



City of El Paso Agenda Summary Form

City Clerk

Submitted On:

Jul 7, 2026, 11:14AM EDT

Add Image	
Department / Council Office	Strategic and Legislative Affairs
Agenda Date	July 20, 2026
Public Hearing Date	
Email of User Submitting Form	HerediaAP@elpasotexas.gov
Contact Person	Fernando Berjano 9152121299
2nd Contact Person	Ian Voglewede 9152121299
District(s) Affected	All Districts
Agenda Item	Discussion and action to approve a resolution for the adoption of the Data Center Policy Framework.
Issue Statement	This item asks for City Council to approve the Data Center Policy Framework for the City of El Paso.
Background	On February 17, 2026 City Council directed staff to develop a Data Center Policy Framework for the City of El Paso. From March to June 2026, staff gathered community and stakeholder input as well as conducted research on policy options. The proposed policy document incorporates community and stakeholder feedback as requested. On April 28, 2026 City Council approved as a general policy direction of the City of El Paso that future development of hyperscale data centers should not be actively recruited, pursued, or incentivized due to their misalignment with the City's long-term sustainability and infrastructure resilience goals; that hyperscale data centers shall not be considered for tax abatements, rebates, permit fee waivers, public financing assistance, economic development grants, or similar economic development tools; and that the policy directions effectuated by this action remain in effect until and unless reversed by the City Council. Further, directing the City Manager to continue the ongoing process for the development of a future-focused Data Center Policy Framework for consideration by the City Council. Further, directed the City Manager to amend the City's State and Federal Legislative Agendas, as appropriate, to incorporate additional priorities, findings, and policy outcomes resulting from the City's forthcoming Data Center Policy Framework currently under development, including any new standards, requirements, or recommendations adopted by Council related to data center siting, operations, incentives, or infrastructure impacts, and to

	include the same considerations in any future modification of the City's 380 policy. On May 26, 2026 City Council took action to adopt as a general policy direction of the City of El Paso that future development of hyperscale data centers should not be actively recruited, pursued, or incentivized due to their misalignment with the City's long-term sustainability and infrastructure resilience goals; that hyperscale data centers shall not be considered for tax abatements, rebates, permit fee waivers, public financing assistance, economic development grants, or similar economic development tools; and that the policy directions effectuated by this action remain in effect until and unless reversed by the City Council. Further, directing the City Manager to continue the ongoing process for the development of a future-focused Data Center Policy Framework for consideration by the City Council.
Council Options	Approve the Resolution.
Committee Review and/or Recommendation	N/A
Community and Stakeholder Outreach (if applicable, as an attachment) – please include	- Six (6) community meetings - Online survey - Draft Policy Framework shared for input and comments - Shared/discussions with regional governments; state delegation; US Congress District 16; EP Water; EPE
Related City Policies	N/A
Prior Council Action	See the background section.
The City Attorney's Office has reviewed the documents and signed off on the necessary forms	Yes
Amount and Source of Funding	N/A
Enter the elected official's name followed by the amount donated.	N/A
For More Information	Fernando Berjano 9152121299 BerjanoFL@elpasotexas.gov

RESOLUTION

WHEREAS, on February 17, 2026, the City Council of the City of El Paso directed staff to develop a comprehensive Data Center Policy Framework to address the following: “prioritize community engagement, utility providers, local, state and regional government in implementation considerations, evaluate long term impacts on infrastructure and utilities”; and

WHEREAS, the City of El Paso convened six community engagement meetings and developed a digital survey, which revealed public opposition to data center development alongside deep concerns regarding public transparency, water scarcity, utility costs, grid strain, and tax abatements; and

WHEREAS, the City of El Paso aims to proactively safeguard municipal natural resources, protect local ratepayers from infrastructure cost-shifting, and align future industrial developments with the community-driven goals of the City’s Climate Action Plan; and

WHEREAS, on April 28, 2026, the City Council directed the City Manager to amend the City’s state and federal legislative agendas to support regulatory oversight frameworks and policy proposals related to data centers and relevant incentives; and

WHEREAS, on May 26, 2026, the City Council formally approved that future development of hyperscale data centers should not be actively recruited, pursued, or incentivized; and

WHEREAS, the City of El Paso shared the Draft Policy framework for a second round of community and stakeholder input on May 26, 2026; and

WHEREAS, the resulting Data Center Policy Framework establishes necessary regulatory principles, including transitioning hyperscale facilities from "by right" development to a Special Permit process, eliminating local tax economic incentives, and mandating comprehensive operational and company performance plans.

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

THAT the El Paso City Council approves the adoption of the Data Center Policy Framework (“**Framework**”); and

THAT the City Manager, or designee, is authorized to direct staff to implement the policies outlined in the Framework, after consultation with the City Attorney’s Office.

(Signatures begin on the following page)

APPROVED this _____ day of _____ 2026.

CITY OF EL PASO:

Renard U. Johnson
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Josette Flores
Deputy City Attorney

APPROVED AS TO CONTENT:



Ian Voglewede, Director
Strategic and Legislative Affairs