

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON ENVIRONMENTAL
PROTECTION

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B E F O R E: Costa G. Constantinides,
Chairperson

COUNCIL MEMBERS:
Stephen T. Levin
Carlos Manchaca
Eric A. Ulrich
Kalman Yeger

A P P E A R A N C E S

Mark Chambers
Director of the Mayor's Office of Sustainability

Gina Bocra
Chief Sustainability Officer for the Department
of Buildings

Pete Sikora
New York Communities for Change

Sonal Jessel
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Michael Scott
Energy Committee Head of the 60 Cooper Street
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Elizabeth McMillan
Community Member of WE ACT for Environmental
Justice

Liv Yoon
Postdoctoral Researcher at the Earth Institute
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Emma Urofsky
Undergraduate Sustainable Development Student at
Columbia University

Christopher Athineos
Small Property Owner

A P P E A R A N C E S (CONT.)

Nan Faessler

Tenant and a WE ACT for Environmental Justice
Member

Rachel Landsberg

An educator, a mother, and Proud Member of WE ACT
for Environmental Justice

Phoebe Flaherty

Organizer at ALIGN, The Alliance for a Greater
New York

Zachary Steinberg

Vice President for Policy at the Real Estate
Board of New York REBNY

Margaret Perkins

Member of 350 NYC

Joseph Charap

Director of Horticulture at Green-Wood Cemetery

Chris Halfnight

Associate Director of Policy at Urban Green
Council

Samantha Wilt

Carlos Castell Croke

Associate for New York City Programs and New York
League of Conversation Voters

Annie Garneva

1 SERGEANT HOPE: Start the recordings.

2 SERGEANT BIONDO: PC recording started.

3 SERGEANT HOPE: Recording started.

4 SERGEANT AT ARMS: It is started.

5 SERGEANT HOPE: Thank you. Good morning and
6 welcome to the New York City Council Committee on
7 Environmental Protection. At this time, will all
8 panelists please turn on your video. I repeat, all
9 panelists please turn on your video. Thank you.

10 To minimize disruption, please place all
11 electronic devices to vibrate or silence. I repeat,
12 please place all electronic devices to vibrate or
13 silence. If you wish to submit testimony, you may do
14 so at testimony@council.nyc.gov. I repeat,
15 testimony@council.nyc.gov. Chair, we are ready to
16 begin.

17 CHAIRPERSON CONSTANTINIDES: Thank You. Thank
18 you Sergeant Hope. Good morning everyone. My name
19 is Costa Constantinides, I am Chair of the Committee
20 on Environmental Protection. Today we will hold a
21 hearing on Intro. 1947. A Local Law to amend the New
22 York City Charter and Administrative Code of New York
23 City in relation to rent regulated buildings and
24 Intro. 2072, a Local Law to amend the Administrative
25

2 code of the city of New York in relation to
3 greenhouse gas emissions reduction methods, outreach
4 and education.

5 In 2019 New York State made significant changes
6 in their laws effecting tenants. The Housing
7 Stability and Tenant Protection Act of 2019 was
8 enacted and provides protections for tenants from
9 increases from major capital improvements or MCI's
10 under the Housing Stability and Tenant Protection Act
11 of 2019. A fewer than 35 percent of the apartment in
12 the building are rent regulated. Your landlord
13 cannot receive an increase for major capital
14 improvement.

15 In the past, landlords were able to receive
16 permanent reimbursement in rent for MCI's that often
17 provide a little benefits to the tenant.

18 Additionally, in regard to an emissions
19 compliance of Local Law 97, buildings that contain
20 even one rent regulated apartment may be eligible to
21 install preapproved energy efficiency measures in
22 lieu of meeting specific emissions reductions.

23 Intro. 1947 would ensure that buildings must
24 contain at least 35 percent rent regulated units to
25 take advantage of this alternative compliance

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2 measure. Greatly expanding universe of buildings
3 that must meet strict emissions reduction benchmarks.

4 This Local Law will conform New York City's
5 definition of a rent stabilized building to state
6 law. However, in this Local Law places no immediate
7 burden on landlords and no immediate benefits in lieu
8 of tenants. Consistency with state law is the main
9 benefit and rationale for enactment of this law.

10 Going forward, this Local Law will help us
11 conform with the New York Climate Leadership and
12 Community Protection Act. Intro. 2072 amends the
13 building code regarding reports required to be filed
14 by an order respecting compliance with the applicable
15 buildings emissions limit established pursuant to
16 Local Law 97 of 2019.

17 This Local Law also requires reporting by the
18 Office of Building Energy Emissions Performance or
19 OBEEP regarding the methods used to meet emissions
20 limits and over buildings in occupancy, category and
21 compliance.

22 Finally, this law requires outreach and education
23 and reporting on details of the outreach indication
24 made building owners, operators, tenants and public
25

2 respecting information, including information on
3 financing and incentives.

4 According to the Intergovernmental Panel on
5 climate change, education promotes awareness,
6 positive practices and wide participation. An aware
7 public is essential if politicians and decision
8 makers expect to mobilize the necessary means and to
9 limit the effects of climate change.

10 Education is an inseparable part of response
11 strategies, so that people feel directly engaged and
12 empowered to act. The target audience for climate
13 education includes everyone. Additionally, the IPCC
14 notes that many actions at local level can catalyze
15 much large impacts and particularly encouraging more
16 efficient use of energy.

17 An informed population is essential to addressing
18 and responding to climate change. That is the goal
19 of my legislation and the only way to a sustainable
20 future. Especially when we see climate change
21 impacting our world. The western part of our country
22 in flames. The smoke burning so heavily, you can see
23 it from space and the smog from that drifting here.
24 Name storms almost out of letters in mid-September
25 and the rath that those storms have brought. The

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2 unbearably hot summers and extreme weather that we've
3 had. We need to act and act yesterday on climate.
4 We don't have time for half measures. We need to
5 continue to move forward.

6 So, with that, I would like to begin by thanking
7 the Committee Staff our Counsel Samara Swanston,
8 Policy Analyst Nadia Johnson and Ricky Chawla,
9 Financial Analyst Jonathan Seltzer. I want to thank
10 all the Sergeant at Arms, all the technical staff who
11 have been able to make this Zoom work so efficiently.
12 Thank you all for your work. I know this is not
13 easy. It was not easy when we were doing it at 250
14 Broadway and it is certainly not easy doing it
15 remotely. So, I thank the Sergeant at Arms and all
16 the technical staff for making this Zoom hearing
17 work.

18 And of course, I want to thank my Legislative
19 Director and Counsel Nicholas Widzowski and my
20 Communications Director Terence Cullen for all of
21 their great work as well.

22 With that, I will turn it over to our Committee
23 Counsel Samara Swanston to introduce and swear in
24 witnesses.
25

2 COMMITTEE COUNSEL: Thank you. I am Samara
3 Swanston, Counsel to the Environmental Protection
4 Committee. Before we begin, I want to remind
5 everyone that you will be on mute until you are called
6 on to testify, when you will be unmuted by the host.
7 I will be calling on panelists to testify. Please
8 listen for your name to be called. I will be
9 periodically announcing who the next panelist will
10 be.

11 We will begin with testimony from the
12 Administration which will be followed by testimony
13 from members of the public. During the hearing, if
14 members would like to ask a question, please use the
15 Zoom raise hand function and I will call on you in
16 order. We will be limiting Council Member questions
17 to four minutes including responses.

18 CHAIRPERSON CONSTANTINIDES: Oh, before we get
19 started Samara, I would like to acknowledge, a little
20 more difficult over Zoom but I want to acknowledge
21 that Council Member Levin is here, Council Member
22 Menchaca and Council Member Yeger, all from Brooklyn
23 are here and present today as part of this hearing.
24 Thank you.

2 COMMITTEE COUNSEL: Thank you Costa. Now, I will
3 deliver the oath to the Administration and we will
4 call on each of you individually to record your
5 answers to be followed by your testimony.

6 Please raise your right hands. Do you affirm to
7 tell the truth, the whole truth and nothing but the
8 truth before this Committee and to respond honestly
9 to the Council Member questions? Mark Chambers?

10 MARK CHAMBERS: I do.

11 COMMITTEE COUNSEL: And Chief Sustainability
12 Officer Gina Bocra?

13 GINA BOCRA: I do.

14 COMMITTEE COUNSEL: Thank you. You may begin
15 when ready.

16 MARK CHAMBERS: Thank you. Thank you Chair
17 Constantinides and Members of the Committee of
18 Environmental protection.

19 My name is Mark Chambers and I am the Director of
20 the Mayor's Office of Sustainability. I am joined
21 today by my colleague Gina Bocra, the Chief
22 Sustainability Officer for the Department of
23 Buildings. We are here today to offer testimony on
24 Intro. 1947 regarding certain rent regulated
25

1 buildings and Local Law 97 and Intro. 2072 regarding
2 outreach and education for building decarbonization.
3

4 Similar to what the Chair said, we cannot ignore
5 that we are in the midst of a generational crisis
6 here in New York City. Since March, more than 20,000
7 New Yorkers have died from confirmed or probable
8 cases of COVID-19. More than 50,000 have been
9 hospitalized and more than 230,000 have tested
10 positive. An estimate from the Center for New York
11 City Affairs places the number of jobs lost at over
12 one million.

13 We also know that the climate crisis and COVID
14 crisis are closely linked. Exposure to PM 2.5 air
15 pollution which is the highest in low income Black
16 and Brown communities here, has shown to increase the
17 likelihood of dying in case of COVID-19. Heat waves
18 which get hotter and seemingly longer every summer
19 impact the same at risk groups. Seniors, low income
20 New Yorkers without access to AC and those with
21 health conditions that COVID-19 does.

22 And in the past weeks, wild fire smoke from the
23 fires consuming the western United States have
24 changed the color of the skies here to. We must
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1
2 continue to fight for more just and equitable and
3 healthy and sustainable society.

4 This years climate week as a result feels a
5 little bit different from many others. We are
6 gathering virtually to celebrate our victories and
7 discuss the hard road ahead. Over the past year we
8 have been hard at work implementing the Climate
9 Mobilization Act passed by Council. A key component
10 of our work to reach carbon neutrality by 2050.

11 The Department of Buildings has begun to develop
12 its rules for Local Law 97 in collaboration with the
13 very diverse advisory board. Local Laws 92 and 94,
14 which require new and sustainably renovated roofs to
15 incorporate solar and green roofs went into effect
16 last year.

17 In October you will start to see building energy
18 grades roll out across the city and by year end, you
19 know, building owners should be able to pursue PACE
20 Financing and receive support and guidance for an
21 expanded retrofit accelerator. Our office is working
22 to deliver studies to support decarbonization on
23 topics ranging from the possibilities afforded by a
24 carbon trading system to advance environmental
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1 justice to grid decarbonization and collaboration
2 with our utility partners.

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4 Our team and agency partners are breaking new
5 ground every day to work to reduce emissions. And
6 with that, I will turn to Intro. 1947. Intro. 1947
7 would require that buildings over 25,000 square feet
8 that have 35 percent or fewer rent regulated units
9 comply with Local Law 97's emissions limits.

10 Currently, these buildings are only required to
11 implement prescriptive measures to reduce emissions
12 like repairing heating system leaks and upgrading
13 lighting and they are not required to meet strict
14 greenhouse gas emission limits.

15 These buildings will provide alternate compliance
16 paths due to the Council and Administrations shared
17 desire to protect rent regulated tenants in those
18 buildings from the risk of increased rents because of
19 building owners recouping their retrofit investments
20 directly from their rent regulated tenants.

21 After Local Law 97 was passed last spring, the
22 housing state ability and tenant protection act
23 passed last summer at a state level removes the
24 ability for landlords to pass on capital costs to
25 rent regulated tenants through major capital

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2 improvements or MCI's. The mechanism in buildings
3 for buildings with 35 percent or fewer regulated
4 units.

5 We want to make sure that as many tenants as
6 possible can benefit from the improvements and
7 livability, comfort, health and efficiency that come
8 from retrofits and we also know that we need these
9 large buildings to come into compliance with Local
10 Law 97 to meet our emissions reduction goals.

11 The Tenant Protection Law updates prevent
12 landlords from passing on these costs of compliance
13 to their rent regulated tenants. Therefore, we
14 support the intent of 1947 and look forward to
15 working with Council and stakeholders to make sure
16 that we address any potential issues that they may
17 identify. We want to implement an expansion
18 responsibly and share the technical assistance and
19 financial resources we have put in place with these
20 buildings to help them comply with Local Law 97.

21 Turning now to Intro. 2072 which requires the
22 Department of Buildings to prepare annual reports
23 regarding Local Law 97 of 2019. Which regulates
24 greenhouse gas emissions from buildings exceeding
25 25,000 square feet. The annual reports must include

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2 information regarding building owner compliance with
3 Local Law 97 and information regarding the
4 department's efforts to educate owners and the public
5 around reducing emissions from buildings and
6 compliance with Local Law 97.

7 We support this bill and share the Council's goal
8 of reducing emissions from buildings. This bill will
9 help us monitor compliance with Local Law 97 and will
10 shed light on strategies building owners are using to
11 reduce emissions. The department also understands
12 how important it is to conduct outreach and education
13 to building owners, who must do their part to reduce
14 emissions and look forward to keeping Council
15 informed of its efforts in this area.

16 We are committed to their obligation under law.
17 We are committed to conducting direct outreach to
18 owners impacted by Local Law 97, so that they are
19 aware of their obligations under the law and so we
20 can support them as they work towards compliance. We
21 look forward to working with the Committee on this
22 issue.

23 In closing, I would like to speak a little bit
24 about someone that I met this summer whose name is
25 Lillian. Lillian is in her 90's and lives in upper

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2 Manhattan. We got to know each other when she called
3 into the 311 call center. Built and operated by a
4 team of the Mayor's Office of Sustainability put
5 together for the Get Cool NYC program. A program the
6 city launched this summer to provide free air
7 conditioners for low income seniors along with our
8 Department of Emergency Management.

9 She lives in a rent regulated unit in an older
10 building that has an air conditioner that hasn't been
11 functional in ten years. Like tens of thousands of
12 other seniors, she faces serious health risks due to
13 extreme heat and needs an air conditioner to stay
14 healthy in home. But she also faced difficulty
15 updating her AC because the wiring in her building is
16 so old, it only has two pronged outlets. She needs
17 better insulation, she needs new wiring, she needs
18 more efficient climate control, all of the above but
19 she is not able to pay for that herself.

20 Bringing her building into compliance with Local
21 Law 97 would bring her those improvements and
22 incidentally create and support jobs in the community
23 to do that work and Intro. 1947 would protect a
24 tenant like her from having to carry those costs. We
25 look forward to working with Council to continue to

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2 implement policies that will confront the climate
3 crisis in a way that truly benefits New Yorkers.
4 Thank you, I look forward to answering questions.

5 CHAIRPERSON CONSTANTINIDES: Thank you. Thank
6 you Mark, good to see you as always.

7 MARK CHAMBERS: Great to see you sir.

8 CHAIRPERSON CONSTANTINIDES: Good to be seen. So
9 let me, give me a second as I line this up correctly.
10 Alright, so why is it important to harmonize the
11 city's definition of a rent regulated apartment with
12 the New York State Climate Leadership and Community
13 Protection Act?

14 MARK CHAMBERS: Yes.

15 CHAIRPERSON CONSTANTINIDES: Did you hear me
16 okay?

17 MARK CHAMBERS: The last part chimed out.

18 CHAIRPERSON CONSTANTINIDES: So, why is it
19 important to harmonize the city's definition of a
20 rent regulated apartment with the New York State
21 Climate Leadership and Community Protection Act?

22 MARK CHAMBERS: So, one of the really critical
23 factors to us being able to move all of our buildings
24 towards both compliance of Local Law 97 as well as
25 the state in general is to make sure we are all using

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2 the same language, so that we can actually change the
3 market around being able to invest in this work.

4 So, for us, it is critical to be able to align
5 these with a lot of the state goals to make sure that
6 everyone is operating from the same manual and that
7 making sure that we are being thoughtful and
8 consistent, so that we are sending the right message
9 to both building owners as well as to the workforce
10 that are going to be implementing the needed changes.

11 CHAIRPERSON CONSTANTINIDES: Do you agree that it
12 would make sense to get these buildings into the
13 program earlier rather than later when the compliance
14 dates are due? So, it gives the building owners an
15 opportunity to understand their obligations,
16 understand the work with the retrofit accelerator,
17 understand the PACE program, be able to work with
18 OBEEP and that the laying there, you know this sort
19 of lining up with state law, would only serve to hurt
20 those landlords and hurt tenants not actually help
21 them.

22 MARK CHAMBERS: Yes, we want more people to be
23 doing more work as soon as possible. I think that we
24 have been very clear about the need for urgency. We
25 have set the timelines of compliance to align with

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2 the capital cycles of building owners and meet them
3 where they are but it is very important that as many
4 buildings that can move towards compliance sooner do
5 so. And I think being able to communicate that and
6 have as much education and clear language around the
7 services that are provided to assist building owners
8 in doing so, it will be critical to ensuring their
9 success.

10 CHAIRPERSON CONSTANTINIDES: And what benefit is
11 there to the tenants? You know, we talk about
12 fighting big picture climate change but what benefit
13 are there to the tenants in seeing these buildings
14 become more energy efficient and cleaner?

15 MARK CHAMBERS: Well, I think it is important to
16 understand that buildings that are more energy
17 efficient perform better and are better to live in.
18 They are more comfortable.

19 So, you know, when you fix your windows, that
20 means that the windows are no longer leaking air. It
21 means that temperatures in apartments are staying
22 consistent. They are staying warm when they need to
23 be and cool when they need to be. All of these
24 improvements allow for more comfort and control over
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2 the internal space for tenants, so that they can
3 actually benefit from better indoor environments.

4 CHAIRPERSON CONSTANTINIDES: And what are the
5 difference in potential emission reductions under the
6 current framework compared to if we added 1947?

7 MARK CHAMBERS: We believe right now; we've only
8 done some preliminary analysis just based on some of
9 the information that we have been able to put
10 together but we do believe that there is about
11 100,000 Co2 equivalent tons of carbon that would be
12 removed as a result of this addition.

13 So, we believe that this is something that is
14 very significant and will have a significant impact
15 on both the buildings that are now, would be part of
16 Local Law 97 as well as the city as a whole as we
17 begin to reduce our localized emissions.

18 CHAIRPERSON CONSTANTINIDES: Okay and how many
19 buildings do you believe would be captured by 1947?

20 MARK CHAMBERS: Again, initial estimates, put
21 that in the neighborhood of about 1,000 buildings or
22 so. That translates to maybe about 100,000 or so
23 units but we believe it is in the neighborhood of
24 about 1,000 buildings.

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2 CHAIRPERSON CONSTANTINIDES: So, 1,000 buildings
3 would get about 100,000 tons of carbon out of the air
4 in your estimates?

5 MARK CHAMBERS: Correct.

6 CHAIRPERSON CONSTANTINIDES: I mean this is why
7 we began with large buildings, correct? Because they
8 were about 30 percent of our emissions profile for
9 the City of New York. That's why we did Local Law
10 97, that's why we continue to strengthen it correct?

11 MARK CHAMBERS: Absolutely, correct.

12 CHAIRPERSON CONSTANTINIDES: Alright and if you
13 ask like, why are you going, why are beating with us?
14 We are not picking on anyone, we are basically
15 saying, this is where the emissions are. This is
16 where we have to start, right? If we didn't start
17 here, we wouldn't be making the impact that we were
18 able to really sort of gain, correct?

19 MARK CHAMBERS: Absolutely, we have to go to the
20 core of our climate response and this city is around
21 buildings. That is the critical path to us being
22 able to confront the challenges. There are a lot of
23 other places where we have to fight to but this is
24 one that is urgently important for New York City to
25 tackle.

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2 CHAIRPERSON CONSTANTINIDES: And you believe and
3 I guess Gina, you are on from OBEEP as well. I have
4 said this in the past and I will say this again, and
5 you can answer this question but it is more of a
6 statement. We don't want their money, we want their
7 carbon, correct? So, it is our job to make sure that
8 buildings comply with the law, not pay fines.

9 GINA BOCRA: Yes, Council Member that is correct.

10 CHAIRPERSON CONSTANTINIDES: So, to all the
11 building owners out there, we don't want your money,
12 we want your carbon and we are looking forward to
13 working with you to make sure that we view that
14 carbon is reduced.

15 Let's quickly just kind of go over the 2072.
16 What will building owners be required to report under
17 that Local Law?

18 MARK CHAMBERS: Gina, do you want to take that?

19 GINA BOCRA: Sure, thank you Council Member.
20 Under 2072, building owners are being asked to report
21 how they are getting to the reductions that might
22 move them from noncompliance into compliance.

23 So, that will benefit other buildings owners
24 since they are able to see what measures are building
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2 owners implementing and employing and use that
3 information to educate others.

4 CHAIRPERSON CONSTANTINIDES: And what data will
5 you be, OBEEP the Office of Building Energy Emission
6 Performance but going forward in the hearing, we will
7 just call you guys OBEEP. What data will you guys be
8 required to report?

9 GINA BOCRA: We will be reporting information on
10 the compliance levels. How many owners are complying
11 with the law as opposed to how many owners are
12 getting fines.

13 CHAIRPERSON CONSTANTINIDES: Okay and what kind
14 of - why is it so important that we do education
15 outreach? Right, I mean, you know that's a pretty
16 easy question. I believe the importance of education
17 but why is it so important we educate as early as
18 possible building owners, tenants, the public in
19 general as to what we are doing and sort of the real
20 goals of this legislation?

21 GINA BOCRA: Thank you Council Member. As my
22 colleague Mark expressed, we need action soon. There
23 are really great examples of how owners have achieved
24 deep energy retrofits in buildings. How they have
25 achieved high performance and reduced their own

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2 greenhouse gas emissions. We need to take that
3 information and share it with other owners that are
4 trying to achieve the same results.

5 So, the department is willing to work with
6 Council and look at other ways to communicate to
7 owners, to the general public and make sure that we
8 can share the information that they need to improve
9 the performance to their buildings and bring down
10 greenhouse gas emission.

11 CHAIRPERSON CONSTANTINIDES: Thank you. Alright,
12 so with that, I know we have Council Member Yeger who
13 has questions. I also want to acknowledge that
14 Council Member Ulrich is here and he will be next
15 with questions after Council Member Yeger. Council
16 Member Yeger, I turn it over to you sir.

17 SERGEANT AT ARMS: Time starts now.

18 COUNCIL MEMBER YEGER: Thank you. Good morning
19 Mr. Chairman, it is good to see you. Well, virtually
20 see you.

21 CHAIRPERSON CONSTANTINIDES: And Shana Tova,
22 Happy New Year sir.

23 COUNCIL MEMBER YEGER: Shana Tova to all. Mr.
24 Chambers, good morning.

25 MARK CHAMBERS: Good morning.

2 COUNCIL MEMBER YEGER: I have a couple of
3 questions related to, as I turn off the noise maker
4 because I didn't pay attention to the Sergeant, my
5 apology.

6 You testified that 1,000 buildings consisting of
7 a 100,000 units would be brought in under this law.
8 Is that additional or is that the total number?

9 MARK CHAMBERS: Additional to what exactly
10 Council Member?

11 COUNCIL MEMBER YEGER: Additional to how the law
12 is currently structured where -

13 MARK CHAMBERS: Yes.

14 COUNCIL MEMBER YEGER: An additional 1,000
15 buildings?

16 MARK CHAMBERS: Correct.

17 COUNCIL MEMBER YEGER: Do you know how many
18 buildings of those 1,000 currently have only one
19 regulated apartment right now?

20 MARK CHAMBERS: We do not. A lot of this is in
21 coordination with HPD, in which there are some
22 privacy rules around the ability to know which
23 building specifically have percentages of rent
24 regulated units. We are happy to continue to work
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2 with you and with HPD to provide whatever information
3 doesn't go a foul of those privacy concerns.

4 COUNCIL MEMBER YEGER: Okay. Does the city and
5 the state know how many rent regulated apartments are
6 in a rent regulated, are in a building. I mean, if
7 there are 30 units in a building and there is one
8 rent regulated apartment, the city has that record.
9 There is no privacy issue on that topic. I am not
10 asking for the names of the people.

11 MARK CHAMBERS: Understood. I mean, what I am
12 saying is that we are happy to work along with you
13 and Housing and Preservation to be able to provide
14 the information that they are allowed to provide.

15 COUNCIL MEMBER YEGER: Okay, so you will find
16 that out for us? Not working with me, I don't have
17 that access to the information. I am a small country
18 legislator; I don't have any information. I am
19 relying on the city administration; they work for you
20 not for me.

21 MARK CHAMBERS: Understood.

22 COUNCIL MEMBER YEGER: So, I would like to know
23 that and the reason why I think its important is
24 because I do believe making an exclusion for a
25 building that has plus one rent regulated apartment

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2 is to much of an exclusion, frankly. Because if the
3 building has 100 units and it has one rent regulated
4 apartment, the point was that we recognize as a
5 government that buildings that are rent regulated are
6 bringing in less income than for example market
7 buildings and therefore, they have less money to play
8 with and therefore, they have less ability to do the
9 work.

10 Going from an exclusion of one apartment, which
11 was I think too much and capture too many buildings
12 to no more than 35 percent, I think is a stretch
13 because what we're talking about at that point is two
14 thirds of the building being market, you know it's
15 not a secret, the market apartments pay for the rent
16 regulated apartments. Rent regulated apartment don't
17 actually cover themselves, it is the market
18 apartments that cover the rent regulated. In many,
19 many buildings not across the board.

20 I think there is some place between one apartment
21 and 35 percent that make sense. I am curious also to
22 know how many of the - you testified to the 100,000
23 units that would come with this 1,000 additional
24 buildings, how many of those are affordable and I
25 think it goes along with the question of the one

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2 apartment versus 35 percent. I think we do need to
3 figure that out because I think there is a right mix.
4 I think there is a place to get to. I think that the
5 Chair is right that we have an admirable goal and we
6 need to reduce the level of toxic noise that is
7 effecting people. Their health, their lives and
8 their ability to live in the city but I also think
9 that we have to cognizant -

10 SERGEANT AT ARMS: Time expired.

11 COUNCIL MEMBER YEGER: Chair, with your
12 permission if I may? Okay, I am going to hope that
13 was a yes Chair. I think we have to recognize that
14 there has got to be a mix where we have to make it
15 that landlords can do this. That owners can do this.
16 We can't set up a regulatory scheme that landlords
17 simply cannot comply with. Particularly what we are
18 seeing right now, are landlords that simply can't
19 even pay their real property tax and we are forcing
20 this additional piece onto landlords that have small
21 buildings and I am talking about 1,000 unit
22 buildings. I am talking about a 30 unit building.
23 Very small landlords that have that issue that are
24 not able to comply.

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2 Mr. Chair, if I have your permission, may I go on
3 for another minute or two?

4 CHAIRPERSON CONSTANTINIDES: One minute, yes.

5 COUNCIL MEMBER YEGER: Okay, alright, perfect.

6 CHAIRPERSON CONSTANTINIDES: But don't forget
7 this, this only applies to building only 25,000
8 square feet.

9 COUNCIL MEMBER YEGER: Understood and these are
10 25,000 square feet as well. If only you and I lived
11 in 25,000 square feet worth of property but those are
12 still small buildings, given the larger buildings
13 that there are in the city.

14 Mr. Chambers, does the city have a program that
15 helps buildings pay with rent regulated units, pay
16 for this kind of work that has to be done, either
17 through loans or through grants?

18 MARK CHAMBERS: Yes, the city alongside City
19 Council also passed legislation last year to initiate
20 PACE Financing, which is Property Assessed Clean
21 Energy Financing, which is a program that when fully
22 enacted and that should be up and running shortly,
23 will allow for building owners to take out low
24 interest long term loans which have a much longer pay
25 back time cycle than your typical loan. And will

1
2 allow for them to initiate the needed retrofits
3 without having the upfront capital to begin.

4 So, it is a great program that also allows them
5 to pay it back through their property taxes and we
6 have been working alongside the Department of Finance
7 to initiate that loan process for the city.

8 COUNCIL MEMBER YEGER: So, it is not ready yet
9 but we expect that it will be ready at some point
10 soon?

11 MARK CHAMBERS: Correct, yes, it should be ready
12 within this year. Also, I would like to point out
13 that, you know, HPD financing is also available for
14 rent regulated buildings through the Green Housing
15 Preservation program. So, that is a currently
16 existing program that exists and again, alongside the
17 previous questions, happy to work with HPD to provide
18 any additional clarity or information on those
19 programs.

20 COUNCIL MEMBER YEGER: I would just like to be
21 able to get that information to the Chair. And my
22 last question is, do you know how much that program
23 costs the city once it gets up and running, how much
24 it costs annually to the city to administer, to run
25 that program and how much it is costing the city in

1
2 terms of the between what the city has the money and
3 the interest that it is going to get back? Or does
4 the city actually make money on it?

5 MARK CHAMBERS: No, so it is actually a program
6 that is also initiated statewide, and so, there is an
7 administrator that connects the financing to the
8 building owners. The city's role in it is to collect
9 the funds through the property taxes but it is a fund
10 that kind of revolves back towards the administrator.

11 So, it is not something in which it is a revenue
12 driver for the city. I am happy again, provide
13 additional information related to the PACE program,
14 the coordination with the PACE administrator and how
15 the actual program works. But it is not a revenue
16 driver for the city.

17 COUNCIL MEMBER YEGER: Okay, thank you very much.
18 I don't want to try the Chair's patience, so I will
19 hold back on everything else that I would like to
20 discuss but I appreciate your time and your efforts.
21 Thank you. Thank you Mr. Chair.

22 CHAIRPERSON CONSTANTINIDES: Okay, Council Member
23 Ulrich.

24 SERGEANT AT ARMS: Time starts now.
25

2 COUNCIL MEMBER ULRICH: Hi, Mr. Chairman, it is
3 so good to see you. I hope you and your family are
4 in good health and I am glad to see all of my
5 colleagues on the call as well.

6 I want to piggyback if I can on some of the
7 questions asked by my colleague Councilman Yeger,
8 regarding the financing and the affordability of
9 complying with the new law, assuming that it is
10 passed. The concern that I have is that a lot of
11 property owners right now, they can't go to housing
12 court. If they have tenants that are not paying
13 their rents, they can't evict those tenants but yet,
14 they are still being forced to pay water bills and
15 property taxes and all the other expenses that go
16 along with the maintaining and owning property in the
17 city.

18 Given the decrease in revenue that they are
19 having and that they are experiencing right now and
20 the financial troubles that they may be going
21 through, I'm just wondering other than financing, you
22 know, why the city isn't matching or putting up any
23 of the money in the form of grants to help pay for
24 the capital costs of complying with the new
25 regulations.

1
2 I know that this is a very admirable goal and I
3 want to see it accomplished more than anybody but I
4 just don't want - I wonder why the city doesn't put
5 their money where their mouth is. If the city really
6 wants to see this happen, the city should put a match
7 into place. And also, the city should give people
8 more time to comply with it. I understand that there
9 is a provision of the bill that says that basically
10 would result in a rent regulated property owners
11 having to comply 18 months sooner than commercial
12 property owners. Well, there are lot of skyscrapers
13 in Manhattan and other parts of the city that are
14 commercial or mixed use that would have to comply and
15 they are going to have 18 months more time than
16 people who own strictly rent regulated buildings.

17 So, I am just curious, maybe the bill sponsored
18 can explain why the rent regulated apartment owners
19 have 18 months less and also, I am curious from the
20 city's perspective, why the city didn't put any money
21 up other than in financing to actually cover the
22 upfront capital costs that are associated with
23 complying with the new regulations.

24 MARK CHAMBER: Certainly, I am happy to answer,
25 unless the Chair would like to respond before me?

CHAIRPERSON CONSTANTINIDES: Go ahead Mark.

MARK CHAMBERS: So, I think that it is important to understand that we are operating against a very significant imperative right. We do have ten years to be able to not only implement the changes required by this law but the changes to kind of reverse significant impacts to our planet related to greenhouse gas emissions. The way in which Local Law 97 was conceived and ultimately passed by Council allowed for a ten year timeline. Five years and then second compliance passed five years later, to ensure that building owners had the time to be able to do this work alongside their capital cycles. Making sure that if you had a plan to change out your boiler five years from now, that's something that can work alongside your original plans. And the Department of Buildings has also been setting up significant apparatus to be able to assist owners and meet them where they are and provide them all the information they need to be able to not just take out loans but seek other financing to comply and to look at all the operational change that it might be able to make which are not as significant as some of the larger capital investments.

1
2 All in all, there is a commitment to make sure
3 that building owners have as many options as possible
4 and recognizing that they are not all going to have
5 the same conditions in their buildings.

6 So, it is important that we provide as much
7 information incentive and direction as possible to
8 make sure that everyone is in compliance and the
9 financing that we are providing through the PACE
10 program is one of the clear ways to be able to do
11 that to ensure that building owners have options to
12 be able to do that along with the market options that
13 are currently available to them.

14 COUNCIL MEMBER ULRICH: I just think that the
15 market and the PACE Financing is not sufficient.
16 That's what I am suggesting.

17 SERGEANT AT ARMS: Time expired.

18 COUNCIL MEMBER ULRICH: The city will help cover
19 the costs, the capital costs which is significant for
20 some building owners, I just think this is really a
21 big burden especially with COVID and declining
22 revenue and tenants not being able to afford their
23 rents. Where are they going to get the money. I
24 just, I don't think the financing is enough.

25 Thank you Mr. Chair.

1
2 MARK CHAMBERS: Understood.

3 CHAIRPERSON CONSTANTINIDES: Thank you. So,
4 essentially, I mean, I will just say this. Is that I
5 don't see anywhere in the law where it gives you know
6 residential buildings less time in commercial. It
7 does give less time to the worst emitters and those
8 across the board. Right, commercial properties,
9 every different type of property, the worst emitters
10 have to go in 2024, which is the bill we voted on
11 back in 2019 and then the rest of the buildings would
12 have to comply by 2030.

13 So, we are looking at all different building
14 types equally in that they need to comply the worst
15 admitters. Again, these are all buildings that are
16 over 25,000 square feet that are captured by this
17 law.

18 This isn't a one family home, this is our, you
19 know, these 50,000 properties which are 25,000 square
20 feet or above that are captured by this law only. I
21 hope that answers your question. Awesome.

22 Great, are there any other of my colleagues that
23 have any questions for the Administration? Council
24 Member Yeger, do you want to come back for a second
25 round?

1
2 COUNCIL MEMBER YEGER: Are we having a mute
3 problem? Okay, I am back. Yes, thank you Mr. Chair.

4 SERGEANT AT ARMS: Time starts now.

5 COUNCIL MEMBER YEGER: I want to reflect on just
6 two points but I want to start with the following.
7 Since my time in the Council, this Council, this
8 Committee in particular has been a leader nationwide
9 on environmental protection, on saving the
10 environment, on being focused on not just the present
11 and I think that Chair, you, the Speaker, the Council
12 have a lot to be proud of and the Administration has
13 been a partner in many respects in that way.

14 But we are and you said and as Mr. Chambers
15 testified, we are in unprecedented times and my
16 concern is whether or not we are forcing some issues
17 down the pike where we do have unfortunately in this
18 city, so many people who are not able to pay rent.
19 And we have tried to address that in the Council and
20 in some ways perhaps we are being successful because
21 we are seeing some state action but not enough.
22 There are people in this city who can't pay their
23 rent and I don't see a way that we should force them,
24 or we could force them to pay their rent right now
25

1
2 when they don't have jobs and they are not able to
3 live.

4 But that effects the landlords ability to pay for
5 his building and when we are forcing something like
6 this down the throats of landlords, the smaller ones
7 are the ones that I am concerned with. And 25,000
8 square feet may not sound like a lot if there is a
9 building with a million square feet but 25,000 square
10 feet is a small building. It is and that's what I am
11 concerned about. I think a better way to do this Mr.
12 Chair and I know this is your bill and I have great
13 respect but would be to either phase it in over a
14 longer period of time to get past the financial
15 downturn, we are at the initial stages of one and it
16 is going to last for several years. And step number
17 two, I think would be to perhaps phase in the
18 percentage of moving far beyond the exclusion of just
19 one apartment which I think was too much of an
20 exclusion but staying lower than the 35 percent,
21 which I think is too great.

22 So, with that, I don't have any more questions
23 for Mr. Chambers. I do appreciate his services and I
24 am very grateful for the opportunity to be here with
25 you. Thank you Mr. Chairman.

2 CHAIRPERSON CONSTANTINIDES: Thank you Council
3 Member Yeger, with that, I want to thank Mark
4 Chambers and Gina Bocra as well from OBEEP. Thank
5 you for your service in the city, I look forward to
6 working with you continuously on this legislation and
7 other pieces of legislations and I hope you and your
8 family stay safe.

9 MARK CHAMBERS: Thank you Chair, same to you.

10 GINA BOCRA: Thank you Chair.

11 COMMITTEE COUNSEL: And now, we will turn to the
12 public testimony. I would like to remind everyone
13 that unlike your typical hearings, we will be calling
14 individuals one by one to testify. Council Members
15 who have questions for a particular panelist, should
16 use the raise hand function in Zoom. For panelists,
17 once your name is called, a member of our staff will
18 unmute you and the Sergeant of Arms will give you the
19 go ahead to begin upon setting the timer.

20 Please wait for the Sergeant to announce that you
21 may begin before delivering your testimony. Your
22 testimony will be limited to two minutes. Now,
23 first, I would like to welcome Pete Sikora to testify
24 followed by Rachel Rivera.

25 SERGEANT AT ARMS: Time starts now.

1
2 PETE SIKORA: Thank you very much. Pete Sikora
3 here with New York Communities for Change. I am also
4 a member of the Local Law 97 and Advisory Panel.
5 Thanks for doing this hearing, particularly under the
6 trying circumstances.

7 Rachel just had to drop off because she has three
8 kids who are negotiating remote learning right now,
9 so we lost her two minutes ago. I apologize for
10 that. I am going to try and combine our testimonies
11 real quick here.

12 Rachel is a Sandy survivor who when the storm
13 hit, heard a cracking sound from the roof of her
14 apartment. She grabbed up her little daughter in the
15 night, pulled her off the bed and a few minutes later
16 the roof came right down onto the bed. They ran out
17 into the night with nothing and became homeless and
18 in the shelter system. They are an example of why
19 the climate crisis is imperative to deal with.

20 Council Member Yeger, we very much appreciate
21 your concerns about costs and how this can be handled
22 but we support this legislation very strongly for
23 multiple reasons, but fundamentally because it takes
24 on the climate crisis and creates good jobs. It is
25 also affordable to tenants and to landlords as well.

1
2 So, we hope you support it and we will co-sponsor
3 it. But making this law happen is quite a challenge
4 and a huge one that the city has to step up to. So,
5 first I want to say to the Administration, we hear
6 the 1,000 buildings. That sounds slightly low to us
7 but this data is secret from the state, so we don't
8 know exactly but our guess is it is more than a 1,000
9 buildings out of the rent regulated population but we
10 don't actually really know.

11 That's based on our experience as organizers in
12 those buildings working with tenants on landlord
13 tenant disputes usually.

14 So, it is a big deal this law. Local Law 97
15 creates tens of thousands of good jobs. Intro. 1947
16 will create -

17 SERGEANT AT ARMS: Time expired.

18 PETE SIKORA: I am going to take Rachel's time as
19 well, if that is okay. So, is that alright with the
20 extra two minutes?

21 I'm rolling, okay.

22 CHAIRPERSON CONSTANTINIDES: Yes, that's fine.

23 PETE SIKORA: It is very much appreciated, very
24 important topic here. This bill will not create rent
25 hikes for tenants because after you passed Local Law

1
2 97, the state amended the rent laws to eliminate
3 major capital improvement rent hikes for buildings
4 with 35 percent or fewer rent regulated tenants.

5 So, that's why this legislation covers those
6 buildings and requires that their pollution limits be
7 equal to the buildings that are not rent regulated,
8 that are identical physically. There is nothing
9 different about the buildings. There is nothing
10 particularly different from one to the other.

11 So, it makes sense to equalize those levels. And
12 in fact, that's what elements of the real estate
13 industry argued during the Intro. 1253 fight, they
14 opposed Intro. 1253 in part saying that apartments
15 should be equal across rent regulated and non-rent
16 regulated. Which is ironic because now, we are
17 hearing through the grapevine that they are saying
18 quite the opposite and that Intro. 1947 is
19 unaffordable and we knew in the 1253 fight that that
20 was a poisoned pill to say that but - and now it is
21 deeply ironic to say that these requirements should
22 not be equalized now that the state has changed its
23 law.

24 So, we urge you to pass the legislation. I will
25 just say as a New Yorker, lifelong New Yorker, it

1
2 just takes one look at a hurricane map to see the
3 vulnerability of the city. Right now, this city is
4 on the verge of drowning while baking and being hit
5 by extreme weather events over and over and over
6 again. We will not make it through the climate
7 crisis as a city. I wish that were hyperbole, it
8 isn't but we have an opportunity here to create good
9 jobs, the Council is leading and the Mayor is
10 supporting us as well. And it is an incredibly
11 worthwhile initiative -

12 SERGEANT AT ARMS: Time expired.

13 PETE SIKORA: To help in a green new deal for New
14 York. So, thank you for taking this up and holding
15 this hearing and we hope you pass Intro. 1947.

16 I submitted prepared testimony as well from both
17 of us. Thank you.

18 CHAIRPERSON CONSTANTINIDES: Thank you. Council
19 Member Yeger, you have your hand raised for a
20 question sir.

21 COUNCIL MEMBER YEGER: Thank you. There is a
22 little delay on the unmuting function. Mr. Sikora, I
23 will be real quick. I don't have a question; I just
24 want to respond to your initial statement. First of
25 all, thank you for your service, for your good work

1
2 on leading in this battle. I agree with you and I
3 agree with the work that you are doing. It is
4 important. It is necessary and you are right that we
5 do have you know, a timeclock facing us on our
6 ability and our desire and our will to address the
7 current health status in New York, which a lot of it
8 has to do with emissions.

9 I do support the bill. I am not Co-sponsoring it
10 now because I have a concern about the 35 percent
11 being too high but I do support the bill. I do
12 support the concept. I do think we can do better
13 than one apartment exclusion that had been in the
14 original version. I am not going to respond either
15 way on grapevine, because I don't do grapevine stuff
16 but you know, I don't know what others think about.
17 You know, what's good and what's bad, my concern is
18 whether or not we are forcing something early that
19 owners are not able to afford.

20 I want owners especially because they are not -
21 you are right, the cost is not going to be passed
22 along to the tenants now because MCI is no longer
23 passable. I like that except for the fact that that
24 also means that landlords are going to have to
25 decide, do we do windows, do we do this, do we do

1 painting, do we do basic repairs to a building? Are
2 we able to keep a maintenance person on staff or do
3 we have this clock facing us of doing this work to
4 get into compliance with the law. And that's why I
5 think that if we structure a little further into the
6 future, maybe by even a year or two, and if we drop
7 the 35 percent a little bit, just to make it more
8 manageable or maybe structure when the percentages
9 kick in, I think we should do it. Ultimately the
10 goal should be 100 percent right, not 35 percent.
11 Every building across the board ultimately should be
12 skewing for only stuff that doesn't hurt us and that
13 should ultimately be the goal. The question is how
14 you structure it and how you get there. That is just
15 my reflection but it is not a disparaging remark in
16 any way on the work that you are doing and I just
17 want to make sure you know; I do support that you
18 support the bill. Just not there yet on exactly how
19 it is worded.

20
21 And with that Chair, I yield back.

22 PETE SIKORA: Thank you so much for your support
23 Council Member. Real quick, I think you are raising
24 a very important issue here of affordability for the
25 building owners and I want to reinforce something

1
2 that Chair was saying that these are the most high
3 polluting buildings that are taken in in 2024. And
4 that means that they are probably the most
5 inefficient and so they have the easiest lowest cost
6 opportunities to actually save themselves money and
7 cut their emissions at the same time.

8 So, for a lot of these buildings, they are going
9 to be actually able to save money especially with all
10 the financing up front paying their cash cost. So,
11 you know this is a big opportunity for the city.
12 Obviously, there is many, many different types of
13 buildings across the city but your typical owner is
14 going to be able to comply with this law and save
15 money out of it.

16 COUNCIL MEMBER YEGER: So, Mr. Sikora, maybe you
17 know, you are making think of a point. Maybe there
18 is a way to do this as a means testing where
19 buildings can some how figure out a way that if they
20 are not - there are buildings right now that are
21 seeing 50 percent or more reduction on their rent
22 maybe 60, maybe 70 some buildings. Maybe there are
23 buildings that if they are doing better, if they show
24 an actual statement showing that they are doing
25 better, they won't get exempted but if they are

1
2 building that back, they can actually go to the city
3 and say look, can we be excluded for an extra year or
4 two because right now we are not getting the rent
5 that we need in order to make these payments.

6 The point about the financing is that it is not
7 free. If the building doesn't have the money in its
8 pocket and they turn to the city to pay for it, what
9 do they need to cut in order to make those payments
10 if they are not carrying the whole cost right now.
11 There are buildings right now, the smaller ones, I'm
12 not talking about the large, you know a portfolio of
13 the real estate, I am talking about small owners that
14 are simply not - they are dipping into access to pay
15 for those expenses. They are not dipping into
16 income. We want buildings to be able to pay for this
17 out of income and for capital improvements, obviously
18 to pay for that. But if they don't have enough
19 income to pay for their operating expenses right now,
20 my concern is whether or not they would have enough
21 money to do this work. We want them to run safe,
22 efficient buildings. We want them to keep their
23 doors functioning, their locks functioning, their
24 windows functioning, their stairwell functioning and
25 to make their buildings safer for the health of

1
2 community. Hopefully, I think we can get to that; I
3 was hopeful that the Chair would figure out a way
4 that we can get there.

5 PETE SIKORA: Yeah, that's great and there is in
6 the legislation, in Local Law 97, there is a process
7 for buildings that truly face economic hardship here
8 to apply to the Department of Buildings.

9 But again, it is going to be a valued proposition
10 for most building owners. So, thank you again and
11 thanks so much for all of your support over the
12 years.

13 COUNCIL MEMBER YEGER: Thank you Mr. Chairman.

14 CHAIRPERSON CONSTANTINIDES: Thank you.

15 COUNCIL MEMBER YEGER: Thank you for allowing us
16 the back and forth, I appreciate it.

17 CHAIRPERSON CONSTANTINIDES: I am trying to make
18 this as realistic hearing as possible despite the
19 Zoom.

20 COMMITTEE COUNSEL: Alright, next I would like to
21 call Sonal Jessel of WE ACT whose testimony will be
22 followed by Michael Scott, also of We Act.

23 SERGEANT AT ARMS: Time starts now.

24 SONAL JESSEL: Hi, my name is Sonal Jessel,
25 thanks for the opportunity to testify today. Thank

1
2 you Chair Constantinides for all of your great
3 allyship and the Council Members that are here.

4 So, I am the Policy and Advocacy Coordinator at
5 WE ACT for Environmental Justice. Over the past 31
6 years, 32 actually now, WE ACT has been combating
7 environmental racism in Northern Manhattan. I myself
8 have received my master's in public health from
9 Columbia University. So, I am here as an advocate
10 excited by the potential to pass this bill to expand
11 climate mitigation significantly. Local Law 97 put
12 New York City on the map in leading the United States
13 and global response to the climate crisis. And we
14 know that reduction in building emissions for large
15 buildings is the kind of action we need to ensure we
16 keep warming at 1.5oC.

17 Meaning, to avoid catastrophic impacts for all of
18 us. That's what this is doing. Since buildings are
19 the number 1 polluter in New York City, it is a
20 perfect target. Now that we have stronger tenant
21 protections, thanks to the Rent Laws, New York City
22 can further expand Local Law 97.

23 Building pollution contributes greatly to poor
24 air quality in New York City. And it is the
25 communities of color and low-income communities that

1
2 have borne the brunt of that poor air quality. And
3 that's because of the historic systematic
4 environmental racism that has placed all industrial
5 sites, bus depots, waste transfer stations,
6 sanitation truck depots, and more in communities of
7 color. I mean, all bus stations in Manhattan are up
8 town for example. On top of that, it is communities
9 of color that have larger rates of buildings using
10 dirty fuel, buildings that are simply inefficient and
11 while Local Law 97 and its expansion is good for
12 everyone, it has the potential to positively impact
13 communities of color greatly. And specifically, I
14 know we are talking about these big buildings, but
15 overarching that's kind of where we are headed with
16 this.

17 Introduction 1947 is exciting because it does
18 expand that law. It will add, I guess it is a
19 thousand but I thought it was a little bit more as
20 well than 1,000 buildings that have to greatly reduce
21 their emissions. Also, solutions that address
22 disparate unemployment due to COVID.

23 SERGEANT AT ARMS: Time expired.

24 SONAL JESSEL: Can also be paired with this
25 immediate need to the address climate crisis before

1
2 Introduction 1947, Local Law 97 was projected to
3 create like 40,000 jobs. Adding these buildings will
4 add more jobs, which is especially important this
5 time of unemployment.

6 So, I am stressing my strong support of
7 Introduction 1947 and I join the advocates, experts
8 and others that are expressing that support. So,
9 thank you so much.

10 CHAIRPERSON CONSTANTINIDES: Thank you Sonal,
11 thank you.

12 COMMITTEE COUNSEL: Next, we will hear from
13 Michael Scott, who will be followed by Elizabeth
14 McMillan.

15 SERGEANT AT ARMS: Time starts now.

16 MICHAEL SCOTT: Sorry, I thought that the host
17 unmutes me. Sonal just bolted through her
18 presentation because we were all told we had three
19 minutes. Now we find out we have two.

20 So, I am going to scrap my whole speech and just
21 basically tell you that I am the Energy Committee
22 Head of the 60 Cooper Street Co-op and also a member
23 of WE ACT. We have rent controlled tenants in our
24 building but we do not get the exemption because we
25 are a co-op. And we have spent over \$100,000 to

1
2 comply with Local Law 97 and we are in full support
3 of Local Law 97.

4 And I am very much in support of Introduction
5 1947 but I think it is extremely unfair that co-ops,
6 are having to pull 100 percent of our weight in Local
7 Law 97 and that big landlords and developers do not
8 and they don't live here, we do. We breathe the air
9 here and they don't. They get the exemptions; they
10 are saving millions of dollars and it is on our
11 backs. And they don't really have any skin to gain
12 and I am upset. I think it should - I would like to
13 see 100 percent compliance and we are perfectly
14 willing to contribute and do our bit to save the
15 planet and our neighborhoods but I don't think it is
16 right that big landlords and developers get a pass on
17 this and we don't.

18 So, please, please, support Local Law or the
19 Introduction 1947. Thank you.

20 SERGEANT AT ARMS: Time expired.

21 CHAIRPERSON CONSTANTINIDES: Thank you.

22 COMMITTEE COUNSEL: Next, I will call on
23 Elizabeth McMillan who will be followed by Liv Yoon.

24 SERGEANT AT ARMS: Time starts now.
25

1
2 ELIZABETH MCMILLAN: Thank you for holding the
3 hearing today and for the opportunity to testify
4 regarding the Introduction 1947; expanding the number
5 of buildings in NYC that have to severely reduce
6 their pollution. I am Elizabeth McMillan, and I'm a
7 community member of WE ACT for Environmental Justice.
8 I am working with Sonal Jessel, who is the Policy and
9 Advocacy Coordinator at WE ACT in support of
10 Introduction 1947 which will help to severely reduce
11 pollution here in Upper Manhattan.

12 As a resident in Central Harlem, I am very
13 concerned about our air quality. It is our
14 understanding that buildings are responsible for two-
15 thirds of New York City's annual emissions. It's a
16 culprit, if I may say, in why I see a difference in
17 easier breathing outside between the boroughs and the
18 strain on my breathing here in Harlem. I also have
19 seen a great increase in construction throughout
20 Northern Manhattan, which adds to the increase in
21 poor air quality.

22 In addition to the Urban Heat Island Affect
23 that's especially central to our community due to
24 some lack of trees, concrete, car emissions, and the
25 intense temperatures during hot and humid days, other

1
2 factors are smoking within apartments, which also
3 increases the poor air quality that affects my
4 breathing. Though smoking cessation is another issue
5 that this bill does not solve, but it is a huge
6 consideration when outside air pollution negatively
7 affects me then I have to come home to the same poor
8 air quality within my building.

9 Including Rent Regulated buildings to shrink
10 their carbon footprint in low income communities I
11 believe will be a step in the right direction. Air
12 is provided by mother nature for free and is a right
13 to all. My lungs deserve every right to benefit from
14 cleaner air already provided by Earth. Thank you.

15 CHAIRPERSON CONSTANTINIDES: Thank you. Thank
16 you for your testimony.

17 COMMITTEE COUNSEL: Now, I would call on Liv Yoon
18 who will be followed by Emma Urofsky.

19 SERGEANT AT ARMS: Time starts now.

20 LIV YOON: Good Afternoon Chair Constantinides
21 and Members of the Committee. Thank you for the
22 opportunity to testify regarding Introduction 1947.
23 My name is Liv Yoon, and I'm a Postdoctoral
24 Researcher at the Earth Institute and the Mailman
25 School of Public Health at Columbia University. I am

2 also a resident of West Harlem, and a member of WE
3 ACT for Environmental Justice.

4 I am testifying today to express a dire need for
5 Introduction 1947, to expand the number of buildings
6 in New York City that have to severely reduce their
7 greenhouse gas emissions. Climate change is spinning
8 out of control as we speak. Cutting down emissions
9 is no longer a choice but a must, an immediate must.
10 Introduction 1947 would bolster Local Law 97 to
11 guarantee rent-regulated buildings to shrink their
12 carbon footprint, but not off the backs of tenants.
13 This would add thousands of buildings to Local Law
14 97, about 15 to 20 percent of regulated buildings,
15 resulting in a significant reduction in greenhouse
16 gas emissions from the city.

17 We need to remember what this means in real life.
18 Climate change is directly related to people's
19 health. We're all in the same storm of the climate
20 crisis, but we're not all in the same boats. Again,
21 and again, we see that people of color, of low-income
22 are disproportionately affected by the climate
23 crisis. This means hotter summers in areas with less
24 green space, in homes with no AC. This means more of
25 our neighbors dying in communities like Harlem. We

1
2 need to connect these dots between building emissions
3 and people's health so greenhouse gas emissions don't
4 feel like mere numbers.

5 New York City has to be a leader in this effort.
6 And Let's picture what this would signal. If a city
7 as dense and as busy as NYC can cut down emissions,
8 imagine what other cities around the country and the
9 world will see as possible. We have an opportunity
10 here to challenge a crisis of imagination.

11 Sociologist Raymond Williams once said, "To be truly
12 radical is to make hope possible, not despair
13 convincing". We have that opportunity here and now
14 through this very concrete measure of Introduction
15 1947.

16 Thank you for your time and efforts towards this
17 goal.

18 COMMITTEE COUNSEL: Thank you Liv Yoon. And now,
19 I will call on Emma Urofsky who will be followed by
20 Christopher Athineos.

21 SERGEANT AT ARMS: Time starts now.

22 EMMA UROFSKY: Hi, my name is Emma Urofsky, I am
23 an Undergraduate Sustainable Development Student at
24 Columbia University, a recently certified LEED Green
25

1 Associate, and a member of the community organization
2 WE ACT for Environmental Justice.
3

4 Through my studies and work with WE ACT, I learn
5 time and time again how crucial an Environmental
6 Justice framework is in fostering healthy and
7 equitable environments. In the face of a web of
8 interconnected crises, such environments are
9 increasingly out of reach for more and more New York
10 City residents. Thank you for holding this hearing
11 today and for allowing me the opportunity to testify
12 before the New York City Council in support of
13 Introduction 1947.

14 I am terrified of the Climate Crisis; the need to
15 cut emissions, among many other mitigation and
16 adaptation measures, has never been more urgent. It
17 is not very common that an individual can have a say
18 in how their city responds to climate change, so when
19 this opportunity arose I could not pass it up.
20 Community involvement is key and I am here to
21 advocate on behalf of my community and urge you, City
22 Council members, to vote yes on Introduction 1947.

23 Buildings are the single greatest source of
24 greenhouse gas emissions in New York City, and as
25 such this sector has the greatest potential for

1
2 emission reduction. Already, tens of thousands of
3 buildings are subject to Local Law 97 and are making
4 the mandatory changes needed to reduce emissions.
5 However, because any building with one or more
6 affordable housing units is exempt, communities that
7 rely on such housing are not benefiting as directly
8 from pollution reduction. By expanding Local Law 97
9 to include buildings with less than 35 percent
10 affordable units, low-income residents can benefit
11 from emission reductions in their homes and
12 communities without bearing the financial burden of
13 making it happen. Making Introduction 1947 law will
14 not only make New York City generally healthier; it
15 will help facilitate a more equitable distribution of
16 these health benefits.

17 I am in full support of expanding the reach of
18 Local Law 97 by passing Introduction 1947. Having
19 more buildings subject to this emission regulation,
20 while also protecting low-income residents from
21 bearing the costs -

22 SERGEANT AT ARMS: Time expired.

23 CHAIRPERSON CONSTANTINIDES: You can finish your
24 thought. Okay, she has already signed out. Okay,
25 thank you for your testimony, next.

2 COMMITTEE COUNSEL: Okay. Next, we will hear
3 from Christopher Athineos who will be followed by Nan
4 Faessler.

5 SERGEANT AT ARMS: Time starts now.

6 CHRISTOPHER ATHINEOS: Hi, my name is Christopher
7 Athineos, I am a Small Property Owner of two
8 buildings which are over 25,000 square feet and I
9 would like to voice my objection to Intro. 1947,
10 which would modify Local Law 97. Because changing
11 the definition of buildings which is subject to the
12 law. Specifically, removing the exemption of
13 buildings with at least one rent regulated apartment
14 would make it economically unfeasible for me to
15 comply with the emissions reductions required in
16 Local Law 97.

17 I would like you to understand what my family has
18 done to make these buildings more energy efficient
19 over the last 40 years that we have owned these
20 properties. We have changed windows, roofs, boilers,
21 burners. We have installed solar panels on the
22 roofs. More recently over the last 20 years, when an
23 apartment would become vacant, we would remove the
24 plaster walls in the apartment right to the bare
25

1
2 brick and insulate all of the exterior walls in the
3 apartment.

4 This made a dramatic improvement in the heat
5 retention in that specific apartment; however, we are
6 not able to do that in long term occupied apartments
7 for obvious reasons. With the recent passage of
8 HSTDA of 2019, all of our long term plans to renovate
9 apartments which included these type of energy plans,
10 such as insulating an apartment, came to a grinding
11 halt since we are only permitted to get a rent
12 increase on \$15,000 of improvements every 15 years.
13 This negligible amount cannot nearly cover a cost of
14 such energy improvements. We must deal with more
15 pressing costs such as lead paint abatement, plumbing
16 and electrical upgrades, new windows, just to name a
17 few.

18 We are forced to make tough choices and
19 unfortunately, we can't do everything when our income
20 is restricted.

21 Furthermore, we have to receive practically no
22 rent increases from building guidelines over the last
23 several years. These negligible increases if any,
24 don't cover our increased real estate taxes and water
25 and sewer charges. Quite frankly, we are even

1 challenged with apartments that are not subject to
2 rent regulation because in the outer boroughs, such
3 as where I am in Brooklyn, we can't simply keep
4 raising the rents on our -

5 SERGEANT AT ARMS: Time expired.

6 CHRISTOPHER ATHINEOS: Tenants and especially now
7 during [lost audio 1:07:57].

8 CHAIRPERSON CONSTANTINIDES: Okay, thank you. I
9 think you lost your ability to keep going but thank
10 you for your testimony.

11 COMMITTEE COUNSEL: Next, we will hear from Nan
12 Faessler who will be followed by Rachel Landsberg.

13 SERGEANT AT ARM: Time starts now.

14 NAN FAESSLER: Great. My name is Nan Faessler, I
15 am a tenant and I am a WE ACT for Environmental
16 Justice member. I live in Central Harlem, zip code
17 10037, that's district 9, Bill Perkins district. We
18 are also home to one of the highest concentrations of
19 asthma in the city of New York. I want to thank the
20 council members and staff for allowing me to testify
21 and I do ask that the New York City Council pass
22 Intro. 1947.

23 The Trump Administration is in total denial about
24 climate change and science in general, as we have
25

1
2 witnessed their non-leadership during this COVID-19
3 pandemic. And I am so grateful to the New York City
4 Council in respecting science by passing progressive
5 bills like Local Law 97.

6 Recognizing that buildings in New York City are
7 responsible for two-thirds of its emissions of
8 greenhouse gasses, Local Law 97 addressed the need to
9 reduce those greenhouse gasses by 40 percent by 2030
10 and 80 percent by 2050.

11 However Local Law 97 has a huge loophole in that
12 buildings over the 25,000 square feet that have one
13 or more affordable housing units would have been
14 exempt.

15 1947, this new bill, helps to erase that glaring
16 exemption and since very progressive housing laws
17 were passed in 2019 by the New York State Legislature
18 where the MCI's aren't being able to be passed on the
19 way they were before, Intro. 1947 makes so much
20 sense, as nearly 60 percent of buildings in NYC would
21 now be covered.

22 This will guarantee rent-regulated buildings
23 shrink their carbon footprint, but not off the backs
24 of tenants.

1
2 We are seeing right in front of our eyes the
3 damages in the U.S. due to climate change, the
4 incredible wildfires on the West Coast, flooding in
5 Alabama and Florida because of Hurricane Sally and
6 now Hurricane Beta.

7 I am nearly 73 years old and I am not see the
8 most horrific harmful effects -

9 SERGEANT AT ARMS: Time expired.

10 NAN FAESSLER: Anyways, I say thank you to the
11 Council and I do hope that they pass the bill. It is
12 a moral necessity.

13 CHAIRPERSON CONSTANTINIDES: Thank you.

14 COMMITTEE COUNSEL: Thank you Nan Faessler. Now,
15 I would like to welcome Rachel Landsberg who will be
16 followed by Phoebe Flaherty.

17 SERGEANT AT ARMS: Time starts now.

18 RACHEL LANDSBERG: Hi, my name is Rachel
19 Landsberg. I have lived on the upper west side of
20 New York City for over 20 years, I am an educator a
21 mother, and I am a proud member of WE ACT for
22 Environmental Justice. I would like to thank the
23 members of the City Council for holding this hearing
24 and for listening to the voices and stories of New
25

1
2 Yorkers like me who love our city and want only the
3 best for it and its residents.

4 I am speaking in favor of Intro. 1947. I decided
5 to testify today, a first for me, because as fires
6 rage on the west coast and hurricane season has
7 already begun to wreak havoc on the southern and
8 eastern coasts, the harrowing effects of climate
9 change are on my mind daily. That coupled with the
10 disproportionate impact of the coronavirus on Black,
11 Brown, and working class people, has compelled me to
12 take a stand wherever and whenever I can, in working
13 towards a more equitable society.

14 It has never been more important to work to
15 create a sustainable and just city where all New
16 Yorkers can thrive. Intro. 1947 would affect change
17 in a just and equitable way that is important to me
18 personally. By expanding the number of buildings
19 that would need to reduce emissions, it would advance
20 New York City's commitment to tackling climate change
21 head on.

22 In addition, Introduction 1947 would protect
23 rather than penalize tenants who live in affordable
24 housing. As we witness globally the disproportionate
25 impact of climate change on frontline and vulnerable

1
2 communities in the global south who bear the burden
3 of climate change caused by nations in the global
4 north, nations with power and money, we must
5 recognize and take a stand on these issues within our
6 own communities as where the same dynamic plays
7 itself out. We must be bold in curbing greenhouse
8 gas emissions while at the same time protecting
9 vulnerable working New Yorkers who depend on
10 affordable housing.

11 Now is a time for leadership and forward-
12 thinking. New York must step up to do its part to
13 combat climate change and those who have benefited
14 most -

15 SERGEANT AT ARMS: Time expired.

16 RACHEL LANDSBERG: From emitting greenhouse gases
17 should do their part as well. We don't have time to
18 wait. Thank you.

19 CHAIRPERSON CONSTANTINIDES: Thank you.

20 COMMITTEE COUNSEL: Thank you Rachel Landsberg.
21 I would now like to call Phoebe Flaherty who will be
22 followed by Zachary Steinberg.

23 SERGEANT AT ARMS: Time starts now.

24 PHOEBE FLAHERTY: Good afternoon. Thanks for the
25 opportunity to testify. My name is Phoebe Flaherty,

2 I'm an Organizer at ALIGN, The Alliance for a Greater
3 New York.

4 ALIGN is a community-labor coalition dedicated to
5 creating good jobs, vibrant communities and
6 accountable democracy for all New Yorkers. We
7 coordinate the Climate Works for All coalition, a
8 coalition of labor, community and faith,
9 environmental justice and climate groups who have
10 come together to move us towards a liberal climate
11 and fair economy through a just transition.

12 And together, with many of the orgs who have
13 spoken here today already, we won the passage of
14 Local Law 97 in 2019, the most ambitious building
15 legislation in the world, which will move us
16 aggressively towards our climate goals and create
17 more than 40,000 jobs in the process.

18 Intro 1947 will amend Local Law 97 to move us
19 more aggressively and more equitably towards our
20 emissions reductions goals by including buildings
21 with fewer than 35 percent regulated units under the
22 mandate moving forward. And we predict this means
23 that more than 1,000 large buildings will be required
24 to make energy efficiency improvements according to
25 the standards. Meaning thousands more union

1
2 planners, architects, electricians and more will be
3 put to work doing energy efficiency upgrades. Good
4 union job creation is critical for our city now more
5 than ever. New York City is in the middle of an
6 economic crisis with our city's unemployment rate
7 hovering around 20 percent and disproportionately
8 impacting New York's Black and Brown communities. We
9 need to be moving policies that create good career
10 family sustaining jobs in the climate sector now more
11 than ever and passing Intro. 1947 will ensure that
12 emissions are more quickly and drastically reduced
13 across the city and that the localized benefits of
14 retrofits like lower localized emissions and
15 healthier and more comfortable living spaces occur
16 more equitably across the city for lower income
17 residents.

18 And so, we urge the Committee on Environmental
19 Protection to support this amendment to Local Law 97
20 and thank you for your time today.

21 CHAIRPERSON CONSTANTINIDES: Thank you and I
22 apologize if I am going to step away from the screen,
23 my son had to be let back into the apartment. We are
24 still doing remote learning, so it is an adventure.

25 PHOEBE FLAHERTY: That's life these days.

1 CHAIRPERSON CONSTANTINIDES: Yes.

2 COMMITTEE COUNSEL: And now, I would like to
3 welcome Zachary Steinberg who will be followed by
4 Margaret Perkins.
5

6 SERGEANT AT ARMS: Time starts now.

7 ZACHARY STEINBERG: Thank you. REBNY shares the
8 city's environmental goals and appreciates that the
9 building sector collectively needs to make meaningful
10 carbon reductions in order to reach these goals.

11 While understanding the scope of this law is
12 challenging, REBNY believes that the thousands of
13 buildings, many with a large percent of the rent
14 regulated units will be impacted by this legislation.

15 We support data driven public policy,
16 particularly with our fellow New Yorkers, the City of
17 New York and our economy continue to experience the
18 challenges of the COVID pandemic. It is essential
19 that the Council undertake a much more rigorous
20 analysis of this proposed legislation. Any expansion
21 of local carbon reduction must be reflective of
22 buildings physical and financial realities.
23 Particularly now in a moment of economic down turn.

24 COVID and its economic fallout has impacted
25 property owners and tenants alike, indeed rental

1
2 vacancies in the city have reached a 14 year high in
3 June of this year and the number only continues to
4 climb. With recent lapses in rent payments combined
5 by with owners offering concessions to tenants,
6 buildings are losing on the income they need to cover
7 operational expenses, mortgage payments, labor costs
8 and capital. This is particularly true with
9 buildings with rent regulated units.

10 This is not to say that all buildings with rent
11 regulated units have no ability to make improvements.
12 Rather it simply reflects the fact that a meaningful
13 analysis needs to be undertaken to determine the
14 impact of this legislation on buildings and their
15 residents. Whether the unit is rent regulated or it
16 is market rate, so those buildings have a diminished
17 ability to this work and be better supported. Should
18 this legislation move forward, additional action is
19 necessary. Including outreach and more meaningful
20 programs to help building comply.

21 In addition, in the absence of more aggressive
22 public programs, those struggling with existing
23 operating expenses would potentially be likely to
24 pass on the cost of retrofits onto market rate units,
25 driving up those rents.

1
2 I want to point out that buildings covered by
3 Intro. 1947 will have substantially less time to come
4 into compliance with these mandates than the larger
5 buildings owners to be subject to these caps almost
6 18 months ago. For this reason and given the
7 financial realities facing buildings today, the
8 Council should strongly consider waiving their delay
9 in financial in rent regulated units during -

10 SERGEANT AT ARMS: Time expired.

11 ZACHARY STEINBERG: Thank you.

12 CHAIRPERSON CONSTANTINIDES: Thank you.

13 COMMITTEE COUNSEL: Next we will hear from
14 Margaret Perkins who will be followed by Joseph
15 Charap.

16 SERGEANT AT ARMS: Time starts now.

17 MARGARET PERKINS: My name is Margaret Perkins
18 and I am a Member of 350 NYC and we have been very
19 involved for about three years for the passage of the
20 Local Law 97 and now hopefully 1947.

21 1947 will expand the number of large buildings,
22 another 1,000 and add to the 50,000 that were covered
23 under the original Local Law 97. This is indeed a
24 daunting challenge. The goal is to reduce emissions
25 from large buildings by 40 percent by 2030. But we

1
2 feel New York City is up to the challenges, even in
3 this difficult times of the coronavirus pandemic.
4 But it will require the full support of the Council.
5 Council Members, the real estate industry, financial
6 institutions, unions, tenants and home owners.

7 Although we see today that some Council Members
8 are very cautious about pressing forward with Local
9 Law 97, due to the pandemic, but we say the opposite
10 is true. There will only be a rapid and just
11 recovery in this city if we generate good paying jobs
12 now and Local Law 97 has the potential to do that.
13 Urban Green Council estimates that we will require
14 140,000 jobs by 2030 and these will be good paying
15 jobs that will stimulate the economy.

16 If all buildings choose efficiency to meet the
17 carbon caps by 2030, Urban Green Council estimates
18 that the market will be between 16 and 24 billion. A
19 great opportunity for New York City.

20 The new law could trigger a 13-fold increase in
21 today's annual market depending on how soon owners
22 begin to invest in their properties.

23 SERGEANT AT ARMS: Time expired.

24 MARGARET PERKINS: We support the bill.

2 CHAIRPERSON CONSTANTINIDES: Okay. Thank you for
3 your testimony.

4 MARGARET PERKINS: Okay.

5 COMMITTEE COUNSEL: I would now like to welcome
6 Joseph Charap who will followed by Chris Halfnight.

7 SERGEANT AT ARMS: Time starts now.

8 JOSEPH CHARAP: Good afternoon esteemed members
9 of the Committee. My name is Joseph Charap and I am
10 the Director of Horticulture at Green-Wood Cemetery.
11 We are a national historic landmark in a 478 acre
12 green space in the heart of Brooklyn and the heart of
13 Council Member Menchaca's district.

14 Determining the cause of the extreme weather
15 events that are ravaging this country and the world
16 on a near weekly basis is not rocket science. There
17 caused by extreme heat the result of climate change.

18 As greenhouse gas emissions are the most
19 significant driver of climate change, I applaud the
20 commitment on this bill to produce greenhouse gas
21 emissions in New York City. We at Green-Wood are
22 also committed to slowing the effects of climate
23 change in New York City. I would like to share with
24 you briefly an outline of the work we are doing that
25 aligns with the goals of this Committee in the hope

1
2 that there are opportunities for collaboration and
3 sharing information and strategies.

4 The Green-Wood Cemetery is partnered with the
5 School of Integrated Planned Science at Cornell
6 University to promote biodiversity and reduce gas
7 emissions in Brooklyn green spaces. Including at
8 Green-Wood, by studying and testing mowing practices
9 and grass management strategies that will act as a
10 model for the city and the potential forming of an
11 urban grasslands institute.

12 We are seeking to create applied real world
13 solutions to fight climate change through smarter
14 management of grass and turf. A massive but almost
15 always overlooking employment of greenhouse gas
16 emissions. 18 percent of New York City is covered in
17 grass, approximately 34,560 acres. It takes over a
18 half a million gallons of gasoline to mow New York
19 City's grass every seven days. Releasing 10 million
20 pounds of carbon dioxide annually. If we were just
21 to stretch this to ten days, we would reduce
22 greenhouse gas emissions by 30 percent. It's that
23 simple, we can make a difference. Now is the time
24 that we must rethink the way the vast acreage of in
25 the turf grass in the city is managed. At Green-Wood

1
2 we are developing new strategies to manage the turf
3 and urban green spaces that effectively and
4 sustainably address short and long term needs for a
5 changing climate. These progressive data driven
6 strategies and novel management models will emphasize
7 alternatives to energy and chemical intensive
8 management mowing and oversights. If the strategy
9 that we are developing at Green-Wood are adopted
10 citywide, which is our hope, it will have a
11 measurable impact in the resilience of our urban
12 environment.

13 Thank you for your time. Green-Wood welcomes the
14 opportunity to work with the Committee.

15 SERGEANT AT ARMS: Time expired.

16 CHAIRPERSON CONSTANTINIDES: Thank you for your
17 testimony.

18 JOSEPH CHARAP: You are welcome.

19 COMMITTEE COUNSEL: Okay, I would now like to
20 welcome Chris Halfnight who will be followed by
21 Samantha Wilt.

22 SERGEANT AT ARMS: Time starts now.

23 CHRIS HALFNIGHT: There we go. Good afternoon
24 Chair and Members of the Committee. My name is Chris
25 Halfnight, I am Associate Director of Policy at Urban

1
2 Green Council. A nonprofit dedicated to transforming
3 buildings for a sustainable future. My testimony
4 today is also supported by the Environmental Defense
5 Fund who could not appear. We support Intro. 1947
6 because it would align Local Law 97 with revisions to
7 the states rent laws and because it would yield
8 greater carbon savings by leaving fewer buildings
9 behind.

10 The first point is straight forward as we have
11 heard the definition of rent regulated and the
12 prescriptive compliance path in Local Law 97 were
13 calibrated to the states rent laws in effect at the
14 time. Specifically, to avoid passing retrofit costs
15 to rent regulated tenants.

16 By updating the definition and thus the
17 eligibility for the prescriptive path to match the
18 states new 35 percent threshold, this amendment would
19 conform the state law. It would put similar
20 buildings on a level playing field and most
21 importantly, it would preserve the spirit and intent
22 of Local Law 97.

23 To my second point, this amendment will have
24 significant carbon impact. Urban Green estimates
25 that about a quarter, 25 percent of all GHG emissions

1
2 under Local Law 97, come from buildings with at least
3 one rent regulated unit.

4 Under the prescriptive path that these buildings
5 have currently, they will implement low cost energy
6 saving measures that over time simply won't yield the
7 emission savings we need to hit the city's targets.
8 Maybe more importantly, the tenants in these
9 buildings will miss out on the co-benefits that come
10 with deeper energy efficiency like better air
11 quality.

12 As we heard the data is limited in this sector
13 but there is no doubt this amendment would shift a
14 significant number of rent regulated buildings from
15 the prescriptive path to carbon intensity caps,
16 potentially more than 1,000. That will yield larger
17 emission savings and local benefits while still
18 guarding against affordability impacts.

19 At the same time, we recognize that many building
20 owners will need meaningful assistance from the city
21 in order to comply, particularly in the affordable
22 housing sector, particularly right now.

23 SERGEANT AT ARMS: Time is expired.

24 CHRIS HALFNIGHT: With the home and economic
25 challenges. So, we strongly urge the city to double

1
2 down on expanding support programs for deep energy
3 retrofits. Thank you.

4 CHAIRPERSON CONSTANTINIDES: Council Member
5 Menchaca and I see you have your hand raised.

6 COUNCIL MEMBER MENCHACA: Yes, thank you Chair.

7 SERGEANT AT ARMS: Time starts now.

8 COUNCIL MEMBER MENCHACA: For this panel. I just
9 want to say thank you to Green-Wood for testifying.
10 I don't know if they are still here but I was at
11 Green-Wood this weekend and saw the fields. The
12 testing fields that he was talking about in terms of
13 the changing of the mowing. And I was looking
14 forward to the testimony today and I think it's just
15 a great example.

16 So, I just want to say thank you for everything
17 that Green-Wood does. It's a massive piece of
18 property and it's just another example of a true
19 partnership in how every one of us are going to have
20 to create a very unique approach but we are all
21 trying to get to the same place. And thank you to
22 all the other folks who have testified so far. Thank
23 you.

24 CHAIRPERSON CONSTANTINIDES: Thank you Council
25 Member Menchaca.

2 COMMITTEE COUNSEL: And now, I would like to
3 welcome Samantha Wilt who will be followed by Carlos
4 Castell Croke.

5 SERGEANT AT ARMS: Time starts now.

6 CHAIRPERSON CONSTANTINIDES: We are not getting
7 her testimony through.

8 SAMANTHA WILT: Oh -

9 CHAIRPERSON CONSTANTINIDES: There we go.

10 SAMANTHA WILT: Sorry.

11 CHAIRPERSON CONSTANTINIDES: Now we got you,
12 okay.

13 SAMANTHA WILT: It is so great to see you
14 Chairman and Council Members and all other fantastic
15 folks who have been testifying. It is so exciting it
16 is climate week. Thank you all again for your
17 extraordinary leadership on this issue from passing
18 the Climate Leadership Act last year, as others have
19 mentioned you know, the idea of a national climate
20 policy at this point is like completely obliterated
21 and everyday they further undermine it.

22 So, having New York City as really a bright light
23 leading on this issue which is of course more obvious
24 and devastating to this country than ever. So, thank
25 you again for all of your work on this for years and

1
2 years. As others have said, and as we had said at
3 our initial testimony for Local Law 97, the more
4 buildings we cover, the more carbon we save. That's
5 incredibly important. I know we haven't all seen
6 specific analysis, although Chris just had some good
7 numbers and I know Mr. Chambers also presented some
8 but you know, last year, it looked like one third of
9 the emissions from covered buildings under Local Law
10 97 would have been exempted about one-third. So, we
11 hope the missing reductions now get covered through
12 1947.

13 So, we strongly encourage that you all pass it.
14 And as others have said also, including the
15 buildings, does get us more carbon savings which is
16 incredibly important but most importantly, it gives
17 these tenants in these buildings the benefits of
18 energy efficiency. And these buildings are often
19 those that need the efficiency upgrades the most and
20 often has tenants that will greatly benefit from
21 resulting in air quality and health benefits. Along
22 with the lower energy and operating costs.

23 So, we are confident that Intro. 1947 will
24 improve the climate and other pollution reduction
25 outcomes of Local Law 97, while also delivering

1
2 critical protections of these tenants against
3 displacement -

4 SERGEANT AT ARMS: Time expired.

5 SAMANTHA WILT: And thank you again for the
6 opportunity.

7 CHAIRPERSON CONSTANTINIDES: Thank you so much.
8 Thank you for your testimony as well. Good to see
9 you.

10 COMMITTEE COUNSEL: And next, we will hear from
11 Carlos Castell Croke, who will be followed by Annie
12 Garneva.

13 SERGEANT AT ARMS: Time starts now.

14 CARLOS CASTELL CROKE: Good afternoon. My name
15 is Carlos Castell Croke and I am the Associate for
16 New York City Programs and New York League of
17 Conversation Voters. NYLCV represents over 30,000
18 members in New York City and we are committed to
19 advancing sustainability agenda that will make our
20 people, our neighborhoods and our economy healthier
21 and more resilient. I would like to thank Chair
22 Constantinides for the opportunity to testify today.

23 When the New York City Council passed Local Law
24 97 early last year, it laid the cornerstone of the
25 city's ambitious goal reducing emissions 80 percent

1
2 by the year 2050. At that time, NYLCV and other
3 stakeholder understood that there was still a lot of
4 work to be done in order to ensure that this law is
5 properly implemented, provides a clear and achievable
6 regulatory framework and is adequately enforced and
7 invested in.

8 This law also did not include all the building
9 and left ultimately be more energy efficient to
10 achieve the city's climate goals.

11 NYLCV supports the passage of Intro. 1947 because
12 it applies Local Law 97 to buildings that cannot be
13 overlooked if we are to reach our 85/50 goal. Intro.
14 1947 will amend the City Charter and Administrative
15 Code as it relates to rent regulated accommodations
16 or to bring Local Law 97 in accordance with the state
17 law.

18 Applying a threshold of at least 35 percent rent
19 regulated units to a Local Law 97 exemption, to
20 ensure that critical buildings are not left behind
21 and that we can start working to achieve 85/50.
22 While we believe Intro. 1947 is a necessary amendment
23 to Local Law 97, we also understand that there is
24 still an insufficient number of programs and funds
25

1
2 available to help building owners adapt to these new
3 standards.

4 We are excited to see Local Law 97 working group
5 develop the ground breaking regulatory standards that
6 will bring New York City to the frontlines of climate
7 change mitigation but the city must also provide the
8 tools necessary for these standards that will bring
9 New York City to the frontlines of climate change
10 mitigation. But the city must also provide the tools
11 necessary for these standards to be met.

12 NYLCV will continue to advocate for programs,
13 incentives and funds that will provide building
14 owners with the needs to retrofit their properties
15 with energy saving and emission reducing technology.
16 Thank you for the opportunity to testify today.

17 CHAIRPERSON CONSTANTINIDES: Thank you.

18 COMMITTEE COUNSEL: And finally, we will hear
19 from Annie Garneva. Annie?

20 SERGEANT AT ARMS: Time starts now.

21 ANNIE GARNEVA: Thank you and thank you for
22 tacking me on last minute. I super appreciate it.
23 My name is Annie Garneva and today I come to you
24 wearing two hats that are central to this bill and
25 issue - as an activist against fossil fuel

2 infrastructure and environmental justice and
3 renewable energy through Sane Energy Project and the
4 Stop the Williams Pipeline Coalition, and as the
5 Director of Communications and Member Services at the
6 NYC Employment and Training Coalition.

7 COVID-19 and the economic crisis created have
8 shown us the deep cracks and instabilities that have
9 long existed in our local economy. Many New Yorkers
10 have been trying for too long to survive their low
11 wage jobs with few safety supports, long and unstable
12 schedules and few career opportunities. It is our
13 City leaders responsibility to empower communities
14 that have been hardest hit by this pandemic and the
15 systemic marginalization and disinvestment that
16 existed prior to it with 21st century careers that
17 will build economic, social and climate resilience
18 across the five boroughs.

19 This is why we at Employment Training Coalition
20 support Intro 1947, which would create thousands more
21 quality jobs for low and moderate income communities
22 of color in the energy efficiency sector. This would
23 have the wonderful double pronged outcome of building
24 economic and environmental power and stability in our
25 communities, something that is long overdue.

1
2 While there are already many trained and in
3 training low and moderate income workers in New York
4 City that would be able to take advantage of the jobs
5 created by this bill, especially in construction, the
6 creative and management roles in design and
7 renovation are still lacking in terms of diversity
8 and accessibility.

9 The City must put its money where its mouth is
10 and provide deep investments in education and
11 training programs in design, renovation and
12 construction so that our communities can turn their
13 talents into the skills and credentials necessary to
14 access energy efficiency careers. Without this step,
15 the jobs created will go to those that already have a
16 leg up on economic opportunity and will continue to
17 drive the gentrification and displacement we've seen
18 over the last two decades. This is why we
19 desperately need holistic solutions like this
20 introduction, as well as the Green New Deal that
21 tackle the root systemic fault lines in our society -

22 SERGEANT AT ARMS: Time expired.

23 ANNIE GARNEVA: And recognize that racial justice
24 is environmental justice and is economic justice.

2 So, again, we urge you to pass this bill, not
3 just for the environmental reasons but also the
4 economic reasons and follow up with more and deeper
5 investments that will actually connect people to the
6 jobs, not just talk about the jobs in name only.

7 Thank you.

8 CHAIRPERSON CONSTANTINIDES: Thank you.

9 COMMITTEE COUNSEL: At this time, I would like to
10 ask if there is anyone who is registered to testify
11 but whose name has not been called, if so, raise your
12 hand.

13 Seeing none, I will turn it over to Costa Chair
14 Constantinides for any closing remarks.

15 CHAIRPERSON CONSTANTINIDES: I want to thank all
16 those who gave of their time today to testify both in
17 support and in not support of the bill. I appreciate
18 everyone's time and interest in this topic. I want
19 to thank all of the staff again, Samara Swanston,
20 Nadia Johnson, Ricky Chawla, Jonathan Seltzer, my
21 staff Nicholas Widzowski, Terence Cullen. All of the
22 Sergeant at Arms, all of the technical staff that
23 have made this hearing possible. I want to thank my
24 colleagues for their good participation and of course
25 thank the Administration as well and of course, our

1
2 Speaker Corey Johnson, who I know was at the rally
3 earlier today.

4 You know, Local Law 97 was the largest emissions
5 reduction policy, not just in New York City but the
6 city in the world. We need to continue to build on
7 that success. We need to bring more buildings into
8 compliance and we need to act on climate with the
9 urgency that it deserves.

10 We may have a President who doesn't believe in
11 climate change, hopefully that will change on
12 November 3rd. But what is not changing is the
13 reality of climate change. The way it impacts our
14 city, the way it impacts our environmental justice
15 communities, our communities of color, our low income
16 neighborhoods and especially in the age of COVID,
17 when those same communities are being decimated by
18 health impacts. They are also wondering if their
19 houses are going to flood. They are also wondering,
20 are they going to be able to get out of their
21 apartment because of high heat. They are wondering
22 if where they are living is going to exist in the
23 next 50 years. And those are all very sobering
24 thoughts.

1
2 So, I am glad to be working with everyone here to
3 make these bills a reality and to continue our march
4 to a more sustainable, more just city.

5 So, with that, I will gavel this hearing of the
6 Environmental Protection Committee closed and I
7 appreciate everyone's efforts. Thank you.

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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 October 26, 2020