

# San Antonio Express-News

## Sought vote on streetcar is off-target

Express-News Editorial Board

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The city of San Antonio should undertake rigorous but reasonable examination of the signatures on petitions intended to force a public vote on the streetcar project.

We wouldn't want much dreaded voter fraud to occur at the front end of such a vote.

But let's suppose streetcar opponents have more than the 20,000 valid signatures required — from registered San Antonio voters. This would not make such a vote any less an exercise in bad governance. Worse, bad precedent.

In that same category is a statement by Rep. Lyle Larson, R-San Antonio, that he will sponsor legislation to strip the project of \$92 million in state funding if the Texas Department of Transportation doesn't nix the money first. And a suggestion out there that the VIA Metropolitan Transit board should be elected rather than appointed suffers from the same defect.

These actions suppose:

- That elected bodies weren't elected to govern and that appointed bodies of citizens shouldn't have any juice unless elected.
- That voters don't have recourse — the next election — if they disagree on how they are governed.
- That policy should be dictated by decibel level.

Let's be clear. These petitions are for the purpose of a public vote on a charter amendment that would prompt another vote. It is a vote on whether to vote.

And a city attorney opinion says the vote — to prohibit use of city right of way for streetcars or light rail unless approved by voters — wouldn't be retroactive to the streetcar.

The City Council would come up with ballot language, presumably with city attorney help. It would have to make the language faithful to the petitions' intent.

We understand opponents' frustration. They have been stymied — with their elected bodies, and in court. In a case connected to the streetcar, a plaintiff was unable to come

up with a \$3.85 million bond, reflecting what VIA might have to pay in increased interest rates and costs for affected construction delays.

But we view a nonbinding charter amendment election as second cousin to those recall elections pursued through the years. You know the ones not for actual legal misbehavior but for simple disagreement on public policy.

This has ceased to be a debate solely on the merits of the \$280 million streetcar project. It has become a debate about the public's right to vote.

That right is indisputable, but not every forced vote on a major project is the right thing to do. It's difficult to imagine any high-dollar project that wouldn't spark a sizable body of opposition.

Though streetcar isn't light rail, the real purpose here is stopping the streetcar because it is thought to be a prelude to a broader rail system. The fear isn't that the streetcar won't work and won't be appreciated — it is that it will.

Recasting this as a right-to-vote issue was about finding the right wedge. Firefighters and police have also discovered this, using streetcars as leverage in collective bargaining talks with the city about their health benefits. We don't buy denials to the contrary.

Larson has said he might sponsor a bill to strip \$92 million in state transportation funding from the streetcar project if TxDOT doesn't rescind the funding on its own.

He claims the project is "universally disliked by constituents in my areas."

But VIA, the City Council and the Bexar County Commissioners Court don't represent just his areas. And Larson has said his bill would prohibit the use of TxDOT funding to streetcar projects anywhere in the state. He would impose the alleged wishes of his "areas" on the rest of the state.

The \$32 million city share of a \$280 million project is a bargain and well within the city's purview to allot — and far below amounts for other notable city and county projects that weren't put to votes. And surely below the cost of paying for rich police and fire health benefits. Shall we vote on those?

If there is a vote, we hope supporters do a better job of selling streetcars. But it should be an honest debate. On their merits, streetcars are worthy of any modern Texas city.