

15 DEVELOPMENTS  
DELIVER REASON TO  
RESCIND THE CAMPO  
7/12/04 TOLL VOTE.

TXDOT  
EXPOSED!

12/16/04  
By Sal Costello,  
Founder of People for Efficient Transportation & PETPAC.org

**#1. THE KING HAS NO CLOTHES.**

TxDOT/CTRMA  
congestion relief  
proposal has  
**NO congestion  
relief study.**

**No congestion relief study.**

No economic impact study.

No cost benefit analysis.

NOTE: CTRMA is spending \$1.5 million taxpayer dollars on marketing.

**"THERE IS NO COMPREHENSIVE STUDY** on how tolling of the newly built facilities in Austin will impact the region's traffic, future land use development and residents' welfare."

– *"Traffic, Land Use and Welfare Impacts for Austin, Texas"*

*Kara M. Kockelman (Corresponding Author) Assistant Professor of Civil Engineering UT*

## #2. TXDOT MISREPRESENTS THE GAS TAX REVENUE WITH CAMPO AND CENTRAL TEXAS.

"We have a funding crisis".

– 5/8/04 TxDOT District Engineer, Bob Daigh

"Bob Daigh gave a report....the **gas tax has decreased** because of **higher gas prices and alternative engines that use less gas.**"

– 2/17/04, Hays County Commissions' Court Minutes

"...the alternative of paying a **two-to-three-dollar per-gallon gas tax** would never be accepted," said Daigh in joining Heiligenstein in the presentation."

– 3/12/04, CTRMA, Mike Heiligenstein, Press release

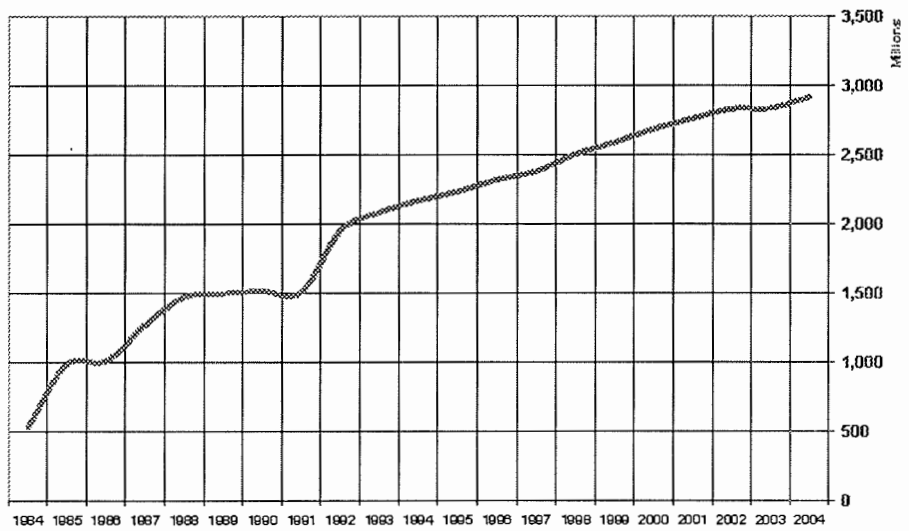
### GAS TAX TRUTH: REVENUE HAS NOT DECREASED.

A **5 cents** a gallon increase would provide a **10%** increase in the transportation budget.

The TxDOT "alternative" of a \$2 to \$3 dollar increase, stated before CAMPO and over 50 community meetings in every corner of Travis & Williamson County is inexcusable.

The new inefficient funding mechanism, tolls, wastes 30% of the tolls paid on collecting the money and administration.

Motor Fuels Tax Revenue, 1984-2004



2004 State of Texas Comptroller Office revenue chart

"TxDOT is in a funding crisis and has **run out of money.**"

- 8/31/04, TxDOT's Engineer, Delvin Dennis

### TXDOT HAS NOT "RUN OUT OF MONEY"

"...they're at least **\$400 million over the revenue estimates**, because TxDOT is one of those agencies that their appropriation is an estimate." "...they'll tell you there's a possibility it could be less. Yes, **but that's not the reality.** And that hasn't been the reality for several years, and **I want more accountability...**"

"It's actually more than \$400 million - there are some projects that didn't get done. Again, me looking at it, **they're sitting on about \$800 million right now...**"

– 12/1/04 Lone Star Report, Rep. Joe Pickett (D-El Paso) Chairman of the Appropriations Subcommittee on General Government (oversees Texas Department of Transportation budget). Was on House Transportation committee until last session.

### #3. NOT A REVENUE CRISIS: AN EXPENDITURE CRISIS.

The General Accounting Office of the U.S. comprehensive study of 25 states shows a median cost per mile of \$1.6 million.

\$1.6 million dollars per lane mile

TxDOT 130, just East of Austin is the largest highway project in the US today. The 4 lane, 1.5 Billion project costs \$7.6 million per mile for its 49 mile length.

\$7.6 million dollars per lane mile

The Governors relationship to this Central Texas Project...

**"Governor Rick Perry received \$30,000 from California based Flour Corp...less than a week before they signed a 1.5 Billion dollar contract."**

- 8/20/02 *Houston Chronicle*

State Records show Rick Perry has taken more than **\$1,000,000** dollars from highway interests since 1997.

TxDOT needs to be overhauled and streamlined to ensure Texans are getting the most for their money. The "good old boy" network needs to be shut down, and our tax dollars need to be focused on building roads.

### #4. MISDIRECTION: "WE NO LONGER HAVE MONEY TO MAINTAIN OUR HIGHWAYS. WE NEED ANOTHER FUNDING SOURCE". - said the junkie

Fact: *There is more than \$1 billion to maintain highways for 2004.*



"The department's \$5.3 billion budget for fiscal 2004 includes \$2.8 billion for highway construction, about \$909 million to design roads and buy rights of way, and just **more than \$1 billion to maintain existing highways.**

The annual take from the state gasoline tax, fed by several increases in the rate during the 1980s and in 1991, has grown from \$481 million in 1980 to \$2.8 billion in 2002. In constant 2003 dollars, **the state gas tax receipts grew 178 percent over that period, while population increased about 50 percent.**



- 12/14/03, *Texas Transit Association, nonprofit partner with TxDOT*

#5. This TxDOT internal presentation from 2003 shows TxDOT's true plan for the "free alternatives" they promise.

2003 Transportation Short Course  
Drafting the Future: **The Dollars and Sense of Toll Roads**




## Toll Road Finance 101



James Bass  
Director, Finance Division  
Texas Department of Transportation


Teresa Lemons  
Director of Finance and Administration  
Texas Turnpike Authority Division




→ TxDOT plan to force the public onto the toll roads.

2003 Transportation Short Course  
Drafting the Future: **The Dollars and Sense of Toll Roads**

### Limiting the Alternatives (Supply)



- Free alternatives mean lower revenues
- Avoid Frontage Roads or Use Discontinuous Frontage Roads
- Don't Overbuild
- Limit Competing Facilities
- Consider legal and mobility issues



It states: **Limiting the Alternatives (supply)**

- Free alternatives mean lower revenue
- **Avoid Frontage roads or Use discontinuous Frontage Roads**
- Don't overbuild
- Limit competing facilities

**#6. CTRMA, A MINI-TxDOT:  
UNTESTED. UNBRIDLED. INDEMNIFIED**

We should not proceed quickly with the untested CTRMA or the unparalleled toll plan for Central Texas unless a comprehensive congestion relief study is produced first, and the following issues are addressed with the help of upcoming HB 3588 amendments:

- RMA's have no guidelines or oversight for pricing tolls.
- No conflict of interests rules and no accountability since they are not elected.
- **RMA directors & officers are Indemnified** (HB 3588 sec 370.258).
- Disproportion of Central Texas local highways are effected compared to Williamson County and other counties in the state that do not have such a radical plan.
- Disproportion of Williamson county people involved in a primarily Travis toll program.
- The CTRMA has one employee. A Kansas City based company called HNTB actually "runs" the CTRMA.
- CTRMA has the authority to acquire/ condemn property.
- Bigger government and taxing citizens via tax funded projects is bad government.

"You're going to have these RMAs out there that have all that come with it. All that executive administration and maintenance, and all that comes with it, creating **mini-TxDOT's. And how efficient is that?**"

*– 12/1/04 Lone Star Report, Rep. Joe Pickett (D-El Paso) Chairman of the Appropriations Subcommittee on General Government (oversees Texas Department of Transportation budget).*

ENABLING LEGISLATION FOR RMA'S AND ANALYSIS

**Analysis:** *This subsection gives a Regional Mobility Authority (RMA's are unelected) the authority to charge tolls as they please. No guidelines. No oversight.*

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§ 370.172. REVENUE.

- a. An authority may: impose tolls, fees, fares, or other charges for the use of each of its transportation projects and the different parts or sections of each of its transportation projects
- b. Any toll, fee, fare, or other charge imposed on an owner of a public utility facility under this section must be imposed in a manner that is competitively neutral and nondiscriminatory among similarly situated users of the transportation project.
- c. Toll, fees, fares, or other usage charges are not subject to supervision or regulation by any agency of this state or another governmental entity.
- d. To the extent permitted under the applicable bond proceedings, revenue from one transportation project of an authority may be used to pay the cost of another transportation project of the authority.

## ENABLING LEGISLATION FOR RMA'S AND ANALYSIS (continued)

**Analysis:** *This subsection seems to give the RMA authority to levy fines for not paying tolls. The amount of the fine is capped at \$250. It also gives the RMA authority to collect an administrative fee for the collection of the fine, not to exceed \$100. Therefore, the RMA would have the authority to levy a \$350 fine PER INCIDENT, plus the applicable toll.*

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### § 370.177. FAILURE OR REFUSAL TO PAY TURNPIKE PROJECT TOLL; OFFENSE; ADMINISTRATIVE PENALTY.

a. The operator of a vehicle, other than an authorized emergency vehicle as defined by Section 541.201, that is driven or towed through a toll collection facility of a turnpike project shall pay the proper toll. The operator of a vehicle who drives or tows a vehicle through a toll collection facility and does not pay the proper toll commits an offense. An offense under this subsection is a misdemeanor punishable by a fine not to exceed \$250.

b. The authority may impose and collect the administrative fee to recover the cost of collecting the unpaid toll, not to exceed \$100. ...The registered owner shall pay a separate toll and administrative fee for each event of nonpayment under Subsection (a).

**Analysis:** *The following subsection enables the RMA to take over existing roads with Texas Transportation Commission and the Governor's permission to do so.*

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### § 370.035. CONVERSION AND TRANSFER OF STATE HIGHWAY SYSTEM PROJECTS.

The commission by order may convert a segment of the free state highway system to a turnpike project and transfer that segment to an authority, or may transfer an existing turnpike project that is part of the state highway system, whether previously tolled or not, to an authority if:

1. the commission determines that the proposed transfer is an integral part of the region's overall plan to improve mobility in the region;
2. the commission determines that the public has a reasonable alternative route on nontoll roads;
3. the authority agrees to assume all liability and responsibility for the maintenance and operation of the turnpike project on its transfer; and
4. approved by the governor.

**Analysis:** *The next two subsections seem to give the unelected RMA the same authority to acquire/ condemn right of way that the State has.*

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### § 370.162. POWERS AND PROCEDURES OF AUTHORITY IN ACQUIRING PROPERTY.

a. An authority may construct or improve a transportation project on real property, including a right-of-way acquired by the authority or provided to the authority for that purpose by the commission, a political subdivision of this state, or any other governmental entity.

b. Except as provided by this chapter, an authority has the same powers and may use the same procedures as the commission in acquiring property.

Added by Acts 2003, 78th Leg., ch. 1325, § 2.01, eff. June 21, 2003. § 370.163.

### ACQUISITION OF PROPERTY.

a. Except as otherwise provided by this subchapter, the governing body of an authority has the same powers and duties relating to the condemnation and acquisition of real property for a transportation project that the commission and the department have under Subchapter D, Chapter 361, and Section 361.233 relating to the condemnation or purchase of real property for a turnpike project. Notwithstanding Section 361.135(a), the concurrence of the commission is not a prerequisite to the exercise of the power of condemnation by the governing body of the authority.

b. An authority's acquisition of any property of the commission under this or another section of this chapter or an authority's relocation, rerouting, disruption, or alteration of a facility of the commission is considered a conversion of a state highway system under Section 370.035 and is subject to each requirement, condition, or limitation provided by that section.

**#7. NEW, INEFFICIENT FUNDING MECHANISM, TOLLS,  
BREEDING EVEN LARGER GOVERNMENT &  
FUTURE WASTED TAX DOLLARS**

12/09/04 Round Rock Leader article titled "County Prepares to take Priorities to Legislators" confirms that TxDOT expects as many as **1,850 motorists a day may commit toll violations on EACH toll highway.** Williamson county commissioners are considering a request to the state to fund a **new Toll Road Magistrate.**

**#8. TXDOT MISINFORMATION:**

**"ELECTRONIC TOLLS ONLY,  
NO COIN COLLECTIONS!"**

- **10/28/2004**, Ric Williamson, chair of the Texas Transportation Commission, Rick Perry Appointee

*TxDOT and CTRMA have told CAMPO and the public, at hundreds of neighborhood meetings throughout Central Texas, that only Electronic tolls will be used to avoid toll cash booth "bottlenecks".*

The CAMPO vote on 7/12/04 was based on traffic congestion relief. TxDOT presented the proposal to CAMPO and over 50 community meetings in every corner of Travis & Williamson County as **Electronic only, so no cars would need to slow down or stop.**

"this commission has made it very clear publicly, **we will not invest the state's equity in any toll plan that is not 100 percent electronic.** We're not going to be in the toll booth business."

"we will repeat our toll master down there what **we've said to him ten times: no booths; we are not in the toll booth business,** we're in the electronic toll business, that's all we're in."

**"electronic tolls only, no coin collections."**

- **10/28/2004**, Ric Williamson, chair of the Texas Transportation Commission transcript of Texas Transportation Commission hearing

"Q: Will I have to have an electronic toll-tag to use the new roads?

A: We will be deciding that soon. New toll-tag technology will allow Central Texas drivers to use toll roads without slowing or stopping at toll booths."

- **12/13/04**, CTRMA.org website

**No cash booth bottlenecks  
in Central Texas?**



The pages below were included in the minutes of a Texas Transportation Commission meeting Ric Williamson attended on 8/26/04. Two top pages are dated 7/14/04. The diagram is dated 2/10/04.

**EXHIBIT B**

Table 1 below outlines anticipated quantities and delivery dates for frames and for mainline plaza toll booths, ramp plaza toll booths, and ACM platforms required for the turnpike projects currently under construction near Austin, Texas. Additional toll booths for future candidate toll roads in Texas may be required as requested by TxDOT in accordance with the terms of the CDA. The anticipated quantities and delivery dates are subject to change prior to execution of a CDA.

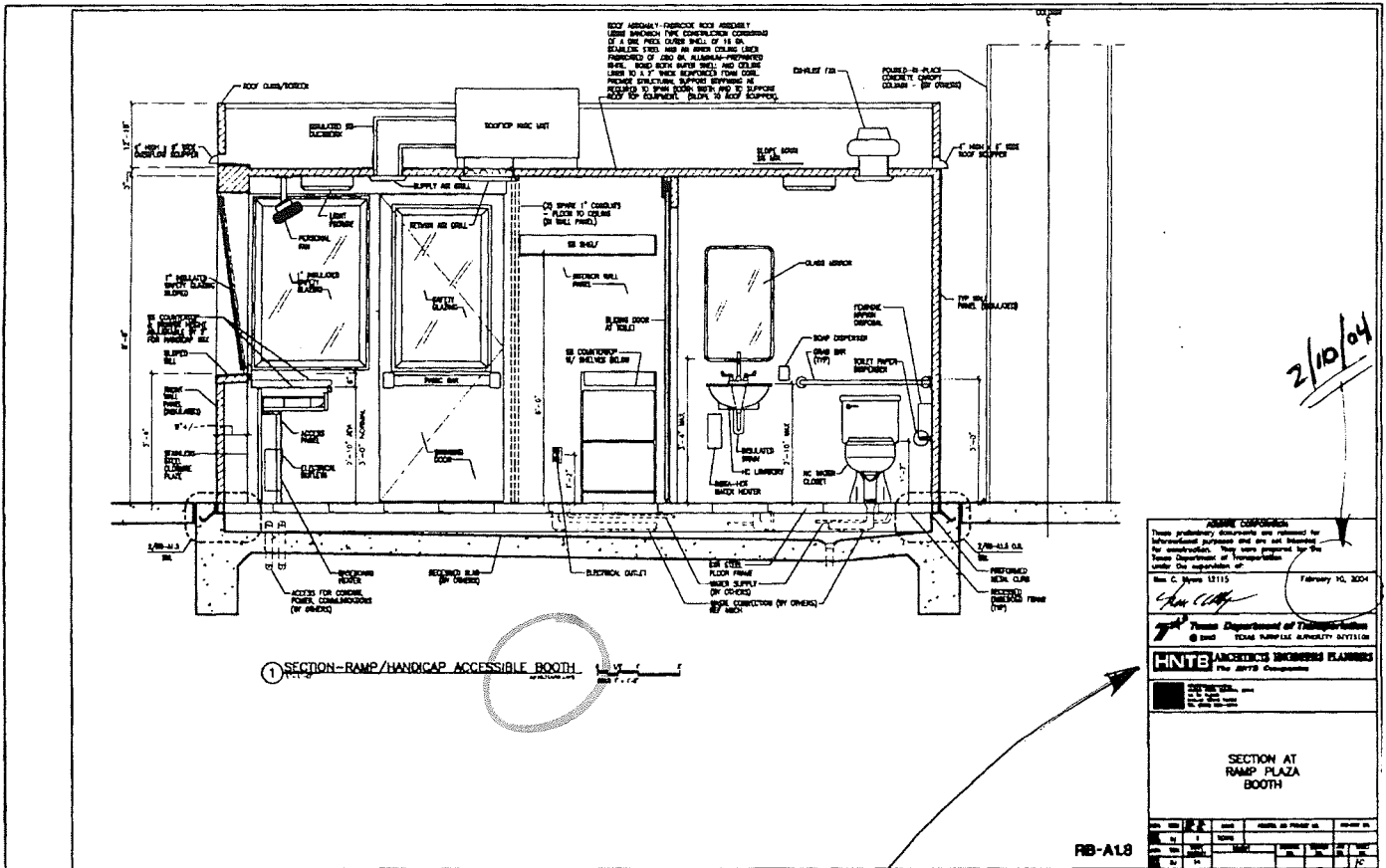
| Table 1 |         |          |          |          |              |                     |                                |
|---------|---------|----------|----------|----------|--------------|---------------------|--------------------------------|
| Roadway | Section | Location | Type     | Quantity |              | Frame Delivery Date | Booth / Platform Delivery Date |
|         |         |          |          | Booth    | ACM Platform |                     |                                |
| Loop 1  | 1       | RN03     | Ramp     | 1        |              | 5/02/2005           | 1/02/2006                      |
|         | 1       | RS04     | Ramp     | 1        |              | 1/03/2005           | 1/02/2006                      |
|         | 2       | T9       | Ramp     | 1        |              | 11/01/2004          | 1/02/2006                      |
|         | 2       | ML1      | Mainlane | 16       |              | 11/01/2004          | 1/02/2006                      |
| SH 45N  | 4A      | RE014B   | Ramp     | 1        |              | 12/01/2004          | 1/02/2006                      |
|         | 4A      | RW014B   | Ramp     | 1        |              | 12/01/2004          | 1/02/2006                      |
|         | 4B      | RE024B   | Ramp     | 1        |              | 12/01/2004          | 1/02/2006                      |
|         | 4B      | RW024B   | Ramp     | 1        |              | 12/01/2004          | 1/02/2006                      |
|         | 5       | RE02     | Ramp     | 1        |              | 7/01/2005           | 10/03/2005                     |
|         | 5       | RW02     | Ramp     | 1        |              | 7/01/2005           | 10/03/2005                     |
|         | 6       | ML2      | Mainlane | 6        |              | 7/01/2005           | 10/03/2005                     |
|         | 7       | RE03     | Ramp     | 1        |              | 11/01/2004          | 3/01/2006                      |
|         | 7       | RW04     | Ramp     | 1        |              | 12/01/2004          | 3/01/2006                      |
|         | 7       | RE05     | Ramp     | 1        |              | 12/01/2004          | 3/01/2006                      |
| SH 130  | 7       | RW06     | Ramp     | 1        |              | 12/01/2004          | 3/01/2006                      |
|         | 8       | ML3      | Mainlane | 10       |              | 5/02/2005           | 3/01/2006                      |
|         | 2       | R24      | Ramp     |          | 1            | 12/01/2004          | 12/16/2005                     |
|         | 2       | R25      | Ramp     |          | 1            | 12/01/2004          | 12/16/2005                     |
|         | 3       | R26      | Ramp     |          | 1            | 12/01/2004          | 12/16/2005                     |
|         | 3       | R27      | Ramp     |          | 1            | 12/01/2004          | 12/16/2005                     |
|         | 4       | R28      | Ramp     |          | 1            | 12/01/2004          | 12/16/2005                     |
|         | 4       | R29      | Ramp     |          | 1            | 12/01/2004          | 12/16/2005                     |
|         | 4       | ML5      | Mainlane | 6        |              | 12/01/2004          | 12/16/2005                     |
|         | 5       | R32      | Ramp     |          | 1            | 12/01/2004          | 6/24/2005                      |
|         | 5       | R33      | Ramp     |          | 1            | 12/01/2004          | 6/24/2005                      |
|         | 6       | R34      | Ramp     |          | 1            | 12/01/2004          | 6/24/2005                      |
|         | 6       | R35      | Ramp     |          | 1            | 12/01/2004          | 6/24/2005                      |
|         | 8       | R36      | Ramp     |          | 1            | 12/01/2004          | 6/24/2005                      |
|         | 8       | R37      | Ramp     |          | 1            | 12/01/2004          | 6/24/2005                      |
| 8       | ML6     | Mainlane | 8        |          | 12/01/2004   | 6/24/2005           |                                |
| 9       | R40     | Ramp     |          | 1        | 12/01/2004   | 6/24/2005           |                                |
| 9       | R41     | Ramp     |          | 1        | 12/01/2004   | 6/24/2005           |                                |

TEXAS DEPARTMENT OF TRANSPORTATION Exhibit B ADDENDUM 2 - JULY 16, 2004  
 DESIGN AND FABRICATION OF TOLL BOOTHS Page 1 of 4 COMPREHENSIVE DEVELOPMENT AGREEMENT EX B - DELIVERY SCHEDULE

**Table 1 (continued)**

| Roadway | Section  | Location | Type     | Quantity |              | Frame Delivery Date | Booth / Platform Delivery Date |
|---------|----------|----------|----------|----------|--------------|---------------------|--------------------------------|
|         |          |          |          | Booth    | ACM Platform |                     |                                |
| SH 130  | 11       | R42-1    | Ramp     |          | 1            | 4/01/2005           | 3/24/2006                      |
|         | 11       | R43-1    | Ramp     |          | 1            | 4/01/2005           | 3/24/2006                      |
|         | 11       | R44      | Ramp     |          | 1            | 4/01/2005           | 3/24/2006                      |
|         | 11       | R47      | Ramp     |          | 1            | 4/01/2005           | 3/24/2006                      |
|         | 12       | ML7      | Mainlane | 6        |              | 4/01/2005           | 3/24/2006                      |
|         | 12       | R45      | Ramp     |          | 1            | 4/01/2005           | 3/24/2006                      |
|         | 12       | R48      | Ramp     |          | 1            | 4/01/2005           | 3/24/2006                      |
|         | 12       | R49      | Ramp     |          | 1            | 4/01/2005           | 3/24/2006                      |
|         | 12       | R50      | Ramp     |          | 1            | 4/01/2005           | 3/24/2006                      |
|         | 14       | R51      | Ramp     |          | 1            | 4/01/2005           | 8/23/2006                      |
|         | 14       | R52      | Ramp     |          | 1            | 4/01/2005           | 8/23/2006                      |
|         | 14       | ML8      | Mainlane | 4        |              | 4/01/2005           | 8/23/2006                      |
|         | 14       | R53      | Ramp     |          | 1            | 4/01/2005           | 8/23/2006                      |
|         | 14       | R54      | Ramp     |          | 1            | 4/01/2005           | 8/23/2006                      |
|         | 15       | R55      | Ramp     |          | 1            | 4/01/2005           | 8/23/2006                      |
|         | 15       | R56      | Ramp     |          | 1            | 4/01/2005           | 8/23/2006                      |
|         | 15       | R57      | Ramp     |          | 1            | 4/01/2005           | 8/23/2006                      |
|         | SH 45 SE | N/A      | ML11     | Mainlane | 6            |                     | 4/01/2005                      |
| N/A     |          | EB-5     | Ramp     |          | 1            | 4/01/2005           | 11/23/2006                     |
| N/A     |          | WB-3     | Ramp     |          | 1            | 4/01/2005           | 11/23/2006                     |
| N/A     |          | EB-9     | Ramp     |          | 1            | 4/01/2005           | 11/23/2006                     |
| N/A     |          | WB-7     | Ramp     |          | 1            | 4/01/2005           | 11/23/2006                     |
| Spares  | N/A      | N/A      | Mainlane | 2        |              | N/A                 | 11/23/2006                     |
|         | N/A      | N/A      | Ramp     | 1        |              | N/A                 | 11/23/2006                     |

TEXAS DEPARTMENT OF TRANSPORTATION Exhibit B ADDENDUM 2 - JULY 16, 2004  
 DESIGN AND FABRICATION OF TOLL BOOTHS Page 2 of 4 COMPREHENSIVE DEVELOPMENT AGREEMENT EX B - DELIVERY SCHEDULE



HNTB (THEY RUN THE CTRMA)

# COMPARE TOLLS

|  | TRADITIONAL TOLLS IN TEXAS & U.S.<br><i>(pre CTRMA toll plan 7/12/04)</i>  | EXPERIMENTAL<br>CENTRAL TEXAS TOLLS   |
|--|--|---|
| <b>#9.</b> Timing  | <b>Years</b> to plan and study.  | Rushed within <b>Months</b> .   |
| Financing  | Primarily <b>Investor</b> Dollars  | Primarily <b>Taxpayer</b> dollars   |
| Roads Tolled   | <b>New Highways</b> that compliment the local highway system.  | The tollways <b>become part of the local highway system.</b>  |
| <b>10.</b> Average cost per mile                                     | <b>9 cents</b> per mile<br>National average as per Illinois study.   | <b>15 - 50 cents</b> per mile<br>50 cents per mile for 183 quoted by CTRMA in over 50 neighborhood meetings.  |
| <b>11.</b> Viability   | <b>Investors rely on Viability studies</b> to prove investment worth. This becomes the needed checks & balances.<br><br>Viability studies were <b>required</b> by Texas law before HB 3588 deleted them. | <b>TxDOT has refused to hand over any final viability studies.</b><br><br><b>Investors play a minor 19%</b> or less role in financing. Second rate bond house will sell these bonds. They count on our tax dollars to bail them out when they default.  |
| Construction, Right of Way Acquisition (ROW), and Tolling equipment. | Toll revenue goes to pay back investors for ROW, Construction Costs and Tolling Equipment that they financed.  | The majority of the ROW, Construction Costs and Tolling Equipment is financed with state tax dollars. Half the toll roads in the plan include ROW & Construction Costs funded 100% state tax dollars. The other half of the toll roads have 100% of the ROW and majority of the construction paid with state tax dollars. |
| Miles produced in the U.S.   | <b>5,000</b>   | <b>Zero.</b><br><b>Untested Experiment.</b>   |

**12.** WHEN THE CTRMA IS DONE BUILDING THE TOLL ROADS, they will turn over the roads we've paid for, to unnamed corporations who'll then operate them for a profit at our expense.

(see HB 3588 Sec. 361.301 & Transportation code 361.282)

### **13. LEGISLATION CHANGES ARE COMING. WE NEED TO STOP THE PLAN, START OVER WITH REAL COMMUNITY INPUT.**

**"I think without a doubt we may well consider some modifications",**  
- 9/3/2004, Mike Krusee, Author of HB 3588.

"...toll roads became state policy while almost no one was looking. Everyone's looking now, however, and HB 3588 **is likely to undergo significant change** in the coming session.

- 12/13/04, Austin American Statesman, Ben Wear

Other State Representatives are looking at amending HB 3588. This legislation change will NOT effect our Central Texas plan unless we stop the plan now.

**We will not benefit from the important legislative changes that will occur if we do not stop the toll plan today - amendments will NOT be retroactive.**

HB 3588 should be amended to:

1. FORBID tax funded roads that are built, are being built, or will be built from being converted to toll roads unless county voters are vote allowed to vote for each road.
2. REINSTATE viability studies to ensure all future toll roads in Texas are viable before construction begins.
3. IMPLEMENT conflict of interest and ethics laws like those that currently cover the legislature for all RMA's and MPO's as well as strengthening these laws by requiring officials to disclose conflicts of interest with any and all relatives and requiring them to recuse themselves.
4. ALLOW only new highways to have tolls, after all viability studies.
5. OVERHAUL TxDOT and find out why it costs multiple times more than the median cost of the 25 state study as found by the General Accounting Office of the United States.
6. GAS TAX could be a set as a percentage of a gallon of gas to allow an increase in tax as gas costs rise. As our state sales tax works.
7. STREAMLINE the process for local regions and/or counties to add their own gas tax as another potential tool for revenue.
8. STRIKE the indemnification clause for RMA's (HB 3588 sec 370.258).

### **14. TXDOT HIDING DETAILS OF TOLL CONCEPT**

An October a request for information, via Freedom of Information Act, that I submitted to TxDOT, asked for traffic studies, revenue studies, environmental studies, rights-of-way acquisition costs and locations of each and every toll road, contracts, conversions, change orders, toll road plan correspondence, requests for proposals and drawings. **TxDOT refused to let me see any of the above**, and instead gave legal excuses and asked the AG to digest my request for about 6 months.

Subj: **Freedom of Information Act**  
Date: Thursday, October 28, 2004 7:57:07 AM  
From: lmacsal  
To: rdillard@dot.state.tx.us, lmacsal  
cc: mcox@dot.state.tx.us  
bcc: bill@ftwallingwood.com

10/28/04

Mr. Dillard, TxDOT,

With the rights granted to me under the Freedom of Information Act, I request to come to the TxDOT offices and look over the following:

1. Any and all documents pertaining to reasonable alternative routes on nontoll roads for each and every toll road in the toll road plan approved by CAMPO on July 12, 2004. This requests includes, but is not limited to, diagrams and drawings.
2. Any and all traffic studies and reports pertaining to each and every toll road in the toll road plan approved by CAMPO on July 12, 2004.
3. Any and all revenue studies and reports pertaining to each and every toll road in the toll road plan approved by CAMPO on July 12, 2004.
4. Any and all environmental studies and reports pertaining to each and every toll road in the toll road plan approved by CAMPO on July 12, 2004.
5. Any and all documents pertaining to the rights-of-way acquisition costs and locations for each and every toll road in the toll road plan approved by CAMPO on July 12, 2004.
6. Any and all contracts or agreements between CTRMA and TxDOT.
7. Any and all documents used in connection with TxDOT's decision to convert free state highway roads in Travis and/or Williamson counties into tolled roads.
8. Any and all reports, studies and like documents computing the cost of converting free state highway roads in Travis and Williamson counties into a turnpike project (e.g., tolled roads).
9. Any and all contracts and agreements by which CTRMA received or will receive by transfer, lease, or otherwise a turnpike project or any nontoll road that is to be tolled.
10. Any and all documents pertaining to the revisions or change orders made to the construction plans and drawings of the MoPac bridge over William Cannon to permit or require the collection of tolls.
11. Any and all correspondence, including but not limited to, letters, facsimile transmissions and e-mail messages, sent by TxDOT to CAMPO, the CAMPO Board and toll road proponents, and received by TxDOT from CAMPO, members of the CAMPO Board and toll road proponents, pertaining to the toll road plan approved by CAMPO on July 12, 2004.
12. Any and all Request for Proposals for any tolling equipment or services to design or plan for tolling equipment for each and every toll road in the toll road plan CAMPO approved on July 12, 2004.
13. Any and all design changes, engineering changes and change orders to accommodate charging tolls for each and every toll road in the toll road plan CAMPO approved on July 12, 2004.

Thank You,  
Sal Costello  
10300 Dalea Vista Ct  
Austin, TX 78738



# Texas Department of Transportation

DEWITT C. GREER STATE HIGHWAY BLDG. • 125 E. 11TH STREET • AUSTIN, TEXAS 78701-2483 • (512) 463-8585

November 12, 2004

Mr. Sal Costello  
10300 Dalea Vista Ct  
Austin, Texas 78738

RE: Public Information Request of Sal Costello, Dated October 28, 2004, and Received  
by the Texas Department of Transportation on October 28, 2004

Dear Mr. Costello:

Please be advised that we have filed a request for an opinion with the Office of the Attorney General regarding your request for information. When we have that opinion, you will be informed, and we will make an appropriate response to your request.

Sincerely,

Sharon Alexander  
Associate General Counsel

cc: Katherine Minter Cary, OAG

Alastair Miller  
PBS&J  
7901 N. IH 35, Building 3  
Austin, Texas 78753

Dennis Seal  
Kimley-Horn and Associates, Inc.  
12700 Park Central Drive, Suite 1800  
Dallas, Texas 75251

## 15. THIS INEFFICIENT TAX, BORROW & SPEND POLICY IS TEMPORARY.

Texans are known to replace Governors frequently. To date, all potential candidates disagree with Perry's rush to toll Texas, and a 12/7/04 Montgomery & Associates poll shows primary voters favoring Hutchison by 2 to 1 over Perry.

### A MESSAGE TO CAMPO:

The following was found on the CAMPO monthly newsletter. It sounds like a mission statement:

"CAMPO is responsible for promoting an **efficient, affordable** transportation system that meets the mobility needs of all area residents while enhancing regional **livability, the economy, and the environment.**

CAMPO is committed to **involving the citizens of the region in determining the transportation system we use** to get there in the future."

The community must be part of the process. You should be representing us and not voting for a \$2.2 Billion concept under any extortion demands. You must demand congestion relief and economic impact studies before you vote on any program that impacts the citizens. This temporary, unpopular policy backed by special interests is unacceptable to the community, and it will be stopped. With or without our representatives helping us.

\$2.2 Billion proposal has:

- No Congestion Relief studies
- No Economic Impact studies
- No Regional Traffic Impact studies
- No Cost Benefit studies
- No Community support
- No Accountability
- No CTRMA track record
- No Open Records
- Unparalleled tolling of local highways
- Temporary policy would effect Central Texas forever
- Misinformation needed to sell a bad idea
- Extortion needed to sell a bad idea
- Legislative changes coming, it will NOT be retroactive.
- It's NOT \$2.2 Billion worth of roads, it includes
- Tolling equipment and other non-Hwy costs

Contact: [Sal@AustinTollParty.com](mailto:Sal@AustinTollParty.com)

The following elected CAMPO board members  
voted FOR the double tax Toll Plan.

Call your representatives today and tell them to listen to the community AND STOP THE DOUBLE TAX NOW, or you will help get them defeated in their next primary election.

TRAVIS COUNTY

**Will Wynn**, City of Austin Mayor 974-2250

**Danny Thomas**, City of Austin Council Member 974-2266

**Gonzalo Barrientos**, State Senator 463-0114

**Dawna Dukes**, State Representative 463-0506

**Karen Sonleitner**, Travis County Commissioner 854-9222

**Sam Biscoe**, Travis County Judge 854-9555

**Dwight Thompson**, Alliance of Cities Mayor 327-3628

WILLIAMSON COUNTY

**Mike Krusee**, State Representative 463-0670

**Greg Boatright**, Williamson County Commissioner 260-4280

**Steve Ogden**, State Senator 463-0105

**Dan Gattis**, State Representative 463-0309

**Bill Burnett**, Hays County Commissioner 847-3159

**Nyle Maxwell**, City of Round Rock Mayor 218-5401

Rick Perry has taken more than \$1,000,000 dollars from highway interests since 1997.

The double tax Toll Plan is part of Rick Perry's "vision" to Toll Texas with more toll miles than the whole US has.

Call Rick Perry (**463-2000**) and tell him you will vote against him in the Republican primary if he does not "stand down" and tell his appointed Texas Transportation Commission to stop the Double Tax. Any registered voter in the state of Texas can vote in ANY primary.

Tell Rick Perry: **TEXAS IS NOT NEW JERSEY!**

[www.AustinTollParty.com](http://www.AustinTollParty.com)

People for Efficient Transportation PAC is registered with the Texas Ethics Commission.  
People For Efficient Transportation PAC pol. adv.