



**CITY COUNCIL COMMUNICATION**

September 25, 2012

**SUBJECT:** Resolution Establishing Energy Conservation Goals as Required by the Texas Health and Safety Code.

**SUBMITTED BY:** Chris Barker, Assistant City Manager

**REFERENCE NO:** Resolution No. 12-1396

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**ACTION REQUESTED:**

Consider approval of Resolution No. 12-1396, establishing energy conservation goals as required by the Texas Health and Safety Code.

**ALTERNATIVES:**

- Deny Request

**SUMMARY OF SUBJECT:**

The Texas Health and Safety Code § 388.005 requires that Cities in nonattainment areas commit to reduce energy consumption each year by at least five percent (5%) and that the City file an annual energy consumption goal compliance report with the State Energy Conservation Office (SECO).

Last year, the legislature amended § 388.005 in Senate Bill 898 to extend the required annual reductions for ten years beginning September 1, 2011. S.B. 898 was a continuation of the 2007 legislature's S.B. 12, which extended the § 388.005 provisions of the 2001 legislature's Senate Bill 5. In affirmation of Euless' commitment to energy reduction programs and energy efficiency measures, the City Council passed Resolution No. 02-1123 in 2002 and Resolution No. 08-1281 in 2008.

To the extent that the City fails to meet the 5% reduction requirement in any given year, the City must provide justification that it has already implemented all available cost effective measures. There are no penalties in the statute for failure to adopt the energy conservation goals, failure to meet the goals, or failure to file the required reports.

**FINANCIAL CONSIDERATIONS:**

Revenue Sources:

Expenditure Accounts:

Budgeted Fiscal Year(s):

Estimated Expenditure:

Over/Under Projection By:

Other Comments:

**SUPPORTING DOCUMENTS:**

- Resolution No. 12-1396

**APPROVED BY:**

\_\_\_\_\_ **LG** \_\_\_\_\_

City Manager's Office

\_\_\_\_\_ **KS** \_\_\_\_\_

City Secretary's Office