



City of Seattle  
Gregory J. Nickels, Mayor

## **BRIEFING MEMO**

Date: August 25, 2006

To: Mayor Greg Nickels

From: Ray Hoffman, SPU  
Sandy Kraus, SPU  
Dustan Bott, SPU

Subject: Automated Public Toilets

Briefing Objective: Status Report and Direction on Future Course of Action

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### **Background:**

The City of Seattle operates and maintains 5 Automated Public Toilets (APTs) and 4 portable toilets (porta-potties) for public use in high traffic areas of the city (see Maps). The APTs were installed at the beginning of 2004 to provide restrooms to the public and to address human urination and defecation in alleys, storefronts, right of ways, and other public areas. These facilities have achieved the desired result of reducing human waste. However, many of the facilities are in areas of high drug use and homeless populations which has led to complaints regarding the use of the APTs and portable toilets for other than their intended purposes. The challenge is to ensure that these facilities are used solely for their intended activity.

### **History**

The lack of public restroom facilities in many parts of the City has long been recognized. Over the years business owners have struggled with keeping drug users and others out of their bathrooms while providing restrooms for their customers. In the late 1980's and early 1990's there were many complaints,

especially in downtown neighborhoods, regarding human waste and the need for more public bathrooms.

Ten portable toilets were first installed in appropriate areas of Seattle by the Department of Neighborhoods. In the mid 1990's, the Mayor proposed to replace some of the portable toilets with APTs. Bids were requested and received to provide these services. One company in the initial bid process offered these facilities for free in exchange for placement of advertising kiosks in specified areas of the City. This option presented a challenge for the City due to Seattle Municipal Code 23.55.014, which limits advertising signage in many areas of the City. In addition, Washington State Law (RCW 70.44.160) prohibits charging for public restrooms. The City Council did not approve the advertising proposal and the portable toilets were not replaced with APTs.

In August 2001 the Council passed Ordinance 120531, which directed "SPU to enter into a contract for the lease, installation and maintenance of five automated public restrooms", and directed "the Executive Department to report on alternative means of increasing public access to restroom and toilet facilities in Seattle's downtown and urban centers". The Mayor vetoed the Bill as too expensive and the Council overrode the Mayor's veto in September 2001.

A bid process resulted in one bid proposal. After an extensive siting and installation process, the 5 APTs were opened for business in March 2004. Since the opening of these APTs, two non-APT public restrooms have been closed. One was at the Aquarium and the other was in the fire station at the south end of Occidental Park.

### **Current Status**

The Metropolitan Improvement District (MID) wrote a letter to SPU in December 2005 complaining about the APTs (see letter and response attached). Based on communications with a number of Councilmembers' offices, it appears there have been complaints regarding the APT in Hing Hay Park as well.

The existing contract established annual service costs and service levels. The rate for the service costs has gone up based on the Consumer Price Index. The 5 APTs are cleaned twice daily, before 7 am and after lunch, and inspected weekly by SPU at random times/days. The costs for leasing the units and the daily servicing of the units have remained constant per the terms of the negotiated contract. The costs for the repairs (e.g. due to vandalism) have decreased since the units have been installed due to various improvements that have been made on the units themselves. All units have very high usage and users include tourists, transients, and others. The attached map shows the location of all facilities.

### **Five Automatic Public Toilets:**

In 2005:

- The total operating cost for all APTs was \$656,077 or \$131,215 per unit or \$360 per unit per day.
- Each unit is cleaned twice daily by NW Cascade and is handicapped accessible.

### **Six Portable Toilets**

In 2005:

- The total cost for all portable toilets was \$35,488 or \$5,915 per unit or \$16 per unit per day.
- Each unit is cleaned daily by Everson's EconoVac and is handicapped accessible. All units also have hand sanitizers.

### **Condition of Areas Where Units are Located**

- High concentrations of homeless, transients, drug dealers, prostitutes
- High numbers of mentally ill individuals on the street
- Lack of other public restrooms
- There is a concentration of social services for homeless people in many of the areas the toilets are located.

### **Problems associated with APTs and portable toilets include:**

- Illegal activities taking place inside existing facilities such as drug use and sales and prostitution.
- There is no attendant to monitor proper use.
- Units are cleaned twice per day but can become dirty very quickly.
- Some continued defecation and urination in alleys and other areas.
- Although vandalism is down in 2006 compared to 2004 and 2005, users sometimes damage units.

### **Benefits associated with APTs and portable toilets include:**

- Provides clean bathroom facilities for homeless and other populations.
- Provides place for homeless to clean up (shave, bathe, etc.).
- Have reduced human waste issues in these areas.

See attached letters dated 1991 and 1995 from the Seattle King County Department of Public Health.

The problems associated with the APTs are not unique to the City of Seattle and are experienced by other jurisdictions, such as San Francisco and Vancouver, BC (See attached articles).

## Alternatives

1. **Status Quo.** Continue the program indefinitely.
  - Estimated Costs: \$650,000 annually plus CPI
  
2. **Enhancement to units to address problems:**
  - Increase cleaning from 2 times daily to 3 times daily. Cost would be negotiated between the City and NW Cascade.
  - Lock APTs during nighttime hours (such as 11-6). They are currently open 24 / 7. Cost estimated at \$75,000.
  - Add exterior lighting. Cost estimated at approximately \$3,000 for 5 units.
  - Reduce time allowed inside units.
    - Time has previously been reduced from 15 to 10 minutes to address these issues (the door automatically opens after 10 minutes).
  - Add larger signs specifying prohibited behavior. Total cost estimated at \$500. Signage would include:
    - Only one person in unit at a time.
    - No illegal activity.
  - Increase Seattle Police patrol of unit and park area.
  - Estimated Costs: \$850,000 annually (\$650,000 for current annual maintenance plus \$150,000-\$250,000 for all enhancements listed above)
  
3. **Keep APTs and install more portable public toilets.** Cost of installation estimated at \$5,915 per portable. Adding additional portables will not address the illegal activity. Siting these portables would be a challenge.
  - Estimated Costs: \$680,000 annually (\$650,000 for current annual maintenance plus \$30,000 for 5 additional portables)
  
4. **Eliminate APT Program.** The City may terminate the contract for convenience in March 2008. Contract cancellation in March 2008 would cost \$570,000. Analysis by the Law Department (see memo attached) indicates cancelling the contract in September 2006 would cost an estimated \$973,400 (\$570,000 plus \$276,400 in additional contractor costs plus \$127,000 for costs associated with removal of the APTs and other in-house costs). It is likely that there will be an increase in complaints of human defecation and urination in inappropriate areas if public restrooms are no longer available. In addition, illegal behavior will continue and may be more visible. Under this scenario the City could replace APTs with more portable toilets. The cost of installation is estimated at \$5,915 per portable.
  - Estimated Costs:
    - a. Terminate the contract in September 2006 - \$973,400 total
    - b. Terminate the contract in March 2008 - \$1,751,000 total (\$1,054,000 regular maintenance for 18 months plus \$570,000 cancellation plus \$127,000 removal costs)

5. Re-evaluate the Public Toilet program through an asset management approach that looks at two key goals:
  - a. Provide more public toilets to the public
  - b. Reduce drug use and other illicit activities as well as public defecation and urination in City neighborhoods.

This analysis would evaluate a variety of options including the continuation of the APT program (both with and without the enhancements outlined in Alternative #2), eliminating the APT program, providing more portable toilets, and providing more public permanent restrooms in high volume areas such as Pioneer Square, Pike Market, ID and the Waterfront.

### **Recommendation**

SPU recommends Alternative #5 along with implementing low-cost measures to enhance the APTs (such as installing exterior lighting). SPU could submit its analysis to the Mayor's Office by Spring 2007.