



# San Francisco Ethics Commission

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## Lobbying Audit Report:

**Bivett Brackett-Thompson**

**Lobbyist ID: SFO-155915**

**January 1, 2021 – December 31, 2021**

### **Introduction**

Public disclosure of the identity and extent of efforts of lobbyists to influence decision-making regarding local legislative and administrative matters is essential to protect public confidence in the responsiveness and representative nature of government officials and institutions. The San Francisco Lobbyist Ordinance (San Francisco Campaign & Governmental Conduct Code [SFC&GCC] Section [Sec.] 2.100 et seq.) was established to impose reasonable registration and disclosure requirements to reveal information about lobbyists' efforts to influence decision-making regarding local legislative and administrative matters. By restricting gifts, campaign contributions, and bundled campaign contributions by lobbyists, the law is designed to increase public confidence that governmental decisions are not, and do not appear to be, influenced by the giving of personal benefits to City officers by lobbyists, or by lobbyists' financial support of City officers' political interests.

To promote lobbyists' compliance with the law, the San Francisco Ethics Commission conducted an audit of **Bivett Brackett-Thompson: SFO-155915** (hereinafter "the Lobbyist") covering the audit period January 1, 2021, through December 31, 2021. This Audit Report summarizes the results for the audit.

### **Authority**

Under SFC&GCC Sec. 2.135(c), the Executive Director of the Commission shall initiate audits of one or more lobbyists selected at random on an annual basis and undertake any other audits or investigations of a lobbyist authorized by law or regulation.

### **Objectives and Scope**

The objective of the audit was to reasonably determine whether the Lobbyist substantially complied with requirements of SFC&GCC Sec. 2.100 et seq. and supporting regulations.

The audit was performed based on a review of the Lobbyist's filings and records covered by the audit period to determine, among other things:

- Compliance with disclosure and record-keeping requirements pertaining to lobbyist registration, monthly disclosure reporting, and training; and
- Compliance with applicable restrictions on lobbyist activity.

The Lobbyist was randomly selected for audit from a population of registered lobbyists who filed disclosure statements with the Ethics Commission for the period January 1, 2021, through December 31, 2021.

Nothing in this report shall be interpreted to prevent an enforcement action by the Ethics Commission or another appropriate agency for conduct in violation of the law, whether or not that conduct is covered by this report.

This report will be posted to the Commission's website and forwarded to the Commission's Enforcement Division for review to determine whether any further action may be warranted.

### **Auditee Information**

#### **Background**

At all times relevant to the audit, the Lobbyist was an in-house contact lobbyist employed by Neutron Holdings, Inc. (dba Lime) and performed lobbying services on behalf of Lime. This included advocating on behalf of Lime in matters related to power scooter rideshare programs. The Lobbyist filed an initial registration on October 18, 2021.

#### **Lobbyist Reported Activity**

Total Number of Contacts	0
Total Payments Promised	\$0
Total Activity Expenses	\$0
Total Contributions	\$0

The lobbyist activity totals were taken from disclosure statements filed with the San Francisco Ethics Commission for the period January 1, 2021, through December 31, 2021.

#### **Audit Respondent**

The Audit Respondents identified below were the primary audit contacts during the audit and responded to audit inquiries and requests on behalf of the Lobbyist. State and Federal Communications, Inc. is a political compliance consulting firm retained by Neutron Holdings, Inc. for lobbying compliance and disclosure services.

Ashley James-Smith, Legal Director  
Neutron Holdings, Inc. (dba Lime)  
85 2nd St  
San Francisco, California 94105

Nola Werren, Assistant Director - Compliance Services  
State and Federal Communications, Inc.  
80 South Summit Street, Suite 100  
Akron, Ohio 44308

### **Audit Findings**

Under SFC&GCC Sec. 2.110(c)(1), contact lobbyists shall report to the Ethics Commission for each calendar month information regarding contact activity to influence local legislative or administrative action and economic consideration received or expected, among other things, no later than the fifteenth calendar day following the end of the month. Under SFC&GCC Sec. 2.110(c)(1)(F), contact lobbyists shall report the amount of economic consideration received or expected by the lobbyists or the lobbyists' employer from each client during the reporting period.

The following findings were noted during the audit:

### **Monthly Disclosure Statements**

1. The Lobbyist disclosed no activity on monthly San Francisco Ethics Commission Individual Lobbyist Statements during the audit period. The Respondents acknowledged during the audit that the Lobbyist engaged in some activity that may have required disclosure. Records and documents submitted in response to the audit substantiated this claim. The Respondents indicated their intent to amend filed statements to disclose reportable activity at the conclusion of the audit.
2. At least one reportable contact, made with a City Officer on December 1, 2021, was not disclosed on the December 2021 San Francisco Ethics Commission Individual Lobbyist Statement. The disclosure deadline for this contact was January 15, 2022.

3. At least one reportable payment promised, totaling \$105 in connection with a lobbying contact made on December 1, 2021, was not disclosed on the December 2021 San Francisco Ethics Commission Individual Lobbyist Statement. The disclosure deadline for this payment was January 15, 2022.

### **Conclusion**

In our opinion, the Lobbyist did not substantially comply with the requirements of SFC&GCC Sec. 2.100 et seq. and supporting regulations.

### **Auditee Response**

In response to the findings pertaining to the lack of disclosure on monthly Individual Lobbyist Statements, the Audit Respondent indicated the following:

*"Upon reviewing the information for this audit, it was discovered that Ms. Brackett-Thompson inadvertently did not include one or more apparent lobbying contacts and any related pro-rata share of compensation on her monthly disclosure reports. This was in no way an intentional disregard for San Francisco's lobbying law. Lime takes lobbying reporting requirements seriously, and it is always its goal to file reports that are accurate in all respects. Lime is committed to transparency and will fully cooperate to clarify the public record, amend the necessary lobbying reports, and assure accurate disclosure going forward."*