


## COUNCIL COMMUNICATION

	Number:	<b>19-237</b>	Meeting:	<b>May 20, 2019</b>
	Agenda Item:	<b>43</b>	Roll Call:	[ _____ ]
	Submitted by:	<b>Scott E. Sanders, City Manager</b>		

### AGENDA HEADING:

Amending Chapter 26 of the Municipal Code regarding energy and water use benchmarking for certain properties in the City.

### SYNOPSIS:

Approval of the energy and water benchmarking ordinance.

### FISCAL IMPACT: NONE

### ADDITIONAL INFORMATION:

- Since the April 22, 2019 meeting, staff held a meeting with stakeholders to discuss concerns raised during the meeting. The items that were discussed during the Council meeting included finding alternates to Portfolio Manager for program tools, providing an outline of what information will be made public, facilitate a process to access data from utilities, create a recognition program, test multi-family buildings, and create a voluntary incentive program.
- This meeting was held on May 13, 2019. During this meeting, staff provided an outline of what information will be made public, provided a free alternative to Portfolio Manager that is managed through the Iowa Economic Development Authority, clarified that both energy and water utilities are committed to ensuring access to data for the ordinance, and requested volunteers to work with staff to test the multi-family program.
- Businesses who participated in the voluntary Energize Des Moines program will be recognized at the May 20, 2019 Council Meeting. This recognition program will be celebrated each year as part of the benchmarking program.
- The purpose of this ordinance is to preserve and improve the safety, health, welfare, comfort and convenience of City residents by advancing energy efficiency and reducing greenhouse gas emissions as outlined in Guide DSM: Strategic Plan 2015-2030 adopted by the City Council and the Plan DSM: Creating Our Tomorrow plan as an amendment to the City's comprehensive plan adopted by the City Council in 2016.

- The terms and provisions of the ordinance will serve as a vital component in reaching the goals set forth in the adopted plans to significantly reduce greenhouse gas emissions, to reduce energy consumption in City-owned buildings, and to foster a sustainable local economy through environmentally sound building practices and energy efficiency.

#### About Benchmarking:

- The ordinance will require all City of Des Moines buildings, commercial buildings, and multifamily buildings over 25,000 square feet to benchmark energy and water use.
- Property owners will collect and enter data of the prior calendar year into Energy Star Portfolio Manager or alternative program allowing for an Energy Star score.
- Estimated to impact 819 buildings.

#### Timeline:

- 2019 – City of Des Moines will report benchmarking information for its 14 buildings.
- 2019 – Notifications will be sent to all impacted commercial and multi-family property owners about the ordinance.
- 2019 – Educational events will be hosted throughout the year to assist property owners on benchmarking process.
- 2020 – All commercial and multifamily properties will report their 2019 benchmarking information to the City.
- 2020 – City Benchmarking information will be made public.
- 2021 – Commercial and multifamily benchmarking information will be made public.
- 2021 – Continue annual benchmarking of buildings.

#### Exemptions:

- Property owners may submit a request for reporting exemption based on the factors including:
  - No certificate of occupancy.
  - Vacated or unoccupied buildings.
  - Buildings in financial hardship.
  - Energy use data that is proprietary.
  - Good faith attempt at data collection for multi-residential, but unable to report by due date.

#### Beyond Benchmarking:

- There is no requirement for any building to verify building performance.
- Building owners can voluntarily participate in energy efficiency programs that will be established by the City of Des Moines.

#### Fees and Penalties:

- There will be no fee for timely submittals within 30 days of due date.
- For submittals after 30 days – \$50.
- Failure to submit annual benchmarking information will be \$300 for 1<sup>st</sup> violation and \$500 for 2<sup>nd</sup> and subsequent annual violations.

### **PREVIOUS COUNCIL ACTION(S):**

Date: April 22, 2019

Roll Call Number: [19-0669](#)

Action: [Amending](#) Chapter 26 of the Municipal Code regarding energy and water use benchmarking for certain properties in the City. ([Council Communication No. 19-185](#)) Moved by Mandelbaum that this ordinance be considered and given first vote for passage; refer to the City Manager to (1) engage all stakeholders to address concerns raised (2) provide framework for a recognition program (3) create a voluntary incentive program and (4) send a letter to the State of Iowa requesting their participation in the benchmarking program. Motion Carried 7-0.

**BOARD/COMMISSION ACTION(S): NONE**

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**

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