



CITY OF BOSTON
Municipal Lobbying Compliance Commission

Minutes

Wednesday, February 19, 2020, 10:00 A.M.
Boston City Hall – Piemonte Room – 5th Floor
One City Hall Square, Boston, MA 02201

Commission Members Present: Sammy Nabulsi, Chair; Vivien Li; Stephanie Everett; City Clerk Maureen Feeney and Christine O’Donnell, City Council Central Staff, designee of City Council President Kim Janey

Others Present: Assistant City Clerk Alex Geourntas, Clerk to the Commission

Call to order at 10:06 A.M.

Sammy Nabulsi, Chair of the Commission, opened the meeting and welcomed everyone in attendance and first order of business was to review and approve the minutes of the November 20, 2019 Commission Meeting.

Motion to approve the November 20, 2019 Meeting Minutes was offered by Vivien Li and seconded by Maureen Feeney. All in favor.

City Clerk Maureen Feeney indicated to the Commission that City Council President Kim Janey was not in attendance due to the passing of her father and the Commission offered its condolences to Council President Janey and her family.

The Commission received additional feedback relative to the proposed draft regulations following its public hearing on February 10, 2020 from the Charles River Watershed Association and the Conference of Boston Teaching Hospitals.

The proposed regulations would likely include some of the suggestions that were offered at the public hearing and from the written statement from various organizations. The City’s Law Department would review these proposed regulations prior to finalizing.

“De Minimis Exception”

Sammy Nabulsi, Commission Chair, spoke about this aspect of the regulations where thresholds are incorporated relative lobbying activities. This type of language was in the original Lobbying Document filed by the Mayor as a Home Rule Petition; however, this language was removed after several iterations of the city ordinance and home rule petition. The current city ordinance was approved by the City Council and signed by the Mayor without this language.

Christine O’Donnell will provide to the Commission the minutes of City Council Lobbying Hearings and Working Sessions to determine as to why and how this language was removed from the legislation.

Vivien Li stated that the Commission can only enforce the city ordinance as it exists and any changes to the ordinance would require amendments to the legislation.

“Technical Services Expert”

The language currently in the proposed regulations may be edited to include other disciplines such as education and health. This is an area of concern as it relates to the proposed regulations where presenting technical analysis and data would not be considered lobbying. While experts would inform, lobbying would be influencing.

Stephanie Everett has concerns about technical service experts and the fine line of actual lobbying where analysis can be skewed in support or in opposition of an issue. Exceptions should be narrow and include guidelines if other disciplines are added.

Jim Klocke from Mass Nonprofit Network provided feedback on technical experts stating the “licensed professions” may be an option to include in regulations.

Anastasia Nicolaou from NAIOP MA added that technical experts could request a postponement during presentations, but Commission members felt that such a request would be initiated by the Commission or Board where data is being presented if additional information is required.

The filing of an application is not an act of lobbying and this includes supplements, amendments, and communications would be related to the original application.

Adjudicatory or evidentiary procedures would be addressed by Commission via Advisories or Bulletins issued by the Commission

“Non Profit Waivers”

Language has been included within the regulations on fee waivers; however, Vivien Li expressed concerns about non-profits in Boston and what impact/percentage the fees would be on an organization, more clarity needed on this issue.

City Clerk Maureen Feeney expressed concerns on the fee waivers and suggested also that there be more specific language addressing fee waivers.

Sammy Nabulsi suggested that the Commission review the regulations including the suggestions from the public hearing, emails and testimony offered today to begin the process of finalizing regulations. The City's Law Department will also review the revised regulations prior to a vote by the Commission to finalize and approve regulations.

Next Commission Meeting has been tentatively scheduled for **Thursday, April 2, 2020 at 10:00 AM** to be held in the Piemonte Room at Boston City Hall on the 5th Floor. (April Meeting was cancelled due to COVID-19)

Motion to adjourn offered by Vivien Li and seconded by Stephanie Everett. All in favor.

Meeting was adjourned at 11:55 AM.

Minutes approved by the Commission at its meeting of January 21, 2021