

These are the minutes of the special meeting of the Texas Transportation Commission held on April 4, 2013, Austin, Texas. The meeting was called to order at 9:00 am by Chairman Houghton with the following commissioners present:

Texas Transportation Commission:

Ted Houghton	Chairman
Fred Underwood	Commissioner
Jeff Austin III	Commissioner
Jeff Moseley	Commissioner

Administrative Staff:

Phil Wilson, Executive Director
 Jeff Graham, General Counsel
 Rose Walker, Chief Clerk
 Kristen Webb, Assistant Chief Clerk

Registration sheets listing others in attendance are on file with the Texas Department of Transportation Assistant Chief Clerk.

A public notice of this meeting containing all items on the proposed agenda was filed in the Office of the Secretary of State at 4:32 p.m. on March 27, 2013, as required by Chapter 551, of the Government Code, referred to as “The Open Meetings Act.”

ITEM 1. Safety Briefing

This item was presented by Deputy Executive Director John Barton.

ITEM 2. Aviation

Various Counties – Direct the awarding of funds to continue safe operation of air traffic control towers impacted by recent federal action (MO)

Commissioner Moseley made a motion, which was seconded, and the commission approved the following minute order by a vote of 3 – 0. Commissioner Austin was not present for the vote. This item was presented by Aviation Division Director Dave Fulton and Airport Planning/Programming Section Director Greg Miller. The commission also received comments from Texas A&M University System Regent Jim Schwertner, Aviation Advisory Committee Chair Gordon Richardson, Sugar Land Regional Airport Assistant Aviation Director Anne Gaines reading a letter on behalf of Sugar Land Mayor James A. Thompson, Collin County Regional Airport Director Ken Wiegand, Lone Star Executive Airport Director Scott E. Smith, Victoria County Judge Don Pozzi, Texarkana Regional Airport Director Steve Luebbert, James Carlon with Texarkana Chamber of Commerce, City of Brownsville Airport Director of Aviation Larry A. Brown, David Goad of New Braunfels, Texas Aviation Association President Jay Carpenter, Georgetown Municipal Airport Manager Sarah Hinton, Jim Wimberly with Texas Aviation Partners, City of San Antonio Assistant Aviation Director Tim

O’Krongley, City of Georgetown Mayor George Garver, and New Braunfels Regional Airport Director Lenny Llerena. Tyler Pounds Regional Airport Manager Davis Dickson, Texas State Technical College Associate Vice President Cindy Reily, and Red Media Group Managing Partner Angela Hale registered their opinions for, but did not wish to speak on this item.

113545
AVN

As the result of recent federal across-the-board spending cuts, \$1 billion was cut from the United States Department of Transportation for the federal fiscal year ending September 30, 2013, with \$637 million of that amount taken from the Federal Aviation Administration (FAA). The FAA has announced that beginning on April 7, 2013, it will close contracted control tower service at 149 airports in the United States, which is about one-third of all air traffic control towers in the United States. Many air traffic control towers in Texas are on the list of closures.

The airports will remain open, but airplanes using such an airport will have to rely on direct radio contact with other pilots. The closure of the control towers will decrease the efficiency and safety of aircraft takeoff and landing and significantly reduce the integration of rural areas into the national transportation system.

Transportation Code, §21.068, authorizes the Texas Department of Transportation (department) to provide technical services in connection with aeronautical activities, including the maintenance or operation of an airport, air navigation facility, or other aeronautical activity, if providing the services is reasonably possible and in the interest of public safety and welfare. Transportation Code, §21.002, requires the powers and duties related to aviation granted to the department by law to be performed under the direction of the Texas Transportation Commission (commission).

The commission finds that: (1) the provision by the department of services necessary for the continued operation of air traffic control towers in areas that serve Texas communities, which are scheduled for closure by the FAA beginning on April 7, 2013, is reasonably possible; and (2) the provision of those services is in the interest of public safety and welfare.

IT IS THEREFORE ORDERED that the department expend the funds necessary to provide for the continued operation, for the period of 90 days after the effective date of this minute order, of the air traffic control towers that serve Texas communities, which are scheduled for closure by the FAA beginning on April 7, 2013.

IT IS FURTHER ORDERED that, after that 90-day period, the executive director of the department may, in the executive director’s discretion, extend the expenditure of department funds for that purpose for a period of up to an additional 275 days.

IT IS FURTHER ORDERED that the total amount spent under this minute order may not exceed \$750,000 per month.

3. Executive Session Pursuant to Government Code, Chapter 551

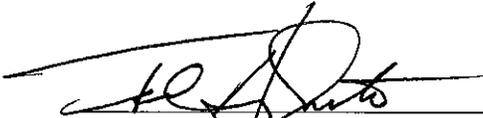
a. Section 551.071 - Consultation with and advice from legal counsel regarding any item on this agenda

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.

The commission did not receive any comments during the open comment period.

The special meeting of the Texas Transportation Commission was adjourned at 10:41 a.m.

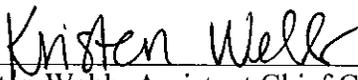
APPROVED:



Ted Houghton, Chairman
Texas Transportation Commission

xxx

I hereby certify that the above and foregoing pages constitute the full, true and correct record of all proceedings and official records of the Texas Transportation Commission at its regular meeting on April 4, 2013, in Austin, Texas.



Kristen Webb, Assistant Chief Clerk
Texas Department of Transportation