



CITY OF BEVERLY HILLS
455 N. Rexford Drive
Beverly Hills, CA 90210
Municipal Gallery
Sunshine Task Force Committee

SPECIAL MEETING HIGHLIGHTS

Monday, May 22, 2017
5:00 PM

Meeting Called to Order

Date / Time: May 22, 2017 / 5:00 pm

In Attendance: Mayor Lili Bosse, Councilmember John A. Mirisch, Chuck Aronberg, Sonia Berman, Ed Brown, Fred Fenster, Judie Fenton, Murray D. Fischer, Marilyn Gallup, Stella Sarraf, Gloria Seiff, Thomas White, Frances Bilak, Woody Clark, Josh Emrani, Adam Englander/Englander, Knabe & Allen, Marcia Hobbs/The Beverly Hills Courier, Susan Mishler, Elisa Paster/Glaser Weil Fink Howard Avchen & Shapiro LLP, Victoria Talbot/The Beverly Hills Courier, Joseph N. Tilem, Steve Webb, Debbie Weiss, Assistant City Manager George Chavez, City Attorney Larry Wiener, Chief Assistant City Attorney Lolly Enriquez, Director of Community Development Susan Healy Keene, Assistant Director of Community Development/City Planner Ryan Gohlich, Director of Public Works Shana Epstein, Assistant City Clerk Lourdes Sy-Rodriguez

1) Oral Communications

Members of the public will be given an opportunity to address the Committee on any item not listed on the agenda.

None

2) Legislative Advocate Ordinance

- a. Report from the Subcommittee
- b. Discussion of the Amendments

City Attorney Laurence Wiener reported that the Subcommittee composed of Thomas White, Murray D. Fischer, Fred Fenster and himself met prior to the meeting to revise the legislative advocate ordinance. He passed out two versions of the ordinance with revisions, with Version 1 revisions approved by the Subcommittee. Version 2 contained alternative language should the Committee not approve what is presented on Version 1.

Following are the comments and discussion on Version 1:

- Section 1-9-102: Definitions
 - Definition of “City Official” – City Attorney Wiener defined “ministerial” as not having discretion over anything or not exercising discretion. The definition is on page 3, Section E.
 - The definition of “Contractor” does not include an architect.
 - “Legislative advocacy” should include direct or indirect communication.
 - If an individual signed an engagement agreement but did not lobby, there is no need to register.

- Section 1-9-103: Exemptions:
 - People who communicate with staff merely to get information/answers to simple questions should be exempt.
 - What is the definition of “substantive discussion”?
 - A person has 10 days to register as a lobbyist if the discussion becomes substantive.

- Section 1-9-105: Registration:
 - The engagement letter can be loophole - people might still engage in lobbying activities without an engagement letter.
 - People can have verbal discussions (without executed engagement letter) and still get compensated.
 - Expectation of compensation is not exclusively for lawyers.
 - The definition of compensation includes the expectation of remuneration.
 - People actually engaging in advocacy should register.
 - The individual and his/her firm must register.
 - On the question “when to register: upon receiving an engagement letter or when the individual begins to engage in lobbying?” – majority of the Committee members voted for the earlier of the two.
 - The fees referred to on the form are fees paid to the lobbyist.
 - Mr. Webb and Mr. Fischer expressed concerns regarding exposing their clients’ confidential information.
 - Since the lobbyists are not required to file reports, they should go back to their filing to update the information when there are changes.

- Section 1-9-107: Notice of Termination:
 - As long as a lobbyist is paid, the lobbyist is engaged in lobbying; “you’re a lobbyist until you stop getting paid.”
 - The notice of termination should be filed upon termination of lobbying.

Following are the comments and discussion on Version 2:

- Section 1-9-102: Definitions:
 - Expenditure lobbyists should be included as lobbyists.
 - City Attorney Wiener will work further on the definition of expenditure lobbyists.

3) Discussion of Lobbyists Serving on Commissions

4) Adjournment

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Date / Time: May 22, 2017 / 6:54 pm