



Proposed Charter Amendments

Special Election: May 6, 2023

WHAT EACH PART COVERS

Part One



Charter Amendments Timeline



State Notice Requirements



Community Outreach



Proposed Charter Amendments
A through J



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Part Two



How was Proposition K (Citizen-led Petition
for Climate Policy) Developed?



What is Prop K? What is the Ballot Language
for Prop K?



Cost Breakdown for Prop K



Municipalization Costs



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Proposed Charter Amendments: PART TWO

Prop K: Citizen-Led Petition to Add
Climate Policy to the City Charter



Community Meetings

Tuesday, April 4, 2023

6 p.m.

In Person: City Hall (300 N. Campbell)
Main Conf. Room, 2nd Floor

Virtual: <https://tinyurl.com/2p8psncx>
Meeting ID: 249 490 891 629
Passcode: c7i7ET

Phone: (915)213-4096, 905 414 555#

Wednesday, April 5, 2023

5:30 p.m.

Clardy Fox Library (5515 Robert Alva)

Thursday, April 6, 2023

6 p.m.

Hispanic Chamber of Commerce Offices
(4141 Pinnacle, Ste. 120)

Monday, April 10, 2023

6 p.m.

Eastside Regional Command (10780 Pebble Hills)

Tuesday, April 11, 2023

6 p.m.

Westside Regional Command (4801 Osborne)

Thursday, April 13, 2023

6 p.m.

Mission Valley Regional Command (9011 Escobar)

Monday, April 17, 2023

6 p.m.

Northeast Regional Command (9600 Dyer)

Thursday, April 20, 2023

11 a.m.

Greater El Paso Assoc. of Realtors Offices
(6400 Gateway Blvd. East)





PROPOSED CHARTER AMENDMENTS TIMELINE





Proposition K: How was the Proposed Charter Amendment Developed?

July 25, 2022

Ground Game Texas submits a petition to the City with a total of 36,360 lines of signatures, of which the City Clerk verified between 21,323 and 22,048 unique signatures, which met the legal requirements.

August 2, 2022

City Council unanimously approves delaying the November 8, 2022 City Charter Amendment Election to allow staff time to verify if the petition meets state law requirements

- The City Clerk's Office begins the verification process to authenticate if the petition contains the requisite number of 20,000 registered voter signatures, as stated under Texas Local Government Code Section 9.004, Charter Amendments(a).
- As allowed by the Texas Election Code, the City Clerk's office verifies the signatures by statistical sampling of 25 percent of the total number of verified unique signatures contained in the petition

November 4, 2022

City Clerk's Office certifies that the petition is deemed to have the requisite number of signatures (between 21,323 and 22,048 unique signatures).

February 7, 2023

City Council orders a Special Election for the submission of the citizen-led petition to add Climate Policy to the City Charter as required by Texas Local Gov't Code 9.004



Proposition K: Citizen-Led Petition to Add Climate Policy to the City Charter

ARTICLE IX (CLIMATE POLICY)

- SECTION 9.1 (CLIMATE POLICY)
- SECTION 9.2 (DEFINITIONS)
- SECTION 9.3 (CLIMATE DIRECTOR)
- SECTION 9.4 (CLIMATE DEPARTMENT)
- SECTION 9.5 (CLIMATE IMPACT OF CITY DECISIONS)
- SECTION 9.6 (TRACKING CLIMATE EMISSIONS)
- SECTION 9.7 (CLIMATE JOBS)
- SECTION 9.8 (SOLAR ENERGY)
- SECTION 9.9 (RENEWABLE ENERGY GOALS)
- SECTION 9.10 (MUNICIPALIZATION OF EL PASO ELECTRIC)
- SECTION 9.11 (CLIMATE DISASTER MITIGATION, PREPAREDNESS AND RESPONSE)
- SECTION 9.12 (WATER CONSERVATION)
- SECTION 9.13 (ELIMINATION OF IMPEDIMENTS TO RENEWABLE ENERGY)
- SECTION 9.14 (CLIMATE COMMISSION)
- SECTION 9.16 (SEVERABILITY)





Proposition K: Citizen-Led Petition to Add Climate Policy to the City Charter

BALLOT LANGUAGE:

- ❑ Should the City Charter be amended, as proposed by a petition, to add Article IX to create a climate policy requiring the City to use all available resources and authority to accomplish three goals: to reduce the City's contribution to climate change, invest in an environmentally sustainable future, and advance the cause of climate justice; to require the City Council to employ a Climate Director, who shall be appointed and removed by City Council and report directly to City Council; to require the creation of a Climate Department to be directly overseen by the Climate Director; to require the creation of a nine member climate commission appointed by City Council, with recommending and investigative powers, for the purposes of overseeing the implementation and fulfillment of a City climate policy, with removal of individual members only for incompetence or nonfeasance, misfeasance or malfeasance in office; to require the creation of an annual goal for climate jobs and the adoption and implementation of a policy that will transfer current City employees to climate work and provide a preference for contractors who are able to advance the City's climate policy; **...CONTINUED ON NEXT SLIDE...**



Proposition K: Citizen-Led Petition to Add Climate Policy to the City Charter

BALLOT LANGUAGE:

- **...CONTINUED FROM PREVIOUS SLIDE...** to require the creation of an annual Solar Power Generation Plan for the City of El Paso and to require the City Manager to establish and maintain policies that encourage the development of rooftop solar power generation capacity within the City of El Paso using existing City facilities and require both new buildings and retrofitted buildings to include solar power generation capacity; to require the employment of all available methods so that all energy used within the City is generated by clean renewable energy, with the goals of requiring (1) 80% clean renewable energy by 2030 and (2) 100% clean renewable energy by 2045; to require the City of El Paso to employ all available efforts to convert El Paso Electric to municipal ownership; to require the City of El Paso 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; **...CONTINUED ON NEXT SLIDE...**



Proposition K: Citizen-Led Petition to Add Climate Policy to the City Charter

BALLOT LANGUAGE:

- ❑ **...CONTINUED FROM PREVIOUS SLIDE...** to require the City of El Paso to ban the use of City water for fossil fuel industry activities, defined to include El Paso Electric, outside of the city limits and prohibit the City of El Paso from selling or transferring any water for purposes of fossil fuel industry activities outside of the city limits, or otherwise allow any City water to be used for such purposes; to prohibit the City of El Paso from imposing any fees, fines, or other financial or nonfinancial burdens that limit the purchase, use, or generation of renewable energy and nullifying any such fees, fines, or other burdens in existence at the time the charter amendment takes effect.

REVIEW THE ENTIRE PROPOSED LANGUAGE:

www.elpasotexas.gov/assets/Documents/CoEP/EP-Charter/Climate-Policy-Petition-Ordinance.pdf



Notice Requirement – Texas Local Government Code 9.004

(c) Notice of the election shall be published in a newspaper of general circulation published in the municipality. The notice must:

- 1) include a substantial copy of the proposed amendment;
- 2) include an estimate of the anticipated fiscal impact to the municipality if the proposed amendment is approved at the election; and
- 3) be published on the same day in each of two successive weeks, with the first publication occurring before the 14th day before the date of the election.

Proposition K: Cost Breakdown



		Total Costs	Annual Costs
Climate Policy	Sec. 9.1	\$ 154,995,000.00	\$ 4,125,936.00

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

All estimates are projections based on available data, current market costs, and do not include inflation costs.

Proposition K: Other Costs

- All estimates for Proposition K are projections based on available data and current market costs. They **do not** include inflation costs. **(Estimated Cost: Unknown)**
- Costs for upgrading existing municipal facilities to accommodate rooftop solar, EV charging, and other advanced technologies **(Estimated Cost: Unknown)**
- Ongoing maintenance costs for rooftop solar, EV charging, and advanced technologies at all municipal facilities **(Estimated Cost: Unknown)**
- Other Green Building Measures that are not part of Prop K but may be considered such as water conservation, stormwater management, indoor air quality, and materials waste reduction **(Estimated Cost: Unknown)**
- Fiscal impact of a ban on utilizing city water for fossil fuel industry activities outside of the city limits as well as cancelation of city contracts subject to the ban **(Estimated Cost: Unknown)**

FAQ: 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 voters approve Proposition K, the City will have to conduct a feasibility study to determine 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.**

"An argument might be made that the cost of acquiring the EPE system is \$4.3 billion because that is what IIF paid in 2020.

Unfortunately, the acquisition price may not be a good proxy for acquiring and setting up a stand-alone city-owned utility.

A municipalization is a different legal and financial process, which will have to include a partial acquisition of EPE's service area as well as creating a whole new utility function."

H Bailey Group
March 2023

Next Steps

April 4 – April 20

Community Meetings/Information Sessions About Proposed Amendments

April 24 to May 2

Early Voting

May 6

Election Day

Learn more at www.ElPasoTexas.gov/EPCharter

MISSION



Deliver exceptional services to support a high quality of life and place for our community

VISION



Develop a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities powered by a high performing government



VALUES

Integrity, **R**espect, **E**xcellence,
Accountability, **P**eople