

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON HOUSING AND BUILDINGS

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OCTOBER 13, 2015
Start: 10:30 A.M.
Recess: 11:23 A.M.

HELD AT: COUNCIL CHAMBERS - CITY HALL

B E F O R E: JUMAANE WILLIAMS
CHAIRPERSON

COUNCIL MEMBERS:

ROBERT CORNEGY
RAFAEL ESPINAL
BRAD LANDER
MARK LEVINE
ROSIE MENDEZ
ANTONIO REYNOSO
DONOVAN RICHARDS
YDANIS RODRIGUEZ
HELEN ROSENTHAL
RITCHIE TORRES
ERIC ULRICH
JAMES VACCA

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

Michelle Craven
Senior Executive Director of Cityscape and
Franchises at the New York City Department of
Transportation (DOT)

Jeff Lynch
DOT Assistant Commissioner of Intergovernmental
and Community Affairs

Bernice Yella
Bicycle in Buildings Programs

Gail Brewer
Manhattan Borough President

Paul Steely White
Executive Director, Transportation Alternatives

Dulcie Canton
Transportation Alternative/Females for Safe
Streets

2 All right we're about to get started.

3 {gavel}

4 CHAIR WILLIAMS: Good morning everyone
5 thank you for coming, my name is Jumaane Williams,
6 the Chair of Council Committee on Housing and
7 Buildings. I'm joined today by Council Member Vacca,
8 Reynoso and Lander. We're here today to conduct a
9 vote on proposed Int. No. #462-A sponsored by Council
10 Member Vacca, which would require the Department of
11 Buildings to refer immediately hazards elevator
12 related violations to the Department of Housing
13 Preservation Development for Action under the
14 emergency repair program. If the Department of
15 Buildings finds that, the owner has not corrected
16 those violations it would also require the Department
17 of Housing Preservation Development to report on the
18 number of such referrals on any actions taken under
19 the emergency repair program and response to such
20 referrals.

21 I know that the Councilman Vacca would
22 like to make a brief statement concerning his bill,
23 so I'd like call on him to do that now.

24 COUNCIL MEMBER VACCA: I thank you,
25 although my statement is not to brief, I hope you

2 didn't mean that in a personal way. But I do want to
3 thank everyone for their help in making this bill a
4 reality. I want to thank the staff that worked so
5 tiredly for 8 months and it's been a rigorous
6 negotiation process. Could not have done it without
7 Jen Wilcox (sic), the Council to this Committee and
8 the leadership of Rob Newman (sic) and my Deputy
9 Chief of Staff Stacey Gardner (sic), My Chief of
10 Staff Mike Riverdanera (sic) who spent countless
11 hours working on this. And I want to thank the City
12 Agencies involved; HPD, and the Buildings Department
13 and I want to thank you, Councilman Williams, Chair
14 of this Committee for allowing me to break this, make
15 this not to brief statement and for all of your help.

16 While I've made substantial change to the
17 original bill the intent and the execution of the
18 legislation remains the same. No resident of this
19 City should be stranded in their apartment for
20 extended periods of time simply because a landlord
21 has not done their due diligence in repairing an
22 elevator. Especially people with disabilities,
23 seniors, expectant mothers, those with your children.
24 As I stated in the first hearing on Int. No. 462, the
25 Committee and I recognized that most building owners

2 do, do the right thing by their tenants and fix
3 elevator in a timely way. Most good actors would not
4 be affected by the legislation at all. What I'm
5 looking to do is to prevent instances that have been
6 reported all across the City where tenants unable to
7 use the elevator for months at a time are left
8 stranded. There is currently no mechanism for the
9 City to physically intervene when a landlord has
10 allowed an unreasonable amount of time to lapse with
11 little or no action taken to resolve a broken
12 elevator issue.

13 This bill will treat elevator outages as
14 other hazardous conditions evaluated by HPD emergency
15 repair unit. The department of buildings would
16 continue to inspect and regulate elevators under this
17 legislation DOB would be required to refer
18 immediately hazardous elevator conditions to HPD
19 within a week of re-inspection to determine whether
20 or not the violation qualifies as a condition
21 dangerous to human life or safety or detrimental to
22 the health. The parameters of the emergency repair
23 program. In other words, the timetable from an
24 elevator outage to referral, to ERP would be
25 approximately 10 to 17 days. This gives owners who

2 must already have a contract with an elevator repair
3 company plenty of time to take steps to repair such a
4 violation. However, upon referral just as HPD would
5 determine whether or not a mole or lack of heat or
6 hot water complaints warrants intervention so would
7 they make a determination regarding an elevator
8 condition. Recognizing that each elevator issue is a
9 unique situation HPD would still have considerable
10 dissection to decide whether there would need to
11 actually repair the elevator and bill the owner. To
12 monitor the effectiveness of the legislation we have
13 reported requirements in place and I really think
14 this is a bill that will affect many New York Tenants
15 who live in apartment houses and significantly reduce
16 the length of prolonged outages. Allowing residents
17 to come and go freely, so I urge members of this
18 committee to vote yes and I thank everyone again for
19 their cooperation. I thank the speaker as well, I
20 did not thank her in the beginning, I should have and
21 I'm looking forward to support in this body of this
22 legislation.

23 CHAIR WILLIAMS: Thank you very much and
24 we've also been joined by Council Member Mendez and
25 Rodriguez who is a Chair of the Transportation

2 Committee. We are going to pause at some point
3 during the hearing to vote on Council Member Vacca's
4 bill and when that happens we will pause when we get
5 Quarm (sic) to do the vote. We've also been joined
6 by Council Members Rosenthal and Torres.

7 In addition to conducting such a vote, we
8 will discuss 3 bills that relate bicycle access in
9 both commercial and residential buildings. The
10 bicycle access to buildings law passed by the Council
11 in 2009, gave tenants and office buildings with a
12 least 1 freight elevator the right to request bicycle
13 access. Two of the bills we hear today would expand
14 the requirement set forth in that law. A 3rd bill
15 will explore granting such a right to tenants and
16 residential buildings.

17 The 1st bill Int. No. 405, sponsored by
18 Council Member Rosenthal by the request of the
19 Manhattan Ball President, Gail Brewer. We require
20 the that office buildings provide foldable bicycle
21 access in passenger elevators.

22 The 2nd bill Int. No. 695, sponsored by
23 Council Member Rodriguez would require owner of
24 residential building to allow tenants or sub-tenants

2 to building elevator to transport their bicycles to
3 and from their apartments.

4 The 3rd bill Int. No. 795, sponsored by
5 myself would clarify the bicycle access requirements
6 for office building among other things the bill would
7 require that tenants in office building be allowed to
8 bring their bicycle into the building and use freight
9 elevators the same as ordinary freight and that where
10 freight is provided unescorted access to freight
11 elevators, the same as allowed for bicycles.

12 I understand that Council Members
13 Rosenthal and Rodriguez would each like to make a
14 brief statement concerning the bills. So at this
15 time I would like to invite them to do so. I'll
16 invite the Chair of Transportation to go first.
17 Council Member Rodriguez and then Council Member
18 Rosenthal.

19 COUNCIL MEMBER RODRIGUEZ: Thank you
20 Chair Williams and my colleague. Advocating industry
21 and stakeholders agree New Yorkers, New York is a
22 national leader in cycling. In fact, last year
23 bicycling magazine named our City the number 1
24 cycling City in the Nation. Over City's like
25 Portland and Los Angeles. A testament to our forward

2 thinking and dedication to cycling. Just because we
3 have succeed doesn't mean there is no more we can do.
4 Today we come together to further incentivize New
5 Yorkers to take up cycling and make our City in more
6 bike friendly.

7 Int. No. 695 which I was proud to
8 introduce with the support of my colleagues, Council
9 Member Reynoso, Macca, Lander, Rosenthal and Kallo in
10 leading advocates like Bike New York in
11 transportation alternatives will ensure that all
12 residential buildings across the 5 Boroughs allow
13 residents to us building elevators to transport their
14 bicycles to their apartments. In order to make more
15 New Yorkers ride, we need to think of the everyday
16 struggles that cyclist have in (inaudible) currently
17 many residential building have policies that prevent
18 a resident from transporting they bicycle in the
19 elevator. In some cases the effect of this policy
20 for residential walk up 10 flights of a stair with a
21 bicycle on the back. Only a cyclist in the best
22 shape could even conceive of doing such a thing.
23 Upon enactment, Int. No. 695 would render this
24 policies and lease, at lease agreement knows.

2 (Inaudible) in in violation of the administrator
3 code.

4 In addition to this current language, I'm
5 open to explore the idea of creating in a section for
6 building with private bike parking rooms. These
7 private rooms are the ideal those by creating this
8 (inaudible) building to build to build them and give
9 cyclist the best place possible to store their bike
10 overnight.

11 The adequate building policy that Intro
12 #695 will eliminate because (inaudible) on the over
13 500,000 cyclist in our city. Early last week I
14 (inaudible) NYC plan. A large part of the which is
15 reducing car ownership by 400,000 by year 2030. This
16 legislation in this discussion today is a vital
17 component of that plan. By passing this legislation,
18 we will help take cars off our road and put bike on
19 it. Thank you Chair, I look forward to hearing the
20 testimony that the Department of Transportation and
21 advocate representative today. Thanks.

22 COUNCIL MEMBER ROSENTHAL: Thank you.

23 CHAIR WILLIAMS: Council Member
24 Rosenthal.

2 COUNCIL MEMBER ROSENTHAL: Why thank you.
3 You know I'm just delighted to be having this hearing
4 from talking about this bill from a very personal
5 perspective so I want to start with a tiny story.
6 Three years ago I came to testify at City Hall about
7 some issues, I can't even tell you what it was and I
8 rode me foldable bike downtown, got to City Hall and
9 was not permitted in because it was actually at 250
10 Broadway because foldable bikes were not allowed in
11 the building and I remember the security guards and I
12 bet it was the same guys today, who are so lovely,
13 saying you know I'm really sorry your just not
14 allowed in the building. And a foldable bike is not
15 cheap and it's hard to lock up by definition because
16 part of folding it up can involve taking pieces off
17 the bike. So I remember folding it, locking some
18 parts praying about my wheels and carrying the handle
19 bar and the seat into the hearing and being mocked
20 mercilessly for that, but that was ok. And so this
21 is personal for me. Ironically, today walking into
22 City Hall I passed somebody who wanted to come to
23 this hearing who wasn't being allowed into City Hall
24 because she had her foldable bike and she didn't want
25 to lock it for some reason and I arranged for her to

2 be here today and I'm so glad and grateful to our
3 security for letting her in. But of course, this
4 bill would take care of all those problems, which is
5 why I'm so delight to be the sponsor picking up from
6 Gail Brewer. You know of course the much of our
7 public policy around vision 0 is to encourage safe,
8 safety for bike riders and pedestrians. We're seeing
9 of course we have our entire City bike initiatives
10 with more and more bikers around. The whole trend is
11 to encourage people to ride their bikes and what we
12 have to do is take away any impediment for them to do
13 so. Under current law access, for all bikes can be
14 limited to freight elevators not all buildings have
15 freight elevators. So Int. No. 405 would simply
16 allow commuters to access the passenger elevators
17 with the ruff equivalent of piece of carry-on luggage
18 and I didn't expect to do this but Ma'am can I ask
19 you to just show your foldable bike. I would argue
20 that roughly like a piece of luggage. Thank you very
21 much for that, I appreciate it.

22 Futhermore, in the back for years in the
23 past 4 years bike theft have gone up almost 70%, so
24 having your bicycle upstairs in your office with you
25 instead of on the street reduces the chance of theft.

2 And although the 2009 bicycle access law was a heavy
3 lift in allowing the cyclist the right to store their
4 bikes at work. Under the bikes and building program,
5 only building tenants may apply to the building owner
6 for access to allow your bicycle in the freight
7 elevator. Something, which I was allowed to do for
8 my bicycle over at 250 Broadway now. But it's, I'm
9 only allowed in there because I'm on the list. So
10 Int. No. 405 address these issues by requiring office
11 buildings with passenger elevator to allow access for
12 passengers with a foldable bike when that bike is
13 fully folded up. Since Int. No. 405 is targeted to
14 fully folded bicycles, passengers and their bicycles
15 would be able to get on the elevator without taking
16 up a lot of room, I would argue and we should note
17 that foldable bikes are already permitted on MTA
18 transportation, including local and limited buses,
19 Amtrak and Metro North at all times. Being able to
20 ride your bike to work fold it up and get on the
21 elevator at work would make life and one's commute
22 easier. So I want to thank the Committee Chair,
23 Council Member Williams for giving us this
24 opportunity to hear the bill and I hope it get passed
25 in law swiftly. Thank you.

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2 CHAIR WILLIAMS: Thank you very much and
3 right before we start the testimony, we going to, we
4 have Quarm now and we'd like to call for the vote on
5 Council Member Vacca Bill, Int. No. 462-A.

6 COMMITTEE CLERK: Committee Clerk Matthew
7 Destephno (sic). Committee on Housing and Buildings,
8 roll call on Int. No. 462-A. Council Member
9 Williams.

10 COUNCIL MEMBER WILLIAMS: I vote I.

11 COMMITTEE CLERK: Mendez.

12 COUNCIL MEMBER MENDEZ: I vote I.

13 COMMITTEE CLERK: Rodriguez.

14 COUNCIL MEMBER RODRIGUEZ: I.

15 COMMITTEE CLERK: Reynoso.

16 COUNCIL MEMBER REYNOSO: I.

17 COMMITTEE CLERK: Rosenthal.

18 COUNCIL MEMBER ROSENTHAL: I.

19 COMMITTEE CLERK: Torres.

20 COUNCIL MEMBER TORRES: I vote I.

21 COMMITTEE CLERK: By a vote of 6 in the
22 affirmative, 0 in the negative and no abstentions.
23 Int. No. 462-A has been adopted.

24 CHAIR WILLIAMS: Thank you very much.
25 Thank you all for voting. We'll get back to the

1 hearing on the bicycle bill. I want to thank my
2 colleagues for proving additional support and back on
3 their bills. I'd also like to thank my staff for
4 their work they did to assemble this hearing,
5 including Nick Smith, my Deputy Chief of Staff on
6 Legislative Director, Jennifer Wilcox and Malaika
7 Jabali, Council to the Committee, Guillermo Patino,
8 Jose Conde, Policy Analysts to the Committee and
9 Sarah Gastelum the Committee finest analyst. As a
10 minor for those of you testifying today, please be
11 sure to fill out card with the sergeant. With that
12 said we're going to the representatives of the
13 Administration be our first panel. Ted Wright from
14 DOT, Acting Director of Bicycle and Greenway
15 Programs. Michelle Craven, Senior Director of
16 Cityscape and Franchises of DOT. Ted Flench (sic),
17 Assistant Commission of Intergov and Community
18 Affairs at DOT. Bernice Yella, Director of Bicycle
19 in Buildings Programs at DOT. Thank you all for your
20 patience. Can you please raise your right hand? Do
21 you affirm to tell the truth, the whole truth nothing
22 but the truth in your testimony before this committee
23 and to respond honestly to Council Members questions?
24
25

2 Thank you and you can begin in the order of your
3 preference.

4 MICHELLE CRAVEN: Good morning Chairman
5 Williams and members of the Housing and Buildings
6 Committee. My name is Michelle Craven and I am the
7 Senior Executive Director of City Escape and
8 Franchises at the New York City Department of
9 Transportation. I am joined by Jeff Lynch, DOT
10 Assistant Commissioner of Intergovernmental and
11 Community Affairs. Bernice Yellow who runs or
12 Bicycle in buildings Program and Ted Wright, Acting
13 Director of Bicycle and Greenway Programs. We are
14 also joined today by Patrick Wehle of the New York
15 City Department of Buildings.

16 On behalf of Commissioner Trotenberg,
17 thank you for having us here to discuss this package
18 of legislation which addresses bicycling in New York
19 City. Including a significante barrier for those who
20 choose to commute by bicycle finding a secure place
21 to park their bike.
22 Major De Blasio has set a goal of doubling cycling in
23 New York City by 2020. Mayor de Blasio has set a
24 goal of doubling cycling in New York City by 2020.
25 This hearing today will help us get closer to

2 reaching that objective. We have a lot of work to do
3 at hitting this target would require more growth in
4 cycling the achieved in the previous administration.
5 The City Council has been a tremendous partner in
6 promoting cycling in our community. By supporting
7 the expansion of the bike lane network in the city
8 program. The time and energy become that Council has
9 devoted to this issue, through the leadership of
10 speaker Mark-Viverito has been invaluable to the work
11 of the city in making New York a safer place for
12 bicyclist and all road users. Cycling is a part of
13 fabric of city life. New Yorkers of all backgrounds
14 are biking all over the city for all types of
15 reasons. Whether it's to commute, visit friends and
16 family, for health or for recreation. As a result,
17 in recent years we've seen tremendous group in
18 cycling in New York City. Cycling has nearly tripled
19 in the last 10 years and grew by 4% in just the last
20 year. Over 340,000 trips per day are made by bike in
21 New York City and as many as 50,000 of those trips
22 are made using city bikes. New Yorkers today can
23 ride on our 1,010-mile bike network, which over 380
24 miles are protected from traffic and nearly another
25 380 miles are exclusive bike lanes. We are on track

2 to build over 12 miles of protected lanes by the end
3 of 2015, an unprecedented pace. We continue to ramp
4 up our efforts of city bikes as well. Just this year
5 Citi Bike has been expanded to Long Island city in
6 Queens, Farther to Brooklyn and in the Upper West
7 Side and Upper East Side in Manhattan. By the end of
8 2017 Citi Bike will expand to Astoria in Queens,
9 Cobble Hill, Carroll Gardens, Boerum Hill, Redhook,
10 Gowanus, Park Slope, Prosect Heights and Crown
11 Heights in Brooklyn as well as more of the Upper East
12 and Upper West Side in Harlem in Manhattan.

13 A year ago, Commissioner Trottenberg
14 announced to the City Council that we would be
15 working with the MTA to equip buses with external
16 bike racks. Now it is a reality. The MTA began
17 piloting external bike rakes on buses over the
18 Verrazano Narrows Bridge, enabling everyday cyclist
19 to commute between Staten Island and Brooklyn for the
20 first time traveling by a combination of bus and
21 bike. After the pilot is reviewed, we hope to expand
22 this initiative to cover additional bus routes. On
23 the subject of today's hearing. I would like to
24 start with Chairman Williams bill to expand our bike
25 and buildings program Int. No. 795. For background

2 the original bike and building law was implemented in
3 2009 to improve bike parking options to commercial
4 buildings. This is an application based program,
5 which enables the commercial tenants to provide
6 employee bike parking in their office buildings. The
7 tenants submit the request in the form an application
8 DOT and the building owner or manager, who must then
9 submit a bicycle access plan. Under the program,
10 bike commuters typically use the freight elevator to
11 transport their bikes through the building. The law
12 provides 2 exemptions. A building can secure an
13 exemption to a tenants request to set up a bicycle
14 access plan if they can provide safe, secure parking
15 options within 750 feet or 3 blocks from the
16 building, whichever is closer.

17 In addition, A building can be exempted
18 from the law if the building do not have a freight
19 elevator that is considered safe to transport a bike.
20 To date close to 1,000 employers and 350 different
21 building have secured bicycle access plans.

22 Additionally, alternate plans for
23 parking have been secured for another 136 buildings.
24 In total these bicycle access plans and alternate
25 plans enable approximately 7,000 bike commuters

2 securely park their bikes. To better understand the
3 current state of the bike and buildings program, DOT
4 conducted a survey of applicants. Of the 1,729
5 applicants, we received responses from 209
6 applicants, a healthy response rate of 12%. The
7 survey highlighted several issues of the program.
8 The most significant issue was that the freight
9 elevator hours and many buildings are limited, making
10 it impractical for most employees to store their
11 bike. For example, some buildings shut down their
12 freight elevators 3 or 4 o'clock in the afternoon.
13 Far too early for bike commuters who work standard
14 office hours. We also heard a few examples of owners
15 or managers of commercial buildings attempting
16 tenants to buy extra insurance to bring their bikes
17 into buildings or charging cyclist to use the freight
18 elevator. Neither of which is allowed under the law.

19 Chairman Williams Int. No 795 addresses
20 the first problem directly by allowing bike commuter
21 to exit with their bikes using the passenger elevator
22 during hours of the freight elevator is not in
23 operation. This would be an important step to both
24 to the program which can be further strengthened by
25 extending this provision to employees who enter the

2 building with their bikes during hours of freight
3 elevator is not available. The survey also taught us
4 that the application process is overly complicated.
5 For instance 1... 1 tenant applies for a bicycle access
6 plan and such a plan is place, every additional
7 tenant in the same building still needs to apply for
8 their own bicycle access plan, even if their using
9 the same path and plan as the previous tenant who
10 secured the plan. This process should be
11 strengthened and streamlined.

12 Int. No. 405 sponsored by Council

13 Member Rosenthal is another straightforward step to
14 help bike commuters. DOT support allowing folding
15 bikes and passengers elevators and we look forward to
16 working with Council Members Rosenthal and this
17 committee to make that a reality.

18 Many of these bikes fold into the size
19 of carry-on luggage or a backpack, which are
20 regularly transported in passenger elevators now.

21 Int. No. 695 sponsored by Council

22 Member Rodriguez would ease the restrictions on
23 bringing bicycles in residential buildings. DOT is
24 supportive of measures to make the choice of
25 commuting by bicycle more practical and for bike

2 commuting to truly take hold, bicyclist need to
3 secure bike parking both at work and at home. DOT
4 welcomes the opportunity to participate in
5 conversations with all relevant stakeholders to
6 pursue this allotable goal of ensuring the cyclist
7 can easily bring their bikes in and out of their
8 residential building. These sensible measures would
9 expand the ability of New Yorkers to safely store
10 their bicycles at home and at work. More barriers to
11 the use of bicycles in New York City would need to be
12 removed if we were to double bicycle use by 2020.
13 Right now New Yorkers are able to bring strollers and
14 rolling luggage into building in their elevators. We
15 would encourage the Council to adopt a similar
16 principle that bicycle should with sensible
17 exceptions be granted access to buildings and to
18 elevators.

19 Thank you again for allowing me to
20 comment on these important initiatives. I'm now
21 happy to answer any questions you may have.

22 CHAIR WILLIAMS: Thank you very much
23 for the testimony and I must say it's refreshing to
24 have the administration to come in not only support
25 the bill but listen one of the incident mention ways

2 we can actually strengthen it because we didn't go
3 far enough, so that's a refreshing conversation to be
4 having and so I thank you very much. You said about
5 a 1,000 buildings, a 1,000 buildings participates in
6 bikes and building program?

7 MICHELLE CRAVEN: It's about 350
8 buildings, a 1,000 different employers, so you may
9 have several tenants of a particular office building
10 who each have bicycle access plans for the same
11 building.

12 CHAIR WILLIAMS: And how many
13 exemptions have landlord's petitions for and how many
14 exemptions have been granted?

15 MICHELLE CRAVEN: We have granted for
16 the unique elevator exception we have 38 request and
17 we granted 14. And for the ultimate parking
18 exemption we have 136 alternate parking plans and I
19 think have they all been granted? Yes.

20 CHAIR WILLIAMS: So I know Bommers
21 (sic) submitted testimony for the record, they want
22 be able to testify that they have been particular
23 concerned about the freight elevators and some of
24 them being dangerous because truck loading/unloading.
25 So if there was particular dangerous situation that

2 would prevent someone from using freight is that
3 something they would be able to apply for, how does
4 that work?

5 MICHELL CRAVEN: That is something that
6 I think is already contemplating (inaudible) by some
7 building law and to be subject to a unique elevator
8 exemption request. I don't want to, I'm not an
9 elevator expert by any means so I don't want to get
10 to far into technology to whether and when those
11 exemption would be granted but I think that would be
12 covered.

13 UNIDENTIFIED SPEAKER: I would just add
14 that some of their concerns about loading docks and
15 the freight access areas are, are loud or housed bike
16 access the freight elevators now under the current
17 law and we have again almost 7,000 people using plans
18 in buildings right now that are using that and DOT
19 has had no complaints about from applicants or bikers
20 about specific issues relating to safety around the
21 access plans.

22 CHAIR WILLIAMS: Do you have a what
23 kind I'm sorry what kind of bicycle related
24 complaints have you gotten from owners? Or have you
25 gotten complaints?

2 MICHELLE CRAVEN: From building owners?

3 CHAIR WILLIAMS: Yes.

4 MICHELLE CRAVEN: We don't hear to
5 many of them in our program specifically, I would say
6 most of the complaints are actually on the bike
7 commuter side. Either primarily for the freight
8 elevator hours issue that I mentioned in my
9 testimony. So that's the biggest complaint we hear
10 by far.

11 CHAIR WILLIAMS: One of the issues
12 brought up was at least by Bommer who again is not
13 here to put in testimony was possible damage to
14 elevators, have you heard any concerns about that
15 from building owners?

16 MICHELLE CRAVEN: We haven't received
17 any complaints on that front.

18 CHAIR WILLIAMS: I only have 1 person
19 signed up for questions right now. I'd like to go to
20 questions right now. I'd like to go to Council
21 Member Lander, (inaudible) transportation committee.

22 COUNCIL MEMBER LANDER: Thank you Chair
23 Williams and to you and Council Members Rosenthal and
24 Rodriguez for work to strengthen the bikes and
25 building law many of the my constitutes are bike

2 commuters and it's great to see the progress we have
3 made in the biking structure network and then in the
4 bikes and buildings. I guess I want to ask some
5 question you know in... in you... you speak to the fact
6 that the application process is overly complicated
7 and should be streamlined and simplified and I'd like
8 to understand a little more of what you think about
9 that and I guess to pose an alternative way of
10 thinking about which is why do we have an
11 application, I mean we have application because the
12 bill provided that we had to have an application
13 process and at the time when the first bikes and
14 building law was advanced by some of the people in
15 the room you know it was you know bike commuting was
16 pretty rare and it was unusual for a building owner
17 to get that request and it made since to have be
18 initiated but if now part of the problem is multi
19 tenants in the buildings are would it make since to
20 say for building over a certain size or certain type
21 or intermarries you just have to have a plan and you
22 have to post it and everyone know what it is or how.
23 What ideas do you have for addressing the streamling
24 and simplification of the application process.

2 MICHELLE CRAVEN: Well I think you
3 identified, the I think least efficient part of the
4 process which is that 1 tenant can make this request
5 in the building but then it doesn't' apply to any of
6 the other tenants in the building which actually
7 seems particularly odd to me when you consider that
8 the lienholder is going to actually post the bicycle
9 access plan in the lobby so it looks like it's
10 available for everyone but it's actually only avail
11 for the tenant who've made the request. So in the
12 grand scheme of think someday where you could just
13 have a building owner you know implement a plan that
14 would apply to the entire building or I'm sure there
15 had to some conversation with their tenants because
16 the tenants would have apply parking in their space
17 but having something like that I think would make a
18 lot of sense and I think you would be happy to speak
19 to Council about ways to work out that situation.

20 COUNCIL MEMBER LANDER: So that great I
21 think that makes a lot of sense and (inaudible)as we
22 move forward from here and you know I think your
23 right it's nice to have them come in and suggest ways
24 to strengthen the bill maybe this is something that,
25 sounds like this may be 2 steps to explore. One is

2 just clarifying that the plan covers everyone in the
3 building and isn't so much an individual application
4 by individual application. And then the next is even
5 it may be more radical solution which is to say for
6 some types of building over some size or in some
7 areas, you have to have such a plan and take this
8 what sounds like unnecessarily burden on parts of the
9 individual application process. So I welcome the
10 opportunity to speak with you afterwards and perhaps
11 we can find some better (inaudible). Thank you.

12 CHAIR WILLIAMS: Thank you Council Member
13 Lander. One question with expanding it to individual
14 not the individual the whole building, I think there
15 was question. It makes since to do individual
16 because you don't know how much storage space there
17 is and that we may have access for 10 but not 300.
18 Is that, is that an issue or not an issue.

19 MICHELLE CRAVEN: It's a good question I
20 think obviously each tenant has under the law has to
21 be able to provide parking in their own space, so in
22 some ways it would make since to have I think a
23 coordinated conversation maybe internally at the
24 building to figure out where the parking can go.
25 Obviously, I think this is also a good place where

2 the ultimate parking exemption comes in because you
3 can provide space in the building that would apply to
4 all the tenants in the building on the ground floor,
5 garage or something. So you know it's a bit of a
6 complicated issue just to figure out I think the
7 balance in getting the right numbers to the right
8 number of people but I think that's something that
9 worth discussing.

10 CHAIR WILLIAMS: Thank you, and thank
11 you Council Member Lander. Look forward to speaking
12 to you as well. We've been joined by Council Member
13 Levine who I know would probably like to vote right
14 about now.

15 COUNCIL MEMBER LEVINE: Thank you Mr.
16 Chairman and I would like to vote I.

17 COMMITTEE CLERK: Hold 1 second.
18 Continuation of roll call on Int. No. 462-A,
19 Committee on Housing and Buildings, Council Member
20 Levine.

21 COUNCIL MEMBER LEVINE: And now I would
22 like to vote I.

23 COMMITTEE CLERK: The vote now stands
24 at 7 in the affirmative, 0 in the negative and no
25 abstentions.

2 CHAIR WILLIAMS: Thank you Council
3 Member Levine so that the public sees how eager we
4 are to participate and do our jobs. Next, we will
5 have Council Member Reynoso followed by the Chair of
6 Transportation, Council Member Rodriguez and then
7 Council Member Rosenthal.

8 COUNCIL MEMBER REYNOSO: Hello, I'm
9 also looking forward to Brad's bill when it does come
10 out the second portion of it. Pretty sure it's in
11 already. I wanted to ask this bikes and building
12 programs does it, can just explain that a little
13 better. Does it mandate a certain amount of parking
14 spaces for the bikes or is just access to the
15 elevator, the freight elevator or the passenger
16 elevator, can you just?

17 MICHELLE CRAVEN: It's just access to
18 the freight elevators, so it's if a commercial tenant
19 in the building wants to provide parking in their
20 space, they can submit a tenant request to the
21 building owner and then the building owner is
22 required to provide an access plan to allow a bike
23 commuter to bring their bicycle onto a freight
24 elevator to then access their work space.

2 COUNCIL MEMBER REYNOSO: So they get
3 access to the elevator to bring their bike into their
4 workspace.

5 MICHELLE CRAVEN: And park their bike
6 there. But only for the and park their bike in their
7 office space.

8 COUNCIL MEMBER REYNOSO: Ok so parking
9 the bike in office space is allowed. Ok. All right,
10 thank you very much appreciate it.

11 MICHELLE CRAVEN: You're welcome.

12 CHAIR WILLIAMS: Thank you, Council
13 Member Rodriguez before you go there's a just a one
14 of most beautiful little girls in behind the row you
15 mind telling us who that is? Who is it?

16 COUNCIL MEMBER RODRIGUEZ: My daughter
17 Yalisa (sic).

18 CHAIR WILLIAMS: All right.

19 COUNCIL MEMBER RODRIGUEZ: Well there's
20 2 girls and my wife in the house, so when I go
21 outside I'm the Council Member in the house with 3
22 women. You know who makes the decisions in my life.
23 Thank you. In the bike access plan, so how many, how
24 many building, what is the total of building owner
25 who participates in... in this plan?

2 MICHELLE CRAVEN: So right now 350
3 buildings.

4 COUNCIL MEMBER RODRIGUEZ: 350.

5 MICHELLE CRAVEN: Plus another 136
6 buildings that offer alternate parking plans.

7 COUNCIL MEMBER RODRIGUEZ: So 486 in
8 total.

9 MICHELLE CRAVEN: Right.

10 COUNCIL MEMBER RODRIGUEZ: And like how
11 many building do we have in New York City?

12 MICHELLE CRAVEN: I'm going to say a
13 lot more than that. I don't have the numbers on my
14 fingertips but yeah.

15 COUNCIL MEMBER RODRIGUEZ: This like
16 less than 1 % right, this number I assume, if I don't
17 know total number it's like, anyone from DOB have an
18 idea of how many building owners we have?

19 MICHELLE CRAVEN: There's a 1,000,000
20 building but we have no (inaudible).

21 COUNCIL MEMBER RODRIGUEZ: 1,000,000
22 buildings?

23 MICHELLE CRAVEN: Right, we don't have
24 a breakdown.

25 {Crosstalk}

2 COUNCIL MEMBER RODRIGUEZ: I want to... I
3 want to, I would like to get a... as close to the
4 accurate number, how many building do we have in New
5 York City?

6 PATIRICK WEHLE: Good morning Council
7 Rodriguez.

8 COUNCIL MEMBER RODRIGUEZ: Morning.

9 PATRICK WEHLE: Patrick Wehle,
10 Assistant Commissioner for External Affairs and the
11 Building Department. There are a total of just over
12 1,000,000 buildings throughout the.

13 {Crosstalk}

14 COUNCIL MEMBER RODRIGUEZ: 1,000,000...
15 1,000,000 more or 1.8, 1.1?

16 PATRICK WALLEY: 1,000,000.

17 COUNCIL MEMBER RODRIGUEZ: 1,000,000.

18 PATRICK Wehle: That would include both
19 commercial and residential buildings off hand I don't
20 know the separation between how many commercial
21 versus how many residential.

22 COUNCIL MEMBER RODRIGUEZ: Great.
23 (inaudible)the point that I like to make by asking
24 this question is that you know this number is not
25 close you know to the number of buildings that we

2 have in New York City and at first think I appreciate
3 DOT for being open and supporting on this bill even
4 though we know that we would continue having
5 conversation in how to work some detail and
6 logistics. But for me this is not about a bike owner
7 who fill out application to see if he or she is able
8 to take this bike for me this is about sending the
9 message loud and clear to the 5 Boroughs that a bike
10 owner he or she they should know that they can take
11 they bike in the elevator to their apartment. Of
12 course open to the idea that if the building owner
13 can work with a plan to facilitate there alternative
14 location, then this is an alternative that we are
15 open to talk. But a message that we want to send
16 when in this bill it's not like a new tape, you know
17 and keep the red tape, this is about (inaudible) to
18 the Major and the DOT commissioner we ended a one...
19 one thousand million land, we working to continuous
20 spotting the numbers rapidly as possible in New York
21 City should continue being the one leading when it
22 comes to by owner knowing that we supporting for them
23 to use bike instead of cars so I just wanted to you
24 know ask the question because I want to know how many
25 building are in the city and based on that how many

2 the 486 that we have. My other question is about the
3 insurance. What is... what is, what are we doing, I
4 don't know if that DOB or DOT whoever is the agency
5 that is responsible to oversee but do we have any
6 information about building owner sub-charging or
7 brining additional charge for insurance (inaudible).

8 MICHELL CRAVEN: So its... it's
9 interesting because this wasn't a complain that we
10 really heard in the past, this is something that came
11 up in the survey that we recently did. We're playing
12 to reach out to the respondents who mentioned this to
13 us, get more information about what's happening and
14 then reach out to the building owners and you know
15 get them to stop and just take whatever steps we
16 need to from there.

17 COUNCIL MEMBER RODRIGUEZ: Great. Thank
18 you for your support.

19 CHAIR WILLIAMS: Before we go to
20 Council Member Rosenthal. Council member Espinal is
21 here as so will get ready to call him to vote and
22 Vacca (inaudible).

23 COMMITTEE CLERK: Continuation of roll
24 call on the Int. No. 462-A, Council Member Espinal.

25 COUNCIL MEMBER ESPINAL: I vote I.

2 COMMITTEE CLERK: The vote now stands
3 at 8 in the affirmative, 0 in the negative and no
4 abstentions.

5 CHAIR WILLIAMS: Thank you very much
6 and Council Member Rosenthal.

7 COUNCIL MEMBER ROSENTHAL: Thank you
8 very much Chair Williams, I want to appreciate, I
9 want to thank the DOT for their testimony and
10 support. My next, my question is how would you feel
11 about expanding 405 to include residential building
12 and I'd like to talk to you more about it, I'd like
13 to talk to DOB more about it but I'm wondering if you
14 have any first reactions and of course I'll also be
15 very interested in hearing from Reveney and the New
16 York Co-operative and condominiums and I think the,
17 there's another group here. The building owners and
18 managers associations, I'll be very interested to
19 hear what they say, but often the residential small
20 or any residential building there elevators are
21 smaller and it's not possible to fit a bicycle in
22 then but a foldable bike would be no problem at all.
23 It's is that something you've ever got reaction to?

24 MICHELL GRAVEN: I think generally were
25 in favor any sort of safe and reasonable and

2 rationale what for people to be able to park, park
3 their bike safely, so you know folding bikes but I
4 said earlier (inaudible) pointed out before is
5 relatively small about the same size as luggage so I
6 think if it would fit in a passenger elevator as long
7 as it meets all safety and building codes and you
8 know that there is no safety issue, I think in
9 general we'd be very open to discussing that with the
10 Council.

11 COUNCIL MEMBER ROSENTHAL: Do the
12 Department of Building just want to give a gut
13 reaction or you don't, I you weren't asked to testify
14 about that today but if you have a gut reaction I'm
15 interested in hearing.

16 UNIDENTIFIED SPEAKER: Good morning
17 Councilwoman I think we to (inaudible) agree with DOT
18 that were certainly opened minded to having the
19 conversation and It's of course important to balance
20 access for all to elevators be it freight or
21 passenger. And we look forward to continue with
22 dialogue.

23 COUNCIL MEMBER ROSENTHAL: Thank you
24 very much.

2 CHAIR WILLIAMS: Thank you Council
3 Member we have no more questions from the Council
4 Member so I really appreciate you taking the time and
5 may all of our hearing go so smoothly. I appreciate
6 it. We have one more panel signed up, Paul Steely-
7 White from Transportation Alternatives, Either Dulcie
8 or Duchie (sic) Canton, Transportation Alternatives
9 and David Dodge from Manhattan Borough represent Gail
10 Brewer. Greeting, may you all put your right hands
11 in the air please, wave them like you just don't
12 care, I'm joking. Do you affirm to to tell the truth
13 the whole truth and nothing but the truth in your
14 testimony before this Committee and to respond
15 honestly to Council Member questions? Seems as how
16 there is no once coming after him I'm going to give
17 each one of you 3 minutes to give your testimony and
18 then if my colleagues have any question we'll go even
19 further. So you can begin in the order of your
20 preference.

21 DAVID DODGE: My name is David Dodge
22 I'll be giving remarks on behalf of Gale Brurin the
23 Manhattan Berg president. I'd like to thank Chair
24 Williams and the member of the Committee on housing
25 and building for giving me the opportunity to testify

2 and favor of Int. No. 45, 695 and 795. I'm proud to
3 have introduced Int. No. 405 with my friend and
4 colleague Council Member Helen Rosenthal which would
5 permit bike commuters to bring foldable bicycle into
6 passenger elevators. Under current New York City law,
7 bike riders are permitted to bring their bike in
8 freight elevators in company building or
9 alternatively are to be provided with safe convenient
10 parking options. The legislation that has been
11 proposed today would actually take it a few steps
12 further. The amendment discussed at this hearing
13 will allow bike access in all residential building
14 elevators, fold up bike access in all office building
15 elevators and as well as continued enforcement to
16 enforce implementation of regular bike access in the
17 office building freight elevators.

18 To presented the legislation would
19 promote and enhance the steady and tremendously
20 positive increase in New York City bike ridership
21 that safe in place in recent year. By granting
22 people these opportunities, current bike riders would
23 no longer be facing the question of where to safely
24 store their bikes every day, open the workplace and
25 at home.

2 Additionally, If and when this
3 legislation is passed and implemented, more New
4 Yorkers will have the ability to bike as the mode of
5 transportation. Increasing bike ridership in New
6 York City is priority for me due to it advantageous
7 results for individual residence and for the city as
8 a whole. It will significantly cut transportation
9 cost and improve health and decrease traffic, reduce
10 CO2 emissions and energy use, and boost our city's
11 economy.

12 The Department of Transportation is
13 aiming to triple bicycle commuting by the year 2017
14 and Mayor de Blasio set an ambitious goal to increase
15 bike ride trip to 6% of total trips in the city by
16 2020. To meet these and other targets this
17 legislation and the legislation that may follow them
18 regards to bike access is of the utmost importance.
19 Thank you again for the opportunity to testify and I
20 look forward working with the members of this
21 committee to make these initiative realities.

22 PAUL STEELY WHITE: Thank you Chair
23 Williams and the members of the Committee on Housing
24 and Buildings for convening this hearing. I am Paul
25 Steely White the Executive Director of Transportation

2 Alternatives. We are a 42 year old non-profit with
3 more than 100,000 activists in our network dedicated
4 to improving the safety of New York City streets. In
5 2009 we secured passage of the bike access to office
6 building law which give employees who work in
7 building with a freight elevator a formal process for
8 requesting bicycle access at their workplace. This
9 was a huge victory but it came with limitations. We
10 want to go further to remove restrictions that stop
11 cyclist being able to travel unimpededly. Therefore,
12 we support all 3 of today's bill which go further to
13 expand and clarify their rights as New Yorkers to
14 take their bicycles into their homes and workplaces,
15 however, we feel that some of the bill should be
16 strengthen to make them even more powerful. By
17 bolstering them now, we can avoid having to revise
18 them again in the future. Knowing that many New
19 Yorkers are reluctant to because cyclist because they
20 fear bicycle theft and lack secure bicycle parking
21 options where they live or work we believe these
22 pieces of legislation will help expand cycling by
23 making is easier and more inviting to own a bike. In
24 the more people who cycle to safer it will be for
25 everybody on our streets. These bill will also help

2 eliminate the confusion and inconvenience that we
3 here about to often from our member who are
4 arbitrarily denied access by their landlords.

5 The benefits of cycling are well known
6 and proven. Improved help for the rider, less
7 congested and polluted streets for the city. Thanks
8 in large part to the expansion of the bike network
9 and vision zero, more New Yorkers are cycling than
10 ever before. A recent study we completed showed that
11 10% of traffic on 5th and 6th avenue in Manhattan was
12 made up of bicycles. And we expect that figure to
13 only increase. Unfortunately, bike thefts are also
14 on the rise according to NYPD statistics. Bikes are
15 more than near possessions. For many cyclists they
16 represent their sole means of commuting or their only
17 way to earn a living. When a bicycle is stolen, the
18 theft takes a vital tool of everyday living and
19 discourages cyclist from continuing to rise. Secure
20 outdoor bike parking is not always available and
21 harsh New York City weather can take it's toll on
22 intricate mechanical parts. Being able to bring a
23 bicycle into a building helps the owner protect it's
24 valuable assets with minimal inconvenience to others.

2 Therefore, we are especially pleased
3 with Int. No. 695 provision to protect tenants'
4 rights by making it unlawful for owners to restrict
5 their access. We strongly suggest adding enforcement
6 mechanism to Int. No. 405 and 795 to ensure
7 compliance with the legislation making it unlawful
8 for an owner or building manager to restrict the
9 rights provided to a tenant or sub tenant. As you
10 know this a city where space is always at a premium.
11 Folding bikes have become popular in recent years
12 because they easily assume a compact size for
13 transporting in and out of building, buses and
14 trains. When fully folded, these bikes are often no
15 bigger than a large backpack and the pose no fire
16 hazard to risk or other people. Therefore, it's a
17 simply common sense fact that as stated in Int. No.
18 405 that if a passenger elevator isn't avail for
19 carrying passengers it is also available for carrying
20 folded bicycles. Similarly, standard bicycles will
21 typically take up not much more room then an average
22 children's stroller should always be allowed to
23 travel in freight elevators which are completely safe
24 for items of that size and weight. We do support
25 Int. No. 795 but we would also like it to be

2 strengthen so that it clear that if it is no freight
3 elevator is present, standard bicycles should always
4 be allowed in passenger elevators. On behalf of our
5 members and network of supporter, we thank you for
6 taking these steps to protect bicycle access which
7 will make New York City a more inviting and safe
8 place to ride. Thank you.

9 DULCIE CANTON: Good morning, thank you
10 Chair Williams and the members of the committee on
11 Housing and Buildings for convening this hearing. My
12 name is Dulcie Canton, I'm a bike ambassador for
13 Transportation Alternatives and I'm also a member of
14 Family's for Safe Streets. My primary mode of
15 transportation is bicycle and as you can see I have a
16 (inaudible) folding bike and it's great because I
17 carry it everywhere with me when possible. As
18 Council Member Rosenthal said it's quite a pricey
19 bicycle and it's very difficult to lock up outside.
20 There are issues, I had a meeting a few weeks ago at
21 one police plaza with family for safe streets and the
22 security gave me a hard time downstairs. He had to
23 call someone to bring the bike upstairs but it worked
24 out but this bill would make it even easier for me to

2 get to where I need to go. If it's ok, could I do a
3 folding demo of the bike?

4 CHAIR WILLIAMS: I was going to ask you
5 to actually, so.

6 DULCIE CANTON: All right, yeah 26 it's
7 pounds. So this is the bag. This bag comes with it
8 and it clips in. So when you travel it kind of works
9 like a cart. It's almost like a baby stroller,
10 people will ask me if it's a baby stroller, I'm like
11 no it's a bike. So you unclip the bag. Yeah so it's,
12 it unfolds. You're quite tall you would need an
13 extension seat. Thank you and then to fold it up.
14 Thank you.

15 CHAIR WILLIAMS: Twenty-six pounds and
16 how much do 1 of those run?

17 DULCIE CANTON: They cost anywhere
18 between \$1200 and \$2600, it depends on.

19 {Crosstalk}

20 CHAIR WILLIAMS: From what to what?

21 DULCIE CANTON: \$1200 and \$2600.

22 CHAIR WILLIAMS: Ok.

23 DULCIE CANTON: Yeah. This one is a 6
24 speed so it's \$2400.

2 CHAIR WILLIAMS: Wow. Ok. Thank you
3 very much, that was fantastic. We really appreciate
4 it. I don't know if my colleagues have any comments
5 or questions but thank you very much for being
6 efficient, thank you guys for all your testimony. We
7 do have a couple of people who need to vote on the
8 elevator bill, so we're going to ask the clerk to
9 call on Council Member Cornegy and Ulrich who have
10 also joined us.

11 COMMITTEE CLERK: Continuation of the
12 roll call Int. No. 462-A, Council Member Cornegy.

13 COUNCIL MEMBER CORNEGY: I vote I.

14 COMMITTEE CLERK: Council Member
15 Ulrich.

16 COUNCIL MEMBER ULRICH: Mr. Chairman I
17 vote I.

18 COMMITTEE CLERK: The vote now stands
19 10 in the affirmative, 0 in the negative and no
20 abstentions.

21 CHAIR WILLIAMS: Thank you very much
22 and for the record on the bicycle bills we have CNYN
23 and Bommer and that was very exciting demonstration.
24 And with that, I want to say thank you very much for
25 everyone and the hearing is now closed.

1 COMMITTEE ON HOUSING AND BUILDINGS

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2 {gavel}

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date October 20, 2015