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Dear Client:

For years now – no, for decades – your Texas legislators have tapped funds dedicated for one purpose and spent them on other projects. The questionable practice started when state budgets were tight and legislators perceived a more important use for the money. Now, the state is awash in cash. And some have criticized this hijacking of dedicated funds. So, is this budgetary sleight of hand on the way out? Possibly. And State Parks provide an example.

State law says the sales tax Texans pay on purchases of sporting goods is supposed to fund state parks. But for decades, the Legislature has instead spent much of that money on other programs. (And it's true for other dedicated funds as well.) **Some claim the 95 parks, natural areas and historic sites in the State Park System have been treated as stepchildren.** After all, parks don't fall into the same category of critical services such as education. This shell game of moving dedicated parks money **may be about to change as a result of the legislative leadership moving to put an end to the practice of moving money around willy-nilly.**

As part of this effort, legislation was passed in the recent session to *require* **that all of the money collected in sales taxes on sporting goods be used for the parks.** This ensures a reliable funding source is in place to support these outdoor wonders.

“This legislation, which was signed into law by **Governor Greg Abbott**, will ensure that the parks will have a stable funding source moving forward,” said House Speaker **Joe Straus**. **“That source of funding will not only allow the parks to operate from year to year, but it will also make it easier to plan and deliver needed maintenance and other improvements.”**

“And,” Straus added, **“it will provide predictability as Texans contemplate the type of parks system that we want to have in the future.”**

Pointing out the Texas population grows twice as fast as the rest of the country, Straus says it **“serves as a reminder that we need to preserve our distinct natural heritage. That heritage lives within our state parks.** And as long as we give those parks the attention and the resources they need, Texas families will continue to enjoy them for summers to come.” All this is well and good. And is a good step toward keeping dedicated funds inviolate. What remains to be seen is if this protection of dedicated funds will continue in future legislative sessions.

You are well aware of the discussions -- and millions of dollars -- that have been involved in the City of Austin's efforts to dramatically expand accommodations for bicyclists and pedestrians (bike/ped). Make no mistake, this is not simply a local issue. In fact, it is part of a national movement that has its roots overseas. And now, the bike/ped movement is emphasizing *safety* as a linchpin to achieve its objectives.

Writing in *CityLab*, a product of *The Atlantic* publication, **Sarah Goodyear cites a new report from the World Resources Institute (WRI) that proclaims traffic deaths – especially in and around cities – are emerging as one of the critical public health problems of the 21st Century.** And, in a list of “design measures that have proven effective in cities around the world,” bike/ped accommodations make the Top Five, as well as other measures that you can see developing in Austin as we speak. Take a look at what the report says about their five:

Create streets that are for people, not just cars. “Pedestrian islands, wide sidewalks, plazas and bike lanes are all part of an environment that **reduces the primacy of the automobile** – as well as fatalities.” Sound like Austin?

Keep cities compact. “Short block lengths, as well as concentrated housing and business districts, allow easy, walkable access to public transit and **reduce dependence on personal motor vehicles.**” Sound like Austin?

Reduce traffic speeds. “The report suggests **traffic-calming measures** such as speed bumps, raised pedestrian crossings and sidewalk extensions **to slow cars** in urban areas.” Sound like Austin?

Make public transportation safe, affordable, and convenient. “Because then people will use it.” Citing a bus-rapid transit system in Belo Horizonte, Brazil “**complete with rebuilt streets designed to make walking to the stations safe,**” the report claimed it could “cut traffic death and catastrophic injuries from crashes in half.” Sound like Austin?

The fifth recommendation suggested using data mapping techniques to identify problem spots. Everything you just read is coming from a world body and being disseminated in the good ole USA. WRI reports that **Tokyo, Stockholm, London, Paris, Berlin and Hong Kong are among the safest cities in the world when it comes to reported traffic fatalities.**

Reinforcing the safety mantra, a WRI spokesman was quoted as saying in summary: “**Cities and streets can be designed to protect lives, or they stick with status quo policies that endanger hundreds of millions of people, in cities large and small.** This research makes a strong case that strategic design and evidence-based measures can better protect lives.”

Obviously, there are opposing theories and approaches to the way cities such as Austin can and should grow. We'll share one of those theories with you in the next item.

A new back-to-downtown fad is sweeping city halls nationwide and Austin is caught up in this fad. But the mixed use concept sometimes produces mixed results, according to one national urban leader. And his message, while general, may have limited application for Austin.

Urban Land Institute Foundation Governor and developer **John McNellis** doesn't mince words when he writes in the *UrbanLand* magazine: "Designing cities to escape the tyranny of the automobile – to allow people to walk from home to work to shopping – is a laudable goal.

"But," he continued, "when that goal is alloyed with a **misunderstanding of basic economics and a 'We know what's best' arrogance on the part of cities**, buildings no one wants – and worse, no one can use – are too often the result."

One of his examples: "A single building today can blend retail on the ground floor with offices, apartments, condominiums, and even a hotel above. Mixed use, the experts claim, is the key to happiness." You can also envision a smirk on his face when he writes "as ignorant as we were, **most of us had no idea we would be happier living above a supermarket.**"

"To achieve this dream," he argues, "**too many cities are insisting on mixed uses in locations that are, at best, suitable for a single use:** cities are jamming retail space into quiet residential quarters and demanding residences atop noisy stores. In short, **cities are making the socialist mistake of dictating supply rather than responding to demand.**"

He went on: "this approach often works fine in Manhattan, Paris and San Francisco – **a walkable, living downtown with night life and tony restaurants that spill out onto the sidewalks on warm summer evenings.**" Sounds good, huh?

His problem with this is that "**blight is built at the intersection of dreams and greed.**" And he questions what will happen when a retail operation goes belly-up, because demand is not there, and it remains vacant, etc., etc.

It's easy to look at a vibrant Austin where condo sales are brisk, apartment rents are soaring, high-rises are rising higher, hotels are popping up like popcorn, office buildings are being leased by job-creating companies that seem to be moving here daily – **and conclude this enviable condition will continue far into the future.**

McNellis will likely not quarrel with Austin's dynamism. But he will also likely urge caution because of what he has seen in other cities. **Economic cycles are just that – cycles, not straight, upward lines.**

His argument is that policies, such as those followed by Austin, are built upon an economic foundation that is – as he put it – "**dictating supply, rather than responding to demand.**"

Defacing public property in Austin is against the law. The most obvious example is graffiti. It's difficult to catch the perpetrators, so the most common way to battle this visual blight is to simply remove the graffiti. But there's a more delicate problem in certain parts of Austin – public urination. Now there may be a very innovative way to deal with that.

Public urination assaults the senses in more ways than one. And, frankly, the problem is not as great in Austin as it is in other cities in the US and, especially, abroad. Many cities fight the problem by **building public restrooms. While that helps, let's face it, some guys (and it's really a *guy* problem) just relieve themselves when the urge hits.** Here's a new solution:

Walls are being treated with a paint that splashes back urine. Really. **A guy pees on the wrong wall and his stream explodes into hundreds of droplets that spray back on his legs.** (When I finished this sentence I thought to myself “am I actually writing this?” Okay, maybe we can elevate this discussion by turning to a scientific explanation.)

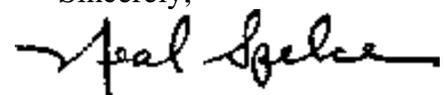
The product is called “Ultra-Ever Dry” and it is a superhydrophobic coating that violently repels liquids (see, it *is* scientific-based). Sold in Florida, European cities have been impressed with its effectiveness. In fact, Hamburg, Germany is using the product to battle late-night beer drinkers who aren't potty-trained. And now, it is being tested in San Francisco (that figures).

Wanting to take advantage of the surprise factor, San Francisco is only putting up signs that read: **“Hold it! This wall is not a public restroom ... seek relief in an appropriate place.” And if the sign is ignored, SPLASH! the guy is splattered with his own pee.**

Interesting *solution* to a public problem. Beats the cost of removing graffiti.

Speaking of signs, **Dr. Louis Overholster** likes the one that reads: “Frog Parking Only. All Others Will Be Toad!”

Sincerely,



Editor/Publisher