

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

TEXAS DEPARTMENT OF TRANSPORTATION  
COMMISSION MEETING

Ric Williamson Hearing Room  
Dewitt Greer Building  
125 East 11th Street  
Austin, Texas

Thursday  
October 31, 2013

COMMISSION MEMBERS:

Ted Houghton, Chair  
Jeff Austin III  
Jeff Moseley  
Fred Underwood

STAFF:

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

TABLE OF CONTENTS

Convene Meeting Page 3

Safety Briefing Page 3

Approval of Minutes Page 17

Discussion Page 17

Advisory Committee Appointments Page 39

Aviation Page 40

Public Transportation Page 42

Transportation Planning Page 43

Promulgation of Administrative Rules Page 48

Office of Compliance and Ethics Page 66

Toll Roads Page 66

Design-Build Agreements Page 75

Finance Page 87

Traffic Operations Page 96

Contracts Page 98

Eminent Domain Proceedings Page 100

Routine Minute Orders Page 101

Open Comments Page 102

Executive Session Page 109

Adjournment Page 110



1 we have this meeting. Again, I want to thank you for your  
2 leadership in promoting and focusing on safety as our highest  
3 value at the agency.

4           The agency is proud of our accomplishments in terms  
5 of safety and making sure that each and every day we do all we  
6 can to protect our employees and the citizens that travel on  
7 our highways and bridges here in the state of Texas. And as  
8 we all know here in Austin, we were blessed with a significant  
9 amount of rainfall last night, and with that comes floodings  
10 occasionally. And so I wanted to remind everybody that when  
11 you approach an area of a roadway that is under water, even if  
12 it appears passable, the safe thing to do is to turn around,  
13 don't drown. That's the phrase that we've coined over the  
14 years to protect ourselves.

15           Oftentimes those roadways may look like they're  
16 passable, and when you travel into them, unfortunately, are  
17 not. Our crews here in the Austin district and surrounding  
18 communities responded to the storms last night, have been out  
19 throughout the night, helping with rescues where people have  
20 not heeded that concern of turning -- to turn around and not  
21 drown. We, in fact, put those messages up on our changeable  
22 message boards throughout this area, and are now deploying  
23 them across the state as the storm moves.

24           And I wanted to assure the commission and the public  
25

1 that our crews are out there monitoring the condition of the  
2 roadways as the water recedes, are inspecting the bridges and  
3 making sure they're safe for passage. And we just ask for  
4 everyone's patience as we protect them, and make sure that our  
5 assets are protected, and that we respond in an immediate  
6 fashion.

7           So I'm really proud of the work our men and women  
8 did last night and continue to do today. And we will be out  
9 there until this emergency has abated.

10           With that, I would like to bring everyone's  
11 attention to a few safety features for our meeting today. If  
12 anyone should have a medical emergency, we do have first aid  
13 available. If you would see the guard station, which is  
14 towards the front of this building as you entered today, and  
15 ask for assistance, they can provide it there. If we need to  
16 get outside medical assistance, they can call 911 for us.

17           If we were to be asked to shelter in place for any  
18 reason here today because of a storm or other event, then we  
19 can find a safe refuge in the hallways that are up and down  
20 the stairwells on either side of the elevator shafts, or we  
21 can locate in the basement of the building, which is one four  
22 -- floor below us. And again, I would ask you to use the  
23 stairwells that are found on either side of the elevator shaft  
24 near the front of the building.

25

1           And then if we're asked to evacuate for any  
2 particular reason, someone would come to this podium and  
3 inform us that we need to evacuate the building. And we -- I  
4 would just ask that you use the exits in this room. There is  
5 one at the front behind the commission dais. There's one at  
6 the back. And there's also one to my left, the audience's  
7 left, near the back of the room as well.

8           Once we exit the building, we would ask you that you  
9 would cross 11th Street safely at one of the intersections,  
10 and gather in front of the Capitol at the south entrance to  
11 the Capitol so we can make sure we're out of the way for those  
12 that are responding to our emergencies.

13           Again, it's an honor to share the safety brief with  
14 you, and to continue to enlighten you on the work that our  
15 employees are doing in terms of safety. Thank you for your  
16 leadership.

17           MR. WILSON: With that, Mr. Chairman, I'll hand the  
18 gavel back to you to complete opening remarks.

19           MR. HOUGHTON: Thank you, Phil. Thank you, John.  
20 Before we get into comments from my fellow commissioners, I'd  
21 like to point out something that took place a couple of weeks  
22 ago. A group of commissioners went to Washington,  
23 Commissioners Austin and Moseley. And they had a pretty quick  
24 whirlwind trip to D.C. to get involved with the Water

25

1 Resources Reform and Development Act that has an impact to  
2 Texas. And this is a bill that funds the port and our inland  
3 port activities.

4 Now, a year or so ago we developed a port division,  
5 a maritime division, to help our ports out and look, not only  
6 inside the fence, but outside the fence, what happens when all  
7 of that cargo gets offloaded, what do we do with it? Now,  
8 this is the -- this was our first time to be directly involved  
9 with WRDA. Commissioners Moseley and Austin work very closely  
10 with the Texas Ports Association to accomplish some important  
11 things. And I think they even formed a maritime caucus, did  
12 they not, Commissioners?

13 UNIDENTIFIED VOICE: Yes, they did.

14 MR. HOUGHTON: And I know they both did a great job,  
15 and I believe every member of the Texas delegation voted for  
16 the bill, and it was ov -- passed overwhelmingly in the House,  
17 and I believe it now goes to Conference. This demonstrates  
18 our commitment to what we call -- we are the Department of  
19 Transportation, and believe it or not, ships are a  
20 transportation asset, and so are ports. And we have  
21 significant amount of porsh -- ports ass -- access -- assets  
22 from Brownsville, all the way over to the Sabine River, and  
23 from Brownsville all the way to El Paso to our inland ports.

24 So I want to thank these two commissioners for  
25

1 getting involved. And my understanding was, it -- that if you  
2 hadn't had your tour guide, Coby Chase, you'd have gotten lost  
3 in one of the congressional office buildings. But I want to  
4 thank you both for doing what you've done, and demonstrating  
5 our commitment to the port activities in the State of Texas.

6 Now, with that, I'll open with Commissioner Moseley.

7 MR. MOSELEY: Chairman, thank you for your kind  
8 words. It is a delight to be designated as the commission  
9 member to the Texas ports communities, and to work with  
10 Commissioner Austin, who's designated as our federal liaison.  
11 And we were very pleased to be able to meet with our members  
12 of our congregational delegation. We established the value of  
13 the mission, and then about the time we set our agenda, there  
14 was a government shutdown. And I asked Coby if there was  
15 still value in going to Washington and he said, well, yes,  
16 because congress hasn't shut down. They're still in their  
17 offices.

18 And it turned out to be a wonderful decision because  
19 the members were there, really kind of captive, you might say,  
20 and they were glad to see us when we walked in because there  
21 wasn't a lot going on. They were waiting for things to happen  
22 on the floor of the House. And so it was -- we think perhaps  
23 a record, Chairman, may have been set in our number of visits.  
24 I think with Melissa and Melanie, and our wonderful team of  
25

1 professionals in Washington, they set a schedule that when I  
2 looked at it I wasn't sure, Commissioner Austin, if we'd be  
3 able to walk at the end of the two days.

4           But we -- I think we met with more than 25 members  
5 of the Texas delegation to talk about H.R. 3080, and as  
6 Chairman Houghton described, a few days later when the vote  
7 was held, it was passed in the House, 417 to 3, and every  
8 member of the Texas delegation did vote in favor of it. So  
9 we're very, very pleased that we have the strong support of  
10 this delegation.

11           Chairman, the bill will go to Conference. It does  
12 have \$779 million set aside for the Sabine-Neches Waterway  
13 Channel Improvement Project. This is about a 20 year  
14 initiative. By Sabine-Neches, I know when John Barton was  
15 district engineer of that area he had a big voice in that.  
16 \$121 million for Freeport Harbor Channel improvement.

17           And there's some streamlining that we're real  
18 excited about that will help the Corps of Engineers get  
19 permitting done more efficiently and effectively. And there's  
20 an assessment of the Gulf Intercostal Waterway by the core  
21 that we had requested. So we're hopeful that these priorities  
22 established by the House bill will survive Conference  
23 committee once it goes back to Conference.

24           Chairman, I say thank you to Melissa Meyer (ph),  
25

1 Melanie Alvord (ph), for making sure Commissioner Austin and I  
2 were at the right place at the right time. And also wanted to  
3 just close by saying, we're missing a road warrior today.  
4 We're -- our prayers are with Commissioner Vandergriff on his  
5 speedy recovery, and we look forward to catching up with him.  
6 Thank you, Chairman.

7 MR. AUSTIN: Good morning, everyone. I echo the  
8 admiral's comments over here. And I'll say -- and Chair,  
9 thank you for this, and we have a tremendous team in  
10 Washington because, you know, part of our funding doesn't --  
11 well, part -- not all of our funding comes from the state. We  
12 do have federal funds. It is very important.

13 Also coming up next year, we're going to have re-  
14 authorization that we're going to be really paying close  
15 attention to, looking at the policy considerations, because it  
16 will have a tremendous impact on the State of Texas.

17 And it's not just roads. As a chair -- and I say,  
18 the admiral, have mentioned, we are multi modal, and we've had  
19 the opportunity to pay attention to what's going on. Listen  
20 to questions, and when one member of congress spoke up and  
21 said -- when we walked in one morning he said, you know, when  
22 I woke up this morning, WRDA and transportation was not on my  
23 mind.

24 Another member of inland coastal said, how does this  
25

1 impact me? And I -- this was highlighted. The Chair and Phil  
2 and I had the opportunity, with Dan Harmon, to visit last  
3 week, the Port of LA in Long Beach. And they gave us a  
4 presentation. They've done probably a little better job than  
5 we have of coordinating the activities of showing when the  
6 containers get off -- they come to the port, use light rail,  
7 come in, they're working with the trucking industry, and how  
8 they're redistributing through rail and truck throughout the  
9 country.

10           They made a comment that every congressional  
11 district is a recipient of goods and containers that come  
12 through their port. I would venture to say the same about  
13 Texas and our ports, and I -- we've got to do a better job of  
14 sharing that story, pulling it together. That is part of our  
15 strategic plan as we begin looking at how we can coordinate.  
16 And once it gets off the port, we've got to take care of that.  
17 Whether it's oversized or overweight, greater capacity through  
18 our inland ports, et cetera.

19           But I do appreciate the help of our team in D.C.,  
20 Coby, you all do a great job, and there's going to be a lot  
21 more. I also had the opportunity this la -- back in early  
22 October with Commissioner Vandergriff -- and by the way, the  
23 last time he missed a meeting we put a picture of him up here  
24 and I should have brought that.

25

1           The opening of Interstate 35 -- I-35E, the ground  
2 breaking, and that was a wonderful event, a much needed  
3 project. I know we were given authority to work on that.  
4 Thank you John, Russell, Mark, your all's teams of getting  
5 this moving forward.

6           But the 35 coalition would not have been possible  
7 unless Judge -- then Judge Moseley, put together and called --  
8 to form the I-35 coalition. So that's helping guide us as we  
9 have so many other priorities. But this is one that's  
10 important to the state. It's coming right out as a thank you  
11 for your early days of getting that started.

12           Also I had the opportunity to -- with Commissioner  
13 Underwood to attend the short course. And there was a video  
14 that was shown -- that was at Texas A&M, highlighting the  
15 bridges of Texas. Bob Kaufman and their team put together one  
16 and trust me, if you -- if -- for those of you all that have  
17 not seen this, The Bridges of Madison County have nothing on  
18 the bridges of Texas.

19           It was tremendous looking at the restoration of  
20 bridges, and this is very important, but, you know, we have  
21 twice as many bridges as every -- any other state. It is  
22 important, and in that, we learned even, you know, from -- we  
23 went from bats to bridges.

24           But I also learned during one of the -- a future --  
25

1 one of the follow up speeches, we went from bats to bridges,  
2 to putting socks on a rooster. I think you all know. So I  
3 was intrigued with this concept, so I -- we wanted to give  
4 Commissioner Underwood -- we've tried this. We've attempted  
5 this. So here are your socks on a rooster.

6 MR. UNDERWOOD: Thank you. So the audience  
7 understands, I was talking about safety, and I said to the  
8 public, it's about as sexy as socks on a rooster. So that's  
9 where this is coming from. Thank you.

10 MR. AUSTIN: It's amazing what you learn. TTI was  
11 hosting this, and I had the opportunity to speak to some of  
12 our -- the award winners, the extra mile award winners. Thank  
13 you for what they do, and they go above and beyond. With  
14 this, you know, we're talking about family. Our family, TxDOT  
15 is a family. So is TTI. Our family, you know, also comes  
16 back from the legislature. They gave us birth. They've  
17 created us, and they give us our allowance.

18 Just like dealing with parents, you know, they gave  
19 birth to us. They give us our allowance. But when you go to  
20 them and you share with -- like us going to the legislature,  
21 we may be right on. We may say something. But you've got to  
22 hear it from a third party. My dad's no different. You can  
23 be right on. You've got to hear it from a third party.

24 At TxDOT, our third party is TTI. And I can't tell  
25

1 you of whether it's at the state level, or being up in D.C.  
2 listening to what TTI's going to study something for us, so  
3 let's get TTI to look at it. What does TTI do? And we really  
4 appreciate what they do. We couldn't do it -- we could not do  
5 it without them.

6           But as we talk about family, a couple of more  
7 comments. There's someone here in the building today I'd like  
8 to recognize who shares a history with TxDOT. Suzie Campmata  
9 (ph), I know you're up here in front. If you wouldn't mind  
10 please stand. Suzie and her family have been a friend of  
11 mine, and of many of you all that you don't know about. Her  
12 great uncle's Dewitt Greer.

13           And she was last in this building in 2001 when he  
14 was inducted into the Hall of Fame, and Coby was gracious  
15 enough this morning to take her around and share -- shows the  
16 remodeling of her uncle's great -- former office, and some of  
17 the history, and she shared some of the history as well. But  
18 if you all please help me welcome Suzie back to  
19 (indiscernible). Thank you, Suzie.

20           A few last comments. Please don't forget the annual  
21 transportation forum in San Antonio. It's going to be January  
22 6th through the 8th. Early registration has begun, and it  
23 will continue. It will close on November 13th. And that is  
24 just a few days before our next commission meeting. It will

25

1 be in Tyler, up in the pine -- behind the pine curtain on  
2 November 22nd, and hope to see you there. Thank you.

3 MR. UNDERWOOD: I associate myself with my  
4 colleagues' remarks. I may a little bit with a jaundice eye  
5 on this, but thank you very much for thinking of me. I -- the  
6 staff gets very nervous when I get off the script, by the way.

7 I want to thank all of our staff that helped us at  
8 our meeting last month in South Texas. It was a very  
9 successful trip, and the credit of that goes to the men and  
10 women of TxDOT. So thank you very much. I appreciate it. I  
11 appreciate the port of Brownsville for their tour we received,  
12 and all the other things that we were shown in the -- and the  
13 enthusiasm, the energy that's down there, it's contagious. I  
14 wish we had it all over the state.

15 Also I'd like to thank our staff for -- at the  
16 maintenance and traffic operations in Waco. Thank you for the  
17 good job you all did. It was excellent. I thought it was a  
18 great meeting. It was a privilege to be there and speak.  
19 Also our short course, I think I like the abbreviated version,  
20 John. I like it. It's to the point. It gets it across.  
21 Great presentations. So thank -- be sure and thank everybody  
22 that was involved in that. That was great. It's always ni --  
23 I like short course. These are -- you get a chance to share  
24 ideas and learn new ideas.

25

1           One last thing I want to thank -- brag on our audit  
2 department. I noticed it in the Lone Star Auditor, which is  
3 the local chapter of the Institute of Internal Auditors in  
4 Austin. They have about 600 members, and there's a real nice  
5 write up about our audit department. So thank you audit  
6 department for the quality job that you do for TxDOT.

7           So you -- I know it's not real flashy or whatnot,  
8 but I appreciate the work that everybody does in audit. You  
9 know, you keep us straight. You show us our mistakes and you  
10 work with us and we appreciate that.

11           On a final note, Ted, I know you must feel sometimes  
12 like street pizza in the road of life. So I leave that to  
13 that. It's your turn.

14           MR. HOUGHTON: Okay. I won't even go there. I --  
15 obviously we like to excuse our fellow Commissioner  
16 Vandergriff, and wish him a speedy recovery. If he's  
17 listening, we'll miss you. If he's obviously listening, we'll  
18 probably get critique of this meeting via email, so.

19           Thank you all, again, for your service up in  
20 Washington D.C. to Moseley, Commissioners Moseley and Austin,  
21 and Fred on your commitment to safety, and your del -- and  
22 your presentation at the Transportation Institute. I  
23 understand the short course went very, very well, and well  
24 attended, and for all those who took part, thank you for

1 making it another year a successful short course.

2 With that, our first order of business will be the  
3 approval of the September 26, 2013 commission meeting minutes.

4 Is there a motion?

5 UNIDENTIFIED VOICE: So moved.

6 MR. HOUGHTON: All in favor?

7 (Chorus of ayes.)

8 MR. HOUGHTON: Thank you. Phil?

9 MR. WILSON: Thank you, Mr. Chairman. Item 3 is a  
10 discussion of I-35 Capital Area Improvement Program. This  
11 item will be presented by Director of Planning, Mark Williams.  
12 Mark.

13 MR. WILLIAMS: Good morning, commissioners, Phil.  
14 The presentation today will include a PowerPoint, and it is an  
15 update on the recommendations of the Rider 42, Central Texas  
16 Working Group, and the anticipated future program phases and  
17 milestones for potential improvements to Interstate 35 in the  
18 greater Austin area.

19 Many of you all have been aware of the work that has  
20 been going on related to I-35. In recent years, TxDOT has  
21 committed approximately \$5.3 billion statewide to I-35  
22 improvements, and many local stakeholders, and in fact, folks  
23 throughout the region have noted that improvements in the  
24 greater Austin area are critical to realizing the full value

25

1 of these investments.

2           The capital area improvement program for I-35  
3 represents the work of many people. The I-35 statewide  
4 conceptual planning effort that was undertaken a few years ago  
5 was one of those initial efforts that has been guiding some of  
6 our investments on I-35, and it highlighted some of the needs  
7 to look at improvements along I-35 in Central Texas as one of  
8 the top priorities.

9           Following that, Rider 42 was funded by the state  
10 legislature and challenged the state's most congested regions,  
11 including Austin, to think about transportation differently.  
12 And for the capitol area, a primary goal of the Rider 42  
13 program was a plan for moving forward on I-35, or if and when  
14 funding could be identified.

15           And one of the -- and in the My 35 Effort included a  
16 work with the City of Austin who initiated a phase I study  
17 that really kind of helped to jump start the current effort,  
18 the current planning study, building upon some of the initial  
19 recommendations of the Rider 32 committee -- Rider 42  
20 committee.

21           And it has been really a locally generated effort  
22 that has involved a number of different agencies that have  
23 culminated in a report called the Capital Area Improvement  
24 Program, which includes an implementation plan for I-35. And  
25

1 I'd like to highlight some of the recommendations that have  
2 come out of that plan, and some of the guidance that that plan  
3 has offered to us.

4           The focus of a lot of the Rider 42 effort has been  
5 on the Travis County area, specifically within the bounds of  
6 State Highway 45 North to State Highway 45 Southeast. But  
7 leading TxDOT's contribution to this effort, our Austin  
8 district, Greg Malatek, Terry McCoy and their staff, working  
9 with our transportation planning and programming team, have  
10 really reached out and looked at this as a broader effort to  
11 coordinate with our neighbors to the north in Williamson  
12 County, and to the south in Hays County, recognizing that I-35  
13 really is a corridor that many throughout this region are  
14 dependant upon, and we've pulled them into a lot of the  
15 planning efforts.

16           This has been a community driven process. There  
17 have been a total of 70 stakeholder meetings, 11 public open  
18 houses, two on line open houses that have attracted over 4,000  
19 visitors to the sites -- website forums, Twitter, Facebook,  
20 community events, all geared with trying to understand the  
21 local concerns, and the needs and the very interests for  
22 improvements along this corridor.

23           Through that process, TxDOT received resolutions of  
24 support from CAMPO, the CTRMA, Travis County, Hays County and  
25

1 Williamson County, asking for our continued leadership on  
2 developing I-35, and making improvements to this critical  
3 corridor.

4           Many of the goals that were highlighted through this  
5 outreach effort are probably familiar to you all, increasing  
6 capacity, minimizing the additional right of way, optimizing  
7 the existing facility, and better managing traffic. Locally,  
8 working again with the City of Austin, and many of the  
9 neighborhoods, I -- areas such as making sure that we're  
10 improving our east west connectivity and enhancing safety, not  
11 only for the motorists that travel along I-35, but for many of  
12 the individuals in the corridor, pedestrians, bicyclists and  
13 others that have to cross I-35 or utilize I-35 on a daily  
14 basis.

15           And improving compatibility of the corridor with  
16 many of the neighbors and stakeholders who live along the  
17 route were all identified as goals.

18           So where we're at right now, we're really -- have  
19 completed what we have identified as a order of implementation  
20 plan. And we're working to build off of that plan to address  
21 the what, when, how and how much the cost might be, and the  
22 funding mechanisms associated with that program. We are  
23 beginning to move into, in a few areas, environmental and  
24 design phases of study. And in a couple of locations, even  
25

1 construction plans and right of way. But overall if you're  
2 looking at the status of the entire quarter itself, much of it  
3 is still wrapping up and moving out of the implementation  
4 phase II status.

5           Some of the key elements that we've been looking at  
6 have been really taking a systemwide approach, and we'll  
7 highlight some of the system components here in the upcoming  
8 slides. And thinking about just the strategic timing, and the  
9 implementation flexibility that we may need, understanding  
10 that a lot of times when you take on a large project like  
11 this, funding is often an uncertainty.

12           And wanting to develop a system -- a strategic  
13 system of potential improvements that identify some priority  
14 operational improvements that could be quick win  
15 opportunities, but also to have a future vision for  
16 implementation of what was determined and has been described  
17 as a future transportation corridor that includes one  
18 additional lane in each direction along I-35 that could  
19 potentially be implemented in a managed lane or express lane  
20 type of concept.

21           TxDOT and our stakeholders have recognized that I-35  
22 is really part of a regional system in this area, and we have  
23 got a number of improvements that we're working with our  
24 stakeholders on that help to address north south mobility

25

1 throughout the greater Austin area. These include express  
2 lanes being developed along Loop 1 MoPac, a new toll facility  
3 along 183 and 290, and additional interchange improvements all  
4 along those corridors, including connections off of I-35 to  
5 290, and 183.

6           Looking specifically at the program along I-35, I  
7 mentioned previously that there's really two different -- two  
8 components of this as we look at it. To the right inside we  
9 talked a little bit about the future transportation corridor,  
10 what could be express or managed lanes along I-35.

11 Understanding a strategic approach to this, in that we may or  
12 may not be able to develop it all at once.

13           The stakeholder committee and the Rider 42 team,  
14 working with our district, really identified three separate  
15 sections of that future transportation corridor that the team  
16 felt could and would have independent utility. It would all  
17 work ultimately as a system, but these segments could be  
18 developed independent of one another as initial steps in the  
19 overall development of the I-35 corridor.

20           The segments included A, State Highway 45 North to  
21 US 290. Section B, which is US 290 to Riverside Drive, that's  
22 kind of the central core area of the Austin area, and there's  
23 really two sections of segment B, the upper and lower deck  
24 portion in the downtown area -- and we'll highlight some of

25

1 the concepts being looked at within segment B in the next  
2 slides.

3 But then to the south, Riverside Drive to State  
4 Highway 45 Southeast. And those were identified, and have  
5 been identified, as some of the individual phases for the  
6 future transportation corridor.

7 In addition, there have been a set of operational  
8 improvements that include direct connectors at U.S. 183,  
9 improvements at U.S. 183 to 290 northbound, improvements at  
10 51st Street, Riverside Drive, Oltorf and Stassney, all  
11 operational improvements at interchanges that address critical  
12 choke points and bottlenecks, and also compliment the future  
13 of development of the transportation corridor that's been  
14 identified.

15 I would want to be sure and note and point out that  
16 the letters shown on this slide, and the numbers identified  
17 for the operational improvements are really just for  
18 identification purposes only to be able to locate those on the  
19 map. They're not intended to represent a priority order.

20 I'd like to talk a little bit about some of the  
21 concepts being looked at within the downtown area. This is  
22 within the decks. The idea is to work on cutting some of the  
23 slopes back along I-35 on the ground level. And the  
24 engineering team and our district have identified, you know,

25

1 that we can develop a future transportation corridor through  
2 this part of the decks along the lower deck of I-35. In  
3 addition, making operational improvements to the frontage  
4 roads along that section, and at the interchanges and  
5 intersections, has been identified as part of the overall  
6 program of mobility improvements.

7           In the downtown area there's been a lot of talk  
8 about different options and concepts for the downtown portion  
9 of I-35. The two basic concepts that have been looked at by  
10 the I-35 mobility committee have first -- the first one is  
11 involved modification of the existing alignment. In this  
12 effort we would maintain the same grade and elevation as  
13 existing conditions, but seek to set northbound and southbound  
14 lanes at the same elevation to facilitate the future  
15 transportation corridor and improve some of the cross street  
16 mobility across I-35. And you all may remi -- recall that I  
17 mentioned that that was an important focus and recommendation  
18 of many of the neighborhood and the stakeholder groups.

19           You've got some locations such as at Caesar Chavez,  
20 where the lanes and the -- of I-35 are actually kind of split,  
21 and that does impede efficient cross street mobility and  
22 access to the downtown area. Importantly, this provides for  
23 operational improvements, while also accommodating the future  
24 transportation corridor, and it specifically achieves the

25

1 build objectives that were identified by the Rider 42  
2 committee.

3 Another concept that has been talked about, and  
4 there's been a wide range of discussions about recessing or  
5 depressing I-35 through the downtown area. Some have talked  
6 about a tunneling concept. That's gotten a lot of attention.  
7 But importantly, that is kind of really helped to focus and  
8 enhance some of the discussion with many of the stakeholder  
9 groups and the local community about what might be within the  
10 realm of possibility for I-35.

11 And so one of the concepts that came out of the pri  
12 -- the mobility report provides for a depressed main lanes  
13 concept that would be looked at, where we would, again,  
14 achieve the operational objectives of the Rider 42 committee,  
15 but also look at removing some of the east west visual  
16 barrier, and adding some opportunities for aesthetics to  
17 potentially allow even caps along I-35 such as what has been  
18 done up in Dallas along the Woodall Rogers.

19 All of this comes with a cost. And it is, as I  
20 mentioned before, a program of improvements that could be  
21 implemented in different phases, and in pieces, but overall if  
22 we're looking at the range of cost associated with this, we're  
23 between 1.25 and \$1.9 billion, depending upon what downtown  
24 concept that's being considered. Those costs are in Fiscal  
25

1 Year '13 dollars, and don't account for the inflation that  
2 would occur. That inflation, obviously, would be dictated by  
3 how soon these improvements could be implemented.

4 But the modification of the existing corridor, the  
5 costs for that is about \$1.25 billion. As you begin to look  
6 at depressing the main lanes and potentially adding caps or  
7 other amenities to that, you can see in the brown -- in the  
8 darker brown and in the blue shading, the additional  
9 incremental cost of 350 and \$300 million that would be added  
10 to the overall program. And part of the discussion that the  
11 Rider 42 and the stakeholder working group have had with  
12 respect to this is that, you know, realizing that those  
13 components are really areas where the local community, the  
14 local stakeholders has -- have to really work in partnership  
15 with TxDOT to help in addressing the funding needs associated  
16 with making those improvements.

17 We're continuing to move forward with our  
18 implementation planning, and now beginning to move into our  
19 des -- environmental phases of study. What we are looking at  
20 initiating now and working with TxDOT as well as the City of  
21 Austin on is a planning and environmental linkages study, and  
22 this is the initial step in the environmental process with  
23 really an idea toward expediting that environmental process.

24 And through the planning and environmental linkages  
25

1 study, which is a FHWA term, it's an effort for really a  
2 complex project like this, to look at some of these  
3 alternatives that we've talked about, the depressed lanes, or  
4 modifying existing, and to work with the community to come up  
5 with a concept and a preferred option for those alternatives,  
6 and then take one of those into the environmental phase of  
7 study.

8           Obviously, if you were to try to take every  
9 possibility into the environmental study, that kind of  
10 complicates the effort. And so this PEL will help us to focus  
11 that. We expect that to be about a nine month effort that  
12 will really save us a lot of time on the back end as we move  
13 through the environmental process.

14           We are moving forward on environmental phases of  
15 work on several of the priority projects that can move forward  
16 independently. U.S. 183 at I-35, the direct connectors,  
17 Riverside Drive and potentially coming out of the PEL, there  
18 may be a priority phase of the FDC that we will be looking at,  
19 and being able to expedite that. We've got improvements under  
20 way at Oltorf and William Cannon, and we're making a lot of  
21 progress on northbound and collector distributor work up in  
22 Will -- up along Palmer Lane, 51st Street northbound  
23 intersection improvements, and FM 1431 up in Williamson  
24 County. It's really been, as I mentioned before, a

25

1 collaborative stakeholder involved effort.

2 I should also mention we have a partnership  
3 agreement in place with Hays County that includes improvements  
4 to the south, including looking at the Posey Road interchange  
5 there along I-35. So we -- while much of this presentation is  
6 focused on the Travis County piece of it, we have got active  
7 planning and project development efforts underway throughout  
8 the corridor.

9 So this concludes the presentation on updating you  
10 all on the status of this work. Again, it's been a very  
11 cooperative and collaborative effort. A lot has really been  
12 accomplished, and I would like to thank the -- all of the  
13 members of the Rider 42 committee, the City of Austin, and  
14 many of the other stakeholders that have worked with us in  
15 partnership on this. It has really kind of helped to solidify  
16 and point a vision for improvements to I-35.

17 MR. HOUGHTON: Mark, thank you. Let me bring up  
18 Hayden Walker, reconnect -- representing Reconnect Austin.  
19 And then I'll let the commissioners ask their questions, if  
20 they have any.

21 MS. WALKER: Good morning and Happy Halloween. My  
22 name is Hayden Walker, and I am from Reconnect Austin.  
23 Reconnect Austin is a volunteer community-driven effort to try  
24 to have a really good discussion about I-35, particularly

25

1 downtown. We -- and I think a lot of the community feel like  
2 that I-35 downtown has functioned as somewhat of a barrier,  
3 and we've been talking with the neighborhoods about how I-35  
4 might be able to be as it's -- goes through this process, a  
5 better neighbor to everyone who lives there.

6           We've been talking with community groups and  
7 neighborhood groups, civic organizations, and the handout we  
8 gave you has a list of those organizations. We've also been  
9 meeting with Terry McCoy and his team at TxDOT, as well as Tim  
10 Lomax and his team at TTI, and they've been extremely helpful  
11 and very willing to listen, which we very much appreciate.

12           You probably know that Senator Watson is putting  
13 together a community stakeholder group that we will be part of  
14 that, and many of the organizations listed here will be part  
15 of that. So we're looking forward to having the Senator's  
16 involvement in the ongoing community discussion. So I know  
17 you have a long agenda. I don't really want to take up a lot  
18 of your time, but we just wanted to be sure that you had a  
19 chance to look at the materials.

20           MR. HOUGHTON: Thank you very much, Hayden. Thank  
21 you for coming. Mark, come on back up. Where are you? There  
22 you are. I know your presentation probably stirred a few  
23 questions, one or two from up here, we have another speaker,  
24 but any questions, Jeff -- Commissioner Moseley?

25

1           MR. MOSELEY: Chairman, thank you. Mark, as we're  
2 involved in this concept planning and moving into corridor  
3 implementation, I wonder if it would be appropriate if we  
4 invited our newly organized technology advisory committee and  
5 Dr. Walton's committee to look at how technology might be  
6 applied? And of course we've talked about, you know, how  
7 perhaps moveable barriers could be a concept to bring more  
8 capacity to the strategic corridor. Perhaps solar panels  
9 would capture energy that could be used for the lighting of  
10 the corridor, and of course LED lighting to enhance the  
11 bridges, and have a wonderful visual impact for the community.

12           And then also just -- is there value -- it's kind of  
13 -- today might not be the best day, Chairman, to ask this, but  
14 roadways are water conveyances, and is there value in  
15 capturing run off from this roadway and putting it into a  
16 cistern system where it could be used later during dry times?  
17 So those -- if Dr. Walton's committee could kind of review the  
18 goals page that you showed us, they might give us some good  
19 feedback.

20           MR. WILLIAMS: We -- Commissioner, we will reach out  
21 to Dr. Walton and also Dr. Crum with TxDOT, and ask for their  
22 review and input on this. The -- one of the things that I  
23 probably -- I know I didn't touch on specifically, but one of  
24 the things that the Rider 42 committee recognized is that this

25

1 is not going to solve congestion along I-35. The congestion  
2 is still going to exist. It's going to be there. This is an  
3 opportunity to provide maybe some concepts that assist with  
4 the reliability. The traffic operations, traffic management  
5 and enhancing our ability to use technology to communicate  
6 with motorists, and to ensure that we are effectively managing  
7 the signal systems along the corridor, those were also  
8 recommendations that have come out of that committee effort,  
9 and one that I'm sure that Dr. Walton and his team can  
10 certainly provide some good support on that with us.

11 MR. HOUGHTON: Commissioner Austin?

12 MR. AUSTIN: A couple of questions. Well, one  
13 comment first. I want to go back to your -- to the partners  
14 that are involved in this that have all given resolutions  
15 towards moving this forward. It -- I think it's very  
16 important to seek CAMPO, CTRMA, Travis County, Hays County,  
17 Williamson County, all working together on a common corridor  
18 to help important -- make things better. And if I recall,  
19 this is one of the most congested roadways.

20 MR. WILLIAMS: I think we were able -- the I-35  
21 folks have recognized that this was number one --

22 MR. AUSTIN: Number one.

23 MR. WILLIAMS: -- on -- in the TTI top 100 that came  
24 out for 2013.

25

1 MR. AUSTIN: So knowing -- I know there's more than  
2 one right answer, but there's not any easy answers as you all  
3 were talking about. I want to go to the funding slide. I  
4 think it's slide 13, 14 -- 13. In looking at the fully  
5 implemented best case, fully depressed main lanes and caps,  
6 we're looking at a 1.9 billion dollar cost, and you see the  
7 slide down below, currently available funding. And I want to  
8 move to the next slide. Because as we're looking at the  
9 conceptual planning corridor implementation plan, basically  
10 the available funding right now will only cover those two  
11 categories?

12 MR. WILLIAMS: Essentially. We do and anticipate  
13 that some of the initial priority project improvements may be  
14 able to be -- to move forward under existing funding, that's  
15 why we were looking at opportunities such as along Oltorf and  
16 William Cannon. That funding hasn't been identified yet --

17 MR. AUSTIN: Right.

18 MR. WILLIAMS: -- but we feel like that the size and  
19 scale of those projects could allow them to move forward  
20 independently. We're in the process right now, and part of  
21 our planning and environmental linkages study effort is to  
22 look at the financial feasibility of where resources could be  
23 brought to bare, and how much could potentially be leveraged  
24 if for instance a managed lanes, or an express lanes concept

25

1 that relied upon polls for part of this recommendation, how  
2 much of that cost could be off set, and then where there may  
3 be opportunities that we can help bridge that funding gap.

4 MR. AUSTIN: All right. And I want to go a little  
5 deeper on that. What are some of the tools either that we  
6 have at TxDOT, or financing opportunities, and or what tools  
7 are available at the local level that you see could be options  
8 in the toolbox to help out -- raise money?

9 MR. WILLIAMS: Well, some of the -- in additional --  
10 well, I've spoken a little bit about the toll revenue. We  
11 also have our traditional funding sources that come in from  
12 the federal and the state level. Local contributions -- the  
13 City of Austin, some of the work that's being done at 51st  
14 Street have come through local bond packages. Williamson  
15 County and Hays County have come to the table with local fund  
16 revenues, and have sought to partner with TxDOT as part of  
17 that, where they would seek maybe matching contributions, or a  
18 combination of state, local and federal sources, and so that's  
19 another area.

20 There's still -- transportation reinvestment zones  
21 have been talked about by many of the folks. Some associated  
22 with some of the neighborhood groups, and store 35 groups.  
23 And so that's a concept that's being talked about. Not  
24 officially endorsed yet on this, but we're beginning now to

25

1 look at what these alternative financing mechanisms could  
2 potentially yield. And again, work with the local cities,  
3 counties and communities to see what may be within the realm  
4 of possibility for those areas.

5 MR. AUSTIN: And just listening to some of the  
6 conversations and seeing this, you know, using a concept  
7 similar to Clyde Warren Park in Dallas, I was -- I remember in  
8 the planning stages of that listening, folks questioned it.  
9 What will it look like? Will it be used? I do -- I'm up  
10 there frequently, and I'm amazed at the usage of the park, and  
11 what that's -- how that's contributed to the quality of life  
12 and everything. And the aesthetics of it really surprised me.

13 MR. WILLIAMS: And the local developers up there,  
14 Commissioner, as well, established a foundation that helped to  
15 support the construction of those decks.

16 MR. AUSTIN: And they also solicited a lot of  
17 private donations as well as a foundation for the said things  
18 that we can't.

19 MR. WILLIAMS: Exactly. Yes, sir.

20 MR. AUSTIN: All right. Thanks.

21 MR. HOUGHTON: Any other questions? Mark, before I  
22 ask the next speaker to come up, I'd like to have considered,  
23 I'll throw it out there sooner than later, there has been talk  
24 over the years of flipping I-35 to the State Highway 130,

25

1 exchanging the -- manage the toll lanes for the free lanes.  
2 So you'd move the free lanes out to 130, and the toll lanes to  
3 I-35. I think that's something that needs to be looked at,  
4 whether it's legal, what -- if it's not, what you'd have to do  
5 to get it across that goal line, or look at all those  
6 opportunities and see what we can do with it.

7 MR. WILLIAMS: Right. TTI and the Rider 42  
8 committee did spend some time looking at that particular  
9 option. That was not a recommendation that came out of that  
10 committee because of operational issues and concerns locally  
11 about what that might mean shifting the designation of I-35  
12 over. But as we're moving into the planning and environmental  
13 linkages study, and as we're beginning the formal NEPA  
14 process, clearly all options remain on the table.

15 And so we certainly have an opportunity to look at  
16 really the practical nature of doing that, and to clearly  
17 spell out the pros and cons associated with making that  
18 adjustment, that -- or making that shift of I-35 over to SH  
19 130, that was a recommendation that did come out of the My 35  
20 statewide program effort.

21 MR. HOUGHTON: Okay. We have another speaker.  
22 Director of the City of Austin Transportation Department,  
23 Robert Spiller?

24 MR. SPILLER: Yes, sir. Thank you. Robert Spiller.  
25

1 MR. HOUGHTON: Mr. Spiller, Robert Spiller.

2 MR. SPILLER: Yes, thank you. Commissioner Robert  
3 Spiller, Director of Transportation for the City of Austin,  
4 Office of Transportation Department, and I'd like to speak  
5 about this project. And the first thing I'd like to do is  
6 thank Mr. Wilson for you and your staff. We've been partners.  
7 We came to the table as partners, and you and your staff both  
8 at the district level as well as at the headquarters level  
9 have been the ultimate partners in this. As we brought money  
10 to the table to partner with you, you've been ready to stand  
11 beside us and work on these very tough issues. So thank you  
12 very much.

13 I-35 is an important statewide corridor. It's also  
14 Austin's main street, and that's why the City of Austin got  
15 involved. For a long time those of us who've been involved in  
16 traffic operations here in the city have realized that the  
17 traffic stream is really our local folks trying to get to  
18 their work locations. They're not headed all to one exit in  
19 downtown. They're headed to a series of exits between Ben  
20 White Boulevard on the south, and 183 on the north. Our  
21 downtown and our central employment area is really a much  
22 larger area than I think people have considered in the past.

23 And so I-35 really is our coronary artery to the  
24 heart of our region, and it's very important, and that's why I

25

1 get asked all the time, why does the City of Austin spending  
2 money on I-35? Why are they involved? It is literally one of  
3 our life blood giving arterials into the center of our town.

4           And so as we recognize that we have a statewide and  
5 regional responsibility to step up to the plate and help TxDOT  
6 figure out ways to get people through our community, just as  
7 the traffic studies have proven how something like 85 percent  
8 of the traffic's really headed to central Austin, that area  
9 that I describe as Ben White 183.

10           So how that new capacity and new operations get  
11 through our community is very important in terms of how it  
12 feels, how it reacts to the rest of the community, and there's  
13 a huge economic benefit to improving this corridor such that  
14 it meets both the statewide needs as well as our regional  
15 needs. And that's what I think the discussion you see playing  
16 out here at the locals. The City of Austin continues to be  
17 ready to partner.

18           My city council that I take direction from,  
19 obviously, just appropriated another \$2 million to match the  
20 remaining Rider 42 monies. We have, from our last bond, I  
21 think, about another 13 to 16 million. I don't know the exact  
22 number, ready to invest in some of those early projects. And  
23 as indicated, we're paying for the northbound improvements to  
24 51st Street to correct some of the operational issues.

25

1           This could be the most exciting -- one of the most  
2 exciting projects to hit central Texas in a long time and, you  
3 know, I'd like to communicate that the City of Austin  
4 continues to be ready to step up and partner. We also  
5 endorsed asking TxDOT to participate. We did that through  
6 both Travis County and through CAMPO, as opposed to our own  
7 resolution. So Mr. Wilson, thank you again for partnering  
8 with us, and we look forward to continuing to work with you  
9 and the entire commission on being ready so that when monies  
10 do come available within the state, that we are first in line  
11 to deal with this very vexing problem. So thank you again,  
12 Mr. Wilson.

13           MR. AUSTIN: I've got one question before you step  
14 down. You mentioned your -- you all are going to allocate \$2  
15 million -- have you put money in this before?

16           MR. SPILLER: Yes, absolutely.

17           MR. AUSTIN: So this is not the first --

18           MR. SPILLER: In fact, the phase I quarter  
19 conceptual planning, we went to our bond holders and asked  
20 them to invest monies in a -- what a lot of people, I think,  
21 called crazy idea at the time, that we could increase the  
22 operational capacity and efficiency of the current corridor  
23 within the footprint. As we started to do that, I think it  
24 was described as intersection and ramp corrections.

25

1           As we started to do that, we got very excited  
2 because we found that we could get another lane of capacity in  
3 there. That future transportation corridor is very important  
4 to us, and we're interested in continuing to invest in that.  
5 So we put in about a million into phase I. I think we've put  
6 in about four million into 51st Street -- and these are round  
7 numbers, please.

8           We've invested two million in the Rider 42 to match  
9 another two million from Rider 42 to start to start this PEL,  
10 Planning Environmental Linkages, and we continue to plan on  
11 investing in I-35 as we go forward, looking for innovative  
12 funding mechanisms to partner with the state and help the  
13 state advance their ability as well.

14           MR. AUSTIN: Well, that does go noticed, and I'll  
15 say, thank you for your participation in that.

16           MR. SPILLER: Well, thank you as well, Mr. Austin.

17           MR. HOUGHTON: Robert, thank you. Any other  
18 questions of Mark? This is a report -- well, thank you, sir.  
19 Phil?

20           MR. WILSON: Next up is Item 4, reappointing members  
21 to the Port Authority Advisory Committee. This item presented  
22 by Maritime Division Director, Dan Harmon. Dan.

23           MR. HARMON: Good morning. For the record, my name  
24 is Dan Harmon, TxDOT Director of Maritime. Mr. Chairman,

25

1 commissioners. This minute order is to reappoint two members  
2 to the Port Authority Advisory Committee for three year terms.  
3 First is Mr. John LaRue, the Executive Director of the Board  
4 of Corpus Christi, representing the lower coast. The second  
5 is Mr. John Roby, the Customer Service Director of the Port of  
6 Beaumont, and he'll be representing the upper coast.

7 Both meet the sat -- statutory requirements of the  
8 committee, and we recommend a re-approval.

9 MR. AUSTIN: Chairman, I'm pleased to accept staff  
10 recommendation, and move approval of John LaRue and John  
11 Robbey.

12 UNIDENTIFIED VOICE: I second.

13 MR. HOUGHTON: All in favor?

14 (Chorus of ayes.)

15 MR. HOUGHTON: Thank you. Thank you, Dan.

16 MR. WILSON: Now, Item 5 is awarding state and  
17 federal grant funding for airport improvement projects. This  
18 item will be presented by Aviation Division Director, Dave  
19 Fulton, Dave.

20 MR. FULTON: Thank you, Phil, commissioners. For  
21 the record, My name's Dave Fulton, Director of TxDOT's  
22 aviation division. This minute order contains a request for  
23 grant funding approval for seven airport improvement projects,  
24 and a request for cancellation of one previously approved

25

1 grant. The total estimated costs of all requests as shown in  
2 the Exhibit A, is approximately \$5.6 million. Approximately  
3 three million in federal funds, two million in state funds,  
4 and \$600,000 in local funds.

5 A public hearing was held on September 9th. No  
6 comments were received. We would recommend approval of this  
7 minute order.

8 MR. HOUGHTON: Motion?

9 UNIDENTIFIED SPEAKER: So moved.

10 UNIDENTIFIED SPEAKER: I'll second.

11 MR. HOUGHTON: All in favor?

12 (Chorus of ayes.)

13 MR. AUSTIN: Dave, before you step down, there's  
14 something I -- I received an email, and I just wanted to  
15 compliment your maintenance department of your -- of the --  
16 our aviation department. I thought that was really great what  
17 you all did, being able to grab -- I believe it was where they  
18 went DPS, that you did some work on their helicopter and saved  
19 them some money?

20 MR. FULTON: We did. I haven't seen that letter. I  
21 knew that it wa -- existed. I haven't seen a copy of it.

22 MR. AUSTIN: Okay.

23 MR. FULTON: But I appreciate you pointing that out.  
24 I will pass that on to the folks out there. They do a great

25

1 job.

2 MR. AUSTIN: All right. I appreciate it.  
3 Basically, our department got it -- got there at the -- I  
4 think it was like a zero hour, 12 year inspection on this  
5 particular aircraft, and they were able to get it out six  
6 weeks earlier than they could have if they'd gone to the  
7 manufacturer, as well as saving them about \$200,000, which  
8 saves the tax payers that much money, so.

9 MR. FULTON: Yeah, they do great work.

10 MR. AUSTIN: I appreciate what you all do. Thank  
11 you.

12 MR. FULTON: Thank you, sir.

13 MR. WILSON: Next is Item 6, rescinding a minute  
14 order from August and awarding transportation development  
15 credits. This item will be presented by Public Transportation  
16 Division Director, Eric Gleason. Eric.

17 MR. GLEASON: Good morning. For the record, I'm  
18 TxDOT's Director of Public Transportation. Agenda Item 6  
19 rescinds previous commission action and re-awards  
20 approximately 3.8 million transportation development credits  
21 to match various federal awards for capital and operating  
22 public transportation projects.

23 In conjunction with previous action at the August,  
24 2013 commission meeting, the Houston Galveston area council

25

1 inadvertently forwarded a project listing with incorrect TDC  
2 award amounts. Today's action adopts correct amounts, as  
3 shown in Exhibit A, decreasing amounts to the American Red  
4 Cross, and increasing amounts to Harris County. The staff  
5 recommends your approval of this minute order.

6 MR. HOUGHTON: Motion?

7 UNIDENTIFIED VOICE: So moved.

8 UNIDENTIFIED VOICE: Second.

9 MR. HOUGHTON: All in favor?

10 (Chorus of ayes.)

11 MR. HOUGHTON: Thanks. Eric.

12 MR. GLEASON: Thank you.

13 MR. WILSON: Item 7 is the approval of revision to  
14 the San Antonio-Bexar County MPO area boundary. This item  
15 will be presented by Director of Planning, Mark Williams.

16 MR. WILLIAMS: Good morning, again. For the record,  
17 Mark Williams, Director of Planning for TxDOT. This minute  
18 order approves revisions to the San Antonio-Bexar County  
19 Metropolitan Planning Organization's metropolitan planning  
20 area boundary. Federal law requires that a metropolitan  
21 planning area, at a minimum, include the entire existing  
22 urbanized area as defined by the U.S. Census Bureau, in any  
23 area expected to become urbanized within the next 20 years.

24 Approximately 18 months ago the San Antonio-Bexar  
25

1 County MPO began to work on this matter, and they -- a number  
2 of individuals, stakeholders and local leaders on the policy  
3 committee, and representing the communities involved, really  
4 took their time to understand and allow all affected parties  
5 an opportunity to work together, to really reshape the policy  
6 board and the boundaries for the San Antonio-Bexar County MPO,  
7 to learn about what it means to be part of a larger  
8 metropolitan planning organization. They considered their  
9 options and ultimately came to an agreement that they believe  
10 will survive -- that will best serve the entire Alamo area  
11 region.

12           The counties identified in Exhibit A for inclusion  
13 in the MPO's planning area are Bexar, Comal, Guadalupe, and a  
14 portion of Kendall County. They also include the cities of  
15 Boerne, Fair Oaks Ranch, New Braunfels, Seguin, and San  
16 Antonio.

17           Staff recommends approval of this minute order. Be  
18 happy to answer any questions.

19           MR. HOUGHTON: We have two speakers, Mark and  
20 commissioners; County Commissioner, Precinct 3, Bexar County,  
21 Kevin Wolff. Commissioner Wolff?

22           MR. WOLFF: Thank you, Mr. Chairman, commissioners.  
23 Just real briefly, I wanted to thank a few folks, especially  
24 -- I'll call it Mario squared; Mario Medina, Mario Jorge.

25

1 Yeah, they have been exceedingly helpful in getting us to this  
2 point, as well as Julie Brown, who recently retired, and then  
3 Jonathan Bean as well.

4           As you heard, it took us 18 months. Changing any  
5 sort of government's model, as you can imagine, had its  
6 challenges. But we had our first sort of expanded meeting  
7 this past Monday and amazingly, it was one of the quickest and  
8 best meetings we've ever had. So I think our new folks on the  
9 expanded MPO are really ready to get to work. I know some of  
10 them are here today. And I hope and ask that you approve this  
11 because we're ready to, as I say, get to work. Thank you.

12           MR. HOUGHTON: We look forward to it in short order.  
13 Thank you very much, Commissioner. The next one is Councilman  
14 Jeff Haberstroh, City of Boerne, Kendall County.

15           MR. WILSON: Boerne.

16           MR. HOUGHTON: Boerne? Boerne. Is that Boerne?

17           MR. WILSON: Yeah, Boerne.

18           MR. HOUGHTON: Excuse me. Kendall County.

19           MR. HABERSTROH: Good morning, Commissioners.

20           MR. HOUGHTON: Got that right.

21           MR. HABERSTROH: Thank you very much. We have a  
22 spot on our website in Boerne where you can click on it, it'll  
23 give you that pronunciation just perfectly every time, so feel  
24 free to visit our website.

25

1 I, too, want to echo Commissioner Wolff's comments  
2 and thank the group that put all this together and worked  
3 hard. The boundary expansion is important to the City of  
4 Boerne and Kendall County and the others that are there. We  
5 worked hard. We kind of have some different needs in the hill  
6 country. We're facing a lot of the weather challenges that we  
7 had today and some of the things that go on on a frequent  
8 basis. We're faced with a lot of fast-growing areas. The  
9 city and the county will probably experience somewhere in the  
10 neighborhood of 5 to 6 percent growth in the coming years.

11 So the I-10 corridor is very important to us, and we  
12 understand the challenges that will be there; gives our  
13 community access to funds that aren't normally available to a  
14 town like Boerne and Fair Oaks and smaller counties like  
15 Kendall County. We're about 30,000 in the county, roughly  
16 10,000 of those live actually inside the incorporated city  
17 limits of Boerne, so you can imagine what some of those  
18 corridors look like at 5:00 o'clock when everybody's trying to  
19 get home.

20 I also want to say that we've been committed in our  
21 region to looking at it as a regional area so that all aspects  
22 were taken into consideration so that we see how that growth  
23 and how we can make the entire corridor and the entire region  
24 better. And it -- the council, my council, has been very

25

1 proactive in setting funds aside to work with TxDOT with Mario  
2 and the folks down in San Antonio so that we can better find  
3 ways to fund some of these projects.

4           So in closing, I just want to say I appreciate the  
5 work that everybody does, everybody on the commission, and I  
6 urge you to approve this minute order. Thank you for your  
7 time.

8           MR. HOUGHTON: Thank you, Mark. Any other questions  
9 of Mark or --

10           MR. AUSTIN: I have a question of Mark, and I didn't  
11 think it'd be fair to ask the commissioner or councilman this  
12 question. So I look at the names, San Antonio Bexar County.  
13 Have they given consideration to changing it to something like  
14 Fiesta area or -- what would that -- what --

15           MR. WILLIAMS: I'm not aware of any specific name  
16 change, but -- as of yet, but --

17           MR. AUSTIN: I didn't want to put you --

18           MR. WILLIAMS: -- I'm sure there'll be --

19           MR. AUSTIN: -- on the spot.

20           MR. WILLIAMS: I'm sure they might be happy for your  
21 -- we'll pass along your suggestion.

22           MR. AUSTIN: It was just a more of a question.

23           MR. WILSON: I think you just did.

24           UNIDENTIFIED VOICE: I'll second Commissioner  
25

1 Austin's --

2 (General laughter.)

3 MR. HOUGHTON: Is there a motion to accept? Not the  
4 name change, but -- the MPO boundaries, is there a motion?

5 UNIDENTIFIED VOICE: So moved.

6 UNIDENTIFIED VOICE: Second.

7 MR. HOUGHTON: All in favor?

8 (Chorus of ayes.)

9 MR. HOUGHTON: Thank you. Congratulations, folks.

10 MR. WILSON: Next up is the promulgation of  
11 administrative rules, Item 8.a.(1) is the final adoption  
12 amendments to Chapter 28. This item presented by Bridge  
13 Division Director, Greg Freeby. Greg.

14 MR. FREEBY: Good morning. I am Greg Freeby, the  
15 Director of the Bridge Division for TxDOT. I'm here this  
16 morning to present proposed rules for final adoption regarding  
17 the approval of private engineering firms to perform route  
18 analysis for super heavy permit loads.

19 The Texas Department of Motor Vehicles issues  
20 permits for the movement of oversize and overweight vehicles  
21 on Texas roadways. For the permitting of super heavy loads, a  
22 specific route analysis is required. This analysis includes  
23 the structural evaluation of bridges. TxDOT reviews and  
24 approves these analyses as part of the permitting process.

25

1           Historically we've had two engineering firms that  
2 have been performing these analyses. Additional firms have  
3 expressed interest in performing this work. So these rules  
4 will provide TxDOT a means to review the qualifications and  
5 approve these third party engineers, thereby ensuring  
6 efficiency and safety of our system.

7           We worked in concert with Texas DMV in preparing  
8 these rules. During the public comment period we received no  
9 comments. TxDOT staff recommends approval, and I'm available  
10 for questions.

11           MR. HOUGHTON: Any questions?

12           MR. MOSELEY: Chairman, I -- I'll be pleased to vote  
13 for this recommendation. The only comment I would have, would  
14 there be an ability in this super heavy route analysis to get  
15 a sense -- in the urban highways where there are multiple  
16 lanes, it seems like the center lane has become a defacto  
17 truck lane, and I'm just curious by running overweight trucks  
18 down the center of our roadways, what that might do to the  
19 wear and tear in the life of the roadway?

20           MR. FREEBY: Commissioner, that's a good question.  
21 I appreciate it. Actually by utilizing the center of the  
22 roadway for these super heavys, it helps to distribute the  
23 load better across the entire width of the bridge, and thereby  
24 actually reducing the damage.

25

1 MR. UNDERWOOD: I've got a question next, please.

2 MR. HOUGHTON: Okay.

3 MR. UNDERWOOD: The rule gives TxDOT, what, 60 days  
4 to approve; is that correct?

5 MR. FREEBY: Correct.

6 MR. UNDERWOOD: Okay. The question is, are you  
7 going to allow other firms to be able to be part of this  
8 process instead of the two firms, if I understand you  
9 correctly.

10 MR. FREEBY: Correct, yes.

11 MR. UNDERWOOD: Yet if they are denied qualification  
12 purposes, they have to wait 12 months. Can you explain that a  
13 little bit better to me.

14 MR. FREEBY: The idea is to seek firms that have  
15 experience in doing route analyses in the super heavy  
16 evaluations, and there are a number of firms in the country  
17 who do this kind of work for other DOTs, and it's specifically  
18 those entities that have expressed interest in --

19 MR. UNDERWOOD: But if they're denied, my question  
20 to you is, they have to wait 12 months before they can get re-  
21 certified, is what you're saying?

22 MR. FREEBY: They would have to wait 12 months  
23 before they can reapply, that's correct. They'll --

24 MR. UNDERWOOD: And the logic behind that is --

25

1 that's my question.

2 MR. FREEBY: That they would -- that would provide  
3 them time to assemble the experienced staff, or perhaps gain  
4 that experience.

5 MR. UNDERWOOD: Okay. But to me then, if we're  
6 going to say you cannot do this -- you're interested in it,  
7 but you can't do it for 12 months, are we giving them the  
8 reasons why that they were turned down?

9 MR. FREEBY: Yes, we would.

10 MR. UNDERWOOD: So that they can actually make these  
11 changes --

12 MR. FREEBY: Correct. Yeah, we would.

13 MR. UNDERWOOD: -- and they got -- but they've got  
14 to wait 12 months -- have to wait a year from the time that  
15 they are turned down, if I understand correctly.

16 MR. FREEBY: Right. And then -- and that's similar  
17 to what we do on our precertifications for other engineering  
18 operations --

19 MR. UNDERWOOD: Is the 12 months --

20 MR. FREEBY: -- is the 12 months, yes, sir.

21 MR. UNDERWOOD: -- lag time. Okay. Thank you.

22 MR. FREEBY: Thank you.

23 MR. HOUGHTON: Any other questions? Do we have a  
24 motion?

25

1 UNIDENTIFIED VOICE: So moved.

2 UNIDENTIFIED VOICE: Second.

3 MR. HOUGHTON: All in favor?

4 (Chorus of ayes.)

5 MR. HOUGHTON: Thank you.

6 MR. WILSON: Item 8.a.(2) is the final adoption of  
7 amendments to Chapter 31. And this item will be presented by  
8 Public Transportation Division Director, Eric Gleason. Eric.

9 MR. GLEASON: Good morning. Again, for the record,  
10 I'm Eric Gleason, TxDOT's Director of Public Transportation.  
11 Agendum Item 8(a)(2) recommends for final adoption, changes to  
12 Chapter 31 in the Texas Administrative Code. These changes  
13 are necessary to align existing department policies and  
14 procedures with new or amended federal requirements in MAP-21,  
15 and subsequent program updates from the Federal Transit  
16 Administration.

17 Key substantive changes include program  
18 consolidations created by MAP-21, and a major rewrite of the  
19 FTA section 5310 program, now called Formula Grants for the  
20 Enhanced Mobility of Seniors and Individuals with Disabilities  
21 Program.

22 Other substantive changes include, one, clarifying  
23 the department's ability to address unforeseen anomalies in  
24 the allocation of state public transportation grant and

25

1 federal form those Section 5311 funds, due to natural  
2 disasters, census impact, transit district area changes, and  
3 other similar events; two, modifying compliance program  
4 requirements to alleviate over-burdensome regulatory  
5 procedures; and, three, there are changes made throughout the  
6 entire chapter to improve the consistency and uniformity of  
7 terminology to eliminate and/or update out-of-date information  
8 and to provide clarity.

9           The Department, along with the Public Transportation  
10 Advisory Committee began this process in the fall of 2012.  
11 The process engaged diversity of stakeholders throughout,  
12 offering multiple opportunities to participate through a  
13 variety of formats including six meetings of the public  
14 transportation advisory committee, a series of state-wide  
15 webinars, discussions with urban and rural transit districts  
16 at both the January 2013 and January 2013 semi-annual business  
17 meetings, surveys of key stakeholder groups, and a web-based  
18 comment opportunity on issue papers developed by PTAC.

19           A public hearing on the proposed changes was held on  
20 September 4th, 2013. No comments were received at the  
21 hearing. Written comments were received from the Alamo Area  
22 Council of Governments and from the Panhandle Organization to  
23 Maximize Public Transportation or PROMPT. A number of useful,  
24 non-substantive changes were made to the proposed rules as a  
25

1 result of these comments.

2 PTAC met on September 24th and by motion voted to  
3 recommend to the Commission adoption of all the amendments  
4 included in the final rule change package. Staff recommends  
5 your approval of this minute order.

6 MR. HOUGHTON: Are there any questions of Eric  
7 regarding this item? Motion?

8 MR. AUSTIN: So moved.

9 MR. UNDERWOOD: Second

10 MR. HOUGHTON: All in favor?

11 (Chorus of ayes.)

12 MR. HOUGHTON: Oh -- and I'll hold that in abeyance  
13 but I'm sorry. Brad Underwood, CEO of TAPS Public  
14 Transportation -- Transit. Brad, sorry.

15 MR. UNDERWOOD: That's okay.

16 MR. HOUGHTON: Got ahead of myself.

17 MR. UNDERWOOD: That's all right. Good morning.

18 Thank you, Mr. Chairman, Commissioners. Just wanted to  
19 represent PTAC this morning and tell you that we are -- this  
20 has been a long process for us. We started this almost a year  
21 ago. But we've had significant input from the stakeholders,  
22 other public transportation providers, and I guess we're kind  
23 of -- as a committee member, I'm glad this is finally done.

24 Very proud of the final product. We've had hours of  
25

1 discussion on these rules and I feel like we've made  
2 significant improvements to the program and so we just  
3 recommend your adoption of this. Thank you.

4 MR. MOSELEY: I thank you for your commitment.

5 MR. HOUGHTON: We have a motion and a second. All  
6 in favor?

7 (Chorus of ayes.)

8 MR. HOUGHTON: Thank you.

9 MR. WILSON: Next, is item 8.b.(1). It's the  
10 proposed adoption of amendments to Chapter 1. This item will  
11 be presented by General Counsel Jeff Graham. Jeff?

12 MR. GRAHAM: Good morning, Chairman, Commissioners,  
13 Phil. This minute order concerns changes to our TAC.  
14 specifically, 1.503 and 1.504 donations. Current government  
15 code, current law in Texas requires that an agency that has a  
16 governing board may accept a gift with a value of \$500 or more  
17 if the agency has the authority to accept gifts and a majority  
18 of the Board, in an open meeting, acknowledges the acceptance  
19 of the gift within 90 days.

20 Our own current TAC is different from that so we are  
21 changing our TAC to mirror what is required in the government  
22 code. The specific changes are that currently, under our TAC  
23 Phil Wilson can accept any donation under \$1500 and then you  
24 all would then acknowledge it but over \$1500, you all have to

25

1 approve it.

2           We're changing this to mirror the government code  
3 such that any donation can be accepted by Phil Wilson and then  
4 acknowledged by you in an open meeting.

5           The purpose of this is some donations are for pro --  
6 for projects such as turn lanes or driveways, especially in  
7 the energy sector, which are suffering from this delay. If  
8 they say I want to do this project, I want to add these roads  
9 but then it can only happen after the next agenda meeting,  
10 after the next commission meeting, you're ending up in a --  
11 with a situation where there's a delay which is hurting the  
12 system.

13           So we are changing our TAC so that it mirrors the  
14 requirements in the government code. Staff certainly  
15 recommends that you adopt this minute order. I'm available  
16 for any questions you might have.

17           MR. AUSTIN: So this is primarily for donations of  
18 property?

19           MR. GRAHAM: It would be for donations of anything.

20           MR. AUSTIN: Anything. So you got property,  
21 materials, whatever it is to help facilitate and move a  
22 project forward?

23           MR. GRAHAM: That's exactly correct.

24           MR. HOUGHTON: Or somebody to pay for your airline  
25

1 ticket to go to Washington, D.C.?

2 MR. UNDERWOOD: Exactly, or to a meeting.

3 MR. HOUGHTON: Or to a mee -- anything.

4 MR. GRAHAM: Right. And to --

5 MR. HOUGHTON: And if you look in your agenda, it  
6 outlines it. It offers many, many, many examples.

7 MR. UNDERWOOD: An example would be is if one of our  
8 employees is asked to speak at some conference. Now, he could  
9 -- Phil can be able to bless that; is that correct?

10 MR. GRAHAM: Yes, sir. And, in fact, that is one  
11 exception that already is in place. A donation of more than  
12 \$1500, which is for travel reimbursement, already can be  
13 approved by Phil. That's the one exception that we currently  
14 have for more than \$1500. So that would not be changing.

15 MR. UNDERWOOD: So what happens is that basically  
16 our executive director will be accepting this property or  
17 monetary on behalf of the State of Texas; is that how it's  
18 phrased?

19 MR. GRAHAM: Yes, Commissioner. It certainly would  
20 not be an individual gift. It would be --

21 MR. UNDERWOOD: That's my point. I want to make  
22 sure --

23 MR. GRAHAM: -- something --

24 MR. UNDERWOOD: -- the audience understands this  
25

1 would be on behalf of the State of Texas. If it was land,  
2 it'll be -- actually become property of the State of Texas,  
3 the tax register.

4 MR. GRAHAM: Yeah. Yes, Commissioner. In fact,  
5 there's a requirement that any donation that is given to us  
6 has to be for some State purpose. This does not change that.  
7 You cannot receive things individually, personally. It's  
8 still -- are gifts --

9 MR. UNDERWOOD: Say that -- say that one more time.  
10 I don't think everybody could hear that.

11 MR. GRAHAM: Excuse me. This, as it was and as it  
12 will be in the future, has to be for gifts which benefit State  
13 purposes. This cannot be for gifts, nor could it in the past  
14 or could it in the future, be for gifts for personal benefit.

15 MR. UNDERWOOD: Right. He's -- so they'll be  
16 accepting it, whether it'd be the plane ticket or the property  
17 for the -- on behalf of the State of Texas?

18 MR. GRAHAM: Always.

19 MR. AUSTIN: This doesn't change anything with the  
20 Ethics Commission, anything else that we have to do.

21 MR. GRAHAM: Absolutely not.

22 MR. MOSELEY: This is only internal for -- right.

23 MR. GRAHAM: Absolutely.

24 MR. MOSELEY: Chairman, I'm all in favor of  
25

1 streamlining. I wanted to just make sure -- I think -- I  
2 think this is in place -- that if a gift were offered to this  
3 agency, sometimes those gifts come with a price tag, and if,  
4 for example, it were a piece of land that turned out to be a  
5 brown field and it had a lot of toxic chemicals, and there was  
6 mediation associated with receiving it, I assume we have an  
7 assessment process in place to make sure that we know why,  
8 eyes wide open, what the cost would be of getting a gift.

9           Sometimes gift (sic) come -- comes with -- they come  
10 with a big price tag. And so just to protect our Executive  
11 Director and our shop, I think I've heard that those  
12 protections are in place. But I think it'd be good just to  
13 state --

14           MR. HOUGHTON: Sure.

15           MR. MOSELEY: -- that for the record.

16           MR. AUSTIN: I think what you're saying  
17 is that they give you an airplane, it sounds great until you  
18 have to pay the insurance, the fuel, and keeping it up.  
19 Right?

20           MR. MOSELEY: There's maintenance costs associated  
21 sometimes.

22           MR. GRAHAM: Absolutely.

23           MR. HOUGHTON: Any other questions of Jeff?

24           MR. AUSTIN: I move -- I'll move to approve it.

25

1 MR. HOUGHTON: Second?

2 MR. UNDERWOOD: Second.

3 MR. HOUGHTON: All in favor?

4 (Chorus of ayes.)

5 MR. HOUGHTON: There we go. Thanks.

6 MR. GRAHAM: Thank you.

7 MR. AUSTIN: Thank you, Jeff.

8 MR. WILSON: Item 8.b.(2), proposed amendments to  
9 Chapters 1, 3, and 10. And this item will be presented by  
10 Chief Procurement and Deputy Administrative Officer, Lauren  
11 Garduno. Lauren?

12 MR. GARDUNO: Good morning, Chairman, Commissioners,  
13 Phil. For the record, my name is Lauren Garduno, Chief  
14 Procurement, Deputy Administrative Officer. This proposed  
15 minute order is actually trying to clean up to the TAC on the  
16 rules as we have moved away from the regional management  
17 structure.

18 As we -- as our organization continues to mature,  
19 there are several references to the regional management  
20 structure and we moved into a division management structure,  
21 moving forward. And so what we're doing here is we're  
22 actually just going back and cleaning up the TAC rules so we  
23 can remove the regional structure reference to -- that's  
24 currently in there.

25

1           What it will do for us, of course, is we continue to  
2 look at expanding our business service and create a more  
3 effective and efficient business model. This move away from  
4 the regional structure to division structures continue to take  
5 place. And that's what we're proceeding to do. Staff  
6 recommends approval of this minute order. Open for questions.

7           MR. MOSELEY: Lauren, it's my understand that by  
8 doing this, private minority vendors have an easier  
9 opportunity of dealing with TxDOT; is that your understanding  
10 as well?

11           MR. GARDUNO: Yes, Commissioner. I think, probably  
12 as you see, what we've had was is you had four regional heads  
13 and, of course, you're trying to work, when you cross the  
14 state, in four regional structures.

15           By having a more strategic and organized division  
16 head that will give your HUB DBEs an opportunity to come to  
17 one spot to do their business. And so I think we'll -- I  
18 think you'll see some benefits that come from that.

19           MR. MOSELEY: Thank you.

20           MR. GARDUNO: Uh-huh (affirmative).

21           MR. HOUGHTON: Any other questions?

22           MR. MOSELEY: Move for approval, Chairman.

23           MR. UNDERWOOD: Second.

24           MR. HOUGHTON: All in favor?

1 (Chorus of ayes.)

2 MR. HOUGHTON: Thanks, Lauren.

3 MR. WILSON: Next up is item 8.b.(3), proposed  
4 amendments to Chapter 12. And this item will be presented by  
5 Maintenance Division Director, Howard Holland. Howard?

6 MR. HOLLAND: For the record, I'm Howard Holland  
7 Director of the Maintenance Division of the Texas Department  
8 of Transportation. We're proposing changes to the Chapter 12  
9 rules regarding the acknowledgment program.

10 Rules were adopted last October, state that the  
11 Department must install and maintain the acknowledgment signs.  
12 The proposed changes will allow the vendor to install and  
13 maintain these signs in compliance with applicable department  
14 standards similar to the information logo sign and tourist-  
15 oriented sign program. This will allow for the most efficient  
16 management of the acknowledgment signs. Staff recommends your  
17 approval.

18 MR. HOUGHTON: Any questions of Howard?

19 MR. UNDERWOOD: Howard, quick question. In doing  
20 this, basically, we're going to allow the company that has the  
21 abili -- that -- that has the contract, so to speak, to put  
22 these signs up. What is the time limit on there -- in other  
23 words, somebody makes a donation, they -- or they want their  
24 sign, what time -- what time frame do we put on them to have

25

1 -- if they've given the money, when does the sign come up?

2 MR. HOLLAND: This actually should speed up the  
3 process because since they are the -- the company that is --  
4 is handling the -- the contractual relationship for the  
5 donation, to provide a good service to their customer, it will  
6 be in their best interest to do it as rapidly as possible.

7 MR. UNDERWOOD: But if they've already written the  
8 check, do we have anything to make sure that this person  
9 that's written the check, that he does have the sign put up in  
10 a timely manner? Because once they have your money --

11 MR. HOLLAND: Correct.

12 MR. UNDERWOOD: What the -- what's an incentive?

13 MR. HOLLAND: I do not believe that that exact time  
14 period is contained in the rules. I would have to look and  
15 read them again to be sure.

16 MR. UNDERWOOD: Check and see where we are because  
17 we want to make sure --

18 MR. HOLLAND: I will check.

19 MR. UNDERWOOD: -- that somebody -- they get the  
20 bang for the buck and not sit there and put the money up, and  
21 then six months later all of a sudden the sign shows up or a  
22 year later; does that make sense?

23 MR. HOLLAND: Yes, it does.

24 MR. UNDERWOOD: Okay. Thank you.

25

1 MR. HOUGHTON: Any other questions?

2 UNIDENTIFIED VOICE: I'll second that.

3 MR. HOUGHTON: All in favor?

4 (Chorus of ayes.)

5 MR. WILSON: And now, Item 8.b.(4), proposed  
6 amendment to Chapter 27. This item will be presented by  
7 Strategic Projects Division Director, Ed Pensock. Ed?

8 MR. PENSOCK: Good morning, Chairman, Commissioners,  
9 Director Wilson. For the record, my name's Ed Pensock,  
10 Director of the Strategic Projects Division. And first of  
11 all, I'd like to thank Commissioner Underwood for his  
12 leadership. And if he's actually reading audit magazines,  
13 that is a specific commitment in leadership and dedication to  
14 service so thank you, sir.

15 MR. HOUGHTON: Is that what that is? It -- is that  
16 --

17 MR. PENSOCK: Item 8.b.(4) proposes amendments to  
18 administrative code Chapter 27 that are necessary to implement  
19 the requirements of Senate Bill 1029 and Senate Bill 1730.  
20 Senate Bill 1029 amends Chapter 27.11 and repeals Chapter  
21 27.14 which will prohibit the conversion of non-tolled roadway  
22 lanes and segments to tolled roadway lanes segments.

23 Senate Bill 1730 amends Chapters 27.2, 27.4, and  
24 27.10. And it does three things. It authorizes the use of

25

1 CDAs, of the comprehensive development agreement, on non-  
2 tolled roadway facilities. It authorizes the combination of  
3 two or more eligible projects into a single CDA.

4 And then, it requires a private participant in a CDA  
5 that receives the right to operate and collect revenue from a  
6 toll project to contain in that CDA a provision authorizing  
7 the department to terminate the agreement for convenience, and  
8 purchase the interest of the private participant in a  
9 comprehensive development agreement and related property.

10 And to include a price breakdown stating the  
11 specific price for the purchase of the product participants  
12 interest at specific intervals from the date the toll project  
13 opens. The Department is required to assign points to score  
14 each of the proposers price breakdowns and to evaluate that,  
15 include that in the evaluation of the proposals.

16 Comments on these proposed amendments will be  
17 accepted until 5:00 p.m. on December 16th and staff is here to  
18 answer any questions and recommends your acceptance of this  
19 minute order.

20 MR. HOUGHTON: Any questions of Ed? Motion?

21 MR. AUSTIN: So moved.

22 MR. MOSELEY: Second.

23 MR. UNDERWOOD: Second.

24 MR. HOUGHTON: All in favor?

1 (Chorus of ayes.)

2 MR. HOUGHTON: Thanks, Ed.

3 MR. WILSON: Item 9, will be presented by Benny  
4 Ybarra in substitution for Suzanne Latimer who's our Chief  
5 Audit officer. He will make her monthly report on the  
6 department's compliance and ethics report. Benny?

7 MR. YBARRA: Thank you. Good morning. The purposes  
8 of a report is to provide a summary of information related to  
9 allegations and investigations for the month of September  
10 2013.

11 In accordance with Transportation Code 201.452 and  
12 201.454, the Human Resources Division, Office of Civil Rights,  
13 and the audit office notify the Office of Compliance and  
14 Ethics when investigations are initiated and completed. And  
15 the audit -- Office of Compliance and Ethics monitors those  
16 investigations.

17 All data is compiled by the Office of Compliance and  
18 Ethics for reporting purposes. For the month of September, 17  
19 allegations were received, 16 were closed. Five of those were  
20 substantiated. No further action is recommended.

21 MR. HOUGHTON: Any questions of Benny? Benny, thank  
22 you.

23 MR. YBARRA: Thank you.

24 MR. WILSON: Moving to item 10.a, the concurrence  
25

1 and election of a chair and vice-chair for the SB1420  
2 Committee. This item presented by Strategic Projects  
3 Director, Ed Pensock. Ed?

4 MR. PENSOCK: Good morning. Again, for the record,  
5 Ed Pensock, Strategic Projects Division. Item 10.a provides  
6 for the commissions concurrence with the election of  
7 Commissioner David -- or Craig Doyle and Commissioner Norman  
8 Brown as the chair and vice-chair of the Grand Parkway  
9 Segments H, I-1, and I-2, SB1420 Committee.

10 Texas Administrative Code 27.92(c) requires  
11 commission concurrence for the committee's election of a chair  
12 and vice-chair. On September 6th, 2013, the committee met and  
13 elected Commissioner Craig Doyle representing Montgomery  
14 County Toll Road Authority as the chairman of the committee  
15 and Liberty County Commissioner Norman Brown, representing  
16 Houston-Galveston Area Council as vice-chair.

17 The department and local stakeholders are currently  
18 analyzing options for the financing and delivery of the Grand  
19 Parkway Project segments H, I-1, and I-2 that require the  
20 formation of a SB1420 committee for the project. The project  
21 includes the design and constructions of toll lanes and  
22 discontinuous frontage roads.

23 The development of the Grand Parkway Project  
24 segments H, I-1, and I-2 is a crucial element in responding to  
25

1 the mobility and growing traffic congestion throughout the  
2 Houston metropolitan area. Staff is here to answer any  
3 questions and recommends acceptance of this minute order.

4 MR. HOUGHTON: Commissioner Moseley, any questions?

5 MR. MOSELEY: Chairman, I've met with Commissioner  
6 Doyle and Commissioner Brown and I think we're very honored  
7 that they would step forward and agree to serve in this  
8 capacity. And I'm pleased to accept staff recommendation and  
9 move approval.

10 MR. UNDERWOOD: Second.

11 MR. HOUGHTON: All in favor?

12 (Chorus of ayes.)

13 MR. HOUGHTON: Thanks.

14 MR. AUSTIN: I know we don't have a map of this up  
15 here but the part of the Grand Parkway that we're talking  
16 about is really the eastern section, Montgomery County come  
17 through Liberty County, down to Interstate 10 --

18 MR. PENSOCK: Chambers

19 MR. AUSTIN: -- and Chambers. So this is another --  
20 just a complete -- a big circle.

21 MR. PENSOCK: Commissioner's exactly right. It's an  
22 extension -- eastward extension of the part that's under  
23 construction right now from U.S. 59 east of Houston, down to  
24 I-10, and then back to State Highway 146 in the Port of

25

1 Houston area; yes, sir.

2 MR. HOUGHTON: Perfect.

3 MR. WILSON: Now, Item 10.b, designating the SH228  
4 project as a toll project and authorizing the department to  
5 issue requests for proposal. Ed Pensock will continue with  
6 this item. Ed?

7 MR. PENSOCK: Thank you, Director Wilson. Again, Ed  
8 Pensock. Item 10.b designates State Highway 288 as a toll  
9 facility. It also authorizes issuance of a request for  
10 proposals for a comprehensive development agreement on the  
11 project. And it authorizes payment of a stipend to the  
12 unsuccessful proposers up to an -- a maximum amount of  
13 \$950,000.

14 I have a brief summary, a PowerPoint, to give you on  
15 the project, to update you on where we are on the project.  
16 And as you're aware that the State Highway 288 is part of a  
17 larger project that will be built in phases.

18 The ultimate project does extend from U.S. 59 just  
19 sound of downtown Houston all the way into Brazoria County. A  
20 physical len -- end would be County Road 60, which is actually  
21 a potential projection of where Grand Parkway, State Highway  
22 99 would, in the future con -- come through the area.

23 The ultimate project is 25 miles and is a little  
24 under \$2 billion. We received environmental approval for  
25

1 SH288 in May of 2013. We were also talking about, as part of  
2 this project, potentially adding the Texas Medical Center  
3 connector and that environmental status is ongoing, and we  
4 anticipate it being completed later this year.

5 State Highway 288, we have a memorandum of  
6 understanding with Harris County who was initiated -- or  
7 entered into in April of 2012 with the intent for the State to  
8 develop the State Highway 288 toll lanes. We made commitments  
9 with other local mobility projects and the medical center as  
10 part of the 288 project.

11 Harris County did rescind primacy for their portion  
12 of the project in September of 2012. If -- Commissioners, you  
13 authorized us and -- in -- by minute order 113075 to issue a  
14 request for qualifications on this project.

15 The southern portion of the project in Brazoria  
16 County maintains the prime -- pri -- in the primacy of  
17 Brazoria County toll road authority and we are currently  
18 working with them on that portion of the project.

19 Again, the project that we're talking about with you  
20 today will add four new toll lanes, two in each direction, to  
21 the center median of State Highway 288. It will potentially  
22 include up to eight direct connectors; Direct connections fly  
23 over ramps to Beltway 8.

24 It will potentially include a direct connection ramp  
25

1 to the Texas Medical Center. We're also looking at options  
2 for the interstate, I-610 reconstruction. And it will connect  
3 to the Brazoria County project, four toll lanes south of  
4 Beltway 8.

5 This is about a 10.3 mile long project with a total  
6 project cost of about 585 million which includes the medical  
7 center connector but does not include the 610 interchange at  
8 this time. The construction costs on that is about 455  
9 million.

10 Again, a picture of what we propose to build. On  
11 the top is what's out there today, three main lanes in each  
12 direction, with a wide median.

13 We're proposing to construct two toll lanes in each  
14 direction, total of four, in that median and at some point in  
15 the future, the project will likely include an expansion of an  
16 additional general purpose lane, when traffic warrants.

17 We are looking at a concession comprehensive  
18 development agreement delivery model at this time. The  
19 project does have quite an extensive gap in funding and we are  
20 talking to the market place and private concessionaires at  
21 this time on closing that funding -- funding gap.

22 The -- if we went -- entered into a concession it  
23 would have specific hand-back requirements and include right  
24 of way to right of way operations and maintenance of the

25

1 facility. The -- and again, the I 610 interchange  
2 reconstruction is a potential option on the project depending  
3 on financing fundability.

4 With your authorization to issue an RFQ we did  
5 receive qualification statements from teams and we short  
6 listed three very strong, potential concessionaire teams;  
7 OHL/Macquarie team, ACS InfraRed Capital Partners team with  
8 Shikin & Binui as part of their team. And then, Cintra as a  
9 -- as the third team.

10 That short list was published this September and we  
11 anticipate an RFP going out very soon with proposals submitted  
12 in May of next year.

13 Again, that's a little bit bigger picture of our  
14 schedule with an anticipated condition award next summer.  
15 Once again, what we're asking for you to -- this morning is  
16 authorize -- a designation as toll facility, as authorization  
17 to issue that request for proposal, and approval of payment  
18 for work product for unsuccessful proposers of up to \$950,000.  
19 Staff is here to answer any questions and we would recommend  
20 your approval of this minute order.

21 MR. HOUGHTON: Commissioner Moseley?

22 MR. MOSELEY: Chairman, thank you very much. The  
23 slide that shows the Texas Medical Center really tells a  
24 significant story about this wonderful project. About 20

25

1 percent of the workforce of the Texas Medical Center, which  
2 has a hundred thousand employees, lives in Pearland and drives  
3 along this corridor. So this corridor is significant to an  
4 economic engine of the state and I'm pleased to accept staff  
5 recommendation. Move approval.

6 MR. UNDERWOOD: I think you need to make clear that  
7 these are not the only people that are using that road.

8 MR. MOSELEY: Oh. That's correct.

9 MR. HOUGHTON: That's right.

10 MR. MOSELEY: No. That's correct.

11 MR. UNDERWOOD: Okay.

12 MR. HOUGHTON: Any other questions of --

13 MR. AUSTIN: I do have one comment. While I know  
14 we're voting on this particular item, I would like, maybe at a  
15 future meeting, to hear what's happening with Brazoria County,  
16 how it's tying into this. As -- where they're coming in with  
17 their planning to make sure we're coordinating going forward.

18 MR. PENSOCK: Yes, sir, Commissioner. Very  
19 definitely, we will. I'll -- work is ongoing, every day in  
20 that coordination with Brazoria County Toll Road Authority and  
21 we're making very good progress. Yes, sir.

22 MR. HOUGHTON: Any other questions or a motion?

23 MR. UNDERWOOD: Yes, sir. I make a motion to  
24 approve this.

25

1 MR. AUSTIN: Second.

2 MR. HOUGHTON: All in favor?

3 (Chorus of ayes.)

4 MR. HOUGHTON: Thank you, Ed.

5 MR. WILSON: Item 10.c establishes toll rates for  
6 the DFW Connector Project along SH 114. This item presented  
7 by Toll Operations Division Director Doug Woodall. Doug?

8 MR. WOODALL: Good morning. For the record, Doug  
9 Woodall, Director, Toll Operations Division. This item  
10 establishes toll rates for the DFW Connector Project. The  
11 tolled-managed lane policy adopted by the RTC on June 13th of  
12 2013 provides that a fixed pricing schedule be applied during  
13 the first six months of operations of this facility and a  
14 dynamic pricing schedule be applied thereafter.

15 This minute order sets that fixed time-of-day rate  
16 schedule. The DFW Connector Project is an all electronic  
17 open-road toll facility. The tolling configuration consists  
18 of one mainline gantry with two lanes in each direction.  
19 Staff recommends your approval of the toll rates.

20 MR. HOUGHTON: Questions of Doug? None? Motion?

21 MR. MOSELEY: Chairman, I'm pleased to move it.

22 MR. UNDERWOOD: Second.

23 MR. HOUGHTON: All in favor?

24 (Chorus of ayes.)

25

1 MR. HOUGHTON: Thanks, Doug.

2 MR. WOODALL: Thank you.

3 MR. WILSON: Now, Item 11.a, consideration of the  
4 approval of project develop agreement with the CTRMA for the  
5 SH 71 Express Toll Lane Project in Travis County. This item  
6 presented by Strategic Projects Division Deputy Director,  
7 Katie Nees. Katie?

8 MS. NEES: Thank you. Good morning, Chairman,  
9 Commissioners, and Director Wilson. For the record, my name  
10 is Katie Nees and I'm the Deputy Director for the Strategic  
11 Projects Division. Item 11(a), before you, authorizes the  
12 executive director of the department to execute a project  
13 development agreement with the Central Texas Regional Mobility  
14 Authority for the development and operation of State Highway  
15 71 toll lanes in Travis County.

16 The State Highway 71 toll lanes project in Travis  
17 County will add toll lanes to State Highway 71 from  
18 Presidential Boulevard to just east of State Highway 130 along  
19 the realignment of FM 973 from just south of Colorado River to  
20 the point just south of the current State Highway 71/FM 973  
21 interchange.

22 The Central Texas RMA board of directors waives its  
23 right to develop, finance, and construct the project but  
24 retain the right to operate and maintain the project. This

25

1 agreement is needed to set forth the roles and  
2 responsibilities of both agencies and the obligations of the  
3 department and the Central Texas RMA.

4           The department assumes the responsibility of the  
5 procurement, construction, and design oversight and financing  
6 of the project subject to Central Texas RMA agreeing to  
7 reimburse the department for a portion of its related design  
8 and construction costs.

9           The Central Texas RMA will provide the toll  
10 collection equipment and upon substantial completion of the  
11 project, will assume responsibility for operation and  
12 maintenance of the toll lanes.

13           Under the agreement, the department will lend  
14 Central Texas RMA up to \$65 million, up to 60 million for a  
15 portion of the project costs and up to 5 million for the toll  
16 collection system and their related project costs.

17           Central Texas RMA will reimburse the department for  
18 up to 65 million plus interest compounded annually for the  
19 actual project costs and project re-development costs.

20           Yesterday, the Central Texas board of directors, on  
21 October 30, 2013, passed resolution 13065, approving the  
22 project agreement, substantially inform and authorizing their  
23 executive director to finalize and execute the project  
24 agreement with TxDOT. Staff is here to answer any questions  
25

1 and recommends acceptance of this minute order.

2 MR. HOUGHTON: Do we have -- we have questions? Any  
3 questions? No questions. We have two speakers though. How  
4 about that? So we have Michael Heiligenstein, the Executive  
5 director of CTRMA. It may prompt a few questions after  
6 Michael gets up here.

7 MR. WILSON: And Ray Wilkerson -- and Ray Wilkerson  
8 too.

9 MR. HOUGHTON: I know. Sure but -- oh, you want to  
10 do a tag team here, a duo? And the chair of the CTRMA, Ray  
11 Wilkerson.

12 MR. WILKERSON: Good morning, Mr. Chairman, members  
13 of the commission, Director. First of all, I want to thank  
14 you so much for, Mr. Chairman and Director, for joining us in  
15 our ground breaking for MOPAC that -- as you know, that was a  
16 monumental project for Austin and we appreciate the  
17 partnership that we've always had and your taking the personal  
18 time to show up to speak at -- at that event. It was special  
19 to us and we appreciate very much.

20 As far as this project is concerned, it's just  
21 another continuing, stellar partnership that we have between  
22 us and the department. We appreciate it. As you said, our  
23 board passed the resolution yesterday and we look forward to  
24 the continuing of the partnership on a number other projects

25

1 we have in this region and provide solutions to central Texas.  
2 So on behalf of the board and CTR and its staff, thank you  
3 again.

4 MR. HOUGHTON: Thank you, Ray.

5 MR. HEILIGENSTEIN: And we wore our uniform blue  
6 ties today, Mr. Chairman. I want to make sure we noted that  
7 for the record. Thank you, again. Mr. Chairman, you were the  
8 one that instigated this and propelled it to fruition and I  
9 appreciate that.

10 About a year or so ago, when we met, figured out how  
11 we could get this moving, I had no sense that today you would  
12 actually be going to procurement. That's pretty amazing time  
13 frame. Again, the environmental work, as I understand it is  
14 proceeding exceptionally well, in a very efficient manner and  
15 should be done pretty quickly, in time for the award of a  
16 contract.

17 One thing I would like to just quickly add is all  
18 these pieces that we're doing around the community, whether  
19 it's White Oak Hill, 183, MOPAC Express Lanes, 183 A, 290, 45  
20 southwest and so forth. All may seem to be hot spots that  
21 we're attacking individually but actually they will, when you  
22 see the big map of the region, fit into a pattern and fit into  
23 a system that will benefit our -- our folks, and benefit our  
24 customers. And that's what it's all about.

25

1           If it's not about that, then we probably ought to go  
2 home and do something else. At the end of the day, our  
3 customers want more seamless transportation, safe  
4 transportation and efficient transportation.

5           And I believe this action today, as well as those in  
6 the past, and those to come in the future, give us that. So  
7 thank you again, very much. We appreciate that, look forward  
8 to working with you all. Any questions?

9           MR. HOUGHTON: Hard to believe there are no  
10 questions of you, Michael?

11          MR. HEILIGENSTEIN: I know. Thank you.

12          MR. HOUGHTON: I do want to express my sincere  
13 appreciation to the CTRMA and, Ray, your board and willingness  
14 to move ahead, get things pushed ahead fast. I do -- I asked  
15 a question earlier on, Michael and Ray, about Interstate  
16 Highway 35. We got to get that fixed.

17           It is -- it's the -- as Robert said earlier, it is  
18 the heartbeat. It's main street to Austin. But we've got to  
19 have a singular approach to -- and the minds -- all our minds  
20 in the same pattern to find out a way to get this thing fixed.  
21 And I think CTRMA would obviously be part of the solution to  
22 that.

23           And it's nice having these partnerships with -- on  
24 the MOPAC, on the 71 and other things in this community. It's

25

1 growing leaps and bounds. If you travel to San Antonio,  
2 there's not much open space between the two communities. And  
3 it's just filling in. But thanks for your cooperation, for  
4 everything you've done.

5 MR. HEILIGENSTEIN: If I could add one eureka that I  
6 got yesterday from your -- we had staff presentation, district  
7 presentation at our board meeting. And the projection is, in  
8 2035, that it'll take as long to get from Round Rock to Austin  
9 as it does from San Antonio to Austin right now. That is what  
10 we're facing.

11 MR. HOUGHTON: Yeah. That is something that we need  
12 to address. Okay. We have a presentation. Is there a  
13 motion?

14 MR. UNDERWOOD: So moved.

15 MR. HOUGHTON: And a second?

16 UNIDENTIFIED VOICE: Second.

17 MR. HOUGHTON: All in favor?

18 (Chorus of ayes.)

19 MR. HOUGHTON: Katie, thank you.

20 MS. NEES: Thank you.

21 MR. WILSON: Item 11.b authorizes the department to  
22 issue a request for qualifications for an SH 71 Express Toll  
23 Project in Travis County. This item presented by Strategic  
24 Projects Division Director Ed Pensock. Ed?

25

1 MR. PENSOCK: Thank you. Again, Ed Pensock,  
2 Strategic Projects. Item 11.b authorizes the department to  
3 issue a request for qualifications to develop, design and  
4 construct the State Highway 71 toll project in Travis County.

5 Chapter 223 of the transportation code prescribes  
6 the conditions and the process by which TxDOT may enter into a  
7 design/build contract. This project meets those conditions.

8 The proposed scope of the six-mile project includes  
9 addition of toll lanes from Presidential Boulevard to just  
10 east of State Highway 130, and the realignment of FM, Farm to  
11 Market, Road 973.

12 As you just heard, the department and the Central  
13 Texas Regional Mobility Authority have negotiated the terms of  
14 a project development agreement futhering -- further allowing  
15 this project to proceed.

16 The project is a crucial element in responding to  
17 traffic congestion throughout the Austin/Travis County area.  
18 It is critical to the region's continued mobility and economic  
19 vitality.

20 This project meets the conditions necessary for the  
21 design, build, delivery and staff is here to answer any other  
22 questions and recommends your acceptance of this minute order.

23 MR. HOUGHTON: Any questions of Ed? None? Motion?

24 MR. UNDERWOOD: So moved.

25

1 MR. MOSELEY: Second.

2 MR. HOUGHTON: All in favor?

3 (Chorus of ayes.)

4 MR. HOUGHTON: Thanks, Ed.

5 MR. WILSON: Next up is Item 11.c designating a  
6 portion of the Loop 375 Border Highway West Extension Project  
7 as a toll project, and authorizing the department to issue  
8 requests for proposals. This item will also be presented by  
9 Ed Pensock. Ed?

10 MR. PENSOCK: Thank you. Again, Ed Pensock, Item  
11 11.c authorizes the issuance of a request for proposals to  
12 develop, design, and construct and potentially maintain the  
13 Loop 375 Border Highway West Extension Project from Racetrack  
14 Drive near Doniphan Road, west of downtown El Paso to US 54  
15 east of downtown.

16 This item also authorizes the department to pay each  
17 proposer who submits a responsive but unsuccessful proposal an  
18 amount based on the value of the work product that can be used  
19 by the department up to a maximum amount of \$950,000 per  
20 proposer.

21 And finally, this item authorizes the portion of the  
22 project from Racetrack Drive to the terminus of the existing  
23 Loop 375 near Santa Fe Street as a toll project on the state  
24 highway system, with tolls supporting the project by

25

1 offsetting operations and maintenance costs and potentially  
2 some capital costs.

3           Last May 2, 2013, we provided a presentation on this  
4 project to you, knowing the project history, our procurement  
5 plans and schedule. This minute order is consistent with that  
6 schedule. The department did issue a request for  
7 qualifications in July of 2013 and received qualification  
8 statements on September 12th, 2013.

9           Four teams submitting qualification statements were  
10 determined to be the best qualified to be on the short list of  
11 teams and will be -- are requested to submit detailed  
12 proposals. The teams are summarized in attachment A of the  
13 cover sheet to this minute order to you. Those teams are --  
14 pardon me -- Rio Bravo Developers with equity members Fluor  
15 Enterprises, Ames Construction, and Austin Bridge and Road.

16           The second team is Camino Frontera Constructors with  
17 equity member Zachry Construction Corporation, Skanska USA  
18 Civil. The third team is Abrams Kiewit with equity members J.  
19 D. Abrams and Kiewit Infrastructure. And the fourth team is  
20 Border Highway Mobility Partners with equity members Walsh  
21 Infrastructure and Walsh Investors.

22           With approval of this minute order, the next steps  
23 will include publishing the final request for proposals, which  
24 is anticipated for release in December of this year, and  
25

1 conditional award of the contract in the spring of 2014.  
2 Staff is here to answer any questions and recommends your  
3 acceptance of this minute order.

4 MR. HOUGHTON: Any questions?

5 MR. AUSTIN: I have one question. I know when we  
6 talked about this back in the early summer, late spring, early  
7 summer -- you know, we were talking about long-range plans  
8 when we're going to have to really do a complete work over on  
9 Interstate 10. I know I had the opportunity to go out there  
10 and look at one of the bridges in -- Mr. Chairman, I think  
11 there was a recent --

12 MR. HOUGHTON: Uh-huh (affirmative).

13 MR. UNDERWOOD: -- issue out there with one of the  
14 bridges that really -- you might want to share that. But that  
15 there really is -- it highlights the need for the expanded  
16 capacity sooner, much sooner than later.

17 MR. HOUGHTON: Right. A Union Pacific Railroad  
18 train derailed and took out a column or two on Interstate  
19 Highway 10, westbound, and shut down the interstate for a  
20 couple of days, westbound and the access road.

21 MR. PENSOCK: Right. Interstate 10 is the lifeblood  
22 of --

23 MR. HOUGHTON: Well, it's Main Street El Paso.

24 MR. PENSOCK: It's Main Street El Paso.

25

1 MR. HOUGHTON: Yeah.

2 MR. PENSOCK: And this -- this project would provide  
3 critical added capacity and an alternative choices, routes,  
4 through that, east-west movement.

5 MR. UNDERWOOD: Wouldn't that be the same thing that  
6 would happen if they took out a bridge on I-35 going through  
7 Austin

8 MR. PENSOCK: Yes and no because --

9 MR. UNDERWOOD: You would have the same -- same --  
10 similar problem but with a bunch of people. My question for  
11 you is that on this stipend for these -- the three people that  
12 don't get it, that don't -- it's up to \$950,000, correct?

13 MR. PENSOCK: Yes, sir. That's the maximum amount.

14 MR. UNDERWOOD: The maximum -- notes it showed  
15 95,000. It -- that's 950 is normal, isn't that basically, on  
16 a major project like this?

17 MR. PENSOCK: A project of this scope it's --

18 MR. UNDERWOOD: That's not unusual is my point.

19 MR. PENSOCK: No, sir. It's --

20 MR. UNDERWOOD: For all the effort that they're  
21 going to put in --

22 MR. PENSOCK: Right. Yes, sir.

23 MR. UNDERWOOD: -- this project.

24 MR. PENSOCK: They will spend probably four -- three  
25

1 to five times that amount in submitting their proposals. And  
2 this is very appropriate within the --

3 MR. UNDERWOOD: Right.

4 MR. PENSOCK: -- industry.

5 MR. UNDERWOOD: I just want to make sure that the  
6 audience understands that, that they actually spend a lot more  
7 money than that. This is really not going to cover their  
8 costs, their -- just their basic cost if they don't get the  
9 project.

10 MR. PENSOCK: Yes, sir. Exactly right.

11 MR. UNDERWOOD: Thank you.

12 MR. PENSOCK: Uh-huh (affirmative).

13 MR. AUSTIN: And this is a complex-region area of  
14 what is going to have to be navigated through so this is a,  
15 you know, a -- I move approval.

16 MR. UNDERWOOD: Chairman, I would second the motion.  
17 Is there any possibility El Paso would join the central time  
18 zone if we carry this motion?

19 MR. HOUGHTON: Do you want to put that in the  
20 motion?

21 (General laughter.)

22 MR. HOUGHTON: I'm not sure I -- about the Central  
23 Time Zone issue. There's a motion and a second. All in  
24 favor?

25

1 (Chorus of ayes.)

2 MR. HOUGHTON: Thank you. Thank you, Ed.

3 MR. PENSOCK: Thank you.

4 MR. WILSON: Item 12.a, consideration of preliminary  
5 approval of a request for additional financial assistance for  
6 CCRMA for certain costs related to the second causeway  
7 project. This item presented by Innovative Financing and Debt  
8 Management Officer, Ben Asher. Ben?

9 MR. ASHER: Good morning, Chair, Commissioners,  
10 Phil. For the record, I'm Ben Asher the Innovative Financing  
11 and Debt Management Officer here at TxDOT.

12 This item is to consider preliminary approval of a  
13 request for a \$5.1 million loan to Cameron County Regional  
14 Mobility Authority for environmental studies and other  
15 preliminary development costs related to the second causeway  
16 to South Padre Island. Staff recommends approval and I'd be  
17 happy to answer any questions.

18 MR. HOUGHTON: We have one speaker, David Allex,  
19 Chairman of the Cameron County RMA. Ben, did you get a  
20 personal guarantee from Chairman Allex on this loan?

21 MR. ALLEX: Two times. Two times.

22 MR. HOUGHTON: Two times?

23 MR. ALLEX: Yes, right.

24 MR. HOUGHTON: I knew you had a lot of money but --

25

1 MR. ALLEX: Thank you for allowing me. My name is  
2 David Allex, spelled with two Ls. I'm serving my fifth term  
3 as Cameron County Regional Mobility Authority Chairman.

4 I first want to say that we have not moved -- we are  
5 moving as fast as we can on providing a safety issue for south  
6 Texas and that is trying to build -- going to build a second  
7 access to South Padre Island.

8 Those -- many of you have already known or were  
9 around when we had that barge shift that causeway and it was a  
10 dev -- had an economic, devastating effect on South Padre  
11 Island and south Texas economy, not withstanding nine deaths.  
12 So we need to look at this from a safety standpoint but also  
13 from an economic development standpoint.

14 What's important here is that you as an organization  
15 have given us all the tools that we need to do what we need to  
16 do in the -- Cameron County to the tune of close to \$2 billion  
17 over the next ten years without having any serious tax  
18 implications to the citizens of the state or our county.

19 We're doing it by taking your tools and taking those  
20 tools and putting it into re-investment zones, putting it into  
21 toll roads. And we have a toll road that's -- that's in the  
22 operation right now, south of Corpus Christi, San Antonio and  
23 Lorena.

24 With me, today, is one of my board members, Horatio  
25

1 Barrera from -- and he's here. He's one of the board members.  
2 And, of course, Pete Sepulveda's here that is now full time  
3 RMA chairman.

4 I think it's important, and very important from my  
5 standpoint, to give you just a real -- quickly -- a thumbnail  
6 of where we've been in the last ten years. We've built an --  
7 we are under construction with a new international rail  
8 branch, which is the first international rail branch on the  
9 US-Mexican border in the -- in over a hundred years. That's  
10 in Cameron County.

11 We're in a process of -- of -- of I-69. And, Phil,  
12 you and I go back a long time on I-69 when we wrote some of  
13 the legislation on I-69. And thanks to you all we have signs  
14 plastered all over south Texas and the Rio Grande Valley and  
15 so that -- that's - that's a major accomplishment.

16 We have -- we have a toll road that is producing  
17 revenues right now and that'll be completed probably in the  
18 next -- next couple of -- couple of months. We -- we have --  
19 we're -- we're in -- the Rio Grande Valley is a -- is in first  
20 contention for a space port. If that happens in Cameron  
21 County, we have all kinds of other requirements for roadways  
22 and traffics -- traffic situations.

23 So we're the on -- that's the on -- Cameron County's  
24 the only area in the State of Texas that is being considered

25

1 for Space ports. We're talking about bridges, bridges, and  
2 bridges. We're doing -- doubling the size of the Veteran  
3 Bridge. There's just a multitude of things that this RMA has  
4 done with the leadership and what we have, like what I still  
5 hear.

6 I have six members on my board. And what's  
7 important is that all six members, just like all these  
8 members, have to go home every night, every night and make a  
9 payroll. I don't have to -- we don't have to go make it one  
10 on one economic development. These guys and gals have given  
11 us -- give you and me that basic intuition of what it's going  
12 to take to build a great urban society in south Texas,  
13 especially in Cameron County.

14 So I wanted to make sure that you gave me that  
15 opportunity to just -- just to touch on some of these very  
16 basic issues that we -- we're trying to put together to create  
17 jobs. We're looking at -- in the next ten years when, not if,  
18 but when we are start -- accomplish this over the next 40  
19 years we'll generate 83,000 heads of household jobs in the Rio  
20 Grande Valley which will have an economic effect on over  
21 250,000 new citizens

22 Talk about vision, we've got vision. We're looking  
23 at 2045 and 2050 of what we can do for south Texas and the  
24 State of Texas through just the RMA. God knows what's going  
25

1 to -- Mexico's moving, it's coming back to life again. So I'm  
2 excited as the dickens about what -- what's going to happen --  
3 what's going to happen in south Texas and the Rio Grande  
4 Valley over the next 20, 30, 40 years.

5 And thanks to you guys and here, what you've done  
6 for us, you've given all of us those tools to do what we need  
7 to do to provide job opportunities for all our citizens for  
8 the next 30 to 40 years. That's all I got to say.

9 MR. HOUGHTON: David, I want to personally thank you  
10 for your leadership.

11 MR. ALLEX: Absolutely.

12 MR. HOUGHTON: We've worked a long time together.  
13 And for south Texas, not only Texas but the State of Texas.  
14 This does affect the entire state. It's mobility and the  
15 commerce that enters our state from Mexico and off the ports,  
16 the ocean traffic, too. But thank you very, very much for  
17 everything you have done. Been great partners.

18 MR. ALLEX: And it's a labor of love just like it's  
19 with you all.

20 MR. HOUGHTON: It's been a lot of fun.

21 MR. AUSTIN: Mr. Chairman, before you step down, I  
22 was -- I want to echo the Chairman's comments. But what you  
23 all are doing -- you know, you look back at the authority,  
24 what was given by the legislature to RMAs. You're not just

25

1 focused on one road. You're looking at bridges. You have  
2 rail. You all really are a great example for multi-modal  
3 aspects of what you can do to help promote local commerce.

4 MR. ALLEX: Anything to keep our people working and  
5 at a decent pay. That's -- that's --

6 MR. HOUGHTON: Thank you.

7 MR. ALLEX: Yeah. Thank you, very much.

8 MR. MOSELEY: Chairman, I also want to echo.  
9 Chairman Allex, thank you for your service and indeed, what  
10 you're doing in your region is a model and we brag about you  
11 guys on a regular basis because you've really embraced the  
12 vision of driving mobility in your region. And I'll be  
13 pleased to move approval of this staff recommendation.  
14 Clearly South Padre Island is a wonderful tourism destination.  
15 And looking at that destination 35 years into the future does  
16 deserve this kind of forward looking so, Chairman, I'm pleased  
17 to move approval of the item.

18 MR. HOUGHTON: Second?

19 MR. AUSTIN: I will second but I -- I'd have one  
20 question of Ben real quick. In looking at the structure of  
21 this, we have two outstanding loans right now and we're going  
22 to approve additional funds. Are we consolidating those or we  
23 keep them as three separate --

24 MR. ASHER: Good question, sir. We are -- I  
25

1 wouldn't use the term consolidation. We are -- for this  
2 agenda item, it is an additional loan --

3 MR. AUSTIN: Okay.

4 MR. ASHER: -- for the South Padre Project.

5 MR. AUSTIN: New item.

6 MR. ASHER: For the next item, it is a new loan and  
7 I'll -- and with that we'll be replacing a loan that was not  
8 utilized.

9 MR. AUSTIN: Okay. And it -- and in looking at  
10 this, we're not doing this out of the SIB?

11 MR. ASHER: No. No.

12 MR. AUSTIN: This is a toll -- basically, a toll  
13 equity?

14 MR. ASHER: Correct, sir.

15 MR. AUSTIN: And should there -- whatever the future  
16 financing package is, this could potentially be subordinated  
17 to any other -- or would this not be subordinated --

18 MR. ASHER: This one would be --

19 MR. AUSTIN: This would be all -- will be repaid?

20 MR. ASHER: -- paying for -- right.

21 MR. AUSTIN: -- from the sources. Okay.

22 MR. HOUGHTON: Okay. We have a motion. Is there a  
23 second?

24 MR. AUSTIN: Second.

25

1 MR. HOUGHTON: A second? All in favor.

2 (Chorus of ayes.)

3 MR. HOUGHTON: Thank you, David.

4 MR. WILSON: Next is Item 12.b, consideration of  
5 preliminary approval of a request for financial assistance to  
6 CCRMA for certain costs related to the Outer Parkway project.  
7 Ben will continue to present. Ben?

8 MR. ASHER: This is similar to the previous agenda  
9 item we just discussed. It's a \$5 million load rather than a  
10 5.1 for the same kind of costs, environmental, the pre-  
11 development for the Outer Parkway Project from I-69 East to FM  
12 106 and staff recommends approval.

13 MR. HOUGHTON: Motion?

14 MR. MOSELEY: So moved, Chairman.

15 MR. UNDERWOOD: I'll second.

16 MR. HOUGHTON: All in favor?

17 (Chorus of ayes.)

18 MR. HOUGHTON: Thanks, Ben.

19 MR. AUSTIN: Ben, before you sit down, just one  
20 quick question. I -- as I mentioned the SIB, we still have  
21 tremendous capacity in our state infrastructure bank right  
22 now.

23 MR. ASHER: Yes, sir.

24 MR. AUSTIN: Approximately how much is outstanding  
25

1 and how much capacity --

2 MR. ASHER: It's 300 --

3 MR. AUSTIN: -- do we have left?

4 MR. ASHER: It's 300 million available now.

5 MR. AUSTIN: And that's --

6 MR. ASHER: Capacity. Well, 296 I think I think is  
7 the rough --

8 MR. HOUGHTON: Be careful. Yeah.

9 (General laughter)

10 MR. AUSTIN: Yeah --

11 MR. HOUGHTON: That wasn't nice, was it? Moving,  
12 moving --

13 MR. AUSTIN: Just checking the balance of the  
14 checkbook.

15 MR. HOUGHTON: -- on. Moving on.

16 MR. WILSON: Now, Item 12.c approval of the  
17 submission of an application to the USDOT for a loan and the  
18 commission to pay a portion of the eligible project costs.  
19 The I-35E Managed Lanes Project. This item will also be  
20 presented by Ben Asher. Ben, please continue.

21 MR. ASHER: Thanks, Phil. This item is to consider  
22 approval of a trust agreement and first supplemental agreement  
23 as well as a loan agreement with the United State Department  
24 of Transportation related to a TIFIA loan for the IH-35

25

1 Managed Lanes Project.

2 This is in anticipation of an invitation by the  
3 TIFIA office to formally apply for the loan. We're currently  
4 engaged in discussions with them on the loan and staff  
5 recommends approval. I'd be happy to answer questions on it.

6 MR. HOUGHTON: Is there any questions of Ben on this  
7 item? Motion?

8 MR. MOSELEY: Move for approval, Chairman.

9 MR. HOUGHTON: No speakers. Second?

10 MR. UNDERWOOD: Second.

11 MR. HOUGHTON: All in favor?

12 (Chorus of ayes.)

13 MR. HOUGHTON: Thanks, Ben.

14 MR. WILSON: Item 13 is the approval of proposed  
15 lane use restrictions for trucks on I-35 in McLennan County.  
16 I'm assuming Carol's going to present. Hi, Carol.

17 MS. RAWSON: You got it.

18 MR. HOUGHTON: Carol Rawson, please.

19 MS. RAWSON: Good morning. For the record, I'm  
20 Carol Rawson, the Director of the Traffic Operations Division.  
21 This mor -- minute order allows for a left lane restriction  
22 for trucks on approximately 14 center line miles of I-35  
23 within the Waco urban area from .5 miles south of FM 2417 in  
24 Lacy Lakeview through McClellan (sic) County to approximately

25

1 .75 miles north of FM 2063 in Hewitt.

2 This restriction will prohibit trucks from operating  
3 in the far-left lane on this portion of I-35 in the county.  
4 Trucks would still be allowed to use the left lane to pass  
5 other vehicles and exit the highway.

6 With the proposed additional miles, Texas will now  
7 have a total of approximately 621 miles of restricted truck  
8 lanes in 20 counties. These types of lane restrictions have  
9 been shown to improve safety by increasing the number of  
10 vehicles traveling at the same speed and decreasing lane  
11 changes and other types of passing maneuvers.

12 A traffic study conducted by the Texas  
13 Transportation Institute for a truck lane restriction  
14 implemented on I-10 East in Houston showed that the  
15 restriction had contributed to a reduction in traffic crashes  
16 by 68 percent during the 36 weeks of the study.

17 A similar study on I -- on Interstates 20 and 30 in  
18 Dallas and Fort Worth showed a decrease in crashes by 78  
19 percent on 20 and 22 percent on IH-30. The department  
20 published a notice regarding the proposed restriction,  
21 requesting public comment in the August 16th, 2013 edition of  
22 the Texas Register and also held a public, loca -- local,  
23 public hearing meeting on August 29th.

24 No public comments were received, although the Waco  
25

1 district did receive some informal comments in favor of the  
2 restriction. Staff recommends approval of the minute order.

3 MR. HOUGHTON: Questions of Carol? Motion?

4 MR. UNDERWOOD: So moved.

5 MR. HOUGHTON: Second? All in favor?

6 (Chorus of ayes.)

7 MR. HOUGHTON: Thank you. Thank you, Carol.

8 MS. RAWSON: Thank you.

9 MR. WILSON: The next item's on the award of  
10 contracts for maintenance, the Department of Building  
11 Construction and Highway Construction Contracts. John Obr,  
12 Construction Division Director, will present these minute  
13 orders -- Items 14(a).

14 MR. OBR: Good morning. For the record. I am John  
15 Obr, Director of the Construction Division. Item 14(a) is for  
16 consideration of the award or rejection of highway maintenance  
17 in Department Building Construction contracts let on October  
18 8th and 9th of 2013.

19 We present 14 projects today. The average number of  
20 bids per project was 4.43. The low bid value was  
21 \$11,999,099.19 and we had an overall under run of 5.17  
22 percent. Staff recommends award of all maintenance projects.

23 MR. HOUGHTON: Any questions of John? Motion?

24 MR. MOSELEY: So moved.

25

1 MR. UNDERWOOD: Second.

2 MR. HOUGHTON: All in favor?

3 (Chorus of ayes.)

4 MR. HOUGHTON: Thanks.

5 MR. WILSON: John, please proceed with item 14(b)  
6 construction contracts.

7 MR. OBR: Item 14(b) is for consideration of the  
8 award or rejection of highway and transportation enhancement  
9 building construction contracts let on October 8th and 9th of  
10 2013. We present 54 projects today. The average number of  
11 bids per project was 4.63. The low bid value was  
12 \$290,095,072.52. The awards are split as six project in  
13 mobility totaling \$70,328,048.72. And 46 projects in  
14 preservation, totaling \$219,767,023.80.

15 We had an overall under run of 2.64 percent. Staff  
16 recommends award of all construction projects with the  
17 exception of the following project. Coryell County project  
18 number STP 2- 2014(080). The project received four bids. The  
19 low bidder came in at 6.96 percent or \$808,479.65 over the  
20 engineer's estimate. This project is for district-wide seal  
21 coat work.

22 A modified grade IV aggregate with revised gradation  
23 was specified for the project by special -- special provision.  
24 The revised gradation provision caused the bids to come in

25

1 higher than anticipated, resulting in increased project costs.

2 The district feels that the project needs to be  
3 redesigned to remove the modified aggregate requirement, which  
4 in turn will provide an overall cost savings. We concur with  
5 this plan of action. Therefore, we recommend that the project  
6 be rejected and re-let at a later date.

7 MR. HOUGHTON: Any questions of John? Motion?

8 MR. MOSELEY: So moved.

9 MR. UNDERWOOD: Second.

10 MR. HOUGHTON: All in favor?

11 (Chorus of ayes.)

12 MR. HOUGHTON: Thanks, John.

13 MR. OBR: Thank you.

14 MR. WILSON: That brings us to Item 15, eminent  
15 domain proceedings, Right of Way Division Director, John  
16 Campbell will present this minute order. John?

17 MR. CAMPBELL: Good morning. For the record, my  
18 name is John Campbell, Director of the Right of Way Division.  
19 I'd like to present for your consideration Item 15, which  
20 authorize the filing of condemnation procedures necessary to  
21 progress the acquisition of 63 parcels by exercise of eminent  
22 domain. Staff recommends your approval of the minute order.

23 MR. HOUGHTON: Where's Victor when you need him?

24 MR. MOSELEY: Chairman, I did offer to help

25

1 Commissioner Vandergriff and I'll be pleased to make his  
2 privileged motion. I move the Texas Transportation Commission  
3 authorize the Texas Department of Transportation to use the  
4 power of eminent domain to acquire the properties described in  
5 the minute orders set forth in the agenda for the current  
6 month for construction, reconstruction, maintenance, widening,  
7 straightening, or extending the highway facilities listed in  
8 the minute order as a part of the state highway system, and  
9 that the first record vote applies to all units of property to  
10 be condemned.

11 MR. HOUGHTON: There a second?

12 MR. AUSTIN: Second that privilege motion.

13 MR. HOUGHTON: All in favor?

14 (Chorus of ayes.)

15 MR. HOUGHTON: Thanks.

16 MR. CAMPBELL: Thank you.

17 MR. WILSON: Item 16 contains the routine minute  
18 orders, including donations to the department, right of way  
19 dispositions and donations reports, finance, and speed zones.

20 MR. HOUGHTON: Is there a motion on all routine  
21 minute orders?

22 MR. AUSTIN: So moved.

23 MR. UNDERWOOD: Second.

24 MR. HOUGHTON: All in favor? Thank you. Okay. We  
25

1 have -- we have an executive session but we're going to take  
2 questions -- open-session questions. And I like to recognize,  
3 at this time, Christina Valerino -- How do you say that  
4 Christina?

5 MS. VALERINO: Valerino.

6 MR. HOUGHTON: Valerino.

7 MS. VALERINO: It's Italian.

8 MR. HOUGHTON: UTSA.

9 MS. VALERINO: Yep. Good morning, Commissioners and  
10 Director. I'm on -- I'm here on behalf of UTSA Institute for  
11 Economic Development. We're doing a study on your proposed  
12 conversion to -- from pavement to gravel. And since the  
13 moratorium in August, you know, publicity has, kind of, went  
14 dead. We haven't really heard anything so we would like an  
15 update as far as the moratorium, whether it's ended, what's  
16 going on with that?

17 And also any sort of feedback from you as far as the  
18 process. And as far as -- I think you have an evaluation from  
19 the sunset committee (sic) coming up in 2015. So maybe as far  
20 as your opinion on how you provided feedback to county judges,  
21 to the stakeholders, and whether you would've done that  
22 differently? And how the sunset committee (sic) will evaluate  
23 that in 2015? So two questions.

24 MR. HOUGHTON: Sure. Yeah. So you have -- those  
25

1 are questions that you're asking.

2 MS. VALERINO: Those are questions that I am asking.

3 MR. HOUGHTON: Yeah. And I think what we want we  
4 want to do -- John Barton's in the room in the back, and John  
5 hasn't spoken today. Has anybody noticed that he has not --

6 MR. AUSTIN: I wish he would. He started off.

7 MR. HOUGHTON: Well, he started. I'm sorry. Very  
8 briefly. I would like to have --

9 MS. VALERINO: I could address my questions to him.

10 MR. HOUGHTON: -- you visit with John.

11 MS. VALERINO: Okay.

12 MR. HOUGHTON: He's been very active in this part of  
13 the Road Division and what's going on in the Eagle Ford and in  
14 the petroleum industry area. So if that's okay.

15 MS. VALERINO: Okay.

16 MR. HOUGHTON: He can give you all the insight as to  
17 what we're doing and --

18 MS. VALERINO: I mean, I would like to have it on  
19 public record, as far as the answers, but if you would -- you  
20 know, I can speak to him --

21 MR. HOUGHTON: And we can do that next meeting or  
22 when we come back here in November, we can make it public and  
23 what we have done is public, so. We've had open meetings in  
24 counties in the Eagle Ford Shale.

25

1 MS. VALERINO: Okay. I will.

2 MR. AUSTIN: Mr. Chairman, I would like to say, you  
3 know, back in our August meeting, there was a very good public  
4 discussion about this and some good reference material that  
5 I'm sure John will share as well.

6 MS. VALERINO: Yeah. You know, we referenced the  
7 transcripts or just -- you know, we read that and whatnot, but  
8 there hasn't really been any update as far as the moratorium  
9 is concerned and I think my colleague, Keisha Meoso (ph), has  
10 questions as far as the reports of the roads that are actually  
11 affected. So many of your other projects, you know, you've  
12 been really great about posting what's being spent and then  
13 posting the roads that are affected and it's kind of hard to  
14 determine what roads are actually going to be affected by this  
15 proposal. So that's another question that we would like to  
16 have addressed but, again, if you want --

17 MR. MOSELEY: Chairman, if I may --

18 MS. VALERINO: -- us to talk to Barton, that's fine.

19 MR. MOSELEY: -- it might be less confusing for our  
20 quests to appreciate that under open meetings, if we don't  
21 have it posted on this agenda, for us to sit here and have a  
22 discussion with her is deliberating without posting.

23 MR. HOUGHTON: This is your -- yeah, this is your  
24 time to speak and not for us to --

25

1 MR. MOSELEY: So we can listen to you today, but we  
2 can't visit with you, otherwise we're violating the posting  
3 requirements. So just so you'll know.

4 MS. VALERINO: Okay. I mean, I guess I  
5 misunderstand what an open comment period is, but I'll discuss  
6 it with Barton.

7 MR. HOUGHTON: I -- let me ask you something. For  
8 the record, you say UTSA. What do you do at UTSA?

9 MS. VALERINO: I work for the Institute of Economic  
10 Development.

11 MR. HOUGHTON: Okay.

12 MS. VALERINO: So we are doing a study on your  
13 proposed conversion to gravel for Steer Organization. So we  
14 will be --

15 MR. UNDERWOOD: For whom? I'm sorry, I couldn't  
16 hear you, who's the organization?

17 MS. VALERINO: Steer.

18 MR. HOUGHTON: Okay.

19 MS. VALERINO: And we will be, you know, publishing  
20 your --

21 MR. HOUGHTON: What, is that an acronym? Is that an  
22 acronym for something, Steer?

23 MS. VALERINO: Yes. Society of Technical Engineers.

24 MR. HOUGHTON: Okay. That will be good.

25

1 MS. VALERINO: Yeah. The report will be out, but --

2 MR. AUSTIN: John Barton's your guy.

3 MS. VALERINO: I'm sorry, what?

4 MR. AUSTIN: John Barton's going to be the one to  
5 really help you with that.

6 MS. VALERINO: Okay.

7 MR. HOUGHTON: Is that all right, Christina?

8 MS. VALERINO: Okay. Thank you.

9 MR. HOUGHTON: Thank you. Hishamp (ph). How do you  
10 say our name?

11 UNIDENTIFIED VOICE: Hishambie (ph)

12 MR. HOUGHTON: Okay. Would you like to speak?

13 UNIDENTIFIED VOICE: I was going to ask similar  
14 questions, but if they're more appropriately directed to Mr.  
15 Barton, then we will do that.

16 MR. HOUGHTON: Yeah. Thank you very much.

17 UNIDENTIFIED VOICE: Thank you.

18 MR. HOUGHTON: And, last but not least, Jungus  
19 Jordan, President Texas Municipal League. Jungus?

20 MR. JORDAN: Chairman Houghton, Commissioners,  
21 Director Wilson, I am Jungus Jordan. Earlier this month I  
22 took over the Office of President of the Texas Municipal  
23 League. The Texas Municipal League represents 1,136 cities in  
24 our great state, which includes over 17,000 local elected

25

1 officials. So we're pretty proud of our cities in the State  
2 of Texas.

3 I'm here today to say that Texas has it right. We  
4 believe Texas has it right. Texas cities play a big role in  
5 that, in the success in partnering with TxDOT in building the  
6 roads and mobility and infrastructure that's needed for the  
7 great growth that our great state has experienced and  
8 continues. We have -- we Texans have some traits in common  
9 that have made us the great state that we are.

10 Cities like to think of their selves as fiercely  
11 independent, that we can solve our own problems. However,  
12 there's a conflict being a trait of Texans, and that is the  
13 pioneer spirit that says that we can only accept our  
14 challenges through partnerships and working together in the  
15 pioneer and prairie spirit that we work together.

16 I am here today to reach out to you to say to say,  
17 last month one of the big issues was the turnback policy and  
18 we have reached out. I have reached out to Director Wilson.  
19 The TML would like avail itself to TxDOT as partners to  
20 workout a voluntary program whereby we could work as partners  
21 to address the turnback issue. There are cities that would  
22 welcome this. Like you, there are limited resources in  
23 building the infrastructure that Texas faces, but when you --  
24 so we understand the dilemma we all find ourselves. We're

25

1 using our resources to build to address the issues that are  
2 statewide issues, the issues of water, the issue of mobility,  
3 the issue of education, which I can consider human  
4 infrastructure, and also energy and the things that make Texas  
5 a great state.

6           We have continued growth ahead us and I am here to  
7 say that, we want to partner with this great commissioner and  
8 the great people of TxDOT. We've created an internal working  
9 group. We would like to meet with Director Wilson's staff and  
10 talk about the turnback issue.

11           We would also -- in our own way, we are going to be  
12 working during the next legislative session as TML to address  
13 the issue of a dedicated funding source for infrastructure in  
14 our state. We've addressed those issues in our legislature.  
15 We think our legislature hears all of us in the need for the  
16 continued growth. But I stand here before you realizing you  
17 can't, but we're looking for your concurrence in working with  
18 Director Wilson and the TxDOT staff in partnership to address  
19 many of these issues and we stand ready, willing and able to  
20 help, so.

21           That's -- with that, I just want to say thank you.  
22 Thank you for the great work you're doing across the state.  
23 As you know, I've appeared in different capacities over the  
24 years in front of you and like you, transportation and

25

1 mobility in our great state is a passion of mine personally,  
2 but infrastructure in general is a passion of the Texas cities  
3 and the Texas Municipal League and we stand here as your  
4 partner.

5 MR. HOUGHTON: Jungus, thank you for your support  
6 and now your leadership. Look forward to working with you on  
7 this issue moving forward.

8 MR. JORDAN: Thank you. And it was good to see Mr.  
9 Patterson this morning.

10 MR. PATTERSON: Thank you all very much.

11 MR. JORDAN: Thanks a lot.

12 MR. HOUGHTON: We will at this time, recess into  
13 Executive Session under Government Code Section 551.071 and  
14 Section 551.072. We're going to meet in the back, back here  
15 over on the left hand side, right outside the double doors.  
16 All right.

17 (Whereupon, at 11:08 a.m., the meeting was recessed,  
18 to reconvene this same day, Thursday, October 31, 2013,  
19 following conclusion of the executive session.)

20 MR. HOUGHTON: For the record, the time is 11:31.  
21 This completes all items on the agenda. Is there anyone else  
22 signed up to speak? If none, I will entertain the most  
23 privileged motion.

24 MR. AUSTIN: So moved that we adjourned.  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

MR. UNDERWOOD: Second.

MR. HOUGHTON: All in favor?

(Chorus of ayes.)

MR. HOUGHTON: Thank you. We are done at 11:31:25.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

C E R T I F I C A T E

STATE OF TEXAS  
COUNTY OF GALVESTON

I, KIMBERLY C. McCRIGHT, CET, certified electronic transcriber, do hereby certify that the foregoing pages constitute a full, true, and accurate transcript from electronic recording of the proceedings had in the foregoing matter.

DATED this 1st day of November, 2013.

  
\_\_\_\_\_  
Kimberly C. McCright, CET  
Certified Electronic Transcriber