

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SANTA CLARA, CALIFORNIA, AMENDING SECTION 2.155.090 (SEMI-ANNUAL REPORTS) AND CHAPTER 2.160 (“CALENDARS OF CERTAIN CITY OFFICIALS”) TO TITLE 2 (“ADMINISTRATION AND PERSONNEL”) OF “THE CODE OF THE CITY OF SANTA CLARA, CALIFORNIA”

BE IT ORDAINED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the citizens of Santa Clara have a right to know the identity of interests which attempt to influence decisions of City government, as well as the means employed by those interests;

WHEREAS, complete public disclosure of the full range of activities by and financing of lobbyists and those who employ their services is essential to the maintenance of citizen confidence in the integrity of City government;

WHEREAS, it is in the public interest to ensure that lobbyists do not misrepresent facts, their positions or attempt to deceive a City official through false communications; do not place a City official under personal obligation to themselves or their clients; and do not represent that they can control the actions of any City official; and,

WHEREAS, it is in the public interest to adopt these amendments to ensure adequate and effective disclosure of information about efforts to lobby City government.

NOW THEREFORE, BE IT FURTHER ORDAINED BY THE CITY OF SANTA CLARA AS FOLLOWS:

SECTION 1: That Section 2.155.090 (“Semi-annual Reports”) of Chapter 2.155 (“Regulation of Lobbyist Activities”) of Title 2 (“Administration and Personnel”) of “The Code of the City of Santa Clara, California” (“SCCC”) is amended to read as follows:

2.155.090 Monthly reports.

Monthly reports for the preceding month are to be filed with the City Clerk on or before 15th of each month, whether or not any lobbying activities have occurred during such period. Electronic reporting may also be permitted by the City Clerk. Each monthly report shall contain the same information as required to be disclosed in the initial registration, and specify the topics discussed and the requests made by the lobbyist, for those activities occurring in that period. If a lobbyist has terminated all lobbying activities during such period, the lobbyist may file a declaration of termination with the monthly report. The final monthly report shall include disclosure of any lobbying activities during the period of termination.

SECTION 2: That Chapter 2.160 (“Calendars of Certain City Officials”) of Title 2 (“Administration and Personnel”) of “The Code of the City of Santa Clara, California” (“SCCC”) is amended to read as follows:

“Chapter 2.160

CALENDARS OF CERTAIN CITY OFFICIALS

(a) The Mayor, Members of the City Council, Chief of Police, City Clerk, City Manager, City Attorney, Assistant City Manager(s), Deputy City Manager(s), City Department Heads and any additional persons in management positions that are considered part of the city’s executive management team shall maintain a monthly city calendar.

(b) The calendar shall include all scheduled non-internal city-related appointments, meetings, including regular and special City Council meetings, public events or speaking arrangements, meetings with citizens, developers, union representatives, consultants, lobbyists, regional meetings and meetings of subcommittees or task forces (collectively, “constituents”). The Mayor and Members of the City Council shall also include all non-scheduled city-related meetings or discussions with constituents.

(c) Each non-internal city-related appointment must include the following information: name(s), title(s), and affiliated organization(s) and a general statement of the issues discussed. For each non-internal city-related appointment that includes a lobbyist, as defined in Chapter 2.155, the calendar must specify the topics discussed and the requests made by the lobbyist. The following information shall be exempted:

- (1) Personal appointments, including personal business appointments;
- (2) Information protected by the attorney-client privilege;
- (3) Information about attorney work product;
- (4) Information about city staff recruitment;
- (5) Information about a personnel issue;
- (6) Site specific information regarding corporate recruiting and retention;
- (7) Information about criminal investigations and security;
- (8) Information about whistle blowers;
- (9) Information about those who may fear retaliation;
- (10) Information about those seeking guidance regarding the City's campaign and election processes; and,
- (11) Information that is otherwise prohibited from disclosure.

(d) The calendars of the officials in subsection (a) shall be a public record subject to inspection during normal business hours. The Mayor, City Council Members, City Manager, City Clerk, Chief of Police and City Attorney shall publish their calendars to the City's website on the tenth business day of each month and shall reflect the schedules of the previous month.

(e) A record of compliance with this Chapter by the City officials included in Section 2.160(a) shall be maintained, provided that violations of this Chapter shall not be a basis for any criminal prosecution or disciplinary action.”

SECTION 3: Savings clause. The changes provided for in this ordinance shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any right established or accruing before the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to the effective date of this ordinance. All fee schedules shall remain in force until superseded by the fee schedules adopted by the City Council.

SECTION 4: Constitutionality, severability. If any section, subsection, sentence, clause, phrase, or word of this ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

SECTION 5: Effective date. This ordinance shall take effect thirty (30) days after its final adoption; however, prior to its final adoption it shall be published in accordance with the requirements of Section 808 and 812 of “The Charter of the City of Santa Clara, California.”

PASSED FOR THE PURPOSE OF PUBLICATION this ____ day of _____, 2024, by the following vote:

AYES:	COUNCILORS:
NOES:	COUNCILORS:
ABSENT:	COUNCILORS:
ABSTAINED:	COUNCILORS:

Attachments incorporated by reference: None
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