

Palm Springs: What Recession?

By Scott Kirkpatrick, President BOMA Oakland/East Bay

From January 16-19, 2009 BOMA



International conducted their annual Winter Business Meetings in beautiful Indian Wells, California, a neighboring golf playground down the cart path a bit from Palm Springs. What one insightful BOMA Association

Executive noticed while out and about was that the restaurants were full to capacity every night. In addition, the shopping on El Paseo Drive (akin to Rodeo Drive) seemed to have plenty of pedestrians carrying their bags of purchases and, last but not least, the golf courses were full with foursomes. Maybe the news hasn't hit the desert yet about the recession? Did the Coachella Valley secede from the Union? At any rate, the setting and weather could not have been more perfect for the WBM's.

As reported before, the WBM's are typically the annual roll-up-your-sleeves, idea-fest designed to set the course for BOMA's agenda for the coming year. I am always amazed at

the number of issues on the legislative radar screen that BOMA so adeptly addresses. At the top of the list this year is the capital credit crisis. As recent as November 26, 2008, BOMA sent a letter to Treasury Secretary Paulson and other congressional leaders detailing the critical role the commercial real estate industry plays in the nation's economic infrastructure and the challenges it will face if the government does not take specific action to remediate property owner concerns. Other key issues highlighted at the WBM's included capital gains tax cuts, catastrophe insurance, green building carbon credits, leasehold depreciation, credit shortfall problems, ADA codes and standards and more.

The BEPC Generation

Of particular note was the newly created BOMA Energy Performance Contract. This ingenious program is a groundbreaking model contract that allows building owners and operators to execute sophisticated energy efficiency retrofits to existing buildings. The new BEPC (pronounced like Pepsi with a B) model revolutionizes the process by allowing capital investments that improve buildings' financial and environmental performance to be paid for out of the energy and operational savings created by those improvements. The savings are financially guaranteed by the energy service company performing the work, reducing the risk in capital outlay for such projects. In creating BEPC, BOMA and the Clinton Climate Initiative have eliminated many of the common barriers to energy efficiency retrofits such as property managers not having to become experts in performance contracting in order to execute a successful retrofit project.

Always Take the Weather With You

What always seems to be a tough decision in a warm, sunny environment in the middle of winter is to go to class or not. It

was clearly evident that many think-tank sessions were conducted poolside by A.W.O.L. BOMA-heads when Mr. Sun was blessing the palm fronds with toasty rays of golden light. It didn't help matters much when the Tiki Bar ratcheted things up and began distributing umbrella-laden concoctions to these impromptu sessions with a little Buffett playing in the background (NOT Warren). As your trusted President, I did my best to avoid such tactless behavior. Wait, did my nose just grow?

Take It to the Limit

Also introduced at the WBM's was the BOMA 360 Performance Program. This program is an online self-assessment that will evaluate properties on six major components of building management: building operations and management, life safety/security/risk management, training and education, energy, environmental/sustainability, and tenant

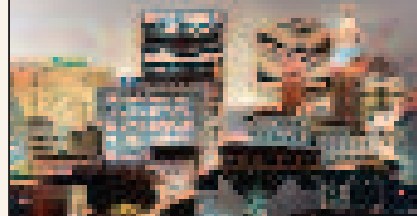
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Upcoming Events

- March 12 BOMA Luncheon
Identity Theft
Scott's Walnut Creek
- April 9 BOMA Luncheon
Scott's Walnut Creek
- April 14 YP Golf Clinic - Oakland
- April 27 Golf Tournament - Alamo

Visit our website www.bomaoeb.org for registration information and upcoming BOMI Courses and Seminars

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2009 BOMI Courses offered by BOMA Oakland/East Bay

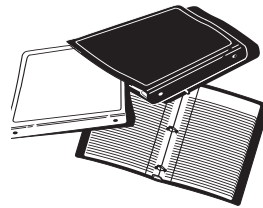
BOMA Oakland/East Bay offers accredited courses through the BOMI Institute for Real Property Administrator (RPA) and Facilities Management Administrator (FMA) designations. Classes are held on Wednesday night for 9 weeks from 6-9pm (except accelerated courses.)

RPA Courses

Design, Ops. Maintenance of Building Systems, Part 1	Jan 14 - Mar 11, 2009
Design, Ops. Maintenance of Building Systems, Part 2	April 1 - May 20, 2009
Budget and Accounting	June 17- Aug 12, 2009
Ethics is Good Business®	November 18, 2009

FMA Courses

Fundamentals of Facilities Management	Sept 2 - Oct 28, 2009
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Please contact the BOMA office at 510.893.8780 if you have any questions. You may also go to our website at www.bomaoeb.org for detailed class descriptions and to register for classes.



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President's message (cont'd.)

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relations/community involvement. It also benchmarks against industry standards, providing a tool that property professionals can use to demonstrate to owners, tenants and the commercial real estate community that their buildings are managed to the highest standards of excellence. While other industry recognition programs focus on a certain aspect of building operations, such as sustainability or energy efficiency, the BOMA 360 Performance Program takes a more general approach by evaluating all major areas of property performance. As hot a topic as sustainability is, isn't it nice to step back and look at the big picture, maybe focusing on other areas needing improvement?

The keynote speaker for the WBM's was Ray Torto, CB Richard Ellis' Global Chief Economist. Dr. Torto is a founding principal of Torto Wheaton Research (TWR) whose career spans the business, public and academic sectors. He is the author of four books and numerous articles on financial markets, real estate and tax policy. Though Ray depicted a gloomy economic forecast for the near term, it was clear that he believed that asset management and leasing will support this down cycle in the real estate sector. (Translation: Property Managers – hone your skills!) He cited that the implosion in our financial markets mirrors what happened in 1930. He also stated that the first indicator of recovery will be the bounce back of financial and capital markets. Dr. Ray cautioned that the recovery will take a while so strap in and prepare to ride it out. After this head hanging fun fest, most everyone found solace at the good old Tiki Bar and watched some football.

Tod's Excellent Adventure

As most of you know by now, we are extremely fortunate to have one of the best crusaders for our California energy battles, Mr. Tod McKelvy, working tirelessly on our behalf. Aside from my kinship in the area of music with this almost famous folk star (who plays a mean flat top acoustic), I am always amazed at Tod's understanding and dedication to energy issues facing us. Tod

made his appearance at the WBM's in front of the BOMA Cal group and the Industry Defense Fund Committee fighting the good cause. Here are some bullet points on Tod's presentation:

- For BOMA members in the PG&E Service area we calculate a savings of over \$23 million over three years.
- We have gained approval for tenant submetering in two of the three major electrical service areas with Southern California Edison soon to follow.
- We have made remarkable progress toward impartial wholesale market based energy rates with recent approval by the CPUC.
- We have established BOMA CAL as a credible and reliable source of rational, analytical input to the CPUC deliberations.

Tod can stand you up and freeze you instantly with his rapid fire delivery of facts and figures. He is one of those who are conversant in any subject which always blows me away. In a split second he can go from rate case appeal to the effects of jibing and tacking in rough seas. I hang around Tod as much as I can at these events in hopes of catching some crumbs of wisdom. I urge you to read Tod's Energy Report to BOMA California in this newsletter. (See *article next column.*)

Home James

As usual, BOMA made significant strides in aligning its strategies for the challenges the commercial real estate industry now faces so, once again, the WBM's can be considered a triumphant success. As I was leaving the hotel, the next wave of guests were arriving for the Bob Hope Classic, a fifty year old tradition in golf. While waiting for the valet to get my car, I looked over and there standing next to me was none other than Yankee great, Yogi Berra. After doing a triple take, I walked over with my iPhone and snapped a photo. He was totally deadpan so I asked him for a big smile and, voila, it was déjà vu all over again...that winning smile from Hall of Fame catcher of the '60's Yanks. Batter up!



Yogi Berra
Hall of Fame catcher of the '60's Yanks

Energy Report BOMA CAL in Action!

*By Tod McKelvy, Director
Law Offices of Bendling & Weil, LLP*

So far our participation in the investor owned utility rate cases have yielded significant savings to building owners. In terms of annual savings in cents per square foot, we calculate:

2003 PG&E Rate Case:	18.1
2006 SCE Rate Case:	20.0
2007 PG&E Rate Case:	27.6
2008 SDG&E Rate Case:	13.2

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Produced by our very own
Scott Kirkpatrick, President of BOMA
Oakland/East Bay

Property Manager Outlook

By *BOMI International*

Properly managed commercial, industrial and/or residential real estate can be a business investor's greatest source of income and profits. Property, real estate and community association managers oversee facility maintenance, handle financial reporting and act as the liaison between owner and tenant relations. Often times the property manager also has the responsibility of marketing the property and conducting tours for prospective tenants. All tasks given to the property manager are for the purpose of increasing the value of the real estate.

Facilities management can be directly handled by a vendor or is hired in-house. The property manager schedules maintenance and repairs, negotiates contracts and regularly inspects the building systems to ensure that they are in premium working condition. While the administrative aspects of the job require property managers to work at a desk, most of the time a manager is away from their office patrolling the property, visiting with tenants and checking in on the maintenance staff and sometimes construction crews. Property managers are known for having long workweeks and do not have the average Monday through Friday schedule. Sometimes managers have time off during the week and work during weekends.

continued on page 7

Calendar of Events

April

- April 9 BOMA Luncheon-Walnut Creek
- April 14 BOMA YP Golf Clinic-Metropolitan Golf Links, Oakland
- April 15 City of Oakland-Earth Day
- April 27 Round Hill Country Club Golf Tournament-Alamo

May

- May 5 BOMA YP Cinco de Mayo Mixer
- May 14 BOMA Luncheon - on LEED Revisions - Walnut Creek

June

- June 11 BOMA Luncheon - Oakland
- June 23 BOMA Texas Hold'Em Tournament - Oakland

July

- July 16 BOMA Tradeshow-Scott's Seafood in Oakland

August

- August 6 BOMA YP Mixer at Jack London Square
- August 19 BOMA Baseball Night (A's vs. New York Yankees)

September

- Sept. 10 BOMA Luncheon-Oakland
- TBA BOMA YP Seminar



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TIPS FOR MAXIMIZING YOUR SECURITY AND MINIMIZING YOUR COSTS

by Amy Wall, Director, Sales & Marketing
Creative Security Company Inc.

The Commercial real estate industry has been hit especially hard by the current economic recession. Commercial vacancy rates, particularly in the Bay Area, are at all time highs and building owners, contractors and property managers are being uniquely challenged to do more with less.

Compounding the problem is the fact that theft and vandalism rates always surge during tough economic times, forcing many budget-strapped companies to feel like they have to spend lots of money on often costly security measures in order to stay protected.

As a result, security is viewed by most as a necessary evil in terms of budgetary spending. Nobody likes to pay for it, but everyone needs it to varying degrees. This is especially true for building owners and property

managers who consistently struggle with keeping their properties secure at the lowest possible cost. In order to keep costs down, many companies fall into a trap by thinking they are somehow immune to common security concerns such as theft, vandalism, property damage, etc. They adopt the attitude that since they've not been affected yet, there's no need to put preventative measures in place, and they choose to wait until a problem surfaces before doing anything about it. Essentially, they are playing Russian Roulette with the safety and security of two of their biggest corporate assets – their people and property.

The same is also true for those companies shelling out thousands of dollars each month for site security and

still dealing with security headaches on an all too frequent basis.

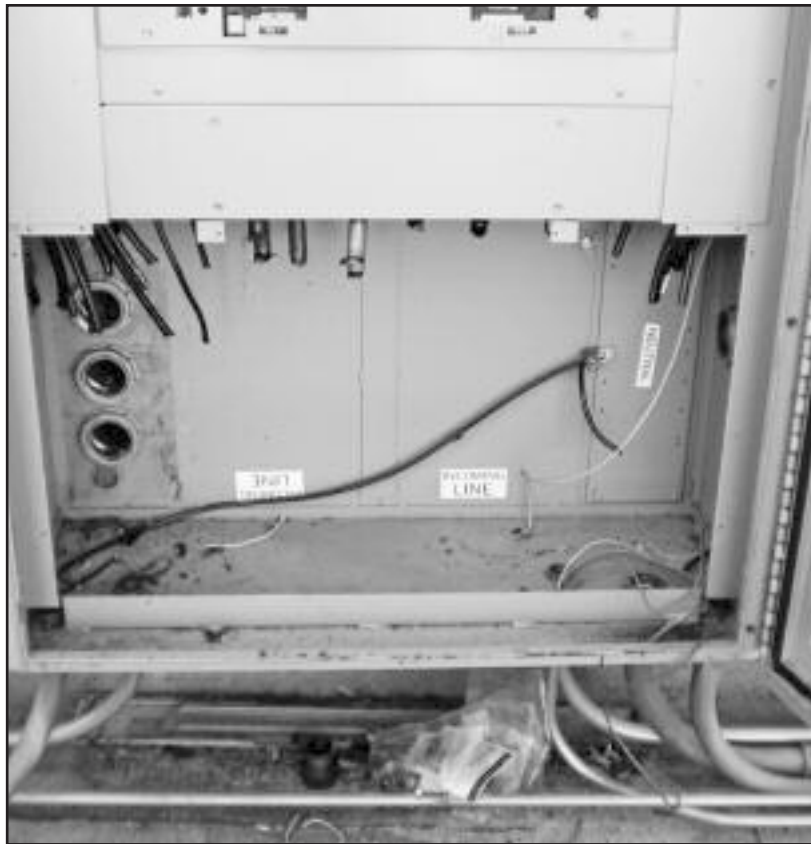
In order to avoid falling into these pitfalls, trust the age old saying – an ounce of prevention is worth a pound of cure. But also keep in mind that securing your properties doesn't have to cost you a fortune.

In fact, there are many things companies can do to maximize their security protection while minimizing their security costs. Below is a list of tips for getting the most protection for your money:

- Exterior Lighting- Don't leave exterior lights on around a vacant property at night time as some would-be thieves prefer to target buildings with lights on. Instead, install motion detector lighting on the property so that when a trespasser nears the

building, they are caught by surprise and unsure if they have been identified or seen by security. This method will also save you money each month on your electricity bill.

- Landscaping – With this economy, homeless encampments on commercial property sites are rising sharply. To prevent this from occurring, ensure that bushes and trees surrounding the property are trimmed down. This will deter homeless from embedding in the bushes, as well as prevent criminals from accessing the roof tops using nearby trees. Routine patrols by a security company can also help keep homeless off of your property.



An electrical room after it's been hit by thieves.

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Eric Penn
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Eric Barnhart
Valley Relocation

Kevin Green
Detection Logic Fire Protection, Inc.

George Pacheco, Jr
Pacheco Brothers Gardening

Matt MacPheators
Valley Relocation

WHAT HAVE WE SAVED FOR YOU LATELY as a member of BOMA Oakland/East Bay?
Energy Policy Victories-BOMA California's participation in the CPUC's rate proceedings has created an estimated average savings of 27.6 cents per square foot in the PG & E territory, as well as being able to sub meter our tenants for the first time since 1962. This sub metering change will enable commercial building owners to actively engage tenants in understanding and reducing their energy usage.

Tax victories-\$1.8 billion in annual tax savings for the industry. Legislation successfully enacted into law extending the reduced 15% tax rate for capital gains and dividends through 2010, and the 15-year timeline for depreciating leasehold improvements through 2007.

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Property Manager Outlook cont'd from page 4

Property, real estate and community association managers are hired directly by the owner or through a property management firm; more than half of professionals with this job title are self employed. Professional associations, like Building Owners and Managers Association, can put its members in touch with local hiring agencies as well as providing them with a "career center" which lists openings in local areas and the opportunity to network.

Employment Prospectus:

Employment growth is 3% higher than the national average of 12%. The best opportunities available are for candidates with college degrees and those having a professional designation.

Earnings: (as of May 2006*)

Median Annual Earnings	\$43,070
Middle 50%	\$28,700 - \$64,200
Lowest 10%	<\$20,140
Highest 10%	>\$95,170
Land Subdivision	\$78,040
Local Government	\$55,210
Activities Related to Real Estate	\$40,590
Offices of RE Agents & Brokers	\$40,500
Lessors of Real Estate	\$37,480

Education & Training:

Because a property manager must be able to perform administrative and financial duties, many employers are hiring college graduates with a bachelor's or master's in business administration, finance, accounting, public administration or real estate. If a person does not have a degree they begin as a property manager's assistant and gain the experience to eventually become a property manager. BOMA International-in partnership with SelectLeaders -has the first industry-wide internship program dedicated towards attracting young talent into the industry.

A few states require property association managers to be licensed and the Federal Government requires property managers of subsidized public housing to be certified. However, many managers choose to

take certification courses, like the Real Property Administrator (RPA) designation course offered by Building Owners Managers Institute (BOMI) International. Getting a BOMI designation gives the individual formal recognition that they are dedicated to their profession and knowledgeable of recent advancements, and governmental rules and regulations.

Through BOMI International, BOMA local chapters offer designation programs to their members. There are four different designations that a member may work towards: RPA (Real Property Administrator), FMA (Facilities Management Administrator) SMT_ (Systems Maintenance Technician) and SMA (Systems Maintenance Administrator).

Other Training Components:

Property managers must also have certain traits and the ability to apply these traits to the various duties that they perform, including: Negotiation, Analysis, Relations, Resourceful, Marketing, Operation and maintenance of building systems, Risk and insurance management and Leadership.

Part of a successful Property Managers job entails keeping current on certain aspects of business. The Building Owners and Managers Association hosts workshops and tactical events to make sure their members are well versed on updates and trends within the industry.

Economy

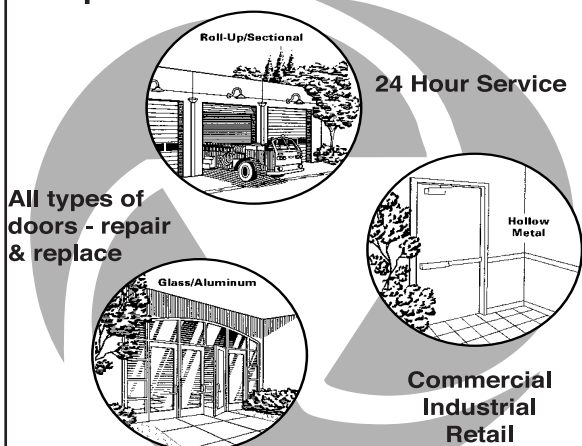
Most decisions made by property owners are for the purpose of maximizing the value of their assets. To compete in tighter markets owners are expecting more from their managers; from preparing monthly project assessments to implementing the latest technological building system with the facilities team.

For further information on BOMI International, please visit their website at www.bomi.org

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ENERGY REPORT from page 3

THREE OBSERVATIONS

It is apparent that the State of California has no significant plans to provide new energy sources.

The battle over what portion of electrical costs is attributed to each sector of the economy is politically driven.

Conservation mandates such as AB32 are targeting the largest energy consumers and commercial buildings are the largest consumers.

TO BE ACCOMPLISHED

The SCE rate parity case is almost over. This was one of the toughest negotiations because industrial consumers pushed for capping rates which would have shifted costs to peak load shape consumers, specifically building owners. The mobile home industry is trying to insert its interests into the hearing citing BOMA's accomplishments in getting the right to sub-meter approved and allowing the costs to be born by the tenants.

The SDG&E case recently filed have certain large energy consumer sectors promoting the separation of light and power rate classes which would shift costs smaller load customers, specifically commercial buildings.

The CPUC is frustrated that Critical Peak Pricing (CPP) is not widely accepted. Commissioner Chong has accepted and approved our proposal for Real Time Pricing (RTP). She has also been reappointed to her position.

There are ongoing proceedings that we need to be a part of pertaining to Demand Response, The State has created the "Market Redesign and Technology Upgrade" (MRTU) which if implemented, would allow customers to bid reduced usage rather than be punished for critical peak usage.

State regulators turned to the "Demand Response Research Center" (DRRC) in an effort to clarify the merits of Critical Peak Pricing, Time of Use Pricing, and Real Time Pricing. After being asked to review the results of the report entitled, "The Case for Dynamic Pricing in California", our expert wrote:

"Having had great optimism that the Rate Transition Project would bring clarity and creative thinking to the task of designing dynamic electric rates that could improve economic efficiency and reliability of the electrical system, my over all reaction is one of overwhelming disappointment. In my view, the Report offers nothing new to the rate design process, the Report is logically sloppy, and the Report's rate impact analyses are based on unsubstantiated assumptions that yield results which grossly mislead regulators."

The DRRC will not publish the findings.

CONCLUSION

Our continued participation in rate cases, hearings on Demand Response, hearings on pricing strategies (CPP, TOU, RTP and RTP) and hearings to address legislative efforts dealing with climate change will be critical to the well being of our industry.

RECYCLED MATERIAL MARKETS TANKING

By Peter Slote , Recycling Specialist with the City of Oakland Public Works Agency



What You Can Do?

- Hang tough! Don't jettison your building's recycling program. Sustainable prices for recycled materials will return, and your recycling program will be intact when they do.
- Dollar cost average the long-term benefits of your recycling efforts. Consider the cost savings your recycling program has provided in the past, and average that going forward through what will probably be a short term downturn in recycling.
- Consider how costly it would be to re-start your recycling program in better times, should you discontinue it now. And don't expect the cost of garbage collection to go down! Recycling remains the better solution.
- Buy recycled! Choose products that contain Recycled Content. Specifying Recycled Content in the products you purchase is a critical ink in a sustainable supply chain.
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Prices for recycled materials, such as the news paper, cardboard, office papers, cans and bottles collected from our homes and (most) of our commercial properties, have fallen precipitously in the last three months, after a sustained period of high prices. The global downturn in consumer and business spending has reduced demand for products (and packaging), and therefore for the feedstock materials for those products. Ironically, the magnitude of the current problem reflects the success with which California residents and businesses have diverted resources from landfills and into the global supply chain by recycling more and more each year.

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GOING GREEN THROUGH BENCHMARKING

By Shirley Fudge-Mueller, PG&E

Commercial building owners and facilities managers around the nation are hearing the call to “go green.” In Northern California, Pacific Gas & Electricity (PG&E) is providing customers with a free Automated Benchmarking Service that works in conjunction with an online tool created by the Environmental Protection Agency’s (EPA) to track energy use. Now customers can easily get information that can help them save energy and money and protect the environment.

To create the most effective conservation plans for a building, facility managers need to know how well it performs currently, and how it compares to optimal targets or “best-in-class” buildings. PG&E’s customers who enroll in Automated Benchmarking Service get easy access to the benefits of ENERGY STAR® Portfolio Manager by authorizing PG&E to upload data automatically each month. Information is seamlessly entered into the online tool and participants receive a baseline and monthly update. This makes it easy to track water and energy use, calculate energy intensity, and track changes over time. Building owners can then better manage investment priorities and more precisely target buildings for efficiency improvement. It also permits them to monitor greenhouse gas emissions.

In 1999, the EPA launched a nationwide benchmarking tool called ENERGY STAR Portfolio Manager. Based upon energy and water usage data building managers enter, it rates the energy efficiency of a single building or an entire portfolio of buildings. Customers receive a score on a scale of 1-100, which reflects a building’s performance against comparable buildings nationwide. Buildings that earn a score of over 75 (the 75th percentile) are awarded an ENERGY STAR label. Building operators receive a plaque that can be proudly displayed in main entrances or lobbies as an emblem of their commitment to conserving energy.

SAVE ENERGY AND MONEY

ENERGY STAR buildings are a proven market differentiator. According to Andrew Florance, president and CEO of CoStar, an information provider to the real

estate industry, “Green buildings are clearly achieving higher rents and occupancy, they have lower operating costs, and they’re achieving higher sale prices.”

Commercial Real Estate properties that earn the ENERGY STAR label save \$0.50 per square foot, on average. Additionally, they typically consume 35% less energy, have a higher occupancy/tenant retention rate, and a higher asset value upon sale.

Currently, Portfolio Manager supports over a dozen space use types, including many commercial buildings and wastewater treatment facilities, and the list continues to expand. The tool allows for changes in space use over time, and can accommodate various multi-use facilities. (The ENERGY STAR site includes separate rating systems for industrial buildings.)

Benchmarking your building is like having your doctor check your blood pressure. It tells you how you measure up against your energy management goals, so you know how to make improvements.

MEET STATE AND INDUSTRY MANDATES

In the ten years since it was introduced, Portfolio Manager has become an industry standard, with over 8 billion square feet and 60,000 buildings rated to date. Many state and industry initiatives, including Assembly Bill 32 and California’s Green Building Initiative, rely upon Portfolio Manager Benchmarking. Notably,

Assembly Bill 1103 requires owners of all non-residential facilities being sold, financed or leased after January 1, 2010 to disclose the ENERGY STAR Portfolio Manager benchmark score. Customers can also earn up to 15 points toward LEED certification based on their benchmark score.

LET PG&E HELP

PG&E’s free Automated Benchmarking Service gives customers an easy way to upload their monthly billing and usage data to Portfolio Manager. We also offer our trade allies workshops where they can learn to help customers create accounts. For more information on how you can partner with PG&E to increase your building’s efficiency, reduce your greenhouse gas emissions, and meet your energy management goals, visit www.pge.com/benchmarking or contact Shirley Fudge-Mueller at sff1@pge.com.

Executive Corner

By: Robert O. Robledo, Executive Vice President



Wow already a new year upon us. I know....we have been in 2009 for three months already, but it still seems like yesterday that we were on our Holidays. Oh well....new year and new opportunities await us in 2009.

I know the economy is hitting us all hard, but I can't stress the importance of being involved with BOMA. The networking, the educational programming, the committee involvement, the advocacy that BOMA provides is so important to be plugged into. I want to personally thank all of YOU....our members, our corporate sponsors, our volunteers, and many others behind the scenes for making BOMA Oakland/East Bay the number one commercial real estate business solutions provider and support network. Your continued involvement and team work with BOMA, our principal members and our service providers will help us all weather this economic storm together. Challenging times call for innovative solutions, and the value that BOMA creates for its members WILL help us all surmount those challenges.

Ok....enough of the doom and gloom of our economy. We hear about it everyday on the television and in the news. Let's look forward to this year, as BOMA has some exciting opportunities for our membership. Our first big event will be our Golf Tournament on April 27 at Round Hill Country Club. Registration information is now available online. We will also be offering five BOMI classes, and thanks again to our

returning instructor Larry Morgan for continuing to push our BOMI classes and offer his expertise as our lead instructor. Our committees and Board of Directors have worked tirelessly in striving to provide a strong balance of both educational and networking opportunities for 2009. Please check out our newly designed website at www.bomaoeb.org for all upcoming events.

Scott Kirkpatrick, Tod McKelvy, and myself had the pleasure of representing our local recently at the BOMA International convention held in Palm Springs, CA in January. There we learned that BOMA CAL received the BOMA International Government Affairs Award for our government affairs program. And not only that, our local was recognized as submitting the most Experience Exchange Report data in 2008 for our membership category size. Give yourselves a round of applause. I ask all our principal members to please visit www.boma.org/2009eersurvey and take the time to share your numbers for 2009. All data is kept in strictest confidence and only market level information is published.

Thanks to all of you who have stepped up to the plate this year with sponsorship dollars, especially our Platinum Corporate Sponsors; ABM, ABLE Services, ThyssenKrupp Elevator, and Universal Protection Service. Your funds help us put together our programs here at BOMA, and we are truly grateful.

I look forward to a great 2009, and remember...BOMA.....Now more than ever!

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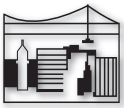
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