

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

JOINT COMMITTEES ON TRANSPORTATION, HOUSING AND
BUILDINGS AND CONSUMER AFFAIRS

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December 8, 2008
Start: 1:00Pm
Recess: XX:XXpm

HELD AT: Council Chambers
City Hall

B E F O R E:

JOHN C. LIU
Chairperson

ERIK MARTIN DILAN
Co-Chairperson

LEROY G. COMRIE, JR.
Co-Chairperson

COUNCIL MEMBERS:

Daniel R. Garodnick
Vincent Ignizio
James S. Oddo
G. Oliver Koppell
Thomas White, Jr.
Tony Avella
Lewis A. Fidler
Rosie Mendez
Larry B. Seabrook
Charles Barron
Joseph P. Addabbo, Jr.
Diana Reyna

A P P E A R A N C E S

COUNCIL MEMBERS:

David Yassky
Gale A. Brewer
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A P P E A R A N C E S (CONTINUED)

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Rohit Aggarwala
Director
Mayor's Office of Long Term Planning and
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Janette Sadik-Khan
Commissioner
New York City Department of Transportation

Howard Slatkin
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Real Estate Board of New York

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Sylvester Giustino
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Janet Liff
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Christine Berthet
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Head of Building Services for Corporate Real Estate
and Services Division
Credit Suisse

Christopher Good
Building Owner

Adam Mansky
Bike Commuter

2 CHAIRPERSON LIU: Good afternoon.

3 Welcome to today's hearing of the City Council's
4 joint hearing with the Committees on Consumer
5 Affairs, on Housing and Buildings and on
6 Transportation. My name's John Liu. And, I have
7 the privilege of Chairing the Transportation
8 Committee. And, I'm honored to join Chairperson
9 Leroy Comrie of the Consumer Affairs Committee and
10 Chairperson Erik Dilan of the Housing and
11 Buildings Committee.

12 We've convened today's hearing for
13 the purpose of conducting an oversight hearing on
14 the topic of what can the City do to improve
15 bicycle commuting and, also, to begin considering
16 three related bills. New York City is one of the
17 most congested cities in the world, with over
18 eight million people jammed into 321 square miles.
19 And, according to estimates, New York City's
20 population will grow to over nine million people
21 by 2030.

22 Mayor Bloomberg announced PlaNYC
23 2030 last year, the City's blueprint for
24 addressing the needs of the City's growing
25 population and aging infrastructure. One major

3 goal of PlaNYC 2030 is to increase transit
4 capacity. And, one of the initiatives to meet
5 this goal is by promoting bicycling. Many people
6 know the benefits of bicycling. It is healthy,
7 emission-free and relatively inexpensive. And,
8 according to PlaNYC 2030, the number of people
9 cycling increased 75% from the year 2000 to the
10 year 2006. Bicycling also does not require as
11 much infrastructure and does not impact our
12 existing infrastructure, as other modes of
13 transportation.

14 Some of the ways that the City
15 plans to promote bicycling include completing the
16 City's 1997 Bicycle Master Plan, developed jointly
17 by DOT and City Planning, and by doing other
18 things to promote bicycling, such as public
19 education and safety initiatives.

20 This hearing will look into the
21 progress of the City's initiatives and examine
22 whether anything else can be done to improve
23 bicycling in the City. We will examine Intro
24 Number 780, a bill introduced by Council Member
25 Koppell, that is currently before the Committee on
Consumer Affairs. We'll examine Intro Number 38,

2 a bill introduced by Council Member Yassky, that
3 is before the Committee on Housing and Buildings.
4 And, we'll also look at another bill introduced by
5 Council Member Yassky, Intro Number 871, that
6 would require reasonable bike access to existing
7 commercial buildings and create requirements for
8 bicycle access and storage for new commercial and
9 residential buildings.

10 I'd like to turn the floor over to
11 my Co-Chairs for today's hearing, Council Member
12 Leroy Comrie of the Consumer Affairs Committee,
13 and then, Council Member Erik Dilan of the Housing
14 and Buildings Committee.

15 CO-CHAIRPERSON COMRIE: Thank you,
16 Mr. Chair. Good afternoon. I am Leroy Comrie.
17 I'm the Chair of Council's Committee on Consumer
18 Affairs. I want to thank my colleagues, Council
19 Member John Liu and Council Member Erik Dilan, for
20 Co-Chairing this hearing with me today. I want to
21 thank all of the staffs for putting together
22 today's joint hearing, as well.

23 There's no mistaking the growing
24 popularity of biking to work in New York City.
25 According to Transportation Alternatives,

2 approximately 131,000 New Yorkers commute to work
3 via bicycle on a daily basis; double the number of
4 cyclists six years earlier. This sort of green
5 behavior is a great development and the City must
6 adapt its landscape to meet the needs of this
7 growing breed of commuters by doing more to add
8 bike lanes, install more bike racks and generally
9 creating a city that is more welcoming to
10 cyclists.

11 I want to congratulate Council
12 Member Oliver Koppell for coming up with Intro
13 780, which would help to make the City an even
14 more hospital place for commuter cyclists. It
15 requires all licensed parking lots or garages,
16 with capacity for 50 or more vehicles, to create
17 and maintain parking spaces for bicycles.

18 If we are to promote green
19 behaviors in our City, whether it's for our
20 planet's health, our fiscal health or our own
21 health, it's incumbent upon us to create a system
22 that is both workable and consistent with the
23 principles we espouse. By creating more safe
24 parking opportunities for our City cyclists, Intro
25 780 will take an important step in that direction.

2 I'll now turn over the Committee to
3 the Chair of our Housing and Buildings Committee,
4 Council Member Erik Dilan. And, congratulate him,
5 publicly, on his new addition to his family, as he
6 just became a father a couple of weeks ago.
7 Congratulations.

8 CO-CHAIRPERSON DILAN: Thank you
9 very much. Thank you very much. And, good
10 afternoon. My name is Erik Martin Dilan. And, I
11 Chair the City Council's Housing and Buildings
12 Committee. I'd like to thank you all for
13 attending today's hearing, jointly with the
14 Committees on Transportation and Consumer Affairs.

15 Today's Committee hearing is
16 twofold. First, the Committees are conducting
17 oversight to see how the City can best encourage
18 bicycle commuting. Secondly, the Committees are
19 convening to consider Intros Number 38, 780 and
20 871. And, I will briefly explain the two bills
21 that amend the New York City Building Code.

22 Intro 38 would require building
23 owners to provide storage for bicycles in
24 residential and commercial units. Intro 871 would
25 also require owners of commercial buildings, with

2 office and retail space, to provide bike access
3 and storage and would require owners of
4 residential buildings with ten or more units,
5 built after the effective date of this
6 legislation, to provide bike storage at a rate of
7 one bicycle space per every two residential units.

8 Again, I would like to thank both
9 Chairmens John Liu and Leroy Comrie for conducting
10 this hearing. And, as I normally do with my
11 Housing and Buildings Committee hearings, I do a
12 little housekeeping. If anyone wishes to testify
13 on any of the agenda items today, please see the
14 Sergeant at Arms. And, I will take the liberty,
15 at this time, to ask that if all cell phones could
16 be turned on silent mode. And, if there is a need
17 for private conversations, if it can be conducted
18 outside of the Chamber. And, just as a other
19 note, there are some budget discussions that will
20 be going on today. So, there will be some members
21 that will be going up and down because there is a
22 budget negotiating session going on. I think
23 myself and Leroy Comrie may be two of those
24 members. So, if you could please excuse that
25 behavior while these proceedings go forward.

3 And, with that, I'll turn it over
4 to Chairman Liu.

5 CHAIRPERSON LIU: Thank you very
6 much, Chairs Dilan and Comrie. We are joined by
7 several members of the City Council today.
8 Starting from the left, Council Member David
9 Yassky of Brooklyn, Council Member Dan Garodnick
10 of Manhattan, Council Member Vincent Ignizio of
11 Staten Island, Council Member James Oddo of Staten
12 Island, Council Member Oliver Koppell of the
13 Bronx, and Council Member Tom White of Queens and
14 Council Member Tony Avella, who is today part of
15 the press, and Council Member Lew Fidler, who is
16 wanting to be a cameraman today. Anybody else?
17 Okay.

18 Well, I want to thank the staff of
19 the Committees for putting together today's
20 hearing, especially Phil Hom, the Legislative
21 Counsel to the Transportation Committee. And,
22 with that, we are joined, delighted to be joined
23 by, and I'd like to offer the floor to, Council
24 Member Koppell and Council Member Yassky for brief
25 comments on the bills that they have introduced.
Council Member Koppell.

3 COUNCIL MEMBER KOPPELL: I'll be
4 very brief. I think that a serious problem for
5 anyone who rides a bicycle is where to park it.
6 And, parking on the street is, generally speaking,
7 not a very good option for a whole series of
8 reasons, which I don't think I need to state. So,
9 where do we put the bicycles? I think that the
10 several bills we have today are a solution to
11 where the bicycles can go as we hope we're going
12 to be encouraging thousands and thousands of
13 bicycle riders in this City, as they have in other
14 cities around the world, to a much greater extent
15 than we have here.

16 And, one of the ways that we can
17 deal with bicycles is to have parking garages
18 accommodate bicycles. And, it's not my suggestion
19 that they do so free, but that they can charge
20 fees for the storage, just as they charge fees for
21 parking of cars. And, I think it's a reasonable
22 requirement to have one space for every ten cars.
23 Bicycles don't take up so much room. And, I would
24 guess that most garages can be creative in setting
25 aside space for bicycles in such a way that it
will eliminate few, if any, car spaces, although

3 consider favorably Intro 871, which would simply--
4 we have done so much and the Commissioner and the
5 Administration deserve enormous amount of credit
6 for all the new bike lanes and the bridge access
7 and everything that they have done to make it
8 easier for people to commute to work, resulting in
9 the 30% increase in people choosing to bike to
10 work that we've seen in the last year. All we
11 need is that last step, the last piece of the
12 puzzle, because no matter how easy it is to get to
13 the office building, unless you have a place to
14 put the bike, unless you have a way to bring your
15 bicycle into your office, if that's okay with your
16 boss, when you get there, then, our changes are
17 incomplete.

18 So, I hope that we will move
19 forward speedily on taking that last step. And, I
20 look forward to the testimony.

21 COUNCIL MEMBER KOPPELL:

22 Mr. Chairman, I neglected to say, and I think we
23 should recognize that the City Planning Commission
24 is coming out with some new regulations, new
25 zoning rules, that will require bicycle access to
buildings, new buildings and renovated buildings.

3 And, this kind of fits together with the City
4 Planning Commission proposals, which I personally
5 welcome. And, I think that as the Committee and
6 everybody else considers these bills, they should
7 consider them in conjunction with what the
8 Planning Commission is proposing.

9 CHAIRPERSON LIU: Thank you very
10 much. Just, since we're on the topic, I'll note
11 that earlier this year, in June, we had bike-to-
12 work day. And, I had the pleasure of biking to
13 work from Flushing to City Hall. And, got to the
14 office building, where our offices are and at 250
15 Broadway, and they wouldn't let me in with my
16 bike.

17 But, nonetheless, I'm glad that
18 we're having this hearing. I want to thank
19 Commissioner Sadik-Khan and her wonderful staff at
20 the DOT for noticing that my helmet was not
21 totally up to current standards and providing me
22 with a far safer helmet. I thank you for that.

23 And, with that, we'll call up our
24 first panel, consisting of officials from the
25 Bloomberg Administration, Commissioner Janette
Sadik-Khan of the Department of Transportation and

3 Rohit Aggarwala, the Director of the Mayor's
4 Office of Long Term Planning and Sustainability.
5 I'll allow you to introduce your colleague there.
6 They will be followed by a panel consisting of
7 Marilyn Davenport of the Real Estate Board of New
8 York, Sylvester Giustino of the Building Owners
9 and Managers Association of New York and Alice
10 Labree, who will be testifying in opposition.

11 With that, Commissioner Sadik-Kahn
12 or Rohit, please proceed.

13 ROHIT AGGARWALA: Okay. Thank you
14 very much, Chairman Liu, Chairman Comrie and
15 Chairman Dilan and other members of the three
16 Committees. My name is Rohit Aggarwala. I'm the
17 Director of the Mayor's Office of Long Term
18 Planning and Sustainability. And, on behalf of
19 the Mayor, I'd like to thank you all for holding
20 today's hearing and for the opportunity to testify
21 on these important initiatives.

22 Over a year and a half ago, Mayor
23 Bloomberg presented PlaNYC, a long term
24 sustainability plan to make New York the greenest,
25 most livable city in the United States by 2030,
while accommodating an additional one million

3 residents. PlaNYC outlines ten goals, including
4 achieving the cleanest air of any big city in
5 America and reducing greenhouse gas emissions by
6 30% by 2030.

7 To reach these ambitious goals, we
8 must take a comprehensive approach to planning for
9 the City's transportation network. Promoting
10 cycling as a sustainable travel mode is Initiative
11 Number 9 in our transportation section for
12 cleaning our air, reducing carbon emissions,
13 making the City healthier and reducing congestion.
14 Cycling offers an environmentally friendly, space
15 efficient way to travel around the City. Other
16 cities around the world and at home have embraced
17 cycling as an emission-free, low-cost travel
18 option that promotes a healthy life.

19 Here in New York, increased bicycle
20 use could help address our growing epidemics of
21 obesity, and Type II diabetes. Obesity rates have
22 more than doubled in the past 20 years in the
23 City. Regular physical activity lowers the
24 chances of obesity, diabetes, heart disease,
25 hypertension, depression, arthritis and
osteoporosis. One 15-minute bike ride to and from

3 work, five days a week, can burn the equivalent of
4 11 pounds of weight in one year.

5 New Yorkers are increasingly
6 finding cycling to be a preferable mode of travel.
7 Overall, cycling levels have increased
8 dramatically. As Commissioner Janette Sadik-Khan
9 will testify in a moment, DOT has made tremendous
10 progress in expanding our bicycle infrastructure
11 throughout the City. However, significant
12 obstacles remain for potential bicycle commuters,
13 namely secure, indoor parking space.

14 Intros 871 and 780 take significant
15 steps to address these goals. And, we applaud
16 Council Members for putting these forward and you,
17 for holding this hearing on them. Commissioner
18 Sadik-Khan will discuss, in detail, the
19 Administration's response to these bills and also
20 discuss our efforts in our own City buildings.

21 Howard Slatkin, from the Department
22 of City Planning, will discuss our recently
23 introduced changes to the Zoning Code that would
24 require bicycle parking space in new buildings.
25 We also have on hand staff from the Department of
Citywide Administrative Services and the

3 Department of the Buildings in case relevant
4 questions for those agencies come up. If you can
5 bring three Committees, we can bring four
6 agencies.

7 We look forward to working with the
8 City Council to help expand bicycle storage,
9 promote cycling and a healthy lifecycle and reach
10 these PlaNYC goals and work towards the passage of
11 these bills in, ultimately, final form. Thank
12 you.

13 JANETTE SADIK-KHAN: Good
14 afternoon. I am Janette Sadik-Khan, Commissioner
15 of New York City's Department of Transportation.
16 And, I want to thank Chairmen Liu, Comrie and
17 Dilan for the invitation to discuss bicycle
18 commuting in New York City and to testify on
19 Intros 871, 780 and 38.

20 I, first, want to say that we share
21 the Council's desire for a more bike-friendly city
22 and appreciate efforts to make cycling more
23 attractive to commuters. Cities around the world,
24 including our competitors, are making cycling an
25 integral part of their transportation systems and
streetscapes. In Copenhagen and in Amsterdam,

3 nearly 40% of commuter trips are by bike. In
4 Berlin, about 12% are by bike. In Paris, 4% of
5 trips are by bike. And, London is moving forward
6 with a very aggressive bike commuting program.

7 As a world-class metropolis facing
8 similar growth and environmental challenges, we,
9 too, must become a city where bicycling is a
10 serious mainstream mode of transportation. As
11 Rohit mentioned, cycling is good for our health,
12 good for the environment and good for our
13 pocketbooks. And, it's a crucial part of a
14 sustainable future.

15 Consistent with the goals of
16 PlaNYC, we've been aggressive in our efforts to
17 include cycling in the City's transportation
18 network within all five boroughs. As part of
19 DOT's strategic plan, we set a goal of doubling
20 the number of bicycle commuters by 2015 and
21 tripling it by 2020. We're committed to making
22 cycling a more viable option for commuters and
23 have embarked on several integrated programs to
24 achieve that objective.

25 Over the past two and a half years,
DOT has added over 150 miles of bike lanes and

3 routes with a focus on providing access to
4 bridges, which is critical to commuters citywide.
5 We've reconfigured major complex intersections,
6 incorporating cutting edge bike facility design in
7 key locations, such as Grand Army Plaza, adjacent
8 to Prospect Park in Brooklyn, at the Manhattan
9 Bridge bike path entrance in Chinatown, and at
10 Madison Square, where Broadway, Fifth Avenue and
11 23rd Street converge around the historic Flatiron
12 Building.

13 The City's first on-street
14 protected bike path was installed last fall on
15 Ninth Avenue in Manhattan, physically separating
16 cyclists from motor vehicle traffic. This
17 received the Project of the Year award from the
18 Institute for Traffic Engineers and Transportation
19 Engineers. And, recent counts have shown a 57%
20 increase in the number of cyclists using the
21 Avenue and a 50% decrease in the number of vehicle
22 crashes since its installation.

23 Our focus has extended beyond what
24 we do in the streets. We've distributed over
25 220,000 bike maps last year, provided nearly
10,000 bike helmets to New Yorkers of all ages,

3 including Chairman Liu, and launched a well-
4 regarded bicycle safety advertising campaign.

5 All this hard work has paid off.
6 The results of our recently completed 2008 bicycle
7 ridership counts show ridership is up a whopping
8 35% from 2007 to 2008. And, at that rate, we will
9 reach our goal of doubling bike commuting as early
10 as 2011. And, this remarkable increase in
11 ridership highlights that there's a place for bike
12 commuting in the City of New York.

13 Nevertheless, like the Council, we
14 recognize that we must do more to remove barriers
15 to growth. While we've made it safer for cyclists
16 to get where they are going, they still do not
17 have adequate parking when they arrive at their
18 destination. The Department of City Planning's
19 2007 bike survey found that the leading reason
20 most cyclists don't bike to work is the lack of
21 secure bike parking, which is really not a
22 surprise, given that thousands of bikes are stolen
23 on city streets each year.

24 Providing secure parking is crucial
25 to promoting bike commuting as a viable mode of
transportation. We're doing what we can on the

3 streets to provide parking through our bike rack
4 program. And, of the approximately 6,500 racks
5 throughout the City, 1,377 were installed last
6 year. In addition, we've developed an attractive
7 bike parking shelter that prominently displays the
8 NYC bike map and the Look, public awareness
9 campaign. And, the first 19 sheltered bike
10 parking structures have been installed with an
11 additional 17 to be built-out in the coming
12 months.

13 Our efforts help meet the demand
14 for short term parking, but fall far short in
15 satisfying the needs of bike commuters. As noted,
16 City Planning's bike survey shows that the number
17 one reason cyclists opt against bike commuting is
18 the lack of safe parking. The survey also found
19 that about half of existing commuters park
20 indoors. The inherent risk of vandalism or theft,
21 when parking bikes on the street, make the
22 availability of safe storage crucial to any real
23 effort in promoting bike commuting.

24 In order for cyclists to be more
25 accommodated, we need to provide access to space
off the streets or sidewalks. To this end, DOT,

3 in collaboration with DCAS, has expanded secure
4 bike parking for City employees in the Manhattan
5 Civic Center area. The goal of DCAS' municipal
6 bike parking initiative is to identify centralized
7 secure sites for use by all City employees,
8 regardless of whether they're tenants in a
9 particular building.

10 Currently, DCAS has opened indoor
11 bike parking at 280 Broadway, 125 Worth Street and
12 100 Gold Street. In addition, secure outdoor
13 parking is available to employees and the public
14 at One Center Street on the south side of the
15 building. With DOT's assistance, DCAS is in the
16 process of installing new, appropriate bike
17 parking equipment in these locations,
18 substantially increasing the number of bikes that
19 can be park at any one time.

20 Future plans for DCAS' secure bike
21 parking for City employees include the opening of
22 locations in downtown Brooklyn and in Staten
23 Island. DCAS is in the process of canvassing
24 Queens Borough Hall to identify a location at that
25 building, as well.

On the private sector side, a

3 number of businesses have begun to provide off-
4 street bike access for their employees. As part
5 of our efforts to promote bike commuting, this
6 year, DOT and Transportation Alternatives, with
7 support from the Council, held the first bike-
8 friendly business competition in New York City,
9 recognizing firms that encourage cycling. Credit
10 Suisse won in the category of bike-friendly
11 workplaces. Located in the historic MetLife
12 Building, they provide easy access for bicycles,
13 secure bicycle rooms where employees can register
14 their bikes and receive swipe card access and
15 identification tags, air pumps to fill flat tires
16 and promotional materials for cycling activities.
17 The firm also promotes the availability of bike
18 parking to their employees and further encourages
19 bike parking by offering an employee discount to a
20 health club next door, where showers and lockers
21 are available.

22 Credit Suisse is a shining example
23 of what businesses can do to promote cycling.
24 But, for the companies looking to follow their
25 lead, bike access into buildings often remains an
obstacle; one that is out of their control.

3 Intro 871 addresses this critical
4 need by requiring properties to provide access, an
5 important first step in accommodating bicycle
6 commuters. However, we recommend amending the
7 existing language in the bill to distinguish
8 between the concepts of access and storage.

9 Currently, the bill states that buildings are
10 required to provide access, provided they can
11 reasonably accommodate the storage of such
12 bicycle. This phrasing links access and storage,
13 affording a property owner the opportunity to deny
14 access should they lack storage space. Although
15 some buildings may face constraints in providing
16 shared space for bikes, tenants may be able to
17 accommodate storage themselves for their
18 employees. Removing any mention of storage from
19 the legislation allows for the utilization of all
20 available space.

21 We know that certain buildings do
22 have constraints with respect to access, such as
23 the availability of freight elevators. In order
24 to account for these realities, while still
25 protecting the integrity of the legislation, we
believe the bill should include a reasonable

3 exception for those building owners that have
4 legitimate barriers to compliance. We feel there
5 should be a process where property owners can
6 demonstrate they cannot reasonably provide such
7 access.

8 And, we also believe that
9 legislation should only apply to existing
10 buildings, where the dominant occupancy is office
11 space. Retail space is often complicated and the
12 layout of the space, as well as liability issues
13 regarding merchandise and customers, requires a
14 deeper understanding of this issue. Additionally,
15 new construction, as addressed in the City
16 Planning text, has also been addressed in a
17 pending amending to the Zoning Resolution, which
18 the Department of City Planning can explain in
19 greater detail, if requested.

20 DCP's efforts both promote and
21 address the needs of cyclists. And, we urge the
22 Council to support the amendment. With some minor
23 adjustments, we believe Intro 871 can help usher
24 in a new culture of commuting and create a
25 greener, more sustainable transportation network.
However, like the Council, we look forward to

3 hearing more from the real estate industry, who
4 has taken an interest in this topic and has
5 already begun steps to address the need for
6 bicycle access.

7 Let me turn to Intro 780, which
8 requires garages and parking lots, which can
9 accommodate 50 or more cars, to maintain and
10 provide space for bicycles. While, we have an
11 understanding of the access, egress and
12 operational issues of bike access to existing
13 buildings, we have less information about the
14 related issue to access to existing parking
15 garages.

16 We're aware of several parking
17 garages, private garages, in the City that offer
18 bicycle parking. They have varying pricing and
19 facilities. And, it would be beneficial to hear
20 what their experiences have been in offering this
21 service. We're interested in the premise of this
22 bill and look forward to hearing more from
23 advocates and from the industry.

24 Finally, we'd like to briefly
25 mention Intro 38, an access bill introduced in
2006. I see Intro 871 as an important improvement

3 to the original proposal and recommend the Council
4 focus on the latest version.

5 I want to thank you for the
6 invitation to testify today and would be happy to
7 answer any questions you may have, after hearing
8 from Howard Slatkin, the Deputy Director of
9 Strategic Planning at the Department of City
10 Planning. Thank you.

11 HOWARD SLATKIN: Good afternoon,
12 Chairmen Liu, Comrie, Dilan and members of the
13 assembled committees. I'm Howard Slatkin, Deputy
14 Director of Strategic Planning for the Department
15 of City Planning. And, I'd like to thank you for
16 the opportunity to speak today about what the
17 Department is doing to encourage bicycle
18 commuting.

19 The Department of City Planning has
20 been involved in the promotion of bicycle use in
21 New York City for almost 20 years. In 1991, for
22 the first time, dedicated funds became available
23 for the planning and implementation of bicycle
24 routes and greenways. DCP, partnering with the
25 Department of Transportation, created the Bicycle
Network Development Program to achieve these

3 goals.

4 CHAIRPERSON LIU: Hey, just hold on
5 for a second. I think you have copies. Are those
6 copies right in front of you?

7 HOWARD SLATKIN: Yes.

8 CHAIRPERSON LIU: Okay.

9 HOWARD SLATKIN: Department of City
10 Planning, partnering with DOT, created the Bicycle
11 Network Development Program to achieve these
12 goals, as well as to promote cycling, while
13 reducing congestion. Two major products of the
14 Bicycle Network Development Program were the New
15 York City Bicycle Master Plan of 1997 and the New
16 York City cycling maps. The Master Plan
17 identified a 900-mile network throughout the City
18 to guide the implementation of on-street and off-
19 street bike routes. The cycling maps show
20 existing bike and greenway facilities, bike shops,
21 safety in riding information in a handy foldable
22 map. These free maps are updated annually and
23 their distribution coincides with the beginning of
24 bike month each May. Thus far, the City has
25 distributed over a million maps.

DCP has produced over two dozen

3 reports and studies related to bicycles,
4 pedestrians and greenways. These reports, which
5 are available on the Department's website, vary
6 from Greenway Master Plans in Western Queens and
7 South Brooklyn to bicycle surveys and bike lane
8 inventories.

9 On November 17th, 2008, the
10 Department proposed a citywide text amendment to
11 the Zoning Resolution to require indoor, secure
12 bicycle parking in new multi-family residential,
13 community facility and commercial buildings. The
14 proposed text amendment, which has been referred
15 for a 60-day period to all Community Boards,
16 Borough Boards and Borough Presidents for view and
17 comment, would provide for bicycle parking and
18 storage, both at home and in the workplace, with
19 standards that serve the needs of cyclists, while
20 providing flexibility to accommodate the needs of
21 development.

22 The proposal, by ensuring secure
23 indoor bicycle parking facilities, would support
24 current and future bike ridership throughout the
25 City. This support for cycling in the City will
yield fitness and health benefits for riders,

3 improvements to mobility through additional
4 transportation options, as well as the potential
5 benefits of alleviating congestion, improving air
6 quality and reducing carbon emissions.

7 The proposed bicycle parking
8 requirements focus on three complementary
9 functions of bicycle parking that will serve a
10 broad range of needs in the City. First is
11 residential parking at the bicycle owner's home,
12 where the bicycle spends most of its time. The
13 second is employee parking for commuters in their
14 work locations and the third is general purpose
15 bicycle parking in public parking garages.

16 The proposal would ensure that
17 indoor, secure bicycle parking is designed into
18 new developments, substantial enlargements and
19 residential conversions of non-residential
20 buildings. The regulations would apply to multi-
21 family residential, community facility and
22 commercial buildings, including public parking
23 garages in all zoning districts.

24 Under the proposal, spaces must be
25 enclosed and accessible to designated users, such
as residents, employees or in public parking

3 garages available to the general public. Spaces
4 must either be secured by a locked door or include
5 a securely anchored rack to which the bicycle
6 frame and one wheel can be locked. The proposed
7 zoning requirements seek to provide developers
8 flexibility in order to allow a range of bicycle
9 parking solutions for different buildings. The
10 required number of bike spaces can be provided in
11 a smaller area with the use of a variety of space-
12 efficient parking systems, such as vertical racks,
13 floor-mounted racks, double stacking systems or
14 other hanging systems.

15 The proposed bicycle parking
16 requirements follow the Zoning Resolution's
17 existing and comprehensive regulatory framework,
18 which is organized according to the type of use,
19 such as residential, commercial, community
20 facility, manufacturing and, the intensity of use
21 as measured by floor area. It also provides rules
22 that can be applied to mixed-use buildings.

23 The text also allows a flexible
24 menu of options to facilitate compliance. For
25 instance, the proposed text would allow bicycle
parking as a permitted obstruction in a required

3 rear year or rear yard equivalent under zoning;
4 similar, in many ways, to what is allowed today
5 for automobile parking. This element was added to
6 the proposal based, in part, on feedback from
7 affordable housing providers, who indicated that
8 security demands sometimes make it undesirable to
9 provide bicycle parking in a cellar. Required
10 bicycle parking would also be exempt from floor
11 area calculations.

12 The proposed zoning text also
13 allows the bicycle parking requirements to be
14 placed at different locations with a campus for
15 hospitals and schools, or in large-scale
16 developments or, where unusual site conditions
17 exist. The zoning text sets forth the procedures
18 for reviewing such exceptions and provides for
19 their administration through the Department of
20 Buildings and City Planning Commission.

21 By building upon the existing
22 regulatory framework of the Zoning Resolution and
23 relying upon existing definitions of terms, such
24 as commercial building or mixed building or floor
25 area, the bicycle parking zoning text provides
clear standards to govern its application. It

3 also allows for the application of standard
4 provisions, which ensure the projects, at an
5 advanced stage of plan approval and construction
6 and design, are vested under the existing
7 regulations.

8 At the same time, it encourages
9 owners of existing buildings or projects that are
10 commenced prior to adoption of the new requirement
11 to incorporate bicycle parking by providing an
12 incentive in the form of a floor area exemption if
13 required bicycle parking is provided above grade.

14 We believe that the Department of
15 City Planning's proposed zoning text amendment is
16 a comprehensive approach to ensuring that new and
17 significantly modified buildings provide
18 facilities for bicycle parking. We look forward
19 to working together with the City Council on other
20 ways to encourage bike commuting in New York City.
21 We would be happy to brief each of you on the
22 proposal, which can also be found on the
23 Department's website. Thank you.

24 CHAIRPERSON LIU: Thank you very
25 much for your testimony. Let me note that we also
have been joined by Council Member Rosie Mendez of

3 Manhattan, Council Member Larry Seabrook of the
4 Bronx and Council Member Charles Barron of
5 Brooklyn. We do have some questions for you. And
6 so, I guess I'll start off with a couple of them
7 and turn the floor over to my colleagues.

8 I don't think anybody questions the
9 benefits of bicycling, certainly bicycling to and
10 from work, and all of the additional benefits it
11 has for our City and society. The question, one
12 central question with regard to the bills here,
13 and also to the Administration's efforts, has been
14 what kind of requirements do we impose on private
15 property owners? And, you know, most of the
16 Building Code and what City Planning does has been
17 along the lines of safety, keeping people safe.
18 This appears to be an initiative that goes beyond
19 safety of people, but more convenience. Is there
20 anything in the Building Code or any other
21 initiative that has been undertaken by City
22 Planning that this is comparable to in terms of
23 imposing requirements that are more for
24 convenience rather than safety?

24 HOWARD SLATKIN: The zoning
25 requirements that have been proposed as part of

3 the Department's zoning text amendment are similar
4 to other parking regulations that exist in the
5 Zoning Resolution. There are requirements in
6 different districts for parking of automobiles.
7 This is a requirement, essentially, for the
8 parking of bicycles. And, it is designed within a
9 similar framework to those other regulations.

10 CHAIRPERSON LIU: So, I mean, I
11 think there'll be people who'll say that the
12 parking requirements in the Building Code have to
13 do with keeping the cars off the streets, as
14 opposed to encouraging people to drive their cars.
15 Would you say that's true?

16 HOWARD SLATKIN: I would say that
17 the proposed bicycle parking requirements are
18 designed, not just for convenience, but in order
19 to make it possible for people who own bicycles to
20 store them, as well. For example, in the
21 residential requirements, storing the bicycle on-
22 street for home storage is not generally
23 considered, I think by most bicycle owners, a
24 reasonable option. And, providing for the
25 facilities needed to store those bicycles within
the building is the purpose of the text.

3 CHAIRPERSON LIU: Okay. You
4 reference requirements for new construction and
5 that for-- to address some security concerns that
6 new construction would be-- there would be some
7 provision to allow the building owners to have the
8 bicycle storage outside the building. Now, how
9 would we reconcile that with the requirements
10 that, for example, Intro 871 looks to impose on
11 owners of current buildings that may not have the
12 luxury of building something in the backyard?

13 HOWARD SLATKIN: As to the zoning
14 text proposal, the requirements are, with only
15 very few exceptions, for secure indoor storage,
16 accessible from a common area on the property for
17 the bicycle parking requirement. So, in general,
18 they're not outdoors. The exception is for
19 community facilities, such as hospitals or
20 universities within a campus setting. For
21 universities, some of the spaces can be provided
22 outdoors.

23 The applicability of the proposed
24 zoning text to existing buildings is not a
25 requirement. But, it is limited to additional
flexibility to allow those spaces to be created

3 and they would not count as floor area, for
4 instance, if they are created for an existing
5 building.

6 ROHIT AGGARWALA: I think to pick
7 up on that with reference to the Intro, you know,
8 as the Commissioner mentioned, one of our key
9 concerns is going to be with how we design the
10 reasonableness clause. And, I would encourage the
11 Committees to think about that aspect that you
12 just highlighted, Mr. Chairman, of the zoning text
13 amendment as being comparable to the
14 reasonableness exemption within Intro 870 or
15 whatever gets negotiated out of it. I think
16 you're totally right in pointing out that we have
17 to be reasonable. There are going to be buildings
18 where either there is no freight elevator or it's
19 not safely designed or so on and so forth, that we
20 will have to make exemption.

21 CHAIRPERSON LIU: That is something
22 that presumably the Department of Buildings would
23 promulgate in regulations. Or, would that have to
24 be something that would be clarified in
25 legislation?

ROHIT AGGARWALA: I think that's

3 something that we will have to clarify together
4 because the--

5 CHAIRPERSON LIU: [Interposing] At
6 the regulatory level or at the legislative level?

7 ROHIT AGGARWALA: Ideally, we would
8 do it-- first, we would want to ensure that we
9 have a shared understanding of what the
10 legislation would want to say. And, I think we
11 are open to discussing whether the reasonableness
12 clause needs to be elaborated. Ultimately, the
13 details really need to be done in the rule making.

14 CHAIRPERSON LIU: Thank you. We
15 have questions from Council Member Dilan. Council
16 Member Comrie.

17 CO-CHAIRPERSON COMRIE: I was going
18 to defer to the sponsor, Council Member Koppell.
19 So, let - - Chairman and then I'll go bring up the
20 rear.

21 CO-CHAIRPERSON DILAN: Okay. I
22 guess before I begin, I just want to get my
23 initial thoughts and my initial positions out
24 there so that you guys can answer questions
25 knowing what my preliminary positions are. First
of all, I think, overall, the goal of these bills

3 are not bad. I think that this City should do
4 everything that it could to encourage bicycle
5 commuting at every level.

6 But, I think there's a lot of
7 fundamental flaws. One flaw, the City's
8 involvement in this issue, legislatively, 'cause
9 we're not talking about conditions of building
10 owners. And, we are potentially micromanaging
11 what goes in and out of buildings, because these
12 buildings are owned privately. They're not owned
13 by the City of New York. I understand we have
14 oversight of them. And, from my perspective, I
15 think this is something that's better dealt with,
16 and I do believe it should be dealt with. It's
17 just a question of how do you deal with it.

18 I think there should be discussions
19 between the real estate industry and the bicycle
20 advocacy community. To your knowledge, at this
21 point, have any of those discussions happened?

22 JANETTE SADIK-KHAN: We've had
23 several meetings and discussions.

24 CO-CHAIRPERSON DILAN: But, your
25 agency has.

JANETTE SADIK-KHAN: Oh. You're

2 not asking me. Howard?

3 HOWARD SLATKIN: We have also
4 reached out to a number of different groups, the
5 real estate industry, the affordable housing
6 industry, to the Bicycle Advocacy community.

7 CO-CHAIRPERSON DILAN: Yeah, but,
8 you asked them for input on legislation. Was
9 there conversations that were had between the
10 Bicycle Advocacy community and the real estate
11 community of this City in terms of facilitating
12 bicycle racks in their buildings without any
13 legislation?

14 JANETTE SADIK-KHAN: Yes, in fact,
15 we've had several discussions with the real estate
16 industry on exactly that topic. And, there have
17 been some-- there's been some really significant
18 interest by building owners to explore what could
19 be done there. And, we've been very happy in
20 working with Steve Spinola [phonetic] and the
21 other members of the Real Estate Board of New York
22 on working together on what we could do to move
23 forward on that.

24 The piece that I think is really
25 interesting to see is that I think over half of

3 the building owners that were surveyed by the Real
4 Estate Board were interested in providing some
5 sort of bike access. And, we, at the Department
6 of Transportation, have provided technical
7 assistance to those building owners to help them
8 provide different kinds of spaces and look at how
9 they can creatively manage their spaces.

10 CO-CHAIRPERSON DILAN: Okay.

11 JANETTE SADIK-KHAN: The piece that
12 I think is sort of interesting for the Council is
13 that, you know, this is, I think, one of the most
14 important legislative initiatives in
15 transportation, that we'll see for a while. The
16 notion of looking at our system in a holistically
17 way to try to manage our way out of congestion,
18 you can't do it any other way than looking at
19 alternative ways of getting people around the City
20 of New York. So, we're very encouraged by the
21 conversation today and have, you know, continued
22 that conversation with our private sector
23 partners, as well.

24 CO-CHAIRPERSON DILAN: And, I don't
25 disagree that the conversation shouldn't happen.
I believe the conversation should happen. So,

3 you've mentioned that the Real Estate Board has
4 been involved and they're a key component. Have
5 there been any other housing entities that have
6 been involved in discussions? Short answer.

7 JANETTE SADIK-KHAN: On the zoning?
8 I haven't had conversations about the zoning text.

9 CO-CHAIRPERSON DILAN: On any of
10 the bills, zoning text, on just overall planning?

11 ROHIT AGGARWALA: On the zoning
12 text, there have been-- we've reached out to a
13 variety of stakeholders. And, we're currently in
14 the process of continuing to reach out and hear
15 from them as we began the public review process on
16 our text proposal.

17 CO-CHAIRPERSON DILAN: Okay. So,
18 Commissioner, I could tell by your answer, and you
19 can correct me if I'm wrong in interpreting this
20 from your answer, you believe that discussions can
21 bear fruit between these two entities?

22 JANETTE SADIK-KHAN: I do.

23 CO-CHAIRPERSON DILAN: That's good,
24 because the reason why the concern here is is
25 'cause, and I take from your testimony, you're not
a big fan of Intro 38, which was the original bill

3 of my Committee. And, I don't want to put words
4 into your mouth. But, your testimony seemed more
5 supportive of 871. I think that's a better way of
6 me putting it. So, I'll ask questions on 871. It
7 amends Building Code and it asks commercial and
8 residential owners to provide access, you say.
9 Now, I agree with you in your testimony, if you
10 say that language on storage should be cleaned up,
11 I definitely agree with you because there's
12 liability issues that homeowners and building
13 owners have to get into that are not discussed in
14 this legislation as to who's responsible for that.
15 And, it adds more burden on these owners; now,
16 small burden. And, again, I believe we should get
17 to a place where bicycle commuting is allowed and
18 accepted. But, I just do not think it's the role
19 of the Council or City government to mandate this.
20 Do we facilitate discussions and conversations? I
21 agree we should. That's just my personal opinion.

22 I think these bills need a
23 tremendous amount of work. There are, I guess,
24 provisions on the residential side that says ten
25 units or up must require bike racks. I mean, I
think buildings, such as senior citizen 202

3 buildings, haven't been considered. I don't see
4 the need why they should be mandated to put bike
5 racks in them. So, I just think, on a whole,
6 we're enacting sweeping legislation that affects
7 1% of the daily commuters of the City of New York.
8 So, I think we need to slow down and take a good
9 look at this and get a better understanding from
10 the real estate community as to how we can make
11 this possible and more feasible or more reliable.
12 So, that's my personal position.

13 And, I don't know if you guys want
14 to I guess refute or discuss anything that I said,
15 or correct any inaccuracies in--

16 JANETTE SADIK-KHAN: [Interposing]
17 Can I just add one thing?

18 CO-CHAIRPERSON DILAN: -- what I
19 said. Sure.

20 JANETTE SADIK-KHAN: In terms of
21 the burden of proof of the legislation, the notion
22 is is that you're looking to provide access to the
23 buildings. And, there is a reasonableness, you
24 know, component there. So, I think that that will
25 go a long way to addressing some of the real
concerns that you've raised in terms of how this

3 goes forward. I think this is a really smart
4 piece of legislation because it does allow for it
5 to be tailored to meet the exigencies of
6 individual situations. And so, it will help us
7 get to where we need to go. But, again,
8 understand that everything that we do is a little
9 bit of a balancing act in the City of New York.
10 We have to make sure that we have a reasonable
11 bill. And, I think that the legislation that the
12 Council has provided and drafted goes a long way
13 to meeting that goal.

14 CO-CHAIRPERSON DILAN: Again, I
15 think the goal is good. But, the bill, I see many
16 flaws with and needs work. Now, I'm going to
17 reserve judgment on the zoning text, because I
18 don't know enough about it. I haven't read it. I
19 think Council Member Koppell's bill, on the other
20 hand, is an excellent bill. It's a bill that's
21 common sense. It's straightforward. It doesn't
22 provide any undue benefit. And, it allows for the
23 parking garages to potentially add customers.
24 And, I think that's common sense. And, I'm
25 willing to sponsor that bill.

But, these bills here, I mean,

3 should we do the same thing for hybrid, drivers of
4 hybrid vehicles? Should we mandate that
5 homeowners or building owners provide parking for
6 them? I think there's a fundamental problem with
7 a lot of what's being heard before this Committee.
8 And, again, I know many people are going to see me
9 as cynical. And, I do want to get to a point of
10 being in favor of this. It just all depends on
11 the details and how we get there.

12 So, with that, Chairman, I'll...

13 CHAIRPERSON LIU: Thank you,
14 Chairperson Dilan.

15 CO-CHAIRPERSON COMRIE: Well, as I
16 said, I was going to defer to Council Member
17 Koppell to ask specific questions on Intro 780. I
18 wanted to talk about some issues on transportation
19 and the bike lanes, in general. But, I'll just
20 ask how many, since Council Member Koppell, what--
21 have you delineated how many existing garages
22 would be affected by his bill? Have you made a
23 count or done an assessment on how many parking
24 garages would be affected at all?

25 COUNCIL MEMBER KOPPELL: No. But,
I suspect that, you know, it's a substantial

2 number.

3 CO-CHAIRPERSON COMRIE: No, that
4 was for DOT.

5 COUNCIL MEMBER KOPPELL: Oh, you
6 weren't asking me?

7 CO-CHAIRPERSON COMRIE: No, huh,
8 uh.

9 COUNCIL MEMBER KOPPELL: 'Cause you
10 said Councilman Koppell.

11 CO-CHAIRPERSON COMRIE: Right. I'm
12 sorry. I worded it wrong.

13 COUNCIL MEMBER KOPPELL: So, I
14 thought you were asking if I had a number. Maybe
15 DOT has a number.

16 JANETTE SADIK-KHAN: I don't have a
17 number either.

18 CO-CHAIRPERSON COMRIE: Okay. So,
19 I wanted to defer to him because I wanted to talk
20 about some general questions. And, I'll let you
21 talk about the specific bill, Councilman.

22 COUNCIL MEMBER KOPPELL: Actually,
23 first of all, let me compliment the Commissioner
24 on what she's done with respect to establishing
25 bike lanes and other facilities or facilitating of

3 Comrie, that the Consumer Affairs Department's not
4 represented here. Are they not coming?

5 CO-CHAIRPERSON COMRIE: Well, I
6 don't know why they're not here, other than to say
7 that they would be only involved in the
8 administration and enforcement and not the
9 planning and development.

10 COUNCIL MEMBER KOPPELL: But, they
11 do regulate garages, don't they?

12 CO-CHAIRPERSON COMRIE: They do
13 regulate the garages.

14 COUNCIL MEMBER KOPPELL: So, I'd be
15 interested to hear what they had to say, anyway.

16 CO-CHAIRPERSON COMRIE: I don't
17 think this is an area of their expertise. So, not
18 to defend them, but, I guess I will. It's not
19 their area of expertise. I think the deeper
20 experts in this particular issue are sitting at
21 the table, with all due respect to my Executive
22 Director for Consumer Affairs. I'll give them a
23 pass on this one. But, I'm sure that they will do
24 the implementation once we get this bill passed.
25 And, I expect that it will be passed, once it's
amended to everybody's satisfaction.

3 COUNCIL MEMBER KOPPELL: Well,
4 thank you, Mr. Chairman. I appreciate your
5 putting the bill on and I think it fits together
6 with all of what we're doing.

7 CO-CHAIRPERSON COMRIE: Thank you.
8 My questions actually were more about the issues
9 of-- sorry, Councilman Yassky. I got to get
10 downstairs to B&T. My questions were actually
11 given to me by some members that were concerned
12 about the implementation of bike lanes and the
13 bicycle lane project and the impact on communities
14 and how communities can be able to have some input
15 in the development of the bike lanes. And, how is
16 that done? And, what is the process for community
17 input?

18 JANETTE SADIK-KHAN: The process
19 that we followed for community input is we've got
20 the Bike Master Plan. And, we're, again, building
21 out a bike network for the City of New York. And
22 so, what we do is when we've got a proposed
23 project, we work with the community, affected
24 community, and the Community Board and the project
25 is presented to the Community Board for approval.

CO-CHAIRPERSON COMRIE: Is it

3 presented to the Community Board before
4 implementation or after?

5 JANETTE SADIK-KHAN: Before
6 implementation.

7 CO-CHAIRPERSON COMRIE: So, every
8 Community Board in the City has had an opportunity
9 to sign on off it before implementation?

10 JANETTE SADIK-KHAN: Yes.

11 CO-CHAIRPERSON COMRIE: 'Cause
12 that's not the feedback that I've been getting
13 from some communities.

14 JANETTE SADIK-KHAN: No, they've
15 had the opportunity to-- we present before every
16 Community Board. That's how we do it. One of the
17 things that we've also been working very hard on
18 this year is something called DOT Academy, where
19 basically we are going out and briefing the
20 Transportation Chairs and the interested Community
21 Board members on how it is that we plan, design
22 and execute projects and to give even a deeper
23 understanding of how DOT makes decisions. So,
24 we're very concerned about making sure that we've
25 got public participation. And, we go through and
present to the Community Boards prior to

3 implementation of the programs.

4 CO-CHAIRPERSON COMRIE: Okay.

5 Well, some of my members had expressed to me
6 before the hearing that they were upset about some
7 of the bike lanes that were put in. And, they
8 felt that there was not a real opportunity to have
9 an expression of dissatisfaction with some of the
10 lanes that were put in. But, I'll ask them to
11 contact you directly--

12 JANETTE SADIK-KHAN: [Interposing]

13 That'd be great.

14 CO-CHAIRPERSON COMRIE: -- since
15 you're saying that each Community Board signed off
16 on it before implementation. Then, my next
17 question would be is there a plan to make sure
18 that the bike lanes are continuous because there's
19 some areas where the bike lanes just are not
20 continuous? And, you know my favorite location
21 that I spoke to you about. But, there are other
22 issues of continuity to make sure that there's a
23 continuous bike lane with a beginning point and an
24 ending point.

25 JANETTE SADIK-KHAN: Mr. Chairman,
you make a really excellent point. And, there's

3 nothing more frustrating than getting to the end,
4 you know, being dumped unceremoniously into a lane
5 of traffic, which, you know, does not connect to,
6 you know, the rest of the network. And, what
7 we're doing is moving as quickly as we can to
8 build out a really effective bike backbone so that
9 it really will get commuters to where they need to
10 go. And so, that's why, in a number of instances,
11 it's important to, you know, sort of have that
12 larger Master Plan in mind in terms of what it is
13 that we're trying to fill in the blanks for. And,
14 a lot of times, the sort of specifics of a
15 particular bike lane, you don't understand just
16 how important that link is sometimes until you
17 sort of get that overall framework. So, I
18 appreciate your concern and just want to assure
19 you we're doing everything we can to get that
20 effective network built as quickly as possible.
21 And, again, working and consulting with affected
22 communities, you know, to get that accomplished.

23 CO-CHAIRPERSON COMRIE: Is there an
24 opportunity for public input or suggestions to be
25 given to you? And, how would that be done?

JANETTE SADIK-KHAN: What we

3 basically do is take the projects that we have and
4 talk to the Community Boards about that and work
5 with affected-- with members of the community to
6 tailor proposals. And, in many cases, we've
7 changed, you know, different traffic regulations
8 and loading zone regulations, etcetera, to put in
9 Muni meters to meet the needs of local
10 communities.

11 CO-CHAIRPERSON COMRIE: But,
12 outside of the Community Board, would it be
13 possible for civics or individuals that have ideas
14 or concerns about the bike lanes or even placement
15 to get in contact with you? And, how would they
16 do that?

17 JANETTE SADIK-KHAN: Yeah, we
18 usually do it-- the most effective place for us
19 'cause we put a lot of energy, we put a lot of
20 resources into the Community Board program. And
21 so, that's really the best-- that's the best way
22 for us to deal with the specifics associated with
23 individual projects.

24 CO-CHAIRPERSON COMRIE: Can they e-
25 mail you directly, though, or contact you directly
with suggestions or alternatives if they have an

3 idea?

4 JANETTE SADIK-KHAN: Yeah, we have
5 the Director of-- we have a Bike Director. That
6 would be the most appropriate way to get that
7 input done. And, again, we have five extremely
8 talented and dedicated Borough Commissioners that
9 also work, I'm sure, with-- I know they've worked
10 with you and other Council Members to--

11 CO-CHAIRPERSON COMRIE:

12 [Interposing] I like my Borough Commissioner. So,
13 don't move her.

14 MALE VOICE: So, do I.

15 CO-CHAIRPERSON COMRIE: Don't move
16 her. Don't move my Borough Commissioner. I don't
17 like when Buildings does that. I'll put that on
18 the record now. I just got used to my Buildings
19 Commission. They rotated him out. But, I hear
20 the new one is okay. But, that's just--

21 MALE VOICE: [Off mic]

22 CO-CHAIRPERSON COMRIE: But, I
23 don't like them, you know, to-- but, anyhow,
24 that's a different issue.

25 JANETTE SADIK-KHAN: Okay.

CO-CHAIRPERSON COMRIE: Yeah. But,

3 I like Commissioner McCarthy. But, excellent. Is
4 the City getting federal money to offset the cost
5 of this program? Or, have we applied for federal
6 money to-- or, any other money, private money?

7 JANETTE SADIK-KHAN: Yeah, we do
8 get federal money for our bike program, yes.

9 CO-CHAIRPERSON COMRIE: And, is it
10 done primarily through federal money? Or, are we
11 putting this through primarily?

12 JANETTE SADIK-KHAN: It's a mix.

13 CO-CHAIRPERSON COMRIE: It's a mix,
14 okay. And, as far as access to the parks, has
15 anyone talked about putting in bike lanes in the
16 parks or doing more things with establishing bike
17 lanes in some of the larger public parks?

18 JANETTE SADIK-KHAN: Part of our
19 Master Plan includes a number of on-street bike
20 lanes and also off-street bike lanes, such as the
21 waterfronts, etcetera, and going through different
22 parks. So, that's included as part of the
23 comprehensive 1,800-lane mile program is part of
24 our Master Plan. So, it is a combination.

25 CO-CHAIRPERSON COMRIE: Well,
speaking for Queens, I think that we really need a

3 dedicated bike lane and in the Flushing Meadow
4 park and also, out on the Rockaways, I think, they
5 need a dedicated bike lane to deal with the issues
6 out there, especially during the summertime.

7 JANETTE SADIK-KHAN: Absolutely.

8 CO-CHAIRPERSON COMRIE: Then, as I
9 look at my soon-to-be Senator, I know that that's
10 a concern for him, as well. Well then, and, do
11 you think that the, and I appreciate the
12 presentation that I saw regarding the zoning plan,
13 and I just wanted to end up with Councilman
14 Dilan's question and concern to amend the existing
15 buildings, I think is something that requires a
16 lot of negotiation and opportunity. And, I hope
17 that those folks that are involved in that will
18 create the real opportunity for negotiation with
19 existing buildings. And, clearly, the idea to do
20 it in the new zoning makes a lot of sense. And,
21 it looked pretty reasonable from what I've seen so
22 far. So, to do the accommodation for other
23 people, I think, to try to come with a tax credit
24 or some incentive would be helpful.

25 JANETTE SADIK-KHAN: Right.

CO-CHAIRPERSON COMRIE: Thank you.

3 Yeah, so, thank you. Thank you, Mr. Chair. And,
4 I'm going to have to excuse myself to run down to
5 B&T. Thank you.

6 CHAIRPERSON LIU: Thank you,
7 Chairperson Comrie. I just, to add to what he
8 talked about before, with regard to some bike
9 lanes being discontinuous. You know, we have one
10 right out here in front of the Municipal Building.
11 It's one that Paul White pointed out to me as we
12 were biking to City Hall. You have the kind of
13 like literally, I don't remember how it is, but it
14 seemed to be pretty treacherous. So, we want to
15 fix that.

16 But, while we're on the subject of
17 bike lanes, just for another moment before we get
18 to Council Member Yassky's questions, there has
19 been a significant amount of pushback with regard
20 to the installation of bike lanes in various
21 communities; communities all across the City, such
22 as Fresh Meadows and Chinatown and Williamsburg.
23 And, most of the pushback is coming from, not only
24 local residents, but small business owners, where,
25 you know, for example, the closest one to where
we're sitting would be Grant Street, where it's an

3 extremely congested corridor. And, there is a
4 great deal of question as to what the thought
5 process was in developing Grant Street as a street
6 where bike lanes should go down.

7 So, that's something that I just
8 wanted to build on what Chairperson Comrie was
9 talking about. And, I'll have a number of
10 questions to ask you about that later. But,
11 getting back to the bills with regard to bicycling
12 and storage in buildings, I'm going to defer to
13 Council Member Yassky for his questions.

14 COUNCIL MEMBER YASSKY: Okay.
15 Well, thank you. I really won't have many
16 questions, only because I'm very eager to hear
17 forward. I know we're going to hear from a number
18 of citizens who have either, you know, tried to
19 bike to work and been frustrated because of lack
20 of access to where they work or from some, you
21 know, success stories of folks whose businesses
22 have allowed this and how well it works. And, I
23 think that the Administration is really right on
24 target here. So, I don't have kind of a lot of
25 back and forth.

I have two questions, I guess. One

3 is your testimony recommends a couple of changes
4 in Intro 871. You take issue with language that
5 says there's an exception for-- would be an
6 exception for buildings that, you know, where
7 there's no reasonable storage. And, I think
8 you're exactly right to say shouldn't link storage
9 with access. The goal of this bill, I can't speak
10 for the other 22 co-sponsors, but at least as far
11 as I'm concerned, the goal is solely to ensure
12 access. And then, storage is a matter between the
13 tenant, you know, the building tenants and their
14 employees or the landlord if they want to provide
15 it. But, the goal was access.

16 So, I agree with your suggestion to
17 replace the language in the bill with an
18 exception, if I understand your recommendation,
19 that says for buildings where there is-- where
20 compliance is not feasible, that there should be a
21 route to an exception.

22 JANETTE SADIK-KHAN: Um, hm.

23 COUNCIL MEMBER YASSKY: That makes
24 sense to me. And, I also, if I get it, you're
25 recommending that the bill not cover new buildings
because those will be covered by the zoning text.

3 And, you don't want to have a conflict. In
4 theory, there could be a conflict between the
5 zoning text and this. And, if I'm correctly--
6 tell me if I'm not correct--

7 JANETTE SADIK-KHAN: [Interposing]
8 You're correct.

9 COUNCIL MEMBER YASSKY: -- in
10 understanding that. Okay. I think both of those
11 suggestions, you know, make eminent sense. With
12 those two suggestions, your testimony, you know,
13 then it doesn't use the word support. Would the
14 Administration support the bill with those two
15 changes?

16 JANETTE SADIK-KHAN: You know,
17 obviously, the devil's in the details and we want
18 to see what the final legislation is. But, I
19 think that it is absolutely inline with the goals
20 that Mayor Bloomberg has outlined in PlaNYC and,
21 certainly, inline with the Department's strategic
22 plan. So, we think it's a--

23 COUNCIL MEMBER YASSKY:
24 [Interposing] Oh, okay. Very good.

25 JANETTE SADIK-KHAN: -- terrific--

COUNCIL MEMBER YASSKY: Thank you.

3 JANETTE SADIK-KHAN: -- piece of
4 legislation.

5 COUNCIL MEMBER YASSKY: And, my
6 only other point is, you know, I don't at all
7 think it's cynical to raise concerns and questions
8 about the bill, as, you know, some other folks on
9 the Committee have done that, have raised
10 questions. I wouldn't regard that as cynical at
11 all. I think that's absolutely appropriate. This
12 is a significant change in City policy. It needs
13 to be, you know, aired and discussed, as we're
14 doing here. I think it's absolutely the right
15 thing to do. But, I recognize that it's a big
16 deal. And, we'll have, you know, that there are
17 questions to be raised. So, I don't have any
18 issue with that.

19 I do think that the Council needs
20 to move forward with legislation. That it's
21 appropriate subject for the City to regulate and,
22 indeed, that, you know, it's not a new bill. I
23 believe it was introduced, I'm going to say, four
24 years ago. But, honestly, I don't remember. It
25 might have been three; might have been five. But,
it's been introduced in the Council for several

3 years. I think that if the industry and the folks
4 representing the building landlords, you know, are
5 interested in doing this voluntarily and talking
6 about it, that's certainly worth-- conversations
7 worth having. I would say that I think it's only
8 the Council and the Administration moving forward
9 in this way that has engendered those discussions.
10 So, I think it's all the more important for the
11 Council, you know, to press forward on this
12 legislation. Thank you, Commissioner. Thank you,
13 Mr. Chair.

14 CHAIRPERSON LIU: Thank you,
15 Council Member Yassky. Questions from Council
16 Member Koppell. And, let me note that we've been
17 joined by Council Member Joe Addabbo from Queens
18 and Council Member Diana Reyna from Brooklyn and
19 Queens. Thank you. Questions from Council Member
20 Mendez.

21 COUNCIL MEMBER MENDEZ: Good
22 afternoon. Commissioner Sadik-Khan, I just want
23 to say I've been a big fan and very glad that
24 you're at the helm and it's been a good working
25 relationship for my community. But, something
that Council Member Leroy Comrie raised about the

3 Community Boards being contacted. So, I don't
4 know if this was before your time or since you've
5 been in this position. I know in Community Board
6 3, there was some bike lanes that were set up on
7 Madison Street, which is actually Council Member--
8 I share that with Council Member Gerson. And,
9 it's a narrow, two-way street. The Community
10 Board didn't have input on it. And, the bike lane
11 is right in the middle of the lane. So, that was
12 something, at the time, when it popped up, that we
13 were all a bit surprised about. And, again, I
14 can't remember how long ago this was. So--

15 JANETTE SADIK-KHAN: [Interposing]
16 Councilwoman, I'm pretty sure that pre-dated me,
17 'cause I don't know the details.

18 COUNCIL MEMBER MENDEZ: So, in
19 those kind of instances, and I'll go back to the
20 Community Board and check, the Community Board was
21 not consulted. And, if it did pre-date you, what
22 kind of work are we doing then to go back and look
23 at those bike lanes, which, you know, maybe
24 Madison Street is the best street in light of all
25 the other streets down there. But, it is a narrow
street. So, maybe it is not the best street. Is

3 there a way of reevaluating those small bike lanes
4 that were put in some years back?

5 JANETTE SADIK-KHAN: Well, the
6 Madison lane was certainly pre-dated me. And, at
7 this point, I think what the previous
8 Commissioner, Commissioner Wineshaw [phonetic],
9 was doing was moving forward with the completion,
10 as Council Member Comrie pointed out, Chairman
11 Comrie pointed out, about filling in the Bike
12 Master Plan. And, again, it's putting together
13 the comprehensive network that gets bike commuters
14 from, you know, to the destinations that they need
15 to get to. So, I can't speak to the process for
16 how Madison went. But, I, you know, going
17 forward, we very much are involved at the
18 Community Board level in terms of what it is that
19 we're doing in terms of the installation of these
20 bike lanes, pursuant to the Master Plan.

21 COUNCIL MEMBER MENDEZ: And, is
22 there any opportunity to go back and revisit those
23 lanes that were set up as part of the Master Plan?

24 JANETTE SADIK-KHAN: We do not have
25 plans right now to go back and revisit the bike
pieces that are there in the sense that, again,

3 we're trying to design a network that really
4 connects so that cyclists are not sort of
5 unceremoniously dumped into a street that we're
6 trying to keep a contiguous commute route for
7 cyclists to get to work and to get home.

8 COUNCIL MEMBER MENDEZ: But, I also
9 think we want to make something safe. And, when I
10 drive down Madison Street, I inevitably have to go
11 into oncoming traffic or the bicyclers has to go
12 into oncoming traffic because it is such a narrow
13 street.

14 JANETTE SADIK-KHAN: You know, if
15 there are safety concerns that you have
16 identified, that you think we need to take a look
17 at, we will take a look at them.

18 COUNCIL MEMBER MENDEZ: Thank you
19 very much.

20 CHAIRPERSON LIU: Thank you,
21 Council Member Mendez. So, we're back to the
22 question of bike lanes. There's been a
23 significant amount of concern raised. And, you
24 know, I think Council Member Mendez is just
25 bringing up one of the concerns. It's concern
about the placement of bike lanes with regard to

3 safety for the bike riders and the pedestrians.
4 But, there's also a great deal of concern on the
5 impact on small businesses along those corridors.
6 And, is that something that the Transportation
7 Department works with the Department of Small
8 Business Services on?

9 JANETTE SADIK-KHAN: What we do is,
10 you know, again, we do have the overall plan for
11 how it is that we're implementing this
12 comprehensive program. We work with the
13 communities, you know, if you are referring to the
14 bike lane on Grant Street, one of the pieces that
15 the community supported that, Community Board 2,
16 33 to 1 in favor of this bike lane. And, it's
17 also really important, I think, to underscore that
18 there's a huge safety component of this. Where we
19 put in the bike lanes, you have the dramatic
20 increase in safety along these corridors. So, I
21 think it's really important to note that.

22 But, going forward, you know, as
23 we're looking-- as we're putting in these
24 programs, you know, if there are things that we
25 need to do to tailor the bike lane to meet local
needs, that's what we do. We didn't finish,

3 actually, fully implementing Grant Street in terms
4 of the Muni meters, the different loading zones,
5 the different pieces that are there that are now
6 fully installed that should make things easier.
7 But, again, we work very, very closely, and I'm
8 sure you've worked with our Borough Commissioner,
9 Margaret Forgione, to address the issues that have
10 been raised at the local level.

11 So, what we generally see is that
12 actually businesses do better when a bike lane is
13 in there because you've got increased foot traffic
14 in the particular corridor. And, again, on, you
15 know, like many of these streets, the Grant Street
16 piece had a bike lane on it. We didn't add it.
17 It was already there. And so, again, we're just
18 trying to make it as easy as possible by improving
19 some of the markings along these corridors. But,
20 we didn't take any, you know, we didn't impose a
21 bike lane on the Grant Street corridor.

22 That said, we need to do everything
23 we can to make sure that we're tailoring it to
24 meet local needs. And, we're very much working
25 with the community to do that.

CHAIRPERSON LIU: What kinds of

3 considerations are given in terms of the loss of
4 parking spaces, the loss of loading zones, and,
5 parking spaces with regard to metered spaces, as
6 well as residential spaces, when it comes to
7 designating streets for bike lanes?

8 JANETTE SADIK-KHAN: There's
9 virtually no, certainly on Grant Street, there was
10 no loss of parking spaces on that. We didn't
11 lose--

12 CHAIRPERSON LIU: [Interposing]
13 And, in Williamsburg, because there seems to be a
14 significant uproar there among the--

15 JANETTE SADIK-KHAN: [Interposing]
16 Well, again--

17 CHAIRPERSON LIU: -- merchants on
18 the main corridor?

19 JANETTE SADIK-KHAN: Okay. If
20 we're talking about Kent Avenue--

21 CHAIRPERSON LIU: Um, hm.

22 JANETTE SADIK-KHAN: -- over there,
23 again, we developed three different presentations.
24 We went to the Community Board several times.
25 And, the reception was generally positive on this.
And, you know, speaking to that issue again on

3 safety, and, again, safety's the number one
4 priority of the Department of Transportation.
5 We're doing everything we can to accommodate all
6 users of our transportation network. And, it's
7 very important that we do everything we can in
8 that regard. And, that's, you know, a lot behind
9 the initiative that we've got there.

10 So, the Kent Avenue lanes are
11 designed to, you know, increase safety for all
12 users of the network, as I mentioned. And, one of
13 the things that we're doing is we recognize that
14 this is an adjustment period for the community.
15 And, we're working with businesses and the local
16 community to address the concerns that have been
17 raised. For example, we put in a bus pick-up and
18 drop-off spot in front of the Zephyr Jewish Center
19 for Special Education. We've worked with local
20 businesses in terms of getting special loading
21 zones.

22 So, we're working to address the
23 concerns that have been raised by the local
24 community.

25 CHAIRPERSON LIU: Okay. But, when
you put together the plans to present to the local

3 community, I mean, is there a consideration? What
4 kinds of considerations? I mean, safety is first.
5 No question about it. But, I think we all
6 understand that there are trade-offs, even when it
7 comes to safety. Otherwise, there would be whole
8 sections of the City that would be blocked off to
9 vehicular traffic.

10 JANETTE SADIK-KHAN: Well, we're
11 putting in these bike lanes, I mean, this is,
12 again, a corridor that can handle this
13 enhancement. And, again, as I mentioned in my
14 testimony, every major city in the world is
15 putting together a comprehensive network because
16 they understand, on the bike front, that there's
17 actually no other way to get there from here in
18 terms of accommodating growth, improving the
19 quality of life and improving the way that New
20 Yorkers get around, or Parisians get around or
21 anybody else gets around.

22 The Kent Avenue issue is unusual
23 because it was in a position against the curb, so
24 it didn't affect parking. So, we do-- we're very
25 targeted in terms of how we're doing this. We
26 have a Master Plan. We've got a strategy. We

2 take these projects to the local Community Board
3 level. We work through the Community Boards in
4 implementing this. And, we continue to work with
5 communities to, again, tailor them to address
6 local concerns.

7 CHAIRPERSON LIU: All right. I
8 mean, I think that there are also some arguments
9 with regard to there being alternate routes, maybe
10 a block or two off the busy commercial corridor.
11 So, I mean, here, again, you know, I'm not saying
12 necessarily that any of these enhancements or
13 changes that the DOT has implemented already are
14 the wrong thing to do. But, what we're trying to
15 get at is some kind of understanding of the
16 process that the DOT goes through to decide where
17 to put the bike lanes. And, how the DOT evaluates
18 the potential disadvantages to putting the bike
19 lanes on specific streets. For example, the loss
20 of parking spaces, both residential and metered;
21 for example, the changes in the pavement markings
22 or changing the width of traffic lanes. I mean,
23 those are all considerations that I'm sure the DOT
24 studies very thoroughly. We're just trying to get
25 a sense of what those criteria are.

3 JANETTE SADIK-KHAN: Um, hm. Well,
4 there has not been a loss of parking in many of
5 the communities that we have these bike lanes in.
6 In some areas, there are; most areas, there are
7 not. And, again, you know, one of the advantages
8 that we have, actually, as a City, you know, when
9 Robert Moses did his work, you know, several
10 decades ago, and built some pretty wide boulevards
11 and paved lots of New York over, one of the
12 advantages to having that infrastructure in place
13 is that we've got the ability to use that capacity
14 differently. So, for example, in a lot of
15 European cities, where their streets are really
16 narrow, they don't have the same ability to
17 provide additional capacity on their network. We
18 do. So, in a sense, it's kind of the reverse
19 blessing of Robert Moses in terms of what we're
20 able to do to build a better, healthier,
21 sustainable, more economically viable city. So,
22 we're working--

23 CHAIRPERSON LIU: Okay.

24 JANETTE SADIK-KHAN: -- very hard
25 to do that.

CHAIRPERSON LIU: Well, there are

3 parts of Queens where residents have protested
4 against the installation of bike lanes because
5 they did remove parking spaces. I think those
6 efforts pre-dated your tenure, Commissioner. With
7 regard to Kent Avenue in Brooklyn and Grant Street
8 in Manhattan, there has been no loss of parking
9 spaces?

10 JANETTE SADIK-KHAN: I believe that
11 it's-- I don't think that Kent Avenue, there was a
12 huge loss of parking there. And, we found
13 additional parking, you know, in different areas.
14 And so, again, what we're doing is-- on Grant
15 Street, it was a bike lane anyway. So, that's not
16 an issue there. But, on Kent Avenue, I'm pretty
17 sure that we worked very closely and do not have--
18 David, I don't know if you have something you want
19 to add here. Oh. That basically, on Grant
20 Street, we do not have that same sort of issue in
21 terms of what it is that we were doing to take
22 away parking.

23 And, in areas, like Kent Avenue,
24 where we do have, you know, parking taken away, as
25 part of the overall proposal, we do whatever we
can to accommodate that on other streets in that

2 neighborhood.

3 CHAIRPERSON LIU: All right. And
4 then, with regard to both the placement and also
5 the analysis after the installation of these bike
6 lanes, what kind of efforts does the Department of
7 Transportation undertake to understand the level
8 of bike traffic, or the volume of bike traffic, on
9 those bike lanes, both before, presumably
10 necessitating the placement of bike lanes on those
11 corridors, and afterwards to see if there's any
12 increase in bike traffic after the installation of
13 the bike lanes?

14 JANETTE SADIK-KHAN: No, it's an
15 excellent question, Mr. Chairman. One of the
16 important pieces that we found in moving forward
17 with this is that it is critical to assess the
18 effectiveness and efficacy of these different
19 programs. And so, for example, on Ninth Avenue,
20 where we just completed the protected bike lane,
21 we were able to show that there was a, you know,
22 57% increase in cycling; a 50% reduction in
23 injuries and show what it is that we've done on
24 that corridor. So, we do before and after surveys
25 and screen counts, you know, with regard to the

3 installation of these different bike lanes.

4 CHAIRPERSON LIU: So, getting back
5 to the two examples I had, Kent Avenue and Grant
6 Street, you have the benchmarks that you'll be
7 comparing against--

8 JANETTE SADIK-KHAN: [Interposing]
9 Yes, we will.

10 CHAIRPERSON LIU: -- now that the
11 bike lanes are...

12 JANETTE SADIK-KHAN: Yes, we will.

13 CHAIRPERSON LIU: Okay. Well,
14 would you be able to share those benchmarks with
15 the Committee?

16 JANETTE SADIK-KHAN: I'd be happy
17 to report out on our findings when we get the
18 results in, certainly.

19 CHAIRPERSON LIU: Okay. Great.
20 Well, I mean, I'm suggesting that maybe we can get
21 the benchmarks even before the full study on the
22 aftereffects.

23 JANETTE SADIK-KHAN: No, we'll have
24 the data-- we'll present the data once we have the
25 data in.

CHAIRPERSON LIU: But, there was

3 data before the bike lanes.

4 JANETTE SADIK-KHAN: We have the
5 counts of what happened before and then, we will
6 measure it against the counts of what happens
7 afterward. So, I think that probably the best way
8 to assess how it is that this is going forward is
9 to understand the before and after. So, we're in
10 the middle, you know. Once we've completed the
11 project, that's when we're in the position to
12 start to evaluate the impact that this project has
13 had.

14 CHAIRPERSON LIU: Okay. I mean, I
15 just thought that the data and the statistics for
16 the situations before the installation of bike
17 lanes were already available. You know, we just
18 want to take a look to see what that says.

19 JANETTE SADIK-KHAN: It's just not
20 as effective to understand what it says until, you
21 know, when you've got the before and the after to
22 understand what it is.

23 And, again, we're putting together-
24 - part of the piece that's difficult with this is
25 that we're building out a Master Plan. We're
building out a backbone for the City. So, you

3 know, when you're taking a look at one particular
4 isolated route, the benefits are, you know, can
5 also get lost, understanding that you're trying to
6 put a whole corridor together. So, what happens
7 in one particular section may not fully reflect
8 the benefits of what that investment will be in
9 terms of making a system work for the City.

10 CHAIRPERSON LIU: Well then,
11 perhaps you're suggesting that it's not the volume
12 or the potential volume of bike traffic that
13 dictates where to place the bike lanes, but where
14 it makes sense looking at a map.

15 JANETTE SADIK-KHAN: We do have a
16 map that outlines our overall program. In fact, I
17 have it right here. I had it right here.

18 CHAIRPERSON LIU: And, the last
19 Master Plan, and this is something that, I know,
20 the advocates for bicycling have been pushing for,
21 an update of that Master Plan. My understanding
22 is that that Master Plan dates back to 1997, which
23 I think... Or, has that been updated since? Is
24 there a more recent Bike Master Plan?

25 JANETTE SADIK-KHAN: This is the
most recent Bike Master Plan. And, I'm happy to

2 get--

3 CHAIRPERSON LIU: Okay.

4 JANETTE SADIK-KHAN: -- you several
5 copies for members of the Committee and anybody
6 else who'd like to receive it.

7 CHAIRPERSON LIU: And, that was
8 developed, presumably, within the last couple of
9 years.

10 JANETTE SADIK-KHAN: Yeah.

11 CHAIRPERSON LIU: Okay. And so,
12 the bike lanes that the Department of
13 Transportation has rolled out, is that all within
14 what's--

15 JANETTE SADIK-KHAN: [Interposing]
16 It's consistent--

17 CHAIRPERSON LIU: -- been
18 envisioned in that Bike Master Plan?

19 JANETTE SADIK-KHAN: It's
20 consistent with the Bike Master Plan, yes.

21 CHAIRPERSON LIU: Okay. All right.
22 Great. Council Member Yassky.

23 COUNCIL MEMBER YASSKY: If I may,
24 Mr. Chair. I don't want to bog the Committee down
25 with further discussion on Kent Avenue. I just

3 didn't want my silence to be misconstrued, 'cause
4 this is in the district I represent. I do think
5 that there are detail issues to be worked out in
6 the route of that bike lane. No need to burden
7 the Committee with that here. I just wanted to
8 say that, since I represent the area.

9 CHAIRPERSON LIU: Great. And then,
10 questions from Chairman Dilan.

11 CO-CHAIRPERSON DILAN: Just a
12 couple of brief follow ups. I just want, and this
13 panel may not have the answer, but I guess, what's
14 the City's current policy on bicycle access in
15 City-owned or City-leased buildings, if there is
16 any?

17 JANETTE SADIK-KHAN: Well, we're
18 moving forward, as I mentioned in the testimony,
19 we're moving forward with the Department of
20 Citywide Administrative Services to do whatever we
21 can to build-in bike parking in municipal
22 buildings. So, in the testimony, I list the
23 buildings that we've moved forward with. And,
24 we're going to continue to look for those same
25 opportunities in other municipal buildings,
working with Commissioner Hearst [phonetic] and

3 her team on that.

4 CO-CHAIRPERSON DILAN: And, leased
5 space? Anything on [pause] you may not know. I
6 understand it's not--

7 JANETTE SADIK-KHAN: We can get
8 back to you on the specifics of where we are on
9 leased space. I believe we're doing a full-scale
10 review.

11 CO-CHAIRPERSON DILAN: Okay.
12 That's fair enough. I'd like to see that
13 information.

14 JANETTE SADIK-KHAN: Well, I mean,
15 one example is the Department of Transportation,
16 where I bike to work, is at 40 Worth Street. And,
17 that's a leased building. And, we worked with the
18 owner there to provide bike parking in that
19 facility. And so, that's included as part of the
20 inventory.

21 CO-CHAIRPERSON DILAN: Okay. Now,
22 just a couple of questions on I guess-- and,
23 again, this may not be the best panel to answer.
24 But, I guess you can do your best efforts. I
25 guess, what's the average cost of acquiring a bike
rack itself? And, I guess, what costs would you

3 figure it would take an owner of a building to
4 retrofit storage space to accommodate?

5 ROHIT AGGARWALA: I'm not sure I
6 can speak to the cost of retrofitting space. But,
7 there are a variety of different rack systems that
8 can be as cheap as, the cheapest thing would
9 probably be 15 to \$20 for a hook, which can be
10 used to hang a bicycle, specially made for that.
11 You can spend as much as you want on parking
12 bicycles. But, there are, for example, wall-
13 mounted vertical rack systems that are available
14 for in the neighborhood of \$40 a bicycle.

15 CO-CHAIRPERSON DILAN: All right.
16 But, what's the reasonable range for that? I
17 think that's one rack for one bike. I think we're
18 requiring racks to accommodate several bikes.
19 What would a unit like that cost?

20 JANETTE SADIK-KHAN: Well--

21 CO-CHAIRPERSON DILAN: Estimate. I
22 know it can't be a great deal of money.

23 JANETTE SADIK-KHAN: We can get you
24 a list of what it is. The Department has put
25 together, 'cause we've been working with the real
estate industry to provide them with a panoply of

3 options and sort of taking that through. So, I
4 will get you the specifics--

5 CO-CHAIRPERSON DILAN: Yeah.

6 JANETTE SADIK-KHAN: -- of the
7 range there.

8 CO-CHAIRPERSON DILAN: I don't
9 really need specifics. I wanted a guestimate.

10 JANETTE SADIK-KHAN: Okay. Well, I
11 can get you that--

12 CO-CHAIRPERSON DILAN: Yeah.

13 JANETTE SADIK-KHAN: -- after the--

14 CO-CHAIRPERSON DILAN: Yeah, if you
15 don't know what it is, then that's fine, you know.
16 But, I just was hoping maybe somebody had a guess.
17 Thank you. Thank you, Mr. [pause].

18 CHAIRPERSON LIU: Thank you very
19 much. You know, the hook is cheap. But,
20 installing that hook is a lot more expensive. So,
21 just want to make sure that we understand that.
22 And, as I mentioned before, one of the City
23 buildings that, where we do lease out space for
24 City use is 250 Broadway, which is where the
25 Council offices are and where the New York City
Housing Authority is. And, as I noted before,

3 they don't allow bikes into that building.

4 All right. Well, that's it for the
5 questions. I want to thank Commissioner Sadik-
6 Khan for all of her efforts in this regard and
7 Rohit Aggarwala and our representative for-- and
8 Howard Slatkin from City Planning. Thank you.

9 Our next panel, I'd like them to
10 come up to the witness table, Marilyn Davenport,
11 Sylvester Giustino and Alice Labree; to be
12 followed by-- thanks-- to be followed by a panel
13 consisting of Paul White of Transportation
14 Alternatives, Kyle Wiswall of the Tri-State
15 Transportation Campaign and Josh Nachowitz of the
16 New York League of Conservation Voters.

17 Miss Davenport, please proceed when
18 you're ready. Yes, we have a great deal of
19 testimony, many witnesses who wish to provide
20 testimony. So, I will ask everybody to keep their
21 comments as concise as possible. And, I hope that
22 we will be able to avoid putting the clock on.
23 Thank you.

24 MARILYN DAVENPORT: I'm here with
25 John Doyle, also, from the Real Estate Board of
New York. Thank you. I'm going to try to address

3 some of the things that came up in the previous
4 testimony. As was mentioned, we have met a couple
5 of times with the City Planning Commission and are
6 supportive of the concept of amending the Zoning
7 Resolution to provide for bike storage in new
8 buildings. It's going to be very important that
9 that be a reasonable requirement and fit with what
10 we have experienced as the demand. We've also
11 worked with the Department of Transportation and
12 sent out a joint letter and technical information
13 to our members asking them to provide bike
14 storage, if they could, in office buildings.

15 What we found was that well over
16 100 buildings, either already provided storage or
17 access or were planning to do so. For the most
18 part, I would say that was more in response to
19 their tenant requests than even to our letters,
20 because certainly in this marketplace, people want
21 to meet tenant demands. However, at the same
22 time, we found that buildings are very different.
23 And, some of those buildings simply cannot provide
24 access or a special space in the building for bike
25 parking.

There was some talk about the bill

3 doesn't require storage space in the buildings.
4 So, I'm sort of going to just skip that section
5 and dwell entirely on the access issue and how our
6 members view that. Number one, they really can't
7 have bikes coming through the front door and
8 through the lobby. Nor, can they have them in
9 passenger elevators. There are some buildings
10 where that would be the only way. So, that's one
11 consideration. They can't have them, for safety
12 reasons, for security reasons and for just
13 protection of the walls and the elevator cabs.

14 Secondly, when they do allow them
15 to go up to tenant spaces, it has to be by the
16 freight elevator. You need to realize that
17 freight elevators operate on limited times. And,
18 they are heavily used. So, if you have an
19 elevator, a freight elevator, which is operating
20 from six in the morning 'til six at night or seven
21 in the morning 'til six at night, it's going to be
22 very heavily used in the morning for deliveries.
23 It's used for move-in and move-outs. It's used
24 for renovations. And then, it stops. It's not
25 used at night. So, if a tenant wants to leave
after six o'clock, that bike cannot get out of the

3 building. And, that's a real issue.

4 The other thing is that the pathway
5 to the freight elevator may not work for bikes.
6 If you have a loading dock, that would be your
7 normal pathway to the freight elevator. But, not
8 every building has a loading dock. It may not
9 have an entrance that's accessible by bikes.

10 Additionally, I want to just
11 mention the issue of costs. Sometimes that
12 pathway is such that you really have to have
13 building staff accompany the biker. So, there is
14 a staffing cost. There may also be staffing costs
15 if you have to run your freight elevators earlier
16 or later or if you have freight elevators that
17 require an operator, which is not unusual,
18 particularly in the garment center and older
19 buildings.

20 Further, a cost that was not
21 mentioned in the discussion is the cost of
22 cameras. You may very well, almost all of our
23 members reported that they felt it was essential
24 to put up a camera system, so that's another cost
25 to look at.

So, as I said, we're supportive,

3 conceptually, of the City Planning Commission
4 amending the Zoning Resolution for new
5 construction. But, we are adamantly opposed to
6 amending the Building Code, which, as Councilman
7 Dilan noted, is a life and fire safety code. We
8 are opposed to amending that to require bikes to
9 be allowed into buildings. This is private
10 property. And, we're not sure how the Council is-
11 - it's okay to mandate who and what they can bring
12 into our buildings. Thank you.

13 CHAIRPERSON LIU: Thank you.

14 Mr. Giustino.

15 SYLVESTER GIUSTINO: Thank you,
16 Councilman Liu, members of the Committee. My name
17 is Sylvester Giustino, Director of Legislative
18 Affairs for the Building Owners and Managers
19 Association of Greater New York. I'm here to
20 express our stance on the proposed legislation.

21 And, just to give you a little
22 background of who we are. We represent over 400
23 million square feet of commercial property and
24 three million office occupants. Our members are
25 responsible for over \$1.5 billion in annual tax
revenue and oversee annual operating budgets in

3 excess of \$4 million-- sorry, \$4 billion.

4 We recognize there are various
5 bills sponsored. But, our concerns are pretty
6 much the same for all of them. The bill states
7 that reasonable provisions shall be made a
8 building manager to provide access to the building
9 for a tenant with a bicycle. It does not define
10 what those provisions are and puts too much
11 responsibility on the building manager to insert
12 [phonetic] accessibility. And, just to go over a
13 few points of the legislation that we have
14 problems with, I'm just going to briefly list them
15 out.

16 Number one, how to screen bicycles
17 and bicyclists for terrorist activity; setting a
18 reasonable amount of space; number of parking
19 spots required for bicycles; regulating where
20 bicycles may enter the building to freight
21 elevators to minimize risk of damage to others,
22 especially - - tenants; prohibiting bicycles from
23 entering high pedestrian areas, lobby, common
24 space, or passenger elevators; whether only
25 tenants and not visitors should have this
privilege of having access to buildings with a

3 bicycle and the bicycles-- sorry, the bicyclist's
4 responsibility for damage to a tenant or a visitor
5 visiting the building premises.

6 Finally, the legislation will lead
7 to higher costs and lost revenue for our members.
8 For example, loss of rentable square footage,
9 frequent use of the freight elevator and expanding
10 the hours of its operation, higher insurance
11 premiums for owners and managers, increased costs
12 related to security and potential damage to
13 building infrastructure.

14 While we want to contribute to the
15 goals of a cleaner city, and we believe the best
16 route is not through legislation, but by our
17 members voluntarily providing a means for bicycle
18 storage in their buildings. We believe that our
19 members are best apt to make these decisions and
20 that City legislation to do so would encumber
21 their operation. We look forward to working with
22 the Administration and City Council to develop a
23 legislation that is amenable to our members and
24 our industry on a whole. And, thank you.

25 CHAIRPERSON LIU: Thank you.

Miss Labree.

3 ALICE LABREE: It's on? Is it on?
4 Thank you. My name is Alice Labree. I am here as
5 a citizen taxpayer. I'm a former member of the
6 U.S. Department of State Foreign Service, where I
7 observed traffic in Ankara, Turkey, Muscat
8 Sultanate of Amman and Stockholm, Sweden and
9 several other international cities. Of course,
10 here, nationally, as well.

11 I reside in Harlem as a constituent
12 of the Honorable Inez Dickens in the Mitchell Lama
13 co-op of Esplanade Gardens in Harlem, which is
14 six, 26-story buildings on the Harlem River at
15 147th Street and Linux Avenue.

16 I respect the intent of these
17 bills. But, I'm against all of these bills as
18 creating undue financial hardships on employers
19 and building owners, whether commercial or
20 residential. I would like to legislate that no
21 bicycles of any kind, including messengers and
22 deliveries, be allowed in the Borough of
23 Manhattan, as they impede commerce and bus
24 transportation and the safety of pedestrians,
25 especially the elderly. They could use Central
Park for recreational riding when the Park's

2 closed.

3 Although some factions are
4 seemingly against cars in the City, I won't
5 belabor why people need to drive their cars into
6 the City. But, cars contribute to our tax base
7 with shoppers, theater attendees, paying for
8 gasoline and parking. Also, do bicyclists carry
9 insurance for liability, whether injury or
10 property damage? I want no bike lanes, no islands
11 in the street for sitting, because it's setting up
12 the City for liability if somebody sitting there
13 is struck by a car or a truck or bicyclist.

14 I ask that the City of New York,
15 the City of commerce, not be compared with other
16 cities here or abroad. We are unique New York.
17 We are a city of commerce and that focus must
18 never be forgotten. Thank you.

19 CHAIRPERSON LIU: Thank you very
20 much. We appreciate your testimony today. Thank
21 you. Oh, I'm sorry. Chairperson Dilan has some
22 questions for you.

23 CO-CHAIRPERSON DILAN: I'll be
24 very, very brief. I'm not going to belabor the
25 point here. But, I think-- I just want to ask,

3 openly, to everybody on the panel. It just seemed
4 to me that, at least from my perspective, I find
5 no reason why Intro 780, which is the one that
6 requires the parking garages to store space, I
7 think you guys gave a blanket statement of
8 opposition to all bills. Is it incorrect to say
9 that you guys, excuse me, would it be correct to
10 say that you would opposed 780, as well?

11 ALICE LABREE: Yes.

12 MARILYN DAVENPORT: And, what we've
13 found [pause] We've done a lot of research into
14 where bike parking is provided and where it's not
15 and where it's not feasible. And, what we found
16 is that parking garages, which can provide bike
17 parking, generally do. It's an amenity. If it's
18 in a building, they can make money on it. You
19 know, they're perfectly open to it. The problem
20 is that not all of them can or they don't have any
21 demand. So, they're not going to want to set
22 aside space that there's no demand for that they
23 could use some other way.

24 And, I ask you to-- oh, I'm sorry--
25 envision, as we've all been in, valet parking lots
underneath buildings with a narrow driveway in and

2 the bill would require it near the attendance
3 desk, where it's well lighted. And then, it has
4 to have some sort of barrier from vehicular
5 traffic. It's not possible in a lot of them.

6 And then, the third issue is that a
7 lot of parking lots within buildings are providing
8 parking for the building residents or tenants.
9 And, it's for that purpose. And, we would ask
10 that that be completely exempted.

11 SYLVESTER GIUSTINO: Mr. Chairman,
12 I just want to state for the record that BOMA New
13 York has not taken a position on 780 at this time.
14 But, based on what we're hearing today, we will
15 study it and get back to you.

16 ALICE LABREE: I would like to say
17 I want to oppose all of the bills because I don't
18 want to encourage bicycle riding as a form of
19 transportation to the City of commerce.

20 CO-CHAIRPERSON DILAN: I just
21 wanted to be clear, 'cause I was a little confused
22 about that. But, I think it's all been
23 straightened out. I guess, I asked the
24 Commissioner about the cost of the legislation.
25 Do you guys have an opinion? Or, have you done

3 any studies?

4 MARILYN DAVENPORT: We asked a few
5 buildings to cost it out. And, I apologize, I
6 didn't bring it. But, I'll send you the
7 specifics. My recollection was I had two
8 buildings of over 500,000 square feet and, the one
9 of over 750 square feet. And, they were costing
10 it out based on the ratio in the legislation. I
11 think the setup costs ran, and, you know, I
12 hesitate--

13 CO-CHAIRPERSON DILAN: Roughly.

14 MARILYN DAVENPORT: -- 'cause I'm
15 not sure I can remember.

16 CO-CHAIRPERSON DILAN: Yeah,
17 roughly, roughly, that's fine.

18 MARILYN DAVENPORT: But, I think
19 they ran from 30 to \$50,000. And, the bike racks
20 themselves are not very expensive. That was
21 really the cameras, the setting up the room and
22 lost rent, because if it's a storage space, you
23 could rent it and it's lost rent. The larger cost
24 was actually the ongoing costs because it did
25 require additional personnel time. But, I'll get
you what they sent me. I'd be happy to.

3 CO-CHAIRPERSON DILAN: Appreciate
4 it.

5 ALICE LABREE: I'd like to comment
6 as a resident of a middle-income Mitchell Lama co-
7 op. We, frankly, don't want to encourage any
8 other costs that we really don't need. It's hard
9 enough to make our shareholders' maintenance.
10 Thank you.

11 CO-CHAIRPERSON DILAN: Thank you,
12 Mr. Chair.

13 CHAIRPERSON LIU: Thank you,
14 Chairperson Dilan. John, you want to...

15 JOHN DOYLE: I just wanted to
16 address an issue that was raised by you, Chairman
17 Liu, about the difference between the Building
18 Code and whether it can contemplate this type of
19 legislation. We agree with you. The Building
20 Code is a code for safety and not for, as somebody
21 else on the panel talked about it as, convenience.

22 But, more to the point, we've had
23 the legislation, and I'm talking about 781 at the
24 moment, reviewed by our attorneys. And, it's
25 their belief that it constitutes a partial taking.
That, in fact, the City doesn't have the authority

3 to do this unless it can demonstrate that it's
4 necessary.

5 Now, we know that there's certain
6 number of people who are commuting by bicycle at
7 the moment. And, I guess there's plans that hope
8 that there will be many more beyond that. But,
9 the question is were they driving before? Were
10 they walking before? Or, were they taking mass
11 transit? Because, in order to justify it, in
12 order to have a need for this taking, you have to
13 show empirically that those people were, in fact,
14 leaving their cars to ride their bicycles. If
15 their carbon footprint is no greater before than
16 it is now, then there seems to be no need.

17 Beyond that, you have to
18 demonstrate that what you're doing is reasonable.
19 And, it's government's burden to do this, not the
20 landlord's burden to show that it's not true. You
21 have to demonstrate that it's reasonable.

22 Now, the City's testified earlier
23 that they've got a program here for municipal
24 workers to be able to bring bicycles to work, to
25 commute by bicycle. But, notice that they
specified that they opened up 280 Broadway and

1 TRANSPORTATION, HOUSING & BUILDINGS AND 100
2 CONSUMER AFFAIRS

3 Worth Street, 40 Worth Street for that purpose.

4 And then, some outside parking over here by the

5 Municipal Building. But, I heard no mention of

6 opening up the Municipal Building. I heard no

7 mention of opening up City Hall. Now, they're not

8 here to say why those buildings were not opened

9 up. But, I would hypothesize that the reason they

10 weren't opened up is because it's not practical in

11 those buildings. And, it's not necessary in those

12 buildings, based on the number of people who are

13 going to be commuting.

14 Yet, this legislation would require

15 every single private property owner to open their

16 buildings to some people, 'cause you list

17 occupants here, not just tenants, people have no

18 standing whatsoever in terms of the lease between

19 the tenant and the landlord.

20 So, we believe it's a partial

21 taking. We believe it's a bad idea.

22 CHAIRPERSON LIU: Well, that

23 certainly changes things a little bit. We have

24 questions from Council Member Yassky.

25 COUNCIL MEMBER YASSKY: Thank you.

 First of all, both, I guess, for the REBNY and the

1 TRANSPORTATION, HOUSING & BUILDINGS AND 101
2 CONSUMER AFFAIRS

3 BOMA witness, I just want to make sure I'm clear
4 on your position on the Administration proposal to
5 change the Zoning Resolution for new buildings.
6 What's your position on that?

7 MARILYN DAVENPORT: We support the
8 idea. But, the number of spaces has to be
9 reasonable. It has to reflect what we're seeing
10 as the demand across the City, which needs some
11 work.

12 COUNCIL MEMBER YASSKY: Okay.
13 Thank you.

14 CHAIRPERSON LIU: Thank you,
15 Council--

16 COUNCIL MEMBER YASSKY: Yes,
17 Mr., I'm sorry, Mr. Giustino?

18 SYLVESTER GIUSTINO: In terms of
19 new buildings, we're all for it, as well.

20 COUNCIL MEMBER YASSKY: You're all
21 for it. Okay.

22 SYLVESTER GIUSTINO: We just have
23 issue with the existing buildings.

24 COUNCIL MEMBER YASSKY: Okay.
25 Thank you. And then, Ms. Davenport, you referred
 to, you said you'd heard from about 100 building,

1 TRANSPORTATION, HOUSING & BUILDINGS AND 102
2 CONSUMER AFFAIRS

3 existing, now, that's on the new buildings. Turn
4 to existing, you said, Ms. Davenport, you'd heard
5 from about 100 owners or, I guess, owners
6 representing 100 buildings, that either provide or
7 are planning to provide access. Did that I hear
8 that correctly?

9 MARILYN DAVENPORT: For storage.
10 Yes, that's correct. It's over 100 that we know
11 of. And, we figure that's about 70 million square
12 feet, just that we've heard from.

13 COUNCIL MEMBER YASSKY: I mean, how
14 many-- just for--

15 MARILYN DAVENPORT: [Interposing]
16 About half of them--

17 COUNCIL MEMBER YASSKY: -- my own
18 context.

19 MARILYN DAVENPORT: -- provide
20 access and the other half provide some kind of
21 space. Or, in some instances, large employers,
22 such as Credit Suisse that was mentioned earlier,
23 rent space.

24 COUNCIL MEMBER YASSKY: Are those
25 mostly ones that do it already? Or, they're
 planning to?

1 TRANSPORTATION, HOUSING & BUILDINGS AND 103
2 CONSUMER AFFAIRS

3 MARILYN DAVENPORT: Most already do
4 it.

5 COUNCIL MEMBER YASSKY: And, again,
6 just for my head for context, I mean how many
7 office buildings are there in Manhattan, or in the
8 Central Bus. District? Are there a few thousand?
9 Several thousand?

10 MARILYN DAVENPORT: I don't know.
11 I think there's over 400 million square feet. We
12 probably have-- we know we didn't get responses
13 from lots of buildings. In fact, I had to get on
14 the phone to say it's not enough to do it. You
15 have to tell me, so I know. So, we didn't get
16 responses from everyone. But, we know of about 70
17 million square feet.

18 COUNCIL MEMBER YASSKY: Okay, 70
19 million. And, it's--

20 MARILYN DAVENPORT: [Interposing]
21 And, there's certainly over 400 million square
22 feet of office space in the City.

23 COUNCIL MEMBER YASSKY: Okay. And
24 then, Mr. Giustino, I just want to very briefly
25 make sure I understand the objection and these are
overlap, I think, to some extent with

3 Ms. Davenport's concerns. I just, but they're
4 listed helpfully in your testimony. You list 12
5 concerns, just very briefly and some of them
6 really can be grouped together. One is how to
7 screen bicycles and bicyclists for terrorist
8 activity. How does that differ from other
9 entrants?

10 SYLVESTER GIUSTINO: We're
11 concerned about security access to the building.

12 COUNCIL MEMBER YASSKY: Yeah, but,
13 I mean can you flesh that out? I'm not sure I
14 understand why that-- I mean, what's the
15 additional risk posed by a bicycle or bicyclist?

16 MARILYN DAVENPORT: If I may?

17 COUNCIL MEMBER YASSKY: Yeah.

18 MARILYN DAVENPORT: The bicyclist,
19 most of the time, is coming in a different
20 entrance. You control your entrances. In an
21 office building, if you notice, you have to go in,
22 as a member of the public, you have to go in the
23 front door. Well, you can't do that with a bike.
24 So, you now have to provide another similar level
25 of security at the back door.

COUNCIL MEMBER YASSKY: Okay. That

3 got to my questions about three, four, five and
4 six. And, why, you know, maybe there's no blanket
5 answer. But, why cannot a bicycle go into through
6 the front door?

7 SYLVESTER GIUSTINO: I can help you
8 out here. Basically, number one, security. And,
9 number two, damage to the building. You know,
10 marble floors, interfering with other tenants and
11 visitors. It can cause damage. It could be a
12 real problem to get people in and out of the
13 building safely and efficiently.

14 MARILYN DAVENPORT: Tenants have
15 strong objections, as well, because, you know, you
16 know how they rush in in the morning. And, you've
17 got those revolving doors and you can't take them
18 through the revolving doors--

19 COUNCIL MEMBER YASSKY: Right.

20 MARILYN DAVENPORT: -- obviously.
21 And, you have to take them through the handicap
22 accessible doors, which is not really a good idea.
23 So, it just doesn't work to go in the front door.
24 And then, you're going through marble or a
25 granite--

COUNCIL MEMBER YASSKY:

1 TRANSPORTATION, HOUSING & BUILDINGS AND 106
CONSUMER AFFAIRS

2 [Interposing] Yeah, I'm sorry. I don't want--

3 MARILYN DAVENPORT: -- lobby--

4 COUNCIL MEMBER YASSKY: And, I
5 don't want to take the Committee's time, 'cause I
6 know there's more witnesses. I want to hear them.
7 But, I really do want to understand this. Tell
8 me, you said-- I understand the revolving door.
9 You said well then, they have to go through the
10 accessible or the, you know, the open, the
11 conventional door. And, you said that's not a
12 good idea. Why is that not a good idea?

13 MARILYN DAVENPORT: Oh, I'm sorry.
14 I was just-- it is for accessibility. And, it--

15 COUNCIL MEMBER YASSKY: But, why
16 can't a bicycle come through that door?

17 MARILYN DAVENPORT: It's going to
18 put them in the marble or granite lobby where it
19 can do damage, where it's impeding the foot
20 traffic that could be very heavy. It's also
21 impeding any other traffic through that door.
22 It's a big piece--

23 COUNCIL MEMBER YASSKY:

24 [Interposing] Okay. So--

25 MARILYN DAVENPORT: It's much

3 bigger than a stroller, much bigger. A stroller
4 could--

5 LYNETTE CHANG: [Off mic] folding
6 bike.

7 COUNCIL MEMBER YASSKY: Okay.

8 MARILYN DAVENPORT: Folding bikes
9 are fine.

10 COUNCIL MEMBER YASSKY: [Crosstalk]

11 MARILYN DAVENPORT: We would
12 encourage folding bikes.

13 CO-CHAIRPERSON DILAN: Ma'am,
14 you're out of order. You're out of order, ma'am.

15 CHAIRPERSON LIU: All right.

16 COUNCIL MEMBER YASSKY: Okay.

17 CHAIRPERSON LIU: Any more
18 questions, Council Member Yassky?

19 COUNCIL MEMBER YASSKY: Well, we
20 want to move through this I guess. Okay. I just
21 would say, I mean, I think the, if I get it, the
22 concerns-- let me just ask my last question this
23 way. Most of your concerns have to do with the
24 specific manner and, Mr. Giustino, your testimony
25 says the bill does not address the practical
 details associated with bicycles in our buildings.

2 I would think it would be better for the Council
3 to give building owners flexibility how to address
4 these issues, rather than prescribe specifically,
5 you know, front door, side door, freight elevator,
6 passenger elevator, time of day, not time. Do you
7 agree that it would be better to give building
8 owners flexibility? Or, do you think legislation
9 would be better having specific requirements on
10 each of these issues?

11 SYLVESTER GIUSTINO: Well, that's a
12 very good question. When we spoke to our members,
13 their concerns was that the bill was far too broad
14 and too speculative. So, we, you know, and in its
15 current form, we have-- we're opposed to it.

16 COUNCIL MEMBER YASSKY: Right.

17 SYLVESTER GIUSTINO: And, what--

18 COUNCIL MEMBER YASSKY:

19 [Interposing] But, if it specify, if it gave
20 specific answers to these questions, would that--

21 SYLVESTER GIUSTINO: [Interposing]
22 Well, it depends on what specifications you're
23 spelling out here. And, if you came back to us
24 with a list of--

25 COUNCIL MEMBER YASSKY:

1 TRANSPORTATION, HOUSING & BUILDINGS AND 109
 CONSUMER AFFAIRS

2 [Interposing] Well, I--

3 SYLVESTER GIUSTINO: -- do's and
4 don'ts, we would talk--

5 COUNCIL MEMBER YASSKY:

6 [Interposing] I don't want to interrupt. But, I
7 would just say I'd welcome your-- if you have
8 specific, and believe me, I think I very much want
9 this bill to work for--

10 SYLVESTER GIUSTINO: Right.

11 COUNCIL MEMBER YASSKY: -- the
12 owners, the landlords--

13 SYLVESTER GIUSTINO: Sure.

14 COUNCIL MEMBER YASSKY: -- so, if
15 there are specific-- if there's language that you
16 can propose that would address the issues of, you
17 know, what entrance, where, what time of day, what
18 elevator. If you can propose language on that, I
19 would be eager to see it. So, please do.

20 SYLVESTER GIUSTINO: Great. We--

21 COUNCIL MEMBER YASSKY: Okay.

22 SYLVESTER GIUSTINO: -- will be in
23 contact, then.

24 COUNCIL MEMBER YASSKY: Thank you
25 so much. Thank you, Mr. Chair.

3 CHAIRPERSON LIU: Thank you,
4 Council Member Yassky. We've been joined by
5 Council Member Gale Brewer of Manhattan. And, we
6 have questions from Council Member Koppell.

7 COUNCIL MEMBER KOPPELL: Chairman,
8 I just would observe, if I may, first of all, with
9 respect to the question of need or necessity, I
10 don't know-- I'm almost having a feeling with this
11 panel that this hearing is being held in the
12 1950s, really. I know we don't have a problem in
13 New York of air quality. I realize we don't have
14 a problem with congestion. And, I know that we
15 don't have a problem with health. And so, dealing
16 with those problems is completely unnecessary in
17 the year 2008. I respect that. And, I certainly
18 think that you're going to get very far with that
19 argument with a Court when you argue against
20 necessity. Let me just say that. I'd be happy to
21 take the case.

22 The second thing I would say is
23 that we now have to provide access for people with
24 wheelchairs. They have all the same problems as
25 bicycles. And, yet, we have to do it because
otherwise we screen out a whole group of people

3 who have the right to mobility. And, I would
4 suggest the same with bicycles.

5 Furthermore, you've got to be
6 blind, I guess, handicapped or disabled in that
7 way not to know that in huge numbers of buildings
8 today, people bring bicycles in and out the front
9 door and through the lobby and in the passenger
10 elevators. It may not always be convenient. But,
11 it's happening. And, you know, I just don't know
12 where this is coming from. There can be
13 reasonable regulation. But, to say that you
14 shouldn't require it is beyond me.

15 And, with respect to parking
16 garages that provide bicycle parking, I would love
17 to get from you a list of the parking garages in
18 Manhattan that provide parking spaces for
19 bicyclists. I suspect it's going to be a very
20 small list. If it's really a big list, maybe my
21 legislation isn't required.

22 But, we got a new world,
23 Mr. Chairman, that we're sort of kicking and
24 screaming-- being pulled, kicking and screaming,
25 into. And, it's about time for the real estate
 industry to understand that that is a new world.

3 And, I, from comments that I've seen in some of
4 the testimony, a few people in your industry are
5 beginning to understand that. Unfortunately,
6 while I wish the Chairman Dilan's injunction to do
7 it voluntarily would, in fact, work, Mr. Chairman,
8 I'm-- or, Mr. Chairmen, I'm very skeptical that
9 that approach is going to work.

10 CHAIRPERSON LIU: Thank you,
11 Council Member Koppell. We've been joined by
12 Council Member Letitia James of Brooklyn. And,
13 questions from Council Member Brewer.

14 COUNCIL MEMBER BREWER: Very
15 quickly. I'm a huge supporter and I guess I would
16 associate my remarks with Council Member Koppell.
17 It's a little hard to understand this. In Europe,
18 when I was there recently, there are lots of
19 comings and goings with bicycles. So, has anybody
20 looked at what goes on in London, for instance, in
21 the front door, very positive? These are tall
22 buildings, etcetera. Is that something that
23 anybody has looked at in Europe in terms of
24 Berlin, bicycles flying all over the place?
25 Exciting, fabulous, bustling, big cities,
exciting.

1 TRANSPORTATION, HOUSING & BUILDINGS AND 113
2 CONSUMER AFFAIRS

3 MARILYN DAVENPORT: I don't know
4 their access issues. But, I do know that a number
5 of our members have office buildings in London--

6 COUNCIL MEMBER BREWER: They do?

7 MARILYN DAVENPORT: -- and in
8 Berlin.

9 COUNCIL MEMBER BREWER: [Crosstalk]

10 MARILYN DAVENPORT: I will
11 certainly find out. But, I'd be willing to bet
12 they're not coming in the front door.

13 COUNCIL MEMBER BREWER: Okay. But,
14 they are coming in. And, there is security, just
15 like there is here. I mean, when it rains, this
16 miraculous rug appears. We all have things to put
17 the umbrella in. I'm just saying, if that's a
18 concern, then on the marble floor, you know, this
19 is-- I'm trying to be nice.

20 MARILYN DAVENPORT: [Interposing]
21 Let me--

22 COUNCIL MEMBER BREWER: But, I'm
23 just, 'cause I like you guys. But, aye vey, you
24 know. I mean, we should all be on a bicycle.

25 MARILYN DAVENPORT: Let me go back
to--

3 COUNCIL MEMBER BREWER: Or, the
4 subway.

5 MARILYN DAVENPORT: -- the
6 beginning of my testimony--

7 COUNCIL MEMBER BREWER: Yes.

8 MARILYN DAVENPORT: -- where we
9 went to our members. And, I think we're seeing
10 more and more buildings allowing bikes in or
11 providing a space for them. And, I think that
12 it's working.

13 COUNCIL MEMBER BREWER: Yes.

14 MARILYN DAVENPORT: It's the ones
15 where there are real issues. They could be
16 security issues. They could be safety issues.
17 There could be access issues. But, there are real
18 issues so that we oppose making it mandatory, the
19 access. That doesn't mean that we don't expect,
20 fully expect, that this is a growing movement and
21 that more and more buildings will do it. I will
22 tell you there are quite a few buildings that
23 reported that they permit access. They had no
24 demand. I mean, there's--

25 COUNCIL MEMBER BREWER:

[Interposing] Yeah, I think--

1 TRANSPORTATION, HOUSING & BUILDINGS AND 115
2 CONSUMER AFFAIRS

3 MARILYN DAVENPORT: There's a
4 certain exaggeration of what the real demand is.

5 COUNCIL MEMBER BREWER: No, I think
6 that's true. I think that that may change as time
7 goes on. So, the idea would be to make it--
8 encourage it. It's like I do remember, a long
9 story, Mike O'Neil stating, you know, smoking is a
10 bad thing in the restaurants. Everybody laughed.
11 I do think it's the same thing with the bicycles.
12 People are going to get used to it and it's going
13 to become very mundane. But, I appreciate that.
14 I'm just saying it does seem to me that it's
15 something that you should actually advertise as
16 positive about your building.

17 MARILYN DAVENPORT: Um, hm.

18 COUNCIL MEMBER BREWER: Thank you.

19 CHAIRPERSON LIU: Thank you,
20 Council Member Brewer. I want to thank the-- oh,
21 John, I'm sorry. Did you want to add something?

22 JOHN DOYLE: I just wanted to point
23 out that Councilman Koppell indicated that he
24 thought we were in the '50s. It's actually the
25 1700s that we're living in. It's called property
rights. These are privately owned-- this is

3 privately owned property. And, when government
4 decides that it's going to force private property
5 owners to do something against their will, they
6 need-- it's a taking. And, this bill fails that
7 legislation.

8 And, Council Member Brewer, I do
9 think that times are changing. But, these
10 commercial buildings that we're talking about, the
11 principal relationship is between the building
12 owner and the tenant. And, when a tenant feels so
13 strongly about wanting to have their employees to
14 have access to the building, they sit down and
15 they work it out with the landlord. It's not
16 government's right to step in and universally
17 impose a condition on property owners that they
18 don't have a-- they're not a party to negotiating
19 to have it imposed on them. It's just plain
20 wrong.

21 CHAIRPERSON LIU: Thank you. We
22 have questions from Council Member James.

23 COUNCIL MEMBER JAMES: I also
24 respect the comments that were just mentioned.
25 But, what peaked my interest was when you talk
about a taking. And, as most of you know, I've

3 been very vocal about the takings of property in
4 my district for a project which hopefully is dead
5 now. And, the reason why I oppose it because the
6 taking of a project which does not inure to the
7 benefit of the public, to me, serves no-- does not
8 serve the public interest.

9 But, in this particular case, when
10 one takes space from a property owner for the
11 benefit of children who are suffering from asthma,
12 children who are suffering in downtown Brooklyn,
13 specifically in downtown Brooklyn, 'cause politics
14 are all local, and a number of children who I had
15 to visit in the hospital and one child, in
16 particular, who died, who had an asthma attack,
17 suffering from all of the cars and carbon from the
18 BQE. I totally support all efforts to encourage
19 bicycle commuting, as long as it saves the life of
20 children, particularly children of color. So, I
21 understand that, in your mind, this might be a
22 taking. But, when it's a taking for the interests
23 of the public, then I say take. [Crosstalk]

24 JOHN DOYLE: [Interposing]

25 Councilwoman, I would agree with you--

COUNCIL MEMBER JAMES: Thank you.

3 JOHN DOYLE: -- if, in fact, the
4 Council had demonstrated that this was for the
5 interests of the public. But, there's been no
6 such proof offered. There's been no proof offered
7 that the folks who are currently commuting by
8 bicycle, once upon a time came by car. They could
9 have just as easily walked. They could have just
10 as easily been using the subway train, which is
11 non-polluting and not contributing to the type of
12 conditions you're talking to.

13 What I'm trying to say is that this
14 is a taking. And, in order to execute the taking,
15 government must demonstrate that it's necessary.
16 They failed to do that because they have no data
17 whatsoever to demonstrate that these folks have
18 left their cars to come by bicycle.

19 COUNCIL MEMBER JAMES: Let me just
20 say that in a Court of law, there such a thing as
21 judicial notice. Let me just take a notice that,
22 in fact, most of the individual-- there have been
23 a number of studies that I have reviewed where a
24 number of individuals, who now bike to work, are
25 no longer taking their cars. And, as a result of
that, it has reduced carbon emissions in the air

3 and have reduced congestion in the City of New
4 York and, particularly, in downtown Brooklyn.

5 And, anything to encourage that, I believe is in
6 the best interests of society, the best interest
7 of all of the children, again, who I represent,
8 who, unfortunately, are suffering from asthma.

9 But, I thank you and respect your
10 opinion. But, I vehemently disagree. Thank you.

11 CHAIRPERSON LIU: Thank you,
12 Council Member James. I want to thank this panel
13 for their efforts. Our next panel consists of
14 Paul White, Kyle Wiswall and Josh Nachowitz, to be
15 followed by a panel consisting of Mark Madden of
16 Cemusa, Lynette Chang of Folding Bicycle
17 Manufacturers and Bike Friday, David Rensberg
18 [phonetic] of Hazon and Janet Liff [phonetic] of
19 J. Liff Company.

20 Gentlemen, please proceed.

21 PAUL WHITE: Thank you, Chairman.
22 Good morning. I'm Paul Steely White, Executive
23 Director of Transportation Alternatives. I'm
24 speaking today in support of Introduction 871, a
25 bill that would mandate reasonable provisions for
bicycle access to existing commercial buildings.

3 There are a number of
4 straightforward reasons to support this bill. The
5 most obvious is that cycling is good for New York
6 City's traffic, its environment and its citizens.
7 And, the lack of secure bike parking is the number
8 one deterrent for would-be cyclists, according to
9 numerous Department of City Planning studies.
10 Quite simply, people will not ride their bikes to
11 work if they think it will be stolen, damaged,
12 vandalized or scratched when it's locked outside.

13 This piece of legislation has the
14 potential to significantly increase the number of
15 commuter cyclists in New York City by addressing
16 the number one concern of would-be bike commuters.
17 That's good for our traffic-clogged streets, our
18 overcrowded buses and subways and our communities'
19 health and quality of life.

20 Transportation Alternatives,
21 elected officials, some members of the real estate
22 industry, growing all the time, everyday cyclists
23 and scores of other advocacy groups have been
24 encouraging the passage of similar pieces of
25 legislation since 2004. And, this later iteration
is by far the best to date, because it focuses

3 solely on bicycle access. This means that neither
4 the building nor its tenants are required to
5 provide bicycle storage. Rather, it simply
6 establishes that if tenants wish to allow their
7 employees to bring their bikes into the office,
8 building owners cannot deny them. In other words,
9 it allows tenants to choose how to use the space
10 allotted to them, space they pay for and oversee
11 in almost every other way.

12 Practically speaking, bicycles are
13 not much different than strollers, food carts or
14 delivery dollies. All of these are welcome in
15 office buildings. Can you imagine the fuss if
16 they weren't? So, why are bicycles a problem?

17 Some have mischaracterized this
18 legislation as a bike parking bill, mandating
19 property owners or tenants to hand over or take
20 space. It's not. All it does is ensure that if a
21 tenant chooses to allow bicycles into their space,
22 the building management will work with them to
23 determine and appropriate strategy for
24 facilitating bicycle access and egress.

25 Others have claimed that in light
of the Department of City Planning zoning

3 requirements, this legislation is redundant.
4 Nothing could be further from the truth. The
5 Department of City Planning requirements in
6 question mandate bicycle storage in all new
7 commercial, residential and retail buildings, over
8 an established size. Obviously, we're very
9 excited about this modification to the Zoning
10 Code, but it does little to change what's
11 happening in existing commercial buildings, which
12 constitute, you know, the vast majority of
13 buildings in question.

14 According to PlaNYC, by 2030, only
15 15% of buildings will be subject to this new
16 zoning requirement and it's far less fine-tuned an
17 approach than the one taken by Introduction 871.
18 All commercial buildings are not the same. That's
19 why this bill takes a more malleable stance. It
20 merely assures that each tenant, if they deem it
21 desirable, can negotiate a suitable strategy
22 appropriate to their situation.

23 To this end, we recommend that
24 language specifying an appropriate process is
25 added to the bill. In addition, because this
bill's about access and not storage, we suggest

1 TRANSPORTATION, HOUSING & BUILDINGS AND 123
2 CONSUMER AFFAIRS

3 that the last sentence of Section 28-504.1 be
4 modified to more appropriately reflect the true
5 aims of the legislation.

6 All that said, this is a long
7 overdue common sense bill with real benefits to
8 New York City, New York businesses and all New
9 Yorkers.

10 Finally, ladies and gentlemen, I'm
11 very happy to announce that I've recently become a
12 father, as with Chairman Dilan; separate kids,
13 families. But, although my little Anna has yet to
14 travel in her stroller, my wife, Zoe, and I have
15 one picked out. It's metal; got wheels and only a
16 few inches shorter than the bicycle I rode here
17 this morning. I'm absolutely confident that any
18 building would let me bring my stroller inside and
19 urge you to pass this sensible legislation that
20 would help employees, tenants and building owners
21 establish appropriate strategies so that people
22 could bring their bicycles into buildings.

23 Thank you.

24 CHAIRPERSON LIU: Thank you, Paul.
25 Just before you go, Kyle, I just want to note for
the record that we have received written testimony

3 that I'd like to just note for the record. We
4 have written testimony from Patrick Siconulphy
5 [phonetic], the Executive Director of the
6 Community Housing improvement Program, whose
7 testimony is in opposition to Intros 780, 871 and
8 38. And, we have testimony from three other
9 individuals, who are in support of the proposed
10 legislation. That would be testimony from Bonnie
11 Campbell on behalf of Two Trees Management
12 Company, Joshua David on behalf of the Friends of
13 the Highline and-- no, I'm sorry, not on behalf of
14 them, although he is a co-founder of that
15 organization, and Christine Kern, a general
16 manager at Mansuedo [phonetic] Ventures.

17 I apologize, but to get everybody's
18 testimony in in time before we have to adjourn
19 this meeting by 4 p.m., we are going to have to
20 use the clock. Paul, thanks for pretty much
21 sticking to it. By that, I'd ask everybody from
22 this point forward to abide by the three-minute
23 limit so we can get everybody's testimony in on a
24 timely basis. Thank you.

25 With that, please proceed, Kyle.

KYLE WISWALL: Thank you very much.

3 That testimony you just got sounds like three to
4 one. Good afternoon. My name is Kyle Wiswall.
5 I'm the general counsel of Tri-State
6 Transportation Campaign. Tri-State's a regional
7 policy watchdog organization working for a more
8 environmentally sound and equitable transportation
9 network.

10 I'm here today to voice our strong
11 support, specifically for Intro 871. The New York
12 City Department of Transportation recently
13 reported a 35% rise in bicycle commuting in the
14 City of New York in the past year. This explosion
15 of bike use has been supported and encouraged by
16 laudable investment by the City in bike
17 facilities. And, the increase comes at a time
18 when the City realizes the utility of reducing
19 emissions to improve our often poor air quality
20 and in encouraging healthy habits of its
21 residents. Cycling achieves both of these ends
22 with little cost.

23 There is, however, one piece
24 missing from any would-be bike commuters. And,
25 that's a safe storage space at the commuter's
destination. A 2007 Department of City Planning

1 TRANSPORTATION, HOUSING & BUILDINGS AND 126
2 CONSUMER AFFAIRS

3 survey of cyclists in the City found that over 50%
4 of respondents, who would like to commute by
5 bicycle, but do not, cited the lack of bicycle
6 storage at their destination as the reason, making
7 it the number one reason keeping people from
8 riding their bicycles to work.

9 You only need to look at the
10 statistics of bicycle theft; some 70,000, I
11 believe, a year are stolen in the City; to
12 understand why that is the case and why we need
13 safe parking for bikes.

14 Intro 871 provides the missing link
15 by requiring building owners and managers to allow
16 bicycles in the buildings where storage is
17 reasonably available. It looks to the future, as
18 well, mandating bicycle storage in new
19 construction, both commercial and residential,
20 complementing the proposed zoning change. The
21 residential requirements would be especially
22 beneficial to residents of public and affordable
23 housing where car ownership rates are low and
24 space is at a premium.

25 The measure allows the building
 owners or manager maximum flexibility, which I

3 think is something they'd appreciate, to determine
4 the method and location of bike access, avoiding
5 the unreasonable burden of mandating a one-size-
6 fits-all parameter. Common sensically, where a
7 building can accommodate bikes, it should do so.

8 You may hear opponents of this bill
9 today citing liability concerns. However, they
10 offer no evidence of this. And, a search could
11 not find any directly supportive case law to
12 support this allegation. It seems to be a shaky
13 legal scare tactic.

14 And, if I may address the issue of
15 takings for a moment. At its most basic level, a
16 taking requires that something is actually taken.
17 Since this bill only asks for access where it's
18 reasonably available, there's nothing being taken
19 from these buildings. This is space that is
20 available and can be used.

21 To sum up, Tri-State strongly urges
22 the Council to pass Intro 871. It's an easy, but
23 fundamental step towards a greener, cleaner and
24 healthier New York City. Thank you very much.

25 JOSH NACHOWITZ: Good afternoon,
Chairman Liu and Chairman Dilan. My name is Josh

3 Nachowitz. And, I'm the State Policy Director for
4 the New York League of Conservation Voters. I'm
5 here today to testify in support of Intro Number
6 871.

7 This legislation is a simple and
8 common sense solution that will go a long way
9 towards making our City greener and more livable
10 with little economic impact. Encouraging the use
11 of bikes as an alternative form of transportation
12 has long been a goal of the League of Conservation
13 Voters. Bike commuting both reduces the emissions
14 of harmful exhaust gases and helps to relieve
15 pressure on our already overtaxed mass transit
16 system.

17 As an environmental group, LCV has
18 long been committed to supporting forms of
19 alternative transportation. We all know that our
20 streets are overcrowded; that our transit system
21 is tremendously overburdened to the point of being
22 near capacity. And, I think it's incumbent on all
23 of us to look for means of getting around the City
24 and encouraging commuting that is less-- has less
25 environmental impact than using cars.

Unfortunately, New York City's

3 built environment is not nearly as friendly
4 towards bikes as it could be. New York City lags
5 far behind other North American and European
6 cities in the movement to encourage new forms of
7 transportation. Intro Number 871 is one step that
8 the City Council can take to help rectify the
9 situation.

10 As with any form of transportation,
11 the bicycle needs some sort of destination
12 terminal. After a biker has ridden to work, he or
13 she must have somewhere to conveniently park the
14 bike. This is a simple problem that Intro 871
15 seeks to address. The legislation would not
16 create overly onerous requirements for building
17 owners and would give building managers the
18 flexibility to develop solutions that best fit
19 their properties.

20 This bill is the first important
21 step towards creating a Citywide infrastructure to
22 support new and pollution-free forms of
23 transportation. We urge you to swiftly adopt this
24 important legislation and look forward to
25 continuing to work with the Council on this and
other important efforts to make the City greener

2 and cleaner. Thank you.

3 CO-CHAIRPERSON DILAN: Okay. I'm
4 going to start off with a few brief questions.
5 And then, I'll open it to, I'm sure that other
6 members of the Committee may have something to
7 add. But, I'll start with Mr. White. First of
8 all, congratulations on your newborn. I know you
9 must be overjoyed, as am I.

10 But, I want to start with the
11 statement in your testimony where you say that
12 storage is not required in the legislation. The
13 legislation that I read does require 871 to
14 provide a building-- a bike owner storage of that
15 space. It's in the first page, third paragraph.
16 It'd be 28-504.3, where it clearly, you know, asks
17 a building owner to provide storage. Are you
18 saying that you guys--

19 PAUL WHITE: Could you read that,
20 just for...

21 CO-CHAIRPERSON DILAN: Sure. Any
22 commercial building whose main use or dominant
23 occupancy is as a retail space or whose
24 construction began after the effective date of
25 this article, shall provide bicycle storage within

3 such building for tenants, subtenants, all persons
4 in the employ of such tenants for-- and then, it
5 goes into the formula after that. But, it clearly
6 says it. So, are you saying that you guys are
7 taking that off the table at this time?

8 PAUL WHITE: Well, you know, we
9 might encourage that. You know, it's not our
10 power to do so. But, our interpretation of the
11 bill is that the only real mandate is for access.
12 And, that really, what's trying to be fixed here
13 is the situation where tenants are already setting
14 aside lawful storage space within their own space.
15 And, the issue is just their building not working
16 with them to enable access to that space.

17 CO-CHAIRPERSON DILAN: Okay. So,
18 let's assume we get past that point and after the
19 storage issue is dealt with and we deal with the
20 access issue, where do you propose they keep the
21 bikes once the bikes are in the building?

22 PAUL WHITE: Well, the legislation,
23 as it is, or as we hope it is, would only really
24 kick in in those instances where storage has
25 already been identified by tenants or perhaps by a
progressive building. But, again, the last link

3 being the access to that space.

4 So, there may be, just to answer
5 your question another way, buildings where there
6 isn't a tenant that's setting aside storage space;
7 there isn't a building owner/manager who's setting
8 it aside. So, in those cases, this legislation
9 would not really pertain to those cases.

10 CO-CHAIRPERSON DILAN: Okay.

11 Honestly, I think if I were a supporter of this
12 bill, from my perspective, that would give a
13 building owner a big loophole out, from my
14 perspective. But, that's just me. I could see
15 this as a building owner and just sit back and say
16 this is unreasonable. We don't have space to
17 store it. And, their version of what's
18 unreasonable as to what is reasonable may be-- it
19 vary from building to building.

20 PAUL WHITE: To be sure that would
21 happen. We're confident that this bill would
22 nevertheless represent a huge improvement because
23 we do know of several occasions where, again,
24 tenants are providing the space. It's the access
25 that they need. So, we're confident that if this
bill were to pass as an access bill, it would

2 unlock lots of space that tenants are very happy
3 to set aside themselves without any input or
4 coverage from owners.

5 And, also, if I may just take a
6 brief moment to address an earlier question
7 regarding the cost to buildings of complying with
8 this legislation, there's a lot of estimates
9 flying around; tens of thousands of dollars in
10 security camera networks and--

11 CO-CHAIRPERSON DILAN:

12 [Interposing] Thirty thousand seemed high to me.
13 [Crosstalk]

14 PAUL WHITE: -- and terrorist
15 screening, you know, I would encourage everyone to
16 look at the scores of buildings, marble adorned
17 and not, that are already doing this and ask them
18 how much it cost to enable bicycle access.

19 CO-CHAIRPERSON DILAN: Well, I
20 would think the cost is a factor. It's not a
21 major factor. But, it is a factor. And, that's
22 just my opinion. But, I think any, you know, any
23 good legislator would want to know the impact of
24 what the cost is and whether it be a million
25 dollars or it be \$40. I think it's just good to

3 know before you pass a bill what the cost is on
4 the private sector of passing that legislation.

5 Okay. And, my next question was--
6 I guess I may have to get back to it. I lost my
7 train of thought. Overall, though, I'd say that
8 right now, I'm opposed to these bills. You know,
9 do I want to get to a place where, you know, the
10 City does promote what you're trying to seek? I'd
11 say yes. I'd say I don't argue with the
12 environmental impacts of what you're trying to do.
13 I don't argue [off mic] of what you're trying to
14 do. But, just as a citizen, I believe that the
15 incentive approach that was taken with the
16 Department of City Planning may encourage more
17 owners to do it on their own. I think a
18 legislative approach to this will cause the owners
19 to do exactly what they did here today. I think
20 eventually we can work to get to this problem-- to
21 solve this problem. But, I don't think we're
22 there yet. And, I continue to look forward to
23 talking about it.

24 I may come back and follow up.
25 I'll get my thoughts together. But, Council
Member Yassky.

3 COUNCIL MEMBER YASSKY: Okay.

4 Yeah, just very quickly, 'cause, as you know,
5 Mr. Chair, there's the Ravitch Commission folks
6 are downstairs briefing the Council on their plan.
7 I'm actually going to excuse myself after my
8 questions to go hear that briefing. But, just on
9 the two issues that you raised, there are two
10 sections in the bill that, one of which you read,
11 that do require storage of bicycles. But, that
12 those apply only to new buildings, buildings built
13 after, you know, this is passed, assuming it is to
14 be passed.

15 The Department of City Planning has
16 already begun a land use process to change the
17 Zoning Resolution that will-- in order to require
18 that new buildings provide bicycle storage. So,
19 this was simply meant to kind of go together with
20 the change in the Zoning Resolution that is now
21 moving through its process. As Commissioner
22 Sadik-Khan pointed out, that's probably not a
23 smart way to do it because if you have an
24 Administrative Code or Building Code on one hand
25 and you've got Zoning Resolution on the other
hand, they could conflict. So, better to have it

3 be only in one place and the Zoning Resolution
4 sounds like the right place. So, it's my, you
5 know, would be my recommendation, as sponsor, to
6 eliminate the provisions for storage in new
7 buildings, because they're going to be covered by
8 the Zoning Code. That makes perfect sense to me.

9 And then, you know, I thought I had
10 two also, but, it's apparently contagious. And, I
11 don't have a newborn. So, really there's--

12 CO-CHAIRPERSON DILAN:

13 [Interposing] I'm glad to see I'm not alone.

14 COUNCIL MEMBER YASSKY: Quite
15 honestly, there's just no excuse on that front. I
16 just want to thank the witnesses for their
17 testimony and for all the work they've done
18 getting this issue on the agenda. And, I look
19 forward to continuing to work with them to see
20 widespread bicycle access. Thank you.

21 CO-CHAIRPERSON DILAN: I remember
22 where I was going. It's not more of a question,
23 but it may incur a response. So, I'll allow a
24 response. On the liability side, you know, I
25 don't think liability is a major factor. But, it
is a factor. I know that some individuals who

3 ride bikes tend to, you know, not in all cases,
4 but in some cases, ride some pretty expensive
5 bikes. And, if those bills are provided-- well, I
6 guess the key here is storage. If storage is
7 provided for those expensive bikes and God forbid
8 something were to happen to one of these bikes
9 while it's in the custody of a building owner,
10 there are liability issues. And, somebody's going
11 to want to make sure that their asset was
12 protected so that the owners have to be concerned
13 about these types of liability issues.

14 I don't think that bikes are going-
15 - they may incur some minor damage to a building
16 in an elevator, on a marble floor. Is that
17 possible? Yes. But, I don't think you're talking
18 about, you know, major liability damages.
19 There'll be some. But, I don't think that-- I
20 think most of the liability side will be actions
21 that bike owners take against a building owner
22 should something happen to a bike while that bike
23 is in the possession of the building owner. So,
24 that's just my perspective there. You can respond
25 if you like.

3 KYLE WISWALL: I'd have two
4 responses to that. The first being that the, as
5 Council Member Yassky pointed out, there are two
6 sections to this bill. And, the first part is
7 just about access. And, really what you're
8 talking about there is an employer that's willing
9 to put aside space. So, that bike will never
10 really be in the possession of the building
11 manager. It will be in the possession of the
12 tenant the whole time. So, I don't think you're
13 going to run into that liability issue under that
14 part of the bill.

15 Second, I think most of the
16 liability issues, and this isn't to say that
17 nobody will ever sue, but I don't think you could
18 ever say that about anything. Most of the
19 liability issues can be mitigated as long as the
20 measures taken with the storage are reasonable.
21 If, you know, the appropriate anchored structure
22 to lock to is provided, then, you know, there's
23 not going to be a very strong liability argument.
24 If the owner is not taking reasonable measures and
25 it simply, you know, they think it's okay that the
bikes be tossed in a corner of an open space,

3 obviously, that's not something that would be
4 considerable reasonable; probably not something
5 that the tenants would go along to. Again, in the
6 second part of this bill really talking about the
7 zoning. Then, you know, that would be an issue.
8 And, I think an appropriate one.

9 But, I don't foresee liability any
10 more of an issue than it already is in a normal
11 office building. I don't see this adding any
12 extra layer or really any extra cost.

13 CO-CHAIRPERSON DILAN: If it does,
14 I don't think it's a major amount of money. But,
15 I do believe it's there in some way. But, I don't
16 think it's a major amount. Council Member Mendez,
17 do you have anything? Oh, she's gone. Okay.
18 Gentlemen, I want to thank you for your time and
19 your testimony today.

20 KYLE WISWALL: Thank you.

21 CO-CHAIRPERSON DILAN: Thank you.
22 Okay. Before I call the next panel, I want to
23 just acknowledge that the Local Development
24 Corporation of the West Bronx has submitted
25 testimony for the record in favor of Intro 871,
which is on today's Transportations Committee

1 TRANSPORTATION, HOUSING & BUILDINGS AND 140
2 CONSUMER AFFAIRS

3 agenda. That would be submitted for the record.

4 Next, we have Mr. Mark Madden, Miss Lynette Chang
5 and David Rensberg. That's the next panel.

6 [Pause] Okay. As well as, I want to add Janet
7 Liff. Okay. You can begin in any order. If you
8 have written testimony you want to submit for the
9 record, please give it to the Sergeant at Arms.

10 JANET LIFF: Can you hear me?

11 Okay.

12 CO-CHAIRPERSON DILAN: Yep, mic's
13 on.

14 JANET LIFF: Hi. I'm Janet Liff.
15 I'm a commercial real estate broker. I've been
16 for 17 years. I am a member of REBNY. And, I
17 want to say I support 871, the access bill.

18 Just on a practical level, I want
19 to testify I use the freight elevator regularly.
20 And, they are rarely busy. I use them to find the
21 super, to go up and down to preview and show
22 space. I do not remember running into a move. If
23 there is a move, or if they are busy loading or
24 unloading for a renovation, it takes about five
25 minutes to unload the freight. The three or four
of us who are waiting to go up, go up. Congestion

3 is not an issue.

4 And, I just want to point out that
5 most of the commercial buildings in Manhattan were
6 originally built for storage and manufacturing, as
7 dairy or printing or publishing or clothing or
8 textiles. And, that it is gone or dwindling. So,
9 the freight elevators are very underutilized and
10 more or less, you know, they're not going to be
11 eliminated from use. But, they're a very
12 underutilized asset in most of these buildings.

13 I also, and to recognize what the
14 revenue people said, it is happening. But, where
15 building owners are cooperating, but most of them
16 are not coming forward because they will not break
17 ranks. Do you realize, other than the revenue
18 people who spoke against the bill, there are no--
19 I haven't seen any other real estate people come
20 here and say that they are for it.

21 My examples, there is a Class A
22 office building, which recently leased a large
23 piece of space to a very traditional firm at over
24 \$100 a square foot. The lease provides for
25 bicycle access through the freight. It occurred
because half a dozen of the firm members cycle to

3 work. Not only is the landlord here, but a tenant
4 won't let me quote him for fear of outing the
5 landlord and getting in trouble, because they
6 regard the access as a privilege.

7 There's a major landlord, who's one
8 of the, I also want to be careful, 'cause I don't
9 want you to be able to identify him. But, who is
10 one of the larger building owners in this City,
11 who's working on providing bike access; has access
12 going in two of his building and is investigating
13 the balance. We tried very hard to get him here
14 and he would not come forward. I would say most
15 of SoHo and most of Midtown South allows bike
16 access through the freight elevators.

17 And, I worked for TA and called
18 these people to say come on. I want you to come
19 out. Would you talk? They will not cooperation
20 because they don't want to put a pressure on the
21 other owners. And, I just think that's says
22 something about the acceptance and just the
23 perception of cyclists that they don't want to say
24 bike access is just not that difficult.

25 MARK MADDEN: Good afternoon. My
name is Mark Madden. I'm the Director of Business

1 TRANSPORTATION, HOUSING & BUILDINGS AND 143
2 CONSUMER AFFAIRS

3 Development for Cemusa, a global leader in the
4 outdoor street furniture industry. Cemusa's the
5 partner on the coordinated street furniture
6 franchise and is responsible for designing,
7 installing and maintaining the City's network of
8 3,300 bus shelters, 330 newsstands and the 20
9 automatic public toilets. Internationally, we
10 have over 160,000 structures in over 160 cities,
11 such as Madrid, Barcelona, Miami, Rio de Janeiro
12 and Milan.

13 Cemusa has a long history of
14 supporting green sustainable policies and
15 practices as a company. Our commitment to
16 sustainable products and services has led us to
17 develop a bicycle sharing system, that has been
18 successfully implemented in cities around the
19 world. As a pioneer in green concepts, Cemusa
20 launched its first bicycle sharing program of five
21 stations and 100 bicycles in Pamplona, Spain,
22 which you may know as the running of the bulls.
23 Further, we subsequently implemented programs in
24 Rome, Italy with 19 stations and 200 bicycles. In
25 San Sebastian, Spain with five stations and 100
 bicycles.

3 Our bike program allows citizens,
4 commuters and tourists to rent a bike at a self-
5 service parking station and return them to another
6 location. The bike share computer system assists
7 our maintenance team to monitor bicycle
8 replenishment or reduction at stations. These
9 bike sharing programs have many benefits,
10 including providing an additional form and
11 environmental-friendly public transportation
12 option, reducing traffic congestion, as well as
13 noise and air pollution, promoting sustainable
14 energy use, offering a wise use of Metro to urban
15 space and providing convenient, flexible and low-
16 cost transportation option.

17 We look forward to continuing
18 partnering with the City of New York and the City
19 Council on bicycle concepts. My contact
20 information is in my testimony if you should have
21 any further questions regarding my remarks.

22 Thank you very much for your time
23 and your attention.

24 CO-CHAIRPERSON DILAN: Thank you.

25 LYNETTE CHANG: Well, hello. I
hope can understand my Australian accent. I,

3 firstly, want to quickly apologize to the room for
4 my earlier interjections; probably the first time
5 I've ever been to a hearing.

6 CO-CHAIRPERSON DILAN: That's fine.

7 LYNETTE CHANG: And, I feel
8 privileged to be here.

9 CO-CHAIRPERSON DILAN: That's fine.

10 Thank you. You do have to just state your name
11 for the record. And then, you can go into your
12 testimony.

13 LYNETTE CHANG: Thank you very
14 much. My name is Lynette Chang. I work for a
15 folding bike manufacturer and I represent folding
16 bike companies. But, first and foremostly, I'm a
17 bicycle commuter and traveler of 15 years. And, I
18 haven't owned a car for 15 years.

19 And, I'm certainly absolutely not
20 here to sell anyone a folding bike. But, I just
21 want to point out that in listening to all this,
22 there seems to me an absolutely no-brainer
23 solution that would be a zero cost to landlords.
24 And, that is, in fact, if people were able to
25 bring folding bikes into buildings.

Now, last year, I actually did an

3 experiment in New York. I took my folding bike to
4 11 different office buildings,
5 PricewaterhouseCooper, the library, GM building,
6 to see how if I could get in through the guards.
7 And, the bike was covered completely in a bag. I
8 got into nine of 11 buildings. If I'd actually,
9 you know, if I'd actually not said anything, I
10 would have gotten into the other two.

11 And, I guess my point is that, at
12 the moment, there is no rule that says you can let
13 folding bikes in to a building. Amtrak has
14 allowed folding bikes on trains at all times now
15 and some airlines. So, I support measure 871, is
16 the access. But, and, I'd be very happy if we'd
17 say access and then, if you've got a folding bike,
18 because then no one has to provide anything at any
19 cost. The cost is borne by the commuter. Thank
20 you very much.

21 CO-CHAIRPERSON DILAN: Thank you.

22 DAVID RENSBERG: My name is David
23 Rensberg. And, I'm in support of 871. I'm the
24 Bike Ride Coordinator for Hazon, a New York-based
25 not-for-profit. We are the largest dedicated
environmental organization for the American Jewish

3 Community. One of our main program areas that I
4 work in is the Environmental Outdoor Adventure,
5 particular bike rides, which raise funds for
6 innovative environmental projects in the U.S. and
7 Israel. Since 2000, we've raised over \$2.5
8 million for Jewish environmental projects and
9 organizations in the U.S., Canada and Israel.

10 I tell you this as a backdrop to
11 our strong support of these measures. In fall
12 2007, we moved into a shared office space with the
13 American Jewish World Service, led by Manhattan
14 Borough President, former Manhattan Borough
15 President Ruth Messinger. At our initiative, they
16 installed a bike storage area and a shower room on
17 our floor, which has been a great success. Not
18 only did many of our staff members start to
19 commute by bike, but, so did employees of AJWS and
20 other organizations that share our space.

21 Personally, despite being an avid
22 cyclist, I had rarely biked to work during my
23 three years working in New York City. I think the
24 subway strike was the one major exception. With
25 this new bike-friendly system in place, this past
summer, I began commuting to the office almost

3 daily. Since our members know that we have
4 facilities for cyclists, we have had various
5 volunteers bike to evening meetings at our
6 offices, as well; sometimes as far away as New
7 Jersey.

8 The Jewish community has always
9 championed social justice causes. Because the
10 transportation sector uses more fossil fuels than
11 any other sector in the U.S., it has a huge impact
12 on global climate change, threatening our
13 environment and the health and safety of all
14 inhabitants. Jewish tradition not reflects on our
15 past, but also helps us look at the present and
16 towards the future, which is why Hazon feels that
17 this legislation will be good for New York
18 businesses and individuals. Thank you.

19 CO-CHAIRPERSON DILAN: Thank you.
20 And, I want to thank you all for your testimony
21 here today. Thank you. I have no [pause]. Okay.
22 Next, we'll have Sabrina Lau [phonetic], Chalom
23 Brady [phonetic], and Christine Berthet. And, if
24 I've said any of the names incorrectly, if you
25 could please correct me when you come up to
testify. Okay. And, we'll begin in any order the

2 panel likes.

3 SABRINA LAU: Can you hear me?

4 CO-CHAIRPERSON DILAN: Yep.

5 SABRINA LAU: All right. Council
6 Members, thank you for inviting me to testify
7 about this important initiative to improve bicycle
8 access. My name is Sabrina Lau. And, I cycle
9 daily to my job as an Urban Planner at an office
10 at Broadway and Houston, which also didn't want to
11 be named, despite our efforts for this.

12 When I was hired, the first
13 question I asked was not about my 401(K) or my
14 healthcare plan, but does this building have
15 secure bicycle parking. As an avid cyclist in
16 Berlin and Toronto, I was well aware of New York
17 City's record on bicycle theft and also well
18 acquainted with the convenience of having a safe,
19 dry place to store your bicycle. The answer was a
20 sympathetic negative. However, other cyclists at
21 the office had recently started a petition to
22 lobby the building's owner for a change in bicycle
23 policy.

24 Currently, bicycles are banned from
25 entering the building. However, strollers and

3 dogs are freely permitted. The explanation was
4 that bicycles would cause damage to the elevators
5 and hallways and could not even be brought
6 upstairs in the freight elevator for storage in
7 individual offices.

8 My colleagues and I knocked on
9 every door of our eight-story building and asked
10 the tenant if they would be interested in signing
11 a petition to allow bicycle access; access only,
12 not storage. The response was overwhelming.
13 People were knocking over their chairs in their
14 rush to grab our letter and give it to their
15 company head. We heard stories of bike theft and
16 vandalism, offers of help and testimonials,
17 stories of potential bicycle commuters that cited
18 storage as their major limiting factor and stories
19 of potential leaseholders for our building that
20 had backed out at the lack of bicycle storage at
21 the building.

22 The enthusiasm and emotion we
23 encountered was infectious. And, we eventually
24 submitted a letter outlining the sound business
25 and environmental rationale for providing secure
 bicycle parking. In the entire building, we found

1 TRANSPORTATION, HOUSING & BUILDINGS AND 151
2 CONSUMER AFFAIRS

3 only one dissenter and the letter was signed by 41
4 tenants and all the major ground floor retailer
5 anchors.

6 In January of this year, we
7 received a response stating that in the best
8 interests of the physicality of the building and
9 the continued safety of the tenancy, they would
10 remain committed to the prohibition of bicycles.
11 Allowing the bicycles onto the property would have
12 negative impacts on their insurance.

13 We continued to propose new
14 solutions or compromises to address individual
15 building concerns. We spoke to them about their
16 misinformation on their insurance rates. We
17 provided examples of other buildings in New York
18 City that were providing bicycle access and
19 storage and showed them letters written by Janette
20 Sadik-Khan and the President of REBNY. In all
21 cases, we were told we will never allow bicycles
22 inside our building, unless required to by law.

23 And, that is why I'm here today.
24 Council Members, commuter cycling should not
25 continue to be viewed as a marginal renegade
 activity. As we have all heard today, it's the

3 most convenient, healthy and environmentally
4 friendly way to travel around the City. At a time
5 when our roads are horribly congested and our
6 transit system is overburdened and under-funded,
7 commuter cycling must become a viable option to a
8 much greater portion of the population. Such
9 regressive policies as the one my building has
10 must be changed. And, my struggles with my
11 building owner show that voluntary compliance will
12 not be sufficient. Thank you.

13 CHALOM BRODY: My name is Chalom
14 Brody [phonetic]. And, I am here to represent the
15 Brooklyn Committee of Transportation Alternatives,
16 which is a group of volunteers that tries to
17 advocate for bicycling in Brooklyn.

18 I would like to bring up a few
19 issues that were addressed to the Council earlier
20 today. Because one of the members of the panel
21 said that she felt that bicycle access should be
22 given to buildings based on a voluntary basis.
23 But, we have had this voluntary basis. Buildings
24 have not been denied the right to provide bicycle
25 access, parking and a very few buildings today
have actually provided that access.

3 Additionally, it was brought the
4 issue of that they wouldn't be able to use the
5 front door. They would have to go through the
6 freight elevator in the back. But, I don't
7 understand why, in residential buildings, where
8 there is no freight elevator, the front could be
9 used and where there is a freight elevator, it
10 would be used in that case in commercial cases.

11 Additionally, there was a question
12 asked before of how to contact the DOT to fix up
13 the bike lanes that are in place now. And, the
14 DOT Commissioner stated that we could contact the
15 special person that's in charge of biking for the
16 DOT. And, I've looked high and low and there's no
17 way to contact that person, who is Josh Benson.
18 But, the only way to get in touch with them is to
19 go straight to the DOT Borough Commissioner. But,
20 there's actually no way to contact them in case
21 there's a trouble.

22 In fact, I was at the meeting, the
23 community meeting in Williamsburg last week, where
24 there is a problem. And, the only way that the
25 DOT does any community outreach is to go to the
 Community Board. I think there should be a way to

3 contact the DOT about problems in bike routes, as
4 well.

5 Now, about getting into the parking
6 the bikes in the building; I love my bike. I use
7 my bike to get around many places. But, for the
8 most part, I'm only able to use it for
9 recreational purposes, like going to the grocery
10 or going on a trip. But, taking my bike to work
11 has not been a possibility. I need to take the
12 train every day. I commute all the way from
13 Brooklyn. And, my only option is pretty much the
14 train or a car. And, because I don't own a car, I
15 end up having to take the train. I'd love to be
16 able to bike to work. And, therefore, support
17 Intro 871.

18 CO-CHAIRPERSON DILAN: Thank you.

19 CHRISTINE BERTHET: My name is
20 Christine Berthet. I'm the co-founder of
21 CHEKPEDS, a pedestrian safety group on the
22 Westside.

23 First, to respond to a point,
24 access is critical and the real estate will do it
25 voluntarily. I have not seen the real estate do
anything voluntarily whatsoever. You know, it

3 started with a fire regulation. I mean, they
4 never provide fire escape until they were forced
5 to. Access to handicap people, they didn't do
6 that unless they were forced to. So, the real
7 estate group is not that kind of people that
8 generally provide common good solutions unless
9 they are forced to. And, I'm asking you to think
10 about what should be done so that these people
11 comply and help the public, not just their own
12 interest, which is what they are paid for.

13 As far as, I'm supporting all those
14 bills. The question was asked by Chairman Liu
15 whether this bill was helping on safety. And, I
16 would articulate that for pedestrian, it's much
17 more helpful and safe to have bike parked in the
18 street or in buildings, rather on sidewalk. It is
19 a well documented fact that parking on sidewalk
20 encourages driving and biking on sidewalk. So,
21 there is a safety component in those bills which
22 is we're rather have the bikes safely tucked in in
23 buildings rather than biking on sidewalk.

24 Second, curbside parking; I didn't
25 hear anyone here argue that-- curbside parking is
defined as a motorized engine only. And, it

3 should be changed to say that it's not only
4 motorized, but also bike. When you have those ped
5 cabs, which are now parking on the sidewalk
6 because, you know, they cannot park in the bike
7 lane, in the parking lane, because they are not
8 defined as a vehicle, is a very large concern.

9 And then, number fourth, we need to
10 have all the parking lot and specially the small
11 ones that's for the parking in parking lot-- all
12 the small ones should be required to provide
13 parking for bikes up to ten cars, because the
14 importance is the proximity. And, all the small
15 parking have a lot of proximity and it's going to
16 make it much more acceptable and much more
17 convenient if you have a lot of parking very close
18 by.

19 And, finally, you know, it should
20 be also asked of all existing parking, at their
21 renewal at the DCA. Whenever they renew, they
22 should be, you know, have to comply with a new
23 law. And, it should be fairly easy to do so.

24 And, finally, I'm Chair also of the
25 Board of Community Board 4. And on the subject of
consultation with the Community Board, I can tell

3 you that we have had three examples of bike lane
4 in our Community Board. The first one was done in
5 a very poor way. But, since then, the DOT has
6 done an enormous effort in outreach and we have
7 been able to really negotiate with them and obtain
8 what we wanted.

9 BETH WINTERS: Okay. Good
10 afternoon. My name is Beth Winters. I am the
11 Head of Building Services for the Corporate Real
12 Estate and Services Division of Credit Suisse.

13 Credit Suisse created a bike
14 storage room in 2004 in the lobby of One Madison
15 Avenue, adjacent to the Madison Avenue entrance of
16 the building. The room is accessible simply by
17 walking through the front door. Employees show
18 their building access ID cards and their bike
19 storage tag to gain access through the turnstile
20 gate. The bike room can accommodate up to 85
21 bikes. About 35 people use it every day. Usage
22 is steadily growing. And, approximately 15 people
23 sign up on average. Bikers have access to showers
24 in our gym for a nominal fee.

25 The bike room, which was formerly
used to store art, is a clean, well lit space that

3 is simple to maintain. Our bike room supports
4 Credit Suisse's broader commitment to
5 sustainability, which is reflected in being the
6 world's leading financier of, and advisor on,
7 renewable energy projects, including solar, wind
8 and bi-fuels, carbon neutrality in Switzerland,
9 additional green tools and facilities such as an
10 ice-cooling air conditioning system at 11 Madison
11 Avenue, which consumes 30% less energy than
12 regular cooling systems and the Credit Suisse-
13 owned facility in North Carolina that has obtained
14 a LEED certification.

15 We are taking no position on this
16 bill. Whether bike access and bike rooms will be
17 mandatory in the City is for you to decide. Many
18 office buildings have less space and fewer
19 resources than Credit Suisse.

20 However, as you consider this
21 legislation, we want to extend an open invitation
22 for Council Members and staff to come by and take
23 a look at our facility. It's something we are
24 proud of at Credit Suisse. And, if it can further
25 the common good, so much the better.

I want to just also take a minute

3 to explain the additional handouts. We
4 photocopied a floor plan showing our lobby and the
5 front door. I will be honest with you, we got
6 lucky. We had space that was available. And, we
7 simply used it. The loss of income for a rental
8 for that space is something that somebody might
9 want to add up. However, the cost of creating
10 that room was very minimal. We use existing
11 security staff to check the people that are coming
12 through our entrance.

13 And, the additional handouts I
14 thought would be useful for this Council to see.
15 We do require every employee, before they can get
16 a bike tag, to fill out this liability. And, it
17 is a Credit Suisse space, not the building
18 management. I hope that helps. And, thank you
19 for your time.

20 CO-CHAIRPERSON DILAN: Yeah, I have
21 no questions for the panel. I just want to say
22 that Credit Suisse should be commended for an
23 initiative--

24 BETH WINTERS: Thank you.

25 CO-CHAIRPERSON DILAN: -- that
they've taken on their own--

1 TRANSPORTATION, HOUSING & BUILDINGS AND 160
 CONSUMER AFFAIRS

2 BETH WINTERS: Thank you.

3 CO-CHAIRPERSON DILAN: -- to
4 provide access. Thank you all. Okay. The last
5 and final panel will consist of Mr. Christopher
6 Goud, or Good. Please correct me on the
7 pronunciation; Alex Herzan [phonetic], Adam Mansky
8 [phonetic] and Jillian Smith. This is the final
9 panel.

10 FEMALE VOICE: Do you have written
11 testimony?

12 CHRISTOPHER GOOD: My name is
13 Christopher Good.

14 CO-CHAIRPERSON DILAN: Okay. I
15 have Christopher Good and?

16 ADAM MANSKY: Adam Mansky.

17 CO-CHAIRPERSON DILAN: Adam
18 [pause]. So, Alex Herzan? Signed up, but didn't
19 appear. Jillian Smith? Okay. You can proceed in
20 any order, any order, gentlemen.

21 CHRISTOPHER GOOD: I'm a building
22 owner. My name is Christopher Good. I own a
23 building at 176 Grant Street, right by the Grant
24 Street bike lane in a very congested part of the
25 neighborhood. My building's about 40,000 square

3 feet. It's a good-sized building. It has very
4 limited access. It's all commercial. There's one
5 door in. There's one elevator. There's no
6 freight elevator. Anybody's welcome to bring a
7 bike into that building. It is easy. It's not a
8 problem. It's just like a stroller.

9 I have not had any trouble with
10 anything with bicycles in terms of damaging the
11 building or any of that like. I do not have
12 storage in the building, however. Everybody
13 stores their bikes in their own rental spaces.
14 And, that's not an issue.

15 That's about it that I have to say.
16 I'm very in support of this bill. The only other
17 thing I'd like to bring up is about the bike lane
18 on Grant Street. I think if your constituents are
19 complaining about that bike lane, it would be an
20 important question to ask how they get to their
21 businesses. Most of them, you'll probably find,
22 commute by car. Us, who live in the neighborhood
23 and work in the neighborhood and travel in the
24 neighborhood, are fine with bike lanes. It's
25 great.

CO-CHAIRPERSON DILAN: My

1 TRANSPORTATION, HOUSING & BUILDINGS AND 162
2 CONSUMER AFFAIRS

3 constituents complain about the summons they get
4 for riding their bikes on the sidewalks, which is-

5 CHRISTOPHER GOOD: Right.

6 CO-CHAIRPERSON DILAN: -- the bill
7 that one of the proponents of this bill had
8 introduced. And, I was laughing the whole time.
9 But, that's their biggest problem with bicycles is
10 that the police department.

11 CHRISTOPHER GOOD: I mean, the one,
12 well, one problem with parking in the neighborhood
13 is the amount of police parking. But, that's a
14 whole separate issue, I would think.

15 ADAM MANSKY: Great. So, as the
16 very last speaker, I'm going to edit my comments
17 as much as I can. So, my name is Adam Mansky.
18 And, I'd like to thank you for letting me speak
19 today. I'm Senior Director at a New York City-
20 based nonprofit. But, today, I'm here speaking
21 solely in my personal capacity to speak on behalf
22 of the proposed legislation that would require
23 commercial buildings to permit tenants to bring
24 bicycles onto their premises.

25 I'm a lifelong New York City

3 resident. And, I grew up in Manhattan when the
4 notion of biking in the streets was, let's face
5 it, kind of for crazies. I now live in Brooklyn.
6 And, I work at my nonprofit's headquarters in the
7 Garment District. And, about a year and a half
8 ago, after a visit to the bike-friendly city of
9 Berlin, where I saw all sorts of people using
10 their bikes to get around, I was inspired to try
11 to biking to work for the first time ever.

12 That first commute was absolutely
13 terrific. And, if you've ever traveled the City
14 by bike, especially for commuting, you know how
15 exhilarating it makes the beginning and end of
16 each day. I enjoy that experience so much that
17 I've become a regular biker commuter, traveling
18 the seven or eight miles between home and office
19 each way, several times or more a week, through
20 heat and cold, although maybe not as frequently in
21 20 degree weather.

22 While I'm at it, and I know this
23 was a discussion earlier, I want to give a plug
24 to the Mayor, the Department of Transportation and
25 the advocacy of Transportation Alternatives for
the bike lanes they've created, which really is

3 transforming-- or, which are transforming this
4 City and make it indisputably safer for commuters.
5 And, I'll add that I also stop at many small
6 businesses on my way home now, when I'm on my bike
7 to shop; something I wouldn't do when I was taking
8 the subway or traveling by car.

9 In my case, I have to give special
10 credit to my building's owner and manager. They
11 are green conscious and they let tenants bring
12 bikes into the building to park it in the tenant's
13 own space. We can use the freight elevator. But,
14 when needed, we can also use the passenger
15 elevators. And, recently, they did decide to do
16 something even better. They installed a bike rack
17 in the corner of a busy freight entrance lobby.
18 And now, I can chain my bike up downstairs and
19 know that it's safe and sound.

20 It would be great if all, or many,
21 buildings had such forward-thinking management.
22 Unfortunately, I think we're here today because
23 that isn't the case. As you know, very, very few
24 buildings let their tenants bring bicycles onto
25 premises. It's because my building allows me to
 bring my bicycle onto the premises that I've

1 TRANSPORTATION, HOUSING & BUILDINGS AND 166
2 CONSUMER AFFAIRS

3 make a difference. And, that's all I want to say.


4 I want to thank you guys for giving me the time.

5 CO-CHAIRPERSON DILAN: Okay. I
6 want to thank you, also, for coming in and
7 testifying. And, at this point, this will
8 conclude this hearing. Do we have any more
9 statements for the record? They've all been
10 entered. Okay. At this time, Intro Numbers 38,
11 which is under the jurisdiction of the Housing and
12 Buildings Committee, Intro 780 and 871, which are
13 in the Transportation Committee, will be laid
14 aside. And, that will conclude this hearing.

C E R T I F I C A T E

I, DeeDee E. Tataseo 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

A handwritten signature in cursive script that reads "DeeDee E. Tataseo". The signature is written in black ink and is positioned above a horizontal line.

Date

April 1, 2009