CITY OF FORT BRAGG

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August 12, 2014

Finley B. Williams
Grand Jury Foreperson
Mendocino County Grand Jury
P O Box 939
Ukiah, California 95482

Dear Mr. Williams:

Thank you for the opportunity to review and respond to the Findings and Recommendations contained in the June 2, 2014 Grand Jury report titled "Crosswalks – Are You as Safe as You Think." This letter contains responses from the City of Fort Bragg as required by California Penal Code Section 933. For the purpose of simplicity, the response from the Fort Bragg Public Works Director, from whom a response was also required, is incorporated in the attached comments.

The Fort Bragg City Council reviewed the Director of Public Work's response at their meeting of August 11, 2014, and concurs with their responses to the findings and recommendations. As such, the attached document is the official response from the Fort Bragg City Council.

The City of Fort Bragg appreciates the Grand Jury's service and the opportunity to respond to this report.

Sincerely,

Dave Turner,
Mayor

Response to Grand Jury Report

Report Title: **2.1 Crosswalks**

Report Date: **June 2, 2014**

Response by: **Tom Varga, Director, Public Works, City of Fort Bragg**

Findings

I (we) agree with the finding(s) numbered: 2, 4, and 7

F2. *"Crosswalk conditions affect pedestrian safety as well as driver safety."* - Agree

F4. *"The increased use of electronic devices by pedestrians and drivers creates an additional distraction reducing the safety of everyone."* – Agree

F7. *"All possible ways to cross at intersecting roads are not always marked."* – See the response to Recommendation 2 for further discussion regarding this matter.

I (we) disagree wholly or partially with the finding(s) numbered: 1, 3, 5, and 6

F1. *"Countywide, the markings of crosswalks are inconsistent in appearance and condition."*

Response: The City of Fort Bragg is not in a position to comment on other nearby agencies. Beyond the different colors for crosswalks near schools, there are a variety of needs and circumstances where crosswalks and associated signage will appropriately differ from one location to the next. Please see the response to Recommendations 1 and 7 below for additional detail.

F3. *"Pedestrian assumption that a crosswalk is safe is not true."*

Response: While the point may be subtle, the statement that crosswalks are not safe is not accurate. It is clearer to describe crosswalks as potentially dangerous places. Many modes of traffic pass through crosswalks hundreds to thousands of times a day without incident. Nevertheless, the physics of a car striking a pedestrian are weighed heavily against the pedestrian. All people passing through a crosswalk should expect to be attentive to the environment around them and exercise due caution regardless of what traffic control facilities are present. The California Vehicle Code, Division 11, Chapter 5, "Pedestrian's Rights and Duties" enumerates the due care required of pedestrians and vehicles operating on a public roadway. In part, Section 21950 states, "This...does not relieve a pedestrian from the duty of using due care for his or her safety." Likewise, "The driver of a vehicle approaching a pedestrian within any marked or unmarked crosswalk shall exercise all due care..." The use of due care by

pedestrians and motorists, including not using cell phones or other distracting devices, is the most important aspect of preventing pedestrian accidents in crosswalks.

F5. *"The lack of consistent or visible signage in many locations contributes to unsafe crosswalks."*

Response: As noted in the response to Finding 1, and Recommendations 1 and 7, a significant amount of variability occurs with crosswalks and associated signage is appropriate to address needs and circumstances particular to a specific location.

F6. *"The default timing of traffic lights is insufficient for safe crossing in crosswalks, especially for physically challenged, elderly, and very young pedestrians."*

Response: While the traffic signals operating within Fort Bragg are under the jurisdiction of the State of California (Caltrans), a clarifying comment is provided. The walking speed of a pedestrian used to calculate pedestrian crossing times have been carefully measured and regularly reviewed over the preceding decades to ensure that even the slowest traveling pedestrians are accommodated. It is not unusual for some members of the public to feel that the walk signal, (white or green walking figure/hand), should be lit for the entire trip across an intersection. In fact this indication is actually communicating that a pedestrian may leave the curb and begin crossing. When the pedestrian signal switches to flashing red the intended message is that it is no longer safe for a pedestrian to leave the curb, but anyone already in the crosswalk may safely continue. The time during the flashing red indication is normally adequate for passage across the entire intersection. Finally, as a safety measure, the pedestrian crossing indication becomes solid red to indicate that cross traffic will be moving soon and that any pedestrians still in the crosswalk need to expeditiously finish crossing. Lastly, this sense of discomfort has been recognized by traffic engineering researchers. The lengthening of pedestrian signal timing is being actively examined to see how it may be incorporated into overall traffic signal timing without decreasing the safety of any of the users of a signalized intersection.

Recommendations

Recommendation(s) numbered 1, 2, 3, and 7 have been implemented.

R1. *"Crosswalks within any governmental jurisdiction have the same visual look although they may be painted different colors to designate proximity to schools."*

Response: All jurisdictions in the State of California follow the guidance on the California Manual of Uniform Traffic Control Devices (MUTCD) and the requirements of the California Vehicle Code (CVC). Both the MUTCD and the CVC acknowledge that different circumstances particular to different agencies and specific locations require different traffic control measures, including crosswalks. Consequently, the visual appearance of crosswalks will reflect this variability depending on the situation being addressed. This covers a much larger set of circumstances than the colors to be used in the vicinity of schools. As a further example, the Grand Jury's Report notes differing crosswalk marking patterns. There are three different crosswalk marking patterns. In addition, no crosswalk marking are allowed. Each of these four options is appropriate to different circumstances or needs. The City Fort Bragg agrees with the Grand Jury that consistency and predictability in crosswalk markings is important and we endeavor to do so. The City of Fort Bragg complies with the MUTCD and the CVC. The City currently carries out and has implemented consistent application of the MUTCD and CVC in terms of visual appearance.

R2. *"If even one crosswalk at an intersection is designated by markings, then all possible ways to cross that intersection should be painted and marked."*

Response: The MUTCD notes, "Crosswalk lines should not be used indiscriminately." As a general practice, engineering studies are regularly performed to assess when and where crosswalks are appropriate and what design to use. One important aspect of these designs is to determine when pedestrians should be guided or "channelized" along safe or desired routes to safe or desired locations. Marking all the legs of an intersection can cause confusion or mislead pedestrians. For example, some intersection crossings may lead to a location that further travel is impossible or unsafe. Consequently, it is not always appropriate to mark all legs of an intersection with crosswalks. The City of Fort Bragg complies with the MUTCD and the CVC. The City currently carries out and has implemented consistent application of the MUTCD and CVC in terms of marking appropriate crosswalks.

R3. *"Crosswalks be made as visible as possible to drivers and crosswalks be marked by center line signage to indicate the presence of crosswalks as resources become available."*

Response: Crosswalks are installed in compliance with the MUTCD and the CVC. This includes building them with the proper level of visibility. The City of Fort Bragg regularly monitors all of its traffic control facilities, including crosswalks. They are kept in good repair as resources and priorities permit. Centerline signage is used only under limited and specialized purposes. These signs and delineations are also obstructions in the roadway. Therefore, these facilities are not installed without an engineering study that fully considers traffic safety of such object(s) in the middle of the road versus the visibility of a pedestrian crossing. In general, City streets are narrow enough with low enough volumes that safety issues outweigh visibility benefits. The City currently carries out and has implemented consistent application of the MUTCD and CVC in terms of crosswalk visibility.

R7. *"Crosswalks be made more recognizable and visible to drivers by installing consistent signage with a distinguishable and noticeable color."*

Response: The City of Fort Bragg complies with the MUTCD and the CVC. Both the MUTCD and the CVC acknowledge that different circumstances particular to different agencies and specific locations require different traffic control measures, including crosswalks. Consequently, the signage used in association with crosswalks reflects this variability depending on the situation being addressed. The City currently carries out and has implemented consistent application of the MUTCD and CVC in terms of signage associated with crosswalks.

Recommendation(s) numbered **xxx** have not yet been implemented, but will be implemented in the future.

None

Recommendation(s) numbered 4 and 5 require further analysis.

R4. *"Centerline signage installation be prioritized as follows: (a) school mid-street crosswalks, (b) school intersection crosswalks, (c) other mid-street crosswalks, (d) intersections without stop signs, (e) intersections with stop signs, and (f) light-controlled intersections."*

Response: The priorities described in the Grand Jury's recommendation are noted and will be considered as part of future crosswalk designs.

Recommendations numbered 5 will not be implemented because they are not warranted or are not reasonable.

R5. *"Timing of traffic lights be evaluated and adjusted regularly at intersections with high pedestrian traffic by the responsible agency."*

Response: Within the Fort Bragg City Limits, all traffic signals lie in State Route 1 (Main Street). All of these signals are under the jurisdiction of the State of California (Caltrans). Caltrans should be given a copy of the Grand Jury's report and advised of its concerns and recommendations.

Signature: _____ Date: 7/30/14

Number of pages attached: 0