

**CITY OF OAKLAND**  
**Public Ethics Commission**

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**TO:** Public Ethics Commission  
**FROM:** Daniel Purnell  
**DATE:** December 12, 2005

**RE: Proposed Amendments To The Lobbyist Registration Act**

**I. BACKGROUND**

At its regular meeting of October 20, 2005, the City Council's Rules and Legislation Committee considered a series of amendments to the Lobbyist Registration Act proposed by this Commission. These amendments resulted from a number of study sessions by the Commission's Campaign Finance and Lobbyist Registration Committee. The Committee had surveyed other local and statewide lobbyist registration programs to determine how Oakland's program compared with other jurisdictions.

At the Rules Committee meeting, Vice Mayor Jane Brunner offered a set of proposals to modify the Commission's proposed amendments. The Rules Committee ordered the item to be re-heard on Thursday, November 10, 2005, to permit time for Ms. Brunner's proposals to circulate to committee members and members of the public.

At its meeting of November 7, 2005, the Commission briefly considered Ms. Brunner's proposed modifications but, due to the lateness of the hour, directed staff to request the Rules Committee to defer its consideration of the proposed amendments and modifications until the Commission had an opportunity to more fully consider the proposed modifications. The Commission also directed staff to prepare an analysis of the proposed modifications to determine how they would affect what the Commission initially proposed.

The Rules Committee granted the Commission's request and will re-agendize the amendments upon subsequent request by the Commission.

## II. PROPOSED MODIFICATIONS TO THE COMMISSION'S PROPOSED AMENDMENTS

**Attachment 1** presents the Commission's initial proposed amendments to the Lobbyist Registration Ordinance. The Commission's proposed amendments are shown in a "redline" format.

**Attachment 2** presents Ms. Brunner's proposed modifications as they affect the Commission's proposals. Beneath each proposed modification is the stated rationale for the modification in **bold** type font. Also below each modification are Commission staff's comments on how the proposed modification would affect what the Commission is proposing.

**Attachment 3** is a redline of the Lobbyist Registration Act that incorporates Ms. Brunner's proposed modifications into the Commission's proposed amendments.

## III. ISSUES FOR THE COMMISSION TO CONSIDER

At some point, the Commission and/or the City Council will have to reconcile Ms. Brunner's proposed modifications with what the Commission initially proposed. There appears to be two approaches the Commission can take at this time: One is to attempt mutual compromise on an agreed set of amendments that can be presented back to the Rules Committee and then forwarded on to the City Council. This approach has the advantage of presenting the City Council with a joint recommendation that may improve the chances of full adoption by the City Council.

A second approach is to take issue with some or all of the proposed modifications and attempt to convince the Rules Committee that the Commission's language should prevail where inconsistencies exist. The Rules Committee would then likely recommend one version over the other or, as it did with the proposed amendments to the Limited Public Financing Act last year, agree to submit both versions concurrently to the City Council and let the City Council decide between the two versions. Before discussing these procedural aspects, staff recommends that the Commission fully discuss the proposed modifications to determine whether any of them can be accommodated into the Commission's proposal. The extent to which they can will likely help determine a suitable approach.

Respectfully submitted,

Daniel D. Purnell  
Executive Director