



Office of the Executive Director

MEMORANDUM

DATE: August 6, 2021

TO: Chair and Members of the San Diego Ethics Commission

FROM: Sharon Spivak, Executive Director

SUBJECT: Annual Summary of Lobbying Activity for 2020
Docketed for Ethics Commission Meeting of August 12, 2021

I. Purpose of the Annual Report

The City's Municipal Lobbying laws are designed to ensure that the public has access to information about those who attempt to influence City government decisions through the use of paid lobbyists. The City's laws set detailed registration and disclosure requirements so that lobbyists will provide the public with relevant information regarding the full range of their lobbying activities and financing.

As part of the expressed purpose for the City's lobbying laws, the Municipal Code states an intent to "promote transparency concerning attempts to influence municipal decisions." See San Diego Municipal Code (SDMC and Municipal Code) § 27.4001 (Municipal Lobbying Ordinance, Purpose and Intent section). The code seeks to properly regulate lobbying activities, "in a manner that does not discourage or prohibit the exercise of constitutional rights," while reinforcing "public trust in the integrity of local government" and through vigorous enforcement of City lobbying laws. *Id.*

As the Commission is aware, the Municipal Lobbying laws fall under the Ethics Commission's jurisdiction. Commission staff provide City lobbyists with education and advice regarding the laws. The Commission's authority to conduct investigations and take administrative enforcement actions extends to all current and former lobbyists who are registered, or required to be registered, with the City. SDMC § 26.0413(a)(9) and § 27.4001, *et seq.*

Lobbyist filings are available on the City of San Diego’s website, in the portal accessible from the City Clerk’s web page. As an added measure of transparency, Commission staff compile an annual summary of City lobbying and related activities, based on lobbyist filings from the previous calendar year. The following report and charts provide a summary of lobbyist activity in the City of San Diego during 2020. In comparing the statistics of the past year to previous years (see charts), it is significant to note for the record that the activity reported during the last three quarters of 2020 fell during the COVID-19 pandemic.

II. Report of 2020 Lobbying Activity

(1) Lobbyist Registration

Every lobbying firm and organization lobbyist, as defined by the Municipal Code, is required to register with the City Clerk no later than 10 calendar days after qualifying as a lobbying firm or organization lobbyist. SDMC § 27.4007, *et seq.* Those that register retain that status through January 5 of the following calendar year unless and until they terminate their status; if they re-qualify, they must renew their registration.

In 2020, a total of 57 lobbying firms and 61 organization lobbyists registered a total of 380 individual lobbyists with the City Clerk.

(2) Disclosure of Lobbying Activities

Lobbying firms and organization lobbyists file quarterly disclosure reports. SDMC § 27.4015. A summary of the 2020 reports showed the following:

- Lobbying firms reported receiving a total of \$5,529,336.61 from their clients.
- Organization lobbyists reported making a total of 2,135 lobbying contacts with high-level City Officials.

The quarterly breakdown of reported earnings and contacts for 2020 follows:

<u>2020 Calendar Quarter</u>	<u>Amount Earned by Firms</u>	<u>Contacts by Organizations</u>
January – March	\$ 1,291,982.06	391
April – June	\$ 1,604,468.00	674
July – September	\$ 1,592,663.30	656
October – December	\$ 1,040,223.25	414

(3) Disclosure of Campaign-Related Activities

Quarterly disclosure reports are also required to detail campaign contributions and fundraising activities. A summary of the 2020 reports showed the following:

- Lobbying firms and organization lobbyists reported a total of \$982,772.53 in campaign contributions made to City candidates, and to committees primarily formed to support or oppose City candidates.
- Lobbying firms and organization lobbyists disclosed raising \$458,716.00 for City candidates and for committees formed to support or oppose City candidates.

The quarterly breakdown of reported campaign activity for 2020 follows:

<u>2020 Calendar Quarter</u>	<u>Campaign Contributions</u>	<u>Fundraising Activities</u>
January – March	\$ 172,597.85	\$ 85,547.00
April – June	\$ 133,909.60	\$ 72,357.00
July – September	\$ 456,983.88	\$ 109,685.00
October – December	\$ 219,281.20	\$ 191,127.00

It should be noted that the definition of “fundraising activity” is limited in the Municipal Code for this purpose, as generally: (1) funds personally delivered to a City candidate or a committee, and (2) contributions a lobbyist has taken some credit for raising with the candidate or the candidate’s controlled committee. See SDMC § 27.4002.

For comparison purposes, please see the attached charts delineating the information disclosed by lobbying entities for each year since 2013.

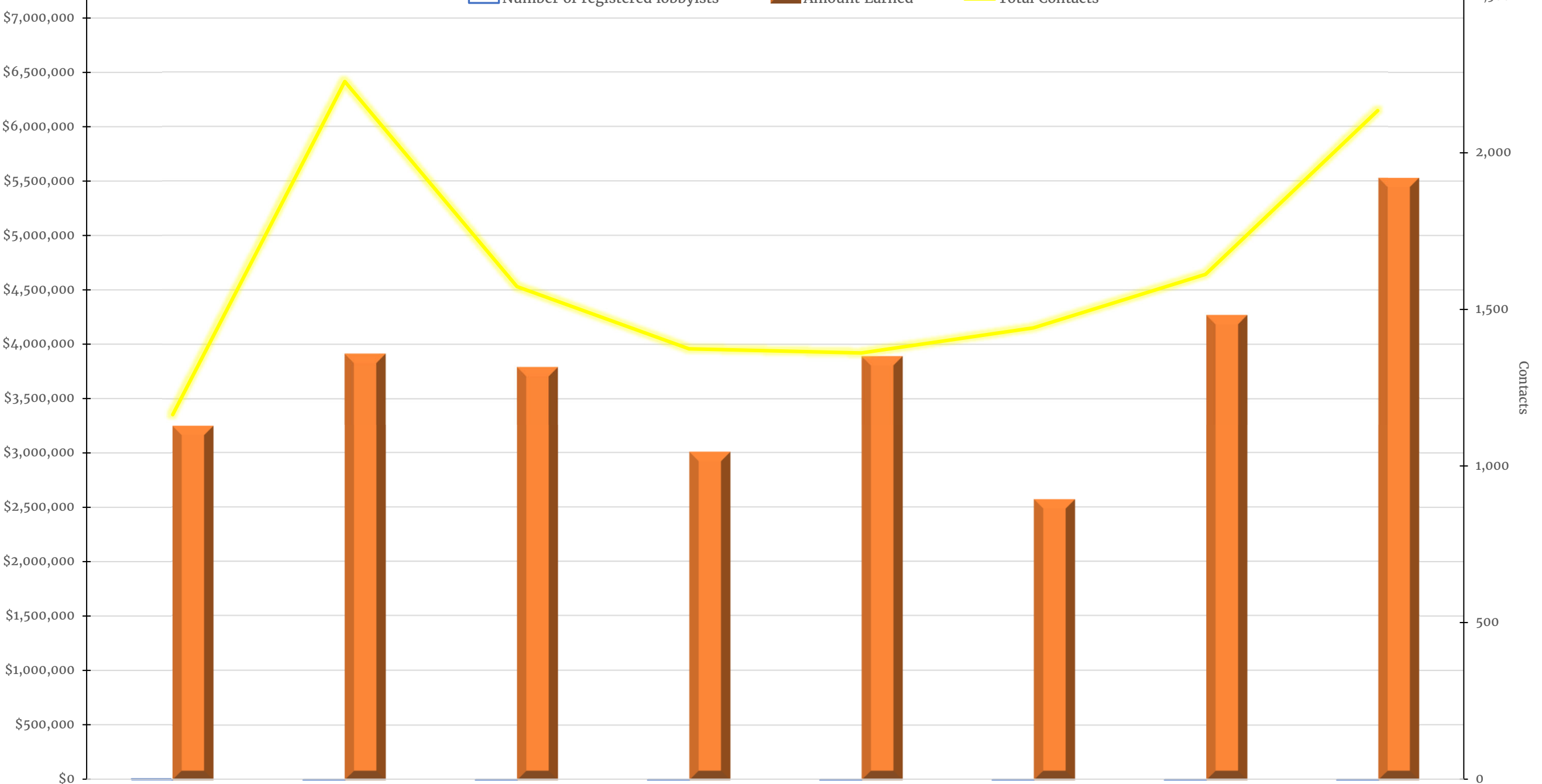
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Sharon Spivak
Executive Director

Attachments

TRENDS

Number of registered lobbyists Amount Earned Total Contacts



2013

2014

2015

2016

2017

2018

2019

2020

321

385

401

364

388

377

379

380

Contacts

Campaign Activity

■ Contributions ■ Fundraising ● Election Dates

