ORDINANCE NO. 27667

AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING CHAPTER 12.12 OF TITLE 12 OF THE SAN JOSE MUNICIPAL CODE BY ADDING A NEW SECTION 12.12.200 ENTITLED LOBBYIST FUNDRAISING ACTIVITY TO PROVIDE A DEFINITION OF THE TERM AND AMENDING SECTION 12.12.420 TO REQUIRE ADDITIONAL INFORMATION AND DISCLOSURES

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. Chapter 12.12 of Title 12 of the San José Municipal Code is hereby amended by adding the following new Section to be numbered, entitled and to read as follows:

12.12.200 Lobbyist Fundraising Activity

"Fundraising Activity" means soliciting a contribution; hosting or sponsoring a fundraising event; or hiring a fundraiser or contractor to conduct any event designed for political fundraising at which contributions for any City official, candidate for elective City office or any controlled committee of an elected City official or candidate for City office or for any political action committee, political party or candidate for elective office of a governmental organization are solicited, delivered or made.

SECTION 2. Section 12.12.420 of Chapter 12.12 of Title 12 of the San José Municipal Code is hereby amended to read as follows:

12.12.420 Additional Required Information and Disclosures

The initial lobbyist registration shall also contain the following information:

A. Campaign and officeholder contributions that a lobbyist made, delivered or acted as an intermediary for, to an elected City official or candidate for City Office made during the preceding calendar quarter. A person is an "intermediary" for a contribution if the recipient of the contribution would consider the person to be the contributor without the disclosure of the identity of the true source of the contribution. Also, a lobbyist acts as an "intermediary" if the lobbyist makes a contribution on behalf of another person, and that other person is acknowledged as the contributor, and the lobbyist is reimbursed for the contribution.

B. Campaign and officeholder contributions made at the behest of an elected City official or candidate to any other elected public official or candidate for public office during the preceding calendar quarter.

C. All Independent Expenditures made for or on behalf of a City official or candidate for City office made during the preceding calendar quarter.

D. Fundraising Activity for any City official, candidate for elective City office or any controlled committee of the elected City official or candidate for City office or for any political action committee, political party or candidate for elective office of a governmental organization made at the behest of a City official during the preceding calendar quarter. Required information and disclosures shall include the name of the City official, candidate, committee or party on whose behalf the lobbyist engaged in fundraising activities, or delivered or acted as intermediary for one or more contributions. The information and disclosures shall also include the name of the City official requesting the Fundraising Activity, the date of the Fundraising Activity, the name of the contributors and the amount of contributions raised, delivered and/or made in connection with which the lobbyist acted as an intermediary.

E. Donations to for profit or nonprofit organizations made at the behest of a City official or candidate for elective City office of any contribution or payment of more

than one thousand dollars ($1,000) in the aggregate made during the preceding calendar quarter.

F. Payments received for services as a consultant or in any other capacity for services rendered to any City department or Redevelopment Agency, City official, or any City official-elect, their controlled committees or officeholder committees.

G. Contacts made with City officials or City officials-elect during the preceding calendar quarter for the purpose of influencing or attempting to influence legislative or administrative action. Contact information shall include a brief description of the item(s) of legislative or administrative action the lobbyist is seeking to influence and the number of contacts in the following ranges: (1), (2-5), (6-10) or (11 or more).

H. Activity expenses such as payments that directly benefit any City official, City official-elect or member of his or her immediate family or domestic partner made during the preceding calendar quarter.

RD:NKS
3/7/06

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PASSED FOR PUBLICATION of title this 7th day of March, 2006, by the following vote:

AYES:	CHAVEZ, CHIRCO, CORTESE, LeZOTTE, NGUYEN, PYLE, REED, YEAGER; GONZALES
NOES:	CAMPOS, WILLIAMS
ABSENT:	NONE
DISQUALIFIED:	NONE

RON GONZALES
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk