

# FREQUENTLY ASKED QUESTIONS

## 1. I voted in the 2022 Community Progress Bond regarding the Climate Action Proposition in November. Why do I need to vote on the Climate Policy Petition?

The May 6, 2023 ballot Proposition K, is the result of a *citizen-led petition* certified by the City Clerk on November 4, 2022, to have received the required number of signatures to trigger a ballot item. This petition was submitted separately and is not connected to the Bond item passed by the voters in November 2022.

The 2022 Community Progress Bond Proposition C was a \$5 million bond approved by voters in November 2022 and is a separate ballot initiative that the City is already operating under. [Learn more about the City's Office of Climate and Sustainability via this link.](#)

## 2. What is the City of El Paso's Home Rule Charter?

The City Charter is the City's foundational governing law adopted by the voters, which establishes the overall structure, powers, and duties of the City Government, first approved in 1917. It can't be amended more often than once every two years. It is comparable to a constitution.

Loc. Govt. Code Chapter 9 discusses Home Rule Cities. A municipality is a home rule municipality if it operates under a municipal charter that has been adopted or amended as authorized by [Article XI, Section 5, of the Texas Constitution](#).

## 3. How often and how does the City amend its Charter?

A Charter can only be amended by an election held under the State laws and must be approved by more than 50% of the qualified voters.

The City typically creates a committee of citizens to review proposed amendments, conducts significant research, and seeks public input on the language.

Legal questions on El Paso's Charter amendments proposed through this process are researched by the City Attorney's Office.

## 4. What is a City Ordinance?

An ordinance is a law, decree, or command enacted or amended by the City Council through a set process established in the City Charter that forbids, restricts or authorizes certain activities.

**5. What does the phrase “ballot language” mean when pertaining to proposed City Charter amendments?**

Ballot language is a brief description of the proposed change. Ballot language may not contain more than one subject and must allow a voter to either approve or disapprove.

**6. What is a Charter Petition?**

A petition for a charter amendment is authorized in the Texas Local Government Code section 9.004 and is a formal written request, signed by a required number of people, that is required to be placed on an election ballot.

**7. What is the 2022 Community Progress Bond?**

The 2022 Community Progress Bond was a proposal that placed three propositions on the November 8, 2022, ballot to fund municipal improvements and new projects for the El Paso community. The three propositions included funding for streets, parks, and climate action plan projects. El Paso voters approved all three propositions. You can review the election results on Pages 10 and 11 here: [https://el-paso-county-elections.s3.amazonaws.com/documents/files/000/004/251/original/OFF\\_FINAL\\_EDAY\\_RES.pdf?1670180662](https://el-paso-county-elections.s3.amazonaws.com/documents/files/000/004/251/original/OFF_FINAL_EDAY_RES.pdf?1670180662)

**8. How will Proposition K be funded?**

If voters approve Prop K, the City Council could vote to adopt the proposition in May. Funding for the proposition has not been identified.

Funding may require additional bond funding, which may require voter approval as the City budget is limited to the Texas Property Tax Reform and Transparency Act of 2019.

**9. What is the estimated fiscal impact to the City if Proposition K is approved by the voters?**

Estimated Total Cost: \$4,125,936 annually and an additional \$154,995,000 through 2045.

The estimated cost accounts for the City of El Paso to use all available resources and authority to accomplish three goals listed by the petitioners on the proposed amendment:

1. to reduce the City’s contribution to climate change;
2. to invest in an environmentally sustainable future; and
3. to advance the cause of climate justice.

The estimated fiscal impact associated with climate policy implementation as described in Prop K is a breakdown of the policy outline in the following sections. All estimates included in this document are ONLY projections based on available data, current market costs, and conditions, and are subject to change.

Below is a table outlining the breakdown of the estimated costs for Prop K:

Policy	Sections	Total Costs	Annual Costs
<b>Climate Policy</b>	<b>Sec. 9.1</b>	<b>\$ 154,995,000.00</b>	<b>\$ 4,125,936.00</b>
<b>Breakdown</b>			
Breakdown	Sections	Costs	Cost Recovery
Climate Director	Sec. 9.3	\$ 260,000.00	
Climate Department Personnel (excluding Dir)	Sec. 9.4	\$ 1,268,361.00	
Climate Dept. Operations	Sec. 9.4	\$ 306,300.00	
Annual Climate Impact Rpt	Sec. 9.5	\$ 50,000.00	
Annual Emissions Rpt	Sec. 9.6	\$ 65,000.00	
Climate Jobs	Sec. 9.7	\$ 1,451,372.00	
Government Procurement Manager	Sec. 9.7	\$ 84,903.00	
Solar Power Generation Plan	Sec. 9.8	\$ 10,000.00	
Rooftop Solar Power Generation Policy Development and Maintenance	Sec. 9.8	\$ 10,000.00	
Investment Grade Audit (divided over 3 years)	Sec. 9.9	\$ 495,000.00	
Energy Efficiency and Electrification	Sec. 9.9	\$ 50,000,000.00	
Estimated cost to reach 80% renewable energy for municipally owned facilities by 2030	Sec. 9.9	\$ 67,500,000.00	
Estimated cost to reach 100% renewable energy for municipally owned facilities by 2045	Sec. 9.9	\$ 25,000,000.00	
Municipalization of El Paso Electric feasibility study	Sec. 9.10	\$ 12,000,000.00	
Annual Climate Disaster Mitigation, Preparedness and Response	Sec. 9.11	\$ 50,000.00	
Cost recovery due to the elimination of fees, permits and fines associated with limiting the purchase, use, or generation of renewable energy	Sec. 9.13		\$ 570,000.00

## 10. How much would it cost the City to purchase El Paso Electric?

IT IS UNKNOWN AT THIS TIME WHAT IT WOULD COST FOR THE MUNICIPALIZATION OF EL PASO ELECTRIC. If the voters approve adding the petitioner's climate policy to the City's Charter, the City may be required to conduct a feasibility study to determine the feasibility and an estimated cost for the municipalization.

The feasibility study is estimated to cost about \$12 Million and is a multi-year study that averages between 8 to 10 years.

The utility was sold to IIF for \$4.3 Billion in 2020.

EP Electric advised that they have added assets to the utility and estimate they have nearly doubled in value over the last 3 years. Additionally, EP Electric has advised us that they intend to invest another \$2 Billion in infrastructure over the next 5 years.

At this time, the estimated value is about \$8 Billion, according to EP Electric. The utility is not for sale at this time.

**11. Why did the City not stop the sale of El Paso Electric in 2020?**

El Paso Electric is a publicly traded company, and the City does not have jurisdictional authority to stop the sale of a privately owned utility. The City has the authority to intervene on behalf of ratepayers when the utility affects service to the residents and costs. The City may also require the utility to pay franchise fees for use of the City's rights-of-way, for example when construction affects City pathways or services.

**12. What is the estimated annual cost associated with establishing the position of a Climate Director reporting directly to the Members of the City Council? (Section 9.3 – Climate Director)**

The salaries and benefits of the Climate Director are estimated at \$260,000.00 annually. Under this section, the City Council would be responsible for fixing the Climate Director's compensation following negotiation with the selected candidate.

**13. What is the estimated annual cost associated with establishing a Climate Department under the Climate Director? (Section 9.4 – Climate Department)**

The cost of establishing the Climate Department is estimated at \$1,574,661.00 which consists of 18 new full-time positions salaries and benefits at \$1,268,360.60 and includes an operating budget of \$306,300.00.

In addition to the climate director and department, additional support staff including but not limited to legal, information technology and human resources support will be necessary. Please note this does not include the \$260,000.00 associated with the Climate Director salaries and benefits.

**14. What is the estimated cost of incorporating climate impact on any City Council vote affecting the City's Climate Policy? (Section 9.5 – Climate Impact of City Decisions)**

Estimated cost associated with calculating and incorporating climate impact is associated with the creation of dedicated staff in departments charged with advancing the City's climate goals. (See Section 9.7-1)

**15. What is the estimated cost of preparing an annual climate impact report for City activities inclusive of an analysis of the climate impact of each city department? (Section 9.5 – Climate Impact of City Decisions)**

The estimated cost of an annual climate impact report for the City of El Paso is \$50,000.00.

**16. What is the cost of tracking climate emissions generated within City limits? (Section 9.6 – Tracking Climate Emissions)**

The estimated cost of developing and preparing the annual emissions report is \$65,000.00.

**17. What is the estimated annual cost of the creation of the climate jobs to include the oversight of goals for each City Department? (Section 9.7 – Climate Jobs)**

The annual cost of creating positions charged with the oversight of goals for a selected number of City Departments is estimated at \$1,451,372.00 for salaries and benefits which includes 26 new full-time positions residing in each City Department responsible for advancing climate goals. This estimate does not include additional operating costs, physical space, or other support staff that may be required.

**18. What is the estimated cost of transitioning current City employees into positions that would qualify as climate jobs? (Section 9.7 – Climate Jobs)**

The transition of current City employees to positions qualified as climate jobs would come at no estimated cost since these transitions would be funded under existing sources while identifying opportunities that promote the climate goals.

**19. What is the estimated annual cost of ensuring preference for contractors that advance the City’s climate policy? (Section 9.7 – Climate Jobs)**

To assure that contractors procured for services to the City of El Paso consistently advance established climate goals, the City of El Paso would create the position of Intra Government Procurement Manager at a cost of \$84,903.00. In addition to that oversight, contractors given preference due to this specific expertise could potentially increase the overall cost of services to the City of El Paso. This estimate does not include additional operating costs, physical space or other support staff that may be required.

**20. What is the estimated cost for the development and maintenance of a Solar Power Generation Plan? (Section 9.8 – Solar Energy)**

This is estimated at \$10,000.00 including planning and reporting only.

**21. What is the estimated annual cost of establishing and maintaining policies associated with the development of rooftop solar power generation capacity within the City of El Paso? (Section 9.8 – Solar Energy)**

This is estimated at \$10,000.00 annually including policy development and maintenance only.

**22. What is the estimated cost of producing a plan associated with the City achieving its renewable goals? (Section 9.9 – Renewable Energy Goals)**

[Texas State Law \(TX HB 17 87\(R\)\)](#) may limit municipalities’ ability to regulate certain use of energy sources within City limits.

Costs to achieve renewable energy goals for facilities under municipal control differ from costs to achieve renewable energy goals for all energy used within the city limits. Costs indicated here are reflective only of estimates for facilities under municipal control.

This is estimated at \$495,000.00 to for an investment-grade audit completed over 3 years, at a cost of \$165,000 per year. This will inform the energy efficiency projects to be conducted to achieve renewable energy goals as indicated in the measure.

**23. What is the estimated cost related to the Energy Efficiency and Electrification improvements within City owned facilities? (Section 9.9 – Renewable Energy Goals)**

This is estimated at \$50,000,000.00 for Energy Efficiency and Electrification, however, there is a potential opportunity to identify savings through a 15-year Energy Savings Performance Contracting (ESPC) to cover this cost at the end of this period.

**24. What is the estimated cost of obtaining the goal of 80% clean renewable energy for City-owned facilities? (Section 9.9 – Renewable Energy Goals)**

The cost to reach 80% renewable energy for municipally owned facilities by 2030 is \$67,500,000.00. This estimate assumes that energy efficiency and electrification efforts have been included as well as accounting for potential direct payment incentives resulting from the Inflation Reduction Act (IRA).

**25. What is the estimated cost of obtaining the goal of 100% clean renewable energy for City-owned facilities? (Section 9.9 – Renewable Energy Goals)**

The cost to reach 100% renewable energy for municipally owned facilities by 2045 is \$25,000,000.00. This estimate assumes that energy efficiency and electrification efforts have been included as well as accounting for potential direct payment incentives resulting from the Inflation Reduction Act (IRA).

**26. What is the estimated cost for the City to employ all available efforts to convert El Paso Electric to municipal ownership? (Section 9.10 – Municipalization of El Paso Electric)**

The City will need to first conduct a feasibility study. The study would occur in at least two phases over an estimated 8 to 10-year period with an estimated minimum cost of \$12 million.

Municipalization, by definition, is the transfer of private entities, assets, service providers, or corporations to public ownership by a municipality. In the case of El Paso, this would be the acquisition of El Paso Electric's (EPE or the Utility) electric system by the City to serve city customers. This process has many components and can be mutually agreed upon transfer, or one done through litigation. It is important for the City to understand the steps and costs of acquiring the system that serves the City, as well as the risks and benefits.

**27. What is the estimated cost for the City to undertake all necessary efforts to prepare city infrastructure to withstand extreme weather conditions and ensure uninterrupted provision of basic services and utilities to City residents? (Section 9.11 – Climate Disaster Mitigation, Preparedness and Response)**

The estimated cost of infrastructure improvements intended to mitigate, prepare for and respond to extreme weather events is currently unknown.

Investment projections would be included as part of the creation of a Climate Disaster Mitigation, Preparedness, and Response Plan, which is part of the work the City is performing under the voter-approved 2022 Community Progress Bond, Proposition C.

**28. What is the estimated cost of creating an annual mitigation and preparedness plan? (Section 9.11 – Climate Disaster Mitigation, Preparedness and Response)**

Climate Disaster Mitigation, Preparedness and Response planning is currently incorporated into the scope of work for the upcoming Climate Action Plan as approved in the 2022 Community Progress Bond, Proposition C.

Once the initial Disaster Mitigation, Preparedness and Response plan is completed, the cost to update that plan is estimated at \$50,000.00 annually.

**29. What is the estimated cost related to a ban on the sale or transfer of any water for fossil fuel activities occurring outside of the City Limits? (Section 9.12 – Water Conservation)**

Unknown.

**30. What is the estimated cost of canceling any contract associated with transferring City water for the fossil fuel industry? (Section 9.12 – Water Conservation)**

Unknown.

**31. What is the estimated cost of the elimination of fees, permits and fines associated with limiting the purchase, use, or generation of renewable energy? (Section 9.13 – Elimination of Impediments to Renewable Energy)**

Annual cost recovery through currently existing fees, permits, and fines are estimated at \$570,000.00.

**32. What is the estimated cost of establishing a Climate Commission tasked with overseeing the implementation and fulfillment of the City's Climate Policy? (Section 9.14 – Climate Commission)**

Members of this Commission will serve without salary. The Climate Director and Department will provide administrative support for the commission (*see sections 9.3 and 9.4*). In addition to the climate director and department, additional support staff including

but not limited to legal, information technology, and human resources support will be necessary.

### **33. What is the Texas Commission on Environmental Quality (TCEQ)?**

TCEQ is an environmental agency for the state. Permitting air emissions, monitoring air quality, and managing air resources are under the agency's purview.

### **34. What is the Texas Railroad Commission?**

The Commission is the state agency with primary regulatory jurisdiction over the oil and natural gas industry, pipeline transporters, natural gas and hazardous liquid pipeline industry, natural gas utilities, the liquefied petroleum gas industry, and coal and uranium surface mining operations.

### **35. What is the Environmental Protection Agency (EPA)?**

EPA is the federal agency that implements environmental laws by writing and enforcing regulations. Often, EPA sets national standards that states and tribes enforce through their own regulations.

### **36. What is the Public Utility Commission Texas (PUCT and PUC)?**

The PUCT regulates the state's electric, telecommunication, and water and sewer utilities, implements respective legislation, and offers customer assistance in resolving consumer complaints.

### **37. What is the difference between the City of El Paso and the city?**

When the C in the word City is capitalized it is in reference to the municipal organization. When the C is lowercase, the reference is to the overall community within the El Paso geographical border.

### **38. What is an Investment Grade Audit (IGA)?**

This type of audit includes a complete technical description of an energy project. The IGA provides the information needed to establish the energy and operations and maintenance (O&M) baselines and finalize the feasibility analyses of the efficiency conservation measures (ECMs) under consideration.