AGENDA
REGULAR MEETING OF THE CITY COUNCIL
480 S. ALLISON PARKWAY
CITY OF LAKEWOOD, COLORADO
HYBRID MEETING
FEBRUARY 23, 2026
7:00 PM
To watch the Council meeting live, please use either one of the following links:
City of Lakewood Website: Lakewood.org/CouncilVideos
Lakewood Speaks: Lakewoodspeaks.org

The City of Lakewood does not discriminate on the basis of race, age, national origin, color, creed, religion, sex, sexual orientation or disability in the provision of services. People needing reasonable accommodation to attend or participate in a City service program can call 303-987-7080 or TDD 303-987-7057. Please give notice as far in advance as possible so we can accommodate your request.

How to Connect to Provide Public Comment: Online participants may post written comments of any length to LakewoodSpeaks.org, an online forum for public comments. In accordance with City Council Policy 5.1(A), all virtual meeting participants are advised that technological issues, whether caused by the City's equipment or the user's equipment, shall not be grounds for canceling a public meeting.

ITEM 1 – CALL TO ORDER

ITEM 2 – ROLL CALL

ITEM 3 – OPENING ITEMS

ITEM A. – PLEDGE OF ALLEGIANCE

ITEM B. – STATEMENT OF CONFLICT OF INTEREST

ITEM C. – INITIAL Public Comment

Anyone who would like to address the Council on any matter other than an agenda item will be given the opportunity. Speakers should limit their comments to three minutes.

CONSENT AGENDA
ORDINANCES ON FIRST READING

ITEM 4 – **–** RESOLUTIONS

4A REAPPOINTING MEMBERS OF THE BOARD OF APPEALS

4B APPOINTING A MEMBER OF THE LAKEWOOD HISTORIC

PRESERVATION COMMISSION

4C APPOINTING A MEMBER OF THE VICTIM ASSISTANCE COMPENSATION BOARD

ITEM 5 – APPROVING MINUTES OF THE CITY COUNCIL MEETINGS

END OF CONSENT AGENDA

ITEM 6 – ITEMS REMOVED FROM CONSENT AGENDA

ORDINANCES ON SECOND READING AND PUBLIC HEARINGS

ITEM 7 – O-2026-8 – ADOPTING TITLE 14, CHAPTER 30, OF THE LAKEWOOD MUNICIPAL CODE ESTABLISHING A BUILDING PERFORMANCE PROGRAM FOR THE CITY OF LAKEWOOD, COLORADO

ITEM 8 – O-2026-9 – AUTHORIZING A SUPPLEMENTAL APPROPRIATION OF GENERAL FUNDS TO THE 2026 ANNUAL BUDGET IN THE AMOUNT OF $155,000 AND AUTHORIZING THE EXPENDITURE OF THESE FUNDS BY THE CITY CLERK'S OFFICE TO PAY FOR EXPENSES RELATED TO THE SPECIAL MUNICIPAL ELECTION TO BE HELD ON APRIL 7, 2026

ITEM 9 – CLOSING ITEMS

ITEM A. – Public Comment

ITEM B. – GENERAL BUSINESS

ITEM C. – EXECUTIVE REPORT

ITEM D. – MAYOR AND CITY COUNCIL REPORTS

ITEM E. – ADJOURNMENT

STAFF MEMO

DATE OF MEETING: FEBRUARY 23, 2026 / AGENDA ITEM NO. 3

To: Mayor and City Council

From:

Subject:

SUMMARY STATEMENT:

BACKGROUND INFORMATION:

BUDGETARY IMPACTS: None

STAFF RECOMMENDATIONS: None

ALTERNATIVES: None

PUBLIC OUTREACH: This item has been promoted through the regular communication channels to be considered by the Lakewood City Council.

NEXT STEPS: None

ATTACHMENTS: None

REVIEWED BY: Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Alison McKenney Brown, City Attorney

STAFF MEMO

DATE OF MEETING: FEBRUARY 23, 2026 / AGENDA ITEM NO. 3C

To: Mayor and City Council

From:

Subject:

SUMMARY STATEMENT:

BACKGROUND INFORMATION:

BUDGETARY IMPACTS: None

STAFF RECOMMENDATIONS: None

ALTERNATIVES: None

PUBLIC OUTREACH: This item has been promoted through the regular communication channels to be considered by the Lakewood City Council.

NEXT STEPS: None

ATTACHMENTS: None

REVIEWED BY: Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Alison McKenney Brown, City Attorney

STAFF MEMO

DATE OF MEETING: FEBRUARY 23, 2026 / AGENDA ITEM NO. 4

To: Mayor and City Council

From:

Subject:

SUMMARY STATEMENT:

BACKGROUND INFORMATION:

BUDGETARY IMPACTS: None

STAFF RECOMMENDATIONS: None

ALTERNATIVES: None

PUBLIC OUTREACH: This item has been promoted through the regular communication channels to be considered by the Lakewood City Council.

NEXT STEPS: None

ATTACHMENTS: None

REVIEWED BY: Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Alison McKenney Brown, City Attorney

STAFF MEMO

DATE OF MEETING: FEBRUARY 23, 2026 / AGENDA ITEM NO. 4A

To: Mayor and City Council

From: Jay Robb, City Clerk

Subject: **Reappointing Members of the Board of Appeals**

SUMMARY STATEMENT: The Resolution reappoints three members to the Board of Appeals.

BACKGROUND INFORMATION: The Screening Committee held interviews on February 5, 2026, and recommended the reappointment of Jason Summers, Dennis Mateski, and Douglas Porter to the Board of Appeals.

Adoption of this Resolution will officially reappoint these members to serve full, three-year terms that commence on April 1, 2026, and will end March 31, 2029.

BUDGETARY IMPACTS: None.

STAFF RECOMMENDATIONS: Approval of the Resolution.

ALTERNATIVES: The Screening Committee could interview additional candidates to serve on the Board.

PUBLIC OUTREACH: This item has been promoted through the regular communication channels to be considered by the Lakewood City Council.

NEXT STEPS: If the Resolution is adopted, the reappointed members would continue serving on the Board of Appeals.

ATTACHMENTS: 1. Resolution R-2026-15

REVIEWED BY: Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Alison McKenney Brown, City Attorney

R-2026-15

A RESOLUTION

REAPPOINTING MEMBERS
OF THE BOARD OF APPEALS

BE IT RESOLVED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. Jason Summers, a Lakewood Resident, is hereby reappointed to the Board of Appels to serve a three-year term that will commence on April 1, 2026, and will end March 31, 2029.

SECTION 2. Dennis Mateski, a Lakewood Resident, is hereby reappointed to the Board of Appels to serve a three-year term that will commence on April 1, 2026, and will end March 31, 2029.

SECTION 3. Douglas Porter, a Lakewood Resident, is hereby reappointed to the Board of Appels to serve a three-year term that will commence on April 1, 2026, and will end March 31, 2029.

INTRODUCED, READ AND ADOPTED by a vote of _ for and _ against at a hybrid regular meeting of the City Council on February 23, 2026, at 7 o'clock p.m., at the Lakewood Civic Center, 480 South Allison Parkway, Lakewood, Colorado.

____
Wendi Strom, Mayor

ATTEST:

____
Jay Robb, City Clerk

APPROVED AS TO FORM:

____
Alison McKenney Brown, City Attorney

STAFF MEMO

DATE OF MEETING: FEBRUARY 23, 2026 / AGENDA ITEM NO. 4B

To: Mayor and City Council

From: Jay Robb, City Clerk

Subject: **Appointing a Member of the Historic Preservation Commission**

SUMMARY STATEMENT: The Resolution appoints a new member to the Lakewood Historical Preservation Commission to fill a 4-year term beginning April 1, 2025, and ending March 31, 2029.

BACKGROUND INFORMATION: In response to a vacancy on the Historic Preservation Commission, the Screening Committee held interviews on February 5, 2026, and unanimously recommended Jeff Poorten be appointed to fill the vacancy.

Adoption of this Resolution will officially appoint Jeff Poorten to the Commission, to fill a 4-year term that commenced on April 1, 2025, and ends March 31, 2029.

BUDGETARY IMPACTS: None

STAFF RECOMMENDATIONS: Approval of the Resolution.

ALTERNATIVES: Denial of any recommended appointments.

PUBLIC OUTREACH: This item has been promoted through the regular communication channels to be considered by the Lakewood City Council.

NEXT STEPS: If the Resolution is approved by the City Council, the new member can begin serving on the Commission the day following Council's approval. The new member will be contacted by the staff liaison to receive orientation and begin serving on the Commission.

ATTACHMENTS: 1. Resolution R-2026-16

REVIEWED BY: Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Alison McKenney Brown, City Attorney

R-2026-16

A RESOLUTION

APPOINTING A MEMBER OF THE
HISTORIC PRESERVATION COMMISSION

BE IT RESOLVED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. Jeff Poorten, a Lakewood resident, is hereby appointed to the Historic Preservation Commission to serve a four-year term that commenced on April 1, 2025, and will end March 31, 2029.

INTRODUCED, READ AND ADOPTED by a vote of _ for and _ against at a hybrid regular meeting of the City Council on February 23, 2026, at 7 o'clock p.m., at the Lakewood Civic Center, 480 South Allison Parkway, Lakewood, Colorado.

____
Wendi Strom, Mayor

ATTEST:

____
Jay Robb, City Clerk

APPROVED AS TO FORM:

____
Alison McKenney Brown, City Attorney

STAFF MEMO

DATE OF MEETING: FEBRUARY 23, 2026 / AGENDA ITEM NO. 4C

To:	Mayor and City Council
From:	Jay Robb, City Clerk
Subject:	**Appointing a Member of the Victim Assistance Compensation Board**

SUMMARY STATEMENT: The Resolution appoints a new member to the Victim Assistance Compensation Board to fill the remainder of a 3-year term that began October 1, 2025, and ends September 30, 2028.

BACKGROUND INFORMATION: In response to a vacancy on the Victim Assistance Compensation Board, the Screening Committee held interviews on February 5, 2026, and unanimously recommended Kris Charland, a victim assistance program representative, be appointed to fill the vacancy.

Adoption of this Resolution will officially appoint Kris Charland to fill a 3-year term that commenced October 1, 2025, and ends September 30, 2028.

BUDGETARY IMPACTS: None

STAFF RECOMMENDATIONS: Approval of the Resolution.

ALTERNATIVES: Denial of the recommended appointment.

PUBLIC OUTREACH: This item has been promoted through the regular communication channels to be considered by the Lakewood City Council.

NEXT STEPS: If the Resolution is approved by the City Council, the new member can begin serving on the Board the day following Council's approval. The new member will be contacted by the staff liaison to receive orientation and begin serving on the Board.

ATTACHMENTS: 1. Resolution R-2026-17

REVIEWED BY: Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Alison McKenney Brown, City Attorney

R-2026-17

A RESOLUTION

APPOINTING A MEMBER OF THE
VICTIM ASSISTANCE COMPENSATION BOARD

BE IT RESOLVED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. Kris Charland, a Victim Assistance Program Representative, is hereby appointed to the Victim Assistance Compensation Board to serve a three-year term that commenced on October 1, 2025, and will end September 30, 2028.

INTRODUCED, READ AND ADOPTED by a vote of _ for and _ against at a hybrid regular meeting of the City Council on February 23, 2026, at 7 o'clock p.m., at the Lakewood Civic Center, 480 South Allison Parkway, Lakewood, Colorado.

____
Wendi Strom, Mayor

ATTEST:

____
Jay Robb, City Clerk

APPROVED AS TO FORM:

____
Alison McKenney Brown, City Attorney

STAFF MEMO

DATE OF MEETING: FEBRUARY 23, 2026 / AGENDA ITEM NO. 6

To: Mayor and City Council

From:

Subject:

SUMMARY STATEMENT:

BACKGROUND INFORMATION:

BUDGETARY IMPACTS: None

STAFF RECOMMENDATIONS: None

ALTERNATIVES: None

PUBLIC OUTREACH: This item has been promoted through the regular communication channels to be considered by the Lakewood City Council.

NEXT STEPS: None

ATTACHMENTS: None

REVIEWED BY: Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Alison McKenney Brown, City Attorney

STAFF MEMO

DATE OF MEETING: FEBRUARY 23, 2026 / AGENDA ITEM NO. 7

To:	Mayor and City Council
From:	Jeffrey Wong, Principal Sustainability Planner Travis Parker, Chief of the Sustainability & Community Development Branch
Subject:	**Building Energy Benchmarking**

SUMMARY STATEMENT: Building energy use is the largest source of greenhouse gas (GHG) emissions in Lakewood. During the February 23, 2026 City Council regular meeting, staff will propose an ordinance that would create a building energy benchmarking program in Lakewood. The benchmarking program would require property owners of the city's largest buildings to report their energy use annually.

Staff previously presented background information about a proposed benchmarking program to City Council at a Study Session on March 23, 2025. City Council was generally supportive of a program, noting that program funding was a significant barrier for adoption. Since then, staff secured a $1.5 million of grant funding from DRCOG that would support this program through September 2029.

BACKGROUND INFORMATION: The city's Greenhouse Gas (GHG) inventories consistently show that the building sector is the largest contributor of GHG emissions in Lakewood. In 2024, building energy use represented 37% of overall emissions (this data is still being finalized). While sustainable development standards in the Zoning Ordinance address GHG emissions mitigation for new construction, they do not include solutions for emissions reductions for the majority of the city's existing building stock. Staff is creating a building performance program for Lakewood's largest buildings as part of a strategy to meet the city's GHG emissions reduction goals. The first phase of the project is to create an energy benchmarking program, which is the focus of this Ordinance. The second phase of the project is the development of a performance standard program that would set individual long-term energy or emissions targets for Lakewood's largest buildings in support of the city's goal of net zero 2050 GHG emissions.

Energy benchmarking is the regular monitoring and reporting of an individual building's energy consumption to track changes over time (typically one year) and monitor progress towards increased efficiency and decreased GHG emissions. The data can inform building owners and managers of their existing energy use, how their properties perform compared to other buildings of similar type, and potential improvements that can be made to lower utility bills. An EPA study of over 35,000 buildings showed that on average, benchmarking can reduce annual energy consumption for a building by 2.4% for the first three years of reporting. Other jurisdictions across the country have already adopted building benchmarking and building performance standard programs (see Attachment 1). This includes the State of Colorado, which requires property owners of all buildings 50,000+ square feet in gross floor area to benchmark and report their energy use annually.

Following community engagement and several advisory group meetings in 2024, and City Council feedback from the 2025 study session, staff proposes an Ordinance that requires energy benchmarking for all multifamily, commercial (including manufacturing), and public buildings with gross floor areas of 10,000 square feet and above. Preliminary analysis of the city's existing building stock shows that this square footage threshold would include about 830 buildings, including about 200 buildings that already must comply with state benchmarking requirements. Staff would provide several resources for property owners to enable successful compliance with a Lakewood benchmarking program.

BUDGETARY IMPACTS: Staff estimates that the development and implementation of an energy benchmarking program for Lakewood's largest buildings will cost $375,000 annually, including the addition of two full-time staff. Staff has secured a $1.5 million DRCOG grant (with no city cost share) that would support this program through September 2029. The $5 million Department of Energy (DOE) grant that was previously awarded to the City to support this program remains frozen and under review by the current federal administration.

STAFF RECOMMENDATIONS: Staff recommends that City Council adopt the proposed Ordinance O-2026-8.

ALTERNATIVES: City Council may approve proposed Ordinance O-2026-8 with or without modifications, continue for further discussion, or deny proposed Ordinance O-2026-8.

PUBLIC OUTREACH: This item has been promoted through the regular communication channels to be considered by the Lakewood City Council.

NEXT STEPS: Second reading and public hearing of the ordinance is scheduled for February 23, 2026. If approved, the ordinance would go into effect in late March 2026.

ATTACHMENTS:
1. Ordinance O-2026-8
2. Benchmarking Public Hearing Slides

REVIEWED BY: Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Alison McKenney Brown, City Attorney

O-2026-8

AN ORDINANCE

ADOPTING TITLE 14, CHAPTER 30, OF THE LAKEWOOD MUNICIPAL CODE
ESTABLISHING A BUILDING PERFORMANCE PROGRAM
FOR THE CITY OF LAKEWOOD, COLORADO

WHEREAS, the City of Lakewood is a home rule municipality organized under Article XX of the Colorado Constitution and the authority of the Home Rule Charter for the City of Lakewood (City Charter);

WHEREAS, Sections 1.2 and 2.1 of the City Charter vests all municipal legislative powers in the City Council for the City of Lakewood (the “City”) and authorizes the City Council to establish those laws necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the morals, order, comfort, and convenience of such municipality and the inhabitants thereof;

WHEREAS, the City Council prioritized sustainability work including reducing greenhouse gas emissions to minimize the negative impacts of climate change;

WHEREAS, City staff began evaluating a benchmarking and building performance program for existing commercial, multifamily, and public buildings of a certain size as part of an overall building emissions reduction strategy to achieve net zero greenhouse gas emissions from buildings by 2050;

WHEREAS, City Council finds and determines that adopting a benchmarking program is in the best interests of the City and its residents;

WHEREAS, approval of this Ordinance on first reading is intended only to confirm that the City Council desires to comply with the Lakewood Municipal Code by setting a public hearing to provide City staff and the public an opportunity to present evidence and testimony regarding the proposal; and

WHEREAS, approval of this Ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects or denies any particular proposal related to this proposal identified herein.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, State of Colorado:

SECTION 1. Title 14, Chapter 30, of the Lakewood Municipal Code shall be adopted as follows:

Chapter 14.30 - Building Performance Program

14.30.010 Purpose.

The purpose of this Code is to establish a Building Performance Program (BPP) for existing commercial, multifamily, and public buildings of a certain size to monitor and improve building performance as part of an overall building emissions reduction strategy. This Code's purpose is also to reduce greenhouse gas emissions from buildings in support of the City of Lakewood's commitment to achieve communitywide net zero greenhouse gas emissions by 2050.

14.30.020 Definitions.

For the purposes of this Code, the following words and terms shall be defined as follows, unless the context in which they are used clearly indicates otherwise.

Benchmarking means measuring a Covered Building's energy performance using the Benchmarking Tool.

Benchmarking Tool means the ENERGY STAR Portfolio Manager web-based tool developed by the United States Environmental Protection Agency, or any alternative system or tool approved by the Sustainability Division, that measures and tracks a Covered Building's energy use and greenhouse gas emissions and rates the performance of a Covered Building in relation to similar buildings and accounts for the impacts of year-to-year weather variations, building size, location, and several operating characteristics.

Chief means the Chief of the Sustainability and Community Development Department at the City of Lakewood or designee.

City means the City of Lakewood, Colorado.

Covered Building means any commercial, multifamily, or public building at least ten thousand (10,000) square feet in Gross Floor Area in the City except for those exempted in Section 14.30.070 of this Code.

Energy means electricity, natural gas, heating oil, or other product sold by a utility to a property for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses captured by the Benchmarking Tool.

Gross Floor Area means the total area of a Covered Building, measured and calculated pursuant to the rules and regulations adopted in accordance with this Code.

Owner means any of the following:

A. An individual or entity possessing title to a Covered Building;
B. The board of the owners' association, in the case of a condominium;
C. The master association, in the case of a condominium, where the powers of an owners' association are exercised by or delegated to a master association;
D. The board of directors, in the case of a cooperative apartment corporation;

E. An agent authorized to act on behalf of any of the above; or

F. The successors and assigns of any of the above.

Site Energy Use Intensity or EUI means a building's site energy use expressed as energy per square foot per year as a function of its size, normalized for weather and other characteristics that are significant drivers of energy performance as feasible with the reporting platform used.

Sustainability Division means the Community Sustainability, Climate, and Zero Waste Division within the Sustainability and Community Development Department in the City.

14.30.030 Applicability.

The BPP shall apply to all commercial, multifamily, and public buildings within the City with a Gross Floor Area equal to or greater than ten thousand (10,000) square feet.

14.30.040 Authority.

The Chief shall have the authority to promulgate rules and regulations for the proper administration of this Code and make necessary amendments to the rules and regulations as needed.

14.30.050 Benchmarking and Reporting.

A. Beginning in 2026, each Owner of a Covered Building shall benchmark the building's energy usage using the Benchmarking Tool and shall accurately report 2025 energy performance information to the Sustainability Division by December 31, 2026. In 2027 and each year thereafter, Owners of a Covered Building shall benchmark the building’s energy usage using the Benchmarking Tool and shall accurately report the previous calendar year’s energy performance information to the Sustainability Division on or before June 1st.

B. An Owner shall include, at a minimum, the following energy performance information in the report to the Sustainability Division: a Covered Building's annual EUI, ENERGY STAR portfolio manager score (if eligible for a score), greenhouse gas emissions, and any other data fields needed to calculate the ENERGY STAR portfolio manager score for auditing and verification purposes.

C. An Owner of a Covered Building shall keep records of monthly energy consumption for a minimum of twenty-four (24) months. Such records shall be made available to the Sustainability Division for inspection upon request.

D. The Sustainability Division may consider additional performance metrics as outlined in the rules and regulations and may consider third-party data verification requirements.

14.30.060 Compliance with State Benchmarking.

Notwithstanding the requirements in Section 14.30.050 above, if an Owner of a Covered Building is required to comply with both City and State of Colorado benchmarking reporting requirements then:

A. The Owner need only comply with the State of Colorado's benchmarking reporting schedule and deadlines for such Covered Building. The Owner shall add the City as an additional reporting entity in the Benchmarking Tool when submitting the energy performance data to the State of Colorado for such Covered Building; and

B. The Owner shall submit, at a minimum, the energy performance information and other related data required by the State of Colorado to the Sustainability Division.

14.30.070 Extensions, Adjustments, and Exemptions.

A. The Sustainability Division may grant an extension, adjustment, or exemption to the requirements in Section 14.30.050 for a Covered Building whose Owner submits a request, at least sixty (60) days prior to any submission deadline, if the Covered Building meets any of the following criteria:

1. The Covered Building is a single family, duplex, or triplex residential home inclusive of accessory structures;
2. A demolition permit has been issued for the entirety of the Covered Building and demolition work has commenced on or before the date the benchmarking report is due;
3. The primary use of the Covered Building changes significantly, as determined by the Chief, and no longer meets the requirements of this Code;
4. The Covered Building did not have a certificate of occupancy or temporary certificate of occupancy for all twelve (12) months of the calendar year for which benchmarking is required;
5. The Covered Building was not occupied, due to renovation, for all twelve (12) months of the calendar year for which benchmarking is required;
6. The Covered Building is experiencing qualifying financial hardship, as described in the rules and regulations; and/or
7. The Covered Building is used primarily for manufacturing, industrial, or agricultural processes and meets specified requirements pursuant to the rules and regulations. This exclusion only applies if a facility where the majority of energy is consumed for manufacturing, agriculture, or for other process loads submits and receives an approved exemption by the Sustainability Division. Process loads are energy consumed for bona fide

purposes other than heating, cooling, ventilation, domestic hot water, cooking, lighting, appliances, office equipment, data centers, or other plug loads.

B. Any extension, adjustment, or exemption request under this Section shall be accompanied by supporting documentation in a form pre-approved by the Sustainability Division. Any extension, adjustment, or exemption granted will be limited to the benchmarking submission for which the request was made and does not extend to past or future submittals under this Code.

14.30.080 Benchmarking Violations and Enforcement.

A. It is unlawful to violate any provision of this Code or any rules and regulations adopted pursuant to this Code.

B. The Chief is empowered to enforce the provisions of this Code and any rules and regulations adopted pursuant to this Code.

C. If the Chief believes that a violation of any provision of this Code exists or that a violation of any provision of the rules and regulations adopted pursuant to this Code exists, the Chief shall issue a notice of violation to an Owner alleged to be in violation. If the Chief issues a notice of violation regarding 2025 energy performance information, an Owner has ninety (90) days to correct the violation. If the Chief issues a notice of violation regarding 2026 or any subsequent year energy performance information, an Owner has thirty (30) days to correct the violation.

D. An Owner of a Covered Building who fails to correct the violation pursuant to this Section shall be required to pay a civil penalty each year the Owner's Covered Building fails to achieve compliance. The civil penalty shall amount to two thousand dollars per violation ($2,000.00). If an Owner has multiple Covered Buildings that are not compliant with this Code, each non-compliant Covered Building is considered a separate violation.

E. If a Covered Building subject to the civil penalty above fails to pay the civil penalty within one hundred eighty (180) days, the City may elect to place a lien on the Covered Building. The lien shall be a perpetual lien on the Covered Building's property, and is superior and prior to all other liens, regardless of their dates of recordation, except for liens for general taxes and prior special assessments, until the civil penalty owed, delinquent interest, and recording fees have been paid in full. The Chief must record the lien with the Jefferson County Clerk and Recorder.

F. In addition to the remedies set forth in this Code, the City may elect to recover or collect any amounts, including interest, owing under this Code. Interest shall be calculated as described in the rules and regulations adopted pursuant to this Code.

G. If a Covered Building is required to comply with both City and State of Colorado benchmarking reporting requirements, and such Covered Building has failed to comply with both City and State requirements, the City may decline to impose a civil penalty under this Code if a penalty has been imposed or is being pursued by the State under state law for the same violation, in order to avoid duplicative penalties.

14.30.090 Benchmarking Funds.

A. All funds collected from payment of civil penalties under this Code shall be utilized to support administration of the BPP.

B. All funds collected and, if applicable, any interest earned on the funds, shall not revert to the unrestricted fund balance of the City's General Fund at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in this Code.

14.30.100 Appeals.

A. The process for filing an appeal of any action set forth within this Code shall be in accordance with this Section and supplemented by the rules and regulations adopted pursuant to this Code.

B. An Owner may file a written appeal of a notice of violation with the Chief within fourteen (14) days of such notice being issued to the Owner in accordance with the process set forth within this Code and the rules and regulations. The appeal shall be heard within thirty (30) days of filing such an appeal or at a mutually agreed upon date outside of the thirty (30) day period. The appeal shall be heard by an administrative hearing officer appointed by the Chief. After hearing all evidence presented, the administrative hearing officer shall make findings of fact and conclusions of law as to whether the violations set forth within the notice of violation occurred based on a preponderance of the evidence, the individual identified as an Owner is in fact an Owner of the Covered Building, and the Covered Building exists within the City. If the administrative hearing officer finds each of the aforementioned elements to be true, then the administrative hearing officer shall issue findings and a civil penalty in accordance with Section 14.30.080(D).

C. An appeal by one Owner of a Covered Building having multiple Owners shall be reviewed as if all Owners had filed such appeal. All Owners shall be jointly and severally responsible for all violations of this Code.

D. The administrative hearing officer's decision shall be a final decision and may be appealed to the Jefferson County District Court pursuant to the Colorado Rules of Civil Procedure 106(a)(4).

SECTION 2. This Ordinance shall take effect thirty (30) days after final publication.

SECTION 3. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion, provided such remaining portions or application of the Ordinance are not determined by the court to be inoperable.

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a hybrid regular meeting of the Lakewood City Council on the 9th day of February, 2026; published by title in the Denver Post and in full on the City of Lakewood's website at www.lakewood.org on the 12th day of February, 2026; set for public hearing to be held on the 23rd day of February, 2026; read, finally passed and adopted by the City Council on the 23rd day of February, 2026; and signed by the Mayor on the __ day of February, 2026.

____
Wendi Strom, Mayor

ATTEST:

____
Jay Robb, City Clerk

APPROVED AS TO FORM:

____
Alison McKenney Brown, City Attorney

Ordinance O-2026-7
Building Performance Program – Energy Benchmarking

City Council Meeting

February 23, 2026

Lakewood
Sustainability

Building Performance Program for Lakewood's Largest Buildings

Phase 1: Benchmarking development

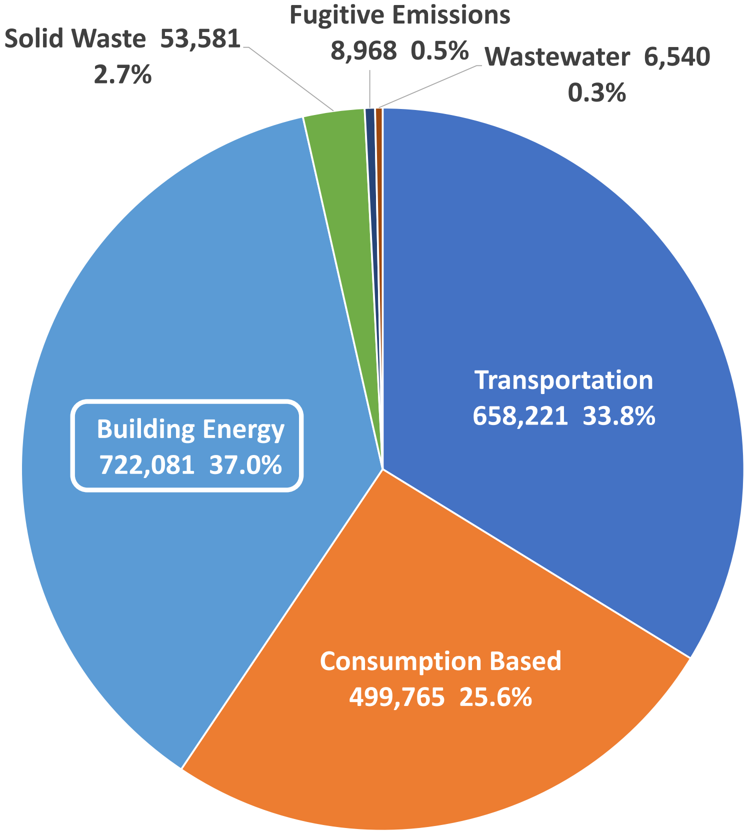
- Annual tracking and reporting of energy use to measure performance of Lakewood's largest existing buildings

Phase 2 (future): Building Performance Program development

- Set long-term energy/emissions targets for existing large buildings and provide roadmap for long-term efficiency improvements, resources, and financial incentives to achieve improved building performance

Building Energy Benchmarking City Council Meeting

2024 GHG Emissions Inventory



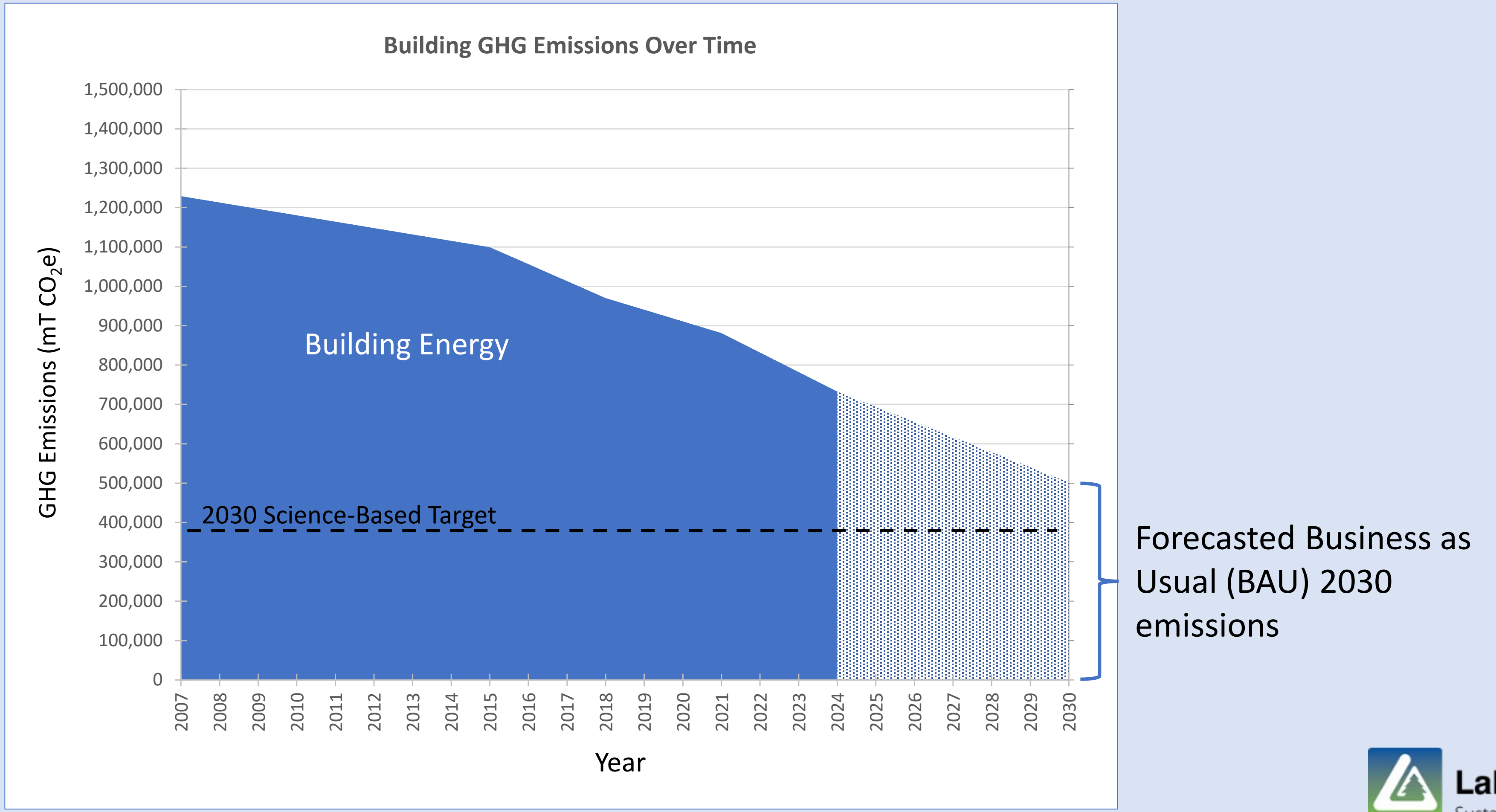
2024 GHG Sector Emissions (mT CO_2e)

Lakewood Sustainability

Note: 2024 GHG Inventory is being finalized

Building Energy Benchmarking City Council Meeting

Lakewood GHG Buildings Emissions Over Time



GHG Reduction Goals: Science-Based Targets

1. 60.7% below 2018 by 2030
2. Net zero by 2050

Lakewood Sustainability

Building Energy Benchmarking City Council Meeting

Lakewood Building Stock Profile

Total Structures:	50,000
Total Gross Floor Area:	119.4 million SF
Total 2024 Building GHG Emissions	722,000 mT CO_2e

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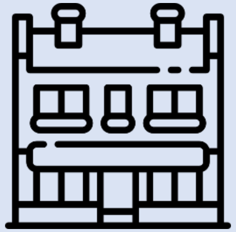
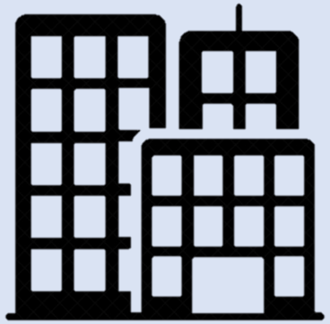
Building Energy Benchmarking City Council Meeting

Lakewood Building Stock Profile by Square Footage

					
Category (SF):	< 5,000	5,000 – 9,999	10,000 – 24,999	25,000 – 49,999	>= 50,000
Structures:	48,500	590	435	195	199
Gross Floor Area (SF):	77 million	4 million	6.8 million	6.9 million	24.6 million
GHG Emissions / Structure (mT CO_2e):	9	71	164	383	1,326

Note: Approximate data from 2024

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How much energy do our buildings use now?

- Existing data sources for building energy use
  - CBECS & Energy Star Portfolio Manager: Regional average data based on building type and climate zones
  - Xcel Energy: Aggregated data categorized as residential or non-residential
- No localized Lakewood energy data at individual building level
- Data gap remains at the individual building level → communities are turning to energy benchmarking programs

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What is Energy Benchmarking?

- Measure and report energy performance of a single building over a period of time
- Compare to other buildings of similar type to gauge performance
- 2.4% annual energy savings
- Provides baseline for individual building energy use to inform potential Building Performance Standards (Phase 2)

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What are the benefits of building energy benchmarking?

Building Owner / Occupant

- Lower utility bills
- Prioritize efficient building improvements
- Increase occupant comfort and building quality

City

- Decrease energy use and GHG emissions
- Measure progress towards emissions goals
- Increase economic investment

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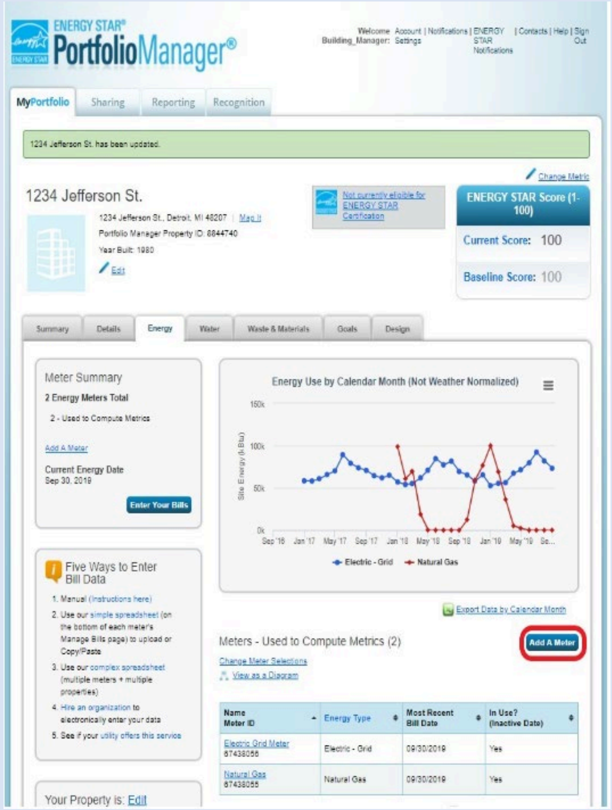
Benchmarking process for Property Owners



<u>Initial Account Setup</u>

1. Setup EnergyStar Portfolio Manager (ESPM) account
2. Connect Xcel Energy account to ESPM
3. Add City of Lakewood as reporting entity

<u>Once a Year</u>

1. Submit data to Lakewood

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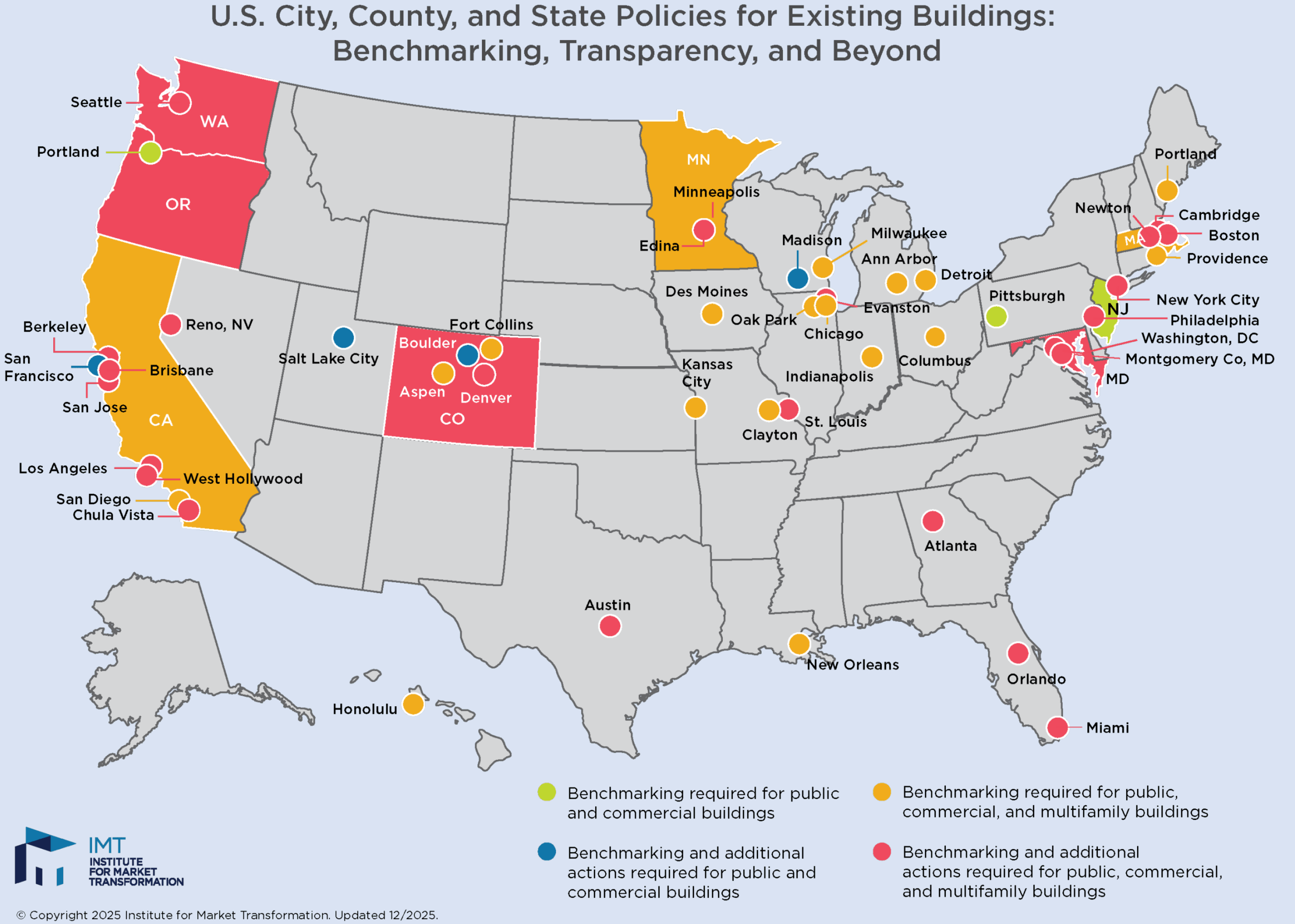
Which communities are adopting Benchmarking policies?



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Proposed Benchmarking Policy

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Benchmarking Program Goals

We want a benchmarking program that:

- Is effective, implementable, and reflective of community priorities
- Increases energy efficiency + lowers GHG emissions
- Addresses inequities (energy burden, housing affordability, etc.)
- Presents solutions for identified risks, barriers, and unintended outcomes
- Aligns with a potential future Building Performance Standard program (Phase 2)

Building Energy Benchmarking City Council Meeting

Ongoing Stakeholder Engagement

www.lakewood.org/BPP

Advisory Group Representatives

- City Commissions: *LAC, Planning Commission reps*
- Business: *Alameda Connects, 1st Bank, Building Owners and Manager Association, Lafayette Company (Alameda Crossing)*
- Affordability: *MetroWest Housing, Energy Outreach Colorado*
- Finance: *C-PACE*
- Market Transformation: *USGBC, Southwest Energy Efficiency Project*
- Education: *JeffCo Public Schools, Red Rocks CC*
- Technical / industry experts

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Considerations for Lakewood's approach to Benchmarking

- Building applicability (square footage, use type, other)
- Impact and cost to building owner and occupants
- Resources needed for building owners
- Equity – Affordability, energy burden, time
- City's program administration requirements

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Proposed Benchmarking Applicability

- Multi-family and Non-Residential buildings >= 10,000 SF gross floor area
    - Multi-family: Shared water heating or air heating/cooling systems
    - Non-residential includes commercial, public, and manufacturing buildings
- Buildings >= 50,000 SF (~200 buildings) will report to both Lakewood and State, but only subject to State enforcement
- Federal buildings not included

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Proposed Benchmarking Applicability – Building Stock Profile

Category (SF):	10,000 – 24,999	25,000 – 49,999	>= 50,000	Total
Structures:	435	195	199	829
Gross Floor Area (SF):	6.8 million	6.9 million	24.6 million	38.3 million
% Total GHG Emissions:	8%	8%	31%	47%

$4.5 million in annual utility bill savings

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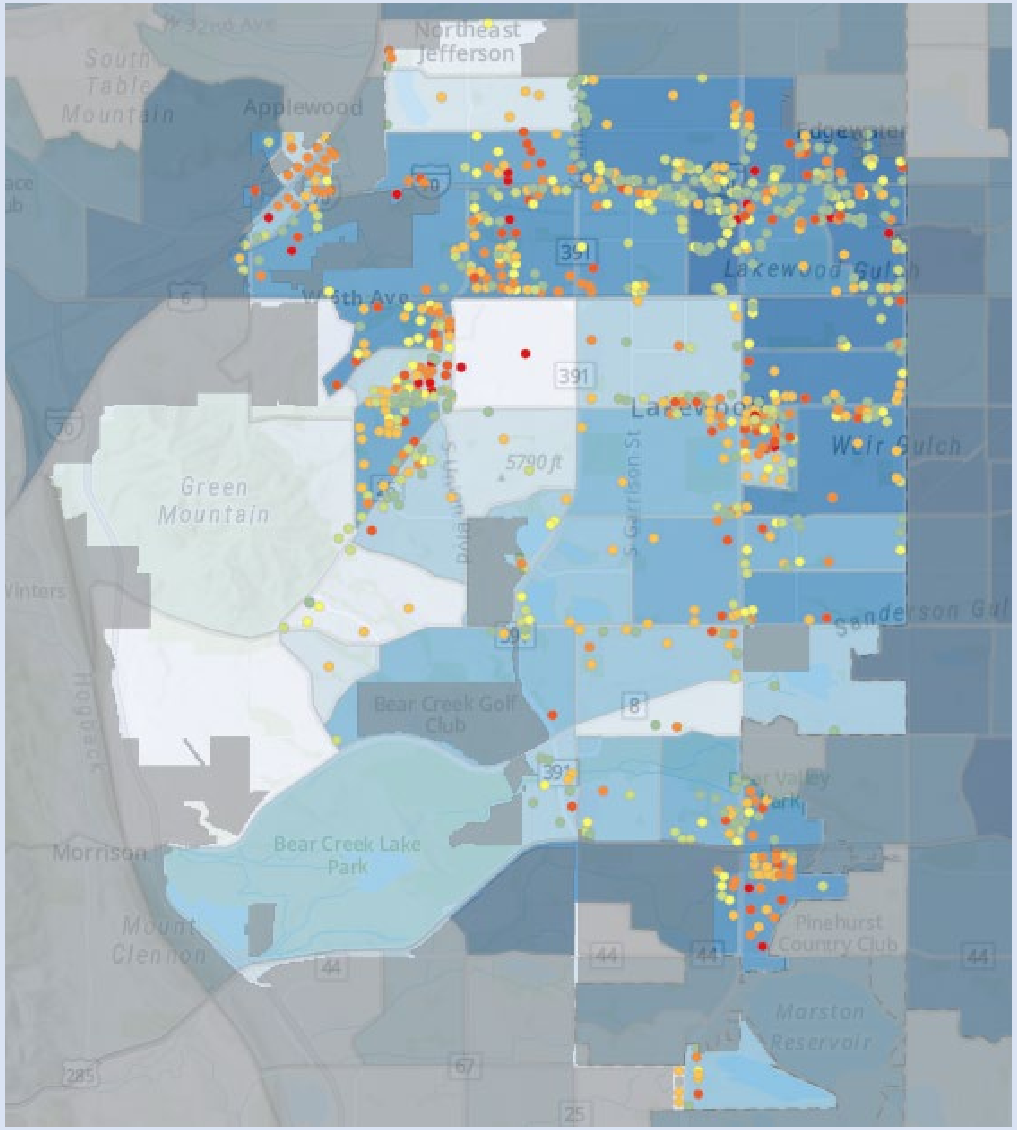
Map of Covered Buildings

Structures by Gross Floor Area

- 10,000 - 14,999
- 15,000 - 19,999
- 20,000 - 24,999
- 25,000 - 49,999
- 50,000 - 99,999
- 100,000 - 199,999
- 200,000 +



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Proposed Exemptions / Waivers

- Property owner responsible for submitting waiver request
- Qualifying exemptions
    - Proof of square footage less than minimum threshold
    - Unoccupied or limited occupancy building entire year
    - No Certificate of Occupancy
    - Renovation for entire year
    - Demolition permit has been issued
    - Financial hardship
    - Manufacturing / Industrial: Show proof of energy efficiency plan

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Proposed Benchmarking Compliance & Enforcement

- Owners submit benchmarking data annually, no fee to submit
- Violation: Owner doesn't submit annual benchmarking data or a waiver/exemption by annual deadline
- Notice of Violation for non-compliance
  - 90-days to correct in 2026
  - 30-days to correct in 2027+
- Civil penalty: $2,000 per violation (annually)
  - Survey of 3rd party benchmarking services: $295-$850 / building (3 responses)
  - Closely aligned with State and Denver violation amounts

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Proposed Benchmarking Timeline (Phase 1)

March 2025

City Council Study Session

February 2026

City Council adopts Benchmarking Ordinance

Staff develops administrative rules, reporting infrastructure through 2026

October 2026

Benchmarking resources finalized

December 31, 2026

First benchmarking (2025 data) reporting deadline

2027+

Annual reporting continues, due June 1

Develop framework for Phase 2 (Building Perform. Standards)

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Supporting Our Property Owners

Potential Barriers	Potential Solutions
Understanding requirements	Education and community outreach
Time and Administration	In-person and online Help Desk, trainings, 3rd party benchmarking
Cost	No cost for annual filing; 3rd party benchmarking is less than violation amount
Equity	Spanish-only training, on-site assistance

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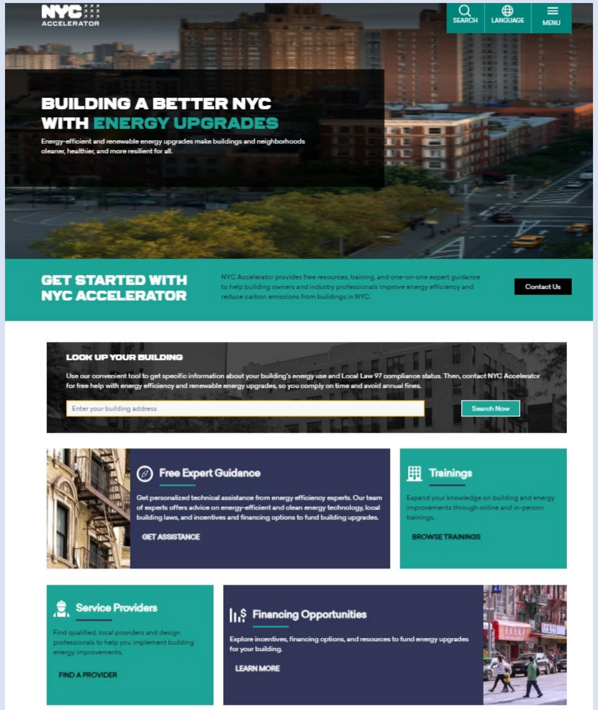
Supporting Resources for Owners

- Online resource hub with information for compliance
- User-friendly owner portal, report card
- Help desk: phone, chat, e-mail
- In-person trainings



Building Energy Benchmarking City Council Meeting

Program Funding

- $5 million DOE grant funding (Jan 2025) is still on hold
- City received a $1.5 million DRCOG Subaward in October 2025 to support benchmarking program
  - Estimated cost: $375,000 per year
  - Fully grant funded (no city match required) for 4 years

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Next Step

- Staff Recommendation: Approve proposed Ordinance O-2026-7 (Building Performance Program - Energy Benchmarking)

STAFF MEMO

DATE OF MEETING: FEBRUARY 23, 2026 / AGENDA ITEM NO. 8

To: Mayor and City Council

From: Jay Robb, City Clerk

Subject: **Supplemental Appropriation for Special Election**

SUMMARY STATEMENT: If approved, O-2026-9 will appropriate $155,000 from the City's General Fund to help cover the cost of the April 7, 2026, city-wide special election.

The total cost of the election is estimated to be between $225,000 to $250,000, but the City Clerk's Office has some election funds budgeted in the Department's 2026 budget. The $155,000 appropriation will help cover the costs of vendors, contractors, election judges, and supplies required to conduct the election.

BACKGROUND INFORMATION: At the January 26, 2026, Regular City Council meeting, the Lakewood City Council called a special municipal election on April 7, 2026, for registered voters to decide on four ballot questions concerning recent updates to the City's Zoning Code. These four ballot questions resulted from referendum petitions filed by residents in response to Ordinances O-2025-27, O-2025-28, O-2025-29, and O-2025-30.

BUDGETARY IMPACTS: If O-2026-9 is adopted, the City Clerk's Office will receive a one-time appropriation of $155,000 from the City's General Fund from the 2026 budget to pay for the April 7th city-wide election. The total cost of the election is estimated to be between $225,000 to $250,000, but the City Clerk's Office currently has $183,850 in the Department's 2026 budget for election costs.

The appropriated funds will cover the costs of vendors, contractors, election judges, and supplies required to conduct the special election while ensuring $110,000 remains in the budget for any additional election costs in 2026.

Below is a table summarizing the City Clerk's election budget for 2026 if O-2026-9 is adopted by the City Council.

Special Election Vendors	Special Election Estimated Costs	2026 Election Budget	2026 Reserve Election Funds	Supplemental Needed
Election Equipment	$24,665			
Ballot Printing	$178,476			
Election Judges	$19,000			
Election Coordinator	$6,000			
Total	**$228,141**	**$183,850**	**$110,000**	**$155,000**

STAFF RECOMMENDATIONS: Staff recommends approving O-2026-9 to fund the April 7, 2026, special election.

ALTERNATIVES: City Council could deny approval, which would mean the additional budget funds needed to secure the City Clerk's Office vendor contracts would not be appropriated and the election would not be able to occur in April. The funds would need to be secured in the revised 2026 budget process, delaying the election until the 4th quarter of 2026.

PUBLIC OUTREACH: This item has been promoted through the regular communication channels to be considered by the Lakewood City Council.

NEXT STEPS: If adopted on first reading, O-2026-9 will be considered by the City Council at a public hearing scheduled on February 23, 2026.

ATTACHMENTS: 1. Ordinance O-2026-9

REVIEWED BY: Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Alison McKenney Brown, City Attorney

O-2026-9

AN ORDINANCE

AUTHORIZING A SUPPLEMENTAL APPROPRIATION OF GENERAL FUNDS TO THE 2026 ANNUAL BUDGET IN THE AMOUNT OF $155,000 AND AUTHORIZING THE EXPENDITURE OF THESE FUNDS BY THE CITY CLERK'S OFFICE TO PAY FOR EXPENSES RELATED TO THE SPECIAL MUNICIPAL ELECTION TO BE HELD ON APRIL 7, 2026

WHEREAS, Article XII, section 8 of the City Charter allows City Council to make supplemental appropriations by ordinance during the fiscal year for unanticipated expenditures required for the operation of the City of Lakewood ("City") using monies not anticipated in the adopted budget;

WHEREAS, Section 3.04.060 of the Lakewood Municipal Code ("L.M.C.") requires approval by the City Council for any unbudgeted purchase or any purchase of more than eighty thousand dollars ($80,000.00) that has a change in funding source;

WHEREAS, on January 26, 2026, the City Council voted to approve Resolutions R-2026-8, R-2026-9, R-2026-10, and R-2026-11, to refer Ordinances O-2025-27, O-2025-28, O-2025-29, and O-2025-30, respectively, to a vote of the registered electors of the City of Lakewood at a special municipal election to be held on April 7, 2026;

WHEREAS, the City Clerk's Office estimates that it will cost the City approximately two hundred twenty-eight thousand, one hundred forty-one dollars ($228,141.00) to hold the special municipal election on April 7, 2026 (the "Election Cost");

WHEREAS, the City did not anticipate the Election Cost expenditure when preparing the 2026 City Budget, and the Election Cost is anticipated to result in a shortfall of approximately one hundred fifty-five thousand dollars ($155,000.00) in the City Clerk's Office's 2026 budget;

WHEREAS, as a result of the Election Cost, the City will need to expend one hundred fifty-five thousand dollars ($155,000.00) that was not anticipated in the 2026 City Budget;

WHEREAS, the unbudgeted City expenditure of one hundred fifty-five thousand dollars ($155,000.00) requires City Council approval pursuant to Section 3.04.060 of the L.M.C.;

WHEREAS, approval of this Ordinance on first reading is intended only to confirm that the City Council desires to comply with the Lakewood Municipal Code by setting a public hearing to provide City staff and the public an opportunity to present evidence and testimony regarding the proposal; and

WHEREAS, approval of this Ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects, or denies the proposal.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, Colorado, that:

Section 1. Appropriation and Expenditure. The City Council hereby appropriates one hundred fifty-five thousand dollars ($155,000.00) from the City's General Fund for fiscal year 2026 and authorizes the expenditure of such funds by the City Clerk's Office for the purpose of paying for the expenses related to the special municipal election to be held on March 31, 2026.

Section 2. This Ordinance shall become effective thirty (30) days after final publication.

Section 3. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion, provided that such remaining portions or application of this Ordinance are not determined by the court to be inoperable.

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a hybrid regular meeting of the Lakewood City Council on the 9th day of February, 2026; published by title in the Denver Post and in full on the City of Lakewood's website at www.lakewood.org on the 12th day of February, 2026; set for public hearing to be held on the 23rd day of February, 2026; read, finally passed and adopted by the City Council on the 23rd day of February, 2026; and signed by the Mayor on the __ day of February, 2026.

____
Wendi Strom, Mayor

ATTEST:

____
Jay Robb, City Clerk

Approved as to form:

____
Alison McKenney Brown, City Attorney

STAFF MEMO

DATE OF MEETING: FEBRUARY 23, 2026 / AGENDA ITEM NO. 9

To: Mayor and City Council

From:

Subject:

SUMMARY STATEMENT:

BACKGROUND INFORMATION:

BUDGETARY IMPACTS: None

STAFF RECOMMENDATIONS: None

ALTERNATIVES: None

PUBLIC OUTREACH: This item has been promoted through the regular communication channels to be considered by the Lakewood City Council.

NEXT STEPS: None

ATTACHMENTS: None

REVIEWED BY: Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Alison McKenney Brown, City Attorney

STAFF MEMO

DATE OF MEETING: FEBRUARY 23, 2026 / AGENDA ITEM NO. 9A

To: Mayor and City Council

From:

Subject:

SUMMARY STATEMENT:

BACKGROUND INFORMATION:

BUDGETARY IMPACTS: None

STAFF RECOMMENDATIONS: None

ALTERNATIVES: None

PUBLIC OUTREACH: This item has been promoted through the regular communication channels to be considered by the Lakewood City Council.

NEXT STEPS: None

ATTACHMENTS: None

REVIEWED BY: Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Alison McKenney Brown, City Attorney