

February 25, 2010 – Austin, Texas

Administrative rules

Final Adoption

Chapter 2 - Environmental Affairs (MO)

Repeal of §2.22, Memorandum of Understanding with Texas Parks and Wildlife Department (Memoranda of Understanding with Natural Resource Agencies); and New Subchapter E, Memorandum of Understanding with Texas Parks and Wildlife Department, §2.101, Purpose, §2.102, Texas Natural Diversity Database, §2.103, Applicability of MOU, §2.104, Definitions, §2.105, Coordination with TPWD Concerning Transportation Project, §2.106, Standard Coordination Procedure, §2.107, Coordination During Early Project Development, §2.108, Review and Comment on Maintenance Programs, §2.109, Mitigation and Mitigation Payments to TPWD, §2.110, Agreement for Calculating Mitigation Payments for Unregulated Resources, §2.111, TxDOT and TPWD Commitment to Enter into Other Agreements, §2.112, Review of Performance; Updates of MOU

TxDOT adopted as a rule the current memorandum of understanding (MOU) with the Texas Parks and Wildlife Department (TPWD) effective March 21, 1999. Under Transportation Code §201.607 the two agencies must periodically update the MOU. The proposed rulemaking would repeal the current adopted rule (§2.22) and in its place adopt as several new rules (§§2.101-2.112) a revised MOU. The MOU concerns the department's coordination of the environmental review of a transportation project with TPWD. The MOU also includes a new matter, the department making payments to TPWD to compensate for impacts of transportation projects to unregulated natural resources.

Chapter 24 - Trans-Texas Corridor (MO)

Repeal of §24.13, Corridor Planning and Development (Development of Facilities)

As a result of the rule proposed in October that provides changes to §15.9, relating to corridor advisory committees, and the addition of new §15.10, relating to corridor segment advisory committees, §24.13 is unnecessary and this rule proposes the repeal of that section.

Chapter 25 - Traffic Operations

Amendments to §25.973, Medical Examiner's Report (Crash Records Information System)

Proposed Adoption

Chapter 21 - Right of Way

Repeal of Subchapter I, Regulation of Signs along Interstate and Primary Highways and Subchapter K, Control of Signs along Rural Roads; and New Subchapters I, J, K, and Q

Aviation – Approve funding for airport improvement projects at various locations

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 AVN seeks approval of the awards.

Public Transportation

Texas Transportation Commission 12-month Rolling Agenda
Updated December 16, 2009. This information is provided for planning purposes only and is subject to change. The next update will be posted January 20, 2010.

Finance

Accept the annual continuing disclosure report for the Texas Mobility Fund
Under provisions of the Supplemental Resolutions to the Master Resolution for the Texas Mobility Fund, the commission agreed to provide annual updates for operating and financial information provided in the official statements. Updates are due within six months of each fiscal year end.

Accept the annual continuing disclosure report for the State Highway Fund revenue bonds
Under provisions of the Supplemental Resolutions to the Master Resolution for the State Highway Fund bonds, the commission agreed to provide annual updates for operating and financial information provided in the official statements. Updates are due within six months of each fiscal year end.

Travis and Williamson Counties – Accept the annual continuing disclosure report for the Central Texas Turnpike System
Under provisions of the Indenture of Trust for the Central Texas Turnpike bonds, the commission agreed to provide annual updates for operating and financial information provided in the official statements. Updates are due within six months of each fiscal year end.

Toll Road Projects

Transportation Planning

Appoint three members to the Port Authority Advisory Committee
State law requires the commission to appoint a seven-member Port Authority Advisory Committee to advise the commission and the department on port issues and to provide a forum for exchange of information between the commission, the department, and committee members representing the Texas port system. The terms of three existing members will expire February 28, 2010.

Letting Report - Status report on the FY 2010 Obligation Limit and report on the actual obligations utilized to date and proposed remaining highway maintenance and construction contract letting for the fiscal year.

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Contracts – Award or reject contracts for maintenance, highway and building construction

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Routine Minute Orders

Donations

Travel Information Division - Consider a donation from the Corpus Christi Convention and Visitors Bureau to provide food, beverage, and admission and transportation to area attractions, solicited from various sponsors, to the department as part of its hosting the 55th Annual Texas Travel Counselors Conference in Corpus Christi on April 26-29, 2010
The donation allows the department to exchange information and ideas with those in attendance which will be a great benefit to the department.

Texas Transportation Commission 12-month Rolling Agenda
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Eminent Domain Proceedings

Commission findings, determinations, and authorizations for the state 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, for which negotiations with the property owners were unsuccessful.

Highway Designation

Load Zones & Postings

Right of Way Dispositions and Donations

Speed Zones

Executive Session – If needed

Open Comment Period

March 25, 2010 – Austin, Texas

Administrative rules

Final Adoption

Chapter 5 - Finance (MO)

Amendments to §5.57, Final Approval, §5.58, Calculation of Pass-Through Fares and Tolls, and §5.59, Project Development by Public or Private Entity, and New §5.61, Solicitation of Private Proposals (Pass-Through Fares and Tolls)

Chapter 26 - Regional Mobility Authorities (MO)

New §26.56, Required Internal Ethics and Compliance Program (Miscellaneous Operation Provisions)

The proposed rule change requires Regional Mobility Authorities to adopt internal ethics and compliance programs that satisfy the requirements of §1.8 of the commission's rules.

Chapter 31 - Public Transportation (MO)

New §31.39, Required Internal Ethics and Compliance Program (Program Administration)

The proposed rule change states that, in order to be eligible to receive state or federal public transportation funds from or through the department, specified entities must adopt an internal ethics and compliance program that satisfies the requirements of §1.8 of the commission's rules.

Aviation – Approve funding for airport improvement projects at various locations

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Public Transportation

Finance

Toll Road Projects

Central Texas Turnpike System Quarterly Report

Transportation Planning

Traffic Operations

Various Counties - Authorize funding for the 2010 Program Call for the Safe Routes to School Program

Letting Report - Status report on the FY 2010 Obligation Limit and report on the actual obligations utilized to date and proposed remaining highway maintenance and construction contract letting for the fiscal year.

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Routine Minute Orders

Donations

Eminent Domain Proceedings

Commission findings, determinations, and authorizations for the state 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, for which negotiations with the property owners were unsuccessful.

Highway Designation

Load Zones & Postings

Right of Way Dispositions and Donations

Speed Zones

Executive Session – If needed

Open Comment Period

April 29, 2010 – Beaumont, Texas

Local and Regional Report

Administrative rules

Final Adoption

Chapter 1 - Management (MO)

Amendments to §1.1, Texas Transportation Commission, §1.2, Texas Department of Transportation (Organization and Responsibilities); and 1.21, Scope and Purpose, §1.22, Definition, and §1.26, Initiation of Contested Cases, Service of Notice of Hearing, Standard of Review, and Burden of Proof (Procedures in Contested Cases)

The amendments conform the rules to recent Legislation transferring some duties from TxDOT to the new Texas Department of Motor Vehicles.

Chapter 3 - Public Information (MO)

Amendments to §3.11, Definitions, §3.12, Public Access, §3.13, Cost of Copies of Official Records, and §3.14, Electronic Access to Department Records (Access to Official Records)

These amendments make changes related to the transfer of motor vehicle functions to the Department of Motor Vehicles.

Chapter 5 - Finance (MO)

Amendments to §5.42, Definitions, §5.43, Methods of Payment, and §5.44, Exceptions (Payment of Fees for Department Goods and Services)

These amendments make changes related to the transfer of motor vehicle functions to the Department of Motor Vehicles.

Chapter 9 - Contract Management (MO)

Amendments to §9.102, Grounds for Sanctions (Contractor Sanctions); and New §9.150, Purpose, §9.151, Definitions, §9.152, Grounds for Sanctions, §9.153, Procedure, §9.154, Appeal of Sanction, §9.155, Application of Sanctions, §9.156, Sanction Levels (New Subchapter I, Sanctions for Ethics Violations)

In conjunction with the department's new internal compliance program, Subchapter G is amended to remove the ethics portions, which are placed in new Subchapter I, Sanctions for Ethics Violations.

Chapter 9 - Contract Management and Chapter 31 - Public Transportation (MO)

New §9.130, Purpose, §9.131, Definitions, §9.132, Applicability, §9.133, Improvement Action Plan, §9.134, Internal Ethics and Compliance Program, §9.135, Procedure for Imposing Sanctions, §9.136, Appeal of Sanction, §9.137, Withholding Funds or Disallowing Costs, §9.138, Suspension or Termination for Cause (New Subchapter H, Grant Sanctions); and Amendments to §31.3, Definitions (General) and §31.48, Project Oversight (Program Administration)

New Subchapter H is proposed to develop sanctions for grantees that are not in compliance with policy, rule, regulation, or law.

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

Amendments to §28.90, Purpose, §28.91, Responsibilities, and §28.92, Permit Issuance Requirements and Procedures (Port of Brownsville Port Authority Permits); Amendments to §28.100, Purpose, §28.101, Responsibilities, and §28.102, Permit Issuance Requirements and Procedures (Chambers County Permits); Amendments to §28.111, Applicability (Compliance); and Amendments to §28.202, Records (Records and Inspections)

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Aviation – Approve funding for airport improvement projects at various locations

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Public Transportation

Finance

Quarterly Investment Report

Toll Road Projects

Transportation Planning

Letting Report - Status report on the FY 2010 Obligation Limit and report on the actual obligations utilized to date and proposed remaining highway maintenance and construction contract letting for the fiscal year.

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Routine Minute Orders

Donations

Eminent Domain Proceedings

Commission findings, determinations, and authorizations for the state 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, for which negotiations with the property owners were unsuccessful.

Highway Designation

Load Zones & Postings

Right of Way Dispositions and Donations

Speed Zones

Executive Session – If needed

Open Comment Period

May 27, 2010 – Austin, Texas

Administrative rules

Proposed Adoption

Chapter 21 - Right of Way

Repeal of Subchapter I, Regulation of Signs along Interstate and Primary Highways and Subchapter K, Control of Signs along Rural Roads; and New Subchapters I, J, K, and Q

Aviation – Approve funding for airport improvement projects at various locations

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Public Transportation

Award federal §5304 and state match, §5311, §5311(f), §5316, §5317, RTAP funds and award transportation development credits for FY 2010 coordinated call for projects

The awards identified in this minute order reflect the allocation of federal grant funds from several Federal Transit Administration programs 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.

Finance

Central Texas Turnpike System annual inspection report

Toll Road Projects

Transportation Planning

Letting Report - Status report on the FY 2010 Obligation Limit and report on the actual obligations utilized to date and proposed remaining highway maintenance and construction contract letting for the fiscal year.

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Routine Minute Orders

Donations

Eminent Domain Proceedings

Commission findings, determinations, and authorizations for the state 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, for which negotiations with the property owners were unsuccessful.

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Highway Designation

Load Zones & Postings

Right of Way Dispositions and Donations

Speed Zones

Executive Session – If needed

Open Comment Period

June 24, 2010 – Austin, Texas

Administrative rules

Aviation – Approve funding for airport improvement projects at various locations

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 AVN seeks approval of the awards.

Public Transportation

Award state funds to public transportation providers for FY 2011 as appropriated by the 81st Texas Legislature

The awards identified in this minute order reflect the allocation of state grant funds from state appropriations to small urban and to rural public transportation providers.

Finance

Toll Road Projects

Central Texas Turnpike System Quarterly Report

Traffic Operations

Approve funding for the 2011 Highway Safety Plan

TxDOT implements an annual Highway Safety Performance Plan (HSPP). Federal funds are allocated by the National Highway Traffic Safety Administration and are used for traffic safety projects identified as part of the HSPP. This MO includes the traffic safety program areas and the allocation amounts for the FY 2010 HSPP.

Transportation Planning

Letting Report - Status report on the FY 2010 Obligation Limit and report on the actual obligations utilized to date and proposed remaining highway maintenance and construction contract letting for the fiscal year.

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Maintenance Property Exchange

Various Counties - Fort Worth and Dallas district facilities. Commission approval to award a Development and Exchange Agreement to the top-ranked design build firm that offered the best value for the design, construction and renovation of buildings and other new facilities on department-owned property.

Minute Order 111860, adopted by the commission on June 25, 2009 authorized the department to issue a Request for Proposal to select, rank and negotiate a Development and Exchange Agreement with the top-ranked design-build firm that offers the best value to the state to design, construct and renovate various facilities and other facility-support structures, on department-owned property located in Fort Worth, Saginaw, Glen Rose, Mineral Wells, and Garland in exchange for existing property in Fort Worth.

Contracts – Award or reject contracts for maintenance, highway and building construction

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Routine Minute Orders

Donations

Eminent Domain Proceedings

Commission findings, determinations, and authorizations for the state 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, for which negotiations with the property owners were unsuccessful.

Highway Designation

Load Zones & Postings

Right of Way Dispositions and Donations

Speed Zones

Executive Session – If needed

Open Comment Period

July 29, 2010 – Austin, Texas

Administrative rules

Aviation – Approve funding for airport improvement projects at various locations

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Public Transportation

Finance

Quarterly Investment Report

Toll Road Projects

Transportation Planning

Letting Report - Status report on the FY 2010 Obligation Limit and report on the actual obligations utilized to date and proposed remaining highway maintenance and construction contract letting for the fiscal year.

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Routine Minute Orders

Donations

Eminent Domain Proceedings

Commission findings, determinations, and authorizations for the state 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, for which negotiations with the property owners were unsuccessful.

Highway Designation

Load Zones & Postings

Right of Way Dispositions and Donations

Speed Zones

Executive Session – If needed

Open Comment Period

August 26, 2010 – Austin, TX

Administrative rules

Aviation

Approve funding for airport improvement projects at various locations

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 AVN seeks approval of the awards.

Approve the Routine Airport Maintenance Program

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

Approve appointment of two members to the Aviation Advisory Committee

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

Audit

Approve the Audit Plan for Fiscal Year 2010 and determine whether adequate resources have been dedicated to the internal audit program

Public Transportation

Finance

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

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.

Annual review of debt management policy and derivative management policy for financing programs of the department

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. This minute order also 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.

Toll Road Projects

Approval of the Central Texas Turnpike System annual operating and management budget

Transportation Planning

Various Counties - Appoint members to the Border Trade Advisory Committee

Created pursuant to state law, the purpose of the Border Trade Advisory Committee is to assist the commission and the department 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. Ten committee members' terms expire on August 31, 2010.

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Routine Minute Orders

Donations

Eminent Domain Proceedings

Commission findings, determinations, and authorizations for the state 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, for which negotiations with the property owners were unsuccessful.

Highway Designation

Load Zones & Postings

Right of Way Dispositions and Donations

Speed Zones

Executive Session – If needed

Open Comment Period

September 30, 2010 – Austin, Texas

Administrative rules

Aviation – Approve funding for airport improvement projects at various locations

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Public Transportation

Finance

Toll Road Projects

Central Texas Turnpike System quarterly traffic & revenue report

Transportation Planning

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Routine Minute Orders

Donations

Eminent Domain Proceedings

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Highway Designation

Load Zones & Postings

Right of Way Dispositions and Donations

Speed Zones

Executive Session – If needed

Open Comment Period

Texas Transportation Commission 12-month Rolling Agenda
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October 28, 2010 – Austin, Texas

Administrative rules

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Public Transportation

Finance

Annual derivatives report

Quarterly investment report

Toll Road Projects

Transportation Planning

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Routine Minute Orders

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Eminent Domain Proceedings

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Open Comment Period