

From: [David Aguayo](#)
To: [All Alders](#); [Mayor](#)
Subject: Legistar File #75280 - Mandatory Benchmarking and Tune-Up Program
Date: Tuesday, March 7, 2023 2:06:43 PM

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

Mayor Rhodes-Conway and Members of the Common Council:

On behalf of the Greater Madison Chamber of Commerce Board of Directors, we acknowledge and appreciate the work that was put into the substitute ordinance on the proposed mandatory benchmarking and tune-up program. While new clarity was received yesterday on many of the benchmarking aspects, there remains a lot of uncertainty and questions around the mandatory tune-ups.

As a result, unfortunately, we remain opposed to Legistar File #75280.

Our intent from the beginning of discussions on this topic was to support a proposal that was both pro-environment and pro-business. Our organization supports benchmarking as a valuable tool to assess energy performance. We agree with supporters of this program that the information obtained from the process will help businesses make strategic decisions that can improve energy efficiency and operations.

The substitute acknowledges the unresolved questions and encourages public-private partnerships to develop the tune-up workbook and program guidelines after adoption. While appreciated, a true public-private approach would be to do that work first, then proceed with legislative adoption. The inverse does not signal partnership, nor does the sentiment that business owners will only act on energy efficiency improvements if required to by government.

A reasonable solution would be to separate benchmarking and tune-ups and move forward this evening with the policy that is fully transparent and vetted, which are the benchmarking requirements. It is not clear from a policy perspective why the two are combined to begin with. Then, if partnership is truly the goal to get this right, let's move forward with a collaborative dialogue on what a tune-up program can and should look like.

Again, we acknowledge and appreciate the progress made on this issue. We understand that there is a sense of urgency around our shared climate goals. Moving forward, let's not use that urgency as a reason to adopt incomplete policies that carry economic consequences. Let's get this right.

Please do not hesitate to contact me with any questions.

Respectfully,

David Aguayo

Public Policy Manager

Greater Madison Chamber of Commerce

david@madisonbiz.com

608-443-1963 (O)

202-340-8446 (C)

From: [Aulik, Juli A](#)
To: [All Alders](#)
Cc: [Aulik, Juli A](#)
Subject: Proposed Building Energy Savings Code Substitute Amendment at Council March 7, item 66: Comments from UPH-Meriter and UW Health
Date: Monday, March 6, 2023 6:17:04 PM

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

To: Common Council, City of Madison
Mayor, City of Madison
CC: Christie Baumel, Deputy Mayor
Jessica Price PhD, Sustainability and Resilience Manager
From: UW Health and UnityPoint Health-Meriter
Re: Proposed Building Energy Savings Code Substitute Amendment at Council March 7, item 66
Date: March 6, 2023

Thank you for taking up the proposed Building Energy Savings Code substitute amendment. UnityPoint Health-Meriter and UW Health very much appreciate the attention of Economic Development Committee members, Sustainable Madison Committee members, and Christie Baumel and Jessica Price in the mayor's office to concerns and suggestions we shared along with our colleagues at SSM Health.

As a result, we find the changes in the following sections responsive to our concerns and suggestions. Since the substitute indicates the changes and additions, we will not outline them here in detail.

- Intent
- Alternative schedules for large building portfolios
- Alternative compliance pathways
- Tune-up specialists

Our appreciation and gratitude to everyone who collaborated on the substitute amendment and for your responsiveness to our (often unique) concerns and needs in healthcare.

James Harrod, MA, Certified Educational Facilities Professional (CEFP), Director
Maintenance & Engineering Services

UW Health

Mary Statz, MS, Program Director
Energy Management and Sustainability

UW Health

(Will attend Council Meeting and be available for questions)

Juli Aulik, MA, Director

Community Relations

UW Health

(Please use me as contact: jaulik@uwhealth.org)

Tim Ferguson, CHFM

AVP Facilities Development

UnityPoint Health- Meriter

From: [Eliana Bernat](#)
To: [All Alders](#)
Subject: Please approve BESP
Date: Thursday, March 2, 2023 12:52:09 PM

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

Dear Alders:

I am concerned about the negative impacts of climate change in Wisconsin. I write to convey 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.

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

Sincerely,
Eliana Bernat
1200 Observatory Dr
Madison, WI 53706

From: [Bill Connors](#)
To: [Mayor](#); [All Alders](#)
Subject: Smart Growth's Comments re Legistar 75280
Date: Monday, March 6, 2023 8:13:52 PM

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

Mayor Rhodes-Conway and Alders:

Smart Growth appreciates the small changes that have been made in the substitute version of the proposed mandatory building energy benchmarking and tune ups ordinance in the substitute, Legistar 75280, item 66 on your agenda for Tuesday evening. Those changes responded to some of the concerns raised by stakeholders.

Nonetheless, Smart Growth urges you to pause and reevaluate the approach taken in the proposed ordinance.

The proposed ordinance starts with the assumption that the owners of commercial buildings and the businesses that operate in those buildings are not concerned with their energy consumption. That assumption shows a lack of understanding how businesses work.

In addition to wanting to be greener, the owners of commercial buildings and businesses leasing space in commercial buildings are keenly aware of their utility bills. This is not an externality situation like pollution. Building owners and the businesses that lease space in commercial buildings receive a clear price signal about the cost of energy in their monthly utility bills.

Most commercial building owners already track their energy consumption from month to month and year to year and seek to reduce their expenses through energy conservation practices—using tools that work for them. Many already take advantage of the technical assistance and incentives from Focus on Energy. They have switched to LED lighting and installed energy-conserving lighting and heating controls. Whenever boilers, chillers, windows or roofs wear out and need to be replaced, building owners replace them with systems that reduce energy consumption.

We are all aware of how common “remote work” has become since the pandemic. Office buildings in Madison are experiencing 18 percent space availability, and vacancy rates likely will increase as more pre-pandemic long-term leases expire. This might be the worst possible time to impose costly and time-consuming mandates on commercial buildings.

The tool the city has selected for mandatory benchmarking, Energy Star Portfolio Manager, like any other analytic tool, does not produce quality output on which to base decisions if you input inaccurate data into it. Much of the data required by this tool belongs to the businesses operating in the buildings, and many of them will be unwilling to share this data with building owners. The proposed ordinance requires building owners to input all the data into the tool, but they do not have access to much of the data.

Even if the businesses were willing to share this data with the building owners, some days and weeks there are few if any employees in the building, while on other days and weeks many employees are present, which has a substantial impact on energy consumption. Energy Star and city staff suggest inputting pre-pandemic data, but that would make the results useless for making decisions regarding buildings at their current, fluctuating occupancies.

The proposed ordinance will require the staff of building owners to spend many hours inputting estimates in order to receive useless results.

In addition, the Portfolio Manager tool does not account for increased electrical usage from electric vehicle (EV) charging.

Stakeholders have communicated these and other concerns to city staff many times for more than a year. But supporters of the proposed ordinance have forged ahead without any changes to the ordinance's core components. Building owners have sought a more collaborative approach to addressing this issue. But the only response has been to make some

tweaks without opening a discussion about alternatives to the ordinance's core components. Even starting with a pilot project to test the workability and cost effectiveness of the proposed approach would be better than enacting it while so many concerns and unanswered questions remain.

In 2015, the Madison Common Council wisely authorized a voluntary program to encourage commercial building owners to make their buildings more energy efficient, but the city never implemented that program. It is false to say the voluntary approach has failed because the city government never implemented its voluntary program.

In a voluntary program, the city government could, for example, encourage commercial building owners and the businesses that operate in their buildings to use the extremely detailed reports already available from the utility companies and coaching already available from Focus on Energy to reduce their building energy consumption. Building owners who have been made aware of the benefits of these resources have, in fact, used them to substantially reduce their building energy consumption--voluntarily.

There has been no study comparing the energy consumption of buildings using Portfolio Manager for benchmarking to the energy consumption of buildings not using it. Without this comparison, it is impossible to say that benchmarking with Portfolio Manager causes any decrease in energy consumption.

Below is a link to the 2012 document that is the source of the statement that buildings using Energy Star Portfolio Manager happen to experience an average annual decrease in energy consumption of 2.4% over a three-year period.

www.energystar.gov/sites/default/files/buildings/tools/DataTrends_Savings_20121002.pdf

This document indicates the claim of 2.4% annual energy savings is based exclusively on data entered into the Portfolio Manager. In other words, there was no examination of data from buildings that were not using Portfolio Manager to benchmark for comparison. What was the trend in energy usage during the same years in the buildings that were not using Portfolio Manager to benchmark? We don't know.

To confirm this, please see the following statement in the note at the bottom of the second page of the document, which includes, "Portfolio Manager is not a randomly selected sample . . ." Consequently, this data does not demonstrate that benchmarking using Portfolio Manager to benchmark causes any energy savings.

If this ordinance is enacted, no one will be able to know whether any reported decrease in energy consumption was caused by requiring benchmarking using Portfolio Manager, because there will be no comparison to buildings not benchmarking.

The claim by the ordinance's about how much energy savings will result from tune ups compared to the cost of tune ups is based on data mostly from buildings that are far larger than the vast majority of commercial buildings in Madison. Below is a link to the source document.

https://buildingretuning.pnnl.gov/documents/PNNL-SA-156277_Re-tuningMeta-Analysis_2020-09-05.pdf

Page 15 of this document indicates that approximately 16% of the buildings studied were under 100,000 square feet, approximately 19% were 100,000 to 200,000 square feet, and approximately 65% of the buildings were larger than 200,000 square feet. Many of the buildings were 500,000 to 1 million square feet or larger. According to Jessica Price, there are only 13 buildings in Madison that are larger than 250,000 square feet that might be subject to this ordinance.

We don't know whether tune ups of Madison commercial buildings will generate more savings than they will cost.

The cost estimates for tune ups performed by outside consultants do not include the cost of the many hours of building staff time to gather the information the outside consultants will request to perform the tune ups.

Many commercial buildings in Madison already are energy efficient, but most of the energy-

efficient buildings will not qualify for the list of exemptions in the ordinance (even with the longer list in the substitute), because the exemptions require expensive and time-consuming certifications.

Thank you for your consideration.

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: abigail.corso@elevatenp.org
To: [All Alders](#)
Subject: [All Alders] Building Energy Savings Program
Date: Wednesday, February 15, 2023 7:08:55 AM

Recipient: All Alders

Name: Abigail Corso
Address: 821 E. Washington, Madison, WI 53703
Phone: 608-807-1093
Email: abigail.corso@elevatenp.org

Would you like us to contact you? Yes, by email

Message:

NOTE: Address is my business address.

February 15, 2023

Common Council
Economic Development Committee
City of Madison
210 Martin Luther King Jr. Blvd.
Room 417
Madison, WI 53703
Sent via: <https://www.cityofmadison.com/Council/contact/>
Sent via: edc@cityofmadison.com

Re: Building Energy Savings Program

Dear Sirs and Madams:

Elevate is respectfully submitting comments in support of the Building Energy Savings Program. Similar programs are being administered by over 40 cities of various sizes across the United States https://www.imt.org/wp-content/uploads/2022/06/IMT-Benchmarking-Matrix_July-2022.pdf. These cities are leading in our collective work to reduce greenhouse gas emissions and meet climate goals. The City of Madison should be among those cities.

According to Energy Star, energy use in commercial buildings contributes 20% of the nations' greenhouse gas emissions and office buildings, specifically, waste up to one-third of the energy consumed

<https://www.energystar.gov/sites/default/files/buildings/tools/CommercialRealEstate.pdf>. The first step in reducing energy is baselining energy use. As one of the sectors with high energy use, commercial building owners need to lead in this effort. Industry experts such as FMLink, a facility manager information outlet, acknowledge that baselining and energy performance ratings are useful tools for commercial real estate owners "... helping you prioritize

improvements and upgrades, the energy performance rating is also useful in building transactions. Similar to using the miles-per-gallon rating to understand a car's fuel efficiency when making purchasing decisions, you can use the energy performance rating to help you make decisions about buying and selling buildings and leasing space.”

<https://www.fmlink.com/articles/benchmarking-energy-performance-how-does-your-property-compare/> Our commercial building owners in Madison can do this as evidenced by the over 190 commercial real estate partners that are participating in the Better Buildings Challenge and Better Buildings Alliance- many participants own or operate real estate in Wisconsin and Madison- so we know what is possible.

Elevate is a not-for-profit organization with locations throughout the Midwest, including Madison, Wisconsin. We work with both cities and individual building owners to reduce energy use through energy efficiency measures and clean energy technologies as a strategy to control operating costs and, in the case of affordable housing, reduce energy burden for residents. We also administer the City of Chicago benchmarking program. Measuring performance is a common practice that leads to identifying opportunities that reduce energy. For example, in Chicago, 2018-2020 reporting showed a downward trend in energy costs of approximately 118.7 M across the 2,300 properties that reported. Baseline data submitted in the Chicago program is available through a public website without issue. We understand that the Madison program will not be making any data publicly available, and the Portfolio Manager account is controlled by the building owner so public accessibility should not be a concern. Using a well-known and proven tool such as Portfolio Manager to baseline energy use makes good business sense for owners and has the support of industry leaders, such as the BOMA Energy Efficiency Program, for baselining building energy usage.

https://www.energystar.gov/about/content/boma_international_0

Thank you for the opportunity to submit comments. Please feel free to reach out with any questions.

Sincerely,

Abigail Corso
Chief Strategy Officer
abigail.corso@elevatenp.org

Anne McKibbin
Principal Director, Policy
Anne.McKibbin@ElevateNP.org

From: [Sam Dunaiski](#)
To: [All Alders](#)
Subject: Support of City of Madison Building Energy Savings Program
Date: Monday, March 6, 2023 4:50:07 PM
Attachments: [Picture1.png](#)
[BESP Letter of Support - RENEW WI.pdf](#)

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

Dear City of Madison Common Council,

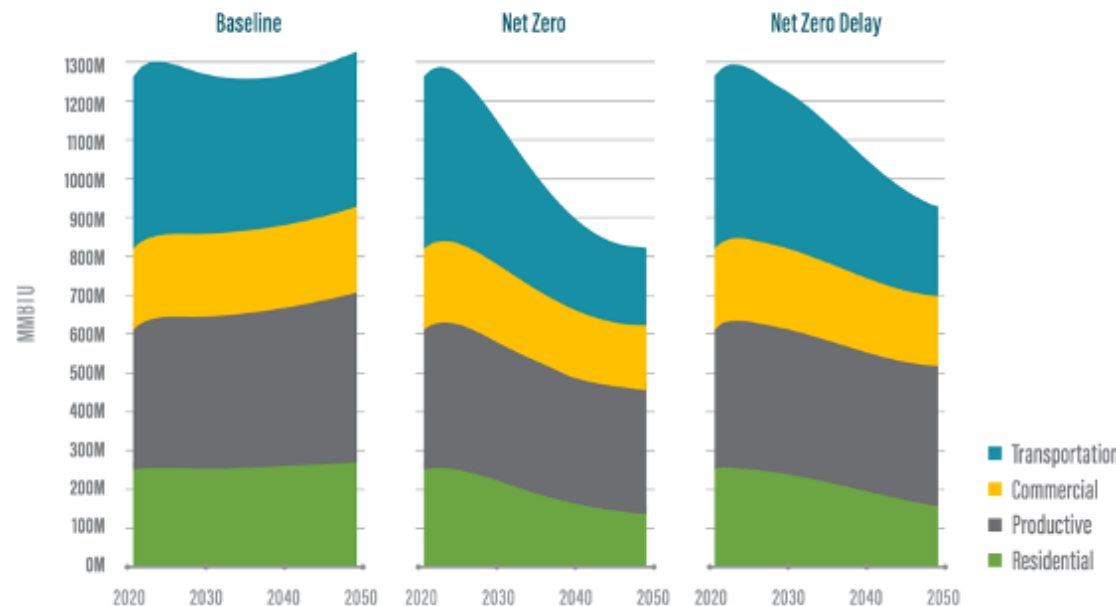
Thank you for the opportunity to provide comments on the City of Madison's proposed Building Energy Savings Program ordinance. On behalf of RENEW Wisconsin, I am writing in support of the Building Energy Savings Program (BESP) ordinance for large commercial buildings. This program can provide objective, reliable information on energy use, inform capital investments in facilities, and lead to lower energy costs and emissions while making buildings more comfortable for local business and their staff.

RENEW Wisconsin is a nonprofit organization that promotes renewable energy in Wisconsin. We work on policies and programs that expand solar power, wind power, renewable fuels, local hydropower, building electrification, clean energy storage, and electric vehicles.

The BESP ordinance supports the City of Madison's community-wide goal of 100% Renewable Energy by 2050, the goals of the State of Wisconsin's Clean Energy Plan, as well as RENEW's own organizational goals. Currently, over 40 municipal and state governments have similar energy efficiency legislation, creating a guidepost for Madison's own energy efficiency initiative. In addition, the Greater Madison Chamber of Commerce's 2021-2022 Emergence Advocacy Agenda recognizes the economic and environmental impacts of climate change. The BESP is a necessary first step to help create a baseline to support our business community's decarbonization goals through incentives and partnerships.

Modeling analysis conducted by RENEW and other stakeholders indicates an economy-wide net-zero scenario is possible in Wisconsin by 2050, with energy efficiency playing a significant role in reducing energy load and curbing carbon emissions.

Final energy consumption by sector



[Wisconsin's Roadmap to Net Zero by 2050](#)

With policies like BESP, Madison can cost-effectively achieve net-zero emissions by 2050, incorporating vital health and economic benefits to our community. We appreciate the City of Madison's leadership on this initiative and hope that through energy benchmarking and tune-ups, our community's private sector can reduce energy, save energy dollars, and mitigate climate change.

Thank you for your consideration RENEW Wisconsin strongly supports the proposed Building Energy Savings Program ordinance for large commercial buildings.

Sincerely,

--

Sam Dunaiski (he/him)
Executive Director
[RENEW Wisconsin](#)
214 North Hamilton Street, Suite 300
Madison, WI 53703
Office: 608-210-1421
Cell: 646-942-1809
sam@renewwisconsin.org



March 6, 2023

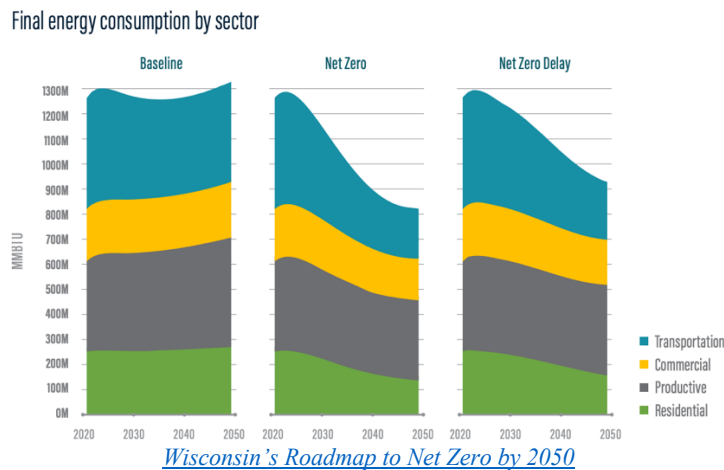
Dear City of Madison Common Council,

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Thank you for your consideration RENEW Wisconsin strongly supports the proposed Building Energy Savings Program ordinance for large commercial buildings.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Dunaiski". The signature is fluid and cursive, with a period at the end.

Sam Dunaiski
Executive Director
RENEW Wisconsin

From: [Emily Erickson](#)
To: [All Alders](#)
Subject: Rethink mandatory energy benchmarking
Date: Thursday, February 2, 2023 11:31:47 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

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Council Members,

I urge you to re-refer the mandatory benchmarking program back to the Madison Economic Development Committee as they requested for more research, study, and input from building owners.

Thank you,

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



From: [Don Ferber](#)
To: [All Alders](#)
Subject: Building Energy Savings Program
Date: Sunday, March 5, 2023 9:32:34 PM

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

Alders,

Madison needs to take effective actions if we are to meet our emission reduction goals to mitigate climate change, and the proposed **Building Energy Savings Program (BESP)** would be a strong step in the right direction. So far, Madison's main efforts have dealt with the 5% of emissions City government itself is creating, with little attention to the 95% arising from the private sector. The building sector is a significant source of those emissions, and one of the most cost-effective ways of dealing with that is through energy efficiency and energy reduction. Adding solar can be another, but both are especially viable now with the added support available through the Inflation Reduction Act.

The proposed **Building Energy Savings Program** would enable businesses in large buildings to better understand their energy consumption and provide good information as to how to reduce it. This proposed program, or in many cases even stronger standards, are becoming a fairly common practice in many other cities, with proven results in not only cutting emissions, but reducing energy requirements and costs. Not only does this make good economic sense for those businesses, but it is consistent with Madison's stated intentions to be a leader in reducing climate change impacts. It would also enhance our image as a progressive community that shows leadership for businesses who might wish to locate here.

The proposed **BESP** has no requirements to take action, but only provides information and support for that enables those actions. It should be common sense that businesses would want to know more about their energy use and options they can take to reduce overhead costs. As businesses that thrive in and benefit from being part of the Madison community, we should expect them to do their part to uphold community standards and values regarding climate change and energy use.

Madison is lagging well behind many other cities in our emissions reductions, and the time to act is now. We respectfully urge you to support the proposed **Building Energy Savings Program**.

Thank you,

Don Ferber
Conservation Chair, Four Lakes Group Sierra Club

From: [Brian Flad](#)
To: [All Alders](#)
Subject: energy benchmarking
Date: Monday, February 6, 2023 1:59:49 PM

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

Council Members,

I urge you to re-refer the mandatory benchmarking program back to the Madison Economic Development Committee as they requested for more research, study, and input from building owners.

Thanks for the consideration,
Brian

Brian Flad

Vice President

Flad Development & Investment Corp.

Direct: 608.443.4365

Cell: 608.577.3620

bflad@flad-development.com



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From: Gehring, Margaret @ Milwaukee AS
To: [All Alders](#)
Subject: Benchmarking Ordinance
Date: Monday, February 27, 2023 9:54:56 AM

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

Dear City of Madison Common Council:

I am writing to you out of concern regarding the City of Madison Mandatory Benchmarking Ordinance. As you know, commercial vacancy has been struggling since the pandemic. Many employees are still working from home and some of this vacancy may be permanent as Tenants do not renew their leases upon expiration. Coupled with the fact that building owners are faced with rising interest rates, as their three-to-five-year adjustable-rate mortgages come due. Commercial building owners could be facing foreclosure, as positive cashflow will not be sufficient under the new higher interest rates.

We are asking the Common Council to reconsider a voluntary program, so that building owners and property managers can work collaboratively with the City of Madison. Rest assured that we both share the same important goal of energy savings. While I do not personally reside in Madison, I oversee Property Management for CBRE in the State of Wisconsin, which includes several Madison commercial office, retail and industrial properties.

We are confident that you will revisit this discussion with area businesses for a more informed building perspective. Surely the current commercial real estate economic forecast suggests a “do no harm” cooperative. Perhaps a voluntary pilot program would serve best for both parties. Thank you in advance for your consideration.

Sincerely,



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: [Stephen Glass](#)
To: [All Alders](#)
Subject: Please approve the proposed Building Energy Savings Program ordinance
Date: Monday, March 6, 2023 9:39:39 AM

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

Dear Alders:

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* (BESP) ordinance will not only reduce those emissions, but also enable building owners and their tenants to reduce their energy costs. It is time our city joined over 40 other cities, counties and states that are successfully using this policy to reduce both emissions and energy bills.

But these benefits, while good for building owners, are small compared to the benefit of helping reduce global warming emissions, which helps protect our precious life-enabling commons. This is **extremely** important; the costs of **not** preserving our commons are unimaginably greater than the costs of preserving them.

Based upon input from policy makers amendments made at EDC, and suggestions from several groups, including UW-Health, SSM Health, UnityPoint Health - Meriter, the Building Operators and Managers Association (BOMA), and others, the City of Madison has made significant changes to the proposed ordinance intended to satisfy those who objected to the original draft.

For example, the ordinance now:

- does NOT require building owners to act on any of the building performance information they report other than to adjust schedules and settings so HVAC equipment functions as intended, and
- does NOT make information about individual building energy performance public, except by explicit building owner permission.

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,

Steve Glass
1306 Seminole Highway
Madison, WI. 53711

From: davidgoeman@northwesternmutual.com
To: [EDC](#); [All Alders](#)
Subject: City of Madison Mandatory Energy Benchmarking & Tune Ups Ordinance
Date: Tuesday, February 14, 2023 4:48:07 PM
Importance: High

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

Dear City EDC and Alder Members,

Please accept my recommendation to adopt a voluntary Energy Benchmarking & Tune Ups Ordinance program like the one approved but not implement back in 2015 rather than a mandatory program of benchmarking and tune ups.

Thank you for hearing my recommendation and please carry this forward to the Common Council.

Dave

David A. Goeman FMP, LEED GA

HVAC Facility Operations Manager -Milwaukee and Franklin

Campus & Event Experiences

720 E Wisconsin Avenue, V03NE Milwaukee, WI 53202

P: 414.665.3736 | C: 262.289.5372

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From: [Bethney Gundersen](#)
To: [All Alders](#)
Subject: Please approve the proposed Building Energy Savings Program ordinance
Date: Friday, March 3, 2023 8:03:28 PM

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

Dear Alders:

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* (BESP) ordinance will not only reduce those emissions, but also enable building owners and their tenants to reduce their energy costs. It is time our city joined over 40 other cities, counties and states that are successfully using this policy to reduce both emissions and energy bills.

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

Bethney Pickhardt
110 Nautilus Dr
Madison, WI 53705

*Don't walk in front of me... I may not follow
Don't walk behind me... I may not lead
Walk beside me... just be my friend*

- *Albert Camus*

From: [Iris Hengst](#)
To: [All Alders](#)
Subject: Please vote for BESP ordinance for Madison
Date: Sunday, March 5, 2023 7:53:59 PM

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

Dear Alders:

I am concerned about the negative impacts of climate change in Wisconsin. I write to convey 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.

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

Sincerely,
Iris Hengst
Maple Bluff

From: [Christopher Houden Jr](#)
To: [All Alders](#)
Date: Wednesday, March 1, 2023 1:49:45 PM

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

Dear City of Madison Common Council:

I am writing to you out of concern regarding the City of Madison Mandatory Benchmarking Ordinance. As you know, commercial vacancy has been struggling since the pandemic. Many employees are still working from home and some of this vacancy may be permanent as Tenants do not renew their leases upon expiration. Coupled with the fact that building owners are faced with rising interest rates, as their three-to-five-year adjustable-rate mortgages come due. Commercial building owners could be facing foreclosure, as positive cashflow will not be sufficient under the new higher interest rates.

We are asking the Common Council to reconsider a voluntary program, so that building owners and property managers can work collaboratively with the City of Madison. Rest assured that we both share the same important goal of energy savings.

To highlight to the council my personal experience with items addressed in this initiative, please see my responses below to questions posed by one of the alderpersons:

1-Have you read the policy? Yes.

2-How many of your buildings are over 25,000 sqft? 5+

3-What measures have your company taken to improve energy savings in your buildings? LED lighting, low flow plumbing systems, Electric charging stations, solar panels, green roof systems.

4-How do you measure and track the savings? A trailing history of utility reporting (P&L) discounted to the escalated utility cost.

5- What year did you implement your company's energy savings policy? Over 15 years ago.

6- Do you reside in the city of Madison? Yes.

Additionally, please know that I personally have devoted time, money and energy in my education to further my committed to my industry, by earning the following coveted industry certifications; such as LEED certifications, which indicates an in-depth understanding of how to define, identify, initiate, complete, and obtain a return on investment for sustainable initiatives within all segments of a building.

Furthermore, my buildings hold designations in LEED Certifications , and are recognized for supporting sustainability and planetary health.

We are confident that you will revisit this discussion with area businesses for a more informed building perspective. Surely the current commercial real estate economic forecast suggests a “do no harm” cooperative. Perhaps a voluntary pilot program would serve best for both parties. Thank you in advance for your consideration.

Best,

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: [Bill Connors](#)
To: [EDC](#)
Cc: [Mayor](#); [All Alders](#)
Subject: IFMA - Madison Chapter's Statement re Mandatory Benchmarking and Tune Ups Ordinance
Date: Wednesday, February 15, 2023 2:52:16 PM
Attachments: [IFMA to Madison Economic Development Committee v2.pdf](#)

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

Members of the Economic Development Committee:

The IFMA (International Facilities Managers Association) - Madison Chapter has authorized me to submit to you the attached document containing their statement regarding the proposed mandatory building energy benchmarking and tune ups ordinance, Legistar 75280.

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

February 15, 2023

Madison Economic Development Committee

Good evening,

The IFMA Madison Chapter (International Facilities Managers Association – Madison Chapter) has been asked for a statement regarding the proposed building energy benchmarking ordinance. Our Chapter does not have an opinion on whether this ordinance should be passed or not.

We do however feel it is our duty to share some of the feedback we have received from our members.

IFMA is a professional organization made up of facilities professionals throughout the world. Our members are the professionals that will be called upon to perform the audits, benchmarking and tune ups contained in the ordinance. We are proponents of efficient facilities and making them all as sustainable as possible.

We have, however, received some concerns and questions regarding the proposed ordinance.

They include:

- The ordinance is vague in its wording. What exactly does it mean by a “tune up”?
- If this is mandatory, and I have more pressing infrastructure items to address with the resources I have how do I receive an exemption?
- I have a concern about the confidentiality of my company, clients, building owners, and tenants. How can we be assured that this information is secure?
- What good is the data if we are estimating?
- How complete can the data be if the State, surrounding cities and University are not participating?
- If I have one facility in Madison and another in a surrounding community. Do I apply a different standard to both or does the Madison ordinance rule there also?
- What if the city does not like the auditor I chose? How does the city decide if an auditor is qualified? What is the certification process?
- Does the city have grants to assist in retrofitting buildings or will they assist with grant writers to obtain any State or Federal funds available? How is this administered?

Thank you for allowing us a forum to pose our questions about the ordinance. We look forward to clarity on how the city would ask us to implement this program.

Sincerely IFMA Madison

From: [Julia Isaacs](#)
To: [All Alders](#)
Subject: Building Energy Savings Program
Date: Tuesday, February 28, 2023 10:19:05 AM

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

Dear Alders,

I am excited to know that Madison could be in the forefront of reducing Greenhouse emissions by passing the proposed ***Building Energy Savings Program (BESP) ordinance for large commercial buildings***.

From my reading of the science, climate change is one of the gravest threats to our human culture here on planet earth. Thus I support reducing carbon missions here in Madison. I also am working to reduce my own climate footprint, and to encourage action at the local, state, national and global level.

My understanding is that the upfront costs will be offset by energy savings, resulting in positive financial outcomes for building owners and tenants.

Thank you for taking action to reduce greenhouse emissions and the growing impacts of climate change in Wisconsin while also saving money. **Please approve this project!**

Sincerely,
Julia Isaacs
2709 Oakridge Avenue
Madison, WI 53704

From: [Bruce Jamison](#)
To: [All Alders](#)
Subject: BESP Agenda Item #66 Tuesday
Date: Monday, March 6, 2023 12:05:39 PM

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

Hi,

BESP requires non residential owners of buildings of 25,000 square feet or larger to do a simple energy use report once per year, and have a free energy use assessment (“tune-up”) every 4 years. It is not an onerous burden on business of any size. Measuring the thing we want to change is the first and critical step to take. Please support the Building Energy Savings Program.

Sincerely,

Bruce Jamison
916 Magdeline Dr.
Madison, WI 53704

Congressional Liaison and Co Chair
Citizens Climate Lobby
Madison, WI Chapter
Mobile: 608 209 4046

Worried about Climate Change? Me too. Join me.

<https://citizensclimatelobby.org/>

Learn more. Join our weekly Wednesday night introductory call, 7PM Central time.

[Register for the call](#)

From: [Susan Johnson](#)
To: [All Alders](#)
Subject: Legistar 75280 - Urge to Re-Refer on 2/7/23
Date: Wednesday, February 1, 2023 11:46:58 AM
Attachments: [image011.png](#)
[image012.png](#)
[image013.png](#)
[image014.png](#)
[image015.png](#)

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

Dear Common Council Members-

On behalf of Colliers Wisconsin and the over 15M square feet we manage in the State of Wisconsin, I urge you to re-refer the mandatory benchmarking program back to the Madison Economic Development Committee as they requested for more research, study, and input from building owners. More input on the proposed ordinance, mandating building energy benchmarking and tune ups (Legistar 75280) should be explored to implement 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

Susan Johnson, CPM, RPA

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: [Kelly Kearns](#)
To: [All Alders](#)
Subject: support for the building energy savings program ordinance
Date: Monday, March 6, 2023 11:00:41 AM

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

Dear Alders:

Please approve the proposed ordinance *Building Energy Savings Program*.

Large commercial buildings account for 30% of our community's greenhouse gas emissions. The proposed *Building Energy Savings Program* (BESP) ordinance will not only reduce those emissions, but also enable building owners and their tenants to reduce their energy costs. It is time our city joined over 40 other cities, counties and states that are successfully using this policy to reduce both emissions and energy bills.

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

Kelly Kearns
1329 Crowley Ave.
Madison, WI 53704

From: [Sydney](#)
To: [All Alders](#)
Subject: BESP
Date: Saturday, March 4, 2023 2:57:42 PM

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

Hello,

My name is Sydney and I am a undergraduate student in Madison. I just would like to say that I think that the BESP is an essential step in the road to sustainability in Madison. I feel this ordinance is a move in the right direction in reducing greenhouse gas emissions in madison. The BESP has my full support.

Thank you

--

Sydney Kerstein
she/they
Environmental Science Major, Edgewood College
sydneyk3377@gmail.com
(262) 899-5983

From: [Sherry King](#)
To: [All Alders](#)
Subject: Madison Energy Benchmarking
Date: Wednesday, February 1, 2023 4:56:14 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

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

Dear Common Council members:

I urge you to re-refer the mandatory benchmarking program back to the Madison Economic Development Committee as they requested for more research, study, and input from building owners. More input on the proposed ordinance, mandating building energy benchmarking and tune ups (Legistar 75280) should be explored to implement 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.

Sherry King

General Manager | Wisconsin

Sherry.king@colliers.com

Direct: +1 414 270 4054 | Main: +1 414 347 6900

Mobile: +1 414 588 6446

330 E. Kilbourn Avenue, Suite 110 | Milwaukee, WI 53202





From: [Janice Knapp-Cordes](#)
To: [All Alders](#)
Subject: Building Energy Savings Program
Date: Tuesday, February 28, 2023 8:55:43 PM

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

Dear Alders,

Climate change has been a concern of mine for over twenty years. I am concerned about the negative impacts of climate change in Wisconsin. **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. While this ordinance does not *require* commercial buildings to make changes based on data collected, research shows that simply tracking usage data leads to reductions in energy use. If data shows that a business could save money, why would they not implement changes!

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.

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

Sincerely,

Janice Knapp-Cordes

--

Janice Knapp-Cordes she, her, hers
[615 W. Main Street #210](#)
[Madison, WI 53703](#)
[608.630.9088](#)
[cell: 608.977.1867](#)

From: [Jacqueline Komada](#)
To: [All Alders](#)
Subject: Building Energy Savings Program
Date: Friday, March 3, 2023 6:49:25 AM

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

To the Members of Madison Common Council,

I am writing 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,
Jacqueline Komada
644 Poplar Way, Verona, WI, 53593

From: [Kuntz, Kathryn](#)
To: [All Alders](#)
Subject: Building Energy Savings Program
Date: Thursday, March 2, 2023 3:20:33 PM
Attachments: [image003.png](#)

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

City of Madison Alders:

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 worked with a diverse group of public and private stakeholders to create the County's 2020 [Climate Action Plan](#) and we are 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 because benchmarking helps us manage our energy costs. When we spend less money on energy, we can instead use those public funds for important county services.

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 countywide climate goals as well as the City's own climate goals.

Thank you,

Kathy Kuntz, CC-P | Director

Dane County Office of Energy & Climate Change

Kuntz.kathryn@countyofdane.com | 608.283.1477

I've a hybrid work location so call my cell 608.772.5452

She/her/hers

Visit our website – www.DaneClimateAction.org



Sent Securely via TLS from County of Dane by
Proofpoint

February 6, 2023

Sent via email:
Allalders@cityofmadison.com

City of Madison Common Council

Dear Common Council members:

I am a member of the Board of Directors of the Building Owners and Managers Association – Wisconsin Chapter (“BOMA Wisconsin”). BOMA Wisconsin was founded in 1937 and represents owners and managers of all commercial property types, including nearly 25 million square feet of Wisconsin office space.

BOMA Wisconsin members are building owners, managers, developers, leasing professionals, corporate facility managers, asset managers, and the providers of the products and services needed to operate commercial properties. BOMA Wisconsin is a chapter of BOMA International, which consists of a federation of 93 BOMA U.S. associations, BOMA Canada and its 11 regional associations and 13 BOMA international affiliates.

On behalf of BOMA Wisconsin I request that the proposed ordinance mandating building energy benchmarking and tune ups (Legistar 75280) (“Proposed Ordinance”) be changed to a voluntary program. The Proposed Ordinance will create an enormous burden on commercial property owners and managers entirely out of proportion to any benefits that might be achieved from this Proposed Ordinance. We have been in discussions with other local real estate organizations including IREM Madison and IREM Milwaukee, they also oppose the Proposed Ordinance.

In addition, the Proposed Ordinance violates Wis. Stat. § 66.0104(2)(d), which expressly prohibits municipalities from requiring communication of this type of information.

It is disappointing that this Proposed Ordinance would be drafted and brought forward without thorough review and discussions with BOMA Wisconsin first as its members are some of the foremost experts as to the practical elements of building operations and efficiency.

The Proposed Ordinance makes the City the holder of the reported energy data. This means valuable proprietary data can be obtained by anyone through an open records request. This is proprietary data of the building owners and their commercial tenants and should not be made a public record that can be obtained by anyone. If this data is publicly available it can easily be used by competitors including competitors who are not located within the City and are not subject to this type of ordinance. The City

will be putting those who choose to invest in the City at a competitive disadvantage. This will not promote infill development.

The Proposed Ordinance imposes upfront costs and ongoing fees. There is a lack of definition of a tune up that exposes building owners to unknown annual costs. There is also an overly restrictive definition of tune up specialist. The Proposed Ordinance creates an adversarial relationship rather than a cooperative approach. We believe a carefully tailored voluntary approach where any data disclosed is protected would offer better results. The common council previously supported and directed a cooperative approach. Also the Proposed Ordinance is a heavy handed one size fits all top down measure that offers the building owners nothing in return for participating in this expensive and time consuming administrative exercise. It also eats up human and economic capital in a one size fits all approach which reduces the space for the organic development of different approaches to these issues through the natural process of trial and error and experimentation.

Building owners and tenants already have an incentive to control energy costs and actively work to analyze and control these costs. It is the owners and tenants that are paying these costs so they naturally work in an organic natural manner to address them. Methods to reduce and control energy costs is a major topic in the real estate development, ownership, management, and occupancy communities. It is on the agenda at conventions and educational groups. HVAC and other vendors and service providers focus on these issues in selling their products.

It is unclear to us how the proposed ordinance will further advance the goal of energy efficiency in light of these incentives. Rather, it places an administrative burden on owners and managers and requires disclosure of competitive information.

In addition there are practical problems with the reporting requirements. It will be difficult for owners to collect the information from tenants so the accuracy of the data may be limited. Lack of data may put owners in a catch-22 where it is impossible to comply with the Proposed Ordinance. In addition there are well known issues with the Energy Star reporting tool's functionality.

Please change the Proposed Ordinance to a voluntary program. Please also consider how the City can partner with owners and managers in a voluntary program that will actually offer benefits to participants.

Thank you for your consideration.

Sincerely,

AXLEY BRYNELSON, LLP



Edward J. Lawton
EJL/lt

From: [Theresa Lehman](#)
To: [All Alders](#)
Subject: Madison's Proposed Building Energy Savings Program (BESP)
Date: Thursday, March 2, 2023 2:23:36 PM

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

Dear Members of the Madison Common Council,

I am the director of sustainable services for Miron Construction Co., Inc. Our downtown Madison office located is located inside of the Gebhardt building at 811 E. Washington Ave., Suite 600.

[Miron Construction Co., Inc.](#), is one of the nation's premier construction firms and industry leaders, ranking 68th among the "Top 400 Contractors in the United States", 97th among the "Top 100 Green Building Contractors in the United States", and 190th among the "Top 250 Global Contractors" by *Engineering News Record (ENR)* (based on annual revenue). We employ over 1,600 people, contributing heavily to Wisconsin's economy. Miron's "Building Green" mission is, "To lead by example to demonstrate the benefits of the triple bottom line: people, planet and payback through education, corporate culture and practical construction solutions." Sustainability is an integral part of our corporate culture. To demonstrate our commitment to environmental stewardship, we have launched corporate-wide sustainability initiatives that have been integrated into our business practices and construction operations, which are aimed at expanding our teams' green knowledge and capabilities, sharing best practices with our partners and extending sustainable leadership to our clients. Our LEED Gold corporate office in Neenah and our LEED Silver regional office in Cedar Rapids are heated and cooled with geothermal systems. Our regional offices, including our downtown Madison, Milwaukee, and Green Bay office build-outs are all pursuing LEED certification.

While we understand that buildings can impact the environment, and specifically, large commercial buildings in Madison account for 30% of Madison's greenhouse gas emissions, this also means that there is an opportunity to make a difference and minimize those impacts, therefore, it is critical that Madison enact policies that address this sector's emissions if it is to meet its climate goals. **I am writing comments for the record in strong support of the proposed Building Energy Savings Program (BESP).**

Benchmarking and tune-up policies are some of the most cost-effective ways to do so: [research shows](#) that merely tracking usage leads to reductions in energy use. That's because the information gleaned from benchmarking helps building owners and managers make more informed decisions about building operations and actions to save energy and money. It is important to understand that benchmarking does not require a building to meet a prescribed level of energy use.

Moreover, building tune-up policies provide building owners with action-oriented recommendations to reduce energy consumption. Similar to that of a car, a regular building tune up helps it operate as efficiently as possible. These periodic assessments empower building owners and operators with the information needed to make low- and no-cost energy upgrades and changes to operational practices to save energy.

And, the program is designed to ensure that affected buildings owners and managers are not stranded: The program will provide the training, support, and information that building owners need to benchmark and tune up as well as take the next steps to turn building efficiency knowledge into action. This is good governance.

In sum, this program would reduce Madison's local emissions, and help business owners achieve cost savings – meaning more money to invest in their businesses, rather than on energy.

Additionally, Madison would join 40+ states, counties, and cities that have enacted similar ordinances.

I respectfully urge you to vote to enact the Building Energy Savings Program during the March 7 hearing. If you have any questions, or wish to discuss this further, please feel free to reach out to me at 920.969.7314 or theresa.lehman@miron-construction.com.

Respectfully,

Theresa Lehman, LEED Fellow, LEED AP BD+C, ID+C, WELL AP, Fitwel Ambassador
Director, Sustainable Services

theresa.lehman@miron-construction.com

Miron Construction Co., Inc.

PH 920.969.7314 | FX 920.969.7393

1471 McMahon Drive | Neenah, WI 54956

MIRON-CONSTRUCTION.COM



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From: [Bill Levy](#)
To: [All Alders](#)
Subject: please read from a voter with a large base
Date: Wednesday, February 15, 2023 7:53:15 AM

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

The Common Council, in the consent agenda, granted the recommendation of the Economic Development Committee (EDC) to re-refer the proposed ordinance back to the EDC. The EDC will take up the proposed ordinance again on Wednesday, February 15th.

Please! Adopt a voluntary program like the one they approved but did not implement back in 2015 rather than a mandatory program of benchmarking and tune ups.

Remember to let them know that building owners and managers already voluntarily benchmark and are always looking for ways to save energy and energy costs, and pass those savings along to the tenants. We encourage them to contact the local associations who already have designed building benchmark programs; such as BOMA-WI, IREM Milwaukee, IREM Madison, and IFMA for additional information.

From: [Jeannette LeZaks](#)
To: [All Alders](#)
Subject: Support for Building Energy Savings Code - Item 75280
Date: Tuesday, March 7, 2023 12:49:10 PM

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

Hello Madison Alders,

The Building Energy Savings Code is an effective policy tool to help Madison building owners save money by understanding their energy bills and taking simple and cost-effective actions. More than 35 jurisdictions have passed benchmarking or tune-up policies, and they have successfully helped building owners save money and meet climate goals. City of Madison staff did their due diligence in the creation of this policy by engaging over 80 individuals from over 35 organizations to provide the foundation for a well-thought out policy, focused around collaboration and impact.

Nine years ago, Madison had the opportunity to demonstrate leadership through a similar policy. For a variety of reasons, that policy did not move forward, and now we are playing catch up. We have the chance to demonstrate our leadership again, and I hope that you all will vote to approve this effort.

Jeannette LeZaks
2239 Commonwealth Ave, Madison, WI
Current Member of the Sustainable Madison Committee
Former member of the 2014/2015 Ad Hoc Committee on Benchmarking

From: [Cathy Loeb](#)
To: [All Alders](#)
Subject: Please approve the proposed Building Energy Savings Program ordinance
Date: Sunday, March 5, 2023 3:47:17 PM

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

Dear Alders:

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 will not only reduce those emissions, but also enable building owners and their tenants to reduce their energy costs. It is time our city joined more than 40 other cities, counties, and states that are successfully using this policy to reduce both emissions and energy bills.

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

Sincerely,

Cathy Loeb
2145 Linden Ave.
Madison

From: [Jennie Macaluso](#)
To: [All Alders](#)
Subject: City of Madison (Legistar 75280) - Energy Benchmarking Proposed Ordinance
Date: Wednesday, February 1, 2023 5:01:16 PM

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

Dear Common Council members:

I urge you to re-refer the mandatory benchmarking program back to the Madison Economic Development Committee as they requested for more research, study, and input from building owners. Additional input on the proposed ordinance, mandating building energy benchmarking and tune ups (Legistar 75280) should be explored to implement a voluntary program.

Jennie Macaluso

BOMA WI, IREM Milwaukee & IREM Madison

11801 W. Silver Spring Drive, Suite 200

Milwaukee, WI 53225

414-755-3356

From: [Jennie Macaluso](#)
To: [EDC](#); [All Alders](#)
Subject: Please Oppose the Proposed City of Madison Mandatory Energy Benchmarking & Tune Ups Ordinance
Date: Tuesday, February 14, 2023 3:40:40 PM

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

All, This is so important to the tenants and building owners/managers of the City of Madison. We urge the opposition of the proposed City of Madison Mandatory Energy Benchmarking & Tune Ups Ordinance. We would encourage adopting a voluntary program like the one approved but not implemented back in 2015. We would also like to state that building owners and managers already voluntarily benchmark and are always looking for ways to save energy and energy costs and pass those savings along to the tenants. Please contact the local associations who already have designed building benchmark programs, such as BOMA-WI, IREM Milwaukee and IREM Madison for additional information. Thank you.

Jennie Macaluso

BOMA-WI, IREM Madison, IREM Milwaukee

From: [Susan Millar](#)
To: [All Alders](#); [EDC](#)
Cc: [Stephen Glass](#); [Susan Millar](#); [Alison Mix](#); [Rachel Robillard](#); [Nathan Spencer](#); [Keith Fuller](#)
Subject: Please read - Concerns and FAQs re the proposed Building Energy Savings Program ordinance
Date: Monday, February 13, 2023 11:41:39 AM

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

Members of the City of Madison's Common Council and Economic Development Committee,

Request: With this message, we convey our "[Concerns and FAQs about the City of Madison's proposed Building Energy Savings Program \(BESP\) ordinance](#)" document, which summarizes a lot of material, and is designed to be read in less than 10 minutes. We ask:

- Members of the Economic Development Committee to read this document prior to your February 15 (5PM) meeting, and
- Alders to read it prior to your March 7 Common Council meeting.

Context: We are thankful for your service to our city and also aware that you have limited time to learn the details of the many proposed ordinances and other matters that require your deliberation. To that end, we compiled this [Concerns and FAQs](#) document to help you:

1. Learn about concerns that members of the business community have expressed about the proposed Building Energy Savings Program (BESP) ordinance, and
2. Understand the basic elements of the proposed BESP.

Respectfully,
Volunteers of the Madison Climate Working Group, of [350 Wisconsin](#)

From: [Susan Millar](#)
To: [All Alders](#)
Subject: Vote YES on the Building Energy Savings Program ordinance
Date: Saturday, March 4, 2023 2:31:31 PM

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

Madison City Alders,

As the City's Sustainability Manager, Jessica Price, makes very clear in revisions made in response to hundreds of interactions with building owners, the proposed Building Energy Savings ordinance

- does NOT require building owners to act on any of the building performance information they report other than to adjust schedules and settings so HVAC equipment functions as intended, and
- does NOT make information about individual building energy performance public, except by explicit building owner permission.

The financial costs of meeting the ordinance requirements are tiny compared to the financial benefits because, as building owners who are already benchmarking and doing tune-ups know, measuring results in low-cost fixing. And fixing results in lower energy bills, clean & comfortable building air, and greater ease of renting space to clients and selling their building.

But these benefits, while good for building owners, are small compared to the benefit of helping reduce global warming emissions, which helps protect our precious life-enabling commons. This is **extremely** important; the costs of **not** preserving our commons are unimaginably greater than the costs of preserving them.

So I end asking you to support this "**You can't fix what you don't measure and everyone benefits**" ordinance.

Susan Millar, Co-lead, 350 Wisconsin's Community Climate Solutions Team

I was born when CO2 PPM was 310.5.

When my youngest grandchild was born, PPM was 400.0 (2015)

At current rates, when he is 20, PPM will be 430. (See the [data provided by climate.gov.](#))

From: lynetteam103@gmail.com
To: [All Alders](#)
Subject: [All Alders] Benchmarking buildings in Madison
Date: Thursday, February 9, 2023 10:46:50 AM

Recipient: All Alders

Name: Lynette A Miller

Address: 1808 Van Hise Avenue, Madison WI, MADISON, WI, wi 53726

Email: lynetteam103@gmail.com

Would you like us to contact you? Yes, by email

Message:

Dear Madison Alders,

I ask you to vote to require large buildings in Madison to have professional benchmarking assessments for their energy use. Buildings that assess and work to reduce their energy use can save 12 % on emissions and will have payback in 2-3 years.

Building Energy Savings Programs cost saving strategies can reduce carbon pollution and save business owners money on their energy bill.

It is time to take global warming seriously. Making our buildings energy efficient and reducing their effect on the environment is an important part of making Madison a place of clean energy and reducing the dangerous effects of global warming on our planet that we see in the news daily.

My church, First Baptist, has been taking steps to reduce our energy footprint over the last few years and has done benchmarking. We have had an energy audit and will work to continue to work toward care for our planet as well as lower our energy bills.

Thank you for caring for our planet by moving toward making Madison a 100% carbon free city.

Sincerely, Lynette Miller

From: [Lynette Miller](#)
To: [All Alders](#)
Subject: Agenda Item 66 BESP
Date: Tuesday, March 7, 2023 10:17:44 AM

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

Dear Madison Alders, I am concerned about Global warming. Buildings are one of the major causes of warming and I am fully in favor of our city implementing the BESP Building Energy Savings Program. I support the changes made at the EDC meeting and by John Stolzenberg. Sincerely, Lynette Miller, 1808 Van Hise Ave, Madison, WI 53726

From: [Konrad C Opitz CPM CCIM](#)
To: [All Alders](#)
Subject: Request to refer Mandatory benchmarking
Date: Thursday, February 2, 2023 3:16:44 PM

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

Dear Alders, I ask that you refer the mandatory benchmarking program back to the Madison Economic Development Committee as they have requested for more research , study and input from building owners. The current version is flawed and will no achieve the goals that are hoped for. Thank you for your time and consideration. - Konrad Opitz of Opitz Management Inc.

Konrad C. Opitz, CPM, CCIM
OPITZ REALTY, INC.
502 N. Eau Claire Avenue
Madison WI 53705
608/257-0111 ext. 107
608/273-8504 (fax #)
kc@opitzrealty.com

From: [Kathryn Pensack](#)
To: [All Alders](#)
Subject: Please approve the proposed Building Energy Savings Program ordinance
Date: Wednesday, March 1, 2023 9:03:41 AM

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

Dear Alders,

The Building Energy Savings Program is one good step toward reducing CO2 emissions in Madison. Reducing CO2 is vital.

Please make this important decision to vote in favor of the Building Energy Savings Program.

Thanks!

Kathryn Pensack
Voting resident of
District 6

From: heather_sda@yahoo.com
To: [All Alders](#)
Subject: [All Alders] Building Energy Savings Program
Date: Wednesday, February 8, 2023 10:32:04 PM

Recipient: All Alders

Name: Heather Phelps
Address: 355 5th St., Prairie du Sac, WI 53578
Phone: 608-373-4752
Email: heather_sda@yahoo.com

Would you like us to contact you? No, do not contact me

Message:

I am entirely in favor of the BEBP. Benchmarking and tune-ups are the least we ought to expect from buildings in Madison. While I am no longer a Madison resident myself, I know that Madison can be an example around the state of the benefits - and necessity! - of making sure all our buildings are as energy efficient as possible. Please don't let a few upset people discourage you from approving the BEBP when so many more of us know that this is the right path forward.

From: [Mary Reames](#)
To: [All Alders](#)
Subject: Building Energy Savings Program
Date: Monday, March 6, 2023 5:53:19 PM

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

Dear Members of the Madison Common Council,

I am a resident of the City of Madison. I am writing comments for the record in strong support of the proposed Building Energy Savings Program (BESP).

Large commercial buildings account for 30% of Madison's greenhouse gas emissions; therefore, it is critical that Madison enact policies that address this sector's emissions if it is to meet its climate goals. Benchmarking and tune-up policies are some of the most cost-effective ways to do so: [research shows](#) that merely tracking usage leads to reductions in energy use. That's because the information gleaned from benchmarking helps building owners and managers make more informed decisions about building operations and actions to save energy and money. It is important to understand that benchmarking does not require a building to meet a prescribed level of energy use.

Moreover, building tune-up policies provide building owners with action-oriented recommendations to reduce energy consumption. Similar to that of a car, a regular building tune up helps it operate as efficiently as possible. These periodic assessments empower building owners and operators with the information needed to make low- and no-cost energy upgrades and changes to operational practices to save energy.

And, the program is designed to ensure that affected buildings owners and managers are not stranded: The program will provide the training, support, and information that building owners need to benchmark and tune up as well as take the next steps to turn building efficiency knowledge into action. This is good governance.

*In sum, this program would reduce Madison's local emissions, and help business owners achieve cost savings – meaning more money to invest in their businesses, rather than on energy. Additionally, Madison would join 40+ states, counties, and cities that have enacted similar ordinances. **I respectfully urge you to vote to enact the Building Energy Savings Program during the March 7 hearing.***

Sincerely,

Mary L. Reames
4121 Meyer Avenue
Madison, WI 53711

From: [Chris Richards](#)
To: [All Alders](#)
Subject: City of Madison Mandatory Benchmarking Ordinance
Date: Thursday, February 23, 2023 1:44:26 PM

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

Dear City of Madison Common Council:

I am writing to you out of concern regarding the City of Madison Mandatory Benchmarking Ordinance. As you know, commercial vacancy has been struggling since the pandemic. Many employees are still working from home and some of this vacancy may be permanent as Tenants do not renew their leases upon expiration. Coupled with the fact that building owners are faced with rising interest rates, as their three-to-five-year adjustable-rate mortgages come due. Commercial building owners could be facing foreclosure, as positive cashflow will not be sufficient under the new higher interest rates.

We are asking the Common Council to reconsider a voluntary program, so that building owners and property managers can work collaboratively with the City of Madison. Rest assured that we both share the same important goal of energy savings.

We are confident that you will revisit this discussion with area businesses for a more informed building perspective. Surely the current commercial real estate economic forecast suggests a “do no harm” cooperative. Perhaps a voluntary pilot program would serve best for both parties. Thank you in advance for your consideration.

Sincerely,

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
Madison, WI 53703 | United States
www.colliers.com

From: [Barb Ryan](#)
To: [All Alders](#)
Subject: Please support the building energy savings program
Date: Tuesday, February 28, 2023 10:03:48 AM

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

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* (BESP) ordinance will not only reduce those emissions, but also enable building owners and their tenants to reduce their energy costs. It is time our city joined over 40 other cities, counties and states that are successfully using this policy to reduce both emissions and energy bills.

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

Barb Ryan

From: [Kate Sandretto](#)
To: [All Alders](#)
Subject: Madison's Building Energy Savings Program Ordinance
Date: Monday, March 6, 2023 9:13:55 AM

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

Dear Madison Alders,

As a Madison resident, **I hope you will all support the upcoming Building Energy Savings Program Ordinance!** As we all work to reduce climate change, buildings should be a major focus since they are responsible for about a third of carbon emissions in the United States.

In addition to helping us keep our climate livable, the BESP Ordinance should also save money for commercial building owners, as this ordinance seeks to help commercial building owners find the cheapest, easiest ways to reduce energy usage.

Thank you in advance for your support of this vital ordinance!

Kate Sandretto
2130 E Dayton St
Madison, WI 53704

From: [Bill Connors](#)
To: [EDC](#)
Cc: [Mayor](#); [All Alders](#)
Subject: Smart Growth's Comments re Mandatory Benchmarking and Tune Ups Ordinance
Date: Wednesday, February 15, 2023 9:57:13 AM
Attachments: [SGGM Comments re Mandatory Benchmarking and Tune Ups Ordinance v3.pdf](#)

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

Members of the Economic Development Committee:

I have attached a document providing the comments of Smart Growth Greater Madison regarding the proposed mandatory building energy benchmarking and tune ups ordinance (Legistar 75280), which is on your agenda for this evening's meeting. I also will testify to you this evening, but since I will have only three minutes to speak, I will only be able to mention a few of the points in this document.

Smart Growth urges you to recommend to the Common Council that it pause the proposed ordinance so it can be reevaluated, in other words, to place the proposed ordinance on file without prejudice. The proposed ordinance is not workable and clearly is not ready for enactment.

A pause would allow one of the following actions to take place. Smart Growth recommends action 1 the most, then number 2, then number 3.

1. Commit city resources to implementing the voluntary program that the Common Council authorized in 2015, OR
2. Engage in a truly collaborative process with stakeholders to design a new city program to address this issue (this has not happened), OR
3. Draft a new proposed ordinance for a pilot project for mandatory building energy benchmarking and tune ups with a limited number of buildings (Smart Growth will recruit volunteers to participate) to test the workability and outcomes of this concept before rolling it out city-wide.

Thank you for your consideration.

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



25 W Main St—5th Floor, Suite 33
Madison, WI 53703
www.smartgrowthgreatermadison.com
bill@smartgrowthgreatermadison.com

February 15, 2023

Smart Growth Greater Madison is a membership organization that represents developers, building owners, building managers, architects, engineers, real estate brokers, commercial bankers, environmental consultants and many others. As a group, we are extremely concerned with the proposed mandatory building energy benchmarking and tune ups ordinance (Legistar 75280).

Stakeholders have communicated concerns about the basic outline of the proposed ordinance to city staff many times for more than a year. But supporters of the proposed ordinance have forged ahead without any changes to the ordinance's core components.

We request that the proposed mandatory ordinance be paused and reevaluated. The proposed ordinance was not developed through a collaborative process. We ask the city to collaborate with stakeholders such as Smart Growth's members to develop a feasible way to improve the energy efficiency of those commercial buildings that have not yet achieved a desired level of energy efficiency without imposing burdens on buildings that already are as energy efficient as can be reasonably expected taking into account all pertinent factors, including the age of the building, type of heating and cooling systems, and tenant mix.

Alternatively, starting with a pilot project to test the workability and cost effectiveness of the proposed approach would certainly be better than enacting a new city-wide, overbroad, mandatory regulatory scheme while so many important concerns and unanswered questions remain.

Please consider the following reasons for pausing and reevaluating the proposed ordinance.

- In 2015, the Madison Common Council wisely authorized a voluntary program to encourage commercial building owners to make their buildings more energy efficient. However, the city never implemented that program. It is false to claim that the voluntary program has failed when it was never implemented in the first place.

- In a voluntary program, the city government could, for example, encourage commercial building owners and the business that operate in their buildings to use the extremely detailed reports already available from the utility companies and coaching already available from Focus on Energy to reduce their building energy consumption. Building owners who have been made aware of the benefits of these resources have, in hundreds of cases, used them to improve the performance of their buildings and substantially reduce their building energy consumption--voluntarily.
- The owners of commercial buildings and the businesses operating in them are keenly aware of their utility bills. Most of them already track their energy consumption using tools that work for them and implement energy conservation practices to be greener and save money.
- Many building owners have switched to LED lighting and installed energy-conserving lighting and heating controls.
- Whenever boilers, chillers, windows or roofs wear out and need to be replaced, building owners replace them with more energy-efficient systems.
- Few already-energy-efficient buildings will qualify for one of the exemptions in the ordinance, because the exemptions require expensive and time-consuming certifications.
- “Remote work” has become common since the pandemic and is causing businesses to reduce the amount of space they want to lease. Office buildings in Madison have 18 percent space availability. This might be the worst possible time to impose costly and time-consuming mandates on commercial buildings.
- The proposed ordinance requires building owners to report all of the required data using the Energy Star Portfolio Manager tool, but building owners do not have access to much of the data, e.g., utility bills for and number of employees working in tenant spaces in the building, because that data belongs to the businesses operating in the building. In response, city staff suggest inputting estimates of the data the building owners are not able to obtain from the businesses, which is tacit encouragement to enter inaccurate data.
- Even if the businesses were willing to share this data with the building owners, on some days and weeks there might be few if any employees in the building, while on other days and weeks many employees might be present, which has a substantial impact on energy consumption. In response, Energy Star and city staff suggest inputting pre-

pandemic data, but that would be inaccurate data and produce useless results for making decisions regarding buildings at their current, fluctuating occupancies.

- The proposed ordinance will require building owners to spend many hours inputting estimates, not accurate data, in order to receive meaningless results. As with any information tool, the Portfolio Manager does not produce quality output on which to base decisions if you input inaccurate data into it.
- The Portfolio Manager tool does not account for increased electrical usage from electric vehicle (EV) charging. Increased electric power consumption from EV charging will offset reduced electric power consumption from actions to increase energy efficiency.
- The proposed ordinance does not provide building owners with enough detail to know what is being asked of them. For example, we still do not know what is required in a tune up. The definition of minor repairs within the definition of corrective action is vague. It is not fair to building owners for the Common Council to pass a vague ordinance and then allow city staff to “enact” the details later.
- There is no basis for claiming that requiring building owners to report energy consumption to the city government will cause a reduction in energy consumption. The U.S. EPA’s documents about the Energy Star Portfolio Manager and reports from cities that have implemented mandatory reporting using the Portfolio Manager all indicate the exclusive source of the data is from buildings reporting using Portfolio Manager. Since there was no random sample containing buildings using Portfolio Manager and buildings NOT using Portfolio Manager to enable comparing the results in the two groups, it is not possible to make a valid claim that the new mandate, rather than other factors, caused the reported amount of reduced energy consumption.
- The claim by the ordinance’s about how much energy savings will result from tune ups compared to the cost of tune ups is based on data mostly from buildings that are far larger than the vast majority of commercial buildings in Madison.
- The proposed ordinance appears to violate state law. See Wis. Stat. sec. 66.0104(2)(d), which prohibits a city government from requiring a landlord to communicate to the city “any information concerning the landlord or a tenant.” The building owner’s communicating to the city the contents of a tenant’s utility bills and how many of the tenant’s employees work in its space and how many computers are used in its space, which the proposed ordinance requires, appears to be the kind of mandatory communications that this state statute prohibits. The City Attorney’s office has interpreted this state statute not to apply to the proposed ordinance, but if someone

sues the city about this ordinance, a court might not agree with the interpretation by the City Attorney's office.

- State buildings and University of Wisconsin-Madison buildings are exempt from this proposed ordinance. Multi-family housing buildings and parts of buildings that contain multi-family housing are exempt. Now we are hearing that hospitals and medical clinics might be made exempt. How much value will the proposed ordinance have when vast amounts of commercial building space in Madison is exempt from the ordinance?

From: [Nathan Spencer](#)
To: [All Alders](#)
Subject: Vote Yes on the Building Energy Savings Program
Date: Tuesday, March 7, 2023 9:23:35 AM

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

Dear Alders,

Thank you for your continued service to our city! I write to convey my support for the proposed Building Energy Savings Program (BESP) ordinance for large commercial buildings.

The proposed ordinance has been recommended for passage by both committees who reviewed it (*Sustainable Madison Committee* and the *Economic Development Committee*).

I ask that you follow their recommendations and vote "yes" on the Building Energy Savings Program ordinance.

Thank you,
Nathan Spencer
3005 Stevens St, Madison, WI 53705
417.540.7036

From: [Van Pelt, Benjamin](#)
To: [All Alders](#); [Mayor](#)
Cc: [Bottari, Mary](#); [Baumel, Christie](#); [Price, Jessica M](#)
Subject: 3/7/23 SSM Health comments on Policy 75280 (and substitute amendment)
Date: Tuesday, March 7, 2023 9:39:26 AM
Attachments: [image003.png](#)
[2023.3.7_SSM_Health_CityMSN.CommonCouncil_Policy75280_WrittenComments_FINAL.pdf](#)

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

Good Morning Mayor Rhodes-Conway and members of the City of Madison Common Council,
Prior to your meeting later this evening I wanted to share the attached comments with you on Policy 75280, which is on your agenda tonight.

Additionally, I – on behalf of SSM Health – am registered to try to answer any questions you might have for us, but it is unclear if we will have any technical experts available tonight.

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: [John Stolzenberg](#)
To: [All Alders](#)
Subject: Building Energy Savings Program, March 7 Agenda Item #66
Date: Tuesday, March 7, 2023 9:14:36 AM

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

Madison alders,

I am a Madison resident. I am concerned about climate change, and I support Madison's climate goals and programs to achieve them, including the Building Energy Savings Program (BESP). **I ask you to adopt the substitute ordinance creating the BESP.**

I believe that we all have and share a responsibility to protect and nurture the environment. The BESP is a small but important step in taking that communal responsibility for addressing climate change by moving towards decarbonizing our local economy, and thus I support its adoption.

Sincerely,

John Stolzenberg
2826 Van Hise Ave.
Madison, WI 53705

From: [Rebecca Price](#)
To: [All Alders](#)
Subject: BESP: U.S. Green Building Council Comments for the Record
Date: Tuesday, February 28, 2023 3:38:58 PM
Attachments: [image001.png](#)
[USGBC Madison BESP Program Letter of Support.pdf](#)

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

Dear Members of the Madison Common Council,
Attached, please find a letter of support from the [U.S. Green Building Council](#) for the Building Energy Savings Program under consideration.

All my best,

~Rebecca



Rebecca Price (*she/her*)
State Advocacy Specialist

U.S. Green Building Council | [usgbc.org](https://www.usgbc.org)

[Join Our Advocacy Working Group](#)



FOUNDERS

David Gottfried
Michael Italiano
S. Richard Fedrizzi

- 📍 2101 L St. NW
Suite 600
Washington, DC 20037
- ☎ 202-828-7422
- 💻 usgbc.org

February 28, 2023

Dear Members of the Madison Common Council,

On behalf of the [U.S. Green Building Council](#) (USGBC) and our community of volunteers based in Madison, **I am writing comments for the record in strong support of the proposed Building Energy Savings Program (BESP).**

USGBC is a nonprofit organization dedicated to transforming the way buildings and communities are designed, built and operated, enabling an environmentally and socially responsible, healthy, and prosperous world. Best known for our flagship green building rating system [Leadership in Energy & Environmental Design \(LEED\)](#), we leverage our education, credentials, events, communications, and policy advocacy activities to support the public and private sectors in advancing high-performance buildings that save energy, water and money.

Large commercial buildings account for 30% of Madison's greenhouse gas emissions; therefore, it is critical that Madison enact policies that address this sector's emissions if it is to meet its climate goals. Benchmarking and tune-up policies are some of the most cost-effective ways to do so: [research shows](#) that merely tracking usage leads to reductions in energy use. That's because the information gleaned from benchmarking helps building owners and managers make more informed decisions about building operations and actions to save energy and money. It is important to understand that benchmarking does not require a building to meet a prescribed level of energy use.

Moreover, building tune-up policies provide building owners with action-oriented recommendations to reduce energy consumption. Similar to that of a car, a regular building tune up helps it operate as efficiently as possible. These periodic assessments empower building owners and operators with the information needed to make low- and no-cost energy upgrades and changes to operational practices to save energy.

And, the program is designed to ensure that affected buildings owners and managers are not stranded: The program will provide the training, support, and information that building owners need to benchmark and tune up as well as take the next steps to turn building efficiency knowledge into action. This is good governance.

In sum, this program would reduce Madison's local emissions, and help business owners achieve cost savings – meaning more money to invest in their businesses, rather than on energy. Additionally, Madison would join 40+ states, counties, and cities that have enacted similar ordinances. **We hope that you will vote to enact the Building Energy Savings Program during the March 7 hearing.**

Thank you for your leadership and consideration of USGBC's position.

Sincerely,
Jennifer Gunby
Senior Manager, State & Local Advocacy
Jgunby@usgbc.org



From: [Terrence Wall](#)
To: [All Alders](#)
Subject: Energy Benchmarking
Date: Wednesday, March 1, 2023 1:56:11 PM

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

I oppose the energy benchmarking ordinance proposal.

1. There's a ton of confusion out here about how this is going to work and how it will be applied against apartment buildings that have a small amount of office or retail space in them.
2. The cost of compliance will involve a significant amount of staff time, so there is a major cost to this. Is it every year? every month?
3. How will the city use all this data and for what purpose? How will it be kept confidential from competitors?
4. This sure seems like an invasion of privacy.
5. There's a lack of uniformity in that many other buildings are exempt including the government buildings. If it's so important for the city to get private sector buildings data etc. why isn't the law applied to government buildings and others? Seems to me that this ordinance is a violation of the Wisconsin constitution due to the lack of uniformity.
6. We already are an award winning sustainable developer. The only developer to ever win the Governor's Energy Efficiency award from Gov. Doyle and recognition in a council resolution from Mayor Soglin for our energy efficiency efforts. We have the most installations of solar panels, and the largest solar array on a multi-family building east of the Mississippi River, we did the first geothermo HVAC system, and I personally invented the first university course in sustainable development in the world right here at the UW. WHY DO I NEED THE GOVERNMENT TELLING ME WHAT TO DO?
7. On top of that, my staff personally trained and educated Focus on Energy for more than 5 years since they didn't know how all this energy stuff works - and that system worked - Focus on Energy was/is doing a great job. Why do we need the city interfering with that?
8. A major competitive advantage of ours is our sustainable development practices; the last thing we need is for the city to take that away.

If you want to do something, get the PSC to require all electric companies to pay the same rate for solar energy that we provide them that they charge for their own electricity. Right now, MGE is the only company that does that. The other energy companies want a monopoly on solar energy and we need the PSC to mandate reimburse rates.

Terrence R. Wall, *President*

T. Wall Enterprises Mgt, LLC

Terrence@twallenterprises.com

[608.345.0701](tel:608.345.0701)



"The society that puts equality before freedom will get little of either. The society that puts freedom before equality will get a great measure of both." - Economist Milton Friedman

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From: natrails@aol.com
To: [All Alders](#)
Subject: [All Alders] BESP - Item 66 Common Council Agenda 7 March 2023
Date: Tuesday, March 7, 2023 4:09:38 PM

Recipient: All Alders

Name: GARY WERNER
Address: 2302 Lakeland Avenue, Madison, WI 53704
Email: natrails@aol.com

Would you like us to contact you? Yes, by email

Message:

Please VOTE to support the Building Energy Savings Program BESP File #75280. Energy use in commercial buildings is one of the two major carbon pollution sources along with transportation in Madison that is disrupting our climate and leading to catastrophic global warming. It behooves us to take all reasonable steps to understand how we are burning polluting fossil fuels and take measures to reduce and replace that burning with non-polluting energy sources. The BESP is a reasonable and practical way to begin to make our commercial buildings contribute much less to carbon inducing global warming. Failure to address the pollution now will result in far greater economic and other costs in the future than the costs now to implement this program. Please VOTE YES on Item #66.

From: [Doug White](#)
To: [All Alders](#)
Subject: Building Energy Savings Program
Date: Tuesday, February 28, 2023 9:35:23 AM

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

Madison Alders,

I write to encourage support the Building Energy Savings Program by voting for it on March 6. It will help us move towards a sustainable society.

Thanks
Doug White
5526 Marconi St, Madison, WI 53705