

CITY CLERK DEPT.
07 SEP -4 AM 9:53

**CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: Economic Development

AGENDA DATE: September 11, 2007

CONTACT PERSON/PHONE: Kathy Dodson, PhD, Director 541-4670

DISTRICT(S) AFFECTED: All

SUBJECT:

Discussion and action on a Resolution establishing the City of El Paso's Green Building Grant Program, adopting Program Guidelines, and authorizing the City Manager to execute any and all documents related to the administration and operation of the Program.

BACKGROUND/DISCUSSION:

On January 6, 2006, the City Council authorized the City Manager to accept Palo Verde Performance Awards from El Paso Electric Company to be used to pay for demand-side management programs such as the Green Building Grant program. This program provides grants to LEED Certified buildings. LEED certification was developed by the U.S. Green Building Council and is the worldwide standard for environmentally friendly, energy efficient buildings. Green Building Grants will be available for new construction or major renovations of commercial buildings city-wide. There are four levels of LEED certification, and grants will begin at \$50,000 for basic certification, and will increase by \$50,000 for each additional level of certification attained, up to a maximum of \$200,000 per building. There is a provision in the grant program to double the grants for major renovation of buildings that are a minimum of five stories and where at least 50% of the building has been vacant for at least five years. This provision is aimed at returning nonperforming downtown buildings to productive use. To be eligible for the grants, projects must have a minimum investment of \$250,000 or at least double the amount of the grant they must be a minimum of 15,000 square feet in size.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

Yes; on January 6, 2006, the City Council authorized the City Manager to accept Palo Verde Performance Awards from El Paso Electric Company to be used to pay for demand-side management programs.

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

\$1.9 million from the Palo Verde Performance Awards settlement with El Paso Electric Co.

BOARD/COMMISSION ACTION:

Enter appropriate comments or N/A.

N/A

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) [Signature] **FINANCE:** (if required) Carmen Quintero Candelaria

DEPARTMENT HEAD: [Signature]

(Example: If RCA is initiated by Purchasing, client department should sign also). Information copy to appropriate Deputy City Manager

CITY CLERK DEPT.

07 SEP -14 AM 9:53

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

RESOLUTION

WHEREAS, the City of El Paso is interested in promoting the construction of sustainable buildings that are protective of the environment, energy efficient and safe ("Green Buildings") through the development and implementation of a grant program for builders interested in constructing new or renovating existing buildings into Green Buildings; and

WHEREAS, On January 6, 2006, the City Council authorized the City Manager to enter into an agreement with the El Paso Electric Company (EPE) to accept Palo Verde Performance Awards from EPE to be used to pay for demand-side management programs, which could include such projects as a grant program intended to increase the number of Green Buildings in the City of El Paso:

WHEREAS, the City of El Paso finds that the development and implementation of a grant program intended to provide for the increase in the number of sustainable buildings within the City of El Paso is a direct benefit to the environment, is in the best interest of the public and will benefit the City of El Paso and its citizens, and as such, constitutes an important public purpose or benefit to the City, for which the City is willing to expend resources;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

- I. THAT the City of El Paso's Green Building Grant Program is hereby established;
- II. THAT the City of El Paso's Green Building Grant Program Guidelines, which are attached hereto as **Exhibit "A"**, are hereby adopted; and,
- III. THAT the City Manager be authorized to execute any and all documents related to the establishment and operation of the City of El Paso's Green Building Grant Program.

ADOPTED this _____ **day of** _____, **2007.**

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
Municipal Clerk

APPROVED AS TO FORM:



Raymond L. Telles
Assistant City Attorney

APPROVED AS TO CONTENT:



Kathy Dodson, Director
Economic Development Department

The City of El Paso's Green Building Grant Program Guidelines

Objective

The goal of the City of El Paso's Green Building Grant Program is to encourage private sector builders to build sustainable buildings within the City of El Paso that will serve as examples for future projects to emulate. Providing incentives for the design of buildings certified under the U.S. Green Building Council's LEED® Green Building Rating System™ underscores the City's commitment to improving the quality, cost effectiveness and safety of the built environment while conserving energy and reducing stress on the natural environment. The City of El Paso finds that the development and implementation of a grant program intended to increase the construction of sustainable buildings within the City of El Paso is a benefit to the environment and is therefore in the best interest of the public and will benefit the City of El Paso and its citizens. As such, the implementation of the City of El Paso's Green Building Grant Program constitutes an important public purpose or benefit to the City, for which the City is willing to expend its resources.

Possible Grant Award Amounts

Subject to these guidelines and the availability of funds, Green Building Grant awards may be awarded to successful applicants intending to construct, renovate or remodel commercial or mixed-use properties, in amounts not to exceed the following:

New or Existing Buildings

- LEED Certified \$50,000
- LEED Silver \$100,000
- LEED Gold \$150,000
- LEED Platinum \$200,000

Multistory Existing Building

- LEED Certified \$100,000
- LEED Silver \$200,000
- LEED Gold \$300,000
- LEED Platinum \$400,000

EXHIBIT "A"

Grant Award Eligibility

All new construction or major remodels of commercial and mixed-use properties, as such terms are used within the El Paso City Code, are eligible for Green Building Grants. However, Multistory Existing Buildings are defined as those existing buildings that consist of a minimum of five (5) floors available for commercial or mixed-use occupancy, of which a minimum of fifty percent (50%) has been vacant for at least five (5) years prior to the submission of the Grant Application. Such construction or major remodel projects must be for a minimum construction cost of \$250,000.00 and at least two (2) times the value of the value of the Green Building Grant being applied for. Grants may be awarded up to the amounts referenced above, not to exceed the construction cost of the project and shall not include the cost of the land. Green Building Grant Awards may not be awarded to employees of the City of El Paso or applicants owing any debts to the City of El Paso, including but not limited to taxes, fines and penalties.

Grants will be reviewed on a first-come, first-served basis pursuant to the submittal date of the completed Grant Application. City staff shall review all applications for completeness. The City shall reserve funds for any approved Grant Applications, subject to the availability of such funds. However, Grantees will be required to provide verification of LEED registration (see below) and receive a Certificate of Occupancy before any grant funds are released. To be eligible for a grant, the project must: (i) include the construction, renovation or remodeling of a minimum of FIFTEEN THOUSAND (15,000) square feet; and (ii) also achieve a minimum of ten (10) of the seventeen (17) point requirement noted in the "Energy and Atmosphere" section of the LEED Project Checklist, in addition to all other LEED Green Building Rating System requirements.

About the LEED® Green Building Rating System™

The U.S. Green Building Council (USGBC) identifies itself as a coalition of environmental leaders from across the building industry working to promote buildings that are environmentally responsible, profitable and healthy places to live and work. More information on the USGBC and its Leadership in Energy and Environmental Design Green Building Rating System (LEED) is available at www.usgbc.org. The USGBC created the LEED Green Building Rating System in order to:

07 SEP -4 AM 9:53
CITY CLERK DEPT.

EXHIBIT "A"

CITY CLERK DEPT.
07 SEP -14 AM 9:53

- Define "green building" by establishing a common standard of measurement;
- Promote integrated, whole-building design practices;
- Recognize environmental leadership in the building industry;
- Stimulate green competition;
- Raise consumer awareness of green building benefits; and
- Transform the building market.

Requirements of Grant Recipients

In order to be eligible for the award of any Grant Funds, Grant Recipients shall, at a minimum, commit to the following:

- Provide verification to the City of all statements made in the Grant Application;
- Provide verification of project completion to the level specified in application by submitting LEED Certification and other documentation from the U.S. Green Building Council to the satisfaction of the City;
- Allow the City to evaluate the payback and performance of the building;
- Cooperate in the City's creation of educational materials, case studies, or photos; and,
- Agree to make the building available for green building tours, upon reasonable notice and request by the City in advance.

Application Requirements

Grant funds are reserved for projects with complete and accurate applications. Complete applications will consist of the following:

- Complete application form;
- Proof of LEED Registration; and

Grant Application Review and Approval Process

1) Submit Application.

Applications with all supporting documentation are to be submitted to the City's Economic Development Department. City staff shall review the application for completeness and shall return incomplete applications to the applicant for additional information.

2) Reservation of Grant Funds.

Subject to availability of funds and upon verification of completeness, the City shall reserve grant funds for all projects that meet eligibility requirements on a first-come first-

EXHIBIT "A"

served basis. These funds will be placed in reserve until a Certificate of Occupancy is attained or the Reserve Period, as described below, expires.

3) Funding.

- a) Funds will be held in reserve for a maximum of eighteen (18) months from the date of the City's acceptance of a complete Grant Application. A grant will become void and those funds may be awarded to other grantee applicants if a Certificate of Occupancy is not issued within this Reserve Period. Extensions may be granted at the discretion of the City Council, upon grantee's presentation of a request and the Council's finding that such request is reasonable, provided the circumstances of the delay and the scope of the proposed project.
- b) Grant Funds will be awarded when a Certificate of Occupancy is issued and all LEED credits have been verified.

4) Forfeiture of Funds.

Funds must be refunded to the City of El Paso if the Certificate of Occupancy or LEED certification is revoked within one (1) year of issuance. Partial refunds to the City will be required if the building is not certified at the level applied for in the initial application.

CITY CLERK DEPT.
07 SEP - 4 AM 9:53

(END OF GUIDELINES)

The City of El Paso El Paso

Green Building Grant Program Application

Project Information

Project address _____

Plan Check Number (if applicable) _____

Project category: _____ New Construction _____ Renovation/Remodel

Multistory Existing Building (five stories or more): _____ Yes _____ No

Project type (circle one):

Commercial Mixed Use

LEED Certification being applied for (circle one):

Certified Silver Gold Platinum

Brief description of project (size, other attributes): _____

Applicant Information

Owner/authorized agent(s) _____

Company _____

Mailing address _____

Phone _____ Fax _____ Email _____

Primary contact (if different from owner) _____

Company _____

Mailing address _____

Phone _____ Fax _____ Email _____

Design Team

Architect _____ Phone _____

Mechanical engineer _____ Phone _____

General contractor _____ Phone _____

Project manager _____ Phone _____

LEED Consultant _____ Phone _____

Landscape Architect _____ Phone _____

Project Status

What phase is the project in? (e.g. design, construction, etc.) _____

Is the financing secured? ___ Yes ___ No

Estimated project start date _____

Estimated project completion date _____

Certification

I, _____, owner/authorized agent of the property at _____

El Paso, Texas 799___ am applying for the green building grant(s) referenced above. I understand the eligibility requirements and agree, if my project is selected, to abide by the terms and conditions as set forth in the City of El Paso's Green Building Grant Program Guidelines.

Grant Applicant

Name: _____

Date: _____

Submittals

Below is a list of all materials that must be submitted in a complete application. Incomplete applications will not be reviewed. Green Building Grant application requirements include:

- Complete Application Form
- Copy of LEED Registration Confirmation
- LEED Checklist (projected measures)

CITY CLERK DEPT.
07 SEP -4 AM 9:53