

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 05/18/09		Item Number: <u>C-2</u>	
AGENDA ITEM: Adoption of Ordinance Amending Chapter 15.02, Buildings, Structures and Equipment, of the Culver City Municipal Code, to Add a New Subchapter 15.02.1100, et seq. Entitled “Green Building Program and Requirements.			
Contact Person/Dept.: Craig Johnson/CDD-Building; and Heather Baker/City Attorney		Phone Number: 310-253-5660	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☐ Attachments: ☒	
Public Notification: Master E-mail notification List (05/13/09)			
Department Approval: Sol Blumenfeld (05/07/09); Carol Schwab (by H. Baker) (05/07/09)		City Attorney Approval: Carol Schwab (by H. Baker) (05/07/09)	
Chief Financial Officer Approval: Jeff Muir (by N. Kimball)(05/13/09)		City Manager Approval: Jerry Fulwood (05/13/09)	
<u>RECOMENDATION:</u> Staff recommends the City Council adopt an Ordinance amending Chapter 15.02, Buildings, Structures and Equipment, of the Culver City Municipal Code, to add a new Subchapter 15.02.1100, et seq. entitled “Green Building Program and Requirements.” <u>BACKGROUND / DISCUSSION:</u> At the City Council meeting of March 9, 2009, the Council introduced the Ordinance, with one non-substantive revision, by a unanimous vote. The non-substantive revision related to Section 15.02.1110.A of the proposed Ordinance, wherein the City Council suggested a revision to clarify that 80% of <i>applicable</i> items must be included in the project versus 20 of the 25 items listed, since some of the items may not be applicable to certain types of projects. The proposed Ordinance as introduced by the Council was submitted to the California Energy Commission (“CEC”) as a "Revised Locally Adopted Energy Standard by the City of Culver City Building Safety Division" which format is required by the CEC. At its regular business meeting of May 6, 2009, the CEC unanimously approved the Ordinance with one revision to clarify radiant barriers and cool roofs, as referenced in the “list of 25 items,” cannot both receive credit on the same project. In addition, the CEC requested clarification in the ordinance that			

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the City's Green Building Program shall be in addition to all current State of California Title 24 Energy Code requirements.

The Ordinance, reflecting Council's and the CEC's clarifications, is brought back tonight for adoption.

FISCAL ANALYSIS:

The Culver City Green Building Program may result in slightly lowering the Culver City Utility Users' Tax (UUT) revenue initially. Buildings with greater energy efficiency will pay less per square foot in energy costs than less efficient buildings. The current annual UUT revenues, excluding telecommunications and cable (i.e. electricity, gas and water) are approximately \$8.5 million, with more than \$6 million of that being electricity utility use. However, future economic costs to clean the environment may exceed the potential loss to the UUT. Over time, the impacts on UUT revenues will grow – potentially becoming significant.

The program may be integrated into the existing City plan check and construction permitting processes with no other additional costs to the City with the exception of staff training to conduct LEED® plan checks. Staff anticipates this amount to be a one time cost of approximately \$10,000.

To enforce the LEED® program requirements, City staff will be encouraged to obtain additional training and obtain LEED® Accredited Professional (LEED®-AP) certification. To this end, staff requests allocating \$1,000 for staff training and \$1,500 for staff testing (\$2,500 per staff member) for four City staff members. In addition, the Green Zone program, if fully utilized as proposed, will cost the Redevelopment Agency \$100,000 over 5 years. No funding for LEED®-AP is included in the 2008-09 Adopted Budget or the 2009-10 Proposed Budget.

Should the City Council adopt the proposed Ordinance, staff will include the above amounts in Fiscal Year 2009/2010 budget requests for the Council and Agency during the budget hearings. Given the approximate \$5,000,000 operating deficit currently projected for Fiscal Year 2009/2010, any General Fund monies allocated for this purpose would need to come from the General Fund Reserve or from an expenditure reduction in another General Fund program.

ATTACHMENTS:

1. Proposed Ordinance

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MOTION:

That the City Council:

Adopt an ordinance amending Chapter 15.02, Buildings, Structures and Equipment, of the Culver City Municipal Code, to add a new Subchapter 15.02.1100, et seq. entitled "Green Building Program and Requirements."