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The Honorable Joe Pickett
State Representative
Chair, Transportation Policy Board
Metropolitan Planning Organization
10767 Gateway Blvd. West, Ste. 605
El Paso, Texas 79935

Dear Chairman Pickett: ^{Joe}

As you are well aware, a Regional Mobility Authority (RMA) is a political subdivision which, if formed, has significant powers over transportation projects. It is my understanding that the intent of the Texas Legislature in regard to RMAs was that they were to be created in order to address transportation issues across multiple counties. RMAs are entrusted with financing, designing, building, operating and maintaining toll roads and other transportation projects. It appears to me that Texas is on the brink of a significant change in the way it finances transportation by moving from its traditional "pay-as-you-go" method of financing road construction, funded largely by motor fuels taxes, to an increasing reliance on bond debt and toll roads.

Within this new paradigm, RMAs will have a tremendous amount of power and can issue revenue bonds, set toll rates and, in partnership with a taxing entity, establish a taxing district to assist with transportation financing. RMAs will also have the power of eminent domain i.e., the right to take private property for transportation projects. In effect, RMAs have the same road-building powers as the Texas Department of Transportation (TxDOT).

I believe the consolidation of this amount of power into the hands of an RMA should concern all of us. RMAs are not directly accountable to the people of Texas. No voter approval is required for: creation of the RMA; selection of their board members or staff, (in fact, the Chair of the RMA board is appointed by the Governor); selection and funding of their toll projects; or converting or re-designating existing roads into toll roads. The RMA would be given the authority to make the decisions about what is good for our community and in essence, elected officials, and the public they represent, will lose their voice in the process. The creation of an RMA in El Paso would, aside from creating a whole new bureaucracy, relegate the determination of important transportation projects to an organization that is interested in profit rather than the

interests of the public or their communities.

In addition, RMAs are not necessary in order for a community to adopt creative financing, such as tolling, for transportation projects. If we want to build a road or bridge in El Paso, for example, and we do not have public funds available, the reality is that we may have to rely on tolls. However, the toll project is not contingent upon the creation of an RMA as both the Texas Transportation Commission (TTC) and TxDOT would have you believe in their hard line attempt to institute RMAs in the state. Furthermore, we are being asked to believe that all of the funds that are generated by our local RMA will remain in El Paso and that is the reason that we need to have this new local bureaucracy created to assure that this happens. Can we keep funds generated in El Paso from a toll project in El Paso without the creation of an RMA? Absolutely!

The creation of an RMA raises a multitude of questions, for example: the City would be the one to appoint members to the board of the RMA but has it been defined exactly how this process will take place? What will the qualifications of the board members be, and how will accountability be achieved and enforced? How will it be determined that a toll project is in the best interests of the people of El Paso? What will be the motivation to mitigate congestion when an RMA relies on that same congestion in order to attract people to a toll road?

I believe that it is in our best interest to approach the creation of an RMA with a high level of thoughtfulness and caution. If we decide to create an RMA in El Paso, you can mark my words, it is here to stay. No doubt about it. So, lets think before we act and make sure that an RMA is exactly what we need to move transportation projects forward into the future. At this time, I believe it is premature to create the Camino Real Regional Mobility Authority.

Sincerely,



Silvestre Reyes
Member of Congress