PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE:
4.1 Acceptance of the Definition of “Climate Justice Community”

WHEREAS, the City of Ithaca has demonstrated its desire and commitment to be a leader in sustainability and social equity, as exemplified by the adoption of the Ithaca Green New Deal, and

WHEREAS, the City of Ithaca has further demonstrated its commitment to social and racial equity and sustainability, as exemplified in the City of Ithaca Comprehensive Plan, Plan Ithaca and the City’s 2017 Assessment of Fair Housing, and

WHEREAS, to fulfill the social equity ambitions of the IGND, a transformative effort must be made to prioritize populations that are and have been historically marginalized, and

WHEREAS, current and historic marginalization can manifest in ways that are not well-represented solely by income, and

WHEREAS, establishing an explicit definition for Climate Justice Community will shape future IGND programming in a way that ensures benefits of the IGND are distributed in ways that reduce historic inequities, and

WHEREAS, the effects of climate change may combine with other stressors such as marginalization, inequality and social injustice, becoming a threat multiplier and disproportionately affecting vulnerable population groups, and

WHEREAS, as a result of the pandemic and the economic downturn some vulnerable populations may be more likely to be affected by the consequences of climate change, and

WHEREAS, prioritizing vulnerable populations and designating them “Climate Justice Communities” in program planning will result in a more just and resilient Ithaca for all residents, and

WHEREAS, prioritizing vulnerable populations and designating them as “Climate Justice Communities” may result in a more equitable distribution of the economic, social and environmental benefits of the IGND among all residents, and

WHEREAS, the U.S. EPA defines Environmental Justice as, “The fair treatment and meaningful involvement of all people regardless of race, color, culture, national origin, income and educational levels with respect to the development, implementation, and enforcement of protective environmental laws, regulations, and policies.”, and

WHEREAS, the Center for American Progress has provided guidance on implementing the federal Justice40 program under President Joe Biden, which seeks to advance environmental justice and economic opportunity across the United States, and

WHEREAS, in 2019 the State of New York signed the Climate Leadership and Community Protection Act (Climate Act), which committed New York State to reduce greenhouse gas emissions by 40% by 2030 and at least 85% by 2050, and
WHEREAS, the Climate Act created the New York State Climate Action Council to prepare a Scoping Plan to achieve the State’s bold clean energy and climate agenda, and

WHEREAS, the Climate Action Council appointed a Just Transition Working Group to make recommendations to ensure benefits of the State climate agenda are shared equally among all New Yorkers, and

WHEREAS, the Just Transition Working Group defines Disadvantaged Communities as, “communities that bear burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate-income households”, and

WHEREAS, in 2021, the state of Massachusetts set a precedent of law codification by adopting an extended and more appropriate definition of Environmental Justice Communities that more accurately represents the vulnerable populations in the state of Massachusetts; therefore, be it

RESOLVED, That the City of Ithaca officially accepts the following definition of a Climate Justice Community:

**Climate Justice Communities** are communities, including but not limited to individual households, that bear unfair and disproportionate burden of the negative impacts of climate change; are least able to prepare, withstand and recover from the effects of climate change; possess certain health, environmental and socioeconomic attributes; include disproportionate concentrations of low- and moderate-income households; or are associated with other present or historical social factors that act as threat multipliers on a warming planet with limited resources.

The establishment of Climate Justice Community criteria is critical to ensure that “the benefits of the Ithaca Green New Deal are shared among all of our local communities to reduce historical social and economic inequities”, as described in the Ithaca Green New Deal Resolution adopted in 2019.

For a household to be considered a Climate Justice Community in the City of Ithaca, it needs to meet either the state documented criteria or at least three of the following criteria:

- Residents are experiencing homelessness
- Residents and/or their children are eligible for needs-based local, state, or federal financial assistance
- Residents 25 years of age or older do not possess a high school diploma or GED
- Residents experience food insecurity or low child nutrition levels
- Residents make less than 65% of the County’s median annual income
- Residents spend more than 15% of their total income on household energy costs
- Residents are undocumented immigrants currently working in Tompkins County

For a neighborhood to be considered a Climate Justice Community in the City of Ithaca, it needs to include at least 51% of households classified as Climate Justice Community, and, be it further
RESOLVED, That the City will continue to support the development and implementation of strategies to accelerate the development of programs to meet the goals established by the Ithaca Green New Deal.
MEMORANDUM

From: Rebecca Evans
To: Planning & Economic Development Committee
Date: March 11, 2022
Subject: Resolution to Accept a Definition of “Climate Justice Communities”

The purpose of this memo is to provide information on the proposal to accept a definition of ‘Climate Justice Communities’. Acceptance of the definition will support the goal that all benefits of the City’s Green New Deal are shared among all community members to reduce historic social and economic inequities, as described in the Green New Deal resolution adopted by Council in June 2019. Staff is providing this information as well as a resolution for consideration at the March 16, 2022 Planning and Economic Development Committee Meeting.

To design and execute effective GND programming, it is necessary to move beyond the sole metric of ‘household income’ to identify populations in need of additional resources and support. Staff recommends that accepting the proposed definition of Climate Justice Communities is the first step in this work. The definition will be used to guide a soon-to-be-proposed City program, Justice50, which aligns with the federal Justice40 program (see background information below). Once a definition of “Climate Justice Community” has been established, the Office of Sustainability will work with local partners to conduct a city-wide census survey using the proposed definition criteria as a rubric to effectively produce a map of residents in the city and track progress toward future Justice50 goals. This census map will inform the electrification and green jobs programs by guiding outreach and engagement efforts to target specific messaging and opportunities to populations who could most benefit.

Local Context
The City’s Green New Deal (GND) sets bold goals for improving social equity and reducing greenhouse gas (GHG) emissions on a short time frame. Accomplishing these goals requires a critical social justice lens to ensure that the social, environmental, and economic benefits are shared among community members in ways that reduce historic inequities. To design and execute programming effectively, we must first identify priority neighborhoods and populations in need of additional resources and infrastructure. In the past, municipalities have relied on household income data to identify priority communities. Though income is an important factor, history of marginalization does not always manifest as income inequality. Expanding the criteria to include "priority", "vulnerable", or "at-risk" communities allows other social and economic factors to be considered. By doing this we can begin to reach populations that have been
historically under-served with resources and infrastructure related to energy, transportation, employment, and community engagement. In the interest of applying this social justice lens to work related to the Ithaca Green New Deal, we suggest creating a comprehensive definition of "Climate Justice Communities" to represent the populations,

The Office of Sustainability has intentionally chosen to use the language “Climate Justice Community” in lieu of “disadvantage community” to underscore the need and commitment to justice and the historic systematic underserving of these populations. It also serves to underscore the role climate change plays as a threat multiplier to other socioeconomic struggles. The criteria recommended in the attached resolution have been curated to represent populations we believe are most affected in the City of Ithaca and were produced in collaboration with numerous community partners.

Federal & State Context
Justice40 is an initiative introduce by President Joe Biden via Executive Order 14008 (Sec. 223) in early 2021. The initiative is a whole-of-government effort to ensure the federal government works with state and local agencies to deliver at least 40% of the overall benefits from federal climate and clean energy investments to “disadvantaged communities”. The Biden administration released interim guidance in late 2021 regarding the definition of “disadvantaged communities”, which can be found here. It is important to note that this guidance is very similar to that which was released by New York State and includes “geographically dispersed sets of individuals” that may not live in close geographic proximity to one another (e.g. Indigenous populations, migrant immigrants, etc.).

New York State’s adoption of the Climate Leadership and Community Protection Act (CLCPA) in 2019 and the federal government’s announcement of the Justice40 initiative cemented the notion that social and economic justice and mitigation of greenhouse gas emissions are explicitly intertwined. Both must be addressed concurrently: refraining from robust action on either inhibits progress on the other. Beyond the two crises being deeply intertwined, certain social and economic factors act as “threat multipliers”. For example, people experiencing homelessness are exponentially more susceptible to rapidly and dramatically changing weather patterns compared to those able to secure climate-conditioned housing. Following is a brief explanation of the Justice40 initiative and the CLCPA that attempts to tackle both issues simultaneously; these two initiatives, in addition to precedence set by the State of Massachusetts and long-standing definitions provided by the U.S. EPA, have helped to guide and shape the local definition of Climate Justice Communities we are presenting.

At the end of 2021, the Climate Action Council (CAC), appointed with the adoption of the CLCPA in New York State, released a Draft Scoping Plan that indicates state “Disadvantaged Communities” (comparable to “Climate Justice Communities”), would be defined as,

“communities that bear burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate-income households”.

Through implementation of the CLCPA, these communities are then prioritized for greenhouse gas emissions reductions and reductions in co-pollutants to ensure there is no disproportionate burden in the transition from a fossil fuel-based economy. The Office of Sustainability seeks to emulate this initiative with our locally adjusted definition of “Climate Justice Communities” and the Justice50 program.

Through the acceptance of the Climate Justice Community definition and subsequent Justice50 initiative(s), the City of Ithaca positions itself as a world-leader in social, economic, and climate justice, as described in the Ithaca Green New Deal resolution.
Rebecca Evans will be present at the March 16th meeting of the Planning and Economic Development Committee to provide any additional context that may be needed and to answer any questions. In the meantime, please do not hesitate to reach out via email at revans@cityofithaca.org
MEMORANDUM

From: Rebecca Evans
To: Planning & Economic Development Committee
Date: April 14, 2022
Subject: Resolution to Accept a Revised Definition of “Climate Justice Communities” (CJC)

At the March PEDC meeting, the Committee voted to accept a definition of Climate Justice Communities in the City. After that meeting, the Office of Sustainability had a chance to better familiarize themselves with New York State’s “Disadvantaged Community” (DAC) criteria that was released two days prior. On reflection of this new information, we have elected to alter the City’s criteria to 1) reflect the State’s criteria by eliminating redundancies in the City’s criteria, 2) increase the number of required criteria provided by the City should an individual not meet the criteria outlined by the State, and 3) allow households and communities to reach either the State DAC threshold or the City’s criteria. Enclosed is a revised resolution for the Committee’s consideration.

On March 9, 2022, New York State released draft criteria for defining DAC. The State considers two distinct categories for criteria: “Environmental Burdens & Climate Change Risk” and “Population Characteristic & Health Vulnerabilities”, the latter of which has the highest implications for the City. Percentile ranks in these categories are then combined to produce a score relative to 1) the rest of the state and 2) the census tracts’ respective region. In the updated proposed resolution, it is our intention to supplement the State’s population characteristic to include economic burdens not currently captured by state metrics. Under the proposed CJC definition resolution, we account for the history of gentrification in the City of Ithaca by considering dispersed populations in addition to traditional neighborhoods, as well as including additional criteria. Qualifying New York State DAC criteria, the previous memo, and the revised resolution can be found attached to this memo.

Rebecca Evans will be present at the April 20th meeting of the Planning and Economic Development Committee to provide any additional context that may be needed and to answer any questions. In the meantime, please do not hesitate to reach out via email at revans@cityofithaca.org.
### Table 2. Environmental Burdens and Climate Change Risks: Draft Indicators

<table>
<thead>
<tr>
<th>Potential Pollution Exposures</th>
<th>Land use and facilities associated with historical discrimination or disinvestment</th>
<th>Potential Climate Change Risks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicle traffic density diesel truck and bus traffic</td>
<td>Proximity to remediation sites</td>
<td>Extreme heat projections</td>
</tr>
<tr>
<td>Particulate matter (PM$_{2.5}$)</td>
<td>Proximity to regulated management plan sites</td>
<td>Flooding in coastal and tidally influenced areas (projected)</td>
</tr>
<tr>
<td>Benzene concentration</td>
<td>Proximity to major oil storage facilities</td>
<td>Flooding in inland areas (projected)</td>
</tr>
<tr>
<td>Wastewater discharge</td>
<td>Proximity to power generation facilities</td>
<td>Low vegetative cover</td>
</tr>
<tr>
<td>-</td>
<td>Proximity to active landfills</td>
<td>Agricultural land</td>
</tr>
<tr>
<td>-</td>
<td>Proximity to municipal waste combustors</td>
<td>Driving time to hospitals or urgent/critical care</td>
</tr>
<tr>
<td>-</td>
<td>Proximity to scrap metal processors</td>
<td>-</td>
</tr>
<tr>
<td>-</td>
<td>Industrial/manufacturing/mining land use</td>
<td>-</td>
</tr>
<tr>
<td>-</td>
<td>Housing vacancy rate</td>
<td>-</td>
</tr>
</tbody>
</table>

### Table 3. Population Characteristics and Health Vulnerabilities: Draft Indicators

<table>
<thead>
<tr>
<th>Income</th>
<th>Race and Ethnicity</th>
<th>Health Outcomes &amp; Sensitivities</th>
<th>Housing Mobility &amp; Communications</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percent &lt;80% Area Median Income</td>
<td>Percent Latino/a or Hispanic</td>
<td>Asthma emergency department visits</td>
<td>Percent renter-occupied homes</td>
</tr>
<tr>
<td>Percent &lt;100% of Federal Poverty Line</td>
<td>Percent Black or African American</td>
<td>COPD emergency department visits</td>
<td>Housing cost burden (rental costs)</td>
</tr>
<tr>
<td>Percent without bachelor’s degree</td>
<td>Percent Asian</td>
<td>Heart attack (MI) hospitalization</td>
<td>Energy poverty / cost Burden</td>
</tr>
<tr>
<td>Unemployment rate</td>
<td>Percent Native American or Indigenous</td>
<td>Premature deaths</td>
<td>Manufactured homes</td>
</tr>
<tr>
<td>Percent single-parent households</td>
<td>Limited English proficiency</td>
<td>Low birthweight</td>
<td>Homes built before 1960</td>
</tr>
<tr>
<td>-</td>
<td>Historical redlining score</td>
<td>Percent without health insurance</td>
<td>Percent without internet</td>
</tr>
<tr>
<td>-</td>
<td>-</td>
<td>Percent with disabilities</td>
<td>-</td>
</tr>
<tr>
<td>-</td>
<td>-</td>
<td>Percent adults age 65+</td>
<td>-</td>
</tr>
</tbody>
</table>
CITY ADMINISTRATION COMMITTEE:

WHEREAS, the City of Ithaca has a long-standing commitment to provide protection against discrimination to its residents in the area of employment, and

WHEREAS, the U.S. workforce has a well-documented racial and gender pay gap, and

WHEREAS, research in the field of labor economics finds that hourly and salary compensation transparency improves pay equity and improves employee retention for employers; now, therefore

ORDINANCE 2022 -

BE IT ORDAINED AND ENACTED by the Common Council of the City of Ithaca as follows:

Section 1. Legislative findings, intent, and purpose.
The Common Council makes the following findings:

1. The City of Ithaca has an interest in providing protection against discrimination to its residents.
2. Equitable employer-employee relations are a matter of public welfare.
3. Wage transparency empowers employees to make informed decisions about personal financial and economic stability.

Based upon the above findings, the intent and purpose of this ordinance is to foster wage transparency in the employer-employee relationship in the city.

Section 2. §215-2, “Definitions”, is hereby amended so that the following particular Definitions shall read as follows, without change to other Definitions included in 215-2:

EMPLOYEE
An individual who performs services for and under the control and direction of an employer for wages or other remuneration, but not including [Does not include] any individual employed by his or her parents, spouse or child, or in the domestic service of any person, nor any person whose work qualifies under applicable New York State law as that of an independent contractor.

EMPLOYER
Any person, firm, partnership, institution, corporation, or association that employs one or more employees, but not including any such entity [Does not include any employer] with fewer than four employees in its employ.

EMPLOYMENT AGENCY
[Includes any] Any person undertaking to procure employees or opportunities to work as an employee.
Section 3. §215-3 of the City Code is hereby amended to add at the end thereof a new subsection F to read as follows:

F. Employment; minimum and maximum compensation in job listings.
   1. It shall be an unlawful discriminatory practice for an employment agency, employer, employee or agent thereof to advertise an opportunity for employment as an employee, including a job, promotion or transfer opportunity without stating the minimum and maximum hourly or salary compensation for such position in such advertisement. In stating the minimum and maximum hourly or salary compensation for a position, the range may extend from the lowest to the highest hourly or salary compensation the employer in good faith believes at the time of the posting it would pay for the advertised job, promotion or transfer opportunity.

   2. This subdivision does not apply to an employer that employs fewer than four employees whose standard work locations are in the city.

   3. This subdivision does not apply to a job advertisement for temporary employment at a temporary help firm as such term is defined by subdivision 5 of section 916 of article 31 of the labor law.

Section 4. Severability Clause.
Severability is intended throughout and within the provisions of this Ordinance. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Ordinance.

Section 5. Effective Date.
This ordinance shall take effect on September 1, 2022, and in accordance with law upon publication of notices as provided in the Ithaca City Charter.