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ORDINANCE NO. 017823

AN ORDINANCE AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.94 (REGULATION OF LOBBYING ACTIVITIES), SECTION 2.94.090 (RESTRICTED ACTIVITIES) OF THE EL PASO CITY CODE TO AMEND THE TYPES OF SOLICITATIONS IN WHICH PERSONS ARE RESTRICTED FROM ENGAGING IN LOBBYING ACTIVITIES.

WHEREAS, the City Council of the City of El Paso has determined that to preserve and maintain the integrity of the government decision-making process in the city, it is necessary that the identify, expenditures, and activities of certain persons who engage in efforts to influences a city official on matters within their official jurisdictions, either by direct communication to the official, or by solicitation of others to engage in such efforts, be regulated and be publicly and regularly disclosed; and

WHEREAS, the City Council desires to include Public-Private Partnerships in the types of solicitations in which persons are restricted from engaging in lobbying activities and clarify the other types of solicitations that are covered by the restriction.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

CITY CLERK DEPT.
2012 JUL 25 PM 2:18

SECTION 1: That Title 2 (Administration and Personnel), Chapter 2.94 (Regulation of Lobbying Activities), Section 2.94.090 (Restricted Activities) of the City Code shall be amended as follows:

2.94.0 – Restricted activities

E. During the period of in which the City has issued a solicitation, including a competitive bid, request for proposal (RFP), request for qualifications (RFQ), highest qualified bid (best value), competitive sealed proposals, design-build, public-private partnership, any other type of solicitation required by law,, or the giving of a notice of a proposed project, which shall begin on the day that it is advertised and end on the date that the notice of the award has been posted by the city clerk for placement on the agenda, no person or registrant shall engage in any lobbying activities with city officials and employees. For an unsolicited or competing proposal for a public-private partnership, the period in which no person or registrant shall engage in any lobbying activities with city officials and employees shall begin on the date that the City receives a notice of intent to submit an unsolicited proposal and end on the date the notice of award has been

posted by the city clerk for placement on the agenda. If contact is required with city employees, such contact will be done in accordance with procedures incorporated into the solicitation document and the city's contracting policies. Any person or entity that violates this provision may be disqualified in accordance with Section 2.94.130 of this chapter.

SECTION 2: Except as herein enumerated, Title 2 (Administration and Personnel), Chapter 2.94 (Regulation of Lobbying Activities), Section 2.94.090 (Restricted Activities) of the City Code shall remain in full force and effect.

PASSED AND ADOPTED this 17th day of July, 2012

CITY OF EL PASO

John Cook

John F. Cook, Mayor

ATTEST:

Richarda Duffy Momsen

Richarda Duffy Momsen
Municipal Clerk

APPROVED AS TO FORM:

Bertha A. Ontiveros

Bertha A. Ontiveros
Assistant City Attorney

APPROVED AS TO CONTENT:

R. Alan Shubert, P.E., City Engineer
Engineering & Construction Management

CITY CLERK DEPT.
2012 JUL 25 PM 2:18

12-11004-226\Amend City Code Sec. 2.94.090
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