

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON ENVIRONMENTAL PROTECTION

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September 16, 2015
Start: 11:50 a.m.
Recess: 12:20 p.m.

HELD AT: Council Chambers - City Hall

B E F O R E:

COSTA G. CONSTANTINIDES
Chairperson

COUNCIL MEMBERS:

Stephen T. Levin
Rory I. Lancman
Donovan J. Richards
Eric A. Ulrich

[background comments]

CHAIRPERSON CONSTANTINIDES: Alright.

[background comments] [gavel] Good morning; this is a hearing of the Committee on Environmental Protection, with a vote on proposed Intro 850-A.

Good morning; I am Costa Constantinides, Chair of the Environmental Protection Committee and today the Committee will hear and vote on Intro 850-A, a Local Law to amend the Administrative Code of the City of New York in relation to the use of air conditioning systems.

Heat waves impact the city's electrical grade more frequently than any other type of weather event. As I noted two weeks ago, we are experiencing a continued heat wave right now and had more days over 80 degrees this summer in New York City than any other time in recorded history. Heat waves cause issues for the electrical grade in two ways. First, the very temperatures that occur during a heat wave strain electricity generating and distribution equipment. Second, heat waves lead to a sizeable increase in air conditioner usage and thus a jump in the electricity demand. These issues can lead to the failure of the electrical grid equipment and in

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2 severe cases cascading the thermoses [sic] across the
3 electrical grid.

4 Commercial, residential, institutional
5 and industrial buildings account for up to 94% of
6 electricity consumed by the city. The use of
7 electricity in buildings not only impacts the
8 reliability of the electrical grid and the cost of
9 electricity in the grid; it also impacts the
10 environment. The city's more than one million
11 buildings are responsible for approximately 70% of
12 the citywide greenhouse gas emissions and
13 approximately 47% of the admissions from buildings
14 are attributable to electricity consumption.

15 Of emissions from the city's commercial
16 buildings, the category of buildings that Intro 850-A
17 addresses, 58% are due to electricity consumption to
18 power things like lighting, mechanical equipment, air
19 conditioners and plug loads.

20 In 2008, subsequent to a significant heat
21 wave-induced power outage in 2006 and amid reports
22 that it was common practice for commercial
23 establishments and businesses to leave doors open on
24 hot days, allowing an air conditioned environment to
25 escape onto the sidewalk in attempt to luring

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2 pedestrians, the City Council passed and Mayor
3 Bloomberg signed Local Law 38 of 2008. Local Law 38
4 prohibited commercial establishments from leaving
5 their doors open while air conditioners or central
6 cooling systems were on, but it was difficult to
7 enforce because the law applied to all commercial
8 buildings and retail stores except those that occupy
9 less than 4,000 square feet of retail or wholesale
10 space unless the small store is a chain store,
11 defined as five or more stores located within New
12 York that engage in the same general field of
13 business. As a result there was some confusion as to
14 which stores were covered by the local law for
15 enforcement purposes.

16 Intro 850-A of 2015 amends Section 20-910
17 of the Administrative Code of the City of New York,
18 amending the definition section to make the style
19 more consistent. The bill also amends the definition
20 section by adding the definition of a term window,
21 deleting the definition of small store, deleting
22 language from a definition of commercial building or
23 structure such that small stores will no longer be
24 exempt from this law.

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2 This bill amends Section 20-910 such that
3 in addition to doors, applicable persons shall be
4 prohibited from leaving a window open while operating
5 an air conditioner or central cooling system, with
6 few exceptions. DCA has launched a "Shut the Door"
7 campaign to coordinate public education and outreach,
8 letting store owners know they must shut their doors
9 while their air conditioners or central cooling
10 systems are on. This local law will support that
11 initiative by ensuring that businesses understand
12 that leaving their door open during hot weather while
13 air conditioning is on promotes waste of electricity,
14 increased carbon dioxide emissions and a cavalier
15 attitude towards our collective responsibility to
16 reduce emissions for future generations. I obviously
17 think this is a good bill and I recommend the
18 committee vote in favor of this bill.

19 I wanna make sure I recognize my
20 colleagues here today; we have Council Member Donovan
21 Richards, our Chair Emeritus and also co-sponsor of
22 this bill, Council Member Rory Lancman from Queens;
23 Council Member Eric Ulrich from Queens and with that,
24 again I recommend a yes vote on Intro 850-A. Clerk,
25 please call the roll.

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2 COMMITTEE CLERK: William Martin,
3 Committee Clerk, roll call vote Committee on
4 Environmental Protection, Introduction 850-A. Chair
5 Constantinides.

6 CHAIRPERSON CONSTANTINIDES: I vote aye.

7 COMMITTEE CLERK: Richards.

8 COUNCIL MEMBER RICHARDS: Congratulations
9 Mr. Chairman on your first one already. Man, just a
10 week in. I'm excited at where this committee is
11 gonna go and obviously, to your amazing staff, who
12 I've got to know a little bit over the years; Samara
13 Swanston, Bill Murray, Jonathan Seltzer [sp?],
14 congratulations and I also wanna thank the Mayor.
15 Congratulations.

16 COMMITTEE CLERK: Lancman.

17 COUNCIL MEMBER LANCMAN: Yes.

18 COMMITTEE CLERK: Ulrich.

19 COUNCIL MEMBER ULRICH: Yes.

20 COMMITTEE CLERK: By a vote of 4 in the
21 affirmative, 0 in the negative and no abstentions,
22 the item has been adopted.

23 CHAIRPERSON CONSTANTINIDES: I wanna make
24 sure we again recognize the great work of Samara
25 Swanston, our Legislative Attorney and Bill Murray,

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2 our Policy Analyst; thank you, John from Finance as
3 well and the Mayor's Office and we're gonna leave
4 this vote open for half an hour. Thank you.

5 [pause]

6 COMMITTEE CLERK: Roll call continuation,
7 Committee on Environmental Protection, Council Member
8 Levin.

9 COUNCIL MEMBER LEVIN: Aye on all.

10 COMMITTEE CLERK: Final vote in the
11 Committee on Environmental Protection, Introduction
12 850-A is now 5 in the affirmative, 0 in the negative
13 and no abstentions.

14 MALE VOICE: This hearing is closed.

15 [gavel]

16 [background comments]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date September 17, 2015