



MEMORANDUM

TO: Board and Commission Members

FROM: Jannette Goodall, City Clerk

DATE: May 19, 2017

SUBJECT: New Requirements related to City Code Chapter 4-8: Registered Lobbyists

On September 22, 2016, the Austin City Council passed Ordinance No. 20160922-005, which amended Chapter 4.8 (Regulation of Lobbyists) of the City Code. The ordinance establishes new registration and filing requirements for lobbyists, expanded the definition of a City Official, and added requirements for departments to track information relating to scheduled meetings between City Officials and lobbyists.

A City Official is now defined as: the Mayor, the Mayor-elect, a Council member, a Council member-elect, any City employee (other than a City employee whose duties are solely clerical), **or a member of a City Board or of a body created by the Council and listed by the City Clerk under § 2-1-3(C) (*Boards Established*)**.

The new requirements are effective on **June 1, 2017**. **Section 4-8-8 (A) and (B) require that lobbyists declare certain information when making an appearance before a City Board/Commission Meeting or having an oral communication with a Board/Commission member. In both cases, a lobbyist (or person acting on their behalf) must state their name, the name of the lobbyist (if they are acting for the lobbyist), and the client they represent.**

Section 4-8-8 (C) requires that **any** person (whether or not they are a registered lobbyist) who communicates in person with a City Official for compensation on behalf of another person during a scheduled meeting on a “municipal question” must disclose in writing the following information: (1) the name and address of the person; (2) the name of the City Official with whom he/she is meeting; (3) the name of the client or person on whose behalf the appearance or contact is made; and (4) a statement as to whether the person has received or expects to receive compensation for the appearance or contact. **A scheduled meeting is a “face-to-face” meeting at a previously agreed upon date, time (or block of time) and location. It does not include telephone or conference calls or unplanned meetings that do not meet the definition of a scheduled meeting.**

Since Board and Commission members may meet with persons who meet these criteria at non-City facilities, the Office of the City Clerk has designed a survey that will allow Board and Commission members to provide these persons with a reasonably practicable method for providing the information required by §4-8-8 (D). The link to the survey tool is below.

Effective June 1, each Board and Commission member must incorporate the following language into his/her email messages when accepting or requesting a meeting:

Scheduled Meeting Disclosure Information:

Written disclosure is required by visitors when attending a scheduled meeting with a City Official regarding a municipal question for compensation on behalf of another person. Anyone scheduling or accepting a meeting invitation with a City Official must either acknowledge that the disclosure requirement does not apply or respond to the following survey:

<https://www.surveymonkey.com/r/BCVisitorLog>

Board and Commission members are not required to determine who meets the requirements listed above. If an individual requesting a meeting has questions about whether they meet the disclosure requirements above, please refer them to Ordinance 20160922-005 (<http://www.austintexas.gov/edims/document.cfm?id=265293>). Additional information is available at: <http://www.austintexas.gov/department/lobbyists>.

Boards and Commissions may request training during a B&C meeting on the requirements through the City Clerk's Office if needed.

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