



Manhattan Community Board One
Manhattan Community Board Four
Manhattan Community Board Five

Monday, June 12, 2023

To: New York City Department of Transportation ("DOT")

Subject: Street Furniture Franchise Agreement Extension and Additional APTs

On behalf of the Public Bathroom Working Group, a coalition of community boards working to improve NYC's public bathroom system, we are writing in support of the proposed amendment to the street furniture franchise agreement (the "Agreement") between the City of New York and JCDecaux Street Furniture New York, LLC specifically to extend the term of the Agreement by five years and incorporate additional rights and responsibilities, including, without limitation, an increase in the overall number of Automatic Public Toilets ("APT") that the Company may install, maintain and operate.

We are excited to hear that the DOT will have a total of 35 APTs with advanced technology as part of the extension of this contract, which consists of 20 additional APTs and 15 new APTs replacing the existing ones in storage. Our working group has been studying automated public toilets and the challenge the city has had siting them, as well as the needs of our public bathroom system. We have the following recommendations for the Department of Transportation ("DOT") regarding the APT units:

- 1. Amendment to Siting Requirements** - Given all the competition for space in our public realm, which has been made more challenging with the Open Restaurants Program, and the new technology used in the APTs, we ask the DOT to consider placing them in the roadbed on streets that are permanently closed Open Streets and in the neighborhood plazas created through the NYC Plaza Program.
- 2. Update to Exterior Cladding** - The stainless steel and glass exterior of these units has been an issue in siting. For instance, the PDC has rejected these units in certain locations because the commission thought that the APTs' appearance was inconsistent with the surrounding built environment. The exterior cladding of the APTs should have options for different locations or be designed so that it is appropriate for all locations in the city. Neighborhoods that have landmark or historic structures should not be restricted from having access to this city amenity. Berlin has APTs clad in light beige masonry panels that might be more appropriate than what has been approved in NYC. We ask DOT to work with PDC to look at the design across the 28 cities that JCDecaux serves including Sweden, which has a variety of exterior cladding, to find a better solution for NYC's APTs.

3. **Siting Timeline** - In the original contract, the 20 APTs were supposed to be installed within the first 2 years of the 20 year contract, but instead only five were ever installed. We ask the city to schedule the installation of the 35 APTs within the first 3-4 years of the remaining 8 years of the contract once this extension is approved. We cannot wait for these toilets to be installed with the incredible need for public bathrooms in our city.
4. **Review Process, Transparency and Community Input** - We ask the city to revisit and streamline the current approval process for APTs which requires six levels of approval for each unit: DOT, the Department of Buildings, Public Design Commission, the local Community Board, local Council Member and the Mayor. While we want to expedite the siting process, we believe that community input is important, and hope that the DOT will engage with community boards and the public bathroom working group more regularly on APTs going forward. Our public bathroom working group provided the DOT with potential sites to consider in 2021 and are still awaiting feedback on these sites. We understand the City was dealing with the pandemic and staff shortage. Further, we do not know what sites the city has considered since 2006 when the initial contract was signed. We look forward to reviewing the public bathroom sites that DOT and the Department of Parks and Recreation are proposing as part of Intro 0258/LL114. We suggest that sites that have been proposed or will be proposed for APTs be posted on a website similar to ULURP application postings by the Department of City Planning on the [Zoning Application Portal](#) so that the community may review and follow.
5. **Sustainability** - To further NYC's sustainability goals and in keeping with the City of Yes initiatives, we ask that these units have low-flow plumbing fixtures, LED light fixtures and be composed of low carbon materials and incorporate solar panels where possible.
6. **Service Contract** - We ask that the revenues generated from this franchise be used to service NYC public bathrooms and suggest that JCDecaux provide a full time attendant for neighborhoods that request one. In San Francisco, the APTs are paired with the Pit Stop Program where JCDecaux pays a local non-profit to provide a full time attendant/ambassador at each APT to create a welcoming amenity for the neighborhood. This program would also create jobs for local neighborhoods.
7. **Hours of operation** - Currently the APTs are open from 8am to 8pm with JCDecaux servicing the unit at the beginning of the day and at the end of the day. We ask the hours of operation be extended from 7am to 11pm. For units without full time attendants, we ask that someone check the unit in the middle of the day to make sure there are no issues that would prevent the use of the unit.
8. **Maps and wayfinding** - We ask JCDecaux to provide wayfinding as they do in several other cities so that residents and tourists can see online which toilets are in or out of service and where the units are located.

9. **No Cost Units** - We ask these units to be free as they are in many cities operated by JCDecaux. If they cannot be made free, we ask that residents and tourists can pay for them using cell phones and that tokens be provided for users who need them. Bathrooms are required to allow people to address a basic human need so requiring access to coins defeats the intended public health purpose.
10. **Other amenities** - We ask that DOT consider amenities that could be combined with the APTs to make it as efficient, inclusive and user friendly as possible. We ask DOT to site bicycle racks near the units or work with JCDecaux to modify the units to include racks on the side. Our delivery workers and other cyclists often need to look out for each other's bicycles because racks are not sited adjacent to this amenity. We also need changing tables for families with children and ask that the units be designed to include them.

The public bathroom working group is looking for solutions to improve NYC's public bathroom system across agencies and look forward to helping DOT in siting and improving the use of the Automated Public Toilets. We are disappointed by the lack of public engagement on the street furniture agreement extension and strongly urge the DOT to include us and our community boards on any changes to APTs in the future.

Thank you for the opportunity to testify.



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