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AGENDA

TEXAS TRANSPORTATION COMMISSION

**200 East Riverside Drive, Room 1A.1
Austin, Texas 78704**

**THURSDAY
August 30, 2012**

9:00 A.M. CONVENE MEETING

1. **Safety Briefing (A/V)**
Staff will provide general safety instruction.
2. **Approval of Minutes** of the July 26, 2012 meeting of the Texas Transportation Commission
3. **Resolutions (A/V)**
 - a. Resolution to extend sympathy to the relatives of Howard Wayne Wagon, an employee of the Lubbock District, who died while performing his duties with the Texas Department of Transportation.
 - b. Recognize General Counsel Bob Jackson, upon his retirement from the department after 27 years of service.
 - c. Recognize Rick Collins, Director of Research and Technology upon his retirement from the department after 29 years of service.
 - d. Recognize Austin District Engineer Carlos A. Lopez, P.E., upon his retirement from the department after 33 years of service.
 - e. Recognize Waco District Engineer Richard J. Skopik, P.E., upon his retirement from the department after 34 years of service.
4. **Advisory Committee Appointment (A/V)**
 - a. **113223** 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 appointment of two members to the Aviation Advisory Committee.
 - b. **113224** Appoint members to the Bicycle Advisory Committee (MO)
The Bicycle Advisory Committee advises the commission on bicycle issues and matters related to the Safe Routes to School Program. By involving representatives of the public, including bicyclists and other interested parties, the department helps ensure effective communication with the bicycle community, and that the bicyclist's perspective will be considered in the development of policies affecting bicycle use, including the design, construction and maintenance of highways.

- 113225 4. **Advisory Committee Appointments (continued)**
 c. **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. Eight committee members' terms will expire on August 31, 2012.
5. **Discussion Item (A/V)**
 a. **Transportation Enhancement Program**
 Discussion of the Transportation Enhancement Program and the potential issuance of a call for projects
The Transportation Enhancement (TE) program is a federally funded program derived from a 10% set-aside from the Surface Transportation Program apportionment. Staff will update the commission on the status of the TE program and discuss the potential issuance of a program call to identify candidate projects.
 b. **Transportation Infrastructure Finance and Innovation Act (TIFIA)**
 Discussion of Letters of Interest (LOI) submitted for Comprehensive Development Agreement (CDA) projects to the U.S. Department of Transportation for Transportation Infrastructure Finance and Innovation Act (TIFIA) credit assistance and a process to identify additional projects in the state that could benefit from TIFIA
The department has submitted LOIs for four CDA projects to seek TIFIA credit assistance under the recently enacted Moving Ahead for Progress in the 21st Century Act (MAP-21) and will continue to work with our transportation partners to identify additional projects in the state that may benefit from TIFIA.
- 113226 6. **Legislative Appropriations Request (A/V)**
 Adopt the Texas Department of Transportation's Fiscal Year 2014-2015 Legislative Appropriations Request (MO)
Every two years the department is required to submit a Legislative Appropriations Request (LAR) for the upcoming biennium to be considered by the Texas Legislature. The LAR describes the level of funding, method of finance, and FTEs associated with the department's strategies for the fiscal year 2014-2015 biennium.
- 113227 7. **Aviation (A/V)**
 a. **Approve Aviation Capital Improvement Program (MO)**
The Texas Department of Transportation is required to prepare and update annually a multi-year aviation facilities capital improvement program. The department is seeking commission approval of this program.
- 113228 b. **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.
- 113229 c. **Various Counties - Approve the Routine Airport Maintenance Program (MO)**
State law authorizes the award of state funding for routine airport maintenance projects. The recommended airports are eligible for award of these grant funds and AVN seeks approval of the awards.

8. **Public Transportation (A/V)**
- 113230 a. **Various Counties** - Award federal §5310 funds, Special Needs of Elderly Individuals and Individuals with Disabilities Program, and award transportation development credits for FY 2012 (MO)
The awards identified in this minute order reflect the allocation of federal grant funds from the Federal Transit Administration §5310, Elderly Individuals and Individuals with Disabilities Program to various public transportation providers. Transportation development credits are awarded to various transportation agencies to assist with the match of federal funds for capital projects.
- 113231 b. **Various Counties** - Award federal §5311, Nonurbanized Area Formula Program, funds to rural transit districts for FY 2012 (MO)
The awards identified in this minute order reflect the allocation of federal grant funds from the Federal Transit Administration §5311, Nonurbanized Area Formula Program, to rural public transportation providers.
- 113232 c. **Various Counties** - Award federal §5304 and state match, §5311, §5311(f), §5316, §5317, Rural Transit Assistance Program funds for the FY 2012 coordinated call for projects, and award transportation development credits (MO)
The awards identified in this minute order reflect the allocation of federal grant funds from several Federal Transit Administration programs and state match to various entities and public transportation providers responding to a coordinated program request for proposal. Transportation development credits are awarded to various agencies to assist with the match of federal funds for capital projects.
- 113233 d. **Various Counties** - Award Remaining Balance of Federal §5303 Metropolitan Transportation Planning Funds, and Award Transportation Development Credits for FY 2013 (MO)
In June 2012, the commission awarded the available federal §5303 Metropolitan Transportation Planning funds from the Federal Transit Administration and TDCs as match through Minute Order 113145. The awards in this minute order represent the remaining balance of metropolitan planning funds, and matching TDCs as an addition to the prior award.
- 113234 e. **Tarrant County** - Award Federal Section 5304 funds to Mental Health and Mental Retardation of Tarrant County to perform a demonstration project for mobility management (MO)
The award identified in this minute order from the federal Section 5304 Statewide Planning program will fund a mobility management demonstration project in areas of Tarrant County. Funding will cover administration and operating expense; and the expenses of evaluating and reporting on the services provided and their impact. Multiple project partners have committed to providing the local match requirement.
- 113235 f. **Various Counties** - Award Federal Funds and Transportation Development Credits to Agencies Receiving Veterans Transportation and Community Living Initiative Awards (MO)
The Department of Transportation has joined with the Departments of Veterans Affairs, Labor, Defense, and Health and Human Services to establish an initiative that will improve transportation options and mobility for America's veterans, service members, and their families. Dallas Area Rapid Transit (DART) and East Texas Council of Governments (ETCOG) have been successful in receiving grant awards under this initiative. DART and ETCOG have requested transportation development credits as match to their awards. DART will receive their federal funds directly while ETCOG's award will pass-thru the department.

- 113236 8. **Public Transportation (continued)**
g. **Various Counties** - Award federal §5309 capital investment program funds and transportation development credits to rural transportation providers to purchase public transportation vehicles and construct a transit maintenance facility, and award transportation development credits to one urban transportation provider to provide match for Facility Rehabilitation **(MO)**
The Federal Transit Administration has announced grant awards from a national competition for federal funds under the State of Good Repair initiative. The awards identified in this minute order reflect the distribution of the \$12.4 million awarded to various rural transportation providers to improve the condition of Texas' rural transit services by replacing the most depreciated vehicle from the current rural transit fleet; and an award to Capital Area Rural Transportation System (\$1.75 million) to construct a vehicle maintenance facility. Transportation development credits are awarded as match. Additionally, this minute order also awards a transportation development credit only award to provide nonfederal match for facility rehabilitation for an urban provider, Citibus, of Lubbock. All of these projects were included in the same national project call.
- 113237 9. **Promulgation of Administrative Rules** Under Title 43, Texas Administrative Code, and the Administrative Procedure Act, Government Code, Chapter 2001: **(A/V)**
a. **Final Adoption**
(1) **Chapter 4 - Employment Practices (MO)**
Repeal of §4.16, Veterans Employment Preference (Job Application Procedures)
This amendment repeals §4.16, Veteran's Employment Preference, because the requirement is statutorily covered in Government Code, Chapter 657, Veteran's Employment Preferences and does not need to be repeated in the department's rules.
- 113238 (2) **Chapter 9 - Contract and Grant Management (MO)**
Amendments to §9.2, Contract Claim Procedure and §9.6, Contract Claim Procedure for Comprehensive Development Agreements and Certain Design-Build Contracts (General)
These amendments would allow the department to use the contract claim procedure authorized in §9.6 to resolve claims and disputes arising under a design-build contract entered into under Subchapter F of Chapter 223, Transportation Code, provided the design-build contract has estimated total project costs of \$500 million or more. The ability of design-build contractors to effectively raise construction financing will be aided by an administrative process for dispute resolution under which the decision maker is not a party to the design-build contract, and that produces finality of decision within a reasonable time. The ability to use this procedure will assist the department in attracting meaningful proposals and in generating competition for design-build projects.
- 113239 b. **Proposed Adoption**
(1) **Chapter 12 - Public Donation and Participation Program (MO)**
New Subchapter J, Real-Time System Management Information Program, New §§12.301-12.304
This new subchapter establishes the provisions for a state Real-Time System Management Information (RTSMI) Program as required by federal law. The RTSMI program is a system in which the department gathers and disseminates to the public real-time traffic information. These new provisions prescribe the policies and procedures for implementing the RTSMI program and allow the department to contract for its development. The title of Chapter 12 will also be amended to accommodate the addition of this new public participation program.

- 113240 9. **Promulgation of Administrative Rules (continued)**
b. **Proposed Adoption (continued)**
(2) **Chapter 25 - Traffic Operations (MO)**
Amendments to §25.1, Uniform Traffic Control Devices
Due to recent revisions in the National Manual on Uniform Traffic Control Devices (MUTCD) the department must update the Texas MUTCD. The changes primarily focus on the removal or extensions of compliance dates but also include corrections for minor grammatical and typographical errors.
- 113241 c. **Rule Review**
In accordance with Government Code, §2001.039, Readoption of Title 43, Texas Administrative Code, Chapter 21, Right of Way (MO)
State law requires a state agency to review each of its rules every four years. After the review, the agency must readopt the rule, readopt the rule with amendments, or repeal the rule. The department reviews its rules on a rotating basis.
10. **Office of Compliance and Ethics Report (A/V)**
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.
- 113242 11. **Audit Plan (A/V)**
Approve the Audit Plan for Fiscal Year 2013 and determine whether adequate resources have been dedicated to the internal audit program (MO)
State law requires the internal auditor to create an annual audit plan that is prepared using risk assessment techniques and that identifies the individual audits to be conducted during the year. The audit plan must be approved by the commission. In addition, the commission must review the resources dedicated to the internal audit program and determine if adequate resources exist to ensure that risks identified in the annual risk assessment are covered in a reasonable timeframe.
- 113243 12. **Toll Projects (A/V)**
a. **Central Texas Turnpike System Revenue Bonds**
Approve the Sixth Supplemental Indenture authorizing the issuance of one or more series of Central Texas Turnpike System (CTTS) Revenue Refunding Bonds to refund all or any portion of outstanding tax-exempt CTTS Revenue Bonds and authorizing inclusion of the SH 45 SE toll project in the CTTS; authorize the chief financial officer and other department representatives to determine whether to refund or remarket the outstanding tax-exempt CTTS Revenue Refunding Put Bonds, Series 2009 that are subject to mandatory tender on February 15, 2013; approve the remarketing memorandum, official statement, bond purchase contract, escrow agreement and other documents relating to any remarketing or the issuance of refunding bonds and authorize the chief financial officer and other designated department representatives to take all actions necessary to effectuate any remarketing and to deliver one or more series of CTTS Revenue Refunding Bonds; approve application to the Texas Bond Review Board for exemption from approval or approval to issue such refunding bonds (MO)

12. **Toll Projects (continued)**

a. **Central Texas Turnpike System Revenue Bonds (continued) (MO)**

This action provides final authorization for the chief financial officer and other designated department representatives to move forward with the issuance and delivery of one or more series of CTTS Revenue Refunding Bonds to refund all or any portion of the outstanding CTTS Revenue Bonds so long as the aggregate principal amount of such refunding bonds does not exceed \$900 million and the net present value debt service savings in connection with the refunding of any of the CTTS Revenue Bonds, Series 2002-A is at least 3% of such bonds refunded. Further authorizes the chief financial officer and other designated department representatives to determine whether to refund or remarket the CTTS Revenue Refunding Put Bonds, Series 2009 prior to the mandatory tender date. The department will request an approval or exemption, if applicable, from the Texas Bond Review Board to issue such refunding bonds. Subject to the approval of the U.S. Department of Transportation, the sixth supplemental indenture will also authorize the expansion of the CTTS to include the existing SH 45 SE toll project based on the certification provided by the traffic consultant and the commission's determination that the mobility needs of the Central Texas region will more efficiently and economically be met by operating the CTTS and SH 45 SE as one operational and financial enterprise.

113244

b. **Travis and Williamson Counties** - Establish new toll rate tables on SH 45 North, LP 1, SH 130 Segments 1-4 and SH 45 Southeast based on the latest Central Texas Turnpike System (CTTS) Traffic and Revenue Forecast Report and eliminate the cash payment option on the CTTS (MO)

This minute order authorizes new rate tables for the roadways that comprise the CTTS and eliminates the option for customers to pay tolls with cash. This minute order also allows for annual rate escalations in accordance with standard indices as approved by the commission.

113245

c. **Caldwell, Guadalupe, and Travis Counties** - Authorize and direct the executive director of the department to elect to waive increased revenue sharing if a regulatory speed zone is established on SH 130 from US 183 to I-10 near Seguin, and require an additional concession payment to be paid to the department not later than January 15, 2013, if the speed zone is established (MO)

Segments 5 and 6 of SH 130 extend from the southern terminus of Segment 4 at US 183 to I-10 near Seguin. The Facility Concession Agreement for the SH 130, Segments 5 and 6 Facility provides for payment of an additional concession payment to the department if (1) a maximum posted speed limit, consistent with the terms of the Agreement is authorized by the department within 180 days after the service commencement date and (2) the department elects to waive increased revenue sharing.

113246

d. **Various Counties** - Permanently adopt the Pay-By-Mail program, which established video toll rates charged to customers that do not have a transponder affixed to their vehicle, or that have a transponder, but have an insufficiently funded or closed customer account (MO)

The commission established video toll rates (Pay-By-Mail) as a pilot program and provided that after an analysis of the benefit and value of the video toll rate option, the commission would take further action to permanently adopt video toll rate pricing or discontinue the program. This minute order permanently adopts the Pay-By-Mail program.

113247

e. **Various Counties** - Amend the policy concerning free passage on toll projects on the state highway system to authorize the waiver of the requirement of the payment of a toll, or discounted toll rates, for vehicles registered to disabled veterans and recipients of the Medal of Honor (MO)

Transportation Code, §372.053 authorizes a toll project entity, including the department, to establish a discount program for electronic toll collection customers that, if established, must include free or discounted use of toll projects by disabled veterans, recipients of the Purple Heart, or recipients of the Medal of Honor.

- 113248 12. **Toll Projects (continued)**
 f. **Smith County** - Authorize toll rates on the Loop 49 toll project from SH 31 to SH 155 and from FM 756 to SH 110 (MO)
This minute order authorizes rate tables for portions of Loop 49 (locally known as Toll 49) that will soon begin operations: Segment 5 from FM 756 to SH 110, and on Segment 3 from SH 155 to SH 31. The rates for these newest segments will match the rates for the segments already in operation.
- 113249 13. **Unified Transportation Program (A/V)**
 a. **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 and revisions to the 2012 UTP in September 2011, December 2011, April 2012 and June 2012. This minute order updates funding allocations based on funds transfer requests in multiple categories. In addition, the minute order addresses updates to previously authorized projects selected for additional state and federal funding, and makes other minor revisions or technical corrections.
- 113250 b. **Approve updates to the 2013 UTP (MO)**
The UTP is a 10-year statewide plan for transportation project development. The commission approved the 2013 UTP in April 2012 and revisions to the 2013 UTP in June 2012. This minute order updates funding allocations based on funds transfer requests in multiple categories and revises project specific program lists. In addition, this minute order addresses updates to previously authorized projects selected for additional state and federal funding, revises the tiered projects exhibit, and makes other minor revisions or technical corrections.
- 113251 14. **Statewide Transportation Improvement Program (A/V)**
Various Counties - Approve the Fiscal Year 2013-2016 Statewide Transportation Improvement Program (MO)
Federal law requires each state to prepare a multi-year program of surface transportation projects. The Statewide Transportation Improvement Program (STIP) is developed in cooperation with metropolitan planning organizations and with input from local entities and the public. The STIP is constrained to the anticipated federal, state, local, and private sector funds that will be available for the time period.
- 113252 15. **Finance (A/V)**
 a. **Travis County** - Consider the final approval of a request for financial assistance in the amount of \$197.6 million from the Central Texas Regional Mobility Authority to pay for the construction of the MoPac Improvement Project, an 11.2 mile project to add one express, variable-priced tolled lane in each direction on Loop 1 between FM 734 (Parmer Lane) and Cesar Chavez Street (MO)
The Central Texas Regional Mobility Authority is requesting financial assistance in the form of a grant to pay for the construction of 11.2 miles of tolled lanes to be added to Loop 1, including utility relocation and the construction of sound walls and grade separated ramps providing access to and from downtown Austin. The tolled lanes will be located in the median of the corridor separated from the existing general purpose lanes by a buffer zone. The financial assistance is comprised of funding previously allocated to the Capital Area Metropolitan Planning Organization (CAMPO) that CAMPO is requesting be allocated to the project.

- 113253 15. **Finance (continued)**
 b. **El Paso County** - Consider the final approval of a request for financial assistance in the amount of \$1.3 million from the Camino Real Regional Mobility Authority to pay for the costs of preparing environmental documents and preliminary engineering services for the Loop 375 - Americas Managed Lanes Project, an approximately 6.3 mile project to add one express, managed tolled lane in each direction on Loop 375 between Zaragoza Road and Pellicano Drive in the city of El Paso (MO)
The Camino Real Regional Mobility Authority is requesting financial assistance in the form of a grant to pay for the costs of preparing environmental documents and preliminary engineering services for approximately 6.3 miles of managed lanes to be added to Loop 375. The managed lanes would be located in the median of the corridor. The project would complete an additional 6.3 miles of managed lanes from the eastern terminus of the Cesar Chavez Managed Lanes Project to Pellicano Drive, just north of the Loop 375 and I-10 (Americas) Interchange, providing an uninterrupted managed lane option to I-10.
- 113254 16. **Traffic Operations (A/V)**
 Bastrop and Travis County - Authorize temporary one-way or reversible operations on FM 812 (MO)
Authorize temporary one-way or reversible operations on FM 812 for the Circuit of The Americas (COTA) events for the next five (5) years.
17. **Contracts (A/V)**
 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
- 113255 (a) **Highway Maintenance and Department Building Construction**
 (see attached itemized list) (MO)
- 113256 (b) **Highway and Transportation Enhancement Building Construction**
 (see attached itemized list) (MO)
- 113257 18. **Eminent Domain Proceedings (A/V)**
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.

113258

19. **Bi-State Agreement (A/V)**

Hansford County - SH 136 from the Texas-Oklahoma state line to 1,300 feet south: Authorize the department to enter into a bi-state agreement with the State of Oklahoma for the realignment and maintenance of a highway across state boundary lines and request the execution of such agreement by the governor (MO)

This minute order proposes the commission authorize the department to enter into a bi-state agreement with the State of Oklahoma to participate in a highway improvement project in Hansford County. This project will improve SH 136 in Texas and Oklahoma. The Oklahoma Department of Transportation has agreed to reimburse the State of Texas for all costs incurred by the department, including costs to acquire right of way and adjust compensable utilities in Texas needed for this project.

20. **Routine Minute Orders (A/V)**

a. **Donations to the Department**

113259

- (1) **Administration** – Acknowledge a donation from the Associated General Contractors (AGC) of Texas for department employees travel expenses to speak and participate at the 2012 Conference in South Padre Island, Texas from July 27 – 28, 2012 (MO)

The donation will enable the attendees to hear presentations on important transportation issues and milestones.

113260

- (2) **Right of Way Division** - Acknowledge a donation from the International Right of Way Association (IRWA) for a department employee’s travel expenses to attend the IRWA 2012 Annual International Education Conference in Seattle, Washington on June 9 – 13, 2012 (MO)

The donation will enable the attendees to hear presentations on FHWA and AASHTO updates.

113261

- (3) **Traffic Division** - Acknowledge a donation from the Allstate Foundation for a department employee’s travel expenses to attend the Allstate Foundation Teen Safe Driving Summit and the National Safety Council Teen Safe Driving Coalition Leaders Meeting in Chicago, Illinois on July 30 – August 2, 2012 (MO)

Attendance at this meeting allows the department to network with leaders with national and local teen safe driving partners for training and to share ideas for promoting a culture of teen safe driving.

113262

- (4) **Traffic Operations Division** - Consider a donation from the Ronald Reagan Memorial Highway Fund, Inc., for the cost associated with the fabrication and installation of two (2) highway signs which designates the part of US Highway 290 in Harris County between the Harris County boundary with Waller County and Beltway 8 as the Ronald Reagan Memorial Highway (MO)

House Bill 540, 79th Legislature Session designated these highways as the Ronald Reagan Memorial Highway.

113263

- (5) **Corpus Christi District** - Consider a donation from Koch Pipeline, for the design and construction of a left-turn lane, right-turn lane and an acceleration lane to the donor’s facility on FM 81 in Karnes County (MO)

The donation will ensure the safety of the traveling public to and from donor’s facility.

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

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

- 113264 (6) **Houston District** - Consider a donation from Terrabrook Cinco Ranch Southwest, LP, for the design and construction of a right-turn lane and left turn-lane on FM 1463 at Fry Road in Fort Bend County to the donor's new facility (MO)
The donation will ensure the safety of the traveling public to and from donor's facility.
- 113265 (7) **Odessa District** - Consider a donation from Agri-Empresa, LLC for an amount sufficient to cover all expenses incurred for the relocation of one railroad spur track across FM 662 in Midland County (MO)
The donation will result in the safety improvements for the traveling public and rail operators through the area which is mutually advantageous to the department and the railroad company.
- 113266 (8) **San Antonio District** - Consider a donation from Baker-Hughes Oilfield Operations, Inc., for a set of construction documents, plans, specifications and estimates to be used for improvements to the to the state's highway system on US 181 at I-37 to accommodate a significant increase in truck traffic spurred by the donor's new facility (MO)
The improvements are necessary to facilitate a significant increase in truck traffic in this vicinity as a result of the donor's development.

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.

- 113267 (1) **Atascosa County** - SH 97 southwest of Pleasanton - Consider the sale of two surplus drainage easements to the fee owner of the property (MO)
The district has advised that the surplus easements are no longer needed for highway drainage purposes. The fee owner has requested to purchase the surplus easements, and they may be sold to the fee owner.
- 113268 (2) **Bexar County** - US 87, old SH 9 (also known as Old Fredericksburg Road) in San Antonio - Consider the quitclaim of surplus right of way to the City of San Antonio (MO)
The district has advised that the surplus land is no longer needed for highway purposes. The surplus land is a county road that was used for highway purposes on old SH 9. There is no record title in the name of the state, county or city. The land is now in the city limits, and the city has requested the surplus land to be quitclaimed to the city.

113269 c. **Highway Designation**

Fort Bend County - Extend the designation of State Spur 10 along existing local routes from US 59 in Rosenberg to SH 36 in the Village of Pleak (MO)

The Houston District has requested the extension of SS 10 due to the need for an emergency evacuation route between US 59 and SH 36 in Fort Bend County. This minute order extends the designation of SS 10 southeastward approximately 4.8 miles along existing Hartledge and Gerken Roads from US 59 in the city of Rosenberg to SH 36 in the Village of Pleak.

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

113270

d. **Environmental Covenant**

Authorize the executive director to execute an environmental restrictive covenant, in favor of the Texas Commission on Environmental Quality (TCEQ) and the State of Texas, prohibiting exposure to groundwater and allowing the continued monitoring of groundwater on a portion of Pulliam Street (FM 380) in San Angelo (MO)

The former San Angelo Electric Service Company (SESCO) site, located at 926 Pulliam Street (FM 380) in San Angelo, became contaminated with PCBs and is being remediated under the State Superfund Program by the SESCO Site Working Group (SSWG), a group of former SESCO customers who did not operate the SESCO facility. The restrictive covenant is being requested by the SSWG. The City of San Angelo has encouraged its execution.

113271

e. **Finance**

(1) Annual review and approval of the investment policy and investment strategies applicable to all funds of the commission not otherwise required to be invested by the comptroller (MO)

This minute order approves the department's investment policy and investment strategies. The Public Funds Investment Act requires the commission to review the investment policy and investment strategies on an annual basis, and to approve by order any modifications to the investment policy and investment strategies.

113272

(2) Annual review of debt management policy and derivative management policy for financing programs of the department, and authorization for department personnel to execute certain derivative transactions for financing programs of the department (MO)

This minute order approves the debt management policy which establishes parameters for the commission's financing programs considering acceptable levels of risk, minimizing interest costs and optimizing future flexibility with consideration to achieving and maintaining the best possible credit ratings. Additionally, this minute order approves the derivative management policy which establishes responsibilities, objectives and guidelines for use of derivatives such as interest rate swaps and similar products to efficiently and prudently manage the commission's asset/liability profile. This minute order also authorizes department personnel to execute certain derivative transactions pursuant to the terms of specified resolutions for each financing program until August 29, 2013.

113273

(3) Adopt the 2013 Operating Budget (MO)

This minute order adopts the department's annual operating budget as prescribed by the General Appropriations Act.

113274

(4) **Travis and Williamson Counties** Approval of the Central Texas Turnpike System (CTTS) annual operating and management budget (MO)

This minute order approves the annual operating, maintenance and capital budgets for the CTTS which consists of SH 130, Segments 1-4, SH 45N, and Loop 1 extension. Some costs of the CTTS were financed with debt obligations. The Indenture of Trust stipulates that the commission will adopt annual budgets by August 31 of the preceding fiscal year.

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

f. **Transportation Planning**

113275

- (1) **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

113276

- (2) **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 projects costs with those payments. The project costs to be funded were selected through a cooperative process with the RTC.

113277

g. **Speed Zones**

- 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.

21. **Executive Session** Pursuant to Government Code, Chapter 551

Section 551.071 – Consultation with and advice from legal counsel regarding any item on this agenda

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 department. 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.

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 Kristen Webb 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
August 30, 2012

**HIGHWAY MAINTENANCE AND BUILDING CONSTRUCTION CONTRACTS-
STATE LET AGENDA ITEM 17(a)**

<u>DIST</u>	<u>COUNTY NAME</u>	<u>HIGHWAY NUMBER</u>	<u>CONTROLLING PROJECT NO.</u>
AUS	LEE		CBC - 470401007
BMT	ORANGE	SH 87	RMC - 624334001
BRY	FREESTONE	FM 1365	RMC - 624155001
CRP	KARNES	FM 2102	RMC - 624106001
DAL	DALLAS	IH 35E	RMC - 623903001
DAL	DALLAS	IH 45	RMC - 623904001
DAL	ELLIS	FM 85	RMC - 624144001
FTW	HOOD	US 377	RMC - 624428001
FTW	PARKER	US 180	RMC - 624299001
FTW	TARRANT	FM 157	RMC - 624351001
FTW	TARRANT	FM 730	RMC - 623179001
FTW	TARRANT	SH 360	RMC - 624347001
HOU	HARRIS	LP 8	RMC - 624296001
HOU	HARRIS	US 59	RMC - 624112001
HOU	MONTGOMERY	US 59	RMC - 623599001
HOU	MONTGOMERY	US 59	RMC - 624421001
LRD	WEBB	LP 20	RMC - 623651001
PAR	HOPKINS	IH 30	RMC - 624133001
PAR	HUNT	IH 30	RMC - 623465001
PAR	RAINS	FM 514	RMC - 624194001
PAR	RED RIVER	FM 411	RMC - 624100001
PHR	STARR	FM 755	RMC - 624203001
SAT	ATASCOSA	FM 791	RMC - 624557001

**(CONTINUED) HIGHWAY MAINTENANCE AND BUILDING CONSTRUCTION
CONTRACTS-STATE LET AGENDA ITEM 17(a)**

<u>DIST</u>	<u>COUNTY NAME</u>	<u>HIGHWAY NUMBER</u>	<u>CONTROLLING PROJECT NO.</u>
TYL	SMITH	SL 49	RMC - 624333001
WAC	BELL	US 190	ABT - 624629001
YKM	GONZALES	UA 90	RMC – 624382001

**HIGHWAY AND TRANSPORTATION ENHANCEMENT BUILDING
CONSTRUCTION CONTRACTS - STATE LET AGENDA ITEM 17(b)**

<u>DIST</u>	<u>COUNTY NAME</u>	<u>HIGHWAY NUMBER</u>	<u>CONTROLLING PROJECT NO.</u>
ABL	MITCHELL	CR	BR 2008(761)
ABL	MITCHELL	FM 670	BR 2012(679)
AMA	ARMSTRONG	VA	STP 2011(261)TE
AMA	HARTLEY	US 87	C 425-1-19
ATL	BOWIE	VA	STP 2012(705)
ATL	MORRIS	SH 77	C 277-1-28
AUS	HAYS	LP 82	BR 2012(692)
AUS	HAYS	RM 12	C 683-3-32
AUS	TRAVIS	LP 1	CC 3136-1-171
AUS	WILLIAMSON	IH 35	IM 0353(285)
BMT	JEFFERSON	SH 82	BR 2012(754)
BRY	BRAZOS	FM 2818	NH 2012(784)
BRY	BRAZOS	SH 21	C 117-2-28
BRY	FREESTONE	FM 1451	BR 2012(674)
BRY	FREESTONE	FM 488	BR 2012(675)
BRY	MILAM	FM 486	BR 2012(706)
BRY	ROBERTSON	CR	BR 96(427)
BRY	WALKER	SH 75	C 166-8-43
CHS	COLLINGSWORTH	SH 203	C 230-1-18
CHS	COTTLE	FM 1037	C 146-8-52

**(CONTINUED) HIGHWAY AND TRANSPORTATION ENHANCEMENT BUILDING
CONSTRUCTION CONTRACTS - STATE LET AGENDA ITEM 17(b)**

<u>DIST</u>	<u>COUNTY NAME</u>	<u>HIGHWAY NUMBER</u>	<u>CONTROLLING PROJECT NO.</u>
CHS	KNOX	SH 6	C 98-5-26
CHS	MOTLEY	FM 94	C 704-5-20
CRP	LIVE OAK	FM 624	STP 2012(752)
CRP	SAN PATRICIO	FM 3239	STP 2012(610)MM
DAL	COLLIN	US 75	C 47-14-68
DAL	DALLAS	IH 35E	IM 0356(433)
DAL	DALLAS	VA	STP 2012(756)
DAL	DENTON	FM 1171	STP 2012(751)
DAL	DENTON	FM 407	BR 2012(682)
DAL	ELLIS	IH 35E	IM 0356(434)
DAL	NAVARRO	FM 55	STP 2012(753)HES
DAL	ROCKWALL	FM 550	BR 2012(681)
DAL	ROCKWALL	SH 205	BR 2012(680)
ELP	EL PASO	IH 10	C 2121-1-85
ELP	EL PASO	SP 276	STP 2012(390)MM
ELP	EL PASO	US 54	NH 2012(701)
FTW	ERATH	SH 267	NH 2012(668)
FTW	JOHNSON	FM 2135	STP 2012(571)HES
FTW	JOHNSON	IH 35W	IM 0355(150)
FTW	JOHNSON	SH 174	STP 2012(683)
FTW	PARKER	FM 1884	STP 2012(685)
FTW	TARRANT	VA	NH 2012(684)
HOU	BRAZORIA	CR	STP 2012(711)
HOU	HARRIS	BU 90-U	BR 2012(206)
HOU	HARRIS	BW 8	NH 2012(713)
HOU	HARRIS	BW 8	C 3256-2-40
HOU	HARRIS	FM 1942	STP 2012(605)MM
HOU	HARRIS	FM 1960	STP 2012(521)HES
HOU	HARRIS	FM 529	C 1006-1-68
HOU	HARRIS	SH 225	NH 2012(709)
HOU	HARRIS	SH 288	C 598-1-94
HOU	HARRIS	VA	CM 99(567)

**(CONTINUED) HIGHWAY AND TRANSPORTATION ENHANCEMENT BUILDING
CONSTRUCTION CONTRACTS - STATE LET AGENDA ITEM 17(b)**

<u>DIST</u>	<u>COUNTY NAME</u>	<u>HIGHWAY NUMBER</u>	<u>CONTROLLING PROJECT NO.</u>
HOU	MONTGOMERY	CS	STP 2010(831)MM
HOU	MONTGOMERY	FM 2978	STP 2012(107)
HOU	WALLER	FM 362	STP 2012(601)MM
LRD	DIMIT	US 83	C 37-6-84
LRD	LA SALLE	SH 97	STP 2012(790)
LRD	WEBB	SL 20	C 86-16-4
LFK	NACOGDOCHES	SH 7	C 553-3-22
LFK	SHELBY	US 84	STP 2012(714)
ODA	ANDREWS	SH 115	C 548-1-39
PAR	FANNIN	SH 121	STP 2012(575)
PAR	GRAYSON	US 82	C 45-19-47
PAR	HUNT	FM 36	STP 2013(070)
PAR	LAMAR	US 271	NH 2012(781)
PAR	RED RIVER	SH 37	BR 2012(716)
PHR	BROOKS	US 281	C 255-5-34
PHR	CAMERON	US 77	STP 2012(698)
PHR	HIDALGO	FM 1926	STP 2012(700)MM
PHR	HIDALGO	US 281	STP 2012(793)MM
SJT	REAL	RM 336	STP 2012(456)HRR
SJT	TOM GREEN	US 67	BR 2012(434)
SAT	BEXAR	IH 410	BOR 2003(33)
SAT	COMAL	BS 46-C	C 16-10-22
SAT	COMAL	FM 3009	C 3107-1-38
SAT	COMAL	FM 306	STP 2012(694)
SAT	GUADALUPE	IH 35	C 16-6-46
SAT	GUADALUPE	SH 123	C 366-3-62
SAT	KERR	SH 39	C 193-2-31
SAT	MEDINA	SH 173	STP 2013(032)
SAT	UVALDE	FM 1049	STP 2013(036)

**(CONTINUED) HIGHWAY AND TRANSPORTATION ENHANCEMENT BUILDING
CONSTRUCTION CONTRACTS - STATE LET AGENDA ITEM 17(b)**

<u>DIST</u>	<u>COUNTY NAME</u>	<u>HIGHWAY NUMBER</u>	<u>CONTROLLING PROJECT NO.</u>
SAT	UVALDE	FM 1796	STP 2013(034)
SAT	UVALDE	FM 481	BR 2012(755)
TYL	HENDERSON	SH 19	C 108-5-14
TYL	SMITH	US 69	STP 2012(750)
TYL	VAN ZANDT	SH 64	STP 2012(765)
TYL	WOOD	SH 154	BR 2012(719)
WFS	WILBARGER	FM 3207	STP 2012(687)
YKM	AUSTIN	SH 36	C 187-2-64
YKM	CALHOUN	FM 1289	STP 2012(650)HES

EMINENT DOMAIN - AGENDA ITEM 18

NONCONTROLLED ACCESS

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ACCOUNT</u>	<u>PARCEL</u>
Cass	SH 77	1	0278-01-052	8
Comal	US 281	5	0253-03-065	34
Denton	FM 720	2	1567-01-034	32
El Paso	Buford Road	4	8056-24-003	10
El Paso	Buford Road	6	8056-24-003	5
Nacogdoches	SH 21	3	0118-08-065	9

CONTROLLED ACCESS

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Bell	IH 35	II	0015-04-083	26
Bell	IH 35	JJ	0015-04-083	27
Bell	IH 35	NN	0015-07-078	10
Bell	IH 35	KK	0015-07-078	76
Bell	IH 35	HH	0015-07-078	25
Bell	IH 35	V	0015-14-123	37
Bell	IH 35	E	0015-14-123	114
Bell	IH 35	B	0015-14-123	20
Bell	IH 35	Z	0015-14-123	60
Bell	IH 35	H	0015-14-123	34
Bell	IH 35	W	0015-14-123	5
Bell	IH 35	A	0015-14-123	16
Bell	IH 35	C	0015-14-123	94
Bell	IH 35	L	0015-14-124	5
Bell	IH 35	K	0015-14-124	36,36AC

(CONTINUED) EMINENT DOMAIN - AGENDA ITEM 18

COUNTY	HIGHWAY	EXHIBIT	ROW CSJ NO.	PARCEL
Bell	IH 35	J	0015-14-124	42
Bell	IH 35	I	0015-14-124	34
Bell	IH 35	AA	0015-14-124	1AC
Bell	IH 35	BB	0015-14-124	41
Bell	IH 35	F	0015-14-124	21
Bell	IH 35	EE	0015-14-124	38
Burleson	FM 60	M	0648-03-056	19
Dallas	IH 35	X	0442-02-142	12
Dallas	IH 35E	U	0196-03-243	38B
Dallas	IH 35E	CC	0196-03-243	41
Dallas	IH 35E	DD	0196-03-243	37
Dallas	IH 35E	FF	0442-02-142	18
Dallas	IH 35E	Y	0442-02-142	10
Erath	US 67	G	0079-08-002	9
Harris	Beltway 8	D	3256-01-101	1506
Harris	IH 45	N	0500-03-546	202,202TE
Harris	IH 45	GG	0500-03-546	201
Harris	IH 45	T	0500-03-546	302
McLennan	IH 35	LL	0015-01-220	84,84E
McLennan	IH 35	MM	0015-01-220	13,13E
Tarrant	IH 35W	O	0014-16-267	764AC
Tarrant	IH 35W	P	0014-16-267	759AC
Tarrant	IH 35W	Q	0014-16-267	756AC
Tarrant	IH 35W	S	0014-16-267	768AC
Tarrant	IH 35W	R	0014-16-267	779