


Government of the District of Columbia
Office of the Chief Financial Officer



Jeffrey S. DeWitt
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Jeffrey S. DeWitt
Chief Financial Officer 

DATE: October 31, 2018

SUBJECT: Fiscal Impact Statement – Public Restroom Facilities Installation and Promotion Act of 2018

REFERENCE: Bill 22-223, Draft Committee Print as shared with the Office of Revenue Analysis on October 25, 2018

Conclusion

Funds are not sufficient in the fiscal year 2019 through fiscal year 2022 budget and financial plan to implement the bill. The bill's implementation will cost \$336,000 in fiscal year 2019 and \$722,000 over the four-year financial plan period.

Background

The bill requires the Mayor to solicit recommendations from Business Improvement Districts (BIDs) in the District about locations where a public restroom facility could be located and review its own internal records about locations where ten or more requests have been made to clean human feces or urine in the six months prior to the bill's effective date. The Mayor should provide this information to the bill's newly established eight-member working group¹ to study and make recommendations about the need for publicly accessible restrooms in the District. The working group should meet monthly and, after five months, transmit its recommendations to the Mayor and the Council. The working group should include the following in its report:

- Whether the District should install and maintain public restroom facilities;
- The number and type, if any, that would best serve the District; and
- Two sites to host public restroom facilities as a pilot program.

¹ The working group includes the director or director's designee of DC Water, the District Department of Transportation, the Department of General Services, the Department of Human Services, the Deputy Mayor for Planning and Economic Development, the Department of Parks and Recreation, the Metropolitan Police Department, and the Department of Public Works.

The bill outlines what the working group should consider in identifying two pilot locations, including whether the locations were recommended by a BID; pedestrian traffic in the areas; proximity to homeless services; the impact on the surrounding residential and commercial community; the availability of existing publicly accessible restrooms; and the cost of installing, maintaining, policing, and repairing the facility. The working group should notify the effected Advisory Neighborhood Commissions and solicit a resolution supporting or in opposition to the proposed locations. The Mayor should also post signs near the sites of the proposed pilot locations and provide an opportunity for the public to comment on the proposals. The Mayor should install the two public restroom facilities and, after one year of the pilot program, transmit a report to the Council that details the costs of installing and maintaining the facilities² and any changes in the number and type of police reports filed in the areas of the pilot locations.

The bill also requires the Mayor to establish a Community Restroom Incentive Pilot Program (Program). The Program would select one BID that would in turn work with businesses within its boundaries to make their restrooms publicly available, free of charge, regardless of whether the potential user is a patron of the business. The Mayor would provide signage for each business that participates and funding for the incentive component of the Program. Any participant that fails to comply with Program rules or denies access to their restroom to any individual must return part or all the financial incentive received under the Program and be barred from future participation in the Program. The Mayor should maintain a publicly available list of participants on its website. As part of the Program, the Metropolitan Police Department should also annually report, beginning two years after the Program's launch, on changes in the number and types of police reports filed within the BID. The Mayor should also annually report on the number of participants and the costs of the Program.

Financial Plan Impact

Funds are not sufficient in the fiscal year 2019 through fiscal year 2022 budget and financial plan to implement the bill. The bill's implementation will cost \$336,000 in fiscal year 2019 and \$722,000 over the four-year financial plan period.

The bill requires the Mayor to install two public restroom facilities in the District under a pilot program, regardless of whether the working group recommends these facilities as a solution for the District. In testing through a pilot program, we expect the District would test a common and affordable facility to see whether facilities are altogether viable rather than which type of facility might be more viable. The Portland Loo is a popular model used in approximately twenty-four cities across the United States and Canada that addresses some of the concerns expressed through Executive hearing testimony³ and is considered more affordable than many of the self-cleaning facility options. Two Portland Loos would cost approximately \$270,000 to purchase and install. This solution also requires ongoing maintenance of approximately \$24,000 per year and someone to regularly clean the facility. We assume one custodial staff member would be sufficient to manage and clean the pilot facilities at a cost of \$40,000 beginning in fiscal year 2020 and \$128,000 over the four-year financial plan period.

² The maintenance costs, including any policing costs, should be reported annually thereafter.

³ A hearing on the bill was held on January 10, 2018.

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The Mayor will promulgate regulations to the Program. These programs often involve financial compensation for the businesses that agree to open their restrooms to non-patrons. One District BID testified that compensation of \$1,500 to \$2,000 could be sufficient for some business to participate. The bill selects one BID to participate in the Program and we assume that an incentive amount at \$2,000 per business could attract 30 businesses in a more densely populated BID. The Program will cost \$60,000 annually. The signage that the Mayor is required to produce for the participating businesses will cost \$6,000 in fiscal year 2019 and \$12,000 over the four-year financial plan period. We believe the Mayor could implement the Program with existing staff.

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.