

AGENDA

CITY COUNCIL WORK SESSION

December 13, 2021

4:00 PM, City Council Chambers
130 S Galena Street, Aspen



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I. WORK SESSION

- I.A. Policy Agenda Review
- I.B. Council Goal Update: Building IQ
- I.C. Council Board Reports and Council Updates



MEMORANDUM

TO: Mayor and City Council

FROM: Tara Nelson, Sr. Paralegal

DATE OF MEMO: December 7, 2021

WORKSESSION MEETING DATE: December 13, 2021

RE: City of Aspen's draft 2022 Regional, State and Federal Policy Agenda

REQUEST OF COUNCIL: This purpose of this item is to allow for discussion and City Council consideration of the proposed 2022 Regional, State and Federal Policy agenda.

PREVIOUS COUNCIL ACTION: A policy agenda has previously been adopted in 2020 and 2021 as a guiding document.

BACKGROUND: As we embark upon the next phase of legislative matters, staff has met and discussed the 2021 agenda, determined what worked, pondered what we could improve upon, and focused on what we would like to emphasize for 2022. Any and all revisions for discussion today are shown as italicized font.

DISCUSSION: This agenda aims to become the cornerstone for City Council to make informed decisions for which policy matters are determined. As outlined, the purpose of the Policy Agenda will be used by individual City Council members and city staff to inform city positions taken on specific bills once the legislative session begins.

Once approved, the Policy Agenda will inform and provide authority for the remainder of 2022. Further, the City will be able to utilize the Policy Agenda as a direct advocacy of government officials as well as build coalitions and to attempt to influence positions adopted by the intergovernmental organization we participate with.

All graphics and formatting (or lack thereof in this draft version) will be finalized by our Communications team after this work session deems same as final. You will see a more formal updated version for adoption in January 2022.

RECOMMENDED ACTION: Discuss, identify and fine tune areas that worked and did not work within the current 2021 guiding policy agenda document. Move forward with changes and proposed revisions with the ultimate goal of adopting a 2022 Policy Agenda.

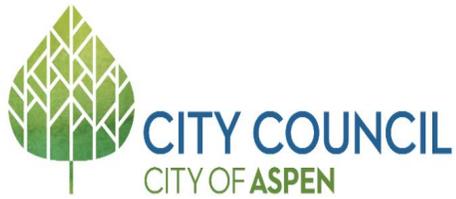
ALTERNATIVES: Choose not to adopt a formal guiding document 2022 Policy agenda

CITY MANAGER COMMENTS: _____

ATTACHMENTS: 2022 draft City of Aspen Regional, State and Federal Policy Agenda

2022 REGIONAL, STATE AND FEDERAL POLICY AGENDA

*Adopted and Approved at the January __, 2022 regular City Council
meeting Resolution #__, Series of 2022*



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PURPOSE OF THE POLICY AGENDA

The purpose of the City of Aspen's 2021 Regional, State and Federal Policy Agenda (hereinafter "Policy Agenda") is to inform city advocacy on policy decisions that have the potential to significantly impact 81611 and surrounding jurisdictional boundaries. This includes legislative decisions that may be made by the Colorado General Assembly or the U.S. Congress. It also includes various non-legislative decisions that can be opined at the federal, state and regional levels, including but not limited to those before Colorado agencies (*i.e.*, *Air Quality Control Commission*, Public Utilities Commission, Department of Transportation, Department of Regulatory Affairs), federal agencies (*i.e.*, Environmental Protection Agency, Department of Transportation, the Federal Communications Commission), regional governments (*i.e.*, Regional Transportation District) and intergovernmental coalitions (*i.e.*, Colorado Municipal League, Mountain Pact, Colorado Communities for Climate Action, Climate Mayors, Northwest Colorado Council of Governments, Colorado Association of Ski Towns, Water Quality/Quantity Committee, Elected Officials Transportation Committee)

The City offers the Policy Agenda as a guideline to regional, state and federal policy leaders for reference when considering decisions impacting the City of Aspen. This agenda was developed in advance of the 2022 Colorado General Assembly. With the coordination of the Sr. Paralegal, policy team staff and the City Manager, it will be used by individual City Council members and city staff to inform city positions taken on specific bills once these legislative sessions begin. At that point, Council may consider adopting amendments to the Policy Agenda to address specific bills that have been proposed.

Council may revisit the Policy Agenda at any point. It may do so as a body or with the Policy Advisor fellow as no intergovernmental affairs committee exists. City Manager has created this policy fellow position for the purpose of convening on an ad hoc basis as necessary when one or more of the following circumstances exist:

1. There is an immediate need for council members to participate with staff in developing a strategy to advance or defeat a proposed policy which is clearly addressed by the City's Policy Agenda or other council-approved policy documents, or
2. A decision is expected to be made on regional, state or federal policy that affects a matter which council has previously provided general direction on and that could significantly impact the city, but which council did not provide sufficient specific direction on (either through its Policy Agenda or other approved policy documents) and with timing that will not allow for council direction to be obtained. In these limited situations, the City Manager and Policy Advisor fellow may discuss such policy proposals so that the city can advocate accordingly. Council is to be informed whenever such direction has been provided and may choose to subsequently revisit such direction.

Modifications to this Policy Agenda require consistency, when applicable, with the criteria listed below:

1. Uniformity with current city council goals, community expectations and Aspen Area Community Plan;
2. Impact on our citizens general health, safety & welfare;
3. Expected relevance in the upcoming or present state and federal legislative sessions;
4. Uniqueness of issue or impact to the City of Aspen and/or to our regional partners;
5. Viability or likelihood of achieving goal weighed with importance of beginning to address/highlight critical issues;
6. Opportunity for providing funding for City of Aspen or its community partners; and,
7. Availability of metrics of success that would allow the position to be deleted from future agendas if achieved

This policy agenda recognizes circumstances arise wherein a City Council member may be a lone representative of an organization and must address and/or vote on a policy position on the spot. Departures from these criteria are made in unique circumstances as determined by council, such as when adoption of a city position is important to support its regional partners, even while the policy in question is otherwise of limited consequences to the city. Further, departures may broaden our approach for advocacy with policies that align with our values and intention for our state and nation even when they are benign towards Aspen or may disadvantage Aspen for a larger good or shared goal.

This policy agenda further recognizes that Aspen may look at how affiliations and like-minded organizations may take position on certain pieces of legislation. Aspen will strive to take position with the recognition that it is unique, and although guidance from interest groups and Colorado Municipal League may be sought, there are times where our position may not be consistent or aligned.

The City welcomes the opportunity to discuss the Policy Agenda. Please direct any questions to City Council members or to Tara Nelson.

PRINCIPLES AT A GLANCE

Deliver Quality Essential Services

The City urges Congress and the General Assembly to expand resources for those essential services that serve the city's most vulnerable, including childcare assistance, access to affordable health care, mental health and addiction services, and protect the community and the environment. As identified in the Aspen Area Community Plan, the City of Aspen's intent is to ensure a broad visitor base over the long-term, bolstering the sustainability of our visitor-based industry. In addition, this plan calls for more aggressive measures to ensure that the commercial sector provides essential products and services, and to ensure balance between a local-serving and visitor-oriented commercial sector. We foster policy to facilitate the sustainability of essential businesses that provide basic community needs. It is apparent that gaps still exist in the provision of essential services including adequate housing and health care options for all community residents. We value a collaborative approach to finding creative, sustainable solutions. As a principle, we are guided by professional, legal and community standards that provide opportunities for people of all ages and abilities to achieve a higher quality of life through: self-reliance, public safety, health and well-being, education and lifelong learning.

Environmental Sustainability

The City of Aspen maintains its commitment to promote environmental stewardship and lead climate action efforts throughout the Roaring Fork Valley and beyond. We will continue to advance policy that supports our ability to protect our unique local environment, conserve resources and deliver a sustainable future for all. We will investigate and support efforts and policies that offset and reduce greenhouse gas (GHG) emissions in meaningful and measurable ways as well as those that reduce waste through prevention and diversion. *We support policies that reduce pollution from resource extraction activities on public lands that have local and regional impacts to our air quality, water quality and GHG emissions.* Aspen's Climate Action Plan (CAP) is the community's roadmap for reducing GHG emissions in Aspen and is used to inform which strategies and policies should be pursued by the City to further the mitigation of climate change.

Lands & Natural Resources

The City of Aspen has established a dynamic natural resource program that encompasses both the urban forest and the surrounding natural resources. With over 1,100 acres of open space being 'locally secured' and protected by taxpayer funded acquisitions situated within a county comprised of thousands of acres of Federal BLM and Forest Service lands, we are committed to preserving and protecting these vital resources as well as enhancing our natural surroundings. We work to preserve open spaces for recreational use, wildlife habitat, scenic view planes and sustainment of our agricultural heritage; protect water sources and ensure a sustainable water supply; protect air *quality* and water quality to reduce impacts to residents; and support *programs and funding for equitable access to public space and services.*

Health, Housing & Human Services

Aspen is dedicated to supporting and sustaining healthy communities that strengthen individuals and families while providing reasonable health and human services for anyone who calls the Aspen area home. We will strengthen the quality of life and well being for all people in our community by practices that provide and promote opportunities in housing through the lens of policy that expands access and aids in inclusion and equity regionally and statewide. We strive to advance the framework for obs and access to services, such as education, public safety and health through all phases of life. We value a collaborative approach to finding creative, sustainable solutions and are guided by professional, legal and community standards in providing opportunities for people of all ages and abilities to achieve a higher quality of life through:

- **Self Reliance** We must work together to help each person in our community meet basic needs and remain self-sufficient to the greatest extent possible.
- **Public Safety:** We must continue to ensure that our safety services (police, sheriff, fire, child and adult protection, Mountain Rescue and emergency response, etc.) are efficient, effective, accessible and coordinated.
- **Health and Well-Being:** We must encourage the highest level of personal health for everyone in our community through programs that encourage healthy lifestyles, reduce risks and create access to quality health care regardless of age, income or ability. Local and regional public health agencies, local boards of health, providers and non-profits must work together to ensure community-wide access to a comprehensive set of health services.
- **Education and Lifelong Learning:** We must work together to ensure educational opportunities are available to all members of our community

Service Integration & Collaboration

City of Aspen aims to ensure effective use of taxpayer funds and successful outcomes through efficient service delivery and integration of public programs and services. To increase efficiency and effectiveness, City of Aspen engages in and strongly supports collaborative efforts within city departments and with partner agencies and organizations in the local community, regionally, and state-wide.

Local Control

As a home rule municipality, the City of Aspen believes the authority to address issues that pertain to the city must reside within. Local governments are best suited to identify solutions to local issues particularly regarding the services provided and land use decisions we make. Local authority also includes the flexibility to determine use of funding locally and precludes unfunded mandates from the state or federal government.

Fiscal Responsibility

City of Aspen budgeting reflects a priority on high-quality government services through six strategic focus area being:

- Community engagement
- Fiscal health & economic vitality
- Smart customer-focused government
- Environmental protection
- Safe, lived-in community of choice
- Development of publicly-funded housing, including broader support and involvement in the creation of non-mitigation affordable housing, public-private partnerships
- City of Aspen believes it is critical to the health of our economy to address the state revenue structure that restricts the state's ability to respond to changing economic conditions, including the Taxpayer Bill of Rights (TABOR), Amendment 23, and the Gallagher Amendment.

Deliver Aspen Area Community Plan Themes

We are committed to revitalizing and sustaining the underpinning of our thriving community, the Aspen Idea. Our vision, map and plan of action for achieving goals rests with our Aspen Area Community Plan (AACP). We strive to encourage collaboration among non-profit organizations, local government, local businesses and individuals while fostering greater inclusivity and participation in cultural events amongst the spectrum of community residents and visitors while supporting activities and infrastructure, both social and physical, that enable and sustain the Aspen Idea. Implementing the themes of the 2012 AACP will require collaboration and cooperation among public sector agencies, businesses, private non-profits, local institutions and the general public. We are committed to:

- Revitalizing and sustaining the Aspen Idea
- Achieving sustainable land use practices that support a healthy year-round community and a thriving, vibrant visitor-based economy
- West of Castle Creek Corridor area should provide a transition from rural expanses of Pitkin County to urbanized atmosphere of downtown Aspen
- Providing an efficient, multi-modal and integrated transportation system that reduces congestion and air pollution

- A strong and diverse year-round community and a viable and healthy local workforce are fundamental cornerstones for the sustainability of the Aspen area community
- Aspen will be a local, regional, state and national leader in all aspects of environmental stewardship
- Preserving our historic resources differentiates us a community and contributes to our long-term cultural awareness and sustainability as a community
- Strengthen the quality of life and well-being for all people in our community by providing or promoting opportunities in housing, jobs and access to services, such as education, public safety and health through all phases of life
- Supporting programs and policies that promote affordable housing locally, regionally and at the state level

Inclusion and Equity

The City of Aspen is committed to creating an inclusive and equitable community. By “inclusive”, we mean that we strive to give all people a place at the table as we engage in the processes to consider policies and make decisions toward our shared future. We will work to ensure that everyone, regardless of identity, feels welcome and is able to contribute to, and enjoy, the vibrancy of the community. By “equitable”, we mean that the outcomes of our inclusive processes aim to create conditions where all people, especially historically marginalized groups, have full and equal access to the opportunities and resources necessary to thrive in the community. We will identify and remove any structural inequities in our city policies, land use regulations, city charter, or other governing documents.

In this commitment, we are affirming that our individual and collective diversity in gender, race, ethnicity, religion, national origin, age, sexual orientation, gender identify, citizenship status, education, disability, socio-economic status, or any other identify is a valuable asset to Aspen’s present and future. Accordingly, we will support policies and efforts that have the potential to increase, promote, achieve and foster inclusivity and equity in Aspen and the great Roaring Fork Valley region.

The following are the City of Aspen's priorities for the 2022 legislative session, NOT including references to legislation that will be introduced in the General Assembly. City staff will closely monitor active legislation introduced in these areas as well as request regional support for bills that pertain and have interest to us.

PRIORITIES AT A GLANCE

Affordable Housing

This policy area includes deed restricted and free market owner-occupied and rental housing units which house Aspen and Pitkin County residents whose annual income is up to 240% of AMI. Affordable housing is essential to the economic and social health and sustainability of the City of Aspen. The City of Aspen is focused on the provision of quality affordable housing to ensure the continued viability of the community. As such, the City advocates for State and Federal policies and regulations which support its affordable housing program, including:

- State laws respecting home-rule authority and permitting municipal government to raise revenue and budget for the development of affordable housing to meet local demand;
- State laws which enable local government to acquire or dedicate land for the development of affordable housing;
- Increased federal and state funding for affordable housing tax credits, vouchers, subsidies and other financial tools to support the development of affordable housing;
- Federal and state funding assistance for housing authorities to support the development and management of affordable housing.
- *Support for local government's ability to regulate, manage or generate alternative sources of funding for affordable housing, including public-private partnerships*

Climate Action and Resource Conservation

Climate change is leaving an indelible mark on Colorado and threatens the quality of life of residents. The City of Aspen's Climate Action Office identifies our city as one that is dependent on a stable climate and the maintenance of natural resources for a thriving economy. Aspen is committed to reducing GHG emissions through programming and policy in the following categories: low and zero emissions transportation, waste reduction, energy reduction in buildings, and advocating for state and federal regulations that support GHG emissions reductions. We support climate change preparedness, adaptation and resiliency efforts, the Colorado GHG Pollution Reduction Roadmap, as well as more aggressive goals and regulations that would require the state and country as a whole to reduce GHG Emissions. Aspen's local CAP identifies the actions necessary to achieve a sustainable future for our community. Last released and updated in 2017, the CAP maintains our ambitious reduction targets and refocuses our commitment to Aspen's future. The City works in collaboration with Colorado Communities for Climate Action (CC4CA) to address the legislation that the City expects to focus the bulk of its resources and political capital on regarding climate action. CC4CA is a coalition of local governments across the state that work to strengthen state and federal climate policy.

The City also engages with other coalitions, such as The Mountain Pact and Climate Mayors, to advance climate change mitigation and resiliency efforts at the regional and federal levels. Aspen is committed to resource conservation through the elimination of single use items, converting organic material into compost, increased recycling education, and diverting construction and demolition materials away from landfills. Per the AACP, Aspen supports policies which will promote resource conservation by these methods.

The City of Aspen understands that greenhouse gas emissions, including methane and carbon dioxide, are produced from numerous sources, including those sources and activities not directly controlled by the City of Aspen. One such source of warming-causing emissions is abandoned coal mines located across the west. The City of Aspen supports the activities necessary to reduce, capture and eliminate the vast amounts of methane gas that is emitted from regional coal mines and the partners and organizations leading and contributing to that work.

Furthermore, we support the preservation and expansion of local governments' ability to engage in climate action efforts that include local and multi-city commitments. These partnerships and affiliations leverage successes at the state, national, and international level and create further value for our community and others.

Public Lands – Natural Resources, Wildlife, Parks, Recreation

Pitkin County is 88% public land. Those lands provide essential resources, landscapes, and recreation opportunities which support the health and sustainability of our community, economy, and ecosystems. The proper management of public lands mitigates community impacts from natural disasters, ensures these lands support ecological health and biodiversity, provides diverse recreation opportunities, and supports commercial and conservation uses. Given Aspen's proximity to public lands, dependence on those lands for community sustainability, and prioritization of climate and environmental action, the City advocates for policies and regulations which deliver the following:

- Proactive forest management and wildfire mitigation which reduces threats from wildfire at the Wildland-Urban Interface and provides resources for wildland fire mitigation and management;
- Federal lands management rooted in best practices and which balances recreation development and commercial uses with conservation ensuring the long-term health and biodiversity of public lands;
- Federal lands policy and regulatory processes focused on public engagement and input, collaboration, responsiveness, and adaptation to local needs and conditions;
- Recreation management focused on habitat preservation, user experience, diversity of travel and access opportunities, and the sustainable management of existing resources.
- Extremely limited support for transfer of public lands to the states in cases where public access and public benefit remain unchanged
- Adequate funding for Colorado Avalanche Information Center and overall adequate funding for Forest Service and emergency agencies enacting and removing fire fuels, load mitigation, campsite restoration and maintenance

Public Health & Safety

Providing for these quality of life factors is one of the core functions of municipal government. Community policing, *safe drinking water*, *clean clear air*, and a healthy environment, development regulations, safe transportation, and parks, recreation and open space programs are essential elements of a health community. The City of Aspen is dedicated to providing these community services. The City is focused on advocating for policies and regulations which assist in providing the services essential to a healthy, safe community, including:

- Federal and state policies supporting community policing, intervention, prevention, public health, and rehabilitation programs which support local control of public safety and health outcomes;
- Financial and policy support for inter-governmental coordination in the provision of public safety and health services and programs;
- Local control over land use and development regulations which guarantee Aspen's ability to implement planning, zoning, and design controls on the built environment, and assess impact fees and other exactions on development activities to deliver community goods and off-set the impacts from development;
- Regulatory and financial support for the conservation of lands and provision of recreation services to support public and environmental health;
- As members of the Western slope and residents of rural Colorado, a less populated side of Colorado, we would like to see equitable distribution of resources needed to protect our community health and safety
- In the event of an epidemic, pandemic, crisis or future public health concern, ensure medical services are equally accessible to everyone.

Telecommunications

Like transportation, water, sewer, and energy services, telecommunications infrastructure is an essential public utility. The 21st Century economy relies on fast, reliable, accessible, and affordable telecommunications services. As a rural community, Aspen and its surrounding area are underserved by private telecommunications providers, particularly widely accessible high-speed broadband access. Aspen is focused on ensuring that telecommunications infrastructure is responsibly deployed and managed to mitigate impacts to community aesthetics, public health, and public property while providing accessible, reliable telecommunications utility services. Aspen supports policies and regulations which:

- Support the development of municipally owned or managed telecommunications utilities infrastructure and franchises, including cellular and broadband services;
- Oppose federal or state preemption of municipal control over access to and regulation of infrastructure and development within public rights-of-way and the preemption of imposition of design controls over utilities infrastructure;
- Ensure equitable and affordable access to high-speed, quality mobile and broadband telecommunications services

Water Availability & Conservation

Providing a safe, legal and reliable water supply to the City's water customers is necessary for supporting a vibrant community. Water, especially in the West, is a precious resource that must be diligently protected. The City promotes the efficient management of water through:

- Long-range planning efforts to identify future water needs and projects;
- Legal strategies that protect the city's water rights;
- Conservation programs that promote efficient water use;
- Coordinated responses for drought management;
- Participation in State-wide efforts to manage water resources to the benefit of Colorado communities, especially on the West Slope;
- Recognition of the importance of water storage in providing a reliable water supply. With less than a day's worth of storage, Aspen is especially vulnerable to disruptions in the water supply.

River Health

Like all of our natural environment, our local rivers are some of the community's greatest assets and the reason many people choose to visit or make the Aspen area their home. Our rivers provide for a high quality life; support recreational, real estate, and tourism economies; and provide our downstream neighbors with drinking water. The health of these rivers remains of highest importance to our citizens and is identified in several guiding documents for the City, including the Aspen Area Community Plan and the Ecological Bill of Rights. As such, the City is committed to making choices and implementing programs that protect, preserve, and promote river health now and into the future, and is focused on advocating for policies and regulation which deliver the following:

- Watershed and water resources protection and/or enhancement;
- Local control over water resources projects and regulations that have the potential to impact the quality or quantity of water in the Roaring Fork watershed;
- Local control over land use and development regulations which guarantee Aspen's ability to implement planning, zoning, and design controls on the built environment, and assess impact fees and other exactions on development activities to deliver environmental protection and off-set the impacts from development

Early Childhood

Early childhood education is a pressing issue that has the potential of providing infrastructure for or holding back a thriving economy. When parents who want to work can't fully participate, we hurt ourselves. Childcare is difficult to find, especially infant care, forcing many families to use less desirable care, work less, delay returning to work, or leave the community. Childcare is expensive, often costing a family more than housing. The rising cost of childcare has dampened women's employment by 13 % for those with children under age 5. Childcare is a 3-legged stool: a functioning system that supports families and children requires investing in affordability, accessibility and high quality. If a childcare proposal focuses only on bolstering one leg, the others will grow weaker under the pressure. More childcare spots won't necessarily mean parents can afford them. More money for parents won't help address quality or access.

The City of Aspen advocates for:

- An early childhood education comprehensive plan that addresses high quality, access, and affordability.
- Paid Family Leave that benefits children, families, and the community
- Labor and workforce recognition and support for the needs of families with young children

Renewable Energy

Aspen has long-supported efforts to minimize reliance on fossil fuels. In 2015 the City became the 3rd City in the nation to provide 100% renewable energy to its customers. Aspen continues to support efforts by other communities to reduce reliance on fossil fuels. Aspen should continue to develop and invest in energy resiliency. New and creative options such as storage, local renewable energy generation, and other emerging technologies should be explored to address community needs, enhance energy choices, and respond to emergency preparedness on our local scale.

Regionalism

By exploring innovative and collaborative ways to close the gaps and meet demands, the City government plays an important leadership role in the ethic of community. Regional and multi-jurisdictional cooperation and collaboration enhances our quality of life. The City of Aspen engages in and strongly supports collaborative efforts within city departments and with partner agencies and organizations in the local community, regionally, and state-wide. The City of Aspen supports statewide legislation that would encourage, but is not limited to:

- Cooperation amongst community including affordable housing goals
- Health and well being
- Trails & Open space systems and acquisitions
- Adequate funding for Colorado transportation needs
- Healthy rivers and streams
- Early childhood education funding
- Fiscal funding for K-12 education
- Emergency Plans / Public Safety / Emergency Response

- Public Lands / Forest Management / Wildfire Mitigation
- Broadband
- Post COVID-19 recovery efforts
- Legislation that affects and relates to elections: ensuring enfranchisement, campaign finance reform, increased civic and voter participation, and that elections remain fair, open, accessible and honestly run for all registered voters
- Improvement of government transparency and accountability

Transportation

The City of Aspen is a leader in Transportation Demand Management, actively supporting programs, services and infrastructure that promote the use of transit, cycling, walking and shared mobility over single occupant vehicle travel. We support commuter fringe benefits that encourage transit, bicycle, walk and other non-SOV transportation modes and oppose fringe benefits for parking and others that encourage SOV travel for commute trips. As new transportation technologies and services emerge and evolve (eg: dockless mobility, autonomous vehicles, etc) the City of Aspen supports efforts to maintain the authority for local regulation of these services. The City supports efforts aimed at regulating the share mobility industry to ensure safety, equity, data sharing, customer privacy and fair treatment of employees. We support new transportation funding for:

- projects that maintain existing infrastructure and that are multimodal in design, legislation that encourages “complete streets” that accommodate people using all modes of travel
- policies that support increased transportation funding for both ongoing and new transit planning efforts, transit operations, clean transit vehicles and safe transit infrastructure that reduce the reliance on single occupant vehicle travel
- innovative multi-modal projects including bicycle, pedestrian and first/last mile services
- for demonstration or “sandbox” projects that provide the opportunity to test emerging technologies
- resort communities for recognizing that the needs of a commuting public and the importance of a tourism economy are directly tied to transportation improvements and reduction in traffic congestion.
- encouragement of a balanced state transportation policy that addresses the need to maintain and expand roadway, bicycle, pedestrian, transit, carpool/vanpool and demand management options to improve Colorado’s transportation system including preservation of the constitutional requirement that highway user revenues be used for the construction, maintenance and supervision of the public highways and bridges of the state
- legislation that enables and encourages the cleanest, most efficient possible technology for both private vehicles as well as public transit vehicles while preserving local control over regulation and local implementation

PROCESS

To be most effective with our voice it is vital to establish a line of communication with our affiliated district representatives. This direct method will help us be most successful with our pertinent goals and where we can provide the most assistance.

LEGISLATIVE DELEGATION



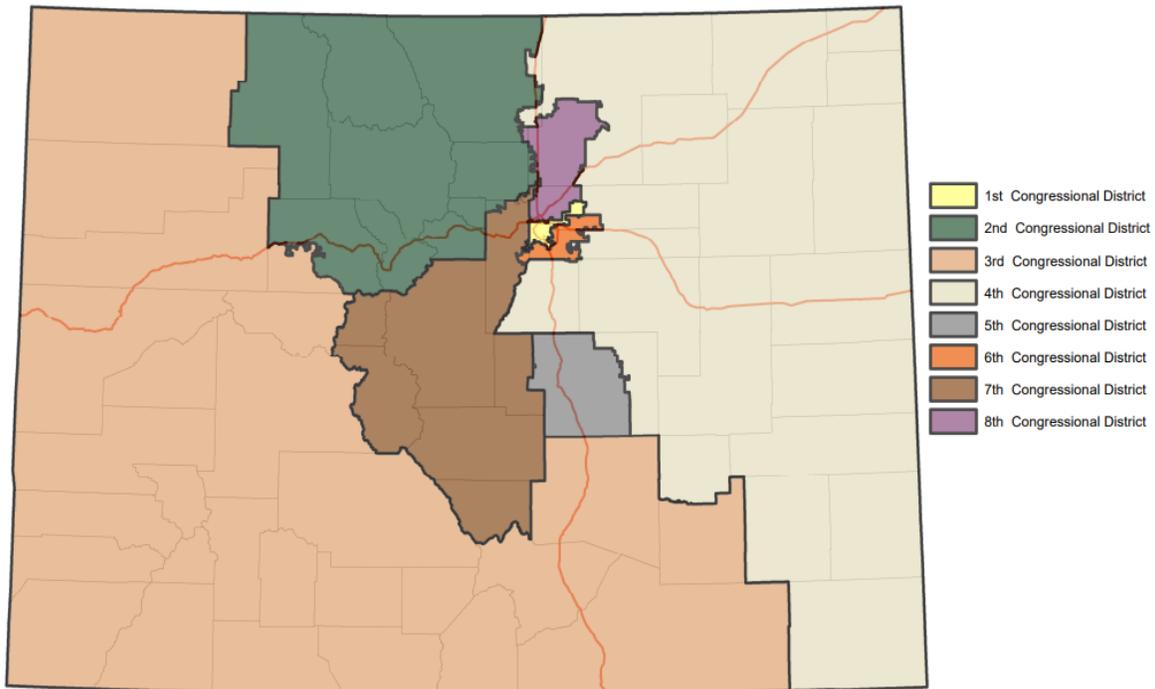
U.S. Congresswoman Lauren Boebert – 3rd District

Phone: (970) 208-0460 *Grand Junction office*

boebert.press@mail.house.gov



Colorado Congressional Districts (Final Approved Plan)





U.S. Senator Michael F. Bennet

www.bennet.senate.gov

Phone: (970) 241-6631 *Grand Junction office*

John Whitney, West Slope Director: (970) 903-4467 John_Whitney@bennet.senate.gov

Matt Kireker, Central Mountains Regional Rep: (303) 883-3119

Alyssa Logan, Northwestern Regional Rep: (970) 975-0468 Alyssa_Logan@bennet.senate.gov



U.S. Senator John Hickenlooper

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Rep. Julie McCluskie

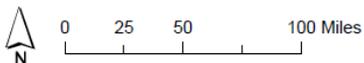
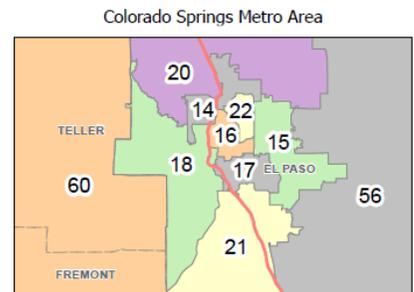
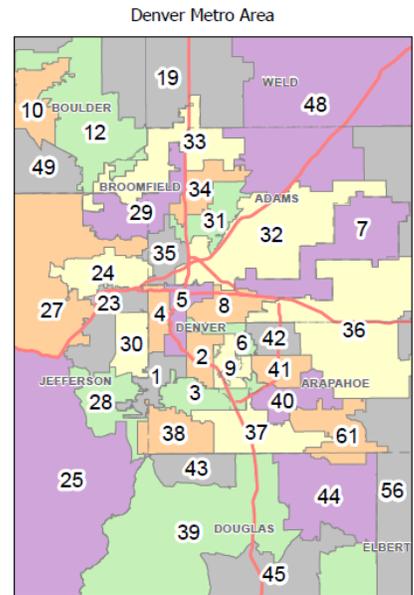
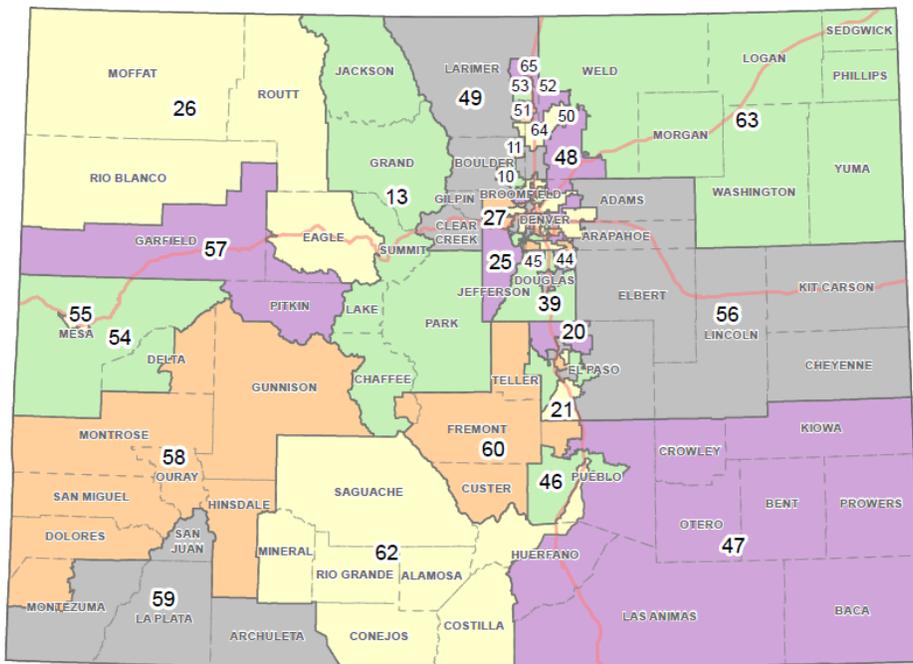
State House District 61

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Colorado House Districts Statewide - Final Approved Plan



Map prepared by Colorado Independent Redistricting Commissions Staff. Approved October 11, 2021.



Senator Kerry Donovan

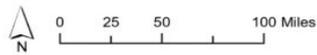
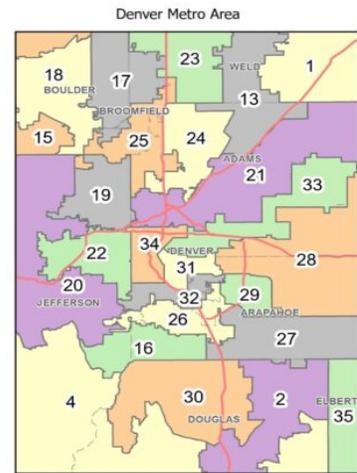
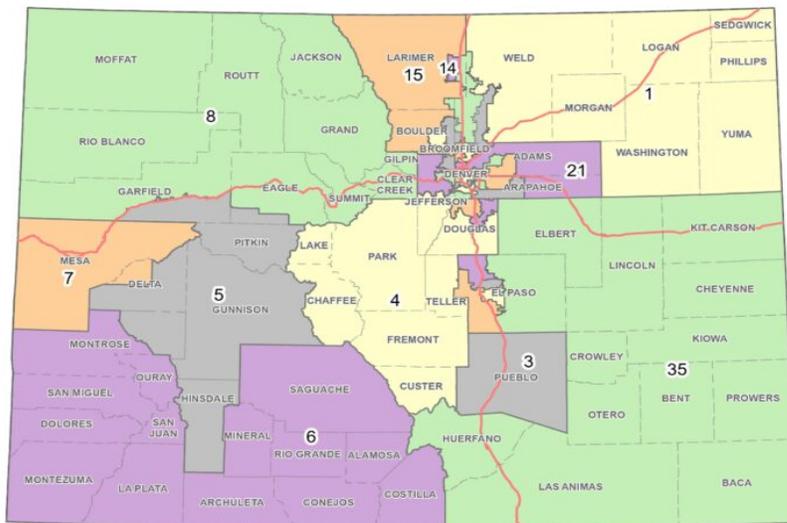
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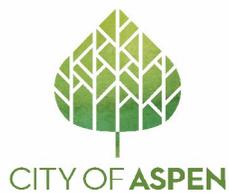
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Colorado Senate Districts Statewide - Final Approved Plan



Map prepared by Colorado Independent Redistricting Commissions Staff. Approved October 12, 2021.



MEMORANDUM

TO: Mayor and City Council

FROM: Tessa Schreiner, Sustainability Programs Administrator

THROUGH: Ashley Perl, Climate Action Manager; CJ Oliver, Director of Environmental Health and Sustainability; Diane Foster, Assistant City Manager; and Scott Miller, Director of Public Works

MEMO DATE: December 10, 2021

MEETING DATE: December 13, 2021

RE: Building IQ Update

REQUEST OF COUNCIL:

The purpose of this memo and corresponding work session is to provide Council with an update on the Building IQ ordinance and program and foster discussion on high-level policy direction for the ordinance and its two phases: benchmarking and building performance standards (BPS). Staff requests Council's direction on two key ordinance elements: the pace of benchmarking compliance phasing and level of benchmarking data disclosure.

PREVIOUS COUNCIL ACTION:

GHG Inventory and Climate Action Plan. According to [Aspen's 2017 Community-wide Greenhouse Gas Inventory](#), commercial and residential buildings account for 58% of total greenhouse gas (GHG) emissions. If Aspen continues on its current emissions path, warming-causing emissions will continue to rise, despite voluntary energy efficiency programs and progressive energy codes. Aspen needs to take additional, bigger, and bolder action to reduce energy use in existing buildings. In response, in 2018, Aspen City Council adopted the updated 2018-2020 Climate Action Plan, which included a high impact action to *"support commercial energy benchmarking and incremental energy efficiency improvements through policy."*

Direction to Plan Building IQ Program. In late 2018, staff began developing the Building IQ program by convening a Design Team to research and develop recommendations for how the City of Aspen can implement Building IQ. In addition, the team hired consultants and conducted extensive stakeholder engagement in the community that included dozens of one-on-one and group meetings, hundreds of emails, and an online engagement portal – in total, the Climate Action office's most robust stakeholder engagement effort to date. In 2019, building on the recommendations of these groups and the input from Council, staff drafted the Building IQ benchmarking policy and program. In 2020, Council directed staff to make the benchmarking program voluntary. Despite extensive outreach, no property owners have yet to voluntarily participate in the program.

City Council Carbon Goal. In August 2021, Council adopted a 2-year carbon reduction goal via Resolution #76_Series2021, which directed staff to reduce Aspen’s greenhouse gas emissions by taking meaningful action and providing leadership in reducing the community’s greenhouse gas emissions. Given that buildings account for more than half of the community’s total emissions, one of the highest impact actions that staff identified in pursuit of reaching this goal is passing Building IQ, and staff is bringing this initiative back to Council to request that Building IQ become mandatory. Full details on Council’s direction and why Building IQ is being pursued can be found in **Attachment A**.

SUMMARY AND BACKGROUND:

Building IQ is first an ordinance that requires energy and water benchmarking and performance standards and once the ordinance is approved, Building IQ will be a community program that aims to help municipal, commercial, and multi-family buildings save energy and water in a community-wide effort to meet Council’s climate goal. By combining resource benchmarking with efficiency improvements to reduce emissions from the building sector, Building IQ supports building owners in taking control of their utility bills, creates flexible energy efficiency improvement plans, and increases building performance to realize long-term savings with the end goal being to support a building stock that is sustainable and high performing.

How will Building IQ work? One of the primary goals of Building IQ is to reduce greenhouse gas emissions from the existing buildings in Aspen. In order to accomplish this goal, Building IQ includes two phases. The first phase is benchmarking, and the second phase is a building performance standard.

The focus of this work session is the following:

- Discussion of the first phase of Building IQ: energy and water benchmarking
- Discussion of the second phase of Building IQ: building performance standards
- Outline next steps for the Building IQ ordinance: policy resolution

DISCUSSION: Benchmarking (Building IQ Phase 1)

What is benchmarking? Benchmarking is the practice of tracking annual energy and water use for a property or building. Using the EPA’s free Portfolio Manager tool, property owners and managers receive weather-normalized data that can be compared with similar buildings across the country and important insights about their building’s performance and ideas for improvement. This building performance data enables building managers to catch irregularities and spikes in use, as well as understand the potential gains of efficiency projects.

In order to benchmark a property, the property owner completes three steps:

1. Create a free Portfolio Manager account (this step is one-time only).
2. Note property characteristics, such as use type, occupancy, year built, and square footage (one time only).
3. Enter a year of gas, electric, and water utility bill information (re-occurs annually).

Once these three steps are complete, Portfolio Manager will analyze building characteristics and utility bills to create graphs of energy use and an Energy Star Score. This information can be downloaded and shared with other users if the building owner chooses.

Why benchmark? Benchmarking has benefits for property owners, the community, and the City of Aspen and its partners. Property owners get valuable data about their building, find efficiency and savings opportunities, and are connected to resources to help make energy efficiency improvements. The community benefits from a more sustainable, healthy, and efficient building stock and sees an increased demand for energy efficiency work. The EPA has [found](#) that by simply benchmarking, building owners save an average of 2-3% energy use annually. Thirty six cities and four states across the US require benchmarking.

Benchmarking data will critically inform the energy efficiency programs and rebate offerings of the City of Aspen, the Community Office for Resource Efficiency, and community utility providers. With this data, Aspen's current energy efficiency programs could be vastly improved to provide businesses with tailored support, which would yield significant savings throughout the community.

Technical support: For over a decade, the City of Aspen has partnered with the Community Office for Resource Efficiency (CORE) to deliver energy efficiency programming and community education. As an extension of this foundational programming and education, CORE is prepared to provide the following support services to enable Building IQ implementation: serving as technical support and assistance with benchmarking compliance for property owners and managers, hosting a help desk, and serving as the key building expert resource for the community.

Reporting: The Building IQ ordinance would set an annual deadline for benchmarking, on or before which the owner would be required to submit a sub-set of their benchmarking data to the City of Aspen. Once benchmarking information is collected, staff and CORE will analyze building data and provide each owner with a building report that unpacks the benchmarking data. Further details on the timeline of reporting deadlines are discussed below.

Stakeholder engagement: To date, staff has engaged key stakeholders in the commercial buildings' sector, community partners, and city staff across several departments. The information included in this memo reflects the learnings and collective input of these groups.

In 2019, staff conducted an in-depth engagement process for program participants, the representatives of commercial buildings 20,000 square feet and above. Staff had one-on-one in-person meetings with 65% of program participants, hosted stakeholder steering committee meetings with 55% of program participants directly communicated to 100% and conversed with 85% of participants, and further facilitated program feedback

through the Aspen Community Voice website. Key takeaways from program participants include:

- Benchmarking is a best practice and is not a big ask; many program participants are already tracking their energy and water usage
- Online information, videos, and other technical support would be useful resources
- Benchmarking data transparency at the property level raised some concerns

Multi-family properties: Following best practices from cities across the country, multi-family properties will also be required to benchmark under Building IQ. While both commercial and multi-family properties can be benchmarked using the Portfolio Manager tool, each building type has unique features and considerations. For commercial properties, staff has conducted in-depth outreach with commercial stakeholders and is confident in both the commercial benchmarking process and level of stakeholder input. For multi-family properties, staff has yet to conduct the same level of stakeholder engagement and is at the intermediate stages of understanding the local complexities of benchmarking multi-family buildings. However, based on the example of 24 cities who currently require multi-family benchmarking, Aspen staff are confident Aspen's multi-family properties can and should be required to benchmark.

Including multi-family properties provides enhanced greenhouse gas emissions reductions and ensures that these properties (including affordable housing properties) aren't left behind on energy savings resources (technical and financial) and benefits. Benefits include helping property owners and managers identify and implement energy efficiency upgrades while improving building performance and reducing utility bills for tenants through energy efficiencies. Given both the complexities and opportunities, multi-family properties are proposed to be phased in on a longer timeline than required for commercial properties.

For Council discussion:

Staff is seeking high level policy direction from Council on two key areas of the benchmarking phase of the Building IQ ordinance:

1. At what pace does Council want to phase in building compliance?
2. At what level does Council support sharing property benchmarking information publicly?

Phased Approach to Compliance

Many benchmarking ordinances take a phased approach to compliance so not all buildings under the ordinance have to comply on the same timeline. These approaches generally begin with largest buildings first and phasing in smaller buildings. Staff recommends that Council pursue an ordinance that would have incremental waves of compliance and focus on highest impact buildings first. The Climate Action Office and the Building IQ Design Team have developed three options for phasing in benchmarking compliance, each with varying levels of program acceleration (**Attachment B**).

Option 1: Slowest phasing option, starting with commercial 20K+

Option 1 starts with phasing in City properties first in Q1 2022, followed by the largest commercial properties (20k+ sq. ft) in December 2022. This option continues to phase in commercial properties over time, reducing the square footage of property compliance annually until all covered commercial properties 5k+ sq. ft. are benchmarking in 2025. Option 1 begins phasing in multi-family properties in 2024, beginning with 20k+ sq. ft., and then including properties 15k+ sq. ft. in 2025.

- Option 1 pros: Starting with a small, but impactful group of commercial buildings gives time for utilities to refine streamlined process for data requests, gives CORE time to refine program offerings and delivery, and allows staff and partners 2+ years to work with multi-family properties on benchmarking best practices
- Option 1 cons: Phasing in properties on a longer timeline may extend the timeline for reaching performance standards and realizing greenhouse gas emissions reductions

Option 2: Faster phasing option, accelerating multi-family

Option 2 has the same City and commercial property phasing as Option 1, but phases in multi-family properties 20k+ sq. ft. in 2023 instead of 2024.

- Option 2 pros: Starting with a small, but impactful, group of commercial buildings gives time for utilities to refine streamlined process for data requests and gives CORE time to refine program offerings and delivery. Option 2 onboards multi-family properties on a faster timeline, which could result in reaching Building IQ benefits earlier.
- Option 2 cons: Onboarding multi-family properties on a quicker timeline would likely require additional resources for program support compared to Option 1.

Option 3: Fastest phasing option, accelerating commercial and multi-family

Option 3 has the same City and multi-family phasing as Option 2, but phases in commercial properties faster, starting in December of 2022 with properties 15k+ sq. ft.

- Option 3 pros: Starting with a small, but impactful, group of commercial buildings gives time for utilities to refine streamlined process for data requests and gives CORE time to refine program offerings and delivery. Onboarding commercial and properties on a faster timeline could result in reaching Building IQ benefits earlier.
- Option 3 cons: Onboarding commercial and multi-family properties on a quicker timeline would likely require additional resources for program support compared to Options 1 & 2.

For more detailed information about Aspen's building inventory and the size thresholds, please see **Attachment B**.

Public Disclosure of Benchmarking Data

Nearly all local governments and states with benchmarking ordinances choose to publicly disclose aggregated community data and select data on individual properties. These public disclosure tools for individual properties include online spreadsheets,

maps, and door displays, and present data such as property location, gross square foot area, use type, energy use intensity, Energy Star score, and compliance indication.

Publicly disclosing benchmarking data has multiple benefits that include:

- Allowing the market and government agencies to make smarter investment decisions and creating demand for high-performing buildings
- Rewarding high performing and efficient buildings
- Driving widespread, continuous improvement

During staff's stakeholder engagement sessions with program participants (representatives from commercial buildings 20,000 square feet and above), concerns were voiced about the transparency of data at the individual property level. Concerns included how the public or competitors would use or interpret the data and the narrative around the data. With these considerations in mind, the Climate Action Office and the Building IQ Design Team have developed two options for public disclosure of benchmarking data:

Option 1: Aggregated + Year Two Specific

- Release an aggregated community report that includes high-level findings, trends, and analysis (does not call out or share information about any specific property)
- Starting with the second year that any property benchmarks, disclose limited benchmarking data for individual properties (not including any information such as utility costs or other data not in the public interest) in a transparency tool

Option 1 pros: This option provides benchmarking data at the property level to the public and potential property buyers or tenants, so that energy performance is recognized and rewarded in the marketplace and providing an incentive for improved performance. Beginning disclosure the second year that a property benchmarks (instead of the first year) allows buildings to analyze their first year's data and make a plan for improvement; this was a suggestion that came out of the stakeholder meetings. Most communities with benchmarking ordinances, including those in Colorado, disclose benchmarking data at the property level.

Option 1 cons: Property owners have voiced concerns over disclosing benchmarking data for individual properties.

Option 2: Aggregated Only

- Release an aggregated community report that includes high-level findings, trends, and analysis (does not call out or share information about any specific property)
- Do not release any property-level benchmarking data to the public in a transparency tool

Option 2 pros: Property owners have voiced concerns over disclosing benchmarking data for individual properties

Option 2 cons: Not publicly disclosing benchmarking data at the property level would likely reduce the impact of the benchmarking ordinance, as information would not be available for public or market consumption. Aspen would be among a small number of communities with a benchmarking ordinance that does not publicly disclose property-level data.

DISCUSSION: Building Performance Standards (Building IQ Part 2)

What is a Building Performance Standard (BPS)?

A [building performance standard](#), an emerging national best practice in energy efficiency policies, is a policy that sets a minimum threshold for building performance and drives buildings to reach it. Backed by the federal Council of Environmental Quality, the Department of Energy, and numerous leading organizations, cities and states around the country are adopting BPS policies with standards to accommodate both climate goals and flexibility for property owners. In Colorado, the state of Colorado and the city and county of Denver have passed BPS policies.

A BPS is the second part of Building IQ and is critical to drive deeper impact. Benchmarking can deliver small but meaningful efficiencies, but this first phase of the Building IQ policy alone cannot make an impact big enough to reach Aspen's carbon reduction goals. Coupling benchmarking and BPS allows Aspen to set long-term targets to reach the City's climate goals and work backwards to ensure adequate time for building owners to take control of their energy and water data through benchmarking and plan for energy efficiency improvements using available incentives and resources.

Staff is confident that this policy tool unlocks the most opportunity for Aspen to reach the community's greenhouse gas reduction goals and requests Council's support to bring back a policy resolution that includes benchmarking and a building performance standard. Further analysis and information on BPS policies will be provided to Council in the accompanying memo and presentation.

Staff Recommended Next steps for Building IQ:

- Bring back a policy resolution for benchmarking and building performance standards in January 2022
- Continue to engage and educate program participants and the community on all aspects of Building IQ
- Present Council with a Building IQ ordinance for consideration in Q1 2022

Conclusion:

In summary, Council has directed staff to develop the Building IQ program through the Climate Action Plan and Council's climate goal. Building IQ is a two-part ordinance that addresses existing buildings and includes benchmarking and a building performance standard. Benchmarking requires certain buildings to track and report energy and water use in the Portfolio Manager tool, and a building performance standard requires certain

buildings to reach a performance standard by a defined future date. Building IQ has multiple benefits for property owners, the community, and the City of Aspen.

Staff is seeking Council direction on two items: the pace of phased compliance for benchmarking, and the level of public disclosure for benchmarking data. Further details on these options can be found in **Attachment B**.

FINANCIAL IMPACTS: The EPA’s Portfolio Manager tool is free to building owners and free to the City of Aspen. Staff anticipates the budget requirements in the first year of benchmarking for administration, building owner support, and incentives can be covered with existing funds. Future work sessions will include options for the budgetary impacts in future years to implement the Building IQ program as more buildings come under compliance and additional property owner resource needs are identified.

ENVIRONMENTAL IMPACTS: Building IQ will drive environmental impact at scale because it provides tools for energy management and consumption reduction for the majority of Aspen’s commercial and multifamily square footage. It enables future CAP actions and empowers building owners to understand their opportunity for reducing utility bills.

ALTERNATIVES: Council could not approve staff to bring back a policy resolution for benchmarking and a building performance standard, and staff could instead bring back an ordinance for first reading with only benchmarking. Council could also choose to keep the Building IQ program voluntary and not move forward with a policy resolution or an ordinance.

RECOMMENDATIONS: Provide staff with high level policy direction from Council on two key areas of the benchmarking phase of the Building IQ ordinance and support staff in preparing a policy resolution for Council’s consideration.

ATTACHMENTS:

Attachment A – Why Building IQ

Attachment B – Building IQ Options for Council

CITY MANAGER COMMENTS:

Attachment A: Why Building IQ

Building IQ comes from community and Council direction, benefits the community, and is a national and state best practice.

1. Community and Council Direction

- Early adoption and leadership in developing progressive local and national energy codes, including creating the Aspen/Pitkin Energy Conservation Code (1996), Renewable Energy Mitigation Program (1999), and the Community Office for Resource Efficiency (CORE).
- Alignment with the 2012 Aspen Area Community Plan (Environmental Stewardship: Sections I.1, I.2, V.1, V.3, V.5) and the Ecological Bill of Rights.
- 2018 Aspen City Council adopted the updated 2018-2020 CAP (Resolution 2018: 21). One of the top items identified in the CAP is to *“support commercial energy benchmarking and incremental energy efficiency improvements through policy.”*
- On August 10, 2021, City Council adopted Resolution #76_Series 2021, which directed staff to reduce Aspen’s greenhouse gas emissions in the following way: *Take meaningful action and provide leadership in reducing the Aspen community’s contribution to greenhouse gas emissions by the amount which is scientifically proven to limit global temperature change. This will be accomplished through:*
 - i. *Maximizing efficiency and minimizing carbon emissions in all of Aspen’s emissions inventory sectors including: Waste Reduction and Diversion, Transportation, and the Built Environment*
 - ii. *Leading climate policy and legislative efforts at local, regional, national, and global scales*

2. Benefits the Community and Stakeholders

- Building IQ will help municipal, commercial, and multi-family properties save energy and water, while reducing utility bills for owners or tenants. An EPA study indicates that benchmarking alone leads to 2-3% annual energy savings. Energy efficiency improvements have the potential to drive much deeper impact and savings.
- The City of Aspen, CORE, and local utilities will make more informed, data-driven decisions when designing energy efficiency programs and incentives.
- Benchmarking data is the gateway to launching future CAP actions.
- The community will have access to more sustainable, healthy, high-performing buildings.
- Building IQ has the potential to create local green jobs.

3. National and State Best Practice

- Benchmarking and building performance standards ordinances are considered a best practice in driving significant building energy efficiency
- Beginning with California’s passage of a benchmarking and disclosure law in 2007, 40 cities, counties, and states have adopted benchmarking and disclosure laws for existing buildings, affecting close to 100,000 buildings.

- Buildings benchmarking in Portfolio Manager represent about 25 percent of the market by square footage
- In Colorado, [Fort Collins](#), [Boulder](#), [Denver](#) and the [state of Colorado](#) have property benchmarking ordinances
- Seven cities and two states (including Denver and the state of Colorado) have implemented building performance standard policies
- Benchmarking and energy efficiency policies are supported by leading organizations such as: U.S. Green Building Council, World Green Building Council, Rocky Mountain Institute, Institute for Market Transformation, National Resources Defense Council, City Energy Project, Urban Sustainability Directors Network, and American Council for an Energy-Efficient Economy.
- The U.S. Department of Energy is supporting cities and counties to develop and establish benchmarking and building performance standards ordinances

Attachment B – Building IQ Options for Council

1) Phased Approach to Compliance:

Option 1*: Slowest phasing option, starting with commercial 20K+

Sector	Property	Initial Reporting Date
Covered City Properties	All covered City Properties	Q1 2022
Covered Non-City Properties	Covered Commercial properties ≥ 20k sq. ft	December 2022
	Covered Commercial properties ≥ 15k sq. ft.	June 30, 2023
	Covered Commercial properties ≥ 10k sq. ft.	June 30, 2024
	Covered Commercial properties ≥ 5k sq. ft.	June 30, 2025
	Covered Multifamily properties ≥ 20k sq. ft.	June 30, 2024
	Covered Multifamily properties ≥ 15k sq. ft.	June 30, 2025

*This option is staff's recommendation

Option 1 starts with phasing in City properties first in Q1 2022, followed by the largest commercial properties (20k+ sq. ft) in Q4 2022. This option continues to phase in commercial properties over time, reducing the square footage of property compliance annually until all covered commercial properties 5k+ sq. ft. are benchmarking in 2025. Option 1 begins phasing in multi-family properties in 2024, beginning with 20k+ sq. ft., and then including properties 15k+ sq. ft. in 2025.

- Option 1 pros: Starting with a small, but impactful, group of commercial buildings gives time for utilities to refine streamlined process for data requests, gives CORE time to refine program offerings and delivery, and allows staff and partners 2+ years to work with multi-family properties on benchmarking best practices
- Option 1 cons: Phasing in properties on a longer timeline may extend the timeline for reaching performance standards and realizing greenhouse gas emissions reductions

Option 2: Faster phasing option, accelerating multi-family

Sector	Property	Initial Reporting Date
Covered City Properties	All covered City Properties	Q1 2022
Covered Non-City Properties	Covered Commercial properties ≥ 20k sq. ft	December 2022
	Covered Commercial properties ≥ 15k sq. ft.	June 30, 2023
	Covered Commercial properties ≥ 10k sq. ft.	June 30, 2024
	Covered Commercial properties ≥ 5k sq. ft.	June 30, 2025
	Covered Multifamily properties ≥ 20k sq. ft.	June 30, 2023
	Covered Multifamily properties ≥ 15k sq. ft.	June 30, 2024

Option 2 has the same City and commercial property phasing as Option 1, but phases in multi-family properties 20k+ sq. ft. in 2023 instead of 2024.

- Option 2 pros: Starting with a small, but impactful, group of commercial buildings gives time for utilities to refine streamlined process for data requests and gives CORE time to refine program offerings and delivery. Option 2 onboards multi-family properties on a faster timeline, which could result in reaching Building IQ benefits earlier.
- Option 2 cons: Onboarding multi-family properties on a quicker timeline would likely require additional resources for program support compared to Option 1.

Option 3: Fastest phasing option, accelerating commercial and multi-family

Sector	Property	Initial Reporting Date
Covered City Properties	All covered City Properties	Q1 2022
Covered Non-City Properties	Covered Commercial properties \geq 15k sq. ft.	December 2022
	Covered Commercial properties \geq 10k sq. ft.	June 30, 2023
	Covered Commercial properties \geq 5k sq. ft.	June 30, 2024
	Covered Multifamily properties \geq 20k sq. ft.	June 30, 2023
	Covered Multifamily properties \geq 15k sq. ft.	June 30, 2024

Option 3 has the same City and multi-family phasing as Option 2, but phases in commercial properties faster, starting in Q4 of 2022 with properties 15k+ sq. ft.

- Option 3 pros: Starting with a small, but impactful, group of commercial buildings gives time for utilities to refine streamlined process for data requests and gives CORE time to refine program offerings and delivery. Onboarding commercial and multi-family properties on a faster timeline could result in reaching Building IQ benefits earlier.
- Option 3 cons: Onboarding commercial and multi-family properties on a quicker timeline would likely require additional resources for program support compared to Options 1 & 2.

Attachment B: Aspen’s Large Commercial & Multifamily Property Information

Sector	Total Number of Properties in Threshold	Total Square Footage in Threshold	Square Footage Threshold	Number of Properties in Threshold	Percentage of Total Square Footage in Threshold	Percentage of Total Number of Properties in Sector
Commercial	120	2,637,481	>20k SF	20	53%	10%
			>15k SF	42	67%	21%
			>10k SF	71	79%	36%
			>5k SF	120	92%	60%
Multifamily	80	3,026,471	>20k SF	57	48%	12%
			>15k SF	80	56%	17%

Please Note:

- *Data was collected from the Pitkin County Assessor’s Records. Prior to the first compliance deadline, exact building numbers may change due to modifications such as construction and sales.*
- *The Commercial Sector*
 - *This sector does not include City and County tax-exempt properties, properties owned by special districts or properties with missing square footage values.*
 - *The number of properties below 5,000 square feet is 78.*
- *The Multifamily Sector*
 - *This sector does not include City and County tax-exempt properties, single-family homes, or properties with missing square footage values.*
 - *The number of properties below 15,000 square feet is 397.*
- *The Municipal Sector*
 - *There are 29 City of Aspen owned properties to be benchmarked.*
 - *This sector does not include any single-family residential facilities that are owned by the City of Aspen, water facility operations or buildings that are currently under construction.*

2) Public Disclosure of Benchmarking Data

Option 1*: Aggregated + Year Two Specific

- Release an aggregated community report that includes high-level findings, trends, and analysis (does not call out or share information about any specific property)
- Starting with the second year that any property benchmarks, disclose limited benchmarking data for individual properties (not including any information such as utility costs or other data not in the public interest) in a transparency tool

Option 1 pros: This option provides benchmarking data at the property level to the public and potential property buyers or tenants, so that energy performance is recognized and rewarded in the marketplace and providing an incentive for improved performance. Beginning disclosure the second year that a property benchmarks (instead of the first year) allows buildings to analyze their first year's data and make a plan for improvement; this was a suggestion that came out of the stakeholder meetings. Most communities with benchmarking ordinances, including those in Colorado, disclose benchmarking data at the property level.

Option 1 cons: Property owners have voiced concerns over disclosing benchmarking data for individual properties.

Option 2: Aggregated Only

- Release an aggregated community report that includes high-level findings, trends, and analysis (does not call out or share information about any specific property)
- Do not release any property-level benchmarking data to the public in a transparency tool

Option 2 pros: Property owners have voiced concerns over disclosing benchmarking data for individual properties

Option 2 cons: Not publicly disclosing benchmarking data at the property level would likely reduce the impact of the benchmarking ordinance, as information would not be available for public or market consumption. Aspen would be among a small number of communities with a benchmarking ordinance that does not publicly disclose property-level data.

*This option is staff's recommendation