

SECOND COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 080711

Amending Article XI, Chapter 2, Administration, relating to the LEED Silver Standard by repealing Section 2-1604, Code of Ordinances, and enacting in lieu thereof a new section of like number which illustrates the City of Kansas City's commitment to sustainability in public buildings.

WHEREAS, the City Council has adopted a Green Solutions Policy to integrate green solutions into City planning and development processes and the City Manager has signed a Green Solutions Administrative Regulation that requires City staff to incorporate green solutions, whenever possible and appropriate, into City policies, projects, and programs; and

WHEREAS, the City Council has identified a long-term priority for the City being a certifiable green city; and

WHEREAS, the City Council has adopted a resolution to support regional efforts to make the Kansas City metro area America's Green Region and achieve such recognition nationally; and

WHEREAS, the degree to which cities follow the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Standards is a criteria used by organizations that rate and rank cities in terms of sustainability and being green; and

WHEREAS, building in accordance with LEED Standards provides many benefits to the City by improving the energy efficiency of new and renovated buildings, reducing storm water runoff into local sewers and waterways, reducing the operating and maintenance costs for buildings, improving the health and productivity of building occupants by achieving better indoor environmental quality, and reducing greenhouse gas emissions; and

WHEREAS, the City Council previously enacted an ordinance regarding LEED Standards for public buildings and it is now appropriate to revisit that ambitious effort and that a revision of that ordinance is desirable; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Article XI, Chapter 2, Administration, Code of Ordinances of the City of Kansas City, Missouri is hereby amended by repealing Section 2-1604, LEED Silver Standard, and enacting in lieu thereof a new section of like number, to read as follows:

**Sec. 2-1604. LEED Silver Standard**

(a) Policy. It is the policy of the City that the design, construction, and operation of new facilities of any size and renovations in which the facility affected has at least 5,000 square feet of space, for which the City issues a request for qualifications for design services or conducts such services itself, shall conform to the Silver rating or higher of the most recent version of the USGBC (U.S. Green Building Council) LEED (Leadership in Energy and Environmental Design) Green Building Rating System.

(b) Establishment of LEED Standards Committee. The City Manager shall appoint a LEED Standards Committee.

(1) The LEED Standards Committee shall be initially composed of one representative from each of the following departments, offices, and entities:

- a. Aviation
- b. Capital Improvements Management Office
- c. City Manager
- d. Environmental Management Commission
- e. Fire
- f. General Services
- g. Office of Environmental Quality
- h. Parks and Recreation
- i. Police
- j. Public Works
- k. Water Services
- l. City Council

(2) The City Manager has the authority to make departmental or organizational additions or deletions to the membership of the LEED Standards Committee as needed for the effective administration of this section, with the exception of the City Council position.

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(3) The chair of the LEED Standards Committee shall be selected by the LEED Standards Committee members.

(c) Contracts. Each contract for projects identified in subsection (a) above shall contain provisions sufficient to require the designer and constructor to comply with the LEED Silver Standard at a minimum and submit documentation to USGBC for their independent third-party review process and certification.

(d) Exemptions. For a given project, if the LEED Standards Committee determines that there are compelling reasons that a project may not be able to achieve a LEED Silver rating, the LEED Standards Committee may require compliance with select LEED credits or exempt a project from any LEED compliance requirement found in subsection (a) of this section.

(e) Rules and Regulations. The LEED Standards Committee shall draft and adopt any rules and regulations necessary to administer this section and to facilitate the Committee's review and determination process.

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Approved as to form and legality:

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Matthew Gigliotti  
Assistant City Attorney