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AGENDA

TEXAS TRANSPORTATION COMMISSION

125 East 11th Street
Austin, Texas 78701-2483

THURSDAY
September 29, 2011

9:00 A.M. CONVENE MEETING

1. **Approval of Minutes** of the August 25 meeting of the Texas Transportation Commission
2. **Public Hearing**
Review of Rules Relating to Environmental Reviews
In accordance with Transportation Code §201.604(e), the commission will accept public comments on the department's rules relating to environmental review of a proposed transportation project (43 TAC Ch. 2, Subchapters A-C)
The Transportation Code requires that the commission hold a public hearing every five years to receive comments on its rules on environmental review. The commission must then consider making changes to the rules. The commission will consider at its next monthly meeting proposed changes to rules that are intended to implement parts of the department's Sunset Bill and other new legislation, and may consider any additional changes in response to comments.
3. **Discussion Item**
 - a. Update on TxDOT's modernization project ([Presentation](#))
The department is undergoing an initiative that includes creating a defined process to implement change and solve problems. As project teams consider the 37 projects resulting from the Restructure Council report, this process will be used to develop solutions. The change process is one of several initiatives led by Kaoppel Consulting to improve leadership, increase collaboration and encourage innovation. The goal of modernization is for TxDOT to be a performance driven organization that provides excellent customer service and is a great place to work. An update will be provided on these efforts.
 - b. Discussion on the development of a 511 Traveler Information Program and other Acknowledgment Programs involving sponsorship opportunities
An update will be presented on the status of research regarding the creation of market driven sponsorship programs to fund costs associated with the operation of roadway activities including mowing, litter pick-up, vegetation management, operation of picnic areas, and safety rest areas. The discussion will also include the development of a 511 Traveler Information Program based on a similar sponsorship structure.

DEFERRED

3. **Discussion Item (continued)**

c. Discussion on the update of the Texas Rail Plan ([Presentation](#))

The Texas Rail Plan was finalized in November 2010, detailing the state of freight rail and passenger rail service in Texas and included short-term and long-term programs to improve rail transportation in Texas. The next steps will be completing the annual update on passenger rail service in the state and completion of planned passenger rail corridor studies. This discussion will bring the commission up to date on where the department is with these efforts and to solicit further direction moving forward.

d. Discussion of applications for the federal Transportation Investment Generating Economic Recovery (TIGER) III grant program

On August 12, 2011, the USDOT published a notice of funding availability for TIGER III Discretionary Grants. This is a \$527 million nationwide program funded in the federal FY 2011 Appropriations Act. The administration directed staff to work with other sponsoring entities to review and help prepare applications for potential projects. Staff will update the commission on the development of these applications being prepared in response to this notice of funding availability to best position the department and the state to receive funds.

4. **Aviation**

112825

a. **Various Counties** – Award federal and state grant funding for airport improvement projects at various locations ([MO](#))

Federal law authorizes the award of federal funding to preserve and improve the state's general aviation system. State law authorizes the award of state funding for capital improvement projects. The airports listed in Exhibit A are eligible for award of these grant funds and the department seeks approval of the awards.

112826

b. Appoint members to the Aviation Advisory Committee ([MO](#))

The commission shall appoint each member for a term not to exceed three years. This minute order approves the reappointment of two members to the committee.

5. **Promulgation of Administrative Rules** Under Title 43, Texas Administrative Code, and the Administrative Procedure Act, Government Code, Chapter 2001:

a. **Final Adoption**

112827

Chapter 25 - Traffic Operations ([MO](#))

Amendments to §25.21, Introduction, §25.22, Regulatory and Advisory Speeds, §25.23, Speed Zone Studies, §25.24, Speed Zone Approval, and New §25.26, Provisional Traffic and Engineering Investigation Requirements (Procedures for Establishing Speed Zones)

These amendments modify the existing rules related to establishing speed limits on the state highway system. House Bill 1353, 2011, delegated to the commission the authority to establish speed limits up to 75 miles per hour and eliminated both night and truck speed limits. House Bill 1201, 2011, allows the commission to approve up to an 85 mile-per-hour speed limit on a highway that was designed to accommodate the higher speed based on a traffic and engineering investigation. The amendments allow the commission to establish these higher speeds and eliminate reference to night and truck speed limits. The amendments also allow for the temporary reduction of existing speed limits at the sites of vehicular accident reconstructions. New §25.26 provides for the use of a provisional traffic and engineering investigation process to implement the timely review of some highways that may qualify for a 75 mile-per-hour speed limit.

5. **Promulgation of Administrative Rules (continued)**

b. **Proposed Adoption**

- 112828 (1) **Chapter 2 - Environmental Policy and New Chapter 12 - Public Participation in Landscaping and Litter Removal (MO)**
Repeal of §§2.61 – 2.71 (Public Participation Programs) and New §§12.1 – 12.11 (Public Participation Programs)
These repeals and the new sections move the rules for the department's public participation programs from Chapter 2, Subchapter D, Public Participation Programs, to new Chapter 12, Subchapter A, Public Participation Programs without substantive revisions. The action will improve the general organization of the department's rules and will provide flexibility in the structure of Chapter 2 for future revision of the environmental rules.
- 112829 (2) **Chapter 9 - Contract and Grant Management (MO)**
Amendments to §9.33, Notice of Intent and Letter of Interest (Contracting for Architectural, Engineering, and Surveying Services); and Amendments to §9.83, Notice and Letter of Interest (Contracts for Scientific, Real Estate Appraisal, Right of Way Acquisition, and Landscape Architectural Services)
The current rules require that notice of a procurement of architectural, professional engineering and land surveying services, scientific, real estate appraisal, right-of-way acquisition, and landscape architectural services be posted on an electronic bulletin board and in a newspaper. The proposed rule amendments revise the current rules to eliminate the requirement that notice be posted in a newspaper.
- 112830 (3) **Chapter 9 - Contract and Grant Sanctions (MO)**
Amendments to §9.133, Procedure for Imposing Sanctions (Grant Sanctions)
In a previous rulemaking, the existing ethical provisions in commission rules were moved into Chapter 10, which sets forth required ethical standards for entities doing business with the department. This amendment corrects a cross-reference from §1.8, which is now repealed, to §10.51.
- 112831 (4) **Chapter 21 - Right of Way, Chapter 25 - Traffic Operations, and Chapter 27 - Toll Projects (MO)**
Amendments to §21.406, Exemptions for Certain Populous Counties (Control of Signs Along Rural Roads), §25.103, Routing Designations by Political Subdivisions (Hazardous Material Routing Designations), §27.40, Purpose and §27.42, Creation (Regional Tollway Authorities), and §27.73, Commission Approval of County Toll Project (County Toll Roads and Ferries)
After each federal census, the legislature enacts a bill that updates statutory population references that need to be changed because of the changes in population over the preceding decade. HB 2702, the population bill from the 82nd Legislature, changes some statutory references that affect TxDOT rules. These amendments change various population references within the rules to conform with the changes made by that bill.

5. **Promulgation of Administrative Rules (continued)**

b. **Proposed Adoption (continued)**

112832

(5) **Chapter 26 - Regional Mobility Authorities (MO)**

Amendments to §26.61, Written Reports, §26.62, Annual Audits, §26.63, Other Reports, and New §26.65, Annual Reports to the Commission (Reports and Audits)

The amendments change the filing of certain financial and operating reports and audits of an RMA from the department to the county or city that is responsible for the RMA. Additionally, the amendments require the RMA annually to file with the department a report that indicates the RMA is complying with audit and reporting requirements and to file with the commission a written report on the progress on the RMA's transportation projects.

112833

(6) **Chapter 28 - Oversize and Overweight Vehicles and Loads (MO)**

Amendments to §§28.90 - 28.92 (Port of Brownsville Port Authority Permits)

These amendments alter the overweight corridor route used by the Port of Brownsville for the issuance of overweight permits. This change will allow the Port of Brownsville to accommodate the permitting needs of additional businesses that are located in the port area.

6. **Internal Compliance Program (ICP) Report**

State law requires the commission to establish a compliance program, which must include a compliance office to oversee the program. The compliance office is responsible for acting to prevent and detect serious breaches of department policy, fraud, waste, and abuse of office, including any acts of criminal conduct within the department. The compliance office is required to provide a monthly report to the commission regarding investigations and a summary of information relating to trends and recommendations to avoid future complaints.

7. **Historically Underutilized Businesses (HUB)**

112834

Establish statewide annual participation goals for the HUB Program (MO)

The state HUB Program facilitates the use of HUBs in state procurements for construction, services (including professional and consulting services) and commodities purchases. Within TxDOT the HUB program is applicable to contracts relating to buildings, professional services, aviation, public transportation, private consultant services, and purchases funded entirely with state and local funds. The commission establishes annual participation goals for these procurement categories pursuant to 43 TAC §9.54. The program is open to all HUB businesses that meet the specified criteria.

8. **Toll Road Projects**

112835

a. Accept the Report of Actual Traffic and Revenue for the Central Texas Turnpike System (CTTS) (MO)

Report of actual traffic and revenue for the CTTS as of August 31, 2011, as required by the CTTS Indenture of Trust.

- 112836 8. **Toll Road Projects (continued)**
b. **Johnson and Tarrant Counties** - Consider the final approval of a request for financing from the North Texas Tollway Authority (NTTA) to pay for eligible costs associated with the development, design, construction, operation, and maintenance of the SH 121 toll project from the Fort Worth Central Business District at I-30 south to US 67 in Cleburne (Chisholm Trail Parkway), and authorize the executive director to enter into a Supplement to Toll Equity Loan Agreement and other necessary agreements and to execute other necessary documents in connection with the financing of the Chisholm Trail Parkway Project (MO)
As authorized by Minute Order 112142, dated February 24, 2010, the department entered into an agreement to enter into a supplement to the Toll Equity Loan Agreement for the SH 161 Project with the NTTA. That agreement provides that the department and the NTTA will enter into a supplement to the toll equity loan agreement for the SH 161 Project upon the fulfillment of specific conditions set forth in the agreement, including environmental clearance being received for the Chisholm Trail Parkway and the commission's adoption of a minute order approving the execution and delivery of the supplement. The supplement would amend the Toll Equity Loan Agreement to increase the amount of the toll equity loan commitment for the SH 161 Project to provide financial assistance for the Chisholm Trail Parkway Project. The minute order provides that final approval of the request for financing and authorization to enter into the Supplement is subject to the approval of certain actions by the USDOT.
- 112837 9. **Debt and Portfolio Management**
Authorize the Investment Officer to participate in specific governmental investment pools (MO)
This order will authorize participation in specific governmental investment pools in accordance with the Investment Policy and program strategies, and to designate authorized representatives to carry out related transactions.
- 112838 10. **Purchase of Buildings and Property Exchanges**
a. **Travis County** – Consider for approval the department’s option to assume all rights and obligations under the separated ground leases upon payment in full of the lease with option to purchase contract for the buildings at 150 and 200 East Riverside, Austin, Travis County. Authorize the department to accept a deed of the buildings from the Texas Facilities Commission (TFC) and authorize the executive director to enter into an assignment agreement from TFC to assume all rights and obligation for the ground leases (MO)
The department paid the bond obligation for the buildings under the lease with option to purchase contract on September 15, 2011. In connection with the exercise option to purchase, the department assumes all rights and obligations of the ground leases that continues through 2022. The TFC, acting on behalf of the State of Texas, and the department, has agreed to deed all rights, title and interest of the buildings to TxDOT, and assign the ground leases associated with the interest in real property, to the department at closing.

- 112839**
10. **Purchase of Buildings and Property Exchanges (continued)**
- b. **Various Counties** – Dallas District Facilities - Authorize the department to issue three Requests for Proposals for separate projects, then select, rank and negotiate a Development and Exchange Agreement with the top-ranked design-build firms for the design and construction of new facilities, buildings and other facility support structures on state-owned property located in Cedar Hill, Garland, Irving, Kaufman, and McKinney (MO)
The district is in need of new area engineer and maintenance facilities, an engineering and laboratory building and other facility-support structures.
- 112840**
11. **Public Private Partnership Procurements**
- a. Authorize the department to issue a request for qualifications for the development, design, construction, financing, maintenance, and operation of all or any portion of the I-35E managed lanes project in Dallas and Denton counties from I-635 to US 380, subject to the North Texas Tollway Authority’s decision to waive or decline to exercise its option to develop, finance, construct, and operate the project (MO)
Transportation Code Section 223.201 authorizes the department to enter into a comprehensive development agreement for the I-35E managed lanes project. The development and completion of all or part of the I-35E project could be expedited through the use of a public-private partnership agreement, and the employment of innovative methods for the development and financing of projects that are available with a public-private partnership agreement. Development of the I-35E project is a crucial element to responding to traffic congestion throughout the Dallas/Fort Worth Metroplex.
- 112841**
- b. Issuance of a determination as to whether participation by URS Corporation as a member of a proposer team for a comprehensive development agreement (CDA) project while performing consulting services for the department in connection with another CDA project would constitute a conflict of interest (MO)
On August 12, 2011, URS submitted a request in accordance with 43 TAC §§27.8(c)(8) and (9) for a determination that a conflict of interest does not exist between URS' procurement services and its potential participation on a CDA developer team for the Grand Parkway and IH 35E projects. Under 43 TAC §§27.8(c)(8) and (9), the commission must issue the determination.
- DEFERRED**
- c. Issuance of a determination as to whether participation by CH2M HILL as a member of a proposer team for a comprehensive development agreement (CDA) project while performing consulting services for the department in connection with another CDA project would constitute a conflict of interest (MO)
On August 12, 2011, CH2M HILL submitted a request in accordance with 43 TAC §§27.8(c)(8) and (9) for a determination that no conflict of interest exists where CH2M HILL is providing services to developer teams for upcoming CDA projects where CH2M HILL is not serving as a subconsultant to a procurement engineer. Under 43 TAC §§27.8(c)(8) and (9), the commission must issue the determination.

- 112842
12. **Pass-Through Toll Program**
Authorize the executive director or designee to negotiate and execute a final pass-through toll agreement with Bexar County which was successful in negotiating the financial terms of a pass-through agreement following the conditional selection of its proposal under the December 16, 2010, pass-through toll program call by the commission in Minute Order 112685 on May 26, 2011; and discussion on the status of unexecuted agreements and available funding under the 2009 and 2010 pass-through toll program calls (MO)
The department evaluated proposals submitted under the December 16, 2010, pass-through toll program call using the items of criteria set forth in 43 TAC §5.55, and presented its analyses to the commission. The commission considered the proposals and (i) selected those, up to a cumulative total of \$176 million, that provided the best value to the state, (ii) conditionally selected additional projects, and (iii) directed the department staff to attempt to negotiate the financial terms of a potential pass-through toll agreement with the selected public entity proposers under Minute Order 112685, dated May 26, 2011. This agenda item will allow the commission to approve an additional negotiated agreement for execution under the 2011 program call and discuss potential funding that may be available from the 2009 and 2010 program calls.
- 112822
HOPMANN
13. **Proposition 12 Bond Program**
a. **Various Counties** - Revise the funding allocations for previously approved highway improvement projects funded with the proceeds of general obligation bonds issued under Transportation Code, Section 222.004 (Proposition 12 bonds) (MO)
This minute order will include revisions to the previously approved project list and total authorized cost for preliminary engineering, right of way, construction, and construction engineering. Proposition 12 projects are those authorized by the commission to be funded with general obligation bonds.
- 112823
- b. **Various Counties** – Approval of work to be performed in connection with highway improvement projects that will be funded with the proceeds of general obligation bonds issued under Transportation Code, Section 222.004 (Proposition 12 bonds) (MO)
The commission is authorized to issue general obligation bonds, notes and other public securities for the purpose of paying all or part of the cost of highway improvement projects. For FY 2012-2013, the legislature appropriated bond proceeds in the amount of \$300 million for engineering and right-of-way acquisition on the most congested roadways, \$600 million to fund metropolitan and urban projects selected by metropolitan planning organizations, \$1.4 billion to fund rehabilitation, safety and mobility projects, \$500 million to fund the rehabilitation of bridges, and \$200 million for statewide connectivity.
- 112843
14. **Transportation Planning and Financing**
a. **Appoint members to the Border Trade Advisory Committee (MO)**
Created by state law, the purpose of the Border Trade Advisory Committee is to assist in defining and developing a strategy and making recommendations for addressing the highest priority border trade transportation challenges. Committee members are appointed to staggered three-year terms. Seven committee members' terms expired on August 31, 2011.

- 112844 14. **Transportation Planning and Financing (continued)**
- b. **Various Counties** – Concurrence with the Regional Transportation Council of the North Central Texas Council of Governments' funding of construction and other project development costs of projects to be advanced through the use of payments received from the North Texas Tollway Authority for the right to develop, finance, design, construct, operate and maintain the SH 121 toll project from Business SH 121 in Denton County to US 75 in Collin County (MO)
The department has established a separate fund to account for and track projects and project costs funded with the SH 121 payments. This minute order authorizes the funding of additional project costs with those payments. The project costs to be funded were selected through a cooperative process with the RTC.
- 112845 c. **Various Counties** – Concurrence with the Regional Transportation Council of the North Central Texas Council of Governments' funding of construction and other project development costs of projects to be advanced through the use of payments received from the North Texas Tollway Authority for the right to develop, finance, design, construct, operate and maintain the SH 161 toll project from I-20 to SH 183 in Dallas County (MO)
The department has established a separate fund to account for and track projects and project costs funded with the SH 161 payments. This minute order authorizes the funding of additional projects costs with those payments. The project costs to be funded were selected through a cooperative process with the RTC.
- 112824 15. **Unified Transportation Program (UTP)**
Approve updates to the 2012 UTP (MO)
The UTP is a 10-year statewide plan for transportation project development. The commission approved the 2012 UTP in May 2011. This minute order updates funding allocations based on funds transfer requests and applied FY 2011 carryover balances. This minute order also addresses the reconciliation of Category 5 (Congestion Mitigation and Air Quality Improvement) and Category 7 (Metropolitan Mobility and Rehabilitation), additional Proposition 12 funding authorized by HB 1, Rider 42, and other minor revisions or technical corrections.
- 112846 16. **State Infrastructure Bank (SIB)**
Final Approval
Montgomery County – **City of Magnolia** – Consider granting final approval of an application from the City of Magnolia to borrow \$2 million from the SIB to pay for the relocation and rehabilitation of city water and sewer lines along FM 1774 in connection with the reconstruction of FM 1774 from north of FM 1488 to south of West Lost Creek Boulevard (MO)
The City of Magnolia is requesting SIB financial assistance to pay for the relocation and rehabilitation of city water and sewer lines along FM 1774 from 0.1 miles north of FM 1488 to 0.05 miles south of West Lost Creek Boulevard.
17. **Obligation Limit Report**
Status report on the FY 2012 Obligation Limit, the actual obligations utilized through the current month, proposed remaining highway maintenance and construction contract letting for the fiscal year and an update on motor fuel tax receipts (REPORT)
This report will provide the current overall obligation status, by district, of the FY 2012 Obligation Limit and will also provide the anticipated effect on the obligation limit of remaining proposed highway maintenance and construction letting. The report will also provide an update on motor fuel tax receipts, including estimated versus actual receipts fiscal year to date, and any potential impact on letting volume.

18. **Contracts**

Award or reject contracts for maintenance, highway and building construction
These proposed minute orders contain information concerning the receipt of bids for highway improvement contracts. The department may reschedule receipt of bids for those projects where the commission rejects all bids. Those bids accepted by the commission will result in conditional contract awards to the low bidders. Contract award conditions may involve securing funding from other sources, the contractor's ability to satisfy federal DBE subcontracting requirements, or other requirements as outlined in the project bid proposal

- 112847 a. **Highway Maintenance and Department Building Construction**
(see attached itemized list) (MO)
- 112848 b. **Highway and Transportation Enhancement Building Construction**
(see attached itemized list) (MO)

19. **Eminent Domain Proceedings**

- 112849 **Various Counties** – Authorize the filing of condemnation proceedings to acquire real property by eminent domain for non-controlled and controlled access highways (see attached list) (MO)

Commission findings, determinations, and authorizations for the state, by motion made in accordance with Senate Bill 18 (82nd Legislature), to acquire by eminent domain, upon the payment of adequate and just compensation, various ownership interests in specific parcels of real property that are needed to develop or improve both non-controlled and controlled access state highways, to include requesting the state attorney general to bring and pursue condemnation suits relating to those specific parcels of real property described in the attached itemized list.

20. **Routine Minute Orders**

- 112850 a. **Donations to the Department**
- (1) **Austin District** – Acknowledge a donation from Mixon/Hill, Inc., for a department employee's travel expenses to attend the 2011 Road Weather Management Stakeholder Meeting in Albuquerque, New Mexico, from September 7 – 9, 2011 (MO)
Attendance at this meeting allowed the department to obtain updates on multi-state regional demonstrations of road weather management technology and other road weather management technology from other states and agencies.
- 112851 (2) **Bridge Division** – Acknowledge a donation from the University of Sherbrooke for a department employee's travel expenses to attend the 4th International Conference on Durability and Field Applications of Fibre Reinforced Polymer Composites for Construction and Rehabilitation in Quebec City, Canada, from July 20 – 22, 2011 (MO)
Attendance at this event enabled the department to improve safety, durability, economy and constructability of bridges.
- 112852 (3) **Transportation Planning & Programming Division** – Acknowledge a donation from the University of Buffalo for a department employee's travel expenses to attend the 2011 ITE/Highway Data Workshop and Conference in Buffalo, New York from September 21 – 23, 2011 (MO)
Attendance at this meeting allowed the department to obtain a better understanding of traffic data collection and analysis for developing practical and innovation solutions to traffic data challenges.

20. **Routine Minute Orders (continued)**

a. **Donations to the Department (continued)**

112853

- (4) **Travel Information Division** – Consider a donation from the Texas Travel Industry Association to provide food, beverage, lodging, admission and transportation to area attractions from various sponsors to the department during a study tour to educate the department’s travel counselors in the Eastern Rio Grande Valley Region from October 23-28, 2011 (MO)

The donation allows the department to exchange information and ideas with those in attendance which will be a great benefit to the department.

b. **Right of Way Dispositions and Donations**

The commission must approve the sales, transfers and exchanges of state rights of way and other real properties that are no longer needed for a state highway purpose. It must also approve, accept and acknowledge donations to the state of real property that is valued at \$500 or more.

112854

- (1) **Collin County** – SH 289 from US 380 Interchange to north of FM 1461 - Consider the acceptance of a donation of land for a highway improvement project (MO)

The property being donated to the department is necessary for the reconstruction and widening of SH 289 from a two-lane rural roadway to a six-lane urban roadway. The property being donated is in lieu of payment for the acquisition and is valued at more than \$500.

112855

- (2) **Coryell County** – US 190 from Lampasas/Coryell county line to east of Copperas Cove city limits - Consider the acceptance of a donation of land for a highway improvement project (MO)

The property being donated to the department is necessary for a new location bypass of US 190 around Copperas Cove. The property being donated is in lieu of payment for the acquisition and is valued at more than \$500.

112856

- (3) **Denton County** – SH 114, northeast corner at I-35W in Northlake - Consider the sale of surplus right of way to the Town of Northlake (MO)

The district has determined that the surplus land is no longer needed for highway purposes. The town has requested to purchase the surplus land, and it may be sold to the town.

112857

- (4) **El Paso County** – SL 375 from 0.038 Miles west of I-10 at SL 375 to 0.479 miles east of Franklin Mountain State Park - Consider the acceptance of a donation of land for a highway improvement project (MO)

The property being donated to the department is necessary for the reconstruction and widening of SL 375 from a two-lane roadway to a four-lane roadway with grade separations at major streets. The property being donated is in lieu of payment for the acquisition and is valued at more than \$500. Donor is Hunt El Paso Investment, Ltd.

112858

- (5) **El Paso County** – SL 375 from 0.038 miles west of I-10 at SL 375 to 0.479 miles east of Franklin Mountain State Park - Consider the acceptance of a donation of land for a highway improvement project (MO)

The property being donated to the department is necessary for the reconstruction and widening of SL 375 from a two-lane roadway to a four-lane roadway with grade separations at major streets. The property being donated is in lieu of payment for the acquisition and is valued at more than \$500. Donor is Hill 262 Partners, Ltd.

20. **Routine Minute Orders (continued)**

b. **Right of Way Dispositions and Donations (continued)**

- 112859 (6) **Harris County** – US 59 at Hamilton Street in Houston - Consider the amendment of Minute Order 112650, passed March 31, 2011, to revise the value of the surplus land (MO)
The district has advised that the value of the surplus land was shown incorrectly in MO.
- 112860 (7) **Lamar County** – SL 286 at Clarksville Street in Paris - Consider the exchange of drainage easements (MO)
The fee owner of the property has requested to realign an existing drainage easement to facilitate development of the property and has granted a new easement to the state. The district has determined that a portion of the existing drainage easement is no longer needed for highway drainage purposes, and it may be released to the owner of the underlying fee.
- 112861 (8) **Live Oak County** – US 59 from US 281 to Business US 59 Intersection - Consider the acceptance of a donation of land for a highway improvement project (MO)
The property being donated to the department is necessary for the construction of a four-lane boulevard. The property being donated is in lieu of payment for the acquisition and is valued at more than \$500.
- 112862 (9) **Roberts County** – FM 282 at East Fourth Street in Miami - Consider the sale of a surplus maintenance site and improvements to Miami Independent School District (MO)
The district has advised that the site is no longer needed for highway purposes. The school district has requested to purchase the site, and it may be sold to the school district.
- c. **Highway Designation**
- 112863 **Bexar and Guadalupe Counties** – Extend the designation of SH 130 concurrent with I-10 from its present terminus at I-10 east of Seguin, westward to I-410 in San Antonio, then south and west concurrent with I-410 to I-35 (MO)
This minute order extends the designation of SH 130 concurrent with I-10 from its present terminus at I-10 east of Seguin, westward to I-410, then concurrent with I-410 south and west to a new terminus at I-35, a distance of approximately 53.1 miles.
- d. **Speed Zones**
- 112864 **Various Counties** – Establish or alter regulatory and construction speed zones on various sections of highways in the state (MO)
This minute order establishes or alters regulatory and construction speed zones on various sections of highways in the state.
- e. **Transportation Development Credits (TDC)**
- 112865 Authorize the use of 125,000 TDC as the 20 percent state match on a \$625,000 grant from the Federal Highway Administration to study wait times at the Zaragoza Bridge in El Paso for commercial and private vehicles and provide for dissemination of data (MO)
This grant will fund a study on the wait times at the Zaragoza Bridge in El Paso for commercial and private vehicles. It will also fund data dissemination and reports for two years from other crossings that have had wait time studies.

21. **Executive Session** Pursuant to Government Code, Chapter 551
 - a. **Section 551.071** – Consultation with and advice from legal counsel regarding any item on this agenda
 - b. **Section 551.074** – Interview and discuss the election of the executive director of the Texas Department of Transportation

22. **Election of Executive Director**
Elect the executive director of the Texas Department of Transportation and approve compensation (MO)

112866

OPEN COMMENT PERIOD

At the conclusion of all other agenda items, the commission will allow an open comment period, not to exceed one hour, to receive public comment on any other matter that is under the jurisdiction of the commission. No action will be taken. Each speaker will be allowed a maximum of three minutes. Speakers must be signed up prior to the beginning of the open comment period.

A group of citizens from Grimes County has notified the department that they will attend the meeting to speak on the proposed overpass in Plantersville on SH 105 and FM 1774

ADJOURN

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NOTE:

Enumerated agenda items are assigned numbers for ease of reference only, and will not necessarily be considered by the commission in that particular order. Items identified with (MO) for minute order are those upon which the commission is considering an action.

Persons with special needs or disabilities who plan to attend this meeting and require auxiliary aids or services are requested to contact JoLynne Williams at (512) 305-9536 at least three working days prior to the meeting so that appropriate arrangements can be made.

TEXAS TRANSPORTATION COMMISSION MEETING
ATTACHED LISTS
September 29, 2011

**HIGHWAY MAINTENANCE AND BUILDING CONSTRUCTION CONTRACTS-
STATE LET - AGENDA ITEM 18.a.**

<u>DIST</u>	<u>COUNTY NAME</u>	<u>HIGHWAY NUMBER</u>	<u>CONTROLLING PROJECT NO.</u>
BMT	JEFFERSON	US0069	RMC - 622187001
BRY	BRAZOS	FM2818	RMC - 622878001
BRY	ROBERTSON	FM0391	RMC - 622781001
CHS	CHILDRESS	FM2042	RMC - 622702001
CHS	DONLEY	US0287	RMC - 622714001
ELP	EL PASO	IH0010	RMC - 622905001
ELP	EL PASO	IH0010	RMC - 623073001
FTW	PARKER	US0180	RMC - 623011001
FTW	PARKER	US0180	RMC - 623018001
FTW	TARRANT	IH0035W	RMC - 622287001
FTW	TARRANT	US0377	RMC - 623128001
HOU	HARRIS	IH0045	RMC - 622838001
PAR	DELTA	FM1528	RMC - 622735001
SAT	WILSON	FM0427	RMC - 619953001

**HIGHWAY AND TRANSPORTATION ENHANCEMENT BUILDING CONSTRUCTION
CONTRACTS - STATE LET - AGENDA ITEM 18.b.**

<u>DIST</u>	<u>COUNTY NAME</u>	<u>HIGHWAY NUMBER</u>	<u>CONTROLLING PROJECT NO.</u>
ABL	CALLAHAN	SH 36	STP 2012(004)
ABL	TAYLOR	FM 3438	NH 2012(005)
ABL	TAYLOR	US 83	NH 2012(003)
ATL	MORRIS	CR	BR 2011(606)
ATL	PANOLA	BU 59-D	STP 2012(006)
AUS	LLANO	SH 71	STP 2012(087)
AUS	TRAVIS	LP 111	STP 2012(049)MM
AUS	TRAVIS	VA	NH 2012(007)
BMT	ORANGE	FM 105	STP 2012(048)
BMT	ORANGE	IH 10	IM 0108(171)
BWD	COLEMAN	RL SO	C 7123-11-5

**(CONTINUED) HIGHWAY AND TRANSPORTATION ENHANCEMENT BUILDING
CONSTRUCTION CONTRACTS - STATE LET - AGENDA ITEM 18.b.**

BRY	BRAZOS	US 190	STP 2012(008)
BRY	WALKER	IH 45	IM 0452(121)
BRY	WALKER	SH 30	STP 2012(010)SB
CHS	COLLINGSWORTH	US 83	STP 2012(011)
CHS	HALL	US 287	NH 2012(013)
CHS	KNOX	SH 222	STP 2012(014)
CRP	KARNES	US 181	STP 2012(044)
CRP	KARNES	US 181	NH 2012(045)
CRP	NUECES	PW	C 916-35-164
DAL	DALLAS	CS	CM 2007(892)
DAL	DENTON	FM 423	C 1567-2-20
ELP	EL PASO	LP 375	C 2552-1-33
ELP	EL PASO	SH 20	NH 2011(327)
ELP	EL PASO	VA	STP 2012(017)
FTW	JOHNSON	CS	HP 2011(451)
FTW	JOHNSON	PR 21	BR 2006(538)
FTW	PARKER	IH 20	IM 0204(279)
FTW	TARRANT	IH 20	IM 0204(280)
FTW	TARRANT	IH 30	IM 0304(094)
FTW	TARRANT	IH 30	IM 0304(095)
FTW	TARRANT	IH 35W	IM 0355(149)
FTW	TARRANT	SH 183	NH 2012(088)
HOU	BRAZORIA	VA	STP 2012(022)
HOU	GALVESTON	FM 3005	STP 2012(018)
HOU	GALVESTON	FM 646	NH 2012(024)
HOU	HARRIS	IH 10	IM 0107(429)
HOU	HARRIS	PW	C 912-71-888
HOU	HARRIS	VA	STP 2012(020)
HOU	HARRIS	VA	STP 2012(023)
LFK	NACOGDOCHES	FM 225	HP 62(2)
LFK	SHELBY	FM 699	STP 2012(025)
ODA	ANDREWS	FM 1788	STP 2012(026)
ODA	MARTIN	IH 20	IM 0201(179)
PAR	FANNIN	US 69	STP 2012(027)
PHR	BROOKS	FM 1418	STP 2012(028)
PHR	CAMERON	LP 499	NH 2012(041)
PHR	HIDALGO	SH 364	STP 2012(043)
PHR	HIDALGO	VA	STP 2010(827)SRS

**(CONTINUED) HIGHWAY AND TRANSPORTATION ENHANCEMENT BUILDING
CONSTRUCTION CONTRACTS - STATE LET - AGENDA ITEM 18.b.**

SAT	ATASCOSA	IH 35	IM 0352(335)
SAT	BEXAR	LP 1604	NH 2012(038)
SAT	BEXAR	LP 345	NH 2012(034)
SAT	KENDALL	RM 474	STP 2012(036)
SAT	MEDINA	FM 462	STP 2012(035)
TYL	SMITH	VA	STP 2012(031)
WAC	BELL	FM 437	STP 2012(032)
WAC	MCLENNAN	IH 35	IM 0354(234)
WFS	MONTAGUE	FM 3301	STP 2012(033)HES
YKM	VICTORIA	US 87	NH 2012(039)

EMINENT DOMAIN - AGENDA ITEM 19

NONCONTROLLED ACCESS

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ACCOUNT</u>	<u>PARCEL</u>
Collin	FM 455	12	0816-04-046	1
Collin	FM 455	5	0816-04-046	12
Collin	SH 289	7	0091-04-056	5
Collin	SH 289	8	0091-04-056	6
Collin	SH 78	4	0281-02-064	20
Collin	SH 78	14	0281-02-064	28
Collin	SH 78	11	0281-02-064	42
Collin	SH 78	15	0281-02-064	27
Denton	FM 2181	1	2054-02-017	36
Denton	FM 423	3	1315-02-010	46
Denton	FM 423	2	1315-02-010	24
Jefferson	FM 365	6	0932-01-099	29
Jefferson	FM 365	10	0932-01-099	20
Jefferson	FM 365	9	0932-01-099	73
Jefferson	FM 365	13	0932-01-099	26

CONTROLLED ACCESS

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Bell	IH 35	F	0015-04-083	40
Bell	IH 35	H	0015-07-078	4, 4AC
Bell	IH 35	I	0015-07-078	35
McLennan	IH 35	B	0014-08-083	47, 47TE
McLennan	IH 35	C	0015-01-220	6
McLennan	IH 35	D	0015-01-220	11
McLennan	IH 35	G	0015-01-220	65
McLennan	IH 35	E	0015-02-058	34
Rusk	US 259	A	0138-05-053	1, 1AC