

Area voters use power of the pen

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By **LEE POWELL** / The Dallas Morning News

Affairs hummed along smoothly in the city. Or so elected types thought. But then voters stepped in and messed everything up.

Welcome to the world of the voter-led petition. Snag some signatures, and you're on the ballot, where you may just change the local political landscape.

Come May 7, that could happen in Dallas, Plano and Frisco.

Dallas might get a super-strong mayor. A regional arts hall in Collin County could get sunk if Plano withholds its contribution. Frisco could be forced to set up a bureaucracy to police shoddy homebuilders.

In each city, residents banded together to force such ballot items – something that can be done with surprising ease. Take Plano, where initiatives get initiated based on voter turnout in the last local election. But there, few people vote. That means with a little more than 600 valid signatures, a ballot spot could be had this May. The name threshold could be hit in a weekend, using a card table, coffee and some Type-A signature getters working a grocery store parking lot.

It can be so easy that it raises a simple question: Is this any way to govern?

Populist roots

Resident-initiated lawmaking has roots in turn-of-the century populist movements, a way for people to confront entrenched interests, said Dr. Chris Potholm of Bowdoin College in Brunswick, Maine, who studies ballot measures.

"It's the safety valve for democracy I think [that] is ultimately the most salutary tool in the entire political system," he said.

Politicians had better listen and act, or else. Our instant-everything culture has seeped into politics, where constituent impatience is growing, observers say.

"They don't like having to take that go-slow approach, 'Wait another year, the timing isn't right' – that isn't realistic," said Amy Showalter, a Cincinnati consultant who helps corporations and associations get employees politically active. "They're getting frustrated with that."

But catch an elected official in a down moment, and you may hear grumbles. If disaffected residents can easily force ballot items, why have legislators?

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Dallas

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Plano

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Sparking change

Even the mere threat of a petition drive, followed by a possibly costly special election, can prompt change.

Consider what has happened in Plano in the last year.

A year ago, senior citizens there began calling for a freeze on their property taxes, as a new state law allowed. The City Council demurred. A petition drive began. Council members soon voted to grant the tax freeze.

Then, some residents objected to city bond funds going toward public art features at projects like fire stations. An art tax, they called it. Rumbblings of petitions began, asking voters if they wanted to fund art. The City Council dropped the plan. Public art will be paid for another way.

But there would be no heading off petitions on an arts hall. Plano voters a few years back approved almost \$20 million for it. Some contend the hall was meant for Plano, even though the city's leaders agreed that it was to go in neighboring Allen, with costs shared among Plano, Allen and Frisco.

A ballot initiative launched, asking voters if they wanted dollars spent outside city limits. Organizers got names. The council stuck it on the May ballot.

"If you get enough people concerned about the topic, you will get signatures," said petition organizer Jack Lagos.

Mayor Pat Evans rebuked the effort. Everything was wrong, she said, from petition language to what backers told people to cull signatures.

"It was totally lies," she said at a recent council meeting. "You can't even just say misleading. It was lies."

All of this in relatively placid Plano, where local government moves with the efficiency of the corporations nestled in the city's office parks.

Uncontested political races may be to blame for Plano's recent ballot initiative scrapes, says council member Shep Stahel. Without hot contests, there is little discussion of the issues, making it unclear what the majority wants, he said.

"Therefore, the referendum or initiative process can be a useful tool, to use a golf term, to tee up an issue, and get the citizens and elected officials to focus hard on it," said Mr. Stahel, running unchallenged in May for re-election.

And to think Plano officials considered changing signature requirements when recently weighing charter amendments. Building initiatives around low, low voter turnout could lead to pricey special elections, those in power worried last year.

"There could be a series of elections anytime anyone is mad about anything," said Ms. Evans, the mayor, at the time.

Numbers vary

Signature volumes can change depending on what is being decided. And where. Some measures, such as charter amendment initiatives, base petition counts on the pool of all registered voters in a place rather than how many voted in the last election, according to

state law.

Wet-dry elections – altering alcohol restrictions in localities – get on ballots with a percentage of signatures from the last governor's race. It can be a potentially high hurdle: in Plano, petitions to do that took more than 20,000 signatures.

Other rules cover a referendum (changing already passed legislation) and recalls (throw the elected bums out).

Recalls of officials do happen: It's how Arnold Schwarzenegger became governor of California, the epicenter of resident-initiated legislation.

Locally, there were unsuccessful tries in Dallas against Mayor Laura Miller. A recall is under way in Denton County's Highland Village, spurred by Wal-Mart opposition. There even are recall rumblings in Plano, among residents disaffected by other City Council moves.

A different voter move – a tax rollback election – was recently endorsed in Bedford. Several million dollars could be slashed from the city budget with a lower tax rate.

'Ripple effect'

But what people want and what they get do not always match.

In Frisco, officials worry proposed charter changes taking on the homebuilding industry will create a legal morass at City Hall. And they claim it may bring building to a halt in the fast-growing burg.

"This thing has a ripple effect that could be enormous," said Mayor Mike Simpson.

While voter revolts may feel good and be a way to let the frustration out, their record is mixed.

"Doing this sort of democracy by initiatives – you don't allow the tradeoffs, the gradual refinements or tinkering with the law you might be able to do with City Council doing it on a day-by-day basis," said Dr. David Schultz, who teaches election law at Hamline University in St. Paul, Minn.

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