



Kate Harrison
Councilmember, District 4

CONSENT CALENDAR
December 5, 2023

To: Honorable Members of the City Council

From: Councilmember Harrison

Subject: Budget Referral: Refer \$273,341 to the November 2023 AAO #1 to Pre-fund the Green Building Program Manager on Permanent Basis

RECOMMENDATION

Refer \$273,341 to the November 2023 AAO #1 to pre-fund the Green Building Program Manager position before it expires and thereafter fund it on a permanent basis.

BACKGROUND

The Green Building Program Manager position was conceived by the former Planning Director in 2019 to implement Berkeley's first in the nation natural gas prohibition ordinance and energy reach codes. Councilmember Harrison incorporated the position into a budget referral for the 2019 AAO #1 attached to the prohibition ordinance, which passed Council on July 16, 2019.¹ In December 2019 the Mayor recommended the position for funding and Council approved it as part of AAO #1.² Although it was funded in FY 2020, funding was continued to subsequent budget processes and City only filled in August 2022.

As described in the 2019 budget referral, the position was to be budgeted for at least two years in the Building & Safety Division and that it would "assist with implementing the gas prohibition ordinance and reach codes" with the following additional duties:

- assist the City of Berkeley in advancing its leadership in electrifying buildings;
- assist in development of future code amendments would be the lead staff for managing implementation of new energy-related ordinances and codes, including the Deep Green Building Standards;
- provide training to staff and assistance and consultation to applicants; and,
- assist property owners with incentives (e.g., anything offered under the Pathways to Green Buildings plan, the electrification transfer tax subsidy ordinance).

¹ <https://berkeleyca.gov/sites/default/files/documents/Item%20C%20Rev%20Harrison.pdf>

² <https://berkeleyca.gov/sites/default/files/documents/Item%2024%20Supp%20Arreguin.pdf>

The Mayor in his Fiscal Year 2020 Mid-Year Budget Message included the following summary of the funded position:

Implementing the Natural Gas Ordinance

In July 2019, the City Council made history by becoming the first city in the nation to prohibit the use of natural gas in new construction. Dozens of other cities are now looking into proposals based on Berkeley’s law, which goes into effect on January 1, 2020. To help with the implementation, a two-year position is being created at a cost of \$273,341. Their role would be to assist the City of Berkeley in advancing its leadership in electrifying buildings; assist in development of future code amendments would be the lead staff for managing implementation of new energy-related ordinances and codes, including the Deep Green Building Standards; provide training to staff, and also assistance and consultation for permit applicants; and assist property owners with incentives.

Since the position was filled, it has included a broad array of services transcending building decarbonization such as lead paint abatement, CALGreen Reach Code for EV Charging, SolarAPP+ implementation, and waste diversion. The latter is especially critical as the Planning Department and Public Works consider updates to their construction and demolition debris policies and programs as part of a referral scheduled for Council consideration on November 28, 2023. To date, the position has helped the City permit thousands of new all-electric residential units likely avoiding many metric tons of greenhouse gases on an ongoing basis.

The position is also increasingly timely in the face of recent developments such as: the passage of the Inflation Reduction Act and related building decarbonization subsidies/incentives, the expected launch of the \$1.5 million Just Transition Residential Electrification Pilot Program, new Bay Area Air Quality Management District and California Air Resources Board electrification requirements, new Building Energy Savings Ordinance electrification requirements, and the adoption of the City’s Existing Buildings Electrification Strategy and Local Hazard Mitigation Plan.

The City cannot afford to lose this position. Consequences of losing the position could include but is not limited to loss of expertise with respect to: (1) the natural gas ordinance, (2) reach codes, (3) early-stage guidance to construction project design teams, (4) new state energy and green codes, (5) real-time solar permitting software, (6) grants, and (7) BESO expansion and implementation, (8) possible expansion and amendment to municipal construction and demolition debris policies.

It is in the public interest to pre-fund this position in order to help retain talent and provide stability and certainty for the City’s climate and building programs.

FISCAL IMPACTS OF RECOMMENDATION

\$273,341 annually in general funds. Given that the position was funded in FY 2020, but only filled in 2022, the City enjoyed considerable salary savings.

ENVIRONMENTAL SUSTAINABILITY

Reducing natural gas consumption and methane leakage and increasing renewable energy usage in new and existing buildings is a key part of the City's Climate Action Plan and emissions reduction strategies.

CONTACT PERSON

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