



**SUBJECT: Lobbyist Registry**

**TO: Corporate Services, Strategy, Risk & Accountability Cttee.**

**FROM: Office of the City Clerk**

Report Number: CL-15-21

Wards Affected: All

File Numbers: 155-03-04

Date to Committee: May 5, 2021

Date to Council: May 18, 2021

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### **Recommendation:**

Direct the City Clerk to proceed with option \_\_\_\_ regarding implementing a lobbyist registry as outlined in clerk's department report CL-15-21.

### **PURPOSE:**

The purpose of this report is to respond to Council's resolution to implement a Lobbyist Registry for the City of Burlington.

### **Vision to Focus Alignment:**

- Building more citizen engagement, community health and culture
- Deliver customer centric services with a focus on efficiency and technology transformation

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### **Executive Summary:**

- Section 223.9 to 223.12 of the *Municipal Act, 2001, S.O. 2001, c 25, as amended* (the "Act") provides for municipalities to establish a lobbyist registry and appoint a lobbyist registrar amongst other provisions.
- At the August 24, 2020 meeting of Council, Councillor Kearns brought forward the motion noted in the Background section of this report to report back on implementing a lobbyist registry.

- Lobbying is common in federal, provincial and municipal legislation as any oral or written communications attempting to influence the actions of public officials for financial benefit.
  - Lobbying is a legitimate and legal activity that is part of an individual's, group's or company's right to communicate with their elected government officials and municipal staff.
  - The purpose of a Lobbyist Registry is to enhance the transparency and integrity of business conducted at City Hall.
  - A lobbyist registry can ensure that interactions between staff, elected officials and lobbyists are a matter of public record and accessible to all citizens.
  - The components of the lobbying regime should be carefully considered so as to balance the intent of the accountability and transparency regime while not limiting the operations of the municipality.
  - There are 4 options included for Council's consideration that involve some components of the lobbyist regime provisions provided in legislation.
  - **Option 1:** Expansion of the existing business meeting registry to all members of Council could be implemented on its own, with no further steps.  
**Option 2:** Voluntary Lobbyist Registry – No Enforcement.  
**Option 3:** Mandatory Registry – Self Enforcement.  
**Option 4:** Mandatory Registry – Enforcement build upon each previous option, increasing the complexity and scope of the registry, and oversight by a Registrar.
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## **Background and Discussion:**

At the Council meeting on August 24, 2020 through its adoption of Memorandum from Councillor Kearns (CSSRA-06-20) the City Clerk was directed to bring forward a staff report to implement a Lobbyist Registry for the City of Burlington.

This report explores the various potential components of lobbying regulation and presents four options for the regulation of lobbying activities in Burlington with reference to the other Ontario municipalities who already have lobbyist registries in place.

### Legislated Authority to Establish a Lobbyist Registry/Registrar

Section 223.9 (1) of the *Municipal Act, 2001*, S.O. 2001, c 25 (the "Act") authorizes a municipality to establish and maintain a registry in which shall be kept such returns as may be required by the municipality that are filed by persons who lobby public officer holders.

Section 223.9 (2) of the Act also authorizes the municipality to provide for a system of registration of persons who lobby public office holders and to do the following things:

- Define lobby.
- Require persons who lobby public officer holders to file returns and give information to the municipality.
- Specify the returns to be filed and the information to be given to the municipality by persons who lobby public officer holders and specify the time within which the returns must be filed and the information provided.
- Exempt persons from the requirement to file returns and provide information.
- Specify activities with respect to which the requirement to file returns and provide information that does not apply.
- Establish a code of conduct for persons who lobby public officer holders.

Section 223.11(1) of the Act permits a municipality “to appoint a registrar who is responsible for performing in an independent manner the functions assigned by the municipality with respect to the registry and the system of registration”.

#### Regulation of Lobbying Activities in Other Municipalities

A review of existing Lobbyist Registries in other Ontario municipalities was undertaken to understand the framework that each has established for their own needs. The Cities of Toronto, Ottawa, Hamilton, Brampton, and Vaughan, Region of Peel and the Town of Collingwood have all implemented their own registries and span the range of what implanting lobbyist registry could entail. For further information, a summary table of municipal experiences from the jurisdictions noted is included with this report as Appendix “A”.

#### Internal Review

As a starting point, staff conducted a review of the City’s current accountability and transparency framework.

The City of Burlington has an [Accountability and Transparency Policy](#) as well as a contract with an [Integrity Commissioner](#) who can provide advice and conduct investigations related to [Council Code of Good Governance](#) breaches or contraventions of the Municipal Conflict of Interest Act. For public access, the City’s website posts a Accountability and Transparency Policy, the Council Code of Good Governance, enforcement and process for filing a complaint, and information on the [Municipal Conflict of Interest Act](#) including process for filing breaches of the Act as well as the Declaration of Interest Registry.

#### Previous Lobbyist Registry Dialogue in Halton Region

Discussion on a lobbyist registry in Halton Region occurred between 2009 and 2011 when the Region of Halton staff presented report LPS86-09 “Report on the Feasibility

and Desirability of Creating a Lobbyist Registry for Halton Region”. Subsequently, the Region formed a sub-committee to review the issue and the role of local municipalities in coordinating a Regional Lobbyist Registry as there could be instances where local and regional issues coincide, potentially creating administrative difficulties and confusion for staff, councillors and lobbyists. On August 30, 2011 the Budget and Corporate Services Committee considered clerk's department report [CL-23-11](#), Response to Request regarding Council Position on a Halton Lobbyist Registry. On September 6, 2011 Burlington City Council passed a resolution to notify the Region that Burlington Council did not support the formation of a lobbyist registry.

On November 16, 2011 having received comments from all area municipalities, the Region of Halton Council concurred with the recommendation from the Lobbyist Registry Review Sub-Committee and Administration and Finance Committee that a lobbyist registry was not warranted for Halton Region.

#### Ward 2 Business Meeting Registry

Staff also consulted with the Ward 2 Councillor and their Assistant regarding practices in implementing and administering the Ward 2 Business Meeting Registry. The [Business Meeting Registry](#) is a voluntary registry designed to serve two purposes, to support the transparency, accountability and integrity of the government decision-making process, and to promote open dialogue between the many stakeholders in the community.

Currently, individuals and organizations in Ward 2 seeking to meet with the Councillor regarding a matter that is going to Committee/Council, that intends to advance the business of the City, or which the individual or organization may receive any form of remuneration or benefit, register their interaction. Individuals and organizations are asked to submit their registration through an online form providing the individuals or organizations name and contact information. Participants must then disclose if they are affiliated with any local boards, if they are former public office holder, provide the purpose of the meeting, any previous consultations with other officials or employees regarding the matter, any previous government funding for the matter and other participants attending the meeting. Participants are required to review and agree to abide by a code of conduct and consent to the information being shared publicly. The registration is received by the Ward 2 Councillor Assistant who updates the registry and on a monthly basis posts a PDF of the registry on the meeting registry site.

#### **Strategy/process**

### Benefits

A lobbyist registry can ensure that interactions between staff, elected officials and lobbyists are a matter of public record and accessible to all citizens. Lobbyists are required to provide information about the organization for which they work, the individuals or departments or agencies they are lobbying, and the outcomes they are seeking to achieve. This ensures greater transparency in the decision-making process.

Lobbying registries can be as simple as the posting of a code of conduct for those participating in lobbying activity to a formal registry overseen by a Lobbyist Registrar.

It must be acknowledged that some methods of lobbying regulation can be expensive and administratively burdensome, creating significant demands on human and technological resources.

Staff have conducted extensive research and jurisdictional scanning of the municipalities that have implemented a lobbyist registry and are seeking additional information from Council as to the direction to proceed.

### Components of Lobbying Regulation

#### *Lobbying*

Lobbying in the municipal context is generally defined as “communication with a public office holder to advance a business or financial interest with the goal of trying to influence any legislative action”. It involves communicating outside of a public forum such as Council meeting or public hearing, and typically includes a list of specific activities, including “development, introduction, passage, defeat, amendment or repeal of a by-law, motion, resolution or the outcome of a decision on any matter before Council, a Committee of Council, or a Ward Councillor or staff member acting under delegated authority” (Ottawa). The list of lobbying activities may also include the development of City policy, purchasing of goods and services, approval of permits and licenses, financial contributions, and the transfer of the City’s interest or asset of any business, enterprise or institution (Toronto), and actions related to the hiring, disciplining or terminating of any member of the senior management team (Hamilton).

It should be clear that the registry would not include such general inquiries to the implementation or administration of policy, program, directive or guideline made to a public office holder that would in no way be linked to financial return benefiting the individual inquiring or on whose behalf they are inquiring. A fulsome list of lobbying exemptions is generally developed.

#### *Communication*

The definition of communication is consistent across the existing lobbying registry by-laws. Communication can occur at both an informal (i.e. meetings at their office) or in an informal setting (i.e. social events, unplanned meetings).

### *Public Office Holder*

A public office holder and their communications with lobbyists will be subject to the requirements of any lobbying regulation implemented by the City and therefore must be scoped to suit the City. The simplest of definitions is that a Public Office Holder means a member of Council and any person on their staff, and an employee of the City who is a member of the City's Senior Management Team (Hamilton). The definition of Public Office Holder can be greatly expanded beyond this, as is seen in the Ottawa example.

### *Lobbyist*

There is substantial agreement in the registries reviewed as to the classification of lobbyists regulated, and their definitions. A lobbyist may be classified as the following:

- **Consultant lobbyist:** an individual who lobbies for payment on behalf of a client (another individual, company, partnership or organization). If the consultant arranges for a meeting between a public office holder and a third party, that is lobbying.
- **In-house lobbyist:** an individual who is an employee, partner or sole proprietor and who lobbies on behalf of their own employer, business or organization.
- **Voluntary unpaid lobbyist:** an individual who lobbies without payment on behalf of an individual, business or other organization for the benefit of the interests of the individual, business or other organization.

The list of the individuals, agencies and governments exempt from the process is typically established. Lobbyist exemptions generally include other levels of government, officials and employees of the City and other municipal bodies, including public office holders, officers, directors or employees of a local board of the City and acting in their public capacity, publicly-funded school boards and educational institutions, publicly-funded healthcare institutions and municipal associations.

Consultations with municipalities that have a lobbyist registry revealed that generally there is little to no opposition to registering as a lobbyist. In fact, based on the experiences of others, many individuals and organizations conducting business in Toronto and Greater Toronto Area, are quite familiar with the need to register as a lobbyist.

A flow chart used by the City of Ottawa has been included as Appendix "B" as an example of learning aid which determines whether an individual is a lobbyist.

### *Code of Conduct*

A Code of Conduct provides guidance to lobbyists and reinforces accountability and transparency values in the lobbyist registry. A clear Code of Conduct aids in the understanding of the registry and establishes the expectations of lobbyists and lobbying recipients. The Cities of Toronto, Ottawa and Brampton have adopted similar Codes of Conduct highlighting principles such as honesty, openness, disclosure of identity and purpose, information and confidentiality, competing interests and improper influence.

### *Registrations – Voluntary or Mandatory?*

The Municipal Act provides for registrations of lobbyists, their conditions of registration and their continued or renewed registrations. The Act does not specify if those registrations must be mandatory or voluntary.

Registration typically involves providing information about the lobbyist, the subject matter being registered and the closure of the registration. Information includes:

Step 1: Registration as a Lobbyist

Step 2: Subject Matter Registration

Step 3: Closure of the Lobbying Subject Matter

There are differences in timing of the registrations. In Toronto and Hamilton, the registration must occur prior to the lobbying activity, while in Ottawa, Vaughan and Brampton, the registration can occur after the lobbying activity. In the case of the City of Ottawa, registration can occur up to 15 business days after the lobbying activity.

Registrations that occurs after the lobbying activity recognizes the potential for lobbying activities to occur outside of formal, pre-set meetings. For example, a public office holder at a community event may have an unplanned interaction with a lobbyist. Permitting after-the-fact registrations allows for the registry to record these activities while accepting that not all lobbying activities occur in a pre-planned manner.

### *Administration of the Registry*

A publicly available, online, searchable database is an important component for the lobbyist registry, both for lobbyists and for those who wish to review the lobbying activities that have been registered. Many municipalities have established searchable databases to provide ease of use for both lobbyists registering and members of the public seeking information. Ideally any registry for lobbyists would include the ability for lobbyists to set-up secure online accounts, provide information regarding the identity of the lobbyist, who they are lobbying for, the lobbying subject matter and which public office holders they are lobbying. This would reduce the manual data-entry required to create the registration.

### *Lobbyist Registrar*

A Lobbyist Registrar is a person “who is responsible for performing in an independent manner the functions assigned by the municipality with respect to the registry”. No further guidance or direction is given by the Act with respect to the type of person who can be appointed or their necessary background, except that the Registrar is not required to be an employee of the municipality.

A Lobbyist Registrar regulates lobbying activity by overseeing public disclosure of lobbying activity and ensuring adherence to any Lobbyist Code of Conduct. The Registrar may also enforce the by-law, review, verify and approve registrations and deliver information and training materials.

A Lobbyist Registrar should have the appropriate background, skills and experience to undertake the activities noted above. The Cities of Ottawa, Hamilton, Brampton, Peel, and Vaughan have appointed their Integrity Commissioners as their Lobbyist Registrars.

### *Inquiries and Sanctions*

The Act permits the Lobbyist Registrar to conduct an inquiry when requested to do so by Council, a member of Council or a member of the public. The inquiry would be related to compliance with the requirements of the lobbyist registry, or the lobbyist's Code of Conduct. Inquiries must be conducted confidentially. The Registrar may report the findings back to Council and any report received by Council must be made publicly available. All municipalities with a lobbyist registry by-law have assigned the powers for inquiry to their Lobbyist Registrar.

Each of the existing lobbyist registries contains sections on penalties. Generally, those penalties involve a ban on lobbying activities for a period of time, based on the number of contraventions.

## **Options Considered**

Four options for the implementation of lobbying regulation are proposed. Not all components discussed above are required, as Council may choose to implement only certain components of a lobbyist registry. The options have been designed with this in mind.

Option 1, expansion of the existing business meeting registry to all members of Council could be implemented on its own, with no further steps. Options 2, 3 and 4 build upon each previous option, increasing the complexity and scope of the registry, and oversight by a Registrar.



The table below provides a snapshot of the spectrum on how lobbyist activities could be registered and made available to the public. In addition, an in-depth review of each option, with lenses of process, people and technology is provided.

	<b>Option 1 Expansion of the Business Meeting Registry</b>	<b>Option 2 Voluntary Lobbyist Registry – No Enforcement</b>	<b>Option 3 Mandatory Registry – Self Enforcement</b>	<b>Option 4 Mandatory Registry – Enforcement</b>
<b>Type</b>	Voluntary	Voluntary	Mandatory	Mandatory
<b>Applies to</b>	Meeting participants ( <i>current</i> )	Lobbyist definition Determined by Public Consultation	Lobbyist definition Determined by Public Consultation	Lobbyist definition Determined by Public Consultation
<b>Impacts</b>	Members of Council ( <i>current</i> )	Determined by Public Consultation	Determined by Public Consultation	Determined by Public Consultation
<b>Subject Matter</b>	A decision or matter that is going to Council, or that intends to advance the business of the City, or a matter to which the participant may receive any form of remuneration or benefit ( <i>current</i> )	Determined by Public Consultation	Determined by Public Consultation	Determined by Public Consultation
<b>Registration</b>	Manual ( <i>current</i> )	Manual or Technological	Technological	Technological
<b>Staffing Resources</b>	Existing	Existing or Enhanced	Enhanced	Enhanced
<b>Maintained By</b>	Councillors and Mayors Office	Corporately	Corporately	Corporately
<b>Lobbyist Registrar</b>	No	No	No	Yes
<b>Enforcement</b>	No	No	Yes	Yes

### **Option 1: Expansion of the Business Meeting Registry to all Members of Council**

The existing Business Meeting Registry is a voluntary registry where meeting participants are encouraged to register when requesting to meet with a Councillor regarding, a decision or matter that is going to Committee/Council, information that intends to advance the business of the City, or a matter to which the participant may receive any form of remuneration or benefit.

This Option builds upon the success experienced in ensuring transparency and accountability when making decisions. Council could consider expanding the business meeting registry to all of Council members.

#### *Key Considerations*

- **Process**

- Option 1 addresses some components of the typically lobbyist regime to support the transparency, accountability and integrity of the government decision-making process.
  - It promotes open dialogue between stakeholders without establishing a full regulatory regime that defines lobbying, lobbyist, or exemptions.
  - Existing communication and key messaging to meeting participants can be leveraged.
  - There is an existing process in place to model (online form, creation of the registry in PDF and posting to the City's website) and therefore this option could be established the fastest.
  - Option 1 only applies to members of Council, as opposed to other 'public office holders' included in other by-laws.
  - This option only applies to meetings with members of Council, not other forms of communication in its current configuration.
  - While there is a Code of Conduct in place in this option, there is no enforcement mechanism available, and the onus is on the lobbyist to adhere.
- **People**
    - The resources required to support this Option are existing (Councillors Assistants and Executive Administrator and Constituent Liaison to the Mayor) therefore this option would not involve any budgetary asks for additional resources.
  - **Technology**
    - The registration of meeting participants is a manual process and could be cumbersome depending on the volume of registrations.
    - If the registry was maintained individually by each member of Council, as opposed to for all of Council, search and retrieval of information may be burdensome.
    - Staff will investigate ways in which to make the information more accessible, through publishing on open data.

### **Option 2: Voluntary Lobbyist Registry – No Enforcement**

The second option involves the institution of a voluntary lobbyist registry without enforcement. This would be accomplished through public consultation with various stakeholders, including residents, participants and Council, to solicit input on the definition of lobbying, the list of lobbying activities (to be included and excluded), identification of the public office holders to be included. From the public consultation definitions, a list of activities and Public Officer Holders and the registration process would be presented to a future Committee meeting for consideration and approval.

The City of Vaughan began its lobbyist registry as a voluntary registry as a phase-in of their mandatory lobbyist registry.

Option 2 may include investigation and / or implementation of new technological solutions such as an online portal for the registry and registration workflows.

Consideration would be required as to who manages the registrations for the voluntary lobbyist registry, existing Assistants to Councillors and the Mayor or corporately, as the scope is potentially expanded for lobbyist activities.

### *Key Considerations*

#### ▪ **Process**

- Option 2 would enhance the existing practices formalizing the process as a lobbyist registry under the Act.
- With a voluntary registry there would be no formal enforcement. There would be no Registrar appointed and as such no complaint mechanisms and no sanctions to apply.
- The regulation of lobbying activity would be subject to a voluntary Code that lobbyists would be expected to adhere to.
- A voluntary period could be used for educational and training purposes, to assist lobbyists with learning about the lobbyist registry.
- The timeline for implementing option 2 would be longer due to public consultation sessions required to determine definitions and the registration process.
- Without the appointment of a Lobbyist Registrar the costs to manage the registry would be less.
- Additional costs may be incurred with the appointment of a Lobbyist Registrar, should one be appointed.

#### ▪ **People**

- Considerations would need to be made whether existing staffing resources have capacity to facilitate the registrations in an expanded scope.
- New workflows for staff could be tested and refined in the voluntary period to ensure a smoother implementation of a mandatory registry, if planned or expected.

#### ▪ **Technology**

- There may be costs for the implementation of technology to manage the increased volume of lobbyist activities.
- A voluntary registry could serve as a test period of any new technological solutions being implemented for the first time, such as an online portal for the registry.

### **Option 3: Mandatory Registry – Self Enforcement**

The third option involves a mandatory registry where lobbyists would be required to register their activities, the registrations would be posted online and they would be bound by a Lobbyist Code of Conduct. The online portal for both lobbyists and residents would be developed, possibly with technology not currently available. The portal for lobbyists would include the ability for lobbyists to set-up secure online accounts. Lobbyists would be required to provide information regarding the identity of the lobbyist, who they are lobbying for, the lobbying subject matter and which public office holders they are lobbying. The portal for residents would allow for the searching of lobbyists, their activities and the public office holders who are lobbied.

In this Option there would be no formal enforcement by a Lobbyist Registrar rather Public Office Holders would be responsible for enforcement. The onus would be placed on the Public Office Holder not to meet with lobbyists, unless the individual has filed a registration. To support this transparency, the existing Code of Good Governance and Employee Code of Conduct would require amendments so that any interactions with un-registered lobbyists could be deemed breaches. Any complaints regarding lobbying activity could be reported to the Integrity Commissioner.

#### *Key Considerations*

- **Process**

- Option 3 would build on Options 1 and 2 and provide greater transparency and better customer service to the public searching for lobbying activities.
- There would be a complaint mechanism for the public to file alleged lobbyist infractions.
- Without the appointment of a Lobbyist Registrar the costs to manage the registry would be less.
- There would be additional research required by each Public Office Holder to ensure that the lobbyist had registered prior to communicating with them.
- There may be costs for resources, and the implementation of technology to manage the increased volume of lobbyist activities.
- The timeline for implementing option 3 would be longer due to the public consultation sessions required to determine definitions and the registration process.

- **People**

- There would be additional costs for staffing resources to facilitate the registrations in an expanded scope.

- **Technology**

- There would be additional costs for the implementation of technology to manage the increased volume of lobbyist activities.

#### **Option 4: Mandatory Registry – Enforcement**

The fourth option is the implementation of a lobbyist registry in its fullest form, as is currently in place in all Ontario municipal examples noted above. It builds upon Option 3 whereby lobbyists are required to submit a registration and adhere to a Code of Conduct but adds the registration approval, enforcement and application of any sanctions by an appointed Lobbyist Registrar. Costs and timing for the Option 4 registry have the greatest variables compared to other options, due to the potential use of new technology (and the costs associated with acquiring and implementing it) and the use of an outside resource as the Lobbyist Registrar. Budget submissions would be required to support the operations of the Registry and the Registrar.

The scope of the mandatory registry could follow the lighter version enacted by Hamilton to the more robust registry in place in Toronto and Ottawa.

#### ***Key Considerations***

- **Process**

- Option 4 would build on Options 3 provide the public with an avenue to file complaints regarding alleged lobbying contraventions to the Lobbyist Registry ensuring objective administration of the program.
- This is currently the established process in all Ontario municipalities with a lobbyist registry currently in place, and therefore the most consistent application for stakeholders conducting business in the City and externally.
- The timeline for implementing option 4 would be longer due to the public consultation sessions required to determine definitions and the registration process.

- **People**

- There would be additional costs for staffing resources to facilitate the registrations in an expanded scope.

- **Technology**

- There would be additional costs for the implementation of technology to manage the increased volume of lobbyist activities.
  - There would be greater costs due to the use of an outside resource as the Lobbyist Registrar.
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## **Financial Matters:**

At this point it is difficult to determine the financial implications to implement a lobbyist registry in the City. Should Council direct staff to implement a registry, the options chosen for the registry would largely determine the cost.

Option 1 includes the least costs as existing staff and processes can be leveraged in application of the existing system for all Council members.

Option 2 represents the tipping point where consideration would need to be made whether additional resources are required to facilitate registrations in an expanded scope. In Option 3 and 4 additional staff and technology systems would be required. Should Council decide to pursue any of these options, it does not result an automatic change to the budget. Staff will work to review the tasks that are required to be completed, build a budget and work with internal finance staff to ensure that any requests for additional funds will be documented in an upcoming budget subject to the approval of Council. Staff will endeavor to align an implementation plan with the current annual budget, however if completed after it may require a mid-year budget request subject to the approval of the Chief Financial Officer and Council.

### *Staffing*

Time and resources required for development of legislative framework, processes, consultation, communication and training will impact departments, specifically Office of the City Clerk, Customer Experience (Councillors Assistants), Office of the Mayor, Legal Services, Information Technology Services and Corporate Communications and Engagement. Resources may be required to be diverted from other project and program areas in order to accomplish implementation of the Registry.

It is anticipated that the amount of work could be the equivalent of one full-time position with a total compensation amounting to \$100,000 which includes benefits. In comparison, Hamilton allocated one (1) FTE (Policy Analyst) at an estimated cost of \$92,000 annually, for maintenance of their registry. Collingwood's internal staff position, the Accountability, Procurement & Risk Management Manager, responsible for managing the lobbyist portfolio ranges from \$82,973.80 - \$100,809.80. Should Council choose options 2, 3, or 4 staff will work within the internal designing and evolving the

organization process completed in 2020, and within current approved staffing forecasts to accommodate additional duties in connection to implementing a lobbyist registry.

### *Technology*

The costs for technology will vary depending on whether software would need to be purchased or developed in house for an online registry. Brampton allocated \$30,000 for Information Technology (IT) staff to develop the system in house over a 4 month period. Hamilton budgeted a one-time cost of up to \$100,000 for the development of a web-based registry.

### *Registrar*

If Option 4 is supported, the financial implications of adding Lobbyist Registrar responsibilities to the Office of the Integrity Commissioner (IC) would be determined through negotiations with the IC. Similarly, there would be a budgetary impact if a dedicated Registrar is retained.

Currently Principles Integrity serves as Integrity Commissioner and Lobbyist Registrar for the City of Hamilton at an estimated cost of \$22,000 annually for both IC and Lobbyist Registrar functions.

## **Climate Implications**

None.

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## **Engagement Matters:**

The focus of lobbyist registries is on regulating lobbyists, typically those representing a business or financial interest and are communicating with a public office holder with the intent of influencing a decision on governmental matters. This can be seen as investing considerable resources to manage the wealthy voices, the business lobbyists and political insiders. Introducing additional engagement and greater involvement opportunities such as encouraging the work of the typically less represented unpaid lobbyists aids in creating a more level playing field for those competing for members of Council's attention. Additionally, greater education on the decision-making process of Council means its' easier for all to navigate their democratic right to bring effective action to task.

In the preparation of this report, Staff consulted with the City's Integrity Commissioner, Legal Services and Leadership Team regarding the lobbyist registry options noted.

If Council should approve Option 1, the communication campaign with affected stakeholders would be smaller in scale, given the scoped use of the business registry.

Should Council consider Options 2, 3 or 4 communication and engagement campaigns would be larger in scale. Establishing and administering a lobbyist registry represents a significant change for individuals, organizations and City employees (if applicable). Staff in the Clerks department would work with Corporate Communications and Public Engagement to develop an engagement plan that outlines the information that will be produced and disseminated through the City's website, signage, print media, social media and news releases.

### **Next Steps:**

With the selection of an option, staff will endeavor to complete the work and implement. Should Council select option 1, this may be achieved with limited resources, however, staff may take some time to investigate any value-added pieces to make the meeting participant information searchable and included as an open data set. Should one of the more complex systems be selected staff will take the direction and return with a report to implement. This may take some time, as the department is under resourced and the election preparedness program for the 2022 electoral event has begun. In addition, a complex system would be multifaceted, with potential staffing and capital budget implications, internal approvals may require additional time.

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### **Conclusion:**

The implementation or establishment of the Lobbyist Registry is a means by which Council can underscore the importance of accountability and transparency at the City of Burlington. As noted above Council may choose to implement only certain components of a lobbyist registry, and the form the registry takes is not prescribed.

At this time, it is unclear what appetite there is amongst Council for the various implementation options outlined.

Should Council pursue Options 2, 3 or 4 staff will report back with a detailed budget, implementation and communication plan for each of the options outlined.

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Respectfully submitted,

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**Appendices:**

Appendix A: Summary of Existing Lobbyist Regulations

Appendix B: Ottawa's "Am I Lobbyist" Flow Chart

**Report Approval:**

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.