



City of Aspen Building Performance Standard Stakeholder Committee Charter and Operating Procedures

*Transforming our Built Environment with Jobs, Health, Equity, and Achievable
Climate Solutions*

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Background

Buildings account for 57% of Aspen’s greenhouse gas emissions. The City of Aspen’s [Building IQ Program](#) directly addresses emissions from the built environment and will help the City reduce emissions to reach our science-based targets of 63% reductions by 2030 and 100% by 2050.



The Building IQ [ordinance](#), effective June 1, 2022, first focuses on benchmarking, an annual process in which buildings track and report their energy and water consumption over time. Building IQ's second phase, a building performance standard (BPS), requires property owners to meet performance targets by actively improving their buildings over time. The BPS Stakeholder Committee will help the City of Aspen's Environmental Health and Sustainability Department (EHS) develop the specific BPS guidelines and targets by providing input and feedback from a broad range of industries, property owners, building users, climate organizations, environmental justice groups, and the community at large. EHS will use this input to inform its recommendations to Aspen City Council on BPS guidelines.

Charge

The BPS Stakeholder Committee will provide input to City staff in developing draft Building Performance Standards Guidelines for existing buildings that helps the City of Aspen reach its goal of zero greenhouse gas emissions by 2050. Additionally, these Guidelines may consider related opportunities to develop workforce skillsets, foster job creation, and improve healthy and equity.

Specifically, the Guidelines must determine:

- 1) The years by which final and interim performance standards must be reached, before and including the year 2035;
- 2) The chief performance metric or metrics;
- 3) The process for advising, soliciting public input on, and making recommendations to Council on performance standards for 2040 and 2050;
- 4) The definition of BPS-covered buildings required to reach the final and interim building performance standards;
- 5) The baseline metric for covered buildings with consideration of building type and benchmarking and other energy data;
- 6) Alternate compliance options by rule that add flexibility for BPS-covered building owners while achieving the same end goal. Such options shall include, but are not limited to, a process to adjust timing for meeting the established building performance standards, a process to adjust the end goal due to a building use or inherent characteristic of the building, and prescriptive options; and
- 7) Violations and enforcement for buildings that do not meet their set building performance standards by the established required dates.

The Guidelines should also consider:

- Policy features and programs that can be implemented to enhance equitable outcomes
- Feedback from a broad range of industries, property owners, building users, climate organizations, environmental justice groups, and the community at large;
- Property types with unique energy needs;
- Workforce availability and equitable workforce development related to building energy performance;
- Financial and nonfinancial costs and benefits of upgraded building energy performance;
- Availability of programs, technical assistance, and incentives to support property owners; and



- How regulations and support could help ensure property owners avoid fines through compliance with performance standards.

The Committee's input will be considered by City staff and summarized in a staff report to City Council. The Report will highlight key themes, areas of strong Committee support and/or agreement, as well as areas of concern and/or divergence of opinion. The greater the level of Committee support, the stronger a particular proposal to City Council is likely to be.

Expected Outcomes

The BPS Stakeholder Committee will produce a report with recommendations for BPS Guidelines that transition existing buildings to zero greenhouse gas emissions by 2050. City staff will translate these recommendations into guidelines to be considered and adopted by City Council on or before October 1, 2023.

Term and Timeline

The Stakeholder Committee is expected to meet more or less monthly from January to May, 2023. Its report will be completed by July 2023.

Leading with Equity

The [City of Aspen's Policy Agenda](#) states the City is "committed to creating an inclusive and equitable community... 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."

Inclusive: 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.

Equitable: 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.

Consistent with this policy agenda, the BPS Stakeholder Committee process will prioritize equity in process and outcomes. This is particularly relevant because the climate crisis disproportionately affects under resourced communities. Under resourced communities are also the least able to afford the investments to improve buildings. In this process, the City of Aspen will prioritize under-resourced constituents' interests in the development of policy, investments, services, and programs to transition buildings to zero greenhouse gas emissions.



Specifically, equity is a key principle for developing and implementing the BPS guidelines and equitable outcomes is a key metric for policy success. BPS guidelines must provide support for under-resourced buildings so that under-resourced community members are not additionally energy and housing cost burdened by this policy. Additionally, BPS guidelines should also consider equity as a principle in workforce development so that any recommendations prioritize opportunities for under-resourced communities.

Guiding Principles

The Committee process will prioritize the following:

- Reaching Aspen's decarbonization goal.
- Ensuring the policy is easy to understand and achievable.
- Ensuring BPS is feasible and practical from the perspective of building owners and managers.
- Ensuring less resourced buildings are prioritized, e.g., HOAs and other multifamily units.
- Ensuring the policy is enforceable and has teeth.
- A focus on people, real human lives and overall well-being.
- 'Alternative compliance pathways' for buildings should be the exception, not the norm.
- The BPS should be flexible and responsive to emergent needs and new technologies.
- In determining efficiency targets, consider focusing on Energy Use Intensity (EUI) rather than carbon emissions, which are more complex to measure.
- Consider the role of electrification as well as implications for the grid.
- The BPS should help encourage elements of economy-wide decarbonization, such as grid integration, energy storage, Electric Vehicle (EV) infrastructure, and overall management of energy use.
- Align the BPS with Aspen's building code and other programs, with County regulations, and with Colorado's new building performance standard, to make it easier for buildings to comply.
- Ensuring we can monitor the BPS to learn, adapt and iterate on the policy going forward.
- Incentivizing and supporting all buildings to comply, particularly less resourced buildings.
- Sufficient flexibility and nuance to account for Aspen's hundreds of historic buildings.
- Avoiding cost burdens for those least able to afford it; ensure the costs of compliance are not born by the most vulnerable citizens and don't impact remaining affordable housing in Aspen.
- Avoiding unintended consequences in terms of costs and energy use.
- Having transparent conversations about policy trade-offs, from climate impacts to community costs and benefits.
- Ensuring transparency in implementation, e.g., accessing compliance information.
- Incentivizing the adaptation of current infrastructure to minimize demolition waste.
- Consider how other City policies and processes can support desired BPS outcomes, such as aligning the land use code.
- Keeping Committee discussions sufficiently high-level to develop a realistic framework and fleshing out the BPS over time in light of unique circumstances and/or subsequent policy needs.
- Use of pilot projects and 'proof of concept' case studies where useful to promote learning and build buy-in, receive and incorporate feedback from building owners, and adapt accordingly.
- Consider the nuanced interplay between energy efficiency and the electric grid.



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- Promoting good, livable jobs and support small businesses in the Roaring Fork Valley, with sufficient workforce development to help Aspen transition to zero carbon buildings.
- A policy that is easily replicable for other jurisdictions in the Valley.
- Consider large, luxury single-family homes and outdoor heating as significant users of energy, even when fully electrified.
- A wide range of tools to incentivize compliance, including expedited permitting.
- Providing buildings with information so they can plan capital expenditures within different compliance periods.
- Consider outreach as well as technical and financial assistance to ensure successful compliance.
- Building community awareness about long-term financial, climate, and health-related savings, as well as the upfront costs to buildings.

Stakeholder Committee Meeting Format

1. The BPS Stakeholder Committee will hold **in-person** kick-off and closing meetings with an option for limited hybrid participation. Other Committee meetings are expected to be **virtual**.
2. **Transparency:** BPS Stakeholder Committee meeting agendas and summaries will be posted online at <https://www.aspen.gov/1245/Building-IQ> and available to the public throughout the process. Meetings will not be recorded and will not be open to the public. Opportunities for public comment on municipal processes are always available at council work sessions; the schedule is here <https://www.aspen.gov/685/Ways-to-Stay-in-Touch>. The public can provide comment via email at PublicComment@aspen.gov. Opportunities for the public to provide feedback on the Stakeholder Committee's recommendation, and to review project process and provide input will be available later this year.
3. **Meetings will be held** January through May at the end of each month, when possible, for 2.5 hours.

Stakeholder Committee Structure

The Stakeholder Committee includes the following roles, with specific roles and expectations defined further below.

Membership

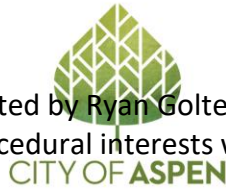
For the BPS Stakeholder Committee, the City of Aspen invited stakeholders from across sectors including property owners, developers, and managers, affordable housing representatives, technical building experts, sustainability and energy advocates, utilities representatives, and communications professionals. A full list of members is provided at the end of this Charter.

City Staff

Clare McLaughlin, Sustainability Administrator, will lead the BPS Stakeholder Committee process for the City. Other staff who will help support the Stakeholder Committee are:

- Lauran Garcia, City of Aspen Climate Intern
- Carolyn Sackariason, City of Aspen Senior Communications Specialist
- Tessa Schreiner, City of Aspen Sustainability Manager

Independent Facilitator



The Stakeholder Committee will be facilitated by Ryan Golten of the Consensus Building Institute (CBI), who will be an advocate for members' procedural interests while remaining impartial to the substance of the issues under discussion.

Technical Consultant

Group 14 Engineering will provide modeling support to assist the Committee in decision making.

Workgroups

The City may convene topical workgroups as deemed useful by the City and/or Committee to help digest Stakeholder Committee discussions and/or formulate policy ideas and options for the Committee's consideration.

Roles and Expectations

Stakeholder Committee members are expected to:

- Attend all meetings or notify City staff if they cannot attend a particular meeting (there will not be alternates or substitutes, considering the pace and complexity of Committee topics). City staff will incorporate comments from absent members if sent in advance of meetings. Committee meetings will be approximately 2.5 hours monthly from January to May 2023.
- Prepare for meetings by reviewing materials circulated by staff, considering issues, reviewing the agenda, and engaging with peer community or networks to solicit feedback. Committee members should expect to spend roughly 1-3 hours per month on the above tasks, depending on the nature of their interests and need for peer community input.
- Try to remain open-minded and avoid judging ideas.
- Strive to listen actively, bridge gaps in understanding, and seek to resolve differences.
- Help create an environment that is safe, respectful, and constructive for participation.
- Stay on track with agenda topics, working on the issues at hand.
- Provide input based on the perspectives and interests of members and their peer communities.
- Strive for evidence-based recommendations while recognizing decisions will need to be made in the face of uncertainty and incomplete data.
- Regularly communicate with peer community regarding issues and ideas being considered by the Stakeholder Committee and bring relevant input or concerns to meetings (note that only official Stakeholder Committee members will be able to participate in meetings themselves).

City staff will:

- Work with the facilitator to develop focused agendas.
- Circulate materials at least one week before Stakeholder Committee meetings, so members can review them with their peer community and receive input prior to meetings.
- Provide for all logistics, including virtual meeting needs, scheduling, and direct communications with the Stakeholder Committee.
- Coordinate effectively among City staff, managers and elected officials.
- Prepare written materials for Stakeholder Committee discussion and to inform Committee members how their input has been addressed.
- Provide opportunities for broader public input following the Committee process.



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- Provide resources to empower Committee members to share project objectives and solicit input from their peer community.
- Develop regulatory language based on input received from the Stakeholder Committee in a timely fashion for consideration by City Council.

The CBI Facilitator will:

- Structure and conduct inclusive, productive, and engaged Committee meetings.
- Work with participants to ensure ground rules are met.
- Work with City staff to develop meeting agendas, prepare draft and final meeting summaries, and to review other Committee materials as needed.
- Help participants resolve their differences on the issues raised.
- Be accountable to the entire Stakeholder Committee and work in a non-partisan and impartial manner.

Resources Materials to Inform and/or Support Stakeholder Committee Decision Making

This resource list may be updated throughout the Committee process. It is intended to provide helpful background information to inform key discussion areas. Resources specific to each Committee meeting will be sent in advance with meeting materials.

BPS BACKGROUND, STRATEGIES, AND BEST PRACTICES

- [What is a BPS Infographic](#)- *Institute for Market Transformation (IMT)*
- [BPS Implementation Guide](#) – *IMT*
- [National BPS Landscape](#) – *National BPS Coalition/ IMT*
- [Leveling up BPS](#) – *American Council for Energy Efficient Economy (ACEEE) Summer Study*
- [Mandatory Building Performance Standards: A Key Policy for Achieving Climate Goals](#) - *ACEEE*
- [Example BPS Task Force Recommendations](#) – *Energize Denver Task Force, City of Denver*

LOCAL CONTEXT

- [Building IQ Website](#) – *City of Aspen Environmental Health & Sustainability Department, Climate Action*
- [Building IQ Ordinance](#) – *City of Aspen City Council*
- [Aspen Climate Action Plan](#) – *City of Aspen Environmental Health & Sustainability Department, Climate Action (2017 plan, 2023 plan will be shared upon publication)*
- [City of Aspen Building and Energy Code Update](#) – *City of Aspen Buildings Department*
- [Aspen's Path to 100% Renewable Electricity](#) – *City of Aspen Utilities*
- [100 x 30: Our Journey to 100 Travel Guide](#)- *Holy Cross Energy*

EQUITY & WORKFORCE DEVELOPMENT

- [Equity and Building Framework](#) – *Urban Sustainability Directors Network (USDN), American Cities Climate Challenge, Emerald Cities Collaborative, Upright Consulting*



- [Equitable Approaches to Building Performance Standards](#) - *Building Electrification Institute (BEI)*
- [Energy Burden Explainer video](#) - *ACEEE*
- [Case Study: Saint Paul Career in Climate & Energy Initiative](#) – *City of Saint Paul, American Cities Climate Challenge, Inclusive Economics*
- [Working with a Community Accountability Board](#) – *IMT*
- [BPS Module: Affordability](#) – *IMT*

ELECTRIFICATION

- [Beneficial Electrification Case Studies](#)- *The Climate Action Collaborative for Eagle County*
- [Cost Effective Strategies for Electrification](#) – *City and County of Denver, Group 14 Engineering*

Stakeholder Committee Members

Many members have expertise and interest across multiple areas and sectors. But to help remember who is who, we have grouped participants according to their primary role.

<p>Building Owners/Managers</p>	<ol style="list-style-type: none"> 1. Mike Bouchet, Aspen Skiing Company 2. Matthew Gillen, Aspen Pitkin County Housing Authority (APCHA) 3. Jimmy Marcus, M Dev Co 4. Kym Ryan, M&W Properties 5. Benjamin Wolff, Frias Property Managers
<p>Building Tech</p>	<ol style="list-style-type: none"> 6. August Hasz, REG 7. Joshua Kace, Lawrence Berkeley National Laboratory 8. Ben Levenson, Asset, City of Aspen 9. Bob Narracci, Zoning, City of Aspen 10. Mary Oliver, Design Workshop 11. Dave Rybak, Rybak Architecture & Development, P.C. 12. Derek Skalko, Historic Preservation, 1 Friday Designs 13. Nick Thompson, Buildings, City of Aspen
<p>Environment/ Clean Energy/ Sustainability</p>	<ol style="list-style-type: none"> 14. Christine Brinker, Southwest Energy Efficiency Project (SWEEP) 15. Ryland French, Community Office for Resource Efficiency (CORE) 16. Luke Ilderton, Energy Outreach Colorado 17. CJ Oliver, Environmental Health & Sustainability, City of Aspen 18. Amanda Poindexter, United States Green Building Council (USGBC) 19. Erin Sherman, Rocky Mountain Institute (RMI)



	20. Ben Silverman, Institute for Market Transformation (IMT)
Utilities	21. Justin Forman, City of Aspen Utilities 22. Kyle Lord, Holy Cross Energy 23. Jason Auslander, Black Hills Energy
Public Participation and City Governance Counsel	24. Carolyn Sackariason, City of Aspen

Draft Work Plan (subject to change)

Time	Mtg#	Purpose:	Outcome:
January 24, 2023	1	Develop a sense of common purpose, clarify Committee role and workplan, including role of equity, and launch the process.	Members have clarity and buy-in on the Committee’s task, including issues to be addressed.
February 28, 2023	2	Discuss which buildings are covered; energy efficiency targets and alternate compliance options; and workforce, incentives, and supports needed.	Clarify which buildings are covered, efficiency policy options, and what support is needed for compliance. Begin to discuss workforce needs.
March 21, 2023	3	Discuss electrification policy and alternate compliance options; and what workforce, incentives and supports needed.	Clarify electrification recommendations; begin drafting recommendations for supporting buildings (support, incentives).
April 2023	4	Discuss plan to address costs, particularly for low- and middle-income community members; plans for compliance, including considering a review board; and workforce, incentives, and supports needed.	Draft recommendations for funding, compliance, and workforce.



Time	Mtg#	Purpose:	Outcome:
May 2023	5	Synthesize Committee input and recommendations.	Finalize report with recommendations and next steps.

