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# **Green Building Update**

an Allen Matkins market intelligence publication

# Allen Matkins

attorneys at law

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# San Francisco considers the most far-reaching 'Green Building' ordinance in the U.S.

The Christian Science Monitor - Feb 27

San Francisco is considering a green building ordinance that would require most new commercial and residential high-rises to meet Leadership in Energy and Environmental Design (LEED) standards. The proposed ordinance would transform the construction industry across northern California, impacting everything including paint shops, subcontractors, suburban neighborhoods, sand pits and gravel quarries. San Francisco officials say they want to get tough because the operation and construction of buildings account for half the city's  ${\rm CO_2}$  footprint. If passed, the ordinance would be the most far-reaching in the U.S.

#### Related News:

The city considers rival plans to implement mandatory green design standards for new residential and commercial buildings

#### **Green Building Focus**

What is needed for achieving a 30% energy savings? Find out from the Advanced Energy Design Guides

These guides have been developed through the collaboration of ASHRAE, the American Institute of Architects (AIA), the Illuminating Engineering Society of North America (IESNA), and the U.S. Green Building Council (USGBC), with support from the Department of Energy (DOE), to help meet all of an owner's energy performance requirements. The guides are available for three building categories: office buildings up to 20,000 square feet; retail buildings up to 20,000 square feet; and K-12 school buildings.

### **Assessing Risk in Sustainable Design**

California Real Estate Journal - Feb 25

As LEED projects become more prevalent, some important issues may be left off the table during the contract drafting stage, leaving owners, architects and contractors vulnerable to disputes. For instance, LEED certification means more restrictions on which materials a contractor can use, and sometimes even on where the contractor can acquire the materials - both factors that can create costly delays and lead to disputes. And with many contractors seeking to make their names as LEED construction experts, and many developers heavily publicizing their underconstruction LEED buildings, the possibility of failing to achieve the desired level of LEED certification constitutes significant "reputational risk," said Bryan Jackson, head of the Construction Transactional Group at Allen Matkins.

#### San Francisco's green building nightmare

BeyondChron - Mar 3

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### Have a suggestion?

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Bryan C. Jackson Editor

#### **About Allen Matkins**

Allen Matkins Leck Gamble Mallory & Natsis LLP, founded in 1977, is a California law firm with over 230 attorneys practicing out of seven offices in California. The firm's broad based areas of focus include construction, corporate, real estate, project finance, business litigation, taxation, land use, environmental, bankruptcy and creditors' rights, and employment and labor law. More...



Allen Matkins #1 Real Estate Law Firm in California Chambers and Partners 2002 - 2007 The Federal Building in San Francisco, designed by Thomas Mayne, is seen by some as a green building nightmare. The building lacks heat or air conditioning. In what the *New York Times* once described as "the greenest federal building in the nation's history" also reportedly has one the worst work environments. While some describe the building as "magical" and with a "sense of airiness," others find the lack of internal climate controls as leaving some workers too cold and others too hot. Other design problems include dysfunctional elevators that stop at every third floor and an employee cafeteria located across the street from the building. The elevators and cafeteria location reflect Mayne's desire to get workers walking. Additionally, the building has no LEED approval. Originally designed to enhance workers' productivity, the functional inadequacies of the Federal Building have caused some workers to see the building's design as more of a science experiment than an innovation in green design.

# **Popular Science** magazine publishes 'greenest cities' index

Popular Science - Mar 3

Popular Science ranks local municipalities across the U.S. who have been taking steps to make their cities green. The rankings are based on four discrete factors: electricity, transportation, green living, and recycling and green perspective. Electricity points were given for cities that draw their energy from renewable resources and for the ability for residents to invest in their own power sources. Transportation was based on both the air quality and the number of commuters who used mass transit or carpooled. Green living referred to the number of buildings within the municipality that were certified by the U.S. Green Building Council, as well as the number of public parks and nature preserves. The final category, recycling and green perspective, measured how thorough a city's recycling program was and how important residents considered environmental issues. The top 10 cities are:

- 1. Portland, OR
- 2. San Francisco, CA
- 3. Boston, MA
- 4. Oakland, CA
- 5. Eugene, OR
- 6. Cambridge, MA
- 7. Berkeley, CA
- 8. Seattle, WA
- 9. Chicago, IL
- 10. Austin, TX

# <u>USGBC Publishes Online Catalog of LEED Innovation & Design Points</u>

Green Lodging News - Feb 25

Design teams pursuing certification under the U.S. Green Building Council's LEED green building rating system can now view the "Innovation & Design Credit Catalog." This online Catalog lists green building strategies that have been submitted and utilized on LEED Certified projects. The Catalog "inspires new ideas and solutions that yield environmental benefits," said Brendan Owens, Vice President of LEED Technical Development. "By publishing the catalog of credits online, we hope to inspire further breakthroughs in the green building industry."



## Wal-Mart signs agreement to analyze government energy use

CNN Money - Feb 26

Wal-Mart recently signed an agreement with the National Governors' Association to provide energy audits for government buildings in state capitol complexes around the U.S. The public-private partnership, called "Greening State Capitols" will include a two-day auditing process. Wal-Mart's team of engineering experts will audit capitol facilities to analyze lighting, HVAC, refrigeration, programmable technologies and building structures. After completing the audit, the engineers will report back on recommended upgrades, their costs and projected energy savings and impact on the environment. States taking part in this program will hire a team of four or five experts to supplement the engineers sent by Wal-Mart.

## Solar energy market expected to reach \$2 billion U.S. by 2012

PR Newswire - Mar 1

After three years of continuous upswing in solar power revenues, topping \$0.8 billion U.S. in 2007, a report from the U.S. Solar Energy Market indicates that several factors favorable to the industry will propel the market to triple digit growth, to reach nearly \$2 billion by 2012. Despite strong factors favoring the solar energy market, major obstacles must still be overcome before it reaches the mainstream. Obstacles include potential supply shortages, unfavorable legal structures, utility barriers and lack of skilled laborers.

#### U.K. could have zero-carbon future

The Independent - Feb 24

The U.K. will announce a call for all future non-domestic buildings to be zero carbon, according to reports. In December 2007, the U.K. Green Building Council released a report concluding that all non-domestic buildings could be zero carbon by 2020. Buildings ranging from schools to hotels to light manufacturing plants would have to eliminate carbon dioxide emissions. The announcement will turn Britain from "laggard to leader," according to Paul King, the U.K. Green Building Council Chief Executive. France has also set a requirement that all new buildings must produce more energy than they consume by 2020, The Independent reported.

# Springfield city council in Missouri approves green building policy

Springfield Business Journal - Feb 26

Springfield city council has approved a proposed green building policy for all new city-owned buildings. The policy requires that any new building built by the city must be certified at the LEED silver level for new construction. Additional requirements are also in place for energy efficiency, water use and construction waste management. Councilwoman Mary Collette, who helped develop the policy, said that "while there is no mandate for anyone in the private sector in this resolution, when people see the benefits and the gains of green and sustainable projects, it sends the right message to the community." The U.S. Green Building Council estimates that LEED Silver certification adds about 2 percent to construction costs.

# China's top banks lend \$4.08 billion U.S. in 2007 for green projects

BizChina - Feb 20

China's top five banks offered loans of more than 100 billion yuan (\$ 4.08 billion U.S.) last year to support companies' environmental plans. The China Banking Regulatory Commission (CBRC) also said that some 30 energy-intensive, high-polluting enterprises were denied credit from the top five banks last year after they were blacklisted by the environmental authorities. The government has launched several "green" economic measures to prevent further environmental problems. For example, the State Environmental Protection Administration (SEPA) requires companies to pass an environmental assessment to go public or raise new capital.

#### Notable green building projects...

#### Houston set to build LEED gold, turbine-topped tower

In Houston, construction is about to begin on the Discovery Tower, a new downtown office building that will add 871,000 square feet to the city's green footprint. Developers Trammell Crow will be engineering the structure to earn a U.S. Green Building Council gold LEED rating. Along with its remarked water efficiency, air filtration, and energy efficiency, the real attention-getter is the collection of 10 windmills to be built on top of the building. The 30-story office tower is estimated to cost \$300 million.

#### \$226 million LEED gold police station approved in Raleigh, NC

The Raleigh city council has voted to authorize funding for a new \$226 million 17 story police station and public safety center. The city says it intends to seek certification of the new building as a LEED gold project with the United States Green Building Council. Construction of the facility is scheduled to begin in the summer or fall 2009, with completion expected by 2012.

### Grand Rapids Art Museum to become first LEED certified art museum complex

The Grand Rapids Art Museum (GRAM) in Michigan has just completed a \$60 million expansion of its facility which makes it the world's first LEED certified art museum complex. The 125,000 square foot facility is three times larger than it was previously and now includes 18,000 square feet of exhibition space, an auditorium, a children's education center, art studios, study and conference rooms, an art reference library, a café and a museum shop. GRAM adopted sustainable goals for the expansion after philanthropist Peter M. Wedge, a noted environmentalist, donated \$20 million and stipulated that the new building be "green."

#### Brooklyn Children's Museum hopes to be the first green children's museum in the U.S.

The Brooklyn Children's Museum, which is set to open up in May, hopes to be the first green children's museum in the US, and is seeking LEED certification. Among its energy-saving attributes are a system of photovoltaic roof panels that will generate about 2.5 percent of its electricity, a geothermal system of heat pumps, and six 300-foot-deep wells that will heat and cool the building.

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