

Dallas Morning News

Editorial: Oversight for NTTA

07:19 PM CST on Wednesday, November 11, 2009

State lawmakers have an obligation to make sure the business practices of the North Texas Tollway Authority do right by the public.

The NTTA began in 1997 with a narrow focus: Take over operation of one toll road and plan a second. Its business practices paralleled that limited scope. The agency started with a small in-house professional staff and contracted out nearly all of the costly engineering and legal work to outside firms.

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Today's NTTA has a breadth of activity that includes projects in operation, under expansion, under construction or on the drawing boards across all four counties of its service area.

Yet NTTA's business model has changed little from when it took over from a successor agency in 1997. Outside contractors and consultants now cost tens of millions of dollars more a year than if the agency had the professional work done in house, as reported by *Dallas Morning News* transportation writer Michael Lindenberger.

With the public chafing at rising tolls and the spread of toll roads across the region, state and local transportation leaders must demonstrate a stewardship of transportation dollars that is beyond reproach. To their credit, the NTTA's top leaders acknowledge that change has been overdue, and they have begun bringing on more staff and curtailing payments of marked-up services to outside contractors.

But like all public agencies, the NTTA would benefit from greater outside analysis of its operation.

This year, state lawmakers filed measures that would have put the agency under review in Austin. The provisions passed the House but died later. Lawmakers ought to take up the matter again in the 2011 legislative session.

The NTTA is a state agency, but since its budget relies on toll revenue – and not state appropriations – the agency is not subject to review by the state auditor.

Still, the NTTA typically uses significant amounts of state fuel-tax dollars and public right of way to build its toll projects. That gives the taxpayer a legitimate stake in the matter.

Legislation requiring the State Auditor's Office to review the NTTA's business practices is one option for added scrutiny. Another is a review by the Texas Sunset Commission, a process that subjects most state agencies to a thorough going-over every few years – even to the point of addressing whether the agency needs to exist.

The sunset process could be dicey, since the NTTA performs a vital function and has ongoing obligations to bondholders for billions of dollars. But the sunset process still could yield solid recommendations on how to improve efficiency.

Members of NTTA's nine-member board are appointed by county commissioners courts in the agency's service area. But they are not legally answerable to commissioners or voters.

Elected state lawmakers should step into the picture and ensure the taxpayer's interests are properly represented.