

Ordinance No. 188380

\*Authorize City participation in a partnership agreement with the U.S. Department of Energy's Home Energy Score program to implement Portland's residential energy performance rating and disclosure requirement (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The world's leading scientists consistently conclude that climate change caused by human emission of greenhouse gases is among the most significant problems facing the world today and potentially poses the greatest economic, environmental, and social challenge of the 21st century.
2. The immediate economic benefits of climate solutions are often significant, including energy efficiency savings and job creation, while long term climate stabilization can prevent irreparable harm from catastrophic impacts of climate change.
3. The State of Oregon has established a goal to reduce greenhouse gas emissions to 75 percent below 1990 levels by 2050.
4. The City of Portland established a goal to reduce carbon emissions 80 percent below 1990 levels by 2050 (Resolution No. 36548), and the 2009 Climate Action Plan (Resolution No. 36748) and 2015 Climate Action Plan (Resolution No. 37135) include a 2030 Objective to reduce the total energy use of all buildings built before 2010 by 25 percent.
5. Buildings are the largest source of carbon emissions in Portland, and the 2009 and 2015 Climate Action Plans included actions to require energy performance disclosure for residential and commercial buildings.
6. In 2015, City of Portland established a requirement for commercial energy performance reporting. (Ordinance No. 187095.) By April 2017, 80 percent of Portland's commercial building square footage will be publicly reporting energy performance.
7. Residential buildings contribute nearly half of the emissions from buildings. Up to this point, home energy ratings have been voluntary. As a step in the right direction, voluntary programs have helped establish an industry trained and able to provide performance ratings. However, fewer than two percent of Portland homes have received energy scores through voluntary efforts. To achieve the 2015 Climate Action Plan goal to reduce carbon emissions 80 percent by 2050, energy efficiency and renewable energy activities in the residential sector must be significantly accelerated.
8. In December 2016, the City of Portland established a residential energy performance rating and disclosure requirement, also known as the Home Energy Score program (Ordinance No.

188143). The Home Energy Score program requires sellers of single family dwellings to obtain a Home Energy Performance Report from a State Licensed Home Energy Assessor and to disclose the energy information in real estate listings and to prospective buyers who visit the home while it is listed publicly for sale.

9. The U.S. Department of Energy (DOE) has developed a Home Energy Scoring Tool, designed to provide a tested, validated and consistent means to assess residential energy use. This tool is in use by a number of local governments, utilities, state agencies, and other organizations through partnership agreements. Entering into a partnership with DOE will enable the City to gain access to using the federally developed and standardized residential energy performance tool. Utilization of this tool will also conform to requirements under the Oregon Department of Energy's administrative regulations for Oregon's Home Energy Performance Score standard. The DOE offers the residential energy performance tool for no cost. Thus, the agreement is a "non-value" contract.

NOW THEREFORE, the Council Directs:

- a. The Mayor is authorized to enter into a partnership agreement with the U.S. Department of Energy for services substantially similar to that attached hereto as Exhibit A, upon approval by the City Attorney.

Section 2. The Council declares that an emergency exists because the public interest would be harmed by delay in undertaking program development which must otherwise be completed prior to the effective date of the City's Home Energy Scoring program on January 1, 2018; therefore, this Ordinance shall be in full force and effect from and after its passage by Council.

Passed by the Council: **MAY 24 2017**

Mayor Ted Wheeler

Prepared by: Kyle Diesner

Date Prepared: April 27, 2017

**Mary Hull Caballero**

Auditor of the City of Portland

By *CPHyllis*

Deputy

532  
Agenda No.  
**ORDINANCE NO.**  
Title

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a Partnership  
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<p><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Ted Wheeler</b></p>	<p>CLERK USE: DATE FILED <u>MAY 16 2017</u></p>
<p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Wheeler <i>KD</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Eudaly</p>	<p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u> Deputy</p>
<p><b>BUREAU APPROVAL</b></p> <p>Bureau: Planning and Sustainability Bureau Head: Susan Anderson <i>[Signature]</i></p> <p>Prepared by: Kyle Diesner Date Prepared: April 27, 2017</p> <p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p><b>City Auditor Office Approval:</b> required for Code Ordinances</p> <p><b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter <i>[Signature]</i></p> <p>Council Meeting Date May 24, 2017</p>	<p><b>ACTION TAKEN:</b></p>

<p style="text-align: center;"><b>AGENDA</b></p> <p><b>TIME CERTAIN</b> <input type="checkbox"/> Start time: _____</p> <p><b>Total amount of time needed:</b> _____ (for presentation, testimony and discussion)</p> <p><b>CONSENT</b> <input checked="" type="checkbox"/></p> <p><b>REGULAR</b> <input type="checkbox"/> <b>Total amount of time needed:</b> _____ (for presentation, testimony and discussion)</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 30%;">FOUR-FIFTHS AGENDA</th> <th colspan="3">COMMISSIONERS VOTED AS FOLLOWS:</th> </tr> <tr> <th></th> <th></th> <th>YEAS</th> <th>NAYS</th> </tr> <tr> <td>1. Fritz</td> <td>1. Fritz</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>2. Fish</td> <td>2. Fish</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>3. Saltzman</td> <td>3. Saltzman</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>4. Eudaly</td> <td>4. Eudaly</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>Wheeler</td> <td>Wheeler</td> <td style="text-align: center;">✓</td> <td></td> </tr> </table>	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:					YEAS	NAYS	1. Fritz	1. Fritz	✓		2. Fish	2. Fish	✓		3. Saltzman	3. Saltzman	✓		4. Eudaly	4. Eudaly	✓		Wheeler	Wheeler	✓	
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