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ORDINANCE NO. 2011 - 39

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AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, AMENDING SECTION 2.5-2 OF THE CITY CODE RELATING TO THE DEFINITION OF LOBBYIST; PROVIDING FOR REPORTING OF CONTACTS WITH LOBBYISTS IN A NEW SECTION 2.5-5.1; CONTAINING PROVISIONS FOR IMPLEMENTATION, PROVIDING FOR INCLUSION IN THE CITY CODE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

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WHEREAS, to assure full transparency in the activities of lobbyists interacting with government officials, the City wishes to regulate lobbyist activity and to assure compliance with recently adopted Broward County legislation;

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NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PARKLAND, AS FOLLOWS:

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SECTION 1. Section 2.5-2 of the City Code relating to definitions to revise the following definitions:

Sec. 2.5-2 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:

~~*Lobbyist* means all persons employed or retained, whether paid or not, by a principal who seeks to encourage the passage, defeat or modification of any ordinance, resolution, action or decision of any commissioner; any action, decision, recommendation of the city manager or any city board or committee; or any action, decision or recommendation of any city personnel or official relating to purchasing, employment of personnel, consultants, or contractors, or the issuance of development permits. The term specifically includes the principal as well as any employee engaged in lobbying activities.~~

Lobbying or Lobbying Activity means a communication, by any means from a lobbyist to a City official or employee with final decision making authority or authority to make a recommendation regarding any item that will foreseeably be decided by a final decision-making authority, which communication seeks to influence, convince, or persuade said City official or employee to support or oppose the item. Lobbying does not include communications:

A. Made on the record at a duly-noticed public meeting or hearing; or

B. From an attorney to any attorney representing the City of Parkland regarding a pending or imminent judicial or adversarial administrative proceeding against the City of Parkland.

C. Lobbyist" means a person who is retained, with or without compensation, for the purpose of lobbying, or a person who is employed by another person or entity, on a full-time or

1 part-time basis, principally to lobby on behalf of that other person or entity. “Lobbyist” does not
2 include a person who is:

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4 A. An Elected Official, employee, or appointee of Broward County or of any
5 municipality within Broward County communicating in his or her official capacity.

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7 B. An individual who communicates on his or her own behalf, or on behalf of a
8 person or entity employing the individual on a full-time or part-time basis, unless the individual
9 is principally employed by that person or entity to lobby.

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11 C. Any employee, officer, or board member of a homeowners’ association,
12 condominium association, or neighborhood association when addressing, in his or her capacity as
13 an employee, officer, or board member of such association, an issue impacting the association or
14 its members; or

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16 D. Any employee, an officer, or a board member of a nonprofit public interest entity
17 (e.g., Sierra Club, NAACP, ACLU) when addressing an issue impacting a constituent of that
18 entity.

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20 **SECTION 2.** A new section 2.5-5.1 is hereby created as follows:

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22 **Contact Log**

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24 (1) All lobbyists and their principals or employers who intend to meet with or
25 otherwise communicate with a City Commissioner at any City facility shall complete a contact
26 log, on a form created by the City, which lists the name of the Commissioner, the lobbyist’s
27 name, the entity by which the lobbyist is employed or for whom he or she is lobbying, the date
28 and time of the meeting and the specific purpose and subject of the meeting. The log shall be
29 completed contemporarily with the meeting and the log shall be filed daily with the City Clerk
30 and be available for public inspection.

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32 (2) For any meetings with lobbyists, or their principals or employers outside of a City
33 facility where lobbying occurs, the City Commissioner shall, disclose the name of the lobbyist,
34 the entity by whom the lobbyist is employed or for whom they are lobbying, the
35 Commissioner’s name, the date, time and location of the meeting, and the specific purpose and
36 subject matter of the meeting. The disclosure shall be in writing and filed with the City Clerk
37 within 10 days of the meeting or prior to the vote on the subject of the lobbying activity,
38 whichever occurs first. The disclosures shall be available for public inspection.

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40 **SECTION 3.** It is the intention of the City Commission and it is hereby ordained that
41 the provisions of this ordinance shall become and be made a part of the Code of Ordinances of
42 the City of Parkland, Florida, and the sections of this ordinance may be renumbered to
43 accomplish such intent.

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45 **SECTION 4.** If any word, phrase, clause, sentence, or section of this ordinance is for
46 any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of
47 any remaining portions of this ordinance.

