

Date: June 30, 2008

To: Mayor Hardberger, City Manager Sculley, and Rod Sanchez,
Director Development Services

CC: Larry Zinn, Mayor's Office; T. C. Broadnax, Assistant City
Manager; and Diane Cibrian, Chair, CC Infrastructure and
Growth Committee; other members of Committee.

From: June Kachtik, Co-Chair, Scenic San Antonio

Re: Digitals – Moratorium

On June 19, 2008, Scenic San Antonio and other groups made the case to the City Council at its Citizens to be Heard session for a moratorium on the digital billboard process. We would appreciate hearing from you about what you are going to do about a moratorium. We think we have demonstrated legitimate concerns. They are:

1. Questionable information provided by staff to the Electrical Supervisory Board. Scenic San Antonio has received the DSD records and is reviewing them. I urge you to look at the information provided by Bill Bourne, the other Scenic San Antonio Chair, demonstrating that the information is in doubt. If you need it, contact Mr. Bourne at wbourne001@satx.rr.com.
2. Lack of the driver safety study. Scenic San Antonio is very concerned that the City will not produce a study that has a methodology that meets the standard of determining whether or not the distraction of digital billboards is the cause of traffic accidents.

When the City Council or committees asked about safety, Rod Sanchez quoted from the Virginia Study, which stated that there was no significant difference in impact between regular and digital billboards. This study was funded by the billboard industry and is so flawed as to be discounted as evidence by the New York State Superior Court. Scenic San Antonio has provided to the City Council and its committees, as well as to Rod Sanchez, a critique of the Virginia Study by Mr. Jerry Wachtel, a nationally recognized traffic safety expert. In his critique he lays out the type of methodology that should be followed. We have given you a copy of the study, but let me know if you need it.

Scenic San Antonio requests:

1. The City staff consult with Mr. Wachtel or someone of his caliber to develop its study.
2. Scenic San Antonio be involved in the development of the study, not be given the study once completed. Our interest is not in writing the methodology, but in knowing that the City staff is engaging credible experts to write the methodology.
3. Contact information for the person(s) in the Police Department who will be involved.
Note: If you recall, City Council passed this ordinance prior to the development of any federal studies to determine driver safety. They will not be ready until the end of 2009.

Background:

1. At the City Council meeting of 12/6/07 when the City Council approved the digital ordinance, Rod Sanchez stated that staff had a study in place.
2. At the VJ annual neighborhood meeting in January 2008, Diane Cibrian was asked for a copy of the study, and she said she would check into it and provide it. Scenic San Antonio did not receive anything.
3. On 6/18/08 Rod Sanchez left a phone message for me, stating that he will be working with the police department to develop the study and then share the results with Scenic San Antonio.
4. On 6/19/08 T. C. Broadnax by email confirmed these remarks, stating that "during the months of August 2008 through October 2008, the department will assess the number of accidents near the locations of the digital signs and will compare that number with historical data. After the assessment is completed, the department will make a presentation to City Council in November 2008." (I would like to note that the ordinance calls for a review in September.)