

2. Transforming San Pedro Avenue to facilitate “rapid” buses “resembl[ing] the experience of light rail” will require fundamentally altering and damaging San Pedro Avenue so that it is far less amenable to travel by normal vehicles. Among other things, the City acknowledges that San Pedro Avenue will no longer feature a center turning lane (because it will be turned into the bus lane(s)) and other lanes will also be removed.

3. Apart from being bad policy that will reduce vehicle lanes and severely disrupt flow of traffic in lanes that remain, San Antonio’s plans to fund the bus rapid transit project violate the Texas Constitution and Texas Transportation Code, and sever political accountability for the City’s stewardship of tax dollars. VIA just secured voter approval for a 1/8 of 1% sales tax increase, such that beginning in January 2026, VIA will be collecting 3/8 of 1% sales tax. State law dictates that the City is entitled to receive 25% of the 1/8 increase, amounting to more than \$13 million a year. This is \$13 million annually the City is supposed to spend as it sees fit to fill potholes, maintain its streets, or otherwise improve transportation, and the funds will only increase as sales tax revenues increase over time.

4. Instead, San Antonio City Council has signed an agreement promising VIA that it will send all of the City’s 25% dedicated share *back* to VIA to be spent *in VIA’s discretion*.

5. This plan violates the Texas Constitution because the transfers constitute an illegal gift of City funds to VIA. The plan also violates the Texas Transportation Code because the applicable statutes strictly limit the sources of

funding for an “advanced transportation district” (ATD) and do not allow San Antonio to gift or grant its public funds to VIA. San Antonio and VIA therefore violate both the Texas Constitution’s Gift Clauses and the Transportation Code’s prescription for ATD funding by making and accepting these funds transfers, respectively.

6. As if that were not enough, the plan is also a perpetual unconstitutional delegation of the City’s decisionmaking power—the authority to decide how and where its statutory portion of the increased taxes are to be spent—to an unelected body (VIA’s board). This delegation violates the Texas Constitution and the City’s own charter. It also violates the voters’ trust, because when the voters approved the tax increase in November 2020, they could rest assured that Texas law guaranteed the City Council would remain in charge of spending at least 25% of the additional funds, which could be dedicated to fixing potholes and other road maintenance anywhere in the City. Instead, the City has now abdicated its authority over this spending—punting it all to VIA to be spent in VIA’s discretion. The City’s proposed monthly payments of this revenue to VIA are therefore illegal expenditures and should be enjoined before the first such transfer is slated to occur in March 2026.

Discovery Control Plan

7. Pursuant to Rule 190.1 of the Texas Rules of Civil Procedure, Plaintiff intends to conduct discovery in this case under Level 3.

Parties

8. Plaintiff CATHOLIC FAMILY APOSTOLATE, d/b/a SAFA ACTION, is a nonprofit corporation organized under Texas law and registered with the Texas

Secretary of State. SAFA Action was established by the Saint Anthony Family Association d/b/a San Antonio Family Association (SAFA). Because governments that overstep their legitimate bounds invade the natural and critical prerogative of family, SAFA and Friends of SAFA (its political committee) advocate sound fiscal policy and, from time to time, must oppose wasteful or illegal expenditures of tax dollars. Whereas SAFA (a charity) and Friends of SAFA (a political committee) operate in their respective fields, SAFA Action was established as a social welfare organization to further the same overall goals within its area of operation, including through public policy education and advocacy. SAFA Action regularly pays sales taxes in the City of San Antonio.

9. Plaintiff DANIEL PETRI is an individual residing at 129 Rilla Vista Drive, within the City of San Antonio in Bexar County, Texas. This residence is less than a quarter mile East of the intersection of San Pedro Avenue and Jackson Keller Road. VIA identifies the intersection as a major stop along the proposed Green Line. Petri owns this residence and therefore is subject to the ad valorem taxes assessed by the City. Further, as a resident, Petri regularly pays sales and use tax on purchases he makes within the City. Petri is also a qualified voter of the City. The last three numbers of Petri's drivers license are XXX. The last three numbers of Petri's social security number are XXX.² Petri's office is located at 10803 Gulfdale St., in San

² Plaintiff omits this information from this public filing, because there is no dispute or mystery about his or her identity. If the Defendants desire this information, however, Plaintiff will provide it to them privately, and if the court desires that the information be included in the petition, Plaintiff will either amend the petition or state the information in open court at the first hearing, as directed by the court.

Antonio—very close to Isom Road where the proposed Green Line would begin. Petri is a director of SAFA Action.

10. Plaintiff BETTY ECKERT resides at 233 West Wildwood Drive, in San Antonio, Bexar County, Texas. This residence is less than a quarter mile from the intersection of San Pedro Avenue and West Wildwood Drive. Eckert owns this residence and therefore is subject to the ad valorem taxes assessed by the City. Further, as a resident, Eckert regularly pays sales and use tax on purchases she makes within the City. Eckert is also a qualified voter of the City. The last three numbers of Eckert's drivers license are XXX. The last three numbers of Eckert's social security number are XXX.³

11. Plaintiff PATRICK VON DOHLEN is an individual residing within the City of San Antonio in Bexar County, Texas. Von Dohlen owns his residence and therefore is subject to the ad valorem taxes assessed by the City. Further, as a resident, Von Dohlen regularly pays sales and use tax on purchases he makes within the City. Von Dohlen is also a qualified voter of the City. The last three numbers of Von Dohlen's drivers license are XXX. The last three numbers of Von Dohlen's social security number are XXX.⁴ Von Dohlen is a director and the organizer of SAFA Action. Each weekday, Von Dohlen drives down a portion of San Pedro Avenue that will be included on the proposed Green Line to attend Holy Mass at St. John the Evangelist Catholic Parish.

³ See n.1, *supra*.

⁴ See n.1, *supra*.

12. Plaintiff MIKE KNUFFKE is an individual residing in Bulverde, Texas, 78163. Knuffke drives into San Antonio each weekday and drives down San Pedro Avenue many weekdays each week. Knuffke regularly pays sales and use tax on purchases he makes within the City. The last three numbers of Knuffke's drivers' license are XXX. The last three numbers of Knuffke's social security number are XXX.⁵

13. Defendant CITY OF SAN ANTONIO, TEXAS ("the City") is a municipality and a home rule city. Its principal place of business is City Hall, 100 Military Plaza, San Antonio, Texas 78205.

14. Defendant VIA METROPOLITAN TRANSIT ("VIA") is a metropolitan transit authority created according to Article 1118x of the Texas civil statutes (superseded by Chapter 451 Texas Transportation Code) to provide public transportation services within the designated boundaries. VIA is a governmental entity and corporate body with the capacity to sue and be sued. Tex. Transp. Code §§ 451.052, .054(c). Authority for management, operation, and control of VIA is vested in its board. *Id.* § 451.053. VIA's board is also the governing body of the advanced transportation district (created pursuant to Section 451.702 of the Transportation Code) by virtue of a measure approved by voters in November 2004. VIA's principal place of business is 123 N. Medina St., San Antonio, Texas 78207.

⁵ See n.1, *supra*.

Statement of Facts

15. The City of San Antonio is working with VIA, a metropolitan transit authority governed by Chapter 451 of the Transportation Code, on a “bus rapid transit” system.

16. VIA itself was formed in 1977 to assume the facilities and operations of the former San Antonio Transit System. VIA commenced operations in 1978. *See Salvatierra v. VIA Metro. Transit Auth.*, 974 S.W.2d 179, 181-82 (Tex. App.—San Antonio 1998, pet. denied).

17. In November 2004, in an election ordered by VIA’s board pursuant to Transportation Code § 451.702, San Antonio voters approved creation of an Advanced Transportation District (“ATD”) for supposed mobility enhancement and advanced transportation.

18. This vote also authorized the ATD’s imposition and collection of a sales and use tax at a rate of 1/4 of 1%. This initial tax is referred to in City documents as “ATD I.”

19. The Texas Transportation Code specifically delineates how the proceeds of this tax are to be distributed. “The [advanced transportation] district” itself keeps “one-half of the proceeds.” Tex. Transp. Code § 451.702(f). But “the governing body of the district shall remit one-fourth of the proceeds ... to *each participating unit* in proportion to the amount of the sales and use tax proceeds that were collected in that participating unit.” *Id.* § 451.702(g) (emph. added). The final one-fourth of the

proceeds are to be kept in a separate account by the district to be used as the local share of state and federal grants. *Id.* § 451.702(i).

20. The City is a “participating unit” in the ATD that was created pursuant to the 2004 vote. Accordingly, San Antonio is statutorily entitled to receive 25% of all sales and use tax collected by VIA from San Antonio. *Id.* § 451.702(g) (“The governing body of the district shall remit one-fourth of the proceeds of the sales and use tax to each participating unit in proportion to the amount of the sales and use tax proceeds that were collected in that participating unit.”).

21. This subsection ensures that each participating territory’s political leadership retains control over how this (25%) portion of the collected funds are spent. While the statute limits the use of these funds—stating that the proceeds must be used “only for advanced transportation or mobility enhancement purposes”—it ensures local control and accountability for at least a portion of the sales and use tax collected. It ensures that, here, the San Antonio City Council decides where and how to spend these funds, which can be dedicated to, among other things, improvement or maintenance of San Antonio streets and sidewalks. *See* Tex. Transp. Code § 451.701(4) (defining “mobility enhancement” purposes for which sales tax proceeds may be used).

22. On November 3, 2020, City planners proposed, and voters approved, a 1/8 of 1% increase of the ATD local sales and use tax rate, such that the new tax rate devoted to the project is now 3/8 of 1%.

23. Collection of the additional (1/8) tax will begin on January 1, 2026. The 1/8 of 1% increase is referred to as “ATD II.”

24. Construction on the so-called “Green Line” along San Pedro Avenue is slated to begin first, with preparations to move public utilities currently underway.

25. City Council has approved an Interlocal Contribution Agreement (“ILA”) between the City of San Antonio and VIA “through [which] the City will convey to ATD the City’s portion of ATD II (essentially 1/4 of the 1/8 increase approved by the voters in November of 2020).” See Exhibit B (excerpts from the ILA), p. 1, penultimate paragraph.⁶ Making it even more explicit, the City agreed “to provide to VIA a monthly payment consisting of the statutorily allocated amount of the proceeds of the sales and use tax due to the City generated by ATD II, that being the City’s one-fourth (1/4) share of the one-eigh[th] (1/8) increase to the ATD tax proceeds.” *Id.* ¶4.1.

26. San Antonio’s monthly payments to VIA under the ILA are slated to begin in March 2026.

27. The ILA states that City will transfer its statutorily guaranteed 1/4 portion of ATD II every month for as long as ATD taxes are collected. *Id.* ¶3.1.

COUNT 1
(Against the City and VIA)
The proposed transfers are an illegal grant or gift of public monies.

28. All foregoing paragraphs are hereby incorporated.

⁶ The ILA was discussed at City Council’s June 22, 2023 meeting.

29. The Texas Constitution’s Gift Clauses prohibit public entities from making “gifts” of public resources to other entities. TEX. CONST. art. III, sec. 51, 52.

30. The Gift Clauses constrain not only disbursements to private entities but also disbursements to other governmental entities. *E.g., San Antonio Ind. Sch. Dist. v. Bd. of Trustees of the San Antonio Electric & Gas Sys.*, 204 S.W.2d 22 (Tex. Civ. App.—El Paso 1947, writ ref’d n.r.e.) (City of San Antonio’s attempt to contractually bind itself to pay public funds to school district violated Gift Clauses).

31. To avoid constituting an illegal gift of public funds, payments from the City must (a) be directed to a public purpose; (b) the City must maintain sufficient control over the funds to ensure the public purpose is accomplished; and (c) the City must receive a benefit in return. *See, e.g., Borgelt v. Austin Firefighters Assoc., IAFF Local 975*, 692 S.W.3d 288 (Tex. 2024).

32. The first element requires the transfer of funds to be for the predominant objective of accomplishing a (a) legitimate (b) public purpose. “Public purpose” means that the object is “beneficial to the inhabitants and directly connected with the local government.” *Borgelt*, 692 S.W.3d at 304.

33. The ILA affirmatively reflects that the City’s shoveling tax money to VIA fails this first element, because the transferred funds do not have to be used by VIA to benefit San Antonio residents.

34. The ILA simply says VIA must use the ATD II funds “for advanced transportation or mobility enhancement purposes, as defined in Section 451.701 and consistent with Section 451.702 and in a manner consistent with the commitments

made to voters in the November 3, 2020 election.” ILA 4.1. Even if VIA strictly dedicates the ATD II funds to uses that would indisputably benefit the ATD, the contract has no requirement that the expenditures benefit *San Antonio residents* specifically. As but one example, VIA could use what is supposed to be San Antonio’s dedicated portion of the sales tax revenue to fill the potholes or maintain the streets of a municipality within or related to the ATD other than San Antonio. Because the ILA specifically allows VIA to spend San Antonio sales tax revenue in a manner that does not benefit *San Antonio residents*, the ILA does not predominantly serve a public purpose *with respect to San Antonio* and the City’s proposed monthly transfers are illegal.

35. The planned transfers fail the first element for yet another reason. Even if VIA were to spend all ATD II funds within City limits, the ILA does not reflect that the expenditures will serve a *legitimate* public purpose. Despite the generous breadth of activities falling under “advanced transportation” and “mobility enhancement” as defined in §§ 451.701 and 451.702, VIA has already demonstrated it does not intend to operate within these statutory limits. VIA’s recent substantial expenditures—including the purchase of the abandoned Scobey complex—for a now-indefinitely stalled housing project, is a prime example. VIA spent \$5.2 million in 2017 for the Scobey complex and has spent more than \$500,000 in maintenance in the ensuing eight years in a brazen plan to create (density-driven) demand for a transportation project that, without massive and expensive social engineering by government

bureaucrats at VIA, has no demand and no future.⁷ The Scobey redevelopment project has now been “stalled” for years as VIA refuses to answer basic questions about its intentions. Aside from being bad policy, these expenditures were and are illegal: no reasonable reading of §§ 451.701 or .702 supports an ATD’s authority to finance housing projects. VIA’s expenditures on the housing project were and are outside its authority and illegal.

36. VIA’s decision to flout the statutory limits for ATD expenditures by funding its failed housing project was made in bad faith and constitutes a fraud upon the voters.

37. In the alternative, even if not fraudulent or in actual bad faith, VIA’s housing expenditures reflect, at a minimum, an inexcusable failure to spend public funds legally.

38. In light of VIA’s demonstrated eagerness to spend ATD funds on activities clearly beyond its legal authority, the ILA does not reflect that the City’s monthly transfers of sales tax revenue will be spent on legitimate public purposes. The ILA fails to direct that the funds be spent on certain activities or items. The ILA’s bare allusions to the statutory definitions of “advanced transportation” and “mobility enhancement” are meaningless when VIA has flouted these limits without any objection by the City.

⁷ Darian Trotter, News4SA, *VIA’s Stalled Scobey Complex Project Raises Questions Over 5.2M Investment* (Mar. 23, 2025), <https://news4sanantonio.com/news/local/vias-stalled-scobey-complex-project-raises-questions-over-52m-investment-san-antonio-texas-pandemic-related-housing> (last accessed Dec. 5, 2025).

39. The City has also failed to retain sufficient public control over the disposition of its tax monies.

40. The Gift Clauses require that the City “retain public control over the funds to ensure that the public purpose is accomplished and to protect the public’s investment.” *Borgelt*, 692 S.W.3d at 308 (quoting *Tex. Mun. League Intergovernmental Risk Pool v. Texas Workers’ Compensation Com’n*, 74 S.W.3d 377, 384 (Tex. 2002)). The City’s plan to transfer its ATD II sales tax revenue to VIA in perpetuity violates this requirement.

41. Even if VIA dutifully stayed within the bounds of “advanced transportation” and “mobility enhancement” as defined in chapter 451, these expansive purposes are not sufficiently narrow to constitute a meaningful control for Gift Clause purposes.

42. The lack of any specific project purposes, benchmarks, or performance standards, connotes a lack of sufficient control.

43. This is particularly true given the City’s plan to transfer its tax revenue in perpetuity.

44. For all of these reasons, the planned transfers also fail the third requirement of providing a return benefit to the City of San Antonio.

45. Accordingly, the City’s planned perpetual transfers of its portion of the ATD II sales and use tax to VIA constitute illegal gifts of public funds to VIA and should be enjoined.

COUNT 2
(Against the City and VIA)
The Proposed Transfers Violate the Texas Transportation Code

46. All foregoing paragraphs are hereby incorporated.

47. This ILA violates the express terms of Chapter 451 of the Transportation Code. The statute strikes a deliberate scheme for revenue sharing from such taxes, which protects at least some local political accountability (here, on the part of San Antonio elected officials, who must decide how to spend the funds) and prevents the regional transit authority (VIA) from wholly controlling all of the taxes collected for an ATD. But by agreeing to shovel this money to VIA, San Antonio politicians would be removing the funds from the accountability of San Antonio voters. Even if VIA scrupulously ensures that the funds are spent on the bus rapid transit project or other permissible uses, they will be spent in VIA's discretion rather than the discretion of the San Antonio City Council. San Antonio voters are supposed to retain at least some control, through their elected officials, in where and what the funds should pay for. Accordingly, the ILA violates § 451.702(g)'s plain terms.

48. This conclusion is buttressed by other provisions of the same chapter.

49. Section 451.702 specifically contemplates and authorizes certain interlocal agreements and revenue transfers, but only one way: *from* the ATD *to* the governing body of the participating unit. Section 451.702(k) provides that the ATD may enter into an agreement to transfer sales and use tax proceeds *to* a local governmental entity "to finance any cost relating to mobility enhancement purposes in the territory of the district." Subsection (l) makes clear that the ATD may enter

into an agreement under subsection (k) “by order or resolution, without the necessity of an election specifically concerning the matter.” By contrast, the statute does not authorize a municipality or other participating unit to transfer its 25% allocation to be spent in the ATD’s discretion.

50. If chapter 451 were silent as to interlocal agreements and revenue transfers, the City might have claimed a better foundation for this ILA. But § 451.702 reflects that the Legislature expressly considered such potential arrangements, and authorized an ATD to send revenues by agreement to a participating unit but not vice versa. If the Legislature intended to allow transfers both ways, it would have said so.⁸ In requiring that San Antonio’s proportional share of 25% of any ATD sales and use tax be remitted to the City, and in its other implied limitations on revenue-transferring agreements, chapter 451 precludes VIA from accepting the proposed transfers and precludes City Council from abdicating responsibility for taxpayer funds. *See Burch v. City of San Antonio*, 518 S.W.2d 540, 544-45 (Tex. 1975) (repudiating San Antonio’s purported delegation of eminent domain authority to subordinate agency).

51. Longstanding principles governing the construction of statutes conferring authority upon governmental entities to raise revenue, and of statutes

⁸ Moreover, even if such an arrangement were impliedly authorized, it is not within the class of agreements that an ATD can approve itself without an election. Consequently, even assuming, *arguendo*, that § 451.702 leaves the door open for a municipality to hand its revenue over to an ATD, an election would seem to be a pre-requisite.

conferring authority upon governmental officials generally, also compel the conclusion that the ILA is illegal.

52. Regarding revenue-raising authority, the Transportation Code specifically delineates where an ATD's tax revenue may come from and prescribes the limits stated and revenue sharing required in § 451.702(g). Where the Legislature sets out the sources of funding for a governmental entity or program, no additional funding authority should be implied. *Johnson v. Second Injury Fund*, 688 S.W.2d 107 (Tex. 1985); *see also Bryan v. Sundberg*, 5 Tex. 418, 422–23 (1849) (“Statutes which prescribe and limit the exercise of official duty ought to receive a strict interpretation in respect to the powers conferred and the manner of their exercise, and those powers are not to be enlarged by construction.”).

53. Further, Chapter 451 specifically states that the authority shall impose “fares, tolls, charges, rents, and other compensation for the use of the transit authority system” that “together with tax revenue received by the authority,” is “adequate to ... pay all the expenses necessary to operate and maintain the transit authority system” and pay all associated debts. Tex. Transp. Code § 451.061(a). This provision suggests a Legislative policy requiring metropolitan transportation authorities to impose *economically-feasible* user fees—*i.e.*, fees that (together with authorized tax revenue) are sufficient to support the system's operation, maintenance, and debt service—rather than fees that are so low the taxpayers continue subsidizing the system in any given year or even in perpetuity.

54. Accordingly, the plain terms of chapter 451 foreclose the kind of revenue-transferring and accountability-shirking interlocal agreement San Antonio and VIA officials have adopted. San Antonio should be enjoined from making these illegal expenditures of tax revenues and VIA should be enjoined from accepting revenue not authorized by the Transportation Code that will facilitate VIA's imposition of economically-inadequate user fees to be perpetually subsidized by San Antonio consumers and businesses.

COUNT 3
(Against the City and VIA)
The Proposed Transfers Violate the City's and VIA's "Contract with the Voters"

55. All foregoing paragraphs are hereby incorporated.

56. When voters approved the measure authorizing the 1/8 of 1% sales and use tax increase in November 2020, they did so with constructive knowledge and reliance upon the statute guaranteeing that the City of San Antonio will receive and spend in its discretion its 25% share of the additional revenue.

57. Accordingly, the ILA violates the contract with the voters by purporting to erase this statutory requirement and divert City funds back to VIA.

58. San Antonio should be enjoined from making any planned transfer and VIA should be enjoined from accepting any planned transfer under the ILA.

COUNT 4
(Against the City)
The Proposed Transfers to VIA Constitute an Unlawful Delegation of Authority to VIA in Violation of the Texas Constitution and City Charter

59. A home-rule municipality cannot delegate its authority to control the disbursement of public funds within its care. The Charter provides that

the Council shall have and exercise all powers now or later conferred on the City; shall succeed to all powers previously vested in any former governing body of the City; shall have the general care, management and control of the City, *its property and finances*, and shall enact, alter, modify or repeal all ordinances and resolutions not repugnant to this Charter and the Constitution and laws of Texas

SAN ANTONIO CHARTER art. II, § 4 (emphasis added).

60. “[P]owers are conferred on municipal corporations for public purposes; and, as their powers cannot be delegated, so they cannot be bargained or bartered away.” *City of Dallas v. Employees’ Retirement Fund of City of Dallas*, 687 S.W.3d 55, 63 (Tex. 2024) (quoting *City of Brenham v. Brenham Water Co.*, 67 Tex. 542, 4 S.W. 143, 149 (1887)). A city’s authority and responsibility to spend public funds in its discretion is specifically vested in the city’s governing body and cannot be delegated. *See Gulf, C. & S.F. Ry. Co. v. Riordan*, 22 S.W. 519 (Tex. Civ. App. 1893), *error disp’d*, 85 Tex. 511 (discretionary power to decide where to place street lights cannot be delegated outside city council); *see also Burch*, 518 S.W.2d at 545 (“The delegation of the power of eminent domain by the City must be strictly controlled in view of its effect on the rights of the individual citizen.”). While the City Council certainly enjoys discretion in how its statutory share of ATD II shall be spent within the City, the foregoing cases hold that this discretion must be exercised by the City Council itself rather than delegated to a separate body.

COUNT 5
(Against VIA)
Request for Injunction Against Illegal Expenditures for
Housing/Commercial Development

61. All foregoing paragraphs are hereby incorporated.

62. As a metropolitan transit authority, VIA has authority to “acquire, construct, develop, own, operate, and maintain a transit authority system in the territory of the authority.” Tex. Transp. Code § 451.056(a)(1). The Code also confers the “any power necessary or convenient to carry out this chapter or to effect a purpose of this chapter.” *Id.* § 451.054(a). Further specified is a metropolitan transit authority’s authority to hold, use, sell, lease, etc., property and other interests “necessary, convenient, or useful to the exercise of any power under this chapter.”

63. VIA badly misreads its authority if it believes these references to powers “necessary” or “convenient” to carrying out its enumerated authority under Chapter 451 includes the authority to engage in housing or commercial development, regardless of whether the purpose is to support demand for its transportation projects.

64. VIA’s “necessary” or “convenient” authority relates only to such authority as is reasonably necessary and helpful in carrying out its enumerated function(s)—it cannot be read as to confer authority of an entirely different subject matter.

65. Housing or other commercial development projects such as Scobey are not necessary or convenient to VIA’s enumerated authority under Chapter 451, which is limited to transportation, not housing or business development.

66. To read the statutes otherwise would render the Legislature’s careful definitions in chapter 451 meaningless.

67. VIA's expenditures for Scobey or any other such projects are illegal and should be enjoined.

Conditions Precedent

68. All conditions precedent have been performed or have occurred.

PRAYER FOR RELIEF

Petitioner prays for the following relief:

1. An order enjoining the City of San Antonio from paying its 25% share of revenue from ATD II (or any portion thereof) to VIA;
2. An order enjoining VIA from accepting San Antonio's 25% share of revenue from ATD II (or any portion thereof);
3. An order enjoining VIA from expending any funds or using any of its resources to maintain the Scobey complex/development or any other similar housing/business development projects, and enjoining VIA to disgorge Scobey and any other such projects as soon as practicable; and
4. any other relief that the Court deems just and appropriate.

Respectfully submitted,

/s/ Jerad Najvar

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Certificate of Service

I hereby certify that the foregoing First Amended Petition, and any accompanying exhibits, was served upon counsel for the City of San Antonio by means of the electronic filing system on December 8, 2025, and will be served upon VIA Metropolitan Transit by personal service of process.

/s/ Jerad Najvar
Jerad Wayne Najvar

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

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Filing Code Description: FIRST AMENDED PETITION
Filing Description:
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