T&E AGENDA: 4-07-08
ITEM: d

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Memorandum

TO: TRANSPORTATION & ENVIRONMENT COMMITTEE

FROM: Edward K. Shikada

SUBJECT: SEE BELOW

DATE: 03/17/08

Approved Christine F. Shippey Date 3-28-07

SUBJECT: STATUS REPORT ON THE CITY'S GREEN BUILDING PROGRAM FOR PRIVATE DEVELOPMENT AND CITY FACILITIES

RECOMMENDATION

It is recommended that the Transportation & Environment Committee accept staff report on the status of the City's Green Building Program, and recommend City Council approval of the following actions, consistent with the recommendations of the Santa Clara County Cities Association:

1. Adoption of a Resolution recognizing GreenPoint Rated and LEED as reference standards for new residential and non-residential construction, respectively, and
2. Directing staff to incorporate the use of a green building checklist for planning applications.

OUTCOME

Acceptance of the status report will allow staff to effectively continue implementation of the City's Green Building Program and to move forward with the development of the private sector green building policy. Adoption of the actions consistent with the Santa Clara County Cities Association (SCCCA) recommendations will align with our goal of promoting regional consistency and raising awareness of green building practices and will also help us make overall progress on Green Vision Goal No. 4.

BACKGROUND

Green Building Principles guide the planning, design, construction, operation, maintenance and demolition of a facility or group of facilities in an environmentally sustainable manner. These principles include the use of appropriate site selection and building orientation, increased energy and water efficiency, healthy living and working environments, conservation of natural

resources, diversion of waste from landfills, reduced operational costs over the life of the facility and sustainable long term maintenance practices.

In 2001, the City first showed national leadership by adopting a Green Building Policy. On March 6, 2007, Council adopted an amended Green Building Policy which laid out certain mandates for City and Agency facilities and encouraged green buildings in the private sector. A Green Building Steering Committee has been established to resolve interdepartmental issues and facilitate implementation of the City's Green Building Program. The Committee is comprised of Senior Staff from the Redevelopment Agency and City departments responsible for financing, building, operating and maintaining City-owned facilities and is responsible for the implementation of the policy and for reporting its progress to the City Council on an annual basis.

On October 1, 2007, the T&E Committee accepted staff's proposed implementation guidelines which are intended to provide clear instructions to staff on how to carry out the policy for City and Agency facilities with appropriate outreach, oversight and accountability at every step in the process.

On October 30, 2007, Council adopted San José's Green Vision, which outlines 10 bold sustainability goals for the City. Goal No. 4, which relates to green buildings, states that over the next 15 years, 50 million square feet of buildings built or retrofitted in the City shall be green. On February 1, 2008, as part of the Green Vision presentation to Council, a work plan for the development of the Private Sector Green Building Policy was presented and accepted by Council. The work plan laid out policy development for the private sector in two phases. Phase I would be applicable to all new construction and major rehabilitation projects and Phase II would be applicable to all retrofit projects. Staff proposed bringing forward a policy for Phase I to Council in Fall of this year.

ANALYSIS

The US Green Building Council (USGBC) developed the Leadership in Energy and Environmental Design (LEED) program as a nationally recognized performance oriented system designed for rating new and existing buildings or groups of buildings based on a variety of Green Building Principles. Different levels of LEED certification (Certified, Silver, Gold and Platinum) are awarded based on the total credits earned.

Like USGBC, Build It Green (BIG) is a professional non-profit membership organization whose mission is to promote healthy, energy and resource-efficient buildings. However, BIG's focus is on residential construction in California. BIG's GreenPoint Rated certification label has gone through several years of program development and pilot testing. GreenPoint Rated is recommended by the Home Builders Association of Northern California as a consistent regional standard due to its comprehensive and user-friendly approach.[1]

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[1] San Jose Mercury News, "**Going green receives a boost from home builders:** Group pushes for standards in Bay Area." January 14, 2008 - http://www.mercurynews.com/ci_7966071.

Santa Clara County Cities Association Recommendations

At least 48 local governments in Northern California utilize LEED, GreenPoint Rated, or both, in their green building policies for the private sector (whether voluntary or mandatory). On November 6, 2007, the Santa Clara County Cities Association (SCCCA) made three near-term recommendations for consistent green building policy throughout the County. SCCCA recommendations were:

- Commit to LEED Silver certification or better for new municipal facilities, as the City of San Jose did on March 6, 2007.
- Recognize GreenPoint Rated and LEED as reference standards for new residential and non-residential construction, respectively, and
- Require a checklist consistent with GreenPoint Rated or LEED for all significant project applications.

To date, 10 of the 15 Santa Clara County cities have adopted these recommendations: Campbell, Cupertino, Los Altos Hills, Milpitas, Monte Sereno, Morgan Hill, Palo Alto, Santa Clara, Saratoga, and Sunnyvale. The SCCCA recommendations are consistent with our City's green building policy and also align with the overall direction of the City with regards to the private sector development. Furthermore, they help us not only to promote regional uniform policies that address the needs of communities in Silicon Valley, but also to educate and increase the awareness of green design and construction practices in the community.

Thus, staff is proposing that the T&E Committee recommend City Council approval of the following actions, consistent with the recommendations of the Santa Clara County Cities Association:

1. Adoption of a Resolution recognizing GreenPoint Rated and LEED as reference standards for new residential and non-residential construction, respectively, and
2. Directing staff to incorporate the use of a green building checklist for planning applications.

Status of the City's Green Building Program

The City's Green Building Program covers three discrete areas:

1. City Facilities – New Construction
2. City Facilities – Existing Buildings
3. Private Sector

City Facilities- New Construction

Per the amended Green Building Policy, all City and Agency projects budgeted after FY 07-08 or thereafter and constructing or adding 10,000 square feet or more of built space shall target LEED Silver at a minimum with a goal of Gold or Platinum. No new building projects have been budgeted since the new policy was adopted . However, in an effort to lead by example, the City is targeting LEED certification for several "pipeline" projects that were budgeted prior to FY 07-08. A status report on all of these "pipeline" projects is included in Attachment A. Other

"pipeline" projects not shown on the list are incorporating best green practices to the extent possible. Highlights of a few projects underway are included below:

1. Camden Community Center
   The formal certification process has been underway for approximately one year and it has recently come to a milestone with the issuance of a "Final Report" by the USGBC. The report indicates that 24 points has been achieved, two points short of the level needed for certification. Staff believes there are grounds for making an appeal and will be pursuing this. Furthermore, the review process has not been very efficient since there is no opportunity for any dialogue and each review period has taken almost 3 times longer than what the USGBC has led us to expect. Given the number of projects that will be going through the certification process shortly, staff will be directing time and effort into discussing possible streamlining and partnership options with the USGBC.

2. Seven Trees Community Center and Library, Bascom Library and Community Center
   These combined community center and library facilities are 65,000 and 40,000 square feet respectively. Both of these projects are targeting LEED Silver certification. The Seven Trees project is already out to bid and the Bascom project will be going to bid shortly. Both projects anticipate completion by Spring/Summer 2010 with the final LEED documentation to be submitted shortly thereafter.

3. San Jose Environmental Innovation Center
   Per Council direction staff is proceeding with design and environmental review for the San Jose Environmental Innovation Center. This facility, located along Las Plumas Avenue, will consist of a permanent, interior household hazardous waste drop-off facility, building material re-use center, an energy management demonstration and education area, as well as community space. The facility will divert materials from entering local landfills, minimize the amount of contaminants entering local waterways, and increase awareness to residents and commercial businesses on proper materials and energy management. A Request for Proposals is anticipated in Summer 2008 to solicit tenants which meet the City's objectives and vision for the Environmental Innovation Center. The project is anticipated to be open for public services by the end of 2010 and is currently targeting LEED-NC Platinum.

City Facilities- Existing Buildings

The 2007 Green Building Policy states that the City shall identify opportunities to target LEED certification for all existing buildings that are owned or managed by the City or the Agency. An interdepartmental team including members from the Environmental Services and General Services Departments, developed a list of facilities planned for green building certification over the next seven years through LEED for Existing Buildings. Also, the City committed to active participation in the pilot of the USGBC Portfolio Program, a voluntary partnership program for leading owners, tenants and managers in the green building movement. As a member of the pilot program, the City seeks to implement immediate and measurable actions that improve the environmental performance of its portfolio of buildings. This enterprise-wide approach to green

building is anticipated to have significant financial benefits in addition to minimizing the environmental impact of the City's operations. Within this partnership the City specifically committed to the following:

- Registering and pursuing LEED for Existing Buildings certification for 30 buildings in our owned and/or managed portfolio
- LEED certifying 100% of our new construction and renovation projects budgeted after July 1, 2007
- Educate staff, vendors and other stakeholders about commitment to green building and LEED.

City Hall is the first of the City's buildings to undergo the process to become certified as a green building through the U.S. Green Building Council's LEED-EB: Operations and Maintenance rating system. The team is in the final stages of ensuring all data required has been collected and verified as required for the USGBC certification submittal. The submittal templates for LEED-EB: O&M will be available March 31, 2008 through the USGBC, and the City Hall team will be assembling shortly thereafter to complete the submission. It is anticipated that the certification level achieved could be determined as early as six months after submission to the USGBC.

Four other City facilities have been identified by the ESD/General Services team as the next set of City facilities to go through the existing building green building certification process. The four facilities chosen represent a cross section of the various building types within the City's building portfolio and were chosen taking into consideration planned energy audits and efficiency improvements. These facilities include the Alum Rock Youth Center, Almaden Library and Community Center, Fire Station #1 and the Gardner Community Center. The process is targeted to begin this summer. The analysis component is funded and will help us determine the level of work needed to go through the actual certification process. See Attachment A for a list of existing facilities being considered for certification.

In addition to the certification efforts, staff is also working on improving energy efficiencies at several City facilities. The City has received funding from the Department of Housing and Urban Development's Community and Development Block Grant to perform energy audits and implement energy and water efficiency measures at some City facilities such as fire Stations, libraries and community centers that are located in low and moderate income areas.

Private Sector

The 2007 Green Building Policy states that the City shall provide leadership and guidance to encourage the application of green building practices in private sector planning, design, construction, management, renovation, operations, and demolition of buildings and encourage the highest practicable level of building certification under the USGBC LEED program. Since the industry and the regional jurisdictions are moving towards adopting GreenPoint Rated for residential construction and in keeping with the SCCCA recommendations, staff is proposing providing this as an option to the private sector.

As outlined in the work plan that was approved by Council on February 1, 2008, staff plans to bring forward a green building private sector policy in two phases. Phase 1 will include all new

construction and major rehabilitation projects, Phase II will address all retrofit projects. Phase I policy will be brought to Council in August 2008 and Phase II policy in Fall 2009. This staff report only includes a discussion of the Phase I policy.

Staff has developed a draft policy proposal for new construction and major rehabilitation projects in the private sector and is currently in the process of conducting outreach to various stakeholders including design and maintenance professionals, developers, home builders, and contractors. Through the outreach process staff will be focusing on soliciting input in the following areas: appropriate levels of certification, optimum timelines for implementation and possible incentives for future consideration.

The draft policy proposal is intended to be a starting point for discussion during stakeholder outreach, and is based on staff's benchmarking efforts and technical expertise as well as current trends and predictions for development in the City of San José. It is important to note that this proposed policy is only intended to provide a framework for dialogue and may be revised based on stakeholder input.

The proposed policy is consistent with the five guiding principles that were presented to Council on February 1, 2008:

1. Establish clear and consistent standards
2. Promote uniform regional policies
3. Raise awareness of green building practices
4. Balance incentives and mandated standards
5. Increase staff knowledge / ability to facilitate green building projects.

The Phase I policy would be implemented in two steps.

<u>Step 1 of the draft Phase I policy would be proposed as follows:</u>

a. Commercial projects proposing 25,000 square feet or more of new construction would be required to attain a "LEED Silver" rating.
b. Residential projects proposing 10 units or more of new construction would be required to attain LEED certification and/or GreenPoint Rated (50 points).

<u>Step 2 of the draft Phase I policy would be proposed as follows:</u>

a. Commercial projects proposing 10,000 square feet or more of new construction would be required to attain a "LEED Silver" rating
b. Residential projects proposing 10 units or more would be required to attain LEED certification and/or GreenPoint Rated (80 points).

Staff anticipates completing the stakeholder outreach for proposed private sector requirements by the end of April and presenting policy options to the T&E Committee in June. Based on the input received from the T&E Committee, staff hopes to be able to present a policy to Council for private sector new construction and major rehabilitation projects in August 2008.

Performance and Tracking Measures

Green Vision Goal No. 4 is to build or retrofit 50 million square feet of green buildings in San José. In addition to tracking the square footage of green buildings staff is looking at opportunities to track progress in areas that are linked to other Green Vision goals. Some examples of these tracking measures have been listed below. Staff will continue to collaborate with the achievement of other Green Vision goals and the development of comprehensive tracking measures which will then be brought forward as part of the next Green Vision annual report to Council.

Potential Tracking Measures:

1. Square feet of third party certified green building space
2. Amount of renewable energy generated in mega watt hours per year
3. Percentage energy use reduction compared to the baseline
4. Percentage water use reduction compared to the baseline
5. Percentage of construction and demolition waste diverted from landfills
6. Number of new trees planted

POTENTIAL NEXT STEPS

Item	Input/Approval Entity	Timeline
Private Sector Green Building – Stakeholder Outreach	Various Stakeholders	Complete by the end of April 2008
SCCCA recommendations for Council adoption	Council	April 2008
Private Sector Green Building Policy Options	T& E Committee	June 2008
Private Sector Green Building Policy Adoption	Council	August 2008

COORDINATION

Preparation of this memorandum was coordinated with the assistance of the following departments: Airport, General Services, Planning, Building and Code Enforcement, Parks, Recreation and Neighborhood Services, Library, Airport, Public Works, Environmental Services, the City Manager's Budget Office and the Office of Economic Development, the Redevelopment Agency, and the City Attorney's Office.

FISCAL/POLICY ALIGNMENT

Implementation of the Green Building Program and development of the private sector green building policy furthers Green Vision Goal No. 4 and meets the Budget Strategy that emphasizes the reduction of operating costs to the City and our community.

CEQA

Not a project

Ashwini Kantak
for EDWARD K. SHIKADA
Deputy City Manager

For questions, contact Ashwini Kantak, Assistant to the City Manager, at 535-8147

Attachments

Attachment A

City/Agency Facilities
(New Construction)

Projects targeting LEED certification					
No.	**Project**	**Project Status**	**Square Footage**	**Targeted Certification Level**	**Anticipated timeline**
1	West Valley Branch Library	Completed	20,000	**Certified**	2004 Certification
2	Camden Community Center	Completed	40,000	Certified	Feb 2007 application
3	Starbird Youth Center	Completed	3,800	Certified	June 2008 application
4	Fire Station No. 35	Completed	12,500	Certified	April 2008 application
5	Roosevelt Community Center	Under construction	30,000	Silver	Fall 2008 application
6	Mayfair Community Center	Under construction	20,468	Certified	Winter 2008 application
7	Santa Teresa Branch Library	Under construction	21,600	Certified	Fall 08 application
8	Airport – North Concourse	Under construction	380,000	Certified	Fall/Winter 2008
9	Happy Hollow Park and Zoo	Under construction	Varies	Certified	Winter 2010 application
10	Police Substation	Under construction	120,000	Silver	Winter 2009 application
11	Bascom Library and Community Center	90% Constr. Documents	40,000	Silver	Summer 2010 application
12	Seven Trees Community Center and Library	Out to bid	58,000	Silver	Summer 2010 application
13	Airport – Terminal B	95% Constr. Documents	121,000	Certified	June 2010 application
14	Educational Park Branch Library	Schematic Design	18,000	TBD	Fall 2010
15	Environmental Services Building	Conceptual Design	36,100	Silver	TBD
16	San Jose Environmental Innovation Center (Las Plumas Eco-Park)	Conceptual Design	46,000	Platinum	TBD
17	Calabazas Branch library	Schematic Design	10,000	Certified	TBD
18	Edenvale / Great Oaks Community Center	100% Constr. Documents	20,000	Silver	TBD
19	Convention Center	Concept design	150,000	Silver	TBD
		Total	**1,087,468**		

Certified Projects					
No.	**Project**	**Project Status**	**Square Footage**	**Certification Level**	**Year of Certification**
1	West Valley Branch Library	Completed	20,000	Certified	2004
		Total	**20,000**		

Attachment A

City/Agency Facilities
(Exisiting Buildings)

No.	Project	Project Status	Square Footage	Targeted Certification Level	Anticipated timeline for certification
1	New City Hall	To be Submitted for certification April 2008	530,000	Platinum	October 2008
2	Gardner Community Center	Certification process to begin summer 2008	10,370	Silver	Spring 2009
3	Almaden Library and Community Center	Certification process to begin summer 2008	64,000	Silver	Spring 2009
4	Fire Station No. 1	Certification process to begin summer 2008	15,500	Silver	Spring 2009
5	Alum Rock Youth Center	Certification process to begin summer 2008	17,300	Silver	Spring 2009
6	25 additional facilities (TBD) as committed through participation in the USGBC Portfolio Program	Facilities to be identified beginning in FY08/09 through FY14/15	TBD	Silver	FY09/10 through FY15/16
7	45 additional facilities	Facilities to be identified beginning in FY15/16 through FY19/20	TBD	Silver	FY16/17 through FY20/21
		Total	**637,170**		

Attachment A

Private Sector Buildings

No.	Project	Project Status	Square Footage	Targeted Certification/Point Level	Notes
1	Bellarmine Prep	Under Construction	50,000	Certified	
2	Coyote Creek Homes (PDA06-030-01)	Under Construction	48,227	TBD	20 units
3	Parkwood by SummerHill (PD05-082)	Under Construction	170,596	GreenPoint Rated - 78 Points	115 Units
4	Falcon Place by Pinn Bros. (PD05-009)	Under Construction	44,510	Certified	19 units, LEED for Homes
5	Orchard Heights by Pinn Bros.(PD03-026)	Under Construction	227,286	Certified	51 units, LEED for Homes
6	Legacy Orchard Parkway (PD07-081)	Building Permits	398,350	Silver	LEED Core & Shell
7	Fairfield Northpointe (PD07-033)	Building Permits	298,794	Silver	25,000 retail; 704 units
8	Fairfield Baypointe (PD07-036)	Planning Permit Approved	183,000	Silver	183 units
9	Vista Montana (PD07-082)	Planning Permit Approved	741,420	Silver	444 units
10	Riverview (PD07-090)	Planning Permit Approved	2,317,239	Silver	1,579 units/45,000k retail
11	Tishman Speyer (PD07-087)	Planning Permit Approved	705,847	Silver	LEED Core & Shell 535,612 Pkg Garage not incl.
12	Zanker Road (H08-002)	Under Review - Planning	493,918	Silver	
13	Japantown Senior Housing (PD08-015)	Under Review - Planning	55,156	Gold	85 units
14	2nd & Keyes (PD07-094)	Under Review - Planning	61,854	Gold	139 units
15	Flea Market (PDC03-010)	Zoning Approved	TBD	Silver	up to 2,818 units; up to 365,622 retail
16	Irvine	Zoning Approved	TBD	Silver	up to 1,900 units; up to 30,000 commercial
		Total	**5,796,197**		

Certified Projects					
No.	**Project**	**Project Status**	**Square Footage**	**Targeted Certification Level**	**Year of Certification**
1	Adobe Systems (West Tower)	Completed	391,708	Platinum	2006
2	Adobe Systems (Almaden Tower)	Completed	272,598	Platinum	2006
3	Adobe Systems (East Tower)	Completed	325,421	Platinum	2006
4	Xilinx Building 5 renovation	Completed	72,000	Silver	2007
5	Los Paseos Elementary School	Completed	15,000	Certified	2007
6	Gish Apartments	Completed	63,000	Gold	2008
		Total	**1,139,727**		