D.C. Pedestrian Advisory Council

Meeting Minutes

July 25, 2016, 6:30 p.m.

441 4th Street NW, Room 1117

Attendees: Sonia Conly, Edward Johnson, Eileen McCarthy, Robin Murphy, Will Stephens, George Tobias, Jessica Tunon, George Branyan (DDOT), Peter Nohrden (DPR), Terry Thorne (MPD), Andrea Adleman (BAC), Michael Alvino (DDOT), Tyon Jones (DC Council), Brent Sisco (DPR).

Start: George Tobias convened the meeting at 6:40 p.m.

Introductions: Attendees introduced themselves.

Public Comments: There were no public comments.

Improving Access to DPR Facilities: Brent Sisco and Peter Nohrden presented an overview of DPR’s projects and work on enhancing accessibility at sites. For 2016 and 2017, they have a budget of about $875,000 to renovate all of their old and dilapidated facilities, many of which have no access for people with disabilities. There are 17 sites in really poor shape and they have started renovations. They are working with architects to determine. They’ve upgraded 5 already and expect to do 5 this Fall and the remaining 7 in 2017. In determining high priorities, they made list which included ensuring access to public toilet rooms, accessible approaches to building entrances, as well as all of the amenities, accessibility to connected sites (e.g. libraries), and access to play areas. As of 2010, all new and renovated facilities are built in compliance with the Americans with Disabilities Act.

Sisco presented more detail concerning the specific projects undertaken, including the Rosedale, Fort Greble, Guy Mason, Sherwood, and Takoma playgrounds, as well as the Upshur Dog Park and Hamilton Recreation Center. Sisco said the DPR Director strongly encourages staff to always think about their work from the point-of-view of someone with a disability. Playground surfaces are a significant issue; currently, engineered wood fiber is considered ADA-compliant, but difficulties in maintenance can render it non-ADA-compliant. They are trying not to use that type of surface any more; newer surfaces are synthetic turf and are ADA-compliant. They also are working on updating other locations by redoing bathrooms and installing ADA-compliant ramps. DPR welcomes suggestions from the PAC. Stephens asked about Ward 2. Nohrden said that they have done work on Rose Park and that Volta Recreation Center will be renovated this Fall.

Discussion of Valet Parking: A DDOT representative was not able to attend the PAC meeting, so this discussion was postponed.

Rock Creek Park Trail: Michael Alvino spoke about this ongoing project. It has been in different stages of development since 2005; it will rebuild and enhance the multi-use trail in Rock Creek Park. A full Environmental Assessment was completed in 2011. DDOT is working with NPS to move the project forward. Alvino provided a map of the project (attached). Sections in blue will be rehabilitated by DDOT; orange sections will be rehabilitated by NPS and FHWA’s Eastern Federal Lands division. Beach Drive will be fully re-constructed as well and work on the trail will be coordinated with that reconstruction project. That project isn’t under DDOT’s control, but DDOT and NPS are coordinating. The Beach Drive project will kick off after Labor Day and will continue for about three years in different stages. There is a public meeting with more information about that project this Thursday at the Cleveland Park Library at 7 p.m.

There are about 3 miles of trail now and new sections will be added, including from Piney Branch Parkway to Arkansas Avenue. There also will be new bridges, including one near the zoo. The trail will be widened in most areas and stormwater management will be improved. DDOT’s part of the construction project will begin next summer. Tunon asked about access to Rock Creek near the zoo to create better access. Alvino said that currently there is no sidewalk access along the Harvard Street ramp and the problem was exacerbated by the zoo’s decision to change its hours. They talked to NPS and the project will include adding sidewalk access along the Harvard Street ramp. It will be fully ADA-compliant and there will be a new crosswalk just north of the tunnel. There also will be stairs leading to the crosswalk. That will be part of the NPS work this Fall. They will be adding pavement markings and advanced warning signs. Tunon said the biggest issue is a fence in a little island areathat would just left there and it was finally removed. Alvino said the closest legal crossing currently is almost a mile away so they have pushed forward with getting a better design. They also discussed keeping the area near the zoo open even when the zoo is closed but that does not appear to be workable. Rose Park is part of Stage II of the project, which will probably go to construction next year.

McCarthy asked about NPS signs requiring trail users to yield to vehicle traffic at crosswalks, even though DC law requires vehicle drivers to yield to pedestrians at crosswalks. Alvino said the current plan does not go below M Street. McCarthy requested that the new crosswalk near the zoo be properly signed. Alvino said he would look at the situation and NPS operates under different rules. McCarthy questioned whether NPS has legal authority to take pedestrian statutory rights away. She also asked about the lack of sidewalk along Military Road in places. Alvino said that earlier this year, NPS put out a draft plan for paved trails in the region and included a recommendation for a sidewalk along Military was part of that plan. The plan should be finalized this Fall and it would be helpful if the PAC supported including this provision in the final plan. NPS maintains trees in Rock Creek Park and is responsible for removing fallen trees; DDOT helps out occasionally. Tunon asked whether bathrooms will be added; there are no plans for that.

MPD Update: Sgt Terry Thorne reported on the latest crosswalk enforcement efforts. PAC members should send suggested locations to Eileen McCarthy. Thorne said MPD tries to spread these efforts around the city if possible. They were at 8th and D SE and cited about ten drivers; it was a challenging location because of construction on H Street, which caused traffic backup and because of the proximity to Pennsylvania Avenue – drivers can make several different turns after passing the crosswalk, which makes it hard to decide where to locate the police officers who pull over the drivers. Sonia Conly noted difficulties at the location for pedestrians trying to cross 8th and for schoolchildren, as well as for drivers, because so many streets coincide at the location.

Adelman noted drivers don’t necessarily expect to stop and that there will be more problems in the future as the numbers of people walking in the area increases. Thorne thought it would be advisable for George Branyan to take a look at the location. Branyan said they have looked at the intersection and the problem is the challenge with having another crosswalk within 50 feet of a signalized intersection – it can be difficult for drivers to process; on the other hand, he does not want to simply unmark the crosswalks and pretend they don’t exist because people need to cross. This is all L’Enfant’s fault. Conly said transportation planners need to come up with something helpful. Thorne said this week he will be going to the 1300-1400 block of Florida Avenue NE; there are a lot of pedestrians there. Adleman and McCarthy noted that the crosswalks there are very difficult for pedestrians because the drivers just speed by without slowing down, sometimes yelling at pedestrians in the crosswalk with the right of way. He thought they would be there Thursday or Friday around 11. Thorne said they generally stay about 2 hours. They also had been to 14th and Swann recently. Thorne said that sometimes drivers think these efforts amount to “entrapment” but this is not correct; Thorne and Branyan noted that no one is enticing the drivers to break the law.

Sisco asked for clarification about pedestrian right-of-way at crosswalks. Thorne said drivers are required to yield to pedestrians who are a lane and a half away. When a pedestrian steps off the curb (or is about to step off), legally they have right-of-way in the lane they are in (or stepping into) and half of the next lane – but people can’t drive on half a lane, so there is some confusion. When the pedestrian reaches the middle of the first lane, they have right of way in that lane and all of the second lane (and so forth). When conducting enforcement, Thorne generally focuses on drivers who come within a lane of a pedestrian; many drivers do not know the law and are upset if they are cited when they in an adjacent lane (but still within a lane of the pedestrian). McCarthy noted that Thorne was discussing unsignalized crosswalks and, the DC Court of Appeals has said that,if a pedestrian at a signalized crosswalk steps out with a “Walk” signal, even if the pedestrian cannot complete the crossing before the signal changes, they have the right of way to continue crossing and it is the responsibility of drivers to anticipate that slower-moving pedestrians might not be able complete the crossing before the signal changes.[[1]](#footnote-1) Thorne explained that his crosswalk enforcement focuses on crosswalks because, at signalized intersections, most drivers will stop at the red light.

Edward Johnson noted the need for more frequent dissemination of information and use of PSAs. Police have many responsibilities. Bicyclists, pedestrians and drivers need to pay more attention. We can’t legislate common sense and that contributes to a lot of issues. McCarthy agreed that more PSAs could be helpful, but stated her own view is that engineers do not design streets in a way the encourages drivers to comply with the law and that this can put pedestrians in an impossible situation. McCarthy suggested that the PAC might form a workgroup focused on education, with workgroup members reviewing what DDOT and MPD already do and providing input – there already are PSAs. Thorne agreed that education is as important as engineering and enforcement. Branyan encouraged the PAC members to support additional funding for the Street Smart campaign, which is the region’s main educational campaign. It currently receives about $700,000. If PAC members want more PSAs, more funds are needed to support that. DDOT would like to have a member of the PAC come to a meeting on the next Street Smart enforcement campaign. They will be phasing out the “tired faces” campaign and inaugurating a new one. It would be helpful to have PAC involvement in some of the meetings that will come up with the new campaign. The best way for PAC members to get their own concerns addressed is to become involved in the process that develops the Street Smart campaign. McCarthy asked Branyan to let the PAC know about upcoming meetings.

McCarthy asked Thorne about any recent pedestrian fatalities. Thorne replied that there had been three pedestrian fatalities earlier in the year, but none recently. Total fatalities are at 11 now. A driver drove their car into the water between the Lincoln Memorial and the Kennedy Center; two people in the front seat died and one in the back seat made it out. Johnson asked whether alcohol was involved; Thorne replied that the tox report was not back yet. Two nights before the PAC meeting involved a driver killed in the 1300 block of Michigan Avenue NE; the driver was fleeing the Mount Rainier police and drove into a tree.

DDOT Update: Adleman asked for a status update on DDOT’s Maryland Avenue NE project. Branyan said they had a meeting with the Mayor and DDOT Director. It was intended to be quick update on the consultant’s work, but three people at the meeting, who had not been involved in the project before, asked some challenging questions about the planned road diet. The Mayor successfully stopped the shouting that erupted. Branyan said this happens frequently with these types of projects – people who never attended earlier meetings raise objections at the later meeting; in this case, there were three people, out of 35-40 who attended, raising new concerns. Branyan spoke to them afterward to attempt to allay their concerns. Dormsjo tried to set a better tone by emphasizing that they are trying to make the street more livable and safer. The next community meeting will be on August 10 and the consultant’s report will be presented.

Beyond the Maryland Avenue project, Branyan said DDOT is building lots of new sidewalks, including some on 13th Street NE, Missouri Avenue, and Military Road; their focus is on missing segments along arterials, but has also included sidewalks in areas near schools – in particular, missing sidewalks along Whitehaven NW between Foxhall and MacArthur, and along West Virginia Avenue NE near Gallaudet. These types of sidewalks are expensive and difficult to do (which is why they weren’t done before). They also are coordinating with NPS on segments that are adjacent to park land. NPS has not been very responsive and is concerned that they would have to shovel snow from the new sidewalks. McCarthy observed that NPS does not shovel sidewalks in any case. Branyan continues to try to work with them to get permission.

Tunon asked about construction projects along 15th and a brick sidewalk along V between 15th and 16th NW; will there be fixes to that sidewalk? Branyan said that is a massive project, brick sidewalks are troublesome, and the Asset Management Division does have substantial funding for sidewalk repairs. Conly said it would be best not to replace concrete with brick. Branyan said it is very rare that DDOT would do that – the normal course is to replace/repair with the same material. Conly said that a few years ago, some historic preservation money was used to replace concrete with brick. She also said that Heather Edelman is writing a note to Branyan regarding the sidewalk condition index, which should be up, and the issue of tracking repairs. Branyan advised the note should go to Robert Horton and Ed Carpenter. Conly said Branyan would get a copy. She also said that, while she understands the need to come into compliance with the Americans with Disabilities Act, but there are now places where the sidewalks are impassable by people in wheelchairs, but there are beautiful curb ramps. In particular, she identified North Carolina Avenue SE, where new curb ramps were installed but the sidewalk remains impassable because it is buckled in many places due to nearby trees. There are many streets like this; how does simply installing curb ramps help accessibility if the sidewalk isn’t fixed? Branyan acknowledged the issue; Asset Management tends to rely on 311 requests in making decisions about what to repair – the squeaky wheel gets the grease. Conly said she would like information about 311 requests. Branyan recommended talking to Aaron Horton or Robert Horton. Flexipave is now being used to replace concrete near some trees, but there can be a significant time lag between the concrete work and the flexipave work. Nohrden asked about quality control for alleypalooza, noting that he had seen one alley with drainage issues following the work. Branyan suggested trying 311 and sending a note to the relevant ANC or councilmember. Johnson said that tree roots are an issue all over the city and we need the ANC and councilmembers to put pressure on the Mayor.

Stephens asked what happens when a big tree, which has buckled the sidewalk, comes down? How do Asset Management and Urban Forestry coordinate? Branyan said they are two different entities and they are probably not coordinating extensively. Stephens also asked about Asset Management’s approach to minor sidewalk tripping hazards – e.g. shaving down edges of uneven sidewalk. Branyan said that approach is much cheaper if the unevenness is ¼-1/2 inch. It buys some time. He wasn’t sure how/when it started. He will look into it. Stephens asked whether it harms the integrity of the sidewalk. Branyan said no; a typical sidewalk is 4 inches deep – taking off ½-1 inch shouldn’t cause harm, but note it’s a stop-gap measure and eventually the sidewalk will become uneven again and will need to be replaced. Johnson said it should not harm the integrity of the sidewalk. Conly said some trees have roots that go deep and some spread out, so there could be a consideration in planting a new tree – Urban Forestry may not take the potential effect on the sidewalk into consideration in planting new trees. It would be helpful if Asset Management and Urban Forestry coordinated better. Branyan said there is some coordination – e.g. it was Urban Forestry that recommended use of Flexipave to Asset Management. Conly noted we are still very far behind in repairing sidewalks; Branyan said they do have sufficient funding to do many repairs and they have a lot of teams out working.

PAC Business: George Tobias said that he had told Councilmember Cheh about the Ward 8 vacancy and that he has been trying to follow up. Tyon Jones said they are working to find someone from the community but someone from their constituent services office will start coming to the PAC meetings.

Collaboration with BAC: McCarthy explained that Jeff Johnson of the BAC had emailed her and Heather, asking whether the PAC was interested in collaborating on an op-ed in the *Washington Post* to talk about a) what the PAC and BAC are and do; and b) the pending contributory negligence bill. McCarthy wrote back to Johnson and said that, if the PAC were to take a position on the bill, it would have to be in a public meeting and asked whether he had spoken to the Office of Open Government and Ethics Counsel about whether it would be appropriate for the PAC and BAC to do this. McCarthy’s own instincts were that it would be fine to talk factually about what the PAC and BAC do, but that talking about pending legislation in a public forum like the *Post* could be more problematic; McCarthy would want the Johnson to talk to the Open Government/Ethics folks first. Adleman then explained that she now has the lead for the BAC and said the PAC does not need to decide whether to co-author the piece at this point. Adleman is planning to write a general piece and it will probably be authored only by the BAC., with a reference to the PAC and website. The BAC also wants to have a public meet-and-greet to invite possible new BAC members.

Vision Zero Update: McCarthy said that the Council has passed the Bicycle and Pedestrian Safety bill and it is due back from the Mayor tomorrow. Presumably it will be approved by the Mayor then there will be a 30-day Congressional review period. This is the bill the Bike/Ped Workgroup came up with last year. The Vision Zero regulations are still in the works, as far as she knows. Thorne mentioned that there is some Vision Zero funding available to any DC entity. The PAC could request funding if it developed a project with “teeth” in it. McCarthy said the PAC had discussed its own role previously and that we see it as making sure that the DC entities with responsibility under the Vision Zero plan carry out their commitments; the PAC might invite Jonathan Rogers to come back to update us on the plan. Thorne noted that, if the PAC were interested in working on educational issues, that might be something that could be funded. The request should go to Jonathan Rogers. Conly said it would be good to have a way to educate parents and involve them in the Vision Zero concept. McCarthy suggested PAC members give some thought to projects it might take up. Conly said the first question would be what the school system is doing; Thorne agreed and said the PAC should be careful that its own proposal does not duplicate the efforts of another DC entity. McCarthy suggested that Conly or another member go through the Vision Zero Plan to research DCPS responsibilities and then call them into a meeting to talk about their work. Branyan mentioned that DDOT is coordinating with DCPS on some of these issues, especially dropoff/pickup safety. Conly recommended that the focus be on making sure that parents know the rules. Thorne identified speed as another significant issue – it is a major factor in fatalities, along with impairment. McCarthy noted that a lot of people don’t understand the impact speed can have and suggested PAC members give these ideas some thought over the next month or so. Johnson recommended the PAC develop a film/video for dissemination to the Council, Mayor, ANCs, and schools and elsewhere. Thorne said a number of excellent videos have already been developed by MPD’s contractor (McAndrew) and they are available on the website <http://dcroadrules.com/> ; the bigger issue is how to disseminate the videos widely -- often they go nowhere. McCarthy suggested inviting someone to the September meeting to show the videos. Branyan said the most recent StreetSmart campaign included 15 seconds of airtime for a video, which cost $50,000; it boosted awareness but is expensive. Thorne emphasized the importance of getting the videos out to all DC agencies so they can be shown on TVs in the waiting areas. Johnson suggested offering the videos to medical offices. Thorne said they are reaching out to hospitals and he has an MOU in the works with GW Hospital.

Approval of June Minutes: George Tobias moved that the June minutes be approved; McCarthy seconded. Branyan requested one correction, which McCarthy noted for correction. The minutes were approved, with one absention.

Next Meeting: There will be no August meeting. The next meeting will be September 26. McCarthy asked if there were any additional suggestions of topics for the September meeting; there were none.

1. See *Griffith v. Slaybaugh*, 29 F.2d 437 (D.C. Cir. 1928) (<https://scholar.google.com/scholar_case?case=1752732295414765103&q=Griffith+v+Slaybaugh&hl=en&as_sdt=20006>). [↑](#footnote-ref-1)