

**JANETTE SADIK-KHAN
COMMISSIONER
NEW YORK CITY DEPARTMENT OF TRANSPORTATION**

**HEARING BEFORE THE CITY COUNCIL
COMMITTEES ON HOUSING & BUILDINGS, TRANSPORTATION AND
CONSUMER AFFAIRS
DECEMBER 8, 2008**

Good afternoon, I am Janette Sadik-Khan, the Commissioner of the New York City Department of Transportation (DOT). Thank you for the invitation to discuss bicycle commuting in New York City and to testify on Intros 871, 780 and 38.

We share the Council's desire for a more bicycle friendly City, and appreciate efforts to make cycling more attractive to commuters. Cities around the world, including our competitors, are making bicycling an integral part of their transportation systems and streetscapes. In Copenhagen and Amsterdam, nearly 40% of trips are by bike. In Berlin, about 12% of its trips are by bicycle while in Paris, bikes' share of travel is 4% and growing. London is also moving ahead with an aggressive bike plan. As a world-class metropolis facing similar growth and environmental challenges, we too must become a City where bicycling is a serious, mainstream mode of transportation. Cycling is good for our health, good for the environment and good for our pocketbooks – it is a crucial part of a sustainable future.

Consistent with the goals of PlaNYC, we have been aggressive in our efforts to include cycling in the City's transportation network within all five boroughs. As part of DOT's Strategic Plan, we set a goal of doubling the number of bicycle commuters by 2015 and tripling it by 2020. We are committed to making cycling a more viable option for commuters and have embarked on several integrated programs to achieve that objective.

Over the past two and a half years, DOT has added over 150 miles of bike lanes and routes, with a focus on providing access to bridges, which is critical to commuters citywide. We have reconfigured major, complex intersections incorporating cutting edge bicycle facility design in key locations such as Grand Army Plaza adjacent to Prospect Park in Brooklyn; at the Manhattan Bridge bike path entrance in Chinatown; and at Madison Square where Broadway,

Fifth Avenue and 23rd Street converge around the historic Flatiron Building. The City's first on-street protected bike path was installed last fall on Ninth Avenue in Manhattan, physically separating cyclists from motor vehicle traffic. This lane received the "Project of the Year" award from the Institute of Transportation Engineers and recent counts have shown a 57% increase in the number of cyclists using the Avenue a 50% decrease in the number of vehicle crashes since its installation. Our focus has extended beyond what we do in the streets. We distributed over 220,000 bike maps last year, provided nearly 10,000 bike helmets to New Yorkers of all ages and launched a well regarded "LOOK" bicycle safety advertising campaign.

All this hard work has paid off -- the results of our recently completed 2008 bicycle ridership counts show ridership is up a whopping 35% from 2007 to 2008. At this rate we will reach our goal of doubling bike commuting as early as 2011 -- and this remarkable increase in ridership highlights that there is a place for bicycle commuting in the City of New York. Nevertheless, like the Council, we recognize that we must do more to remove to barriers growth. While we have made it safer for cyclists to get where they are going, they still do not have adequate parking when they arrive at their destination. The Department of City Planning's (DCP) 2007 Bicycle Survey found that a leading reason most cyclists don't bike to work is the lack of secure bike parking, which is not a surprise given that thousands of bikes are stolen off City streets each year.

Providing secure parking is crucial to promoting bicycle commuting as a viable mode of transportation. We are doing what we can on the streets to provide parking through our Bike Rack program. Of the approximately 6,500 racks throughout the City, 1377 were installed in the last year. We have begun to remove a few car spots in areas with high bike parking demand and replaced them with multiple racks. In addition, we have developed an attractive bicycle parking shelter that prominently displays the NYC Bike Map and the "LOOK" public awareness campaign. The first 19-sheltered bike parking structures have been installed with an additional 17 to be built in the coming months. Our efforts help meet the demand for short-term parking,

but fall short in satisfying the needs of commuters. As noted, DCP's Bicycle Survey reveals, the number one reason cyclists opt against bicycle commuting is the lack of safe parking. The survey also found that about half of existing commuters park indoors. The inherent risk of vandalism or theft when parking bikes on the street make the availability of safe storage crucial to any real effort in promoting bicycle commuting. In order for more cyclists to be accommodated, we need to provide access to space off the streets and sidewalks.

To this end, DOT, in collaboration with the Department of Citywide Administrative Services (DCAS), has expanded secure bicycle parking for City employees in the Manhattan Civic Centre area. The goal of DCAS's municipal bicycle parking initiative is to identify centralized secure sites for use by all City employees, regardless of whether they are tenants in a particular building. Currently, DCAS has opened indoor bicycle parking at 280 Broadway, 125 Worth Street, and 100 Gold Street. In addition, secure outdoor parking is available to employees and the public at 1 Centre Street on the south side of the building. With DOT's assistance, DCAS is in the process of installing new, appropriate bicycle parking equipment in these locations, substantially increasing the number of bikes that can be parked at any one time. Future plans for DCAS's secure bicycle parking for City employees include the opening of locations in Downtown Brooklyn and Staten Island. DCAS is in the process of canvassing Queens Borough Hall to identify a location at that building.

On the private sector side, a number of businesses have begun to provide off street bike access for their employees. As part of our efforts to promote bicycle commuting, this year DOT and Transportation Alternatives, with support from the Council, held the first Bike Friendly Business Competition in New York City, recognizing firms that encourage cycling. Credit Suisse won in the category of "Bicycle Friendly Workplaces ". Located in the historic Met Life Building, they provide easy access for bicycles; secure bicycle rooms where employees can register their bikes and receive swipe-card access and identification tags; air pumps to fill flat tires; and promotional materials for cycling activities. The firm also promotes the availability of bike

parking to their employees, and further encourage biking by offering an employee discount to a health club next door, where showers and lockers are available. Credit Suisse is a shining example of what businesses can do to promote cycling. But for the companies looking to follow their lead, bike access into buildings often remains an obstacle – one that that is out of their control.

Intro 871 addresses this critical need by requiring properties to provide access, an important first step in accommodating bicycle commuters. However, we recommend amending the existing language in the bill to distinguish between the concepts of access and storage. Currently, the bill states that buildings are required to provide access, provided they can “reasonably accommodate the storage of such bicycle”. This phrasing links access and storage, affording a property owner the opportunity to deny access should they lack storage space. Although some buildings may face constraints in providing shared space for bikes, tenants may be able to accommodate storage themselves for their employees. Removing any mention of storage from the legislation allows for the utilization of all available space.

We know that certain buildings do have constraints in respect to access – such as the availability of freight elevators. In order to account for these realities, while still protecting the integrity of the legislation, we believe the bill should include a reasonable exception for those building owners that have legitimate barriers to compliance. We feel there should be a process, whereby property owners can demonstrate they cannot reasonably provide access. We also believe that legislation should apply only to existing buildings where the dominant occupancy is office space. Retail space is often complicated and the layout of the space as well as liability issues regarding merchandise and customers requires deep understanding of this issue. Additionally, new construction, as addressed in Sections 28-504.2 – 4 has already been addressed in a pending text amendment to the Zoning Resolution, which DCP can explain in greater detail if requested. DCP’s efforts both promote and address the needs of cyclists and we urge the Council to support the amendment.

With some minor adjustments, we believe Intro 871 can help usher in a new culture of commuting and create a greener, more sustainable transportation network. However, like the Council, we look forward to hearing more from the real estate industry who has taken an interest in this topic and already begun to take steps to address the need for bicycle access.

Now let me turn to Intro 780, which requires garages and parking lots (which can accommodate 50 or more motor vehicles) to provide and maintain space for bicycles. While we have an understanding of the access, egress, and operational issues of bicycle access to existing office buildings, we have less information about the issues related to access to existing parking garages. We are aware of several private garages in the City that offer bicycle parking. They have varying pricing schemes and facilities--it would be beneficial to hear what their experiences have been in offering this service. We are interested in the premise of the bill and look forward to hearing more from the advocates and the industry.

Finally, we would like to briefly mention Intro 38, an access bill introduced in 2006. We see Intro 871 as an improvement to the original proposal, and recommend the Council focus on that latest version.

Thank you for inviting us to testify before you today and we would be happy to answer any questions you may have.

**New York City Council
Committees on Housing & Buildings, Transportation, and Consumer Affairs**

**Oversight – What can the City do to encourage bicycle commuting?
December 8, 2008**

**Testimony by Rohit T. Aggarwala
Director, Mayor’s Office of Long-Term Planning and Sustainability**

Good afternoon. I am Rit Aggarwala, Director of the Mayor’s Office of Long Term Planning and Sustainability. On behalf of Mayor Bloomberg, thank you for the opportunity to testify today.

Over a year and a half ago, Mayor Bloomberg presented PlaNYC, a long-term sustainability plan to make New York the greenest, most livable city in the U.S. by 2030 while accommodating an additional one million residents. PlaNYC outlines ten goals, including achieving the cleanest air of any big city in America and reducing greenhouse gas emissions 30% by 2030. To reach these ambitious goals, we must take a comprehensive approach to planning for the City’s transportation network. Promoting sustainable travel modes, such as cycling, is initiative number nine in our transportation section for cleaning our air and reducing carbon emissions.

Cycling offers an environmentally-friendly, space-efficient way to travel around the city. Other cities around the world have embraced cycling as an emission-free, low-cost travel option that promotes a healthy lifestyle. Here in New York, increased bicycle use would address our growing epidemics of obesity and type 2 diabetes. Obesity rates have more than doubled in the past 20 years. Regular physical activity lowers the chances of

obesity, diabetes, heart disease, hypertension, depression, arthritis and osteoporosis. A 15-minute bike ride to and from work five times a week can burn the equivalent of 11 pounds of weight in a year. New Yorkers are increasingly finding cycling to be a preferable mode of travel – overall cycling levels have increased dramatically. As Commissioner Sadik-Khan will testify in a moment, the DOT has made tremendous progress in expanding bicycle infrastructure throughout the city. However, significant obstacles remain for potential bicycle commuters – namely secure, indoor parking space.

Regarding Intros. 871 and 780, we applaud the goals to directly address barriers to bike commuting. Commissioner Sadik-Kahn will discuss in detail the Administration's response to these bills, and also discuss efforts in our own City buildings. The Department of City Planning has recently introduced changes to the zoning code that would require bike parking space in new buildings, as Howard Slatkin will elaborate on shortly. We look forward to working with the City Council to help us expand bicycle storage, promote cycling and a healthy lifestyle, and reach the PlaNYC goals of cleaner air and reduced carbon emissions.

TESTIMONY ON INTROS 780, 871, AND 38 CONCERNING BICYCLES

BY

THE COMMUNITY HOUSING IMPROVEMENT PROGRAM

PATRICK SICONOLFI
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DECEMBER 8, 2008

These comments are submitted on behalf of the Community Housing Improvement Program (CHIP), an association representing the owners of over 250,000 units of multifamily rental housing in New York City. CHIP opposes the adoption of Intro 780 concerning mandated bicycle parking in garages and lots as now written. We offer a recommendation to amend Intro 871 concerning bicycle access and storage in buildings. CHIP believes Intro 38 can be revised to make it consistent with the realities of operating residential real estate.

Intro 780 provides that every garage or parking lot operator with more than a 50 car capacity provide space for parking bicycles. Since parking facilities are designed and operated without excess or unused space, and since typically all of the space available is committed, this requirement will force operators to remove car parking spaces. This is inadvisable as parking spaces remain a precious and rare commodity in the City, and because it will have a negative impact on revenue, and item already heavily regulated.

Further, many or most parking garages are built as part of a residential building or complex. For these facilities there will be two problems. First, parking revenues help maintain housing affordability; anything that limits cash flow from ancillary services such as parking has a negative effect on housing affordability. Second, buildings subject to the "base-date services" requirement of the Rent Stabilization Code would be in the untenable position of having to remove parking from some number of tenants to meet the bicycle requirement. However, such removal is not permitted under the RSC, and severe penalties would fall on the owner who did remove such spaces.

Accordingly parking facilities in rent stabilized buildings must be exempted from coverage here.

Intro 871 creates a right of access in commercial buildings and provides for storage in newly constructed buildings. The addition of Section 28.504.4 relating to newly constructed residential buildings is problematic in that it requires a very large number of bicycle storage spaces at one space for every two apartments. The Intro's purpose in this regard could still be satisfied at a more reasonable number of spaces, say one for every six to eight apartments. Demographic trends do not suggest that anywhere near the number of bicycle riders assumed in this "two for one" solution exists.

Intro 38 is a more sweeping proposal which creates a right of access and provides for storage in all buildings. This approach, which extends to all existing buildings, will be difficult or impossible to implement in certain existing residential buildings. And it states that "reasonable" provisions for storage must be made without defining what constitutes "reasonable." In small and medium sized buildings, it is not common that unprogrammed space exists outside apartments. New York residential buildings are already well known for the lack of excess space. And what a tenant thinks is reasonable may be impossible for an owner to satisfy when faced with other government mandates, safety and maintenance demands on common space, and the physical lay out of the building.

Ideally, the Intro would apply prospectively to buildings built after the effective date.

At a minimum, buildings with 50 or fewer units should be exempted, and the language should be clarified to say that an owner is to provide storage space in those situations where the building lay out allows such an accommodation without significant capital alteration.

**Testimony of the Department of City Planning before the New York City
Council's Transportation, Consumer Affairs, and Housing & Buildings
Committees**

**Oversight Hearing on "What can the City do to encourage bicycle
commuting?"**

December 8, 2008

Good afternoon, Chairman Liu, Chairman Comrie, Chairman Dilan, and members of the Transportation, Consumer Affairs, and Housing & Buildings Committees. I am Howard Slatkin, Deputy Director of Strategic Planning of the Department of City Planning. Thank you for the opportunity to speak today about what the Department is doing to encourage bicycle commuting.

DCP has been involved in the promotion of bicycle use in New York City for almost twenty years. In 1991, for the first time, dedicated funds became available for the planning and implementation of bicycle routes and greenways. DCP, partnering with the Department of Transportation (DOT), created the Bicycle Network Development program to achieve these goals, as well as to promote cycling while reducing congestion. Two major products of the Bicycle Network Development Program are the NYC Bicycle Master Plan (1997) and the NYC Cycling Maps. The Master Plan identified a 900-mile network throughout the city to guide the implementation of on-street and off-street bike routes. The Cycling Maps shows existing bike and greenway facilities, bike shops, safety and riding information in a handy foldable map. These free maps are updated annually and their distribution coincides with the beginning of Bike Month each May. Thus far the city has distributed over a million maps. DCP has produced over two dozen reports and studies related to bicycles, pedestrians and greenways. These reports, which are available on our website, vary from greenway master plans in Western Queens and South Brooklyn to bicycle surveys and bike lane inventories.

On November 17, 2008, the Department of City Planning proposed a citywide text amendment to the Zoning Resolution (N 090191 ZRY) to require indoor, secure, bicycle parking in new multi-family residential, community facility, and commercial buildings. The proposed text amendment, which has been referred for a 60-day period to all community boards, borough boards and borough presidents for review and comment, would provide for bicycle parking and storage both at home and in the workplace, with standards that serve the needs of cyclists while providing flexibility to accommodate the needs of development. The proposal, by ensuring secure indoor bicycle parking facilities, would support current and future bike ridership throughout the city.

This support for cycling in the city will yield fitness and health benefits for riders, improvements to mobility through additional transportation options, as well as the potential benefits of alleviating congestion, improving air quality and reducing carbon emissions.

The proposed bicycle parking requirements focus on three complementary functions of bicycle parking that will serve a broad range of needs in the city:

1. Residential parking at the bicycle owner's home;
2. Employee parking for commuters at their work locations;
3. General purpose bicycle parking in public parking garages.

The proposal would ensure that indoor, secure bicycle parking is designed into new developments, substantial enlargements, and residential conversions of non-residential buildings. The regulations would apply to multi-family residential, community facility, and commercial buildings, including public parking garages, in all zoning districts. Under the proposal, spaces must be enclosed and accessible to designated users, i.e. residents, employees, or in the case of public parking garages, available to the general public for parking. Spaces must either be secured by a locked door or include a securely anchored rack to which the bicycle frame and one wheel can be locked.

The proposed zoning requirements seek to provide developers flexibility in order to allow a range of bicycle parking solutions for different buildings. The required number of bicycle parking spaces can be provided in a smaller area with the use of a variety of space-efficient parking systems such as vertical racks, floor-mounted racks, double stacking systems, or other hanging systems.

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

The text also allows a flexible menu of options to facilitate compliance. For instance, the proposed text would allow bicycle parking as a "permitted obstruction" in a required rear yard or rear yard equivalent, similar in many ways to what is allowed for automobile parking. This element was added to the proposal based in part on feedback from affordable housing providers, who indicated that security demands sometimes make it undesirable to provide bicycle parking in a cellar. Required bicycle parking would be exempt from floor area calculations. The proposed zoning text also allows the bicycle parking requirements to be placed at different locations within a campus for hospitals and schools, or in large scale developments, or where unusual site conditions exist. The zoning text sets forth the procedures for reviewing such exceptions, and provides for their administration through the Department of Buildings and City Planning Commission.

By building upon the existing regulatory framework of the Zoning Resolution, and relying upon existing definitions of terms such as "commercial building" or "mixed building" or "floor area", the bicycle parking text provides clear standards to govern its application. It also allows for

application of standard provisions which ensure that projects at an advanced stage of plan approval and construction are vested under existing regulations. At the same time, it encourages owners of existing buildings or projects commenced prior to the adoption of the new requirement to incorporate bicycle parking by providing an incentive in the form of a floor area exemption if required bicycle parking is provided above grade.

The Law Department believes it is within the purview of the Department to enact such regulations for new construction and substantial enlargements and that the zoning resolution is the appropriate vehicle for a comprehensive approach to bike parking.

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

FOR THE RECORD

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Testimony to New York City Council, Transportation Committee
Hearing on Intro 871
December 8, 2008

Good afternoon. I'm Joshua David. I'm Co-Founder of Friends of the High Line. The knowledge of transportation issues I've gained working on the High Line project has been supplemented by the six years I spent on the Transportation Committee of Manhattan Community Board No. 4.

I speak today as an individual who strongly supports Intro 871, which would mandate reasonable provisions for bicycle access to commercial buildings.

I was recently part of a leadership group that selected the new office space in which I, and a staff of sixteen civic-minded New Yorkers, now work.

After a long search, we narrowed our choices to two locations. One of the crucial factors in our final decision was whether, or not, the building would allow bikes to enter the building.

We chose the space that allowed bikes over the one that did not.

The bike commuters who work in my office, and those in the other offices in the building, ride up and down in our elevators without causing any disturbance to other tenants and visitors.

Many of the design, media, technology, and fundraising professionals that we engage as consultants find it easier to partner on projects with us because of the bike accessibility in our building.

In just this past week, one of this city's leading graphic designers and a senior executive at one of the country's leading media companies were both able to come to meetings in our office quickly and efficiently, because they could ride their bikes, and bring those bikes up to our office.

The environmental benefits of encouraging expanded bike commuting are obvious.

What is less obvious is that bike access to commercial buildings is good business. It's one of the many ways New York can make its business environment more attractive to innovators who want to move here, and more efficient for the innovative businesses that are here already.

These are challenging times, as we all know too well. If we want New York City to remain at the forefront of the world's cities, we must embrace forward-thinking plans that increase the sustainability and livability of our city.

Intro 871 is one of those plans.

Creating the facilities and systems that both allow and encourage low-cost, non-polluting, healthful commuting by bike are crucial to the economic health of New York City in the years to come.

Thank you.

FOR THE RECORD

Testimony

12/8/08

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My name is Bonnie Campbell and I am here on behalf of Two Trees Management Company. Over the past 40 years, Two Trees has developed, owned and managed more than 5,000 apartments and 3 million square feet of office and retail space in New York City. Over the past decade, we've invested more than \$200 million in revitalizing Brooklyn's waterfront neighborhood known as DUMBO, converting several existing manufacturing buildings to residential lofts and commercial office space.

I am here today to articulate our continued commitment to support bicycling among our residential and commercial tenants. Not only do we think that the development community has a responsibility to be leaders in implementing Mayor Bloomberg's PLANYC, but we also think this particular issue is plainly good business practice.

It is our experience that there is strong market demand, from artists to attorneys, for allowing and supporting bicycles in our buildings and we think that it is therefore good customer service and smart business to meet this demand.

In our commercial office space, we find that potential tenants are increasingly stating that accommodating bicycles is an absolute requirement when choosing among the stock of available space. This means that supporting bicycles translates to premium rents, which we believe far outweigh the cost of such support.

In our residential rental buildings, providing centralized bike storage means more usable space for our residents and less wear and tear on the apartment for our maintenance staff. This means higher rents and lower property management expenses.

Two Trees will continue to support bicycling as an alternative mode of transportation by making our existing and future buildings bicycle-friendly. Not only do we think this is good public policy, but as New York becomes a world class bicycling City, we believe that the economic returns of supporting bicycles in our buildings far outweigh the costs of doing so.

Thank you very much.



**Testimony of Sylvester Giustino, Director of Legislative Affairs, Building Owners
and Managers Association of Greater New York Inc.**

**Council of the City of New York
Committee on Transportation and Committee on Consumer Affairs
Hearing on Int. No.878-In relation to bicycle access and storage in buildings**

December 8, 2008

Good Morning, Mr. Chairman and members of the Committee my name is Sylvester Giustino, Director of Legislative Affairs for the Building Owners and Managers of Greater New York Inc. I'm here to express our stance on the proposed legislation before this committee in relation to bicycle access and storage in buildings. BOMA/NY respectfully opposes this legislation in its current form.

The Building Owners and Managers Association of Greater New York represents over 400 million square feet of commercial properties and 3 million office occupants. BOMA NY has more than 850 members responsible for \$1.5 billion dollars in annual tax revenue and oversee annual operating budgets in excess of \$4 billion dollars.

The Bill states that "reasonable provisions" shall be made by a building manager to provide access to the building for a tenant with a bicycle. It does not define what those provisions are and puts too much responsibility on the building manager to ensure accessibility.

We recognize there are various bills sponsored and in draft form, but our concerns are the same for each.

The Bill does not address the practical details associated with bicycles in our buildings such as:

1. How to screen bicycles and bicyclists for terrorist activity
2. Setting a reasonable amount of space (number of parking spots) required for bicycles
3. Regulating where bicycles may enter the building to freight elevators to minimize risk of injury or damage to others
4. The risks and dangers with bicycle traffic mixed with deliveries and other traffic at loading docks
5. Prohibiting bicycles from entering high pedestrian areas (i.e. lobby, common space or passenger elevators)
6. Specifying hours of usage

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7. Whether only tenants, and not visitors, should have this privilege
8. Bicyclist responsibility for damage to a tenant or visitor or the building premises
9. Right to added rent from tenant to recover for losses caused by bicyclist
10. Landlord immunity from liability for theft, loss or damage to any bicycle or injury to a person or property resulting from the bicycle
11. Insurance provisions to address liability issues
12. The right to collect usage or annual fees

This legislation will also lead to higher costs and lost revenue. For example:

1. Loss of rentable square footage
2. Frequent use of the freight elevator and expanding of the hours of operation
3. Higher Insurance Premiums for Owners and Managers
4. Increased costs related to Security (Lighting, Cameras, and Personnel)
5. Potential Damage to Building Infrastructure (Floors, Doors, Elevators and Walls)

Additionally we have not been presented with data as to the actual benefits to our environment versus the great burden and risk for landlords.

While we want to contribute to the goals of a cleaner, greener city the best route is **not through legislation** but by building owners and managers **voluntarily** providing a means for bicycle storage in their buildings. We believe that our members are best apt to make the decision about bicycle access and storage.

BOMANY looks forward to working with the Bloomberg Administration, transportation advocates and the City Council to find a solution that is amenable to our members and industry.



Testimony before the Transportation Committee
of the New York City Council
by Marolyn Davenport, Sr. Vice President
Real Estate Board of New York
December 1, 2008

Re: Int. No 780 and Int. 871

The Real Estate Board of New York, which represents over 12,000 building owners, brokers and managers, has been working with both the NYC Dept. of Transportation and the Dept. of City Planning to increase bicycle access to high rise buildings in our city. We are doing this because we are supportive of the Mayor's PlaNYC and of every effort to make New York a more desirable place to live and work. Conceptually, we are supportive of reasonable zoning requirements for bike storage in new buildings. Clearly this is something that is much easier to design at the beginning of a project than to provide after all the available space is occupied. We are, however, strongly opposed to mandating bicycle access or storage in existing buildings. We are not sure at all that the city has the legal authority to say who or with what equipment people can enter our building, nor is it legal to mandate that space be set aside for bicycles.

We have met with City Planning staff as they develop their proposed zoning amendments for new construction and we are supportive of the concept of providing bike storage in new construction, provided the amount of space required is reasonable for the size and occupancy of the building. It is appropriate to include this in the Zoning Resolution, but it is not necessary or desirable to amend the Building Code, which regulates safety, to put in this requirement.

With the Commissioner of DOT, we have urged our members to survey their portfolios to see if they can find a way to either provide bike storage or to permit tenants' employees to take their buildings to their space via the freight elevator. We have had an excellent and somewhat surprising response to this appeal. Well over a hundred office building managers responded that they do permit bikes in their buildings and about half of those have some common storage or that they are in the process of developing a plan. This represents about 70,000,000 square feet of office space. In fact, when a tenant requests that something be done to accommodate bikes, most owners will try to find a way, especially in this market. We fully expect that this will increase if more people want to bike to work. However, every building is different and there are some which simply cannot do it. Most importantly, we are talking about private property and the owner has every right to decide how it is used and who can enter it.

Let me first discuss some of the building issues that come up:

- Many buildings simply do not have any space to carve out for a bike room or bike storage. Their basements and sub-basements are full – what they don't use themselves for mechanical space they rent out to tenants for mechanical rooms, storage, mail rooms and the like.
- If the space is rentable space, then a large part of the cost of setting up bike storage is clearly lost rent.
- Even if there is space in a basement, for both security and safety reasons, it may require that the biker be escorted by building staff to and from the space. Access to basements in older buildings is often convoluted and it is neither desirable or possible to let people walk through it.
- As a practical matter, bike rooms in commercial buildings require cameras for security and safety which is also a cost item.
- While loading docks are a popular solution, not every building has one.
- Likewise, not every building has a way for a biker to enter the building without going through the lobby or main entrance.
- Bikes in the passenger elevators are not an option. People can get hurt and bikes damage the cars. A simple scratch costs \$2000 and up to repair.
- Use of the freight cars to permit riders to take their bikes to their offices is a common solution, however, it is problematic. Freight cars operate on a schedule and tenants can only take bikes in them during the normal hours of operation and when they are not being used for deliveries, move-ins and alternations. They may be difficult to access with a bike depending on the layout of the building's entrances.
- While there is an initial cost to setting up a bike room or permitting access, the main cost is the ongoing operating costs of additional hours or requirements for security personnel or elevator operators.

Int. 780 would mandate that one bike space be provided for every ten car spaces. In fact, garages that can provide space, already do. It 's simple – it's a way to make money. But not every garage can do this. Many have valet parking with a narrow entrance which wouldn't be safe for bikers; some are underneath buildings which for security reasons drastically limit vehicles which are allowed to enter the lot. Again, mandating this takes away the operators rights' to determine what can enter the garage.

These proposals put the entire onus on the building or garage owner. In the long run, encouraging the use of fold up bikes is probably the best solution for everyone. Few building owners are going to prohibit a bike that is folded into a carrying case from entering the building. They are not as costly as they once were, and they fit into tenants' offices.

FOR THE RECORD

My name is Kristine Kern and I am General Manager at Mansueto Ventures, which publishes Inc. and Fast Company magazines and Web sites. We moved from mid-town to 7 World Trade Center in April 2007. The fact that 7 WTC has Gold LEEDs Certification from the U.S. Green Buildings Council was important to us as a company. We try in any way we can to be responsible in making business decisions that don't negatively impact the environment and considered the move to 7 WTC to be a step in the right direction. And while, in general, I've been impressed with the building and its services, I have been disappointed by its anemic response to our requests to allow employees who ride their bikes any accommodation to make that easier. Bike security is a real problem. Currently, our building has two outdoor bike racks. And even though there is a security camera aimed at the racks—that has not stopped vandals and thieves. I have one persistent bike commuter who has had one bike stripped of parts and another stolen entirely. I would gladly make space in the office to store employees' bikes if the building would allow us to bring them into the office. I've approached neighboring parking lots and buildings to find more secure space for bike parking to no avail. I know we have other employees who would choose to ride their bikes to work if they didn't fear they would be stolen.

I am heartened by the city's leadership on green issues and encourage you to support Councilmember Yassky and Brewer's Intro. 871, The Bicycle Access Bill. This seems like exactly the right answer to the problem: ask buildings to simply allow bike access and have employers worry about the parking. A simple solution with wide-ranging positive effects—Intro. 871 is worth supporting.

Thank you for your time.

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**Testimony of Josh Nachowitz
State Policy Director
New York League of Conservation Voters**

**Transportation and Housing & Buildings Committee hearing on Intro.
No. 871**

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December 8, 2008

Good afternoon Chairman Liu and Chairman Dilan, my name is Josh Nachowitz and I am the State Policy Director for the New York League of Conservation Voters. I am here today to testify in support of Intro. No. 871. This legislation is a simple and commonsense solution that will go a long way towards making our city greener and more livable with little or no economic impact.

Encouraging the use of bikes as an alternative form of transportation has long been a goal of NYLCV. Bike commuting both reduces the emission of harmful exhaust gasses and helps to relieve pressure on our already overtaxed mass transit system. As the environmental and economic costs of transportation become more and more apparent, bicycling and other alternative forms of transportation become more practical and more attractive to average New Yorkers.

Unfortunately, New York City's built environment is not nearly as friendly towards bikes as it could be. Transportation planners have spent decades building an urban environment geared towards facilitating automobile based transportation uses. New York City lags behind other North American and European cities in the movement to encourage new forms of transportation. Intro. No. 871 is one step that the City Council can take to help rectify this situation.

As with any form of transportation, the bicycle needs some sort of destination terminal. After a biker has ridden to work, he or she must have somewhere to conveniently "park" the bicycle. It is this simple problem that Intro. No. 871 seeks to address. This legislation would not create any overly onerous requirements for building owners. It would give building managers the flexibility to develop solutions that best fit their properties.

Intro. No. 871 is the first important step towards creating a citywide infrastructure to support new and pollution free forms of transportation. We urge you to swiftly adopt this important legislation and look forward to continuing to work with the Council on this and other important efforts to make New York greener and cleaner.



Your advocate for bicycling,
walking and public transit

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**Testimony to New York City Council
Committees on Transportation, Consumer Affairs and Housing & Buildings
Hearing on Intro. 871
December 8, 2008**

Good morning. I'm Paul Steely White, Executive Director of Transportation Alternatives. I am speaking in support of *Intro.871*, a bill that would mandate reasonable provisions for bicycle access to existing commercial buildings.

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There are a number of straightforward reasons to support this bill. The most obvious is that cycling is good for New York City's traffic, its environment and its citizens, and the lack of secure bike-parking is the number one deterrent for would-be cyclists, according to numerous Department of City Planning surveys. Quite simply, people will not ride their \$100 or \$1000 bike to work, if they think it will be stolen, damaged, vandalized or scratched when it's locked outside.

This piece of legislation has the potential to significantly increase the number of commuter cyclists in New York City by addressing the number one concern of would-be bike commuters. That's good for our traffic clogged streets, our over-crowded buses and subways, and our community's health and quality of life.

Transportation Alternatives, elected officials, members of the real estate industry, everyday cyclists and scores of other advocacy groups have been encouraging the passage of similar pieces of legislation since 2004, and this latest iteration is by far the best to date because it focuses solely on bicycle access.

This means that neither the building nor its tenants are required to provide bicycle storage. It simply establishes that if tenants wish to allow their employees to bring their bikes into the office, building owners cannot deny them.

In other words, it allows tenants to choose how to use the space allotted to them; space they pay for and oversee in most every other way.

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

Some have mischaracterized this piece of legislation as a bike parking bill, mandating property owners or tenants to handover space. It's not. All it does is ensure that if a tenant chooses to allow bicycles into their space, the building management will work with them to determine an appropriate strategy for facilitating bicycle access and egress.

Others have claimed that, in light of new Department of City Planning Zoning requirements, this legislation is redundant. Nothing could be further from the truth. The DCP requirements in question mandate bicycle storage in all new commercial, residential, and retail buildings over an established size. Obviously, I'm excited about this modification to the zoning code, but it does little to change what's happening in most commercial buildings today. According to PlaNYC, by 2030 only 15% of buildings will be subject to this requirement, and it is far less fine-tuned an approach than the one taken by *Intro. 871*.

All commercial buildings are not the same. That's why this bill takes a more malleable stance. It merely assures that each tenant, if they deem it desirable, can negotiate a suitable strategy appropriate to their situation.

To this end, we recommend that language specifying an appropriate process is added to the bill. In addition, because this bill is about access and not storage, we suggest that the last sentence of section §28-504.1 be modified to more appropriately reflect the true aims of the legislation.

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

Naysayers may try to kill it with a thousand cuts, citing small instances and certain gray situations where things are tricky, but the real aim of this legislation is to simply allow access and egress of an object potentially welcomed by tenants, that the object happens to be bicycle ought to have no more significance than if it were a sofa, a painting, a trunk or anything else.

Ladies and gentlemen, I'm very happy to announce that I've very recently become a father. Although my little Anna has yet to travel in her stroller, my wife Zoe and I have one picked out. It's metal, got wheels and only a few inches shorter than the bicycle I rode here this morning. I'm absolutely confident that any building would let me bring my stroller inside, and urge you to pass this sensible legislation that would help employees, tenants and building owners establish appropriate strategies so that people could bring their bicycles into buildings.

FOR THE RECORD



LOCAL DEVELOPMENT CORPORATION OF THE WEST BRONX

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**Testimony in Support of Intro. 871 – The Bicycle Access Bill
Submitted to: New York City Council Committee on Transportation
Submitted By: Walter C. Houston, President & CEO
Local Development Corporation of the West Bronx
December 8, 2008**

Good afternoon. And my many thanks to the Council's Committee on Transportation to allow me to provide statement on the topic of bicycle access, particularly, bike parking in buildings. My name is Walter Houston and I am the Chief Executive Officer for the Local Development Corporation of the West Bronx and represent countless current and potential bikers of West Bronx neighborhoods. Health, transportation, economic growth, and the environment are paramount concerns to these communities and I'm here today to say we support Intro. 871 – The Bicycle Access Bill as it seems the most logical thing to do.

As the City, State, and nation become more environmentally conscious and begin to focus more rigorously on environmental policy and how these policies relate to the economy, transportation, because of its challenges to public health, will be a focal-point for discussion, debate, and action. In addition, unstable oil prices, technology and infrastructure upgrades, as well as climate change are additional drivers that will push transportation into innovation. However, to accomplish these and many other challenges that lie ahead, creative, bold, progressive leadership is needed; and the Council has shown these attributes many times in the past as I'm sure they will in the times to come.

According to the New York City Department of Transportation, bicycling has increased in the City by 116% from 2000 to 2008. NYCDOT also reports commuter cycling grew by 35% between 2007 and 2008. There also is a growing economic arm of the cycling boom, *the working cyclist*. These cyclists depend on a certain economic condition and their trips tend not to be commutation; there are heavy concentrations of working cyclist in Manhattan's Central Business District. As the City's population is expected to grow by a million more by 2030, and significant volumes of cyclists have appeared within the past year, adopting a Bicycle Access Bill seems like only common sense.

From Borough President Adolfo Carrion's Bike to Work Day, to the Tour de Bronx organized in conjunction with Transportation Alternatives, the Bronx applauds all this attention around cycling; but finds it interesting that some building owners are reluctant to host suitable, safe, bicycle access and storage for their tenants. It is quite apparent cycling is a means to improve public health, reduce toxic air quality, provide economic opportunity, and increase overall mobility, and relatively cheaply, so why the debate in the first place? For example, property owners merely have to weigh the cost and benefit to them, the public, and the environment for accommodating full service parking versus the cost to them, the public, and the environment for accommodating bike-space. Pretty simple... In addition, Intro. 871 does not require property owners to set aside space for bicycles nor does it tell property owners how to develop bike-spaces; therefore affording property owners flexibility and creativity for bike-space design. The Bicycle Access Bill is also a suitable precursor to the proposed Bicycle Parking Zoning Text Amendment and another step in making New York City the most sustainable city on the planet. So again, why the debate...?

The Local Development Corporation of the West Bronx supports Intro. 871 – The Bicycle Access Bill and commends Council Member David Yasky and Council Member Gale Brewer for sponsoring the legislation and hope the Committee on Transportation as well as the entire Council see the logic and common sense behind such legislation that support alternative modes of transportation; such as The Bicycle Access Bill. Thank You.



**Testimony of Josh Nachowitz
State Policy Director
New York League of Conservation Voters**

**Transportation and Housing & Buildings Committee hearing on Intro.
No. 871**

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TRI-STATE TRANSPORTATION CAMPAIGN



December 8, 2008

Testimony in support of Intro 871, a Local Law to amend the administrative code of the city of New York, in relation to bicycle access and storage in buildings

Good Afternoon, my name is Kyle Wiswall and I am the General Counsel of the Tri-State Transportation Campaign. Tri-State is a regional policy watchdog organization working for a more environmentally sound and equitable transportation network in New Jersey, New York, and Connecticut. I am here today to voice our strong support for Intro 871.

The New York City Department of Transportation recently reported a 35% percent rise in bicycle commuting in the City of New York in the past year. This explosion of bike use has been supported and encouraged by laudable investment by the City in bicycle facilities like bike lanes. The increase comes at a time when the city realizes the utility of reducing emissions to improve our often poor air quality and in encouraging healthy habits of its residents – cycling achieves both of these ends with little cost. There is, however, one piece missing for many would-be bike commuters: a safe storage space at the commuter's destination.

A 2007 Department of City Planning survey of cyclists in New York City found that over 50% of respondents who would like to commute by bicycle, but do not, cited the lack of bicycle storage at their destination as the reason, making it the number one reason keeping people from riding their bicycle to work.¹ One needs only to keep the bicycle theft statistics in mind to understand the reasoning behind this: according to the city over 70,000 bicycles are stolen each year.

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

¹ NYC Dept. of City Planning, *the New York City Bicycle Survey*, p.15 (May 2007), available at http://www.nyc.gov/html/dcp/pdf/transportation/bike_survey.pdf.

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The measure allows the building owners or manager maximum flexibility to determine the method and location of bike access, avoiding the unreasonable burden of mandating a one-size-fits-all parameter. Common sensically, where a building can accommodate bikes, it should do so. You may hear opponents of this bill today citing liability concerns somehow involved in allowing bicycles into building lobbies. However, no evidence has been put forth and our own search has not turned up any directly supportive case law to support this allegation. It remains a shaky legal scare tactic at best and I urge you to view the claim with the requisite skepticism.

Tri-State strongly urges the Council to pass Intro. 871. It is an easy but fundamental step towards a greener, cleaner and healthier New York City. Thank you very much for your time and the opportunity to speak.

Kyle Wiswall
General Counsel

Hazon 45 West 36th Street, 8th Floor, NY, NY 10018

new vision

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To the Transportation Committee Council Members:

My name is David Rendsburg. I am the Bike Ride Coordinator for Hazon, a NY-based not-for-profit. Hazon is the largest dedicated environmental organization in the American Jewish community. One of our main program areas is environmental outdoor adventure, particularly bike rides which raise funds for innovative environmental projects in the US and Israel. We were featured in the Sierra Club's June 2008 publication, "Faith in Action: Communities of Faith Bring Hope for the Planet," the organization's first national report on the environmental engagement of communities of faith. One organization was selected per state and we were chosen for New York. Since 2000, we have run Jewish Environmental Bike Rides which have raised \$2.5 million for Jewish environmental organizations and projects in the US, Canada, and Israel. We have 40,000 members, 20,000 of which are in the tri-state area. I tell you this as a backdrop to our strong support of these measures.

In fall 2007, Hazon moved into a shared office space with American Jewish World Service (AJWS), led by former Manhattan Borough President Ruth Messinger. At our request, they installed a bike storage area and shower on our floor, which has been a great success. Not only did many staff members from our organization start to commute by bike, but so did employees of AJWS and other organizations that share our space. Personally, despite being an avid cyclist, I had rarely biked to work during my three years working in New York City. With a bike-friendly system in place, this summer I began commuting to my office almost daily. Since our members know that we have facilities for cyclists, we have had various volunteers bike to evening meetings at our offices as well, sometimes from as far as New Jersey.

The Jewish community has always championed social justice causes. Because the transportation sector uses more fossil fuels than any other sector in the US, it has a huge impact on global climate change--threatening our environment and the health and safety of all inhabitants. Jewish tradition which not only reflects our past, but also helps us to look at the present and towards the future, which is why Hazon feels that this legislation will be good for New York, businesses, and individuals.

Thank you
David Rendsburg
Hazon Outdoor Jewish Adventure Coordinator

Hazon works to create a healthier and more sustainable Jewish community and a healthier and more sustainable world for all.

"The Torah is a commentary on the world, and the world is a commentary on the Torah"



Good afternoon, my name is Mark Madden and I am the Director of Business Development for CEMUSA (pronounced *say-moo-sa*), a global leader in outdoor street furniture. CEMUSA is the City's partner on the coordinated street furniture franchise and is responsible for designing, installing, and maintaining the City's network of 3,300 bus shelters, 330 newsstands and 20 public toilets. Internationally, we have over 160,000 structures in 160 cities such as Miami, Boston, Madrid, Milan and Rio de Janeiro.

Cemusa has a long history of supporting green, sustainable policies and practices as a company. CEMUSA's commitment to sustainable products and services has led us to develop a bicycle sharing system that has been successfully implemented in cities around the world. As a pioneer in "green" concepts, CEMUSA launched its first bicycle sharing program of 5 stations and 100 bikes to grow to 20 stations and 350 bicycles, in Pamplona, Spain. We have subsequently implemented programs in Rome, Italy with 19 stations and 200 bikes and San Sebastian, Spain with 5 stations and 100 bicycles.

Our bike program allows citizens, commuters and tourists to rent a bike, at a self-service parking station and return it to another location. The bike share computer system assists our maintenance team to monitor bicycle replenishment or reduction at stations as well as track the individual bicycle's location.

Bike sharing programs have many benefits including:

- Providing an additional form and environmental friendly public transportation option
- Reducing traffic congestion as well as noise and air pollution
- Increasing mobility for citizens, commuters and tourists
- Promoting sustainable energy use
- Integrating exercise into sedentary modern lifestyle
- Offering a wise use of metro urban space and
- Providing a convenient, flexible and low cost transportation option.

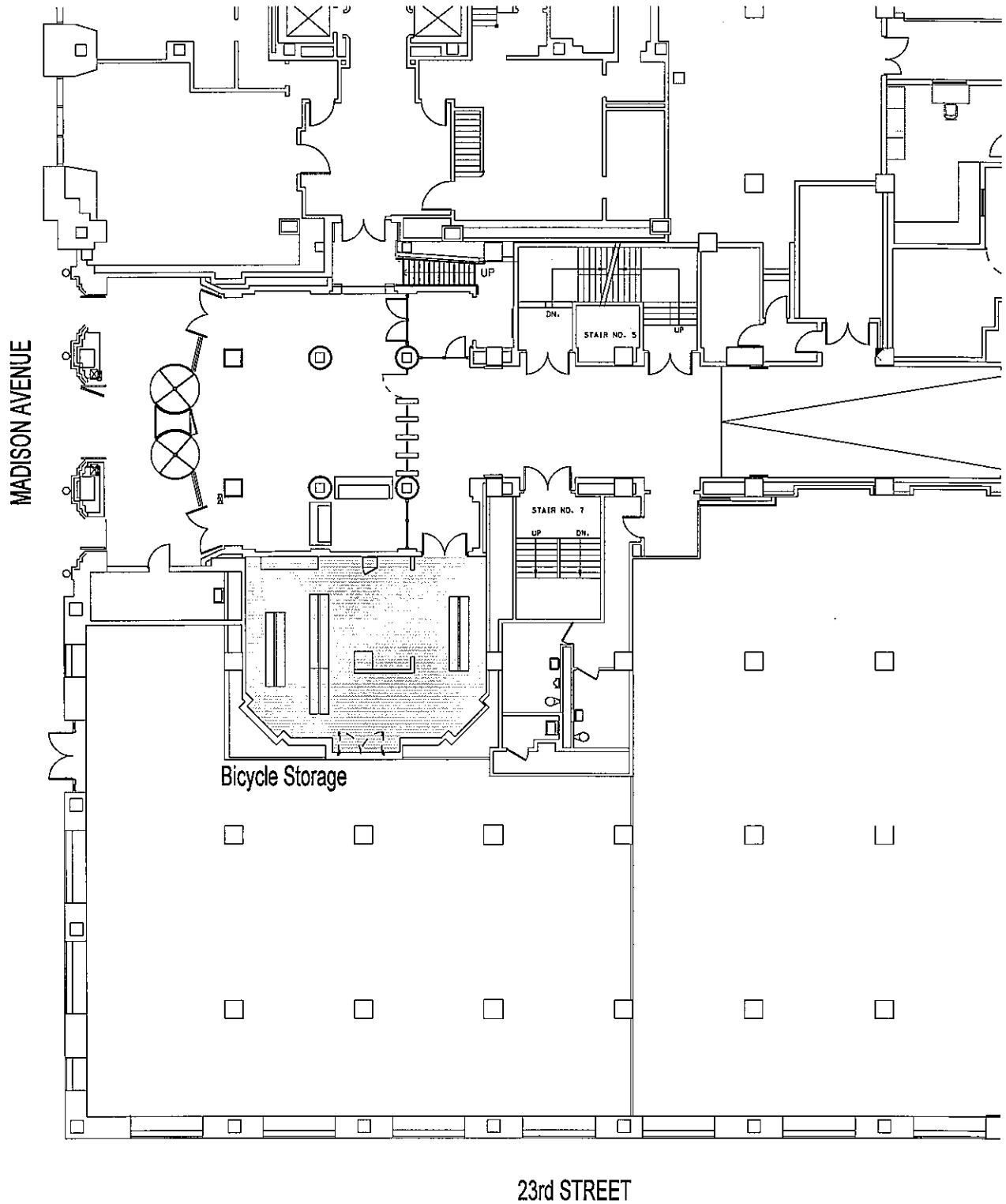
We look forward to continuing to partner with the City Council and the City of New York and thank you for your time and attention.

For more information contact Mark Madden at (646) 312 – 8549 or mmadden@cemusainc.com

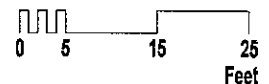
**Testimony of Beth Winters, Director, Head of Building Services,
Corporate Real Estate and Services, Credit Suisse**

- Credit Suisse created a bike storage room in 2004 in the lobby of One Madison Avenue, adjacent to the Madison Avenue entrance of the building. The room is accessible simply by walking through the front door. Employees show their building access ID cards and their bike storage tag to gain access through the turnstile gate.
 - It can accommodate up to 85 bikes
 - About 35 people use it every day
 - Usage is steadily growing. 15 people sign up on average every month
- Bikers have access to showers in our gym for a nominal fee.
- The bike room, which was formerly used to store art, is a clean, well-lighted space that is simple to maintain.
- The bike room supports Credit Suisse's broader commitment to sustainability, which is reflected in:
 - Being the world's leading financier of, and advisor on, renewable energy projects, including solar, wind and biofuels
 - Carbon-neutrality in Switzerland
 - Additional "green" tools and facilities such as:
 - An ice-cooling air conditioning system at Eleven Madison Avenue, which consumes 30 percent less energy than regular cooling systems
 - A Credit Suisse owned facility in North Carolina that has obtained LEAD certification
- We are taking no position on this bill. Whether bike access and bike rooms will be mandatory in the city is for you to decide. Many other office buildings have less space and fewer resources than Credit Suisse.
- As you consider this legislation, we want to extend an open invitation for Council Members and staff to come by and take a look at the facility. It's something we are proud of at Credit Suisse, and if it can further the common good, so much the better.

December 8, 2008



**Bicycle Storage
Ground Floor**



05 December 2008

CREDIT SUISSE Corporate Real Estate and Services

Bicycle Storage at One Madison Avenue

Guidelines and Procedures

Credit Suisse is providing a Bicycle Storage Facility in New York to help staff members who wish to ride their bicycle to work. The following is a list of guidelines and procedures that will apply to the use of this facility:

- On Monday through Friday, from 7:00 a.m. to 7:00 p.m., you will be required to use the Madison Avenue entrance of OMA to enter or leave the building with a bicycle. At all other times, the mid-block entrance on 24th Street must be used. Bicycles will NOT be allowed in or out of the Park Avenue entrance at any time.
- When you are issued a bicycle identification tag, your employee identification card will automatically be programmed for entry into the bicycle storage facility.
- The bicycle identification tag must be displayed on your bicycle at all times while your bicycle is in storage. Any bikes placed in the storage facility without the proper ID tag will be removed.
- Bicycle racks will be provided but users must provide their own locks and will be responsible for proper securing of their bicycle.
- Credit Suisse will not be responsible for any loss or damage to bicycles while on our premises. (Please read and acknowledge the release below).
- Bicycles may only be stored on a daily basis. Untagged bicycles and bicycles left for more than 48 hours will be removed and, after a reasonable attempt to contact the owner, unclaimed bicycles will be given to charity.
- No scooters, mopeds or other motorized vehicles will be allowed into the storage room.
- Use of the facility will be monitored through the Credit Suisse security system. If you are registered in the program and have not utilized it for more than one year, you will be asked to reacquaint your registration, especially if there is a waiting list.

Registration Information

| | |
|-------------|-------------------------|
| First Name: | ADAM |
| Last Name: | ASANOVIC |
| Title: | |
| Division: | CRES |
| Department: | BUILDING SERV - MIDTOWN |
| Office: | NEW YORK |
| Building: | EMA - 0B1 |
| Phone: | 1 212 538 2995 |

Bicycle Storage at One Madison Avenue

Email: adam.asanovic@credit-suisse.com

Description of Bicycle:

Release and Acknowledgement of Risk

In consideration of the services of Credit Suisse Securities (USA) LLC, their agents, owners, officers, directors, volunteers, participants, employees and all other persons or entities acting in any capacity on their behalf (the "Indemnified Parties") I hereby agree to release, indemnify, and discharge the Indemnified Parties, on behalf of myself, my children, my parents, my heirs, assigns, personal representative and estate as follows:

- I hereby voluntarily release, forever discharge, and agree to indemnify and hold harmless Credit Suisse Securities (USA) LLC and the Indemnified Parties from any and all claims, demands, or causes of action, which are in any way connected with my participation in this program including, but not limited to, loss or damage to any bicycles.

I have had sufficient opportunity to read this document. I have read and understood it, and I agree to be bound by its terms.

[Submit Registration](#)

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Application owner Building Services

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December 8th, 2008

Attention: Committee on Transportation/Committee on Consumer Affairs

Councilmembers, thank you for inviting me to testify about this important initiative to improve bicycle access and storage in buildings. My name is Sabrina Lau, and I work as an urban planner in an office at Broadway and Houston.

When I was hired, the first question I asked was not about my 401K or health care plan, but, "does the building have secure bicycle parking?" As an avid cyclist in Berlin and Toronto, I was well aware of NYC's record on bicycle theft and well acquainted with the convenience of having a safe, dry place to store your bicycle at home and at work. The answer was a sympathetic negative; however, other office cyclists had recently started a petition to lobby the building's owner for a change in bicycle policy.

Currently, bicycles are banned from entering the building; however, strollers and dogs are freely permitted. The explanation was that bicycles would cause damage to the elevators and hallways, and could not even be brought upstairs in the freight elevator for storage in individual offices.

My colleagues and I knocked on every door of our eight-story building, and asked the tenant if they would be interested in signing a petition to allow bicycle access. The response was overwhelming; people were knocking over their chairs in their rush to grab our letter and give it to their company head. We heard stories of bike theft and vandalism, offers of help and testimonials, stories of potential bicycle commuters that cited bicycle storage as their limiting factor, and stories of potential lease-holders that backed out at the lack of bicycle storage in the building. The emotion and enthusiasm we encountered was infectious, and we eventually submitted a letter outlining the sound business and environmental rationale for providing secure bicycle parking. In the entire building, we found only one dissenter; this letter was signed by the heads of 41 tenants in the building, including the 3 largest tenants and the large ground-floor retail anchor tenants.

In January of this year, we received a response from the building owners stating, "in the best interests of the physicality of the building and the continued safety of the tenancy, we remain committed to the prohibition of bicycles...allowing the bicycles into the property would have negative impacts on our insurance rates on both the property damage, as well as, liability sides."

We continued to propose new solutions or compromises to address our building owner's concerns. The legal counsel for Transportation Alternatives spoke with our building owners regarding their misinformation on their insurance rates. We provided examples of other buildings in NYC that successfully implemented bicycle storage facilities. We showed them letters written by the DOT commissioner and the president of the Real Estate Board of New York, extolling the virtues of voluntary compliance. In each and every instance, we were told, "we will never allow bicycles inside our building, unless required to by law."

And that is why I am here today. Councilmembers, commuter cycling should not continue to be viewed as a marginal, renegade activity. It is the most convenient, healthy, and environmentally-friendly way to travel around the city. Examples in Europe and Asia have shown it can be equally accessible to all ages, income levels, and backgrounds. At a time when our roads are horribly congested with vehicles, and our transit system is overburdened and underfunded, commuter cycling must become a viable option to a much greater portion of the population. Such regressive policies such as the one my building has towards bicycles must be changed. My struggles with my building owner have shown that voluntary compliance will not be sufficient.

Thank you,
Sabrina Lau

**Testimony of Adam Mansky before City Council Transportation Committee
on behalf of The Bicycle Access Bill Intro 38
December 8, 2008**

Thank you for letting me to speak today. I'd also like to thank Council members Yassky and Brewer for sponsoring this important legislation. My name is Adam Mansky, and I am a senior director at a New York City-based non-profit. Today, however, I am here, solely in my personal capacity and not on behalf of my non-profit. I am here to speak personally on behalf of the proposed legislation that would require commercial buildings to *permit* tenants to bring bicycles onto the premises.

I am a lifelong New York City resident. I grew up in Manhattan when the notion of biking in the streets was, let's face it, for crazies. I now live in Brooklyn and work at my non-profit's headquarters in the Garment District. About a year and a half ago, after a visit to the bike friendly city of Berlin – where I saw all sorts of people using bikes to get around – I was inspired to try biking to work, for the first time ever.

And that first commute was absolutely terrific. If you've ever traveled the city by bike – especially for commuting – you know how absolutely exhilarating it makes the beginning and ending of each day. And I enjoyed the experience so much that I have become a regular bicycle commuter, traveling the 7 or 8 miles between the home and office three or more times each week – through heat and cold and, okay, well maybe not quite as frequently during 20 degree weather or rainstorms. (While I'm at it, I'd also like to commend the DOT and Transportation Alternatives and the bike lanes they've created - which really is transforming this city - but I'll save that for another hearing some other day.)

In my case, I have to give special credit to my building's owner and manager. My building's owner and manager are green-conscious and they let tenants bring bikes into the building. We use the freight elevator, but when needed, they let us use the passenger elevators. Recently, they did something even better – they installed a bike rack in the corner of the busy freight entrance lobby, and now I can chain my bike up and know that it's safe and sound. It would be great if all or even many buildings had such forward-thinking management. Unfortunately, we're here today because that isn't the case; as you know, very, very few buildings let tenants bring their bicycles on premises.

It is because my building allows me to bring my bicycle onto the premises that I have become a regular bike commuter. And by becoming a bike commuter, I've done my bit to reduce my carbon footprint, increase my health and reduce subway crowding during morning commute time. I've even convinced three of my colleagues to become periodic commuters – a nice little multiplier effect.

My bike is not fancy or expensive by any means – but there is absolutely no way that I would have continued commuting if I had to chain my bicycle outside. Honestly. And here's why: A few weeks after I began bike commuting, I was so excited about it, that I told a friend about it. My friend, a senior magazine editor, had just gotten a brand new,

shiny and rather expensive bicycle. I was so compelling (or maybe maniacal) about commuting that I convinced her to take her new bike on its very first ride – to her office in Midtown. She showed up at her office, the facilities manager refused to let her bring her bike into the building, and she chained it up outside. Needless to say, that was the last time she ever saw her bike – it was stolen that day. And of course, that was also her last bike commute.

Anyhow, thank you for your time.

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Name: Elizabeth Winter

Address: _____

I represent: Credit Suisse

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Name: Paul S. White

Address: ~~27 W 20th St #1002 NY NY 10011~~

I represent: T. J. White 11th Ave

Address: 127 W 20th St #1002 NY NY 10011

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Date: DEC 8, 2008

(PLEASE PRINT)

Name: LYNETTE CHIANG

Address: 445 W 19th St Apt 5A NY

I represent: FOLDING BICYCLE MANUFACTURERS

Address: AND BIKE FRIDAY (GREEN GEAR CYCLING)

3364 W 11th Ave EUGENE, OR, 97402

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Name: Kristine Kern

Address: 7 WTC NY NY

I represent: Manusct Ventures

Address: 7 WTC NY NY 1007

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Name: BERTHE

Address: 348 W 38th NY NY 10018

I represent: CH&PEDS

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Name: Sylvestre Giustino

Address: 11 Penn Plaza

I represent: BOMA NY

Address: _____

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Name: Sholom Brody
Address: 1652 E 23rd Street, Brooklyn, NY 11229
I represent: Brooklyn comitee of Transportation Alternatives
Address: _____

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Date: 12/8/08

(PLEASE PRINT)

Name: CHRISTOPHER GOODE
Address: 176 GRAND ST
I represent: CHRISTOPHER GOODE
Address: 176 GRAND ST

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Name: Alex Herzan
Address: 300 CENTRAL PARK WEST
I represent: Myself
Address: _____

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Date: DEC. 9, 2008

(PLEASE PRINT)

Name: WALTER C. HOUSTON

Address: 419 E. 93RD ST, #1C, NY, NY 10128

I represent: LDC OF THE WEST BRONX

Address: 1219 JEROME AVE, Bx, NY 10452

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Date: 12-8-08

(PLEASE PRINT)

Name: Janet Liff

Address: 11 5th Avenue, 9th, NYC, 10003

I represent: J. Liff Co.

Address: 11 5th Avenue 9th NYC, 10003

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Date: 12/5/08

(PLEASE PRINT)

Name: Jillian Smith

Address: 592 6th Ave Apt 2 Brooklyn, NY 11215

I represent: ~~XXXXXXXXXX~~ self

Address: _____

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THE CITY OF NEW YORK**

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in favor in opposition

Date: _____

(PLEASE PRINT)

Name: BONNIE CAMPBELL

Address: 45 MAIN ST. 602, BROOKLYN NY

I represent: TWO TEEN

Address: same

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Appearance Card

I intend to appear and speak on Int. No. 38 Res. No. _____

in favor in opposition

Date: 11/8/08

(PLEASE PRINT)

Name: ADAM MANSKY

Address: 720 UNION STREET, BROOKLYN NY 11215

I represent: self

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in favor in opposition

Date: 12/8/2008

(PLEASE PRINT)

Name: JOSHUA DAVID

Address: 354 W. 21ST STREET NYC

I represent: _____

Address: _____

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in favor in opposition

Date: 12/8/2008

(PLEASE PRINT)

Name: Kyle Wiswall

Address: 350 W. 31st St. Suite 802, NY, NY 10001

I represent: Tri-State Transportation Campaign

Address: Same as above

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Name: Sabrina Lau

Address: 500 Washington Avenue Apt 64 Brooklyn

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Date: Dec 8, 2008

(PLEASE PRINT)

Name: David Rendsburg

Address: 78 Manhattan Ave # 3F, NY NY 10025

I represent: Hazon

Address: 43 West 36th, 8th Fl, NY, NY 10018

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in favor in opposition

Date: 12/8/08

(PLEASE PRINT)

Name: Janette, Sadik-Khan

Address: Commissioner 007

I represent: 40 W 4th Street

1st in line to testify **THE COUNCIL** 12 48 pm
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in favor in opposition

Date: 12/8/08

(PLEASE PRINT)

Name: ALICE F. LA BRIE

Address: HARLEM-101 W 147th ST #18A NY 10039

I represent: MYSELF AS CITIZEN TAXPAYER

Address: 212 283-2944 THANK YOU

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THE CITY OF NEW YORK**

Appearance Card

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in favor in opposition

Date: 12/8/08

(PLEASE PRINT)

Name: Rohit T. Aggarwala Director

Address: 253 Broadway, 10th Floor, NY NY 10007

I represent: Mayor's Office of Long-Term Planning &

Address: Sustainability

11/2 PM

THE COUNCIL THE CITY OF NEW YORK

Appearance Card



I intend to appear and speak on Int. No. 720871 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: MAROLYN DAUENPORT

Address: 570 Lexington Ave

I represent: REAL ESTATE BOARD OF N.Y.

Address: 570 Lexington Ave

◆ Please complete this card and return to the Sergeant-at-Arms ◆

(PLEASE PRINT)

Name: Mark Madden

Address: _____

I represent: Cemusa

Address: _____

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I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 12/8/00

(PLEASE PRINT)

Name: HOWARD SLARKIN

Address: DEP. DIRECTOR OF STRATEGIC PLANNING

I represent: NYC. DEPT. OF CITY PLANNING

Address: 22 REXBEE ST

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I intend to appear and speak on Int. No. 71 Res. No. _____

in favor in opposition

Date: 12/6

(PLEASE PRINT)

Name: JOSH NACHOW

Address: 50 13th St

I represent: NY LCV

Address: _____

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