

A RESOLUTION

23-92

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 7, 2019

To declare the existence of an emergency with respect to the need to amend section 47-362 of the District of Columbia Official Code to require Council approval of capital reprogrammings made by the District Department of Transportation if certain conditions are not met.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Florida Avenue Multimodal Project Completion Emergency Declaration Resolution of 2019”.

Sec. 2. (a) The District Department of Transportation (“DDOT”) began studying changes to the streetscape of Florida Avenue, N.E., between 2nd Street, N.E., and West Virginia Avenue, N.E., in 2009. Eventually the scope of that project expanded to studying Florida Avenue, N.E., between 2nd Street, N.E., and H Street, N.E. (“Florida Avenue Multimodal Transportation Project”).

(b) Since the beginning of the Florida Avenue Multimodal Transportation Project, the project has been marked by constant delays. The project website for the Florida Avenue Multimodal Transportation Project says that the project will reach 100% design by spring 2018. In responses to pre-hearing questions before DDOT’s Fiscal Year 2019 performance oversight hearing, the agency said that “[a] new consultant had to be selected to complete design of [the] Florida Avenue Multimodal Project. The final design is underway, to be completed by December 2020.”

(c) Florida Avenue, N.E., is a shared roadway of Wards 5 and 6. For many years, Advisory Neighborhood Commissions in both Wards 5 and 6 have fought for a redesign that would make Florida Avenue, N.E., safer for all users and have made statements of support for various versions of plans for the road. A redesigned Florida Avenue, N.E., would bring equitable benefits to all residents of the Florida Avenue, N.E., corridor, and anyone who uses the road to commute—those young and old, and in cars, on foot, or on bicycles.

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(d) In December 2015, Mayor Bowser released a Vision Zero action plan, to “eliminate transportation fatalities and serious injuries” by 2024, but delayed infrastructure improvements like the Florida Avenue Multimodal Transportation Project are the biggest impediments to reaching the District’s Vision Zero goals.

(e) Florida Avenue continues to be extremely dangerous for pedestrians and bicyclists. In 2013, Ruby Whitfield was killed while walking in a marked crosswalk on Florida Avenue, N.E., while on her way home from church. On Friday, April 19, 2019, Dave Salovesh was killed at Florida Avenue, N.E., and 12th Street, N.E., by a driver travelling in excess of 60 miles per hour.

(f) In 2018 there were 36 deaths on District roads. There have been 8 deaths on District roads in the first 4 months of 2019, including Dave Salovesh’s death and the death of Abdul Seck, a pedestrian struck and killed by a driver at the intersection of 16th Street, S.E., and V Street, S.E. on April 21, 2019.

(g) In Fiscal Year 2018, DDOT reprogrammed at least \$3.2 million in capital funds to other agencies—funds that could have provided infrastructure improvements or accelerated design work for infrastructure improvements in all of the District’s 8 wards.

(h) Emergency legislation is necessary to provide the Council an opportunity to review any proposed capital reprogrammings from DDOT if, by September 30, 2019, DDOT has not reduced the number of vehicle travel through lanes on Florida Avenue, N.E., from 6 to 4, ensured that any reduction in right-of-way width is available for use exclusively for modes of transportation other than motor vehicles, and installed high-visibility crosswalk markings at appropriate locations on Florida Avenue, N.E. This legislation would ensure that no funds are reprogrammed out of activities that will protect District residents on our roads and that DDOT prioritizes infrastructure improvements to protect our residents.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Florida Avenue Multimodal Project Completion Emergency Amendment Act of 2019 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.