

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

SUBCOMMITTEE ON ZONING AND FRANCHISES

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September 13, 2010

Start: 9:53am

Recess: 11:45am

HELD AT: Council Chambers
City Hall

B E F O R E:
MARK S. WEPRIN
Chairperson

COUNCIL MEMBERS:
Council Member Leroy G. Comrie, Jr.
Council Member Daniel R. Garodnick
Council Member Vincent M. Ignizio
Council Member Robert Jackson
Council Member Jessica S. Lappin
Council Member Annabel Palma
Council Member Diana Reyna
Council Member Joel Rivera
Council Member Larry B. Seabrook
Council Member James Vacca
Council Member James G. Van Bramer
Council Member Albert Vann

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

Marco Tomario
Representative
Actio, LLC

Howard Slatkin
Deputy Director for Strategic Planning
Department of City Planning

Steven Johnson
Project Manager
Department of City Planning

Brenda Levin
Citizen
New York City

Sarah Watson
Senior Policy Analyst/Researcher
Citizens Housing and Planning Council

Chris Ficalora
Regional Vice President
Zipcar

L. Nicolas Ronderos
Director of Urban Development
Regional Plan Association

Douglas Woodward
Planning Consultant
Edison Properties

Marcie Kesner
Urban Planner
Kramer, Levin, Naftalis & Frankel

Sister Tesa Fitzgerald
Founder and Executive Director
Hour Children

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

Renata Hill
Participant
Hour Children

Jerry Kafrielo
Volunteer
Hour Children

John Young
Director, Queens Office
Department of City Planning

Liz Errico
Planner, Queens Office
Department of City Planning

Richard Hellenbrecht
Chair
Queens Community Board 13 Land Use Committee

Bill Perkins
President
Rosedale Civic Association

CHAIRPERSON WEPRIN: We good to go?

All right.

NICK: I guess so.

CHAIRPERSON WEPRIN: Thank you, Nick. Good morning, everyone, my name is Mark Weprin, I am the Chair of the Zoning and Franchises Subcommittee of the Land Use Committee. I want to welcome you here today. We have one restaurant outdoor café, and then three items on our agenda. They'll be taken in this order, for your own reference: the car sharing first, the Our Children second, and zoning for Rosedale third. But first, before we do that, we're going to get our restaurant out of the way. That is Land Use No. 198, restaurant Pio Pio, in Speaker Quinn's district. I'd like to call on anyone who wants, on behalf of this application, to come up to this front table. Yes, bring 'em up to the table right here. Nick just show 'em how the-- someone there at the mic, okay. And if you could just state your name for the record, who you represent, and discuss your application. Thank you.

MARCO TOMARIO: Good morning. My

1 name is Marco Tomario, I'm representing Actio
2 [phonetic] LLC, the DV8 [phonetic] Pio Pio. I'm
3 coming to request the approval for sidewalk café.
4 And I'm going to read the letter which said, "This
5 letter should serve as our agreement with the
6 Chair and Council Member Mark Weprin, and the
7 encompass--encompassing member of this
8 Subcommittee on Zoning and Franchises, that we'll
9 commit to the following. One, hours of operation
10 of the sidewalk café will be 11:00 to 11:00--11:00
11 a.m. to 11:00 p.m., Sunday through Thursday; and
12 11:00 a.m. to 12:00 on Friday and Saturday. Two,
13 our sidewalk café will have eight tables with 18
14 seats as per submitted plans. There will be no
15 amplified sounds outdoors. There, there are no
16 French doors or windows that open to the street
17 front. We will mark the sidewalk boundaries
18 according to the approved plans submitted to
19 Manhattan Community Board No. Four, and approved
20 by DCA. Deliveries bike will be locked to the
21 bike rack or store and await as to not block the
22 sidewalk. We will not install a store vestibule
23 enclosure that will project more than 18 inches as
24 per DOB code. Thank you."
25

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2 CHAIRPERSON WEPRIN: Thank you,
3 sir. It is my understanding that Speaker Quinn,
4 who represents this area, is supportive of this
5 project. Do any of the members of the panel have
6 a question for this application? Seeing none,
7 thank you very much. And we're going to move on
8 to the next item. Thank you.

9 MARCO TOMARIO: Thank you.

10 CHAIRPERSON WEPRIN: Before I get
11 to the first item, let me introduce the members of
12 the band. I forgot to do that. To my far right,
13 Vinnie Ignizio; next to him, James Vacca from The
14 Bronx; Dan Garodnick from Manhattan; Christian
15 Hilton, the Counsel to the Committee; to my right,
16 this is Leroy Comrie, my colleague from Queens;
17 Larry Seabrook; and Al Vann. Everybody? I think
18 that's it for now. And we're going to move on to
19 Land Use No. 199, N 100284 ZRY. It's the car
20 sharing vehicle zoning text amendment. And we'd
21 like to call on members of City Planning or
22 whoever's making this presentation, to please come
23 forward. [pause] Please state your name for the
24 record. Do you need the lights dimmed, or we're
25 good? We're good, we don't need the lights

1
2 dimmed. Whenever you're ready.

3 HOWARD SLATKIN: Thanks. Good
4 morning, Chairman Weprin and members of the
5 Committee. My name is Howard Slatkin, I am Deputy
6 Director for Strategic Planning, for the
7 Department of City Planning. And I'm here with
8 Steven Johnson who is the Project Manager for our
9 car share zoning text amendment. And we're
10 pleased to be here today to present to you this
11 citywide zoning text amendment which we believe
12 will bring clarity to our zoning regulations with
13 respect to an exciting and emerging transportation
14 resource. Thanks. I'm going to just speak for,
15 briefly for a moment, and then Steven will carry
16 on with the remainder of the presentation, but the
17 proposed zoning text amendment would bring, would,
18 would define car sharing in the City's zoning
19 resolution, and help--by doing so, help bring a
20 wider range of transportation choices to New
21 Yorkers, would contribute to improvement in the
22 environment with air quality and carbon emissions,
23 as well as reduce competition for local parking
24 resources. The proposed text amendment would
25 allow car sharing vehicles to park in off-street

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2 parking facilities that serve parking garages and
3 lots--this does not involve on-the-street parking-
4 -in appropriate locations. And [laughs]--[off mic
5 comment, pause] Okay. We apologize for the
6 logistics here. [laughter] Thank you for bearing
7 with us. Thanks, Caroline. And I'll turn it over
8 now to Steve who will give the remainder of the
9 presentation.

10 STEVEN JOHNSON: Okay, thank you
11 very much. The concept of car sharing is very
12 straightforward. A individual gets the use of a
13 private vehicle but does not have to pay for the
14 costs and maintenance of the vehicle. This slide
15 shows the different characteristics of car
16 sharing, it's a membership organization that's
17 open to the general public, anybody can join. The
18 car share vehicles are available on an hourly
19 basis, and they're at unstaffed, self-service
20 locations around the City. The vehicles are
21 available 24 hours a day, and you're typically
22 charged by the hour. And they usually reserve the
23 vehicles for under eight hours at a time. And the
24 car share organization provides for all insurance,
25 maintenance and gas for the vehicle, you just sign

1 up and pay your annual fee, and your hourly rate.
2 So, what we have here is a little animation on how
3 car share works. So you have an individual who
4 joins, cost currently in New York City is about
5 \$40 to \$50 annually to join a car share
6 organization. You sign up, you join, they give
7 you a key card. Then you take your phone or your
8 computer and call up and say, "I want to reserve a
9 vehicle for this amount of time, and I want to get
10 this vehicle at this location." You go to your
11 vehicle, it's waiting for you, you get in, and you
12 drive off. And then when your time is up, you
13 come to the exact location or a nearby location
14 within the same facility and park the vehicle
15 there. Now, in New York City there are three car
16 share companies: Zipcar, Connect by Hertz and
17 Mint with total over 100,000 members. Next slide.
18 And as we can see from, this is a niche market,
19 but it's continually growing. Next slide. And
20 New York City accounts for approximately a third
21 of nation--national membership in car sharing, so
22 New York City is really a successful site for car
23 sharing. Now there are different benefits to car
24 sharing, there's been different studies that have
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2 shown that it increases mobility for people, it
3 gives you transportation options. If there's no
4 mass transit in your neighborhood or it stops at a
5 certain time, or in another person's neighborhood,
6 you want to go to Staten Island, Long Island,
7 wherever, you can get in one of these vehicles,
8 'cause they're available 24 hours a day. There's
9 also affordable option, if you drive less than
10 approximately 7,000 miles annually, it's
11 affordable for you. And but the one benefit that
12 we're really highlighting with our project is that
13 it induces car shedding. So if you join a car
14 share organization, the studies have shown that
15 between six and 32 percent of people who join
16 either give up a vehicle, give up their second
17 vehicle, or postpone buying a vehicle. So here we
18 have another animation that shows how our car
19 share vehicle works versus a typical private
20 vehicle. So you have one or two people who share
21 one vehicle and they park in one parking space.
22 Now with car sharing, you have approximately 40
23 members to a single car, and they take the same
24 vehicle and they park in that same parking space.
25 But what happens is that between six, our text is

1 cut off there a little bit, but it says "Between
2 six and 32 percent of car share members give up a
3 car share vehicle," and then what happens from
4 that is that people give up their vehicles and you
5 ease parking demand in the general area. Now the
6 cost efficiencies for car sharing, it encourages
7 efficient use of the vehicles, 'cause with car
8 ownership you have a big upfront purchase fee of
9 buying the car, which could be very expensive, but
10 then your costs per trip are relatively small. So
11 you, you might tend to drive the car more
12 frequently if you have already paid your upfront
13 costs for the vehicle. But with car sharing, it's
14 reversed. You have, your fixed cost is your
15 membership fee, which is \$40 to \$50, but your
16 costs per hour is where you get charged your,
17 where the costs come to the member. So, in New
18 York City I think the range is between \$8 and \$20
19 an hour, depending on what vehicle you want to
20 use. But what this does is this encourages, to
21 once you join, it actually encourages to drive
22 less frequently, because you can see that you can
23 take the bus somewhere, you can take the subway or
24 you can link your trips together, if you have to
25

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2 go to the hardware store and you have to hit IKEA,
3 you can hit those places together. So you link
4 your trips together and use your car more
5 efficiently. This diagram just shows the two
6 large, the bigger, the two or the three bigger car
7 share organizations in the City where their
8 membership is located. They've branched out a bit
9 more from this, these two graph, these two
10 graphics, because they've expanded a bit. But
11 Connect by Hertz is primarily located in
12 Manhattan. They've just recently opened up a site
13 I think in Hoboken. Zipcar is, is larger, and
14 they're spread throughout the region. And these
15 are all generally located in medium and high
16 density areas of the City. And we're looking to
17 have that expand into other medium and high
18 density areas of the City. So why are we doing
19 this? Car sharing did not exist ten years ago, or
20 20 years ago, or excuse me 20-30 years ago, or
21 1961 when this Lincoln Continental was cruising
22 the streets. So car sharing is relatively recent.
23 It's just been within the last 10-15 years in the
24 United States. So what we need to do is define
25 where it's allowed, and where they can park, and

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2 give appropriate limits to those vehicles. Now
3 what we've done is we've defined car sharing in
4 our proposal as to mean these different
5 characteristics that I've already pointed out to
6 you: hourly basis. This really differentiates it
7 from car rentals, which are more long term
8 rentals, and they're more typically based on the
9 tourist market and business travel. These are,
10 car sharing's for locals, for residents of the
11 city to move around within the city. So where
12 would it apply? Our proposal has the most
13 flexibility in high density areas of the City, and
14 public parking garages and lots, and we're
15 limiting it to larger parking facilities and
16 commercial manufacturing and community facilities
17 in lower density areas. And then, in one and two
18 family residential districts, we're not generally
19 allowing it. But one key point to highlight is
20 that we're just allowing these things, these are
21 not requirements, so it's up to the operator of
22 the garages whether they want to have them in
23 their garage. So this is our proposal. A few
24 more slides here showing the different, our
25 proposal, our numbers here. So in medium and high

1 density residential generally R5 through R10
2 districts, we're saying up to 20 percent of the
3 total spaces, or five spaces could be used for car
4 share vehicles. Now our graphic, we have a
5 parking garage of 30 spaces, and we're saying that
6 up to six cars can be for car share vehicles.

7 They don't have to be, there can be zero there,
8 there can be one, but there could be up to six car
9 share vehicles there. And we estimate that if you
10 put in six car share vehicles with the car

11 shedding aspects of car--of membership, then
12 between 14 and 77 cars in the general area could
13 be eliminated. Public parking facilities we're

14 saying up to 40 percent of the total spaces. Now,
15 in our example here, we have a 30 space garage
16 we're saying up to twelve vehicles can be for car
17 share vehicles, and we have the same benefits

18 listed there. But in, I also wanted to point out
19 that car share companies want their vehicles
20 spread throughout the City. They don't want them
21 congregated into one or two locations, 'cause they
22 want it get it reached out to as many people as
23 possible, they want 'em in your neighborhood, they
24 want 'em within walking distance to you. So
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2 they're not going to like, they're not likely to
3 congregate in large numbers. I think the majority
4 of vehicles are between one to five car share
5 vehicles, at a single location that has car share
6 vehicles. Lower density monthly family
7 residential, we're saying if you have a parking
8 facility of at least 20 vehicles, then up to ten
9 percent of the total spaces could be for car
10 sharing, car share vehicles to park there, and our
11 diagram here shows 20 space parking facility, and
12 up to two vehicles, can be there, can park in that
13 area. Commercial, community facility,
14 manufacturing, it's the same. Up to ten percent
15 of the total spaces, if you have at least 20
16 parking spaces in your parking facility. And we
17 have the 20 space garage with up to two spaces.
18 Now, the one area, one of the areas we're not, not
19 restricting car sharing from is residential, one
20 and two family low density residential, we're not
21 allowing it in there, we don't think it should be
22 allowed, people should be allowed to rent out
23 their vehicles, their driveways to vehicles, in
24 these, in these areas. However, one area that we
25 are allowing it is for colleges and universities,

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2 which has been a very successful model for car
3 share organizations, for the students and the
4 teachers and the faculty to use car sharing, so
5 we're allowing it for colleges and universities in
6 these districts. Now, during the public review
7 process, there were a couple issues that were
8 brought up and a couple modifications made for the
9 proposal. First, was the residents, there was
10 some concerns about residents losing their, their
11 spaces in residential parking facilities,
12 accessory parking facilities. So there were a
13 couple comments. I think overall, we got 27
14 community board comments for the proposal, with 24
15 community boards in favor of the proposal, and
16 three, four, four community boards opposed back to
17 the residential. So what we're saying is, in the
18 Manhattan, currently in the zoning resolution, a
19 residential parking space can be rented out to a
20 nonresident of the building, but they have to, the
21 resident of the building can write to the landlord
22 and request the space within 30 days. And what
23 we're doing is we're, we've amended the proposal
24 to include the Manhattan core, which is community
25 districts one through eight in the provision, so

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2 they can also have this request provision for the
3 parking space. We've also said that you have to
4 post this information on a plaque within the
5 building, within the parking facility, so the
6 residents know that they can request the parking
7 space. Another issue that was brought up,
8 security issues. The Manhattan Borough President
9 and the Brooklyn Borough President are in support
10 of our proposal, but they had questions about
11 security of letting people into you residential
12 parking facility, and then having possible access
13 into your residential building. So we've
14 included, we've, we've modified the proposal to
15 include a statement saying that there has to be
16 secured access between the parking facility and
17 the residential portion of the building. And
18 finally, vehicle decals, this is an enforcement
19 issue with the DOB. We just added additional
20 specificity after meeting with DOB to clarify how
21 DOB can identify what vehicles are car share
22 vehicles, and make sure the right number of
23 vehicles are in the parking facilities. The next
24 slide is just a handout that breaks down the
25 information in a, in a summary chart, for your

reference. And if you have any questions--

CHAIRPERSON WEPRIN: All right, why don't we start with Council Member Ignizio.

COUNCIL MEMBER IGNIZIO: Thank you very much. On behalf of my colleague from

Manhattan, Dan Garodnick, we just ask, what

necessitated you having a zoning text at all?

This is currently in, in working right now, so I

just, I mean I guess that's our background

question. Not that we're opposed, or we just want

to know where it--

HOWARD SLATKIN: Sure.

COUNCIL MEMBER IGNIZIO: --came from, where it's--

HOWARD SLATKIN: One of the issues that arose was ambiguities in the current zoning,

which envisioned two kinds of cars. It envisioned

rental cars, which are the sort of traditional

rented for--[cell phone tone]--that was yesterday,

wasn't it? [laughter] Sorry, that got my, that

got my adrenaline going there.

COUNCIL MEMBER IGNIZIO: I'm a Cowboys fan, it didn't get mind going. [laughter]

HOWARD SLATKIN: I'm a Giants fan,

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2 I wish I could say I was sorry. The ambiguities
3 in the current zoning anticipated private
4 vehicles, which are essentially owner operated
5 vehicles, and traditional rental cars, which are
6 rented for longer periods of time and serve a
7 wider range of purposes. Accessory parking
8 facilities are generally intended for only one
9 type of these vehicles, they're not intended for
10 rental cars. And in certain instances, it could
11 be difficult to identify for certain in the zoning
12 where these vehicles are permitted and where
13 they're not. And for instance, we believe it's
14 appropriate for them to be located in these higher
15 density accessory parking facilities for the
16 reason laid out in the proposal, but not for
17 instance in low density districts where accessory
18 parking really is intended for users, for
19 residents of the specific building and not of, of
20 the surrounding area. So we thought that it was
21 necessary to bring clarity both for the purposes
22 of making sure that these vehicles located in the
23 proper locations as the industry continues to
24 grow, and also to facilitate the industry's
25 operations so that they can obtain financing and

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2 other things with certainty as to where they can
3 actually locate their vehicles.

4 COUNCIL MEMBER IGNIZIO: Okay, all
5 right, thank you very much.

6 CHAIRPERSON WEPRIN: I just have a
7 couple of quick questions. Membership, how, how
8 does the cost work? I mean, is there a flat fee
9 for membership, and then you just get, for the
10 whole year, whenever you want 'em, or you pay per
11 ride? How does that work?

12 HOWARD SLATKIN: Well, we can give
13 you a quick overview of how it works, but I think
14 that, I think that also in the room there's one of
15 the operators is here, as well, and maybe be able
16 to answer your questions more, with greater
17 expertise than us. But I'll let Steve--

18 STEVEN JOHNSON: Well, like I, I
19 mentioned in the presentation, there's an annual
20 fee, that's typically around \$40 to \$50, and then
21 you're paid hour--you pay hourly for the vehicle.
22 Some other areas of the country also charge by the
23 mile, but currently in New York City, it's only
24 charged by the hour. So if you want to rent,
25 reserve the vehicle from 12:00 to 8:00, on Friday,

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2 then you pay whatever, if it's \$10.00 an hour, you
3 pay that \$80.00. And I don't know if there's any
4 other--

5 CHAIRPERSON WEPRIN: Can you--

6 STEVEN JOHNSON: Yeah, the price
7 varies by the, what type of vehicle you have, some
8 are small vehicles, some are larger vehicles, some
9 are BMWs. BMWs are available also for car share
10 members.

11 CHAIRPERSON WEPRIN: Who was your
12 advisor over there? [laughter] That \$10.00 per
13 hour rate you threw out there, is that just a
14 number off the top of your head, or that's about
15 what it is?

16 STEVEN JOHNSON: I think it would
17 be better if, if a car share--

18 CHAIRPERSON WEPRIN: Okay.

19 STEVEN JOHNSON: --representative,
20 but we know that the, typically around \$8 to \$20
21 an hour.

22 CHAIRPERSON WEPRIN: Got it. Let
23 me ask a couple of other questions. A large
24 rental residential building that has a parking
25 lot, under this plan they'll be allowed to have

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2 how much of their parking lot used for the
3 Zipcars, or sorry, whatever, these cars, yeah.

4 HOWARD SLATKIN: It depends on how
5 many vehicles are in the parking facility.

6 CHAIRPERSON WEPRIN: But is it by--

7 HOWARD SLATKIN: But for a large
8 rental residential building, it would be up to 20
9 percent of the spaces in the garage or up to five
10 spaces, whichever is greater.

11 CHAIRPERSON WEPRIN: So five is the
12 max, so in a large--

13 HOWARD SLATKIN: Well, it's, and
14 whichever is great, so if 20 percent is greater,
15 it would be the 20 percent.

16 CHAIRPERSON WEPRIN: Oh, oh, okay.

17 HOWARD SLATKIN: The--so, just by,
18 just to reiterate something that Steve mentioned,
19 about the, the, our limitations in the zoning, the
20 actual practical limitation in operation is often
21 the market for car sharing, that there tend to be
22 relatively small numbers of vehicles at each of
23 these locations. So, the zoning may allow more
24 than would be supported by the market at a
25 location in which case you're only going to get a

1
2 smaller number of vehicles.

3 CHAIRPERSON WEPRIN: One, you know,
4 one of the concerns, you know, we have a number in
5 the community I represent, and one of the
6 community boards that was opposed to it was part
7 of my district. A big residential building now,
8 there's no parking currently, I mean, everyone's,
9 you know, very upset, 'cause you know, every part,
10 spot is taken, it spills onto residential streets
11 around the buildings, so their fear is that, you
12 know, now they're going to, they're going to have
13 an opportunity to set aside spots and get paid for
14 it, they're going to take away more spots from the
15 residents. Can you allay those fears.

16 HOWARD SLATKIN: Sure. I think
17 the, we, first of all appreciate those concerns,
18 and are certainly aware of them in all of our
19 neighborhood planning that goes on in, in these
20 neighborhoods. The, the real, the sort of, the
21 trick to, to the way this proposal works is that
22 once--the car sharing vehicles are only going to
23 actually physically be located there if there's a
24 market, if there are customers. And if there are
25 customers, what we find through a number of

1 national studies that have occurred in--and it's
2 been the record in New York City, it's been the
3 record in other cities, as well, that car share
4 members have fewer cars, so if there are, you
5 know, even the numbers, what is it, six to 32
6 percent is the, is the percentage of users that
7 shed cars, even if that number were as small as
8 two-and-a-half percent, for every car share
9 vehicle you're introducing, you would be getting
10 rid of an equal number of cars. And so you're not
11 adding more cars by introducing the car sharing
12 vehicles. It's the, what they really do is they
13 offset the need for other vehicles, and they will
14 increase availability of parking for the other
15 people who do own cars and need the spaces.

17 CHAIRPERSON WEPRIN: But if you
18 were someone who didn't live in that building or
19 that complex, you could still apply to the
20 landlord to, to be part, or apply to be part of
21 that program?

22 HOWARD SLATKIN: To use that car
23 sharing, absolutely, that's one of the important
24 things is that the, the car sharing vehicles
25 serve, generally serve not just the residents of

1
2 that building, but, but people who are within a
3 couple of blocks walk.

4 CHAIRPERSON WEPRIN: So you believe
5 that a number of people will choose not to have a
6 car, or have a car parked there full time, and
7 then in the end might actually save spots.

8 HOWARD SLATKIN: That's correct.
9 And if there aren't people--

10 CHAIRPERSON WEPRIN: Which is what
11 you tried to show with your cool PowerPoint.

12 HOWARD SLATKIN: Right, and if
13 there aren't people who do that, then we don't
14 think we'll see car sharing vehicles use those
15 spaces, because--

16 CHAIRPERSON WEPRIN: Right.

17 HOWARD SLATKIN: --there's no one
18 paying for that spot, then.

19 CHAIRPERSON WEPRIN: Who else would
20 be going to that spot, besides someone who lives
21 right near there and is currently maybe having a
22 car. All right, good, and the other concern of
23 course was for co-ops, too, in our area, with the
24 same parking, that's less of a concern to me only
25 because at least a co-op, there's a board of

1
2 directors who's, who's lives there, is involved in
3 the co-op--

4 HOWARD SLATKIN: Sure.

5 CHAIRPERSON WEPRIN: --who's going
6 to help make this decision, correct?

7 HOWARD SLATKIN: Yes.

8 CHAIRPERSON WEPRIN: Our big fear
9 is sometimes on residential buildings where you
10 have a landlord who has nothing to do with the
11 building except for owning it, is looking just to
12 make money, not thinking necessarily about the
13 parking. But I understand you addressed that. We
14 were joined by Jessica Lappin, who's going to jump
15 right in with a question, I think. Yes?

16 COUNCIL MEMBER LAPPIN: Well,
17 sorry, I apologize for being late. But I actually
18 am very concerned about co-ops and condos. And
19 some of them have monthly spots that are let out
20 to people who own the buildings, and there are
21 waiting lists for those spots. So, forgive me if
22 you covered this already, but, but how does that
23 work? And is it--well, I'll start from there,
24 'cause I have a couple of questions that are
25 linked.

2 HOWARD SLATKIN: Sure. I think the
3 key to this proposal is that it's strictly
4 voluntary. It is up to the owner and operator of
5 every parking facility, so if a--as to whether
6 they want to include car share vehicles. So if
7 there's a co-op, and there are many of them, that
8 are not interested in providing car share vehicles
9 for their users, they don't need to make any
10 spaces available. We are aware of at least, at
11 least one anecdotally during our, one of our
12 hearings in Manhattan, someone from one of the co-
13 ops stood up and said that they had made one or
14 two spaces available, and they actually could
15 vouch that one of their neighbors had already
16 gotten rid of their car. And so it had already
17 offset that, that capacity issue. But there's
18 nothing, the co-op or a condominium association is
19 still entirely free to maintain their waiting list
20 and, and do it the same way they always have.
21 There's nothing that would require them to change
22 that.

23 COUNCIL MEMBER LAPPIN: Okay. And
24 I guess on the landlord piece, which the Chair has
25 mentioned, if the landlord chooses to just set

1
2 aside those spaces, then the tenants, there's
3 nothing they can do.

4 HOWARD SLATKIN: The tenants are
5 able to request spaces under the zoning
6 provisions; in the medium and higher density
7 districts there's a provision that allows a
8 certain number of spaces to be rented to
9 nonresidents of the building, to essentially
10 nearby residents, or in this case car sharing
11 operators. A resident of the building can make a
12 written request to the landlord to make the space
13 available to them. So there is recourse through
14 the zoning to do that. And actually, one of the
15 modifications that was made at the City Planning
16 Commission in response to comments was to include
17 language on a plaque in the garage to inform
18 residents that they have that recourse.

19 COUNCIL MEMBER LAPPIN: So just
20 explain to me practically how that works. The
21 landlord sets aside five spaces. I am a tenant, I
22 don't like that. I write the landlord a letter, I
23 say, "Please, I want a space back." He has to do
24 that? He does not have to do that? He gets my
25 letter and says, "Screw off," like what actually

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happens?

HOWARD SLATKIN: Well, the, there is a, I guess, the zoning requirement is that within 30 days the landlord must make spaces available. It does not, however, discuss--and zoning is completely on all the terms as to how they make the space available. It could be done by waiting list, it could be done by other means. So, the, it is up to, incumbent upon the landlord to respond and it would essentially be a violation of zoning administered by DOB if they did not respond to that request.

COUNCIL MEMBER LAPPIN: But they could respond and say, "I'm going to start a wait list, and you're on the wait list, you're number one on the wait list."

HOWARD SLATKIN: As they could today, that's correct.

COUNCIL MEMBER LAPPIN: Okay, thanks.

CHAIRPERSON WEPRIN: Thank you, Ms. Lappin. We've been joined by Council Member Robert Jackson from Manhattan, and Council Member Joel Rivera from The Bronx who has a question.

2 COUNCIL MEMBER RIVERA: Thank you
3 very much, Chairman. Just had a couple of
4 questions in terms of the program. It sounds like
5 there's potential environmental benefits towards
6 this proposal. Just wondering, are there any
7 hybrids that are part of the car share fleet? Is
8 that - -

9 STEVEN JOHNSON: Yeah, a large
10 number of the vehicles are hybrid vehicles. Well,
11 I mean, I'm not sure exactly how--what the numbers
12 are, but they do advertise that they're hybrid
13 vehicles. And they're also, they're newer
14 vehicles, so the vehicles have better
15 environmental ratings than older vehicles do.
16 'Cause they're a newer fleet.

17 COUNCIL MEMBER RIVERA: Now, in
18 terms of the hybrid, in an effort to incentivize
19 the, the rentals of these hybrids, is there a
20 discount offered? 'Cause I know you said there
21 was a possible \$12.00 to \$20.00 per--

22 HOWARD SLATKIN: You know, that's a
23 question I'm not sure we know the answer to, but
24 perhaps could be posed to the operators as to how
25 they manage the fleet.

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2 COUNCIL MEMBER RIVERA: 'Cause I
3 think that would be a great way to incentivize the
4 use of hybrid vehicles, and to get people more
5 accustomed to them. Now, in terms of the, the
6 rental program, you stated that on average \$10.00,
7 \$12.00, whatever, per hour, in the City of New
8 York, if a person rents it out, you know, for four
9 to five hours, \$40-\$50 bucks, \$60 bucks maybe, if
10 they decide to rent it out, you know, four times a
11 week, that's \$240, potentially upwards of close to
12 \$1,000 per month. Now, are there going to be
13 discounts for repeat rentals? Like a discount
14 program? You know of any that exist currently and
15 has that benefit--'cause I can see that, you know,
16 an owner of a vehicle who has to pay at least, or,
17 or a note on a car, and then has to pay car
18 insurance and maintenance, you know, that will
19 generally run about \$1,000 a month, so if there's
20 discount programs it may meet the long term goal
21 of reducing actual car ownership and at the same
22 time, you know, allowing for people to utilize
23 these vehicles.

24 HOWARD SLATKIN: We're definitely
25 aware that some of the operators have something

1
2 like, something like what you get for a calling
3 plan for a cell phone, where, you know, if you
4 know you're going to use the car a certain amount,
5 then you get a slightly discounted rate. As to
6 the details of that, again I'll defer to the
7 operators as to how exactly they, they manage
8 that.

9 COUNCIL MEMBER RIVERA: All right,
10 thank you. Thank you, Chairman.

11 CHAIRPERSON WEPRIN: Any other
12 questions. Yes, Ms. Lappin, I forgot about you -
13 -

14 COUNCIL MEMBER LAPPIN: Thank you,
15 one, one more. I've never used a car sharing
16 program, but I, I, from what I've seen, there are
17 sort of pick up and drop off locations. And then,
18 you know, they're, this is, this is sort of
19 wherever you can park. But does this then mean
20 that a co-op or condo or residential unit could
21 become a pick up or drop off location?

22 HOWARD SLATKIN: Essentially, yes,
23 that's what, that's what--the, the spaces that are
24 assigned to car share vehicles would be open to
25 users, and this is another decision that obviously

1
2 the, the owner of the co-op has to make in terms
3 of how they want to invite, you know, users of the
4 facility. And it is how the spaces operate today.
5 The reason we believe it's appropriate to do in
6 the residential context is that there are no
7 commercial transactions that occur anywhere near
8 the vehicle. Essentially, you walk up, you have
9 your keycard or whatever the company supplies you
10 with, and you enter the car and you drive off, as
11 if it were your own car, and it, and it works much
12 like a private automobile does. There's no
13 attendant, there's no rental counter where you're
14 going, you have a line of people out the door
15 waiting to rent their vehicle. So it's, it works
16 very smoothly and we believe is appropriate to the

17 - -

18 COUNCIL MEMBER LAPPIN: No, I
19 understand that, but what I'm talking, but a lot
20 of these garages in Manhattan are underground or
21 within a building, so then you're going to give
22 strangers access to your facility.

23 HOWARD SLATKIN: That's--go ahead,
24 I'm sorry.

25 STEVEN JOHNSON: Well, one of the

1 things we, we addressed that with our proposal,
2 because that issue was brought up, that you're
3 giving access to people to your residential
4 building. So we said that in our proposal that
5 there has to be a secure--security access between
6 the residential building and the garage. And the
7 car share companies don't want to be in a garage
8 where their, their membership can't get in or have
9 problems getting in. So they're not going to
10 place their vehicles anywhere that's closed,
11 closes part time or has problems getting in and
12 out of the garage.

14 COUNCIL MEMBER LAPPIN: So what
15 does that, what does that mean? Because a lot of
16 the garages in my district are not manned. You
17 have to go through the doorman or go through the
18 lobby, and then they give you access to the
19 basement. So--

20 HOWARD SLATKIN: The only way that--
21 -based on the requirement that is built into this,
22 that sounds like an unlikely type of facility to
23 host a car share vehicle, because of those
24 provisions. There would need to be a secured
25 means of access that does not involve going

1
2 through the lobby, that you can access the garage-
3 -in other words, you can't just stroll right from
4 the lobby, the residential portion into the
5 garage. We, I think also, I'm looking around the
6 room and I think that there are also parking
7 operators who might be able to speak to some of
8 the logistical issues as to how car sharing works
9 operationally within garages, as well.

10 CHAIRPERSON WEPRIN: You keep
11 trying to pass that off--

12 HOWARD SLATKIN: I--[laughter]

13 CHAIRPERSON WEPRIN: It hasn't been
14 working yet.

15 HOWARD SLATKIN: I'm trying to
16 defer to those with greater expertise on the
17 operational aspects of this, yes.

18 [background noise]

19 CHAIRPERSON WEPRIN: Sorry about
20 that, Nick. Any other questions from the panel?
21 Oh, Mr. Vann has a question.

22 COUNCIL MEMBER VANN: I just want a
23 confirmation. Participation in this car sharing
24 program is completely voluntary?

25 HOWARD SLATKIN: That's correct.

2 COUNCIL MEMBER VANN: Right. No
3 matter parking facility I own, if you want to come
4 in there, I have to say, "Yes, okay."

5 HOWARD SLATKIN: Sorry, could you
6 repeat that?

7 COUNCIL MEMBER VANN: Any owner of
8 a parking facility--

9 HOWARD SLATKIN: Yes.

10 COUNCIL MEMBER VANN: --would have
11 to say, "Yes, I want--"

12 HOWARD SLATKIN: Absolutely, yes.

13 COUNCIL MEMBER VANN: Yeah, all
14 right. And why, why would I want to do that?

15 HOWARD SLATKIN: If you have spaces
16 that might not be fully used, you might want to do
17 that; if you know that there is a large market for
18 car sharing vehicles in the neighborhood, if the
19 car sharing operators are--there's some
20 neighborhoods where they're looking for spaces but
21 there aren't a lot of parking garages around, so
22 they might be looking to locate a car in one or
23 two spaces.

24 CHAIRPERSON WEPRIN: They're going
25 to pay money to the, the operator of the garages.

2 HOWARD SLATKIN: They will rent
3 spaces like other people rent spaces, generally,
4 yes.

5 COUNCIL MEMBER VANN: [off mic] - -
6 [on mic] whatever costs the normal user pay, they
7 will pay that rate.

8 HOWARD SLATKIN: That's our
9 understanding, yes.

10 COUNCIL MEMBER VANN: Where'd you
11 get your understanding from.

12 HOWARD SLATKIN: From the operators
13 themselves, as to how they conduct these
14 transactions. We don't regulate the, the rental
15 transactions, but that's what we've been told.

16 CHAIRPERSON WEPRIN: Well, on that--
17 -Sorry, Al, I didn't mean to jump in on you--

18 COUNCIL MEMBER VANN: No problem.

19 CHAIRPERSON WEPRIN: There's
20 nothing that says they can't charge more than that
21 rate.

22 HOWARD SLATKIN: In a, I believe in
23 a licensed public parking facility, they are
24 responsible for charging the posted rates, and
25 that's what--

1
2 CHAIRPERSON WEPRIN: Is that true,
3 even if it's not a residential rate, it's a
4 business spot, do they have to charge the same
5 rate? They probably could charge a higher rate,
6 couldn't they? You're not sure, I know.

7 HOWARD SLATKIN: You know, I think-

8 -

9 CHAIRPERSON WEPRIN: I'm looking to
10 your counsel.

11 [background noise]

12 HOWARD SLATKIN: That's our
13 understanding as well, and when this issue came
14 up, this issue was raised also before the City
15 Planning Commission, and we inquired as well with
16 the owners of the garages and the car share
17 companies, who informed us that they pay the going
18 rate, essentially.

19 CHAIRPERSON WEPRIN: And I'm not,
20 I'm not sure, in, in relation to Council Member
21 Lappin's concern about a co-op, I'm not sure co-
22 ops always list their rates, 'cause it's just, do
23 they have to, they don't have to list their rates
24 for the co-op shareholders, they can, they just
25 have a rate they pay. So, in that case there is

1
2 not listed rate. Is the rate that they're charged
3 considered the listing rate? I'm asking questions
4 I don't think you're going to be able to answer.

5 HOWARD SLATKIN: It only, that,
6 that applies to the consumer, Department of
7 Consumer Affairs regulation of, of licensed public
8 parking facil--licensed parking facilities. If
9 it's not a licensed public parking, parking
10 facility, and it's operated by the, essentially
11 the co-op, then that, then they assign those rates
12 themselves.

13 CHAIRPERSON WEPRIN: And, and, just
14 ask one rhetorical statement is, that's, that's
15 one of the concerns I think Council Member Lappin
16 have, and I have, is that, you know, in a
17 residential building we have a landlord. I'm
18 curious whether they can charge more, 'cause a
19 landlord may say, "Hey, look, I can get more money
20 for renting out these spaces for this business,
21 instead of having one of my tenants use it," and
22 that, that seems like a concern to me. As well as
23 co-ops, too.

24 HOWARD SLATKIN: And, and when, as
25 I mentioned when that question, that question was

2 also, the concern was raised through testimony
3 from several entities from Manhattan. And we
4 inquired with the operators and the garage owners,
5 and they have told us that they don't differential
6 rates at this point.

7 CHAIRPERSON WEPRIN: Okay. Anybody
8 else, then? All right, gentlemen, thank you very
9 much, I want to give you props for the PowerPoint,
10 our best PowerPoint of the year. You'll get a, a
11 Zoning Emmy later, a Zoney, we call them, at the
12 end of the year. [laughter]

13 HOWARD SLATKIN: Nice.

14 CHAIRPERSON WEPRIN: Or you'll be
15 nominated at least. [laughter] We now have, we
16 have five people here in favor. I'm going to
17 bring them all up together, if that's okay. I
18 know some have, will have questions directed to
19 them more than others, but I'm going to call
20 everyone up just to make it go quicker here. L.
21 Nicolas, is it Aponderos or Donderos?

22 L. NICOLAS RONDEROS: Ronderos.

23 CHAIRPERSON WEPRIN: Oh, Ronderos,
24 okay. Douglas Woodland, Chris Ficalora from
25 Zipcar, Sarah Watson, and Brenda Levin. [pause]

1
2 And what I'm going to, what I'd like to do is,
3 let's give 'em three minutes each, can we do that?

4 MALE VOICE: Yes.

5 CHAIRPERSON WEPRIN: Three minutes
6 each, we'll do three minutes on the clock, so if
7 you can keep your remarks to three minutes,
8 there'll be questions I'm sure for some of you,
9 since you've been referenced already. But if you
10 can keep it under three minutes, we would
11 appreciate it. Don't have to take your full three
12 minutes if you don't want to. So, I don't know
13 where you want to start, Brenda you want to go
14 first, you can lead us off here. And state your
15 name, and then testify.

16 BRENDA LEVIN: Okay, good morning,
17 Mr. Chairman, esteemed members of the Committee
18 and members of the public, my name is Brenda
19 Levin, and I'm about one minute. I do not have a
20 car, and I do not have a driver's license. So,
21 why am I here? I know a good idea when I see it,
22 and I think that this is an outstanding initiative
23 on the part of the Department of City Planning.
24 Council Member Rivera made one of my arguments, I
25 think it's a totally green initiative, and

1
2 consistent with the City's goals on having a green
3 city. I think to the extent that people will
4 decide that they don't need a car, they can save
5 money by not having a car and using car sharing,
6 that that's a very good thing. Certainly in dense
7 neighborhoods where there's a dearth of parking
8 and people drive around and drive around looking
9 for parking, and put carbon emissions into the
10 air, this will solve some of that problem. I
11 think that allowing it on college campuses or in
12 neighborhoods abutting college campuses is a very
13 good thing. I think restricting it, not to have
14 it in one and two family neighborhoods so that
15 people can't rent out their driveway is a good
16 thing. And I, I heard the concerns of Council
17 Member Lappin, and I hope that you all will be
18 able to get all that, and, and Chairman Weprin, I
19 hope you will be able to get that sorted out,
20 because I think this is a very good initiative and
21 I hope you will approve it.

22 CHAIRPERSON WEPRIN: Thank you, Ms.
23 Levin. Ms. Watson, please state your name.

24 SARAH WATSON: Good morning. My
25 name's Sarah Watson, I'm representing the Zoning

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2 Committee of the Citizens Housing and Planning
3 Council, CHPC. We've reviewed the proposed text
4 and we offer our full support for the amendment.
5 It's critical that New York Zoning Resolution
6 supports and encourages technological innovation
7 and emerging lifestyle shifts that can contribute
8 toward the goals laid out in Mayor Bloomberg's
9 PlaNYC, to make New York a model for cities in the
10 21st Century. Easily accessible, car sharing
11 programs can lead to a reduction of car ownership
12 and usage, therefore cutting greenhouse emissions
13 and air pollution. Car sharing also has the
14 potential to reduce the strain on parking
15 infrastructure. The Department of City Planning
16 has observed and assessed this important shift
17 occurring already in New York City, and has
18 designed text that will manage how it's being used
19 and how it may grow, and for this we applaud their
20 forward thinking vision to integrate car sharing
21 formally into the City's parking infrastructure.
22 In addition to our support, CHPC would also
23 encourage a regular assessment of how car sharing
24 is being used, so the text may be altered to keep
25 up with changes in demand, but once again we'd

1
2 like to reiterate our support of this amendment.

3 CHAIRPERSON WEPRIN: Thank you.

4 CHRIS FICALORA: Good morning,
5 Chairman Weprin and members of the City Council.
6 I'm Chris Ficalora, Regional Vice President of
7 Zipcar. I'd like to thank you for the opportunity
8 to present testimony in support of the zoning
9 ordinance changes. This ordinance change will
10 allow Zipcar and other car sharing, and the car
11 sharing category in general, to effectively expand
12 into all parts and boroughs in such a way that
13 will benefit all the residents of the New York
14 Metro area. Zipcar and the car sharing category
15 take cars off the road. Studies have shown that
16 each Zipcar takes more than 14.9 personally owned
17 vehicles off the road. In a member survey, 65
18 percent of our members reported selling or halting
19 a purchase decision upon joining Zipcar. In New
20 York City, this means that by the end of 2010,
21 over 50,000 vehicles will have been removed from
22 our congested streets. We understand that car
23 owners may feel that this change will reduce
24 availability of parking for personally owned
25 vehicles in residential buildings; however, given

1 the aforementioned member survey data, it is clear
2 that they're actually reducing the need for
3 personally owned vehicle spaces. In addition, car
4 sharing members drive significantly less than
5 individually--individuals with personally owned
6 vehicles. The average member reports driving
7 2,600 fewer miles per year when becoming a member.
8 This equates to a savings of over, close of a
9 million dollars, or a million gallons of gasoline,
10 and prevention of close to 100,000 tons of carbon
11 emissions just for the year of 2009. Statistics
12 have shown that members of the Zipcar and car
13 sharing programs report a 47 percent increase in
14 public transportation, ten percent increase in
15 bicycling and 26 percent increase in walking. Car
16 sharing saves money. Zipcar members reported
17 saving an annual savings of \$600 a month, or
18 \$7,200 per year. The savings for the New York
19 members alone in 2009 totaled over \$77 million.
20 Zipcar and the car sharing is not just for
21 consumers, we have partnered with small, medium,
22 large businesses, universities and the government,
23 including the New York City Department of
24 Transportation. Throughout our vehicle network,
25

1
2 over 14 million people are within a ten minute
3 walk to a Zipcar. In closing, we are committed to
4 the great City of New York and see the great
5 future for car sharing. The proposed change in
6 zoning ordinance will bridge the gap of a tighter
7 network of car sharing vehicles for members of the
8 car sharing community within New York. I thank
9 you for your time and am happy to answer any
10 questions the Chairman or Council Members may
11 have.

12 CHAIRPERSON WEPRIN: Thank you very
13 much. Please, sir.

14 L. NICOLAS RONDEROS: Good morning,
15 my name is Nicholas Ronderos, and I am Director of
16 Urban Development for Regional Plan Association, a
17 private nonprofit research and planning
18 organization, serving the greater New York
19 Metropolitan region. RPA wants to comment on the
20 car sharing vehicles proposed text amendment and
21 express our support for this change to improve the
22 efficiency of parking on automobile use. As
23 recognized by the Department of City Planning, car
24 sharing is a service that can improve the mobility
25 of New Yorkers, providing them with a wider range

1 of affordable transportation choices, while
2 helping increase parking availability within
3 neighborhoods. The City's proposed citywide
4 zoning text amendment would clearly define car
5 share vehicles parking requirements in off street
6 parking garages, on lots in suitable locations.
7 The off street parking regulations in New York
8 City were written nearly a half a century ago, and
9 did not anticipate the recent emergence of car
10 sharing. No clear rules for where car share
11 vehicles can or cannot locate are in place, and
12 clarification is needed. The proposed regulations
13 for accessory parking and public parking
14 facilities, precisely address this lack of
15 guidance and standards. The proposed zoning text
16 amendment would define car sharing in the zoning
17 resolution, and establish clear rules allowing car
18 sharing vehicles to park in public parking
19 facilities as well as in parking facilities
20 accessory to residential, commercial and other
21 uses, within appropriate limitations, based on use
22 and zoning district. This tiered approach to
23 proposed car share limitations by zoning district
24 is a good compromise between the benefits of the
25

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2 car sharing characteristics, and the concerns of
3 the communities across New York City regarding
4 parking spaces for all vehicles. By providing
5 flexibility to higher density areas, and more
6 restrictive limitation to less dense areas, the
7 proposed amendment reaches the right balance
8 between transit and vehicle ownership in areas of
9 the city that require cars. Nevertheless, RPA
10 wants to suggest that the proposed amendment
11 explores the possibility of providing an even more
12 aggressive policy in the Manhattan/Upper
13 Manhattan, Queen and Brooklyn Central business
14 districts, by not providing a cap for car share
15 parking in those areas. The potential benefits of
16 car sharing far outweigh its drawbacks, as an
17 affordable alternative to car ownership and
18 compliment to transit service, car sharing is
19 poised to increase mobility. Community benefits
20 include reduced neighborhood parking demand, and
21 reduced driving by car sharing users, reducing
22 congestion, greenhouse gas emissions, and/or
23 pollution. RPA believes that the car share zoning
24 text amendment is a step in the right direction,
25 taken by this administration, as part of this

1
2 technical provisions of the zoning resolution, and
3 it's a welcome development for modernizing the
4 City's code. Thank you.

5 DOUGLAS WOODWARD: Thank you. My
6 name's Douglas Woodward, I'm representing Edison
7 Properties, which is the, the parent company of
8 Edison Park Fast, which has 37 locations in New
9 York, New Jersey and Maryland, and 20 in New York
10 City alone. I have a brief statement of Jerry
11 Gottesman, the Chairman of Edison, but you have it
12 in front of you, so I'll just, I'll just briefly
13 summarize it. "Edison Properties strongly
14 supports the car sharing zoning being proposed by
15 City Planning, and commends the thoughtful and
16 innovative work of the City Planning Department
17 and its staff, particularly Howard Slatkin and
18 Steven Johnson who've crafted a careful text with
19 room for growth as car sharing continues to expand
20 in New York City. Edison currently parks close to
21 100 car sharing vehicles in its facilities in the
22 City, and believes firmly in this important green
23 parking initiative. Car sharing is an important
24 way of helping to rationalize and control the use
25 of vehicles in dense urban environments. Once

1
2 again, we congratulate City Planning on this
3 outstanding piece of zoning legislation and urge
4 you to vote in its favor."

5 CHAIRPERSON WEPRIN: Thank you very
6 much, and thank you all for keeping it brief. I'm
7 sure we have--Oh, she left me. Anyone have
8 questions? Joel Rivera.

9 COUNCIL MEMBER RIVERA: Thank you
10 very much. I guess, I want to thank all of you
11 for coming here today. And I guess my question's
12 going to be directed toward Zipcar, since you've
13 heard my earlier questions, in terms of hybrid
14 vehicles. How many hybrid vehicles do you
15 normally have?

16 CHRIS FICALORA: Pretty
17 significant, a pretty significant portion of our
18 fleet are hybrid vehicles, the Insight as well as
19 the Prius.

20 COUNCIL MEMBER RIVERA: Okay. So
21 you have, is there a percentage? Is it five
22 percent, seven percent?

23 CHRIS FICALORA: It's probably
24 closer to 30, 25 to 30 percent, at a minimum.

25 COUNCIL MEMBER RIVERA: Okay, and

1
2 how do you see the, obviously since you have so
3 many, that means that there's a demand for it.

4 How is, how is the demand for it?

5 CHRIS FICALORA: Definitely a
6 demand for it. The demand for the hybrid vehicles
7 is, we, we place the vehicles based on the demand
8 for the vehicle. And within the location, as
9 well. A point that you brought up earlier, about
10 the pricing, they fall within the prices, lowest
11 pricing structure.

12 COUNCIL MEMBER RIVERA: Okay, so
13 it's, it's lesser, it's, I guess, well what would
14 be the price for like a Prius--

15 CHRIS FICALORA: A Prius could
16 range anywhere from \$8 an hour to \$11 an hour.

17 COUNCIL MEMBER RIVERA: \$8 to \$11
18 an hour.

19 CHRIS FICALORA: Yeah, depending on
20 locations.

21 COUNCIL MEMBER RIVERA: And then,
22 are there any discounts for multiple rentals, in
23 terms of--I mean, the whole entire concept seems
24 amazing, you potentially can take more vehicles
25 off the streets and have more people sharing a

potential different vehicles.-

CHRIS FICALORA: That is correct, there's a number of different programs that you could be part of. Aside from the, the general consumer program, we have programs for people who drive a significant amount. And that would, gives them the access to lower rates, as well.

COUNCIL MEMBER RIVERA: Okay. Now, in terms of how widespread is the car share program throughout the five boroughs, do you see, where is it most populated? where is it most utilized? What type of programs do you have to reach out to different communities, to show them that this program exists?

CHRIS FICALORA: Certainly. The only borough that we're not currently in is Staten Island. We, we go into The Bronx, into, into Brooklyn, into Queens and definitely into Manhattan. And then along the Jersey shoreline, as well.

COUNCIL MEMBER RIVERA: Now how do you promote the, the car share program, that is the Zipcar program, I guess.

CHRIS FICALORA: We have, we have

1
2 marketing teams, we do out of home campaign, a lot
3 of online advertising. It's, majority of it is
4 word of mouth and members referring other members.

5 COUNCIL MEMBER RIVERA: Okay. Now,
6 I can see, if someone's interested in purchasing
7 your vehicle, I can see them want to test drive.
8 Now can they, can a member pick of a specific type
9 of vehicle, for instance if they want a Toyota
10 Prius or Honda Insight, or if they want a
11 particular other car, can they--

12 CHRIS FICALORA: After you become a
13 member, you choose which vehicle specifically out
14 of the fleet in New York City you want to reserve.
15 And each vehicle, at least for Zipcar, is given a
16 name. So if you want to use "Bob" all the time,
17 "Bob" becomes your car [laughter] and if you want
18 to cheat a little bit and use "Mary" once in a
19 while, then you could use "Mary." It all depends
20 on the type of car that you want. [laughter]

21 COUNCIL MEMBER RIVERA: [laughs]
22 That's--we're not promoting cheating here.
23 [laughter] But, I mean, I mean, that really can
24 be helpful when people who are looking to
25 potential purchases and to test drive.

2 CHRIS FICALORA: Correct. It gives
3 you the opportunity to, to use--we have 22
4 different types of vehicles in the New York City
5 fleet, anything from mini-Coopers, to smart
6 vehicle, BMWs, Audis. There's a pretty broad
7 range of vehicles.

8 COUNCIL MEMBER RIVERA: Now, is
9 there a peak time usage for the vehicles, and a
10 non-peak time usage, or--?

11 CHRIS FICALORA: It tends to
12 fluctuate, there is. The peak time is generally
13 on weekends. And that is because the cars get
14 heavily used. We also have a lot of business
15 customers who work in the City, as well, who use
16 the vehicles during the day, as well.

17 COUNCIL MEMBER RIVERA: Okay. Now,
18 is there a limitation on how far you can travel
19 with these vehicles? For instance, I know a lot
20 of people, particularly Manhattan, probably, that
21 don't own vehicles and may want to go for a
22 weekend in the Hamptons or a week, go somewhere.
23 Is--

24 CHRIS FICALORA: That is definitely
25 the case, you can go for the weekend. We

1
2 discourage someone from driving from here to
3 Dallas, Texas, but generally the, the longest
4 reservation that we would offer is up to four
5 days.

6 COUNCIL MEMBER RIVERA: Okay, is up
7 to four days.

8 CHRIS FICALORA: Right.

9 COUNCIL MEMBER RIVERA: And then,
10 at that point, is it per, is there a per mile add
11 up?

12 CHRIS FICALORA: Then it would be,
13 become a per day rate.

14 COUNCIL MEMBER RIVERA: Okay.

15 CHRIS FICALORA: And then, each day
16 has 180 complimentary miles.

17 COUNCIL MEMBER RIVERA: Okay.
18 Perfect. Thank you very much. Thank you, Chair.

19 CHAIRPERSON WEPRIN: Thank you.
20 Council Member Al Vann.

21 COUNCIL MEMBER VANN: All the
22 operators have fleets?

23 CHRIS FICALORA: They do. To my
24 understanding, they each have their own fleets,
25 yes.

2 COUNCIL MEMBER VANN: Where do they
3 keep their, their fleet?

4 CHRIS FICALORA: The fleets are
5 dispersed throughout New York City, in, in garages
6 throughout the City. And we don't have them
7 concentrated in one specific garage, we try to
8 have a Zipcar within every five to ten blocks of
9 our members.

10 COUNCIL MEMBER VANN: So all of
11 your fleet is already committed to garages, at
12 this point.

13 CHRIS FICALORA: That is correct;
14 however, our fleet continues to expand, and so
15 does our member base. So, as our membership base
16 continues to expand, then we expand the locations
17 that our fleet is in.

18 COUNCIL MEMBER VANN: Okay, so
19 you'd be, you buy more cars as you have more
20 spaces--

21 CHRIS FICALORA: Correct, yes.

22 COUNCIL MEMBER VANN: So if all, if
23 all those spaces decide they don't want you any
24 more, then you got your fleet on the street.

25 CHRIS FICALORA: Then we have to go

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find other spaces.

COUNCIL MEMBER VANN: Okay. Now, I, about a green argument, that sounds like it makes sense. Does this affect the number of cars that people purchase? Is that what I heard?

CHRIS FICALORA: It does, it significantly reduces, as I said, it, people, after joining Zipcar have reported about a 65 percent reduction in vehicles, either through selling their vehicle or postponing a purchase of a vehicle.

COUNCIL MEMBER VANN: You think--

CHRIS FICALORA: In some cases, people use it as a second vehicle, as well. They may maintain one vehicle that gets used Monday through Friday, but they, you want a second vehicle on the weekend, so that's where Zipcar can come into play.

COUNCIL MEMBER VANN: Right. You're not concerned that it may affect the economy of the City or whatever 'cause peo--less people spending money buying cars. That's not a deterrent--

CHRIS FICALORA: No, I think, I

1
2 think there's a number of different factors. I
3 think it, there's a huge savings for the, for the
4 members of the City, and that just puts more money
5 into their pockets to do other things.

6 COUNCIL MEMBER VANN: Mm-hmm. Is
7 there any competition with the taxi system, do you
8 think?

9 CHRIS FICALORA: It's a different
10 system altogether. And I get asked the question,
11 is car rental competition, and it's really not.
12 Car ownership is competition. 'Cause we're not
13 competing with the car rental agencies, because
14 they're generally for leisure, longer leisure
15 patterns or for business use, where our system is
16 really, the, if there was a competitor, it's going
17 to be car ownership.

18 CHAIRPERSON WEPRIN: I have a
19 question. So, this zoning amendment, the zoning
20 language, how does that affect your business now?
21 Like right now, what do you, how is this going to
22 be, what changes are you going to have to make
23 because this might pass?

24 CHRIS FICALORA: It actually gives
25 us the ability to expand into a larger foot--a

1
2 larger footprint. We get requests on a regular
3 basis to be in certain locations in the City, and
4 it really dictates the demand of the parking in
5 those areas. With this zoning change, it's going
6 to open up doors to us to really serve the, the
7 potential members that we would, we could have.

8 CHAIRPERSON WEPRIN: Well, what
9 limits you right now? Why can't you go all over
10 the City currently?

11 CHRIS FICALORA: Limited parking.
12 There is only a certain amount of public garages
13 that are available. And with the theory that we
14 want to have vehicles anywhere from five to ten
15 blocks from residents, this adds a convenience
16 factor for our membership base.

17 CHAIRPERSON WEPRIN: But couldn't
18 you now go to those same parking lots you're going
19 to be going if this becomes law, and say to them,
20 "We want to buy some of your spots or rent some of
21 your spots?"

22 CHRIS FICALORA: We would get a
23 ticket at this point.

24 CHAIRPERSON WEPRIN: Is that right?

25 CHRIS FICALORA: Yeah.

2 CHAIRPERSON WEPRIN: Okay. You're
3 coming to tell me what I don't know? Okay. I'm
4 learning what I don't know.

5 CHRIS FICALORA: We would be
6 standing in front of a judge paying a fine.

7 CHAIRPERSON WEPRIN: Okay, I got
8 it. Oh, that's good, that's the answer. All
9 right, let me go back to the other question, and I
10 don't know if this is an Edison question or a
11 Zipcar question, but are you limited to what you
12 can pay or charge to this company?

13 DOUGLAS WOODWARD: [off mic] Yeah,
14 we are the - -

15 CHAIRPERSON WEPRIN: It's
16 counterintuitive on the button there.

17 DOUGLAS WOODWARD: Yes, totally.
18 Yeah, we are limited, we, we don't charge them
19 over what we charge, charge a normal user. They
20 are great payers, Zipcar in particular, so--

21 CHAIRPERSON WEPRIN: Could you--

22 DOUGLAS WOODWARD: --so we'd like
23 to have them.

24 CHAIRPERSON WEPRIN: Could you
25 charge them more than your normal payer?

2 DOUGLAS WOODWARD: We don't think
3 so. I mean, we've--

4 CHRIS FICALORA: We wouldn't pay
5 it.

6 DOUGLAS WOODWARD: --I mean, Howard
7 asked us the same question. Right.

8 CHRIS FICALORA: There's a rate
9 posted, we're not going to pay more than that.

10 CHAIRPERSON WEPRIN: Right. Do
11 you, do you know the answer to the question about,
12 about co-ops and residential buildings that don't
13 have posted rates, do either one of you know how
14 that works? Could you get charged more? Can a
15 building say, "Hey, look, I got Zipcar, they're a
16 private company, they're changing the whole
17 economy of the United States, and you know, we can
18 charge them lots of money," could they do that?

19 CHRIS FICALORA: Anyone could try
20 anything. However, it's whether we're going to
21 pay it or not.

22 CHAIRPERSON WEPRIN: Right.

23 CHRIS FICALORA: We, when we, when
24 we base our parking, we look at the competitive
25 surroundings, what the rates are, and that's

1
2 primarily what we would pay. If somebody came to
3 us and said, "You know, we're going to charge you
4 \$2,000 for a spot--"

5 CHAIRPERSON WEPRIN: Right.

6 CHRIS FICALORA: --that the general
7 consumer would pay \$400, we wouldn't be putting a
8 car there.

9 CHAIRPERSON WEPRIN: 'Cause that, I
10 mean, that's one of the concerns is that, let's
11 face it, I mean, I think you should probably pay
12 more than a resident of a building, if they have a
13 parking spot for the residents, you know, they
14 should probably, you shouldn't get the same rate;
15 on the other hand, by you getting, paying more,
16 you're more likely to be, a landlord's more likely
17 to want you than the regular rent, so it's kind of
18 a Catch-22. But that, I mean, that's one of the
19 concerns I think, you know, Jessica Lappin had is
20 that, you know, some buildings have no parking. I
21 mean, I have buildings in my area where you cannot
22 part anywhere near the building anymore, and
23 people spill all over the place. We have a
24 hospital in our area that has a terrible parking
25 problem. Are they allowed to rent part of their

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lot?

CHRIS FICALORA: Typically, hospitals have such a demand for parking, and the entrance going in and out is so inconvenient for a member, that we typically don't park in--at least in the City of New York, we typically don't park in hospitals.

CHAIRPERSON WEPRIN: But you could.

CHRIS FICALORA: We've been, we've been offered locations, but we also evaluate the availability for transportation in and out, and we don't, we typically don't.

CHAIRPERSON WEPRIN: But also you could make the argument, though, in the case that I'm describing of this, there's already no parking. I mean, the answer City Planning seemed to give, and I was, you know, maybe buying, is the idea of, this will limit the amount of people who might actually use the parking lot, because they'll be more likely to use the Zipcar into there, as opposed to driving every day, if they're visiting at a hospital, for instance, visiting a loved one, you know, this might be a better way than taking a vehicle.

1
2 CHRIS FICALORA: I think in the
3 case with the hospital, placing it within the
4 hospital wouldn't necessarily be for the patients
5 family members coming in; if there was a very
6 dense residential community around it, that would
7 be the only deciding factor. And in most cases
8 around hospitals, parking is at such a demand,
9 that we typically don't park there, even because
10 of the congestion around the hospital locations.

11 CHAIRPERSON WEPRIN: Okay. Well, I
12 mean, 'cause that, the, the three community
13 boards, from what I understand, that oppose this,
14 I mean, that was their concern, about we have
15 enough tough, tough enough time with parking
16 already, and with the ramifications of having no
17 parking, does this make it worse? Do you think
18 this makes it worse or better?

19 CHRIS FICALORA: Well, I, I think
20 it actually, to refer back to your point on the
21 hospitals, typically hospitals outsource their
22 parking to other vendors, to management companies.
23 And what we have also learned in many cases, in
24 that management contract they prohibit any side
25 agreements from any other parkers aside from

1
2 specific individuals parking into that, that
3 location. So, in a sense, it almost could lock us
4 out from a parking based on contractual agreements
5 between the owner and the management company.

6 CHAIRPERSON WEPRIN: Okay. Hey,
7 going back? Anyone else have a question? No?
8 Mr. Vann.

9 COUNCIL MEMBER VANN: Yeah, final
10 question. You would only use a rental parking
11 facility if someone requests a car sharing in that
12 area? Or do you reserve areas in anticipation?

13 CHRIS FICALORA: We would reserve
14 areas when, when, as we continue to expand our
15 footprint, we, we start, and we move slowly out
16 into the outer boroughs, further out into the
17 outer boroughs. And other, or, other areas. So
18 we would, what we call, seating area, we'd get a
19 group of parking spaces, put some vehicles there,
20 and then market around that neighborhood, for, for
21 growth.

22 COUNCIL MEMBER VANN: Of a
23 neighborhood have parking facilities, can they
24 reach out to you?

25 CHRIS FICALORA: Absolutely, they

1
2 would--we have basically one person who handles
3 nothing but parking in the City. And we get lots
4 of inquiries for residents, for all kinds of
5 people, and businesses looking to rent us parking
6 spaces. Entire, in some cases, even entire
7 parking garages, which is not the business that
8 we're in.

9 COUNCIL MEMBER VANN: And the
10 minimal time that a person can share a car is
11 what? Reserve a car is for what?

12 CHRIS FICALORA: One hour.

13 COUNCIL MEMBER VANN: One hour.
14 And the maximum?

15 CHRIS FICALORA: Maximum is four
16 days. Unless you call and you get approval in
17 advance.

18 COUNCIL MEMBER VANN: All right,
19 thank you.

20 CHAIRPERSON WEPRIN: And the last
21 question is going to be Council Member Leroy
22 Comrie.

23 COUNCIL MEMBER COMRIE: Okay, thank
24 you. What's the minimum and the maximum rate that
25 you--

1
2 CHRIS FICALORA: The minimum rate
3 is \$8, the maximum rate is \$21.

4 COUNCIL MEMBER COMRIE: And do you
5 have, do you have, if you don't live near a car,
6 if you're a Queens residents now, resident now,
7 you only have one location? There's only one
8 location I saw in Queens? Or are there other
9 locations? How would that work?

10 CHRIS FICALORA: There are other
11 locations. What we try to do, what we typically
12 do is, as the area continues to develop with car
13 sharing members, we, we see, we put more vehicles
14 in different locations, within that area, with
15 close proximity to our membership base. We have a
16 lot of analytics that go behind determining where
17 our members are located, where they work, and what
18 number of vehicles that need to be around them in
19 order to service them. Now the one thing with
20 Zipcar is that once you become a member in New
21 York, you could become, you could use a vehicle
22 anywhere within our system, into Canada, into
23 Europe, as well.

24 COUNCIL MEMBER COMRIE: Okay, so,
25 yeah, go ahead, go ahead.

2 CHAIRPERSON WEPRIN: You go ahead,
3 Mr. Vann.

4 COUNCIL MEMBER VANN: I'm just
5 curious, if you drive to another state where they
6 also have time sharing, can you leave the car
7 there? Or you got to bring it back where you took
8 it?

9 CHRIS FICALORA: No, you always,
10 the way we refer to it is if you were borrowing
11 your dad's car, you would always return it back to
12 his driveway; otherwise, you'd probably get a
13 nasty phone call that you left it in another
14 state.

15 COUNCIL MEMBER VANN: Okay.

16 CHRIS FICALORA: It's all pick up
17 and drop off in the same location.

18 COUNCIL MEMBER VANN: Right, thank
19 you.

20 COUNCIL MEMBER COMRIE: So you
21 don't, you don't deliver vehicles to anyone at any
22 time.

23 CHRIS FICALORA: We do not. None
24 of our vehicles are allowed to be used for
25 commercial use, either, such as livery type of

services, as well.

COUNCIL MEMBER COMRIE: Okay, all right. And, and you all, you already said that you're not going to be paying any rates higher than any prescribed rates that you see for the resident.

CHRIS FICALORA: I would say we typically don't.

COUNCIL MEMBER COMRIE: All right.

CHAIRPERSON WEPRIN: Okay, I'm going to call on Mr. Rivera, just want to let my colleagues know that we have two other items, and I'm getting the, we have a new committee coming in soon, so--

COUNCIL MEMBER RIVERA: Okay, thank you, it'll be very quick. Are there any limitations on where you can drive? Can you drive in--Like on The Bronx River Parkway, if it says, "Zipcar," does that qualify as a commercial vehicle and not able to drive?

CHRIS FICALORA: You're allowed to drive pretty much anywhere.

COUNCIL MEMBER RIVERA: On any road.

2 CHRIS FICALORA: That you would
3 drive a regular vehicle.

4 COUNCIL MEMBER RIVERA: Okay,
5 perfect, thank you.

6 CHAIRPERSON WEPRIN: Okay, great.
7 Well, we want to thank this panel very much. And
8 we're going to move on to the next item, actually.
9 I'd like to close this hearing. We are going to
10 hold off on a vote on this item until our next
11 meeting, this one item will not get voted on
12 today, on the car sharing one. We're going to
13 move to the next item, though, Nick. Okay?
14 [background noise] Not yet. So, the next--
15 [background noise, pause] Okay, Councilman
16 Garodnick has to leave, and we're only, he, on the
17 first item, the Pio Pio Restaurant/Café, he wants
18 to be able to cast his vote on that. We have two
19 other votes coming down, which we haven't had the
20 hearings for, which we can't consider at this
21 time, but I'd like to allow Councilman Garodnick
22 to cast a vote on the first item, Pio Pio, which
23 was Land Use No. 198.

24 COUNCIL MEMBER GARODNICK: Thank
25 you, Mr. Chairman for the accommodation on Land

Use 198, I vote aye, thank you.

CHAIRPERSON WEPRIN: Okay, let's move on. Next is, is Preconsidered Hour Children C 1001145 ZMQ, in Council Member Van Bramer's district, a big supporter of this group, I know. And I'd like to call on Sister Tesa Fitzgerald, Marcie Kesner, Jerome--yeah. And Renata Hill.

FEMALE VOICE: Jerry. [laughter]

CHAIRPERSON WEPRIN: And Jun Koo Mazawa [phonetic]. Jerrie, Jerrie Kafriello [phonetic]. All right, sorry Jerrie. [background noise] Okay, Ms. Kesner, I'd like to, please, whoever starts, that'll speak on the record, if we could try to keep it as quick as possible. I'm getting--I know it's not your fault, but--

MARCIE KESNER: No, no, no, we understand, and we'd, we'd like to do it quickly.

CHAIRPERSON WEPRIN: Since I know the Council Member loves you, anything you say can and will be used against you. [laughter]

MARCIE KESNER: Okay, well that's fine. That's fine, it's a good place to be.

CHAIRPERSON WEPRIN: And we're joined by that Council Member.

MARCIE KESNER: Okay, I have the--
Okay. Council--good morning, Council Member Weprin, Council Member Van Bramer, and members of the Franchise Subcommittee. Okay, my name is Marcie Kesner, I'm an Urban Planner with Kramer & Naftalis--Kramer, Levin, Naftalis & Frankel, Land Use Council, to Hour Children, the applicant. Sister Tesa Fitzgerald, the Founder and Executive Director of Hour Children is here to speak about its programs and services, and the proposed new building that this rezoning will make possible. Jun Koo is Hour representing the architecture firm of Edelman, Sultan, Knox, Wood, who are the designers of the "As of Right" building, is here to answer any questions you may have, and Joe Bieber, who's the housing consultant, is here in the audience in case you have any questions about that. We have Jerry Kafarello here, who is one of Hour Children's neighbors, he's within, his home is within the rezoning area, and he supports the project, as do his neighbors; and Renata Hill who's a participant in Hour Children's programs. The application before you, as you can see on the map, one of the maps below, is to rezone a one-

1
2 and-a-half block area in community district one
3 and Council Member Van Bramer's district, in the
4 Ravenswood Section of Long Island City, from its
5 current M11 District to an R5D residential
6 district, a contextual district, with a commercial
7 overlay on the northern portion of the block, to
8 reflect existing ground floor retail uses. The
9 rezoning area--

10 CHAIRPERSON WEPRIN: Thank you,
11 Carol Merrill. [laughter]

12 MARCIE KESNER: Thank you. The--
13 the rezoning area is a block-and-a-half in size,
14 it's bounded by 36th Avenue to the north, the
15 midblock of block 351 to the east, 37th Avenue to
16 the south, and 11th Street to the west. The
17 proposed new district will more accurately reflect
18 the existing uses on the these blocks, and also
19 will allow the development of an 18 unit supported
20 housing project by Hour Children, which is a use
21 group 3A community facility. It will provide
22 permanent housing and support services to formerly
23 incarcerated women and their children, and provide
24 office and program use for Hour Children. Hour
25 Children currently owns an approximately 10,000

1 square foot parcel at 3611 12th Street, which is
2 within the rezoning area. It's a former convent,
3 and it's currently used as a transitional shelter
4 for eight households. There are accessory
5 buildings that are used for office space and for
6 furniture thrift shop, and other thrift shop and
7 other programs behind on the lot. Hour Children
8 also operates a food pantry and a thrift shop and
9 a training program within this, within the
10 rezoning area. And the rezoning would permit an
11 R52, R5D contextual district which would allow a
12 maximum of two FAR on the site, within a 40 foot
13 high maximum building envelope, a five foot front
14 yard is required, and would be provided; an eight
15 foot side yard is required when abutting a
16 residential building, it would be provided; and
17 the 30 foot deep rear yard is required, and would
18 be provided. Currently, only about a third of the
19 zoning lots within the rezoning area comply with
20 the existing M11 district. With this rezoning,
21 almost two-thirds of the properties in the, in the
22 rezoning area, would now comply. The application
23 was unanimously approved by the community board,
24 it was approved by the borough president, and by
25

1
2 the City Planning Commission. Sister Tesa will
3 now talk to you a little bit about the proposed
4 building.

5 TESA FITZGERALD: Thank you, good
6 morning, everyone. My name is Sister Tesa
7 Fitzgerald, I'm the Executive Director and the
8 Founder of Hour Children. In 1986, Hour
9 Children's roots were planted on 11th, on 12th
10 Street, in Long Island City, where we opened our
11 homes to children of incarcerated mothers in
12 Bedford Hills Correctional. Since then, Hour
13 Children has grown to be a multifaceted, social
14 service agency, that provides services inside New
15 York State Prisons for Women and Riker's Island,
16 and outside in the Long Island City community,
17 where we welcome mothers from the prison nursery
18 with babies, or who are reuniting with children in
19 foster care. The heart of our services are our
20 homes, where mothers learn life skills and
21 routines that help them rebuild their lives. Hour
22 Children currently provides housing at three--to
23 45 families at three communal transitional sites,
24 and two permanent apartment houses in Long Island
25 City and Astoria, with another transitional

1 communal one currently underway in Corona, Queens.
2 Our support services for our mothers and our
3 children include intensive case management and
4 counseling, an HRA approved job training program,
5 a daycare, an afterschool program, a summer camp,
6 and a mentoring program for our women. The
7 services for our women that extend into the
8 community are two thrift shops, a furniture
9 outlet, a community pantry, an outreach center,
10 and a mentoring program for children with
11 incarcerated parents in all five boroughs. And
12 very importantly, we have a beauty parlor. All of
13 this is really important and vital, but it's
14 certainly not enough. Our mothers face incredibly
15 difficult challenges and hurdles and very many
16 negative stigmas, especially in the areas of
17 employment and housing. I have great respect and
18 admiration for them, because they do the hard
19 work, we only support their efforts. The proposed
20 18 family unit in Long Island City is really a
21 project that's wholeheartedly supported by our
22 community, and is really a dream come true for our
23 residents. And I know I can count on each of you
24 today to be part of Hour Children's miracle on 12th

1
2 Street. Thank you. And now I'd like Renata to
3 speak.

4 RENATA HILL: I'll just speak
5 briefly on the impact Hour Children has had on me.
6 I came home April 14th of this, of this year, and I
7 had no place to go, no family. I came across a
8 application belonging to Hour Children, I filled
9 it out really with no hope of getting a response
10 back, because we're basically, I felt like
11 everybody was closing their doors on us because of
12 the simple fact we was coming home from prison. I
13 was surprised because Sister Tesa wrote me note
14 back that said, "You will have a home," and I
15 thought it was a joke, like, "Okay, I'm going to
16 get there and it's going to be completely
17 different, it's going to be horrible," but to this
18 day I'm there and I'm not ready to leave, I'm not
19 ready to go anywhere, and it's the best home that
20 I've had since a kid, you know. And it's family
21 orientated, people that you don't know, we have
22 new people that come in on a regular basis, and we
23 sit down, like we have a structure, you know.
24 With people who have destroyed their lives and
25 went down the wrong path, with their children,

1
2 we're given that second chance of learning to eat
3 dinner with each other at 6:30, to be in the house
4 at 8:30, and to have your kids washed and put to
5 bed at a certain time. And we don't have to do
6 it, we can go down the wrong path again, but
7 because somebody took that chance and gave us a
8 second chance and that little bit of hope, we
9 just, we don't take it and run with it, we do what
10 we have to do. If we ever come to a hurdle in our
11 life whereas though we do go down the wrong path,
12 and it does happen in life, we know that Sister
13 Tesa has a open door policy to where we can go to
14 her and say, "Listen, Sister Tesa, I'm having a
15 hard time, you know, I'm going through this, I'm
16 going through that," and she never turns her back
17 on us. You know, she steers us in the correct
18 direction, she helps us, she's there for us. The
19 social workers are wonderful, you know, everybody
20 there you can talk to. The, the residents in the
21 area are neighbors, you know, we're not
22 stigmatized, we don't walk out of our house and
23 feel like people are looking at us because they
24 know that this program is for women who were
25 currently incarcerated. It's just a lot of

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2 support everywhere, you know, you have the daycare
3 there where you don't really have to struggle with
4 certain things, they have job training where you
5 can get your life back together. Everything that
6 you need to reclaim your life is there, provided
7 for you. It's just a matter of you have one foot
8 in the door already, from Sister Tesa opening up
9 that door, for us, and it's a matter of just
10 taking steps forward. And when you feel like you
11 want to backslide, you have so many different
12 areas that you can go to, so many different people
13 that you can go to, that's willing to help you.
14 You know, they, it's, it's not, to me it's not a,
15 it's not transitional housing ,to me it's, it's
16 home. It's home, you know. I can go on for days,
17 but I have to stop. [laughter]

18 CHAIRPERSON WEPRIN: Thank you very
19 much.

20 TESA FITZGERALD: Jerri, for a
21 brief--

22 CHAIRPERSON WEPRIN: Just, if you
23 keep it very brief.

24 TESA FITZGERALD: Yes.

25 JERRY KAFRIELO: Good morning, my

2 name is Jerry Kafrielo. Born and raised in
3 Queens, homeowner on 12th Street and I support Hour
4 Children's programs. I'd be, I support 'em so
5 much that I became a volunteer and work from 9:00
6 to 5:00 without a paycheck. [laughter]

7 TESA FITZGERALD: He's retired.

8 [laughter]

9 JERRY KAFRIELO: Yeah. And I don't
10 know what else to say about the program, but it
11 does an awful lot in the neighborhood and brings a
12 lot of charity type things to the neighborhood.
13 And that's all I have to say. Thank you.

14 CHAIRPERSON WEPRIN: Thank you.

15 TESA FITZGERALD: That's it.

16 That's it.

17 CHAIRPERSON WEPRIN: That's it?

18 Okay. Council Member Van Bramer wanted to make a
19 statement.

20 COUNCIL MEMBER VAN BRAMER: Thank
21 you very much, Mr. Chair. I just wanted to say
22 that I am very proud to have Hour Children in my
23 district. Sister Tesa is not only a past winner
24 of the New Yorker of the Week, but more
25 importantly she's a real hero to so many of us.

1
2 And the organization does so much for so many, and
3 it is such an integral part of the entire
4 neighborhood, that it lives within. So, I think
5 this is a welcome change, the building will be a
6 tremendous addition to the neighborhood, and
7 expanding the programs and services that you
8 provide could only be a good thing, for our
9 district and the City of New York, so I want to
10 thank you. And of course, I encourage all of my
11 colleagues to vote yes.

12 TESA FITZGERALD: Thank you, thank
13 you.

14 CHAIRPERSON WEPRIN: Thank you, Mr.
15 Van Bramer. Any other questions or comments.
16 Well, we want to thank this distinguished panel
17 for their time. We're going to close this
18 hearing.

19 TESA FITZGERALD: Thank you.

20 CHAIRPERSON WEPRIN: And appreciate
21 your patience. We're going to quickly move on to
22 the last item on the agenda. And that is the
23 Rosedale rezoning, C 100436 ZMQ, in Council Member
24 Sanders' district. We'd like to call up John
25 Young from City Planning, Liz Errico, Richard

1
2 Hellenbrecht, and William Perkins, and all-star
3 Queens lineup. And Mr. Young, whenever you're
4 ready, please get started, and keep it as short as
5 possible, 'cause got a lot of impatient people
6 surrounding me, it seems.

7 JOHN YOUNG: Absolutely, we will
8 keep it short. But this is a very important
9 rezoning and we do appreciate your attention to
10 it. Good morning, my name's John Young, and I'm
11 Director for the Queens Office of the Department
12 of City Planning. And I'm very pleased to be here
13 this morning on behalf of City Planning Director
14 Amanda Burden, to present the Department's efforts
15 to update zoning designations for nearly 200
16 blocks in Rosedale, in southeast Queens. I'm
17 joined by Liz Errico, who will present the details
18 of the rezoning proposal to you. The Rosedale
19 rezoning proposal is a comprehensive effort to
20 update zoning designations that have been
21 unchanged since 1961 in order to more closely
22 match building and land use patterns and thereby
23 protect neighborhood character. It will
24 compliment rezonings that the City Council has
25 adopted for two adjacent communities: Brookville,

1
2 which was rezoned in 2004 and Laurelton, rezoned
3 in 2008. As you will learn in today's hearing, if
4 you're not already aware, Rosedale is a very
5 cherished Queens community, and it's desirability
6 has in recent years caused a worrisome increase in
7 new development since much of it has been out of
8 context with traditional building types and
9 density. For this proposal, the Department has
10 developed a carefully delineated rezoning strategy
11 to ensure that the zoning will more closely
12 correspond to established development patterns of
13 one and two family residences that predominate in
14 the southern portion of the neighborhood, while
15 also updating commercial overlay designations to
16 ensure that nonresidential uses do not encroach
17 onto residential blocks. Protecting the low
18 density and appealing qualities of Rosedale has
19 been an important goal for its residents and
20 neighborhood civic groups and block associations,
21 including the Rosedale Civic Association, as well
22 as Community Board 13, and local elected
23 officials. It's been the Department's privilege
24 to have worked closely with them to shape and
25 refine this proposal. We could have not made it

1 here without their efforts and contributions.
2
3 Likewise, Council Member James Sanders, Jr., has
4 provided valuable leadership and advocacy during
5 the rezoning process, and we are very grateful for
6 the partnership in achieving consensus on the
7 proposal. Following the June 7th certification of
8 the proposal, we're very pleased with the strong
9 support received from Community Board 13, as well
10 as Borough President Helen Marshall, and thank
11 them for expediting their reviews of the proposal.
12 We know how important it is for the community
13 stakeholders that the rezoning proposal be
14 implemented as quickly as possible, and we hope
15 you, too, will support this well considered
16 rezoning initiative, to reinforce the build
17 character and development patterns in the Rosedale
18 neighborhood. And Liz will review the details of
19 it.

20 ELIZABETH ERRICO: Good morning,
21 Chair Weprin and Council Members, my name is Liz
22 Errico, I'm a Planner in the Department of City
23 Planning's Queens Office. And as Mr. Young just
24 stated, I'm going to brief you this morning on the
25 details of the proposal. Next slide. The

1
2 Rosedale neighborhood is located in far
3 southeastern Queens. It's approximately 15 miles
4 from midtown Manhattan and about two miles just
5 north of JFK Airport and Jamaica Bay. Next slide.
6 The community is bounded on the east by Nassau
7 County, on the south by Hook Creek and Idlewild
8 Park, on the west by the Cross Island Parkway and
9 Brookville Park, and also the neighborhoods of
10 Laurelton and Brookville. The Long Island
11 Railroad runs along the midsection of the
12 community, the community's bisected by the Sunrise
13 Highway. And the Long Island Railroad actually
14 has a stop in Rosedale itself, on, along the
15 Parkway. Next slide. The Rosedale's housing
16 stock includes large, detached single family homes
17 that are generally in the northern section above
18 Sunrise Highway. Smaller single family homes are--
19 -detached homes--are located south of the highway,
20 and these were constructed during the post-War
21 construction boom. And then after 1961, the
22 predominant construction was semi-detached one-
23 and two-family homes. The common characteristic
24 of the housing stock in the community, however, is
25 that almost all of it, 96 percent of housing stock

1 is either one- or two-family homes. Next slide.
2
3 The existing zoning in Rosedale is, there are two,
4 two zones in Rosedale. To the north of the
5 highway is R2, which is a single family detached
6 zone, and it represents the characteristic
7 development in the area. South of the highway is
8 an R32 zoning district, which covers approximately
9 200 blocks. R32 is the lowest density general
10 residence districts, which allows all housing
11 types, from detached homes to apartment
12 structures. Development in this zoning district
13 is predominately one- and two-family homes,
14 detached and semi-detached homes. The development
15 patterns are indi--can we go back to the map? The
16 development patterns are indicated on this map,
17 the yellow are detached one- and two-family, and
18 brown indicates the, the orange indicates semi-
19 detached homes, that are one- and two-family. And
20 then you can see along the southern border there
21 are some brown areas that are actually multifamily
22 garden apartment complexes and row houses. Next
23 slide. The photographs you see here show some of
24 the recent development in Rosedale, that has
25 occurred under the current R32 regulations. These

1
2 include row house developments, and in some cases
3 replacement of sound single family detached homes,
4 that have been replaced with semi-detached and
5 multifamily structures. These development trends
6 threaten the lower density character of the
7 community, and therefore the R32 district was
8 really the focus of all of our rezoning
9 recommendations. Next slide. The objective of
10 the Rosedale rezoning is to protect and reinforce
11 the area's one- and two-family character. The
12 proposed zoning districts would ensure that future
13 development would be consistent with the area's
14 low density, the detached and semi-detached
15 character of the building patterns in the area.
16 Next. The rezoning proposal also will modify
17 commercial overlay districts on Rosedale shopping
18 streets, and the proposed recommendations will
19 reflect existing land use patterns, and prevent
20 commercial uses from encroaching onto the side
21 residential streets. Next one. Three contextual
22 zoning districts are proposed to replace most of
23 the R32 district. The proposed district would
24 limit the density of new development to one- and
25 two-family structures, and it would reflect the

1 existing detached and semi-detached building
2 patterns in the area. R32 would be retained in
3 areas where row houses and garden apartments are
4 located. Next slide. R3X, shown in yellow, is
5 the largest proposed district, which encompasses
6 approximately 150 blocks. The regulations in an
7 R3X district limit the density to one- and two-
8 family detached structures, on lots that have a
9 minimum width of 35 feet. Next slide. R3A zoning
10 is proposed in three areas, which total
11 approximately 34 blocks, and you can see it in the
12 orange there, along the western side and the
13 northeastern section of the rezoning area. R3A
14 also limits density to one- and two-family
15 structures, but the lots in these areas are narrow
16 and have a minimum width of 25 feet. R3A also
17 imposes a front yard provision that requires new
18 structures that are--in the area--to line up with
19 adjacent buildings, up to a maximum front yard
20 depth of 20 feet. Next slide. R31 zoning is
21 proposed in six areas, that total approximately 40
22 blocks. R31 zoning regulations also limit the
23 density to one- and two-family homes, but it
24 allows these homes to be either detached or semi-

1 detached. Next slide, please. The changes
2 proposed to Rosedale's existing C1 and C2
3 commercial overlays would primarily reflect the
4 existing conditions there on the community
5 shopping streets. Most C2 overlays would be
6 reduced to 100 feet in depth, and changed to C13
7 to reflect and reinforce the local retail service
8 uses. A new C12 overlay is proposed in the
9 southern, southwestern corner of the area at
10 Brookville Boulevard and 147th Avenue, which would
11 reflect the existing commercial and office uses
12 there. Next slide, please. In summary, the
13 contextual zoning proposals for Rosedale are
14 intended to protect the one- and two-family
15 character of the area, and provide a framework for
16 future development that will reflect Rosedale's
17 existing residential building patterns and
18 reinforce the local service nature of the area's
19 commercial streets. Next slide. I'd just, at
20 this point, like to thank the Members of the
21 Subcommittee for the opportunity to present
22 details of the proposal, and also to thank members
23 of the Rosedale Civic Association and the
24 Community Board who were instrumental--and also
25

1
2 Council Member Sanders and his office--who were
3 instrumental in helping our outreach efforts for
4 this proposal. Thank you.

5 CHAIRPERSON WEPRIN: Mr.
6 Hellenbrecht, please state your name again.

7 RICHARD HELLENBRECHT: Thank you.
8 Good morning, Chairman Weprin and Members of the
9 Council, Zoning and Franchise Committee. Thank
10 you for this opportunity to speak on behalf and in
11 support of the Rosedale rezoning. My name is
12 Richard Hellenbrecht, and I am Chair of the Queens
13 Community Board 13 Land Use Committee, and past
14 Community Board Chair. During my tenure as Board
15 Chair and in my current position, it has been my
16 pleasure to work with the Rosedale Civic
17 Association, Councilman James Sanders, Jr., and
18 the Department of City Planning to initiate and
19 move forward the rezoning of the community of
20 Rosedale. Rosedale is a very low density
21 residential area, that has been incorrectly zoned
22 south of the conduit predominately as a resi--
23 general residential area, R32. Due to its
24 affordable homes and low taxes, its proximity to
25 jobs at Kennedy Airport and the nearby freight

1 industry, and its easy commute to Manhattan,
2 Rosedale has always been a very popular
3 residential area. Unfortunately, with all of
4 these assets, Rosedale for many years has been the
5 subject of intense pressure to overdevelop,
6 resulting on destruction of lovely, single family
7 homes, being replaced with oversized, multiple
8 family homes, way out of context with the
9 surroundings. The result has been overcrowding,
10 traffic and parking congestion, increased
11 pollution, adverse health effects, and a general
12 decline in the beautiful area that must be
13 stopped. During my tenure as Chair, a significant
14 portion of Community Board 13, the largest
15 community district in Queens, has been rezoned
16 with the cooperation of Queens City Planning and
17 the urging and often hard work of local civic
18 associations and the surrounding, and the support
19 of our Council Members. Sections of Springfield
20 Gardens, Brookville, Cambria Heights and Laurelton
21 have been rezoned and protected for the continuous
22 pressure, from the continuous pressure of
23 overdevelopment. We think that Rosedale is a
24 critical piece of this overall strategy to
25

2 maintain attractive, affordable, middle class,
3 single family residential development in southeast
4 Queens. We urge the Land use Committee's support,
5 I'm sorry, the Zoning and Franchise Committee's
6 support today, and the quick adoption by City
7 Council of this important action. We call upon
8 our friend, Councilman, Chairman Mark Weprin, and
9 this Committee to support the Community Board 13's
10 continuing initiative to complete the rezoning of
11 a large portion in the north, part of the
12 district, and finally the remaining portions of
13 Queens Village to complete our residential area
14 initiative. Thank you for your time. Please pass
15 Rosedale rezoning.

16 CHAIRPERSON WEPRIN: Thank you, Mr.
17 Hellenbrecht.

18 [pause]

19 BILL PERKINS: Good morning, Mr.
20 Chair and Zoning Committee Members. My name is
21 Bill Perkins and I am President of the Rosedale
22 Civic Association. And you have heard already
23 from Mr. Young, Ms. Errico, and Mr. Hellenbrecht
24 the benefits of rezoning, and I'm not going to
25 reiterate that. But from a community perspective,

1
2 I'll let you know that we have worked very closely
3 with them over the last several years, and we've
4 had several informational sessions. I--we have a
5 Rosedale Civic Association newsletter, which
6 reaches out to 300-400 families in the community.
7 And every month we have published an article about
8 this rezoning initiative. I will tell you, I have
9 not heard from anyone in the community who opposes
10 this rezoning proposal. As a matter of fact,
11 everyone is saying, "Let's get it done very
12 quickly." Which is why we're here before you
13 today. I will also say that the rezoning is
14 critical for us, because already our neighboring
15 communities in Laurelton and in Brookville have
16 been rezoned, and the unbridled development which
17 we've been a party of, where often is the case
18 one-family homes are being torn down and
19 multifamily apartment dwellings have been put up,
20 have put a strain on parking and other utilities
21 and resources. This is why it is so urgent,
22 because already in Brookville and in Laurelton,
23 have been rezoned. We know the economy is going
24 to rebound very soon, and when it does we know the
25 developers will return to Rosedale. And we want

1
2 them to return under a framework that makes sure
3 that any development that goes on in the community
4 is consistent with the context of the community,
5 which is what this rezoning proposal addresses. I
6 ask on behalf of the community of Rosedale that
7 you review this proposal and that you approve this
8 proposal so it can be presented to the City
9 Council. Thank you.

10 CHAIRPERSON WEPRIN: Thank you, Mr.
11 Perkins. We understand this has had enormous
12 support in the community, and Council Member
13 Sanders wants to address this proposal.

14 COUNCIL MEMBER SANDERS: Mr. Chair,
15 Members of the Committee, this is a great day.
16 We've fought for this day for a long time, and,
17 and finally it's here. I want to thank Mr. Young,
18 Ms. Errico, of course I have to say Rosedale Civic
19 has done a yeoman's job this one, it's been
20 fantastic working with you. Always a pleasure to
21 work with Community Board 13, to save our
22 community. There were many others, and it would
23 take too long to name them all, let me just say
24 "Thank you" to all who fought on this noble
25 effort, to save our community. You see, southeast

1
2 Queens has been hit by a twin plague. The first
3 plague was the, at a contextual zoning, the zoning
4 that allowed the developers to tear down stately
5 mansions, and to put up garbage. Where one lovely
6 mansion existed, suddenly you had four or five
7 monstrosities that were, that were imposed on a
8 community, built not to last, built of the
9 cheapest material, just built a, a ghetto in the
10 making, where the most developers, I'm sure there
11 were a few worthy, but most developers feasted on,
12 on this community. And just when we thought we
13 couldn't get worse, the predatory lending scandal
14 hit and, and put all of us under water and, and in
15 a world of pain, my community being hit hardest.
16 Now, the, the only bright side of that is that it
17 stalled the market, it stalled the, the
18 developers, and we have used this time wisely to
19 down zone, to create contextually appropriate
20 zoning for our community. And then, and we know
21 again that the market will improve, the question
22 of course becomes when. I have one more section
23 of my community that I must down zone in this
24 period, and that is the Springfield area. I make
25 this promise to my constituents, we will not rest

1
2 until we are out of the clutches of these shoddy
3 developers, who shame the name developers. We
4 have to down zone, but we have a friend, I'm glad,
5 in not only City Planning, which ably did many
6 studies and worked with my community night and
7 day, we have a friend in the Council because this
8 Council's position is there should be contextual
9 zoning. Communities, old and worthy communities,
10 should not be gutted and sacrificed to the altar
11 of the almighty dollar. The Council has certainly
12 led the way. All over the City we can see that
13 the, our position of neighbor--neighborhoods
14 count, certainly is being reflected, and a lot of
15 that has to do with the Chair of this Subcommittee
16 and certainly the, the great Chair of the
17 Landmarks Committee, Council Member Comrie, who
18 also is from southeast Queens, and knows the, the
19 devastation that has been caused, inflicted on us,
20 by these folk. So, I believe that, that I have
21 the vote to do what I need to do, and I believe
22 that [laughter] and I believe that if we talk too
23 much on this issue, we may indeed lose the vote.
24 And only because of that. [laughs] I will
25 shorten my conversation to, to five more hours.

1
2 But since I already have the vote, I will stop
3 now. I, I thank you very much--

4 CHAIRPERSON WEPRIN: Thank you.
5 Thank you.

6 COUNCIL MEMBER SANDERS: --for this
7 great day. [laughs]

8 CHAIRPERSON WEPRIN: Thank you, Mr.
9 Sanders. Does anyone else on the panel have any
10 comments on this, after--

11 COUNCIL MEMBER SANDERS: I'm
12 willing--

13 CHAIRPERSON WEPRIN: No, that's
14 okay, Mr. Sanders, but thank you, it was very
15 convincing, and I want to thank this panel very
16 much. We're going to close this hearing now.
17 And--yeah, we're going to do 'em all now. We're
18 going to now go right to a vote. I want to
19 reiterate we are going to couple the following
20 matters. Land Use No. 198, which was Pio Pio
21 Restaurant. We are not voting on the car sharing
22 proposal today, that is not being part of this
23 coupling. Hour Children, that's H-O-U-R, by the
24 way, we are coupling that, along with the Rosedale
25 rezoning. Those three items are coupled, the

1
2 Chair recommends an aye vote, and I'd like to call
3 on Counsel Christian Hilton to call the role.

4 COUNSEL: Council Member Vacca.

5 COUNCIL MEMBER VACCA: Vote aye.

6 COUNSEL: [pause] Council, Council
7 Member Weprin.

8 CHAIRPERSON WEPRIN: Aye on all.

9 COUNSEL: Council Member Rivera.

10 COUNCIL MEMBER RIVERA: I vote aye
11 on all.

12 COUNSEL: Council Member Comrie.

13 COUNCIL MEMBER COMRIE: Aye on all.

14 COUNSEL: Council Member Jackson.

15 Just stepped out? Okay. Council Member Seabrook.

16 COUNCIL MEMBER SEABROOK: I vote
17 aye on all.

18 COUNSEL: Council Member Vann.

19 COUNCIL MEMBER VANN: Can I explain
20 my vote? Notwithstanding the fact that Leroy
21 Comrie was demoted from Chair [laughter] from Land
22 Use to Landmark, I still vote aye on all.

23 [laughter, background noise]

24 COUNSEL: Council Member Lappin.

25 COUNCIL MEMBER LAPPIN: Aye.

2 COUNSEL: Council Member Ignizio.

3 COUNCIL MEMBER IGNIZIO: Yes, well
4 congratulations to Council Member Sanders, I vote
5 aye on all. [laughter]

6 COUNSEL: By a vote of--nine in the
7 affirmative on LU198, and eight in the
8 affirmative, none in the negative on
9 Preconsidereds LU C 100142 ZMQ and C 10043 ZMQ,
10 both items are, all items are approved and
11 referred to the full Land Use Committee.

12 CHAIRPERSON WEPRIN: Okay, thank
13 you very much. [pause] All right, we're going to
14 keep the rolls open until the next meeting starts.
15 But till that time, the meeting is now adjourned.
16 [gavel]

17 [pause, background noise]

18 CHAIRPERSON WEPRIN: Sorry, you got
19 a helper there, huh?

20 COUNSEL: Okay.

21 MALE VOICE: Quiet, please.

22 COUNSEL: Go?

23 CHAIRPERSON WEPRIN: Nick, Nick,
24 who's there? Just put her on the mic.

25 COUNSEL: Council Member, Council

Member Reyna.

COUNCIL MEMBER REYNA: I vote aye.

COUNSEL: Vote now stands ten in the affirmative on LU 198 and nine in the affirmative, none in the negatives, on Preconsidered LUs 100142 ZMQ and 100436 ZMQ.

[pause, background noise]

COUNSEL: Council Member Jackson.

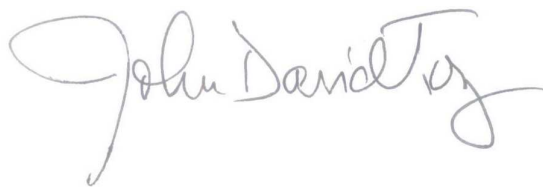
COUNCIL MEMBER JACKSON: I vote aye on all.

COUNSEL: Vote now stands eleven in the affirmative, none in the negative, on LU 198 and ten in the affirmative, none in the negative, on Preconsidered LU C 100142 ZMQ and C 100436 ZMQ. Meeting is adjourned.

[pause, background noise]

C E R T I F I C A T E

I, JOHN DAVID TONG 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 _____

Date September 29, 2010