

TITLE

LOBBYING POLICY

ORG. AGENCY

Blueprint
 Intergovernmental
 Agency

DRAFT

113.01 AUTHORITY

Section 163.01, Florida Statutes
 Second Amended and Restated Interlocal Agreement

113.02 STATEMENT OF POLICY AND SCOPE

This Policy establishes procedures for the registration of lobbyists and prescribes standards of conduct for members of the Leon County – City of Tallahassee Blueprint Intergovernmental Agency Board of Directors (IA Board), Agency employees, and members of boards and committees created by the IA Board. The terms, definitions, and provisions of this Policy shall supersede the lobbyist registration requirements and definitions contained in Blueprint’s *Code of Ethics and Standard of Conduct Policy* #108. Lobbyists should consult the lobbying registration policies of the City of Tallahassee and Leon County Government regarding matters pertaining specifically to City or County matters.

113.03 DEFINITIONS

- A. Agency: means the Blueprint Intergovernmental Agency, including the Office of Economic Vitality, created by the Interlocal Agreement, as may be amended, between the City of Tallahassee and Leon County Government, and authorized pursuant to Chapter 163, Florida Statutes, for the purposes of administering the local option one cent sales tax extension.
- B. Employee: means all persons employed by the Agency.
- C. Lobbying: means communications, whether written or oral, by a lobbyist outside a duly noticed public meeting or hearing on the record with any member or members of the IA Board, or any member or members of any decision-making body under the jurisdiction of the IA Board, or any employee of the City of Tallahassee, Leon County Government, Department of PLACE, or Agency, whereby the lobbyist seeks to encourage or influence the passage, defeat, modification, or repeal of any item which may be presented for vote before the IA Board or any decision-making body under the jurisdiction of the IA Board, or which may be presented for consideration by an employee of the City of Tallahassee, Leon County Government, Department of PLACE, or the Agency as a recommendation to the IA Board or decision-making body.

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- D. Lobbying firm: means a business entity, including an individual contract lobbyist, that receives or becomes entitled to receive any compensation for the purpose of lobbying, where any partner, owner, officer, or employee of the business entity is a lobbyist.
- E. Lobbyist: means a person who is employed and receives payment or who contracts for economic consideration for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity.
- F. Principal: means a person, firm, corporation, or other legal entity which has employed or retained a lobbyist.
- G. Reporting period: means each calendar quarter during any portion of which a lobbyist or lobbyist firm was registered under the requirements of this Policy to represent a principal.

113.04 PROCEDURES

- A. Lobbyist Registration. All lobbyists, as defined in this Policy, are required to be registered with the Agency prior to engaging in any lobbying.
 - 1. Each lobbyist shall be required to register on lobbyist registration forms adopted by the Agency and filed with the City Treasurer-Clerk. The Annual Registration form shall include the name, business address, telephone number, and email address of the lobbyist. The Add or Update Principal(s) form shall include the name and business address of each principal represented, that the principal has actually retained the lobbyist, the general and specific areas of legislative interest, and the nature and extent of any direct business association or partnership with any current IA Board member, person serving on an advisory body, or any employee of the City of Tallahassee, Leon County Government, Department of PLACE or the Agency. Each lobbying firm may register in the name of such firm, corporation or legal entity, provided the Add Lobbyist(s) form shall list the names of all persons who engage in lobbying as defined in this Policy as part of the firm.
 - 2. Each lobbyist shall, at the time of initial registration, and for each subsequent annual registration, pay a non-refundable registration fee of \$25 for each principal represented prior to engaging in any lobbying.
 - 3. The term of lobbyist registration shall be from January 1 through December 31 of the calendar year, or from the date of initial lobbyist registration to December 31 of that calendar year.

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4. If a lobbyist has previously filed a lobbyist registration form for a calendar year and is retained by a new principal to lobby during the calendar year, such lobbyist shall complete and file the appropriate Add or Update Principal(s) form and pay a non-refundable registration fee of \$25 for the principal represented prior to engaging in any lobbying.
 5. If a lobbyist has previously filed a lobbyist registration form for a calendar year and removes a principal while still lobbying on behalf of other principals, such lobbyist shall file a Remove Principal(s) form within 10 business days of such change. There is no fee to submit a Remove Principal(s) form to provide notice that the lobbyist has removed a principal from its registration.
 6. If a lobbyist has previously filed a lobbyist registration form for a calendar year and ceases all lobbying activities on behalf of all principals, such lobbyist shall file a Remove Lobbyist(s) form within 10 business days of such change.
 7. All registration fees shall be paid to the City of Tallahassee.
 8. Failure to register prior to engaging in lobbying; failure to file the appropriate form regarding lobbyist registration; failure to file a required quarterly compensation report; or providing false information on any lobbyist registration form shall constitute a violation of this Policy.
- B. Exemptions. The following persons are not lobbyists as defined herein and shall not be required to register as lobbyists or to keep records as lobbyists:
1. Agency employees discussing government business;
 2. Law enforcement personnel conducting an investigation;
 3. Persons who communicate with IA Board members or employees of the City of Tallahassee, Leon County Government, Department of PLACE, or the Agency in an individual capacity for the purpose of self-representation, or on behalf of a family member, without compensation or reimbursement;
 4. Consultants under contract with the Agency, City of Tallahassee, or Leon County Government who communicate with members of the IA Board or Agency employees regarding issues related to the scope of services in their contract;
 5. Any government officials or employees who are acting in their official capacity or in the normal course of their duties, unless they are proposing in a competitive procurement, or are government employees principally employed for, or whose substantial duties pertain to, governmental affairs lobbying;

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6. Persons or representatives of organizations contacted by a member of the IA Board, member of a decision-making body, or an employee of the City of Tallahassee, Leon County Government, Department of PLACE or the Agency, when the contact is initiated by that member of the IA Board, member of a decision-making body, or an employee of the City of Tallahassee, Leon County Government, Department of PLACE, or the Agency in his or her official capacity in the normal course of his or her duties to obtain factual information only.

- C. Validity of action. The validity of any decision, action, or determination made by the IA Board, decision-making body under the jurisdiction of the IA Board, or Agency employee, shall not be affected by the failure of any person to comply with the provisions of this Policy.

- D. Quarterly compensation report. Each lobbying firm, which as defined in this Policy includes an individual contract lobbyist, shall file with the City Treasurer-Clerk a compensation report, signed by an authorized representative of the lobbying firm, for each reporting period.
 1. The quarterly compensation report shall include the following:
 - a. Full name, business address, and telephone number of the lobbying firm;
 - b. Name of each of the firm's lobbyists; and
 - c. Total compensation provided or owed to the lobbying firm from **all principals** for the reporting period, reported in one of the following categories: \$0; \$1 to \$49,999; \$50,000 to \$99,999; \$100,000 to \$249,999; \$250,000 to \$499,999; \$500,000 to \$999,999; \$1 million or more.
 2. For each principal represented by one or more of the firm's lobbyists, the quarterly compensation report shall also include the following:
 - a. Full name, business address, and telephone number of the principal; and
 - b. Total compensation provided or owed to the lobbying firm for the reporting period from **each principal**, reported in one of the following categories: \$0; \$1 to \$9,999; \$10,000 to \$19,999; \$20,000 to \$29,999; \$30,000 to \$39,999; \$40,000 to \$49,999; or \$50,000 or more. If the category "\$50,000 or more" is selected, the specific dollar amount of compensation must be reported, rounded up or down to the nearest \$1,000.
 - c. The quarterly compensation reports shall be filed no later than 30 days after the end of each reporting period. The four reporting periods are from January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1

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through December 31. The quarterly compensation reports shall be filed in the form approved by the Agency.

3. In the event a lobbyist withdraws from lobbying for a principal during a calendar year, the lobbyist shall file a quarterly compensation report for that principal only for the portion of the calendar year during which the lobbyist was engaged in lobbying for that principal.
- E. Maintaining registrations and compensation reports; method of filing and payment. The City Treasurer-Clerk shall accept and maintain the lobbyist registrations and quarterly compensation reports, which shall be open for public inspection and copying. To the extent the technology is feasible and cost-effective, lobbyists are authorized to submit the forms and payments required pursuant to this Policy using online means as approved by the Agency.

113.05 PROHIBITED CONDUCT OF AGENCY OFFICIALS AND EMPLOYEES

- A. No member of the IA Board or employee of the Agency shall solicit or accept as compensation, payment, favor, service, or thing of value from a lobbyist or principal when such member of the IA Board or Agency employee, as specified above, knows, or with the exercise of reasonable care, should know, that it was given to influence a vote or recommendation favorable to the lobbyist or principal.
- B. From the effective date of this Policy, no member of the IA Board shall lobby the IA Board for a period of two years after vacating the office of County Commissioner or City Commissioner. Effective December 31, 2022, no member of the IA Board shall lobby the IA Board for a period of six years after vacating the office of County Commissioner or City Commissioner.

113.06 COMPLIANCE AND PENALTIES

- A. Complaints. A complaint concerning an alleged violation of this Policy shall be in writing and filed with the Blueprint Attorney. The review of any alleged violation of this Policy shall be conducted as follows:
 1. The Blueprint Attorney shall be informed in writing of any allegation that a person:
 - a. is engaging in lobbying activities without complying with the lobbyist registration provisions of this Policy;
 - b. has failed to amend a previously filed lobbyist registration form as required by this Policy;
 - c. has failed to file a lobbying compensation report as required by this Policy; or

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- d. has provided false information in a filed lobbyist registration form.
 - 2. The Blueprint Attorney or designee shall conduct a review of the alleged violations and prepare written findings of the review, including corrective measures and penalties to be assessed, if any.
 - 3. The findings of the review, including corrective measures and penalties to be assessed, if any, shall be provided to the lobbying firm or lobbyist, who shall have ten (10) calendar days from receipt of the findings to comply with the corrective measures. Failure to comply with the corrective measures may result in suspension from lobbying the IA Board for a period not to exceed one year.
- B. Penalties. A first violation of this Policy within a period of 12 months shall result in the issuance of a written warning by the Blueprint Attorney, in addition to any corrective measures. Two or more violations of this Policy within a period of 12 months shall result in the suspension of the lobbying firm or lobbyist from lobbying the IA Board for a period not to exceed 12 months. The lobbyist or lobbying firm shall be notified of the suspension in writing. The suspension shall be effective following the expiration of time in which to appeal the notice of suspension. The City Treasurer-Clerk and Agency shall maintain an updated list of currently suspended lobbying firms and lobbyists on the Agency website.
- C. Appeal. A lobbying firm or lobbyist receiving a notice of suspension from lobbying the IA Board may file an appeal with the Florida Division of Administrative Hearings (DOAH) specifically describing the facts the lobbying firm or lobbyist contends warrant reversal or modification of the Agency’s proposed action. An appeal shall be filed at DOAH within thirty (30) days after receipt of the findings of the investigation or the right to such an appeal shall be deemed waived. The final order entered by DOAH is appealable to the First District Court of Appeal. An appeal of the final order shall be filed within thirty (30) days after receipt of the final order or the right to such an appeal shall be deemed waived.

113.07 EFFECTIVE DATE

This policy will become effective April 8, 2021, upon approval of the Leon County – City of Tallahassee Blueprint Intergovernmental Agency.