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TEXAS DEPARTMENT OF TRANSPORTATION
COMMISSION MEETING

Rick Williamson Hearing Room
DeWitt Greer Building
125 East 11th Street
Austin, Texas

Thursday
January 30, 2014

COMMISSIONER MEMBERS:

- Ted Houghton, Jr., Chairman
- Victor Vandergriff
- Jeff Moseley
- Jeff Austin, III
- Fred Underwood

STAFF:

- James Bass, Interim Executive Director
- John Barton, Deputy Executive Director
- Rose Walker, Chief Clerk

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P R O C E E D I N G S

1
2 MR. HOUGHTON: Good morning. It's 9:00 a.m.,
3 Central Standard Time. And I call to order the regular
4 January 30th, 2014 meeting of the Texas Transportation
5 Commission. Note for the record that public notice of this
6 meeting containing all items on the agenda was filed with
7 the Secretary of State at 4:28 p.m. on January 22nd, 2014.

8 I ask before we begin today as customary please
9 turn your communication device in the silent or vibrate
10 mode. And if you wish to address the Commission today,
11 there's two cards; one yellow before the Commission on an
12 item and one blue in the general session at the end of our
13 meeting. Regardless, you've got to sign up to speak if you
14 want to speak.

15 I will turn the mic over to our interim Executive
16 Director; welcome, James Bass. Welcome.

17 MR. BASS: Thank you, Chairman. At this point
18 I'd like to ask our Deputy Executive Director John Barton to
19 come forward to provide a quick safety briefing. John.

20 MR. BARTON: Thank you, Director Bass. Chairman,
21 Commissioners, for the record, my name is John Barton and I
22 have the pleasure of serving you in the State as the Deputy
23 Executive Director and Chief Engineer here at TxDOT.

24 Just a quick reminder, this weekend is one of the
25 most widely watched sporting events of any given year. The

1 Super Bowl will occur this weekend and regardless of who
2 your team is, what fan base you are from, many of us do
3 participate in activities with friends and family as we
4 watch that event, so the Department of Transportation would
5 just encourage everyone that as you celebrate this national
6 sporting activity, that you have a sober ride home if you
7 choose to drink while you're out with your friends and
8 family members, because it is important that we all protect
9 ourselves and those that are traveling on the roadways
10 around us. And we've historically had challenges with
11 people driving under the influence during this weekend and
12 would just again encourage everyone to have a sober ride so
13 they can enjoy the Super Bowl and come home safely from that
14 event.

15 Also, I would like to share with those who are
16 gathered here today that we don't expect to have any
17 emergencies, but just in case we do, I wanted to point out
18 to you as we continue to model leadership for safety in the
19 agency by the Commission's leadership, that if you have a
20 medical emergency, if you'll go to the guard station on the
21 first floor located across from the elevators where you came
22 into the building this morning and ask for assistance, we
23 have first aid kits and the ability to provide some
24 CPR/first aid type of activities there. We also can contact
25 911 should your medical needs be beyond that we can provide

1 for you here.

2 We don't expect any bad weather today. It is a
3 bit cold outside, but should we have to shelter in place for
4 a weather related event, I would encourage all of us to find
5 our way to the hallways and go downstairs into the basement
6 or to take shelter in the stairwells that are located on
7 either side of the elevator shafts to seek protection there.

8 If we're asked to evacuate the building, someone
9 would come to this microphone and provide that instruction
10 to us. We would ask that we would all leave the building.
11 This room has exits at the front of the room, behind the
12 dais, as well as to the rear of the room. And we would exit
13 the building, walk across the street safely, and gather at
14 the south side of the capitol so that the emergency
15 responders could come into the building and take care of
16 whatever need they may have.

17 Again, thank you, Commission, Chairman, Director
18 Bass, for your focus on safety and allowing us to provide
19 this brief safety message this morning.

20 MR. BASS: Thank you, Mr. Burton. With the
21 safety briefing completed, I'll hand the gavel back to you,
22 Mr. Chairman, for opening comments.

23 MR. HOUGHTON: Thank you, James. I'm going to
24 take a little executive privilege here and change up a
25 little bit of the order.

1 Coby, can you come on up?

2 MR. CHASE: Sure.

3 MR. HOUGHTON: I beat you to it, Austin.

4 MR. CHASE: Good morning.

5 MR. HOUGHTON: Coby walked into my office
6 yesterday and said that he was going to check-in to a mental
7 health institution soon and -- I'm sorry, you're going to
8 work for mental health, right, opportunity?

9 MR. CHASE: Potato, potato.

10 MR. HOUGHTON: Yeah. But all kidding aside, Coby
11 is leaving us at the end of next month and I wanted to
12 isolate and personally recognize him for 20 years of service
13 to this department. And he has been a great sounding board
14 for me personally, I want to thank you for that, and what
15 you've done for the department and the great state of Texas
16 especially, in Washington, D.C. We know how good we are and
17 we just have -- we -- and you've been telling them how good
18 we are up in D.C.

19 But also, I wanted to thank you and congratulate
20 you for an outstanding forum.

21 MR. CHASE: Oh, thank you.

22 MR. HOUGHTON: Over the top. I think everyone,
23 and your -- and to your staff. I had not had that chance to
24 publicly thank you, but I just wanted to do it personally
25 and publicly. And wish you the best in your new endeavors.

1 We'll get to see you next month in Laredo I know.

2 MR. CHASE: Oh, yes, sir.

3 MR. HOUGHTON: But I wanted to have this happen
4 here in Austin amongst friends and family. So thank you
5 very much, Coby.

6 MR. CHASE: Thank you, Mr. Chairman.

7 MR. HOUGHTON: And with that, I will -- I am
8 finished, but I would imagine that the other commissioners
9 may have something to say to you or about you. So
10 Commissioner Vandergriff, it's all yours.

11 MR. CHASE: Is there an equal time opportunity
12 here?

13 MR. HOUGHTON: No.

14 MR. CHASE: Oh.

15 MR. HOUGHTON: Did you sign a card?

16 MR. CHASE: No, I didn't.

17 MR. HOUGHTON: You didn't sign a card, did you?
18 Yeah.

19 (Laughter.)

20 MR. CHASE: No, sir. This is somewhat of a
21 hostage situation.

22 (Laughter.)

23 MR. VANDERGRIFF: Well, I have to let you all know
24 a little bit of a secret. I asked Coby to do something for
25 me and then the next day he announces his retirement.

1 (Laughter.)

2 MR. VANDERGRIFF: So -- it's been my pleasure to
3 get a chance over the years in different capacities to work
4 with Coby and find his skills extraordinary, his sense of
5 humor is very timely placed and put and keeps people sane
6 versus insane, so I'm not sure how that's going to work in
7 your new position.

8 MR. CHASE: Right.

9 MR. VANDERGRIFF: But I wish you nothing but the
10 best, and it's been a great privilege to work with you.

11 MR. CHASE: Thank you, sir. Thank you.

12 MR. MOSELEY: Coby, thank you for your leadership.
13 Under Coby's direction, this agency has really moved
14 vigorously to open dialogue with our Federal agencies, with
15 Federal elected officials. I know Commissioner Austin and I
16 have especially enjoyed that leadership that you've shown
17 and our agency is enjoying perhaps some of the strongest
18 relationships that we've had with members of Congress, with
19 our Texas delegation, and we won't soon forget, will we
20 Commissioner Austin, our trip to Washington, working with
21 Coby --

22 MR. AUSTIN: No.

23 MR. MOSELEY: -- and his team on the WRDA
24 legislation and as a result of some very wonderful visits
25 and strong support from our Texas delegation, we enjoyed

1 every member of the delegation voting in favor of WRDA. So
2 we know those things don't happen by accident and so thank
3 you for your strong contributions to this agency and we wish
4 you very, very best success at the Meadows Foundation.

5 MR. CHASE: Thank you so much.

6 MR. AUSTIN: So Coby, are you checking in or
7 you've made a reservation, what --

8 MR. CHASE: You know, it -- yeah. Like I said,
9 you could argue it both ways.

10 MR. AUSTIN: Coby, I want to say thank you for a
11 lot -- I know it's been said -- for what you do. There's a
12 lot of things that you do and have your fingerprints on, in
13 visiting up in Washington, working with legislators, that
14 many Texans, many in this agency, many in this room, will
15 never know. And I say that because TxDOT, in becoming a
16 best in class agency, you've worked with us for years and
17 helped position us federally to be a leader. And that's
18 something that we don't take lightly, because a lot -- we
19 are enjoying and Texas is enjoying, a lot of the work that
20 you've had great influence on, from helping work with our
21 delegation to educate and help influence policy, to make it
22 easier to build things in the state. And your contacts up
23 there, they're going to miss your dry, witty humor. And I
24 say that with all sincerity. Whoever takes your position is
25 going to have big shoes to fill and what you've been able to

1 do, help focus on federal, as we talk about that, because
2 we're right across the street from our state capitol.
3 Federal is a very big piece of what we do, we depend on our
4 -- the receipt of our motor fuels tax coming back to the
5 state, policy, et cetera, working with FHWA, TIFIA, we can
6 go on and on; with the corps. You're right there helping
7 move projects forward the way a lot of people will never
8 know. And thank you from the bottom of my heart and on
9 behalf of the many Texans.

10 MR. CHASE: Thank you, Commissioner. I appreciate
11 it.

12 MR. UNDERWOOD: Coby, I associate myself and my
13 colleagues' remarks. You will be missed. I agree with all
14 the good work you've done and I think you would be first to
15 agree that it was your staff that really, really helps you.
16 You know, you're only as good as the people you surround
17 yourself with.

18 I really will miss your sense of humor. I know a
19 lot of times it went over some of my colleagues' heads and
20 you sometimes wanted to say get your hands up, you know, so
21 you don't miss this one, you know. But thank you very much
22 and for the audience to understand, that this is another
23 gentleman that over-married, and so just be sure to tell
24 your bride I said hello, please.

25 MR. CHASE: I will. I will. I will do that.

1 MR. UNDERWOOD: All right. And your lovely daughter,
2 too. Take care.

3 MR. CHASE: All right. Thank you.

4 MR. BASS: Coby, on behalf of the Department, and
5 myself, I've had the pleasure of working with Coby for 15
6 plus years of my tenure here at TxDOT and want to -- I
7 appreciate everything you in your team have accomplished,
8 whether it's at the congressional level or the state
9 legislative level. I think many of us know Coby has that
10 rare quality and very valuable quality of saying things that
11 need to be said internally and putting issues out there. And
12 it's very much appreciated and I want to thank you for
13 making us a better agency and helping us better serve the
14 people of Texas, so thank you.

15 MR. CHASE: Thank you, James. That was the nicest
16 way that's ever been said. Thank you so much.

17 Well, I do appreciate it, thank you. And you're
18 right, I've only been successful here because of the people
19 in front of me and the people who work with me and people
20 throughout this agency. It's going to be a hard place to
21 leave, a place that every morning wakes up and decides how
22 they can make Texas better. You just don't get that many
23 places. There's never been a problem this place won't solve
24 or try to solve. Thank you very much.

25 MR. HOUGHTON: Okay. We'll now commence with

1 comments from our fellow commissioners if they so choose.
2 Commissioner Vandergriff?

3 MR. VANDERGRIFF: I'm fine.

4 MR. HOUGHTON: Okay.

5 MR. MOSELEY: Chairman, just to add to your
6 comments, I appreciated so much the transportation forum in
7 San Antonio. And anytime you can have the Secretary of
8 Transportation join your summit and announce federal funds
9 for high-speed rail, I would say that's the crowning
10 achievement of any summit, but especially that combined with
11 the other presenters, that was a wonderful presentation,
12 Coby. So thank you again for pulling all of that together.

13 I heard a lot of wonderful comments from
14 stakeholders and participants about feeling like it was --
15 perhaps it may have been one of the best summits that TxDOT
16 hosted. So thank you again to our team that worked so
17 vigorously to pull all of that together.

18 And Chairman, our last commission meeting was at
19 the summit and you called a special meeting there for the
20 purposes of personnel and so I think today we'll convene an
21 executive session related to that special called meeting
22 related to the search of an executive director.

23 On that note, I also wanted to say thank you to
24 James Bass for accepting at that last special called
25 commission meeting serving as our interim director. He had

1 the task of stepping in and not only working in an interim
2 capacity, but then had a couple of weather situations blow
3 in. So James, thank you for the extra effort to guide our
4 agency as our state has dealt with some difficult weather.

5 And John Barton, thank you, because I know you've
6 been leading that, we've been getting your updates, and to
7 all of our districts, to our district engineers and the
8 teams that have worked. I guess, Chairman, we want to be
9 sure and study perhaps what didn't work in Georgia because
10 some of those challenges that Georgia's facing yesterday and
11 today, we might can learn from some of that, but so far all
12 of the preparedness by this agency we've not had those kind
13 of challenges, but we want to be sure and study and see if
14 we can anticipate because there will be other days in the
15 year and the future where we'll need to learn and see what
16 we can do to continue to be prepared.

17 But again, a big congratulations to our team so
18 far in keeping our roadways safe and open.

19 MR. AUSTIN: Good morning again. Coby, thank you
20 again for you and your staff, Debra and Lauren Honeycutt,
21 and -- Debra Richmond, and many others who really, really
22 put together an outstanding forum. You know, hearing
23 Secretary Fox come down, I know we had an opportunity to
24 visit with him again up in D.C. a couple weeks ago with a
25 delegation from Mexico, looking at high-speed rail

1 connecting -- their ultimate goal is to connect Monterey up
2 to San Antonio. And I know while we're working on a study,
3 we had the opportunity to present a request to Secretary Fox
4 for additional funds to continue to study to bring it up to
5 route selection. And while we're -- that would help move it
6 to route selection where we could attract and begin having
7 discussions with private partners to let that -- make that
8 become available.

9 Rail is important. It's another mode of
10 transportation. It may not be as widely accepted yet in
11 America as we see in foreign countries, but we do need to
12 continue to look at multi-modes as we work with ports and
13 airports and intermodal facilities. It is important to keep
14 Texas moving.

15 We're gearing up again, you know, some of the
16 things that were said at the forum, to start working on
17 reauthorization. And one thing that was really -- I've had
18 a lot of questions come to me; Congressman Delaney presented
19 something on American Infrastructure Fund, part of his
20 legislation. And it's interesting on how they would create
21 this vehicle to capitalize it by bringing -- by funding it
22 and capitalizing it with non-appropriated funds. I'm going
23 to say that again, non-appropriated funds.

24 There's really an interesting concept of how that
25 could work nationally, but is their room to -- one question

1 I have, is there room to create something like that with
2 non-appropriated funds at the state level? Good discussion.
3 We -- I hope to work with our partners across the street to
4 come up with something so we can begin to really, really
5 move these projects forward.

6 But Coby again, thank you for your -- everything
7 from your team. And also, with what you all did, the video
8 put together, not only -- while honoring the Governor and
9 thanking him for his impact, his hand, that he's had in
10 moving Texas and transportation, that has, and I feel will
11 remain, one of his top priorities. And we're -- all Texas
12 should benefit from that.

13 One other person Scott -- well yesterday, we had a
14 reception for Phil. I know he's moving on. I really
15 appreciate what he's done. And Scott Haywood. Scott is
16 going to work for a group, Move Texas Forward.

17 This is an organization that we will be working
18 with him probably even more so to help educate first and
19 foremost the upcoming proposition that we're going to have
20 to Texas to help pass this. This is extremely important
21 because this will hopefully bring some additional funding to
22 our coffers. But just because -- and if that passes, I want
23 to remind, that is not a total solution. That may only be 20
24 percent of the solution that we need long-term to move
25 forward. Now but Scott, thank you for working on this, you

1 know, we're going to be counting on you quite a bit and he
2 may be tapping on your shoulder or please do take his phone
3 call when he calls. Thank you all and by the way, the
4 forum, Coby will probably be disappointed, is in Austin next
5 January.

6 MR. CHASE: I'll be there.

7 MR. UNDERWOOD: I want to reiterate and thank Coby
8 and your staff and also all administration and everybody
9 that was involved in the forum. This is -- I believe we had
10 like 1500 people. We actually had to turn people away.

11 And so Coby, you're going out on top, so -- I keep
12 smiling and thank the staff and everybody that was involved
13 in it. It was great.

14 Also, for those that didn't know, I had a little
15 bit of an issue, health issue, and I want to thank the
16 administration and staff, for all your prayers, your calls,
17 your emails, and for everything you did. That's the closest
18 I've ever come to taking the final dirt nap, so I appreciate
19 it. Thank you.

20 For our audience, we have an additional road -- I
21 want to give you this information. We have an additional
22 road widening and repair projects will soon be under way in
23 areas of Texas impacted by the energy industry thanks to
24 additional funding received from the legislature last
25 session. We're all looking forward to seeing that those

1 projects get started.

2 With that in mind, we're going to be featuring our
3 Be Safe Drive Smart public education campaign. It's in the
4 lobby of the Greer building today. Be Safe Be Smart. Focus
5 on reminding drivers to use caution in energy work zones.
6 And actually, these driving tips apply to all of us, no
7 matter where we live, where we drive.

8 Buckle up. Drive a safe speed. Pass carefully.
9 Always stop at red lights and stop signs. Avoid using cell
10 phones while driving. Slow down in work zones. Don't text,
11 don't talk and drive.

12 Please keep these tips in mind and remember, be
13 safe drive smart. I always finish, you know, with our
14 Chair. Ted, I want to leave you this one thought about
15 parachutes.

16 If your primary shoot doesn't open and your
17 reserve chute doesn't open either, then that's what you call
18 jumping to a conclusion. So, Mr. Chairman.

19 MR. HOUGHTON: Well, we'll just jump to this
20 conclusion, we'll be moving right on.

21 (Laughter.)

22 MR. HOUGHTON: I want to thank the staff and I
23 want to thank our employees throughout the last couple of
24 storms. We seem to have a wave of them coming through. And
25 especially when it freezes, especially here in the Austin

1 area and in the Houston/Galveston area, performed
2 magnificently. And my understanding, John, we had what,
3 2500 accidents over that period of time? Which is
4 incredible.

5 But again, we try to keep those folks safe and
6 when we tell people to stay off the road, I think we need
7 it. But unfortunately, those still want to travel or skate
8 across the great state of Texas sometimes.

9 All right. With that, the first order of business
10 will be approval of the minutes for the December 19th, 2013
11 commission meeting and the January 7th, 2014 special
12 commission meeting. Members, the draft has been provided to
13 you in your briefing materials; is there a motion?

14 MR. VANDERGRIFF: So moved.

15 MR. AUSTIN: Second.

16 MR. HOUGHTON: All in favor?

17 (Chorus of ayes.)

18 MR. HOUGHTON: With that, James, it's all yours.

19 MR. BASS: All right. Thank you, Mr. Chairman.

20 As many of you know, we also reached another
21 significant milestone as December marked the 10th year of
22 service to the state of Texas and TxDOT, specifically by our
23 Chairman.

24 Mr. Chairman, you've picked out a few tokens to
25 memorialize that event that we'll hand over to you in a few

1 minutes, but first, we have a video to celebrate the last 10
2 years.

3 MR. HOUGHTON: Oh really?

4 MR. BASS: Yes.

5 (Laughter.)

6 (Video played)

7 MR. HOUGHTON: Thank you all very much. And
8 obviously you put a few in there just to keep me humble with
9 my mouth full of food, yeah. Thank you very much, James,
10 and to the staff. Thank you.

11 MR. BASS: Mr. Chairman, thank you for the -- your
12 service to our agency and to our state. Before we take a
13 quick picture or two, I believe some of your fellow
14 commissioners have a few words they'd like to share at this
15 moment.

16 MR. HOUGHTON: I thought they've already said
17 those words.

18 MR. BASS: I feel like Dean Martin in the old
19 roasts --

20 MR. HOUGHTON: Roasts, yeah.

21 MR. BASS: -- coming up here. Yeah.

22 MR. VANDERGRIFF: Well, I reserved my time before
23 because I felt like there was nothing more important than to
24 talk a little bit about the Chairman, his service. And I
25 have it from a different perspective. It's been my of

1 course privilege to be a part of this Commission since last
2 spring, and I've enjoyed working with him. And in the past,
3 when I first met the Chairman, I was with the then chairman
4 of NTTA as a new board member there and he was distinctly
5 unhappy with us at that point in time. So, he -- but yet,
6 the difficulties that the agencies had over the 121
7 discussions, he put behind him and worked very hard and
8 diligent to forge a partnership with NTTA on a number of
9 road projects. And I appreciated that very much.

10 I then also encountered him in the discussion
11 about the Texas Department of Motor Vehicles, that concept.
12 And he -- we would talk for an hour or two about road
13 projects, but he wouldn't give me five minutes to talk about
14 the DMV. I once had him -- I went for about that five
15 minutes and we got to that limit and he said no, no, you're
16 done, and we're on the next topic.

17 But the point of that was he got very quickly and
18 almost immediately the opportunity that Texas had for a
19 different agency that could -- was important to as a
20 supporting role for transportation and the design build and
21 maintenance of roads, but could do better on its own.
22 That's how quick a study he is to get things of what works.

23 He's never short of positions, he's what I would
24 call decisive, bold and aggressive, but he also keeps the
25 big picture of Texas in mind. And when they memorialize

1 someday in another 50 or 100 years this time period, I think
2 they will -- your star will be as high as any in the
3 pantheon of people getting transportation projects done.
4 So, thank you.

5 MR. MOSELEY: The Chairman from time to time likes
6 to surprise those of us on the Commission, so it's a delight
7 to be a little bit of a surprise presentation to the
8 Chairman this morning. But Chairman, congratulations on
9 your decade of service.

10 My first occasion to work with Chairman Houghton
11 was when he was serving as a commission member at the
12 General Land Office Permanent School Fund and I was at the
13 Texas Department of Economic Development; and Chairman, we
14 really pulled a wonderful rabbit out of the hat by working
15 with the school fund to finance the second largest Walmart
16 distribution facility known to mankind I think, and it's on
17 the Houston ship channel. And I knew then that he was
18 decisive and innovative and willing to really think out-of-
19 the-box.

20 I was interested to learn that our Chair is the
21 first resident of El Paso to serve as chair of the
22 Commission. He has a distinguished record of service to his
23 community, serving on the El Paso Water Utilities Public
24 Service Board, El Paso's Rapid Transit Board, El Paso's
25 Electric Board of Directors, and served as past president of

1 the Sun Bowl Association.

2 You might be interested to know that Chairman
3 Houghton was a member of the 1984 Los Angeles Olympic
4 Committee, which would also help explain why those games
5 were so successful. That was a good summer.

6 With all of these years of service to El Paso and
7 to our state, it's interesting to note and probably no
8 surprise, that he was selected as El Pasoan of the year for
9 the year 2011.

10 During his tenure on the Commission, El Paso has
11 received about 1 billion for its comprehensive mobility plan
12 and his helped secure commission approval for Spur 601 which
13 is a 360 million project, which has helped pave the way for
14 the staggering expansion of Fort Bliss, a \$5-billion
15 expansion.

16 Chairman Houghton's work has also been crucial in
17 securing almost 80,000,000 to widen the Trans Mountain Road
18 in west El Paso, which is completing El Paso's outer loop.

19 Chairman, thank you for your friendship, for your
20 willingness to lead, and for your decade of service.

21 MR. AUSTIN: Mr. Chairman, you know, in watching
22 the video, there were two common themes; your hair is a
23 little grayer, and we saw you eating a lot. So, you know
24 some things hopefully won't change. But after coming on --
25 you know, right after I came on the Commission or right

1 before, you were named Chair, and congratulations, and you
2 made a comment yesterday that in working with Phil it has
3 really made your tenure as Chair easy. And obviously, I
4 echo that.

5 But during that -- this time since I've had an
6 opportunity to serve with you, I've watched you really
7 challenge us to lead -- take the department to where it's
8 more multimodal, that we're looking at everything from
9 trains, planes, automobiles, bikes, we're working with
10 ferries.

11 And you know as we talk about ferries, I know you
12 talked about this dream interstate years ago as you were
13 talking about, you know, there's over 200 miles of
14 interstate and Texas and what was commonly now known as
15 Interstate 69. And I know you had the comment about, you
16 know, the road ferry, but it has resurfaced and it's come
17 back with another life as I-69 and we're seeing signs that
18 are put up throughout the state, I'd say from Brownsville up
19 to Texarkana, that's bringing -- serving all of our ports in
20 unserved areas of the interstate, so we're really excited
21 for your -- and thank you for your leadership on that.

22 When I first had the opportunity to work with the
23 Chair, I was with the NetRMA in Tyler. And sharing a common
24 interest in finance, we would come through with our
25 projections and he asked just a little simple question that

1 made a big difference; are you coming back and deflating
2 some of the dollars? And so with that and coming back and
3 looking at the T and R studies, looking at what is possible
4 but being a realist and being a good steward of the taxpayer
5 dollars, has really helped us be innovative as a state with
6 RMAs and also helping push local control and local input to
7 move projects forward, sometimes when we can't.

8 So thank you for your leadership. You've been a
9 true advocate for transportation and the state is a better
10 place because of that.

11 MR. UNDERWOOD: I guess I'm last in line, Ted. I
12 don't know if you all realize that through Ted's years on
13 the Commission, he's always taken the road less traveled.
14 Some say it's because he's independent, creative,
15 adventurous, but his wife says it's because he never asks
16 for directions.

17 (Laughter.)

18 MR. UNDERWOOD: But when I started on the
19 Commission in 2007, TxDOT was a much different agency than
20 what we have today. There were people that were not happy
21 with TxDOT, internally and externally. But thanks to Ted's
22 stewardship, he's helped guide this agency through a period
23 of change and introspection in his recent years, resulting
24 in a more transparent, responsive and efficient agency.

25 And some of the examples that we've seen are the

1 Fleet Forward program which will save us about \$500-million
2 over 10 years. There are also programs to ensure the
3 state's infrastructure can sustain the economic boon from
4 the energy sector growth. Also, the establishment of the
5 Freight Advisory Committee to advise the Commission and
6 TxDOT on freight issues. And to also help us develop our
7 first statewide freight plan to meet the anticipated needs
8 of the Panama Canal as it's enlarged and allows larger
9 vehicles to go through.

10 I want to thank Ted for 10 years of service beyond
11 the call of duty. You don't get paid for all the grief he's
12 had. And so, I appreciate everything you've done, Ted.

13 MR. HOUGHTON: Thank you, Fred.

14 MR. UNDERWOOD: You bet.

15 MR. HOUGHTON: And thank you very much. Thank you
16 all very much for your kind comments and without you all,
17 this wouldn't be possible and then the people in the
18 department. And I thank them for making all this happen;
19 the staff and employees of the great state and the
20 Department of Transportation. Thank you very much.

21 MR. BASS: Mr. Chairman, we have your certificate
22 and I think if the fellow commissioners would step down in
23 front of the dais, we'll take a few pictures at this time.

24 MR. HOUGHTON: Oh. Thank you.

25 MR. HOUGHTON: I wondered when I was going to get

1 a flashlight. I've been wondering for 10 years -- seven
2 years I've been wondering where that flashlight -- thank
3 you.

4 MR. UNDERWOOD: Seven years.

5 MR. HOUGHTON: Onward, James.

6 MR. BASS: All right. Mr. Chairman, just as a
7 general housekeeping item, subject to time, our plan this
8 morning is to consider all of the action items before moving
9 into executive session. With that, we will begin with item
10 3(a), which is a report on potential improvements to TxDOT's
11 ferry operations. This item will be presented by Deputy
12 Executive Director John Barton. John.

13 MR. BARTON: Thank you, Director Bass. Again
14 Chairman, Commissioners, for the record, my name is John
15 Barton, and I have the distinct honor of sharing with you
16 this morning a brief presentation about a study that we
17 conducted of our Port Aransas ferry operations earlier this
18 past year.

19 This was done through the leadership of our ferry
20 operations team there in Port Aransas, Howard Gillespie is
21 the manager over that program, with the assistance of the
22 Boston Consulting Group, a great team that looked at
23 opportunities to evaluate our operations and determine if
24 there were things that we could improve to provide better
25 customer service to the many people that use that particular

1 ferry system on a daily basis and while they're vacationing
2 in the Port Aransas area.

3 I also want to share with you that Commissioner
4 Jeff Austin asked us to look at this as he's traveled across
5 the entire state of Texas during his tenure on the
6 Commission. He's taken a significant interest in many
7 things, one of those being our ferry operations. He visited
8 our Port Aransas system and shared with us his ideas about
9 some things that might -- we might be able to improve upon
10 and encouraged us to take this to determine how we can
11 continue to move this to a best in class operation.

12 So, when we looked at the system, the group
13 evaluated the overall operations and came away with a
14 positive assessment that we do have an effective system.
15 It's operating successfully and it is serving the needs of
16 the citizens of Port Aransas and Aransas Pass and the
17 surrounding Corpus Christi area. It saves those who use it
18 a considerable amount of time and fuel. It saves about a
19 one hour trip, and I'll show that to you in just a minute,
20 but it also identified that we are operating the system
21 safely, which is obviously our highest priority.

22 So we were proud to learn that we do have an
23 effective system there and that the men and women who work
24 on this particular ferry are doing a great job in managing
25 it.

1 With that being said, we did discover that we have
2 opportunities for improvement as we thought we would. Our
3 current state of affairs creates a situation where during
4 those peak periods on those major holidays like Spring Break
5 that's just about to be upon us, the Memorial Day weekend,
6 the Fourth of July, and then of course Labor Day weekend, we
7 can have some fairly significant delays, up to two to three
8 hours. And obviously, that is a long time for anyone to
9 wait.

10 We have message boards across this area to provide
11 users of the system information about the time it will take
12 them to get on to the ferry and cross this landing, but our
13 ability to estimate that is a little less than scientific.

14 How it currently works is one of our ferry hands
15 will stop one of the people that is about to board the boat
16 and say how long you been waiting here. And they'll say
17 well, about an hour and a half and they'll say, tell the
18 control tower they've been waiting an hour and a half and
19 we'll put that information out there.

20 So, if they were to ask my wife that after being
21 in line for a few minutes, she'd probably say an hour and a
22 half because she's frustrated. And so, we're not sure that
23 that wait time that we're currently displaying is accurate.
24 And that's an opportunity for us to improve. This is a map
25 of the ferry system Port Aransas/Corpus Christi area and I

1 wanted to point out a few things to you.

2 The red star on the right-hand side of this map is
3 where the ferry landing is. That's in the heart of Port
4 Aransas. And if you were to drive on the land side up 361,
5 around 35, 181, and then back down 358 and 361 along Mustang
6 Island to get to Port Aransas from Aransas Pass, that would
7 be that one hour trip that the ferry system allows us to
8 avoid. So it allows for that movement of people that work
9 on the island but live on the mainland or vice versa, that
10 daily commute, a great time savings and fuel savings.

11 We currently have four message boards to display
12 the wait time. There are the two on the island that you see
13 there, either side of the -- that red star, and then two up
14 on US 181 and US 77 near Sinton, Texas. And that's to allow
15 people of what we show on this map as decision point E,
16 opportunities as they're coming into Corpus Christi, Port
17 Aransas, Aransas Pass area, for vacationing purposes or for
18 perhaps other reasons, the opportunity to make a decision;
19 do I want to go down and use the ferry or would I like to go
20 through Corpus Christi along Mustang Island to get to port
21 Aransas.

22 So that's where we currently have our message
23 systems and they are there to provide that daily service for
24 both local traffic, as well as vacationers. We currently
25 have identified an opportunity to provide more information.

1 If you look at the Corpus Christi area, what we
2 call our decision points B and C, we feel like that with
3 some existing dynamic messages -- boards that we have there,
4 we can display additional messages for people that are
5 coming into the area from perhaps San Antonio down
6 Interstate 37 or just traveling about the area, to give them
7 a decision point; do I want to continue south along 358 to
8 the causeway crossing to Mustang Island or would I rather go
9 over to Portland and in around to Aransas Pass across the
10 ferry.

11 We currently don't use those boards to display
12 this message, but we think that during these peak periods,
13 it would be a great opportunity to provide some additional
14 decision points.

15 And then something that's really exciting for us
16 is we've identified two key locations, we're calling them
17 decision point A and decision point D, where we think we can
18 put additional message boards out as we approach this Spring
19 Break season to provide messages to travelers about the
20 crossing time.

21 So if you can imagine, if we have spring breakers
22 coming in from the San Antonio area down Interstate 37, many
23 of them in the past would cut across on 188 to Sinton and
24 then down to Aransas Pass, only to find that they are --
25 they have a huge wait time. By deploying those messages

1 north of that decision point, they'll be able to make the
2 decision do I want to continue on to Aransas Pass or would I
3 like to go down to Mustang Island and across. That's a
4 critically important point to us.

5 The second one is what we call decision point D
6 and it's just north of Gregory on US 181. Again, as people
7 make their way down from Houston, the Austin/San Antonio
8 areas, many of them come through 181 after they go through
9 Sinton, and with additional messages they're just north of
10 Gregory, they'll be able to decide if they want to continue
11 on to Aransas Pass or come through Corpus Christi to go
12 around the ferry landing.

13 We believe that by putting these out during the
14 Spring Break period, we'll be able to test this system,
15 monitor the conditions, and our studies indicate that we'll
16 be able to provide the traffic -- traveling public much more
17 information and reduce the wait times that many people are
18 currently experiencing.

19 We also believe that we have an opportunity to
20 provide more accurate and real-time information on those
21 message boards, on our Internet site, and through the use of
22 mobile devices. And what we have done is we've looked at
23 those key decision points and we've identified that we can
24 take the technology that we pioneered with the Texas A&M
25 transportation Institute on our Interstate 35 construction

1 quarter, that 70 to 90 mile program we have in central
2 Texas, and deploy the use of Bluetooth technology to help us
3 measure the travel time that we are experiencing at the
4 ferry crossing and to give that information, both real-time
5 and more accurately. This is a successfully deployed
6 system. We've already got in place on Interstate 35, and we
7 currently are deploying these technologies into this area at
8 the Galveston -- or excuse me, at the port Aransas ferry
9 crossing.

10 It's important that you know, this is completely
11 anonymous technology, so we don't know whose cell phone it
12 is or device it is. We don't record any of that
13 information. It just allows us to check the signal from
14 those devices as they move down the corridor, calculate the
15 travel speeds, and therefore, be able to calculate the
16 crossing time and display that. We'll send that information
17 to those message boards, to our Internet sign, and as you
18 can imagine, yes, we're even developing an app for that.

19 So it's something we're really, really excited
20 about.

21 This next slide just shows a picture of that
22 technology. It's fairly discrete, people won't notice it.
23 We mount them on existing power poles or signal poles and I
24 just wanted to show you what the system might look like. We
25 plan to deploy them in several locations to capture this

1 real-time travel speed and I'll show you those locations in
2 just a minute and of course will give us the ability to
3 spread that information out to the users in this area.

4 This map shows you where those Bluetooth sensing
5 devices will be located. Those blue stars indicate the
6 locations and as you can see, we'll be gathering information
7 as people are passing through and across the causeway area
8 into Mustang Island and then onto Port Aransas, as well as
9 from Aransas Pass down to the ferry crossing at Port
10 Aransas, and in the area Port Aransas itself, because we do
11 have a lot of internal circulation traffic there that starts
12 to build up as the travel times become more lengthy.

13 We believe that these particular locations will
14 give us the ability to capture those speeds and to help the
15 traveling public understand what they are going to be
16 facing.

17 So in addition to those improvements which we will
18 be testing over the Spring Break period and should they be
19 successful deploying permanently for this system and
20 migrating it towards our Galveston-Bolivar ferry system as
21 well, we looked at the operations in a much deeper way, and
22 I wanted to just briefly touch on that as well.

23 We have an aging fleet there at the Port Aransas
24 ferry system as you can see from the information displayed
25 on the screen, and we are proposing to develop a plan that

1 would allow the agency to budget for a systematic
2 replacement of this fleet; that there are six of the ferries
3 that are reaching the end of their useful life, and by doing
4 so, we'll be able to increase the carrying capacity of our
5 fleet by over 50 percent, which is a significant increase.

6 The older ferry systems, boats, do not have the
7 same carrying capacity as the more recent boats that we are
8 now currently purchasing. The plan that's shown on the
9 screen here is just how we could budget. It would cost us
10 about \$1.65-million per year for each ferry over a four-year
11 period of time. It would average an investment by the
12 agency of about \$6.6-million per year for this type of
13 thoughtful considerable -- considered plan.

14 There are some advantages to this. We'll obviously
15 have scale in purchasing, so we can get the costs of each of
16 those vessels down to a lower cost. We'll also be able to
17 have the delivery of those spread out over time so that we
18 don't have a complete turnover in our fleet occurring at the
19 same time, and it will give us the opportunity for the
20 shipbuilders to contract with the thought that moving
21 forward they have consistent work and we'll be able to get
22 more reliable, better quality products as they get better
23 and better at developing those.

24 These are just a few of the ideas that we came
25 away from out of this study. We were very excited about the

1 outcome to learn that we do have a successful system, but
2 there are opportunities for us to make improvements. Some
3 of them very low-cost.

4 The messaging and Bluetooth technology that I
5 shared with you is only going to cost us about \$60,000 to
6 deploy now and if we choose to make it permanent, about
7 \$200,000, so very low-cost improvement that could provide
8 significant customer satisfaction improvements. Then, of
9 course, the ferry replacement system is something we will
10 have to do eventually anyway and this thoughtful considered
11 plan, should we move forward with it, will provide
12 significant capacity improvements and all but eliminate some
13 of those wait times, except during our heaviest holiday.

14 So with that, I would be happy to answer any
15 questions you may have and again, appreciate Commissioner
16 Austin's leadership in asking us to take a look at these
17 operations.

18 MR. AUSTIN: John, thank you all and Boston
19 Consulting Group for doing a great job with this, because
20 there's a lot of outcomes that are going to affect the
21 public. One thing, would you mind going back to the map
22 where it says dynamic message signs, it's kind of a larger
23 map.

24 One thing I want to point out as we look at this
25 why this is an important system as well, you know, much as

1 what we talk about, you know, the Harbor -- not the Harbor
2 Bridge -- Interstate 10 replacement in El Paso for an
3 alternate route as we're looking at the loop, we're going to
4 have a similar situation here with traffic congestion in
5 trying to anticipate when the Harbor Bridge is
6 reconstructed. There's going to be a lot of -- there may be
7 some pain in traffic down there.

8 So as citizens -- or Texans will be better able to
9 determine the wait time, they can make a choice. And I know
10 once this is deployed also, if this is successful, the
11 Bolivar ferry, Galveston ferry, this will really help coming
12 out of Houston or up in Winnie, for people to better gauge.

13 I applaud what you all are doing and in looking at
14 the fleet replacement, we focused a lot on the heavy
15 equipment that we use in road construction, but we also
16 maintain fleets for aircraft and the ferries.

17 As we're looking at this, you know the capacity is
18 going to increase by 50 percent in trying to figure out a
19 good solution, the cost of this ferry is about \$6.6-million
20 and I know the most recent one that we did was the Johnson.
21 I know it's much larger over in Galveston, and that was --
22 the price tag of that was about 20?

23 MR. BARTON: 20 million, correct.

24 MR. AUSTIN: About 20 million. So, we're dealing
25 substantially, you know, it's a lesser-sized ferry, but it's

1 still important on the state highway system. And how will
2 -- I mean, how will we report the results back? I mean, how
3 will you come back to say this is successful, what are the
4 key determinants that you are going to see to realize that
5 this -- or determine if this is a success or not?

6 MR. BARTON: Clearly, I think the biggest mark for
7 success is going to be customer satisfaction and knowing
8 what their -- to expect will reduce their frustration. So
9 we intend to do customer surveys, both through technology,
10 as well as on the landings themselves, to get a feedback;
11 has this been valuable to you, do you believe it's more
12 effective for you.

13 We'll also have the ability through the Bluetooth
14 technology to actually measure those speeds as they cross
15 the ferry system, measure our throughput, and see as these
16 systems are deployed, what improvements we see in wait times
17 and in the capacity improvement that we see moving through
18 the ferry system themselves. So we intend to monitor those
19 activities to continue to tweak these two type of
20 technologies we talked about, but also to consider some
21 other improvements.

22 There were other things that I didn't cover today
23 that we've looked at in terms of how to load and unload the
24 vessels, perhaps reshaping some of the landing areas, and
25 we'll continue to develop those, but having that Bluetooth

1 technology, which is also Wi-Fi capable of picking up Wi-Fi
2 signals as well, will be extremely beneficial for helping us
3 measure our success in getting those reductions in wait
4 times.

5 MR. AUSTIN: Just a last comment, looking at the
6 replacement schedule, thank you all for looking ahead now
7 and where we can be very transparent and looking at what
8 we're faced with and the benefit, the cost-benefit, back to
9 the public and how we're going to reinvest our dollars. So
10 thank you all for this planning and this is, you all have
11 done a very good job. And using the technology, this is the
12 TxDOT of tomorrow.

13 MR. BARTON: Thank you, Commissioner Austin. I
14 would just like to point out for your -- you mentioned that
15 -- and I know Commissioner Moseley is very aware and keenly
16 focused on it, having this technology deployed at the
17 Galveston-Bolivar system is going to be extremely beneficial
18 as well. As most of you know, and most others do, there's a
19 huge medical center there in Galveston. A lot of people
20 from Southeast Texas, Southwest Louisiana, travel there for
21 treatment for cancer, burn victims, those things. And being
22 able to tell at Winnie, Texas whether they should travel on
23 down to the ferry and cross at the hile and Bolivar ferry or
24 to go through Houston is very important to them. And having
25 the ability to predict these times and give them real-time

1 information that far away from their destination is going to
2 be invaluable.

3 As a former resident of Southeast Texas, I can
4 tell you it will be a valuable asset to have there in that
5 part of the state as well.

6 MR. UNDERWOOD: John, one thing I want to make
7 sure I stress, this technology, all it really does is count
8 a signal, it doesn't actually track the signal so to speak.
9 You have no earthly idea what's -- there's no information
10 involved. It just says there's a signal here, I count a
11 signal here, I count a signal here. It's just a counting
12 mechanism.

13 MR. BARTON: That's correct.

14 MR. UNDERWOOD: I want to make sure the public
15 understands that.

16 MR. BARTON: That's correct. It has no --

17 MR. UNDERWOOD: Because there's some people that
18 worry about privacy.

19 MR. BARTON: -- no information about the type of
20 device, the -- what the device is, who owns it, none of the
21 data is stored. It's just it gets a ping here, gets a ping
22 there, it recognizes that signal.

23 MR. UNDERWOOD: Basically, it just moves over and
24 says -- it does a counter. That's all it's doing.

25 MR. BARTON: Correct. Correct.

1 MR. UNDERWOOD: Okay, just wanted to make sure
2 everybody understands that. It's not tracking any
3 information other than counting. Thank you.

4 MR. MOSELEY: One question. I don't know if this
5 study would cover this or perhaps for a future date, but it
6 would be interesting to know during the peak demand where
7 you have significant demand for capacity to cross the
8 channel; is there enough capacity demand that we could
9 entertain a dialogue with the private sector? Would there
10 be vendors for example that would come in for several
11 months, maybe even pay us a little bit of rent to use our
12 docks, but they would charge a fee and the public would have
13 an option to sit in a two-hour line or maybe they'd pay a
14 ferry crossing fee to the private sector vendor and we don't
15 have to get into that today, but I -- you know, I think it's
16 a wonderful discussion, I appreciate the study, and I think
17 these tracking devices are wonderful.

18 And as we know, population grows in the state and
19 more demand for getting to these destinations will grow. It
20 would be interesting to know if there's a vendor that would
21 even be interested in talking to us about a seasonal lease
22 to come in during these high demand times.

23 MR. BARTON: Certainly great ideas and I know that
24 the city of Port Aransas and Aransas Pass are interested in
25 exploring all those types of opportunities with us, we'll

1 continue to delve into that.

2 MR. UNDERWOOD: John, would be all right instead
3 of using the word tracking device if we use the word
4 counting?

5 MR. BARTON: Sure.

6 MR. UNDERWOOD: Thank you.

7 MR. BARTON: Yeah.

8 MR. VANDERGRIFF: And will you come back to us at
9 some point in time or is this ever going to be an action
10 item for us?

11 MR. BARTON: There would not be an action item for
12 the real-time travel information activity, Commissioner
13 Vandergrift. If we were to move forward with the
14 purchasing, it would be part of a larger budgeting process
15 that you would be involved with. We'd be more than happy to
16 come back and provide an update on the successes that we've
17 seen and additional improvements we might be considering at
18 a future date.

19 MR. HOUGHTON: Any other questions? Okay.

20 MR. BASS: John, please continue with the next
21 discussion item, which is an update on the municipal
22 highways turn back program.

23 MR. BARTON: All right. Thank you, Director Bass.

24 This item is to provide you with a brief update on
25 the status of the municipal highway turn back program. As

1 you will recall, during the workshop meeting that we held
2 with the Commission in June of last year, you engaged us in
3 a conversation as your staff about opportunities that the
4 agency may have to start to consider the implementation of
5 strategies and partnerships that would allow us to reduce
6 the demands that we currently face on the limited resources
7 that we have available to the department to meet the needs
8 of the citizens of Texas.

9 And one of the partnerships that was considered
10 and discussed at that time, was a program to quote unquote
11 turn back some of the municipal highways, the ownership and
12 responsibility for maintenance of those, to the state's
13 largest municipalities.

14 Staff had identified, based on that conversation,
15 that there are approximately 6900 lane miles of non-freeway
16 state highways in these cities with populations of over
17 50,000 and we estimated that if those roadways were turned
18 back to those communities, transferred in terms of ownership
19 to those cities and counties, it would result in as much as
20 \$165-million in savings in ongoing maintenance and
21 reconstruction costs to the department each year.

22 I wanted to characterize the type of roadways that
23 we're talking about. These are state maintained roadways in
24 these communities that for the most part are characterized
25 as local streets. Let me give you a few examples.

1 Here in Austin, where the department is
2 headquartered, Lamar Boulevard is one of those state
3 maintained facilities. Most people would probably not know
4 that.

5 In Commissioner Moseley's home community of
6 Houston, Westheimer Boulevard that I've referred to often in
7 this discussion is also a Farm to Market road that's part of
8 the state highway system. It runs in front of the Galleria
9 Mall.

10 Commissioner Vandergriff often uses Cooper Street
11 in Arlington. That is a state facility, and again, most
12 people that would be driving on that see that as a city
13 street.

14 In El Paso, McRae Boulevard, one of those roadways
15 that most people would not know is a state maintained
16 facility unless they worked for TxDOT.

17 And then in Lubbock, not to leave any of our
18 commissioners out, Avenue Q and 19th Street are state
19 maintained facilities, part of the state highway system. And
20 in Tyler, where we had a commission meeting not too long
21 ago, many of us drove up and down Broadway, which is US 69
22 and part of the state highway system.

23 And again, to most of the community, the people
24 that drive on those facilities, the residents that live
25 there, they look, feel and behave like city streets and

1 those are the types of facilities that we talked about.

2 Since our original discussion, some things that
3 change, and I wanted to update you. We talked about this
4 last summer, and our staff has had the opportunity to visit
5 with communities all across the state to talk about this
6 with their leadership, at the City Council, County
7 Commissioners Board and city staff levels, to explore this
8 potential partnership further. Many of those discussions
9 have been very positive and we're excited about that and
10 there is promise on the horizon that several of these
11 communities will take some of these responsibilities on.

12 Early on, we had the opportunity for the
13 leadership of the Texas Municipal League in our
14 administration here at the Texas Department of
15 Transportation, to meet and discuss this partnership
16 opportunity to determine if there was an opportunity to
17 provide a consistent approach to considering these
18 partnerships across the state. And through the willingness
19 and leadership of the Texas Municipal League and the people
20 that lead that organization to work with not only us here at
21 the Texas Department of Transportation, but the Texas
22 Metropolitan planning organizations as well, we've
23 cooperatively started to develop a plan on how this program
24 might work across the state, so there's consistency and an
25 understanding and appreciation of what can be done in a way

1 that would benefit everyone.

2 So during our recently held Texas Transportation
3 forum that we mentioned earlier this morning that was held
4 in San Antonio just a few weeks ago, we had the opportunity
5 to meet with the Texas Municipal League and several of their
6 members, the Texas Association of Metropolitan Planning
7 organizations, and to discuss this municipal highway turn
8 back program.

9 The key discussion points that we had were very
10 positive and I think are going to be instrumental in helping
11 us move this forward as a program, and I just wanted to
12 share a few of those. It was strongly encouraged as we
13 talked about this at a group that it be a completely
14 voluntary program, that no community be forced to
15 participate, but given an opportunity to partner with the
16 agency in doing so. That the roadways that would be turned
17 back as I've said, would be given back or turned back to
18 these communities in a state of good repair, that, you know,
19 the surface had been treated, that the signals and signs
20 were in good shape, and that they were getting something of
21 value in a condition that was acceptable.

22 Also, we talked about the financial assistance
23 that the state may be able to provide to help offset the
24 budgetary impacts that would immediately occur to these
25 communities so they could plan to work it into their

1 schedule of budgets over a period of time.

2 It was also important that we ensure some
3 consistency between communities, many of our growing
4 metropolitan areas are made up of an amalgamation of several
5 communities and so we wanted to make sure that as we went
6 from one community to the next, that roadway would be
7 handled in a consistent manner and we didn't create
8 unintended consequences through this type of program.

9 And that the department continue to carry out any
10 commitments that we had to projects that were in our four
11 year plan. So, if we were planning to rehabilitate a
12 roadway, replace a bridge within the next four years as a
13 community considered taking on those roadways, that we would
14 continue to do those projects, and we wouldn't withdraw from
15 those commitments that were already in our four year
16 planning horizon.

17 And then lastly, that as the department sees the
18 benefit of reduced cost to maintain those roadways, that any
19 of those resources that we are now saving would be
20 redeployed for other important transportation needs within
21 those same communities. So that if the city of Lubbock as
22 an example, took back several of those roadways, the money
23 we saved would go back into improvements meeting the
24 mobility, safety and maintenance needs in the state system
25 in the Lubbock area.

1 I believe that the success of this partnership can
2 best be characterized by the letter I received from Genghis
3 Jordan who is the leader of the Texas Municipal League at
4 this time after our meeting there in San Antonio. I just
5 want to read it to you very briefly, it's a short letter.
6 And he said, Dear John, thank you for your leadership and
7 expertise that is focusing upon a partnership with the Texas
8 Municipal League on this turn back program. The meeting and
9 presentation on January 6th in San Antonio was a huge step
10 in defining a voluntary program that will be efficient and
11 effective.

12 The members of the Texas Municipal League working
13 group were very impressed with the detail and thought that
14 went into this program and walked away with a true sense of
15 partnership. I believe we will find that this effort will
16 contribute greatly to the relationship of the Texas
17 Department of Transportation, Texas's cities and serve to
18 benefit our citizens of this great state. I appreciate your
19 professionalism. Sincerely, Genghis Jordan.

20 As the old saying goes, time waits for no man and
21 for darn few women. Several communities have reached out to
22 us already, they want to advance her conversations about
23 this, and I wanted to share with you some of these.

24 As you know at San Antonio back in the forum --
25 you just now got that, Coby. The city of San Antonio and

1 Bexar County announced their plans to take back over 100
2 lane miles of municipal highways within their community as
3 part of the larger San Antonio mobility plan that was
4 discussed and revealed at that forum.

5 The city of Lubbock City Council recently passed a
6 resolution and presented to us a proposal to take back over
7 150 lane miles of roadways in the city of Lubbock. Other
8 cities have reached out to us as well, including Dallas
9 County, the city of Dallas, Midlothian, the Isleta Tribe in
10 El Paso, a small Indian tribe that actually would like to
11 take back one of the roads within their tribal lands, the
12 city of Fort Worth, the city of Waco, and the city of
13 Weslaco, just to name a few. They've all approached us with
14 ideas, thoughts about taking back several of the roadways.

15 We will be meeting with the Texas Municipal League
16 and the Texas Association of Metropolitan Planning
17 Organizations working group again in a few days in San
18 Antonio to continue to develop this partnership program and
19 to better define it, and I'm confident that we will be
20 successful in putting forward a program that the communities
21 around Texas can embrace, that the Department of
22 Transportation can be proud of, and that our Metropolitan
23 Planning Organizations can work within.

24 So, that concludes my brief update on this program
25 and I would be happy to answer any questions that you may

1 have.

2 MR. HOUGHTON: Question?

3 MR. AUSTIN: I just have one comment. John, thank
4 you for the update and I think it's important to keep this
5 visible, because this -- you know, this was a hot topic and
6 still is. And while what some people thought was a cram
7 down was not, but what -- the outcome of this discussion
8 with different cities, I think we've all had different
9 discussions, different communities or counties approach us,
10 I'm amazed at the creativity. Because what it's caused, it
11 created, is how can we advance a project if we did this or
12 that. And that's the type of creativity to allow us to help
13 communities advance important projects that are on the
14 system to get them done quicker.

15 There is incentive there and I think that's
16 helping the state, just like I look at our roads that it is
17 a city road, there's no truck traffic on it, there are
18 opportunities to improve that system and redeploy those
19 asset -- those dollars. So, it has inspired a lot of
20 creativity.

21 Some people still are saying no is no; we don't
22 want to do it, we don't want to consider it, but those
23 communities that are, I applaud them for their creativity
24 and innovativeness.

25 MR. BARTON: Thank you.

1 MR. UNDERWOOD: John, one thing I want to
2 reinforce in your comments, when these -- when TxDOT is
3 giving up the so to speak ownership of these particular
4 roads and highways, it's a mutual agreement in which that
5 the community says we want it to be in this -- basically
6 they say we want it to be in this kind of shape before we
7 take it over. It's not like we're saying you get it, we'll
8 kind of fix it up, you know, good luck to you.

9 MR. BARTON: That's --

10 MR. UNDERWOOD: It's the deal where we have an
11 agreement with them where they literally say we need this
12 done, this done and this done before we can accept it.

13 MR. BARTON: That is correct.

14 MR. UNDERWOOD: So we're working with the
15 communities and saying okay, what do you need before you
16 take this over, how do you -- do you want it repainted, you
17 know, do you want the new tires on the car so to -- don't
18 quote me on that, I get in trouble. But anyway, you see my
19 point.

20 MR. BARTON: Yeah.

21 MR. UNDERWOOD: It's the community is saying
22 here's what we have to have before we can accept this. And
23 this also is being spread out so that they don't push it on
24 their tax base overnight, it's being spread out over
25 multiple years; isn't that correct now, John?

1 MR. BARTON: That is correct. And as we look at
2 the roadways, we get our staff with their staff, our
3 leadership with theirs, and we try to determine what
4 improvements need to be made for it to be acceptable.

5 Sometimes it's not acceptable to them, sometimes
6 it won't be acceptable to us. I know we had one particular
7 community that wanted us to install all new sidewalks and
8 some overpasses, and you know, that kind of expense would
9 have been unreasonable for us to do and --

10 MR. UNDERWOOD: Too much on the front end --

11 MR. BARTON: Right.

12 MR. UNDERWOOD: -- for no more than what we were
13 going to be able to save in the long term.

14 MR. BARTON: But it's a cooperative effort on
15 making sure we understand what a state of good repair is,
16 and then we carry through with those ex -- those
17 commitments. And then, working with them to define a
18 budgeting process that can help them fit it in to their
19 cycle so there's not an undue burden to them at the
20 beginning of the process.

21 MR. UNDERWOOD: Right. Because originally they
22 thought they were going to have to instantly have to eat
23 that kind of expense, and there's no way they could push
24 that into their tax base or plan or do anything else.

25 MR. BARTON: That's correct.

1 MR. UNDERWOOD: So there's a lot of
2 misconceptions, but I believe that you -- and I appreciate
3 and laud your staff for being able to alleviate that fear
4 and explain it to them, exactly what's available to them.

5 MR. BARTON: I'll pass that on.

6 MR. UNDERWOOD: Let's use the word available to
7 them.

8 MR. BARTON: That's correct, sir.

9 MR. UNDERWOOD: It's not being crammed down, it's
10 this is available to you, here you go, this will save the
11 state money, you'll still be able to keep the money in your
12 backyard, plus you'll have control now of those streets.
13 And that was the big issue. Because I can remember talking
14 to a particular developer and he said well, I need to have a
15 cut in this driveway, and they said well, you'll have to see
16 the state of Texas, and they go wait a minute, this is in
17 the middle of the city.

18 MR. BARTON: Yeah.

19 MR. UNDERWOOD: So now they have an opportunity to
20 actually control that and have access to it and be able to
21 use it and actually be part of their tax base as they move
22 things forward, so thank you, sir.

23 MR. BARTON: Thank you.

24 MR. VANDERGRIFF: I just have one quick comment
25 and then one question. I think this is good work at

1 basically turning lemons into lemonade and it's a good
2 example of we're an advanced cooperative, we're here to
3 help, open-armed approach works well, and I appreciate the
4 efforts you put into it, you personally and your staff as
5 well.

6 The question I have is at some point in time, I
7 know we had \$160-million projected savings based on I'm not
8 sure what criteria, but that it was out there. Will you at
9 some point be able to project as more communities come on
10 what that will end up saving for the department?

11 MR. BARTON: We will, Commissioner Vandergriff.
12 And that data came from our records of how much we were
13 spending on each of those roadways on an annual basis and
14 then what we had projected to spend in terms of
15 rehabilitation and maintenance into the future.

16 So, as these roadways in this program advances,
17 we'll continue to keep track of those cost changes and be
18 able to share that publicly and with this commission. Thank
19 you.

20 MR. HOUGHTON: Thank you very much to the staff --

21 MR. BARTON: Thank you.

22 MR. HOUGHTON: -- for this project.

23 MR. BASS: Thank you, John. Next we have Item
24 4(a) to appoint a member to the Lone Star Rail District.
25 Railroad Division Director Erik Steavens will present.

1 Erik?

2 MR. STEAVENS: Good morning, Mr. Chairman,
3 Commissioners, Mr. Bass. For the record, my name is Erik
4 Steavens. I'm the TxDOT Division Director for the rail
5 program.

6 This minute order reappoints J. Tullos Wells as
7 the public director to the board of directors for the Lone
8 Star Rail District. The District was created as an
9 intermunicipal commuter rail district under Transportation
10 Code 173.051, to provide commuter rail service between
11 Austin and San Antonio. The Code further provides that the
12 Commission appoint two public directors to the District's
13 board of directors. The other board members are appointed
14 by member cities, counties, transit agencies, and the
15 metropolitan planning organizations.

16 The current board is comprised of 20 members.
17 This appointment will be for Mr. Wells' seventh term as a
18 member of the board of directors. He was appointed to the
19 commission as a public director in 2002 and has served
20 since.

21 The District has requested Mr. Wells be
22 reappointed for a two year term. Mr. Wells has indicated
23 his willingness to continue to serve as board member. Due
24 to his exemplary service, demonstrated commitment, staff
25 recommends reappointing Mr. Wells for a seventh term to the

1 board of directors. His term will start February 1st for a
2 two year period. Thank you.

3 MR. HOUGHTON: We have somebody that would like to
4 comment. Sid Covington, the Chair of the Lone Star Rail
5 District. Sid?

6 MR. COVINGTON: Thank you, Chairman Houghton,
7 Commissioners, Director Bass. My name is Sid Covington, I
8 am the Chair of the Lone Star Rail District and I do want to
9 support the recommendation to reappoint Tullos. He is one
10 of the original board members. There are five of us out of
11 the 20 that have been on it for the full time.

12 Tullos, along with your other -- one of your other
13 appointees, Mariano Camarillo, are kind of my heavy lifters.
14 We do rotate with political appointees some of the board
15 members come and go, but we've got kind of a core group of
16 us that have stayed together and have the institutional
17 knowledge and we're masochistic enough to keep doing this
18 over and over, so -- but Tullos has been a major supporter
19 and major help. He also represents the San Antonio interest
20 very well which is very important to us. And we are
21 entering into a -- kind of a key point in this project and
22 it seems like it's taken us much longer than I would have
23 ever guessed, but we're starting the environmental process,
24 we're working the funding issues now, and so we're, you
25 know, kind of seeing that there is maybe a light at the end

1 of the tunnel, so this is an important time, and I really do
2 support Tullos' reappointment.

3 I also wanted to say that I really have
4 appreciated, and we have appreciated, the support of the
5 commission, of the TxDOT staff, the Rail Division. We're
6 working together much better as a team now than I think we
7 ever have. And that's very important as we move forward.

8 And I would echo what everybody said about Coby.
9 Coby's been a great asset to us. He's provided a lot of
10 support and counsel over the years, so you'll be missed.

11 MR. CHASE: Thank you.

12 MR. COVINGTON: And that's really all I had to
13 say, but I do recommend and support the reappointment of
14 Tullos Wells.

15 MR. HOUGHTON: Thank you, Sid. Thank you very
16 much.

17 MR. COVINGTON: Thank you.

18 MR. HOUGHTON: Okay. There is a motion. Is there
19 a second?

20 MR. AUSTIN: Second.

21 MR. HOUGHTON: All in favor?

22 (Chorus of ayes.)

23 MR. HOUGHTON: Thank you. Thank you, Erik.

24 MR. BASS: The next two items will be presented by
25 TxDOT staff attorney Rebecca Bronson. And those two items

1 are to appoint a director to a couple of the corporations
2 the commission has created. Rebecca?

3 MS. BRONSON: Good morning. I'm Rebecca Bronson,
4 associate general counsel, and one of my responsibilities is
5 to act as counsel to the Texas Private Activity Bond Surface
6 Transportation Corporation. We more frequently call that
7 the PABST Corporation.

8 The minute order referenced in Item 4(b) would
9 appoint a director to the PABST Corporation board. As
10 authorized by the commission, the powers of the Corporation
11 are exercised by a three member board composed of fulltime
12 department employees.

13 To fill a vacancy on the board of directors
14 created by the resignation from employment with the
15 department by Scott Haywood, the minute order proposes the
16 appointment of Lauren Garduno to the board of directors.
17 Lauren Garduno would be appointed to serve for Mr. Haywood's
18 remaining term which will expire on August 31st, 2017.

19 MR. HOUGHTON: Questions? Is there a motion?

20 MR. AUSTIN: So moved.

21 MR. MOSELEY: Second.

22 MR. HOUGHTON: All in favor?

23 (Chorus of ayes.)

24 MR. HOUGHTON: Onward, Rebecca.

25 MS. BRONSON: Agenda Item 4(c) is similar to 4(b)

1 in that the minute order relates to filling a vacancy on a
2 board of directors of a transportation corporation.

3 In this minute order, the vacancy to be filled is
4 to the Grand Parkway Transportation Corporation board of
5 directors. This minute order proposes the appointment of
6 Lauren Garduno to the Grand Parkway Transportation
7 Corporation board of directors to serve out Scott Haywood's
8 remaining term expiring on August 31st, 2015.

9 As is the case with the PABST Corporation, the
10 powers of the corporation are exercised by a three member
11 board of directors composed of fulltime department
12 employees.

13 MR. HOUGHTON: Questions?

14 MR. MOSELEY: So moved.

15 MR. AUSTIN: Second.

16 MR. HOUGHTON: All in favor?

17 (Chorus of ayes.)

18 MR. HOUGHTON: Thank you, Rebecca.

19 MR. BASS: Thank you, Rebecca.

20 Next Item 5, the authorization of the creation of
21 a Commission for High-Speed Rail. The item will be
22 presented by Rail Division Director Erik Steavens. Erik?

23 MR. STEAVENS: Mr. Chairman, thank you again;
24 members of the commission, Mr. Bass. For the record again,
25 my name is Erik Steavens, Rail Division Director for TxDOT.

1 This minute order creates the Commission for High-Speed Rail
2 in the Dallas/Fort Worth Region and appoints Bill Meadows as
3 its presiding officer.

4 The Federal Railroad Administration awarded the
5 department a \$15-million grant for preliminary engineering
6 and environmental review work for high-speed rail from
7 Dallas/Fort Worth to Houston. The Federal Railroad
8 Administration will be the lead federal agency and TxDOT
9 will be the joint lead for the effort from Dallas to Fort
10 Worth. Federal Railroad Administration will be the lead
11 agency and primary entity that will be leading the work from
12 Dallas to Houston.

13 The Department recommends the creation of the
14 Commission for High-Speed Rail in the Dallas/Fort Worth
15 Region to advise staff on the development of inner city rail
16 corridors, new transportation policies, funding, and
17 procurement for high-speed rail between Dallas and Fort
18 Worth.

19 The Department also recommends the appointment of
20 William "Bill" Meadows of Fort Worth as the presiding
21 officer at this time. The Department intends to appoint
22 additional members to the Commission and specify the
23 additional duties of this group at a later date. Staff
24 recommends approval of the minute order and is ready to
25 answer any questions the Commission may have. Thank you.

1 MR. AUSTIN: I just have one question, and
2 congrats to Bill. I thought I -- I thought he'd be here.
3 What is the term of this -- of the Commission?

4 MR. HOUGHTON: Term of the Commission?

5 MR. AUSTIN: How long will this -- two years?

6 MR. STEAVENS: It will expire at the end of 2015.

7 MR. AUSTIN: So much like we have with I-69 and
8 others, so we could always extend it.

9 MR. STEAVENS: Yes, sir. Very much like a project
10 level group. Yes, sir.

11 MR. HOUGHTON: Any other questions of Erik?

12 MR. AUSTIN: I'd move approval.

13 MR. HOUGHTON: Hear a second?

14 MR. MOSELEY: Second.

15 MR. HOUGHTON: All in favor?

16 (Chorus of ayes.)

17 MR. HOUGHTON: Thank you. Thanks, Erik.

18 MR. MOSELEY: I appreciate Commissioner Meadows'
19 service to the Dallas/Fort Worth region, and it seems like
20 it might be appropriate, Erik, for us to investigate what
21 the Houston region would want to do to create a similar
22 group, given the dialogue about connecting the Houston
23 Dallas/Fort Worth area, so we'll perhaps be bringing back an
24 agenda item in the future for the Commission's
25 consideration.

1 MR. VANDERGRIFF: If I can kind of address one
2 point in that regard because Commissioner Moseley's brought
3 up an interesting point. This committee is -- the whole
4 genesis of this is a private developer, Texas Central
5 Railway that is interested and has announced publicly its
6 plans to -- with private funds, to build a line from just
7 north of Houston to into just south of downtown Dallas. And
8 that's the stated line.

9 Obviously, there are -- in the metroplex there are
10 very unique characteristics there between two great cities,
11 Fort Worth and Dallas, and a few cities along the way. And
12 this committee is designed not from a statewide purpose or
13 even the Dallas to Houston connection, its purpose and scope
14 is limited to the connection from Dallas over to Fort Worth,
15 and potentially a stop or two along the way. So I want to
16 make sure the Commission understands that. I know we do.
17 And I think it's a great effort on the part of the
18 communities there to seize the opportunity that a private
19 developer is bringing into the market to see if they can
20 extend that benefit into the other communities that would
21 not be touched directly. So --

22 MR. MOSELEY: Very good. Thank you for your
23 support.

24 MR. BASS: Item 6, extending the application
25 deadline for the County Transportation Infrastructure Fund

1 Grant Program will be presented by Deputy Executive Director
2 John Barton. John?

3 MR. BARTON: Thank you, Director Bass. Again good
4 morning, Chairman Houghton and Commissioners. For the
5 record, my name is John Barton.

6 The item that is before you now would authorize an
7 amendment to a previous commission order -- a minute order
8 that you passed on November 21st, 2013. That number is
9 113773. And the amendment would extend by one month the
10 period of time that counties would be afford to submit
11 applications requesting grants under the County
12 Transportation Infrastructure Grant Program.

13 This was the program created by the Texas
14 Legislature in 2013 to provide funding to counties for
15 transportation infrastructure projects located in areas of
16 the state that have been affected by the increase to oil and
17 gas production. A total of \$225-million has been
18 appropriated by the Legislature for this purpose. And on
19 November 21st, 2013, the Commission approved Minute Order
20 113773 to commence the implementation of this program and
21 designated that the counties could submit their application
22 for this grant between November -- excuse me, February 7th
23 and February 14th of 2014. After we had published this
24 information, the Department received requests from several
25 of our state elected officials to extend the period for

1 submitting grant applications to allow each county that's
2 eligible more time to satisfy the program's eligibility
3 requirements, including the establishment of a county energy
4 transportation reinvestment zone, the creation of an
5 advisory board for that trans -- that transportation
6 reinvestment zone, and completion of a road condition
7 assessment report.

8 Staff recommends the extension of one month that
9 would establish new dates for the submission of applications
10 to be between March the 7th thorough March the 14th, 2014.
11 There are no other changes to the original minute order that
12 are being recommended at this time. Staff would recommend
13 your approval of this minute order and I would be happy to
14 answer any questions you have. I do believe that there are
15 speakers signed up to speak on this.

16 MR. HOUGHTON: There are three. Ronnie Mitchell,
17 Karnes County. Ronnie?

18 MR. MITCHELL: Thank you, Mr. Chairman, John.

19 For the record, I'm Ronnie Mitchell, I'm the
20 Interim Road and Bridge Administrator for Karnes County
21 which is the epicenter of the Eagle Ford Energy Production
22 Zone. I certainly agree with the extension of the time. I
23 certainly don't want any counties left out because of the
24 timeframe. I'm acutely aware that doing everything
25 necessary to be prepared to submit an application by

1 February the 7th was very difficult. However, Karnes County
2 managed to do that. We're prepared.

3 My request this morning to John and to staff is
4 that rather than extending the timeframe to March 7 through
5 March 14, in the event that there are glitches in the
6 program, in the software, in the electronic submission, that
7 the window be extended leaving the opening date February the
8 7th and the closing date March the 14th. Therefore,
9 counties who are prepared could submit our report, you would
10 have an opportunity to review them, and a broader window to
11 respond. Thank you.

12 MR. HOUGHTON: The next speaker, Jim Allison,
13 General Counsel.

14 MR. ALLISON: Good morning, Mr. Chairman, members
15 of the Commission, Mr. Bass. My name is Jim Allison. I'm
16 the general counsel of the County Judges & Commissioners
17 Association of Texas.

18 After an initial delay caused by the necessity of
19 awaiting information from other state agencies to complete
20 the year end fiscal data for the distribution of the grant
21 funds, I'm pleased to report to you that with the able
22 assistance of your staff, the counties have been vigorously
23 pursuing the public hearings and other actions necessary to
24 create the county energy transportation reinvestment zones
25 and the other requirements in order to submit applications

1 for this grant.

2 As indicated, some counties have made up this time
3 and are prepared to file, but without question, extending
4 the deadline for submission will enhance the overall
5 participation by counties that are engaged in this process,
6 and we do support the minute order to extend the submission
7 deadline to March 14th.

8 MR. MOSELEY: Chairman, I just wanted to ask, Jim,
9 would you have any objections to the previous request?

10 MR. ALLISON: Not at all. If it's something the
11 staff can do --

12 MR. MOSELEY: We can do it.

13 MR. ALLISON: -- to widen that window for
14 submission, I think that would prevent any log jams in that
15 one week period.

16 MR. MOSELEY: Thank you.

17 MR. ALLISON: Thank you.

18 MR. HOUGHTON: County Judge Joel Rodriguez,
19 LaSalle County. Judge?

20 JUDGE RODRIGUEZ: Commissioners, thank you for
21 allowing me to speak and be here. Phil Wilson and John
22 Barton have been great to work with; thank you very much. I
23 can tell you, I've seen Mr. Barton and Phil Wilson take a
24 beating, seriously take a beating in the public and -- on
25 some of these issues, but they've been very welcoming to

1 LaSalle County, they've been very -- they've worked with us
2 and we really appreciate them. And thank you for being
3 there.

4 I've been following this Bill from -- since it
5 first started and have some concerns. But the only way I
6 can be here today is that I've had the full support of our
7 county. And today I wanted to let you know that are
8 commissioners, which we posted duly so it's done, so it's
9 not a violation of Open Meetings Act; Commissioner Raul
10 Ayala, will you stand? Ricardo Garza, Rene Benavidez, Raul
11 Ayala, we've got Thelma Trevino, Margie Esqeda, Dora
12 Gonzalez, Commissioner Abel Gonzalez, we have SMV Danny
13 Rios, Jesse Hereford, A.J. Bingham; Mr. Bingham. Andrea
14 McWilliams, I know Mr. Robert Bass is here today. We also
15 have Brian Cassidy of Locke and Lord. Rene Ramirez, Duane
16 Gordy, if you could rise.

17 And the reason I'm asking them to rise is that in
18 our communities of shell place, it's so important that the
19 communities get involved to create sustainable environments
20 because the damage to -- by industry sometimes is damage on
21 roads that are already deteriorating, very old farm to
22 market roads, county roads, and the only way to be able to
23 address these issues is for the community to accept these
24 issues upfront and for us to take a responsibility.

25 And these gentlemen and ladies have been very

1 supportive and I appreciate it because we couldn't be here
2 today and as advanced as we have been today.

3 One of the items I first mentioned in the analysis
4 was several things that counties are not ready for this
5 Bill. I was a proponent to getting money to the farm market
6 system, but it took its own course and the issues that were
7 brought up originally were road reports; one, counties have
8 been filing road reports. And in extending time to file
9 reports is the re -- deadline for road reports for
10 statutory. Even if you extend it, they can't back and
11 change it. And an opinion was made in your response to the
12 comments in the adopted rules on November 21st, saying the
13 new report doesn't supersede what's statutorily required.

14 So we have counties out there that are filing
15 reports, but they should have been done. How can you amend
16 a report that never existed? How can you amend zero end of
17 year ana -- you know, so we were against it for that reason,
18 the extension, because the counties should be ready.

19 Now, time for creation of certs and matching is
20 understandable. So I mean, I appreciate your hard work, but
21 there are concerns and I support your transparency and all
22 the hard work of the Legislature. You've put a lot of time,
23 a lot of hard work into this, but if there's any issues w/
24 the grant program, it falls upon elected officials.

25 There's very few elected officials today here,

1 other counties, Karnes, maybe another come in and asking the
2 Commission we need more time. It's our responsibility to
3 say, you know, that we're applying to you, and we saw it in
4 Tyler, and I think I was the only one that spoke to you in
5 Tyler in reference. And as we marched to the capitol, there
6 was only two or three. So it's our responsibility to be
7 involved, to make this Legislature, these Bills, work. And
8 now that it's done, you have the hard task of implementation
9 and trying to make everybody happy. And it's a very hard
10 task. But we appreciate your hard work to the state of
11 Texas and thank you very much.

12 MR. HOUGHTON: Judge, thank you. John?

13 MR. BARTON: Well, if I might, Chairman Houghton,
14 just to respond to the request that had been made about
15 keeping the window open from February the 7th until March
16 the 14th. And we knew that that was a request that might be
17 offered today. And I wanted to try to address it. I have
18 some of our staff from our Office of General Counsel to help
19 me if I start to fumble this too badly.

20 The legislation that created this requires the
21 department to take action on an application within 30 days
22 of receiving it. And if -- so then if the window is
23 essentially more than a month, we would have to take action
24 on applications, if you would, received in -- on February
25 the 7th prior to the closing of the window on March the

1 14th. And that was the reason for having the window
2 narrowed to a shorter period of time.

3 We can also ask for an extension of 30 days if we
4 can't get all of the processes completed for reviewing an
5 application. And that is something obviously that would be
6 available to us, but then it just extends all of that period
7 and we would run up into a situation where the pre -- the
8 earliest submitted applications may -- we may have to make
9 decisions on them before we completed the analysis for the
10 later submitted applications.

11 The intent of the program as the rules were
12 crafted was to grant out the entire \$225-million. And if
13 you're making decisions on some applications before you know
14 the universe of applications that qualify, it would be
15 impossible to distribute the entire \$225-million, because
16 you don't know which applications are qualified to be in the
17 pool.

18 So, I haven't visited with Ronnie about this, but
19 what we can do is for counties that have done the work and
20 are ready to submit prior to the revised March 7th time
21 period that we've recommended, we can work with them, take a
22 preliminary review of their application, see what it
23 includes, make sure that we believe that it is sufficient to
24 be complete. During the application review process, there's
25 also a period defined to remediate any deficiencies so once

1 it is submitted, if there are deficiencies, we'll share that
2 back with the counties and they have a prescribed period of
3 time to correct those deficiencies of their original
4 submission.

5 For that reason, the staff would recommend that
6 the minute order be as it stands, but I'd be happy to answer
7 your questions. And I'll turn to my general counsel and
8 make sure that he and his staff believe I've accurately
9 reflected that issue.

10 MR. HOUGHTON: Does that take care of your
11 question?

12 MR. MOSELEY: Yes, it does. Thank you.

13 MR. AUSTIN: John, I've got one question. I
14 believe we've received some request for consideration to
15 spread this out instead of spending it all at one time, to
16 spread it out over a longer period of time, to actually
17 spend it to -- I'm not in favor of that and the reason why
18 is because we need to get this money out in the hands of
19 those who really need it right now. And I just think that's
20 something I know we'll -- acknowledging the request, but we
21 need to get that money out and spend it right now.

22 MR. HOUGHTON: Okay. Are there any other
23 questions? Okay. John, there is -- is there a motion?

24 MR. VANDERGRIFF: So moved.

25 MR. HOUGHTON: A second?

1 MR. MOSELEY: I'll second.

2 MR. HOUGHTON: All in favor?

3 (Chorus of ayes.)

4 MR. HOUGHTON: Thank you.

5 MR. BARTON: Chairman, if I might just say, I
6 appreciate the gentlemen being here today to share their
7 comments and all three of them, as well as many other, have
8 been very gracious partners in all of this. And as they
9 mentioned, it's not been the most easily discussed issue
10 around the state and there have been some very difficult
11 meetings to attend, but these gentlemen and many others have
12 been great partners. And I appreciate them coming here
13 today to share with you their thoughts about this program.
14 That's an indication of their commitment, loyalty and
15 dedication to their communities.

16 MR. MOSELEY: Chairman, may I also echo John's
17 appreciation for Karnes County and LaSalle County being so
18 well represented today. Judge, thank you again for your
19 friendship and for bringing your delegation today. We
20 really appreciate that deeply.

21 MR. HOUGHTON: Thank you, Judge, for being here.
22 All right. I'm going to take a little bit of an executive
23 privilege again. John Ewald, would you get up, please?

24 Not many people know, but John is leaving us at
25 the end of this month; is that correct, John?

1 MR. EWALD: That is correct.

2 MR. HOUGHTON: Like tomorrow?

3 MR. EWALD: Like tomorrow. I had to put on a coat
4 and tie this morning, it's --

5 MR. HOUGHTON: This is the -- this is your swan
6 song. I have had the opportunity, I don't know if anybody
7 else has, have worked with John on formation of RMAs, all
8 sorts of various and sundry things, tran -- all
9 transportation, and I want to thank you for your service and
10 for making things happen. I think we have a group of
11 lawyers that want to see us successful and so they make
12 things happen. We kid them for being impediment, but John,
13 you're one of those best and brightest we have in this
14 organization. I'm sorry to see you leave. My
15 congratulations to you.

16 MR. EWALD: Well, thank you.

17 MR. HOUGHTON: Thank you for your service.

18 MR. EWALD: I've really enjoyed being here, but
19 the competition is grandkids, golf and travel, so you lose.

20 MR. HOUGHTON: Yeah, I understand. Again, thanks
21 for your service, John.

22 MR. BASS: Thank you, J.D.

23 (Applause.)

24 MR. HOUGHTON: All right. Move on.

25 MR. BASS: The next four items deal with the final

1 adoption of proposed amendments to our administrative rules.
2 The first item will be presented by Chief Procurement and
3 Deputy Administrative --

4 MR. HOUGHTON: You have aviation.

5 MR. BASS: I'm sorry, I'm trying to skip over
6 aviation. My apologies.

7 MR. HOUGHTON: Oh, that was a direct --

8 MR. BASS: Yeah, I know. My apologies. Item 7,
9 awarding grant funding for airport improvement projects will
10 be presented by Aviation Division Director Dave Fulton.

11 MR. FULTON: Thank you, James.

12 MR. BASS: My apologies.

13 MR. FULTON: Oh, not necessary. For the record,
14 my name's Dave Fulton, Director of TxDOT's aviation
15 division. This minute order contains a request for grant
16 funding approval for 13 airport improvement projects. The
17 total estimated costs of all requests as shown in the
18 Exhibit A is approximately \$16.8-million, approximately
19 \$11.5-million in federal funding, \$3.2-million in state
20 funding, and \$2.1-million in local funding. A public
21 hearing was held on December 12th of this year -- of last
22 year, no comments were received, and we would recommend
23 approval of this minute order.

24 MR. HOUGHTON: And so Dave --

25 MR. MOSELEY: Motion made.

1 MR. UNDERWOOD: Second, Commissioner, to his
2 motion.

3 MR. MOSELEY: Thank you.

4 MR. HOUGHTON: All in favor?

5 (Chorus of ayes.)

6 MR. FULTON: Thank you.

7 MR. HOUGHTON: Thanks, Dave.

8 MR. FULTON: Thank you.

9 MR. HOUGHTON: Dave, you're not retiring, are you?

10 MR. FULTON: No.

11 MR. HOUGHTON: No, you're not going to retire yet?

12 MR. FULTON: I have no retirement plans.

13 MR. HOUGHTON: Thank you very much.

14 MR. FULTON: Thank you.

15 MR. HOUGHTON: Okay.

16 MR. BASS: Okay, now, the next four items deal
17 with the final adoption of proposed amendments to our
18 administrative rules, the first of which will be presented
19 by Chief Procurement and Deputy Administrative Officer
20 Lauren Garduno. Lauren?

21 MR. GARDUNO: Thank you, Director Bass, Chairman,
22 Commissioners. For the record, my name is Lauren Garduno
23 and I'm your Chief Procurement and Deputy Administrative
24 Officer.

25 The proposed minute order in front of you is the

1 final adoption of some changes to various chapters in the
2 Administrative Code, clean up the language that has the
3 reference to the region management structure. As we
4 continue to mature our business model and change our
5 management structure to maximize efficiencies and improve
6 our processes, we have moved away from that region
7 management structure into a different structure, so the
8 references in there need to be taken out of the
9 administrative code.

10 Staff recommends your adoption of this minute
11 order. Well, open to questions.

12 MR. HOUGHTON: Motion?

13 MR. UNDERWOOD: So moved.

14 MR. AUSTIN: Second.

15 MR. HOUGHTON: All in favor?

16 (Chorus of ayes.)

17 MR. HOUGHTON: Thanks, Lauren.

18 MR. BASS: The next item for final adoption will
19 be presented by general counsel Jeff Graham. Jeff?

20 MR. GRAHAM: Chairman, Commissioners, Mr. Bass, I
21 am Jeff Graham, general counsel for TxDOT.

22 This item brings up for final adoption a minute
23 order changing and streamlining the donation process. The
24 former process was unnecessarily complex with multiple tiers
25 and infused an unneeded delay before donations could

1 actually put to work. This changes our internal rules to
2 track with the statute itself, which says any donation over
3 \$500 has to be brought before you for an acknowledgement
4 within in 90 days when the donation was received, and makes
5 it simply track the government code.

6 Staff recommends that you approve this minute
7 order.

8 MR. MOSELEY: So moved, Chairman.

9 MR. AUSTIN: Second.

10 MR. HOUGHTON: All in favor?

11 (Chorus of ayes.)

12 MR. GRAHAM: Thank you.

13 MR. HOUGHTON: Thanks. Thanks, Jeff.

14 MR. BASS: The next item for final adoption will
15 be presented by Director of Engineering Support for the
16 Maintenance Division Andy Keith.

17 MR. KEITH: For the record, my name's Andy Keith.
18 I'm the Director of Engineering Support for the Maintenance
19 Division. We're proposing changes to the acknowledgement
20 program rules, chapter 12 rules. This new program was
21 established back in October of 2012 for sponsorship program.
22 Those rules prescribe that TxDOT maintain and install all
23 the acknowledgement or sponsorship signs and considering the
24 labor and efforts it would require for the department and
25 priorities, we felt like it would be better if that was done

1 by the vendor. So these rules were proposed back in October
2 of last year and were published for comment and no comments
3 were received, so we -- staff recommends that you approve
4 these rules.

5 MR. HOUGHTON: Motion?

6 MR. AUSTIN: So moved.

7 MR. HOUGHTON: Second?

8 MR. UNDERWOOD: Second.

9 MR. HOUGHTON: All in favor?

10 (Chorus of ayes.)

11 MR. KEITH: Thank you.

12 MR. HOUGHTON: Thank you.

13 MR. BASS: The final item for adoption of
14 administrative rules will be presented by Strategic Projects
15 Division Director Ed Pensock. Ed?

16 MR. PENSOCK: Good morning, Chairman,
17 Commissioners, James. Ed Pensock, Strategic Projects. Item
18 8(a)(4) proposes the final adoption of amendments to
19 administrative code Chapter 27, necessary to implement the
20 requirements of 2013 Senate Bill 1029 and Senate Bill 1730.
21 The proposed amendments were posted for comment on October
22 through December 16th, 2013. No comments were received.

23 Amendments to Chapter 27.11 and 27.14 deal with
24 the prohibition of conversion of non-tolled highways to toll
25 highways. Amendments to Chapter 27.2 and 4 address

1 definitions of eligible projects. They can be built as
2 comprehensive development agreements. Amendments to Chapter
3 27.10 requires a CDA that authorizes a private developer to
4 operate and collect revenue from a toll project to contain
5 in that CDA language to include the price breakdown stating
6 the price for the purchase of private participants interest
7 at specified intervals from the date of the toll project
8 opens. It also requires the department to assign points and
9 to score each proposer's price breakdown in the proposal
10 evaluation.

11 Staff is here to answer any questions and
12 recommends your acceptance of this minute order.

13 MR. HOUGHTON: Questions? There a motion?

14 MR. AUSTIN: So moved.

15 MR. VANDERGRIFF: Second.

16 MR. HOUGHTON: All in favor?

17 (Chorus of ayes.)

18 MR. HOUGHTON: Thanks, Ed.

19 MR. BASS: Thanks, Ed. The next two items we have
20 are for proposed amendments to our administrative rules, and
21 the first of which is amendments to Chapter 15 and that will
22 be presented by Deputy Executive Director John Barton.

23 John?

24 MR. BARTON: Thank you, Director Bass and
25 Chairman, Commissioners. Again, for the record my name is

1 John Barton. The minute order that is before you this
2 morning proposes the adoption of amendments to our rules
3 regarding the required financial participation in some of
4 the projects by local governments, specifically in Chapter
5 15.51 definitions, and in 15.55 construction cost
6 participation we're proposing revisions.

7 By state statute the commission may require a
8 local government to contribute funds for the state highway
9 projects that are described in Transportation Code
10 222.053(b). The commission previously adopted rules
11 requiring local governments to contribute a minimum of ten
12 percent of the cost of the right of way for most projects as
13 provided in Chapter 15.55.

14 Under these rules, no local government
15 participation is required for certain safety projects. In
16 some cases, we've experienced a difficulty in the department
17 being able to expand hurricane evacuation routes through
18 cities and counties or other political subdivisions where
19 that local government is just not willing or is not
20 financially able to contribute the necessary funding
21 required under our current rules.

22 And we believe that these improvements are
23 important safety related projects for the protection of the
24 traveling public across the state and are recommending not
25 requiring local government participation on these projects

1 as well, akin to the safety projects that our current rules
2 allow.

3 These proposed amendments would revise our
4 existing rules accordingly. Comments on these proposed
5 amendments would be accepted until 5:00 p.m. on March 17th,
6 2014 should you approve this minute order.

7 Staff does recommend your approval and I would be
8 happy to answer any questions that you may have at this
9 time?

10 MR. HOUGHTON: Are there questions? Motion?

11 MR. AUSTIN: So moved.

12 MR. VANDERGRIFF: Second.

13 MR. HOUGHTON: All in favor?

14 (Chorus of ayes.)

15 MR. HOUGHTON: Thanks, John.

16 MR. BASS: Thanks, John.

17 MR. BARTON: Thank you.

18 MR. BASS: The next item for proposed amendments
19 will be presented by right of way division director John
20 Campbell. John?

21 MR. CAMPBELL: Good morning. For the record, my
22 name is John Campbell, director of the right of way
23 division. I'd like to present today for your consideration
24 Item 8(b)(2) which provides for the proposed adoption of
25 amendments to 43 TAC Chapter 21, in several enumerated

1 sections. Those sections apply to both the regulatory
2 control of outdoor advertising along interstate and primary
3 system, as well as control of outdoor advertising along the
4 Texas rural road system.

5 More specifically, this is to implement provisions
6 of Senate Bill 162 from the past and the 83rd Legislature.
7 That item relates to licensure for military members and to
8 try to streamline the processes for returning military
9 members to gain occupational licenses.

10 Public comment on the proposed rules will be
11 accepted until 5:00 p.m. March the 17th. We will conduct a
12 public hearing here in Austin for -- on February the 25th.
13 I'm pleased to answer any questions you have.

14 Staff recommends approval of the proposed
15 adoption.

16 MR. AUSTIN: So moved.

17 MR. UNDERWOOD: Second.

18 MR. HOUGHTON: All in favor?

19 (Chorus of ayes.)

20 MR. HOUGHTON: Thanks, John.

21 MR. CAMPBELL: Thank you.

22 MR. BASS: Thanks, John. Item 9 will be presented
23 by Benny Ybarra, Chief Compliance and Audit Officer. And he
24 will be presenting the monthly report on the department's
25 compliance and ethics.

1 MR. YBARRA: Thank you and good morning. I am
2 Benny Ybarra, Chief Audio and Compliance Officer. The
3 purpose of this report is to provide a summary of
4 information related to allegations and investigations for
5 the month of December 2013, in accordance with
6 Transportation Code 201.452 and 201.454.

7 Twenty-five allegations were received. Four
8 investigations were conducted and closed, none of them were
9 substantiated. No further action is recommended at this
10 time.

11 MR. HOUGHTON: Thanks, Benny.

12 MR. BASS: Item 10, Design-Build Contracts will be
13 presented by Ed Pensock, Strategic Projects Division
14 Director. Ed?

15 MR. PENSOCK: Good morning, again. Ed Pensock,
16 Strategic Projects. Item 10 authorizes the issuance of a
17 request for proposals to develop, design, and construct the
18 state highway 71 toll lanes project in Travis County. The
19 project provides for additional toll lanes from Presidential
20 Boulevard to just east of State Highway 130 along State
21 Highway 71, and also allows for the necessary realignment of
22 Farm to Market Road 973.

23 This minute order also authorizes the department
24 to pay each proposer who submits a responsive but
25 unsuccessful proposal, an amount based upon the value of the

1 work product that can be used by the department up to the
2 maximum amount per proposer of 0.25 percent of the price of
3 all work under the design-build contract.

4 In the event that the procurement is cancelled
5 prior to contract execution, this item also authorizes the
6 department to pay each proposer a partial stipend based on
7 the value of the work product provided in the proposal that
8 can as determined by the department be used by the
9 department in the performance and functions of its duties.
10 That maximum amount of partial stipend would be \$125,000.

11 On October 31st, 2013, minute order 113740
12 authorized the department to issue a request for
13 qualifications for the development of the State Highway 71
14 toll lane project. Five of the ten teams submitting
15 qualifications were best qualified, were defined as best
16 qualified, to be on the short list of teams and will be
17 requested to submit final detailed proposals. Those five
18 teams are summarized in Attachment A of your minute order,
19 of the cover of your minute order.

20 With approval of this minute order, the next steps
21 would be to issue a draft request for proposals in the next
22 week and to engage industry in some dialogue regarding the
23 risk transfer in that request for proposal and then to issue
24 a final RFP probably later on February, late February
25 timeframe.

1 Staff is here to answer any questions and
2 recommends your adoption of this minute order.

3 MR. HOUGHTON: Any questions?

4 MR. AUSTIN: I'll move approval.

5 MR. MOSELEY: Second.

6 MR. HOUGHTON: All in favor?

7 (Chorus of ayes.)

8 MR. HOUGHTON: Thanks, Ed.

9 MR. BASS: Thanks, Ed. The next several items
10 will be presented by Innovative Finance Debt Management
11 Officer Ben Asher. The first is Item 11 regarding the Toll
12 Equity Loan Agreement for the Grand Parkway.

13 MR. ASHER: Thanks. Good morning, Chairman,
14 Commissioners, Executive Director Bass. This item
15 authorizes any deputy executive director of the department
16 to sign amendments to the Toll Equity Loan Agreement for the
17 Grand Parkway Transportation Corporation on behalf of the
18 department, in addition to the current interim Executive
19 Director.

20 Staff recommends approval and I'd be happy to
21 answer any questions.

22 MR. MOSELEY: So moved.

23 MR. AUSTIN: Second.

24 MR. HOUGHTON: All in favor?

25 (Chorus of ayes.)

1 MR. BASS: Ben, please continue with Item 12 for
2 the State Highway Fund Revenue Bonds.

3 MR. ASHER: Thanks, James. Just a brief preamble.
4 This and the following three agenda items relate to
5 providing an annual delegation to the Chief Financial
6 Officer and other department officials to facilitate the
7 issuance of bonds for current projects, as well as refunding
8 bonds to lower the interest rates on certain bonds already
9 issued.

10 The items address a specific authorization sought
11 for each of the bond programs. For Item 12(a), this item
12 seeks authorizations for the issuance of State Highway
13 revenue bonds and refunding bonds. The refunding bond issue
14 is planned in order to obtain debt service savings as a
15 result of the current favorable interest rate environment
16 and present value savings of at least three percent of the
17 refunded bonds is required.

18 Staff recommends approval and I'd be happy to
19 answer any questions.

20 MR. AUSTIN: Ben, I've got one.

21 MR. ASHER: Uh-huh.

22 MR. AUSTIN: As we look at the refunding.

23 MR. ASHER: Uh-huh.

24 MR. AUSTIN: You know, obviously we're taking
25 advantage of some of the interest rates. What are we

1 looking at savings? What are we looking at saving with the
2 refunding?

3 MR. ASHER: Commissioner, the -- we're currently
4 looking, our original plan of finance had assumed a
5 relatively small refunding of approximately \$300-million,
6 which would be about \$20-million in savings. But as you may
7 be following the markets, interest rates have declined
8 recently and while I can't guarantee it, but we would expect
9 any issuance of refunding bonds to be higher than that and
10 have commensurate increased savings.

11 MR. AUSTIN: Well, I applaud you all for really
12 looking at our debt management and paying attention and
13 taking advantage of the current interest rate environment,
14 because we may not see this again.

15 MR. ASHER: Absolutely, sir.

16 MR. AUSTIN: For many, many years.

17 MR. ASHER: Thank you.

18 MR. HOUGHTON: Motion?

19 MR. AUSTIN: So moved.

20 MR. MOSELEY: Second.

21 MR. HOUGHTON: All in favor?

22 (Chorus of ayes.)

23 MR. ASHER: This item is similar to the one just
24 discussed, but it's for the Texas Mobility Fund program,
25 authorizing Texas Mobility bonds as well as refunding bonds

1 if the target debt service savings of three percent can be
2 achieved. Staff recommends approval; I'd be happy to answer
3 questions on it.

4 MR. HOUGHTON: Questions? Is there a motion?

5 MR. AUSTIN: So moved.

6 MR. MOSELEY: Second.

7 MR. HOUGHTON: All in favor?

8 (Chorus of ayes.)

9 MR. ASHER: Okay. Continuing on, Item 12(c), this
10 item seeks authorization for the issuance of highway
11 improvement general obligation bonds. Staff recommends
12 approval and I'd be happy to answer questions.

13 MR. HOUGHTON: Any questions? Is there a motion?

14 MR. AUSTIN: So moved.

15 MR. UNDERWOOD: Second.

16 MR. HOUGHTON: All in favor?

17 (Chorus of ayes.)

18 MR. ASHER: Item 12(d), this item seeks
19 authorization for the issuing of Central Texas Turnpike
20 System Revenue Refunding Bonds. Again, if the targeted debt
21 service of three percent could be achieved. Happy to answer
22 questions.

23 MR. HOUGHTON: Motion?

24 MR. AUSTIN: So moved.

25 MR. MOSELEY: Second.

1 MR. HOUGHTON: All in favor?

2 (Chorus of ayes.)

3 MR. ASHER: Item 13 is still me. This item would
4 approve a grant for the Camino Real Regional Mobility
5 Authority for capital costs related to delivery of the Loop
6 375 Border Highway West Extension toll road project in El
7 Paso and authorizes the department to enter into a
8 memorandum of understanding with the authority. The
9 proceeds of the grant will be from the Texas Mobility Fund.
10 Staff recommends approval and I'd be happy to answer
11 questions.

12 MR. HOUGHTON: Please note that Commissioner
13 Moseley is abstaining from this discussion and vote. Is
14 there any questions of Ben? Motion?

15 MR. AUSTIN: So moved.

16 MR. HOUGHTON: Second?

17 MR. UNDERWOOD: Second.

18 MR. HOUGHTON: All in favor?

19 (Chorus of ayes.)

20 MR. BASS: Thank you, Ben. The next items are the
21 award of contracts for maintenance and department building
22 construction and highway construction contracts. John Obr,
23 Construction Division Director, will present these minute
24 orders.

25 MR. OBR: Good morning. For the record I am John

1 Obr, Director of the Construction Division. Item 14(a) is
2 for consideration of the award or rejection, highway
3 maintenance and department building construction contracts
4 let on January 7th and 8th of 2014.

5 We present 37 projects today. The average number
6 of bids per project were 4.11. The low bid value was
7 \$65,526,615.94. We had an overall under-run of 5.18
8 percent. Staff recommends award of all maintenance projects
9 with the exception of the following: Van Zandt County
10 RMC6264-16-001. We received three bids for this total
11 maintenance project. The low bid came in at 55.13 percent
12 or roughly \$2.3-million over the engineer's estimate.
13 District discovered there was a significant error related to
14 scope of the project and would like the opportunity to
15 correct the error. We concur with this plan of action,
16 therefore, we recommend the project be rejected and re-let
17 at a later date.

18 MR. HOUGHTON: Is there any questions of John?
19 Motion?

20 MR. AUSTIN: So moved?

21 MR. MOSELEY: Second.

22 MR. HOUGHTON: All in favor?

23 (Chorus of ayes.)

24 MR. HOUGHTON: I don't know who seconded that
25 motion.

1 MR. MOSELEY: Second. There we go.

2 MR. OBR: Item 14(b) is for consideration of the
3 award or rejection of highway and transportation enhancement
4 building construction contracts let on January 7th and 8th
5 of 2014. We present 46 projects today. The average number
6 of bids per project was 4.72, the low bid value was \$226-
7 million, \$138,568.49. The awards are split as five projects
8 in mobility, totaling \$157,565,796.67, and 41 projects in
9 preservation, totaling \$68,572,771.83.

10 We had an overall under-run of 6.17 percent.
11 Staff recommends award of all construction projects.

12 MR. HOUGHTON: Any questions of John?

13 MR. AUSTIN: So moved.

14 MR. HOUGHTON: Second?

15 MR. UNDERWOOD: Second.

16 MR. HOUGHTON: All in favor?

17 (Chorus of ayes.)

18 MR. BASS: Thank you, John. That brings us to
19 Item 15, Eminent Domain Proceedings, Right of Way Division
20 Director John Campbell will present. John?

21 MR. CAMPBELL: Again, for the record, my name is
22 John Campbell, Director of the Right of Way Division, and
23 I'd like to present for your consideration Item 15, which
24 authorizes the filing of condemnation proceedings necessary
25 to progress the acquisition of 63 parcels by eminent domain;

1 21 of these parcels are non-controlled, 42 of them are
2 controlled access.

3 Staff recommends your approval.

4 MR. VANDERGRIFF: I move that the Texas
5 Transportation Commission authorize the Texas Department of
6 Transportation to use the power of eminent domain to acquire
7 the properties described in the minute order as set forth in
8 the agenda for the current (indiscernible) of construction,
9 reconstruction, maintenance and widening, straightening or
10 extending the highway facilities listed in the minute order
11 as part of the state highway system. And that the first
12 record vote applies to all units of property to be
13 condemned. I apologize for not turning on my mic quicker.

14 MR. MOSELEY: Second.

15 MR. HOUGHTON: All in favor?

16 (Chorus of ayes.)

17 MR. BASS: Thank you, John.

18 MR. OBR: Thank you.

19 MR. BASS: Item 16 contains the routine minute
20 orders including donations to the department, right of way
21 dispositions and donations, finance transportation planning,
22 designation of access control and speed zones.

23 MR. HOUGHTON: Is there a motion?

24 MR. UNDERWOOD: So moved.

25 MR. AUSTIN: Second.

1 MR. HOUGHTON: All in favor?

2 (Chorus of ayes.)

3 MR. BASS: This concludes the action items on
4 today's agenda, so Mr. Chairman, I will hand the meeting
5 back to you.

6 MR. HOUGHTON: Any other body signed up in open
7 session? None? Seeing none, at this time, we will recess
8 into meet in executive session. Under Government Code
9 Section 551.071 and Section 551.074. We're going upstairs
10 to my office.

11 (Commission recessed to Executive Session; Commission
12 meeting reconvened at 12:19 p.m.)

13 MR. HOUGHTON: Okay. If there's nothing to come
14 before us needing other business, nothing coming before us,
15 then the most privileged motion.

16 MR. UNDERWOOD: So moved.

17 MR. AUSTIN: If Victor was here I'd second his
18 motion.

19 MR. HOUGHTON: We are now adjourned at 12:19 p.m.
20 Thank you very much. There were no action items on the
21 agenda.

22 (Whereupon, at 12:19 p.m. the meeting was adjourned.)
23
24
25

C E R T I F I C A T E

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2
3 I, Kimberly C. McCright, CET, do hereby certify that
4 the foregoing pages 1 through 92, constitute a full, true,
5 and accurate transcript from electronic recording of the
6 Texas Transportation Commission meeting held at 125 East 11th
7 Street, Austin, Texas, on Thursday, January 30, 2014 at 9:00
8 a.m.

9 DATED this 7th day of February, 2014.

10
11 

12 _____
Kimberly C. McCright, CET