

# Gadfly's thoughts on BPA's response to City Council's questions (64)

The Bethlehem Gadfly Gadfly's posts, Parking, Serious Issues November 5, 2018

*(64th in a series of posts on parking)*

The all-important City Council meeting is coming up Wednesday.

Council will again consider the Bethlehem Parking Authority's proposal for an increase in the parking violation fine structure.

Council asked the BPA to answer a series of questions before considering the proposal.

Those questions and BPA's responses are available in post #62 in this sequence. Gadfly will not repeat the questions and answers here.

Gadfly has now (11pm Sunday night) started considering the BPA answers. He will make notes here. It may take a day or so to consider all the answers (and he may not have thoughts on all), so he will just keep updating this post rather than adding separate posts as he moves through the list.

Keep checking back here for updates.

Gadfly invites the observations of others as well.

Think about helping City Council decide what to think about BPA's answers and how to resolve the BPA proposal.

Here goes —

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**Introduction:** CC asks BPA to provide “a strategic business plan” roughly for the next 5 years. Gadfly knows virtually nothing about such things — all he knows he learned from “Shark Tank”! — but he can honestly say that what BPA offers is absolutely nothing like what he expected. But a little research indicates that a “strategic business plan” is a standard business document with standard parts probably taught in Business 101 everywhere in the country. So standard, there are even templates online. BPA offers nothing of the sort. Gadfly gathers that a “strategic business plan” is the kind of document prepared by businesspeople when, for instance, they are seeking funding, a document presented to a funding source. There's an analogous situation here between BPA and CC. Gadfly could not for a moment imagine presenting those 12 lines to a funding source and expecting success. And expecting

anything more than being shown the door. A little research shows that a “strategic plan” includes a detailed action plan, a detailed roadmap. A “strategic plan” contains an action plan with specific activities and due dates – a specific timeline — and possible obstacles. So, and Gadfly is just pie-in-the-skying here, *Gadfly is imagining that a “strategic plan” might say the goal is to open the Polk St. garage in 2023. In year 1 we will complete the purchase of the property, in year 2 we will secure City go-ahead, in year 3 we will float a bond issue, in year 4 we will begin construction, in year 5 we will finish. We project the increase in rates will bring in \$XXXXX beginning year 2, so that we will be able to carry debt service of \$XXXXX. If by year 3, we see that the increased revenues are not what we expected, we will go to Plan B.* If you don’t have a “strategic plan” something of this order, who is going to give you financing???? Gadfly thinks – and is always willing to be slapped upside the head – that is something like what a “strategic plan” would look like and something like what CC was asking for. Gadfly may be far wrong, but Gadfly sees the same kind of failure here that he saw in the Desman study and in the whole proposal process actually – a failure to sense what is important for its audience. Gadfly sees the BPA response here as very, very, very thin and failing to acknowledge the seriousness of the CC request. It’s hard for Gadfly to imagine that an organization so big, with such a large budget, does not know what a “strategic plan” is. Gadfly is feeling a “fatal defect,” a “fatal error” in the opening paragraph. Gadfly is not sure he even wants to read further. If this were a report in his college class, he would return it immediately for a do-over.

**Question 2:** CC asks BPA to explain the decision to demolish Walnut St. An example here of BPA imprecision Gadfly noticed and reported on many times in previous posts and BPA unwillingness to acknowledge and explain seeming contradiction. The Desman report and the Desman memo do indicate demolition of Walnut St, but BPA says no decision has been made. Contradiction without explanation. Now I kind of get it – Desman is recommending demolition (p. 75), but BPA has not accepted that recommendation. It has “accepted” the Desman report and said it will discuss specific recommendations in turn. Well, ok, say that to CC as explanation for CC’s confusion. Don’t just leave the contradiction hanging out there. But still an unanswered part of this question is the fact that the Mayor’s memo of Oct 1 to BPA approving the meter increases says “replacement” of Walnut St. Isn’t that “input from the City Administration”? See how we go round and round? And Gadfly must

admit to continuing confusion about where the buck stops in regard to Walnut St. Who has ultimate authority for pulling the trigger? BPA waits for “input” from the City. Is “input” advice about the decision, a necessary but not determinative component of the decision, or the powering force of the decision? Not clear. And if there were a “strategic plan,” we could “see” when that step along the timeline would be made in relation to the increased revenue coming in. Could that “input” be five years out?

**Question 3:** CC asks — because \$2mill has already been dedicated to Polk St. — whether the decision to build Polk St. was made before the Desman was finalized, with the implication seemingly clear that, if so, that fact should have been in the Desman. The City responds: “The project was decided upon in advance of the submission of the land development plan in 2014.” So, is that a yes? It certainly sounds like a yes. And thus, logically, the Desman should have clearly indicated so. Or is there some nuance here that Gadfly is missing? Is it that the part BRA played in the sequence, in the process is somehow not relevant? Are we to think that the Polk process began *de novo* when BPA became involved? If so, why not just say so? More questions: why didn’t BRA go through with the project? Why was Polk St taken over by BPA? And doesn’t that taking over indicate that BPA had made a commitment to Polk before Desman, a fact that should have been in the Desman?

**Question 4:** CC asks whether the Polk site is within the Central Business District, for if it isn’t, BPA is not required to provide parking. Gadfly is pleased to finally see a good answer to a question that has sinisterly hung in the air for too long. As Gadfly understands it from the City response, the BPA mission is larger than CBD and, in fact, can manifestly be shown to be from its current operations. In addition, institutions like NCC can not be required to provide parking, and other businesses there have provided parking. Unless someone shows objection to these two points, Gadfly feels this possible obstacle to building Polk has been satisfactorily handled. The only thing Gadfly quarrels with is why (last paragraph of the response) if the Polk is so drop-dead necessary, there is such a mystery surrounding it in Desman and other conversations. The City says: “the community is finally seeing the development the city spent years cultivating. Without this parking garage, [the expectation is] development [will] stall in this area of the city.” Gadfly has always said he can well be behind the Polk if the case were made. Sounds like here the case for the Polk is being made by a

person in the know, a person with authority. The tentativeness of BPA and Desman was needlessly confusing and counter-productive in Gadfly's mind.

**Question 5:** CC asks 2 things here: 1) what about the Polk leases? (The backstory is the lingering wound of substantial discounts given at the New St. garage, and 2) what about parking alternatives to a Polk garage? BPA's answer to 1) is not responsive to the "real" question. CC wants to know if BPA will be giving substantial discounts. BPA knows that is the question. No answer. Councilman Callahan said at the Oct 10 meeting that the Polk leases will be full-pay, market-rate. BPA does not say that. In regard to 2) Desman affirms the Ruins lots as an equal option to a garage: "This plan could include a new parking structure, which has been discussed in the past for the corner of E. 3rd Street and Polk Street, or a formalized agreement with the Sands Corporation to ensure that the SteelStacks parking lots will remain available for public parking in the long-term" (my emphasis). Either garage or lots. BPA says the Sands has rejected the lots option but does not provide copies of communications as requested. Thus, how is CC to know if the lot option is off the table?

**Question 6:** CC asks about, in effect, a "strategic plan" for capital repairs. BPA doesn't have one. BPA has been securing money for repairs without a plan, apparently.

**Question 7:** CC asks whether Variable Rate Parking was considered, and, if so, why it was rejected. BPA says VRP and other options were considered and rejected. That seems doubtful to Gadfly. There is no mention of VRP or other options in the Feb 2018 Desman draft. VRP and other options were not brought up at the April 12 public meeting according to the "feedback" in the final Desman (77-78) and thus would not have been discussed because of that feedback. When were the considerations done and by whom? There's nothing in BPA minutes. VRP was urgently advocated both at the Sept 20 and Oct 10 meetings, and BPA had timely opportunity to meet commenter passion right then by saying, yes, we studied that and rejected it for this and this reasons. But silence. These occasions were the times to meet this question head-on. But the silence naturally engendered suspicion of BPA's omission. Gadfly's admittedly subjective impression was that the idea of VRP came as a surprise to BPA at the Sept 20 and that they met it with evident reluctance rather than an open mind on Oct 10. In their response, BPA missed an opportunity to at least curry a little favor with proponents of VRP by detailing a "plan" for studying it at the Mayor's request. BPA's

commitment to further action on VRP not as definitive as it could and should have been.

**Question 8:** CC asks about the blatant discrepancy between high revenue projections in Desman and the claim in the Oct 10 meeting that the proposal is revenue neutral. The BPA answer is totally non-responsive. And, frankly, insulting. The question called for a simple sentence beginning, “The reason for this discrepancy is \_\_\_\_\_.” BPA says, “Desman’s fine increases in their parking study was an estimate.” Of course. Of course. But you have to think there’s something wrong with an estimator who says that increased revenues could be \$400,000 or nothing. When Gadfly heard Desman’s claim of revenue neutrality Oct 10, his head spun like Linda Blair’s in “The Exorcist.” Come on! (And, in fact, BPA contradicted Desman on this point shortly thereafter.) In effect, BPA says here the answer to your question is in the memo we sent you. Go look it up yourself. Gadfly is appalled.

**Question 9:** CC asks about discounted rates at the recently constructed New St garage. This is a hot issue for critics of BPA. Why are they letting people off who are well able to pay full ride and then socking it to residents less able to pay? BPA is totally non-responsive again. Gadfly is working up a lather, and his head is in full Exorcist spin. In answer to a question about a (for some) grievous problem, BPA produces a lease that exactly demonstrates the problem. Putting a gun to its own head. Without explanation. No answer to the question. What has raising rates in May 2016 and the promise to do so again at an unspecified future date have to do with the discounted rate reaffirmed in March 2018? According to the March lease BPA produced, the institutional user is locked in at the discount rate for 5 years, a rate that only “may” be changed then, The discount rate could go on for another 5 years. And another. CC is trying to get at the rationale for discount rates at all when additional money is being sought. No answer to that. Moreover, at the Sept 20 meeting the question of this exact institutional user’s rates was asked directly, and Desman replied that the rates would be evaluated every 2 years (all this captured on video), clearly implying to Gadfly that the issue of discounted rates would be addressed soon. But the March lease had already been signed, is good for 5 years, and nothing was said about it. Misleading. Disingenuous.

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**Question 10:** CC asks for operational details about the New St. garage: occupancy rates, lease rates, finances. BPA says there is no current occupancy rate data. Really? The garage is a year old. And there is no idea how it is doing? Really? The reason for no data is that the garage was not included in the Desman study. Really? Do we need Desman to tell us how we are doing? Ok, no Desman study data, but couldn't something be said about occupancy even if anecdotal? If Gadfly had just built a controversial new garage, he would have been walking the levels every day, maybe 2-3 times a day, counting tailpipes if that's what it took to get some data to satisfy just his own need to know if what he had just built for several million dollars was serving a purpose. No occupancy data? Really? How about lease and financial data? Well, we provided that during the public bond guarantee hearing, BPA says — go look it up yourself. Whew. Gadfly doesn't get it. Doesn't BPA know who's in charge here? Doesn't BPA know City Council holds the pocketbook? Gadfly is starting to suspect that BPA is overwhelmingly confident that it has support on Council, that passage of the proposal is a lock, and therefore that it can nonchalantly provide perfunctory answers to these questions. BPA is not answering as if it must persuade, as if it has something to lose. Interesting. I wonder if that's true. Has a majority of Council already decided that this question exercise is meaningless? And signaled that this kind of slipshod behavior is ok? That would be a shame. More than that even, the way Gadfly is feeling right now.

**Question 11:** CC asks about the loss of the annual \$500,000 contribution from BPA to the City general fund. Gadfly misunderstood — maybe others too? — thinking the whole amount was going away. But the City, while pointing out that in past years the contribution has been less than \$500,000, explains that it is only dropping \$25,000 per year, not going away, and will be at \$400,000 in 2019. Clears up that misconception. But, ok, so “In 2018, the current administration took the initiative to begin reducing the BPA's contribution to the city over a period of time.” The question CC asks is, the question really on CC's

mind is . . . why? Why the reduction, not how much the reduction?  
What's the reason for the reduction? Not answered.

**Question 12:** CC asks about consideration of alternate forms of transportation. BPA answers that that's the City's ballpark. Which is probably right. But no answer from the City given.

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