

TEXAS TRANSPORTATION COMMISSION

Various Counties

MINUTE ORDER

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Various Districts

Transportation Code, §201.206, authorizes the Texas Department of Transportation (department) to accept a donation in any form, including realty, personalty, money, materials, and services, for the purpose of carrying out its functions and duties. Government Code, Chapter 575, requires the governing board of a state agency to acknowledge the acceptance of a donation valued at \$500 or more by majority vote at an open meeting, not later than the 90th day after the date the donation is accepted. It also prohibits a state agency from accepting a donation from a person who is a party to a contested case before the agency until the 30th day after the date the decision in the case becomes final.

The Texas Transportation Commission (commission) has adopted 43 TAC §§1.500-1.506, which relate to the department's acceptance of donations. Section 1.503 authorizes the executive director to approve acceptance of donations to the department and requires that donations valued at \$500 or more must be acknowledged by order of the commission not later than the 90th day after the date the donation is accepted by the department. It further prohibits acceptance of a gift or donation when the donor is subject to department regulation or oversight or when the donor is interested in or likely to become interested in any contract, purchase, payment, or claim with or against the department, except as provided by that section. It also provides that the executive director may approve the acceptance of a donation, notwithstanding the foregoing proscriptions in the rules, if the executive director determines that acceptance would provide a significant public benefit and would not influence or reasonably appear to influence the department in the performance of its duties.

Transportation Code, §223.049 authorizes the department to contract with an owner of land adjacent to a highway that is part of the state highway system to construct an improvement on the highway right of way that is directly related to improving access to or from the owner's land. Exhibit A lists donations resulting from a contract executed by the department under Transportation Code, §223.049 and other donations accepted under Transportation Code, §201.206.

The department also acquires by donation land used for highway improvement projects. Exhibit B lists property donated to the department for that purpose. The department has determined that acceptance of these donations is in the best interest and welfare of the traveling public and will provide a significant public benefit.

The commission established the Sponsorship Acknowledgement Program under 43 TAC Chapter 12, Subchapter K. The program, which is authorized by the Federal Highway Administration in FHWA Order 5610.1A, allows the department to place signs acknowledging donations made to the department to fund transportation related services. Exhibit C lists donations made to the department under the Sponsorship Acknowledgement Program.

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The executive director has determined that the donations identified in the attached exhibits comply with the applicable provisions of 43 TAC §§1.500-1.506, 43 TAC §12.353, Government Code, Chapter 575 and Transportation Code, §201.206, §223.049 and §224.001, and has approved acceptance of those donations. All required donation agreements have been executed under 43 TAC §1.504 and §1.506, as applicable.

IT IS THEREFORE ORDERED by the commission that it acknowledges the acceptance of the donations identified in the attached exhibits A, B, and C.

Submitted and reviewed by:

Recommended by:

DocuSigned by:
Kenneth Stewart
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Director, Contract Services Division

DocuSigned by:
Mark Williams
0E1835AE191749E...
Executive Director

116724 June 27, 2024

Minute Date
Number Passed

**EXHIBIT A
DONATIONS
June 27, 2024**

NO.	DONOR	D/D	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
1.	Abilene Youth Sports Authority, Inc.	Abilene District	Taylor	The donor is donating the design and construction of approximately 880 linear feet of 20' wide asphalt paved driveway/access road with prepared base and subgrade at Loop 322 southbound frontage road at SH 36 in Abilene, Taylor County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$160,000.00.	\$160,000.00	5/30/2024
2.	AO Lot Development, LLC	San Antonio District	Medina	The donor is donating the design and construction of roadway, drainage, signing and pavement markings, traffic signal improvements at US 90 and FM 471/Alsatian Oaks Boulevard, US 90 and Tondre Parkway, and US 90 at Country Lane in Castroville, Medina County, Texas. The design and construction will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$5,100,000.00.	\$5,100,000.00	5/24/2024
3.	Belton Realestate LLC	Waco District	Bell	The donor is donating the design and construction of modifying the ramp and I-35 southbound frontage road to prevent direct access to Laila Street intersection in Belton, Bell County, Texas. All design and construction work will be provided by the donor, its consultants or contractor. The estimated value of the donation is \$310,000.00 (<i>replaces previously acknowledged on 1/17/2024 due to a decrease the estimated value of the donation from \$1,400,000.00 to \$310,000.00</i>).	\$310,000.00	5/16/2024
4.	Bridgeland Development, LP	Houston District	Harris	The donor is donating the design and construction of a traffic signal at the diamond interchange of Jack Road and SH 99 into the Bridgeland development in Cypress, Harris County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$500,000.00.	\$500,000.00	6/03/2024

NO.	DONOR	D/D	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
5.	C5LC at Interstate 10, LLC	San Antonio District	Bexar	The donor is donating the design and construction of pavement widening, right turn deceleration lane, and acceleration at the intersection of Loop 1604 and the proposed Viewpoint Ridge Road approximately 3,500 feet north of I-10 in San Antonio, Bexar County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$490,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$490,000.00	5/10/2024
6.	CMC Railroad, LLC	Beaumont District	Liberty	The donor is donating the design and construction of a new signal at the US 90 and County Road 493/Rolke Road intersection; a right turn deceleration lane from eastbound US 90 to CR 493/Rolke Road; and an additional westbound left turn Lane from westbound US 90 to CR 492/Rolke Road in Dayton, Liberty County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$580,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$580,000.00	5/19/2024
7.	Cypress Creek South Cedar Road LP	Waco District	Bell	The donor is donating the design and construction of a right turn deceleration on W Adams Avenue into a proposed multifamily addition named Cypress Creek at South Cedar located in Temple, Bell County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$350,000.00 (<i>replaces previously acknowledged for WBW Land Investments, LP on 5/23/2024 due to a change in donor</i>).	\$350,000.00	5/31/2024

NO.	DONOR	D/D	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
8.	Cypress Junction 2 LLC	Houston District	Harris	The donor is donating the modification of a traffic signal northbound and striping of a left turn lane westbound from FM 529 into the Cypress Junction 2 development in Cypress, Harris County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$120,000.00.	\$120,000.00	5/16/2024
9.	DPEG Vicksburg, LP	Houston District	Fort Bend	The donor is donating the design and construction of a street tie-in and right turn lane from southeast bound SH 6 into the Territory of Missouri City development in Missouri City, Fort Bend County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$360,000.00.	\$360,000.00	5/31/2024
10.	Fikes Wholesale, Inc.	Waco District	McLennan	The donor is donating the design and construction of two deceleration lanes of approximately 245' each to accommodate right turn lanes for three driveways and storm water relocation on the I-35 service road at the entrances of the CEFCO located in Bruceville-Eddy, McLennan County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$450,000.00.	\$450,000.00	5/24/2024
11.	IDV Kilgore, LLC	Beaumont District	Chambers	The donor is donating the design and construction of a right and center turn lane on FM 565 from the intersection of FM 3180 to 0.5 Miles west along FM 565 in Baytown, Chambers County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$2,000,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$2,000,000.00	5/20/2024

NO.	DONOR	D/D	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
12.	Lennar Homes of Texas Land and Construction, Ltd.	Austin District	Hays	The donor is donating a fixed amount of \$95,652.00 towards the donor's share of cost for the new traffic signals at the intersection of SH 21 and Yarrington Road in San Marcos, Hays County, Texas. The project will be let by the state. All design and construction work will be provided by the state, its consultant, or its contractor. This project will be part of a current TxDOT project under CSJ 0914-00-480.	\$95,652.00	5/23/2024
13.	Lennar Homes of Texas Land and Construction, Ltd.	San Antonio District	Guadalupe	The donor is donating the design and construction of left and right turn lanes for Panther Ridge a new public street serving the Jaro North Subdivision approximately 0.34 mile North of FM 758 on SH 123 in Guadalupe County within the ETJ of New Braunfels, Texas. The design and construction will be performed by the donor, its consultant, or its contractor. The estimated value of the donation is \$700,000.00.	\$700,000.00	5/07/2024
14.	Lubbock Arts Alliance, Inc.	Traffic Safety Division	Lubbock	The donor is donating a fixed amount of \$6,159.00 to design, fabricate, and install two memorial highway designation signs on the portion of FM 40 between CR 3300 and CR 3800, designated as The Maines Brothers Band Highway within Lubbock County, Texas. The design, fabrication, and installation of the signs will be performed by the state.	\$6,159.00	5/24/2024
15.	Millican Land Development, LLC	Bryan District	Brazos	The donor is donating the design and construction of a left turn lane on FM 2154 including all associated widening and striping adjacent to the donor's property in Brazos County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$460,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$460,000.00	5/31/2024
16.	Permian Basin Medical Center	Odessa District	Midland	The donor is donating the design and construction of a traffic signal that will be utilized to control the movement of traffic at the intersection of Gateway Boulevard at FM 1788/SH 349 in Midland, Midland County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$280,000.00.	\$280,000.00	5/23/2024

NO.	DONOR	D/D	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
17.	Texas Mutual Insurance Company	Traffic Safety Division	Bastrop Comal Denton Ellis Fort Bend Tarrant	The donor is donating banker soft silicone cell phone wallets for TxDOT to co-brand with traffic safety messages for the Be Safe. Drive Smart. campaigns. The estimated value is based upon 2,500 wallets at \$0.95 cents per wallet (\$2,375) plus set-up fees, shipping, and handling. TxDOT will be distributing the items at the Buc-ee's locations in Ennis, Fort Worth, Denton, New Braunfels, Bastrop, and Katy, Texas. The estimated in-kind value of the donation is \$2,500.00.	\$2,500.00	5/10/2024
18.	Texas State Technical College	Waco District	McLennan	The donor is donating the design and construction of shoulder/ditch improvements to approximately 700 linear feet (LF) of Air Base Road (FM 2418), as well as the entryway portion of the new East Craven Avenue up to the existing Texas State Technical College campus property line in Waco, McLennan County, Texas. The shoulder/ditch improvements will extend approximately 125 LF to the north, measured from the existing East Craven Avenue/FM 2418 intersection, and 525 LF to the south. The northbound lanes will be widened by 4' and striped for a dedicated right turn lane onto East Craven Avenue. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$70,000.00 (<i>replaces previously acknowledged on 12/12/2023 due to a change in scope</i>).	\$70,000.00	5/30/2024
19.	TWV NQ Kyle Land, L.L.C.	Austin District	Hays	The donor is donating the design and construction of roadway improvements to I-35 frontage road that will serve the Caraway Tract in Kyle, Hays County, Texas. The roadway improvements include addition of mountable curb features along the exit ramp of I-35. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$63,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$63,000.00	5/03/2024

NO.	DONOR	D/D	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
20.	Virtuo 2920, LLC	Houston District	Harris	The donor is donating the design, construction, and installation of a traffic signal on FM 2920 for the proposed driveway into the Virtuo Springs development in Spring, Harris County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$350,000.00.	\$350,000.00	5/16/2024
Total:					\$12,447,311.00	

EXHIBIT B
ROW ACQUISITION BY DONATION
June 27, 2024

NO.	DONOR	D/D	COUNTY	DESCRIPTION	TXDOT VALUE	ROW CSJ NO./Parcel No.	DATE ACCEPTED
1.	City of Midland, Texas	Odessa District	Midland County	Donation of 2.8708 acres of land on SH 158. The property being donated will be utilized to construct a new intersection with signals at SH 158 and Wadley Ave.	\$144,504.00	0463-02-084 Parcel 6 (P00071307)	05/10/2024
2.	City of Midland, Texas	Odessa District	Midland County	Donation of 0.2869 acres of land on SH 158. The property being donated will be utilized to construct a new intersection with signals on SH 158 and Briarwood Ave.	\$39,622.00	0463-02-092 Parcel 1 (P00076626)	05/10/2024
3.	City of Midland, Texas	Odessa District	Midland County	Donation of 0.5845 acres of land on SH 158. The property being donated will be utilized to construct a new intersection with signals on SH 158 and Briarwood Ave.	\$20,458.00	0463-02-092 Parcel 4 (P00076629)	05/10/2024

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June 27, 2024

NO.	DONOR	D/D	COUNTY	DESCRIPTION	TXDOT VALUE	ROW CSJ NO./Parcel No.	DATE ACCEPTED
4.	City of Midland, Texas	Odessa District	Midland County	Donation of 0.2680 acres of land on SH 158. The property being donated will be utilized to construct a new intersection with signals on SH 158 and Briarwood Ave.	\$49,606.00	0463-02-092 Parcel 8 (P00076631)	05/10/2024

EXHIBIT C
DONATIONS
June 27, 2024

NO.	DONOR	D/D	COUNTY	DESCRIPTION
1	C3 Presents, LLC	Austin	Travis	The donor is donating \$1530.00 under the Sponsor a Highway Program for a period of 2 years. This is a new contract on an existing sign location.
2	South Austin Emergency Center	Austin	Travis	The donor is donating \$2064.60 under the Sponsor a Highway Program for a period of 2 years. This is a contract renewal on an existing sign location.
3	Amber Allen - In Memory of Family Member (Dakota)	Dallas	Denton	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.
4	Wan Bridge Property Management, LLC	Houston	Brazoria	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.
5	Elite MMA - Baytown, LLC	Houston	Harris	The donor is donating 3 miles of litter pick up per month for 2 years under the Sponsor A Highway Program.
6	Katy Asian Town Retail Condominium Association, Inc.	Houston	Harris	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.
7	Monaco Residential, LP	Odessa	Midland	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.
8	Kidd Roofing	San Antonio	Bexar	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.
9	Kidd Roofing	San Antonio	Comal	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.
10	Lindsey Campbell Realtor dba Scott J. Realtor Group	San Antonio	Comal	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.