

The strange separation (75)

The Bethlehem Gadfly Gadfly's posts, Parking, Serious Issues January 20, 2019

(75th in a series of posts on parking)

Do you remember the controversy centered on the Bethlehem Parking Authority that sucked the life out of the last third of 2018?

Is the Walnut St. Garage going to be repaired or rebuilt? Is there going to be a Polk St. Garage? Are the parking meter rates and fines going to be increased? If so, what is the new revenue going to be used for? Does the BPA have a business plan? Is the BPA acting in a good faith, transparent fashion? Are there straight answers to anything?

At the core of the controversy, the BPA wants more money from its twin sources of income, meter rates and fines, which should march in sensible relation to each other, which should increase in tandem – fines, for instance, living 10-15% higher than the meter rate.

The Mayor approved BPA's proposed meter rate increase. City Council, however, denied their fine increases. The reasons are complicated and the subject of the first 73 posts in this sequence. So now there is no symmetry between rates and fines. The meter rates went up January 1, but the fines did not. A situation the two sides will attempt again to resolve in the near future. But the question for this ol' researcher is, how did we get to a system where such naturally joined elements as parking meter rates and parking violation fines are separated – the mayor controlling the former, City Council with responsibility for the latter?

The question was asked several times during the course of the controversy in the latter part of 2018. You can understand why. If responsibility for the two revenue streams were located in one agent, either the Mayor or City Council, there would be no gnarled dispute.

Nobody really knew the answer to that question. The answer that this must be a separation of powers/checks and balances element consciously envisioned by "the Founders" didn't seem to satisfy and, indeed, is not the answer. The answer is the complete opposite. Rates and fines were separated precisely to

eliminate tension between the two “houses” of city governance not to enhance it.

Here, in a nutshell, is what ol’ Gadfly found researching both *Morning Call* and City Hall files. See expanded information in the timeline on the next post.

The Parking Authority was established in 1970 to finance the Walnut St. Garage. Financing was all that it did. At that time and continuing into the 1980s, parking operations continued to be handled by the City, and City Council continued to set the fee structure for meters and fines. In 1988, for what seem like various and good reasons, Mayor Ken Smith proposed sweeping changes, giving the BPA complete responsibility for parking in the city, though Council retained responsibility for setting the finances. City Council not only acquiesced to the Mayor’s radical plan but went further. Councilman Paul Calvo proposed also relinquishing responsibility for the number of meters and meter rates to the Mayor so that 1) the BPA could reasonably control its budget without interference, and 2) so that Calvo (and others) could argue and vote against the Mayor’s plan for increased meters without being accused of “political” bias. Calvo was quick to deny that he was trying to escape the “heat” from the public that the Mayor’s plan to double the number of meters as well as increasing the rate would likely generate. In any event, any political fall-out would be borne by the Mayor. Fines were not part of the discussion or the legislation [was that an oversight?], hence fines remained in control of Council.

Now we know why we have what everybody seems to believe is an illogical system.

Call it the Calvo plan.

(Paul Calvo was a teacher, accomplished athlete, successful coach, 25yr. member of City Council, and a Gadfly neighbor. He died only six years ago.)

Was Gadfly’s research just an academic exercise? Or does it have some utility? Gadfly kept an open mind up to a certain point in the controversy, but he ended up thoroughly negative about the culture of the BPA.

The majority of City Council likewise had problems of a serious nature that led to their denial of the BPA fine proposal as a means of getting some answers to key questions.

Resulting in the current limbo situation, a situation that cannot persist for long.

One wonders, then, now knowing the rather arbitrary origin of the meter/fine split, whether City Council could, if it so desired, legislate itself back into full financial control in order to be able to completely “call the shots” where parking is concerned.

If Gadfly remembers correctly, the Desman consultant to the BPA indicated that this split is unique. We are alone in having such a divided system.

Should the system be unified again?

Should what might be thought of as a “delegated” power be revoked?