
- Individuals who contact City officials for the purposes of news reporting.
- Persons whose attempts to influence government action are limited to appearing at public meetings or preparing, processing or submitting writings for consideration of use at public meetings if their communications are part of the public record.
- Architects, engineers, attorneys or other licensed professionals who are retained to present an applicant or individual on a specific matter before the City Council or a Board or Commission, or City Official.

A sample Lobbyist Registration/Renewal/Amendment form is attached as Exhibit 1.
Quarterly Reports:

The proposed Ordinance requires lobbyists to submit quarterly reports, which must include the total compensation promised or received from each of the lobbyist’s clients during the reporting period; the contact made with councilmembers or city officials during the reporting period; a description of the purpose of the contacts; and activity expenses such as payments made by the lobbyists which directly benefit any councilmembers or city officials and/or the councilmembers’ or city officials’ immediate families.

A sample Lobbyist Quarterly Report is attached as Exhibit 2.

Post-Employment Lobbying:

Not included in the proposed Ordinance, but an option available to the City Council for consideration, are provisions related to post-employment lobbying. Some of the cities surveyed include provisions prohibiting councilmembers (as well as commissioners, board members and city officers) from lobbying before the City Council for a period of one year after leaving their city office or employment.

Lobbyist Registration Fees:

Staff is presenting a Resolution to establish fees related to lobbyist registration. The proposed fees are as follows:

- Initial Registration Fee $31
- Renewal Fee (annual) $15
- Amendment Fee (per amendment) $15

These fees are based on the anticipated applications and the staff time required to process each application for each of the above items. There is no fee for the filing of quarterly reports; however, the above Registration and Renewal Fee take into account the staff time required to process the quarterly reports. The cost table for the calculation of the Lobbyist Registration, Renewal and Amendment fees is attached as Exhibit 3.

Staff has contacted a few cities regarding the implementation of their fees for lobbyist registration and the proposed fees are in line with other cities. Below are fees charged by the agencies contacted:

- West Hollywood
  - $120 Registration Fee
- Santa Monica
  - $69 Registration Fee
  - $37 Renewal Fee
  - $37 Amendment Fee
- Los Angeles
  - $450 Registration Fee
- Metropolitan Transit Authority
  - Individuals: $40 Registration Fee; $25 Renewal Fee
  - Lobbyist Firms: $75 Registration Fee; $50 Renewal Fee
Enforcement of Lobbyist Registration Requirements – remedies for violations:

The proposed Ordinance provides three different methods for the enforcement of the provisions of the lobbyist registration requirements:

1. Criminal penalties – similar to other violations of the GMC, the City Attorney can file a misdemeanor criminal complaint for the violation(s).

2. Civil action – the City Attorney can institute a civil action against the lobbyist for the violation of the provisions of the GMC relating to lobbyist registration requirements and seek statutory damages in an amount up to $10,000, as well as for costs associated with the filing of the civil action, including reasonable attorney’s fees.

3. Administrative enforcement – this will be pursuant to the City’s Administrative Citation Process set forth in GMC Chapter 1.24. Under this process, City enforcement officers are authorized to issue administrative citation for the violation of certain GMC provisions. The violations which can be enforced by Administrative Citations are established by Resolution. The administrative citations impose fines for violators of the GMC. The fines escalate depending on the number of violations; the issuing officer can also, in his or her discretion issue a warning for the offense. The Administrative Citation process allows a speedy and efficient manner to address code violations. For repeat violators, the City can utilize its authority to pursue the violations under its code enforcement process through criminal enforcement, or through civil proceedings and civil fines. The schedule of Chapter 2.35 code violations to be added to the City’s existing Administrative Citation Process is attached as Exhibit 4.

Disclosure Obligations of Familial, Business and Community Organization Relationships:

The proposed Ordinance amends Title 1 of the GMC by adding Chapter 1.11, implementing provisions setting forth disclosure obligations where familial, business and/or community organizational relationship exists between a councilmember(s) and an applicant or individual who will be appearing before the City Council regarding the consideration and grant of a government entitlement, award or determination.

The proposed Ordinance:

- Defines the types of familial, business and community organizational relationships which will require disclosure. A “family member”, for the purposes of the disclosure under the Ordinance, means a person related to a councilmember by: 1) blood – parents, children, sibling, grandparents, aunts, uncles, first cousins; or 2) marriage – which includes a spouse, parents-in-law, siblings-in-law, step-children or step-siblings. This definition is in addition to the relationships subject to disclosure under the Political Reform Act which include spouses and domestic partners.

- Defines both “Applicant” and “Disclosing Party” having the obligation to disclose a familial, business and community organization relationship (which are also defined). An “Applicant” is defined as any individual, person, entity or organization that appears before the City Council relating to an award, entitlement, determination or action; this definition includes appellants who have appeals for consideration before the City Council. A “Disclosing Party” is defined as the Applicant, as well as any
individual or representative appearing on behalf of the Applicant to advocate in favor of the Applicant.

- Sets forth procedures and requirements for disclosure by both councilmembers and Applicants or Disclosing Party who will be appearing before the City Council concerning City Council decisions relating to entitlements as follows:
  
  > Disclosure by councilmember - by having the councilmember with the subject relationship disclose the relationship at the time the item has been read into the record.
  
  > Disclosure by Applicant and Disclosing Party – by having the Applicant or Disclosing Party make the disclosure, in writing, either at the beginning of the Council meeting to the city clerk presiding over the meeting, or prior to the Council meeting date to either the City Attorney, City Clerk or the City Manager’s office. A sample Disclosure of Familial, Business and Community Organization Relationships form is attached as Exhibit 5.
  
- Includes a provision providing the City Council the discretion to render the action, subject to the required disclosure, void if the disclosures are not properly made in accordance with Chapter 1.11.

**Revisions to GMC Section 2.36.040**

GMC Section 2.36.040 sets forth restrictions prohibiting lobbyists from serving as City Board or Commission members. The proposed Ordinance contains non-substantive revisions to Section 2.36.040’s definitions of “lobbying” and “lobbyist”, in order to make them consistent with the definitions proposed for the purposes of Lobbyist Registration requirements.

This Ordinance is not subject to the California Environmental Quality Act (CEQA).

**FISCAL IMPACT**

The fiscal impact of the proposed Ordinance will be associated with the implementation of proposed Chapter 2.35 - lobbyist registration requirements. There is no fiscal impact expected to be associated with the familial, business and community organization relationships of proposed Chapter 1.11

The proposed lobbyist registration, renewal and amendment fees will offset the fiscal impact associated with the implementation of Chapter 2.35.

The use of Administrative Citations for violations of the Lobbyist Registration Ordinance will have some financial impacts. However, revenues and cost recovery cannot be predicted accurately, as it is not possible to predict the number of fines and penalties imposed and out of those, the dollar amounts collected. Also, pursuant to GMC 1.24.030 in addition to Administrative Fines the City may recover Administrative Costs, which include but are not limited to: staff time in investigating the violation and preparing the investigation report, sending notices, preparing for and attending any appeal hearing, attorneys’ fees, and fees paid to the administrative hearing officer. Any fines and/or penalties collected would be paid into the general fund, from which the costs of enforcement would be paid.
ALTERNATIVES

Alternative 1: The City Council may choose to introduce, for adoption, the proposed Ordinance to amend certain provisions of GMC Title 1, Title 2, and Section 2.36.040; adopt the Resolution establishing lobbyist registration fees; and adopt a Resolution amending the City's Citywide Fee Resolution relating to Administration Citation Fine Amounts to add violations of Chapter 2.35 relating to lobbyist registration requirements.

Alternative 2: The City Council may choose to not introduce the proposed Ordinance and not authorize any of the other related actions.

Alternative 3: The City Council may consider any other alternative not proposed by staff.

CAMPAIGN DISCLOSURE

Not applicable.

EXHIBIT(S)

Exhibit 1: Sample Lobbyist Registration/Renewal/Amendment Form

Exhibit 2: Sample Lobbyist Quarterly Report Form

Exhibit 3: Cost Table for Lobbyist Registration/Renewal/Amendment Fees

Exhibit 4: Schedule of Chapter 2.35 code violations to be added to the City's existing Administrative Citation Process

Exhibit 5: Sample Disclosure of Familial, Business and Community Organization Relationships Form
AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, CALIFORNIA
AMENDING TITLE 1 OF THE GLENDALE MUNICIPAL CODE, 1995 BY ADDING
CHAPTER 1.11 RELATING TO DISCLOSURE OBLIGATIONS OF FAMILIAL, BUSINESS
AND COMMUNITY ORGANIZATION RELATIONSHIPS BETWEEN COUNCILMEMBERS,
APPLICANTS AND INDIVIDUALS SEEKING GOVERNMENT ENTITLEMENT, AWARDS,
OR DETERMINATIONS BEFORE THE CITY COUNCIL; AMENDING TITLE 2 BY
ADDING CHAPTR 2.35 RELATING TO LOBBYIST REGISTRATION REQUIREMENTS;
AND AMENDING SECTION 2.36.040 PERTAINING TO BOARDS AND COMMISSIONS

WHEREAS, the City of Glendale (City) is committed to provide its residents a robust,
inclusive and transparent government; and

WHEREAS, on May 14, 2019, the Glendale City Council directed staff to present a
proposed ordinance amending the Glendale Municipal Code, 1995 (GMC) relating to
Lobbyist Registration Requirements for the City Council’s consideration, as well as
amending the GMC to add Disclosure Obligations relating to Familial, Business and
Community Organization Relationships Between Councilmembers and applicants seeking
government entitlements, awards, or determinations before the City Council; and

WHEREAS, it is the City Council’s intent and goal to eliminate bias and the
appearance of corruption by, or on behalf of, the City’s councilmembers; and

WHEREAS, the City Council, in accomplishing the above, wishes to implement
requirements of transparent reporting whereby the residents of the City of Glendale are able
to exercise their right to know the identity of the individuals and interests who attempt to
influence decisions of city government; and

WHEREAS, the City Council also wishes to implement disclosure requirements on
City councilmembers, and individuals and entities who appear before the City Council
seeking considerations, decisions and entitlements, to disclose their ties and relationships,
if any; and

WHEREAS, the City Council has considered the report dated February 11, 2020
presented by the City Attorney and by this Ordinance amends the provisions of Title 1 and
Title 2 of the GMC by adding Chapters 1.11 and 2.35 respectively, as well as amending
GMC Section 2.36.040.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
GLENDALE:

SECTION 1. The above recitals are true and correct.
SECTION 2. Chapter 1.11 is hereby added to Title 1 of the Glendale Municipal Code, 1995, to read as follows:

CHAPTER 1.11

DISCLOSURE OF FAMILIAL, BUSINESS AND COMMUNITY ORGANIZATION RELATIONSHIPS

Sections:
1.11.010 Purpose and findings.
1.11.020 Definitions.
1.11.030 Disclosure by Councilmembers.
1.11.040 Disclosure by applicants and individuals.
1.11.050 Disclosure — procedure.
1.11.060 Failure to comply.

1.11.010 Purpose and findings.

In enacting this chapter, it is the city council’s intent to curtail conflict of interest or the appearance of conflict of interest and reinforce unbiased fairness by the city council in considerations and determinations made by it relating to any individual, entity and applicant seeking any government entitlement, award, or determination. The purpose of this chapter is to promote full and accurate disclosure to the public of any familial, business and organizational relationships that exist between applicants seeking city council action and councilmembers.

1.11.020 Definitions.

"Applicant" means any individual, person, entity or organization that makes an application to the city for any award, entitlement, determination or action and appears before the city council for the consideration of said award, entitlement, determination or action. For the purposes of this chapter the term applicant includes an appellant who has appealed an act, ruling or determination of a board, commission or officer, or a denial, suspension or revocation of a permit or license allowed by a provision of this code to the city council.

"Business relationship" means, in addition to those business relationships which are subject to disclosure by law and pursuant to the Political Reform Act of 1974, a former co-ownership of a business, whether in the form of a partnership, limited liability partnership, limited liability corporation, or other business entity or joint venture, in the preceding five (5) years, between a councilmember and applicants or individuals appearing before the city council if the councilmember and applicant or individual each owned ten (10) percent or more interest simultaneously at some point in the preceding five (5) years.

"City" means the city of Glendale.

"City council" means the Glendale city council pursuant to the city charter.
“Disclosing party” means an applicant and/or any individual or representative appearing on behalf of the applicant for the purpose of advocating in favor or on behalf of the applicant before the city council. For the purposes of this section disclosing party includes plural disclosing parties.

“Familial relationship” means a relationship involving a councilmember and one or more family member(s), as defined in this section.

“Family member” means, in addition to those familial relationships subject to disclosure under law and pursuant to the Political Reform Act of 1974, a person related to a councilmember within the first degree by consanguinity (blood) which includes father, mother, son, daughter, siblings, grandparents, aunts, uncles, first cousins, or affinity (marriage) which includes a spouse, father-in-law, mother-in-law, son-in-law, daughter-in-law, siblings-in-law, step-children, or step-siblings.

“Organizational relationships and memberships” means, in addition to those relationships subject to disclosure under law and pursuant to the Political Reform Act of 1974, membership by a councilmember and/or a councilmember’s spouse or domestic partner and applicants or individuals appearing before the city council in the same civic, fraternal, religious or non-profit organizations.

1.11.030 Disclosure by councilmembers.

A. In addition to any other disclosure required by law including the Political Reform Act of 1974, whenever an applicant makes application to the city council for the consideration of any award, entitlement, determination or action, a councilmember who holds a relationship subject to this chapter with the applicant or disclosing party, shall make a disclosure prior to the time of the city council’s consideration of the applicant’s matter, that the councilmember has any of the following relationships with the applicant or disclosing party:

1. A familial relationship as defined in this chapter;
2. A business relationship as defined in this chapter;
3. An organizational or membership relationship as defined in this chapter.

B. In the event the applicant or disclosing party is an entity or organization, the disclosure requirements of this chapter shall extend to a councilmember’s relationship with each of the individual owners, officers and/or members of applicant or disclosing party.

1.11.040 Disclosure by applicants and individuals.

A. In addition to any other disclosure required by law and under the Political Reform Act of 1974, whenever an applicant makes application to the city council for the consideration of any award, entitlement, determination or action, such applicant or disclosing party shall disclose prior to the time of city council's consideration of the applicant's matter, that the applicant or disclosing party has any of the following relationships with any of the council members:
1. A familial relationship as defined in this chapter;
2. A business relationship as defined in this chapter;
3. An organizational or membership relationship as defined in this chapter.

B. In the event the applicant or disclosing party is an entity or organization, the disclosure requirements of this chapter shall extend to each of the individual owners, officers and/or members of applicant.

1.11.050 Disclosure – procedure.

A. By council members: at the time the item has been read into the record.

B. By applicant and disclosing party: prior to the time of city council's consideration of the applicant's matter. Disclosure can be made at the beginning of the council meeting to the city clerk presiding over the council meeting, or at a time prior to the city council meeting date to either the city attorney, city clerk or the city manager's office in writing.

1.11.060 Failure to comply.

Any failure to comply with the provisions of this chapter may render the action taken by city council subject to the required disclosure void at the option of the city council.

SECTION 3. Chapter 2.35 is hereby added to Title 2 of the Glendale Municipal Code, 1995, to read as follows:

CHAPTER 2.35

LOBBYIST REGISTRATION REQUIREMENTS

Sections:
2.35.010 Purpose and findings.
2.34.020 Definitions.
2.35.030 Lobbyist registration.
2.35.040 Quarterly reports.
2.35.050 Prohibited Conduct.
2.35.060 Exemptions.
2.35.070 Registration period.
2.35.080 Lobbyist Registration fee.
2.35.090 Notice of termination.
2.35.100 Violations.
2.35.110 Enforcement, remedies and penalties.
2.35.010 Purpose and findings.

In enacting this chapter, council finds that the purpose of Glendale’s city government is to serve its residents and that Glendale’s residents have the right to know, monitor and control their government. In order to effectuate these rights, there must be transparency and trust. Transparency includes making information about the identity of persons, groups and entities which seek to influence city decisions, available to the public.

Council also finds that the residents of Glendale have the right to petition and influence their local government to secure their interests, a right effectuated by lobbying and protected by the First Amendment. While lobbying can assist the decision makers by providing them with information, undisclosed lobbying activities may undermine transparency and erode public trust in government.

The purpose of this chapter is to achieve complete public disclosure of the activities by and financing of lobbyists and those who employ lobbyists’ services. The intent of this chapter is to strike a balance between these competing rights and interests: the right of the people to monitor their government’s activities with the right of individuals and entities to petition their government.

2.35.020 Definitions.

“City” means the city of Glendale.

“City council” means the Glendale city council pursuant to the city charter.

“City official” means any elected or appointed officer of the city of Glendale, any city employee appointed to serve as the director of a city department, and any city employee who is required to file a Statement of Economic Interests (Form 700). City official also includes any person appointed to a city board or commission.

“Client” means any person, entity or organization that compensates a lobbyist for lobbying or on whose behalf lobbying occurs.

“Contact/contacting” means any direct or indirect communication with a city official by whether orally, in writing, or electronically.

“Compensation” means any economic consideration for services rendered or to be rendered. Compensation includes, but is not limited to, payment, distribution, transfer, loan, deposit or promise of money, property, service, or anything of value.

“Lobbying” or “lobbies” means influencing or attempting to influence any city official through either direct or indirect communication for the purpose of influencing a legislative or administrative action.

“Lobbyist” means any individual who receives any compensation by being employed, retained or under contract for the purposes of communicating with any city official for the purpose of influencing a legislative or administrative action. For purposes of actions to be
taken pursuant to this chapter, the term “lobbyist” includes “lobbyist firm.” “Lobbyist” does not include city contractors and those seeking city contracts through bids or proposals.

“Lobbyist firm” means an entity or organization that employs more than one lobbyist.

2.35.030 Lobbyist registration.

A. All lobbyists or lobbyist firms shall register with the city clerk by completing the appropriate city forms, no later than ten (10) days after qualifying as a lobbyist or lobbyist firm and prior to conducting any lobbying activities within the city. An individual qualifies as a lobbyist, and an entity or organization qualifies as a lobbyist firm, upon the earlier of:

1. The date that the lobbyist or lobbyist firm becomes employed, retained or under contract for the purpose of lobbying a city official; or
2. The receipt of compensation by the lobbyist or lobbyist firm.

B. All lobbyist registrations shall contain the following information:

1. The lobbyist’s full name, business address, telephone number and email address;
2. The name, business address and telephone number of any individual or entity by whom the lobbyist is retained, employed, or with whom the lobbyist contracts to perform lobbying services in the city;
3. The amount received or to be received by the lobbyist from each client; and
4. A description of the subject matter of the lobbyist’s engagement.

C. All lobbyist firms shall register by filing a written statement containing:

1. The lobbyist firms name, business address, telephone number and email address;
2. The names of all owners, partners or shareholders in the lobbyist firm;
3. The name of each person employed or retained by the lobbyist firm to engage in lobbyist activities;
4. The name, business address and telephone number of any individual or entity by whom the lobbyist firm is employed or with whom the lobbyist firm contracts to perform lobbyist services in the city;
5. The amount received or to be received by the lobbyist firm from each client; and
6. A description of the subject matter of the lobbyist engagement.

D. Lobbyist registrations shall be renewed annually between January 1st and January 31st of each year.

E. If any changes occur concerning any of the information required by this section, the lobbyist or lobbyist firm shall file an amendment reflecting the change within ten (10) days of the change.
2.35.040 Quarterly Reports.

A. A lobbyist or lobbyist firm shall file a quarterly report for every calendar quarter during which the lobbyist or lobbyist firm retains that status with the city no later than fifteen (15) calendar days after the end of the qualifying quarter, whether or not lobbying activities have occurred during such period. The quarterly reports shall be filed with the city clerk. Electronic quarterly reporting may be permitted at the discretion of the city clerk.

B. Quarterly reports must be filed by April 15, July 15, October 15 and January 15 for the prior calendar quarter.

C. Each quarterly report must contain the same information as required to be disclosed in the registration report, as well as the following information:
   1. The total compensation promised or received from each client during the reporting period for lobbying activity within the following ranges: $0 - $500, $501 - $1,000, $1,001 - $10,000, $10,001 - $100,000, over $100,000.
   2. Contacts made with city officials during the preceding calendar quarter for the purpose of lobbying legislative or administrative action. Contact information must include a brief description of the items of legislative or administrative action the lobbyist or lobbyist firm is seeking to influence and the number of contact in the following ranges: 1, 2–5, 6–10, 11 or over.
   3. Activity expenses such as payments that directly benefit any city official or members of their immediate family or domestic partner made during the preceding calendar quarter. Activity shall not include campaign contributions, but shall include gifts, salaries, and other forms of compensation.

D. Records pertaining to the registration and quarterly reports must be preserved by the lobbyist or lobbyist firm for inspection and audit by the city for a period of five (5) years from the date of production.

2.35.050 Prohibited conduct.

A lobbyist or lobbyist firm shall not do any of the following:
1. Intentionally deceive or attempt to deceive a a city official as to any material fact pertinent to any proposed or pending city decision;
2. Act or refrain from acting with the purpose and intent of placing a city official under personal obligation to the lobbyist or lobbyist firm;
3. Cause any communication to be sent to a city official in the name of a fictitious person, group or entity or in the name of a real person, group or entity without their consent;
4. Represent directly or indirectly that the lobbyist can control or obtain a vote or action of any city council member or city official.
2.35.060 Exemptions.

The following are exempt from the requirements of this chapter:
1. A public official acting in the public official's capacity;
2. Persons engaged in creating, publishing or broadcasting news items, editorials, commentaries and similar communications;
3. Persons whose attempts to influence government action are limited to appearing at public meetings or preparing, processing or submitting writings for consideration of use at public meetings if their communications are part of the public records;
4. Licensed architects, licensed engineers, licensed attorneys, or other licensed professionals who are retained to represent an individual, applicant or entity on a specific matter before the city council, board, or commission or officer or employee of the city of Glendale, even if their representation includes attempts to influence government action.
5. Persons representing themselves in attempting to obtain decisions relating to their own properties or businesses;
6. Persons whose communications relate solely to a memorandum of understanding or collective bargaining agreement between the city and its employee organizations.

2.35.070 Registration period.

Registration shall be for a period of one calendar year and shall be renewed with the city clerk on an annual basis between January 1st and January 31st of each year.

2.35.080 Lobbyist registration fee.

The city council shall have the discretion to establish and set annual registration, renewal and related fees and thereafter periodically adjust said annual registration fees in an amount sufficient to cover the costs of administering this chapter. All fees and adjustments shall be by resolution adopted by the city council.

2.35.090 Notice of termination.

Lobbyists may file a written notice of termination with the city clerk within ten (10) days after ceasing all activity requiring registration per this chapter.

2.35.100 Violations.

Any violation of any rule or regulation implementing this chapter shall be punishable in accordance with section 2.35.110.

2.35.110 Enforcement, remedies and penalties.

(A) Criminal penalty. Any person who is convicted of violating this chapter shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not greater than
one thousand dollars ($1,000) or by imprisonment in the county jail for not more than one hundred eighty (180) days, or by both fine and imprisonment.

(B) Civil action. The provisions of this chapter may be enforced by means of a civil action for injunctive and other relief, including statutory damages. In a civil action, any person determined to have violated this chapter may be held liable for statutory damages in an amount of up to ten thousand dollars ($10,000) and for such reasonable attorneys' fees and costs as may be awarded by the court.

(C) Administrative enforcement. The provisions of this chapter may also be enforced through the issuance of administrative citations and the imposition of administrative fines to be set by resolution of the city council.

SECTION 4. Section 2.36.040 of the Glendale Municipal Code, 1995, regarding Restriction on lobbying is hereby amended to read as follows:

2.36.040 Restriction on lobbying.

A. A lobbyist, as defined in this section, who lobbies, as defined in this section, shall not serve on any board or commission under this title, or the civil service commission, Alex Regional Theatre Board, or Burbank Glendale Pasadena Airport Authority.

1. “Lobbying” or “lobbies” means influencing or attempting to influence any elected city official or any officer or employee of the city of Glendale through either direct or indirect communication for the purpose of influencing a legislative or administrative action. As used herein, a “city official” means any elected or appointed officer of the city of Glendale, any city employee appointed to serve as the director of a city department, and any city employee who is required to file a Statement of Economic Interests (Form 700). City official also includes any person appointed to a city board or commission.

2. “Lobbyist” means any individual who receives any compensation by being employed, retained or under contract for the purposes of communicating with any elected city official or any officer or employee of the city of Glendale for the purpose of influencing a legislative or administrative action. “Lobbyist” does not include city contractors or those seeking city contracts through bids or proposals.

B. A person who has lobbied the city or acted as a lobbyist as defined in subsection A, may not be appointed to serve on a board or commission until at least twelve (12) months have passed from the latest of either the cessation of the last lobbying activity or the termination of lobbyist status.
SECTION 5. Compliance with California Environmental Quality Act.

The City Council finds and determines that this ordinance is not subject to the California Environmental Quality Act (CEQA) and, therefore, an environmental review is not required since there is no possibility that the adoption of this ordinance will have a significant effect on the environment and the that the amendments of the Glendale Municipal Code, 1995 are exempt from CEQA. Accordingly, under provisions of Section 15061(b)(3) and section 15305 of Division 6 of Title 14 of the California Code of Regulations (the CEQA Guidelines) the adoption of this ordinance is not subject to the requirements of CEQA.


This Ordinance is adopted under the authority of the Charter of the city of Glendale and State law. If any section, subsection, clause or phrase is declared invalid or otherwise void by a court of competent jurisdiction, it shall not affect any remaining provision hereof. In this regard the city council finds and declares that it would have adopted this measure notwithstanding any partial invalidity hereof.

SECTION 7. Effective Date.

This Ordinance shall take effect and be in force thirty (30) days after the date of its passage.

Passed by the Council of the City of Glendale on the _____ day of ________________, 2020.

__________________________
Mayor

ATTEST:

__________________________
City Clerk

APPROVED AS TO FORM

__________________________
Senior Assistant City Attorney
Date 2/4/2020
STATE OF CALIFORNIA  )
COUNTY OF LOS ANGELES  )    SS.
CITY OF GLENDALE  )

I, Ardashes Kassakhian, City Clerk of the city of Glendale, certify that the foregoing Ordinance No. ___________ was passed by a majority vote of the Council of the city of Glendale, California, at a regular meeting held on the _____ day of ____________, 2020, and that the same was passed by the followed vote.

Ayes: __________________________

Noes: __________________________

Absent: _________________________

Abstain: _________________________

________________________________
City Clerk
RESOLUTION NO.___________

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, CALIFORNIA, ESTABLISHING FEES RELATED TO LOBBYIST REGISTRATION

WHEREAS, on February 11, 2020, the Council of the City of Glendale ("City") introduced an Ordinance adding Chapters 1.11 and 2.35 to the Glendale Municipal Code, 1995 ("GMC") relating to: (1) the disclosure obligations of familial relationships between councilmembers, applicants and individuals seeking governmental entitlement, awards, or determinations; and (2) lobbyist registration requirements; and

WHEREAS, the City Council desires to establish fees in accordance with Section 2.35.080; and

WHEREAS, simultaneously with this Resolution, the Council has adopted Ordinance No. _______, adding Chapters 1.11 and 2.35 to the GMC relating to: (1) the disclosure obligations of familial relationships between councilmembers, applicants and individuals seeking governmental entitlement, awards, or determinations; and (2) lobbyist registration requirements; and

WHEREAS, Ordinance No. ________ will become effective thirty days from its adoption, which will be on ____________, 2020; and

WHEREAS, the City has determined that the fees established by this Resolution are sufficient to cover, but do not exceed, the actual costs of administering Chapter 2.35.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GLENDALE:

SECTION 1. Lobbyist Registration Fees.

The following fees are hereby established:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial Registration:</td>
<td>$31</td>
</tr>
<tr>
<td>Annual Renewal:</td>
<td>$15</td>
</tr>
<tr>
<td>Amendment:</td>
<td>$15</td>
</tr>
</tbody>
</table>

SECTION 2. The fees established by this Resolution shall be effective the date of Ordinance No. _____________, which shall be ________________, 2020.
Adopted this ______ day of ________, 2020.

__________________________________________
Mayor

ATTEST:

__________________________________________
City Clerk

STATE OF CALIFORNIA )
COUNTY OF LOS ANGELES ) SS
CITY OF GLENDALE )

I, Ardashes Kassakhian, City Clerk of the City of Glendale, do hereby certify that the foregoing Resolution No. _________ was adopted by the Council of the City of Glendale, California, at a regular meeting held on the ____ day of ________, 2020, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

__________________________________________
City Clerk

APPROVED AS TO FORM

[Signature]
Senior Assistant City Attorney
Date ___/___/2020
RESOLUTION NO._____________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENDALE, CALIFORNIA, AMENDING COMPREHENSIVE CITYWIDE FEE RESOLUTION REGARDING ADMINISTRATIVE CITATION FINE AMOUNTS FOR LOBBYIST REGISTRATION ORDINANCE VIOLATIONS AND AMENDING THE EXISTING COMPREHENSIVE CITYWIDE FEE SCHEDULE FOR THE FISCAL YEAR 2019-20 TO ADD VIOLATIONS SUBJECT TO FINES AND PROCESSING FEES RELATED TO LOBBYIST REGISTRATION ORDINANCE VIOLATIONS.

WHEREAS, Chapter 1.24 of Title 1 of the Glendale Municipal Code ("GMC") authorizes City enforcement officers to issue administrative citations to responsible persons for violations of the GMC; and

WHEREAS, Chapter 1.24 of Title 1 of the GMC provides that the amount of the fine to be assessed by means of an administrative citation shall be specified by resolution of the City Council; and

WHEREAS, the fine amounts are intended to incentivize violators to correct violations of the GMC in a speedy and efficient manner, thereby conserving City code enforcement resources; and

WHEREAS, Chapter 1.24 of Title 1 of the GMC provides that due to the significant risk posed by certain violations to public health, safety and welfare, the amount of fine to be imposed for certain violations of the GMC shall be of a greater amount than others and shall be established by resolution of the City Council and thus, initial and subsequent fine amounts vary based on such severity, falling into one of three fine tiers; and

WHEREAS, Chapter 1.24 of Title 1 of the GMC provides that the City may also recover the cost of processing the administrative citation (processing fee); and

WHEREAS, the Council adopted Resolution 13-96 on June 25, 2013, which established the fine schedule for the then-recently adopted administrative citation program; and

WHEREAS, the Council adopted Resolution 13-216 on December 10, 2013, which included additional GMC violations subject to administrative citation fines and included the amount the City may charge to recover its costs in processing each administrative citation via a processing fee; and

WHEREAS, the Council has, at various times since, in the past, adopted additional resolution which have added, amended or deleted GMC violations subject to administrative citation fines;

WHEREAS, the Council adopted Resolution 19-61 on June 4, 2019, which established certain fees and increased certain fees for various services, permits and
certificates provided by the City, and adopted a comprehensive Citywide fee schedule for the fiscal year 2019-20;

WHEREAS, simultaneously with this Resolution, the Council has adopted Ordinance No. __________, which adds Chapter 2.35 to the GMC related to lobbyist registration requirements rentals; and

WHEREAS, the City desires to include new and additional violations of the GMC related to lobbyist registration requirements consistent with the ordinance, which will be subject to administrative citation fines and processing fees.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GLENDALE:

SECTION 1. Fine Amounts: GMC Section Reference. In addition to the violations and corresponding fine amounts to be assessed by means of an administrative citation already adopted in Resolutions 13-96 and 13-216, as well as various other resolutions related to administrative citations, the following additional violations and corresponding fine amounts related to lobbyist registration requirements to be assessed by means of an administrative citation, set forth in the attached Exhibit 1, are adopted.

SECTION 2. Repeat Violations. The administrative citation fine amount for a second violation of the same GMC provision by the same responsible party within twelve (12) months from the date of the first administrative citation shall be higher than the amount for the first administrative citation, and shall vary depending on the violation cited, as set forth in the attached Exhibit 1. The administrative citation fine amount for a third and any subsequent violation of the same GMC provision by the same responsible party within twelve (12) months from the date of the first administrative citation shall be higher than the amount for the first or second violation, and shall vary depending on the violation cited, as set forth in the attached Exhibit 1.

SECTION 3. Late Payment. Payment of the administrative citation fine amount after thirty (30) days from the date of the administrative citation shall be subject to an additional late payment charge. The late payment charge shall equal ten percent (10%) of the administrative citation fine amount due the City, or ten percent (10%) of the amount remaining unpaid to the City if a portion of the fine amount was timely paid. Late payment charges shall be in addition to the amount of the administrative citation fine amount. In addition, interest shall accrue on all unpaid monies due, exclusive of late payment charges, at the rate of one half of one percent per month, pro rata, of the total amount due from the date the administrative citation fine amount becomes delinquent until the date that all delinquent amounts are paid to the City.

SECTION 4. Processing Fee. Every administrative citation will be assessed a $22 administrative citation processing fee. This processing fee is in addition to the administrative citation fine amount, any applicable late fee, interest or collection costs.
SECTION 5. This Resolution's adopted fees and fines take effect on the effective date of Ordinance No. ____________.

Adopted this ________ day of ________, 2020.

____________________
Mayor

ATTEST:

____________________
City Clerk

STATE OF CALIFORNIA   )
COUNTY OF LOS ANGELES ) SS
CITY OF GLENDALE      )

I, Ardashes Kassakhian, City Clerk of the City of Glendale, do hereby certify that the foregoing Resolution No. ____________ was adopted by the Council of the City of Glendale, California, at a regular meeting held on the _____ day of __________, 2020, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

____________________
City Clerk

APPROVED AS TO FORM

Senior Assistant City Attorney
Date 2/4/2020
**Administrative Citation Process**

Schedule of Chapter 2.35 Code Violations

<table>
<thead>
<tr>
<th>Code Section</th>
<th>Code Description</th>
<th>1st Violation</th>
<th>2nd Violation*</th>
<th>3rd Violation**</th>
</tr>
</thead>
<tbody>
<tr>
<td>GMC 2.35.030</td>
<td>Lobbyist Registration</td>
<td>$400</td>
<td>$1,000</td>
<td>$2,000</td>
</tr>
<tr>
<td>GMC 2.35.040</td>
<td>Quarterly Report</td>
<td>$400</td>
<td>$1,000</td>
<td>$2,000</td>
</tr>
<tr>
<td>GMC 2.35.050</td>
<td>Prohibited Conduct</td>
<td>$400</td>
<td>$1,000</td>
<td>$2,000</td>
</tr>
</tbody>
</table>

*Within 1 year of the first violation.

**Each additional violation within 1 year of the first violation.
Pursuant to the Glendale Municipal Code (GMC) Chapter 2.35, any Lobbyist shall register with the city Clerk prior to conducting any activities for the purpose of influencing any action by the City of Glendale.

Registration is valid to December 31st of the current year and must be renewed on an annual basis per the provisions of GMC Chapter 2.35.

**Lobbyist information:**

Name: ____________________________________________________________

Firm: ____________________________________________________________

Address: _________________________________________________________

Phone: _________________________________________________________

E-mail: _________________________________________________________

**Client information for whom lobbying:**

Name: _________________________________________________________

Address: _________________________________________________________

Phone: _________________________________________________________

E-mail: _________________________________________________________

Project(s) or Legislation description: __________________________________________

____________________________________________________________________

____________________________________________________________________

**Information relating to City of Glendale Officials contacted or to be contacted:**

Name and Title of Official: ____________________________________________

Date contacted or will contact (includes, but is not limited to in person meetings, remote meetings and correspondence): ____________________________________________

___Check here if you do not yet know which City of Glendale Official you will be contacting.
[ ] Check here and attach additional sheets if lobbying for more than one client. This form may be duplicated and attached as additional sheets.

I declare under penalty of perjury, under the laws of the State of California, that the statements herein are true and correct. I further declare that I will file with the City Clerk within 10 days an Amended Lobbyist Registration Form should any change in the information contained herein occur, or a notice of termination if my lobbyist activities cease.

Executed on _______________, at ____________________________, California.

____________________________________
Signature of Lobbyist
LOBBYST QUARTERLY REPORT

City of Glendale, California

Lobbyist information:

Name: ________________________________________________________________

Firm:  ________________________________________________________________

Address: ______________________________________________________________

Phone:  ________________________________________________________________

E-mail: ________________________________________________________________

Quarter _________  Year ___________

Itemized list of payments received from clients*:

Client name:    Amount:  Action for which lobbying activities rendered:

________________________  __________  ______________________________________

________________________  __________  ______________________________________

________________________  __________  ______________________________________

________________________  __________  ______________________________________

________________________  __________  ______________________________________

*Please attach additional sheets as necessary.

Check here and attach additional sheets if lobbying for more than one client. This form may be duplicated and attached as additional sheets.

Itemized list of expenditures*:

a. Office expenses  $___________________

b. Compensation to others (include name of recipient)  $___________________

c. Public education, advertising and publications  $___________________

d. Personal sustenance, travel and lodging  $___________________

e. Other expenses (please describe)  $___________________

TOTAL EXPENDITURES  $___________________

* Please attach additional sheets as necessary.
I declare under penalty of perjury, under the laws of the State of California, that the information provided herein is true and correct.

Executed on _____________, at _____________________________, California.

________________________
Signature of Lobbyist
EXHIBIT 3
<table>
<thead>
<tr>
<th>Activity</th>
<th>Department</th>
<th>Position</th>
<th>Billable Rate</th>
<th>Time</th>
<th>Cost</th>
<th>Recommended Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registration</td>
<td>City Clerk</td>
<td>Administrative Assistant</td>
<td>$63.00</td>
<td>30 minutes</td>
<td>$31.50</td>
<td>$31.00</td>
</tr>
<tr>
<td>Renewal</td>
<td>City Clerk</td>
<td>Administrative Assistant</td>
<td>$63.00</td>
<td>15 minutes</td>
<td>$15.75</td>
<td>$15.00</td>
</tr>
<tr>
<td>Amendment</td>
<td>City Clerk</td>
<td>Administrative Assistant</td>
<td>$63.00</td>
<td>15 minutes</td>
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## Administrative Citation Process

### Schedule of Chapter 2.35 Code Violations

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*Within 1 year of the first violation.

**Each additional violation within 1 year of the first violation.
EXHIBIT 5
DISCLOSURE OF FAMILIAL, BUSINESS AND COMMUNITY ORGANIZATION RELATIONSHIPS

Glendale Municipal Code, Chapter 1.11

Glendale Municipal Code, 1995 (GMC) Chapter 1.11 requires all individuals, organization and their representatives who appear before the Glendale City Council for the consideration of any award, entitlement, determination or appeal, to disclose in writing, prior to the City Council meeting date, any of the following relationships which they may have with any of the councilmembers:


____ Business relationship: Current co-owner in a business whether in the form of a partnership, limited liability partnership (LLP), limited liability corporation (LLC), or other form of business entity or joint venture, if you and a councilmember each own ten (10%) or more interest.

Former - in the preceding five (5) years - co-owner in a business whether in the form of a partnership, limited liability partnership (LLP), limited liability corporation (LLC), or other form of business entity or joint venture, if you and a councilmember each own ten (10%) or more interest.

____ Organizational Relationship & Membership: Membership in the same civic, fraternal, religious or non-profit organization, as a councilmember and/or a councilmember’s spouse or domestic partner.

By completing this form, you are disclosing that you hold a relationship, subject to disclosure under GMC Chapter 1.11, with a councilmember. Please check all of the applicable above boxes for the relationship(s) you are disclosing and complete the section below.

I, ____________________________, have the following relationship(s) with councilmember(s)

________________________________________________________________________

________________________________     ____________________________
Signature                                    Date