



# ORDINANCE COMMITTEE

## COMMITTEE MEETING

~ MINUTES ~

Wednesday, February 9, 2022

5:30 PM

Sullivan Chamber

**the ordinance committee will meet to conduct a public hearing on proposed amendments to the building energy use disclosure ordinance (2021-26)**

attendee name	present	absent	late	arrived
Marc C. McGovern	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
quinton Zondervan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Burhan Azeem	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Dennis J. Carlone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Alanna Mallon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Patricia Nolan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Sumbul Siddiqui	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
E. Denise Simmons	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Paul F. Toner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

>> Marc C. McGovern, chair: thank you. a quorum of the ordinance committee being present in this meeting in order to conduct a public hearing on proposed amendments to the building energy use disclosure ordinance 2021-26. pursuant to chapter 20 of the act 2021 by the Massachusetts gen. assembly and approved by the governor. the city has the right to use electronic participation in meetings of the Cambridge city council. to watch the meeting please tune to channel 22 or visit the open meeting for portal on the city's website. today's meeting will be conducted in a remote format. if you like to provide public comment please go to [listing names] to sign up for public comment. we will not allow any additional public comments sign-ups after 6 pm. all those today will be taken by roll call. Mr. clerk, please call the roll.

>> Marc C. McGovern, chair: thank you Mr. clerk obviously there is a lot to cover. on the agenda we are going to hear first from CDD. then we can have some clarifying questions from the committee. we will then hear from Councillor Nolan with a presentation on the amendments that she wishes to bring forward. we can have clarifying questions following that presentation. we will then hear from Councillor Zondervan will present the green new deal amendments. we can ask questions after that. we will go to public comment. and then if time will go into, we can have more discussion we sort of anticipate this is going to take certainly more than one meeting to get through. so, this is going to be a process. we certainly will get everything tonight. so, with that I think we should probably just jump right in and go to CDD. assistant manager.

>> Iram Farooq, assistant city manager of community development: thank you Councillor McGovern good evening to the ordinance committee. it was a pleasure to be here. and we're actually really excited to be here to be talking to you today about amendments to the building energy use disclosure ordinance these are long time in the making. we've been working on this along with members of the community with the regulated community as well. starting pre-pandemic and with some hold up over time. so, it's really nice to finally have the recommendations before the ordinance committee. we firmly believe that adding emissions reductions requirements to the building energy use disclosure ordinance is one of the most impactful ways to get us to net zero greenhouse gas emissions as a community. and that is something that has been very much in the forefront of the team as they worked on framing the recommendations. I note that there are multiple different opinions on this. we welcome discussion on the various ideas.

but I'm really happy to have the opportunity to talk you about the genesis of the specifics that are in the proposal that has come out of the work following the net zero action plan. I will say that our presentation which

will be given by the spec is largely the same as the presentation as the health and environment committee in December.

mostly because the petition the text of the ordinance of the proposal is the same. however, I just want to make sure that we do this since we are now in the formal ordinance process, and it would make sure that everybody's interested is attending this hearing as an opportunity to hear the full scope of what is on the table. so, with that I will just introduce. [listing names] we hear from me more department and had the law department was deftly partner in framing for specifics of this to make sure that they pass muster, and it was turned over to. [listing names] who is leads the net zero work at CDD. Seth over to you.

>> Seth Federspiel, sustainability planner: thank you very much. I will pull up the presentation. those full screen side coming through for everyone? great. thanks very much for having me this evening. as the assistant city manager said apologize to those of you from this will be familiar presentation print but I think again it's helpful way to get everybody on the same page. in terms of where we are with this process. I'm going to move through this pretty quickly so that we can get to the other presentations and discussion I'm certainly happy to answer questions as we go. alright so I'm going to briefly discuss the context in the background for the building energy disclosure ordinance pursuant to current amendments talk about the process and getting to those amendments.

I will focus most of the presentation on reviewing the content of the amendments themselves as proposed by CDD and the city manager back in November. so, as we were said the reason we are focused on building and reducing billing greenhouse gas emissions because buildings play such a large role in our venous gas inventory. so, in order to be successful in meeting our climate change goals is imperative to reduce emissions from buildings in Cambridge and when we look at BEUDO building specifically BEUDO applies to commercial buildings that a larger than 25,000 ft. in residential buildings larger than 50 units. these buildings have quite a few. never.

sorry about that. but they count for about 60% of the square footage of the city. and the energy use and almost 70% of the greenhouse gas emissions of the building sector. so, 70% of that 80%. they come from buildings. the reason greenhouse gas emissions are somewhat higher than energy is because of the amount of electricity used by these buildings which has a slightly higher emissions factor then natural gas.

we mentioned the action plan I went to briefly place this proposal in context of the action plan the update which was submitted to council a little bit earlier this year. the action plan is a comprehensive plan for reducing greenhouse gas emissions from buildings. and while BEUDO plays a very important piece of that. it is not the only piece.

so, across the action plan which has actions for existing buildings the new buildings and the energy supply. we have combination proposed requirements such as the country amendments but also a range of incentives and support in enabling actions. so BEUDO again plays one piece of that. but in order for the net zero action plan to be successful and to successfully meet our greenhouse gas reduction goals we need to activate all of these actions together to address the full set of greenhouse gas emissions buildings in Cambridge.

on the BEUDO process, BEUDO was adopted in 2014. included a provision that in 20 team we reviewed the impact of BEUDO. that review process showed that the energy use of BEUDO buildings remained relatively stable over the time of the ordinance. this again energy use which is distinct from greenhouse gas emissions or have gone down slightly for BEUDO buildings. largely due to improvements in electricity degrades but certainly this trend is not satisfying the significant improvement in energy performance called for by the ordinance. so, this trigger then our process to consider what amendments the ordinance would look like.

so, to briefly review that process a process again in 2017 so we been working on it for number of years. in that process centered largely around consultation with the actual BEUDO property owners to really understand with them what the considerations are for improving energy performance and greenhouse gas emissions from those buildings and to work towards developing a proposed approach that can work for the buildings and achieve greenhouse gas emissions that we need to achieve.

and so, coming out of this process we had general support from the regulated community. about the performance standards and assigned space targets that were established therein. there is a goal to establish regulatory certainties so tried to get the policy figured out sooner rather than later. and a desire to balance flexibility in the policy with simplicity and predictability again knowing what to expect going forward.

I'm going to jump into the actual proposal the proposed amendments were submitted to council back in November of last year. this line summarizes them I'm going to go through these one by one. but it's you for your reference. so of course, the center of the policy proposal is the actual performance requirements. and so, point to note here is that the performance requirements are in greenhouse gas emissions breaks as opposed to energy or another unit. and the reason for that do not have conversation with the property owners that are preference for that unit of what we are regulating to match what we are trying to achieve.

I advised reducing greenhouse gas emissions being able to have a lot of flexibility for how those reductions are achieved so they can come from both on-site and off-site measures. the actual complaints and targets are on the left-hand side, and it will go through those on the next slide. But based on those targets we base it on what the sizes: four from the IPCC in terms of our 2050 net zero commitment.

in the interim targets between now and then. and then the other important aspect to understand here is that the Cambridge proposal this is different than for example the Boston ordinance is setting targets relative to each individuals buildings baseline. this really simplifies the approach.

by avoiding the need to calculate the universal target. by building type print it also gives us more certainty about the outcome because we know that all of the buildings are reducing a certain percentage then the outcome is that percentage reduction. in each building is then contributing a proportional amount of that percentage reduction depending on where they are starting. so higher emitting building has to make a larger absolute reduction. to make the same percentage as a more efficient building is a lower absolute reduction again at the same percentage. so, this graph is visualizing what those thresholds look like overtime. and so again the old-world trajectory put this on that science-based targeted net 0 by 2050 and we chose increments in five years. to match up with the retrofit cycles that buildings will undertake. so, acknowledging that it takes time for buildings to plan and implement retrofits. so that way we have these steps so the buildings have five years then they can meet the steps for another five years as anticipated the next five years.

and because the baseline is consistent throughout any early action that is taken during any of the steps is given credit for in the following steps prince of the building goes below 20% in the first . for example, the net automatically credited towards the next complaints we met. the way we regulate complaints is like regulating greenhouse gas emissions for each energy use in the building. multiplied by the appropriate emissions factor for that energy use. we'll talk about that a little more at the next light. then there's also a provision that buildings can take credit for alternative compliance credits. which are purchased and go to reinvest in greenhouse gas emission reductions elsewhere in the city.

then renewable electricity which I'll talk about in a second. it is also a part of the calculation and it subtracted from the electricity use portion of the energy formula. so, the emission factors are important because emission factors translate the amount of energy that the buildings are using to the emissions. for example, electricity emissions change over time as the state and national electric grid for cleaner. so, we are in the process of planning the stakeholder-based process to determine the emission factors in particular for the electrical grid coming in looking backwards to the baseline and projecting forward so that buildings know what they can expect to receive credit from the grid over the period of each compliance period.

we want to project forward five years of the time to give building that certainty. so, as the building went to comply with the performance standard, they can take on-site emission reductions. by increasing their energy efficiency by electrifying there and uses of energy in getting off fossil fuels. and by producing electricity through on-site renewable sources. they can also purchase off-site renewable electricity. this applies to the electrical use of the building. or they can purchase alternate complaints credits. basically, talk about each of these. so, for the off-site renewable electricity we went through a stakeholder process to establish the criteria what counts as off-site renewable print want to make sure that these nobles are high quality and are adding to the room nobles on the grid as opposed to kind of counting the same or nobles that are already out there.

so, these requirements are fairly stringent. in order to add to that were nobles out there. and were hoping to help building owners access these were nobles potentially through pathways such as our community aggregation program. the alternative compliance credits again are an alternative compliance mechanism that buildings can choose, and we propose a price for these credits of \$234 a ton which is consistent with the Boston ordinance. and that price is based on the average cost of producing emissions from buildings such as these. so, it takes the average cost over time and deposit forward to understand without marginal cost would be connect the goal is to incentivize buildings to take action but then give a reasonable alternative payment mechanism which would then be reinvested in city programs and projects to reduce carbon throughout the community.

so, another aspect of the proposal from CDD has been buildings the option to choose an earlier baseline. this is in response from trunk the back of the building owners that they wanted to have a way to take credit for action before that default baseline of 2018 /2019. so, what we've done is we've allowed a baseline back as far as 2010. but then we scaled the reductions so that buildings remain on that science-based trajectory of 50% by 2030 relative to that 2010 baseline and 100% by 2050. so, we can see that in these next couple of graphs and charts. so on average BEUDO buildings have been reducing their emissions largely again due to the grid by 2.53% a year.

so, when we look at that trajectory if you take a building back beyond the default baseline, we assume that their missions would have been higher in 2010 and they were in 2018 and 2019. so, the amount of reductions that they need to make by 2030 target are then proportionally higher. if buildings choose the 2010 baseline, they have to make a 50% reduction by 2030 as opposed to the 40% reduction for buildings taking the default baseline. but what this allows is for buildings that to take early action say that building reduces the greenhouse gas emissions by 35% in 2050 before the default baseline at 35% reduction would have them in compliance through the other 2029. so, they would get credit for having made the effort for the early action.

and it would prorate those reductions over time. so, this slide shows that if you take an early baseline in between the default baseline in the 2010 year then the amount of reduction requirement is prorated accordingly. the other flexibility mechanism shall be included is specific optional pathways for both laboratories and affordable housing. I will show how you want to be very clear that while this is more flexibly to these building types it achieves the exact same amount of a role greenhouse gas emissions reductions over time.

so, you see that these buildings have a longer time period to comply to give them more time to plan and implement these budgets. but they have higher production professionals to rather than the 20% threshold in 2035. that was proposed these buildings would have to hit a 33% reduction threshold starting in 2027. and so, when we look at that in comparison to the default pathway over time the affordable housing pathway is an orange. the default pathway is in blue. and you see the kind of flop if you do the math on hypothetical building the lifetime emissions from those two buildings over the policy period are exactly the same.

so again, it is not a less stringent pathway for those buildings. it's just flexibility mechanism to give them more time to plan for and implement those projects. we've also proposed flexibility for campuses. this being true campuses like the university for that city buildings it does not apply to portfolio owners of rented properties. but the goal is to let those summers aggregate their missions across all of their buildings and so that they can then make investments at that campus level.

there are handful of exemptions in the proposal. the primary exemption being buildings that have already limited their missions were achieved net zero and we expect most new buildings will achieve that standard in the near future so for new buildings built in the in between years. there's a grace period for those buildings to be able to get up to speed and plan their admission trajectory emissions reduction with net 0 by 2050.

again, looking at the bigger picture net zero action plan other avenues that require buildings to achieve net zero. as many of you probably know the state is just released the first draft of their net zero threshold proposal so will follow in participating in development of that proposal very closely. over the next year so that we have a clear mechanism to require buildings to achieve net zero emissions and therefore have achieved the goals of the building energy use disclosure ordinance. performance requirements. we also propose exemptions for buildings that are not operating that are vacant. being demolished. every buildings under financial distress.

in the event of noncompliance, we got the existing penalty structure for BEUDO. the other elements of compliance with performance requirements. so separate penalties can be assessed for not reporting the current penalty structure. for reporting false data since we can't delete the performance requirement finds based on data. we require buildings and proposed buildings are required to have a third-party audit of their baseline. a compliance date of so we can check the veracity of that data and of course not complying with the actual performance reductions. so, the form of the penalty is a violation of up to \$300 per violation per day. and finally, we propose that once we get the first year of reporting in the first complaint that the policy be reviewed and make it is the time to check in on the effectiveness of the policy. to consider adjustments that are needed and to move forward with those adjustments.

>> Marc C. McGovern, chair: this is an opportunity to ask clarifying questions about the presentation we just celebrated I seem Councillor Zondervan cochair of the ordinance committee and Councillor Carlone if others have questions, please use the raise your hand feature.

>> Quinton Y. Zondervan, chair: thank you Mr. chair thanks to Seth for that excellent presentation. I'm excited as well to be discussing these amendments print, I had a quick question about the exemptions for buildings. if we can say a little bit more about that. if the building is truly net zero, would we want them to nonetheless report their energy emissions so we can verify that if they are net zero and they would know with any money. then it would be de facto exempt anyway.

>> Seth Federspiel: I think that's a fair question. the assumption is that zero buildings will continue to comply with the reporting elements of BEUDO. but they would not be expected to follow the mission reduction trajectory if they already done so. I think may be a bit of a technicality. and so is something we're happy to discuss and figure out the most efficient way to address.

>> Quinton Y. Zondervan, chair: awesome thank you.

>> Dennis J. Carlone: thank you Mr. chair. that they might have been the second presentation as you indicated it was a good thing because I actually think I got more out of it this time. and I think I thank you for that. it was an excellent presentation. my question is on the penalties he wouldn't just be assuming somebody doesn't listen at all which hopefully will happen. it's more than the three zones that you called for the three areas which were that up to 350,000 rated it would be plus the tonnage penalty would it not?

>> Seth Federspiel: again, I would defer to the law department for guidance on this. I don't know if Megan is here.

>> Megan Bayer, associate city solicitor: through you Mr. chair. so, we are limited in the way that we can issue a penalty. under the noncommittal disposition statute and/or ordinance so it's \$300 a day for a violation. and that is the maximum that we can depose.

>> Dennis J. Carlone: trying to get clarification how do you charge per ton assuming they didn't reduce anything? that's why they didn't report. we think that would be an add-on may be that cold a penalty. I don't know what to call the \$234 per ton. cost but it seems to me that it would be both. I mean it's a serious it's more serious and more of an encouragement to follow up. \$350,000 quite frankly for some people would not be a big issue. if the tonnage is also paid for. the exhaust. that's a serious combination . I don't think ... I assume both would be in effect, what about the exhaust? the greenhouse gases in the air? I'm not trying to be tricky.

>> Marc C. McGovern, chair: I think councilor there were two numbers that were put up there as penalties there was the \$234 then there was the \$300 a day. so, I think what Councillor Carlone is asking does that mean they could be fined \$524 per day.

>> Dennis J. Carlone: I'm sorry I thought I said that but maybe not.

>> Seth Federspiel: through you my chair I just want to add the \$234 is not a penalty. it is not a fine. the \$234 is an alternate compliance option. the buildings may choose to satisfy all or part of their greenhouse gas emission reduction requirement. so, they can make that payment to the fund to satisfy the requirements of the ordinance.

but it's not a penalty. and if they ... therefore if they don't report or don't do anything at all the \$234 would not be part of that equation.

>> Dennis J. Carlone: I will let it ride thank you very much.

>> Marc C. McGovern, chair: quick follow-up. then I will go to councillor toner. I had a question on that was well how did that figure, did you arrive at that figure is that enough of a deterrent for someone ultimately want people to comply and not buy their way out of it. how did you get that number? is he going to be easier for somebody to buy their way out of doing this?

>> Seth Federspiel: just to clarify Mr. chair you are speaking to the \$234? we arrived at that number by building off the analysis that Boston had done on the actual cost of reducing emissions in buildings such as those covered by BEUDO. so, the analysis showed that the average cost of all of the measures that might be taken between now and 2050 to get the net zero would be that \$234. so, the idea is by setting that as the alternative compliance credit level buildings would be incentivized to take the many measures that cost significantly less than that and some that have a negative cost or savings buildings in overtime as is written in the proposal that alternative amount could also be adjusted to reflect the changes in technology and changes in cost. so, the idea is to incentivize the buildings to take as much action directly as they can.

>> Marc C. McGovern, chair: thank you councillor toner.

>> Paul F. Toner: like you Mr. chair set around my question is do you based on what you presented and being in the process it seems like you did a pretty thorough job of engaging all the stakeholders, the universities, business groups and others that might be impacted by that . it sounds like you also reached some degree of consensus about the achievability by 2050 of meeting these goals, is that correct?

>> Seth Federspiel: so, we had 40 meetings with the stakeholders over the four years that we've been working on this. I will let them speak for themselves. but I think the sense is we did reach a good level of agreement on both the form and astringency in the timeline of the policy. again, noting that really the timeline that we pursued is one that is in line with the science.

>> Paul F. Toner: my only follow-up you mentioned IPCC I'm not familiar with that organization. I know you said that this plan meets IPCC standards the note we did at least one letter and public comments from someone suggesting may be IPCC has a different take on things. can you clarify for me whether this meets IPCC standards or not?

>> Seth Federspiel: sure, through you Mr. chair the IPCC is inter governmental panel on climate change. it is the intergovernmental panel of scientists to study climate change and assess what greenhouse gas emissions reductions must be achieved to avoid the worst effects of climate change. and so, the science that we are basing it on was based on the 2018 and 2020 report which cited a 50% reduction by 2010. I'm sorry a 50% reduction relative to 2010 by 2030 and 100% reduction for net zero by 2050. it is that pace we need to achieve. so that again is a trajectory that we designed the policy to achieve.

>> Paul F. Toner: one less follow-up, has anything changed in the past year. Have they come out with different metrics or anything or are they still in agreement with that last statement you made that?

>> Seth Federspiel: to my knowledge it's still the same.

>> Marc C. McGovern, chair: any other clarifying questions from the committee? not seeing any other hands. okay. thank you thank you for the presentation don't go away. we will now go to Councillor Nolan.

>> Patricia M. Nolan: how often do with the say that I'm really sorry.do I share my screen now and then we will see if this works.

>> Marc C. McGovern, chair: you should have the ability to share your screen.

>> Patricia M. Nolan: I'm in city hall but not. all good?

this is a visual presentation laying out amendments that Councillor Zondervan, Councillor Carlone and I have discussed over the last few months actually as the BEUDO conversation happened. so, you all the city council as a matter of public record received a memo that was part of the public record for our Monday meeting with a little bit more text around this.

this will not... this presentation doesn't talk about the actual language changes, but it does present a summary of what it is we are proposing and why.

let me go back. this building just so people know this image shows the construction of a new Alexandria bio-lab building which includes a geothermal field to reduce energy requirements and emission. This buildings being built right now as we speak in Cambridge. far better than the existing buildings. as CDD noted in the original BEUDO with methods for reductions and it did not succeed.

BEUDERO is critical to our success as a city to reach our climate goals. what BEUDERO does is mandate emissions reductions from existing large building. Seth has ably talked about this and CDD has put forth a proposal for how that would be put in place. it puts a price of emissions from buildings and eventually requires emissions reductions to net zero. the picture on this page is the new MIT building on main street. the city council has for many years worked on climate emissions reductions. and it was actually in 2011 a couple of you were on the council. this council voted on zoning at the time... the reason this really critically important is even in 2011 every single building owner Cambridge was on notice that net zero was something the council and the city was incredibly interested in. at that time MIT was not ready to build these buildings net zero.

unfortunately, the amendments didn't pass. but with BEUDERO these buildings like every other existing building have to become a net zero overtime. There is a really important context that we all have to be aware of and I know that several councilors and some in the public are not as aware of the timeline here. Seth mentioned it with net zero action plan that helped create BEUDO in the first place. that first action plan laid out a timeline for BEUDO encoded in the actual language of BEUDO was initiated the patient that this is meant to spur reductions in emissions. if it doesn't by the end of 2018 new requirements were going to be put in place. they were supposed to be put in place and tested from 2018 – 2022. the first version of performance requirements which would have mandated performance requirements to reduce emissions.

the first period never happened we are now starting the first period just in 2022. We are supposed to be at the end of the first period which is about to be reviewed in 2023 and a second version of requirements started in 2024. it is critically important to understand why it is that for all of the work that is been done the BEUDO... the net zero action plan timeline, we are three years behind. in anticipated also possible for adding requirements which again means every single building owner has known since 2014 since BEUDO pass. that this was coming. so, what we are proposing is to build on the fantastic work of CDD who has put forth a lot of effort into the BEUDERO standards and do a couple things. one simplify it by taking out some fairly complex alternative compliance timelines. taking out some different... remove some of this additional work that was done and in our view over complicates it. there are a few key things. number one faster reductions to net zero by 2050. to reduce emissions faster on the highest emitters mainly lab building. charge new nonresidential buildings for all their emission that will be someone's discussed in line with the new green deal amendments the Councillor Zondervan will be talking about.

The image on this page is the new biomed realty building proposed for Third Street. this will be an all-electric bio-lab buildings which means they can quickly get to net zero through purchasing renewable energy almost from day one. it is critical to note given particularly... I appreciate councillor toner's question about the IPCC target, we hear a lot about science -based targets. here is the deal. the IPCC target of 2050 is for the earth as a whole. the earth as a whole.

if that is going to be reached it absolutely requires that environmental leaders have to be much faster than what the IPCC ultimate end goal is. there is no way that the entire earth by following... will follow the emissions that we are talking about which means all of us with yours as is environmental leaders absolutely have an obligation to do everything we can to accelerate because otherwise there is no help for the planet. I am not exaggerating

that. not only that the world has changed a lot. remember BEUDO was passed in 2014. we discussed in 2012-2013, was finally passed by the council in 2014 we are six years beyond that, and the world is only more urgent. we cannot meet our own goals without an accelerated timeline which is why we're saying it should not be 2050.

and again, it should not be a surprise to any building owner. since BEUDO was passed many years ago. so, the proposed amendments to... the amendments to the amendments which you have seen in writing. Net zero by 2035, not 2050. that is completely in line with the science-based targets of the IPCC 's as we know and as all of the people who discussed this have said there needs to be some action by many players up front it is why... 90% of new homes in the Netherlands built in last year 90% in the last year were fossil fuel free. Ithaca will be fossil fuel free by 2030. we cannot wait until 2050 and cannot be satisfied with just being with the crowd would be... I think a huge lost opportunity for a climate leader like Cambridge. Let's simplify the reductions to a percent a year, not every five years. strike some of the exemptions. allow an alternative schedule for 100% affordable housing, yes, but not for laboratories, laboratories should not be exempt.

they already are being built fossil fuel free. Frankly they are the highest emitters and also the most profitable. They are exactly the sweet spot that we should be moving to say all of them should be net zero as soon as possible. establish more stringent baseline. so, what we are proposing is a kind of hybrid. what Boston did with set a baseline for all buildings to match. What we are saying is wherever you are you start, and you lower from there. what we're saying is yes that is absolutely true. if you're lower than average or if you're even average to start where you are just reduced on a timescale. but if you're one of the highest emitters. why would he allow you to start out really, really high, and only reduce the same percentage as somebody else. so, it will be kind of a hybrid approach. just for that first period on the same timeline as everyone else and all new BEUDO buildings, the baseline has to be zero emissions.

as Seth said that is true for all existing net zero buildings, all new the buildings will be built in the city next few years have to be zero baseline for greenhouse gas emissions. that element will be presented a little more in-depth with part of the green new deal amendment. so why do we say 2035? just remind the council. before I was on it. maybe before Councillor Zondervan, certainly not before Councillor Carlone. April 24, 2017, policy order passed that the council supports the goal of using 100% clean and renewable energy in Cambridge including in building energy and transportation by 2035. That goal was reaffirmed December 13 of 2021. so, I'm reminding all of us we cannot possibly achieve that goal if BEUDO buildings are still burning fossil fuels after 2035. We likely can't even achieve it with a long-term goal of 2040 or 2050 if we don't take accelerated action now and at this point, we still causing emissions indirectly. how many of us have gotten an amazon or some kind of delivery in the last few weeks?

those are all shipping of goods into Cambridge which the emissions are not captured in this. so, this is a reminder that a net zero BEUDERO building does not really mean zero omissions because you can have residual missions and you can also basically buy your way out. as Seth noted many of these places have just met there reduction targets by the greening of the grid. They buy 100% renewable energy and electricity. They have not stopped burning fossil fuels. they just used 100% renewable energy as a way to meet... lower their emissions. that is still allowed and under the current BEUDERO proposal building can still pay to pollute while meeting the definition of net zero. That may be changed later. The idea is if you really say, I cannot possibly stop burning fossil fuels my basement then you pay that alternative compliance payment. so, another reason we're passionate about this is that we know it's been really, really, really hard. the city has been working on climate actions for more than 20 years. more than 20 years. The climate action plan was in 2002 literally 20 years ago. and there's a whole slew of work done even before that plan. we been trying to reduce emissions since 2003 if not before and it's been unsuccessful. these are some quotes from various. I think mostly the first couple in the CPAC annual report for greenhouse gas emission continue to increase in 2003 it should be noted that emissions will remain in 1990. the goals of reducing greenhouse gas emissions by 2010 had not been met even by 20% rate reduction and overall, the citywide building emissions from 2012 – 2019 grew 11.3% this is the most recent data we have this is based on the outside consultant report looking at the net zero action plan and this is for the building sector. they found overall it grew from 2012 – 2019, 11%. it was supposed to be going down 20 or 30% and it hasn't. The five-year review which was published in 2021... I believe that is actually 2020, I think is 2021 found that the first five years of that plan which was an action plan was to lead to reduction in fact essentially led to no progress. they had calculated a 1% decrease in greenhouse gas emissions which of course 1% is almost nothing.



That was not anything that we expected or what we hope for, is far behind what we expected or desired outcomes. That review called for a drastically different approach which is what led us here today to BEUDERO. so, let's look at what would happen. this is a visual to say we are all talking about the same thing. getting to net zero. we are proposing let's do a faster decline. that is, it. this shows you an overall the BEUDERO buildings started 100%, the proposal we are saying is you are already going to make this rapid steep decline and get to net zero by 2035 and the other way the amendments are proposing to amend it still has the decline without actually changing that methodology, we are saying it has to be faster. both schedules require 20% reduction starting at 2025 and not a lot before them other than for high emitters. as we mentioned, as we know, rapid near-term emissions are critical. just like anything else if you are paying off your interest is in your pay it the better. for here the sooner we reduce emissions the better because if you don't reduce them this year then they go on for 10 years. if you reduce them in 10 years there was a lot less than reducing them now. Cambridge is a leader on climate change action or wants to be. Right now, we really should step it up and show others that can be done. the other reminder for us is what actual building will do. if I own a building just like my house, I have been looking at ground source heat exchange. while we see this nice step function, for individual buildings it will be I am either going to buy all me renewable energy and reduce immediately or I am going to electrify immediately. it would be more like I am going to drop pretty soon and then using renewable energy purchases. it won't be all clean and a step function for everybody or 8% per year more like 50% one year, 40% the next year and then they will be done.

again, we can talk more about what this means. Neither of these steps completely eliminates emissions. it's really only the actual energy consumption that we are talking about right here in this chart. it's really important to create economic pressure in favor of eliminating wasteful energy consumption that we don't need. so, here's an example. let's use an example of how our proposal varies from the amendments on the table. so, you know what this data shows you have a nice redline and a pink line. redline is for according to the 2019 BEUDO data from every year you can look it up on the web you have about 800 buildings per year out of 1000 who report their use. Biogen according to this data that was accessed on the Cambridge open data portal was at a really high level of greenhouse gas emissions intensity which is measured in kilograms of carbon per square foot. what we're saying is the really high emitters instead of being able to start high and just reduce like everybody else, which is what the redline is, they have to immediately reduce.

again, they can buy alternative compliance payments, but they have to reduce it down to the industry average by 2025. from there just like everyone else. so, these are two specific properties in Cambridge from the BEUDO database one is Biogen, which is super high, above average, then the other is 2 oxford street which is a Harvard lab, and it basically is at the average of labs, and for them the CDD proposal would be yes over time they don't reduce that much because they are pretty good in terms of greenhouse gas emission intensity. our proposal has them reduce a little faster. it's worth noting that both of these buildings are on the list of the top 25 largest buildings emitters in Cambridge.

of the thousands that we found in the BEUDO list the top 25, both of these are on it which means even to oxford street which is far far less than biogenic is the one of the top 25 largest buildings of greenhouse gas emitters by intensity which means settings industry-standard would not in effect in the vast majority of buildings. only require 15 or 20 buildings to dramatically move that standard by 2025 because they are not already meeting it. The industry standard the use of 25 is calculated from Boston's BEUDO proposal. Their number for science and technology was 19.2 kg per square foot. and for manufacturing with 23.9. so, we chose 24 as an industry standard as the highest of both of those. all the data comes from the Cambridge open data portal and it's from the year 2019 as a baseline. so, the summary here is that an underperforming building, meaning way more than average, it is going to reduce sooner because it... if you visualize that lie between the pink and redline all of that is additional emissions that will be paid for under the proposal.

final slide. so, let's also remember even if BEUDERO buildings which is 1000 buildings that Seth noted is only 7% but is 60%-70% of emissions. even if they all collectively cut their emissions in half. that only gets us to half our goal. the city needs other major cuts in order to get to even half because BEUDO buildings are little bit over half the energy... the total greenhouse gas emissions in the city. so, if they go down, we only solve ... the pie chart is going to get net zero citywide... 50% reduction for BEUDO is only 28% of the whole city. so even if we achieve that goal on the nose it doesn't mean we achieve it for Cambridge overall. Which means we have

to overshoot for the BEUDO sector to leave room for the challenges everybody else going to face the rest of the city is not going to reduce their emissions by 50%.

so that is what we hope our colleagues will agree. it's an urgent area we know that people have worked with a range of stakeholders. what I can say is this is feasible. You saw examples of buildings in Cambridge right now being built this way. and that reduction can happen and eventually... There is very the report out that shows when you do this you actually save money that the state... the proposal for net zero energy stretch code as I've mentioned and frankly the response from the community and folks that follow this is not going to get us where we need to go that is not going to save us. we cannot rely on that because it's going to allow continued use of fossil fuels which we should not sustain in Cambridge.

that is, its Councillor McGovern. I will stop sharing.

>> Marc C. McGovern, chair: thank you. council questions?

>> Paul F. Toner: thank you Mr. chair. Councillor Nolan have you done any outreach to the various stakeholders who were involved in 40 meetings over the past four years to discuss these potential amendments because I'm just concerned about making these changes and yanking the rug out from... what seems like consensus documents at this point. have you had an opportunity to reach out to them?

>> Patricia M. Nolan: we haven't talked to the entire climate protection action committee. the climate crisis working group and several members of the net-zero action plan task force who were involved in that. they have all sent letters to the council agreeing that we need to accelerate, and we need to do this. that is certainly something that is next step as we go forward in this process. and I will say outreach to those actors includes a number of people were on the net zero action plan that was discussed again at the climate crisis working group and at the CPAC which is the central body of the city to give advice to the city as a whole on climate issues. does that answer your question?

>> Paul F. Toner: one follow-up I don't know the members of the CPAC does that include people represented from MIT, Harvard, the bio-labs. are they in agreement that this is something that they support?

>> Patricia M. Nolan: I can't speak for all of the members. we can hear from them later. my response to that is there is going to be some pushback from those players. my response is of course because they are the highest emitters. when you look at those highest emitters, it is the people you're talking about. so, it's like saying yes, I'm not dismissing that whole process. what I am saying... we tried to say in the presentation this is a different world from even five years ago. and every single building in Cambridge has been on noticed since long before BUEDO came forward but that was promulgated and actually in the law in 2014 that this was coming.

>> Paul F. Toner: again Mr. chair, through you Mr. chair my only concern is as a city and as a council we invite people to the table to have these discussions to come up with a consensus document and then we throw a complete curveball and suggest reducing things by 15 years. I think even in your comments you said we are several years behind, and we also now go to truncate it by 15 years. I understand the urgency. I get the comments we are getting. I do hope that we go to engage the other stakeholders especially the one that going to implement this to get their response.

>> Quinton Y. Zondervan, chair: Mr. chair can give a direct response to ... thank you Mr. chair through you Mr. chair to councillor toner. I appreciate the question I think it is a fair question. but I will add that we are stakeholders also. as residents of the city and inhabitants of this planet. the decision about how much pollution we are supposed to accept is not purely up to the building owners. that being said personally I've been in conversations with these developers and building operators in Cambridge for over a decade on this issue. so, this is not new it is not being sprung out of nowhere. as Councillor Nolan mentioned back in 2011 there was a vote in this council on MIT's proposed buildings on main street being net zero so to the extent possible, we can't... unfortunately we can't afford lobbyists and consultants but to the extent possible we made our voices heard as residents and stakeholders in the city and we have been very clear for over 10 years that we need these buildings to be net zero now. particularly the new ones but also the existing ones and the BEUDO process goes

back before 2014. it was adopted by the council in 2014 but was worked on for several years before that. there shouldn't be any surprises here that we are saying this timeline is too little, too late and thank you Mr. chair.

>> Paul F. Toner: I don't want to engage in a big debate. I just feel that if they were going to shave 15 years off a timeline that was agreed to by 40 meetings and four years with all stakeholders. I understand we are all stakeholders, and I don't want anyone to get the sense that I don't want to solve the climate crisis as quick as everybody else, but I also don't have to meet these requirements. I just want to make sure that we engage those folks and have conversation about how we do things as quickly as possible and as fairly as possible and not just surprise them with a 15-year change in the timeline. thank you.

>> Quinton Y. Zondervan, chair: Mr. chair through you these amendments were first put forth by Councillor Nolan, Councillor Carlone and myself last year at the health and environment meeting. Again, we are having an ordinance committee meeting now. we were planning to have another ordinance committee at least one more. so, there's plenty more opportunity for the building owners to let us know how they feel and read the letter from the chamber of commerce today.

>> Alanna M. Mallon, Vice Mayor: thank you Mr. chair. through you. following along what councillor toner was saying. I think we are in a different time right now. we have received some really bad news even recently that new England is in a dire situation and Massachusetts in particular. the land is shifting underneath our feet, and we do need these to respond to make sure we are being responsive and shift that timeline. the one thing I'm wondering is if there is some time... The ordinance committee is not a great place to have that conversation with building owners.

we got a couple building or developers like Alexandria, Biomed, they are building buildings currently that are going to be fossil free. we also have developers who have not been brought to the table around some of these amendments and I am wondering if there is a way to do that outside of the ordinance committee process. that would be helpful to bring people to the table to talk about why this is so important to talk about some of these amendments and changes and timelines. I'm not saying change them, necessarily, but I am... it is important for people to work together. we got an email from MIT that they were not contacted. They are one of the biggest developers in the city and I would hope that we would go to them as a partner and as somebody who I know has really aggressive climate goals.

what are those climate goals and how can we be partners and work together? so in between now and the planning board meeting and subsequent ordinance meetings I would encourage us to have a conversation or the motion makers to have that conversation with some of those bigger developers, the ones that are doing the fossil free-work, Alexandria, Biomed and the folks that are not necessarily building right now to net zero but had we have that conversation and bring everybody to the table because we do know that there was those 40 conversations. we know that there was some consensus and I understand... we all understand we are in an emergency.

the land is shifting underneath our feet. how we work together and partner. it's not a question necessarily. I guess it's more of a comment of let's try to figure out how to bring the players to the table and really talk about what we are trying to do together and partner. so, I will yield back at the time sorry Mr. chair that was not a question more of a comment.

>> Dennis J. Carlone: I do have a question for Seth on the 40 meetings he mentioned . Seth was that really BEUDO or was that net zero meetings?

>> Seth Federspiel: that was BEUDO through you Mr. chair. beginning in 2018 we had a series of meetings that were open to all BEUDO building owners. first to design... to go through a process to understand what the framework for building performance standards in Cambridge could be. we also had a series of meetings about the technical support and resources that these buildings would need to achieve the emissions reductions we are talking about, and we already launched the Cambridge building energy retrofit program in the fall of 2019. to provide easy access to the state incentives and technical support for buildings to meet the standards. there were number working group meetings as well as follow-up meetings because this process did stretch out in part due

to the pandemic and other delays and so we had continual meetings in 2020 and 2021 so that all of the property owners could be aware of the proposal leading up to its submission to council.

>> Dennis J. Carlone: thank you. I work with developers almost my whole career. it certainly in urban design for 45 years and I found that there were few enlightened once we get it, like Joe Maguire at Alexandria but there are others who were so, and I get why, short-term thinking. they liked putting expenses... like we all do... if you own a home or a condominium out as much as possible. I believe Councillor Nolan mentioned this but when MIT got its up-zoning for main street the original condition was net zero buildings. that was voted on by the council. and approved and then MIT spoke to one or two of the councilors and the votes were changed. so, this isn't new. this has been around.

my own feeling is, as I tried to say a few weeks ago, if our goal is 2050 and we overshoot it's 2060. If our goal is 2035 and we overshoot it's 2042 or something like that. there is no doubt in my mind the world is going to overshoot, and we are the leaders. we are the smartest people and as far as developers go of course we have to talk to them. of course, institutions. believe me they know. but we have to talk to them. but we represent more than developers. we represent the residents. I've told you all that I have bad asthma. you can hear it. and some of the longer-term councilors might remember that were a few years in the winter when I couldn't talk without coughing every sentence which I'm sure excited everybody and that was because of the air quality. thank God I have medication that helps. my point is this a serious stuff. I think the city has done great work. and we are revving it up. and maybe it won't be met but it will be a lot closer and a lot sooner if our goal is sooner. thank you.

>> Marc C. McGovern, chair: thank you councillor. anybody else before asking my question.

a couple of things. I will make a quick comment. I think we're sort of... I don't know if splitting hairs is rights term or missing each other. I think the comment that people have known that this is coming is true. this has been talked about for a long time but what they sort of thought was coming was 2050. 2035 and all these other amendments that are now being proposed tonight was not something that people necessarily saw coming until they were presented in December. I think both things are actually true. people knew something was coming and there was this committee to work on it. and they thought what was coming was 2050 and now all of a sudden, we have all of these new things are saying 2035. I am not saying which is better or worse. so, the feeling for some of those folks saying we have not never really discussed this enough? I think it's also understandable because these are pretty significant changes, that may be necessary changes, but is not quite fair to say they knew this is coming. they knew the overall goal was coming, they did not know these amendments were coming.

that aside Councillor Nolan I don't know if you can answer this or maybe Seth. in the examples you gave... We are not just talking about new buildings. We are also talk about retrofitting buildings so an example that you gave were all new buildings. I'm not an expert... You used Alexandria, Biomed. these are buildings are being built now again I am not the expert; it would seem to me that that might be an easier thing... to build something from scratch and do something a certain way than retrofitting. I guess my question is... I would love 2035. I sort of agree with... I'd rather set ambitious goals. if you don't make them as Councillor Carlone just said you have a little more wiggle room. I don't want to set goals that make us just feel good because they're like we are just doing something we said 2035 we are better than everybody else. I want to make sure that they can be done. That the science is there. that they are achievable. what's the difference between retrofitting a building versus building a new building and what happens if all these buildings go electric? We have talked a lot about our power grid being maxed out and then what does that mean that that mean. do we need more substations and then where are those going to go? This all layers together. I guess my question to Councillor Nolan what do you understand as the difference between new buildings versus retrofitting buildings and are these goals applicable to both of those kinds of things? is it easier to build a new building and meet these goals versus retrofit and meet his goals.

>> Patricia M. Nolan: I totally agree. we should get all the players to the table. I agree with that. it's something that we need to be doing. I will also note that if building owners are at the table that is like the tobacco companies being the ones to say how do you reduce smoking. there are literally the people emitting these emissions.

>> Marc C. McGovern, chair: I don't want to put MIT in the same category as tobacco companies.

>> Patricia M. Nolan: I think they can do it right I think they could totally do it. to directly answer your question, I think you raise all those important things we've discussed which is the electrification, the substations, the capacity of the grid. which is probably why what we really want to do is we want geothermal microgrids across the entire city. we want grounds for heat exchange to be used to dramatically lower the load on the existing electric structure because you are tapping into the earth's natural heat. There are several places where that is already in place for large building, and they do not have to rely on... they can do it with the existing electrical structure but that's exactly what... your specific question about retrofit versus new. It is easier with newer but remember the existing BEUDERO amendments assume every existing building has to come down to zero. it's only a matter of by when.

>> Marc C. McGovern, chair: some of the question was... in other discussions about this I've heard people say that the science isn't quite there yet. it's not quite ready. so, part of the goals of 2050 were to sort of hoping that things would kind of catch up and I guess is that...

>> Patricia M. Nolan: I talked two developers in the last couple weeks and they said if you asked us to do this five years ago, I would've said you are crazy. right now, it really has changed. can it happen? I would argue especially given MIT and Harvard's commitment, they have the people, the best people placed on earth to do this. they can do it and remember if you can't get there within a few years you can have alternative compliance payments which then go into a fund to help solve this.

>> Marc C. McGovern, chair: thank you I know other folks... to answer my question. I would say this before I turn it over, I'm going to go to. Iram because... before I go there... this does bring up and I mentioned this Monday night, about is the ordinance committee and this is following up on what the vice mayor said, the ordinance committee is a more clunky committee. we get the language. we get an amendment. we discussed the amendment. it just us at the table. we decide what we like the amendment, or we don't, we vote on it. whereas it's not like a human services committee where you invite DHSP, and you invite that nonprofit afterschool people, and you invite all these other people to the table, and we sit around and say how we come to solve the problem. I guess that sort of a question in terms of yes MIT will... I don't know if they're on the phone now. they will say their three minutes or two minutes and that is it. that is different than being at the table saying okay how do we all get to the goal of 2035 and here's what our problems are and hear what our concerns are how can we get those mini substations around the city? that doesn't happen in the ordinance committee. so, it is something for us to think about. If we just pass these amendments, then it's codified its law. that other discussions happening after the fact. it's something to think about this isn't the best place to have those more in the weed's kind of conversations.

>> Patricia M. Nolan: just a correction, the IPCC save the recent report was code red for humanity literally is what it was called. it has changed.

>> Iram Farooq: thank you chair McGovern I really wanted to bump it to Seth because he and the team have done a lot of work on existing buildings and bringing their energy efficiency so he can speak to your question, and I just also wanted to mention that BEUDO applies to a pretty wide spectrum of buildings. I know we have sort of been focusing a lot on the very large, very capitalized players but there are number of smaller buildings that are subject to the BEUDO amendments that do BEUDO and therefore the amendments... They will have different levels of capacity in order to comply. I will just turn it over to Seth.

>> Seth Federspiel: thank you I just want to remind you Mr. chair and rest of the councilors of the table that I showed early in the presentation about the structure of the net zero action plan. so BEUDO amendments and BEUDO as it currently stands is specifically designed to address existing buildings and all the existing buildings. Obviously new buildings become existing buildings but there other parts of the net zero action plan where we seek to move new buildings to achieving net zero emissions from the start. so BEUDO is specifically focused on existing buildings and as others have said has a very different process for an existing building to retrofit, to change its existing systems and take them out and replace them to achieve net zero emissions than it is for new building to be designed to be net zero emissions from the start. I just want to make that distinction.

>> Marc C. McGovern, chair: I do see Councillor Carlone, Councillor Zondervan and Councillor Simmons. I saw Councillor Carlone and Councillor Zondervan hands pop up in relation to my question potentially. I am going to ask you guys to hold on that because we are not going to get to this resolved tonight. I'm just worried about the time. we got 30 people. That is potentially an hour and then we still have to hear Councillor Zondervan's presentation and go to clarifying questions about that. we're going to be well past at 7:30 pm if we do those public comments and do all that right now. I don't think we need to talk. you can answer those if you have something additional to add but don't feel... I don't waste time answering my questions. if that's okay?

>> Dennis J. Carlone: just quickly, absolutely existing buildings are different, leases get finished at certain times. I'm sure Seth and Iram are thinking about this. there would be a plan for existing buildings. so, one or two floors would be vacant in two years. that's when work gets done and it can all be done until most of the building is done. but nevertheless, it would speed it up quite a bit. I'm done. I won't say anymore.

>> Quinton Y. Zondervan, chair: thank you Mr. chair I will be brief. my presentation is not very long.

>> Marc C. McGovern, chair: can you speak up it's very hard to hear you.

>> Quinton Y. Zondervan, chair: I am coming to you right now from my living room in an all-electric, zero building. it took me 15 years to retrofit but we are using 60% less energy overall to run our house. and we are using less electricity overall to run our house from the grid because we have solar panels. so, the answer to your question is complex. but the brief answer is it absolutely can be done. we absolutely have to do it and it does not require bringing tons of electricity into the city. It can't require that. that's not a good solution. we have to do it locally by using our local energy sources, geothermal, we have to use solar and then of course we bring in some renewable energy from wind. and the BEUDERO structure is quite good. if you look at the amendments that we are proposing it's like 5% of the text we are trying to amend. it includes 30 specific ways that these buildings can offset their energy use by building or buying more renewable energy off-site that doesn't have to be piped into Cambridge because the grid itself is going to become more renewable. it's a complicated answer but the answer to your question is yes you can do this work and we have to do it.

>> E. Denise Simmons: thank you Mr. chair this has been a very good conversation. I did want to say two things... or several things. quickly I wanted to get to public comments because I do want to hear people from the community have to say. I want to thank my colleagues for the time and the talent they brought to this process. Councillor Nolan exuberance is palpable. I do have concerns. i believe some these amendments are fairly new. in Cambridge we as a city, we talk about being a leader. we have been a leader in transparency and predictability. so, if you say to someone were going to do this and were going to do this in 2050 and then turn around and just change it without having discourse, meaningful discourse, we are not doing what we say we do. I think the vice mayor said that the ordinance committee is not the place to do it. I would respectfully ask that some of these amendments... I've not heard from Councillor Zondervan... go back to committee to be properly vetted. I don't know what the contraindications or the unintended consequences may be, and I'm just as concerned about climate change as a person of color and know that some of the downsides of the climate change impact my community more than any others. thank you for using the pictures of black people Ms. Nolan. so, for me if we're going to be about transparency, predictability that we need to be transparent and predictable. and to do that we really need to take this back to the table and invite people to have a conversation. I don't think it is sufficient enough to say well I talk to these people, and they knew it was coming. so, I want to say with all sincerity I certainly respect the work that son I look forward to my colleague's presentation that's about tempering I would hope that we get rather soon to public comment I think you said chairperson there are 30 people and 7:00. I recommend we continue this conversation because it really is going to take more time. my stronger recommendation would be to take it back to the environmental committee and really tease this out a lot more. I yield the floor.

>> Marc C. McGovern, chair: Councillor Zondervan let me ask you this how long do you think your presentation is.

>> Quinton Y. Zondervan, chair: maybe 10 minutes.

>> Marc C. McGovern, chair: why don't we do that. and maybe we can be a little bit maybe we can hold some of our clarifying questions since we're going to come back, we can certainly revisit Councillor Zondervan's presentation. and then get the public comment. the difference between if we get the public comments and we recess that would be no public comment at the next meeting. if we adjourn would mean we would have public comment at the next meeting. some we would have to decide that when we get there.

>> Quinton Y. Zondervan, chair: thank you Mr. chair .can everybody see my screen? I do want to preface by saying the original net zero task force which I was a part of with Councillor Carlone, we did have conversations with the business community at that time as well. I'm always happy and open to doing that again and more. but I do have to say that the fact that 40 meetings were had without us, and we are also stakeholders doesn't mean that somehow, we have to abide by this agreement because we were excluded from that conversation. it's never too late so let's communicate and certainly reach out to some of these building owners and have this conversation. I'm not in favor of sending this back to committee. we already had this last week. thank you, Councillor Nolan, for presenting those amendments.

what I'm about to present here is a smaller set of amendments that are part of the green new deal and I've worked on with Councillor Nolan and Councillor Carlone some of these ideas were presented last year as part of the green new deal zoning petition and based on feedback from the planning board we pulled it out of zoning and this part is being put into BEUDERO which wasn't available to us at that time. so, we are proposing three amendments. one is to allow the alternative compliance payments called credits in the language to be used for green jobs training programs. number two is to require all large new commercial buildings to pay for all emissions and number three to include embodied emissions.

this is just showing some of the investments happening where across the street from Newtown court you can see on this map all of these technology buildings that are creating tremendous economic opportunity but not for the people living across the street. and we are dealing with a double injustice hear as councillor Simmons mentioned, climate change disproportionately impacts people of color and low-income communities, and they are excluded from the economic opportunities and their being displaced by the rising cost of housing that is created by all of this high-end economic development. there is a lot of injustice happening and when we are counteracting climate change, we have to keep that in mind and try to design policy that counteract both economic injustices and climate injustice.

that's what we are trying to accomplish with the green new deal. as you know on Monday, we introduced a proposal for a green jobs ordinance. thanks again to councillor Simmons and the mayor and Councillor Carlone for their support on that. and the idea in this amendment here is simply to allow the alternative compliance payments that are being made by the developers if their building isn't net zero to go towards those green jobs training programs. this shows the actual text, and you can see it literally is just a few words at the end that say it can be used for green jobs training program. that is amendment number one. then amendment number two is to require all new commercial buildings to pay for all of their emissions. one question might be why? so this is from a report of the department of energy resources, which is a state department, it shows, in the black line, the projected emissions from buildings, this is throughout the state, through 2050 if we don't require them to stop fossil fuels. the green triangle which I added is showing approximately the amount of emissions that they can be avoided if we adopt a net zero standard next year 2023 for the new building. so, you can see how much potential emissions we can avoid if we put in place requirements, they start consuming fossil fuels or stop consuming fossil fuels. this is totally feasible, in fact yesterday morning department of energy resources introduced net zero energy stretch code that we can potentially enact by next year. this is another quick example of the impact of new buildings. new buildings projected up to 2050 by square footage are green at the top and existing buildings are blue at the bottom. clearly the existing buildings will still dominate. by 2050 a significant amount of construction that's going to happen between now and then. and all that green area could be zero missions if we adopt the right policies now.

why the commercial buildings, and Seth really cover this well already, commercial buildings simply count for the vast majority of our emissions and if we don't put in place stringent requirements for new buildings, we're going to see exactly the same result again as we did with MIT on main street. Seth also mentioned this earlier 6% of the buildings in the city are responsible for two thirds of the emissions. it's pretty straightforward. we know where the problem is and if we address those buildings, we can knock down our emissions. then for the

new buildings would avoid the problem in the first place to be net zero. so, the amendment for this is simply to add a sentence which says all nonresidential commercial properties receive a special permit for 2022 and beyond based on net zero. basically, they're not reducing from zero there expected to be at zero and if they have any emission above zero, they will pay into the alternative compliance payment for those emissions which then the city can use to install solar panels to help make affordable housing more energy efficient and to fund green jobs training programs. then the last piece is the embodied emissions. this is just quickly showing what we mean by that. so embodied emission are the emissions from reducing manufacturing, mining and materials that go into the buildings. all the emissions that result from that as well as transporting those materials to the building site in some cases these materials come from far away. and then of course the emissions produced by the actual construction and heavy equipment to do that and here's why.

so, this is from another report showing that the building materials and construction are 11% of our global emissions. that's a pretty significant number. that is currently completely unaccounted for. and most of that is in the concrete, steel, and materials. it's relatively straightforward for us to calculate at least roughly what the emissions contribution for a new building. the whole idea behind charging for those emissions is to create economic pressures on those developers to minimize those emissions. this set of slides specified again the exact language that creates the emissions requirements, and it basically says for new commercial buildings they would have to pay for the embodied emissions over a ten-year period to gain alternative compliance credits. it goes into more detail about what is to be included in the calculation as well is what we left out of the embodied emissions calculation. this quickly just wrap up is a summary of the effect of the amendment. The BEUDERO amendments as currently proposed would charge a new building, for the area that represents the excess emissions, and according to BEUDERO they have to get those operating emissions to 0 by 2050. but if they don't manage to do that which is simulated here in red then they can pay \$234 per ton for those excess emissions. what is important to note is that they would not pay for embodied emissions, and they would not pay for the operational emissions that are allowed under the reduction schedule proposed by BEUDERO. what we are proposing in these amendments is that the new commercial buildings would pay for all of their emissions under these amendments and so as has been said earlier these emissions are all avoidable to a large extent it is reasonable to say if you can't avoid them then you have to pay for them, we would use those funds to do emission reductions elsewhere and to create economic opportunity for low-income individuals. that is the conclusion of my presentation.

>> Marc C. McGovern, chair: great thank you. councillor Simmons I assume that hand was from before.

>> E. Denise Simmons: yes, it was thanked you.

>> Marc C. McGovern, chair: any quick questions on that issue.

>> E. Denise Simmons: it wasn't. the question was I don't... I did not want to be thought of that I was trying to cut off public participation. in terms of... you were right when you said if we recess this meeting, we won't be able to have public comment because we would've already had it. but if there is no appetite to bring this into a forum where there can be more engagement because public comment doesn't give us the kind of engagement that we needed to hear from people's perspectives. then I would not recommend that we recess. just stay in ordinance committee.

>> Marc C. McGovern, chair: I have a thought on how we may want to do... we can possibly do all this, but I will save that, keep you all in suspense until the end. and let's get to public comment. please state your name and address for the record. obviously, we know what you're here to talk about. Mr. clerk can you call with first.

>> Kristine Jelstrup: 120 pleasant street. good evening and thank you so much for this opportunity to speak to. I enjoyed the presentation. I will keep this short as I can hear you all well aware that the coming crisis is upon us. and getting worse with every passing year. 80% of greenhouse gas emissions in Cambridge come from buildings emissions. Emissions from all Cambridge buildings have gone up over 11% from 2012 – 2019. it is imperative that we reverse this disturbing trend and move towards greenhouse gas reductions quickly. it's hard to imagine reductions in the future when the trend has been to increase emissions. in order to reduce greenhouse gas emissions, we need to hold super emitter buildings to account for all of their emissions. it's crucial to Cambridge to pass the strongest BEUDO amendments possible. BEUDO is by far our best opportunity to



reduce greenhouse gas emissions in Cambridge. lastly Cambridge should aim to reach net zero emissions by 2035 not 2050 we need to act boldly, and we need to act now. thank you.

>> Marc C. McGovern, chair: thank you.

>> Margery Davies: I'm speaking as a member of the net zero action plan fund review task force. I appreciated the opportunity to participate in the task force and have learned a lot from it. I'm also a member of the Cambridge chapter of mother's out front. I have spoken to you a number of times about BEUDO. one thing I want to make clear is in terms of BEUDO amendments as proposed by the community development department, the net zero action plan task force was given the opportunity to comment on those proposed BEUDO amendments once they've been submitted. the task force wasn't involved in crafting those BEUDO amendments. I'll be as brief as I can with several points. number one Cambridge needs to move more quickly. it's been my main concern since the beginning of the task force work in Cambridge really needs to speed up in my opinion. second point is that less than two months ago on December 13 the city council reaffirmed its commitment originally made in 2017 for the goal of using 100% clean and renewable energy by 2035 not 2050.

point number three the situation is urgent. greenhouse gas emissions by buildings in Cambridge have gone up over 11% not down in recent years. this is going in the wrong direction. point number four accountability. I'm concerned that Cambridge does not hold itself accountable for the goals it has set. deadlines are often missed, or we fail to enforce requirements. one troubling example is the rate of compliance with reporting requirements for buildings covered by BEUDO. remember buildings have been required to report their emissions for the past six years. in 2015 95% of BEUDO buildings reported their energy use. the percentage of buildings reporting has gone steadily down every year since. by 2020 only 73% of BEUDO buildings reported. point number five. the BEUDO amendments proposed by the community development department need to be strengthened. the BEUDO amendments proposed by Councillor Nolan and Councillor Zondervan do just that and I hope that you will support them. in conclusion this is not a competition. we are all in this together. city councilors, city staff and Cambridge residents creating the strongest BEUDO amendments that we can... should be a group effort. when we succeed, we will all be able to be proud of our roles in reducing greenhouse gas emissions in Cambridge. thank you very much.

>> Greg Carey Medlock: I live in 253 river street. today I'd like to express my support for the BEUDO amendments as proposed by councilors Nolan and Zondervan. I moved to Cambridge recently with my wife and son. One of the most appealing features of Cambridge is that it is a leader in progressive action, including climate change mitigation. we feel strongly that it is our duty to leave the world a bit better for the next generation. thank you, councilors, for your service and doing your part for the next generation. Cambridge is a walkable, livable city with excellent public transit which strongly enables our ability to reduce emissions. however, greenhouse gas emissions from buildings are increasing despite infrastructure for an emissions monitoring put in place by BEUDO. building emissions have gone up by 11% and commercial institutional buildings specifically we have seen at 29% increase in carbon emissions. as a scientist myself that has worked in laboratory settings, I can tell you that this is not necessary. we need a coordinated and proactive response to reduce building emissions to improve local air quality and mitigate our influence on the climate crisis. the proposed BEUDO amendments do just that. climate change is an urgent and unparalleled problem. It impacts our health, job security and homes especially from those vulnerable members of our community. we must move quickly. I'm in support of reaching net zero by 2035 as committed to previously by the council. I urge the ordinance committee and council to approve the amendments and to prioritize climate change action. thank you.

>> David Rabkin: chair of the coming protection action committee. Tonight, I represent myself. I'm going to respond to what I heard tonight and change my remarks a little bit. first to something Councillor McGovern put on the table. mark we are going all electrics or pretty close. it's going to take a lot of work. it just a matter of how fast it's going to be. so, we really have to focus on that. secondly BEUDO is about existing buildings. but we also need to do something about new buildings. right now, when it comes to new buildings, we are waiting for the state to update the stretch energy code. unfortunately, that's almost a year away. best case. how much in construction are we committed to between now and then. it is a big, missed opportunity. we need to take action in the short run. we need an approach probably based on special permits. that seems like a likely good partial solution. I recommend keeping it simple so it can be designed and implemented quickly.

third my major point. please remember CPAC's letters of December about BEUDERO . they're very supportive of what came out of those 40 conversations. as was talked about earlier. and yet we wrote in a letter that BEUDERO as proposed still falls short of the city's needs. so, we recommended that the city accelerate the timelines in BEUDERO. considers including smaller buildings within the framework. explore additional measures to reduce emissions from the highest emitting buildings more quickly than planned. create a schedule to phase out the ACP that will require the elimination of on-site fossil fuel burning systems. evaluate the ACP more frequently than planned to start at the end of the first compliance period. adopts the commonwealth new stretch code as quickly as we possibly can. and finally invest in programs that provide the access to the technical and financial resources that property owners are going to need in order to be able to actually make improvements to the buildings that we need to meet our emissions goals. given official recommendations coming from a player that is very supportive and should have bought in completely. I don't think it's appropriate to label BEUDERO thus far as a result of a consensus process. as challenging it was to get where we are we still have a way to go. thank you.

>> Robert Michael Pittsley: hello I'm calling from 56 Norfolk Street. the many effects of climate change have begun to take place and finally become blatantly unignorable. We are now living a scientifically predicted time period faced with emerging diseases, food insecurity and sea level rise. one with so many undesirable realities faced by environmental justice communities. we need to do everything we can to transition to a system more conducive to public and environmental health. we must protect the viability of this new decision along with our health by protecting our air quality. urban vegetation has several important functions beyond aesthetics. our trees and shrubs have multiple impacts on air quality like for instance schools that are surrounded by green space have lower levels of pollution in their classroom. in the past three years the focus around respiratory health that we do our best to protect our air. the indirect effect of natural gas leakage on urban vegetation is obvious since the soil gas phase composition near a leak is unfavorable for plant growth. within the gas zone the oxygen concentration is very low to zero while carbon dioxide is high. consequently, root growth is stopped, and respiration is inhibited so uptake of water and nutrients are reduced and eventually the plants die. after the effects of gas leakage may persist for a considerable period of time. toxic components can be left in the soil as reduced and nonorganic substances. effective restrictions and prevention of leakage of natural gas as well as ensuing injury to street trees can only be realized if there's good cooperation between the city council, parks department and municipal gas companies. I'm here tonight asking the Cambridge move faster, reach higher and set the example. we can and must reach net zero emissions by 2035 not 2050. vast amounts of scientific research clearly explain and can confirm the danger and failure of our recurring energy systems as well as the viability of a more sustainable alternatives that are modeled in cities around the world. city council please adopt the higher standards please provide jobs for people to build a healthier future held the buildings that we need. and please ban gas hookups for buildings and reflect the 2035 that's your goal upon old BEUDO targets and senders.

Councillor McGovern moved to suspend the rules to extend the meeting until 8pm

	present	absent	yea	nay
councillor Azeem			x	
Councillor Carlone			x	
vice mayor Mallon			x	
Councillor Nolan			x	
mayor Siddiqui			x	
councillor Simmons		x		
councillor toner			x	
chair - Councillor Zondervan			x	
chair - Councillor McGovern			x	

>> Sarah gallop: thank you can you hear me. good evening, everyone. MIT has been working closely with city staff and Cambridge stakeholders since before BEUDO's inception in 2014. we been engaged in all phases of the original ordinance's development, implementation, and evaluation. and now the proposed amendments

related to performance requirements. we applaud the city's commitment to an open and transparent process. with plentiful opportunities to engage, review, comment and co-develop solutions to constantly improve BEUDO. our plan for this hearing was to express support for the November 2021 amendments with a request for continued collaboration on a few remaining issues. those topics include clarity around the emissions baseline. the role of carbon offset credit products and further development of the alternative compliance credit. we have every confidence that we can address these matters together to our mutual satisfaction just as we have for a multitude of details over the past several years.

unfortunately, we're not able to support BEUDO tonight because of the new amendments that were introduced two days ago. these late edits have not been discussed with stakeholders. and are not endorsed by city staff. this last-minute flurry of activity runs counter to the nature of the entire BEUDO effort. while we've only briefly scanned proposed edits, we that laboratories have been deleted from a section that has been extensively researched. has anybody asked the BEUDO laboratory working group for its input? we noticed the time frames have been drastically condensed leaving open questions regarding feasibility and available technology. has anybody reached out to Eversource to get its view? MIT is committed to a comprehensive action plan of achieving net zero emissions by 2026 and eliminating all direct emissions by 2050. it's no coincidence our climate goals are aligned with the city's net zero action plan and the BEUDO amendments.

it's because we work together day in and day out on these matters. we share data, best practices, expertise, and philosophies. we argue, offer counterproposals, rewrite, and regroup. and we make significant advancements as a result of our commitment to the planet and as to the most reliable way of bringing about progress. collaboration. we urge you to advance the November 2020 BEUDO amendments with continuing dialogue in the areas we noted and reject the amendments that were introduced on Monday. thank you.

>> Thomas Lucey: sorry about that. good evening. I'm tom lucy speaking on behalf of Harvard university. Harvard is committed to working with the city regarding reducing emissions to climate change and sustainability for decades. we've advanced to our own second-generation climate goals and on our campus through leading-edge goals. we were pleased to have participated and contributed for many years to the city staff's run stakeholder process that resulted in the BEUDO recommendations released in November. now given the time limit in public comment we are going to address those recommendations, but we will react to the new amendments were unveiled Monday night. Those new amendments demand the same full and thorough vetting of public dialogue as the BEUDO process. We implore the council to take the time to reengage all stakeholders to ensure it remains a civil and respectful dialogue. Everyone on the call shares the same goals of addressing emissions and saving the planet. no one has a monopoly on those sentiments nor the knowledge of the best approach to achieve them. as for the newly crafted amendments we have some initial comments and questions. given the state of current technologies these proposed regulations will push building owners to explore electrification at the same time. We have not seen a plan showing that the regional or local grid is capable of handling these changes so rapidly. so, we asked is the city working with the state and Eversource to understand the impact of this regulation and what the impact would be on the regional electric grid and specifically Cambridge. is Cambridge planning to do a feasibility study to understand the scope of changes left to meet the 2030 proposed deadlines and to understand the risks and costs involved? what is the anticipated increase electrical demand? and how will this electrical supply be generated? and if the city actively engage with Eversource to provide this increased demand to the city? this removes our ability to utilize our subject matter expertise as well as our rigorous approach to research and science to achieve net zero emissions. we want to do this in partnership with the city and to identify the best path to achieve our shared goal of science-based net zero solutions. I hope we get the opportunity to do so and that these amendments are not fast tracked but would benefit from true scientific analysis and appropriate public dialogue.

>> Marc C. McGovern, chair: thank you. okay. I'm going to go to Councillor Zondervan then I have a thought.

>> Quinton Y. Zondervan, chair: thank you Mr. chair and to my colleagues on the committee. my suggestion was and remains that we keep this matter in committee. we will schedule another hearing and will have time in between to talk with anyone who would like to discuss these matters in more detail. and I do take some issue with the scolding that we are receiving on not reaching out because people know our phone numbers and they can reach out to us as well. I'm happy to proceed in that way and I think we will have plenty of opportunity for dialogue before we bring this forward.

>> Patricia M. Nolan: thank you and thank every single public speaker. I do want to respond. I totally understand and endorsed, and I know the frustration. I will remind people that agenda was public last week. it is true though that this specifics of this were not known until that agenda was public last week. I think if we keep this in committee... I also want to do as chair of the health environment committee have it be more of a roundtable to any player including from both Harvard and MIT. have those discussions. I do want to remind all of us that if we do want an open and transparent process my understanding is that those 40 meetings were closed-door meetings that were not in the public domain. there were only with building owners. CPAC was not involved. Net zero action task force was not involved. The climate crisis working group was not involved. The city council was not involved. That was not an open and transparent process with all the stakeholders of the table. that's where we need to go next. that process led to particular amendments. which some of us are now saying we need to be changed in the face of again the IPCC latest report issued last year which literally says, "code red for humanity". so, I understand all of us want to get there. and the question is how to get there. I want to have those discussions. I want us to get there. I want Harvard, MIT, all the building owners in the city to be with us at the table. I know many of my colleagues committed to that. let's not throw this out as an idea that we shouldn't endorse something that the rest of the city didn't even vet before it was just put on the table. once it was put on the table some of us came together working with a range of people across the city. I was not just out of our heads. it was working with a range of experts across the city. I agree there are lots of questions to ask about electric capacity. about how we are doing it. I would love to keep this in committee but also letting my colleagues know if you think that makes sense that that is the appropriate venue to have very quickly as soon as we can schedule it a health and environment committee meeting and run it like a roundtable and specifically invite any of the folks were in those 40 meetings if they would come and talk about and Eversource and the city.

>> Dennis J. Carlone: thank you Co-Chair. I think the issues raised primarily by the institutions are fair. I think my colleagues have responded in part but as Councillor Nolan was referring to, I think the people we talk to need to show up at this roundtable. it might be that I have some background in green architecture but not in all of these fields. that is for sure. and we do need the experts to talk about this. we are not saying just accept it because it is submitted by us. we have to have these discussions but at the end it's only about our world and our city and nothing is more important than this and trying to push the effort forward to me if we can make this work, why not? that's really what it comes down to. if we can clean up the air sooner, why not? that is what this is about. yes, there's been negotiation as my fellow councilors have said we've not been a part of that. and we are the ones that make those decisions. final decisions. we have to influence each other in the right way. thank you.

>> Burhan Azeem: thank you Mr. chair. apologies for not using the hand thing my zoom isn't working. I had two questions for the city or mainly for the city but also if the amendment makers want to answer that is fine as well. I'm curious why these amendments, why the original proposal focuses only on large buildings rather than small buildings considering they also are a large producer of emissions. on top of that why transportation emissions are not included. my sense is if you have an empty parking lots would be easier for to qualify for these than the equivalent house just because the empty parking lot uses less construction materials but obviously is used for transmitting relating more gas-powered vehicles. so, its fine if it doesn't fit into this particular version. I was just curious why those were left out of the original proposal.

>> Seth Federspiel: again, net zero action... I will take those two-question reversed. the net zero action plans are exclusively focused on building emissions. which again are about 83% of the cities emissions we are in the process of developing a net zero transportation plan that will address the transportation sector but that's a separate process. not that it's not being considered, just not part of this policy. in terms of the building size threshold the building energy use disclosure ordinance that is in effect and was adopted in 2014 applies to specifically to the largest buildings in Cambridge. the commercial buildings 25,000 square ft. or greater. and residential buildings larger than 50 units. those buildings account for about 70% of the building sector emissions. even though they're only about 6% of the number of buildings. so, the proposal the original proposal from CDD does not propose any changes to those thresholds.

>> Burhan Azeem: through you my chair the reason I ask... I forget the exact number but 8% of our buildings are responsible for 60% of the emissions but in the original slide you showed it was really about square footage. To me the square footage of the buildings roughly corresponds with the percent of emissions to the large

commercial large buildings in general exceed 2% of us were footage in the city they were like 70% of the emissions. I don't see a great disparity between the surface area of these sizes. I'm wondering... I'm worried a little bit that triple-deckers for example don't get included but once you get the four or five stories... whatever the threshold is it seems a little bit arbitrary is there a reason to not include smaller buildings?

>> Seth Federspiel: again, this was considered at some length when the BEUDO ordinance was originally adopted. consideration of the balancing point between what is asked of building owners and how many building owners would be required to take those actions. and so, the 25,000 square-foot and 50 units thresholds were established to capture again that bulk of the square footage that you mention while requiring a relatively small number of building owners to go through the administrative process to do that reporting. and in terms of addressing emissions from all the buildings in the city that's where the full net zero action plan is really important to consider all of the different actions. For buildings of that are smaller than the BEUDO threshold, the updated next zero action plan proposes that we consider transaction point-based requirements. for those smaller buildings when they're being sold or renovated or leased could use those natural turnover points as opportunities for upgrades lead to greenhouse gas emission reductions.

>> Marc C. McGovern, chair: I'm going to go to mayor Siddiqui it looks like you're coming to us from a bunker.

>> mayor Siddiqui: I'm fine with keeping this in committee. I will say on this topic. we've... the council and past councils have talked about various issues, everything from the linkage fee and increasing it to. to this issue where fundamentally sometimes there is disagreement and partnership may not be able to happen. with that said I think it is important to have our partners at the table and help us think through a lot of different decision points but ultimately from what I've seen is that on this topic there have been a ton of meetings and there is a sense from a number of individuals, activists who feel like they haven't been heard. They are invited to the table but there is fundamental disagreement. we should definitely keep having a conversation about these amendments and at the end of the day... I think ultimately, we have to vote these up and down. and I think there may not be consensus here. I think this is just the reality of the situation. if were looking for consensus on this based on everything, I've heard in all the meetings that have happened. I am not sure that exists. and it is important to hear from and have further conversations. I will stop there but I'm happy to keep this in committee as we planned. not to vote in anything tonight.

>> Paul F. Toner: thank you Mr. cochair. I'm going to throw my I'm the new guy card in the table. I'm hearing that there were 40 meetings over four years but for some reason city councilors were not invited and other folks were not invited to the meetings. I'm not clear on that of why that is the case. but I do want to encourage Councillor Nolan that if we are not going to take it out of the ordinance committee that you have that hearing. At least from this my experience and my first ordinance meeting this doesn't seem like the appropriate venue to actually get to the real core issues about what can and can't be done, what's realistic? what's practical? I'm not suggesting that everybody's going to agree but it sounds like according to the mayor, that even activists felt like they weren't heard. if there's an opportunity to have a different venue to talk about these issues and get everybody's input before we finally vote on it, I would appreciate that going forward.

>> Marc C. McGovern, chair: what it was going to suggest...we said from the beginning it was going to be another ordinance committee meeting nothing was advancing today. that was clear from the beginning. so, we can keep this in committee and send the subject matter to health and environment chaired by Councillor Nolan so that she can bring it up at that meeting or is that unnecessary, can we just keep it in committee, then she just calls her own meeting? obviously the goal being... I would think Councillor Nolan that you call that meeting soon. before the next ordinance committee meeting so we have whatever comes out of that meeting if other things need to be amended or adjusted, we have that for the next ordinance committee meeting. so, Mr. clerk is there any procedural thing, or can Councillor Nolan just call that meeting... now that it is in ordinance do, we have to do anything to send back or can it just happen.

>> Anthony Ivan Wilson, clerk: through you my chair there is no procedural motion that needs to happen. i would caution that may be talk to, I don't know if there's anybody from the law department on the call. this is a process predicated under the general laws. I don't know if it precludes something like that. my one point of caution for the council.

>> Marc C. McGovern, chair: anyone from the solicitor's office.

>> Megan Bayerle corrects me if I'm wrong, but I don't believe this is not a zoning petition.

>> Anthony Ivan Wilson, clerk: I apologize. sorry about that.

>> Marc C. McGovern, chair: just to comment. i know this is radical in the political landscape that we are in these days. maybe we should try to assume good intentions and everybody's part instead of bad intentions on everybody's part. what makes Cambridge great this we heard this from a new commissioner of public health came here from Texas it's great to be in a city where you don't have to convince people that science is real. I don't think that anybody even those councilors will raise questions about the process and who spoke to... is saying we don't believe the science and want to delay this as long as possible. we can try not to... just because somebody asked the question or raises a concern doesn't mean that they don't agree with what the ultimate goals are. and if so, let's not do that to each other as this goes forward. and I think that was ultimately going to make the leader in this. by asking a question like okay we're going for 2035 is that possible? that is not my saying that I think climate change doesn't exist and it's a hoax. It is my asking are we setting a goal they can actually be achieved and help me understand it. let's not do that to each other in this conversation. it is too important.

Councillor Zondervan I will go to you. So, it sounds like I guess one of the questions with answers we want to recess or adjourn? again the implication of that is if we recess the next meeting will be a direct continuation of this meeting which means no public comments, or we adjourn and we come back and we can pick it up where we left off and have public comment those are the only... I believe the only two significant differences with either of those decisions.

>> Quinton Y. Zondervan, chair: thank you Mr. chair I'm happy to make a motion to adjourn once we are ready for that. I don't think we should recess as we have been talking about there's a lot of further public conversation that needs to happen. I certainly don't want to avoid the public comment in our next meeting. I want to agree with you wholeheartedly. I don't question any of my colleagues' intentions. I don't doubt that we understand the challenges that we face with climate crisis. I do think that there are commercial interests that are protecting themselves. that is their job. we need to have that conversation but as the mayor said at the end of the day, we have to decide which way we want to go on this, that is our job... our responsibility. I'm perfectly happy to have a hearing on this in Councillor Nolan's committee. I think it would be great. I do want also to point out that in the ordinance committee routinely developers make presentations to us about their projects. there is nothing preventing us from inviting building owners and developers to come to the next hearing and make a presentation about their concerns and questions and again we can have conversations off-line as well about any concerns that they have about it. I look forward to those conversations. regardless of the outcome we are all learning and growing on this issue by having those conversations.

>> vice mayor Mallon: thank you Mr. chair was also going to throw my support behind adjourning rather than recessing that seems like that is a motion on the table. I will yield back.

>> Marc C. McGovern, chair: I would say Councillor Zondervan I think you're right. I think we could have another ordinance committee meeting and have Harvard, MIT or whoever come. I would prefer to do it in another committee just so that we can... what comes back ordinance might be the same amendments, it might be different. To have a presentation in ordinance and then there's not a lot of time to discuss it and do the work so I think do that work in the subcommittee bring it to ordinance ready to go and there may be nothing that changes, I don't know. we're sort of... correct me if I'm wrong Councillor Zondervan we are scheduling ordinance committee meetings out until the end of march at this point. so, there is not a ton of time for... a little bit of time you can even have more than one meeting.

>> Burhan Azeem: sorry I have a problem with a hand feature on zoom. I would put it up as I could. through you Mr. Chair I would be interested, if possible, to hear that city's response to the amendments. The presentation covered by the city was mostly for the original version that the amendments. and I'd be curious to hear what the city is thinking about those amendments I'm not sure if that's possible, but I'd be interested if it is.

>> Marc C. McGovern, chair: probably not possible tonight unless we extend further but I'm assuming we have that input at the next ordinance committee meeting. or even in the health environment committee meeting when that gets discussed.

motion to adjourn

	present	absent	yea	nay
councillor Azeem			x	
Councillor Carlone			x	
vice mayor Mallon			x	
Councillor Nolan			x	
mayor Siddiqui			x	
councillor Simmons			x	
councillor toner			x	
chair - Councillor Zondervan			x	
chair - Councillor McGovern			x	

**ordinance #2021-26 a communication transmitted from louis a. DePasquale, city manager, relative to awaiting report item number 21-84 regarding BEUDO (building energy use disclosure ordinance) proposed amendments.**

**a communication was received from councillors Nolan and Zondervan, transmitting a memorandum regarding BEUDO amendments.**

**a communication was received from Seth Federspiel, sustainability planner for the city of Cambridge, transmitting a presentation**

- 1. a communication was received from Councillor Zondervan, transmitting a presentation for the ordinance committee meeting on February 9, 2022**
- 2. a communication was received from Councillor Nolan transmitting a presentation for the ordinance committee meeting on February 9, 2022**