

October 7<sup>th</sup>, 2008

The Honorable Mayor Chuck Reed,  
and San Jose City Council Members  
San Jose City Council  
801 North First Street  
San Jose, CA 95110

Re: Private Sector Green Policy for New Construction

Dear Mayor Reed and Council Members:

The Sobrato Organization supports the proposed Private Sector Green Policy for New Construction, and recognizes it as an important goal of the City of San Jose's Green Vision. However, we object to the Policy's method of verification of compliance through the requirement of third party certification.

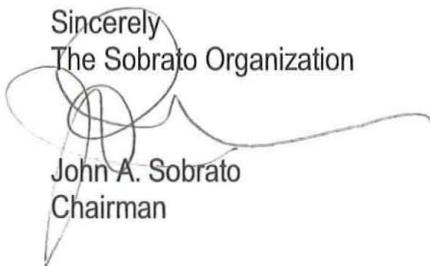
As you are aware, the green features that make buildings more sustainable add additional upfront construction costs that are borne by the Developer and passed through to the residential and commercial tenants. The requirement for third party certification can add hundreds of thousands of dollars in consultant costs that reap no benefit to the worthy environmental goals established in the City's Green Vision.

We suggest that the City of San Jose verify compliance to the Policy through the City's established building permit and inspection process. When a Developer submits a green checklist, plans and specifications through the building permit application process, plan checkers can verify that the features represented in the green checklist are actually included in the submitted plans and specifications. Then, through the City's established building permit inspection process, inspectors can verify compliance.

This process should be simple to implement and add no cost to the applicant as the infrastructure to administer compliance by the City is in place. It is important during these tough economic times that the City does not add additional fees and development costs, to an already expensive process, that reaps no value environmentally or economically.

The Sobrato Organization strongly advocates for the elimination of the requirement of the Policy that requires third party certification of new construction projects as proposed, and recommends that the City verify compliance through the existing building permit and inspection process.

Sincerely  
The Sobrato Organization



John A. Sobrato  
Chairman

