

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON TRANSPORTATION

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December 5, 2012
Start: 1:06 p.m.
Recess: 2:25 p.m.

HELD AT: 250 Broadway
Committee Room, 14th Floor

B E F O R E:
JAMES VACCA
Chairperson

COUNCIL MEMBERS:
Peter Koo
James G. Van Bramer
Charles Barron
G. Oliver Koppell
Jessica S. Lappin
Daniel R. Garodnick
Deborah Rose
Vincent J. Gentile
Eric Ulrich
Ydanis Rodriguez
David Greenfield

A P P E A R A N C E S (CONTINUED)

Kate Slevin
Assistant Commissioner, Intergovernmental Affairs
New York City Department of Transportation

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2 CHAIRPERSON VACCA: We've now been
3 joined by Council Member Mealy, a Committee
4 member, who has a short statement.

5 CHAIRPERSON VACCA: Okay. Can I
6 have your attention, please? It is now 10 after 1
7 on December 5th. I'd like to welcome everyone to
8 the Transportation Committee meeting.

9 COUNCIL MEMBER MEALY: I want to
10 thank our chair, Jimmy Vacca, and all my
11 colleagues and I know that this legislation is
12 very important--

13 CHAIRPERSON VACCA: I'm James
14 Vacca, chair of the New York City Council
15 Transportation Committee.

16 COUNCIL MEMBER MEALY: --to our
17 constituents and I'm looking forward to be a
18 strong advocate to make sure that--

19 CHAIRPERSON VACCA: And today we're
20 going to hear testimony on three bills aimed at
21 improving parking in the city.

22 COUNCIL MEMBER MEALY: --this
23 legislation passes, that we can help our
24 constituents in this time of need. Thank you.

25 CHAIRPERSON VACCA: First we will

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hear testimony--

CHAIRPERSON VACCA: Thank you,
Council Member Mealy, this hearing is now
adjourned.

CHAIRPERSON VACCA: --related to
Intro 826 which seeks to clear up an ambiguity
regarding muni-meters.

During the days of standalone
meters, driveways on commercial corridors were
never metered and it was understood that owners
and occupants of those one and two family homes
could parallel park on the curb, blocking the
driveway, and that they would not be ticketed. It
was easy to see because the standalone meters
indicated to traffic enforcement agents where they
should write tickets. There was no meter, no
signs saying no parking, no fire hydrant, no bus
stop, and, therefore, no ticket. But now that
muni-meters blanket the entire block, driveways on
commercial strips have effectively been
interpreted as metered spaces.

The need for this bill arose from
hearing complaints from my own constituents who
were being ticketed in their personal driveways on

1 East Tremont Avenue in my district. This bill is
2 the easiest possible solution to their problem.
3 It reestablishes the rights of drivers to park in
4 their own driveways without receiving a ticket and
5 it does not require DOT to spend time and money
6 putting up costly signs at every driveway on a
7 commercial street. It's a simple bill and, quite
8 frankly, it should be a no-brainer.

10 We will also hear testimony on
11 Intro 762, sponsored by Council Member Charles
12 Barron, which would establish a five-minute grace
13 period for drivers waiting curbside to pick up or
14 drop off their children at schools.

15 Lastly, Intro 527, sponsored by
16 Council Member Jimmy Van Bramer, would require the
17 Department of Transportation to give three day's
18 notice before changing parking regulations.

19 I will ask each of my colleagues to
20 explain their legislation further in-depth, but
21 before we move on, let me introduce the members of
22 the committee that are here today who have joined
23 us this afternoon. To my left, I have Council
24 Member Peter Koo, and to my right, I have Council
25 Member Jimmy Van Bramer. Let me first ask Council

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2 Member Van Bramer for some opening remarks.

3 COUNCIL MEMBER VAN BRAMER: Thank
4 you very much, Chair Vacca, for all of your work
5 and for working with us to introduce this piece of
6 legislation, which for me and my constituents is a
7 common sense approach to preventing unnecessary
8 parking tickets and confusion for those who may
9 not be aware of changes in parking regulations,
10 requiring 72-hour notices before changes take
11 place could be very helpful in avoiding an
12 instance which took place a couple of years ago on
13 49th Avenue in Long Island City, a portion of my
14 district. The community had been advocating for a
15 two-way to become a one-way street and we were
16 very pleased that DOT ultimately agreed and made
17 it a one-way street, but the problem is that
18 people parked their cars in the morning going both
19 east and west, in the middle of the day, the signs
20 were changed and the street was made a one-way
21 street. The people who left their cars parked in
22 the correct manner in the morning returned from
23 work to find that the part of the street that was
24 now going the wrong way had tickets on it, every
25 single car had been ticketed for parking in the

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2 wrong direction, even though when they left to
3 work in the morning they were parked in the right
4 direction. That could have been avoided if there
5 was sufficient notice and notice was given in a
6 way that made it very clear to people that that
7 was going to happen at that particular time.

8 Needless to say, we did work very
9 closely with DOT to make sure all of those tickets
10 were excused, and we thank Maura McCarthy in
11 Queens for her work with us on that issue, but we
12 can avoid that. As terrific as Commissioner
13 McCarthy is in Queens, and we work very closely
14 together, this to me seems like a real common
15 sense approach to helping our neighbors navigate
16 their way through parking regulation changes.

17 So I look forward to DOT's comments
18 and I thank you, again, Chair Vacca, for allowing
19 us to discuss this very important issue today.

20 CHAIRPERSON VACCA: I thank you,
21 Council Member Van Bramer, for your patience and
22 your legislation. I can attest to the veracity of
23 what you have said, it's happened in my district
24 too.

25 I now want to introduce Councilman

1
2 Charles Barron, who is the sponsor of the second
3 piece of legislation for several opening words.

4 Before I do, let me mention we've
5 been joined by Council Member Oliver Koppell,
6 Council Member Jessica Lappin, Council Member Dan
7 Garodnick. Council Member Barron.

8 [Pause]

9 COUNCIL MEMBER BARRON: Thank you
10 very much, Chair Vacca. Thank you for holding a
11 hearing on this very, very important bill. We've
12 got a lot of complaints to our office and I just
13 want to add for the record that my legislative
14 director is here, Ms. Monique Ndigo Washington,
15 and my chief of staff is here, Ms. Joy Simmons.
16 And they've been fielding a lot of the complaints
17 from parents who drop off their children to either
18 a daycare center or a school and jump out of the
19 car and then five minutes that it took them to
20 just go in and come back out, there's a ticket on
21 their car for double parking or parking
22 inappropriately just for dropping off their
23 children. So what this bill will provide a grace
24 period of five minutes for parents to be able to
25 drop off their children in a daycare center or at

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a public school without having a ticket.

These tickets are very painful for the pockets of struggling working class parents in our neighborhoods, while it doesn't add that much revenue for the City that we would want to harass them with that. So if I can read this statement just for the record, and I might add that I did get a fax or e-mail from Reverend Herbert Daughtry, who's very, very supportive of this bill, he is the pastor of the House of the Lord Church and one of the world-renowned, nationally-renowned ministers in our community. Rev. Dr. Herbert Daughtry from the House of the Lord Church in Brooklyn sent us a very short e-mail saying your five-minute grace bill is a great idea, it shows your deep concern for people who are experiencing hardship or injustice in one form or the other. I hope this bill passes. You have my support. So I want to thank Rev. Herbert Daughtry for that.

Good afternoon, Chair Vacca,
Committee members, and those assembled here today.
First, let me take this opportunity to thank Chair Vacca for granting a hearing on one of my bills.

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2 I introduced Intro 762 earlier this year, I
3 received numerous complaints from my constituents
4 at my office and while walking through my
5 district. Parents voiced their concerns about
6 receiving tickets for double parking while they
7 dropped their children off at school or at daycare
8 centers. After hearing their complaints, I
9 realized this is happening to my constituents,
10 this must be happening in other districts as well,
11 I believe, in this city. Council Members, we must
12 do something to address this problem.

13 My staff and I went to work and
14 devised this legislation, which is known as Intro
15 762, the Five-Minute Grace Period Permissible
16 Standing bill. This bill will allow parents and
17 guardians to park their vehicles for five minutes
18 while they drop their children off at schools and
19 daycare centers without fear of being penalized.
20 Our parents and families are stressed enough
21 worrying about paying rent, bills, and food, and
22 providing for their families. They should not
23 have to be burdened with another attempt by the
24 City to collect revenue while they are parking and
25 fulfilling their responsibilities as parents to

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2 get their children to school, which is what
3 society expects.

4 Therefore, the Mayor and the City
5 Council Members should support them and offer at
6 least five minutes for them to park without
7 getting a ticket. This action will not
8 inconvenience DOT in any way and will be much
9 appreciated by New York City residents.

10 I look forward to this hearing and
11 hearing from the Department of Transportation and
12 those--my colleagues and others who support this
13 bill. Thank you very much, Mr. Chair.

14 CHAIRPERSON VACCA: Thank you,
15 Councilman Barron. I would like to note that
16 we've been joined by Council Member Debbie Rose.

17 And I'd now like to call on Deputy
18 Commissioner Kate Slevin to take the stand. And
19 we will now hear from the Deputy Commissioner Kate
20 Slevin, New York City Department of
21 Transportation, welcome.

22 [Pause]

23 COUNCIL MEMBER BARRON: Pardon me,
24 Mr. Chair, I'm sorry--

25 CHAIRPERSON VACCA: Yes.

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2 COUNCIL MEMBER BARRON: --I just
3 left out one thing. Many parents would have been
4 here to testify, but the reason they drop their
5 children off is so they can go to work, so a lot
6 of them did have to go to work this morning and
7 couldn't come to testify.

8 CHAIRPERSON VACCA: You mean that
9 they would have had to have left their car in the
10 same spot for more than five minutes?

11 COUNCIL MEMBER BARRON: Exactly.

12 CHAIRPERSON VACCA: Okay.

13 COUNCIL MEMBER BARRON: Thank you.

14 CHAIRPERSON VACCA: I got you,
15 Charles. Okay, Commissioner Levin.

16 KATE SLEVIN: Good afternoon,
17 Chairman Vacca and members of the Transportation
18 Committee. My name is Kate Slevin and I am the
19 Assistant Commissioner, but thank you for the
20 promotion, Council Member, for Intergovernmental
21 Affairs at the New York City Department of
22 Transportation. Thank you for inviting me here to
23 testify on three bills related to parking
24 regulations and signage notification.

25 Intro 762 would amend the

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2 Administrative Code as it relates to permissible
3 standing near schools and childcare daycare
4 centers. As we all know, children are among the
5 city's most vulnerable pedestrians and the
6 department has taken several aggressive steps over
7 the last few years to help protect them. These
8 include our Safe Routes for Schools initiative in
9 which we study and make physical improvements to
10 the streets at schools ranked by crash history.
11 Short-term improvements, such as new traffic and
12 pedestrian signals, exclusive pedestrian crossing
13 time, and high visibility crosswalks, were
14 complete at all 135 of the first round of schools
15 in 2007. To date, capital improvements, such as
16 curb extensions, have been completed at 35 of
17 those schools. We have initiated studies on the
18 next round of 135 schools and will move forward
19 with improvements at those schools on completion
20 of the studies. By strategically investing where
21 crash data pinpoints the highest level of need, we
22 were able to make the best use of scarce capital
23 dollars.

24 In concert with these physical
25 improvements at schools, we developed a program of

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2 20 mile per hour slow zones at schools to slow
3 traffic and protect children. About 150 zones
4 have been installed to-date with a target of
5 adding 125 more by the end of the year.

6 From a traffic perspective, the
7 periods of school arrival and dismissal
8 concentrate a great deal of vehicular activity
9 into very small spaces and periods of time.
10 Vehicles compete for access to curb space and
11 sometimes double and even triple park. The
12 situation can cause traffic congestion and
13 restrict visibility, which could increase the
14 likelihood of a dart-out crash. To improve drop
15 off and pick up access, reduce congestion, and
16 improve visibility, DOT installs no standing
17 regulations by school entrances and exits so that
18 vehicles may expeditiously pick up and drop off
19 students, but not create the hazards associated
20 with parked cars. Intro 762 would reverse this
21 protection and decrease traffic safety around
22 schools.

23 While we appreciate the Council's
24 desire to make it easier to pick up and drop off
25 students, we cannot support achieving that goal by

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2 putting at risk the lives and well-being of New
3 York City's children.

4 Intro 762 would also interfere with
5 the operations of mandatory busing services.
6 Buses, particularly those that transport disabled
7 children, must be allowed to load and discharge
8 students as close to the school as possible. The
9 process is typically aided by the establishment of
10 no standing zones. Allowing vehicles to stop and
11 sit zones for five minutes would impact the
12 ability of buses to function effectively and
13 safely, as well as harming the overall function of
14 the local street.

15 Finally, as written, Intro 762
16 would effectively legalize all parking, stopping,
17 and standing violations as long as they were
18 committed on a block face featuring a school or
19 daycare center, with the exception of the two
20 prescribed conditions. Of course, we do not
21 believe that this is the intent of the Council,
22 but, nevertheless, it would be the effect of the
23 bill as proposed.

24 In addition to these language
25 issues, the New York City Police Department has

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2 several enforcement concerns, including the
3 impracticability of having an officer or agent
4 wait for five minutes in one location to observe
5 whether a vehicle remains or moves on. Along with
6 the NYPD, we'd be happy to have further
7 discussions with the Council about traffic flow
8 and safety around schools and childcare daycare
9 centers, but I want to make clear that we cannot
10 support the concept of allowing vehicles to
11 violate parking restrictions with a five-minute
12 grace period. Accordingly, we cannot support the
13 bill at this time.

14 As for Intro 824, which relates to
15 permissible parking in front of driveways, it is
16 unclear what issue the bill attempts to address.
17 As currently written, the bill would effectively
18 eliminate all rules governing parking, stopping,
19 or standing for the purposes of this section of
20 the Administrative Code. Particularly troubling,
21 the bill deletes reference to local laws, rules,
22 or regulations concerning parking and only leaves
23 references to the New York State Vehicle and
24 Traffic Safety Law. Section 1642 of the VTL
25 provides that cities with a population in excess

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2 of a million may set their own parking
3 regulations, including by local law, rule, or
4 regulation. Such provisions supersede the VTL
5 with respect to, among other things, parking,
6 standing, and stopping of vehicles.

7 Therefore, the City of New York's
8 extensive parking regulations as set forth in
9 Section 408 of the traffic rules supersede the
10 relevant provisions of the VTL. The bill's
11 removal of the reference to local laws, rules, and
12 regulations would mean, for example, that a
13 vehicle could park at a fire hydrant, block
14 traffic, be unrestricted, and uninspected, or
15 violate any other traffic rule except for
16 alternative side parking or impeding bike lanes as
17 long as the vehicle is in front of a driveway.

18 Further, please note that the NYPD
19 personnel issues summonses pursuant to the traffic
20 rules and not the VTL, so if this bill were
21 enacted, the City would have virtually no ability
22 to issue parking violations with regard to parking
23 in driveways.

24 We will be happy to discuss the
25 issue further with the Council, but the remedy to

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2 any particular concern must remain limited to
3 specific violations and not provide blanket
4 forgiveness for other potentially dangerous
5 violations committed at the same time.

6 The final bill that I would like to
7 comment on today is Intro 527, which would require
8 DOT to post notice of permanent street sign
9 changes that effect parking. A version of this
10 bill was heard by the Council's Transportation
11 Committee in June of 2009, and at that time, the
12 department testified in strong opposition to the
13 proposal due to its massive cost and impact on the
14 efficiency of our sign program. DOT maintains
15 over 1.3 million signs, approximately 20% of which
16 are designated parking restrictions. We complete
17 all non-priority regulatory sign orders within 90
18 days, which afford us the flexibility to complete
19 work as efficiently as possible. When a permanent
20 change to an existing regulation occurs, crews
21 visit the location once to replace signage. Under
22 Intro 527, staff would be required to go out once,
23 twice--or go out twice, sorry, once to post
24 notice, then again to change the signage. This
25 would essentially double their workload and,

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2 without question, result in significantly
3 increased costs with the need for additional staff
4 or overtime outlays.

5 We prioritize work based on needs
6 and staffing levels and often changes are bundled
7 with other work being done in the area. If this
8 bill were enacted, we would have adhere to a rigid
9 schedule, returning exactly 72 hours following the
10 posting of notice. Should weather, staffing
11 levels, or an emergency delay our crews beyond
12 this period, we would need to return to the
13 location, post new notice, and then for the third
14 time, return 72 hours later. Obviously, such a
15 requirement would create considerable
16 inefficiencies.

17 Following the hearing on the
18 original 2009 proposal, the Administration worked
19 closely with the Council to negotiate a compromise
20 bill that we think has worked well. Local Law 78
21 of 2009 requires in part that DOT post notice
22 following any permanent change in parking
23 regulations and establishes an affirmative defense
24 by a driver who receives a parking violation
25 within five days of posting the new notice if the

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2 vehicle had been legally parked under the former
3 parking regulation. To comply with this law while
4 maintaining efficient operations, DOT pursued an
5 innovative solution: We placed a sticker on newly
6 installed parking regulation signs to notify
7 drivers of the new regulation and the date of
8 installation. During this five-day period, local
9 NYPD officers are advised that they may use their
10 discretion when ticketing if it is reasonable to
11 believe that the vehicle had been legally parked
12 before the regulation change.

13 Of course, if they do receive a
14 ticket, motorists may utilize the affirmative
15 defense in contesting the summons. And because
16 the sticker is biodegradable and will dissolve
17 over time, DOT crews do not have to return to the
18 same location two or more times. We believe that
19 this sticker system has worked well, but would be
20 happy to discuss any concerns with the Council.

21 However, due to its enormous
22 financial cost and operational impacts, we cannot
23 support Intro 527.

24 DOT is committed to working with
25 the Council to improve traffic safety and flow,

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2 but for the reasons outlined in my testimony, we
3 cannot support the bills being heard today.

4 Thank you, Chairman Vacca and
5 members of the committee, and I am happy to answer
6 any questions you have at this time.

7 CHAIRPERSON VACCA: Thank you,
8 Commissioner Slevin, Deputy Commissioner--

9 KATE SLEVIN: Assistant.

10 CHAIRPERSON VACCA: --Assistant
11 Commissioner Slevin. We are joined by Council
12 Member Vincent Gentile to my left. Okay? Okay.
13 All right, I thank you so much and I'm going to
14 have my colleagues ask questions, but this hearing
15 is about parking and I appreciate your input and
16 the agency's input. We've been joined by Council
17 Member Eric Ulrich.

18 Commissioner, I do have to ask
19 though, since this is a parking hearing, I wanted
20 to ask about the municipal parking facility. We
21 have many municipal parking facilities in our
22 city, and a letter went out dated November 28th
23 increasing the rate that people who use municipal
24 parking facilities would have to pay. Those rates
25 were increased between 80 to 110% and your letter

1 starts off--well a letter that's signed by your
2 agency under the Commissioner's name, not her
3 signature, but the stationery has her name, it was
4 signed by a Mr. John, it says that this is to
5 notify you that effective January 1st, the City
6 Council has approved rate increases for all New
7 York City DOT municipal parking facilities. Now,
8 this City Council never approved any rate increase
9 and people received this letter in my district and
10 throughout the city giving people in my district,
11 the municipal rate that I have in my district, the
12 one lot I have went from 165 per quarter to 350.
13 I do have to say for the record, the same thing
14 happened last year and last year the letters were
15 rescinded, it was a mistake, but this is two years
16 in a row that this is a mistake 'cause I
17 understand now that this letter has been
18 rescinded, we've been promised by DOT that this
19 has been rescinded.

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21 So I have several questions, first
22 of all, the increase is absolutely astronomical.
23 This increase of 80 to 110% is an astronomical
24 increase to ask of people. But why would DOT
25 issue these letters two years in a row, both times

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2 saying that the City Council approved it when we
3 never did? And I want your assurance that what we
4 were told verbally is true, that this now will be
5 rescinded. And then I want to know are there
6 plans to have this type of an increase in the
7 future?

8 KATE SLEVIN: Well the letters were
9 sent out in error and we have rescinded them, as
10 you have indicated. I actually have a copy of the
11 letter that went out today indicating the error
12 and saying that the rates will not go up in
13 January. I'm happy to share that with you after
14 the hearing if you'd like.

15 In terms of we have put forward
16 some plans to increase rates across the city. The
17 increases were decided upon based on market rates
18 and rates and lots nearby. We're setting them to
19 on the low end of the market rate, so we do have
20 plans to move forward with those.

21 But, you know, today we're here to
22 talk about these three bills and I'm happy to
23 address any concerns you have with these three
24 bills. If you'd like to set up a time after this
25 hearing to get in more detail about our proposals

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for the municipal lots, I'm more than happy to do so.

CHAIRPERSON VACCA: I think next time I need DOT to communicate with this Council before they say the Council approved something we never approved.

KATE SLEVIN: Well I'm--

CHAIRPERSON VACCA: [Interposing] I resent the two years in a row it has stated that this Council approved a rate increase like this and both times we never approved it. One time, it's a mistake; two times, I have to think that somebody had to know that we never approved it, or somebody doesn't know what they should know.

KATE SLEVIN: That's correct--

CHAIRPERSON VACCA: [Interposing] This is a process issue, but it's also a question of defending this body. I'm not going to have people on this Council--and I'm chair of the Transportation Committee--I'm not going to have my fellow members on the hook for something like this that we never knew about and never approved.

KATE SLEVIN: That's correct and you don't actually have to approve increase in

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2 parking lot rates or municipal lot rates. So as I
3 said, we did offer a briefing to the Council in
4 November on this through the Speaker's office, I
5 personally was actually in communication with the
6 Speaker's office and Council of Finance. That
7 offer still stands if your would like to have a
8 briefing about our proposal, we're more than happy
9 to sit down with you and go over it in more
10 detail.

11 CHAIRPERSON VACCA: No, we'd like
12 to have not a briefing, we'd like to be brought in
13 as a partner, I think. I think that this
14 committee and this Council should be brought in
15 for consultation, especially before an increase
16 like this goes in. I don't appreciate agencies
17 telling me what they're going to do after they've
18 decided what to do. This increase is going to
19 effect the lives of many people who can barely
20 make ends meet today. It's going to affect many
21 businesses, many working class people in this
22 city. Where the money is going to, I'd like to
23 know. Why this rate increase. Now you say it's
24 not going to happen January 1st, however, I have a
25 constituent who called and said, yes, the letter

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2 is being rescinded, it's not going in January 1st,
3 he was told it's going in March 1st, the DOT has
4 determined that it's going in March 1st. So is
5 that true, is DOT determining now March 1st, but
6 you're rescinding the January 1st letter?

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KATE SLEVIN: We do have plans to
move forward with this proposal in early next
year. Yeah, in February, I think, is actually our
intent.

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CHAIRPERSON VACCA: At this level
of increases between 80 to 110%.

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KATE SLEVIN: I can get you in more
detail the actual increases, they vary across the
city per lot and parking field. But, you know, as
I said, it sounds like we should sit down after
this hearing and go over these proposals in more
detail.

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CHAIRPERSON VACCA: I'd just like
to know how this was arrived at. What do people
do who have cars in this city?

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KATE SLEVIN: Well luckily for us--
CHAIRPERSON VACCA: [Interposing]
What do they do?

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KATE SLEVIN: --we have a wonderful

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2 transportation system and less than 50% of the
3 households in New York City own cars, so there's a
4 lot of other options that people use to get around
5 town.

6 CHAIRPERSON VACCA: Some people--

7 KATE SLEVIN: But--

8 CHAIRPERSON VACCA: --some people
9 who live in boroughs outside Manhattan do need a
10 car. I hate to break that to DOT, some people who
11 do not live in Manhattan especially need a car, we
12 don't have mass transportation options that you--

13 KATE SLEVIN: Right.

14 CHAIRPERSON VACCA: --think we have
15 or that--

16 KATE SLEVIN: Right.

17 CHAIRPERSON VACCA: --we should
18 have.

19 KATE SLEVIN: Yeah, exactly, and
20 about half the people in New York City do own
21 cars, so what we did, if I can just explain--

22 CHAIRPERSON VACCA: Commissioner--

23 KATE SLEVIN: --what we did in
24 terms of--

25 CHAIRPERSON VACCA: --in my

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district, Commissioner--

KATE SLEVIN: --setting rates.

CHAIRPERSON VACCA: --an indoor garage costs \$100 a month. These are outdoor spaces that are going to end up charging my constituents more than an indoor garage would charge.

KATE SLEVIN: Again, these are--

CHAIRPERSON VACCA: [Interposing]

And it's going to mean--

KATE SLEVIN: --these are--

CHAIRPERSON VACCA: --that the City is going to be losing--

KATE SLEVIN: --these are based on market--

CHAIRPERSON VACCA: --revenue and chasing people out.

KATE SLEVIN: --value, we looked at the rates of nearby facilities and we estimated lower end of market value rate and it sounds like we should have a discussion after this and get the consultation that you'd like to provide us with.

CHAIRPERSON VACCA: At the garage near Montefiore Hospital, not in my district, the

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2 rate is going from 295 every three months to \$500
3 every three months for people visiting--people
4 working in those hospitals--nurses, clericals,
5 paying this type of money. But I submit to you
6 more than anything else, you say the DOT can
7 implement this without the Council, I'm going to
8 look into that. But let me tell you something,
9 don't tell people the Council approved when the
10 Council never approved.

11 Commissioner Sadik-Khan wanted to
12 do it, let her sign her name to the letter. And
13 not in little print like this here, that I have to
14 take my glasses off to look, I want her name here.
15 I want her to sign a letter doubling and
16 increasing by 110% these rates. The people have a
17 right to transparency.

18 Now I'll go on to questions on the
19 legislation. Are you open to discussion regarding
20 the driveway legislation? Because it seems that
21 most of your objections are technical objections.
22 Do you feel that people should not have more
23 protection should they park in a driveway on a
24 street that is metered but the driveway space was
25 never intended to be metered? Do you feel that

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that is a consideration at DOT?

KATE SLEVIN: Well I did outline some of our legal issues with the bill. Again, it was unclear when we were coming here today exactly the intent of this bill. We are definitely willing to sit down with you and remedy the specific problem you're talking about and figure out a solution to that. But, you know, our folks, our friends at NYPD have indicated that only 0.3% of the parking violation issued, I think, in 2011, were for parking in front of the driveway, so the good news is here is that it's a relatively minor thing that we're dealing with. Maybe it's a bigger issue in your district, so we'd obviously be happy to pursue some solutions with you.

CHAIRPERSON VACCA: I never indicated or meant to indicate that this is a major problem facing our city. I did mean to indicate that this is an issue that needs clarification. We as Councilpeople bring to DOT what is going on in our own districts. Council Member Van Bramer, Council Member Barron, and myself, we are bringing to you what we hear from the people we represent. In this case, I can tell

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2 you that there are driveways on commercial strips
3 that could be construed as part of a strip that is
4 governed by the muni-meter and I introduced the
5 legislation to clarify citywide that where there
6 are such driveways, muni-meters are not part of
7 that block where the driveway is, or that area
8 where the driveway is.

9 I mean, I think it's clear and we
10 did explain to DOT the purpose of the bill, so I
11 hope that you are open to discussion because I
12 think many traffic enforcement agents are
13 ticketing people inappropriately because even they
14 are not clear on where these driveways fit in to
15 the ticketing process.

16 Okay. I--

17 KATE SLEVIN: [Interposing] I'll
18 relay your concerns to the NYPD.

19 CHAIRPERSON VACCA: Okay. Thank
20 you. Okay. Where are we with mun-imeter
21 installation? Do we have 70% of our city muni-
22 metered, 80% of our city muni-metered?

23 KATE SLEVIN: We should be complete
24 with muni-meter installation by the end of this
25 year.

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[Crosstalk]

KATE SLEVIN: So within the next couple months. I know we're in Queens right now. So we're on track to finish it by--in a couple weeks now since it is December.

CHAIRPERSON VACCA: Do you know if revenue is up? Since the muni-meters compared to the standalone meters, is revenue up for the city?

KATE SLEVIN: I don't have those numbers with me, but I'd be happy to get them for you.

CHAIRPERSON VACCA: Yes, I'd like to know. Okay. I'd like to call on my fellow members, Council Member Barron.

COUNCIL MEMBER BARRON: First of all, thank you, Mr. Chair, for representing us well 'cause it's still unclear on why did they have the nerve and the disrespect to even say that the Council was supporting something it did not support. I mean, there was a lot of vague, I think, evasiveness coming from DOT.

But let me say to my colleagues that one thing we do have power over without any question is to pass these bills whether DOT, who

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2 really doesn't live in our communities and really
3 knows our communities, my community, East New
4 York, don't live in East New York and what's going
5 on in my community. But even in her statement
6 saying that there's double parking and sometimes
7 triple parking, lives are in jeopardy, that is a
8 bunch of dramatic, bogus nonsense. It is
9 happening just by her statement alone, means that
10 double and triple parking is happening. What
11 takes the time is when the officer has to issue a
12 ticket and they sitting there waiting to issue the
13 ticket, that causes problems. Parents are doing
14 this anyway because they have to because the
15 parents that have cars and use vehicles to drop
16 off their children, they're going to do it anyway
17 because they have to, they have no other choice.
18 So when you see parents don't have another choice,
19 the ones who are dropping off their children with
20 vehicles, don't have the choice. Lives are not in
21 danger, this is a gross exaggeration because they
22 don't want to support the bill. And darting out
23 and traffic jams and all of that stuff, I've been
24 to schools and I've seen parents drop off their
25 children, get back in their--children, get back in

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2 their cars and take off with no problem. The only
3 problem comes is when the officer decides to
4 ticket them, then we have traffic concerns because
5 then they're taking more time to stand there and
6 not allow this parent to move on, and issue a
7 ticket.

8 So it's not like you not supporting
9 this bill is going to stop parents from double
10 parking to drop their children off because they
11 have to. And I don't think we should hold parents
12 hostage like that, knowing that they have to, and
13 you decide that you're going to continue to issue
14 tickets 'cause the larger question is the hurt,
15 the economic burden on parents that have to pay
16 these tickets 'cause lives are not being lost,
17 crashes are not occurring all over the city from
18 parents dropping off their children and double
19 parking to do that.

20 This is a short, five-minute grace
21 period. I've been to schools where buses are
22 still able to drop off children with the disabled
23 students, it hasn't stopped that, so this is gross
24 exaggeration and I'm asking my colleagues to
25 support this bill, this is a tremendous burden on

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2 the parents in my district and I'm sure in
3 districts around this city. This report here or
4 this statement here that DOT has made today is
5 dramatic, bogus, gross exaggeration to try to stop
6 a bill that makes sense for the families in our
7 communities, and I hope that you can support it
8 because this is really what's going on, they are
9 double parking, they are dropping children off,
10 and they're getting tickets and it's just not
11 right to our parents.

12 Finally, I do want to say that we
13 have been joined by Assemblywoman Inez Barron, who
14 I think is one of the greatest Assemblypersons
15 that ever entered the state Assembly, and I say
16 this objectively, it has nothing to do with the
17 fact that she's my beautiful, lovely, brilliant
18 wife. That aside, that has nothing to do with it,
19 Chairman.

20 CHAIRPERSON VACCA: I'm sure,
21 Charles.

22 COUNCIL MEMBER BARRON: That has
23 absolutely nothing to do with it.

24 CHAIRPERSON VACCA: And you say
25 these things with a straight face.

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2 COUNCIL MEMBER BARRON: That's
3 right. It is so true, she is just incredibly
4 intelligent and sharp.

5 CHAIRPERSON VACCA: All right, all
6 right--

7 [Crosstalk]

8 COUNCIL MEMBER BARRON: And
9 furthermore, we've been married for 30 years, how
10 about that? Thirty years, come on now, 30 years.
11 We celebrated our 30th anniversary on November
12 13th, and I remember the date so I don't get in
13 trouble. Thank you very much.

14 CHAIRPERSON VACCA: Charles, your
15 testimonials are well noted. Now I will call upon
16 Council Member Van Bramer. I must introduce
17 Council Member Rodriguez who has joined us first,
18 and then we have Council Member Van Bramer, and
19 then Council Member Gentile.

20 COUNCIL MEMBER VAN BRAMER: Thank
21 you very much. And I'd like to speak on my Intro
22 527, but I would just like to say that anyone who
23 has spent 30 years with Charles Barron is clearly
24 an exceptional human being, so we congratulate the
25 Assemblywoman.

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[Background noise]

COUNCIL MEMBER BARRON: That's nice.

COUNCIL MEMBER VAN BRAMER: I mean that with all love, Council Member Barron.

[Crosstalk]

COUNCIL MEMBER VAN BRAMER: So I wanted to talk a little bit about my bill because the thing that concerns me about your response to Intro 527 is that what you have seemed to say is that the City and DOT cannot operate efficiently so, therefore, the burden and the onus is on our constituents to figure it out for themselves and to take the tickets that are improperly written and figure it out themselves because you can't efficiently change parking signs in the city of New York. I have a problem with that. So what I'd like to do is just start off, I told you the story earlier what happened in my district, right? Forty-ninth Avenue in Long Island City where good, hardworking New Yorkers who, yes, have cars in the borough of Queens, parked their cars the right way, went to work, in the middle of the day, DOT changed the signs and NYPD came by and ticketed

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2 every single car that was parked in the now-wrong
3 direction. So the very people who left in the
4 morning with their cars parked in the correct way,
5 returned home to find tickets on their cars and
6 their cars parked in the wrong direction. Can you
7 agree with me that that shouldn't happen?

8 KATE SLEVIN: Well we helped you
9 help them fight the tickets, so we have indicated
10 that, you know, we definitely believed it was
11 something that wasn't--shouldn't have happened.

12 COUNCIL MEMBER VAN BRAMER: Thank
13 you for agreeing with me on that. But you talk a
14 lot about cost, right, and this is too costly and
15 too inefficient. Have you estimated the cost
16 involved in writing the bad tickets, in contesting
17 the bad tickets, what's the cost in terms of human
18 capital of my constituents, our constituents
19 having to call the Council Member's office, write
20 a letter, send an e-mail, sometimes go down in
21 person, what's the cost of all of that, and are
22 you factoring that in? And do you think that it's
23 the responsibility of constituents to take the
24 tickets after the change and fix it themselves or
25 is it actually the responsibility of DOT and City

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government to be more efficient when making parking regulation changes?

KATE SLEVIN: Well first off, what I hope I made clear in my testimony was that our sign operation right now is a very efficient, lean operation. We have an incredible number of signs that we have to replace and manage and maintain, and having to give pre-notification for every sign that we replace would greatly slow down and burden our operations. A couple years ago, we--

COUNCIL MEMBER VAN BRAMER:

[Interposing] Not every sign, every sign that has parking regulations--

KATE SLEVIN: [Interposing] Still, still, we estimated when in 2009 and that having to give pre-notification would cost about 1 to \$2 million. Your specific instance, it sounds like it's more of an enforcement issue and, you know, we'd be happy to work with you and the NYPD to make sure that situations like that don't happen again and to clarify the law.

COUNCIL MEMBER VAN BRAMER: That actually raises an interesting question, shouldn't you already be communicating with other city

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agencies including--

KATE SLEVIN: [Interposing] We are, very much, and the NYPD has--after we passed the sticker bill--or you all passed the sticker bill in 2009, as we call it, because it allows us to put the sticker up on the--

COUNCIL MEMBER VAN BRAMER:

[Interposing] I wasn't here, to be fair.

KATE SLEVIN: Right, right, well neither was I. So the parking--the sticker goes on the parking sign and there's a five-day period after that when the local traffic enforcement agency or police officer, they can issue a ticket and then there's affirmative defense, or it's in their discretion to not issue a ticket if they think that it's inappropriate at that time because--

COUNCIL MEMBER VAN BRAMER: I

unders--

KATE SLEVIN: --the parking restriction has been changed.

COUNCIL MEMBER VAN BRAMER: Kate, I

understand all of that, but our people are still presumed guilty for simply having--

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KATE SLEVIN: [Interposing] Well if they receive it--

COUNCIL MEMBER VAN BRAMER: -- parked their car--

KATE SLEVIN: --if they receive a ticket--

COUNCIL MEMBER VAN BRAMER: --in the right way--

KATE SLEVIN: --if they receive it--
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COUNCIL MEMBER VAN BRAMER: --so even--

KATE SLEVIN: --if they receive a ticket, they would have to fight it.

COUNCIL MEMBER VAN BRAMER: But they are receiving tickets improperly.

KATE SLEVIN: Well it has a--we can look into that for you, the specific number--

COUNCIL MEMBER VAN BRAMER:
[Interposing] Well no, we started this whole conversation up with you acknowledging that the 40 or so people--

[Crosstalk]

KATE SLEVIN: [Interposing] Though

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you said it was a couple of years ago, correct?
So this has been improving since that bill passed
and the stickers have gone up, it's working well,
our solution.

COUNCIL MEMBER VAN BRAMER: This
happened since I was in the Council, which is--

KATE SLEVIN: Okay.

COUNCIL MEMBER VAN BRAMER: --after
your bill.

KATE SLEVIN: Okay.

COUNCIL MEMBER VAN BRAMER: So it
didn't work in this instance and it can be done
better and it should be done better. So I'm
wondering if DOT keeps track of how many people in
fact fit within the five-day rule and have their
tickets excused or how many people don't know
about the rule and maybe pay their tickets
anyways. So you're gaining revenue from
improperly written tickets because, the truth is,
people are busy doing their, you know, their
lives, working hard, and, rather than contest a
ticket, they may actually just think they have to
pay it. So how many tickets are being written,
how many cars are being towed as a result of

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2 changes like this that are actually improperly
3 being enforced because people left their cars
4 parked the right way, only to have the signs
5 changed without them knowing?

6 KATE SLEVIN: I mean, to be clear,
7 the law now states that they can receive a ticket
8 and go and fight that ticket if they do receive
9 it. Now it is in the police officer's discretion
10 to not give that ticket at all in the first place.
11 But, you know, it should be clear that when I'm
12 parking in New York City and ultimately it's my
13 responsibility as a driver to look at the sign and
14 make sure the sign is--I'm abiding by the
15 regulations and the sign.

16 In your specific case, it sounds
17 like it was a pretty case-specific instance what
18 happened in your district and we'd be willing--you
19 know, obviously, we helped you fight those tickets
20 in that case and we'd be willing to work with you
21 again if such a situation would occur. But
22 basically--

23 COUNCIL MEMBER VAN BRAMER:

24 [Interposing] I think my situation--that situation
25 I think is pretty glaring example, but I don't

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2 think it's the only time it's ever happened in the
3 city of New York where people were given improper
4 tickets. I mean, we have a statement from
5 Brooklyn Community Board 2, we have a statement
6 from AAA New York in support of the legislation,
7 in fact, Community Board 2 in Brooklyn wants it to
8 be extended to 7-day notice because some parking
9 regulations, as you know, are once a week and
10 people leave their cars believing that they're
11 parked properly and will not get ticketed, only to
12 come back and find that the rules changed in the
13 interim. So I don't think it's isolated to 49th
14 Avenue and Hunters Point in Long Island City, I
15 think it's more systemic than that, and I've been
16 in the Council long enough to have seen agencies
17 come to us and say it's too expensive, it's too
18 expensive, it's too expensive, rather than getting
19 the job done more efficiently or communicating
20 better with other agencies and with the very
21 people who these laws are affecting in very
22 negative ways. I really have a deep problem with
23 simply saying they have to deal with it, we can't
24 do this any more efficiently than we currently do
25 it, and those people, who are my constituents, our

1
2 constituents, have to simply get over it, you
3 know, we've got this five-day rule, if they're
4 smart enough to get in touch with us within five
5 days, you know, they get their tickets taken away.
6 But why do we have to put them through that in the
7 first place? I don't understand why that you'd be
8 so opposed to giving more and better advance
9 notice so people don't have to go through that
10 experience in the first place.

11 KATE SLEVIN: I mean, we've done a
12 lot in this regard in the past couple years, now
13 you can go online and see the parking regulations
14 for every street in the city. You know, there's
15 an incredible amount of information available on
16 our website in this regard, and we do--and
17 notification for every program, project all across
18 the city and, you know, we have very good
19 communication with you and your office and your
20 districts and all we work with the Council Members
21 all over the city and the Community Boards to let
22 them know what we're up to and the changes that
23 we're proposing.

24 COUNCIL MEMBER VAN BRAMER: What is
25 your notification of Community Boards like for

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changes--

KATE SLEVIN: [Interposing] Well, I mean, it depends on what specifically, about parking?

COUNCIL MEMBER VAN BRAMER: Yeah, if you're going to change parking regulations--

KATE SLEVIN: [Interposing] If we're going to change, so if we're going to change a street from one-way to two-way or two-way to one-way, in your case, we do--we'll alert you, we'll go to the local Community Board, let them know, and we will also post notice that changes are being made to the street. There is also if there's a temporary parking change, you do see the signs, the people are required by law to post notice if there's signs, we do post notice if we do milling and paving, we put temporary signs up indicating that no parking from this time to that time or for these days when we need to undertake the work. So we do an incredible amount of notification and communication with Community Boards and elected officials across the city and every day we're striving to even improve upon that.

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2 COUNCIL MEMBER VAN BRAMER: Yeah, I
3 mean, I think some of that is right, but--and I
4 was on my Community Board before, but the truth
5 is, not everyone is plugged into their Community
6 Board. In fact, most people are simply going
7 about their daily lives and aren't checking your
8 website every single minute of every single day
9 trying to figure out if the parking rules have
10 changed.

11 So I mean, I just want to
12 reiterate, you know, to you and to my colleagues
13 that I think that DOT can do this better and more
14 efficiently and the onus should not be on our
15 constituents, they should not be presumed guilty
16 because they parked their car the right way. It
17 should not fall on them to then have to go and get
18 the tickets taken care of by contacting us or the
19 Community Board or you or NYPD. I just think it's
20 not appropriate for a City agency to walk away and
21 say it's on them. They are the taxpayers of New
22 York City, they pay enough tickets as it is, and
23 to have improperly written tickets because DOT
24 didn't provide enough notification is a problem
25 for me and for my constituents. I think you can

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do better, I think you should do better.

You never answered the question about how much you think it costs in terms of improperly writing the tickets and having them fought and going through the problems associated with it. So I hope that we can get some of those answers and ultimately enact a meaningful time period that does not force people to go through a hardship that they don't have to go through. DOT can do better and I urge you to do better. Thank you.

CHAIRPERSON VACCA: Thank you, Council Member Van Bramer. And, you know, I keep reading this paragraph on page two of your testimony concerning my bill, 826. I think this paragraph's a bunch of gobbledygook, I'll tell you that much. There's no meat and potatoes in your objection. I mean, do you favor any legislation that would prohibit muni-meter tickets being given to people who park in a driveway? That's not clear, you don't state you would favor any legislation. You oppose what I did on a bunch of legalese mumbo jumbo and you don't say whether or not you would favor legislation that would say

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that the driveway parking should not be included in a muni-meter designation.

KATE SLEVIN: Are you saying that you're intending to--you're hoping to get rid of muni-meter regulations where driveway parking is, is that what your intention is?

CHAIRPERSON VACCA: We don't want people ticketed who park in a driveway just because on that block other spaces may have muni-meter designations because the muni-meters never were intended to include a driveway.

KATE SLEVIN: If there's a particular instance where you feel like the muni-meter spaces shouldn't be, we can discuss that, but, you know--

CHAIRPERSON VACCA: Yeah.

KATE SLEVIN: --again, we weren't clear the intent of this bill and what the law is trying to do, we weren't entirely clear and I'm still not entirely clear--

CHAIRPERSON VACCA: All right.

KATE SLEVIN: --as to the purpose of it, so--

CHAIRPERSON VACCA: [Interposing]

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But that's why I said--

KATE SLEVIN: --we should have a conversation around--

CHAIRPERSON VACCA: --I'm willing to have a conversation--

KATE SLEVIN: --your particular instance--

CHAIRPERSON VACCA: --with you, I'm willing to work on the wording, but I need to know if DOT is okay with the concept of not ticketing people who park in front of a driveway who may be on a block that includes muni-meter spaces.

KATE SLEVIN: We think the current law is fine the way it is.

CHAIRPERSON VACCA: Okay. So--

[Crosstalk]

KATE SLEVIN: But we are willing to work with you in your particular circumstance to figure out a solution to the problem you're trying to solve.

CHAIRPERSON VACCA: Well have you ever written to the Parking Violations Bureau telling them that it is the intent of DOT not to have tickets issued for people who park in a

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2 driveway on a block where muni-meters predominate?
3 Have you ever written to Parking Violations
4 Bureau?

5 KATE SLEVIN: We don't issue
6 summonses, we also don't write--

7 CHAIRPERSON VACCA: [Interposing]
8 No, I know.

9 KATE SLEVIN: --to the Parking
10 Violations Bureau, so I would be happy to follow
11 up--

12 CHAIRPERSON VACCA: No, but you--

13 KATE SLEVIN: --with you about this
14 particular problem.

15 CHAIRPERSON VACCA: --but you did
16 write to Parking Violations Bureau when it came to
17 the issue of muni-meter ticket transferability.
18 We enacted that law in the Council, DOT was on
19 board, DOT wrote to PVB, said that it always your
20 intent to allow for transferability, so there is a
21 precedent where you've written to PVB clarifying
22 your agency's intent. And I don't want to think
23 that it was your agency's intent, even if it only
24 involves 30 tickets in the whole city, I don't
25 want to think that it was your agency's intent to

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2 ticket people who park in front of a driveway just
3 because now muni-meters are on the block instead
4 of the old standalone meters which were very
5 specific as to what meter--as to what space they
6 were encompassing.

7 KATE SLEVIN: Again, I think this
8 is a very specific enforcement issue that we would
9 be willing to address in your community.

10 CHAIRPERSON VACCA: Well until it's
11 addressed, I'm asking DOT to write to PVB and--

12 KATE SLEVIN: [Interposing] Okay.
13 I will take that back.

14 CHAIRPERSON VACCA: Take that back.
15 Councilman Barron, quickly, and then I have
16 Council Member Gentile, but you said you had one
17 follow up question--

18 [Crosstalk]

19 COUNCIL MEMBER BARRON:
20 [Interposing] Yes, knowing that this is a problem
21 for parents, dropping off their children, and,
22 plus we said in our bill, standing, it's not like
23 they're parking, standing, someone's usually in
24 the car, either a passenger or if the driver has
25 to get out, a passenger is in the car. So if you

2 know this and you've acknowledged it in your
3 testimony that that is a problem, what is your
4 plan, what is DOT offering to do, other than
5 ticket parents, so what is your plan? What is
6 your solution to this problem?

7 KATE SLEVIN: Well we don't ticket
8 parents, we are just--

9 COUNCIL MEMBER BARRON:
10 [Interposing] Ticket--

11 KATE SLEVIN: --in infrastructure--
12 [Crosstalk]

13 COUNCIL MEMBER BARRON: --no, you
14 are ticketing parents who drop off their children.

15 KATE SLEVIN: No, we are--I'm not--
16 the NY--

17 COUNCIL MEMBER BARRON:
18 [Interposing] I mean, the traffic.

19 KATE SLEVIN: Right, the--

20 COUNCIL MEMBER BARRON: Right.

21 KATE SLEVIN: --traffic enforcement
22 agents do not work for the--

23 COUNCIL MEMBER BARRON:
24 [Interposing] Right, right, I understand but--

25 KATE SLEVIN: --DOT but I can relay

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your concerns to the NYPD--

COUNCIL MEMBER BARRON:

[Interposing] I know, but I'm saying it's because of these regulations here that the NYPD enforces.

KATE SLEVIN: We worked very closely with schools all over the city improving safety around schools and improving access to schools is something we strive to--

COUNCIL MEMBER BARRON:

[Interposing] No, I'm not talking about you working closely with schools and giving access, I'm saying that, because of these regulations, the police department is ticketing. So other than the police department ticketing parents, why wouldn't you support legislation that stops the police department from ticketing parents and at the same time, since parents are going to drop off their children in vehicles--with vehicles and we're saying standing, which means someone is in the car. And why wouldn't you support a five-minute grace period? 'Cause all of this stuff about lives being lost is a bunch of nonsense and because it's happening anyway. And why wouldn't you support something like that? And if you don't

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support this, then what is your solution for this problem? Other than--

[Crosstalk]

KATE SLEVIN: Well even for parents that drive, the current policy of no standing is actually more equitable 'cause they stop, they drop off their child--

COUNCIL MEMBER BARRON:

[Interposing] And get ticketed.

KATE SLEVIN: Well no, the regulation--

COUNCIL MEMBER BARRON: Yes.

KATE SLEVIN: --if under no standing you're allowed to stop and drop someone drop off or pick someone up.

COUNCIL MEMBER BARRON: When they--

KATE SLEVIN: [Interposing] So if they get out of the car, that is parking, so then they could get--

COUNCIL MEMBER BARRON: I'm--

KATE SLEVIN: --they could get ticketed. If you have a couple cars parked in a no standing spot in front of a school, it reduces access to that school for other parents who are

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2 driving, so you can create congestion and
3 bottlenecks around the school.

4 COUNCIL MEMBER BARRON: No, not if
5 we don't stop and ticket them. If they step out
6 of the car and some parents that are standing even
7 get tickets, but I guess that's a issue we'll take
8 with the police department because some parents
9 have people in the car, so when they go to these
10 areas now, if they get out and come back, they're
11 getting ticketed the minute they leave the
12 vehicle. And I'm saying to you, since that is
13 happening, that obviously whatever you've proposed
14 is not working because parents, if they don't have
15 someone in the vehicle and they have to get out,
16 and that's a case in some parents, what do we do
17 for those parents who have to drop off their
18 children with a vehicle and may not have a person
19 in the car and have to do this, what is your
20 solution for them?

21 KATE SLEVIN: Well, you know, the
22 city's a very diverse place and every neighborhood
23 is different, and the concerns that you have in
24 your district might be very different than the
25 concerns in, you know, in someone else's in terms

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2 of getting kids to school. We estimate about 75%
3 of students get to school by walking or by public
4 transit. And, as I said, even for parents that do
5 drive, if you have a couple cars sitting in front
6 of a school, that's prohibiting access to that
7 school for parents who are--

8 COUNCIL MEMBER BARRON:

9 [Interposing] But you exact--

10 KATE SLEVIN: --for parents who are
11 trying to--

12 CHAIRPERSON VACCA: [Interposing]

13 Yeah, I'm going to have to move on.

14 COUNCIL MEMBER BARRON: You can
15 move on, but that's not true. If it's that small
16 of a number, then it's contradiction to what you
17 saying, like, it's some huge problem if this does
18 happen, if you saying the number's that small,
19 only 25%.

20 CHAIRPERSON VACCA: Okay.

21 COUNCIL MEMBER BARRON: And it
22 doesn't prohibit people from getting in school.

23 CHAIRPERSON VACCA: Thank you.

24 Council Member Gentile, then Council Member
25 Rodriguez.

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2 COUNCIL MEMBER GENTILE: Thank you,
3 thank you, Mr. Chairman. Commissioner, I'm going
4 to follow up on the street signs introduction,
5 Council Member Van Bramer made a good case for the
6 validity of the bill. I'm just curious in the
7 instance of where a DOT sign goes from a more
8 restrictive regulation to a less restrictive
9 regulation and it takes DOT through some foot
10 dragging months and months and months and months
11 for the sign change to take effect. And during
12 that time, even though DOT acknowledges that the
13 less restrictive regulation is proper, motorists
14 would be getting ticketed under the old
15 restrictive signs. Am I correct about that?

16 KATE SLEVIN: I'm sorry, I don't
17 entirely understand--

18 COUNCIL MEMBER GENTILE: I'll give
19 you a particular example.

20 KATE SLEVIN: --what you're asking.
21 Okay.

22 COUNCIL MEMBER GENTILE: When we
23 talk about schools, we talk about schools, they're
24 no parking 7 a.m. to 4 p.m. on school days, all of
25 a sudden the school closes and there's no longer a

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2 school at that corner and, therefore, the
3 restriction, the parking restriction of no parking
4 school days 7 a.m. to 4 p.m. is no longer valid,
5 there's no school there. And this happened in my
6 district and DOT, the borough commissioner,
7 totally acknowledges that that sign is too
8 restrictive, that doesn't belong there. However,
9 months and months and months and months go by and
10 the sign remains on those corners, and during
11 those months and months and months that DOT has
12 acknowledged that that sign is too restrictive,
13 people are getting ticketed. Now you don't
14 consider that a bad ticket, do you?

15 KATE SLEVIN: Well if the
16 regulations say one thing, then people parking
17 there are required to abide by the regulations.
18 But in that case--

19 COUNCIL MEMBER GENTILE:
20 [Interposing] Even though the regulation has been
21 acknowledged by DOT not--to be too restrictive and
22 that--and not valid for that corner any longer.
23 And this is one instance where it goes from more
24 restrictive to a less restrictive.

25 KATE SLEVIN: Well we can work with

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you to make sure that that regulation--

[Crosstalk]

COUNCIL MEMBER GENTILE:

[Interposing] I've been trying to work with you for months and months and months and months, and the signs still remain. And so what you're telling me is that when it goes in that direction, those tickets that are issued are valid tickets until those signs are changed.

KATE SLEVIN: Yes, they are because that's what the parking regulation--

[Crosstalk]

COUNCIL MEMBER GENTILE:

[Interposing] 'Cause that's the parking--so it works your way, either way it works your way. Whether it goes from less restrictive to more restrictive or changes or goes from more restrictive to less restrictive, it's still in your favor until somebody fights that ticket. And in this case, even if they fought the ticket, the sign says what it says, even though it's not valid, those tickets would be upheld.

KATE SLEVIN: Ultimately, drivers do have to look at the regulations and abide by

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those regulations--

COUNCIL MEMBER GENTILE: Right.

KATE SLEVIN: --and if there's a
specific case--

COUNCIL MEMBER GENTILE: And--

KATE SLEVIN: --where you're
waiting for parking regulations to be changed on a
street, we're happy to--

[Crosstalk]

COUNCIL MEMBER GENTILE:

[Interposing] Two weeks, three weeks, four weeks
maybe is fine, but six to seven months that we're
waiting is not fine. And to have DOT, we're
trying to get DOT to reflect the reality of a
situation when it goes from more restrictive to
less restrictive, DOT should be more efficient in
making sure that changes so that motorists are not
getting ticketed for reasons that are not valid.
Just because the sign is there and they know the
school is closed are still getting ticketed. And
that's DOT's responsibility to be more efficient
to get out there and change those signs, would you
agree?

KATE SLEVIN: I will take that back

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and we'll work with you to make that happen soon.

COUNCIL MEMBER GENTILE: Well it's seven months now we're waiting.

KATE SLEVIN: Okay.

COUNCIL MEMBER GENTILE: On the other bill, on Intro 762, the Councilman Barron's bill, it indicates, Commissioner, that standing would not be allowed within 15 feet of a fire hydrant or if emergency personnel were ordering the vehicles to move. So the doomsday dire situation that Councilman Barron challenged you on is really actually written into the bill that you're not allowed to park by a fire hydrant or 15 feet from a fire hydrant, even if it is by the school or if emergency personnel are asking you to move, you have to move. So it would appear, to me at least, that safety provisions that you see as a concern have been already written into this bill and should be at least pointed out for the record that it's in the bill.

KATE SLEVIN: Again, you know, we cannot support that bill as written and we're very interested in improving safety around schools, and believe that this bill would actually work against

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that.

COUNCIL MEMBER GENTILE: Okay.

That's your opinion, but I'm pointing out to you that there are safety provisions in this bill, and that you should at least acknowledge that there are safety provisions in this bill. The 15 feet from the hydrant and the emergency personnel asking people to move, it's in the bill, trust me, it's in the bill.

The other thing is that, as Councilman Barron asked you, what would you do otherwise. You know, this is not a new problem. Parents dropping off students at a school is not a problem that is of recent origin. Parents have been dropping off students at school for generations, generations of parents have dropped off students at schools. And I think the problem is that in past generations, we have, at least on the law enforcement personnel, have injected a modicum of civility, of judgment, so that when that occurred around 2:30 in the afternoon or 8:30 in the morning when the drop off took place or 2:30 when the pick up took place, that civility on the part of law enforcement personnel would allow

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2 those parents to pick up or drop off those
3 students without harassment, without ticketing.
4 And that went on for generations.

5 It seems that in the recent past in
6 this Administration, that aspect, that modicum of
7 civility has been removed and whether it be a lack
8 of understanding on the part of law enforcement or
9 whether it be the pressure on traffic enforcement
10 by the Bloomberg Administration to write
11 summonses, whatever the case may be, that lack of
12 civility--that civility has been removed from the
13 equation here, and what had worked well for all
14 these years now is a problem because those parents
15 are being ticketed. So when that happens, do you
16 understand that it's incumbent upon us as a City
17 Council to inject, to legislate that civility on
18 the part of the City so that if the law
19 enforcement, traffic enforcement people are not
20 going to impose that civility and use that
21 reasonable judgment on their part, then we're
22 going to have to impose it by legislation.

23 KATE SLEVIN: I'll relay your
24 concerns to the NYPD.

25 COUNCIL MEMBER GENTILE: You

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understand that what I'm saying, aren't you? Or
don't--

KATE SLEVIN: Yeah, I think
everyone's goal is to improve safety around
schools and--

[Crosstalk]

COUNCIL MEMBER GENTILE:
[Interposing] No, no, no, no, no, no, you don't
understand. We're talking about civility, we're
not talking--we're talking about being reasonable
and civil toward each other and seeing the
situation, the situation being picking up or
dropping off students at school.

Mr. Chairman, I just want for the
record to also indicate that there is another bill
in this Transportation Committee agenda that I'm a
major co-sponsor with Councilman Greenfield and
Peter Vallone is the major sponsor and we have
seven other sponsors on this bill that would also
deal with the issue of double parking for a small
amount of time to discharge or pick up passengers,
and that would not only include schools, but it
would include having to take an elderly person and
drop them off at a doctor's office or a dialysis

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2 center or something of that nature, or while
3 you're waiting for a parked car to move so you can
4 take the parking space. That Introduction is 281
5 of 2010. I'm a little bit dismayed that that bill
6 is not part of this package and I hope that
7 someday we can talk about getting that bill on a
8 Committee agenda also.

9 CHAIRPERSON VACCA: Thank you.

10 Thank you, Council Member Gentile. Council Member
11 Ydanis Rodriguez, and then Council Member Rose.

12 COUNCIL MEMBER RODRIGUEZ: Thank
13 you, Chairman. Commissioner, are you aware of any
14 schools that they had to deal with any safety
15 issue because they were dealing with this
16 situation of having cars standing in front of the
17 school?

18 KATE SLEVIN: Yeah, I mean, we
19 tried to create no standing around schools so that
20 there is access to the curb and it's good
21 visibility for the kids and for drivers. 'Cause
22 often if it's double, you know, cars are double
23 parked or triple parked in some cases, it's hard
24 to see the children coming in and out of school--

25 [Crosstalk]

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COUNCIL MEMBER RODRIGUEZ:

[Interposing] But has any school that you're aware of faced any situation where they had to deal-- where it has been documented that school safety has been in risk--

KATE SLEVIN: [Interposing] Yeah, I mean--

COUNCIL MEMBER RODRIGUEZ: -- because of this situation?

KATE SLEVIN: --I outlined in my testimony our program to improve safety to schools and make it easier to get there and safer for children to get there by walking and changing the infrastructure a little bit. So certainly there's documented safety conditions around many schools, and we're definitely trying to address those concerns.

COUNCIL MEMBER RODRIGUEZ: I understood, I used to work at a school for 13 years and, you know, we got to do the--we always had to be ready to have a plan, but I'm saying are you aware about any particular school where they had to call the NYPD because they faced any safety issue because of this particular situation?

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2 KATE SLEVIN: I'd have to look into
3 that for you, but we do get complaints from all
4 over the city about this particular issue of
5 congestion and around schools and not being safe
6 enough. So, you know, as I said, it's something
7 we're trying to address.

8 COUNCIL MEMBER RODRIGUEZ: Are you
9 aware of any particular school, daycares or a
10 school, where the school has been able to work
11 with a person at the local law enforcement so that
12 the parents have some level of courtesy for them
13 to be allowed to drop out and pick up the kid?

14 KATE SLEVIN: Yeah, I mean, I don't
15 know every school in the city, but in a very local
16 level, I do know that some schools we work with
17 works very closely with the NYPD to address some
18 of the concerns brought up here today.

19 COUNCIL MEMBER RODRIGUEZ: Because
20 that's my--when I saw the bill and talking about
21 with standing, I don't think that even if standing
22 fix the problem, I think it should be parking. I
23 believe that as a parent that I am and had to also
24 know about similar situation, I know that you do
25 the best to look around for the parking but

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2 sometime a school is starting at 8 or 8:30 and
3 you're late, and you're to the race of taking your
4 daughter or your son and go inside that school, so
5 I think that I believe it should not be standing,
6 it should be parking. I think that that this
7 should be like a five-minute's grace period for
8 parents to be allowed to drop out and pick up.

9 And I understand the safety issue,
10 I believe that it should be a plan where that
11 should not be allowed in front of the school or in
12 some area that is important for the safety of the
13 school. What I, in my understanding, I think that
14 this is already working around some neighborhood.
15 I think that there's--and what I expected that the
16 same thing that is happening, as you say, each
17 neighborhood is different and they have to
18 approach and organize it in different way, I
19 believe that as it should be allowed citywide.

20 I have no doubt that in the same
21 way of how in my neighborhood, a member of the
22 religion institution, the churches, they are
23 allowed to being double park on a Sunday. So why
24 for those five minutes in the morning and the
25 afternoon, parents should not be allowed to get

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2 inside the school, no one--I don't think that any
3 parent will abuse the time or spending half an
4 hour. I mean, when you leave your car in double
5 parking because you need to get your child get
6 pick out or drop out, I mean, you really like to
7 try to do it as quick as possible.

8 So what I hope is that--I support
9 it, I believe that it should be standing and
10 parking on those five minutes, and I hope that we
11 should be able to have conversation with the
12 chairman and the DOT to try to find a way of how
13 we can work on this together, knowing that your
14 initial proposal is--the DOT proposal is against--
15 position is against it, but I think that this
16 would benefit thousand and thousand of parent that
17 they don't have any other choices. They cannot
18 afford to say I can go and drop my child with
19 public transportation, come back and get my car
20 because then I need to use my car to go to my job.
21 So I just hope that that conversation can continue
22 and we can find a way on how to move forward this
23 bill.

24 KATE SLEVIN: We're definitely
25 willing to speak with you about this going

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forward.

COUNCIL MEMBER RODRIGUEZ: Thank
you.

CHAIRPERSON VACCA: Thank you. I
think you're hearing, Commissioner, I mean, to
summarize--and I know Council Member Rose is next--
-but many of these things--the tickets, the
increase in the municipal parking fees--we just
can't keep telling people that we don't raise
taxes in New York City when we have all these
hidden taxes and fees that keep going up every
time we turn our back. These are fees that the
Administration has implemented. This municipal
parking fee increase is another hidden tax. It's
another hidden tax, another expense on people
least able to afford it, and I think my colleagues
are concerned with tickets and the amount of
tickets and the reasons we get tickets. It just
can't be the price of doing business in our city.

Council Member Rose.

COUNCIL MEMBER ROSE: Thank you,
Chair. Commissioner, I was reading your statement
and your objection to 762 seems to be based on two
things: The buses, the school buses loading and

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2 unloading students and students with disabilities,
3 and then your other objection seems to be, as you
4 say, as written, it would effectively legalize all
5 parking stopping and standing violations on a
6 block that has a school or a daycare center. So
7 basically, what I think is you're talking about a
8 bus loading zone, so just as you have signage for
9 the bus loading and unloading, and that's only a
10 temporary situation, why couldn't an area adjacent
11 to or an extended area where the buses load and
12 unload, the same type of situation and signage be
13 applied for parents or whomever dropping off and
14 picking up? It seems, you know, a relatively easy
15 solution to your language issue, it would not
16 implicate that--indicate that it will legalize all
17 parking, all stopping, and standing violations.
18 It could specifically say, just like you have
19 signage for trucks loading and unloading, it could
20 be the same thing, it could be a discharge zone
21 where people would not be held accountable for,
22 you know, stopping, for even keeping within a
23 five-minute grace period.

24 KATE SLEVIN: Well right now, no
25 standing zones are around most schools and that

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2 does allow parents to discharge and pick up their
3 children, so that is legal right now around
4 schools 'cause we do tend to put no standing
5 around schools. There's also some enforcement
6 challenges with this bill. It would be very hard
7 for an NYPD officer to sit there for five minutes
8 and figure out which car has been parked there for
9 five minutes, and it's also would be difficult to
10 figure out which schools--

11 COUNCIL MEMBER ROSE: [Interposing]
12 But in reality, no one expects anyone to stand
13 around and monitor the actual time frame, but that
14 the fact that the signage would indicate that
15 that's permissible would, you know, people would
16 do that. There's no reason for a parent to sit
17 there for, you know, an inaudible amount of time
18 just to--an inordinate amount of time, that's--

19 [Crosstalk]

20 KATE SLEVIN: [Interposing] I mean,
21 that's sort of my point is you can't--if you're an
22 enforcement officer, you wouldn't be able to tell
23 whether it's a parent's car parked there who is
24 dropping their kid off or whether it's someone who
25 has gone across the street to get a cup of coffee

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2 or someone is, you know, gone to visit a friend
3 or, you know, so it would be a very difficult
4 thing to enforce.

5 COUNCIL MEMBER ROSE: So your
6 objection is the enforcement of the five-minute
7 grace period 'cause it can't be enforced?

8 KATE SLEVIN: That's one of the
9 objections that the NYPD has relayed to us to this
10 bill, they said it would be very difficult for
11 them to actually enforce it. Our perspective, as
12 I outlined in my testimony, is largely based on
13 safety concerns for the schoolchildren.

14 COUNCIL MEMBER ROSE: I still think
15 that the signage would take care of that, just
16 like a truck loading and unloading, you have, you
17 know, you have a reasonable amount of time and
18 they're not ticketed, so why would a car be
19 ticketed or need to be ticketed if they're, you
20 know, loading or unloading? I just think signage
21 could be properly placed that would handle the
22 five-minute grace period.

23 KATE SLEVIN: Well we're definitely
24 willing to work with you and to, you know, address
25 this concern in your district.

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[Pause]

CHAIRPERSON VACCA: Council Member
Greenfield, we've been joined by Council Member
Greenfield.

Do you have any questions? No,
okay. There being no further questions, we have
no further people in the audience who would like
to give testimony. It is now 2:25 and this
hearing is now adjourned. I thank you,
Commissioner.

KATE SLEVIN: Thank you.

CHAIRPERSON VACCA: Thank you.

C E R T I F I C A T E

I, Tammy Wittman, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature *Tammy Wittman*

Date December 13, 2012