



CITY OF NEWBURYPORT
OFFICE OF PLANNING AND DEVELOPMENT
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MEMORANDUM

TO: Kim Turner, Special Projects Manager

FROM: Andrew R. Port, Director of Planning & Development

CC: Sean R. Reardon, Mayor
Andrew Levine, Chief of Staff
Molly Ettenborough, Recycling and Energy Manager

RE: Net Zero Energy Goals & Municipal Facility Design
Newburyport Code of Ordinances / Section 5-48 (ODNC00111_05_09_2022)

DATE: October 28, 2022

This memorandum is in relation to the above referenced Ordinance, originally adopted in late 2021 and subsequently amended for greater clarity and simplicity by Council adoption of a revised version on 8/29/2022 (*final/most recent version attached hereto for your convenience*). As requested, the purpose of this memorandum is to summarize and clarify the minimum Ordinance requirements as distinguished from the broader policy level goals or targets identified therein.

Explicit Ordinance Requirements

At minimum this Ordinance requires the following [*bold font emphasis added*]:

- A. **“Every design or engineering contract** entered into by the City, as well as any **Request for Proposals (RFP)** issued by the City, for a **Significant City Project** shall require the design or engineering contractor, or a subcontractor associated with them, to demonstrate **experience** within the past three (3) years **designing facilities to Net Zero** Energy usage and/or Net Zero Energy goals”; and
- B. *“the architectural and/or engineering team responsible for the design of such facilities shall be required to provide to the City, under their applicable contract and scope of work, a report summarizing the following key information:”* [**energy efficiency measures; methods/levels of on-site renewable energy generation studied/utilized in the final design; projected annual energy usage of the facility; and the net gap between on-site generation and what is still required from the electric grid**]; and
- C. *“The report hereunder shall be provided forthwith to the Mayor, City Council and Energy Advisory Committee (EAC) for consideration during the design phase”; and*

- D. *“Any request for funding to design a Significant City Project shall include reference to such reports (if already available) or confirmation of the proposed timeline for subsequent report preparation and submission”*; and
- E. *“All Significant City Projects shall be designed to **utilize the electric grid for any energy** required for facility operation **which cannot be provided on-site** through renewable energy sources.”*

While the Ordinance does not explicitly require new or renovated facilities to meet an absolute net zero threshold on usage, it does require that any gap in on-site generation be pulled from the electric grid, and it does require the report referenced in items B through D above to be submitted and reviewed early enough in the design and funding of any “Significant City Project” such that the feasibility of achieving net zero goals can be publicly reviewed by the Mayor and Council in relation to funding for, and construction of, these projects.

Policy Targets/Goals Identified within the Ordinance

Beyond the above explicit requirements, the Ordinance establishes the following broader goals/targets [*bold font emphasis added*]:

- 1. *“... the policy of the City of Newburyport that its municipal facilities (buildings, structures or facilities): (i) **consume the minimum amount of energy, with an ideal of “net zero energy” for each individual facility and when measured across the City’s entire portfolio of facilities**; and (b) that the construction, maintenance, and operation of its facilities result in the **minimal emission of greenhouse gases (GHG) associated with such energy usage**”*; and
- 2. *“Every Significant City Project shall be designed with the **explicit goal of Net Zero Energy usage, both for the subject facility individually, and as part of the City’s overall portfolio of municipal facilities**”*; and
- 3. *“... while this Section 5-48, and the reporting requirements herein, do not apply to smaller scale projects, all City officials are encouraged to implement a similar energy analysis and net zero energy goal during the design phase of **any municipal project**”*; and
- 4. With respect to the use of fossil fuels to cover energy needs beyond that which can be generated on-site, *“offset **remaining energy usage through renewable energy sourcing on the applicable electric grid.**”*

Since adoption of the Ordinance (both *original and most recent version*), design for the following municipal facilities, under oversight by the Office of Planning & Development, has been undertaken in accordance therewith:

- 1. **Market Landing Park Expansion – Visitor Center/Restroom Facility** (*expected to be net-zero on yearly energy usage through the use of solar arrays and energy efficiency upgrades to insulation and mechanical equipment, with net metering to the electric grid in order to offset daily and seasonal fluctuations*); and
- 2. **Cutter/West End Fire Station** (*expected to be net-zero on yearly energy usage through the use of solar arrays and energy efficiency upgrades to insulation and mechanical equipment, with net metering to the electric grid in order to offset daily and seasonal fluctuations*).