

CapMet and homeless petitons to be pushed at the polls Nov. 3rd

Turnout for gubernatorial
election makes gathering
signatures quick and easy

ROAD Petition

The Reclaim Our Allocated Dollars (ROAD) petition involves a strategy that's akin to a complex bank shot in a game of billiards. Since there is no method for the public to force the Capital Metro board to reduce its one-percent sales tax rate, ROAD founder Gerald Daugherty has taken the indirect route of trying to force the city council to request that the Texas Legislature limit the tax to a half-percent. The city council clearly would not want to do this because a strong public transit system is fundamentally important to the success of the city's Smart Growth Initiative, which seeks to boost population density (and tax base) in the urban core and slow suburban sprawl. Frankly, Daugherty is less concerned with forcing the council to do something it does not want to do than he is with taking the petition—signed by tens of thousands of registered voters—to the State Legislature and getting state rep. Terry Keel, R-District 47, to sponsor legislation to let Austinites vote on it. Keel's 1997 bill would have made Capital Metro's sales tax expire and be reset at a quarter-cent or half-cent unless an election were held in November 1997 and voters approved continuation of a higher tax rate. That bill was killed on a point of order, however. Keel is not optimistic he'll fare any better in the 1999 session. "The obstacle is you are dealing with a Travis County delegation in the House of Representatives that's 4-1 against this measure," Keel says.

If you go to the polls Nov. 3 you're going to get a chance to do more than mark ballots to elect state and county officials and decide the fate of \$712.3 million in city bonds. Depending no where you vote, you will likely have the chance to sign a couple of petitions that could have a far-reaching impact on Austin's future. Two unrelated campaigns are gearing up, each saying they will put hundreds of their own separate volunteers at polling places to gather signatures. One campaign is bent on whacking **Capital Metro's** sales tax in half. The other aims to kill mayor **Kirk Watson's** plan to expand downtown homeless shelters. Both campaigns seek to pass ordinances by using **City Charter** procedures to get their measures on the ballot for voter approval. **Gerald Daugherty** founded **Reclaim Our Allocated Dollars (ROAD)** in early 1996. He claims to have 270 volunteers lined up to meet a goal of 20,000 signatures on election day. His ordinance would force the city council to ask the Legislature to amend the **Texas Transportation Code** to cut in half **Capital Metro's** one-percent sales tax. **In Fact** Nos. 32 and 161 reported his 1996 ROAD petition to reduce Capital Metro's tax to a quarter-cent. He got 11,000 signatures on that petition, which played a part in the 1997 legislation to reform the transit authority. Daugherty says Capital Metro is making a bad political mistake by operating on a two-third's of the sales tax it collects and stockpiling money for possible later use on light rail. "I'm going to ask state legislators how it is you can keep collecting a tax and not spending it," he says. "There's not a legislator in this state who will let you collect money indefinitely." He says he'll push for a total of up to 50,000 signatures. Under the **City Charter**, to put an ordinance on the ballot a petition must be signed by 10 percent of the city's registered voters. There are now 394,608 people registered to vote in the city's Nov. 3 election, meaning Daugherty needs the valid signatures of some 39,500 registered voters. Even if he fails to get enough signatures to put the ordinance on the ballot, tens of thousands of signatures would give Daugherty leverage to return to the Legislature for another round of lawmaking that could wind up reducing Capital Metro's sales tax.

Capital Metro board chairman **Lee Walker** says the agency currently has about \$70 million-plus set aside in reserve to fund a transit system beyond buses or be returned, and that figure will grow to \$100 million-plus by the time the fiscal year ends Sept. 30, 1999. He hopes to have a plan to put to voters by late 1999 or early 2000. He notes the current board has been at work for just a year and had to clean out the rot of 14 years before turning to planning. "If Daugherty says he sees no progress he's in a dishonest position or has made no effort to become informed," Walker says. Daugherty says progress is illusory and every board has been excited about every new general manager. Beyond that, he says the board is missing the point. "I contend that too much sales tax is dedicated to public transit—period. They don't get it...Whether they think they're doing a good job or not doesn't matter." Daugherty says the ROAD petition will exert extra pressure on **Beverly Griffith** and **Daryl Slusher**, the two council members who serve on Capital Metro's board and who will be wooing voters for reelection next May. Griffith says

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COP Petition

Citizens Opposed to Panhandling (COP) has a more straightforward challenge. The COP petition seeks to force the council to call an election on a proposed ordinance that would regulate homeless shelters for 16 or more adults but not shelters which exclusively accommodate women or women with children. It would bar shelters from being located within 500 feet of any lot that is zoned or used for residential purposes; or 1,000 feet of any block on which there is located another shelter, school, public park, or licensed day-care center; or on any block in which 50 percent or more of the lots within a 1,000-foot radius of that block are zoned or used for residential purposes. Anyone who operates a shelter within the city limits would have to first get a license issued by the city and would have to renew the license annually. The city would have to notify property owners within 300 feet of the shelter site before issuing a license. Existing shelters would be grandfathered. The "Fact Sheet" accompanying the COP petition claims that the current Salvation Army facility has caused property values in surrounding blocks to be reduced by up to 40 percent. Art Cory, chief appraiser of the Travis Central Appraisal District, could not verify that figure but says, "It certainly would have a negative effect; common sense tells you that...We probably have considered the effect of that situation on nearby properties." Bob Honts says getting signatures for the COP petition will be a breeze, because 40,000 people visit 6th Street every weekend. He says they already started collecting signatures at the recent Old Pecan Street festival and would have done so at the Hoop It Up tourney last weekend had that event not been rained out. "If you designed a place to get signatures, you could not design one better than Sixth Street," he says.

she's not worried because Capital Metro has been turned around by reducing expenses, increasing revenue, and improving on-time performance. "I don't see the vulnerability," she says. "All I see is better and better performance." As far as Daugherty's complaint that Capital Metro is stockpiling too much cash, Griffith says building up a reserve for entry into light rail is a smart move. "Seattle, Portland, Dallas and other cities all over America are getting together enough of a down payment for alternatives to concrete and asphalt," she says. Slusher says Capital Metro's sales tax is a local issue that should be settled locally and he has asked general manager **Karen Rae**, who started work Oct. 1, to give her view on whether the agency needs the full penny or should go back to three-quarter cent. "Her opinion is going to be more persuasive than somebody who is obviously doing this for political purposes," Slusher says. He shares some of Daugherty's views but thinks the transit critic hasn't recognized the progress made. "I agree the transit agency was not run well, to say the least...but there's been a tremendous turnaround." He says the new board is only a year old and managers who ran the agency poorly are gone. "The voters will say whether they want to use that penny to build a light rail system or stop charging the tax," Slusher says. "The size of the tax should be determined in an election, as opposed to legislation." Not so, says state rep. **Terry Keel**, R-District 47. "Any authority to tax and its very existence is due to action by the state Legislature, and the Legislature can undo it," Keel says.

The second petition drive is being headed by the **East Sixth Street Community Association**. It seeks to force an election for an ordinance to regulate the zoning, site development and operating regulations for overnight shelters for the homeless. Called **Citizens Opposed to Panhandling**, the petition is aimed at blocking the proposed expansion of the **Salvation Army** facility at 7th and Neches to add a 250-bed adult male homeless shelter. The drive is co-chaired by former **Travis County** commissioner **Bob Honts** and restaurant owner **Bob Woody**. Honts says they are already working the crowds that show up at Sixth Street and have "several hundred" volunteers to work the polls Nov. 3. He foresees forcing an election next spring—maybe even at the same time as the May council elections. Honts claims the plan to expand the Salvation Army facility is an "end run" around his group's concerns with problems caused by homeless men, many of which have alcohol and drug-abuse problems, and who repeatedly commit misdemeanors with no enforcement to stop them. "If the mayor and city council held public hearings—the way they would in any other neighborhood—this would not have been necessary," he says. **Richard Troxell**, president of **House the Homeless Inc.**, agrees the Salvation Army site is a bad location to expand a homeless shelter because of its proximity to copious amounts of alcohol at a liquor store and bars. But he says the petitioners are defrauding the public by labeling the campaign as an answer to panhandling. "It has nothing to do with panhandling," Troxell says. "There are already laws against panhandling." Honts agrees but says they aren't enforced. "The highest incidence of panhandling is in areas of homeless shelters," he says. "We are not opposed to having a shelter to improve the lives of these unfortunate people, but not in this prime area. This is just a poor job of location by the **Austin City Council**." ♠

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