



- Introduction
- 2021 Progress
- FY22 Budget Summary
- Housing Update
- Feedback
- Sustainability Update
- Community Highlights
- Feedback

### **Community Engagement**

This evening's BPC Open Community Meeting builds on years of continued public engagement

#### **South Battery Park City Resiliency Project**

- COMING UP: Project Update to Manhattan CB1 (March 21, 2022)
- Project Update to Manhattan CB1 (April 2021)
- Project Update to Manhattan CB1 (February 2021)
- Project Update to Manhattan CB1 (June 2020)
- January 15, 2020 Public Meeting
- October 3, 2019 Presentation to CB1 Environ. Protection Committee
- June 24, 2019 Public Meeting
- April 15, 2019 Public Meeting / Design Discussion
- March 12, 2019 Public Meeting
- November 1, 2018 Public Meeting

#### **BPC Ball Fields Resiliency**

- BPC Ball Fields Decorative Elements Review w/CB1, May 18, 2020
- September 26, 2019 Public Meeting
- July 25, 2019 Public Meeting
- March 21, 2019 Public Meeting
- November 19, 2019 Public Meeting

#### North / West Battery Park City Resiliency Project

- December 16, 2021 Public Meeting w/breakout rooms
- November 13, 2021 "Walkshop" (by popular demand!)
- October 28 & November 4 "Walkshops"
- August 4, 2021 public meeting

#### **North BPC Resiliency Project**

- July 23, 2020 Public Meeting
- February 27, 2020 Public Meeting
- October 1, 2019 Public Meeting

#### **Overall/General Resiliency**

- Assembly Member Niou 2022 Legislative & Budgetary: Environmental Protection / Resiliency Panel Presentation
- Lower Manhattan Coastal Resiliency (LMCR) Quarterly Update January 24, 2022
- Update to Manhattan CB1 Executive Committee August 17, 2021
- LMCR Quarterly Update June 21, 2022
- LMCR Update: Battery Coastal Resilience March 24, 2021
- Assembly Member Niou 2021 Legislative & Budgetary Town Hall: Resiliency Panel Presentation
- Assembly Member Niou 2020 Legislative & Budgetary Town Hall: Resiliency Panel Presentation
- Assembly Member Niou Town Hall Feb 2019: Resiliency & Environmental Protection Panel
- BPC Resiliency Assessment Overview March 2017

#### ReadyBPC

- November 29, 2021 ReadyBPC: Winter Storm Preparedness
- June 29, 2021 Introduction to ReadyBPC

#### Manhattan Community Board 1 – Battery Park City Committee

 BPCA makes regular reports to BPC Committee, which usually meets on the first Wednesday of every month (except August)

#### **NYPD First Precinct Community Council**

 Meets monthly via Zoom or at 1<sup>st</sup> Pct. Stationhouse @ 16 Ericsson Place; final Thursday of each month



- Provide information about budget, ground leases, and sustainability
- General update on our programs and upcoming community meetings
- Hear your feedback, concerns, and ideas
  - Note: Please write these in the chat. If we can't address in the meeting we will take your question and get back to you!

### **Key Takeaways**

- We are balancing the maintenance of a world-class neighborhood with our obligation to provide significant funding to the City for important public services.
- We are working to expand affordability and certainty with the tools we have (namely ground rent), as evidenced by past agreements to eliminate rent resets for condos, and the recent extension of affordable housing at Tribeca Pointe.
- We agree with condo owners that there should be an alternative to the rent reset formulas in the leases – but it must be a fiscally responsible one – and we are working on developing a framework to help those with a demonstrated need.
- We are leading the way in adapting to a changing climate through implementation of our sustainability plan, zero waste efforts, and facilitating assistance for buildings to meet LL97 requirements.
- We are providing free dynamic and diverse programming for all ages throughout the year.
- Don't wait for a community meeting to engage with us! Visit our website
   (bpca.ny.gov) to stay up to date (especially with our resiliency projects!) and email us at info.bpc@bpca.ny.gov with any questions or ideas.



### Strategic Plan

#### **An Inclusive Community**



- 1.1 Expand housing affordability and certainty
- 1.2 Promote businesses that are diverse, create social benefit and provide affordable services to meet the needs of our community
- 1.3 Make our streetscape and public spaces accessible and enjoyable to a wide range of users

#### A Safe and Climate Resilient Place



- 2.1 Adapt our built environment and natural systems to a changing climate
- 2.2 Develop and implement a strategy to achieve a carbon neutral BPC
- 2.3 Support and augment the safety and security services within BPC
- 2.4 Protect, preserve, and upgrade our infrastructure

#### **Vibrant Public Space**



- 3.1 Provide dynamic and diverse programs and events that welcome and bring together a wide range of park users.
- 3.2 Amplify and steward our world-class public spaces through forward-thinking design, quality and craftsmanship.
- 3.3 Remain fertile ground and an international destination for world-class public art and culture.

#### Leadership for the Future



- 4.1 Mobilize our organization to improve the delivery of services and efficiently accomplish our projects.
- 4.2 Embrace diversity by promoting access to contracting opportunities
- 4.3 Integrate climate resilience and sustainability into our policies and operations.
- 4.4 Strengthen collaboration with partners, residents, and stakeholders to promote innovation and clarity in governance practices
- 4.5 Lead by example as stewards of public resources.

### 2021 Highlights

- Preservation of Affordable Units at Tribeca Pointe
- North/West Resiliency Project:
  - Retained Consulting Engineer
  - Conducted two public meetings and three "Walkshops"
  - Formulated Project Definition
- Ball Field Terrace Waterproofing/Restoration Substantial Completion
- Advancement of Sustainability Plan, Green Guidelines, and Implementation Plan
- Zero Waste Certification for Parks Operations Facility
- Poetry Path with Poets House
- Rockefeller, Kowsky, Teardrop, and P.S. 89 Playground Restoration
- West Thames Bridge and Lawn, Community Gardens, and B-Ball Court Restoration
- Collected 915 blood donations since our first blood drive June 8, 2020
- Benches in West Thames Dog Run

### Highlights (continued)

- Ball Fields Resiliency Installation
- Wayfinding Signage
- Ready BPC Emergency Planning
- BPC Bee Hive
- Sustainability Building Inventory
- Summer and Winter Programs
- Keep it Wild! Campaign
- NYPA Tree Power Program
- Public Art Mildred Howard Installation and Public Art Videos
- Tribeca Film Festival
- Fashion Week
- 9/11 Remembrance

### 2022 Active Projects

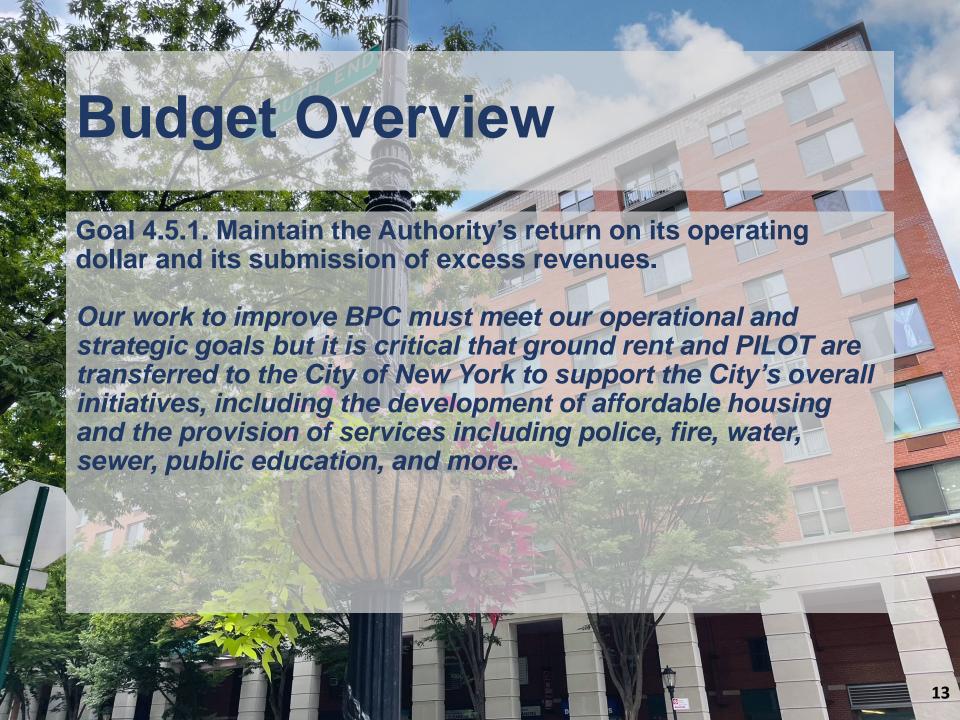
- South BPC Resiliency Construction
- North/West Resiliency Design
- Pylons and Glass Bench Restoration
- Wayfinding Bike Pavers
- Streetscape Security
- Police Memorial Expansion
- Phase Seven Pile Remediation
- Climate Action Plan
- Zero Waste Parks
- South Quay Restoration
- South End Ave Redesign



### Upcoming

- Preservation of Affordable Units
- Esplanade Metal/Railing Restoration
- Irrigation System Upgrade
- Streetlight LED Conversion (Phase 1)
- North Grid Electrical Upgrade
- Building Ground Lease Rent Reset Discussions
- Art for Justice Temporary Art Installation
- Upper Room Assessment
- Spring and Summer Programs!





### **BPCA Budget Funding**

- Battery Park City's parks and open spaces, sustainability initiatives, and vibrant free programming are funded by ground rent and PILOT.
- Funds not used for BPCA
   operations and maintenance
   are obligated to go to the City's
   general fund and City-State
   special purpose fund, primarily
   for affordable housing.



 100% of this funding would go to the City if there was not a framework in place the enabled the Authority to invest in the maintenance of the neighborhood first.

## **BPCA Funding Framework**Reminder\*

#### Collected by BPCA

**PILOT** 

Condo \$69.6M

Rental \$68.3M

Comm'l \$127.5M

**Utilized by BPCA** 

Distributed to NYC(GF)/NYS\*\*

#### **BPCA**:

Operating costs + Debt service



Joint Purpose Fund (Affordable Housing)

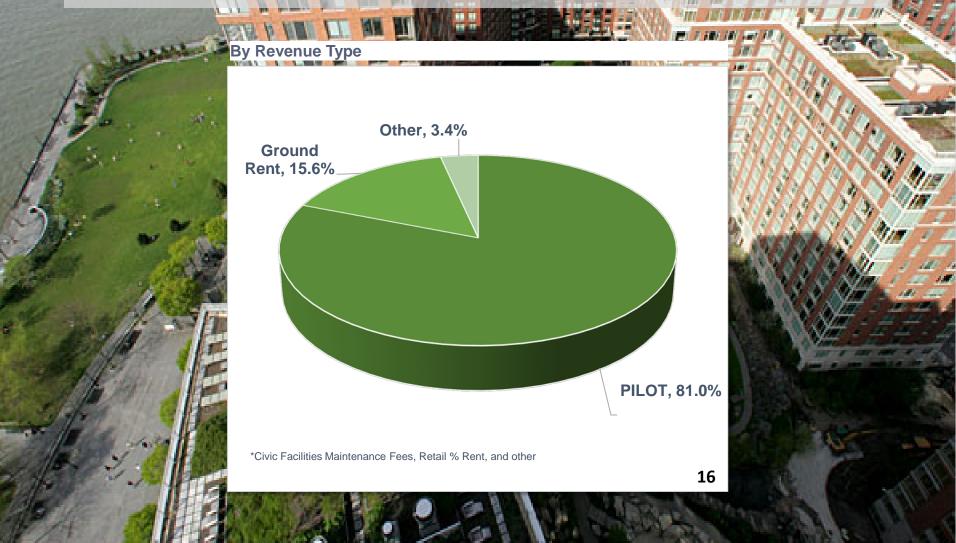
\*\*Pro rata based on % of PILOT (NYCGF) and remaining excess (JPF)

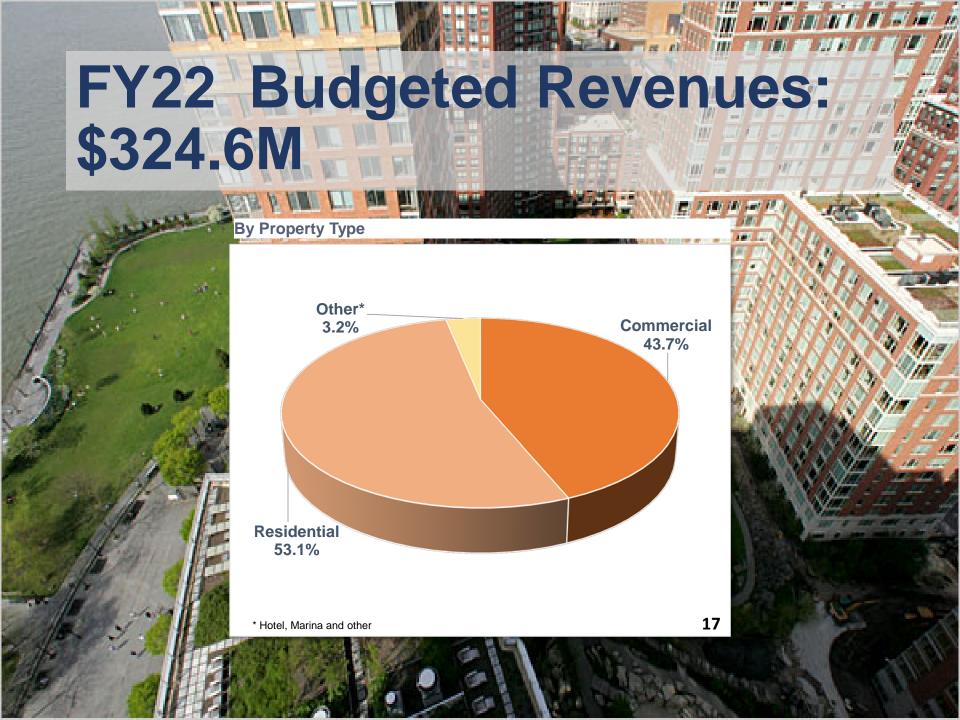
#### **Ground Rent**

Condo \$21.4M Rental \$3.6M Rental \$3.2M Comm'l \$5.4M

\*Graphic for illustrative purposes only; Revenues shown based on Actual FY 2021 collections.

## FY22 Budgeted Revenues: \$324.6M



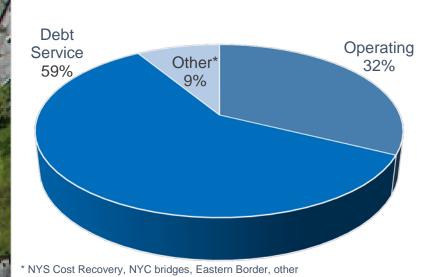


### FY22 Budgeted Expenditures: \$324.6M

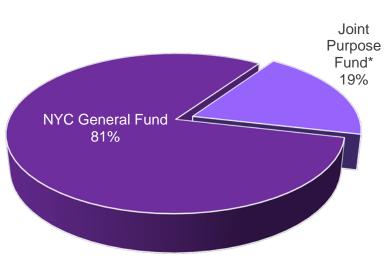
FY2022 Budgeted BPCA Expenditures: \$125.1M

FY2022 Budgeted BPCA Excess Funds: \$200.5M





62% of Total



\*\$2M to satisfy the pay-as-you-go capital fund supporting affordable housing. The excess will accumulate in accordance with the Settlement Agreement.

## 2022 Capital Projects: \$69.4M

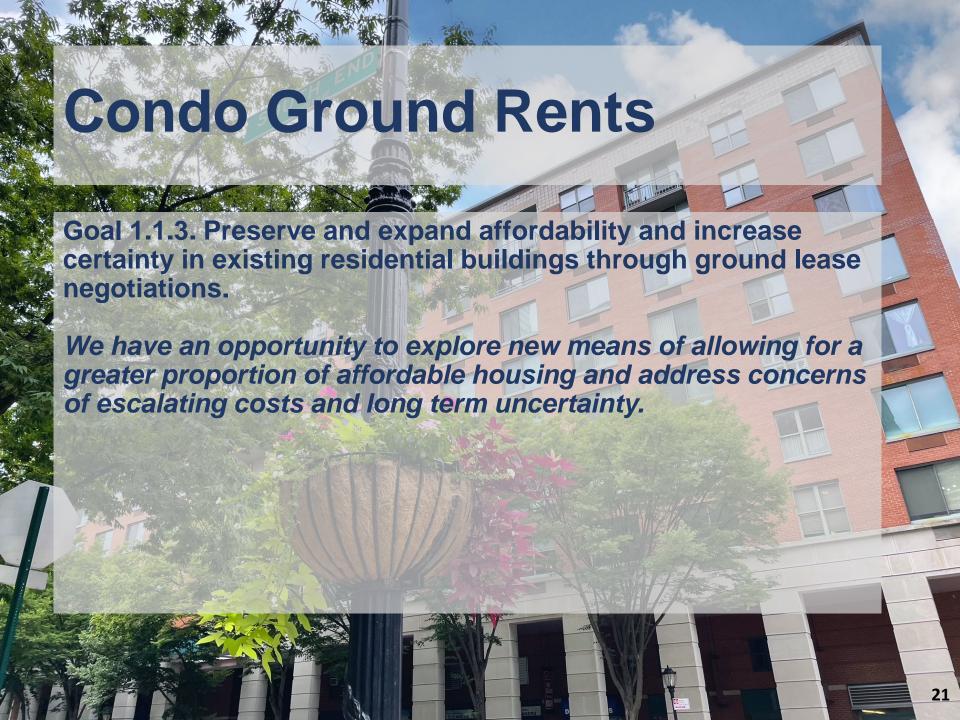
#### **Key Projects**:

- North and West Resiliency
- South Resiliency
- Ball Field Resiliency
- Pile Remediation
- Pier A Structural Repairs
- Ball Field Terrace Waterproofing
- North Grid Electrical Upgrade
- Esplanade Granite Restoration
- Police Memorial Expansion
- Streetscape Security Design and Construction
- Street Light Conversion
- South End Avenue Streetscape Design

56% of total for resiliency

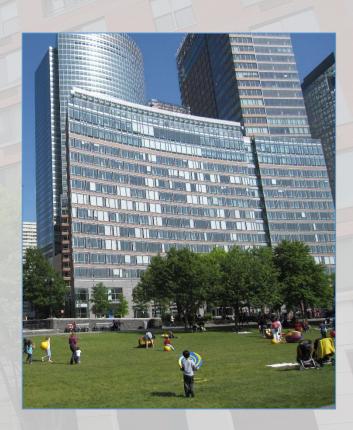
- \$19.0 million
- \$18.0 million
  - \$2.2 million
- \$4.0 million
- \$2.5 million
- \$1.5 million
- \$1.5 million
- \$1.2 million
- \$0.9 million
- \$0.8 million
- \$0.7 million
- \$0.4 million





### **Principles**

- Expanding affordability and certainty for residents is an essential goal in our strategic plan
  - Extending protections at Gateway Plaza for long-time residents
  - Preserving affordable units at Tribeca Pointe
  - Eliminating 30 years of rent resets for 12 condo buildings
- Concern for the neighborhood and the common good across the city
  - Maintain world-class amenities in Battery Park City
  - Contribute our fair share of funding to the City of NY for important public services



### **Ground Rent Explainer**

BPCA owns the land underlying all of Battery Park City. Land is leased to building owners for development and ongoing management of all buildings. Ground rent compensates BPCA for the value of the underlying land.

As a public authority, BPCA has a fiduciary duty to receive an appropriate value for its property, a public asset, while maintaining the neighborhood for residents, visitors, workers, and students.



Land | Owned by BPCA, leased by building owners.

### **Ground Rent Analysis**

 The average BPCA condo owner paid \$480 in ground rent in 2021 out of ~ \$3,270 in monthly common charges, the bulk of which is PILOT (real estate taxes set by the City of New York) and building operations and maintenance. Monthly Common Charge. Est. BPC Unit Avg.

CFM, \$60

Ground Rent \$480

Bldg. Ops & Maint. \$1,160

PILOT \$1,570

### **Ground Rent Explainer**

- All BPC condo building ground leases include periodic rent resets at some point (most after 2038) to the greater of:
  - a.) 6% of the fair market value (FMV) of the underlying land, excluding the building
  - b.) a fixed minimum base rent.

4. Section 3.01 (c) is amended to read as follows:

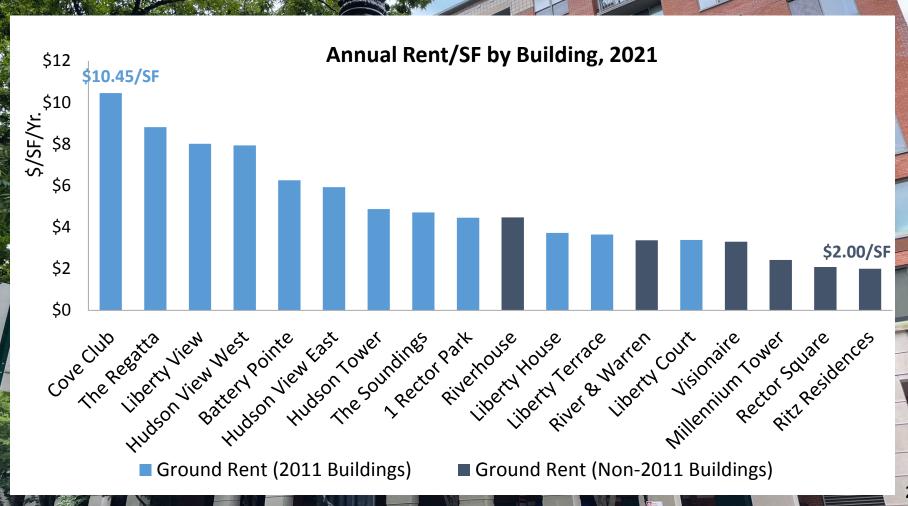
"For the purposes of calculating Base Rent pursuant to Section 3.01 (a) (iii)-(v), the fair market value of the Land shall be determined as of the first day of the month next succeeding the fiftieth anniversary of the date on which a temporary certificate of occupancy shall be issued for any portion of the Buildings and as of each subsequent fifteenth anniversary thereafter (such fiftieth anniversary being referred to herein as the "First Appraisal Date"). Such determination of fair market value shall be by appraisal in the manner in Section 3.08 hereof, unless at least twelve months prior to the First Appraisal Date or any Reappraisal Date, Landlord and Tenant shall have agreed upon such fair market value."

- Many ground leases for residential buildings in NYC contain similar resets.
- In order to replace the resets, agreement on a <u>fiscally</u> responsible alternative must be reached.

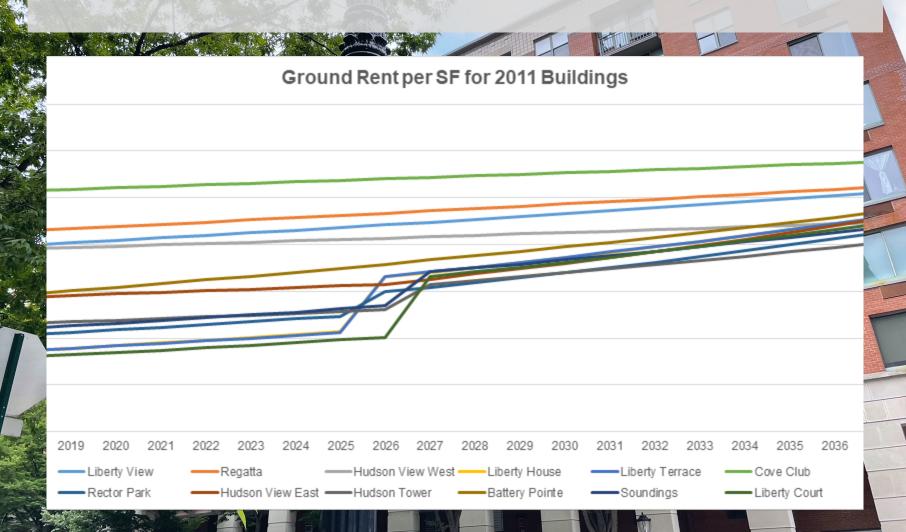
### Addressing Rent Resets

- 12 buildings participated in 2011/2012 agreements (the "2011 buildings"), in which the Authority eliminated FMV resets until 2039-2042 in exchange for fixed rent increases.
  - This lowered the contractual increases over that period by 30% - approximately \$280 million.
- Of the six condos that have come on line since then, three have resets between now and 2024. The remaining buildings do not have a reset until 2030 at the earliest.

### 2021 Ground Rent Varies



### **Ground Rents Through 2038**



# Potential Ground Rent Market Analysis

- To assist in determining what a fair market value would be, BPCA is studying the potential range of ground rents that could result from applying a "rental equivalent" approach to the condo ground leases.
- One approach analyses nearly 2,000 rental listings from BPC condo buildings and estimated operating income using typical expenses from BPC rental buildings.
- A percentage of the estimated income, consistent with market practices, is taken – between 20%-30%

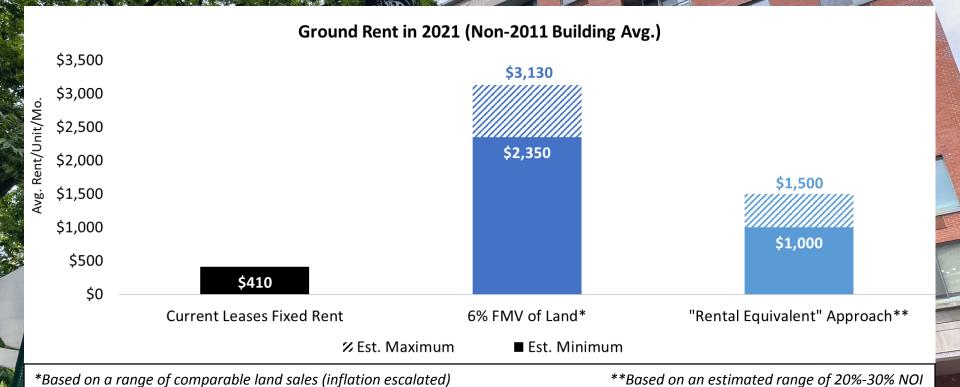
### **Ground Rent Comparison**

- Comparing current rent, market estimates, and the reset value highlights several findings:
  - 1. The 6% FMV resets in the existing leases would trigger significant increases in ground rent and common charges.
  - 2. Ground rents for the 2011 buildings will approach marketbased levels after the upcoming step-ups.
  - 3. Ground rents for non-2011 buildings remain well below market-based levels until their next reset dates and so their rent must then be increased.

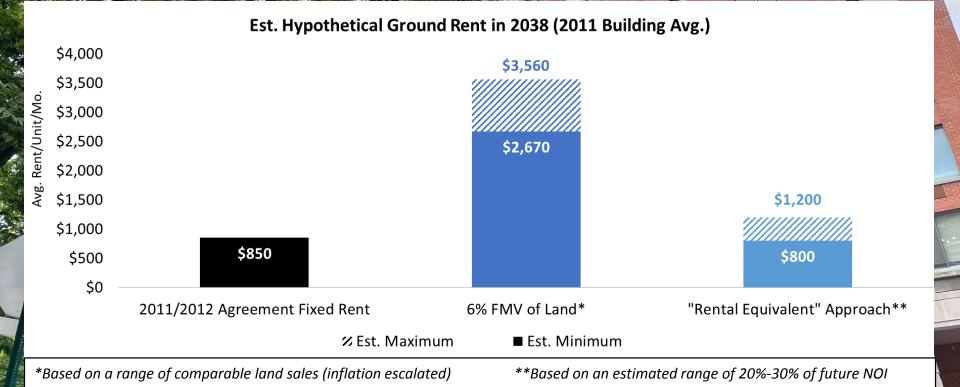




### **Ground Rent Analysis**



### **Ground Rent Analysis**



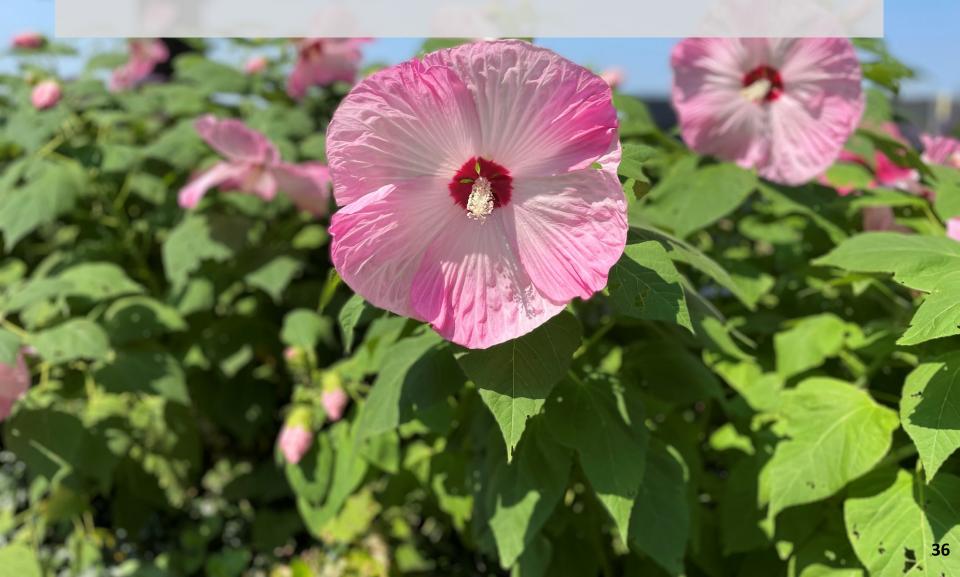
### Affordability

The Authority is exploring options through which owners would be protected from ground rent increases they can't afford. Examples might include:

- Discount on ground rent based on verified ability to pay
- Deferral of a portion of ground rent to be collected at the time of sale
- Use of transaction fees to enable lower increases on ground rent.



### **Sustainability Update**



# Sustainability

Goal 2.2.1. Develop a sustainability plan for BPC, including new sustainability guidelines.

We will accelerate our reduction in the emission of greenhouse gases and enhance our overall sustainability.

Goal 2.2.2. Accelerate neighborhood greenhouse gas reductions.

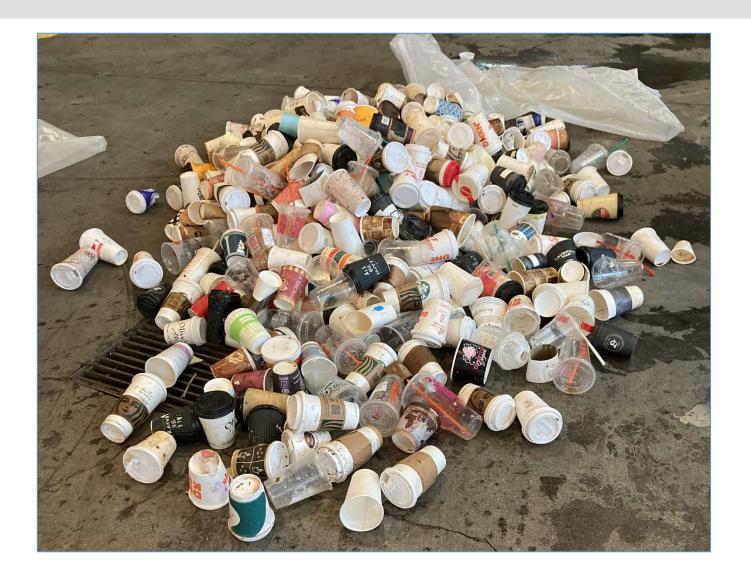
We will explore potential mechanisms to incentivize BPC's building owners to achieve carbon neutrality by 2050.

# **Commitment to Sustainability**

- Environmental responsibility is a key component of our mission. As climate change projections become more dire, we have renewed our commitment to take and facilitate effective action to enhance sustainability and reduce greenhouse gas (GHG) emissions. Broad stakeholder engagement and creative partnerships will be necessary to achieve our goals.
- We will work together with diverse user groups in the community to realize these efforts across various scales—from individual action, to actions at a single building level, to actions taking place in the neighborhood at-large. Looking beyond our neighborhood, we seek to inspire, collaborate with, and offer guidance to other urban communities, to take resolute action on environmental sustainability.

- Gold Zero Waste certification for all of Battery Park City's open spaces and operations.
- That effort underway this past year by establishing baseline data weighing and recording the trash collected in our parks and street receptacles on a daily basis and conducting waste audits of the trash collected in our parks











### DOG WASTE FUN FACTS

- Dog waste pollutes our waterways, like the Hudson River, with excess nutrients
- According to the E.P.A., two to three days of waste from 100 dogs can contribute enough bacteria, nitrogen, and phosphorous to close 20 miles of a body of water
  - Dog waste pollutes our air by releasing methane gas, which is 30 times more powerful than carbon dioxide
  - This harmful anaerobic process is accelerated
     when dog waste is tied up in plastic bags and sent to landfill



# **Zero Waste Goal**

2022 kicks off our Zero Waste Certification Year as we strive to

decrease public space and parks waste going to landfill by 90%

Community engagement, education, and participation will be vital toward achieving this goal and we ask that all those who live work and visit BPC to do their part.

- Keep an eye out for upcoming educational events and hosted by our Parks Ops team, as well as enhanced presence at Parks Programming events.
- Reducing the amount of excess items brought into our parks.
- If you have items that can be recycled we urge you to use the existing DSNY recycling cans throughout BPC currently
- We will be increasing the number of recycling receptacles located throughout our parks to help facilitate this cause.







Battery Park City Authority



# **Sustainability Building Inventory**

- Provide BPCA and building stakeholders a more detailed understanding of equipment and systems in each building
- Identify opportunities such as:
  - Facilitating programs, resources, and funding opportunities to help with projects, planning, and implementation
  - Facilitating pilot projects and sharing lessons learned
  - Facilitating bulk purchases of equipment

# **Building the Inventory**

#### Part 1: Buildings Systems Information

• Information related to building envelope, mechanical systems, control systems, and building energy use and performance.

#### Part 2: Sustainability Project Information

 Information related to additional sustainability metrics and planned projects or feasibility studies.

#### Part 3: Supplementary Information

 Information from publicly available datasets added. For example: Local Law 84 (LL84) benchmarking data Local Law 97 (LL97) compliance limits, Local Law 33 (LL33) energy grades, etc.

# Ranking of Sustainability Needs



# **Sustainability Building Inventory**

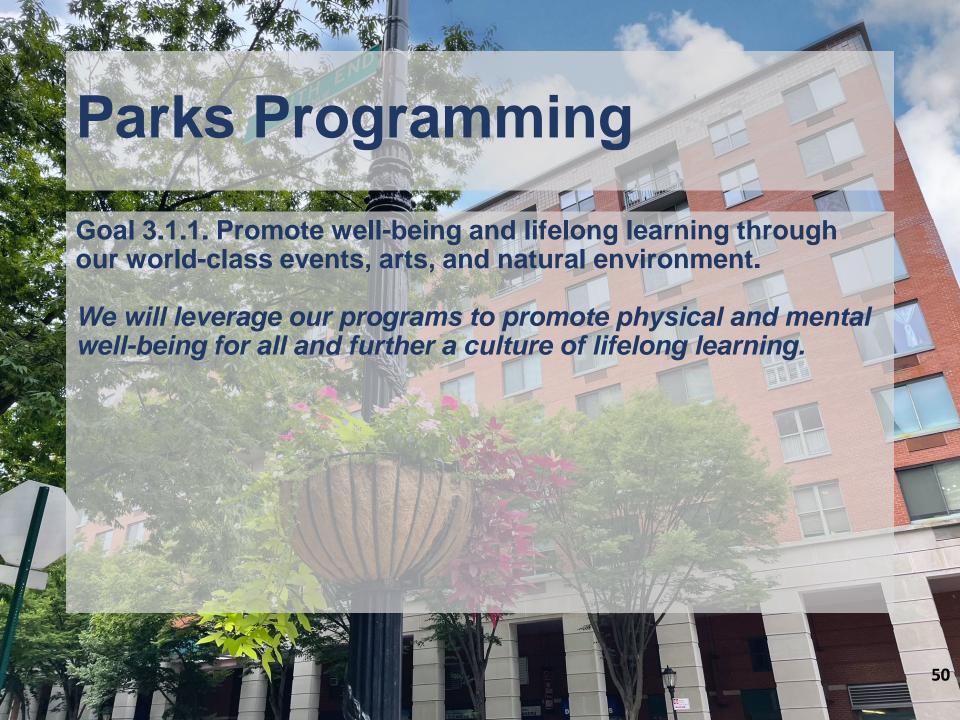
- Fall 2021: BPCA met with NYSERDA & Con Ed to identify program opportunities with Building Inventory
- November 2021: Building Inventory participants received information relating to technical assistance, funding, and program opportunities based on their submission
- February 2022: BPC Climate Action Plan utilizes the inventory information in mapping GHG reduction pathways
- Going forward: Building Inventory will inform and formalize BPCA and Building Manager engagement
- We encourage continued engagement from buildings so that we can help provide direction and support for their future capital projects and facilitate possible funding opportunities

# **Sustainability News**

HUGH L. CAREY
BATTERY PARK CITY
AUTHORITY

ABOUT PLACES EVENTS NEWS APPLY RESIDENTIAL LIFE RESILIENCY AND SUSTAINABILITY PUBLIC INFO Q





Tuesday Talks: Sound Lounge – In celebration of Black History Month, join us for an intimate singer/ songwriter showcase featuring up and coming artists from NYC.

Tuesday, February 22 7PM, 6 River Terrace

 Art Studies & Exploration – Join in a series of guided lessons for adults in interested improving their artistic experience.

Wednesdays through March 30 2PM, 6 River Terrace

- Mardi Gras Park House Float Celebrate Fat Tuesday at the transformed Rockefeller Park House. Stop by for an art project and music, and to see the "Yardi-Gras" Park House float celebrating Battery Park City's biodiversity: Tuesday, March 1, 3-4PM, Rockefeller Park House
- 70's Cinema: An Unmarried Woman In celebration of Women's History Month and part of BPCA's virtual movie series, we present the 1978 classic from director Paul Mazursky: Thursday, March 3, 7PM

Virtual Program: Registration required at: registration@bpca.ny.gov

• Behind the Scenes: Making Public Art Documentaries in Battery Park City – With filmmaker and editor Nick Buffon and director Abby Ehrlich. Featuring new documentaries on major art works from the 1980's to 2020.

Thursday, March 10, 1PM, 6 River Terrace (or virtually via Zoom)

Outdoor Ed-Ventures: Meet an Urban Naturalist – In celebration of Women's
History Month join outdoor educators for a women-led nature walk through
Rockefeller Park: Saturday, March 12, 11am
Meet at The Real World in Rockefeller Park

• Thursday Art Talks – Presented by art historian Silvia Laudien-Meo 1pm, 6 River Terrace (or virtually via Zoom)

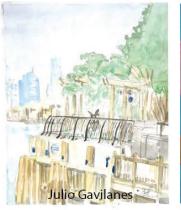
March 24: Salvador Dali in America

March 31: Daniel Chester French and the U.S. Customs House

- Adult Fitness Programs at 6 River Terrace:
  - Senior Group Exercise Mondays, 10:30AM
  - Adult Zumba Tuesdays, 10:30AM
  - Tai Chi Fridays, 8:30AM
- Family Workshop: S.T.E.A.M. Dream Join as at the basketball courts for an open-air science fair featuring an interactive workshop and a live DJ!
   Saturday, April 2
   11AM, Rockefeller Park
- Nature in Poetry In celebration of Poetry Month join a poet/ professor for a thoughtful tour of how BPC's green spaces reflect a lyrical experience.
   Saturday, April 30
   2PM, Meets at the Rockefeller Park House

















# **Upcoming Community Meetings & Events**

#### **Manhattan Community Board 1**

- CB1 Monthly Meeting: Tuesday, February 22 @ 6PM **Location: Live Remote Meetings – https://live.mcb1.nyc**
- **BPC Committee Meeting: Monday, March 7 @ 6PM** Location: Live Remote Meetings – https://live.mcb1.nyc
- **Environmental Protection Meeting: Monday, March 21 @ 6PM** Location: Live Remote Meetings – https://live.mcb1.nyc
- More info: www1.nyc.gov/site/manhattancb1/index.page

#### NYPD 1st Precinct Community Council

- Thursday, February 24 @ 6PM via Zoom
- More info: www.1stprecinctcc.org

#### **BPCA Board Meetings – Monthy Virtual Meetings @ 2PM**

- Wednesday, February 23 Wednesday, June 29
- Wednesday, October 26

- Wednesday, March 30
- Wednesday, July 27
- Wednesday, November 30

- Wednesday, April 27
- Wednesday, August 31
- Wednesday, December 21

- Wednesday, May 25
- Wednesday, Sept. 28

All meetings webcast live at:

https://bpca.divacommunications.com/bpca-live/

# **Upcoming Community Meetings & Events (cont.)**

- New York State Celebrates Dr. Martin Luther King, Jr.
  - Dr. King Statewide Food Drive (ongoing)
  - Dr. King Statewide Book Drive (through April 22)

More info: empirestateplaza.ny.gov/nyking

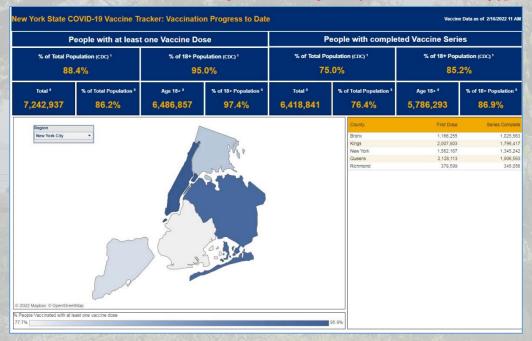
- Student Art & Essay Exhibition
   View the exhibit: <a href="https://bit.ly/3sKLyzs">https://bit.ly/3sKLyzs</a>
- Contact: (518) 474-4759 or mlk@ogs.ny.gov

# **COVID** Response

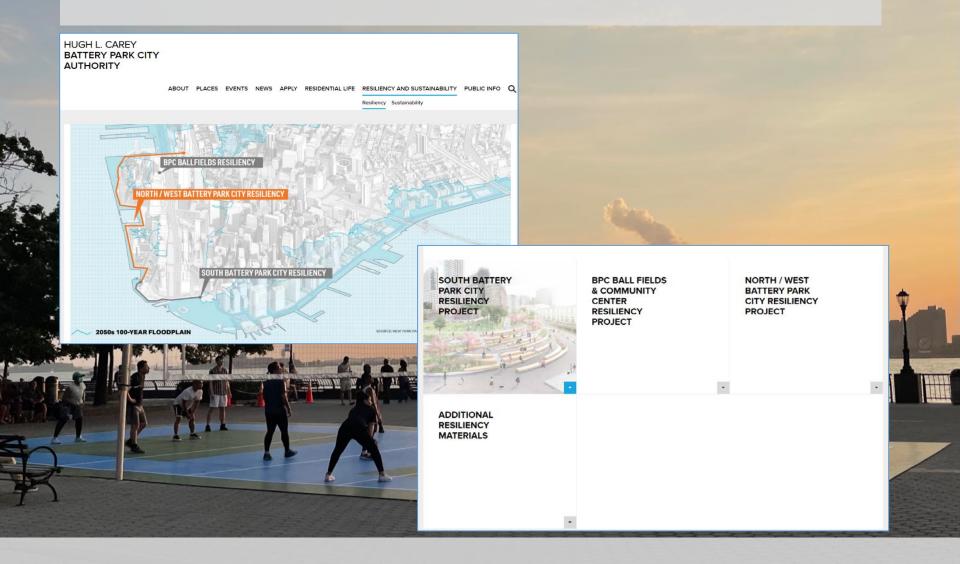
- Find a COVID vaccine provider near you: www.vaccines.gov/search/
- Find a COVID Testing Location near you: <u>on.nyc.gov/34FYZIs</u>

Enter address or ZIP Code to get testing locations near you

[NOTE: Most sites closed on Monday, February 21 (Presidents Day)]



# Resiliency News



# **Feedback**

Contact us:

Info.bpc@bpca.ny.gov

Twitter: @bpca\_ny

Instagram: bpcparks

Facebook: @batteryparkcityparks

