



ORDINANCE COMMITTEE

COMMITTEE MEETING

~ MINUTES ~

Wednesday, July 28, 2021

5:30 PM

Remote Meeting

The Ordinance Committee will meet to conduct a public hearing on an amendment to Article 22 of the City of Cambridge Zoning Ordinance "Emissions Accounting" (Ord # 2021-13)



CAMBRIDGE CITY COUNCIL ORDINANCE COMMITTEE
COUNCILLOR MARC C. MCGOVERN, CHAIR

COMMITTEE MEETING
TRANSCRIPT OF PROCEEDINGS

JULY 28, 2021
05:30 PM, SULLIVAN CHAMBER

CITY CLERK ANTHONY WILSON: Councillor Carlone, the time of the meeting has arrived and we have a quorum. Councillor, you are muted.

COUNCILLOR DENNIS J. CARLONE: I believe Councillor McGovern is leading this meeting?

CITY CLERK ANTHONY WILSON: My apologies.

COUNCILLOR MARC C. MCGOVERN: That's okay. I'll take the Chair. I call--quorum of the Ordinance Committee being present, I call this meeting of July 28th, 2021, to order. Call of the meeting is to conduct a public hearing on an amendment to Article 22 of the City of Cambridge Zoning Ordinance "Emissions Accounting" (Ord # 2021-13).

Pursuant to Chapter 20 of the Acts of 2021 adopted by Massachusetts General Assembly and approved by the Governor, the city is authorized to use remote participation at meetings of the Cambridge City Council and its Committees.

In addition to having members of the council participate remotely, we have also set up Zoom teleconference for public comment. Please be aware that Zoom is primarily being used for public comments. In order to watch the meeting, please tune into Channel 22 or visit the Open Meeting Portal on the city's website.

If you would like to provide public comment, please visit the City Council section of the city's webpage, instructions for how to signup, to speak or post it there. Once you have completed the procedure, you will receive a link to the Zoom meeting. We will not allow any additional public comment sign-ups after 6 PM. All votes will be taking--will be taken remotely. Mr. Clerk, please take the roll.

City Clerk Anthony Wilson called the roll:

Councillor Dennis J. Carlone - Present

Councillor Alanna M. Mallon - Absent

Councillor Patricia M. Nolan - Present

Mayor Sumbul Siddiqui - Absent

Councillor E. Denise Simmons - Present

Councillor Timothy Toomey - Absent

Councillor Quinton Y. Zondervan - Present

Councillor Marc C. McGovern - Present

Present-5, Absent-3. Quorum established.

COUNCILLOR MARC C. MCGOVERN: I just want to note that the Vice Mayor did notify us that she has a conflict and would be unable to attend today. My understanding of, in some conversation I had with Councillor Zondervan is that some folks who were going to present maybe weren't able to present, and that this was gonna be -- this going to be the

first of the number of conversations we are going to have about this ordinance, so people should see this as an ongoing process and--and not something where decisions are going to be made today.

And so we're going to hear from the petitioners which are Councillor Zondervan and my co-Chair of the Ordinance Committee, Councillor Carlone. And I assume we'll hear from the City, ask some questions -- public and move on from there.

So, I don't know, Councillor Carlone, Councillor Zondervan, which one of you would like to go first? Councillor Zondervan? Okay, Councillor Zondervan.

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you, Mr. Chair. Through you, through you, as you mentioned, several of our colleagues are not able to be here today, I think we--we just have a quorum, um, and several of--of my co-presenters are not here. So, we--public comment today because we were not able to make a full presentation of the petition at this time and that we continue the hearing until, um, sometime in September, we have until close to the end of October as our deadline for this petition. So, I think we have enough time for that.

This petition, as--as you know, is asking for a emissions accounting in--in new commercial development, so that present the embodied emissions, so emissions caused by the construction itself and the materials that are used in the construction, as well as the emissions then are assumed to be reduced to zero by 2050, as is our state and city goals for net-zero emissions.

And then to have provisions for paying off for the lifetime of the building, by reducing emissions elsewhere in the city, in other buildings through 100% renewable electricity contracts, through installation of solar panels, um, and any other means that we deem acceptable for doing that, as well as a 25% provision to promote good job creation, which would--for economic opportunity and in particularly for our low income and minority communities that are, uh, too often excluded from the economic opportunity that is created by these commercial buildings.

We did have a hearing from the Planning Board in June and they have sent us a report and, again, my request is that we accept the report but that we don't discuss it in detail because some of our colleagues are not present, as well as my co-presenters, and then continue the hearing and have that further discussion in September.

COUNCILLOR MARC C. MCGOVERN: Councillor Carlone, do you want to add anything?

COUNCILLOR DENNIS J. CARLONE: I will. I, um, I'm a co-sponsor of proposed petition, but Councillor Zondervan is the petitioner of record, and I'm sorry, that was confusing earlier.

I just wanted to highlight in today's Globe, there is an editorial by Scot Lehigh, and I'm just going to pull out two paragraphs. He's referring to the 1980s in his first paragraph.

"The United States once had the chance to lead the world to a workable climate solution over a manageable 40 years. Now, urgent action is needed just to forestall the worst consequences of global warming."

The last paragraph in his whole editorial includes, "How can a democ--democracy function, let alone be exceptionable--sorry, let alone be exceptional, if it can no longer summon the collective clarity of mind and purpose to avoid long-predicted problems."

And this, the reason I read that is it per--perfectly says why we have to move. We just can't sit anymore with--everybody knows what's in the news in the last couple of weeks alone, if not the last 20 years.

So, I just--since today's paper highlighted it, I wanted to read that into the--into the report and we have to move and people look to us and that, again, is why I think this is a great subject for us to seriously consider. Thank you, Mr. Co-Chair.

COUNCILLOR MARC C. MCGOVERN: Thank you. Councillor Nolan, you have a quick question or?

COUNCILLOR PATRICIA M. NOLAN: Yes, I just wanted to say I actually also had a conflict and I would like all the colleagues to be here in a full presentation. So I completely endorse having a very, well, maybe listening to public comment, having a short meeting and making sure that we dig into this with the full, uh, hearing from--from all the different players. And obviously the urgency is there.

I hope the city staff will feel relieved that this won't go long as opposed to feeling like, oh my gosh, we got together for a meeting that really will not go very long. But I totally endorse that, and in fact, since I had a conflict, I wasn't sure I was going to be able to stay for all of it anyway, so which, given the quorum, might be a problem.

COUNCILLOR MARC C. MCGOVERN: Right. Now this is, I mean, this is, we know that this emissions and the climate crisis are urgent, this is very--this is a complicated ordinance. There's a lot in here. You know, we saw that we're not going to get into the Planning Board, um, report,

but for those folks who read it, I think there were a lot of questions and, you know, things that sort of need to be addressed.

So, um, I think even if everybody was here today, we wouldn't be this--this isn't something that would be going anywhere today, even under the best circumstances, there's a lot to dig into and a lot to think about.

Um, did the city, I don't know, Ms. Farooq, did--did the city have anything that they wanted to say or are you fine with just hearing public comment and then, uh, recessing to a different--

IRAM FAROOQ: Thank you, Chair McGovern. No, we are--we're happy to go with the will of the committee and, um, and defer the discussion to, uh, to a later date.

COUNCILLOR MARC C. MCGOVERN: Okay. Terrific. So, if there's no other sort of question, Councillor Nolan, I think if you can lower your hand, just so I don't get confused. Um, thank you.

I think now, Mr. Clerk, why don't we go to public comment? I'm not sure how many people are signed up and then we'll take it from there.

CITY CLERK ANTHONY WILSON: We have seven people signed up for public comment. The first speaker is Alan Sadoun[phonetic].

COUNCILLOR MARC C. MCGOVERN: And before, I'll just remind folks, you'll have three minutes and please, obviously we know what you're here to talk about, but if you can state your address for the record. Thank you.

PUBLIC COMMENTS

Alan Sadoun, 24 Union Street, Cambridge, spoke on the City of Cambridge Zoning Ordinance Emissions Accounting: I'm a supporter of the Green New Deal nationally. I like what I see as a broad idea behind this petition, which is taxing and finding the greatest source of carbon emissions and using the money to pay for justice-oriented mitigations and green infrastructure.

I have two concerns about the approach taken by this petition. Number one, the structure of this petition completely misses occupant transportation emissions. And number two, I think that the use of zoning as the vehicle for this is kind of clumsy and I'm worried that there are going to be some adverse effects by using this vehicle and it would be a better choice of vehicle to do this through the tax code or civil ordinances of the building code or some combination of the above.

On transportation emissions, this is something that has been a blind spot, not just in this petition, but it

was left out of the 2015 Net-Zero Framework Report. Transportation is the source of over half of the carbon emissions in the state of Massachusetts and has not been showing any sign of shrinking, even as other sectors of the emissions have.

The official point of view is that building emissions are like more than 80% of Cambridge's emissions, but that's just ignoring everything that happened outside of our borders. I don't think we can pretend that Cambridge employees driving to Cambridge jobs because they can't afford to live in Cambridge, because we don't build enough housing in Cambridge for them. I don't think we can blame that, that has nothing to do with Cambridge. Climate change is a global problem.

Practically speaking, if you included transportation and emissions in this petition, then we would have the net effect of being a strong financial incentive for developers and for employers to ensure that their buildings encourage very low transportation emissions. So would put more teeth in our transportation demand management programs. You know, you would punish employers that offer free employee parking, reward employers who encourage their employees to walk or bike or use public transit.

I think we also know that building lots of affordable housing would reduce transportation emissions significantly. So I think that would be a good use of the mitigation money.

The other thing is I just want to highlight from the CDD Memo, the Building Energy Use Disclosure Ordinance, the Net Zero Stretch Energy Code, which will be available in 2022, that I think there's a lot of other tools we have at our disposal outside of zoning. And zoning is kind of hard to allocate money. And zoning is also hard to use for applying to existing buildings, not just new buildings. I think we have to pay attention to existing buildings.

Jessica Sheehan, 48 Fairmont Street, Cambridge, spoke on City of Cambridge Zoning Ordinance Emissions Accounting: The jobs in Cambridge attract people to the area and not having enough housing means people are driving longer distances to get where they need to go every day. And I don't think it makes sense to draw a line around the city on a technicality and say, well, this doesn't count, those aren't ours.

I mean we're all sitting here breathing in smoke from wildfires in Oregon and Canada, right? So, these problems are related and I think it makes sense to look at it holistically and have the policy reflect that.

Sarah Gallop, Director of Government and Community Relations at MIT, Cambridge: I'll save our comments from MIT for the next time when we can gather together and hear the presentation. Thank you very much.

Tom Lucey, Harvard University, Cambridge: I'll save our larger comments for the next meeting. We did submit a letter that I hope the council and city staff will read. We look forward to participating in this dialogue. We hope we're welcoming this dialogue. I got a note from one of the petitioner. I hope it can be a civil dialogue. I'm going to count on the Chairs to keep it civil.

We'd like to bring Harvard experts to the table without being accused of things and some name calling that's going on. So, we look forward to participating, and again, hope it can be a civil conversation. We share many of the same goals. Harvard is working hard on the sustainability and resiliency issues. I think we have a lot to offer. And again, I think we're on the same page on many things. Thank you very much.

James Wayne[phonetic], Newton, Massachusetts: I'm actually not a resident of Cambridge, but I live nearby Newton. I work in Watertown. However, I guess climate is a global issue that affects me as much as Cambridge residents, so I guess I do have a voice.

I definitely agree with the goals of this proposal. I am just concerned that it may drive developers to not build in Cambridge and instead build in, say, I don't know, I-95 suburb, just go to Woburn, Lexington, bought them all sorts of places that are building a lot of space. And that the overall goal, I mean it may reduce Cambridge emissions, but we should be careful that it doesn't export those emissions elsewhere, and discourage development in Cambridge, which is a very walkable and transit accessible place, unlike many suburbs around I-95 that are trying to attract a lot of biotech companies.

I would just say we should be skeptical with the potential second order effects that it may just start development in Cambridge, move those emissions elsewhere. And since climate change is a global problem, if you admitted in Waltham and Woburn, elsewhere, that is not admitted in Cambridge, it's still a problem for everyone on this planet. And so we should be careful that it doesn't just export the emissions elsewhere or increase emissions elsewhere. That is all. Thank you.

CITY CLERK ANTHONY WILSON: That's it for public speakers.

COUNCILLOR MARC C. MCGOVERN: Excuse me, thank you.

All right. So, I think that's--I think that's it for today. Councillor Zondervan, anything?

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you, Mr. Chair. I did want to briefly respond to Mr. Lucey. I--I hope he understands that Harvard is--is certainly very welcome and I didn't think I called anybody names, but I'm open to feedback if I did.

COUNCILLOR MARC C. MCGOVERN: I--I don't think he mentioned you by name. There may have been other people that have said that, so.

COUNCILLOR QUINTON Y. ZONDERVAN: No, he--he did, but that's okay. [inaudible 00:23:22]

COUNCILLOR MARC C. MCGOVERN: I didn't catch it. All right. So, I guess my question now, you know, that really for--for something this big and this important, get a lot of people in public comment, you know, we often sort of--we sometimes recess a meeting, which means that there's no further public comments. Sometimes we actually adjourn the meeting, which means there will be public comment at the next meeting.

My guess is that we should, um, adjourn so that people can comment at the next meeting when there's actually a presentation and everything in front of us, um, as opposed to recessing. So, um, that would be my--my suggestion is that we actually adjourn, so that public comment can be allowed next time. I'm seeing nodding heads, um, which is good.

So, on a motion by Councillor Zondervan to adjourn--you want it, Councillor Carlone?

COUNCILLOR DENNIS J. CARLONE: It's all right.

COUNCILLOR MARC C. MCGOVERN: To adjourn, roll call.

City Clerk Anthony Wilson called the roll:

Councillor Dennis J. Carlone - Yes

Vice Mayor Alanna M. Mallon - Absent

Councillor Patricia M. Nolan - Absent

Mayor Sumbul Siddiqui - Absent

Councillor E. Denise Simmons - Yes

Councillor Jivan Sobrinho-Wheeler - Yes

Councillor Timothy Toomey - Absent

Councillor Quinton Y. Zondervan - Yes

Councillor Marc C. McGovern - Yes

Yes-5, No=0, Absent-4. Motion Passed.

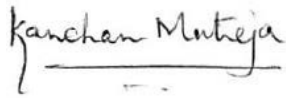
COUNCILLOR MARC C. MCGOVERN: Yes. All right. I think we broke our own rule. All right. I hope everyone has a--a good night and thank you for being here. We are adjourned.

The Cambridge City Council Ordinance Committee adjourned at approximately 05:55 p.m.

C E R T I F I C A T E

I, **Kanchan Mutreja**, a transcriber for Datagain, do hereby certify: That said proceedings were listened to and transcribed by me and were prepared using standard electronic transcription equipment under my direction and supervision; and I hereby certify that the foregoing transcript of the proceedings is a full, true, and accurate transcript to the best of my ability.

In witness whereof, I have hereunto subscribed my name this 18th day of January 2023.

A handwritten signature in cursive script that reads "Kanchan Mutreja". The signature is written in black ink and is positioned above a horizontal line.

Signature of Transcriber