



# City of Madison

City of Madison  
Madison, WI 53703  
www.cityofmadison.com

## Master

**File Number: 39376**

<b>File ID:</b> 39376	<b>File Type:</b> Resolution	<b>Status:</b> Items Referred
<b>Version:</b> 1	<b>Reference:</b>	<b>Controlling Body:</b> SUSTAINABLE MADISON COMMITTEE
<b>Lead Referral:</b>	<b>Cost:</b>	<b>File Created Date :</b> 07/20/2015
<b>File Name:</b> Directing the City Engineer to establish a Public/Private Voluntary Benchmarking Program.		<b>Final Action:</b>
<b>Title:</b> Directing the City Engineer to establish a Public/Private Voluntary Benchmarking Program.		

### Notes:

### Code Sections:

**CC Agenda Date:** 07/21/2015

### Indexes:

**Agenda Number:** 1.

**Sponsors:** Matthew J. Phair

**Effective Date:**

### Attachments:

**Enactment Number:**

### Author:

**Hearing Date:**

**Entered by:** mhacker@cityofmadison.com

**Published Date:**

## Approval History

Version	Date	Approver	Action
1	07/21/2015	Craig Franklin	Approve

## History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	07/20/2015	Referred for Introduction				
	<b>Action Text:</b>		This Resolution was Referred for Introduction				
	<b>Notes:</b>		Sustainable Madison Committee				
1	COMMON COUNCIL	07/21/2015	Refer	SUSTAINABLE MADISON COMMITTEE			Pass
	<b>Action Text:</b>		A motion was made by Phair, seconded by Schmidt, to Refer to the SUSTAINABLE MADISON COMMITTEE. The motion passed by voice vote/other.				
	<b>Notes:</b>						

- 1 COMMON COUNCIL 08/04/2015
- 1 SUSTAINABLE MADISON 08/17/2015  
COMMITTEE

**Action Text:** Curt Brink in favor does not want to speak  
Gary Peterson to speak – community planner – very interested in sustainability.  
In 2005, the city adopted the natural step based in Sweden. In Sweden there was many cities working on sustainability but it is voluntary. City of Madison has done a lot of projects to voluntarily. You do these projects because they save money and is good business. Voluntary programs have been proved to work. Please adopted the resolution as a voluntary program. Businesses will see this as a win/win.

Carole Schaefer – Executive Director for Smart Growth Madison. Is here in support of this resolution. The Chamber was named as a partner in this effort. Smart Growth – also wants to work on this as a partner as a voluntary program.

Susan Schmitz – from DMI did not wish to speak, but is here to answer questions.

John Conowall moved passage of the Resolution  
Anya Firszt seconded the motion

Discussion

Matt Phair – I am an Alder that is also on the ad-hoc committee for benchmarking that developed this resolution. Susan Schmitz was our chair. The committee met many times and also formed a working group. Worked with developers and building owners. Also had folks from energy efficiency sectors at the table.

I think voluntary is the way to go now because we want to have the buy-in from the community.

- 1) The ad-hoc committee voted 7-3 in favor. Even folks who voted against were helpful to the discussion.
- 2) The resolution calls for 90% compliance in four years. This is a high bar. The business community and the city will need to work together to get this achieved. Starting with large property owners.
- 3) The Chamber wants a voluntary program. And now the Chamber is willing to help as well as Smart Growth to work on education/training/recruitment component.

It probably isn't what everyone wanted but hopefully this is a start – and if it doesn't work – in four years we will work on a different model that would be more effective. Madison may be the only city that can have a successful voluntary program.

Sophia Rogers – What is the issue with the 4 years?

Raj Shukla – There is nothing that stops anyone from trying to pass a mandatory ordinance sooner but now with this we have the businesses community at the table.

Sophia Rogers – Will the 4 years the right time?

Raj Shukla – In 4 years, you can see the progress.

Matt Phair – The 4 years is to see if this works or not.

Susan Schmitz – Actually, I think we should know if this is working in 3 years. We think we can get it done in four years.

Jeannette LeZaks – there will be reports on an annual basis to that policy makers can see progress.

Matt Phair – This is not in there resolution now but maybe this should be

Sophia Rogers – I move that we amend the resolution to require annual reports and that the reports

will be reviewed by SMC and then sent to council.  
John Conowall – seconded.

Jeannette LeZaks – The report could number of businesses, data that we have received. building type, etc.

Jeanne Hoffman – We also looked at many other cities and what they report.

John Conowall suggested actual language for the resolution.

In the 3rd Therefore be it resolved....

“that would include an annual report on benchmarking goals to be reviewed by Sustainable Madison Committee and present to the Common Council”

(Johanna – this means that we need to create substitute resolution and email it to Ald. Matt Phair to see if he will sponsor it.)

Sam Breidenbach – What is the idea for success stories?

Matt Phair – Use success stories in the community/businesses to inspire others to do it.

Ald. Ahrens – The report is necessary but the % increase of compliance isn't a goal worth tracking. We need 100% or close to it to make this work. When we do not have high participation we don't have progress.

Sophia Rogers – This resolution was developed in a demographic way and I realize that this is not perfect but I want to know the progress.

Jeannette LeZaks – For a program, it is important to have interim reports to see if the program is functional.

David Ahrens – What does the data actually mean? This can mislead where the City is when it comes to GHG emissions.

Sam Breidenbach – Are you suggesting some sort of language talking about how this is not an entire data set and therefore you need to interpret the data carefully, such as a footnote?

Richard Heinemann – What is the 90% measuring?

Raj Shukla – 90% of buildings 25,000-50,000 square feet minimum range are benchmarking.

Richard Heinemann – There are two things that we are measuring participating rates and then was does this data mean – that is two different things.

Jeanne Hoffman – Suggested that the report will come to SMC and that the committee can make sure the report reads correctly before going to Council.

John Conowall – call the question.  
Unanimously approved.

Back to discussion on the main motion

John Conowall – The last paragraph regarding the Chamber is strange because the city can't make the Chamber do anything.

We have the goal of 90% and the annual reports which is good.

Matt Phair – We decided to put it in there to hold the Chamber accountable. If it is not in there – it is just talk. All of the program details need to be worked out. But that this would be done collaborative.

The Chamber wanted the language in the resolution.

Ahrens – I am against this resolution. This committee voted 100% in favor of mandatory ordinance a while ago. There are 15 cities have mandatory programs that went mandatory because voluntary doesn't work. Madison thinks it is better than everyone else, but it is not. This is about climate change and the environment. This is about data and only data – that is the only mandatory element.

Ald. Ahrens – Last time, I believe there was enough votes to pass it. I backed off and now one year later and we have something that is fake. Manus McDevitt an engineer and was on the committee spoke very well about the need for mandatory.

Bradley Campbell – This is an opted-in program with results that could show poor energy users, which some could see as being shamed so the results will be biased data. We are also asking businesses to give up a potential competitive advantage. We will not get to 90% at best you will get to 20%. Period.

Sophia Rogers – We should try to do a voluntary program as that seems better than nothing.

John Conowall – There were 11 votes? Would you introduce a mandatory program?

Ahrens – Yes, but we have new council members so I don't know.

John Conowall – Will the business community actually help?

Matt Phair – I understand that 90% is really high. There has to be a start – and the voluntary is a start. If a mandatory program is suggested there will be push back by the business community.

Richard Heinemann – At any time the city can move to mandatory. So I would encourage – us to vote for this.

Jeanette LeZaks – The committee worked for months and I think through voluntary we will get buy-in for mandatory. A mandatory introduction would take months and we would not get anywhere.

Sam Breidenbach – We would lose stakeholders if we go with mandatory. If the Chamber helps that would be great and then move to mandatory.

Michael Vickerman – If there were the votes, it should have passed. We will need to see progress sooner. The group that wants voluntary is politically strong. We need to take voluntary off the table. It either works or it doesn't and then it moves to mandatory.

Raj Shukla – I do not think a voluntary program will work. Maybe if the business groups say that they want to help – this is worth testing. I am voting for this.

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## Text of Legislative File 39376

### Fiscal Note

No Fiscal Expenditure Required.

### Title

Directing the City Engineer to establish a Public/Private Voluntary Benchmarking Program.

### Body

Whereas, the City of Madison approved "The Madison Sustainability Plan: Fostering, Environmental, Economic and Social Resilience" June 12, 2012 RES-12-00434, and,

Whereas, goal #2 of The Madison Sustainability Plan calls for systematically upgrading existing buildings, equipment and infrastructure, and;

Whereas, the action items under Goal #2 call for the city to work with the private sector to

promote and incentivize upgrading existing commercial and residential building stock to improve energy efficiency, indoor air and building environment quality; including creating policies with incentives and energy performance targets to foster upgrades of existing buildings ultimately reducing energy consumption of 50% by 2030, and;

Whereas, on September 10, 2014 an order for the formation of a Benchmarking Ad Hoc Committee file #35501 was issued under Section 33.01(4)(a) of the Madison General Ordinances appointing 10 members recommended by (then) Council President, Alder Chris Schmidt, and;

Whereas, the Ad Hoc committee began meeting on September 22, 2014 and had three consecutive monthly meetings (that included a meeting where property owners were invited to participate) before agreeing to form a small working group of the Ad Hoc Committee that would include two outside experts on facility management from large property owners, and;

Whereas, the working group was charged with coming back to the Ad Hoc Committee with direction/suggestions based on their detailed discussion, research, and;

Whereas, the working group met three times with open discussion and listening/learning from each other and the experts at the table, and;

Whereas, the working group produced a report that reflected their findings identifying important features of both a mandatory and a voluntary program and sent those to the full Ad Hoc committee on June 1, 2015, and;

Whereas, there was open robust discussion at the full Ad Hoc committee with a 7-3 vote to move forward with a voluntary process for benchmarking that would include education, incentives for energy efficiency upgrades and support from the Greater Madison Chamber of Commerce, and;

Whereas, no comprehensive public assessment is readily available that provides building square footage of all commercial property within the City of Madison.

Therefore be it resolved, that the Ad Hoc Sustainable Benchmarking Committee recommends a City of Madison Voluntary Energy Use Benchmarking Program that when combined with other efforts will work to reduce overall building energy consumption of 50% by 2030 in public and private sector buildings. The Program will include an outreach/education plan, incentives for compliance and upgrades, and a third party private entity that will collect and store the data;

Therefore be it resolved, the Assessor's Office shall produce a report ranking all commercial buildings by total square footage;

Therefore be it resolved, the City Engineer shall develop a voluntary public/private energy benchmarking program by Jan. 1, 2016;

Therefore be it resolved, the energy benchmarking program shall have a goal of 90 percent compliance, by Dec. 31, 2020, of commercial buildings in the city larger than a minimum target that falls between the range of 25,000 sq. ft. to 50,000 sq. ft. with an exact minimum to be determined using the Assessor's Office report.

Be it further resolved, the Greater Madison Chamber of Commerce will support the program

through targeted promotion and education to the business community to meet the program's objectives of reducing energy consumption and related business costs. The city will agree to assist with and develop incentives/resources where necessary.