

# Aspen BPS Stakeholder Committee – Meeting #2

February 28, 2023, 12:00 p.m. – 3:00 p.m. (via Zoom)

Prepared by the Consensus Building Institute (CBI)

## Meeting in Brief

The 23-member Stakeholder Committee met virtually to discuss which buildings should be covered by Aspen's Building Performance Standards policy and what types of policy targets should be used. Additionally, members provided initial input on the supports that will be needed to enable buildings to comply. Details of these discussions are provided below.

Meeting agendas, meeting summaries and other materials for the BPS Committee can be found toward the bottom of [Aspen's Building IQ website](#).

## What Buildings Should Be Covered?

Clare McLaughlin, Aspen's Sustainability Programs Administrator, presented the Committee with several options and examples from other cities regarding what buildings should be covered and what energy targets should be used as the target, with pros and cons for each. The full presentation is available [here](#).

The Committee broke into small groups to discuss which buildings should be covered and what the targets should be. All four of the breakout groups pointed to the importance of including **ALL BUILDINGS** (at a minimum down to 5,000 sqft) for the following reasons:

- Energy use and emissions from residential buildings are split **50/50**. Most do not see that it would be possible to reach our goals without **including residential properties**.
- Including **all buildings** would be more **equitable**.
- Since benchmarking has already defined square footage tiers for a **phased approach**, that same system could also be used here, until everyone is included.

## What Types of Policy Targets Should Be Used?

### Energy Use Intensity Targets (EUI)

Following the presentation about energy targets and the various examples from other cities, three of the four discussion groups generally emerged with a desire to see Aspen use EUI targets, in light of them being:

- Directly connected to currently available data for **local building data**
- **Easy to understand** for property owners and managers because the information is coming directly from the bill
- Transparent and allows for **long-term planning**
- Aligned with **State of Colorado policy**
- Able to avoid “**inefficient electrification**” that could come from only considering emissions

**However**, members of one breakout group generally preferred **emissions targets** because:

- They communicate **clearly** that the goal is to move **away from fossil fuel** use completely
- They **align** more directly with Aspen's **GHG reduction** goals

## What Overall Supports Are Needed For Buildings To Comply?

The City asked Committee members what supports might be needed to address some of the challenges raised during the discussion. The compliance **challenges** cited by members included: the capital costs for buildings to comply with the ordinance; the pass-through costs to tenants and concerns about further displacement and lack of affordability in Aspen; a concern that electrification not excuse buildings from lowering their energy use (acting as a 'get-out-of-jail-free' card); the difficulty for less resourced buildings in understanding the policy and how to comply; and the unique challenge for historic buildings to comply.

The Committee brainstormed the **types of supports**, listed below, that might be useful or necessary to address these and other challenges to BPS compliance, in order to help encourage 'eager compliance' by buildings and prioritize incentives over penalties. The City will use this initial feedback to develop ideas for the Committee's additional input in upcoming meetings to support building education, funding and overall compliance with a BPS policy.

### Equity

- Support for tenants who will ultimately shoulder the **cost burden** in commercial spaces, due to triple net leases

### Politics

- Remove/ prevent **conflicting land use code**
- Prevent **vocal minority** from degrading council's **willingness to adopt**

### Funding

- New **tax credits** and funding options from **IRA**
- **Direct financial support** for people to electrify **homes** and more financial support for **increased electric bills** that follow
- **Conditions** for receipt of funds
- **Financial support** for owners of APCHA or City **subsidized units**

### Penalties and incentives

- **Penalties** high enough to **compel compliance**
- Incentives focused on **time cost** for owners and developers

### Technical support

- Building managers need to know their **monthly utility trends** to know if they are on track to hit their requirement
- **Consultants** to business owners
- Retrofit **resource hub**

### Alternative compliance pathways

- Ability to request **alternative EUI target**
- Ability to request **alternative timeline**

## Administrative support

- Means and methods for data collection: support for the **people power** required to **analyze data**, identify insights from that data, and **enforce** the penalties

## Outreach and education

- **Overcome resistance to change** and aligning the community around the mission of climate change mitigation
- Good, better, best **strategy examples** based on building type and size
- Advertise **benefits and opportunities** created by BPS in a larger geographical context
- Branding energy efficiency as about **addressing comfort, performance, and quality of a building - not about saving money**
- **Individual homeowner buy-in** for multi-family buildings (an HOA cannot mandate an individual completes upgrades in their unit, however the City can)

## Next Steps & Working Groups

The **next Committee meeting** will be held virtually March 21, 2030 and focus on electrification in the context of Building Performance Standards.

City staff has worked with several Committee volunteers to organize a **Workforce working group**, which will be hosting a roundtable discussion with outside stakeholder members to better understand workforce needs under a new BPS policy. Workforce working group members include Mike Bouchet, Ryland French, Jimmy Marcus, Ben Silverman, and Ben Wolff.

Staff is also working to organize two additional working groups: 1) an Equity working group, which will help ensure that the BPS policy prioritizes and supports under-resourced buildings, avoids negative unintended consequences to low-income residents, and establishes structures for equitable implementation of the policy; 2) a Water working group that will examine the opportunities a BPS policy could offer for water efficiency measures in existing buildings in the City.

## Homework for Committee members

- Please fill out and return the 'Equity in Aspen's Building Performance Standards' survey that will be sent with summary notes.
- Please consider whether you would like to participate in the Equity and/or Water working groups to address key issues raised by the Committee and bring back recommendations for the Committee's consideration.

## Meeting Attendees

The meeting was attended by the following Committee members and City staff:

### City of Aspen

Clare McLaughlin, Sustainability Programs Administrator  
Tessa Schreiner, Climate Action Manager  
Lauran Garcia, Aspen's Sustainability Intern

### Stakeholder Committee Members

Present		
	Mike Bouchet	Aspen Skiing Company

X	Matthew Gillen	Aspen Pitkin County Housing Authority (APCHA)
	Jimmy Marcus	M Dev Co
	Kym Ryan	M&W Properties
X	Benjamin Wolff	Frias Property Managers
X	August Hasz	REG
X	Joshua Kace	Lawrence Berkeley National Laboratory
X	Ben Levenson	City of Aspen Assets
X	Bob Narracci	City of Aspen Zoning
	Mary Oliver	Design Workshop
X	Dave Rybak	Rybak Architecture & Development, P.C.
X	Derek Skalko	Historic Preservation, 1 Friday Designs
X	Nick Thompson	City of Aspen Buildings
X	Christine Brinker	Southwest Energy Efficiency Project (SWEEP)
X	Ryland French	Community Office for Resource Efficiency (CORE)
X	Luke Ilderton	Energy Outreach Colorado
X	CJ Oliver	City of Aspen Environmental Health & Sustainability
	Amanda Poindexter	United States Green Building Council (USGBC)
X	Erin Sherman	Rocky Mountain Institute (RMI)
X	Ben Silverman	Institute for Market Transformation (IMT)
X	Justin Forman	City of Aspen Utilities
	Kyle Lord	Holy Cross Energy
X	Jason Auslander	Black Hills Energy
X	Carolyn Sackariason	City of Aspen Communications