



Thank you for allowing me to address you this morning. I find it puzzling that we're called the "opposition" when over 70% of the public is behind us. Today, I'm speaking on behalf of the taxpayers and citizens under the umbrella of the San Antonio Toll Party. Not too many citizens feel comfortable with public speaking and going up against the "Goliath" highway lobby. This effort is statewide since you're slapping tolls on state highways everyone drives. I also have a statement to give you from Aquifer Guardians in Urban Areas or (AGUA). I'd like to share with you our concerns with the tolling of Texas and make some proposals as to how to restore the public's confidence in this process. The public understands what you're doing we've received the message - we don't like the message!



WHY THE PUBLIC DOESN'T TRUST TOLLS

1. No voice
2. No justification
3. No transparency
4. No controls

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- The taxpayers do not get to vote on these projects. Prop 15 does not mention TTC, tolling existing highways, nor a toll first Minute Order by the TTC.
- No justification for making us pay tolls for freeways we've already built and paid for.
- These CDAs are being negotiated and signed in secret.
- Unelected tolling authorities are problematic; it's taxation without representation and with the push to use CDAs, there's not true local control, only an illusion of it. A host of our elected representatives share this with me both publicly and privately.
- No cap on how high toll rates can go, just a formula setting a guaranteed percentage of profit; no check and balance on private toll operator with any frequency that brings true accountability (50 years instead of competitive bid process more frequently to achieve transparency in government privatization projects). (Competitive Contracting of Public Service Act, American Legislative Exchange Council)
- The Senate's Executive Summary for Fund 006 had this to say about TxDOT's financial management:

"The sheer size of the budget of the Texas Department of Transportation (TxDOT) coupled with the significant new financial authority granted to the agency during the 78th Legislative Session calls for improvements to the agency's financial reporting methods." Full report at: <http://www.senate.state.tx.us/75r/Senate/commit/c540/downloads/GG.pdf>

San Antonio TollParty
A Republican Revolt Like the Boston Tea Party

TXDOT'S FUNDING "CRISIS"

Motor Fuels Tax Revenues

Year	Revenue (Millions)
1984	500
1985	700
1986	900
1987	1100
1988	1300
1989	1400
1990	1500
1991	1600
1992	1700
1993	1800
1994	1900
1995	2000
1996	2100
1997	2200
1998	2300
1999	2400
2000	2500
2001	2600
2002	2700
2003	2800
2004	2800

2004 State of Texas Comptroller Office revenue chart

1984 - \$500M 2004 - \$2.8B

TxDOT: Gas tax revenue decreasing
FACT: Gas tax revenue increases 1-2% annually

TxDOT: We've run out of money
FACT: "...They're at least \$400 million over the revenue estimates ...They're sitting on about \$800 million right NOW." --Rep. Joe Pickett (D-El Paso), Lone Star Report, 12/01/04

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Gas tax has been steadily increasing over the last 20 years and jumped over \$1 billion in the last year.

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WE'RE BEING OVERCHARGED

GAO REPORT: 2003 Comparison of States' Highway Construction Costs:
Page 24 shows...

- Median cost for a road in the US is **\$1.6** million PER LANE MILE.

In Texas:
Hwy 183 - **\$7.6** million/US 281 - **\$10** million

- Average cost per mile for turnpike: 9 cents a mile


In Texas:
Starting toll rates: 281 @ 14-18 cents, **25 cents to \$1** on Wurzbach Pkwy/Loop 1604

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GAO Report - 2003 Comparison of States' Highway Construction Costs : A comprehensive study of 25 states revealed a median cost per lane mile as \$1.6 million. Highway 130, just East of Austin cost per lane mile is \$7.6 million/281 works out to be \$10 million per lane mile.

According to the Comptroller's Special Report on the RMAs (<http://www.window.state.tx.us/specialrpt/ctrma05>), average cost for turnpike is 9 cents a mile. In SA, start rate at 14 cents up to \$1 a mile! Gas tax system, on average is anywhere from 1-3 cents a mile based on San Antonians buying approximately 1500 gallons a year (30,000 miles traveled per year x 20 MPG). The cost savings to the consumer is abundantly obvious.

The Central Texas MPO did a comparison study and found it would only be a 1-2 cent gas tax hike. With all due respect to Senator Wentworth, how you word the question makes a big difference if you compare a 1-2 cent gas tax hike or even a 25 cent hike. Compared with \$3,000 a year in tolls - that is a BIG difference. You all see the tolls as "funding", we see them as more taxes.



POOR FISCAL STEWARDSHIP

What we found...

1. The cost of toll gantry equipment at \$1 million per MILE!
2. Projects where the cost of toll equipment equaled the cost to build the road.
3. 1604 improvements could be paid for 100% with bonds, and yet you're tolling it.

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What's the rationale behind these projects and why aren't the costs of these GIGANTIC tollways being challenged?

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TXDOT'S FUNDING "CRISIS"

TxDOT: We need another funding source. Can't keep up with growth.

FACT: Only 34% of TxDOT's 2005 budget was spent on maintaining roads!

REALITY: 2005 figures show TxDOT gets \$330 per year from every man, woman & child in Texas. The annual TxDOT bill for a family of four is **\$1,320**.

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READ POINT 1 & 2 ON SLIDE. There is funding dedicated to construction, purchasing ROW, and maintenance in your current budget. **LESS THAN HALF YOUR BUDGET IS GOING TO ROAD MAINTENANCE!** When population increases, consequently so does tax revenue. In fact, the Comptroller's figures from 1984-2004 show gas tax revenues went up at a rate of 178% while population only grew 50% (and that's adjusted for inflation). Bexar County saw a 64% growth rate, but gas tax revenues still increased at a far greater rate than growth.

READ POINT 3 ON SLIDE.

Tolls will cost the average Texas family \$2,000-4,000 or more a year. That's double your current take.

(NOTE: The State Demographer has estimated the population of Texas to be 22,678,651 on January 1, 2005. This is the most recent estimate by the State Demographer. If TxDOT is spending \$7.5 billion, that is equal to \$330 per person in Texas.)

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SAMCO'S ALTERNATIVES

1. Vehicle registration fee increase of \$100
2. Gas tax increase
3. Sales tax increase
4. Property tax increase

EVERY ONE OF THESE OPTIONS IS LESS THAN TOLLS!

Larson: Tolls = Largest tax increase in Texas history!

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EVERY alternative to tolls is LESS money! The hike in vehicle registration they propose is \$100 a year compared to an average of \$3,000 a year in tolls. The claims that they'd have to raise the gas tax \$1 is completely UNSUBSTANTIATED and would amount to quadrupling the current state gas tax revenue intake. The 25 cent per gallon increase is also less than tolls. Considering the average San Antonian uses roughly 1500 gallons of gas a year, they currently pay \$300 a year in gas tax. **Even a 25 cent hike would be less than tolls** (\$375 a year more, which is more than double what we give the state now. We've already built the entire federal interstate highway system, and state highway system; there's just not justification the minds of the taxpayers for what you're promoting.

If you simply get rid of the toll equipment not to mention the toll lanes (that only half of all motorists can use) and just build what's needed, the road is 30-50% less money to build and EVERYONE can drive on it. **So the simple solution sure seems to be to CAN the toll lanes** SA gets \$100 million a year in discretionary funds currently, they're saying we need **FOUR times the money we currently get** (their \$8.4 billion figure works out to \$420 million a year over 20 years). To build what? All we need is some added capacity! We don't need to have our freeways ripped up just to build toll lanes.

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NON-COMPETES

GAO Report: Highways & Transit (March 2004):

- 4 of the 5 tollways examined included non-compete clauses in their contracts "under which the public sector agrees to varying degrees **not to build any new roads or improve any of the existing roads.**"
- Where these did not exist, there were "understandings" the state **would not build a competing road.**

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READ SLIDE -

This is an enormous sticking point for the public and lead to CalTrans buying out the private contract on SR 91 in CA.

The report also showed that 100% of the tollways have some sort of non-compete agreement or "understanding".

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TOLL ROADS ARE UNEQUAL TAXATION

DALLAS MORNING NEWS
Saturday, February 4, 2006

Letter to Editor

"I would prefer that the North Texas Tollway Authority have control versus a foreign company...47 percent of tolls would not be used for construction and maintenance.

There should never be a profit from a road...**If two people pay the same gas tax and one has to pay an additional toll tax to use a road, then there are unequal transportation opportunities.** I am waiting for the first lawsuit based on economic justice and toll roads." --*Sharon Overall, Plano*

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READ 1st Quote -

Victoria Transit Institute states the average administration cost for toll roads is 25-35%. Add in 12-19% profit which is standard in public-private partnerships and you get pretty close to half the toll money evaporating.

READ 2nd Quote -

The slide features a background image of a road with a white dashed line. In the top left corner, there is a logo for 'San Antonio TollParty' with the tagline 'A Revolution Awaits Like the Boston Tea Party'. The main title is 'NOT FREE MARKET; IT'S A MONOPOLY' in large, bold, black letters. Below the title is a bulleted list of four points. At the bottom left, it says 'February 23, 2006' and at the bottom right, it says 'For further information visit www.saTollParty.com'.

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NOT FREE MARKET; IT'S A MONOPOLY

- Private bid problematic; it grants monopoly over publicly owned infrastructure
- From *National Motorists Assoc*: real market-based system has willing sellers, willing buyers, and competition among sellers and among buyers.
- Highway corridors are not assembled by willing sellers and buyers in competition with one another, **what you're doing is essentially "market principles" figuratively at the end of a gun barrel.**
- In the case of so-called "private" toll roads, the state exclusively grants its eminent domain (power to condemn) authority to the toll road operator.

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READ SLIDE.

Terms of the private bids are being kept from the public. The agreement allows them to control public assets for 50-99 years. Free market principles can't apply when government limits supply. The public can't go build or buy a different road if we don't like the way this company tolls us, and our non-toll options are congested surface streets, not highways. We wouldn't hand over our water supply to be limited for profit, there are certain public assets where it's appropriate for government regulation, and roads are one of them.



HUTCHISON ON TOLLS

Senator Hutchison **DOES NOT** support widespread tolling because it is **contrary to Texas' tradition of free, clear and well-maintained roads and because it imposes another tax** on those whose taxes have already generated the revenue for highway construction.

The decision to construct new toll roads should be made at the local level, **after approval from voters**. Texas should not impose tolls on existing freeways.

February 23, 2006

For further information visit www.saTollParty.com

Our support is growing and we're building a coalition of like-minded citizen groups to keep tolls off our freeways.

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FATHER OF TOLL ROADS ON TXDOT

Pro-toll advocate, [Peter Samuel](#) had this to say in a 11/10/05 article in *Toll Road News*:


“In Texas the tollers are behaving arrogantly and with extraordinary political ineptitude...

...Political support in TX has also been sapped by a bewilderingly unprincipled and unexplained intermixing of funding of projects...

...TxDOT's promiscuous approach to raising funds and their promotion of projects without even a semblance of study has been the anti-toll groups' major recruiter.”

February 23, 2006

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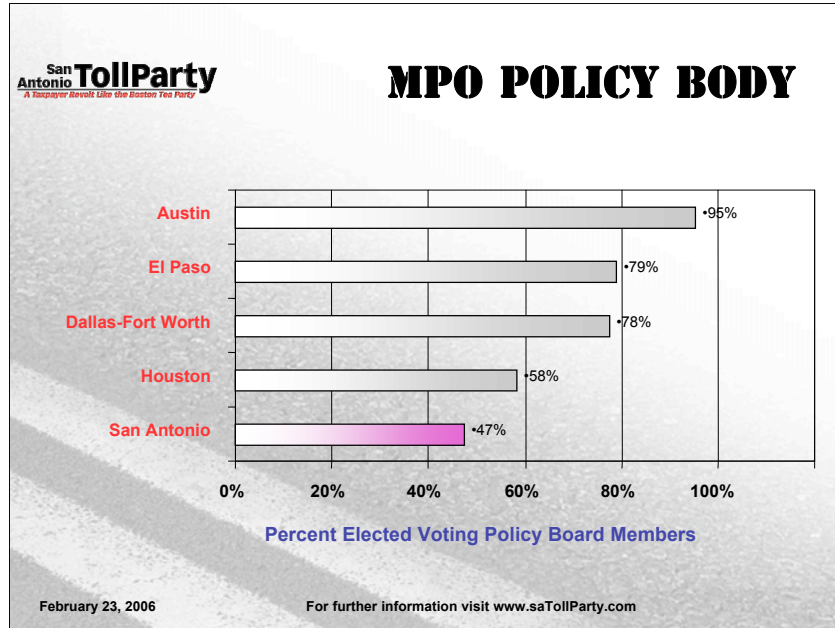
REFORMS NEEDED

1. Review of the transportation planning in SA
(Position the City to prosper even with sustained increases in gasoline costs)
2. Reform composition of the MPO
3. Delay ALL toll projects until economic impact on San Antonio is determined
4. Restore transparency
5. Cease tolling existing freeways and rights of way


February 23, 2006

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- Review planning - more on that in a moment.
- Make MPO accountable to the electorate.
- Delay ALL toll projects until economic impact study of tolling nearly every major freeway in San Antonio (businesses, consumers, taxpayers alike... Like impact of such a steep driver's tax on the family budget and on toll viability in such an unstable energy market, employees' ability to get to work, ability of businesses to retain employees; I've heard from business owners and they're very concerned about these issues and employees have already stated they will no longer head north to work if they have to pay a toll to travel efficiently)
- Restore transparency - one of the ways you do that is to...
- Abandon the CDAs (quotes from Collin County and Dallas officials: "They are so sold on this CDA process. I don't think they are going to let anybody do a toll road on their own," Collin County Commissioner Jack Hatchell. County Judge Ron Harris, "It's a money-grab... There's no local control, plus they're going to make a sizeable profit... it's all done in secret." Jerry Hoaglund, "When the state sells out to the highest bidder, that automatically translates into the highest tolls for our citizens. I think that the Legislature needs to change the focus of TxDOT.")
- Return projects to TxDOT and keep private interests from profiting off our already funded public infrastructure.



Not even half of the MPO in San Antonio are elected officials who will be accountable to taxpayers footing the bill.



**DON'T NEED MORE
ROADS NEED BETTER
PLANNING**

- There are “deep flaws in the city's political and development practices.”
- City has “not provided for any connectivity during the development process” (can't get anywhere in Stone Oak without getting on 281/1604)

SOLUTIONS:

1. Complete the Wurzbach Parkway ASAP.
2. Make San Antonio developers provide a network of arterial streets as they do in Phoenix.

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Dave Pasley, former San Antonio City Planner, had this to say about toll plans in a Dec. 21 article:

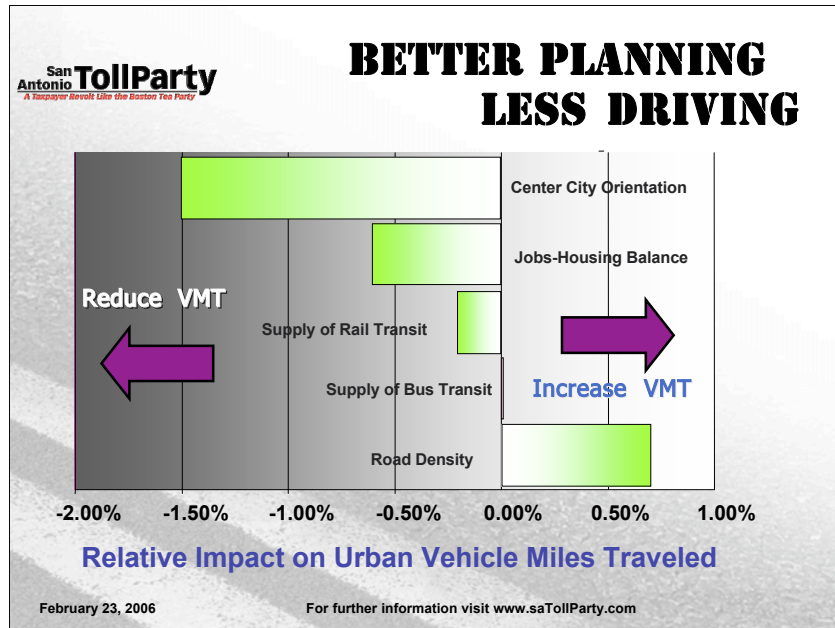
Read first point -

“Ten years ago there was excess capacity on U.S. 281 and Loop 1604. Today there is gridlock. How is it possible to screw up these two highway corridors so badly in just 10 years? How can a city without enough traffic to warrant an HOV lane suddenly have so much congestion it needs a toll road?”

Read first & second point

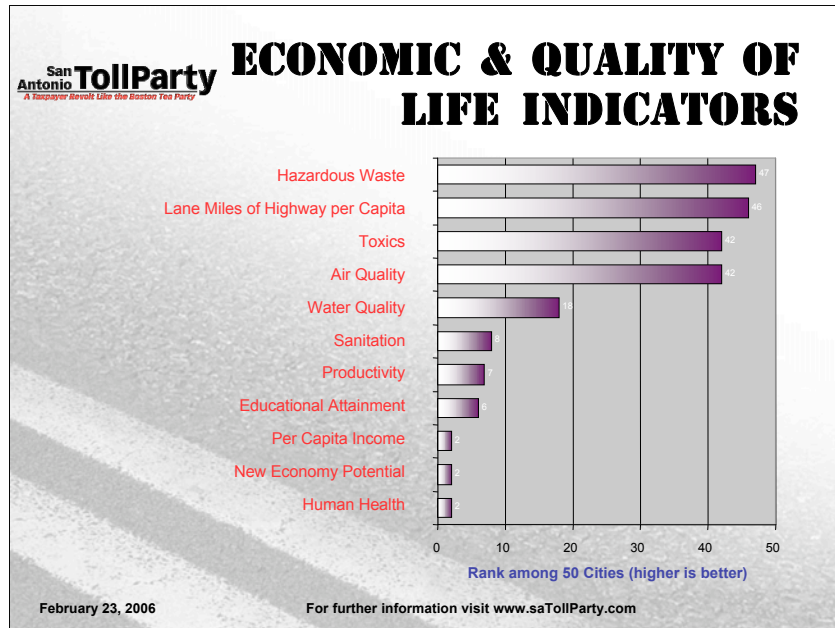
"Short of securing these important east-west routes through the development process, the only alternatives are for the taxpayers of the community to bear the cost and inconvenience of retrofitting arterials after development has occurred, or to endure the hardships of an inadequate major thoroughfare system.

Caltrans spent 24% of its budget on local roads and TxDOT only spent 6.5% on local roads. TxDOT spends \$88 more a person than Caltrans spent on its road system, and remember CA is more populous!




Based on a 10% Increase in the Factor of Interest in 144 U.S. Urbanized Areas

Source: Antonio M. Bento, Maureen L. Cropper, Ahmed Mushfiq Mobarak, Katja Vinha, *The Impact of Urban Spatial Structure on Travel Demand in the United States*, The World Bank Group Working Paper No.: 3007, March 20, 2003



San Antonio ranks at the bottom of the list on all of the economic and quality of life issues important to our families. 50 is best, 1 is the worst. Near the top on hazardous waste, toxins, and air quality, and ranked among the lowest on education, per capita income, human health.



**TRICKLE DOWN
DISASTER!**

- **Transfers congestion** to surface streets instead of providing freeways for efficient travel
- Traffic accidents increase 17 times.
- Increases government, taxes, and **cost of business.**

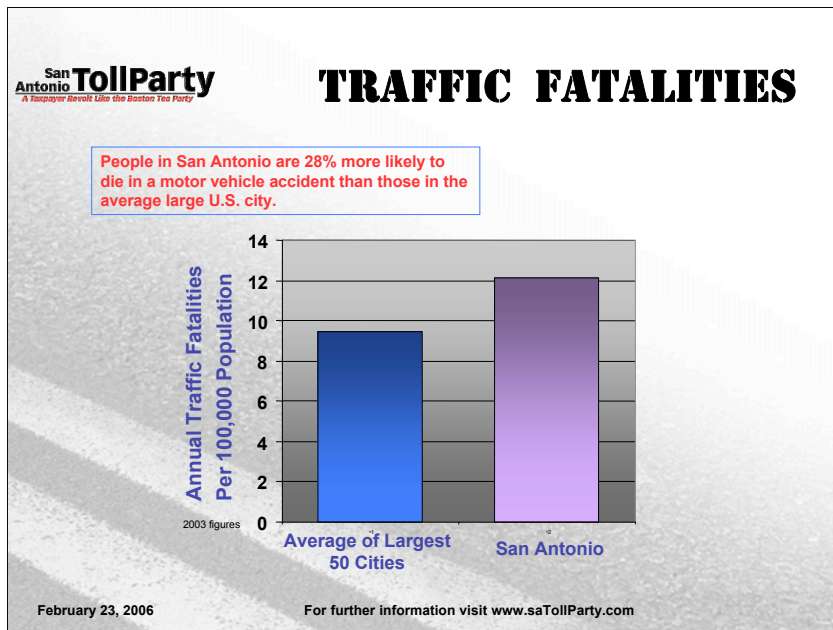
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READ POINT #1 - Sen. Kay Bailey Hutchison said on the Senate Floor May 10, 2005 that accidents on surface streets increased 17 times when they put tolls on a nearby highway (in Ohio) and congestion on neighborhood streets tripled. These toll plans aren't about increased productivity or less commute time, it's about revenue building and runaway taxation actually making our roadways less safe and more expensive.

Anytime you increase the size of government (RMA tolling authorities as an example, new layer of bureaucracy), increase taxes (especially unlimited taxation by unelected people), and sharply increase the cost of doing of business, it's a recipe for economic disaster.

These toll roads are based on implausible assumptions and inflated traffic projections that assume growth and number of users stays the same with and without freeway tolls.

It spells disaster for our economy, for consumers and business alike. It's unnecessary, it's runaway government, lacks any oversight by elected officials or the voters, and smacks of fiscal irresponsibility.

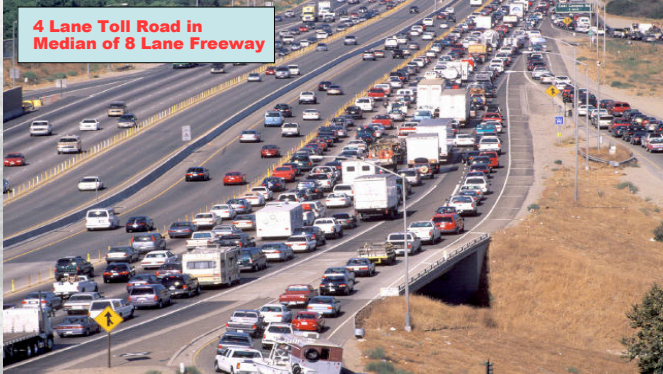


There's a compelling body of evidence that toll roads contribute to making our roadways less safe. This needs to be examined and studied properly, not just given lip service. The public needs to be able to trust that these multi-billion projects are safe. Judging by the expose of TxDOT's crumbling materials used on Hwy 130 that have repeatedly failed dry density tests which leads to rapid decay, you have some serious liabilities on your hands by promoting shoddy toll roads all over Texas with factors known to increase accidents on free lanes and surface streets!

San Antonio TollParty
A Response to the Like the Boston Tea Party

TXDOT'S VISION OF CONGESTION RELIEF

4 Lane Toll Road in Median of 8 Lane Freeway



Typical Afternoon Peak on the Private SR 91 Toll Road in Orange County, CA

Source: Edward C. Sullivan, California Polytechnic State University, San Luis Obispo, CA
February 23, 2006 For further information visit www.saTollParty.com

SR91 - "poster child" for proponents but this isn't congestion relief; it's congestion manipulated for profit. This may be your vision for our highways, but it's not what San Antonio wants, and not what Texans want.



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MORE INFORMATION AT:

www.SATollParty.com
www.TexasTollParty.com
www.AquiferGuardians.org

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Let me re-cap what's gone on in just the last month:

TxDOT, who Mr. Thornton calls your "natural partner," (so much for local control) has broken the law on the 281 project, has demonstrated total ineptitude on the first toll road as well as fiscal mismanagement that some would say is tantamount to fraud. You're negotiating toll formulas with two foreign companies in SECRET for freeways we've already paid for. TxDOT holds a CDA Workshop putting over 1,000 people in the highway lobby on notice that private Texas land taken through eminent domain is up for sale for private gain. Then just yesterday, TxDOT wrapped up its bond buyers party in Austin promoting CDAs for which there are only sketchy guidelines as to their use.

Frank Holzman at TxDOT tells a group of citizens at Encino Park ON CAMERA that what I drive on today will be tolled, while Joe Crier of SAMCO gets on KTSA and states the complete opposite proclaiming what I drive on today will NOT be tolled. The City of San Antonio admitted they've tweaked the timing of the stop lights on 281 to steal motorists valuable time to perhaps make them cry "Uncle" in hopes of getting us to beg for a toll road. Christina De La Cruz said TxDOT gave the City new traffic counts for 281 while Tom Wendorf states in a letter to Commissioner Larson that traffic has essentially stayed the same, then the City goes out of its way to deny it touched the lights at all, and we're supposed to believe you're all acting in the public's best interest? It'd be a JOKE if it weren't so absolutely life-altering. What's happening is deception, lies, half truths, and highway robbery!

The PUBLIC isn't buying it; its' a disgrace and this commission has a lot of repair work to do to restore the public trust since bureaucracies usually won't fix themselves. Our grassroots citizens are building a coalition that will fix it! Would those who traveled here today to stand with me, please stand and be recognized? Thank you.