

From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: UW Health testimony and follow up on staff comments about certification requirements
Date: Wednesday, January 18, 2023 7:34:30 PM

From: Aulik, Juli A <JAulik@uwhealth.org>
Sent: Wednesday, January 18, 2023 6:23 PM
To: EDC <EDC@cityofmadison.com>
Cc: Statz, Mary C <MStatz3@uwhealth.org>; Aulik, Juli A <JAulik@uwhealth.org>
Subject: UW Health testimony and follow up on staff comments about certification requirements

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear economic development committee members, below please find Mary Statz's testimony that she offered to you verbally. In response to staff's answer to Alder Evers' question, our reading of the proposed ordinance is that it only provides "additional qualified certifications as the Administrator deems appropriate." This provision continues to require certification of some sort. Jessica Price's answer asserted that our staff could get certified. We object to the idea that our staff would need to get certified for "quality control." The proposed ordinance does not allow the administrator to approve staff based on experience alone, that is why we made the request we did in our testimony, that the language be amended to consider experience or certification. Thank you, Juli

Juli Aulik (she/her/hers)
Director, Community Relations
UW Health

Good evening. I oversee energy management and sustainability for UW Health and was engaged in the summer workshops about this ordinance. UW Health is very committed to energy conservation and sustainability. In 2016, UW Health committed to the US Department of Energy's Better Buildings Challenge setting the goal of a 20% energy use intensity reduction from a 2013 baseline by 2023. We surpassed our goal six years ahead of schedule by achieving a 24% reduction. In 2022 UW Health signed the US Department of Energy's Better Climate Challenge, committing to reducing our greenhouse gas emissions by 50% in 10 years.

While UW Health supports the goals of the ordinance, I oppose the certification requirement outlined for the "tune up specialist": UW Health has over 100 employees in our maintenance and engineering department that specialize in maintaining our heating and ventilation systems every day. They do not have the certifications listed in the proposed ordinance, but they are technically savvy and highly-skilled at what they do. They are invaluable in their knowledge of our buildings and their mechanical systems, and in helping UW Health reduce energy use. They also have expertise specific to healthcare which is of fundamental importance on many levels. They deliver results for us every day.

Our staff can meet the requirements of the proposed ordinance. There isn't a need for UW Health to hire outside consultants. That would at best be duplicative and expensive – at a time when healthcare certainly cannot afford an additional, unnecessary expense – and do not help advance the goals of the proposed ordinance or our well-established internal priorities.

I'll share an example: We recently went through an energy efficiency project in our operating rooms at East Madison Hospital. Operating rooms use 5-6 times more energy than the rest of the hospital. Two UW Health staff were involved in this project, both highly qualified but did not have the certifications listed. In the end, this project is saving us over 190 thousand kilowatt hours and 7,500 therms annually. We could have saved more, but our staff were aware of an issue that would trip the duct static pressure sensor. Third party certified staff would not have been aware of the nuances of our building systems and could have compromised the outcome in our operating rooms.

While the proposed ordinance does include a provision that allows “additional qualified certifications as the Administrator deems appropriate,” that does not address our concerns.

We propose a less-prescriptive approach that explicitly allows employees deemed qualified by their employer to be qualified as “tune up specialists.” Alternatively, the Administrator should be instructed to consider experience only and not require certifications.

Thank you.

From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: Agenda Item 75280
Date: Wednesday, January 18, 2023 4:44:38 PM
Attachments: [image001.png](#)

From: Joe Duperre <Joe.Duperre@cblproperties.com>
Sent: Wednesday, January 18, 2023 3:38 PM
To: EDC <EDC@cityofmadison.com>
Subject: Agenda Item 75280

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Dear Committee members,
I urge you to take issue of a forced benchmarking program and revisit the city's own legislative directive to establish a voluntary program as a first step in this process. At the very least, have more discussion on the matter rather than rushing it through the process. Thank you for your time.
Best,
Joe

Joe Duperre Jr | Senior General Manager

East Towne Mall | West Towne Mall

Joe.Duperre@cblproperties.com

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From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: Benchmarking Program
Date: Wednesday, January 18, 2023 11:59:33 AM
Attachments: [image002.png](#)

From: Mike Herl <mike.herl@madisoncommercialre.com>
Sent: Wednesday, January 18, 2023 8:21 AM
To: EDC <EDC@cityofmadison.com>
Subject: Benchmarking Program

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EDC members,

As a member of Smart Growth here in Madison, I urge you to oppose the mandatory benchmarking program and revisit the city's own legislative directive to establish a voluntary program. We all agree that something must be done to combat the effects of climate change but at what cost? Businesses are already struggling to recover from a global pandemic.

Thank you.

Mike Herl
Managing Broker | Principal
Mobile 608-212-4623



Madison Commercial Real Estate LLC
5609 Medical Circle, Suite 202
Madison, WI 53719 | Wisconsin

<http://www.madisoncommercialre.com>

Remember, you must have the proper blood pressure to be a developer!

From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: BESP Comments
Date: Wednesday, January 18, 2023 11:59:23 AM
Attachments: [image003.png](#)

From: Kuntz, Kathryn <Kuntz.Kathryn@countyofdane.com>
Sent: Wednesday, January 18, 2023 8:30 AM
To: EDC <EDC@cityofmadison.com>
Subject: BESP Comments

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Madison Economic Development Committee:

I respectfully submit these comments about the City's proposed Building Energy Savings Program (BESP) on behalf of the Dane County Office of Energy & Climate Change (OECC). The Office of Energy & Climate Change authored the County's 2020 [Climate Action Plan](#) and is leading efforts to reduce emissions both in county operations and on a countywide basis. Madison's proposed BESP will affect both county facilities located in Madison and the county's broader climate goals.

Relative to our operations, sixteen Dane County buildings will fall under the BESP with four of our facilities being subject only to the benchmarking requirement and a dozen of our facilities requiring benchmarking and tune-ups every four years.

Dane County already benchmarks its building energy use via ENERGY STAR Portfolio Manager and other software tools. Indeed, we benchmark numerous facilities that are smaller than 25,000 square feet as well as various County facilities located outside of the City of Madison.

Relative to tune-ups, Dane County has existing efforts to increase the energy efficiency of its buildings and to reduce emissions. In the 2022 budget County Executive Joe Parisi set the goal that Dane County facilities, fleet and land operations be carbon neutral by 2030. As part of that effort we are currently conducting a Comprehensive Energy Assessment of Dane County facilities to create a roadmap to deep decarbonization. We anticipate implementing energy efficiency and electrification projects identified in that assessment over coming years. Relative to the tune-up requirement, we appreciate that the BESP proposal enables entities with a substantial building portfolio (as is the case with Dane County) to propose our own tune-up schedule. That flexibility will enable us to address the best opportunities first in our ongoing energy efficiency efforts.

Relative to Dane County's broader countywide climate action goals, I would simply note that Madison's efforts to encourage benchmarking and energy efficiency efforts across larger commercial buildings will contribute to Dane County's climate goals as well as the City's own goals.

Thank you,

Kathy Kuntz, CC-P | Director

Dane County Office of Energy & Climate Change

Kuntz.kathryn@countyofdane.com | 608.283.1477

Due to COVID, working from home – cell: 608.772.5452

She/her/hers

Visit our website – www.DaneClimateAction.org



Sent Securely via TLS from County of Dane by
Proofpoint

From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: BESP Support
Date: Tuesday, January 17, 2023 11:09:18 AM

From: cjunterberger@gmail.com <cjunterberger@gmail.com>
Sent: Monday, January 16, 2023 9:35 PM
To: EDC <EDC@cityofmadison.com>
Subject: BESP Support

Caution: This email was sent from an external source. Avoid unknown links and attachments.

To the Members of the Economic Development Committee:

I write to express my strong support for the proposed *Building Energy Savings Program* ordinance that you will be reviewing shortly.

Large commercial buildings account for 30% of our community's greenhouse gas emissions. The proposed *Building Energy Savings Program* ordinance not only will reduce those emissions, but also enable building owners and their tenants to reduce their energy costs.

Thank you in advance for your efforts to reduce the threat of climate change in Wisconsin while also saving money. **Please approve this project!**

Sincerely,

Chris Unterberger, PhD

11 Dunraven Ct
Madison, WI 53705

From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: Building Energy Benchmarking
Date: Wednesday, January 18, 2023 11:58:18 AM

From: Chris Richards <chris.richards@colliers.com>
Sent: Wednesday, January 18, 2023 11:30 AM
To: EDC <EDC@cityofmadison.com>
Subject: Building Energy Benchmarking

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Economic Development Committee members:

In a climate where getting employees to return to the office is difficult enough...this additional requirement further stresses an already difficult commercial real estate atmosphere. The City of Madison seems to take one step forward and two steps back when it comes to economic development. Madison has been successful in spite of itself and issues like energy benchmarking will make it even easier for companies to select suburban locations. I urge the members to walk around the Capitol at lunch and see how few restaurant options exist now versus 5 years ago. Now is not the time to further stress commercial owners, tenants and occupiers.

Please change the proposed ordinance mandating building energy benchmarking and tune ups (Legistar 75280) to a voluntary program. Even if the new program remains mandatory, please revise it so that it does not require reporting of proprietary information to the city government. The ordinance makes the Madison city government the holder of the reported energy data, which is not appropriate, because once the city government has the data, it can be obtained by anyone through a public records request. This data is proprietary data of the building owners and their commercial tenants and should not be made public record that can be obtained by anyone.

Why must this data be reported to the city government? What is the city government planning to do with this data in the future? We understand the goal of the ordinance was to require the building owners to look at their data, which can be accomplished without reporting to the city government.

In order for the Energy Star reporting tool to work, the building owner must provide information for the entire building, not just parts of it. They also need to provide information such as number of employees working in the building and number of laptops or other computers being used in the building. If data for 50% of the building is missing, the Energy Star reporting tool will not allow the building owner to complete the report.

Many commercial tenants will refuse to provide building owners with their energy bills or number of employees in the building or number of laptops or other computers or the many other items of information that the Energy Star tool requires in order to submit a report. Even if commercial tenants were willing to report the number of employees working in the building,

in many cases, the number would be different every day, because so many employees continue to work from home post COVID.

Many stakeholders have raised this issue with the Mayor's office staff repeatedly, and the response received is that the building owner should just enter estimates if accurate data is not available from the commercial tenants. We object to making up estimated numbers to input into the Energy Star tool to complete a report that is of no value because the numbers are false, and to be coerced into doing so by the threat of being fined for failing to report.

When building owners have their HVAC systems checked by outside HVAC maintenance technicians, they ask for advice on how to make the HVAC system as efficient as possible. When boilers or windows or roofs need to be replaced, building owners invest in more energy efficient systems. Building owners are extremely aware of the cost of energy and motivated to reduce energy consumption and costs. A mandatory program is not necessary.

It is unlikely that the recommendations of the tune up specialist will produce much savings because building owners already are motivated to make their buildings as energy efficient as is reasonable without sacrificing the comfort of their tenants.

The cost of the “tune up” is vague because we do not know precisely what a tune up requires. In addition to paying the outside tune up consultant, the building owner will have to pay for weeks of work by its own staff to gather and provide the data required by the tune up specialists. It is unlikely that the tune ups will produce more savings than the total cost of the tune up.

Thanks,

Chris

Chris Richards

Managing Director | Madison
Mobile +1 608 628 5895
Main +1 608 826 9500 | Fax +1 414 276 9501
chris.richards@colliers.com

Colliers International

316 W. Washington Ave | Suite 925
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From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: Building Energy Savings Program
Date: Tuesday, January 17, 2023 11:11:00 AM

From: Dianne Brakarsh <movingfromwithin@gmail.com>
Sent: Thursday, January 12, 2023 5:22 PM
To: EDC <EDC@cityofmadison.com>
Subject: Building Energy Savings Program

Caution: This email was sent from an external source. Avoid unknown links and attachments.

To the Members of the Economic Development Committee:

I write to express my strong support for the proposed *Building Energy Savings Program* ordinance that you will be reviewing shortly.

Large commercial buildings account for 30% of our community's greenhouse gas emissions. The proposed *Building Energy Savings Program* ordinance not only will reduce those emissions, but also enable building owners and their tenants to reduce their energy costs.

Thank you in advance for your efforts to reduce the threat of climate change in Wisconsin while also saving money. **Please approve this project!**

Sincerely,
Dianne Brakarsh
2230 Hollister Avenue
Madison, WI. 53726

From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: Energy Benchmarking and Tune Up Legistar 75280
Date: Wednesday, January 18, 2023 4:44:48 PM

From: Aris Gialamas <aris@gialamas.com>
Sent: Wednesday, January 18, 2023 3:01 PM
To: EDC <EDC@cityofmadison.com>
Cc: bill@smartgrowthgreatermadison.com; Cathy O'Donnell <cathy@gialamas.com>
Subject: Energy Benchmarking and Tune Up Legistar 75280

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Economic Development Committee members:

I'm writing you today on behalf of The Gialamas Company, Inc. and business owners that lease space in our buildings that have shared opinions on the proposed ordinance mandating building energy benchmarking and tune ups (Legistar 75280). We feel strongly that more time and effort needs to be dedicated to this program and would ask that it be delayed to complete this important work or to change this to a voluntary program or to complete a beta study to see if results warrant a mandatory approach and will truly end in savings in energy and cost. Even if the new program remains mandatory, we are requested that it is changes so it does not require reporting of proprietary information to the city government.

The ordinance makes the Madison city government the holder of the reported energy data, which we feel is not appropriate. Once the city government has the data, it can be obtained by anyone through a public records request. The data required to be collected and the use of Energy Star as the data base we feel can produce very unreliable information and is not a true benchmarking tool due to several reasons:

- Use of space has changed drastically since the onset of COVID and hybrid and work from home situations are still largely the new normal. This has two effects, one being energy use in the winter increases without bodies and equipment running to offset mechanical heating and data gathered in the manner required is not accurate as there is no tool yet to calculate hybrid or work from home. Energy Star was contacted on this issue, and they have directed us to use staff counts and PC counts prior to COVID and not rely on current use. This is counter-productive, will provide inaccurate results and would appear to be a large waste of time and energy on the part of building owners.
- We have been informed by business owners that they will not provide staffing or technology count data for this purpose as they feel this is proprietary information and are not willing to share this. They also stressed that they are far more concerned right now with other important business matters with economy, staffing shortages and

process changes to allocate time to this effort.

- We have also been informed that building owners and tenants who pay for utility costs directly feel this is proprietary information that should not be shared publicly. We have talked to utility companies, and they feel that this is information that is proprietary to customers also.
- No information is required regarding to the type of building mechanical systems. This varies greatly building to building and drives various energy use. Electric heat vs gas, heat pumps vs VAV's, water cooling towers vs gas, etc. The data created from this method would not provide anything detailed enough to be of any value to building owners and is dangerous to compare one building type to another in this method.

One question we have is, what real value will this bring to the City and its residents if the data is not accurate or obtainable? Utility companies provide information on use of energy to property owners, and this is already being reviewed carefully by owners trying to find ways to reduce cost and use. Additional questions would be why must this data be reported to the city government and what is the city government planning to do with this data in the future? We were informed early in the process that the point of this was to require the building owners to look at the data, which can be done without requiring reporting to the city government.

Smart Growth, developers and other stakeholders have raised these concerns with the Mayor's office and staff repeatedly, and the response we have received is that the building owner should just enter estimates if accurate data is not available from the commercial tenants. Smart Growth's members object to making up estimated numbers to input into the Energy Star tool to complete a report that is of no value because the numbers are just made up, and to be coerced into doing so by the threat of being fined for failing to report.

Staffing for this effort is a critical concern as there is an extreme shortage of mechanical, maintenance, service staff in the City of Madison and many building owners are struggling just to meet the critical demands of maintaining their buildings. The City of Madison stated that they were working with MG&E and Alliant Energy to download usage information directly to help with this effort, but as of yesterday, we were informed that MG&E has not worked on this, and this is not possible at this time. One concern they have is that this is considered proprietary information for their customers, and they have not resolved this issue.

When building owners have their HVAC systems checked by outside HVAC maintenance technicians, they ask for advice on how to make the HVAC system as efficient as possible. When boilers or windows or roofs need to be replaced, building owners invest in more energy efficient systems. Building owners are extremely aware of the cost of energy and motivated to reduce energy consumption and costs. A mandatory program is not necessary.

It is unlikely that the recommendations of the tune up specialist will produce much savings because building owners already are motivated to make their buildings as energy efficient as is reasonable without sacrificing the comfort of their tenants.

We do not even know how much outside tune up consultants will charge for a tune up because we and the consultants do not know precisely what a tune up requires. In addition to paying the outside tune up consultant, the building owner will have to pay for weeks of work by its own staff to gather and provide the data required by the tune up specialists. It is unlikely that the tune ups will produce more savings than the total cost of the tune up.

The current ordinance states that some of the recommendations from a tune-up will be mandatory if minor in cost and nature, but how “minor” is defined and what is mandated in the future has yet to be fully defined. This is a concern to have a program administrator define and mandate what is required or what is a minimal cost to a building owner or business. There does not appear to be any way to appeal this either, so we feel more work should be completed in this area.

Most building owners are already completing many steps on an annual basis that would be included in a tune-up. They have mechanical service companies ensuring equipment is operating at maximum efficiency, they inspect pipes, exterior building shell, water and electrical functions and use. For these owners, this is an additional financial burden to hire a specialist and staff time required to support these inspections that will reduce the ability to use this time and money more wisely. The savings estimated will be minimal at best or non-existent for those that care for their properties. This additional cost can't be charged to tenants that have leases in place with very specific operating and other costs defined. We feel strongly that this is not understood or addressed in this program.

Thank you for your consideration.

Aris

Aristotle George Gialamas, President

The Gialamas Company, Inc. | www.gialamas.com

[8040 Excelsior Drive, Suite 200 | Madison, WI 53717](http://www.gialamas.com)

Phone: [608.836.8000](tel:608.836.8000) | Fax: [608.836.7863](tel:608.836.7863) | Cell: [608.575.8000](tel:608.575.8000)

E-mail: aris@gialamas.com

From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: Energy Benchmarking Ordinance
Date: Wednesday, January 18, 2023 11:59:01 AM
Attachments: [image002.png](#)
[image003.png](#)

From: Justin Nagel <j.nagel@adcidesign.com>
Sent: Wednesday, January 18, 2023 9:49 AM
To: EDC <EDC@cityofmadison.com>
Subject: Energy Benchmarking Ordinance

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EDC members,

I urge you to oppose the mandatory benchmarking program and revisit the city's own legislative directive to establish a voluntary program. We all agree that something must be done to combat the effects of climate change but at what cost? Businesses are already struggling to recover from a global pandemic.

Respectfully,

Justin R. Nagel, MBA

partner | vice president business operations

O 608.254.6181 | M 608.963.9305 | adcidesign.com



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From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: Energy Benchmarking
Date: Wednesday, January 18, 2023 11:59:12 AM

From: Michael Carter <michael@gebhardtdevelopment.com>
Sent: Wednesday, January 18, 2023 8:37 AM
To: EDC <EDC@cityofmadison.com>
Subject: Energy Benchmarking

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Please revisit this program according to the standards set in 2015, Voluntary energy efficiencies and upgrades are daily routine and are always under consideration when managing our buildings. Our company has taken advantage of various programs that encourage energy efficiencies without any guidance from local government and will continue to do so. We are very concerned with the proprietary information requested becoming public record as this should not be a part of this program.

Respectfully

--

Michael Carter
Vice President of Operations
Gebhardt Development
Colonial Property Management
(608) 217 9515
michael@gebhardtdevelopment.com

From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: Energy Benchmarking
Date: Wednesday, January 18, 2023 11:59:44 AM

From: Chris Konz <ckonz@migllc.biz>
Sent: Wednesday, January 18, 2023 7:41 AM
To: EDC <EDC@cityofmadison.com>
Subject: Energy Benchmarking

Caution: This email was sent from an external source. Avoid unknown links and attachments.

EDC members,

I urge you to oppose the mandatory benchmarking program and revisit the city's own legislative directive to establish a voluntary program.

We all agree that something must be done to combat the effects of climate change but at what cost? Businesses are already struggling to recover from a global pandemic.

Christopher Konz, CPA
Vice President, Finance
MIG Commercial Real Estate, LLC

608-509-1000 (Main)
608-509-1005 (Direct)
608-509-1040 (Fax)

3001 West Beltline Hwy., Suite 202
Madison, WI 53713
www.migllc.biz

From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: Energy Benchmarking
Date: Wednesday, January 18, 2023 5:17:55 PM
Attachments: [Email Correspondence with Jessica Price.pdf](#)

From: Jim Ring <jimr@parktowne.com>
Sent: Wednesday, January 18, 2023 4:51 PM
To: EDC <EDC@cityofmadison.com>
Subject: Energy Benchmarking

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EDC Members,

The city instructed staff years ago to implement a voluntary program for energy benchmarking, yet that never occurred. Now, the city is trying to move right past that into a mandatory process without even having tried the voluntary route. The action before you tonight should be voted down in favor of a voluntary program.

I attended a listening session on the matter. Afterwards, I emailed back and forth with Jessica Price with some questions. I also downloaded a 147 page report from Seattle, where they tested this type of program against office buildings of 50,000-100,000 SF. I've attached a printout of that back and forth for your review. I did not have the opportunity to respond to her last email but have typed in a few comments in reply.

The city is selling this plan on data that 30% of greenhouse gas emissions come from commercial buildings. However, that is strictly a local number. The US EPA reports that commercial buildings nationally only contribute 7%, the second lowest source in the country. Given that climate change is national/global in scale and these buildings only contribute 7% on this scale, a minor improvement at local level commercial buildings will cost local owners and taxpayers much more than the benefit that will result for global climate change.

The city has estimated that tune-ups will cost an average of \$.15/SF and produce 12% average energy cost reductions. At these figures, Madison believes that this program **may** be cost neutral. However, Seattle found that the average cost was actually \$.21/SF and the actual benefit was only a 7% reduction in energy costs. So, their program ran 40% higher on cost with 40% less benefit than predicted. With those kind of results you can be sure the Madison program will be cost negative, again with little positive impact on global climate change.

The report also stated that office buildings would see one of the lowest benefits while school buildings saw more. This would make sense. Private owners with their own money invested are more likely to minimize their expenses since it's their own money. Why don't we start with

government buildings first and see how this goes?

Finally, the most prevalent changes required by the consultants in Seattle were changes to temperature and lighting settings and schedules. Basically, property owners are going to be told at what temperature to set their building and when to turn their heat and lights on and off. Again, we don't just waste money for the fun of it, we set our schedules for a reason. But that will only matter if the consultant agrees with our reasons, otherwise a change will be required. And we already spend thousands of dollars per year on HVAC check-ups that will catch most of the things the paid consultant will be looking for.

We have to try and get most of this information from our tenants and if they don't comply, the city will come down on them or we will just have to estimate data, which is basically of no value. This isn't just impacting a few building owners, but a majority of the businesses in the city. Again, a government building where they are the only tenant would be a good place to start.

This program should be voluntary and the results can then be analyzed to see what the true costs and benefits will be before jumping in with both feet with a mandatory program with a likely negative cost-benefit.

Thanks for your consideration.

Jim Ring
President/CEO
Park Towne
402 Gammon Place, Suite 300
Madison, WI 53719

P: 608.833.9044 ext 303

F: 608.833.1792

ParkTowne.com

ConservancyPlace.com



From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: I Support the Building Energy Savings Program
Date: Tuesday, January 17, 2023 11:10:51 AM

From: Kathryn Pensack <katpen7@gmail.com>
Sent: Thursday, January 12, 2023 6:05 PM
To: EDC <EDC@cityofmadison.com>
Subject: I Support the Building Energy Savings Program

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Hello!

I am voicing my support for the Building Energy Savings Program as a good step toward reducing the CO2 output of commercial buildings. Virtually all buildings use energy all day long and as a result making them more efficient leads to significantly lowered CO2 production by the building.

Thank you,

Kathryn Pensack
6th District resident
Madison WI 53703

From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: Legistar 75280 - Please Oppose!
Date: Wednesday, January 18, 2023 11:58:32 AM

From: Jennie Macaluso <jmacaluso@wamllc.net>
Sent: Wednesday, January 18, 2023 11:03 AM
To: EDC <EDC@cityofmadison.com>
Subject: Legistar 75280 - Please Oppose!

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear Madison Economic Development Committee Members,

We are the institute for property and asset managers, providing complete knowledge to take on real estate management's most dynamic challenges. That means knowledge prepared for the day-to-day and the one-of-a-kind: from solving the latest tenant crisis to analyzing market conditions, including energy conservation. For over 85 years, our members have made us one of the world's strongest voice for all things real estate management. Today, almost 20,000 leaders in commercial and residential management call us home for learning, certifications, and networking.

We strongly urge you to oppose the mandatory benchmarking program. Property managers and building owners are well aware of energy costs and where savings can be achieved in their buildings. They are already committed to voluntary benchmarking and energy conservation implementation.

We ask that you revisit the city's own legislative directive to establish a voluntary program, as building owners are already struggling to recover from a global pandemic and rising interest rates. If you have any questions, please do not hesitate to contact me. Thank you.

Jennie Macaluso
IREM Milwaukee & IREM Madison
414-476-IREM

From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: Legistar 75280
Date: Wednesday, January 18, 2023 2:24:33 PM

From: Michael Osborne <mikeo@advantageosborne.com>
Sent: Wednesday, January 18, 2023 1:50 PM
To: EDC <EDC@cityofmadison.com>
Subject: Legistar 75280

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Economic Development Committee members:

Please change the proposed ordinance mandating building energy benchmarking and tune ups (Legistar 75280) to a voluntary program. Even if the new program remains mandatory, please revise it so that it does not require reporting of proprietary information to the city government. The ordinance makes the Madison city government the holder of the reported energy data, which is not appropriate, because once the city government has the data, it can be obtained by anyone through a public records request. This data is proprietary data of the building owners and their commercial tenants and should not be made public record that can be obtained by anyone.

Why must this data be reported to the city government? What is the city government planning to do with this data in the future? We understand the goal of the ordinance was to require the building owners to look at their data, which can be accomplished without reporting to the city government.

In order for the Energy Star reporting tool to work, the building owner must provide information for the entire building, not just parts of it. They also need to provide information such as number of employees working in the building and number of laptops or other computers being used in the building. If data for 50% of the building is missing, the Energy Star reporting tool will not allow the building owner to complete the report.

Many commercial tenants will refuse to provide building owners with their energy bills or number of employees in the building or number of laptops or other computers or the many other items of information that the Energy Star tool requires in order to submit a report. Even if commercial tenants were willing to report the number of employees working in the building, in many cases, the number would be different every day, because so many employees continue to work from home post COVID.

Many stakeholders have raised this issue with the Mayor's office staff repeatedly, and the response received is that the building owner should just enter estimates if accurate data is not available from the commercial tenants. We object to making up estimated numbers to input into the Energy Star tool to complete a report that is of no value because the numbers are false,

and to be coerced into doing so by the threat of being fined for failing to report.

When building owners have their HVAC systems checked by outside HVAC maintenance technicians, they ask for advice on how to make the HVAC system as efficient as possible. When boilers or windows or roofs need to be replaced, building owners invest in more energy efficient systems. Building owners are extremely aware of the cost of energy and motivated to reduce energy consumption and costs. A mandatory program is not necessary.

It is unlikely that the recommendations of the tune up specialist will produce much savings because building owners already are motivated to make their buildings as energy efficient as is reasonable without sacrificing the comfort of their tenants.

The cost of the “tune up” is vague because we do not know precisely what a tune up requires. In addition to paying the outside tune up consultant, the building owner will have to pay for weeks of work by its own staff to gather and provide the data required by the tune up specialists. It is unlikely that the tune ups will produce more savings than the total cost of the tune up.

Thank you for your consideration.

Mike Osborne

T. Michael Osborne, CCIM, SIOR

Advantage Osborne, LLC

2912 Marketplace Drive, Suite 106

P.O. Box 8792

Madison, WI 53708-8792

Telephone: (608) 270-0446

Fax: (608) 270-0562

www.advantageosborne.com



Advantage Osborne, LLC

See our listings! <http://propertydrive.com/c.asp?e=mikeo@advantageosborne.com>

What is a CCIM? <http://www.ccim.com/about/ccim.html>

What is a SIOR? <http://www.sior.com/index/html>

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From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: Legistar 75280
Date: Wednesday, January 18, 2023 2:25:13 PM
Attachments: [image005.png](#)
[image006.png](#)
[image007.png](#)

From: Mike Testa <miket@ogdenre.com>
Sent: Wednesday, January 18, 2023 1:10 PM
To: EDC <EDC@cityofmadison.com>
Subject: Legistar 75280

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Economic Development Committee members:

I am writing today to ask for your to reconsider mandating building energy benchmarking and tune ups (Legistar 75280) and considering it a voluntary program, perhaps with an incentive to do so. Even if the new program remains mandatory, please revise it so that it does not require reporting of proprietary information to the city government. The ordinance makes the Madison city government the holder of the reported energy data, which is not appropriate, because once the city government has the data, it can be obtained by anyone through a public records request. This data is proprietary data of the building owners and their commercial tenants and should not be made public record that can be obtained by anyone.

My questions are below:

Why must this data be reported to the city government? What is the city government planning to do with this data in the future? We understand the goal of the ordinance was to require the building owners to look at their data, which can be accomplished without reporting to the city government.

In order for the Energy Star reporting tool to work, the building owner must provide information for the entire building, not just parts of it. They also need to provide information such as number of employees working in the building and number of laptops or other

computers being used in the building. If data for 50% of the building is missing, the Energy Star reporting tool will not allow the building owner to complete the report.

Many commercial tenants will refuse to provide building owners with their energy bills, number of employees in the building, number of laptops or other computers, or the many other items of information that the Energy Star tool requires in order to submit a report. Even if commercial tenants were willing to report the number of employees working in the building, in many cases, the number would be different every day, because so many employees continue to work from home post COVID.

Many stakeholders have raised this issue with the Mayor's office staff repeatedly, and the response received is that the building owner should just enter estimates if accurate data is not available from the commercial tenants. We object to making up estimated numbers to input into the Energy Star tool to complete a report that is of no value because the numbers are false, and to be coerced into doing so by the threat of being fined for failing to report.

When building owners have their HVAC systems checked by outside HVAC maintenance technicians, they ask for advice on how to make the HVAC system as efficient as possible. When boilers or windows or roofs need to be replaced, building owners invest in more energy efficient systems. Building owners are extremely aware of the cost of energy and motivated to reduce energy consumption and costs in order to decrease their operating costs. Lower operating costs mean two things: 1) A higher Net Operating Income (read: PROFIT and TAX REVENUE) or; 2) Lower NNN Expenses, which makes it easier to attract a tenant (read: PROFIT and TAX REVENUE). **A mandatory program is not necessary, as our industry is absolutely incentivized to undertake these energy-saving projects ourselves.** This is a violation of our rights as building owners, managers, and tenants, and infringes upon our freedom to operate in a competitive free market. The sharing of our proprietary information moves us closer to socialism and monopolism.

The cost of the "tune up" is vague because we do not know precisely what a tune up requires. In addition to paying the outside tune up consultant, the building owner will have to pay for weeks of work by its own staff to gather and provide the data required by the tune up specialists. It is unlikely that the tune ups will produce more savings than the total cost of the tune up.

Michael A. Testa, ARM®

Business Development Manager | Senior Brokerage Associate

Ogden & Company, Inc., AMO®

Main: (414) 276-5285 Cell: 414.270.4169

www.ogdenre.com

[1665 N. Water Street, Milwaukee, WI 53202](https://www.ogdenre.com/1665-N-Water-Street-Milwaukee-WI-53202)



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From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: Legistar 75280
Date: Wednesday, January 18, 2023 2:24:20 PM

From: Brian Flad <bflad@flad-development.com>
Sent: Wednesday, January 18, 2023 1:54 PM
To: EDC <EDC@cityofmadison.com>
Subject: Legistar 75280

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Greetings, EDC members –

I urge you to oppose the mandatory benchmarking program and revisit the city's own legislative directive to establish a voluntary program. We all agree that something must be done to combat the effects of climate change but at what cost? Businesses are already struggling to recover from a global pandemic and, frankly, that data collected will a) not be consistent; and b) not be accurate (should an owner even be able to collect the right info from commercial tenant(s)).

Plainly, many commercial tenants will refuse to provide building owners with their energy bills or number of employees in the building or number of laptops or other computers or the many other items of information that the Energy Star tool requires in order to submit a report. Even if commercial tenants were willing to report the number of employees working in the building, in many cases, the number would be different every day, because so many employees continue to work from home on some days.

This is overly burdensome to our great City's business community.

Thank you for the consideration.

Sincerely,
Brian

Brian Flad
Leasing and Management
Flad Development & Investment Corp.

Direct: 608.443.4365

Cell: 608.577.3620

bflad@flad-development.com



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From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: Legistar 75280
Date: Wednesday, January 18, 2023 4:44:58 PM

From: Dale Dobroth <dale@sidcorrealestate.com>
Sent: Wednesday, January 18, 2023 2:53 PM
To: EDC <EDC@cityofmadison.com>
Subject: Legistar 75280

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Economic Development Committee members:

Please change the proposed ordinance mandating building energy benchmarking and tune ups (Legistar 75280) to a voluntary program. Even if the new program remains mandatory, please revise it so that it does not require reporting of proprietary information to the city government. The ordinance makes the Madison city government the holder of the reported energy data, which is not appropriate, because once the city government has the data, it can be obtained by anyone through a public records request. This data is proprietary data of the building owners and their commercial tenants and should not be made public record that can be obtained by anyone.

In order for the Energy Star reporting tool to work, the building owner must provide information for the entire building, not just parts of it. They also need to provide information such as number of employees working in the building and number of laptops or other computers being used in the building. If data for 50% of the building is missing, the Energy Star reporting tool will not allow the building owner to complete the report.

As a building owner we have our HVAC systems checked by outside HVAC maintenance technicians, they ask for advice on how to make the HVAC system as efficient as possible. When boilers or windows or roofs need to be replaced, building owners invest in more energy efficient systems. Building owners are extremely aware of the cost of energy and motivated to reduce energy consumption and costs. A mandatory program is not necessary.

It is unlikely that the recommendations of the tune up specialist will produce much savings because building owners already are motivated to make their buildings as energy efficient as is reasonable without sacrificing the comfort of their tenants.

The cost of the "tune up" is vague because we do not know precisely what a tune up requires. In addition to paying the outside tune up consultant, the building owner will have to pay for weeks of work by its own staff to gather and provide the data required by the tune up specialists. It is unlikely that the tune ups will produce more savings than the total cost of the tune up.

Thank you

Oakwash Associates LLC

3003 E Washington Ave

Dale Dobroth

From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: Legistar 75280
Date: Wednesday, January 18, 2023 5:18:08 PM

From: Wolff, Brian @ Madison <Brian.Wolff@cbre.com>
Sent: Wednesday, January 18, 2023 5:14 PM
To: EDC <EDC@cityofmadison.com>
Subject: Legistar 75280

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear EDC members,

As an active member of the commercial real estate industry I urge you to oppose the mandatory benchmarking program and revisit the city's own legislative directive to establish a voluntary program. Businesses are already struggling to recover from a global pandemic and rising interest rates.

Please change the proposed ordinance mandating building energy benchmarking and tune ups (Legistar 75280) to a voluntary program. Even if the new program remains mandatory, please revise it so that it does not require reporting of proprietary information to the city government. The ordinance makes the Madison city government the holder of the reported energy data, which is not appropriate, because once the city government has the data, it can be obtained by anyone through a public records request. This data is proprietary data of the building owners and their commercial tenants and should not be made public record that can be obtained by anyone.

Brian Wolff

Vice President
CBRE | Advisory & Transaction Services
10 Doty Street, 4th Floor
Madison, WI 53703
T +1 608 441 7572 | C +1 608 513 9653
brian.wolff@cbre.com | [LinkedIn](#)

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From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: letter in support of BESP
Date: Wednesday, January 18, 2023 11:58:11 AM

From: Molly Noble <mollynoble@gmail.com>
Sent: Wednesday, January 18, 2023 11:38 AM
To: EDC <EDC@cityofmadison.com>
Subject: letter in support of BESP

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear Members of the Madison Economic Development Committee,

I'm writing to express my strong support of the Mayor's legislation to advance the BESP. Building Energy Savings Program. I've been a proud resident of Madison for the past 16 years and plan to be a resident for at least the next 16. This policy is a no-brainer and a necessary step if Madison is to remain a responsible steward of the land on which we reside, the air of which we breathe and this big blue marble we call home.

I put my trust in you to make the right decision and move this policy forward.

With thanks,

Molly

Molly Noble
2225 West Lawn Ave, Madison WI 53711

From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: Mandatory energy benchmarking program
Date: Wednesday, January 18, 2023 2:25:43 PM
Attachments: [image001.png](#)

From: David Keller <david@kellerrealestategroup.com>
Sent: Wednesday, January 18, 2023 12:21 PM
To: EDC <EDC@cityofmadison.com>
Subject: Mandatory energy benchmarking program

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Economic Development Committee members:

As a life-long resident of the City of Madison and over 40 years of experience in owning commercial real estate in the city, I urge you to **oppose** the mandatory benchmarking program and revisit the city's own legislative directive to establish a voluntary program. Businesses and owners of commercial real estate are already struggling to recover from a global pandemic. The cost of this mandatory program to building owners will be extensive in terms of the number of hours it will take to fill out the forms and comply. I urge you to modify the proposed ordinance mandating building energy benchmarking and tune ups (Legistar 75280) to a **voluntary program**.

What is the city of Madison government planning to do with this data in the future? For the Energy Star reporting tool to work, the building owner must provide information for the entire building, not just parts of it, and provide information such as number of employees working in the building and number of laptops or other computers being used in the building. If data for 50% of the building is missing, the Energy Star reporting tool will not allow the building owner to complete the report and the resulting data will be incomplete and of no value to anyone.

Many commercial tenants may refuse or be unable (as we all know remote working is changing the world we live in) to provide building owners with their direct billed energy costs or number of employees in the building or number of laptops or other computers or the many other items of information that the Energy Star tool requires in order to submit a report. Even if commercial tenants were willing to report the number of employees working in the building, in many cases, the number would be different every day.

Smart Growth and other stakeholders have raised this issue with the Mayor's office staff repeatedly. The response we have received is that the building owner should just enter estimates if accurate data is not available from the commercial tenants. Building owners will be hesitant to make up estimated numbers to input into the Energy Star tool. As they should be. To be coerced into doing so by the threat of being fined for failing to report is not the proper approach.

In addition, when building owners have their HVAC systems checked by outside HVAC maintenance technicians, they ask for advice on how to make the HVAC system as efficient as possible. When

boilers or windows or roofs need to be replaced, building owners will logically invest in more energy efficient systems that can be proven to be cost effective. Building owners are aware of the cost of all aspects of operating a building and the cost of energy and are motivated to reduce energy consumption and costs. A mandatory program is not necessary as building owners are already motivated to make their buildings as energy efficient as is reasonable without sacrificing the comfort of their tenants.

Thank you for your consideration.

David C. Keller

Keller Real Estate Group
448 West Washington Avenue
Madison, WI 53703

608-227-6543 x 102

608-575-3797 (mobile)

608-255-5005 (fax)

David@KellerRealEstateGroup.com



From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: Opposition of Proposed Ordinance Mandating Building Energy Benchmarking
Date: Wednesday, January 18, 2023 11:58:49 AM
Attachments: [image001.png](#)

From: Ben Filkouski <ben.filkouski@madisoncommercialre.com>
Sent: Wednesday, January 18, 2023 10:35 AM
To: EDC <EDC@cityofmadison.com>
Subject: Opposition of Proposed Ordinance Mandating Building Energy Benchmarking

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Economic Development Committee members,

Thank you for everything that you do for our City. I am reaching out to urge the EDC to oppose the proposed ordinance mandating building energy benchmarking and tune ups (Legistar 75280). This program should be voluntary.

If the program does remain mandatory, it should not require property owners to report proprietary information to the city government. The ordinance makes Madison city government the holder of the reported energy data which is not appropriate because once it is in the hands of the city, anyone through a public records request could obtain this information.

Building owners can look at their data and make improvements where necessary and where it makes sense from the economic side of things. Costly building improvements such as this will cause an increase in rents. For commercial office tenants, this could negatively impact our CBD and force tenants to find cheaper opportunities outside of the City of Madison. For Multi-family, this could negatively impact our already increasing rental rates which will negatively impact the workforce housing sector whom is already struggling to find affordable rents in the City of Madison.

In order for the Energy Star reporting tool to work, the building owner must provide information for the entire building, not just parts of it, and provide information such as number of employees working in the building and number of laptops or other computers being used in the building. If data for 50% of the building is missing, the Energy Star reporting tool will not allow the building owner to complete the report.

Many commercial tenants will refuse to provide building owners with their energy bills or number of employees in the building or number of laptops or other computers or the many other items of information that the Energy Star tool requires in order to submit a report. Even if commercial tenants were willing to report the number of employees working in the building, in many cases, the number would be different every day, because so many employees continue to work from home on some days.

Smart Growth and other stakeholders have raised this issue with the Mayor's office staff

repeatedly, and the response we have received is that the building owner should just enter estimates if accurate data is not available from the commercial tenants. Smart Growth's members object to making up estimated numbers to input into the Energy Star tool to complete a report that is of no value because the numbers are just made up, and to be coerced into doing so by the threat of being fined for failing to report.

When building owners have their HVAC systems checked by outside HVAC maintenance technicians, they ask for advice on how to make the HVAC system as efficient as possible. When boilers or windows or roofs need to be replaced, building owners invest in more energy efficient systems. Building owners are extremely aware of the cost of energy and motivated to reduce energy consumption and costs. A mandatory program is not necessary.

It is unlikely that the recommendations of the tune up specialist will produce much savings because building owners already are motivated to make their buildings as energy efficient as is reasonable without sacrificing the comfort of their tenants.

Thank you for your consideration.

Thanks,
Ben

Benjamin J. Filkouski, CCIM
Broker | Partner | Wisconsin
Investment Sales & Leasing
Mobile 608-333-7734



Madison Commercial Real Estate LLC
5609 Medical Circle, Suite 202
Madison WI 53719
<https://madisoncommercialre.com>

CCIM: <https://www.ccim.com/earning-the-ccim-designation/>

From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: Pending vote
Date: Wednesday, January 18, 2023 11:59:55 AM

From: Christopher Houden Jr <chris@willow-partners.com>
Sent: Wednesday, January 18, 2023 1:33 AM
To: EDC <EDC@cityofmadison.com>
Subject: Pending vote

Caution: This email was sent from an external source. Avoid unknown links and attachments.

EDC members,

I urge you to oppose the mandatory benchmarking program and revisit the city's own legislative directive to establish a voluntary program. We all agree that something must be done to combat the effects of climate change but at what cost? Businesses are already struggling to recover from a global pandemic.

We are one of the oldest family real estate companies in the city, and we will continue to support the city to the full extent of our ability.

Sincerely,

Chris

--

Christopher Houden Jr
Managing Partner | **Willow Partners**
725 E Johnson | Madison WI | USA

o: +1 608 405 1771

m: +1 608 770 2332

www.willow-partners.com



[LinkedIn](#)

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From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: Please approve the building energy savings program ordinance
Date: Tuesday, January 17, 2023 11:09:50 AM

From: Stephen Glass <sbglass1@me.com>
Sent: Sunday, January 15, 2023 10:59 AM
To: EDC <EDC@cityofmadison.com>
Subject: Please approve the building energy savings program ordinance

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear Members of the Economic Development Committee:

I am concerned about the negative impacts of climate change in Wisconsin. **I am writing to express my support for the proposed *Building Energy Savings Program (BESP) ordinance for large commercial buildings.***

The positive impacts of this ordinance go beyond reducing carbon emissions in Madison. The resulting energy savings will have positive financial outcomes for building owners and tenants.

I track my own energy budget and savings and as a result I have recently put in an air-source heat pump and air-source water heater. I expect the same kind of diligence and attention to energy budgets from large commercial buildings in Madison.

Thank you in advance for your efforts to reduce energy usage and combat climate change in Wisconsin. **Please approve this project!**

Sincerely,
Steve Glass
1306 Seminole Highway
Madison, WI. 53711

From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: Please approve the proposed Building Energy Savings Program ordinance
Date: Tuesday, January 17, 2023 11:10:14 AM

From: Building Unity <buildingunitywi@gmail.com>
Sent: Friday, January 13, 2023 9:51 AM
To: EDC <EDC@cityofmadison.com>
Subject: Please approve the proposed Building Energy Savings Program ordinance

Caution: This email was sent from an external source. Avoid unknown links and attachments.

To the Members of the Economic Development Committee:

I strongly support the proposed *Building Energy Savings Program* ordinance that you will be reviewing shortly, and ask you to approve this important city project.

Large commercial buildings account for 30% of our community's greenhouse gas emissions. This proposed ordinance not only will reduce those emissions, but also enable building owners and tenants to reduce their energy costs. Tracking energy usage will not take building owners much effort, especially since MG&E has this data, and the city proposes to provide assistance to make this easy.

Thank you in advance for your efforts to reduce the threat of climate change in Wisconsin while also saving money. **Please approve this project!**

Name
Address

From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: Please approve the proposed Building Energy Savings Program ordinance
Date: Tuesday, January 17, 2023 11:10:22 AM

From: Bryan <outerlimitsbab@hotmail.com>
Sent: Friday, January 13, 2023 9:11 AM
To: EDC <EDC@cityofmadison.com>
Subject: Please approve the proposed Building Energy Savings Program ordinance

Caution: This email was sent from an external source. Avoid unknown links and attachments.

To the Members of the Economic Development Committee:

I strongly support the proposed *Building Energy Savings Program* ordinance that you will be reviewing shortly, and ask you to approve this important city project.

Large commercial buildings account for 30% of our community's greenhouse gas emissions. This proposed ordinance not only will reduce those emissions, but also enable building owners and tenants to reduce their energy costs. Tracking energy usage will not take building owners much effort, especially since MG&E has this data, and the city proposes to provide assistance to make this easy.

Thank you in advance for your efforts to reduce the threat of climate change in Wisconsin while also saving money. **Please approve this project!**

Bryan Benwitz, 2434 Independence Ln, 53704

From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: Please approve the proposed Building Energy Savings Program ordinance
Date: Tuesday, January 17, 2023 11:10:33 AM

From: Susan Millar <sbmillar@gmail.com>
Sent: Friday, January 13, 2023 8:51 AM
To: EDC <EDC@cityofmadison.com>
Subject: Please approve the proposed Building Energy Savings Program ordinance

Caution: This email was sent from an external source. Avoid unknown links and attachments.

To the Members of the Economic Development Committee:

I strongly support the proposed *Building Energy Savings Program* ordinance that you will be reviewing shortly, and ask you to approve this important city project.

Large commercial buildings account for 30% of our community's greenhouse gas emissions. This proposed ordinance not only will reduce those emissions, but also enable building owners and tenants to reduce their energy costs. Tracking energy usage will not take building owners much effort, especially since MG&E has this data, and the city proposes to provide assistance to make this easy.

Thank you in advance for your efforts to reduce the threat of climate change in Wisconsin while also saving money. **Please approve this project!**

Sincerely,
Susan Millar
2233 Rowley Ave. 53726

From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: Please approve the proposed Building Energy Savings Program ordinance
Date: Tuesday, January 17, 2023 11:10:01 AM

From: Nathan Spencer <nls08a@gmail.com>
Sent: Saturday, January 14, 2023 12:34 PM
To: EDC <EDC@cityofmadison.com>
Subject: Please approve the proposed Building Energy Savings Program ordinance

Caution: This email was sent from an external source. Avoid unknown links and attachments.

To the Members of the Economic Development Committee:

I write to express my strong support for the proposed Building Energy Savings Program ordinance that you will be reviewing shortly.

Large commercial buildings account for 30% of our community's greenhouse gas emissions. The proposed Building Energy Savings Program ordinance not only will reduce those emissions, but also enable building owners and their tenants to reduce their energy costs.

Thank you in advance for your efforts to reduce the threat of climate change in Wisconsin while also saving money. Please approve this project!

Sincerely,

Nathan Spencer
3005 Stevens St, Madison, WI

From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: Please Support the Building Energy Savings Program Ordinance
Date: Tuesday, January 17, 2023 11:09:39 AM

From: Kate Sandretto <kate.sandretto@gmail.com>
Sent: Sunday, January 15, 2023 2:26 PM
To: EDC <EDC@cityofmadison.com>
Subject: Please Support the Building Energy Savings Program Ordinance

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear Members of the Economic Development Committee,

As a citizen and a voter, climate change is the issue I am most concerned about. Climate change has the potential to create immense human suffering around the globe, and I feel that we are morally obligated to take as many actions as we can to mitigate or reverse climate change.

I am writing to express my support for the proposed Building Energy Savings Program Ordinance. This ordinance is a low-hanging fruit in the fight against climate change, requiring building owners to take simple and cheap steps that will significantly reduce building fossil fuel usage. The energy savings lead to monetary savings that will also benefit both owners and tenants.

I urge you to please support this ordinance! Thank you in advance for your efforts to mitigate and reverse climate change.

Kathryn Sandretto
2130 E Dayton St
Madison, WI 53704

From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: Proposed ordinance mandating building energy benchmarking
Date: Wednesday, January 18, 2023 11:57:58 AM

From: Gehring, Margaret @ Milwaukee AS <Margaret.Gehring@cbre.com>
Sent: Wednesday, January 18, 2023 11:51 AM
To: EDC <EDC@cityofmadison.com>
Subject: Proposed ordinance mandating building energy benchmarking

Caution: This email was sent from an external source. Avoid unknown links and attachments.

EDC members,

I urge you to oppose the mandatory benchmarking program and revisit the city's own legislative directive to establish a voluntary program. Businesses are already struggling to recover from a global pandemic and rising interest rates.

Please change the proposed ordinance mandating building energy benchmarking and tune ups (Legistar 75280) to a voluntary program. Even if the new program remains mandatory, please revise it so that it does not require reporting of proprietary information to the city government. The ordinance makes the Madison city government the holder of the reported energy data, which is not appropriate, because once the city government has the data, it can be obtained by anyone through a public records request. This data is proprietary data of the building owners and their commercial tenants and should not be made public record that can be obtained by anyone.

Thank you,

Margaret Gehring, CPM®

Senior Director | Milwaukee Market Leader

CBRE | Property Management | Wisconsin

Chase Tower | 111 East Wisconsin Avenue, Suite 250 | Milwaukee, WI 53202

T +1 414 755 8401 or 414 274 1661 | C +1 414 588 4944

margaret.gehring@cbre.com | [LinkedIn](#)

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From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: Proposed ordinance mandating building energy benchmarking and tune ups (Legistar 75280)
Date: Wednesday, January 18, 2023 2:25:56 PM
Attachments: [Letter to EDC 1.18.2023 \(04563971x9D882\).pdf](#)

From: Lisa A. Thomaschek <LThomaschek@axley.com>
Sent: Wednesday, January 18, 2023 12:14 PM
To: EDC <EDC@cityofmadison.com>
Cc: Edward J. Lawton <ELawton@axley.com>
Subject: Proposed ordinance mandating building energy benchmarking and tune ups (Legistar 75280)

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Attached please find a letter sent on behalf of BOMA Wisconsin regarding the above-referenced matter. Thank you. Lisa

Lisa Thomaschek

Legal Assistant

AXLEY ATTORNEYS

2 E. Mifflin St. Ste 200 | Madison, WI 53703

P.O. Box 1767 | Madison, WI 53701-1767

Phone: 608.283.6759 | Fax: 608.257.5444

Email: LThomaschek@axley.com | axley.com

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From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: Smart Growth's Comments re Mandatory Building Energy Benchmarking and Tune Ups Ordinance
Date: Wednesday, January 18, 2023 2:25:32 PM

From: Bill Connors <bill@smartgrowthgreatermadison.com>
Sent: Wednesday, January 18, 2023 12:51 PM
To: EDC <EDC@cityofmadison.com>
Subject: Smart Growth's Comments re Mandatory Building Energy Benchmarking and Tune Ups Ordinance

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Economic Development Committee members:

I will speak with you during the meeting this evening about most of Smart Growth's comments on the proposed mandatory building energy benchmarking and tune ups ordinance (Legistar 75280). However, I will not have time to cover everything, so I am sending you this email as a supplement.

Please be aware the Energy Star reporting tool requires the following data to be included in a report in order for Energy Star to allow the building owner to submit a report. Some of this data must come from the commercial tenants. It is common for a large commercial building to have 10 or more commercial tenants, and many of them will refuse to provide this data to the building owner to report to the city government.

Energy Star Requirements

Data Collected for All Properties

- Property Name
- Property Address
- Total [Gross Floor Area](#) of Property
- [Irrigated Area](#)
- [Year Built/Planned for Construction Completion](#)
- [Occupancy](#)
- Number of Buildings
- 12 consecutive months of energy data

Additional Data Collected for [Office](#)

The following information is **required** to get an ENERGY STAR score ([if eligible](#)):

- [Gross Floor Area](#)
- [Weekly Operating Hours](#)
- [Number of Workers on Main Shift](#)

- [Number of Computers](#)
- [Percent That Can Be Cooled](#)

The proposed ordinance lists building energy standards that will exempt a building from the ordinance. Please be advised that few commercial buildings will qualify for this exemption.

The proposed ordinance lists certifications that someone must have to be able to perform a tune up required by the ordinance. Building owners' in-house staff can perform the tune ups if they have one of these certifications. Please be advised that Smart Growth is not aware of any in-house building operations staff who have any of these certifications. One of Smart Growth's members has diligently searched for training to obtain the least onerous of these certifications and has discovered there currently is no such training available in Wisconsin or the upper Midwest.

Bill Connors
Executive Director
Smart Growth Greater Madison, Inc.
608-228-5995 (mobile)

 www.smartgrowthgreatermadison.com

25 W Main St - 5th Floor, Suite 33
Madison, WI 53703

From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: SSM Health comments on Policy 75280
Date: Wednesday, January 18, 2023 2:24:48 PM
Attachments: [2023.1.18_SSM.Health_CityMSN.EconDevelopmentCommittee_Policy75280_WrittenComments_FINAL.pdf](#)
[image001.png](#)

From: Van Pelt, Benjamin <Benjamin.Vanpelt@ssmhealth.com>
Sent: Wednesday, January 18, 2023 1:36 PM
To: Van Pelt, Benjamin <Benjamin.Vanpelt@ssmhealth.com>
Cc: EDC <EDC@cityofmadison.com>
Subject: SSM Health comments on Policy 75280

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Good Afternoon Members of the City of Madison Economic Development Committee (recipients Bcc'ed),

Prior to your meeting later this evening I wanted to share the brief, attached comments with you on Policy 75280, which is included in your agenda.

We want to apologize, but due to previous commitments I will not be able to participate in tonight's meeting. Please accept these comments in lieu of our attendance.

Thank you,

Ben Van Pelt | Director of Government Affairs
SSM Health - Wisconsin

1808 W. Beltline Hwy, Madison, WI 53713

Cell: 815-474-3973

Office: 608-260-3527

Benjamin.VanPelt@ssmhealth.com

ssmhealth.com



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From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: Support the Building Energy Savings Program
Date: Tuesday, January 17, 2023 11:10:41 AM

From: Eliana Bernat <elianajbernat@gmail.com>
Sent: Thursday, January 12, 2023 8:18 PM
To: EDC <EDC@cityofmadison.com>
Subject: Support the Building Energy Savings Program

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To the Members of the Economic Development Committee:

As a young person concerned about climate change, I write to express my strong support for the proposed Building Energy Savings Program ordinance that you will be reviewing shortly.

Large commercial buildings account for 30% of our community's greenhouse gas emissions. The proposed Building Energy Savings Program ordinance not only will reduce those emissions, but also enable building owners and their tenants to reduce their energy costs - helping to accelerate the action needed for the planet while helping people.

I strongly urge you to approve the Building Energy Savings Program.

Sincerely,
Eliana Bernat
1200 Observatory Dr.

From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: Support the Building Energy Savings Program
Date: Tuesday, January 17, 2023 11:09:29 AM

From: Kelly Kearns <kearns@uwalumni.com>
Sent: Sunday, January 15, 2023 2:53 PM
To: EDC <EDC@cityofmadison.com>
Subject: Support the Building Energy Savings Program

Caution: This email was sent from an external source. Avoid unknown links and attachments.

I am writing to ask you to support the proposed Building Energy Savings Program. Commercial buildings use large amounts of energy and tend to be extremely wasteful. This contributes to CO2 emissions and climate change. Madison needs this program.

Thank you,
Kelly Kearns
1329 Crowley Ave, Madison

From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: URGENT FOR TODAY - Wed. 1/18 - Legistar File 75280 - Madison Economic Development Committee
Date: Wednesday, January 18, 2023 2:23:54 PM
Attachments: [Legistar_75280_Body_As_Introduced.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

From: Susan Johnson <susan.johnson@colliers.com>
Sent: Wednesday, January 18, 2023 1:54 PM
To: EDC <EDC@cityofmadison.com>
Subject: URGENT FOR TODAY - Wed. 1/18 - Legistar File 75280 - Madison Economic Development Committee

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Economic Development Committee members:

As managers of over 14M SF of Wisconsin commercial real estate, Colliers International prides ourselves in being competent and mindful stewards to the properties and the environment. We regularly advise our clients to perform as many energy savings and sustainability-minded projects as feasible on a yearly basis.

On behalf of Colliers International, we are asking to modify the proposed ordinance mandating building energy benchmarking and tune ups (Legistar 75280) to a voluntary program. Even if the new program remains mandatory, please revise it so that it does not require reporting of proprietary information to the city government. The ordinance makes the Madison city government the holder of the reported energy data, which is not appropriate, because once the city government has the data, it can be obtained by anyone through a public records request. This data is proprietary data of the building owners and their commercial tenants and should not be made public record that can be obtained by anyone.

Why must this data be reported to the city government? What is the city government planning to do with this data in the future? We understand the goal of the ordinance was to require the building owners to look at their data, which can be accomplished without reporting to the city government.

In order for the Energy Star reporting tool to work, the building owner must provide information for the entire building, not just parts of it. They also need to provide information such as number of employees working in the building and number of laptops or other computers being used in the building. If data for 50% of the building is missing, the Energy Star reporting tool will not allow the building owner to complete the report.

Many commercial tenants will refuse to provide building owners with their energy bills or number of employees in the building or number of laptops or other computers or the many other items of information that the Energy Star tool requires in order to submit a report. Even if commercial tenants were willing to report the number of employees working in the building, in many cases, the number would be different every day, because so many employees continue to work from home post COVID.

Many stakeholders have raised this issue with the Mayor's office staff repeatedly, and the response received is that the building owner should just enter estimates if accurate data is not available from the commercial tenants. We object to making up estimated numbers to input into the Energy Star tool to complete a report that is of no value because the numbers are false, and to be coerced into doing so by the threat of being fined for failing to report.

When building owners have their HVAC systems checked by outside HVAC maintenance technicians, they ask for advice on how to make the HVAC system as efficient as possible. When boilers or windows or roofs need to be replaced, building owners invest in more energy efficient systems. Building owners are extremely aware of the cost of energy and motivated to reduce energy consumption and costs. A mandatory program is not necessary.

It is unlikely that the recommendations of the tune up specialist will produce much savings because building owners already are motivated to make their buildings as energy efficient as is reasonable without sacrificing the comfort of their tenants.

The cost of the "tune up" is vague because we do not know precisely what a tune up requires. In addition to paying the outside tune up consultant, the building owner will have to pay for weeks of work by its own staff to gather and provide the data required by the tune up specialists. It is unlikely that the tune ups will produce more savings than the total cost of the tune up.

Thank you for your consideration.

Susan Johnson

Director of Real Estate Management Services | Wisconsin

susan.johnson@colliers.com

Direct: +1 414 982 6579 | Mobile: +1 414 377 6144

833 E. Michigan Street | Milwaukee, Wisconsin 53202 | USA



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From: [EDC](#)
To: [Freedman, Andrea](#)
Subject: FW: URGENT* please consider
Date: Wednesday, January 18, 2023 2:23:40 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

From: Emily Erickson <emily.erickson@colliers.com>
Sent: Wednesday, January 18, 2023 2:09 PM
To: EDC <EDC@cityofmadison.com>
Subject: URGENT* please consider

Caution: This email was sent from an external source. Avoid unknown links and attachments.

EDC members,

I urge you to oppose the mandatory benchmarking program and revisit the city's own legislative directive to establish a voluntary program. Businesses are already struggling to recover from a global pandemic and rising interest rates.

Thank you for your consideration,

Emily Erickson

Property Manager | Madison

emily.erickson@colliers.com

Mobile: +1 218 251 6780 | Main & After Hours: +1 414 276 9500

316 W. Washington Ave., Suite 925 | Madison, WI 53703



Public Comment Registrants Report

| Economic Development Committee On 01/18/23 5:00 PM | | | | Representing Organization | | | Lobbying | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|---------|-----------------------------|---------------------------|-------------------------------------------------------------------------------------------------------------|------|----------|-----|
| Agenda Item Registered | Name | Support | Speaking | Y/N | Name(s) | Paid | Duties | Rep |
| AGENDA ITEM: 3 Creating Section 29.40 and amending Section 1.08(3)(a) of the Madison General Ordinances to establish a building energy savings code, and to update the bond schedule accordingly. | | | | | | | | |
| 3 01/17/23 09:45 AM | ERIK KANTER District: 4 634 W Main St #300 Madison WI 53703 | Support | Yes, I want to speak. | Yes | Clean Wisconsin 634 W Main Street, #300 Madison, WI 53703 | Yes | Yes | No |
| 3 01/17/23 11:23 AM | DAVID AGUAYO District: 4 1 S. Pinckney St 330 Madison WI 53703 | Oppose | Yes, I want to speak. | Yes | Greater Madison Chamber of Commerce 1 S. Pinckney Street STE 330 Madison, WI 53703 608-443-1963 | Yes | Yes | Yes |
| 3 01/18/23 10:06 AM | BILL CONNORS District: 4 25 W MAIN ST - 5TH FLOOR SUITE 33 MADISON WI 53703 | Oppose | Yes, I want to speak. | Yes | Smart Growth Greater Madison, 25 W Main St--5th Floor, Suite 33, Madison, WI 53703, 608-228- 5995 | No | Yes | No |
| 3 01/18/23 02:05 PM | SUSAN MILLAR District: 5 2233 Rowley Ave Madison WI 53726-5327 | Support | Yes, I want to speak. | No | | | | |
| 3 01/18/23 02:09 PM | MARY STATZ District: <i>Unknown</i> 600 Highland Ave Madison WI 53792 | Oppose | Yes, I want to speak. | Yes | UW Health, 600 Highland Ave. 608-265-6847 | No | Yes | No |
| 3 01/17/23 06:17 PM | MICHAEL WYRICK District: 15 126 Dunning St Madison WI 53704 | Support | No, I do not want to speak. | No | | | | |
| 3 01/18/23 11:18 AM | MOLLY NOBLE District: 13 2225 west lawn Ave Madison WI 53711 | Support | No, I do not want to speak. | No | | | | |

Public Comment Registrants Report

| Economic Development Committee On 01/18/23 5:00 PM | | | | Representing Organization | | | Lobbying | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|-----------------------------|---------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|------|----------|-----|
| Agenda Item Registered | Name | Support | Speaking | Y/N | Name(s) | Paid | Duties | Rep |
| AGENDA ITEM: 3 Creating Section 29.40 and amending Section 1.08(3)(a) of the Madison General Ordinances to establish a building energy savings code, and to update the bond schedule accordingly. | | | | | | | | |
| 3 01/18/23 04:08 PM | ROBERT PROCTER District: <i>Unknown</i> 6101 Gateway Green Monona WI 53716 | Oppose | No, I do not want to speak. | Yes | REALTORS ASSOCIATION OF SOUTH CENTRAL WISCONSIN 4801 Forest Run Road, Ste 101 Madison, WI 53704 www.RASCW.org P: 608-240-2800 ex 0205 | Yes | Yes | No |
| | | Support: 4 Opposed: 4 Neither: 0 Counts distinct registrants and removes duplicate votes | | | | | | |
| | | Total Registrants: 8 | | | | | | |
| | | Meeting Watchlist: 5 | | | | | | |