


COUNCIL COMMUNICATION

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|  | Number: | 19-265 | Meeting: | June 3, 2019 |
| | Agenda Item: | 51 | Roll Call: | 19-0917 |
| | Submitted by: | Scott E. Sanders, City Manager | | |

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:

- 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.
- Buildings that receive an Energy Star Score 75 or higher will have the option to not have data published.
- Buildings that receive an Energy Star Score below 75 will have the option to not have data published if owner voluntarily commits to a performance improvement path and makes satisfactory progress towards completion of performance improvement action, including retuning or energy and/or water audits.
- Estimated to impact 770 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 – Continue annual benchmarking of buildings.
- 2022 – Commercial and multifamily benchmarking information will be made public.

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.
- Multifamily properties constructed within past five (5) years prior to the reporting year.

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 1st violation and \$500 for 2nd and subsequent annual violations.

PREVIOUS COUNCIL ACTION(S):

Date: May 20, 2019

Roll Call Number: [19-0820](#)

Action: [Amending](#) Chapter 26 of the Municipal Code regarding energy and water use benchmarking for certain properties in the City. ([Council Communication No. 19-237](#)) Moved by Mandelbaum that this ordinance be considered and given second vote for passage and to incorporate the following changes into the final consideration of the ordinance: Motion Carried 7-0.

1. Provide one (1) additional year for publishing Energy and Water performance data (data will not go public until 2022).
2. For buildings with Energy Star scores below 75, who do not want their data published, will voluntarily commit to Performance Pathway.

3. For buildings with Energy Star scores of 75 and above, may opt out of having Energy and Water Benchmarking data published.

4. No benchmarking is required for multi-family buildings completed within 5-years.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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