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TEXAS DEPARTMENT OF TRANSPORTATION  
COMMISSION MEETING

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

Thursday  
December 18, 2014  
9:00 a.m.

COMMISSION MEMBERS:

Ted Houghton, Jr., Chair  
Jeff Moseley  
Jeffrey Austin, III  
Fred Underwood  
Victor Vandergriff

STAFF:

Lt. General Joe Weber, Executive Director  
Robin Carter, Interim Chief Clerk  
Jeff Graham, General Counsel

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MR. HOUGHTON: Good morning. It's 9:01 and I call to order the December 18th, 2014 meeting of the Texas Transportation Commission in Austin, Texas.

Note for record that public notice of this meeting containing all items on the agenda was filed with Secretary of State at 4:43 p.m. on December 10th, 2014.

At this time, I'd like to ask that before we begin today, as customary, we're supposed to put all of your cell phones, communication devices in the off or silent mode. And if you wish to address the Commission today, a speaker's card at the registration table. A yellow is for an agenda item and blue is for opening session, and, regardless, even during Christmas it's still restricted to three minutes, so, with that, I'll turn the time over to you, General Weber.

GENERAL WEBER: Thanks, Chairman.

MR. CLAWSON: Thank you, Commissioners.

MR. HOUGHTON: Not yet.

GENERAL WEBER: Go ahead.

MR. HOUGHTON: I've got a safety briefing.

GENERAL WEBER: Thank you. Our Occupational Safety Specialist Randy Clawson -- Randy, would you please come forward and give us our safety briefing.

MR. CLAWSON: Thank you.

Good morning, Commissioners and General Weber.

1 Thank you for your leadership and safety. Your continued  
2 leadership keeps TxDOT employees safe and also folks in  
3 Texas as we traverse the great state of Texas on our  
4 highways.

5 Now, let's turn our attention this morning. If we  
6 were to have an emergency, you would call on your cell  
7 phone, 9-1-1. If you use a landline, here in the building,  
8 you would dial 9, then 9-1-1.

9 If we were to have a fire, you would need to alert  
10 people if you were the first person that sees it by the pull  
11 stations that are located in this room and also in the  
12 lobbies. If we -- if you were to call for an emergency,  
13 remember that you are at 125 East 11th Street, just across  
14 from the State Capitol, so make sure you do let them know  
15 where you are.

16 In case someone were to have a heart-related  
17 incident, we have an AED that is located on the first floor  
18 of the building near the security booth. If you've never  
19 used an AED, when you open it up and push the green button,  
20 it will step you through how to use an AED, even if you've  
21 never had any training.

22 If we were to have inclement weather -- we don't  
23 expect it -- but if we were to have inclement weather, we  
24 would move to shelter areas and that would be the stairwells  
25 and also down towards the basement. Once you get to the

1 basement, move away from glass and windows and move toward  
2 the core of the building.

3 In case of a bomb threat, we would, of course,  
4 listen for instructions over the PA from our security  
5 system.

6 If you need a fire extinguisher or a first-aid  
7 kit, they are located prominently throughout the building.  
8 And as you know, fire extinguishers are identified with the  
9 red and white, and also first-aid kits with green and white.

10 It's about Christmastime, isn't it? So let's  
11 remember that Santa Claus is coming to town. Please don't  
12 run over him.

13 (Laughter)

14 One of the ways we can avoid from doing that is by  
15 applying the five keys of Smith System. Let's remember to  
16 aim high in steering, which is to have a 15-second eye lead  
17 time to see the hazards and make adjustments so that we can  
18 avoid a collision.

19 Key number two is getting the big picture. We  
20 want to make sure that we're not tailgating. Have that  
21 four-second lead time, at least, between your bumper and the  
22 bumper in front of you.

23 And, also keep your eyes moving, which means don't  
24 pause on looking at something for more than two seconds or  
25 you may be drawn to that. If you do that, your peripheral

1 vision may be diminished and you need that for early  
2 detection of hazards.

3 Key number four is leave yourself an out, which  
4 means you may need to adjust your speed. You may need to  
5 choose -- think about choosing the lane that has the least  
6 amount of conflicts in it.

7 And then, lastly, key number five is make sure  
8 that they see you. You may need to use your horn; make eye  
9 contact; use your lights; turn signals; or whatever you need  
10 to do to indicate your intentions.

11 Let's also remember as we travel this season to be  
12 aware of impaired drivers that may be around us, also look  
13 out for wet or icy conditions. So you may need to increase  
14 your space cushion and definitely increase your awareness.

15 Why do we need to do these things and apply the  
16 five keys? Last year in 2013, 3,391 people lost their lives  
17 on Texas highways and to date, as of December 18th this  
18 morning at four o'clock when the report came out, 3,190  
19 people have lost their lives on Texas highways so far.  
20 That's the reason that we need to increase our awareness.

21 I appreciate, again, the commitment to safety from  
22 our administration and commissioners, and thank you for  
23 being reminded of safety. Have a wonderful meeting today.  
24 I hope it's very safe and productive.

25 GENERAL WEBER: Thank you, Randy.

1 Chairman, back to you.

2 MR. HOUGHTON: Excuse me, spend that time with  
3 friends and family, and as Randy talked about, let's stay  
4 safe.

5 And as a commercial message, just after we've  
6 returned for the holiday, we're looking forward to the Tenth  
7 Annual Texas Transportation Forum, this year to be held at  
8 the Austin Hilton. There's a few days left for  
9 registration.

10 How many days left for registration? Who knows?  
11 Three? Four? I think you've got about three or four days  
12 left for registration and for rooms at the hotel. There's a  
13 block of rooms that are being held and I think they're going  
14 to go very fast.

15 UNIDENTIFIED SPEAKER: Turn on your microphone.

16 MR. HOUGHTON: Okay. There's my mic.

17 So I think the rooms are going to go very fast  
18 because along the lines of the forum, we have some exciting  
19 news. There's a press release sent out yesterday that  
20 announced that the Tesla CEO and Chief Products Officer Elon  
21 Musk, will be the keynote speaker at the forum this year.

22 So I want to thank all those who have participated  
23 on getting Mr. Musk to Austin, Texas. Former Chairman  
24 Delisi had a lot to do with that and we thank her for her  
25 efforts. And I think Commissioner Vandergriff, you had a

1 little something to do with that last year on suggesting  
2 that and staying on-point. Thank you very much.

3 My last comment is to finally, I want to provide a  
4 brief update and I want to thank the LBB for approving our  
5 funding request of \$1.74 billion transferred to the State  
6 Highway Fund. Mr. Bass has the bank receipt, the deposit  
7 receipt. So it is now in the Highway Trust Fund and we want  
8 to thank the LBB for quick action. And with an 80 percent  
9 approval of the voters, the message is quite clear that  
10 Texas and Texans think transportation is a priority and  
11 entrust TxDOT to carry out this mission.

12 What's next? Well, what's next is working with  
13 our MPO partners and the districts on project selection and  
14 getting these things out the door. So, with that said, I  
15 want to wish you all a merry Christmas. And I took a  
16 privilege here to make my comments on the front-end and  
17 thank those who took a part and had a lot -- a part in the  
18 Prop 1., and, of course, the forum's coming up, so are some  
19 exciting times.

20 With that, Commissioner Vandergriff, would you  
21 kick it off with your opening comments?

22 MR. VANDERGRIFF: Well, thank you, Chairman.

23 I will just echo the chairman's comments. I think  
24 it's a great win. Obviously, last November I wasn't able to  
25 be at the November meeting and so I know that you talked

1 about that, but a great win.

2 I want to reiterate that the Prop 1 Committee of  
3 the Department met one more time and it's just a solid group  
4 of people with different ideas about how things should be  
5 done. But those ideas melded together and I think were very  
6 influential with the House and the Senate in what was  
7 ultimately done. And most importantly, the senior staff and  
8 all the analysts and workers that worked on that Prop 1 and  
9 all the projects that will be on it, it's just tremendous  
10 work led by John Barton and Marc Williams and James Bass and  
11 the effort that they've given on that has just been  
12 terrific; it's never-ending.

13 And it didn't stop with the decision of what to do  
14 and how to split the 1.7, it continues now to make sure what  
15 you spend that on in working with the MPOs and the  
16 districts, so it's a huge task. And they're up to it and I  
17 appreciate the work that they do.

18 And last, but not least, my phone lines lit up and  
19 my e-mail last night with the announcement of Mr. Musk  
20 coming to the Transportation Forum. Because I come from the  
21 motor vehicle side of the business and the car business, it  
22 was decidedly concerned about that, but I think it's  
23 terrific that he's going to be here and I applaud the  
24 Department for getting him here and it should really make  
25 for a very lively and a very-watched forum, so it's

1 exciting. And I, too, wish you all a Merry Christmas and a  
2 Happy New Year.

3 MR. MOSELEY: Chairman, it is beginning to feel a  
4 lot like Christmas and what a wonderful meeting today where  
5 we can look back on November's election results of Prop 1;  
6 as Commissioner Vandergriff stated, to have an 80 percent  
7 support of a new funding mechanism for mobility is, indeed,  
8 something we all celebrate.

9 And I want to say thanks to Commissioner  
10 Vandergriff for agreeing to be our liaison on the commission  
11 to the advisory committee. We have wonderful volunteers  
12 that step forward to talk about how Prop 1 can be leveraged  
13 and maximized and Commissioner Vandergriff was kind enough  
14 to serve as our liaison, so thank you, Commissioner, for  
15 that time.

16 Chairman, a couple of weeks ago I was invited to  
17 represent our agency at a conference in Delhi, India, an  
18 Indo-US Infrastructure Summit, and it was my pleasure to be  
19 there with Judge Ed Emmett of Harris County who was leading  
20 the delegation and Senator Rodney Ellis. And I have -- if  
21 the technology gods will smile -- I have three quick slides  
22 to show from the transportation summit. But, basically, we  
23 were there to talk with the Minister of Transportation,  
24 Mr. Nitin Gadkari. You see him there addressing the summit.  
25 You see Judge Emmett there up on the dais.

1           There's a lot of enthusiasm in India now with the  
2 new Prime Minister Modi; he came from Gujarat State. And so  
3 the Nation of India is very enthusiastic about how he's  
4 going to promote infrastructure construction. So it was a  
5 very well-received conference. The Indo-American Chamber of  
6 Commerce, headed by Jagdip Ahluwalia in Houston, was a  
7 primary instigator of making sure that, you know, we had a  
8 voice at that summit, so I wanted to say thanks.

9           Senator Ellis, as we all know, is an enthusiast of  
10 cycling and so on the second day we were able to get on some  
11 bicycles and bike ride around the Parliament complex. And  
12 so we were able to demonstrate a little bit of Texas cycling  
13 in India.

14           And, Chairman, during one day of the summit, we  
15 actually -- our small delegation got to meet with the Dalai  
16 Lama who was staying at our hotel. It wasn't planned, but  
17 it was certainly a highlight of the conference and he was  
18 very kind to give us each a blessing. So I bring high  
19 regards back from Dalai Lama who shared his kindness and his  
20 spirit with us.

21           Chairman, one other salute -- not quite as  
22 significant as Prop 1, but perhaps almost -- earlier this  
23 week, the State of Texas was authorized to take on a large  
24 part of federal decision-making; that's part of our project  
25 development process. Tuesday, the Federal Highway

1 Administration Acting Administrator Greg Nadeau signed an  
2 MOU that gives TxDOT federal responsibilities for National  
3 Environmental Policy Act -- we call it NEPA -- approvals.

4           What does this mean for our agency? Well, this is  
5 an assignment of duties to TxDOT and it streamlines our  
6 project delivery process. It saves time. It saves taxpayer  
7 dollars by eliminating an additional layer of review, but at  
8 the same time, complying with all of the NEPA legal  
9 requirements. So it allows us to be more in control of the  
10 decisions affecting our transportation future and it raises  
11 our expectation that when a project is programmed and  
12 funded, we can become more shovel-ready within 20 to  
13 30 percent of a shorter time frame and that's certainly  
14 worth money to the taxpayers of the state of Texas.

15           Under this MOU, FHWA has retained responsibility  
16 for completion of environmental approvals on three projects:  
17 the Harbor Bridge Project of Corpus, the Trinity Parkway in  
18 Dallas, the second Causeway Project in South Texas. But  
19 FHWA has now stopped reviewing and processing all  
20 environmental clearance, except for these three, and has  
21 turned responsibility for all projects to TxDOT.

22           So there are a few thank yous, Chairman and  
23 Members. This signature of the MOU didn't just  
24 spontaneously happen; it culminates almost two years of  
25 diligent work by our team members. Specifically, I wanted

1 to say thanks to Carlos Swonke and Andrea Lofye for their  
2 respective -- and their respective teams for digging in and  
3 giving us the ability to come up with this MOU. We also  
4 want to say thanks to Patrick Lee, Rich O'Connell in our  
5 General Counsel's Office and Al Alonzi of FHWA, and because  
6 of these team members, we can celebrate this new agreement  
7 with NEPA.

8 Thank you, Chairman.

9 MR. AUSTIN: Good morning, everyone.

10 If I sound a little hoarse -- I wish we could work  
11 on the air quality down here in Austin and do something  
12 about this cedar -- and I don't think that I'm alone with  
13 that -- but welcome, everyone. Thank you for taking the  
14 time in the holiday season to come over here.

15 A couple of friends of note: Gregg County Judge  
16 Bill Stoudt and Harrison County Judge Hugh Taylor -- we'll  
17 hear from them in a few minutes -- thank ya'll for coming  
18 down. What ya'll have done has been -- your work has been  
19 instrumental in moving Interstate 20, just multimodal,  
20 Interstate 369, 69. What ya'll have done really helped  
21 bring leadership has been tremendous and your efforts do not  
22 go unnoticed. Ya'll have been long-time supporters of  
23 transportation and I want to say thank you, thank you very  
24 much for being here.

25 Is Bill Hale in here? I know he's right -- he's

1 right back there.

2 Bill, welcome to Austin. Bill is in a new  
3 position as our chief engineer, and I wanted to say, Bill,  
4 welcome to Austin and now the real work begins. I know Bill  
5 has been traveling around the state, so you have another new  
6 contact. I'm glad Bill's here.

7 Over the last -- Chairman -- Commissioner Moseley  
8 made a comment about the NEPA process. I had the  
9 opportunity to go with our federal team up to D.C. a couple  
10 of weeks ago, and I just wanted to say Carlos Swonke -- as  
11 we talk about environmental policy, NEPA implementation --  
12 Carlos has such a tremendous reputation from our various  
13 congressional offices, the T&I Committee, and what he does,  
14 we don't realize what kind of a jewel and expertise that we  
15 have here on staff.

16 With that -- with Washington, I know a lot of the  
17 tension is geared and focused across the street here in  
18 Austin. Our budget, our LAR, if you look at our funding  
19 request for next year, our budget, 42 percent of our  
20 reimbursements and allocation comes from federal gas tax and  
21 we need to make sure we pay attention.

22 We are fortunate to have another new congressional  
23 member on the T&I Committee, Congressman Brian Babin, so if  
24 ya'll see him, we have another great resource. Now that  
25 gives us four members from Texas on the transportation

1 committee, so we're really excited about that.

2 I know today's the last meeting for a few folks.  
3 Ed Pensock is going to -- we're going to have a chance to  
4 talk about him in a few minutes and his track -- I'm sure  
5 he's going to race off to a track here to go start driving  
6 his car.

7 Margo Richards -- Margo, I know we'll say what you  
8 have done for the "Don't Mess With Texas" brand and Travel  
9 Division, you've left such a great legacy.

10 And I am wearing my boots today, my "Don't Mess  
11 With Texas" boots, and it's not -- it may be late to buy  
12 them, but you can get them and have them delivered shortly  
13 on the "Don't Mess With Texas" webpage with your boots. So,  
14 thank ya'll.

15 And, Mr. Chairman, Merry Christmas.

16 MR. HOUGHTON: Thank you, Merry Christmas.

17 MR. UNDERWOOD: I want to thank Randy Clawson  
18 again. Your message this morning on safety was timely.

19 Also, I'd like to thank Ray Joiner and his staff  
20 this morning. Ray, please tell your staff how much I  
21 appreciated their help this morning. They were very  
22 professional, very impressive, so thank you.

23 I'd also like to remind the public, the driving  
24 public to please drive safely. The ribbons, we would like  
25 to go one day without a fatality on our highways. Do not

1 text, talk and drive.

2           And I would be remiss, being the holiday season if  
3 I didn't -- I have some gifts for my fellow commissioners  
4 and some of the staff. I apologize to -- I can't thank all  
5 of the staff, but I do have a couple of gifts and whatnot,  
6 so if ya'll will bear with me, I'll present these to  
7 everyone.

8           General, I have a gift for you. For this  
9 legislative session -- have a seat, please.

10           (Laughter)

11           MR. UNDERWOOD: For this legislative session --  
12 it's fun to tell the General to sit down, isn't it?

13           (Laughter)

14           MR. UNDERWOOD: For this legislative session  
15 coming up, you know, you're definitely going to have to deal  
16 with a lot of red tape, so I'll present you, sir, with a  
17 little knife to help you cut the red tape, you know.

18           (Laughter)

19           MR. UNDERWOOD: And because it's -- it's a  
20 Kalashnikov, because I bet you, you're going to think it's  
21 probably Russian, dealing with some of these guys, trying to  
22 understand what they're doing. Also, because you have to  
23 deal with the, shall we say "commissioners," I have a  
24 t-shirt for you that says "Let me drop everything and work  
25 on your problem."

1 (Laughter)

2 MR. UNDERWOOD: So, Merry Christmas to you, sir.

3 GENERAL WEBER: I was a little worried,  
4 Commissioner. I thought that was a magazine.

5 (Laughter)

6 MR. UNDERWOOD: Yeah, it did look like that.

7 Chair -- our chair -- when I met Ted -- you know,  
8 you always try to have things that help remind you of  
9 things, you know, what happens, you know what I mean? You  
10 associate it with them so you can remember their name, and  
11 when I met the chair, he said, Just think of me as a  
12 periodic table and I'm like, Okay.

13 So here we have it now. So, germanium, nickel,  
14 uranium, and sulfur spells genius.

15 (Laughter)

16 MR. UNDERWOOD: Also, a while back you received  
17 Thor's hammer from me.

18 MR. HOUGHTON: Yes, I did.

19 MR. UNDERWOOD: And if you remember that, I don't  
20 know if you realize that or not, but when he was younger, he  
21 actually had a smaller hammer --

22 MR. HOUGHTON: Uh-huh.

23 MR. UNDERWOOD: -- and it's really an interesting  
24 one; it has a metal detector in it, and I don't know if you  
25 can -- okay.

1 (Laughter)

2 MR. UNDERWOOD: I'll keep this away from the plate  
3 in your head, okay. But anyway, Merry Christmas to you,  
4 sir.

5 MR. HOUGHTON: Can I get that on the airplane  
6 going home?

7 MR. UNDERWOOD: I would love to watch you try.

8 (Laughter)

9 MR. UNDERWOOD: Also, let's start with Victor.  
10 Victor, you know, with Victor, the new man, you always come  
11 on with so much energy. He's very focused, very smart, very  
12 sharp with what he's doing.

13 But changing TxDOT is like moving a battleship; if  
14 you can get two degrees bearing change, you're doing pretty  
15 good, especially if all you've got is a paddle. So I wanted  
16 to give you this; this will help you. It's a sequoia, a  
17 giant sequoia seed. You can plant it, and it will give you  
18 patience while you're waiting for it to grow because it  
19 takes a few hundred years.

20 (Laughter)

21 MR. UNDERWOOD: Also, a shirt, because he's a very  
22 serious gentleman, and the shirt says -- I want to hold this  
23 up properly -- "You read my shirt, that's enough social  
24 interaction for today."

25 (Laughter)

1 MR. UNDERWOOD: So anyway, Merry Christmas.

2 MR. VANDERGRIFF: Merry Christmas.

3 MR. MOSELEY: Now, it's my turn.

4 MR. UNDERWOOD: Also for -- oops, wrong  
5 gentleman -- also for Commissioner Moseley -- you've seen  
6 that he's a bicyclist and I think that's wonderful -- I  
7 thought a lot of times, you know, we have to deal with  
8 some -- you know, any -- a lot of times dealing with some of  
9 the issues that we have at TxDOT -- this is also the picture  
10 that you just talked about --

11 MR. MOSELEY: Right.

12 MR. UNDERWOOD: I print it for you.

13 MR. MOSELEY: Thank you.

14 MR. UNDERWOOD: You're welcome.

15 -- of the Dalai Lama.

16 Commissioner, here's a gift for you. The audience  
17 would like to see if you can operate it. Just go ahead and  
18 flip the switch. This will help you -- it's just a little  
19 action. Nothing will happen.

20 It will just relax you; it's a nothing box.

21 (Laughter)

22 MR. UNDERWOOD: You can sit up here and do it all  
23 day long and nothing happens.

24 MR. AUSTIN: I thought something was going to pop  
25 out.

1 (Laughter)

2 MR. UNDERWOOD: Welcome to TxDOT.

3 (Laughter)

4 MR. UNDERWOOD: And also a t-shirt. Everybody  
5 should have their own t-shirt.

6 MR. MOSELEY: Right.

7 MR. UNDERWOOD: This is his. It says "Keep calm  
8 and don't blink."

9 (Laughter)

10 MR. UNDERWOOD: So, anyway, thank you, and Merry  
11 Christmas to you, sir. I'm very appreciative of you, sir.

12 MR. MOSELEY: Merry Christmas.

13 MR. UNDERWOOD: This is yours.

14 And also for Commissioner Austin -- Commissioner  
15 Austin is -- he's really shy at times. I don't know if  
16 you've noticed that you've got to motivate him -- he's kind  
17 of a wallflower -- to get him going, so I bought you some  
18 lovely caffeinated mints.

19 (Laughter)

20 MR. UNDERWOOD: Now, these will help get you going  
21 a little bit.

22 MR. AUSTIN: (Indiscernible.)

23 MR. UNDERWOOD: They'll have a new version for.

24 Okay. Also, his t-shirt says "Keep calm and bring  
25 grenades."

1 (Laughter)

2 MR. UNDERWOOD: So, anyway, that's your stuff.

3 MR. AUSTIN: Thank you.

4 MR. UNDERWOOD: You bet.

5 I didn't want to forget our staff. I want to make  
6 sure that we do this right, okay. Is Jeff Graham -- Jeff  
7 Graham?

8 MR. GRAHAM: (Indiscernible.)

9 (Laughter)

10 MR. UNDERWOOD: Jeff is our attorney of record and  
11 he has to deal with the commissioners. And he's the one  
12 that has to say, "Yes, you can do this" or "No, you can't"  
13 or "This is the issue." He's always worried about us.

14 MR. HOUGHTON: Why are you standing back there,  
15 Graham. You might as well come on up.

16 (Laughter)

17 MR. UNDERWOOD: Jeff, I bought you a portable  
18 breath analyzer so you can check on us any time you need to.

19 (Laughter)

20 MR. UNDERWOOD: It's the keychain type and it  
21 works really well. Also, I brought a t-shirt that kind of  
22 reminded me of you when you're, you know, talking to him.  
23 It says "How about never?"

24 (Laughter)

25 MR. UNDERWOOD: So Merry Christmas to you, Jeff.

1 MR. GRAHAM: I'll put it on right now.

2 MR. UNDERWOOD: Okay. I just want to -- one quick  
3 one on Dan. Dan, you don't get away.

4 Dan has to deal with me and it can be interesting  
5 sometimes. His mantra is, you know, "What the Commissioner  
6 meant was ..."

7 (Laughter)

8 MR. UNDERWOOD: So I have a t-shirt for you when  
9 you're always trying to help me; it says "Have you tried  
10 turning it on and off again?"

11 (Laughter)

12 MR. UNDERWOOD: So, Merry Christmas to you, Dan.  
13 I appreciate it.

14 And I'm getting down to the last one, James Bass.

15 MR. HOUGHTON: Uh oh.

16 MR. UNDERWOOD: James? I think you're -- James,  
17 did you hide?

18 MR. HOUGHTON: He's coming down the fire pole.

19 MR. UNDERWOOD: I'll bet he is.

20 James, nice try. He likes to watch it from the  
21 back and there's a reason for that. James, because you've  
22 always had to give testimony, you know, you're always going  
23 up The Hill and giving testimony and whatnot. I thought you  
24 might sometimes want to be a little incognito.

25 (Laughter)

1 MR. AUSTIN: It matches his suit.

2 MR. UNDERWOOD: So you'll enjoy this. I promise  
3 you they will not recognize you. You don't have to -- see,  
4 you won't have to -- you can shave now. You've got this.

5 (Laughter)

6 MR. HOUGHTON: Whoa, whoa, whoa. Come on back.  
7 Come on back.

8 MR. UNDERWOOD: Also, because you have to deal  
9 with it -- and truthfully, these gentlemen, John Barton and  
10 James Bass, they spend long hours giving testimony late at  
11 night -- I brought you a flashlight so, you know, as you're  
12 going to The Hill -- but also it's got an interesting deal,  
13 too. When you really get in trouble, you can --

14 (Laughter)

15 MR. BASS: I'll be needing it.

16 MR. UNDERWOOD: Yes, definitely. But, anyway,  
17 come and get your Christmas present, James.

18 So Merry Christmas to you. We appreciate  
19 everything you do.

20 MR. BASS: Thank you.

21 MR. UNDERWOOD: John, I didn't want to forget you.

22 MR. HOUGHTON: Saving the best for --

23 MR. UNDERWOOD: John, he's the catch-all. That's  
24 right. He's always saving us. He's always doing everything  
25 he can to help us.

1           So for John, I got you a Batman for you.

2           (Laughter)

3           MR. UNDERWOOD: This will work real well -- you're  
4 going to look good where you're going to live when you --

5           MR. BARTON: I am. I am.

6           MR. UNDERWOOD: Where's your home going to be when  
7 you retire one day?

8           MR. BARTON: Archer City.

9           MR. UNDERWOOD: You're going to look good in that.

10          (Laughter)

11          MR. UNDERWOOD: And, also, if you haven't noticed,  
12 also, John is a very good sport. But, also, John, because  
13 you do also have those same late night -- you have your own  
14 little, "Hey, hey, hey, help me, help me."

15          (Laughter)

16          MR. BARTON: Can I get some red and blue in that?

17          MR. UNDERWOOD: Yes, sir. I can work that out.

18          Anyway, on a serious note, I want to thank staff.  
19 But, anyway, Merry Christmas to you.

20          MR. BARTON: Thank you. Merry Christmas.

21          MR. UNDERWOOD: You bet.

22          But we really appreciate everything that staff  
23 does. Thank ya'll for what you do. I couldn't thank  
24 everybody, but I want to do it now: Thank you for what you  
25 do; what you stand for; how you take care of TxDOT; how you

1 make us look good up here. We really appreciate it. Thank  
2 you.

3 Mr. Chair?

4 MR. HOUGHTON: Gee, I don't know what to say,  
5 Fred.

6 (Laughter)

7 MR. HOUGHTON: I did a videotape yesterday --  
8 taping yesterday for, I guess, it's the forum, and they  
9 asked, What are you going to miss about Fred?

10 (Laughter)

11 MR. HOUGHTON: What do you think, huh?

12 (Laughter)

13 MR. HOUGHTON: Fred, thank you very much for your  
14 humor; it keeps us light and airy. We got a lot of things  
15 we talk about and what a great crew we have up here on this  
16 end and our staff who makes us look dynamic, so thank you,  
17 all, very, very much.

18 With that said, let's move on. The first order of  
19 business is the minutes of the November 20th regular meeting  
20 of the commission.

21 Members, draft minutes were provided in your  
22 briefing material.

23 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. HOUGHTON: Thank you.

4 General, the agenda is yours.

5 GENERAL WEBER: Thank you, Chairman.

6 Let's move to Item 3(a), a resolution for our  
7 former Maintenance Division Director Howard Holland.

8 Deputy Executive Director John Barton will  
9 present.

10 MR. BARTON: Good morning. General Weber,  
11 Chairman Houghton, Members of the Commission, it's a  
12 distinguished honor for me to be able to present this  
13 resolution this morning for Howard Holland, a friend and a  
14 colleague, a brother that I cherish and certainly  
15 appreciate.

16 I have two resolutions this morning; one from the  
17 Commission and then a proclamation from the Senate of the  
18 State of Texas. And Howard, I think, has his family with  
19 him this morning, his beautiful bride and his mother and  
20 father, so I'll let him introduce them to you in just a  
21 minute. But if you'd give me the honor, I'd like to read  
22 through the Commission's resolution and the Senate  
23 proclamation.

24 Howard has been an integral part of our agency for  
25 many years. His service to this agency was nothing but

1 outstanding and the consummate professional at all times.  
2 He's been a mentor and friend to many of us and we miss him  
3 dearly and certainly are proud of his service and wish him  
4 well for a long, happy, healthy, and prosperous retirement.  
5 He left us a few months ago and we had to wait until today  
6 because he's been hopping the globe and traveling around the  
7 country and enjoying time with his family.

8 But the resolution that you are now presenting to  
9 him today, Commissioners, reads as the following:

10 Whereas the Texas Transportation Commission takes  
11 great pride in recognizing Howard Holland, P.E., for his  
12 outstanding service to the Texas Department of  
13 Transportation after a distinguished career of 24 years,  
14 most recently as director of the maintenance division.

15 And, whereas, Howard Holland earned his bachelor's  
16 degree in agricultural engineering from Texas A&M University  
17 in 1977; worked for the U.S. Department of Agriculture as an  
18 agricultural engineer in Denver, Colorado; was part-owner of  
19 a consulting firm in Marble Falls, Texas; and became a  
20 licensed professional engineer in 1983.

21 And, whereas, he began his TxDOT career in 1990 as  
22 a field engineer in the bridge division, later serving as an  
23 assistant engineer in the South Travis area office, Lampasas  
24 area engineer in the Brownwood district, and was named the  
25 district's director of operations in 2001.

1           And, whereas, in 2008, Howard was selected as  
2 deputy district engineer -- director for the Beaumont  
3 district before moving to the district engineer position in  
4 the Amarillo district later that year.

5           And, whereas, under his strong leadership in the  
6 Amarillo district, the Panhandle Rural Planning Organization  
7 was created; emergency operations partnerships were  
8 strengthened, and numerous joint projects were initiated  
9 with cities and counties.

10           And, whereas, in 2012, Holland was named director  
11 of the maintenance division, overseeing the preservation and  
12 upkeep and restoration of 177,000 lane miles of Texas  
13 highway, as well as the management of safety rest areas,  
14 ferry operations and statewide emergency operations and  
15 security needs.

16           And, whereas, Holland's engineering and management  
17 talents helped advance TxDOT's mission to provide safe and  
18 reliable transportation solutions for Texas, now, therefore,  
19 be it resolved that the Texas Transportation Commission does  
20 hereby extend its sincerest best wishes to Howard Holland,  
21 P.E., in recognition of his professional achievements and a  
22 career of loyal service on behalf of the State of Texas and  
23 its citizens, presented this day, Thursday, the 18th day of  
24 December, 2014.

25           Howard, congratulations.

1 (Applause)

2 We also have for Howard a proclamation,  
3 Proclamation Number 1482 from the Senate of the State of  
4 Texas. Much of it is duplicative of the resolution I just  
5 read, but I wanted to read the closing whereas and  
6 proclamations that were provided for this. And so, Howard,  
7 I'll present this to you and read it to you from a second  
8 copy that we have. It says:

9 Whereas, as an exemplary leader in his field,  
10 Mr. Holland is respected and admired throughout the Texas  
11 Department of Transportation, and his presence in the  
12 Department will be greatly missed, now, therefore, be it  
13 proclaimed that the Senate of the State of Texas hereby  
14 commends Howard Holland on his 24 years of outstanding  
15 service to the Texas Department of Transportation and  
16 extends to him sincere best wishes in all his future  
17 endeavors.

18 And be it further proclaimed that a copy of this  
19 proclamation be prepared for him as an expression of our  
20 esteem from the Texas Senate. And it was put in place by  
21 one of our dearest friends, Chairman and Senator Robert  
22 Nichols, from the Texas Senate.

23 Howard, congratulations on an outstanding career.  
24 You are deeply missed. We wish your nothing but the best  
25 and we are proud of all you have accomplished and all you

1 allowed the great state of Texas to enjoy under your  
2 leadership and service.

3 (Applause)

4 MR. HOLLAND: Thank you. I was assuming you would  
5 allow me three minutes to speak.

6 (Laughter)

7 MR. HOLLAND: I was nervous until -- Fred has  
8 always put me at ease, and as the district engineer in  
9 Amarillo, Fred was a constant source of support and some  
10 amusement at times. He always supported me, and, you know,  
11 I want to spend this time not talking about myself.

12 And I want to thank those people who allowed me to  
13 get to this point. I certainly didn't get here on my own.  
14 You know, first, I got to start with my folks; I have my mom  
15 and my dad, Fred and Billie Holland, with me. I can't say  
16 enough about my parents. They didn't have the opportunities  
17 that their three kids had. You know, they didn't get to go  
18 to college. Didn't get to do those things. They have three  
19 kids. You know, I'm the engineer. My sister is the  
20 attorney, UCLA Law School. And my brother is a park  
21 manager. And it's through their hard work and their support  
22 throughout our lives that we have all been successful, so I  
23 thank them.

24 (Applause)

25 MR. HOLLAND: You don't always get to say things

1 like that publicly while your mom and dad are alive, so this  
2 is very special to me.

3 I've been married for 40 years and I brought my  
4 bride of 40 years, Melanie Derek Holland, with me. And it's  
5 obvious from looking at us that we got married as teenagers,  
6 and we were.

7 (Laughter)

8 MR. HOLLAND: And she pushed, she pulled, and at  
9 times, she kicked me, in love, to keep moving forward and do  
10 the things I needed to do and I can never say enough of  
11 gratitude to her for my success. And I can't remember how  
12 many times we have moved over our lives, but it's been a  
13 lot. Mr. Barton read the list; you can see that just within  
14 TxDOT that it's been a lot of moves.

15 Everybody in their career has a mentor at some  
16 point. My mentor -- in 1994, I showed up in the Brownwood  
17 district office to interview for the Lampasas area office  
18 job with Lynn Passmore. And I walked in with hair down on  
19 my shoulders and a full beard -- not exactly the picture you  
20 want for your area engineer that you're interviewing -- and  
21 I made things better then by telling Lynn that I played the  
22 part of Jesus Christ in a Christmas play each year at  
23 Christmas and that it was more important for me to do that  
24 than to advance my career, so I hoped that he accepted my  
25 appearance that day, and he did and he hired me, and then I

1 worked for him for 13 years.

2           And during those 13 years I had four small girls.  
3 I started -- I had a 15 year old down to a 7. And if I can  
4 get it right, those four girls participated in volley ball,  
5 cross country, basketball, soft ball, track. They also did  
6 piano, band, and showed sheep and turkeys locally and at San  
7 Antonio and Houston stock shows. And Lynn Passmore always  
8 supported me as a father to leave and to go see those girls  
9 in their activities. I've traveled a lot of miles with his  
10 blessing and his question always was to me only: Where are  
11 they playing and how'd they do? So I cannot give enough  
12 gratitude of thanks to Lynn; he's become my best friend.

13           For the girls, you know, I want to brag on my  
14 girls a minute. You know, four girls, of course they're all  
15 college graduates; two of them have masters and one is an  
16 attorney. But not only are they educated and gainfully  
17 employed, but they're making a difference in this world. My  
18 oldest daughter, she is a high school science teacher; she  
19 teaches advanced placement and honors physics and chemistry  
20 at Gilmer High School.

21           My second daughter works in the San Luis Valley  
22 with a charitable organization and she -- they provide  
23 clothing, housing and food for not only children, but for  
24 migrant farmworkers and homeless people.

25           My third daughter works with over 150 school

1 districts working with wellness and health.

2           And my youngest daughter -- even attorneys are  
3 good -- she worked as an assistant district attorney  
4 prosecuting and now she works as an attorney representing  
5 school districts with the many issues that school districts  
6 have.

7           And I couldn't be prouder of those four girls and  
8 their accomplishments, but I give thanks to TxDOT and the  
9 fact that they allowed me to be a family man and to attend  
10 their things for the success of my kids.

11           So, with that, you know, I have to always thank  
12 the many folks that I've worked with. I've managed to work  
13 with, I believe, everyone in TxDOT, with the different  
14 positions and the different locations I've worked. And  
15 they've always supported me and I appreciate them very much.  
16 You know, I want to recognize -- I believe the maintenance  
17 division is -- there's a whole row of people back here that  
18 just came over for this, this morning and supported me, and  
19 that's the kind of support that I've always enjoyed from  
20 TxDOT.

21           And I want to close by saying God bless the  
22 employees of TxDOT and keep them safe. And, with that, I'm  
23 going to go home to the ranch. Thank you.

24           (Applause)

25           MR. UNDERWOOD: And, Howard --

1 MR. HOUGHTON: Fred, you got --

2 MR. UNDERWOOD: Sure.

3 Howard, thank you for what you do and thank you  
4 for how well you represented us in Amarillo. I really  
5 appreciate it. You made us look good in Amarillo and you  
6 made us look good when you moved to Austin and we appreciate  
7 it. Thank you, sir.

8 And to the young lady, thank you for loaning him  
9 to us for this time frame.

10 And to Mom and Dad, thank you -- appreciate it.  
11 It was a great investment and we thank you for it at TxDOT.

12 MR. AUSTIN: Howard, I want to say one thing. You  
13 know, often times, agencies are measured by service and I  
14 want to say our level of service. Probably the most  
15 frequent measurement that we have of level of service is  
16 what is the condition of our roadways and our bridges.

17 What you have done, led, and overseen with your  
18 team to help keep that does not go unnoticed and a lot of  
19 people across the state owe you a big thanks; not just to  
20 you, but your team that you have led. I want to say thank  
21 you for your years of service.

22 MR. MOSELEY: Howard, we really appreciate your  
23 quarter century of service to this agency, and what a  
24 delight to just hear you reflect back on all of the team  
25 members that came along with you. And so we say thanks to

1 Mom and Dad and to your wife and your family, again, as  
2 Commissioner Underwood said, for sharing you with us. But  
3 thank you for your contributions to the State. Texas is a  
4 better place because of your service and we look forward to  
5 keeping up with you in your next chapter in life. But God  
6 bless you and thank you so much, again, for your dedicated  
7 service to TxDOT.

8 MR. VANDERGRIFF: I'll just add that I think you  
9 have a second career as an inspirational speaker -- that was  
10 really well done -- one of the best farewells and thank yous  
11 I've ever heard. So I'm looking forward to seeing you on  
12 the circuit, touring, giving that kind of talk.

13 UNIDENTIFIED SPEAKER: Here, here.

14 MR. HOUGHTON: Well, I guess it's timely to go out  
15 when you're on top, but, Howard, we just allocated, what,  
16 \$402 million to maintenance, what, a couple of months ago,  
17 Fred?

18 MR. UNDERWOOD: Yes, sir.

19 MR. HOUGHTON: And now \$1.7 billion in -- not all  
20 to maintenance, but a big slug of it to maintenance. And I  
21 said, Where's he going? I said, We're just getting ready to  
22 start up.

23 But what you're leaving behind at TxDOT is one  
24 thing, but the greatest legacy is your family and it's  
25 obviously what a legacy you have there.

1           And Mr. Holland and Mrs. Holland, what a legacy  
2 you have provided with these -- that young man and the  
3 grandkids -- beautiful, wonderful. Thank you very much.

4           Okay. General?

5           UNIDENTIFIED SPEAKER: (Indiscernible.)

6           MR. HOUGHTON: Well, let's get them all and then  
7 we'll do photographs -- yeah.

8           GENERAL WEBER: Thank you, Howard. It was a short  
9 time, but it was a pleasure to work with you. You're very  
10 professional, committed and good luck in the future.  
11 Thanks.

12           John, if you'll continue with 3(b), a resolution  
13 for retiring -- our retiring special projects division  
14 director, the one and only, Mr. Ed Pensock.

15           MR. HOUGHTON: Hey, John, was it you, yesterday,  
16 that, you know, we talked about in a meeting with staff --  
17 security? When we have security here -- was it somebody  
18 that you said that I could have somebody moved?

19           MR. BARTON: You have that authority and ability,  
20 yes, sir.

21           (Laughter)

22           MR. HOUGHTON: And only I have that authority to  
23 remove somebody?

24           MR. BARTON: That is correct. That is correct.

25           MR. HOUGHTON: Can we do that now?

1 (Laughter)

2 MR. HOUGHTON: I mean the guy is jumping ship  
3 on -- unbelievable.

4 MR. BARTON: I think it is if we don't read this  
5 resolution, he can't leave. So if you'd like to have him  
6 escorted from the room, we might be able to do that.

7 Again, for the record, my name is John Barton.  
8 General Weber, Chairman Houghton, and, Commissioners, it is  
9 on honor for me to present a resolution on behalf of the  
10 commission to Ed Pensock at his pending retirement with the  
11 agency.

12 Ed has been an integral part of our Strategic  
13 Projects Division and delivering innovative projects across  
14 this state and has been impactful; not only here, but across  
15 the country, and I would dare say, around the globe. His  
16 efforts have been nothing short of heroic and we are  
17 certainly proud of all of the things that he's accomplished.

18 And, again, just as Howard, he's a trusted friend,  
19 colleague, and confidant, and someone that we will dearly  
20 miss and I am certainly honored and proud to have served  
21 with. So, Ed, it is an honor for me today to present to you  
22 this resolution. I'm going to hand it to you and then read  
23 the resolution for the benefit of the audience. And I know  
24 that Ed's got his wife and daughter with him today, so I'll  
25 let him introduce those in just a minute.

1           The resolution reads as the following: Whereas  
2 the Texas Transportation Commission takes great pride in  
3 recognizing Edward P. Pensock, Jr., P.E., for his  
4 outstanding service to the Texas Department of  
5 Transportation after a distinguished career of 24 years,  
6 most recently serving as the director of the Strategic  
7 Projects Division.

8           And, whereas, Ed Pensock earned his bachelor's  
9 degree in civil engineering from Texas A&M University in  
10 1983 and worked for several years as a private consulting  
11 engineer, planning and designing transportation projects  
12 around the country, and as a contractor with the Federal  
13 Strategic Highway Research Program.

14           And, whereas, he started his TxDOT career in 1990  
15 serving in various engineering and managerial capacities and  
16 in 1999 began planning and designing toll roads and other  
17 innovatively financed projects and assisted in the creation  
18 of the Texas Turnpike Authority, which ultimately became the  
19 Strategic Projects Division.

20           And, whereas, as the division director, Pensock  
21 has helped the agency develop the largest public-private  
22 partnership and design-build programs in the country,  
23 overseeing \$28 billion in projects across all management  
24 stages including early development, procurement, design,  
25 construction, operation, and maintenance.

1           And, whereas, in recognition of his significant  
2 contributions to advancing the awareness, understanding and  
3 use of the design-build project delivery methods, Pensock  
4 received the 2014 Design-Build Institute of America's  
5 Leadership Award, their most prestigious award.

6           And, whereas, his wealth of knowledge, passion and  
7 drive have been key to the success of the State's  
8 public-private partnership and design-build programs and his  
9 welcoming demeanor, sense of humor, and desire to mentor  
10 TxDOT's next generation of alternative delivery leaders has  
11 made him an invaluable resource, colleague, and friend to  
12 many at TxDOT.

13           And, whereas, his leadership has exemplified  
14 communication, partnership and innovative ideas between the  
15 Department, elected officials, community leaders, and  
16 employees, now, therefore, be it resolved, that the Texas  
17 Transportation Commission does hereby extend its best --  
18 excuse me -- sincerest best wishes to Edward P. Pensock,  
19 Jr., P.E., in recognition of his professional achievements  
20 in a career of loyal service on behalf of the State of Texas  
21 and its citizens, proudly presented this day, Thursday, the  
22 18th of December, 2014.

23           Congratulatlons, Ed.

24           (Applause)

25           MR. PENSOCK: Thank you, John.

1           Robin, for the last time: For the record, my name  
2 is Ed Pensock. I'm the director of the Strategic Projects  
3 Division.

4           (Laughter)

5           MR. PENSOCK: Thank ya'll very much.

6           I'm blessed today to have my wife, Terry, and my  
7 daughter, Christina, and my son, Justin, here sharing this  
8 special moment with me, and I'm exceedingly happy to have  
9 them here with us.

10           Chairman, Commissioners, I've learned something  
11 from every single one of you.

12           MR. HOUGHTON: Do you really want to share it?

13           MR. PENSOCK: Some things good.

14           (Laughter)

15           MR. PENSOCK: TxDOT staff, contractors, friends,  
16 family, consultants, I've learned something from every  
17 single one of you. I am humbled and greatly appreciative of  
18 everything I've learned at my time at TxDOT.

19           The French -- the province in far East Texas have  
20 a saying that is "La Belle Époque"; that is literally  
21 translated, happy era. Roughly translated, a grand time, a  
22 grand time period.

23           Chairman, it's been a grand time. Thank you very  
24 much.

25           (Applause)

1           MR. AUSTIN: Ed, I know you're getting ready to  
2 leave. I know, obviously, in your little hot rod, but I  
3 want to say Christmas a year ago, I think Christmas came  
4 early to our director of the then-strategic -- well,  
5 strategic projects. And I think one of his -- the thesis of  
6 this particular project, Mr. Chairman -- because you were  
7 there, we were watching his work -- how fast can a car go  
8 through and the toll tags be read? I'm not going to answer  
9 that, but I want to say --

10           (Laughter)

11           MR. HOUGHTON: Come on up.

12           MR. AUSTIN: You can answer it. You come on back  
13 up.

14           (Laughter)

15           MR. AUSTIN: I wish you could have seen it. There  
16 was a drone out there recording this and those little  
17 propellers were spinning like this; not nearly as fast as  
18 his smile, because his head was spinning trying to get  
19 inside that car with Hennessy to drive through and test  
20 those. So I'll let you respond.

21           Thank you for your years of service and may you  
22 continue to work on your toe-heel exercises. For those who  
23 don't know what that is -- racing and autocross -- good  
24 luck.

25           MR. PENSOCK: Thank you. And for the many --

1 actually, toll operations and toll collection professionals  
2 that have fine-tuned their skills, we can -- we have proven,  
3 Commissioner Austin -- and Chairman, I think you were a  
4 witness there as well -- we have proven that we can collect  
5 tolls at 203 miles an hour --

6 (Laughter)

7 MR. PENSOCK: -- on a closed circuit, on a closed  
8 highway with plenty of DPS.

9 Jeff -- is that -- can I --

10 (Laughter)

11 MR. PENSOCK: Anything else? But, a very safe  
12 circumstance and we will never do it again.

13 (Laughter)

14 MR. PENSOCK: But we are -- we will catch you if  
15 you are violating on our toll system.

16 MR. HOUGHTON: Oh my goodness.

17 MR. MOSELEY: Ed, I just wanted to say thank you,  
18 again, for your quarter century of service. And I'm so  
19 pleased as our agency was going through back-to-back sunset  
20 and we were looking to be more innovative and to look at new  
21 tools -- and the Legislature was giving us tools -- that you  
22 were there to really guide the projects and the strategic  
23 thinking about the next generation of roadway and the new  
24 technologies. And so, you've really left a wonderful  
25 foundation and we'll continue building on that as we look at

1 this full, full embrace of technology on our roadway  
2 systems. But thank you for setting that division up and  
3 getting it up and running.

4 Thank you for your service. Texas is, indeed, a  
5 better place and our highway systems are better because of  
6 your service. God bless you.

7 MR. HOUGHTON: We've had some fun, haven't we, Ed?

8 MR. PENSOCK: We've had some fun.

9 MR. HOUGHTON: We've had -- we've had some fun.

10 But I do want to have you talk about something  
11 that somebody was talking to me about. I want to hear about  
12 the star -- one of the stars in your family -- they're all  
13 stars -- but an athletic star in your family that  
14 overachieves.

15 MR. PENSOCK: Thank you, Chairman.

16 I guessing that you're alluding to my daughter --

17 MR. HOUGHTON: I am.

18 MR. PENSOCK: -- who happens to be sitting four  
19 rows back who is a student at Georgia Institute of  
20 Technology -- Georgia Tech; again, in far eastern province  
21 in the state of Texas. And she has been a four-year  
22 participant in the track and field program at Georgia Tech.  
23 She's a 100 meter, 200 meter and 400 meter sprinter.  
24 January 10th, I think her senior season starts, her last  
25 season of NCAA eligibility, and we wish her luck. Her --

1 this will be her victory final so-long season as she runs  
2 around the ACC, the Atlantic Coast Conference, saying  
3 farewell to her track mates. She's been a joy and a  
4 pleasure to both her mother and I, as has been our son, all  
5 the way through.

6 MR. HOUGHTON: So I assume that a lot of your time  
7 will be spent watching track, cross-country, indoor track,  
8 outdoor track?

9 MR. PENSOCK: Every moment that I can be there.

10 MR. HOUGHTON: Great. That's wonderful.

11 MR. PENSOCK: I'm going to try to make as many as  
12 I possibly can.

13 MR. HOUGHTON: My congratulations. My  
14 congratulations. Thank you very much, Ed.

15 MR. PENSOCK: Thank you.

16 MR. HOUGHTON: Okay. General?

17 GENERAL WEBER: And, Ed, just thanks for your  
18 support and best in retirement. It was a pleasure to work  
19 with you. It was.

20 John, please continue with Item 3(c),  
21 acknowledgement of our travel division director Margo  
22 Richards who is leaving us.

23 MR. BARTON: Thank you, General Weber.

24 And, again, my name is John Barton.

25 Margo, if you'd please join me?

1 Margo is the director of our Travel Division and  
2 has been with the Department now for a few years. Came to  
3 us as we transitioned into new leadership back in 2011 and  
4 filled a role that was critically important to the State of  
5 Texas. Often underappreciated and overlooked, tourism is a  
6 big part of our state's economy. The safety of our roadway  
7 network and the things that people find out from our travel  
8 information centers is paramount to the mission that this  
9 Department carries out.

10 Margo came into the Department, brought in fresh  
11 ideas and perspectives from her career in the tourism  
12 industry, has been a stalwart of excellence and  
13 professionalism in leading a dedicated group of individuals  
14 that work in all the areas of our Travel Division: the  
15 travel information centers, the Texas Highway Program, the  
16 communications that we enjoy at many of these events, and  
17 they have raised their level of excellence to new heights  
18 under Margo's leadership.

19 Most recently acknowledged by the external  
20 customer satisfaction survey that was done for us by the  
21 legislative council, and under Margo's leadership, that  
22 group of the Department's operations received a customer  
23 satisfaction rating of 99 percent which is just an  
24 unbelievable accomplishment.

25 She is a colleague and a friend that many of us

1 have come to respect, admire and appreciate in her service  
2 to us over the last couple of years. She has taken an  
3 opportunity with another agency outside the Department and I  
4 know will serve them as well or better than she has us here.  
5 And it's going to be difficult to achieve a higher level of  
6 excellence than she's already accomplished with us. She  
7 will be deeply missed.

8 Her leadership has been incredibly valuable to us.  
9 I know that on behalf of myself, I can just say that the  
10 amount of work and effort that she's put into managing not  
11 only the day-to-day operations of those divisions, but  
12 helping us respond in a more meaningful and impactful way to  
13 the public during our emergency management situations have  
14 instilled in me the highest level of appreciation,  
15 confidence and admiration that I can have for another  
16 professional colleague. So, Margo, you will be deeply  
17 missed.

18 We wish you the best in your next career. We will  
19 tell you in transportation terms that no bridges have been  
20 burned and no roads have come to an end. So if you would  
21 like to return to dutifully serve the State of Texas at this  
22 agency, we would be honored to have you consider that at  
23 some point in the future. But in the meantime, we wish you  
24 the best for a prosperous and successful career in your new  
25 endeavors and to make sure that you know that we are always

1 here and that you are a trusted friend, colleague and peer,  
2 and we deeply appreciate you.

3 So I'll give you the opportunity to stand here and  
4 perhaps a few of the commissioners would like to share a few  
5 words with you.

6 MS. RICHARDS: Thank you, Mr. Barton.

7 And for those of you that know me, I don't do  
8 these types of things very well, so bear with me. Just to  
9 let you know that I fully thank you for all of the support  
10 that you have given to me and to the Travel Information  
11 Division over the last three years. It has been such a  
12 privilege to be part of programs that I really grew up with  
13 watching and learning, from the "Don't Mess With Texas"  
14 brand -- it was something that I grew up with -- and just by  
15 chance it happened to be part of the division that I was  
16 able to oversee. Texas Highways Magazine is something that  
17 I've read for years. The travel information centers, the  
18 Texas State Travel Guide, all of those programs mean so much  
19 to me and I am such a -- feel so honored to be part of it.  
20 So thank you for the opportunity to serve and to be here.  
21 Thank you.

22 MR. AUSTIN: Margo, I want to say thank you very  
23 much for everything that you've done. We came into TxDOT  
24 pretty close about the same time and I think back to my  
25 initial orientation meeting. I thought about it -- we were

1 going through -- before we could sit up here -- went  
2 through -- we had legal counsel and I asked a question and I  
3 said, What kind of litigation are we involved in?

4           They looked at each other and said -- at the time,  
5 Director Phil Wilson was in there -- and I said, That's what  
6 I want to know about, what are you all smiling about and  
7 Phil and I looked at each other. We were in a lawsuit in a  
8 copyright infringement of "Don't Mess With Texas" and we  
9 looked at it and everybody said, We need to solve this and  
10 let's move on.

11           From that, with what you inherited and what you  
12 have taken on to heighten one of the most powerful brands in  
13 this state and in this country -- "Don't Mess With Texas" --  
14 I want to say thank you.

15           MS. RICHARDS: Thank you.

16           MR. AUSTIN: It has been a pleasure to work with  
17 you. Your division with the highways and everything have  
18 won numerous awards and that speaks highly of the agency and  
19 thank you for your legacy that you've left.

20           MS. RICHARDS: Thank you. I appreciate that.

21           MR. HOUGHTON: You didn't disclose who we had  
22 the -- when that lawsuit was involved with, did you? And  
23 who the chair, at the time, while that lawsuit was going on?

24           MR. AUSTIN: That is correct.

25           (Laughter)

1 MR. HOUGHTON: There's a little institution just  
2 on the other side of the capitol that was infringing upon  
3 "Don't Mess With Texas" and I think former Chairman Delisi,  
4 who's in the audience, said, "Go get 'em." Told Margo, "Go  
5 get 'em." I remember it that way. I think I remember it  
6 that way, Margo, right?

7 MR. AUSTIN: You have a better recollection than I  
8 do, Chairman.

9 MS. RICHARDS: Thank you.

10 MR. HOUGHTON: No, no. We're not done yet. Oh,  
11 no, no, no.

12 MR. MOSELEY: Chairman, Members, having been the  
13 executive director of economic development and having  
14 tourism marketing as part of our mission, it was a pleasure  
15 to meet Margo and work with her back in the day. And there  
16 was always a question about who could possibly fill Doris  
17 Howdeshell's legacy here at TxDOT, and when Margo came on  
18 board, we go, Yeah, Margo can do that. And Margo, you have  
19 do that, and thank you for ramping up and really excelling  
20 and doing an outstanding job of positioning our agency.

21 I think we know that about 95 percent of tourism  
22 of Texas comes by vehicle, by automobile, so the greeting  
23 centers and the collateral material that you've made  
24 available really helps the motoring public get a sense of  
25 what they can do here in the tourism sector, so thank you

1 for that.

2 MS. RICHARDS: Thank you.

3 MR. MOSELEY: And we wish you the very best over  
4 at this other agency, but we know that you're going to do  
5 some great things over there.

6 God bless you. Thank you.

7 MS. RICHARDS: Thank you.

8 MR. UNDERWOOD: Margo, I will miss you. I will  
9 miss the trips. And I'm sure you won't miss some of my  
10 "going off-script" comments. But thank you very much for  
11 all you've done for TxDOT.

12 MS. RICHARDS: Thank you.

13 MR. UNDERWOOD: It's been a pleasure to work with  
14 you and I wish you the best where you are and thank you for  
15 all that you've done for all of us to make Texas look a lot  
16 better than sometimes it really is. But thank you very  
17 much, I appreciate it. I wish you the best, young lady.

18 MS. RICHARDS: Thanks.

19 MR. VANDERGRIFF: Margo, I have to note that  
20 sometimes the best deals are the ones that are never made.  
21 And when -- back in another life when the Department of  
22 Motor Vehicles was created, there was really serious  
23 conversation of whether travel -- your information centers  
24 should go with it, because it was part of that section of  
25 the org chart that included the Motor Vehicle Divisions.

1 And I think better heads prevailed and it's a credit to you,  
2 how you really pushed this part of the organization forward.  
3 You really made it blend well with what TxDOT's mission is,  
4 so my hat's off to you on that.

5 And you're one of the people that I really hadn't  
6 talked to much because I understood what you were doing and  
7 you were doing a terrific job. So they're lucky to have you  
8 over at the LCRA and we wish you all the best.

9 MS. RICHARDS: Thank you.

10 Well, it's a credit to the great team that we  
11 have, so thank you.

12 MR. VANDERGRIFF: Absolutely.

13 MR. HOUGHTON: Thank you, Margo, very much --

14 MS. RICHARDS: Thank you.

15 MR. HOUGHTON: -- for your service.

16 (Applause)

17 GENERAL WEBER: Now, since this may take a little  
18 bit, we're going to take a ten-minute break because we're  
19 going to do pictures with the three retirees and their  
20 families, so we'll take a ten-minute break.

21 (Break taken from 10:02 a.m. - 10:12 a.m.)

22 MR. HOUGHTON: Well, I'll reconvene the  
23 Transportation Commission. Commissioners, I need at least  
24 two of you to start.

25 MR. MOSELEY: I'll be right back. I gotta --

1 MR. HOUGHTON: Okay. All right. Go ahead. I'll  
2 wait for one to come in the door.

3 MR. MOSELEY: You can go ahead and get started.  
4 I'll --

5 MR. HOUGHTON: General, I think we'll begin with  
6 the next item on the agenda.

7 GENERAL WEBER: Okay. Next up is Item 4(a), a  
8 discussion of our East Texas Corridor Study.

9 Our Transportation Planning and Program Director  
10 James Koch will present.

11 James, thank you.

12 MR. KOCH: Good morning, Mr. Chairman, Commission  
13 Members and General Weber.

14 For the record, my name is James Koch,  
15 Transportation Planning and Programming Division director  
16 for TxDOT. Item 4(a) will present two planning studies that  
17 have been recently completed in East Texas. We'll begin  
18 with the I-20 East Texas Corridor Study.

19 Over the past 18 months we have had a team of  
20 corridor stakeholders, TxDOT employees and consultants  
21 working on a master plan for 155 miles of I-20 in East Texas  
22 between I-635 on the east side of Dallas and the Louisiana  
23 state line. This corridor encompasses three districts,  
24 Dallas, Tyler and Atlanta, and six counties: Dallas,  
25 Kaufman, Van Zandt, Smith, Gregg, and Harrison. Our goal

1 was to identify all deficiencies and develop a plan for how  
2 to make improvements over the next 25 years.

3           The Department greatly appreciates the members of  
4 the advisory committee that you appointed in 2013 to work on  
5 this study. These individuals are listed for your  
6 convenience. Gregg County Judge Bill Stoudt chaired the  
7 advisory committee. Under his leadership, the members not  
8 only provided valuable input and direction to the study  
9 effort, but provided a much needed link to the broader  
10 public within the study area. Through their efforts,  
11 thousands of citizens heard about the study and had an  
12 opportunity to ask questions and to provide input, as well.

13           Recognizing that I-20 Corridor currently serves as  
14 an integral east-west connection for both travel and trade  
15 in Texas, the purpose of this study was to identify  
16 opportunities to address safety and economic development.  
17 This is reflected in the mission statement developed by the  
18 advisory committee. This mission statement guided the  
19 members in developing the implementation plan.

20           The advisory committee volunteered a considerable  
21 amount of time during these 18 months, meeting quarterly to  
22 review materials and organizing two public outreach efforts;  
23 initial outreach in the March-April time frame in 2014 and a  
24 draft public outreach plan in the October-November time  
25 frame in 2014. These public outreach efforts included

1 council meetings, presentations to stakeholder groups,  
2 public workshops, and social media efforts. Just two weeks  
3 ago they reviewed study findings and endorsed the materials  
4 that would be presented next.

5 This chart represents the cost breakdown of the  
6 implementation plan. All costs are in 2014 dollars. The  
7 largest possible costs that may need to be considered along  
8 this corridor would be full-depth rehabilitation of pavement  
9 that is as much as 47 years old. This would only be  
10 considered after detailed pavement studies are completed.  
11 Under preliminary or placeholder basis, we estimate this  
12 rehabilitation could approach half of the total \$2.9 billion  
13 effort over the next 25 years.

14 The next largest expense identified was for the  
15 widening of I-20 to maintain travel efficiency and improve  
16 safety. It should be noted that widening will be required  
17 before pavement can be rigorously rehabilitated since it  
18 will be necessary to maintain traffic during these efforts.  
19 The advisory committee identified a number of locations  
20 where frontage roads needed to be added or enhanced from  
21 current two-way operation to a safer one-way operation.

22 About half of such improvements are desired to  
23 support local economic development initiatives while others  
24 will be needed to improve safety and operations around  
25 interchanges, as well as to support economic development.

1           Lastly, a number of interchange improvements,  
2 bridge replacements and some median barriers were  
3 identified. Most of these relatively low-cost improvements  
4 were given the highest priorities. The committee also felt  
5 strongly that during the pursuit of these efforts, care  
6 should be taken to pursue improvement and vertical  
7 clearances to as much as 23 feet to accommodate oversize  
8 freight movements and the possible implementation of  
9 high-speed rail passenger services in the future. If  
10 implemented, this last recommendation could add as much as  
11 15 or even up to 60 percent to the cost of the improvement  
12 plans.

13           In the interim, the committee also explored the  
14 potential to encourage private industry to improve  
15 inner-city bus services through use of express bus  
16 strategies with last, final connections to adjacent  
17 communities.

18           The almost \$3 billion in improvements would not  
19 occur at one time; it would be structured to be developed in  
20 a logical and efficient sequence over the next 25 years. On  
21 the previous slide we identified approximately \$1.5 billion  
22 for possible pavement reconstruction. Until further study  
23 is done, we do not know an exact time during the 25 years it  
24 should be done; therefore, we have not included these in the  
25 individual project costs. As projects are developed, mostly

1 through the added capacity projects, the pavement  
2 reconstruction would be considered at that time.

3           During the first six years, 2015 through 2020, the  
4 focus would be on easily and implementable, but  
5 high-priority improvements: Install median barrier locations  
6 that do not have them to address safety; address  
7 immediate-need deficient bridges -- other bridge  
8 reconditioning replacements are included in the other  
9 mid-term and long-term reconstruction activities; address  
10 operational issues at ramps and interchanges; address  
11 immediate need of frontage road improvements.

12           During the middle ten years of the plan, 2021  
13 through 2030, more extensive interchange improvements,  
14 additional frontage roads, and widening of the most  
15 congested segments of the corridor could be undertaken.

16           During the final ten years, 2031 through 2040, the  
17 most extensive ramp and interchange improvements could be  
18 undertaken, together with the final miles of frontage roads  
19 and additional miles of widening. It should be noted that  
20 the advisory committee recognized that not every possible  
21 improvement might be funded during this 25-year plan. A  
22 total of approximately 65 miles of widening remains  
23 unaddressed in this plan. Traffic forecasts suggest that  
24 these improvements could be delayed until the late 2040s.

25           The next steps will be to incorporate this

1 implementation plan into the funding and project-development  
2 activities within each district.

3           The purpose of this slide is to show what nearly  
4 \$3 billion in investments will return in improving key  
5 parameters related to safety capacity and economic  
6 development. Most notably, from a safety standpoint, this  
7 corridor currently experiences crash rates in excess of the  
8 statewide average for comparable facilities. Fifteen  
9 percent of these miles are more than twice the statewide  
10 average, but as you can see in the upper-left graphic, over  
11 the course of the implementation plan, improvements can be  
12 made to ramps, bridges and highways that could potentially  
13 resolve these highway crash rates.

14           The lower-right side of this graph shows existing  
15 ramps which were built to design standards popular in the  
16 1960s; however, they are not effectively serving today's  
17 large truck and higher-traffic volume needs.

18           In the upper-right graphic, economic development  
19 can be fostered in partnership with local units of  
20 government, as well as private interests through the  
21 construction or improvement of frontage roads. By the  
22 conclusion of this improvement plan, more than half of the  
23 corridor will be served by one-way frontage roads. This  
24 will also have a positive impact on safety around closely  
25 spaced interchanges.

1           It should be noted that the 55 directional miles  
2 where no frontage roads are proposed are in areas where  
3 there's not much development or potential for development to  
4 warrant frontage roads during this time frame. Through the  
5 judicious use of freeway widening from the current four  
6 lanes to six lanes, the mileage of heavily congested  
7 facilities can be virtually eliminated, and the mileage of  
8 freeways experiencing lower levels of congestion can be  
9 substantially reduced.

10           At this time, I would like to introduce Gregg  
11 County Judge Bill Stoudt to provide his comments about the  
12 study and the recommendations.

13           MR. STOUDT: Thank you. For the record, my name  
14 is Bill Stoudt. I'm County Judge of Gregg County in  
15 Longview, Texas, and I'm currently serving as I-20 Chairman,  
16 Study Committee.

17           Mr. Chairman, Board Members, Commissioners, thank  
18 you for this opportunity to address you this morning and  
19 thank you to Commissioner Austin who convinced me gently,  
20 but firmly, to chair this committee. Commissioner Austin,  
21 it has been my pleasure.

22           The past 11 months -- 18 months, I should say --  
23 have had a -- been an honor serving with elected leadership,  
24 professionals, and a host of talented Department of  
25 Transportation individuals who have offered the presentation

1 that you have just received.

2 Our travels on I-20 this year have been  
3 educational and very revealing. The study focused on the  
4 future regarding safety, mobility, congestion, air quality,  
5 freight, high-speed rail, with an emphasis on challenges  
6 that may represent. As the study shows, the cost of this  
7 project is substantial, but not moving forward is moving  
8 backwards with increased costs being a major consideration  
9 as time progresses.

10 In the discussion, it was discovered by the  
11 committee that some of the improvements could begin sooner  
12 than later with financial partnering being a key component.  
13 Many times during our discussions, the statement was made  
14 I-20 was built in the '50s; that being said, the fact that  
15 I-20 Corridor has changed significantly is an  
16 understatement.

17 This committee and the respective counties and  
18 cities that participated showed a shared commitment to  
19 partner with the Texas Department of Transportation to start  
20 the process forward. So, in closing, I am requesting that  
21 the Texas Transportation Commission give consideration to  
22 all district engineers along this corridor to issue a plan  
23 of authority for this project.

24 Thank you for your time. I would be glad to  
25 answer any questions.

1           MR. UNDERWOOD: Judge, thank you for your service,  
2 sir. We really appreciate it. Thank you very much, and  
3 also for your professionalism in how you handle everything,  
4 so I appreciate it. Thank you, thank you for being here.

5           MR. AUSTIN: Judge, you're not going to get off  
6 without a few questions. I want to say, first, thank you  
7 very much for what you've done.

8           In looking at the participants, what ya'll have  
9 done is taken one section of Interstate 20, a very important  
10 section, from the state line -- Judge Taylor, over in your  
11 neck of the woods coming in from Louisiana -- going into  
12 Dallas. And if you look at our major -- you know, you look  
13 at the Texas Triangle, we're almost looking at a hub and  
14 spoke, what comes into the Metroplex, what comes into the  
15 Houston area, and then the Austin/San Antonio area.

16           Studying this east-west corridor I think is  
17 important because we spend a lot of time on our north-south  
18 corridors, 35 and Interstate 69, Ports-to-Plains. Looking  
19 at this is coming back and looking at safety, and if you  
20 look at Interstate 20 overall, it will ultimately merge in  
21 with 10 and go to El Paso.

22           I would hope that over the next few years while  
23 I'm here on the commission working with my fellow  
24 commissioners we begin to study the remainder of this  
25 corridor, but also Interstate 10. You've got 30 and also 40

1 in our east-west corridors.

2 Some sections of this in other states were deemed  
3 high-congressional priority corridors. In Georgia, I think,  
4 Alabama, but not in the rest of the way coming all the way  
5 through Texas. And Texas has the majority of Interstate 20;  
6 it is a major corridor going east-west and safety is number  
7 one.

8 A couple of things I wanted to just talk about.  
9 You know, instead of -- you know, in bringing together  
10 different judges, the community, ya'll had a lot of  
11 hearings, asked for a lot of input. You know, it covered  
12 three TxDOT districts; it's not about one project and one  
13 county. Three MPOs, the Metroplex, Tyler, Longview, ya'll  
14 found low-hanging fruit.

15 How were you able to come to this consensus? How  
16 were you able to say, Let's do this, even if it's not in my  
17 area?

18 MR. STOUDET: Sure. I think one of the things that  
19 was interesting -- and every county was different in so many  
20 ways, but yet so similar in so many ways along the  
21 corridor -- and there was a lot of similarities, whether it  
22 be heavy traffic flow that needed a third lane or whether it  
23 had excess ramps and exit ramps that were built in the '50s  
24 for trucks that were going 45 and 50 and now we're going a  
25 lot faster. Those kinds of things are all similar along the

1 entire corridor. There was some uniqueness in some of the  
2 corridor between Smith County and Gregg County, because that  
3 was one of the dangerous parts of the Corridor and that will  
4 be something that will be interesting to be studied about  
5 why that is so dangerous in the entire corridor, and then  
6 the fact that the I-69 is going to be crossing I-20.

7           There was a lot of common areas that if everybody  
8 kept focused on, they could see that East Texas is growing  
9 and there's got to be planning for it. We've got to be  
10 working together. We've got to have the commitment to  
11 partner in each individual county with TxDOT to put up, as  
12 you would say, "money in the game," to leverage all of our  
13 assets and the cities' and the communities' and the  
14 counties', along with TxDOT's to make those projects happen.

15           Some counties are going to be able to do it sooner  
16 than others. Kaufman County, Judge Wood -- very innovative  
17 -- already passed a large bond to move forward some of those  
18 projects. Mayor -- Box Springs, she's a -- she's a  
19 go-getter and has got some great ideas in terms of  
20 partnering with TxDOT. So I think the commonality is that  
21 we all agree on one thing and it's got to be done.

22           And the low-hanging fruit that can maybe be done  
23 sooner than later would be those ramps and some safety  
24 upgrades along the roadway itself with anti-slick type  
25 pavements and things of that sort when it comes up to

1 routine maintenance.

2 MR. AUSTIN: I want to say thank you, and I just  
3 can't emphasize this enough, because what ya'll have come  
4 back with is consensus along a major route in Texas, a point  
5 of entry into Texas, and also when it leaves the Metroplex  
6 coming back in. I know we can duplicate this process for  
7 the other sections on the other interstates and 20 leaving  
8 at El Paso throughout the state. But you came back with a  
9 plan, a systematic, reasonable plan that we can begin -- as  
10 funds become available, we set priorities that we can begin  
11 to execute.

12 MR. STOUUDT: Well, I think the counties -- and  
13 this was brought up -- the counties even considered and  
14 discussed a turn zone all the way from Dallas through  
15 Harrison County. All the counties along the corridor to  
16 help provide funding and move this process forward faster,  
17 rather than later. So a lot of commonality and working well  
18 together.

19 MR. AUSTIN: Thank you very much, Judge.

20 MR. STOUUDT: Thank you for the opportunity.

21 MR. MOSELEY: Judge, I wanted -- I wanted to say  
22 thank you for your leadership. Back in the '90s, when I was  
23 serving as County Judge in Denton County, it was a pleasure  
24 to work with then-County Judge Vandergriff and work with  
25 Judge Jackson, and then we began working with our colleagues

1 south on I-35, Judge Martinez in Webb County, and our  
2 friends in Central Texas, and we came together with the I-35  
3 Corridor Coalition to talk about the next generation of  
4 interstate.

5 I wholeheartedly support what you're doing to  
6 organize an I-20 Advisory Committee. That's a wonderful  
7 service to our agency for you to collaborate with officials,  
8 with local leaders, City, County, with the grassroots that  
9 really have a deep care for this corridor and to give us the  
10 benefit of what you're hearing about how this roadway can  
11 grow into its next generation of use.

12 John Barton sent us information about freight haul  
13 and Dallas, thankfully, is not on the list of top-ten  
14 congested, but I would guess they're somewhere on that list.  
15 And you might want to look at the American Transportation  
16 Research Institute findings for congestion areas on freight  
17 haul because clearly, as Commissioner Austin has identified,  
18 this is a strategic freight corridor. And we know that  
19 demand for capacity for freight haul is continuing to grow  
20 dramatically. So please let us hear from your advisory  
21 group on how you see the next generation of interstate and  
22 how it can embrace not only more of the motoring public, but  
23 also more of the freight haul for this strategic corridor.

24 MR. STOUT: And there was a lot of discussion  
25 about that and high-speed rail --

1 MR. MOSELEY: Yes, sir.

2 MR. STOUDT: -- and so I think we covered a lot of  
3 topics. There's a lot to be done, a lot of cost.

4 The one cost that wasn't mentioned -- and it's  
5 great -- is the loss of lives on that highway. That is  
6 not -- that is going to continue until we continue to try  
7 and improve it, so ...

8 MR. MOSELEY: Chairman, I'd be pleased to second  
9 Commissioner Austin's motion to approve.

10 MR. HOUGHTON: We have somebody else who wants to  
11 speak.

12 I don't think there's an approval here -- this is  
13 a discussion item -- yeah, this is a discussion item.

14 County Judge from Harrison County, Hugh Taylor,  
15 would you like to say a few words, Judge?

16 MR. TAYLOR: Thank you, Mr. Chairman.

17 I'm here for the next presentation, actually, but  
18 I have had the pleasure of serving with Judge Stoudt over  
19 the last 18 months on the I-20 Advisory Committee. We were  
20 empowered to study the entire corridor from the state line  
21 into Dallas County and it was a very effective tool which to  
22 not only gather input, but to do public outreach and let the  
23 public give their opinions in regard to the local issues  
24 that affect them in each city and/or county. Thank you.

25 MR. HOUGHTON: Thank you.

1 Any other questions?

2 MR. UNDERWOOD: Just one comment. The success of  
3 this is because of ya'll working together, and that really  
4 sets an example for the rest of the state, also, so thank  
5 you very much.

6 MR. HOUGHTON: Moving on.

7 GENERAL WEBER: Okay. Next is Item 4(b),  
8 discussion of the transportation --

9 MR. HOUGHTON: General, there is a second --

10 GENERAL WEBER: I'm sorry.

11 MR. HOUGHTON: -- presentation with this.

12 GENERAL WEBER: Okay. I'm sorry.

13 MR. KOCH: I'll run through it quickly.

14 GENERAL WEBER: I'm sorry, James. Go ahead.

15 MR. KOCH: Again, for the record, my name is James  
16 Koch, Transportation Planning and Programming Division  
17 director for TxDOT.

18 The next study we'll discuss is the I-69 System,  
19 I-369, Harrison County/Marshall Route Study. The Marshall  
20 area was identified as an I-69 Segment 1 Committee priority  
21 project and upgrading to interstate standards for the  
22 development of the I-69 System, US 59 through Marshall.

23 The I-69 System route does not currently meet  
24 interstate standards. The purpose of this study was to  
25 develop and evaluate options for the advancement of I-369,

1 the Marshall area, with the eventual goal of constructing,  
2 designating and signing US 59 as I-369.

3           As a continuation of the citizen-led I-69  
4 development effort, TxDOT has convened a working group for  
5 the study to serve as a forum for identifying challenges and  
6 opportunities related to I-369 development. The I-69  
7 System, Harrison County/Marshall Working Group is made up of  
8 15 volunteers consisting of city and county elected  
9 officials and technical staff, private business interests  
10 and other community representatives. The working group has  
11 been actively engaged since February, 2014, and is chaired  
12 by Harrison County Judge Hugh Taylor.

13           The Department appreciates their dedication and  
14 efforts throughout these months. This working group has  
15 established goals for the I-69 in the area; identified  
16 potential interstate route options; discussed the merits of  
17 the potential options and identified a preliminary  
18 recommendation; vetted the interstate route option  
19 preliminary recommendations through various public outreach  
20 activities to local citizens to learn about any concerns and  
21 issues that may need to be addressed; and formulated a  
22 recommendation that takes into consideration local citizen  
23 input to guide TxDOT on an I-369 project development in the  
24 Marshall area.

25           The goals for establishing I-369 in the Marshall

1 area related to traffic and safety, connectivity, and  
2 community impacts. Using these goals as their guide, the  
3 working group sketched potential routes on a map that  
4 included planning and environmental features. The working  
5 group sketches resulted in 13 potential interstate route  
6 options. Options included staying on existing US 59 through  
7 Marshall, relief routes going west of Marshall, and relief  
8 routes going east of Marshall. Some options looked at using  
9 a portion of Interstate 20.

10 Use these sketch options, staff laid out these in  
11 accordance with interstate design standards for horizontal  
12 alignment and interchange locations and spacing. As this is  
13 a high-level planning study, secondary source data was used  
14 to identify potential constraints and did not include  
15 engineering details such as drainage, topography, or others.

16 The 13 potential interstate route options were  
17 compared to each other in a pre-screening process to  
18 determine how effective they were in addressing the goals  
19 established by the working group. Differentiating factors  
20 included traffic diversion volumes cost, potential  
21 residential and commercial displacements, and potential  
22 impacts to community features.

23 Three of the options performed better than the  
24 rest with respect to achieving the goals. The three best  
25 performing options were then compared to each other using

1 high-level planning data, including environmental and  
2 engineering factors that were quantified by staff, based on  
3 right of way and design elements. Engineering factors such  
4 as length, travel time, right of way, and costs were also  
5 compared. All three options had similar potential impacts  
6 and performed similarly.

7 The working group concurred with the prescreening  
8 process and results. The three options which include two  
9 new location options and one option which shares lanes with  
10 I-20 were reviewed with the working group in more detail on  
11 an aerial map which included the identified constraints.  
12 The working group expressed concerns over potential traffic  
13 conflicts between I-20 through traffic and north and  
14 southbound traffic that may arise through shared use of  
15 I-20.

16 Additionally, they noted it would be costly to  
17 extend utilities to serve areas along the far east option to  
18 support development that may occur along the new route.  
19 Supporting economic development was one of their goals. The  
20 working group determined that based on these concerns, their  
21 preliminary recommendation would be as shown.

22 The working group members also requested that the  
23 preliminary recommendation be refined to include an  
24 additional interchange at North Buck Sherrod Road to provide  
25 better traffic circulation.

1           Working group members' activities included holding  
2 one-on-one meetings with citizens; providing PowerPoint  
3 presentations at regularly scheduled local civic group and  
4 government meetings; distributing printed materials,  
5 including fact sheets, frequently asked questions, and  
6 comment forms; notifying citizens of an online survey and  
7 encouraging participation; notifying citizens of a webpage,  
8 including working group information, study information, and  
9 a comment tool; providing on-going displays at public  
10 facilities; providing posts on social media outlets; and  
11 conducting a public open house.

12           Over 1400 individuals were reached directly  
13 through the outreach activities and this number does not  
14 include those who viewed the on-going displays, social media  
15 posts, or the webpage. An open house was held on  
16 October 28th, 2014, at the Bartell Civic Center and 269  
17 members of the public signed in. The open house provided an  
18 opportunity for the public to gather information on the  
19 Route Study, working group activities, and the working group  
20 interstate route option preliminary recommendation.  
21 Attendees could provide comments and express any concerns on  
22 the route options and take the online survey.

23           The online survey resulted in the 105 responses;  
24 over 50 percent strongly agreed with the preliminary  
25 interstate route option recommendation moving forward into

1 the environmental process for further study. Additionally,  
2 about 18 percent agreed, which makes those in agreement  
3 totaling nearly 70 percent. A total of 122 written comments  
4 were received through this public outreach effort. All  
5 comments were considered in this study and will continue to  
6 be considered during the environmental process.

7           Written comments from the public outreach  
8 activities expressed concerns about the northern and  
9 southern tie-in points moving east and the no-build  
10 alternative. The working group concluded that these  
11 concerns will be considered in the future environmental  
12 studies. Additionally, the working group was in agreement  
13 that going west through the mining areas would be difficult  
14 because of ground settlement making an unsuitable location  
15 to construct a roadway.

16           It was also reiterated that moving the route  
17 option further east may pose a financial strain on the City  
18 of Marshall to provide utility services for development.  
19 The working group consensus was to carry their interstate  
20 route option preliminary recommendation forward as a final  
21 recommendation to be studied in detail as part of the  
22 environmental process.

23           The I-69 System Harrison County/Marshall Working  
24 Group has performed an important function by developing  
25 their preliminary interstate route option recommendation;

1 vetting it with local citizens; and determining a final  
2 interstate route option recommendation. The key next steps  
3 in advancing I-369 in the Marshall area include design --  
4 and construction funding has not been identified for any  
5 portion of the interstate route option. Existing financial  
6 constraints will make the financing and delivery of roadway  
7 projects challenging.

8           The Department will work with local officials,  
9 develop a long-term strategy to identify funding for  
10 advancing projects in the Marshall area. This may include  
11 federal, state, and local resources, as well as innovative  
12 financing tools, such as tolls, establishment of a  
13 transportation re-investment zone, local participation in  
14 right of way costs, and right of way donations from local  
15 landowners.

16           Complete the environmental schematic design  
17 process. Once funding has been identified, the Department  
18 will carry the results of this study into the environmental  
19 and schematic design process for the entire relief route or  
20 small sections of the corridor. It is not known at this  
21 time when the project will be developed.

22           In conclusion, the working group recommendation,  
23 combined with public sentiment endorsing the interstate  
24 route option is evidence that this new location route should  
25 be studied in further detail in the environmental process.

1 During this process more data will be gathered, more public  
2 involvement will occur and further refinements would likely  
3 be made to reduce the effects to residential properties,  
4 commercial properties, and environmental features.

5           Again, on behalf of the Department, I would like  
6 to express our appreciation of the time and hard work the  
7 working group, and especially the chair, Judge Taylor, put  
8 into this study. At this time, I would like to introduce  
9 Harrison County Judge Hugh Taylor to provide his comments  
10 about the study and recommendations.

11           MR. TAYLOR: For the record, Hugh Taylor, Harrison  
12 County Judge. Mr. Chairman and Members, General Weber, good  
13 morning.

14           For the last year, I've had the pleasure to serve  
15 alongside Judge Stoudt and others on the I-20 Advisory  
16 Committee and when we started that process there was no way  
17 to overlook the fact that future development of I-69/I-369  
18 through Harrison County would impact Interstate 20.

19           I enlisted the assistance of Roger Bell,  
20 Mr. Williams', Mr. Zapalac's office in order to proceed with  
21 a working group and the study of I-369 through Segment 1.  
22 The I-69 Committee decided was a local detail to be  
23 established by local citizens. So we started the process.  
24 I want to thank TxDOT for facilitating that discussion and  
25 spending time and resources to further I-69 through East

1 Texas. Our project has gained regional support, as  
2 evidenced by a joint resolution of three East Texas Rural  
3 Planning Organizations representing 35 counties in the  
4 region. That's a coalition of 35 counties forming the  
5 Architects Region, East Texas Region, and Deep East Texas  
6 Region, Joint Resolution Number 2014-01.

7 Our working group is of the opinion that the goals  
8 of safety, connectivity, and economic development have been  
9 met and we are requesting the commission to issue the proper  
10 directions and orders in order to move forward with an  
11 environmental survey.

12 Thank you. I'll take your questions.

13 MR. HOUGHTON: Any questions of the Judge?

14 MR. AUSTIN: Just a couple.

15 Judge, looking at the map -- I want to say thank  
16 you for working on this; I know you have been an active  
17 participant with the I-69 Advisory Committee and Segment  
18 Committee, and I want to say thank you very much. Because  
19 this is, again, another -- during reauthorization,  
20 Interstate 69 and 369 is going to be part of our request to  
21 name it as a priority freight corridor, and 369, within the  
22 state of Texas, from Texarkana to Brownsville is a big piece  
23 of this.

24 The committee's recommendations, as you've listed  
25 out, there were certain -- there was some segments that were

1 low-hanging fruit to re-designate. There were other  
2 sections where the committee said we want to come back and  
3 obtain local recommendations. Now, I can't stress that  
4 enough because this is the way it's supposed to work. What  
5 do the locals want? How do we do it? That helps make our  
6 job easier to say where we're going.

7 I do want to ask just a couple of quick questions  
8 on the map. And I know it looks like it's going right along  
9 the edge of the city boundary and close to the airport.  
10 What were some of the comments around the airport? Would  
11 that allow enough room for expansion?

12 MR. TAYLOR: We had the opportunity to ask, not  
13 only TxDOT engineers, but contract engineers and TxDOT  
14 Aviation, their opinion in regard to the proximity of the  
15 airport. The topography is such that where that route runs  
16 on the map is lower than the runway, not to affect the RPZ.  
17 We actually studied it, not only in its current 5,003-feet  
18 design, but we added a theoretical 1,000 feet to the south  
19 end of the runway and had the study examine how it would be  
20 impacted in that condition. So engineers and also Aviation  
21 was very comfortable in the map.

22 MR. AUSTIN: Well, where I'm leading -- ya'll were  
23 thinking ahead --

24 MR. TAYLOR: Absolutely.

25 MR. AUSTIN: -- of what it can be and what it

1 might look like.

2 I just can't stress enough, that's how it's  
3 supposed to work. And as we are looking at this entire  
4 corridor in East Texas, the intersection of two interstates  
5 and going all the way over to West Texas, we spend a lot of  
6 time talking about the reconstruction of Interstate 10, the  
7 Border Highway. To keep Texas freight and safety is a  
8 priority throughout the state. These are all important and  
9 thank you for bringing this forward because we have a  
10 blueprint ready to go.

11 MR. TAYLOR: And there are several EDC resources  
12 along the route that will also be impacted by the route.  
13 Development was a key priority, so when Marshall looked at  
14 their current infrastructure, they wanted to have a plan to  
15 build it out and this map provides for the quickest, most  
16 effective build-out of economic development.

17 MR. AUSTIN: Great. Thanks.

18 MR. HOUGHTON: We have a question.

19 MR. MOSELEY: Judge, thank you for the  
20 presentation.

21 It's wonderful what you're doing. I think, also,  
22 just to manage local expectations, because it's pretty  
23 common for a community to say we want an interstate, not  
24 fully appreciating that interstate standards are pretty  
25 stringent and strict. And so a frontage road on an

1 interstate looks different than it looks on a state highway,  
2 and thank you for helping manage those expectations.

3           Secondly, as we talked with Judge Stoudt, this is  
4 a strategic freight corridor, as Commissioner Austin has  
5 discussed. And it might be well for you guys to communicate  
6 with the Texas Motor Transportation Association, bring them  
7 in to some of your discussions on both projects -- John  
8 Esparza is the head of that -- but I think they would be a  
9 valuable resource since a lot of their members are in the  
10 freight haul business and it would be, maybe useful to hear  
11 from them as you look at alignments.

12           Thank you for what you're doing.

13           MR. TAYLOR: Absolutely. Thank you. Thank you  
14 for the opportunity.

15           MR. HOUGHTON: Judge, thank you very much.

16           Next?

17           GENERAL WEBER: Item 4(b), discussion of our  
18 Transportation Alternatives Program Call for Projects. Our  
19 Public Transportation Director Eric Gleason, will present.

20           Eric, thanks.

21           MR. GLEASON: All right.

22           Good morning. Mr. Chair, Members of the  
23 Commission, General Weber, my name is Eric Gleason, I'm the  
24 director of Public Transportation for TxDOT.

25           And consistent with our traditional focus on

1 public transportation as an alternative to the private  
2 automobile, the Public Transportation Division is also  
3 responsible for the new Transportation Alternatives Program,  
4 otherwise referred to as TAP, which is the topic of this  
5 morning's discussion.

6           As you know, the TAP is a new program under the  
7 current Federal Transportation Authorization MAP-21. At the  
8 federal level, it's a consolidation of former Transportation  
9 Enhancements and Safe Routes to School programs. The  
10 Commission adopted rules for this program at its September,  
11 2014, commission meeting. This program is the primary  
12 source of funding administered by the Department for bicycle  
13 and pedestrian infrastructure projects.

14           The purpose of this discussion today is to brief  
15 you on the Department's plans to publish its first Call for  
16 Projects under this program in January of 2015 and to allow  
17 you the opportunity to provide direction to staff on that  
18 effort. First, to set the table for the discussion, I'll  
19 begin with a look at historical levels of bicycle and  
20 pedestrian project investment under the former  
21 Transportation Enhancement Program, followed by highlighting  
22 a key Department policy guiding our opening -- our ongoing  
23 commitment to considering bike-ped needs in the scoping and  
24 design of highway improvements.

25           Safety is a key consideration in our efforts and I

1 will show you data comparing Texas' bicycle and pedestrian  
2 fatality rates to the rest of the country.

3           And, finally, a look at the program funding  
4 allocations among various areas of the state, as set out in  
5 MAP-21 will be provided. Following this, I will walk  
6 through a summary-level description of the upcoming Call for  
7 Projects highlighting key Texas Administrative Code  
8 provisions guiding the call, key dates, the kinds of  
9 projects we're looking for, and eligible project sponsors.

10           Looking at historic funding levels for bicycle and  
11 pedestrian projects under the former Transportation  
12 Enhancements Program, between 1993 and 2012, the Department  
13 funded 363 projects, totaling approximately \$400 million.  
14 These amounts represent on average, almost two-thirds of the  
15 total enhancement program funding during that time frame and  
16 translate to an average annual amount of about \$20 million  
17 for bike-ped projects. And in addition to this,  
18 particularly, towards the end of this time frame,  
19 approximately \$10 million per year in Safe Routes to School  
20 Program funding was available for infrastructure projects.

21           Going forward with the TAP program, combining only  
22 the amounts in the TAP program allocated to the large  
23 metropolitan organizations of the state and to those areas  
24 of the state under 200,000, it is possible that up to \$37  
25 million per year will be allocated to bicycle and pedestrian

1 projects. And as we will discuss in just a few minutes,  
2 it's possible that additional discretionary funding may also  
3 be applied to similar projects.

4 In conjunction with increasing federal emphasis,  
5 in March of 2011, the Department issued specific direction  
6 further solidifying its commitment to accommodate bicyclists  
7 and pedestrians in the planning and design of its  
8 facilities. This direction addressed projects of all types,  
9 including those limited to current roadway sections,  
10 pavement widening efforts, and full reconstruction or new  
11 construction projects where new right of way is acquired.  
12 And specific references to TxDOT national design guidelines  
13 and requirements are included in this direction when  
14 appropriate.

15 And we're currently undergoing a look at our  
16 efforts since that date to try and quantify the impact of  
17 this policy direction and I would expect to have that data  
18 available mid-month, next month, as a result of that review.

19 This next slide focuses on safety. Will look at  
20 fatality rates for bicyclists, pedestrians and motor vehicle  
21 occupants in Texas and the nation as a whole. The data came  
22 from NISTA fact sheets produced in September, 2014, and they  
23 use data from 2012.

24 The chart before you includes total fatality  
25 numbers, calculates the fatality rate per every million in

1 population, and then finally compares the fatality rates in  
2 Texas to the rest of the country.

3 Focusing first on the right-hand column, you can  
4 see that relative to the rest of the country, we are below  
5 in bicycle fatalities per one million in population.  
6 Looking at the specific numbers, the percent of the total  
7 represented by each group in Texas tracks consistently with  
8 national percentages. For example, in Texas, pedestrian  
9 fatalities are 14 percent of the total and that is the same  
10 percentage of pedestrian fatalities nationwide and the same  
11 is true for bicycles.

12 This next slide may be familiar to you. It was  
13 used on occasion during the program rule-making process.  
14 The program comes to TxDOT with predetermined allocations  
15 for different areas of the state. Half the funds are used  
16 statewide and may be flexed to other eligible Federal  
17 Highway Administration programs. One-third of the total is  
18 comprised of specific amounts allocated to each urbanized  
19 area in Texas with over 200,000 in population, as determined  
20 by the US Census Bureau, and approximately 17 percent is  
21 available for areas of the state under 200,000 in  
22 population.

23 The TAC allows large urbanized area MPOs to  
24 conduct their own project selection processes with no role  
25 for the commission in project selection, approval or

1 implementation. And Texas currently receives just under \$75  
2 million each year in total TAP funding, and working with the  
3 percentages on this slide, that translates to approximately  
4 \$25 million to large MPOs and about \$13 million for areas of  
5 the state under 200,000.

6 And now focusing on this last amount and moving  
7 into a discussion on our upcoming Call for Projects, the  
8 Texas Administrative Code limits the use of TAP funds  
9 awarded by the Department for construction purposes only.  
10 All project development expenses need to come from an  
11 alternative source. And as a measure of this commission's  
12 ongoing commitment to these kinds of projects, as allowed in  
13 the federal program and called for in the TAC, we are  
14 limiting our transportational program activities to only  
15 pedestrian and bicycle infrastructure projects, inclusive of  
16 projects consistent with a former infrastructure element of  
17 the Safe Routes to School Program.

18 TAP projects do require a 20 percent match. While  
19 a cash match is most desirable, our rules do allow for  
20 flexibility in two areas. Properly documented project  
21 development expenses may be used as in-kind match, and  
22 projects located in economically disadvantaged counties may  
23 apply the commission-approved match ratio to their overall  
24 requirement. And then, finally, as required, the commission  
25 will select projects through a competitive process

1 administered by the Department.

2 Our first TAP Call for Projects will be inclusive  
3 of federal fiscal years 2013 through 2016 with just an  
4 underestimated \$52 million, and this approach will allow us  
5 to get slightly ahead of funding for federal fiscal year  
6 2016.

7 We are targeting January, 2015, for announcing the  
8 Call for Projects with applications due during the first  
9 week of May. Webinars and workshops will be held for  
10 potential participants following the announcement date. All  
11 projects received will be evaluated considering project  
12 merit, readiness to construct, and local match requirements,  
13 and we anticipate completing our evaluation in July and to  
14 be in a position to select and recommend project awards to  
15 the commission between July and September of 2015.

16 Now, what are we looking for? We are interested  
17 in infrastructure projects that focus on safety and/or  
18 connect important destinations within and between  
19 communities. We are particularly interested in those  
20 projects that leverage and enhance existing investments or  
21 contribute, as an individual project, to larger investments  
22 consistent with complete street design projects in  
23 communities. In all cases, evidence of collaboration among  
24 stakeholders and degree of community consensus and  
25 partnership is important and criteria will be used to assess

1 project merit, construction readiness and availability of  
2 local match.

3           Now, these are some examples of some of the  
4 projects that we might see. If you start at the upper  
5 left-hand side, that is a picture of a shared-use path in  
6 Brownsville, and then moving across to the upper right-hand  
7 side, these are designated bike lanes in Austin. The lower  
8 right-hand side are ADA-compliant sidewalks near a school in  
9 Texas City, and then finally, the lower left is a  
10 Rails-to-Trails project in Houston. So those are just some  
11 of the examples of what we might see as projects in this  
12 call.

13           And then, finally, here is a list of eligible  
14 sponsors, entities that may put themselves forth as project  
15 sponsors. And I think of note here is that neither the  
16 State, nor the MPO, can sponsor a project under this  
17 program.

18           That completes my presentation. I am happy to  
19 answer any questions that you may have.

20           MR. HOUGHTON: We've got some speakers, so  
21 let's --

22           MR. GLEASON: Okay.

23           MR. HOUGHTON: Eric, if you want to stand aside  
24 for a minute.

25           We -- there's three speakers, Steve Gonzalez, Bill

1 Shea, and Fred Ramirez. Ya'll signed up in open session,  
2 but you signed up for this agenda item, so I'm going to push  
3 you into this part of the agenda, if that's all right with  
4 you guys.

5 Robin, you're on a yellow card here. Why don't  
6 you -- do you want to lead it off? And I want you to  
7 remember that we want to limit our comments to three  
8 minutes, please.

9 MR. STALLINGS: Thank you, Chairman Houghton and  
10 Commissioners and General Weber.

11 My name is Robin Stallings. I'm the executive  
12 director of BikeTexas. About 30,000 Texans support us with  
13 at least a dollar a year.

14 And we fully support this TxDOT Call for Projects.  
15 We like the design criteria. One thing we would encourage  
16 is that if it can be communicated to do fewer bigger  
17 projects so we can get some real demonstrations out there of  
18 what could happen if you really transform an area or, say,  
19 do a complete project. Frequently, with bike projects,  
20 they're broken into two-million dollar chunks, so you get a  
21 little bit over here and a little bit over there, but you  
22 never really get a complete network. In every other  
23 transportation system, we really look at networks, but  
24 generally, we think the criteria is great and we look  
25 forward to working with the Department.

1           As the other speakers had signed up for a  
2 different item, it was to talk about the 50 percent that is  
3 not included, and so if you have any questions about this  
4 particular item, I'm comfortable with speaking about that.  
5 I think they were more prepared to just talk about the  
6 funding that's not included in this call and that's been  
7 flexed out.

8           Thank you very much for your attention to this and  
9 I think they have done a great job on these rules.

10           MR. MOSELEY: Chairman -- Robin, thank you for  
11 being here.

12           I think the last time you were here, we asked for  
13 this graph that was put up showing funding levels -- and  
14 maybe we can bring that slide back up -- but it's showing  
15 how funds have been allocated from 1993 to '99 and then it  
16 goes from 2001 to 2012. This looks pretty impressive --  
17 would you agree -- as far as the resources being allocated  
18 or do you feel like there ought to be more resources?

19           MR. STALLINGS: Well, this is the federal money.  
20 I don't think this includes how much, so I think there could  
21 probably be a different way of looking at some of the  
22 information.

23           MR. MOSELEY: Okay.

24           MR. STALLINGS: So if you looked at it from my  
25 point of view, you might notice how much was held back and

1 then sent back to Washington and -- based on rescissions.  
2 This doesn't compare TxDOT with other states and how much  
3 they spent versus how much they got. Other states spent  
4 more in enhancements than we did.

5           Also, this doesn't really show -- it's got a very  
6 high average project, but a lot of ours is spent on highway  
7 rest stops, which I believe are eligible, but I believe  
8 about \$160 million is spent on highway rest stops, so that's  
9 not really reflected in this chart. It makes it look like  
10 we got a lot of \$20 million trail projects, but I believe  
11 the average was about two million dollars on most of those,  
12 and that's the way people prepare projects for this and  
13 that's the way the firms say, Oh, well, don't bother  
14 planning a \$20 million project for bike/ped, because the  
15 money isn't there; they only give out money for two million  
16 dollar projects, and that's why we were encouraging fewer,  
17 bigger projects.

18           MR. MOSELEY: Thank you.

19           MR. STALLINGS: But it's very helpful information  
20 on it, and especially the pie chart that shows the  
21 50 percent that's not included this time, some people might  
22 be confused that this Call for Projects is really statewide,  
23 but it's not. Any city that's already part of an MPO is not  
24 eligible, so it's really for the small MPOs in rural areas,  
25 and I think this could be, you know, the small MPO TAP call

1 might be more descriptive of it, rather than statewide.

2 MR. MOSELEY: Okay. Thanks, Robin.

3 MR. STALLINGS: Thank you.

4 MR. HOUGHTON: Steve Gonzalez?

5 MR. GONZALEZ: Thank you for having me, Chairman  
6 Houghton, Commissioners and General Weber.

7 Before I begin, may I hand you some information  
8 that I have for you?

9 MR. HOUGHTON: Yes.

10 MR. GONZALEZ: I'm Steve Gonzalez, executive  
11 director of El Camino Real de los Tejas, National Historic  
12 Trail Association, and I do have some information that I  
13 would like to share with you, if I can.

14 I'm here today to speak about the need for MAP-21  
15 TAP funding for bicycle and pedestrian projects in  
16 communities along El Camino Real de los Tejas. El Camino  
17 Real de los Tejas means "the royal road of the Tejas  
18 Indians." Historically, the road connected Mexico City to  
19 Los Adaes, the first capital of Texas. This allowed Spanish  
20 influence to spread into the province. The road also  
21 allowed Anglo settlers to head west into Texas in the 1800s  
22 and was a major artery of trade and culture. The trail  
23 created the cultural diversity of Texas that we know today.

24 On October 18th, 2004, El Camino Real de los Tejas  
25 was designated as a National Historic Trail and part of the

1 National Trail System. This makes El Camino Real part of a  
2 unique group of trails that the US Congress has deemed  
3 nationally significant to the American people. So, if you  
4 can imagine all of the history of our country, only 19  
5 events have been deemed nationally significant, and this  
6 trail, which led to the founding of Texas is one of them.

7 El Camino Real de los Tejas National Historic  
8 Trail Association is an advocacy group that seeks to protect  
9 the historic integrity of the trail, to educate the public  
10 about its significance, and to promote resource development,  
11 interpretation, and tourism along its path. We work closely  
12 with the National Park Service, the Texas Historic  
13 Commission, Texas Parks and Wildlife, TxDOT, and others to  
14 identify, protect and develop trail resources.

15 The Association strongly supports the  
16 establishment of multiuse infrastructure along the trail for  
17 pedestrians, cyclists, and equestrians. Not only is this  
18 mandated by the National Trail System Act, but it also  
19 provides heritage tourism and recreational opportunities to  
20 experience the trail, which, given the trail's original  
21 purpose to connect trail resources, also provides  
22 transportation options that are safe, healthy, and provide  
23 economic benefits to communities and local businesses. An  
24 example of an existing large system trail network along the  
25 Camino Real is the Mission Trail System in San Antonio. It

1 connects all five San Antonio Missions along 15 miles of El  
2 Camino Real route in the city.

3 Additional mileage is being planned with the  
4 connecting trails to parks project that is being -- a  
5 feasibility studied that's being done between the National  
6 Park Service, the San Antonio Missions, SARA, and others.  
7 This 35-mile project will extend the trail into Floresville  
8 from Mission Espada, the southern-most mission in San  
9 Antonio. And the first three miles of this trail have  
10 already been realized in Floresville. Local leaders there  
11 are very excited about the trail being built. They know  
12 that it brings a lot of economic opportunity through  
13 heritage tourism, as well as recreational experience, and  
14 they know it's a great transportation alternative, as well.

15 Another example of an existing medium trail system  
16 is the South Walnut Creek Trail in Eastern Travis County  
17 which follows the approximate route of one of the early  
18 Spanish entradas around 1715.

19 An example of a small trail system is the Poteet  
20 Middle Camino Real Recreation Trail, which is a two-mile  
21 trail through the middle of Poteet along the lower Presidio  
22 Road segment of El Camino Real.

23 We are also involved in establishing roadway  
24 signage with TxDOT and THC along the Camino with projects  
25 completed in Milam and Victoria Counties, and projects

1 currently underway in Zapata, Comal, Hays, Robertson,  
2 Brazos, and Sabine counties. Through our work with many  
3 local elected officials, business leaders and education  
4 leaders, I know that many support the use of available  
5 pedestrian and bicycle trail funding to build trail  
6 infrastructure in El Camino Real corridors. A large project  
7 could connect the metropolitan areas of San Antonio and  
8 Austin through New Braunfels and San Marcos. Other  
9 opportunities exist around smaller cities, such as Bryan  
10 College Station, LaGrange, Brenham, and Nacogdoches, to name  
11 just a few.

12 I respectfully request that the commission commit  
13 the full funding for pedestrian and bicycle infrastructure  
14 to those uses, rather than moving the funds to other uses.  
15 Communities across the state will see real economic  
16 benefits, via heritage and recreational tourism; the former  
17 being the second largest sector of the tourist economy in  
18 Texas. In committing these funds to their intended uses, El  
19 Camino Real de los Tejas National Historic Trail can be  
20 developed to its full potential and the road that led to the  
21 founding of Texas will not be forgotten.

22 Thank you very much.

23 MR. HOUGHTON: Thank you, Steve.

24 Dr. Bill Shea?

25 MR. SHEA: Good morning. Thank you for this

1 opportunity.

2 I'm Dr. Bill Shea from San Antonio, Texas. I've  
3 been practicing medicine in San Antonio since '93. I'm also  
4 CEO of Pegasus Wireless Health Company, and my perspective  
5 is more focused on healthcare than probably most people.

6 San Antonio, as you know, has made some good  
7 progress in reducing its obesity rates, but it still is fat  
8 Antonio, as Charles Barkley has noted many times. We are a  
9 military town. Many of our young people are not even fit  
10 enough to be in the military. A landmark study by the  
11 Mission Readiness said that, nationally, over a quarter of  
12 our young adults, between the ages of 17 and 24 are too fat  
13 to fight and that number is even higher in San Antonio.

14 But it is improving. San Antonians have proven  
15 that if given the right infrastructure, they will get out  
16 and they will get fit. Our cyclovia open-streets event  
17 attracts 75,000 participants each time, but that's only  
18 twice a year. They're out walking, biking, running, roller  
19 skating, and doing zumba together as families. Every City  
20 Council member wants this event in their district because  
21 they know how it will benefit their constituents, but since  
22 it only happens twice a year, there is not that opportunity  
23 to get out and be active in San Antonio.

24 We do have this great network, 46 miles of  
25 greenway trails along our major creek beds in addition to

1 the 13 miles extending from south of the city down into the  
2 missions. And these trails have boosted economic viability  
3 in the areas they serve and they also help at the get the  
4 city fit. It's been demonstrated that there is an average  
5 of 11 and 19,000 trips per month on the Riverwalk Reach and  
6 an official greenway's trail measurement this past month  
7 demonstrated 15,000 trips on one of our major trails.

8 But even with all the glamour of the Riverwalk and  
9 our greenway trails, they connect neighborhoods through  
10 pedestrian and bicycle traffic; it's recreational traffic,  
11 but also commuter traffic. The Leon Creek Trail connects  
12 several major apartment developments to the UTSA campus,  
13 allowing our students to travel by bike to school.

14 These are all great things, but I'm here today to  
15 ask for a large infrastructure on-street project in Downtown  
16 San Antonio that will offer healthy transportation choices  
17 as part of our constituents' daily life. Areas that badly  
18 need bike infrastructure don't even have sidewalks. Where  
19 we do have sidewalks, they're too narrow; they're cracked;  
20 they have utility poles next to them; and they run just a  
21 few inches away from traffic at 50 miles an hour. Kids in  
22 middle school and high school just can't walk to school;  
23 it's too dangerous.

24 TAP dollars and the MPO Call for Projects has been  
25 just a drop in the bucket in San Antonio. What -- San

1 Antonians do want to get out and be active, but it's just  
2 not safe enough. A \$35 million project in one year could  
3 build adequate sidewalks for every school in San Antonio,  
4 transforming not only our health outcomes, but improving  
5 test scores for kids.

6 We have over 93 full-time college students at San  
7 Antonio. Most of our students cannot safely walk or bike to  
8 campus. A \$35 million project could connect all of these  
9 campuses together.

10 So please use the TAP funds to make our streets  
11 safe so we have a chance to make San Antonio a healthy,  
12 physically active part of our state. Thank you very much.

13 MR. HOUGHTON: Freddy Ramirez?

14 MR. RAMIREZ: Thank you, Commissioner Houghton.  
15 Thank you, Commissioners for taking a few minutes of your  
16 time to listen to me.

17 My name is Alfredo P. Ramirez; however, no one  
18 calls me that name, they just know me as Freddy. I'm a  
19 registered professional engineer and I've been practicing in  
20 Texas for over 20 years. Unfortunately, I live in Corpus  
21 Christi, Texas, which has the distinction of being the  
22 fattest city in America, according to Men's magazine. That  
23 doesn't make me feel very good. I could probably use --  
24 lose a few pounds myself, but I try to stay active.

25 So you ask, Why am I here? Why am I bothering you

1 with a few minutes of your time? I'm bothering you because  
2 I live in a beautiful city that can be enhanced and the way  
3 we enhance it is I'm calling for a large TAP fund project  
4 along the trail of Corpus Christi Bay. Many years ago the  
5 State funded what was going to be the Bay Trail. It was  
6 going to be a 28-mile trail along Corpus Christi Bay.

7 Now, I don't know if any of you are familiar with  
8 it, because Corpus Christi is really a beautiful city. It  
9 has a beautiful bay. We didn't buy it, it just came that  
10 way; it's free. But along the years, the Bay Trail was  
11 funded piece by piece, a quarter of a mile here, an eighth  
12 of a mile here. Sometimes we even got a whole half mile.  
13 It's a nice little section, except that you can't use it.

14 Now, wouldn't it be great if I could go back to my  
15 city and said, Look, let's get it together. These TAP funds  
16 are out here for a large project. They're not out here for  
17 \$200,000, two million. We can go after a big pile of money.

18 What does this do for us? Well, what it really  
19 does for us is it allows us to encourage our younger people  
20 to stay physically fit. We have bike rides along this Bay  
21 Trail. It's a nightmare. We are constantly fighting  
22 motorists because somebody said, Hey, just paint a white  
23 line, that should be good enough. Well, that's not really  
24 good enough, not when somebody is zooming by at 50 miles an  
25 hour.

1           So, what I want you to imagine is, South Texas  
2 being an economic driver for healthiness. I want you to  
3 imagine a part of the state where people come to Corpus  
4 Christi -- and not just in the summer, because it does get a  
5 little hot -- you can cycle all year round; it's nice and  
6 warm there. I know it's a little cool here today, but it's  
7 nice and warm there today.

8           So what would this do for us? Well, it would  
9 really make a difference in our city. We have a university  
10 that's not connected to the downtown area. The original  
11 plan was to connect the university to the downtown area.  
12 Why did we do that? Because the university is full and has  
13 no place to build student housing. Downtown is full of  
14 empty buildings and it's only a 12-mile bike ride.

15           And I know you're going to say, Well, 12 miles,  
16 that could take -- no, no, it could take a short distance if  
17 we had a protected bikeway. If the students were assured  
18 that they could get on a bikeway that was protected, that  
19 would make a great deal of difference for us.

20           Now, I'm not going to trouble you any more with my  
21 time. I just want you to understand that there are people  
22 who really care and who will look at these projects and  
23 said, Wow, maybe we can make a big impact in a small city,  
24 and maybe someplace like Corpus Christi doesn't have to be  
25 the fattest city in the world. Thank you for your time.

1 MR. HOUGHTON: Thank you.

2 Okay. Eric, are we done?

3 MR. GLEASON: We're done.

4 MR. HOUGHTON: Any other questions?

5 MR. AUSTIN: I've got a couple questions, Eric.

6 I noticed as we start -- thank you all for the  
7 presentations -- just one note on the El Camino Real, it  
8 would be very helpful to see what roadways these are on your  
9 maps, just as a point of interest.

10 Eric, I want to go back to the slide we had up  
11 here that Commissioner Moseley was asking a question on with  
12 the funding. So if I'm looking at this, over the last  
13 couple of years, I know we did some enhancement grants a  
14 year and a half ago, and I believe over two-thirds of them  
15 involved hike and bike trails throughout the state, which I  
16 thought was tremendous. And I think you kind of outlined  
17 this with the 63 percent.

18 With what we're proposing, we're actually going to  
19 be able to allocate more towards the true infrastructure and  
20 construction of these types of facilities than what we did  
21 previously.

22 MR. GLEASON: Yes, sir.

23 MR. AUSTIN: Okay. I just wanted to make sure  
24 that was clarified. So I think this is a real win for this.

25 A couple comments you made -- MPOs are not

1 eligible to apply for the projects?

2 MR. GLEASON: Not as a project sponsor.

3 MR. AUSTIN: Not as a project sponsor?

4 MR. GLEASON: Right.

5 MR. AUSTIN: But they can participate as part of  
6 the match and/or however they would like -- they're  
7 entities?

8 MR. GLEASON: I believe so.

9 MR. AUSTIN: With the match -- I know there was a  
10 lot of discussion in the final rules -- what will qualify as  
11 a match for some of the smaller cities? Is it strictly  
12 dollars or will other types of materials --

13 MR. GLEASON: No. One of the things that this  
14 commission did during the rule making was to take an initial  
15 proposal that was for cash only --

16 MR. AUSTIN: Right.

17 MR. GLEASON: -- and then, as a part of the public  
18 comment period, and the Bicycle Advisory Committee made some  
19 recommendations that we're going to give you some  
20 flexibility. So we did introduce the notion of traditional  
21 project development expenses, such as design, engineering.  
22 Those kinds of things can be counted as in-kind match.

23 Now, this program, the TAP program itself, these  
24 funds, under our call, cannot pay for those efforts, but if  
25 communities can document those efforts as having been done,

1 then we can work to get them included as in-kind  
2 contributions toward their match requirements.

3 MR. AUSTIN: As we -- given what you just said,  
4 when we do the call, if there's a Q and A even on our  
5 webpage, however the information goes out, is to use some  
6 examples of how they might be able to calculate that?  
7 Because I think the better we can share that, that might  
8 help some of the communities that apply.

9 MR. GLEASON: Okay.

10 MR. AUSTIN: One thing -- we had an opportunity to  
11 visit yesterday -- I'm going to share this with my fellow  
12 commissioners -- one comment, as we look at this, we've had  
13 presentations and open comments and everything over the last  
14 several months. Even when we were in Dallas looking at  
15 different trails, different purposes for bike facilities --  
16 pedestrian. I think back to an exactly that we show here, I  
17 tend to the opening of Manor Expressway, here in Austin;  
18 that's a great example. I think the Central Texas RMA did  
19 with a bike-ped trail on the side.

20 I asked Eric a question and we didn't know the  
21 answer to this. It's easy to talk about the over 52,000  
22 bridges we have. It's easy to talk about the 193,000 lane  
23 miles of roadway that we have on our system. I don't know  
24 how many bicycle -- dedicated bike lanes we have, dedicated  
25 bike trails that we have throughout the state. I think this

1 would be a good thing to come up with the right stats to  
2 pass this to our Bicycle Advisory Committee to work on this.

3 We don't need it right overnight, but over the  
4 next year, to begin looking at what are our stats as we look  
5 at connecting, because you're going to have some that are  
6 commuting. And, finally, for an example, what was done  
7 inside of El Paso with the lanes -- they're commuting --  
8 inner-city commuting, going to school and you're going to  
9 have the recreational bikers like I see in Colorado or out  
10 that want longer range -- and there's a place for both of  
11 them -- and then you have your mountain bike trails that a  
12 lot of cities and a lot of places have.

13 But I think it would just be good to know what do  
14 we have and I would love to hear from the Bicycle Advisory  
15 Committee. I want to say congratulations. I know we have  
16 some, a little later, new members coming on with some  
17 planning experience, business experience. I look forward to  
18 working with them to really lay out some meaningful plans  
19 with some real strategies.

20 MR. GLEASON: I appreciate that.

21 MR. AUSTIN: Eric, thank you for everything, and I  
22 support what you're doing here.

23 MR. GLEASON: I support that.

24 MR. HOUGHTON: Okay. Let me give everyone a  
25 head's up. At 11:30, we're going to recess.

1           John, is it in the back room?

2           MR. GRAHAM: Right.

3           MR. HOUGHTON: We have a Hall of Famer. We're  
4 going to celebrate an induction in the Texas Transportation  
5 Institute Hall of Fame in the back.

6           We're going to recess at 11:30, so we got 15  
7 minutes to blow through some of this. After that, we'll  
8 come back and complete the balance of the agenda.

9           So, I think John is up next.

10          GENERAL WEBER: John, Item 4(c), discussion of our  
11 Proposition 1 funds update.

12          MR. BARTON: Yes, sir. Again, for the record, my  
13 name is John Barton and I have the distinct pleasure of  
14 serving the State as the deputy executive director at the  
15 Department of Transportation.

16          General Weber, Chairman, Commission Members, I  
17 just want to provide a very brief update on the Proposition  
18 1 Program that we have been blessed with through the vote of  
19 our constituents across the state of Texas back on  
20 November 4th. There was a presentation -- if they can pull  
21 it up, I'll try to run through it very quickly for you, for  
22 the sake of time.

23          As we all know, on November 4th, voters  
24 overwhelmingly supported the passage of Proposition 1 with  
25 an 80 percent approval rating, and since that time we have

1 been moving very quickly to respond to that vote. The  
2 Legislature also has understood the value of this  
3 endorsement by the public and have quickly enabled the  
4 Department to move forward with this program.

5           The committee responsible for establishing the  
6 sufficient balance met on December 11th. They set the  
7 sufficient balance of the State's Economic Stabilization  
8 Fund at a level that resulted in a \$1.74 billion  
9 distribution to the State Highway Fund from the Economic  
10 Stabilization Fund in 2015.

11           On December 12th, the stakeholder working group  
12 that you established reviewed that decision and affirmed the  
13 distribution plan that they believed was appropriate for the  
14 Department to consider moving forward with. That was  
15 developed in consultation and collaboration and consensus  
16 building with a variety of stakeholders including members of  
17 the legislature and interest groups from around the state.

18           On December 15th, we received a letter of approval  
19 from the Legislative Budget Board for the request that we  
20 had submitted and the Office of the Governor also concurred  
21 with that approval, and so as we stand before you today, the  
22 Department has full appropriation authority over the \$1.74  
23 billion distribution that's been deposited into the State  
24 Highway Fund. And if you would like to verify, I believe  
25 that James Bass can show you a copy of the electronic

1 transfer of those funds into the State Highway Fund.

2 MR. AUSTIN: I think we just did. I see a smile.

3 MR. BARTON: Starting now, between now and  
4 February, we will continue the coordination that we have  
5 begun with the Metropolitan Planning Organizations from  
6 around the state, as well as TxDOT's 25 districts to  
7 identify the projects that will be advanced through the use  
8 of these much-needed and well-received funds. We anticipate  
9 that in January, as part of the public involvement process,  
10 a list of those potential candidate projects will be made  
11 available publicly for the public's consideration and  
12 comment.

13 As you approach your February 26 commission  
14 meeting, at which time we will be presenting to you for  
15 consideration a list of those projects to be included in the  
16 Unified Transportation Program, I will note that this is  
17 just the first of several iterations of that process as we  
18 move through the decision-making that will be made at the  
19 local level by the Metropolitan Planning Organizations and  
20 local leadership and consultation with TxDOT's districts.

21 When you look at the distribution of the funds,  
22 they were provided to us in four particular focus areas.  
23 Fifteen percent of the funding will be designated for use in  
24 energy sector impacted areas of the state and for energy  
25 sector improvement projects, specifically. An additional 15

1 percent will be dedicated towards maintenance of our state's  
2 roads and bridges and will be distributed through Category 1  
3 of TxDOT's formulas. Another 30 percent will be provided to  
4 the 25 TxDOT districts through what we call Category 11 to  
5 be focused on projects that address connectivity challenges  
6 from around the state. And then the remaining 40 percent  
7 will be distributed through Category 2 to the Metropolitan  
8 Planning Organizations across the state for them to look at  
9 congestion and high-priority projects within their  
10 communities related to safety, congestion and corridor  
11 improvements. This chart just simply reflects how those  
12 funds would be distributed in those four focus areas through  
13 the 25 TxDOT districts that include the allocations to the  
14 Metropolitan Planning Organizations within those districts.

15           So, moving forward, we are taking steps to ensure  
16 that the Metropolitan Planning Organizations in our 25  
17 districts are fully aware of their allocations and  
18 encouraging them to begin, in earnest, conversations around  
19 a coordination of project selections and all the required  
20 processes that they, at the Metropolitan Planning  
21 Organization, and we, at the Department, must go through to  
22 select projects, determine their eligibility to make sure  
23 that they comply with the authorization given to us in this  
24 program. And we'll be briefing the Commission on that in  
25 your January 29th, Commission meeting.

1           As I previously mentioned, at your February  
2 26th, meeting, we anticipate bringing forward to you, the  
3 first and probably the largest program of projects to be  
4 funded through Proposition 1 in 2015, then we'll be  
5 providing subsequent updates in your June and August  
6 meetings as this program runs its full course for 2015.

7           I think it's important to note that the  
8 appropriation approval did encourage us to make sure that  
9 the Metropolitan Planning Organizations be given full  
10 authority for the selection of projects under Category 2, as  
11 is our practice, and that cooperation and coordination  
12 between the Department and the Metropolitan Planning  
13 Organizations take place throughout this process.

14           And, finally, that there is strong encouragement  
15 by the Legislative Budget Board and the legislature that all  
16 of the projects to be funded under this first \$1.74 billion  
17 be identified in progressive process so they can be under  
18 contract to be moving forward to construction quickly by the  
19 end of this fiscal year, if possible, but certainly by the  
20 end of 2015.

21           So we're excited about this opportunity and look  
22 forward to executing on it at the highest levels of  
23 professionalism for the State of Texas and I just wanted to  
24 provide you a brief update on this much-needed program.  
25 There's a lot of positive momentum around it and we are very

1 pleased and thankful for the pace at which the legislature  
2 authorized us to proceed.

3 MR. HOUGHTON: Any questions of John?

4 MR. AUSTIN: John, one comment.

5 As we look at go through the UTP update, ya'll  
6 have already started reaching out to the district's MPOs on  
7 projects, and this started in anticipation of it passing; is  
8 that correct?

9 MR. BARTON: That is correct, Commissioner Austin.

10 The conversation around which projects might be  
11 funded has been going on for several months. It's now just  
12 a matter of getting those specifically on a list, checking  
13 eligibility, and then bringing forward to the Commission for  
14 approval in February.

15 MR. AUSTIN: Well, and I appreciate ya'll doing  
16 that because the communication, first and foremost, of going  
17 back to the end-users, what are those priority projects? I  
18 know the districts are going to be happy and anxious, as we  
19 all are.

20 One word of caution, while we're celebrating this  
21 \$1.74 billion, as I think it's been documented with the  
22 decline in oil prices, we're not going to have this amount  
23 next year. I think that's pretty accurate -- we're not.  
24 It's going to be down substantially, maybe even as low as  
25 half. Without knowing that, we need to be cautious and

1 let's make sure that with these projects that we're doing,  
2 that we have impact and really continue to focus with the  
3 allocation to get these out. But we cannot continue to  
4 count on this level, and I know the legislature has an  
5 important job to do, to help us bring us additional funding,  
6 because that did not solve it.

7 MR. BARTON: Thank you.

8 MR. HOUGHTON: Any other questions of John?

9 (No audible response.)

10 MR. HOUGHTON: Move on.

11 GENERAL WEBER: Okay. Thanks, John.

12 Next is Item 5, award of our Aviation State Grant  
13 Funding, and our Director of Aviation Dave Fulton, will  
14 present.

15 MR. FULTON: Thank you, General Weber.

16 Chairman Houghton, Commissioners, for the record,  
17 my name is Dave Fulton, director of TxDOT's Aviation  
18 Division.

19 This minute order contains a request for grant  
20 funding approval for one airport improvement project.  
21 Estimated cost of the project is \$190,000; \$171,000 in State  
22 funds, \$19,000 in local funding. A public hearing was held  
23 on November 14th. No comments were received.

24 We would recommended approval of this minute  
25 order.

1 MR. HOUGHTON: Questions?

2 (No audible response.)

3 MR. HOUGHTON: Motion?

4 MR. UNDERWOOD: So moved.

5 MR. AUSTIN: Second.

6 MR. HOUGHTON: All in favor?

7 (Chorus of "Ayes")

8 MR. FULTON: Thank you.

9 MR. HOUGHTON: Thanks, Dave.

10 GENERAL WEBER: Thanks, Dave.

11 Next, we have Item 6, award of our transportation  
12 development credits. Director of Public Transportation Eric  
13 Gleason will present.

14 MR. GLEASON: Again, for the record, my name is  
15 Eric Gleason, TxDOT director of Public Transportation.

16 Agenda Item 6 awards approximately 69,000  
17 transportation development credits to the Via Metropolitan  
18 Transit Authority in San Antonio. TDCs will be used as  
19 local match for federally funded capital and operating  
20 projects associated with the FTA Section 5310, Enhanced  
21 Mobility For Seniors and Individuals with Disabilities  
22 Program.

23 Projects proposed by the BF for TDC use are  
24 consistent with historic award purposes, fleet maintenance,  
25 and purchase of service.

1                   Staff recommends your approval of this minute  
2 order.

3                   MR. HOUGHTON:    Motion?

4                   MR. UNDERWOOD:   So moved.

5                   MR. AUSTIN:       Second.

6                   MR. HOUGHTON:    All in favor?

7                   (Chorus of "Ayes")

8                   GENERAL WEBER:    Eric, please continue with Item 7,  
9 our advisory committee appointment.

10                  MR. GLEASON:     Thank you.  Again, for the record,  
11 my name is Eric Gleason, TxDOT director of public  
12 transportation.

13                  Agenda Item 7 appoints two new members to TxDOT's  
14 Bicycle Advisory Committee.  The recommended appointments  
15 are as follows:  Ms. Alison Blazosky from San Antonio --  
16 Ms. Blazosky will complete the term of retiring member,  
17 Julia Murphy, through August of 2016 -- and Mr. Romero  
18 Gonzalez from Brownsville.  Mr. Gonzalez will serve through  
19 August of 2017.

20                  These two individuals will take the place of  
21 Ms. Regina Garcia and Ms. Julia Murphy.  Ms. Garcia is  
22 retiring from the committee after ten years of service, most  
23 recently as committee chair.  Ms. Murphy is retiring from  
24 the committee due to workload issues with her full-time job.

25                  Staff recommends approval of this minute order.

1 MR. AUSTIN: I'll make a motion.

2 Are they here?

3 MR. GLEASON: No, they're not.

4 MR. HOUGHTON: They're not, okay.

5 MR. UNDERWOOD: Second.

6 MR. HOUGHTON: All in favor?

7 (Chorus of "Ayes")

8 GENERAL WEBER: Thanks, Eric.

9 MR. GLEASON: Thank you.

10 GENERAL WEBER: The next is Item 8(a)(1), final  
11 adoption of rules to Chapter 23, travel information, and  
12 Travel Information Division Director Margo Richards will  
13 present. Thanks, Margo.

14 MS. RICHARDS: Good morning. For the record, my  
15 name is Margo Richards, the director of the Travel  
16 Information Division.

17 Today, I'm presenting a repeal of Section 43 of  
18 the Texas Administrative Code, Chapter 23, in its entirety  
19 and we're introducing a new chapter for final adoption. The  
20 Travel Information Division is restructuring operations and  
21 services to reflect recent changes in federal and state laws  
22 and to more accurately reflect modern business practices.

23 The majority of the proposed rules are not  
24 substantial, with only formatting changes to conform to the  
25 organizational structure. Additions to the proposed rules

1 were necessary to address federal and state laws pertaining  
2 to the allowance of certain commercial activities, its  
3 safety rest area facilities and to include the Texas travel  
4 information centers.

5 The proposed rules were approved by the Commission  
6 at the September, 2014, meeting, and published in The Texas  
7 Register for 30 days. No public comment was received.

8 Staff recommends final adoption.

9 MR. HOUGHTON: Motion?

10 MR. AUSTIN: So moved.

11 MR. UNDERWOOD: Second.

12 MR. HOUGHTON: All in favor?

13 (Chorus of "Ayes")

14 GENERAL WEBER: Thanks, Margo.

15 MR. AUSTIN: Was that your last formal act?

16 MS. RICHARDS: Yes.

17 MR. AUSTIN: Oh, wow.

18 GENERAL WEBER: Next is Item 8(a)(2), final of  
19 adoption of rules to Chapter 25, traffic operations. Our  
20 Traffic Operations Director Carol Rawson will present.

21 Carol?

22 MS. RAWSON: Good morning, sirs. I'm Carol  
23 Rawson, director of the Traffic Operations Division.

24 The minute order before you amends our existing  
25 rules for the information logo sign and tourist-oriented

1 directional sign programs. These amendments to the sign  
2 programs update and streamline administrative processes.  
3 The amendments make changes necessary to comply with the  
4 current Texas manual on uniform traffic control devices,  
5 including the option to display alternative fuels under  
6 business logo plaques and the elimination of dual logos and  
7 some typographical errors.

8 Staff recommends approval of the minute order.

9 MR. HOUGHTON: Questions?

10 (No audible response.)

11 MR. HOUGHTON: Motion?

12 MR. AUSTIN: So moved.

13 MR. UNDERWOOD: Second.

14 MR. HOUGHTON: All in favor?

15 (Chorus of "Ayes")

16 MR. HOUGHTON: Thanks.

17 GENERAL WEBER: Next is Item 8(a)(3), final  
18 adoption of rules to Chapter 28, oversize and overweight  
19 vehicles and loads. Maintenance Division Director Michael  
20 Lee will present.

21 Michael, thank you.

22 MR. LEE: Good morning. For the record, I'm  
23 Michael Lee, director of the Maintenance Division. Before  
24 you is the minute order for final adoption of the amendments  
25 to Section 28.100 and 28.102 under Title 43 of the Texas

1 Administrative Code relating to oversize and overweight  
2 vehicles and loads.

3           These amendments designate additional routes to  
4 the oversize overweight corridor used by the Hidalgo County  
5 Regional Mobility Authority for the issuance of oversize,  
6 overweight permits. This change will allow Hidalgo County  
7 Regional Mobility Authority to provide a more complete  
8 service to the motor carriers within the county.

9           No comments were received on the proposed  
10 amendment.

11           Staff recommends your final adoption.

12           MR. HOUGHTON: Any questions?

13           (No audible response.)

14           MR. HOUGHTON: Motion?

15           MR. UNDERWOOD: So moved.

16           MR. AUSTIN: Second.

17           MR. HOUGHTON: All in favor?

18           (Chorus of "Ayes")

19           MR. HOUGHTON: Thank you.

20           GENERAL WEBER: Next is Item 8(b)(1), proposed  
21 adoption of rules to Chapter 9, contract and grant  
22 management. Professional Engineering Procurement Services  
23 Director Lorena Echeverria de Misi will present.

24           Lorena?

25           MS. ECHEVERRIA DE MISI: Good morning, General

1 Weber, Chairman Houghton, Members of the Commission.

2 For the record, my name is Lorena Echeverria de  
3 Misi and I am the division director of the Professional  
4 Engineering Procurement Services, also known as PEPS  
5 Division, for the Texas Department of Transportation.

6 This minute order proposes amendments to sections  
7 9.31 and 9.34. These sections pertain to the rules  
8 concerning contracting for architectural, engineering and  
9 surveying services. Architectural, engineering and  
10 surveying services are procured by the Department in  
11 accordance with Government Code, Chapter 2254, Sub-Chapter  
12 A, and 23 CFR, Section 172.5.

13 The Audit Office was previously responsible for  
14 the review and approval of a proposing firm's indirect cost  
15 rate. This task was recently transferred to the  
16 Professional Engineering Procurement Services Division as  
17 the office of primary responsibility for procuring  
18 architectural, engineering and surveying services. The  
19 Audit Office no longer performs a review and approval of the  
20 indirect cost rates.

21 Replacing the term "Audit Office" with "the  
22 Department" is consistent with other sections of the Texas  
23 Administrative Code and will alleviate the need to change  
24 the term in the future if the task is once again transferred  
25 to another office or division within the Department.

1 Staff recommends approval of the minute order.

2 MR. HOUGHTON: Any questions?

3 (No audible response.)

4 MR. HOUGHTON: Motion?

5 MR. UNDERWOOD: So moved.

6 MR. AUSTIN: Second.

7 MR. HOUGHTON: All in favor?

8 (Chorus of "Ayes")

9 MR. HOUGHTON: Thank you, Lorena.

10 GENERAL WEBER: Next is Item 8(b)(2), proposed  
11 adoption of rules to Chapter 16, planning and development of  
12 transportation projects. Transportation Planning and  
13 Programming Division Director James Koch will present.

14 MR. KOCH: For the record, my name is James Koch,  
15 director of Transportation Planning and Programming Division  
16 for TxDOT.

17 This minute order proposes the adoption of  
18 amendments of the Texas Administrative Code Rules -- Chapter  
19 16, concerning transportation funding. Proposed amendments  
20 are necessary to provide greater flexibility in the methods  
21 used for distributing funds through the Department's Unified  
22 Transportation Program and to ensure resulting projects are  
23 implemented efficiently and in alignment with current  
24 transportation system needs considering the guiding  
25 principles identified by the House Select Committee on

1 Transportation Funding, Expenditures and Finance, as well as  
2 the recommendations of the Proposition 1 Stakeholder  
3 Committee.

4 Amendments to 16.153(a)(2) expand the scope of  
5 Category 2, metropolitan and urban corridor projects to  
6 include safety, maintenance or rehabilitation projects, as  
7 these types of activities may also contribute to the safe  
8 and efficient movement of people and frustrating in  
9 metropolitan and urbanized areas.

10 Amendments to 16.154(a)(3)(c) clarify that the  
11 term "strategic corridors" includes any strategic corridors  
12 located on the state highway network which provides  
13 statewide connectivity.

14 Amendments to 16.145 -- 154(a)(7) authorized the  
15 commission to supplement the funds allocated to individual  
16 districts under Category 11, district discretionary on a  
17 case-by-case basis to cover project cost overruns. This  
18 change is necessary to ensure timely and efficient delivery  
19 of previously approved projects.

20 New 16.154(h) provides that the commission may  
21 supplement the funds allocated to the individual districts  
22 under Category 1, preventive maintenance and rehabilitation,  
23 and Category 11, district discretionary, in response to  
24 special initiatives, safety issues or unforeseen  
25 environmental factors.

1           Written comments on the proposed rules will be  
2 accepted until 5:00 p.m. on February 2nd, 2015.

3           We recommend your approval of the minute order.

4           MR. HOUGHTON: Motion?

5           MR. UNDERWOOD: So moved.

6           MR. AUSTIN: Second.

7           MR. HOUGHTON: All in favor?

8           (Chorus of "Ayes")

9           MR. HOUGHTON: Okay. Carol, last one.

10           GENERAL WEBER: Item 8(b)(3), proposed adoption of  
11 our rules to Chapter 25, traffic operations.

12           MS. RAWSON: For the record, I'm Carol Rawson, the  
13 director of Traffic Operations Division.

14           The minute order before you proposes new Texas  
15 Administrative Code 25.28, in regard to reducing speeds on  
16 roadways with greater-than-average crash rates.

17           Due to the increased energy sector traffic and  
18 limited maintenance funds, safety issues have developed that  
19 require the Department to review and more quickly change  
20 speed limits for certain types of roadways on the State  
21 Highway System.

22           New 25.28 proposes that the Department uses  
23 streamline procedure for changes to a speed limit if the  
24 roadway or section of the roadway has a greater-than-average  
25 crash rate. The conditions of the State Highway System

1 roadways described above create an eminent safety condition  
2 that requires the Department to quickly revise speed limits  
3 on those roadways. With your approval, we will post this  
4 proposed amendment to The Texas Register for public comment.

5 Staff recommends approval of this minute order.

6 MR. HOUGHTON: Motion?

7 MR. UNDERWOOD: So moved.

8 MR. AUSTIN: Second.

9 MR. HOUGHTON: All in favor?

10 (Chorus of "Ayes")

11 MR. HOUGHTON: Okay. We'll pick up with Item  
12 Number 9 once we recess.

13 At this time, I'd like to recognize in the back of  
14 the room former Chair David Laney.

15 David, welcome back.

16 And Commissioner -- former Commissioner Ned  
17 Holmes, welcome. We're going to talk to him or honor him  
18 shortly.

19 Anybody else -- Deirdre -- Chair Delisi was here,  
20 former Chair Delisi was here earlier.

21 No one else in the back of the room?

22 (No audible response.)

23 MR. HOUGHTON: If not, we are recessed and we'll  
24 go to the back of the room and then reconvene here after the  
25 event.

1 (Break taken from 11:33 a.m. - 12:04 p.m.)

2 MR. HOUGHTON: We'll reconvene. It's 12:04 p.m.  
3 And Item Number 9?

4 GENERAL WEBER: Item Number 9, Chairman, is  
5 Compliance, Ethics and Investigations Report. Chief Audit  
6 and Compliance Officer Benny Ybarra will present.

7 Benny?

8 MR. YBARRA: Thank you.

9 The purpose of this report is to provide a summary  
10 of information related to investigations for the month of  
11 November, 2014, in accordance with Transportation Code  
12 201.452 and 201.454.

13 In November, eight allegations were assigned for  
14 investigation. Nine were closed. Two of these were  
15 substantiated.

16 No further action is recommended at this time.

17 MR. HOUGHTON: Thanks, Benny.

18 MR. YBARRA: Sure.

19 GENERAL WEBER: Item 10(a), Harris County toll  
20 roads will be presented by Director of Toll Operations Doug  
21 Woodall.

22 MR. HOUGHTON: Doug?

23 MR. WOODALL: It was James Bass' fault. Sorry.

24 For the record, Doug Woodall, director of Toll  
25 Operations Division.

1           Item 10(a) provides for the authorization of the  
2 executive director to amend the ILA with Harris County for  
3 further development and operations of the Katy Managed Lanes  
4 Project; to extend the date of transferring Katy Managed  
5 Lanes to the Department until December 31st of 2015.

6           The Department and the County are still in  
7 negotiations for the terms of the transfer and this needs to  
8 be amended to allow for that continued negotiation.

9           Staff recommends approval.

10          MR. HOUGHTON: We had -- Don, do you want to speak  
11 on this item? Please come up.

12          MR. DIXON: Thank you, Mr. Chairman. My name is  
13 Don Dixon. I'd like to address the co-component of this  
14 minute order.

15          As we all know, in 1956, Eisenhower created the  
16 National Defense and Interstate System and it was studied  
17 quite a bit, both by Eisenhower and by President Roosevelt:  
18 Should the interstate system be tolled? And the studies all  
19 had come back, no, it should not.

20          And so what I would like to respectfully recommend  
21 to the commission is that we take these tolls off of our  
22 interstates in Texas. Texas led in the interstate system  
23 because we built so many miles, probably more miles than  
24 anyone in the United States.

25          The benefits of a free interstate system are

1 known, but when you toll that system, that is punitive and  
2 the interstates were never intended to be tolled.

3 Our company benefitted tremendously from the  
4 interstate system. Being in the automobile business, we  
5 probably have traveled on every interstate in the United  
6 States freely. We didn't have to pay any tolls, which was  
7 very wise. We couldn't afford to do that.

8 As a personal note, I traveled 75 miles from my  
9 house to the capitol parking lot. All but one mile is on a  
10 State Highway System. Most of those miles are on the  
11 Interstate 35 System. As you all know, I pay about 1.6  
12 cents a mile.

13 From my activity in the advocating for public  
14 roads of this state, I've probably paid over \$3,000 or maybe  
15 \$3200 to use that interstate system with my gas tax. If  
16 that had been tolled, I would have probably paid thirty-plus  
17 thousand dollars to come up and advocate for the public  
18 roads of this state.

19 So I respectfully request that when we have a toll  
20 on the interstate system of Texas, we take action to take it  
21 off and keep the interstate system as it was intended, for  
22 the economy, of this great state.

23 Thank you, sir.

24 MR. HOUGHTON: Any other questions or comments?

25 MR. MOSELEY: Chairman --

1           GENERAL WEBER: Do we have a vote?

2           MR. MOSELEY: -- I just wanted to clarify that  
3 there is one section I'm aware of, of a tolled interstate.  
4 That would be from Wichita, Kansas, to Kansas City and maybe  
5 beyond that. But Kansas, during the construction of its  
6 segment of I-35, decided to use tolls to ramp up -- they  
7 didn't know when the federal government would get around to  
8 building their section and so they have used -- and I don't  
9 know if those tolls were still in place, but they were when  
10 we put our I-35 Corridor Coalition together.

11           MR. HOUGHTON: Well, I want to clarify just a  
12 little bit. I keep reading this that we need to pull tolls  
13 off and we shouldn't do that.

14           Doug and -- you can answer this, Doug, and John  
15 can chime in if he'd like -- but is the Katy Freeway  
16 something that we initiated or was that a local issue,  
17 Commissioner Moseley? Did not Harris County and the Harris  
18 County/Galveston Regional Group say this is what we want to  
19 do?

20           MR. WOODALL: Yes, sir. That is correct.

21           MR. HOUGHTON: And it wasn't us telling them what  
22 they should do?

23           MR. WOODALL: Correct.

24           MR. HOUGHTON: I think it's kind of a local --  
25 kind of -- it is a local deal, we listen to the locals on

1 what they want and how to build it, and I would ask that  
2 same question to Commissioner Vandergriff about the  
3 Dallas/Fort Worth area. I don't remember us telling them  
4 they have to build a Dallas North Tollway.

5 Commissioner Vandergriff, I don't remember us  
6 telling them that.

7 MR. VANDERGRIFF: Well, it was in 1968, but, no.

8 MR. HOUGHTON: Yeah. So, Don, respectfully, these  
9 things are locally driven. If we participate, they get to  
10 build more and do more. Those revenues now go to maintain  
11 the system that we don't have to maintain through a gas tax.  
12 So there's a lot of good reason that those folks decided to  
13 do this.

14 And with that --

15 MR. AUSTIN: I will -- I will make a motion to  
16 approve. I just want to share one thing.

17 MR. HOUGHTON: Yeah.

18 MR. AUSTIN: I traveled this road a week or so ago  
19 coming over here to -- two weeks ago, coming over to Austin.  
20 And if I recall, from laid side to side, there's 21 or 22  
21 lanes?

22 MR. WOODALL: They have 22, yes, sir.

23 MR. AUSTIN: How many of those are tolled?

24 MR. WOODALL: Two lanes in each direction.

25 MR. AUSTIN: So there's a lot of free lanes that

1 exist and when that was tolled, if I recall, what was --  
2 again -- sponsored and requested by locals, that was to help  
3 pay for the added capacity, especially with the free lanes,  
4 if I have that right?

5 MR. WOODALL: Yes, sir.

6 MR. HOUGHTON: There's a motion. Is there a  
7 second?

8 MR. UNDERWOOD: Second.

9 MR. HOUGHTON: All in favor?

10 (Chorus of "Ayes")

11 MR. HOUGHTON: Thank you.

12 GENERAL WEBER: Doug, please continue with Item  
13 10(b), concerning our indefinite deliverable contracts.

14 MR. WOODALL: Thank you, General Weber.

15 Item 10(b) authorizes the Department to exceed the  
16 contract term restrictions for procurement of statewide  
17 traffic and revenue engineering services under the  
18 indefinite delivery contracts associated with planning  
19 development and implementation of transportation highway  
20 projects.

21 The Department is requesting authorization to  
22 issue solicitations for no more than three indefinite  
23 delivery contracts that are limited to the provisions of  
24 engineering and other professional services, have contract  
25 periods in which the initial work authorization may be

1 issued up to, but no longer than five years after the  
2 contract's executed, and the sum of the contracts shall be  
3 for no more than ten million dollars each.

4 I'd be glad to answer any questions, and staff  
5 recommends approval.

6 MR. HOUGHTON: Any questions?

7 (No audible response.)

8 MR. HOUGHTON: Is there a motion?

9 MR. AUSTIN: So moved.

10 MR. HOUGHTON: Second?

11 MR. UNDERWOOD: Second.

12 MR. HOUGHTON: All in favor?

13 (Chorus of "Ayes")

14 MR. HOUGHTON: Thanks.

15 MR. WOODALL: Thank you.

16 GENERAL WEBER: Thanks, Doug.

17 Item 11 concerns a lease agreement, the Yucca  
18 Council of Boy Scouts in El Paso. Real Estate Management  
19 and Development Division Director Roland Tilden will  
20 present.

21 MR. TILDEN: I thank you, General, Chairman,  
22 Commissioners.

23 For the record, I'm Roland Tilden, director of  
24 Real Estate Management and Development for the Texas  
25 Department of Transportation and I'm presenting Item 11 on

1 the agenda. The Yucca Council of Boy Scouts of America has  
2 requested to lease a portion of property on the Loop 375  
3 Border West Expressway for the purpose of constructing an  
4 urban campsite for youth in the El Paso area. The council  
5 expects the campsite will provide a much-needed opportunity  
6 for outdoor experiences of the boys and girls of the El Paso  
7 community who, due to economic circumstances, may never have  
8 the opportunity to attend an outdoor camping location  
9 outside of the El Paso area.

10 Texas Administrative Code Chapter 202 authorizes  
11 the Department to lease a highway asset that has not been  
12 needed -- that is not needed to highway purposes during the  
13 term of the lease. This minute order authorizes and directs  
14 the staff of the Department to enter into negotiations for  
15 and execute a lease agreement with the Yucca Council of Boy  
16 Scouts for all or a portion of the property for a term of 25  
17 years with an option to renew if it's acceptable to both  
18 parties for an additional 25 years. This minute order  
19 authorizes the staff of the Department to waive the  
20 requirement to charge not less than fair market value for  
21 the lease, as authorized by Transportation Code 202.052 and  
22 Title 483 of the Texas Administrative Code 21.603, for  
23 social mitigation purposes.

24 Staff recommends approval of this minute order and  
25 I'm pleased to answer any questions.

1 MR. HOUGHTON: Questions?

2 MR. UNDERWOOD: Yeah, just remember my comments  
3 when we had the briefing yesterday about protecting, you  
4 know, both parties, the State and all the people who are  
5 using it. So appreciate it. Thank you.

6 MR. TILDEN: Absolutely.

7 MR. UNDERWOOD: I move.

8 MR. AUSTIN: I second.

9 MR. HOUGHTON: All in favor?

10 (Chorus of "Ayes")

11 MR. HOUGHTON: Thanks.

12 GENERAL WEBER: Roland, please continue with Item  
13 12, Travis County real estate.

14 MR. TILDEN: Thank you.

15 General, Chairman, Commissioners, for the record,  
16 I am Roland Tilden, director of Real Estate Management and  
17 Development and I'm presenting agenda Item 12.

18 Earlier this year, the 75-acre tract of land at  
19 45th Street and Bull Creek Road in Austin, Texas, was  
20 identified by the Department as being underutilized. After  
21 completing the prerequisite due diligence and market  
22 analysis, RMD started the formal disposition process in  
23 July.

24 Step one involved the government entity  
25 notification period. The City of Austin, Travis County, and

1 Austin -- also ISD were part of that. They were notified  
2 they had a priority right to purchase the property on  
3 July 30th, 2014.

4 Our process typically gives these entities 30 days  
5 to respond, but in this case, we honored the City of  
6 Austin's request for an extension to September 12th.  
7 Additionally, TxDOT honored the City's request for a second  
8 extension to allow for a final vote at its meeting on  
9 October 16th, 2014, where the City Council voted to no  
10 longer pursue the purchase of the property.

11 Step two involved a sealed bid. The sealed bid  
12 date was set for December 3rd, 2014, with notices placed in  
13 the Austin Statesman on October 27th, November 3rd and  
14 November 10th of this year. As part of our marketing  
15 efforts, we also contacted nearly 50 interested parties,  
16 providing them key information on the property.

17 As a result of our efforts, six acceptable bids  
18 were submitted, the highest of which was for \$46,761,001 and  
19 that was submitted by William Cannon League  
20 Development, LLC. Note that that was sixteen and a half  
21 million dollars above the minimum bid price.

22 This sale also includes terms for a lease-back  
23 from the buyer to TxDOT for up to three dollars -- no, for  
24 up to three years for a dollar a year in order to ease the  
25 transition and maximize the net to the State. So it really

1 is three dollars, I just added it in my head first, I guess.  
2 This is a huge win for us. That lease in the open market  
3 would be worth in the millions of dollars.

4 Key benefits to stakeholders around this sale  
5 include the Texas State Cemetery Committee; they'll receive  
6 \$10 million from this transaction, which they otherwise  
7 would not have been able to receive. The taxpayer wins. As  
8 a result, over \$1.2 million a year in tax revenue will be  
9 created in perpetuity and that's undeveloped.

10 This minute order declares that the land is no  
11 longer needed for highway purposes and recommends, subject  
12 to approval, by the Attorney General, that the governor of  
13 Texas convey the tract to William Cannon League  
14 Development, LLC for \$46,761,001.

15 Staff recommends approval of this minute order and  
16 I'm pleased to answer any questions.

17 MR. HOUGHTON: Any questions?

18 MR. AUSTIN: I --

19 MR. HOUGHTON: I -- I would -- go ahead.

20 MR. AUSTIN: I'm sorry. Just one comment.

21 I appreciate the way that you work with  
22 constituents, number one, in making this happen. One thing,  
23 that the zoning will go through the local routes for  
24 Planning and Zoning, as would any other project. So thank  
25 you for listening to the concerns of a lot of the

1 stakeholders in the area.

2 MR. TILDEN: Thank you, Commissioner Austin.

3 MR. HOUGHTON: Any other questions?

4 MR. VANDERGRIFF: Not a question, but, I -- again,  
5 one project does not make a basket, but I gotta tell you how  
6 impressed I am with how Roland has come in and really  
7 handled this. I think the proof in the pudding is that I  
8 hear from people -- you know, normally, from the business  
9 I'm in, you always hear when people are angry, but sadly  
10 enough, that's where I hear most of the TxDOT stuff; yet, in  
11 this case, I hear from stakeholders, whether they're large  
12 or small, on stuff he's working on and it's nothing but  
13 praise, the way he handles things and how he conducts  
14 business for us.

15 He's a great investor on sometimes very touchy  
16 projects, so my hat's off to you on this one as a good  
17 result. But on a lot of others, I know that people are  
18 appreciative of how you're dealing with them.

19 MR. TILDEN: Thank you, Commissioner Vandergriff.

20 MR. VANDERGRIFF: And that includes City people  
21 who are not always, you know, challenged.

22 MR. HOUGHTON: Roland, what's the scorecard right  
23 now? What's the cumulative number?

24 MR. TILDEN: Just under \$70 million.

25 MR. HOUGHTON: And some in the pipeline?

1 MR. TILDEN: About \$34 million in the pipeline.

2 MR. HOUGHTON: And we started this initiative how  
3 long ago?

4 MR. TILDEN: I started in January.

5 MR. HOUGHTON: You did.

6 We started this initiative, what, two years ago,  
7 John?

8 MR. BARTON: Two years.

9 MR. HOUGHTON: It's been very, very beneficial and  
10 money, I think, demonstrates to the public and to the people  
11 across the street that we're good trustees and caretakers of  
12 the assets and we use those assets for transportation  
13 purposes to maximize the value.

14 Great job. I chime in with my fellow  
15 commissioners, good job. Well done.

16 MR. TILDEN: Thank you and merry Christmas.

17 MR. HOUGHTON: Can we have a --

18 MR. AUSTIN: I move we approve.

19 MR. HOUGHTON: Second?

20 MR. UNDERWOOD: Second.

21 MR. HOUGHTON: All in favor?

22 (Chorus of "Ayes")

23 MR. HOUGHTON: There we go.

24 MR. TILDEN: Thank you.

25 GENERAL WEBER: Thanks, Roland.

1           Item 13(a) consists of the awarding of contracts  
2 for maintenance and apartment building construction  
3 contracts. Our Director of Construction John Obr will  
4 present.

5           John?

6           MR. OBR: Good afternoon. For the record, I am  
7 John Obr, director of the Construction Division.

8           Item 13(a) is for consideration of the award or  
9 rejection of highway maintenance and apartment building  
10 construction contracts, let on December 2nd and 3rd of 2014.  
11 We present 23 projects today. The average number of bids  
12 per project was 3.7. The low-bid value was \$46,065,786.26.  
13 We had an overall underrun of 12.54 percent.

14           Staff recommends award of all maintenance  
15 projects.

16           MR. HOUGHTON: Questions?

17           (No audible response.)

18           MR. HOUGHTON: Motion?

19           MR. UNDERWOOD: So moved.

20           MR. AUSTIN: Second.

21           MR. HOUGHTON: All in favor?

22           (Chorus of "Ayes")

23           MR. HOUGHTON: Thanks.

24           GENERAL WEBER: John, please proceed with Item  
25 13(b), our construction contracts.

1           MR. OBR: Item 13(b) is for consideration of the  
2 award or rejection of highway and transportation enhancement  
3 building construction contracts let on December 2nd and 3rd  
4 of 2014. We present 56 projects today. The average number  
5 of bids per project was 4.54. The low-bid value was  
6 \$266,773,070.55.

7           The awards are split as six project in mobility  
8 totaling \$113,455,729.56 and 50 projects in preservation  
9 total ing \$153,317,340.99.

10           We had an overall overrun of 3.28 percent.

11           Staff recommends award of all construction  
12 projects, except for the following: first being Denton  
13 County project C353-2-63. We received seven bids for this  
14 project which came in at 6.81 percent or \$2,046,303.69 over  
15 the engineer's estimate. The engineer's estimate was  
16 roughly thirty million.

17           This project is for construction of an  
18 interchange. Upon review of the bids received, the District  
19 discovered an error on the embankment quantities which would  
20 have affected the termination of the low bidder. The  
21 District would like the opportunity to make the necessary  
22 corrections and we concur with this plan of action;  
23 therefore, we recommend that this project be rejected and  
24 relet at a later date.

25           The second project being McLennan County Project

1 NH 2015400. We received one bid for this project which came  
2 in at 125.43 percent or \$553,524.16 over the engineer's  
3 estimate.

4 This is landscape enhancement project. The  
5 District recommends the bid to be rejected due to budgetary  
6 concerns and to have the opportunity to rescope the project.  
7 We concur with this plan of action, therefore, we recommend  
8 the project be rejected and relet at a later date also.

9 MR. HOUGHTON: Questions?

10 (No audible response.)

11 MR. HOUGHTON: Motion?

12 MR. AUSTIN: So moved, as presented.

13 MR. UNDERWOOD: Second.

14 MR. HOUGHTON: All in favor?

15 (Chorus of "Ayes")

16 GENERAL WEBER: Thanks, John.

17 MR. HOUGHTON: Thanks, John.

18 GENERAL WEBER: That brings us to Item 14, the  
19 eminent domain proceedings. Our Director of Right of Way,  
20 John Campbell, will present.

21 MR. CAMPBELL: Good afternoon. For the record, my  
22 name is John Campbell, director of the Right of Way  
23 Division.

24 I'd like to present for your consideration this  
25 afternoon, 14 -- Item 14, which authorizes the filing of

1 condemnation proceedings necessary to progress the  
2 acquisition of 21 parcels by exercise of eminent domain.  
3 Nineteen of these parcels are on non-controlled facilities  
4 and two are on controlled facilities.

5 Staff recommends approval of the minute order.

6 MR. VANDERGRIFF: I move that the Texas  
7 Transportation Commission authorize the Texas Department of  
8 Transportation to use the power of eminent domain to acquire  
9 the properties described in the minute order set forth in  
10 the agenda for the current month for construction,  
11 reconstruction, maintenance, widening, straightening, or  
12 extending the highway facilities listed in the minute order  
13 as part of the State Highway System and that is -- and that  
14 the first record vote applies to all units of the property  
15 to be condemned.

16 MR. HOUGHTON: Is there a second?

17 MR. MOSELEY: Chairman, I'll second.

18 MR. HOUGHTON: Very good.

19 All in favor?

20 (Chorus of "Ayes")

21 MR. HOUGHTON: Thank you.

22 MR. OBR: Thank you.

23 GENERAL WEBER: Thanks, John.

24 Item 15 contains the routine minute orders,  
25 including donations to the Department, real estate

1 dispositions and donations, reports on transportation  
2 planning finance, highway designations, and speed zones.

3 MR. HOUGHTON: Everybody review them.

4 Is there a motion?

5 MR. AUSTIN: So moved.

6 MR. UNDERWOOD: Second.

7 MR. HOUGHTON: All in favor?

8 (Chorus of "Ayes")

9 MR. HOUGHTON: Now, we'll retire into executive  
10 session in accordance with Government Code Sections 551.071  
11 and 551.074.

12 For the record, the time is 12:24 p.m.

13 (Recess taken from 12:25 p.m. - 12:42 p.m.)

14 MR. HOUGHTON: We'll reconvene the transportation  
15 commission -- we'll call it to order at 12:42.

16 And Item Number 17, is there a motion to approve  
17 the compensation adjustment of the executive director?

18 MR. AUSTIN: Oh, it's so moved.

19 MR. HOUGHTON: Is there a second?

20 MR. UNDERWOOD: Second.

21 MR. HOUGHTON: All in favor?

22 (Chorus of "Ayes")

23 MR. HOUGHTON: Thank you.

24 Is there the most privileged motion?

25 MR. AUSTIN: I move that we adjourn.

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MR. UNDERWOOD: Second.

MR. HOUGHTON: All in favor?

(Chorus of "Ayes")

MR. HOUGHTON: Merry Christmas. Happy Hanukkah.

(Proceedings concluded at 12:42 p.m.)

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C E R T I F I C A T E

I, KIMBERLY C. McCRIGHT, CET, certified electronic transcriber, do hereby certify that the foregoing pages 1 through 138 constitute a full, true, and accurate transcript from electronic recording of the proceedings had in the foregoing matter.

DATED this 1st day of January, 2015.



Kimberly C. McCright, CET

Certified Electronic Transcriber