

From: [Don Wallace](#)
To: [Parks-Shaw, Ryana](#); [Bunch, Eric](#); [Melissa Patterson Hazley](#); [Willett, Nathan](#); [Clerk](#); [Public Testimony](#)
Cc: [Lucas, Quinton](#); [Duncan, Johnathan](#); [O'Neill, Kevin](#); [Rogers, Wes](#); [Bough, Andrea](#); [Robinson, Melissa](#); [French, Lindsay](#); [Rea, Crispin](#); [Curls, Darrell](#); [Platt, Brian](#); [Savastino, Andrew](#); [Lee, Jeff](#)
Subject: Vote No on Second Committee Substitute for Ordinance 240434
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Chair Parks-Shaw and Members of the Neighborhood Planning and Development Committee:

I am writing to urge the Committee to vote No on the proposed Second Committee Substitute for Ordinance 240434.

Section 4 of proposed Ordinance 240434 is problematic. Under this current version of Ordinance 240434 the optional compliance path being offered allows a home builder to qualify with a HERS score of 64. The language of Section 4 misrepresents what is stated in the KCMO 2022 Climate Protection & Resiliency Plan. The KCMO Climate Plan expressly calls for requiring HERS scores of 50 beginning in 2022, and does not call for an "average score" of 50.

Further, as Section 4 of the ordinance indicates, over the course of the 16 years to 2040, the City is allowed to reduce this target score by 4% from the prior score every 3 years. Yet, Section 4 adds language to this formula making it unclear, by stating that the reductions in HERS scores "shall be based on analyzing data from the prior time period's actual HERS scores." There is much uncertainty here for there is no rubric provided in Section 4 for this analysis.

Even if the 3-year reductions of 4% are followed beginning in 2024, under the language here, the target of 50 for a HERS score will not be reached until after 2042, not by 2040 as stated in Section 4. The second column in the chart below illustrates the 4% reductions from the HERS score of 64 from 2024 over 3-year intervals:

Year	4% Reduction From Prior Score/3 years	4% Reduction From Prior Score in whole numbers/3 years
2024	64	64
2027	61.44	62
2030	58.9824	60
2033	56.623104	58
2036	54.3581798	56
2039	52.1838526	54
2042	50.0964985	52
2045	48.09263856	50

The second column of this chart presumes a best case scenario where the Resnet HERS Index would accept decimals beyond integers. The third column indicates that under the more likely assumption that the HERS score can only be reported in integer/whole numbers, the target of 50 for a HERS score will not be reached until after 2045. Either way, Section 4 is incorrect in stating that under its formula a HERS score of 50 will be reached by the year 2040.

Rather than pass this third version of Ordinance 240434, the best course of action would be for the Neighborhood Planning and Development Committee to take a step back from the underlying assumption of the solution in this proposed ordinance before convincing empirical evidence has been provided of the specific causal factor. There may be any number of factors underlying what appears to the proponents to be a slow-down in approved building

permits under the new Code. These possible causal factors remain largely undetermined, and it would seem more data and time are needed to inform this Committee of the correct course of action.

The bottom line is that this third version proposed ordinance represents a serious weakening of the KCMO Climate and Resiliency Plan and allows this to happen without recognizing the imperative that very strong evidence should be offered to make such a change to a plan that was adopted with substantial input from a wide variety of stakeholders in this community.

Please reject this proposed Second Committee Substitute for Ordinance 240434.

Don Wallace, Sixth District Resident
Member, THB Group Missouri Chapter Sierra Club

cc: City Council, Mayor Quinton Lucas, City Manager Brian Platt, Jeffrey Williams, Andy Savastino