

April 10, 2019 Budget Hearing on Events DC
testimony of Marcia Bernbaum,
Mentor & Advisor to the PFFC Downtown DC Public Restroom Initiative

Committee Chair Mendelson; members of the Committee of the Whole; Events DC President & CEO O'Dell,

My name is Marcia Bernbaum. I serve as mentor and advisor to the People for Fairness Coalition (PFFC) Downtown DC Public Restroom Initiative. I am testifying today to request the assistance of the DC Council in identifying \$336,000 in its FY 2020 markup to be used for first year funding for two public restroom pilots.

In December 2018 the Committee of the Whole passed Bill 22-0223, Public Restroom Facilities Installation and Promotion Act of 2019 with two unanimous voice votes ¹. This Bill, estimated to become law tomorrow, calls for an Interagency Working Group to be formed and tasked with determining the feasibility of and recommending two public restrooms pilots in areas of DC with high levels of foot traffic.

1. Install and maintain two clean, safe stand-alone public restroom available 24/7
2. Pilot, through one BID, a program to provide incentives to businesses to open their restrooms to the public.

Bill 22-0223 was inspired by our research. The guidelines included for selecting the two pilots are based on lessons learned and best practices that we identified in cities in the US and elsewhere that have, in recent years, been successful in installing clean, safe public restrooms.² The Financial Impact Statement (FIS) estimates the costs of the pilots, over a four-year period, to be \$722,000. First year expenses are estimated to be \$336,000, which includes up front funding of \$350,000 to cover the costs of purchasing and installing two stand-alone public restrooms.³).

To our disappointment, the Mayor did not set aside in her FY 2020 budget the funds needed for the first year of the public restroom pilots. Unless the DC Council is able to identify and set aside \$336,000 for this purpose in its FY 2020 markup, this law will remain on the books with no action taken.

While everyone needs access to clean, safe public restrooms when nature calls, I would like to focus the remainder of this testimony on how tourists and individuals attending major events/conventions benefit from ready access to clean, safe public restrooms.

¹ Attachment 1, pg. 5, provides highlights of Bill 22-0223.

² Attachment 2, pgs. 6 – 8, provides the 3 public restroom options we identified along with criteria for siting stand-alone public restrooms

³ Attachment 3, pg. 9, provides the table from the FIS which details cost estimates by year.

Tourists/people attending conventions need access to clean, safe public restrooms when nature calls

In 2017 an estimated 22 million people from elsewhere in the US and around the world visited Washington DC. Some came just for purposes of tourism. Others came to combine visiting families living in/near DC with tourism. Others came for a specific event (for example the Cherry Blossom Festival, the Smithsonian Folklife Festival, a high profile sports game) and stayed on to do additional tourism. Still others added one or more days of tourism to their attendance at one of the numerous conventions held in DC.

Assuming each tourist spends one day in DC and dividing 22 million by 365 days in the year makes for an average of 65,000 tourists a day. Each of these individual will need access at least 2/3 times on a given day to a clean, safe public restroom. This number will go up dramatically during key events, such as the Cherry Blossom Festival, take place.

This does not count the several hundred thousands DC residents who, on a given, day go to and from work on a bus or metro and urgently needing access to a restrooms; the thousands of shoppers; and the thousands of people exercising (jogging, biking, running, visiting parks), not to mention the many people experiencing homelessness.

And, yet.....off the Mall in downtown DC there are only 5 public restrooms open during the day (most with limited hours), and two open 25/7 (the Lincoln & Jefferson Memorials which are out of the way).⁴ Businesses are increasingly limiting access to customers only. And to make matters even more challenging, especially since most tourists don't know our city, there is not an interactive website that they can access, when the urge comes, to identify a public restroom available nearby.

Those, who have the money and are willing to pay for a coffee or a drink, can access a restroom in a business that limits restroom access to customers only. And there are some – who being well dressed and of Caucasian appearance -- may be granted access to a restroom that limits access to patrons.

However, what about the tourists who don't have funds to purchase something? What about people visiting DC from Africa who have dark skin and wear outfits that some find strange? And what about tourists from the Middle East and Asia, who look "different", with varying shades of skin, and "strange" outfits?

European and Asian Capitals "got it". Why can't we?

As a resident of our Nation's Capital who has spent most of her career working overseas and who has travelled extensively as a tourist, I find it curious and disturbing that we are so far behind capitals and other large cities in Europe and Asia. These cities, recognizing the need for ready access to clean, safe public restrooms for personal and public health, have taken steps to make them available in

⁴ DC's main tourism website used to say that off the Mall tourists could expect to find very few public restrooms.

areas where they are needed with interactive apps/website to let you know where they are nearby, their hours, and characteristics.

To provide an example: The City of London is one square mile. Like downtown DC it is a hub for tourism, entertainment, and where people commute daily to go to their offices. It has an app and a website which shows the locations, hours, and characteristics of its: 8 attended public restrooms open 8 am to 8 pm; 8 stand-alone public restrooms open 24/7; 70+ businesses that through their participation in the Community Toilet Scheme make their restrooms available to the public during the hours they are open; and 4 urinals that come up in the pub district at night.⁵

In 2015, before Bill 22-0223 was introduced, and again in late 2018, when Bill 22-0223 was going to the Council of the Whole floor, we issued two petitions and received over 2,000 signatures requesting that DC increase the number of clean, safe public restroom. Many wrote comments indicating, from a variety of perspectives, why they believe DC needs more clean, safe public restrooms.

Listed below are comments made by six petition signers who focus the topic of tourism, comparing DC unfavorably with other capitals (more are provided in Attachment 4, pg. 10).

"I have recently returned from a trip to Europe and was reminded how backward the US is in regard to public restrooms."

"I truly think this is a real necessity in any city but particularly a city where tourism is a big part of the economy. I've always been impressed when I've traveled to Europe on the availability of clean and often staffed public restrooms. They are either free or cost very little".

"As I'm returning from a trip in Europe, those countries put us to shame with their public restroom access. You shouldn't need to buy something to have access to restrooms. Let's be the first class city I know we are"

"I've traveled a lot in Europe and really know the value of public restrooms (WC's). They're not just civilized; they're an essential human need!

"I have seen and admired public restrooms in other countries and wondered why they aren't more common in the U.S.; they make even more sense in a city like D.C. that hosts so many visitors and outdoor events."

"We must have public access bathrooms! Why is it so hard to provide our visitors and residents with the dignity of a safe place to relieve themselves. It's shameful that we are unable to provide this service as the Nation's capital."

So....when is our Nation's Capital also going to do "the right thing"?

Everyone in and about DC on a given day will need to go at some point: while sightseeing; shopping; jogging, running or walking. For individuals who are restroom challenged (people with bowel incontinence, individuals with crohn's and colitis disease, with diabetes, taking blood pressure medication which is a diuretic, the elderly whose bladders become smaller with age, women who are

⁵https://www.mapping.cityoflondon.gov.uk/geocortex/mapping/?viewer=compass&runworkflowbyid=Switch_layer_themes&LayerTheme=Show%20the%20Toilets%20layers

pregnant or who are menstruating -- which includes DC residents and tourists) it is particularly urgent to be able to find a restroom nearby, as when nature calls they urgently need to go.

Businesses also benefit from having clean, safe public restrooms nearby: less poop to scoop in front of their establishments early in the morning; fewer people asking to use their restrooms; more people who are restrooms challenged and/or who are tourists who will come to the area knowing there is a clean, safe public restroom nearby.

We have been told by many people we talk to that that piloting options for increasing public restroom access in commercial areas of DC is a “no brainer”, that it is a “win-win”.

We are convinced that setting aside \$336,000 in the City Council’s FY 2020 markup (of which \$230,000 is front loaded for purchasing/installing two stand-alone public restrooms) is a good investment with immediate and long-term trade-offs: for health, tourism, business, people experiencing homelessness. We are hoping we can convince the Council of the Whole, when it votes in the DC Council’s FY 2020 markup to include this funding for the first year of the public restroom pilots.

Thank you for giving me this opportunity to testify. I look forward to answering any questions you might have.

Attachments to this testimony:

1. Highlights of Bill 22-0223
2. A table with estimated costs for implementing Bill 22-0223 included in the FIS
3. Three public restroom options (including the Portland Loo and CTS) along with lessons learned from cities that have successfully installed and maintained clean, safe public restrooms; along with three restroom options.
4. Comments from individuals signing our petitions who point out that European and Asian capitals have clean, safe public restrooms readily available but DC does not.
5. Resolutions from 11 ANCs and endorsement from 25 organizations supporting more clean, safe public restrooms in DC/Bill 22-0223

ATTACHMENT 1

Highlights of Bill 22-0223, Public Restroom Facilities Installation & Promotion Act of 2018

Directs the DC government to establish a Working group to explore solutions to the lack of public restrooms in downtown DC. Working Group to consist of DC Water, DPW, DDOT, DGS, DPR, DOH & DHS, MPD, DMPED and five non-governmental representatives: two from DC nonprofits that address homeless issues, one non-profit with a focus on issues affecting seniors, one nonprofit with a focus on public health, and one individual with expertise in urban planning.

Action begins with having BIDs, ANCs, and other community organizations submit information on areas within their jurisdictions where they consider that there is a need for public restrooms.

With this information in hand, the working group is formed and tasked with proposing the number and type of public restroom facilities, if any, that would best serve the District's needs.

Recommends two pilot programs:

1. Install and maintain two stand-alone public restrooms open 24/7 in high need locations in the District (providing opportunities, once the sites are selected, for public comment with the ANC in the area where the restroom is to be installed to vote on its installation);
2. Create a program to provide financial incentives to businesses in a selected Business Improvement District to open their restrooms to the public.

Charges the MPD with collecting information on police reports at/near the restrooms and the nature of the reports. At the end of the first year the Mayor shall report to the Council on the actual annual costs of installing, maintaining, policing, and repairing the public restroom facilities.

MPD monitoring information and report to be used to decide whether to continue and/or expand one or both pilot programs.

ATTACHMENT 2

Estimated Implementation costs for Bill 22-0223⁶

Public Restroom Facilities Installation and Promotion Act of 2018 Bill 22-223 Implementation Costs Fiscal Year 2019 - Fiscal Year 2022 (\$000s)					
	FY 2019	FY 2020	FY 2021	FY 2022	Total
Two Facility Pilot ^a					
Purchase and Installation	\$270	\$0	\$0	\$0	\$270
Maintenance	\$0	\$24	\$24	\$24	\$72
Staff	\$0	\$40	\$43	\$45	\$128
Total Facility Pilot Costs	\$270	\$64	\$67	\$69	\$470
Community Restroom Incentive Pilot Program					
Financial Incentive	\$60	\$60	\$60	\$60	\$240
Signage Costs	\$6	\$2	\$2	\$2	\$12
Total Program Costs	\$66	\$62	\$62	\$62	\$252
Total Implementation Costs	\$336	\$126	\$129	\$131	\$722

Table Notes

^a Analysis assumes that the two facilities will be installed by the end of fiscal year 2019 and become operational beginning in fiscal year 2020.

⁶ Taken from Fiscal Impact Statement for Bill22-0223 dated Oct. 28, 2018

ATTACHMENT 3

Lessons Learned/Best Practices from Cities that have Successfully Installed and Maintained Clean, Safe Stand-Alone Public Restrooms

Key considerations in selecting site for stand-alone public restroom

1. Located in visible area
2. High level of pedestrian traffic
3. Input and support from the surrounding community (ANCs, community associations, businesses)
4. Near water and sewer facilities,
5. Provisions in place for community, business, and police monitoring.

Key considerations in selecting appropriate stand-alone public restroom model

1. Designed with safety considerations in mind
2. Includes provisions to discourage illicit use
3. Encourages users to spend a limited amount of time in the facility in order to maximize restroom use
4. Kept clean
5. Reasonable in price
6. Easy to maintain
7. Arranging for signs for users to identify restrooms locations

Three Public Restroom Options

PORTLAND LOO⁷ (size of a parking space)



www.portlandloo.com

Designed using crime prevention measures to avoid being used for illicit activities and for easy maintenance.

Installed and successfully maintained in 28 cities in US and Canada; number of cities in US & growing.

Attractive
Open 24/7
Clean
Safe

\$94,000 purchase/transport.
\$32,000 - \$38,000 installation if close to water/sewer lines
\$12,000 - \$20,000/yr. maintenance

AUTOMATED PUBLIC TOILET (size of a parking space)



<https://en.wikipedia.org/wiki/Sanisette>

Found in New York City, San Francisco, many cities in Europe & Asia

Attractive
Open 24/7
Clean, issues in some locations
Safety issues in some locations

\$250,000 - \$1,000,000 purchase
\$25,000 - \$35,000 installation if close to water/sewer lines
\$100,000 - \$150,000/yr. maintenance

⁷ Preferred by PFFC Downtown DC Public Restroom Initiative based on research on lessons learned/best practices elsewhere: designed using crime prevention measures (louvers so can see and hear what is happening inside, lighting inside and outside at night, blue light to discourage needle use), lower cost to install and maintain (utilities are solar powered, 1.25-gallon flush, easier to keep clean., maximizes use by not having hand wash on outside.

LONDON COMMUNITY TOILET SCHEME



[https://www.cityoflondon.gov.uk/services/transport-and-streets/clean-streets/Pages/Community-Toilet-Scheme-\(CTS\).aspx](https://www.cityoflondon.gov.uk/services/transport-and-streets/clean-streets/Pages/Community-Toilet-Scheme-(CTS).aspx)

Government provides a financial incentive (600 Euro/year) to private businesses to make their toilets available to public

Businesses display special stickers in their windows

Signs indicate where they are located

75 participating businesses in downtown London borough.

In use in other cities in England, Germany, and throughout Australia

ATTACHMENT 4

Sample of Comments from 2,000 signed petitions focusing on why needs increased access to clean, safe public restrooms is needed for tourists visiting DC

“I have recently returned from a trip to Europe and was reminded how backward the US is in regard to public restrooms.”

“I truly think this is a real necessity in any city but particularly a city where tourism is a big part of the economy. I've always been impressed when I've traveled to Europe on the availability of clean and often staffed public restrooms. They are either free or cost very little”.

“Civilized countries have public restrooms readily available in their cities. I am a senior male with BPH, and often have to "go" suddenly when out and about in DC. I should not have to feel obligated to purchase something in a coffee house or restaurant simply because I need to relieve myself!”

“Washington has more visitors than any US city. The least we can offer them is public restrooms.”

“I recently returned from a trip in Tibet and Nepal -- where they had Public Toilets in large cities and even small towns. Yet, here in my hometown, there are no places for people to relieve themselves unless they crash a business, and that assumes they are dressed or wealthy enough to appear to be customers. DC fails behind third-world countries. It's time to treat our citizens well, and show a proper welcome to tourists.”

“As I' returning from a trip in Europe, those countries put us to shame with their public restroom-access. You shouldn't need to buy something to have access to restrooms. Let's be the first class city I know you are”?

“With all the tourist visiting here, Washington should have public restrooms downtown like other capital cities around the world.”

“Providing clean 24/7 public facilities gives dignity to those who may not have access to other bathrooms, helps with tourism congestion during the high tourists season and helps keep the busier part of the city healthier and cleaner.”

“I've travelled a lot in Europe and really know the value of public restrooms ((“WCs”). They're not just civilized; they're an essential human need.”

“I have seen and admired public restrooms in other countries and wondered why they aren't more common in the U.S.; they make even more sense in a city like D.C. that hosts so many visitors and outdoor events.”

“Washington DC is an international, metropolitan city, it is unconscionable that citizens and visitors do not have easy and inexpensive access to clean, safe restrooms. This is long due, the options as presented in Bill 22-0223 are certainly well w/in the aesthetics of the city.”

“We must pass Bill 22-0223 to secure the health and dignity of our city’s residents, workers, and tourists. Everyone deserves access to a public restroom when nature calls!”

“European cities make rest room facilities available. Residents, visitors, etc should have access to easily identified, safe and clean toilet facilities!”

“I lived in Japan for several years and one of the things I appreciated about their urban infrastructure was the ubiquity of clean public restrooms. We need more public restrooms. Please vote for more public restrooms the improve the quality and character of the District.”

“My hometown of Paris has done a 180 on this that has been very helpful for broad swaths of the population and for tourists. DC can lead the way in the US!”

“We must have public access bathrooms! Why is it so hard to provide our visitors and residents with the dignity of a safe place to relieve themselves. It's shameful that we are unable to provide this service as the Nation's capital.”

ATTACHMENT 5
RESOLUTIONS & SUPPORT FOR
PFFC Downtown DC Public Restroom Initiative & Bill 22-0223
Public Restroom Facilities Installation & Promotion Act of 2017

Support for Public Restroom Access in DC ⁸

- Downtown DC BID
- Georgetown BID
- Capitol Hill BID

Resolutions

ANCs:

- ANC1A (Columbia Heights & Park View)
- ANC1B (14th St & U St corridors)
- ANC1C (Columbia Rd & 18th St corridor)
- ANC2A (Foggy Bottom)
- ANC2B (Dupont Circle and surroundings)
- ANC2C (Logan Circle and surroundings)
- ANC2F (Gallery Place and surroundings)
- ANC3C (Cleveland Park Woodley Park, Cathedral Heights)
- ANC3D (Spring Valley and Palisades)
- ANC3E (Tenleytown, AU Park, Friendship Heights)
- ANC3F (Vanness, North Cleveland Park)
- ANC5E (Bloomingdale, Brookland, Edgewood)
- ANC8D (Bellevue and surroundings)

Endorsements

Churches

- Foundry United Methodist Church
- Friends Meeting of Washington DC
- Church of the Epiphany
- Western Presbyterian Church

Organizations that support the underserved/social justice

- DC Fiscal Policy Institute (DCFPI)
- Jews United for Justice
- Washington Legal Clinic for the Homeless

⁸ The BIDs cannot formally endorse either the Downtown DC Public Restroom Initiative or a Bill. However, they can support public restroom access for all members of the Downtown DC community to support a higher quality life for our residents, workers and guests.

- Fair Budget Coalition
- Crohn's & Colitis Foundation
- Collective Action for Safe Spaces (CASS)
- Coalition for Non-profit Housing and Economic Development (CNHED)
- Miriams Kitchen
- Pathways to Housing DC
- National Coalition for the Homeless
- Catholic Charities
- The DC Center
- Community of Hope

Other

- Food & Friends
- Greater Greater Washington
- Washington Area Bicyclist Association (WABA)
- Potomac Communications Group
- DC Statehood Green Party
- Dupont Circle Citizens Association
- Foggy Bottom Citizens Association
- Dupont Circle Village