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TEXAS DEPARTMENT OF TRANSPORTATION
COMMISSION MEETING

Ric Williamson Hearing Room
Dewitt Greer Building
125 East 11th Street
Austin, Texas 78701.

Thursday
November 19, 2015
9:00 a.m.

COMMISSION MEMBERS:

Tryon D. Lewis, Chair
Jeff Moseley, Vice Chair
Jeff Austin, III
Victor Vandergriff
J. Bruce Bugg, Jr.

STAFF:

Lt. General Joe Weber, Executive Director
Robin Carter, Commissioner Chief Clerk

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PROCEEDINGS

1
2 CHAIRMAN LEWIS: I want to welcome
3 everyone. Thank you for being here. My name is Tryon
4 Lewis, and we are ready to begin the meeting. At the
5 present time, it's 9:03 a.m. I call to order the
6 November 19th, 2015, meeting of the Texas Transportation
7 Commission in Austin, Texas.

8 I first note for the record that public
9 notice of this meeting containing all items on the
10 agenda was filed with the Secretary of State's office at
11 3:14 p.m. November 10th, 2015, which is at least seven
12 days prior to the meeting, and this meets the
13 requirements of Government Code 551.044.

14 As we begin the meeting, I'm going to
15 first ask that all of you join me in placing your cell
16 phones in silent mode so that they don't ring and
17 disturb our meeting.

18 Some of you may wish to address the
19 commission on items today. If you wish to give us the
20 benefit of your opinions with regard to an agenda item,
21 that is, one of the posted items on the agenda, then
22 please complete a yellow card. And these yellow cards
23 have a place for your name, which item it is -- they're
24 all numbered, just which item number it is -- what your
25 position on it is, your name, if you're here

1 representing a group, what your title is with that
2 group, and what the group is. So that -- that lets us
3 know whether you're here in your individual capacity or
4 if you're here as a representative.

5 When the agenda item comes up, we will
6 call your name. When your name is called, you just come
7 up here to this dais here that's got a microphone there,
8 and just adjust it for your height, and just speak into
9 it, and we'll all be able to hear you fine. When you
10 do, please begin by stating your name and who you're
11 here representing, if you're representing a group.

12 Now, we will also allow comments on items
13 that are not on the agenda. And that's what we call
14 "open comment period." But so that we'll know if it's
15 an agenda item or open comment that you wish to address,
16 there's a different color card for open comment, but the
17 information is essentially the same.

18 You will fill that -- fill that out. And
19 then at the end of our agenda items, then I'll be
20 calling you up here, and same thing. You can come up to
21 the dais, state your name and then whatever it is that
22 you want to say.

23 I do want to mention this, though: The
24 only thing that the commission can comment on are items
25 that are agenda items. So if you have a comment with

1 regard to an item that's not on the agenda, it's just
2 open comment, we can listen, but that's all we can do.
3 You can't get any feedback. We can't make comments on
4 it because it's not posted. And we must restrict
5 ourselves to what's posted. So please understand that
6 we're not being rude or uncaring about what you say.
7 It's just that's the reason. We are barred by law from
8 doing so.

9 Now, regardless of whether it's open
10 comment or on the agenda, we do have a three --
11 three-minute rule, so please organize your comments so
12 that you can make your comments in three minutes. And
13 there's a timer up here. We'll let you know when
14 your -- when your time is up.

15 Before we begin on the agenda items, I'm
16 going to turn the microphone over to our executive
17 director, General Joe Weber.

18 General?

19 GENERAL WEBER: Thanks, Chairman.

20 At this time, I'd like to ask our
21 occupational safety specialist, Randy Clawson, to come
22 forward and provide our quick safety briefing.

23 Randy?

24 MR. RANDY CLAWSON: Thank you,
25 Commissioners and General Weber.

1 As I begin the meeting, I may need your
2 help in ensuring we have a safe condition. If we were
3 to have a medical emergency, who in the room would be
4 willing to call 9-1-1? Anybody? Thank you.

5 Keep in mind that if you use a cell
6 phone, it's 9-1-1. If you go to our landline, you can
7 dial 9 and then 9-1-1. Make sure that you let the folks
8 know where we are, that we're at 125 East 11th Street
9 directly across from the Capitol.

10 Now, if the emergency personnel arrive,
11 who would escort those people into this room? Who would
12 be willing to do that? Thank you very much.

13 And also, who is first aid CPR-trained
14 and is willing to help us in case -- all right. Got
15 several. Thank you very much.

16 I wanted to remind you that even if
17 someone was not first aid CPR-trained, if you go to the
18 AED, which is located out in the lobby area just a
19 couple of steps from us out at the security booth, when
20 you open up the AED, it does step you through how to do
21 first aid CPR. Just a little bit of information for
22 you. And they are located throughout TxDOT buildings.

23 First aid kits are also located, you
24 know, with the traditional green and white of the
25 National Safety Council.

1 Now, in case of a fire, there are fire
2 alarm pull stations that are located out in the lobbies
3 on every floor of this building. And I'll also usher
4 with us the emergency plans. Those will be located
5 between the elevators on each floor in the lobby area.

6 The Greer primary exit, if we were to
7 have to orderly exit the building, the primary exit is
8 out the front door on the same floor that you and I are
9 on right now. And we would go out facing the Capitol
10 out toward 11th Street. Our secondary exits would be
11 Brazos Street over here, or else we would be on the east
12 or else to the west on Congress Avenue.

13 Either way that we get out of the
14 building, we would eventually make our way across the
15 street -- 11th Street over to the Capitol grounds area.
16 And that's where we would gather.

17 Now, if someone needed to use a fire
18 extinguisher, we have ABC dry chemical fire
19 extinguishers located throughout the building. And,
20 again, by the fire code, they are located prominently
21 with the red and white signing.

22 Now, in case of a tornado or inclement
23 weather, you and I would need to make ourselves down to
24 the shelter in place, and that would be stairwells or
25 the basement of this building. So we're on the first

1 floor. We'd need to go down one more level to the
2 basement or else you could go to the stairwells on
3 our -- on each side. You can also go to the centrally
4 located restrooms for a shelter area.

5 In case of an active shooter or bomb
6 threat, of course we're going to listen for information
7 on our public address system, and you would have to make
8 a judgment yourself on what would be the safest action
9 to take at that point based on the certain -- the
10 information we have at the time.

11 All right. That's all I have for you
12 this morning. I hope that we have a safe and productive
13 meeting. And my pleasure being with you today.

14 GENERAL WEBER: Thanks, Randy.

15 I'll turn it back over to you, Chairman.

16 CHAIRMAN LEWIS: Thank you very much,
17 General.

18 First of all, I'd like to recognize that
19 Senator Huffines is taking time out of his busy schedule
20 once again to be here with us.

21 And thank you very much, Senator, for
22 being here. I understand you don't care to make any
23 comments at this time, but if you do, please let us
24 know.

25 SENATOR HUFFINES: Thank you, Chairman.

1 CHAIRMAN LEWIS: Thank you.

2 And with that, we -- it is our tradition
3 and our custom to begin each meeting with the comments
4 of our -- of our commissioners on various topics that
5 they wish to address by open comment. And we'll start
6 with Commissioner Bugg.

7 COMMISSIONER BUGG: Thank you,
8 Mr. Chairman. Since the last meeting, it's been my
9 pleasure to have the opportunity to do something that I
10 really wanted to do as soon as I was appointed by
11 Governor Abbott. And that is to go out with a work crew
12 of TxDOT.

13 And thanks to the district engineer in
14 San Antonio, Mario Jorge -- when I first asked Mario to
15 be able to go out with a work crew, I think Mario
16 thought I was kidding, and he kept putting it off. And
17 I told him, "No. I'm really serious."

18 So on November the 10th, I went out with
19 Russell Beck who heads up our maintenance in San Antonio
20 for TxDOT. And we went out, and I spent a good part of
21 the day on November the 10th with the work crew, my
22 steel-toed boots and my safety vest and my hard hat.

23 And let me tell you, I learned so much by
24 being out there with these fine people. And what I
25 learned was the extreme dedication that our TxDOT

1 employees have throughout the state. Also saw firsthand
2 how they really take safety seriously and put a load of
3 rocks in the back of a TxDOT dump truck just to make
4 sure that on two-lane traffic, that if you've got any
5 wrong-way drivers, they won't come through our work
6 crews. And just little things that I noticed.

7 So dedication, safety, and dedication to
8 customer service, which is the way that we are
9 encouraging all of our TxDOT employees throughout the
10 state to really grab a hold of -- and that is customer
11 service to our -- not only our taxpayers, but also
12 everybody who gets behind the wheel of a car. So I just
13 want to say how much I really appreciated that.

14 The other thing was, I was invited to
15 participate with U.S. Congressman Lamar Smith on a
16 dedication of 11 -- or 10 miles of I-10 West, Interstate
17 I-10 West to honor a gentleman that was born and raised
18 in Boerne, Texas, served our country in Vietnam,
19 unfortunately was killed in action, but was the
20 recipient, post -- postdeath of the Medal of Honor.

21 And rightly so, if you read the -- the
22 history of a gentleman named Private First Class Milton
23 Lee. So we were able to dedicate the Private First
24 Class Milton A. Lee Medal of Honor Memorial Highway.
25 And that's just another way that I want to say thank you

1 to all of our veterans, not only the veterans that serve
2 our country today and have served our country, but so
3 many veterans that work at TxDOT. So I just wanted to
4 mention those two things, Mr. Chairman. Thank you.

5 CHAIRMAN LEWIS: Thank you. Thank you
6 very much, Commissioner.

7 Commissioner Vandergriff?

8 COMMISSIONER VANDERGRIFF: Yes, Chairman.
9 I appreciate it. I don't -- as you know, my custom is
10 normally just to pass, but I think there were a couple
11 things I wanted to make sure and make note of that were
12 important.

13 First, and to kind of to follow up with
14 the commissioners, the chairman mentioned about the open
15 comments. I want to say how much I personally -- I know
16 my commissioners value the people that take time out of
17 their day to come down here and to make comment. And I
18 think I take all those comments very seriously and react
19 to them. So thank you for that.

20 The second is, I have to really shout out
21 to my fellow commissioners. I'm always proud to serve
22 on this commission, but as I see the way that the
23 chairman has organized us into assignments and I've
24 watched the zeal in which the commissioners attack
25 those.

1 I've had the privilege in this last 30
2 days to be around Commissioner Bugg as he celebrates the
3 victory with all of us in the audience and on the
4 commission on Proposition 7, and then starts to plan to
5 go forward on the congestion relief.

6 And it's not popular sometimes to talk
7 about the tools that we have and the use of those tools,
8 but I watch the skill in which Commissioner Austin
9 defended the SIB program before house committee and was
10 really proud to -- to listen to that. It was tremendous
11 expert testimony.

12 And then what can I say about
13 Commissioner Moseley and his dedication to safety? He
14 was going to give our core strategy team, which is
15 looking at the performance measures and metrics,
16 probably out of his busy schedule an hour. It ended up
17 close to three and a half with them. I think he was
18 energized by the group, but they were certainly
19 energized by his commitment.

20 And with that, I have to say that I got a
21 chance to go to Waco this week and be before the team in
22 Waco and their safety banquet. And they -- really, we
23 all have to celebrate their success. And I'm sure at
24 some point today somebody will point that out. They had
25 zero injuries, zero fatalities. And my understanding is

1 that's only happened like in the last 15 years in one
2 other district for an entire year. And it was quite an
3 achievement, so my hat's off to, as all of ours are, to
4 Bobby Littlefield, the district engineer and his team.

5 And I have to tell you, Jerral Wyer, who
6 is a director here relative to safety in the outreach
7 internally and externally, oh, my gosh. I asked him,
8 "In your second career, are you a Baptist preacher?"
9 He -- and I meant that as a complement.

10 He gave such a presentation about why
11 safety matters. And it wasn't about the lives we lost,
12 but it was about the lives that we saved. And I have to
13 complement him and the folks that put that on and
14 certainly, again, compliment the Waco district.

15 And then last but not least in the line
16 of people, I have three programs I want to briefly
17 touch. General Weber and Chairman Lewis, they have
18 really thought out of the box with respect to what I
19 would call a classic leadership style of taking control
20 by letting go a bit.

21 And nowhere is that more evidenced than
22 in some of the responsibility that they've given me and
23 gone with it, is that we've taken three different
24 processes, if you will, outside their coming to fruition
25 December and January, that I want to make sure and tell

1 you about.

2 And I'm a process guy. You can go with
3 me on that, but the -- the first of which is the Dallas
4 CityMAP project, which we really haven't discussed much
5 here. But the City of Dallas was in a real challenge to
6 address issues relative to the downtown corridor. There
7 were a thousand different ideas and a thousand different
8 opinions about what should go first. And convinced them
9 about 15 months ago to work with what I would call an
10 all-star cast of outside consultants in the district.
11 Hats off to Bill Hale who was district engineer at the
12 time and went with us on that.

13 And the RTC who's the planning
14 organization kind of stepped back and let us do a little
15 bit of quasi planning, and the district stepped back and
16 let us do a little bit of quasi structure review. And
17 we listened, we learned, and we've reacted over the last
18 15 months. And it would be a very comprehensive report
19 that would come out relative to all the options and
20 opportunities and timelines and scenarios and costs.

21 We're not making any decisions. The
22 local elected officials and state officials make those
23 decisions. But we will present on paper everything the
24 people wanted to see in that corridor and how it will
25 work.

1 And yesterday I had the opportunity to be
2 in Dallas -- sorry I missed being with my fellow
3 commissioners in the afternoon -- but from the business
4 community, the civic community, the interest groups and
5 the elected officials, they kept coming up talking about
6 this was great, unbelievable out-of-the-box thinking by
7 TxDOT. Really appreciate you listening to us, learning
8 to us, and reacting to us.

9 And why that's important, in addition to
10 that downtown connectivity and sustainability, seven of
11 the top 25 congested corridors are in that corridor.
12 And they're all touched by this report.

13 And so I think it's timeliness that we
14 draft out in December, in public in January. It would
15 be a nice, I think, hand-off. And certainly as
16 Commissioner Bugg attacks congestion, this will be a
17 very comprehensive report that should be very helpful.

18 The last two things that, very briefly --
19 we have talked about these, and I'm sorry for the time,
20 but hopefully I've got some minutes reserved from
21 previous times where I said nothing, which was the core
22 strategy team that we have.

23 The individuals have been working on that
24 internally within TxDOT, led by Darran Anderson and
25 Stacey Strittmatter, his deputy underneath that. Those

1 folks have touched probably 10 percent of the TxDOT
2 workforce listening, learning, reacting. As we've
3 talked about, we've -- going all through the
4 mission/vision values of the agency, goals and
5 objectives, and now hitting the mete of performance
6 measures and metrics that matter. Not the ones that
7 we're required by law, but the ones that actually would
8 drive our business.

9 And I'm honored and excited to be a part
10 of that team. Chairman Lewis has been with us for many
11 of those meetings, and you're going to see some great
12 things out of that group, Commissioners, as we move
13 forward in December and January that will help drive
14 things we do here and will inform the legislature and
15 Senator Huffines and his colleagues about the real mete
16 and measure of what we do.

17 And we're going to get that out far
18 enough in advance so that they can react to it and help
19 us refine and do it better. So we should see that in
20 January.

21 And last but not least, we've got the
22 planning organizations team which is made up of MPOs and
23 districts. And, again, part of that listening,
24 learning, and reacting, we are really looking from top
25 to bottom at funding allocations, funding formulas,

1 performance measures and metrics as it relates to
2 project selection, and our prioritization in selection.

3 And I think you're going to see a unified
4 approach coming out of these MPOs and TxDOT relative to
5 how to use the recommended -- how to use the money, how
6 to address and attack the core of what we have to do
7 across the broad interest of the state of Texas, and to
8 do so in a manner that will be -- the legislature would
9 be proud and supportive of it, and will be a credit to
10 the state of Texas.

11 So I appreciate all those people putting
12 that effort in, but most importantly appreciate the
13 chairman and executive director letting us do all this.
14 It's out-of-the-box thinking. It's going to benefit.
15 Thank you for that.

16 CHAIRMAN LEWIS: Yeah. Thank you very
17 much, Commissioner, and -- for those comments and for
18 the work you and members of the staff and then also
19 members of other entities have -- have put in on this
20 and raising the amount of work. We all appreciate it
21 very much.

22 And next I'd like to have comments of
23 Commissioner Austin.

24 COMMISSIONER AUSTIN: Sure. We're not
25 leaving Mr. Moseley behind. We're coming back to him.

1 First, thank you to everybody, to the
2 citizens of Texas, for Prop 7. Senator Huffines, your
3 colleagues. I know Chairman Nichols, Chairman Pickett,
4 the governor making it a priority. This is a great day
5 for Texas. Now the responsibility comes back to us to
6 start planning. And I know that General Weber, our
7 team, they've already started thinking about moving FTEs
8 around, looking at available FTEs, filling unfilled
9 jobs, to begin looking at, do we have the engineering
10 capability to start drawing the plans, planning, and be
11 ready when the money comes available.

12 And I think this is one question I
13 receive, "Wow. You-all are going to start working on
14 this real quick and spending the money." We don't
15 receive it for two years. I just want to make sure
16 everybody understands it. We don't receive it for two
17 years, but that doesn't mean we're not going to be
18 planning and be ready to go.

19 But they're still -- you know, we need to
20 continue to address funding issues. It's not over
21 because you look at the source of a lot of these items,
22 some are sales tax, economic-driven, and also, like Prop
23 1, energy-driven, so we need to be careful and not think
24 that we've solved the problem, because we haven't.

25 As we talk about the congestion issues,

1 there's a lot of issues that we need to be able to have
2 adequate funds. And I know that, Senator Huffines, you
3 know, your challenge is going to be, as we talked
4 earlier, to continue to look at addressing funding needs
5 to keep up with growth.

6 Now, I want to compliment -- we're going
7 to have to get Senator Huffines a name tag, a name with
8 his chair. He's been here, I think, for the -- for
9 three meetings in a row. And while he didn't make
10 comments, he was appointed to say, "Who's working on
11 this one 8-mile section on Interstate 35 that has not
12 been drawn?" I think it's north of Hillsboro in the
13 Waco district.

14 So duly noted, Senator. We are working
15 on it. And on the banking business, we go out and kick
16 the tires. I guess the transportation committee can
17 drive the roads. So thank you, and duly noted.

18 I've that had opportunity since the last
19 meeting to go to up to Washington twice. Some call it
20 an opportunity. Some call it a curse. We have
21 something very important going on. It's a federal
22 highway and street authorization. And they're going
23 into conference right now.

24 You know, we had a short-term extension,
25 and we're trying to get back to have a longer-term bill.

1 Where it stands right now, going into conference, you
2 know, I think we're authorized till early December, and
3 it looks like there may be another -- conventional
4 wisdom was talking about one more week going into
5 possibly around December 11th for an additional
6 extension. So we can have a longer-term bill.

7 Good news, we have a lot of Texas members
8 that have been identified with the name as "conferees"
9 from the House. And in the Senate, we have Senator
10 Cornyn. This is really good because all three of our
11 members from Texas that are on the transportation
12 committee, Farenthold, Eddie Bernice Johnson -- I
13 believe Farenthold from Corpus, and Congressman Babin,
14 are all in this firsthand.

15 We have also a new Ways and Means
16 chairman that's been appointed, Congressman --
17 Chairman Kevin Brady. Then you have Chairman
18 Jeff Hinxley with financial side and Randy Neugebauer
19 because of some of their expertise as well. So we have
20 a lot of Texans in there.

21 And they are -- they did receive a letter
22 not too long ago from the governor talking about our
23 rate of return. And I think this is something that we
24 do not want to go backwards. Policy-wise, some of the
25 things that are happening, there's not going to be a lot

1 of changes, which is good.

2 Funding-wise, we want to stay there.
3 There's a couple little provisions that we need to be
4 careful of, but our federal team led by Andrea Lofey.
5 Andrea's back there in the back with and Melissa Myers
6 and Melanie Alvarad, who, in D.C., put together a
7 matrix, because we're asking -- we've been asked a lot
8 of questions. Our team has -- "What's best for Texas?"

9 And they put together a matrix comparing
10 the bills to answer those questions of why it's
11 important and how it helps Texas. So our -- I'm really
12 excited that our entire delegation in D.C. is willing to
13 bat for -- for us.

14 Why is this important? It's over
15 40 percent of our funding that comes in to TxDOT. So we
16 need to keep -- keep that abreast. We're hoping to get
17 a six-year bill. Some of the wisdom is that maybe
18 there's only three years of funding. So they're --
19 they're still kicking the can down the road. We hope we
20 can find some better solutions in the funding category
21 for long-term stable funding, but we'll see. So stay
22 tuned, and we look forward to having the bill.

23 Thank you, Commissioner Vandergriff, for
24 your comments on the SIB. We did have some good
25 discussions. Going back to Chairman Pickett's hearing,

1 talking about how the SIB came into place.

2 And I think it's important to realize,
3 you know, this was set up in the legislative session
4 '95. We put it in place in '97 to help the cities, and
5 the counties, municipalities for their -- to do work
6 that they're matched or construction right away -- to
7 acquire right-of-way or utility relocations to where
8 they don't have to spend all that money out of their
9 budget right now. They can repay it.

10 In making sure we stay true to that core,
11 we're looking at some draft guidelines to be sent out.
12 I know Commissioner -- I mean Senator Huffines, your
13 committee and Chairman Pickett's committee received them
14 last week or this week.

15 We're going to probably -- Commissioner,
16 I said we're going to discuss this in December. I think
17 we're going to move this till January to make sure we
18 have some good comments and be able to hear some from
19 the public at that time as we begin the crafting how we
20 want this to look like going forward. So it's a good --
21 it's a good tool.

22 And with all this new money coming up, we
23 don't want right-of-way or utility relocation for
24 something small like that to stand in the way of
25 creating congestion relief. So we're -- we're trying to

1 help the cities and the counties where we can, MPOs, be
2 ready to spend all that money.

3 The last thing -- I know we're coming up
4 on the holiday season. Ask everyone to please be safe.
5 And we're really proud of what the staff is doing as we
6 go forward.

7 Mr. Chairman.

8 Thank you-all for being here today.

9 CHAIRMAN LEWIS: Thank you very much.
10 And Vice Chair Moseley. Comments?

11 VICE CHAIR MOSELEY: Thank you, Chairman,
12 members.

13 Again, I echo my colleagues' comments
14 about how pleased we were to see voter approval,
15 83.23 percent on Proposition 7.

16 And the back of the envelope on that, I
17 think, Senator Huffines, is over a 15-year period of
18 time, we may see 45 to 60 billion new dollars for
19 mobility. And so we thank you and the leadership of the
20 Senate, House, and governor's office for taking such a
21 strong stand on bringing new revenues forward.

22 And I appreciate the work of my
23 colleagues on preparing for this next two years as the
24 moneys start to come in. Commissioner Bugg helping us
25 understand how to direct the dollars towards congestion

1 relief. We thank you for that. And Commissioner
2 Vandergriff's work on the performance metrics and the
3 transparency, clearly that has to be a part of how these
4 dollars go to work.

5 And Commissioner Austin leveraging those
6 federal dollars, it's about 40, 45 percent of our
7 budget. And so it really is exciting to be in this --
8 this time of transition. So, Chairman, thanks for your
9 leadership and kind of coaching and guiding us as we go
10 into this -- this new era of having more opportunities
11 to build highways and move Texans.

12 Chairman, since we met last time, we did
13 recognize and reach another milestone. Unfortunately,
14 this milestone is one we wish we wouldn't have reached.
15 And that was November the 7th, 2015. This -- this day
16 marked 15 years since there was a deathless day on Texas
17 highways. And since November 7 of the year 2000, 50,000
18 Texans have died on our highway system. 50,000.

19 And there are a lot of communities
20 throughout our state that are approximately that size,
21 but that would be approximately, according to the U.S.
22 Census, about the size of San Marcos. This is a
23 tremendous cost to our state's economy and of course a
24 tremendous, tragic loss to our citizens.

25 So I thank you, Chairman, for asking for

1 some ideas on how we can, through the design of our road
2 system, working with DPS, working with the technology,
3 see what we can do to take a bite and raise awareness
4 about how to make our roadways safer.

5 As Commissioner Austin said, we're coming
6 into a peak driving season coming into the holidays, and
7 so it's even more critical that we raise awareness of
8 the motoring public about the value of taking a little
9 more time and driving more cautiously.

10 To that end, our team here has come up
11 with a campaign. And it's described as ending this
12 streak of death. It's called "End the Streak" campaign.
13 And already, Chairman and members, there have been
14 1.4 million posts on Facebook and Twitter combined.
15 This public service announcement has been viewed on
16 YouTube more than 1300 times. And it's racking up a lot
17 of likes -- 8,500 likes, 3,000 shares, and 600 comments.

18 This hashtag that you see on the screen,
19 Chairman, "EndTheStreakTX" has become a trending topic
20 on Twitter here in this Austin area. And we're very
21 pleased, Chairman and members, that state officials,
22 media, law enforcement agencies are helping spread the
23 word about the value of ending the streak of deaths on
24 our roadways.

25 Governor Abbott, as you see, placed this

1 comment on his Twitter page. The Harris County
2 Sheriff's Department has used EndTheStreakTX. And
3 traffic reporters at KPRC in Houston have also featured
4 it as well.

5 And then we've actually had a few friends
6 in the legislature. Here's Chairman Nichols. And
7 you'll see Senator Bettencourt posing with his son. And
8 so we would just say that we're in full partnership with
9 DPS and other law enforcement and other government
10 organizations to really see what we can do to take a
11 bite out of this trend of 3,500 deaths annually. What
12 can we all do collectively to see if there might
13 possibly be one day on our highways where there's not a
14 death.

15 Chairman and members, if there's no
16 objection, perhaps it would be in order to go ahead and
17 see if we can pose for a photograph as a commission.

18 CHAIRMAN LEWIS: That sounds wonderful.
19 Let's just go down in front and find a friendly
20 photographer and get that done.

21 VICE CHAIR MOSELEY: Chairman, I might
22 just add, for any in the audience, there are a couple of
23 these around if you'd like to go ahead and take a photo.
24 I know Robert Kaufman and our team would be pleased to
25 assist you on that. Thanks so much. Thank you,

1 Chairman.

2 CHAIRMAN LEWIS: Well, thank you. Thank
3 you very much, Mr. Chairman. Thank you for all that
4 wonderful work. It will make the lives of Texas better.

5 At this time, our first order of business
6 is the approval of the minutes from the October 29th
7 meeting of the Texas Transportation Commission. Draft
8 minutes have been provided to each of the commissioners.

9 Commissioner Bugg, do you move to approve
10 the minutes of the October 29th meeting?

11 COMMISSIONER BUGG: So moved,
12 Mr. Chairman.

13 CHAIRMAN LEWIS: Commissioner
14 Vandergriff, do you second that motion?

15 COMMISSIONER VANDERGRIFF: Second.

16 CHAIRMAN LEWIS: Without discussion, all
17 in favor, say "aye."

18 BOARD MEMBERS: (In unison) Aye.

19 CHAIRMAN LEWIS: Any opposed, "nay."

20 The motion carries. Now, with that,
21 General, I'll turn the agenda over to you to work
22 through today's business.

23 GENERAL WEBER: Thank you, Chairman.

24 I'd like to start with Item 3, a
25 discussion of transportation congestion and the impacts

1 to the state.

2 Interim deputy director -- Interim Deputy
3 Executive Director Marc Williams will present.

4 Marc, thank you.

5 MR. MARC WILLIAMS: Thank you, General.

6 Chairman, Commissioners, good morning.

7 For the record, again, my name is Marc Williams. And
8 it's my pleasure to serve the department as interim
9 deputy executive director.

10 This discussion item is an update on
11 efforts that the department has undertaken to address
12 and to identify efforts today and future opportunities
13 that the commission may consider to address major
14 congestion needs and bottlenecks in the state of Texas.

15 I wanted to start off by -- you may
16 recall several months ago the state demographer
17 presented information to the commission on population
18 growth, historic and projected future population growth
19 in the state of Texas.

20 And these graphics highlight the change
21 in population in counties throughout the state since
22 1974 when the state's population was just 12.3 million
23 people growing to 27.7 million in 2015. By 2050 that
24 population is expected to increase. By 2015 you can see
25 in the graphic how many of the counties throughout the

1 state that a lot of folks today don't -- don't
2 necessarily automatically consider to be urbanized areas
3 are changing their shade from green to -- from green to
4 light blue to a dark blue, the -- and then the darker
5 blue representing those areas of the state that are over
6 1 and a half million in population.

7 Congestion in Texas, we wanted to take a
8 little bit of a review of some of the information that
9 was presented and has come out over the past couple of
10 months through the Texas A&M Transportation Institute.

11 Some of you all may recall that about two
12 months ago, Texas A&M TTI released their urban mobility
13 report. And then last month, we released the list of
14 the topmost congested corridors in the state of Texas.
15 And that was done in partnership with Texas A&M
16 Transportation Institute and TxDOT.

17 According to Texas A&M, the most
18 congested metropolitan areas in the state of Texas are
19 becoming even more crowded as a result of a lot of the
20 population growth and the rapid growth that you all have
21 seen.

22 That -- that results in lost time and
23 fuel consumption of about \$12.5 billion per year in the
24 state of Texas. That has an impact on our average
25 commuters in our large and medium size metropolitan

1 areas of about \$1,200 a year for your average commuter.

2 Nearly two-thirds of Texas residents live
3 in urban areas that are ranked in the 30 most congested
4 metropolitan areas in the United States. And those are
5 listed on the board here.

6 Looking at those major metropolitan
7 areas, that represents about 65 percent or roughly
8 two-thirds of the state of Texas. Those are all areas
9 that have population in excess of -- of 1 million.

10 They are home to 97 of the 100 most
11 congested roadway segments in Texas, each of them having
12 at least 11 segments on that list. And for an average
13 commuter in that area, you're going to spend in excess
14 of 50 annual hours of delay per year sitting in traffic.

15 In response to these needs and issues,
16 you all may also recall that back in September, Governor
17 Greg Abbott called on TxDOT to address congestion,
18 specifically stating the state of Texas is spurring
19 economic development and creating jobs by making an
20 historic investment to build more roads and improve our
21 infrastructure.

22 That's why today Governor Abbott directed
23 the commission to create a focused initiative to
24 identify and address the state's most congested choke
25 points and work with transportation planners to get new

1 roads built swiftly and effectively.

2 And following that -- that request by the
3 governor, the commission then responded. And on
4 September 24th, Chairman Lewis appointed Commissioner
5 Bugg to lead the Texas Transportations Commission's
6 congestion relief initiative. And we appreciate the
7 guidance and efforts that we've received from
8 Commissioner Bugg over the past couple of months to
9 study this issue and to talk about and focus on how we
10 intend to move forward in responding to this congestion
11 relief initiative.

12 Fortunately, we have an opportunity and
13 have been utilizing resources that have been provided to
14 the state of Texas, thanks to state elected leaders,
15 those in the legislature, along with Governor Abbott's
16 call to provide additional funding to -- to TxDOT to
17 address many needs around the state, but much of that
18 going to address congestion.

19 In, as you all recall, November of 2014,
20 80 percent of the voters in the state supported
21 Proposition 1. We've been moving forward very
22 aggressively in allocating funds in 2015 and then our
23 working to take steps to allocate funds for FY '16 and
24 '17 later on today.

25 As part of the Unified Transportation

1 Program update, the commission will be voting on and
2 approving recommended funding as part of '16 and '17
3 that our districts and planning organizations and
4 stakeholders throughout the state have recommended to
5 respond to the '16 and '17 allocations of Proposition 1
6 funding.

7 We're also looking at the opportunities
8 for future revenue. The 84th Legislature eliminated and
9 appropriate -- the appropriation of up to about
10 \$650 million a year that had been going to
11 out-of-the-state highway funds to other agencies back to
12 TxDOT to help address needs on transportation in the
13 state of Texas.

14 And then most recently, as was
15 acknowledged earlier, voters in the state of Texas, as
16 Commissioner Austin pointed out, approved by 83 percent
17 Proposition 7, which beginning in 2018 will provide an
18 additional -- begin providing an additional \$2.5 billion
19 to TxDOT.

20 And so as we go forward, we're going to
21 be looking -- and we'll talk about some of the efforts
22 that we've taken a date to respond to this funding and
23 considerations that -- we may make going forward for
24 allocating this funding, in part, to address some of our
25 congestion needs.

1 Another important area that Commissioner
2 Vandergriff touched on in his opening comments is the
3 need and the direction from the legislature to consider
4 and take a performance-based effort in how we look at
5 addressing our needs and to consider not only principles
6 of MAP-21 federal legislation, but also the recently
7 passed HB 20 that calls in the state of Texas and our
8 planning partners around the state to be
9 performance-based in the funding allocations that we
10 make and in the project decisions that we make going
11 forward. And we tend to adhere to that.

12 We have several efforts that are ongoing
13 right now. Our core strategy team that was mentioned,
14 HB 20, and the ongoing work that we're doing at the
15 national level with the U.S. Department of
16 Transportation to develop and implement national
17 performance standards and performance measures.

18 We have a number of these already
19 reported and illustrated on our website. And as we go
20 forward, these efforts recognize the need to continue
21 to -- that continue to exist in all transportation
22 areas.

23 And so while we're talking about
24 congestion today and responding to the governor's call
25 to us, we continue to recognize that there's needs that

1 exist in all areas, both safety and maintenance. But
2 based upon performance measures and the data that we've
3 reviewed as part of our effort, congestion certainly
4 represents one of the most current compelling needs that
5 we have in the state of Texas.

6 As I mentioned before, we do recognize
7 that there's several other areas that we have to
8 address: safety, preservation, maintenance,
9 connectivity, border and freight issues.

10 We're going to continue to respond to
11 that, but we're going to also look at the implementation
12 or focus congestion initiative to address our most
13 congested areas using current anticipated UTP funding,
14 focusing on major corridor improvements and interchange
15 problems, but also innovative traffic management
16 techniques and traffic management system improvement.
17 One of the areas that we'll highlight is some of those
18 opportunities that exist.

19 But we wanted to, first of all, point out
20 that -- as I mentioned before, that as we've gone
21 forward working with organizations, our districts and
22 planning organization throughout the state with
23 Proposition 1, a significant amount of Proposition 1
24 funding to date, much of that represented by these
25 orange dots on the screen, about 1.4 billion so far has

1 gone to projects that were partially funded through
2 Proposition 1 that are specifically oriented toward
3 addressing congestion. So we certainly recognize that
4 that is a need that exists throughout the state.

5 And I mentioned before as well that in
6 addition to the Proposition 1 funding, TxDOT and local
7 partner agencies have implemented a variety of
8 innovative measures that have used a variety of other
9 fund sources and mechanisms to address congestion.

10 And one of the areas that we want to call
11 attention to in particular and that I think we'll begin
12 to continue to share information with the commission on
13 and look for opportunities to fund that -- fund this as
14 part of this initiative is -- is efforts to address
15 traffic management strategies in the state.

16 This goes beyond just the investment that
17 we make in asphalt, in concrete, in building new roads,
18 but also realizing that one of the most cost effective
19 areas, the areas that have one of the most
20 significant -- the highest rates of -- of return on
21 investment is in improving our traffic management
22 systems and working with, not only just TxDOT and local
23 agencies, but -- but looking at how we can improve the
24 way that we communicate and share information. Not only
25 with motorists, but also with our freight and trucking

1 industry and our partner agencies that are -- that
2 assist us in managing our transportation system, but
3 that system that we maintain, but also systems and
4 signals that are maintained in partnership with cities
5 and counties around the state in addition to law
6 enforcement agencies and first responders that are part
7 of efforts to clear incidents and communicate incidents
8 around the state. This is a very significant driver of
9 a lot of the congestion that we see day in and day out.

10 So our next steps going forward for
11 addressing this congestion relief initiative. We are
12 and will be continuing to work with districts and local
13 stakeholders to identify future opt project
14 opportunities, looking at short-term construction
15 opportunities, but also traffic management system
16 improvements and then future opportunities for
17 proposition -- potential Proposition 7 funding going
18 forward.

19 As we noted, that funding will not become
20 available until fiscal year 2018, but we want to now
21 begin to work and make sure that we have projects that
22 are ready to go, projects that have been designed,
23 cleared environmentally, utilities and right-of-way
24 acquired and relocated, and have the ability to, as we
25 begin to work with planning organizations to consider

1 funding opportunities with Proposition 7, that we have
2 good project opportunities to be considered as part of
3 that additional funding when it becomes available.

4 As part of this congestion initiative and
5 focusing on the major choke points, we're going to
6 primarily focus on our major metropolitan areas that I
7 mentioned before. So understanding that that's where
8 those most congested major choke points, the majority of
9 those, are located in. But we do recognize the need to
10 consider issues and congestion statewide and that
11 congestion is not only limited to -- to just these
12 areas.

13 To help communicate this, we're
14 developing a website to highlight our current congestion
15 efforts. The map that we showed previously with
16 Proposition 1 funding, we want to include on this
17 website, and -- and the future opportunities that we're
18 looking at and facilitate a mechanism for stakeholder
19 input to provide thoughts and ideas as we consider those
20 and as we share those with the commission on future
21 program opportunities.

22 We intend to come back to the commission
23 and offer a consideration for future funding of some of
24 these initial priorities as part of the February UTP
25 update.

1 That will take part -- first we'll be
2 updating the commission through the January commission
3 briefing. We'll be sharing some of these ideas that we
4 will be also discussing with planning organization
5 stakeholders throughout the -- the state, particularly
6 in these five major "F" areas, and then coming to the
7 commission with recommendations as part of the February
8 quarterly revision to the UTP for your consideration.

9 Mentioned previously -- and we'll kind of
10 leave you on this -- the public information and
11 outreach. We're working with our communications group,
12 Bob Kaufman and his team, to put together a website that
13 we anticipate going live with in the -- in the coming
14 weeks to, again, not only highlight what we are doing,
15 but provide a conduit for public information and public
16 comment on -- on ideas and recommendations for
17 addressing this -- this important area for the
18 department and for the state of Texas.

19 So with that, again, I'd like to once
20 again thank Commissioner Bugg for his efforts to date
21 and his leadership on this issue. And we'll be happy to
22 answer any questions from the commission.

23 CHAIRMAN LEWIS: If you don't mind, I'll
24 just -- let me mention something, Marc, or ask you to
25 address something. As you mentioned, the governor

1 specifically charged this commission and TxDOT with
2 having focused initiative to identify these choke points
3 and do something about them to get things moving.

4 And then Commissioner Bugg is our liaison
5 in providing the leadership with the staff. And then
6 you and the staff through the General's leadership have
7 really tackled that. I mean, it's -- it has been
8 inspirational to watch how you-all have taken that
9 charge to task to -- even within -- within your
10 abilities have really worked on that very well. I
11 certainly mean all the Texans and I really appreciate
12 that.

13 What I'd like you to mention, though, is
14 also in addition to that, that the day after Prop 7
15 passed, that the governor set up a telephone conference
16 directly. So not only do we have that leadership, that
17 charge from him and leadership from Commissioner Bugg,
18 you and the leadership of the General and all the staff,
19 but the governor's come back on that and directly set up
20 a telephone conference with TxDOT staff. And I'd like
21 you to address that -- what the governor did on that
22 just a little bit.

23 MR. MARC WILLIAMS: Yes, sir, Chairman.
24 I'd be happy to -- to do that. And you're correct. It
25 was the very day after that that we -- the governor

1 spoke to leadership within the -- the agency, that not
2 only included administrative leadership within -- within
3 Austin, but it was statewide to all of our districts.

4 And his message to the agency was very
5 similar to the quote that he had previously calling on
6 us to be ready to execute and to focus on congestion,
7 but really to be able to execute on all of the
8 opportunities and the needs throughout the state and be
9 prepared and ready to deliver on this additional funding
10 as it becomes available. And that was his call and
11 directive to -- to the department as through that phone
12 call that you referenced, sir.

13 CHAIRMAN LEWIS: From that, I got not
14 only does he want us to be focused, but he's -- he's
15 staying focused, so I think we better -- better do that
16 as well.

17 I asked those questions, and thank you
18 for letting me ask those questions.

19 Commissioners, do we have additional
20 questions or comments? Commissioner Bugg?

21 COMMISSIONER BUGG: I'd just like to say,
22 first of all, the whole thought processes and why
23 Governor Abbott is rightfully so focused on this is you
24 start with what Marc presented, and that is the state
25 demographer in February of this year came out and

1 basically said that our population at 27 million in
2 Texas is going to double to 54 million by 2050. So that
3 has major implications as policymakers here at TxDOT.

4 And then you take that fact that we
5 were -- we received in February and then you take the
6 leadership, not only of Governor Abbott, but also
7 Speaker Joe Straus, Lieutenant Governor Dan Patrick,
8 Vice Chairman -- everybody that has been working on
9 transportation got really focused in the 84th
10 legislative session. And that leadership led to more
11 resources that we can now use to tackle this.

12 And I just want to thank Marc, you and
13 the entire team, these strategic congestion relief
14 initiative meetings that we've been having. We have
15 General Weber all the way down to the heads of -- I
16 think we have about a working team of 15 to 20 people.
17 And they're the top executives at TxDOT.

18 So we too, Chairman Lewis, are focused on
19 responding to the charge that was given to us by
20 Governor Abbott, and we'll continue our work and look
21 forward to it. Thank you.

22 CHAIRMAN LEWIS: Thank you.
23 Commissioners? Any other --

24 COMMISSIONER AUSTIN: Marc, great
25 presentation. Thank you. You know, a couple comments.

1 I know we had a chance to visit yesterday.

2 And I say really to Commissioner Bugg in
3 sort of looking at this, I agree 100 percent with the
4 charge of relieving congestion. I'd just like to
5 highlight, as we look at major -- you know, page 9,
6 major corridor improvements, that's not just the
7 interstate system.

8 And I want us to be cognizant of looking
9 at our Texas Trunk System in here, because the Trunk
10 System, when you look at -- you know, while this says
11 "target the major metropolitan areas," well, that's
12 where people are going in the mornings. That's where
13 people are leaving in the afternoons. So that means
14 they're going outside these population centers. A lot
15 of folks are staying.

16 Though, one other way to relieve
17 congestion is look at alternate routes. And this is
18 where our Trunk System can come into play. If you look
19 at the population maps, like if we go back to page --
20 one of the first slides that had all the -- page 3.

21 I want to focus on East Texas as an
22 example, some of the roads I'm familiar with. Look at
23 the green side coming up from Beaumont down at the
24 bottom right coming up. That is exactly along the
25 corridor of U.S. 59 and 69 and coming up also 175, you

1 know, that are alternate routes.

2 A lot of truck traffic -- take -- travels
3 these routes because they don't want to go through
4 Houston on the way to Dallas and try to bypass. So I
5 use that as an example.

6 A little moneys -- a little money can be
7 put into these systems with the right-of-way that we
8 already have to either do a super tube, add a couple
9 additional lanes to make a four-lane where we kind of
10 eliminate some lights to where truck traffic can move
11 continuously.

12 We can probably get a pretty good return
13 on the dollar quicker in some cases than we can do all
14 of, as an example, I-35. They're all important, but I
15 just don't want us to lose focus on -- look at the
16 alternate routes as well as a measure to -- to relieve
17 congestion.

18 But I really appreciate what we're doing.
19 And let's -- you know, you hear the rural/urban
20 argument. We want to make sure all the dollars don't go
21 just to the five cities that are targeted, that we're
22 spreading it around the state equally.

23 COMMISSIONER VANDERGRIF: Commissioner
24 Austin, if I can just say -- I apologize -- I had the
25 privilege and pleasure of spending some time with some

1 of the state representatives and senators that represent
2 these areas in this -- I was talking about the
3 metropolitan programs and working on the -- the
4 processes.

5 They made sure and reminded me that a
6 significant portion of the funding needed to make sure
7 and stay in those connectivity corridors. So I get it,
8 I'm sure everybody else does here as well.

9 CHAIRMAN LEWIS: Vice Chair Moseley.

10 VICE CHAIR MOSELEY: Just really to add
11 to the comments by Commissioner Austin and Vandergriff,
12 a lot of congestion. We focus on the main
13 thoroughfares, but there's so many opportunities to
14 fight congestion by looking at the -- the arterial in
15 these other corridors that run alongside. And it could
16 be as simple as working with the cities on their
17 signalization.

18 And I don't think that's a new topic, but
19 maybe, Commissioner Bugg, as you opened this dialogue,
20 there would be a fresh approach to asking cities to
21 consider how they can really help with -- with this
22 whole issue of congestion on -- on proper technology and
23 signalizing the corridors that run alongside.

24 And number two, it's pretty fascinating
25 how -- how taxpayers will build a beautiful corridor and

1 there doesn't seem to be any second thought about
2 putting a school right on that corridor with a
3 20-mile-an-hour zone. And it seems like there could be
4 a valuable dialogue as well with school districts and
5 communities about just turning the front door of the
6 school where it doesn't face the strategic corridor
7 where you wouldn't have to lose your capacity of the
8 roadway in creating congestion.

9 And that could be a rural and an urban
10 perhaps -- perhaps just an open dialogue with some of
11 the school officials about the value of that corridor is
12 its capacity, and putting a 20-mile-an-hour zone on it
13 two times a day strips the value of the roadway.

14 And so, again, the safety's critical for
15 the boys and girls that load in and out of there. Maybe
16 just positioning the school a little differently would
17 serve the same purposes.

18 CHAIRMAN LEWIS: Thank you.

19 And, Marc, on -- I think it's your slide
20 11 has innovative traffic management techniques. And
21 one thing that I think you and TxDOT staff have worked
22 on that's just ingenious, is it's not only a matter of
23 adding very expensive extra lanes. Sometimes it's a
24 matter of using the lanes that are there more
25 effectively depending on traffic flow --

1 MR. MARC WILLIAMS: Yes, sir.

2 CHAIRMAN LEWIS: -- and keeping traffic
3 moving. Also just the way intersections are designed
4 and interchanges are designed and the way the ramps go.
5 They -- instead of traffic backing up, it goes ahead and
6 it flows. And if you might just briefly address, you
7 know, the effect of that and the extent which that can
8 help us do things smarter, better, more efficiently, and
9 cheaper.

10 MR. MARC WILLIAMS: Yes, sir. A lot of
11 it is just very simple things. And there's a lot of
12 when that can be achieved from putting in Texas U-turns
13 at many of our overpasses along some of these congested
14 corridors. A lot of the work that we've been doing in
15 particular here in Austin with Proposition 1 funding
16 along the I-35 corridor are looking at collector
17 distributor lanes and things that -- that allow traffic
18 to flow along I-35 a lot more efficiently without being
19 forced into the -- the main lanes.

20 And then there's some other things that
21 we've been doing. Up at the top, several locations
22 around the state, we've been looking at -- at how we
23 take our interchanges and orient them little
24 differently.

25 And we've been looking -- this is an

1 example of a single point urban interchange where you
2 have -- and eliminate some of the traffic conflicts
3 going through that urban interchange. It's kind of a
4 little difficult to describe it here with a simple
5 picture, but both single point urban interchanges and
6 diverging diamond interchanges are new configurations to
7 the traditional diamond interchanges that we see along
8 our interstates that are designed to do that.

9 It's a little bit different for
10 motorists. It takes a little bit of getting used to,
11 but we've been able to see a very significant reduction
12 in delay at many of these locations all within existing
13 right-of-way, all with relatively limited investment.

14 And then as Commissioner Moseley pointed
15 out, working with our local agencies and partners in
16 traffic signal systems and in traffic management
17 systems, all that is tied together.

18 And we feel like -- that we've got to --
19 there's a lot of opportunity to be gained by improving
20 the coordination and the communication that occurs
21 between not only TxDOT and -- and those partner
22 agencies, but also amongst those partner agencies.

23 And that's an area where the department
24 can really be a leader in helping to bring those
25 agencies together, potentially make some -- some

1 incremental investment in traffic management systems and
2 communication strategies that can help speed up
3 motorists and help better inform motorists throughout
4 the state.

5 CHAIRMAN LEWIS: Thank you very much,
6 Marc.

7 Any other questions?

8 VICE CHAIR MOSELEY: Chairman, just one
9 other thought. And, again, this is not a new
10 discussion. I think variable speed limits clearly can
11 also be part of the discussion on congestion. And I
12 guess it's not legal today. I think there are a couple
13 pilots maybe being done in the state on variable speed
14 limits, but that's one thing that we motorists probably
15 get most aggravated about is when a speed limit doesn't
16 really match the driving conditions. And so variable --

17 MR. MARC WILLIAMS: Yes, sir.

18 VICE CHAIR MOSELEY: -- speed limit would
19 really address congestion in a -- in a thoughtful way.

20 Secondly, we've been operating for about
21 20 years technology on Interstate 30 in Dallas which
22 provides for concrete barricades to be moved with decent
23 equipment. It looks like a zipper, but it adds more
24 capacity to that HOV.

25 And it seems like there should be a

1 thoughtful discussion about how we could take this
2 wonderful beta test, almost a quarter of a century that
3 it's been working --

4 MR. MARC WILLIAMS: Yes, sir.

5 VICE CHAIR MOSELEY: -- to relieve
6 congestion on incoming and outgoing from downtown
7 Dallas.

8 MR. MARC WILLIAMS: Yes, sir.

9 VICE CHAIR MOSELEY: And I think there
10 are strategic corridors, Commissioner Bugg, that maybe
11 that -- we could take a look at that technology being
12 applied.

13 And I'm so pleased Governor Abbott has --
14 has focused on this. And, Commissioner Bugg, thank you
15 for your leadership on this topic.

16 CHAIRMAN LEWIS: Commissioner Austin.

17 COMMISSIONER AUSTIN: I want to follow up
18 on -- thank you, Chair. I want to follow up on
19 Commissioner Moseley's Item 11(e), when we talk about
20 speed zones. This is part of our routine minute orders.
21 There's a long list of speed zones that were one -- some
22 were's changing regular speed zones, but along the list
23 of speed zones that we're changing for construction.

24 There's a delay in this, exactly what
25 Commissioner Moseley is saying. It has to come all the

1 way up here. And we really wish we had those flexible
2 speed zones to empower our district engineers and our
3 folks at the level -- local level when they see there's
4 a need to lower it for safety and also in coordination
5 with DPS to where we can lower that now because it
6 takes -- it takes too long with the process that we
7 have.

8 So this is something hopefully we can
9 address in the safety report, Sunset -- you know,
10 Senator Huffines and your committee, that can really
11 help keep Texas moving. Sometimes it's not just about
12 throwing money at something. It's looking at the system
13 that we have and the process. And so this is just one
14 idea that can really, really help.

15 CHAIRMAN LEWIS: Commissioner
16 Vandergriff, do you have any anything in addition?

17 COMMISSIONER VANDERGRIFF: No.

18 CHAIRMAN LEWIS: Thank you. Commissioner
19 Bugg.

20 COMMISSIONER BUGG: I just like -- in
21 closing, just heard a lot of excitement around this
22 initiative. I'd just like to thank you, Chairman Lewis,
23 for giving me the opportunity to lead this effort.
24 Thank you for your trust and confidence in appointing me
25 to that task.

1 And I want to thank my fellow
2 commissioners for all the enthusiastic support. And
3 that's what we'll need. I think this is going to be a
4 commission-wide effort. And I am really encouraged and
5 would like to have your input. These are some great --
6 I've been taking notes over here, by the way. So I
7 really appreciate your input, and we'll look forward to
8 your valuable input as we go forward on this.

9 Thank you.

10 CHAIRMAN LEWIS: Thank you, sir.

11 And thank you very much, Marc.

12 And, General, I'll turn the microphone
13 back over to you. Thank you.

14 GENERAL WEBER: Okay. So next up is Item
15 4, approval of updates to the Unified Transportation
16 Program. Transportation Planning and Programming
17 Division Director James Koch will present. James?

18 MR. JAMES KOCH: Good morning,
19 Mr. Chairman, commission members, and General Weber.

20 For the record, my name is James Koch,
21 transportation planning and program division director
22 for TxDOT. This minute order approves updates to the
23 2016 UTP. UTP is the ten-year transportation planning
24 document that guides and is intended to control project
25 development efforts for the department.

1 The commission approved the 2016 UTP on
2 August 27th, 2015. A statewide public meeting was held
3 via WebEx on Thursday, October 15th, 2015, to discuss
4 the proposed updates to the 2016 UTP. A briefing
5 regarding the proposed updates was also provided during
6 the October commission meeting.

7 The formal public hearing to receive
8 comments and testimony was conducted Thursday,
9 November 5th, 2015, at 10:00 a.m. Comments regarding
10 the proposed amendments were accepted until
11 November 16th, 2015, at 4:00 p.m. Central Standard Time.
12 No formal comments were received.

13 This minute order updates funding
14 allocations based on a revised financial forecast.
15 State funding levels have been revised in fiscal years
16 2016 and 2017 for revenue adjustments, including an
17 additional \$220 million per year related to the
18 legislature's choice to reduce the appropriations of
19 state highway funds to other agencies.

20 These adjustments also address the
21 reduction to Prop 1 funding targets in FY 2016 based on
22 revised state comptroller estimates. Federal funding
23 levels have been adjusted in FY 2016 based on an
24 assumption that MAP-21 will be extended as well as for
25 the redistribution of federal obligation authority in FY

1 2015 based upon increased obligation authority received
2 from the redistribution of fiscal year FY 2015 funds.

3 These increases in federal obligation
4 authority provided for additional distributions in
5 Categories 5, 7, and 9. In addition, this minute order
6 addresses revisions to project-specific program lists
7 and includes other minor revisions or technical
8 corrections.

9 Also provided for informational purposes
10 is a report on current transportation development credit
11 balances and all administrative revisions previously
12 incorporated into the UTP, including applied carryover
13 amounts. Staff recommends approval for the UTP minute
14 order. I will take any questions at this time.

15 CHAIRMAN LEWIS: Yes, Commissioner
16 Austin.

17 COMMISSIONER AUSTIN: I just have one
18 comment. I want to compliment the Tyler district, you
19 know, Dennis Cooley, Vernon Webb. Because in looking at
20 some of the things that were about -- I know one
21 particular project I don't recall it by name, but in
22 looking at it, does it still fit the design in which it
23 was designed a few years ago, ready for funding? I
24 think we went back and revisited.

25 And I applaud the staff for having the

1 guts, the courage to stand up and say, "This doesn't fit
2 right. We need to redesign it and listen to the
3 stakeholders."

4 So there's a lot there -- I know we're
5 anxious to get things pushed out, but they went back and
6 revisited. And I would encourage our team statewide to
7 make sure that even though -- if the design was done a
8 long time ago, as we update these, make sure it fits and
9 it's right to move things, because things do change,
10 like population and development.

11 With that, I'd be happy to make a motion.

12 CHAIRMAN LEWIS: All right. Thank you.

13 Any other questions or comments?

14 Director, at this time, if not, then, Commissioner
15 Austin has moved to approve the updates to the 2016 UTP
16 in accordance with staff recommendations.

17 And, Vice Chair Moseley, do you second
18 that motion?

19 VICE CHAIR MOSELEY: Second.

20 CHAIRMAN LEWIS: We have a motion to
21 second. If we don't have other comments, then we'll
22 proceed to a vote.

23 All in favor of the motion, please say
24 "aye."

25 BOARD MEMBERS: (In unison) Aye.

1 CHAIRMAN LEWIS: Any opposed, "no."
2 Motion carries. Thank you, Director.
3 General?

4 GENERAL WEBER: Next is Item 5, our
5 aviation grant funding. Aviation Division Director Dave
6 Fulton will present.

7 MR. DAVE FULTON: Thank you, General
8 Weber.

9 Commissioners, for the record, my name is
10 Dave Fulton, director of TxDOT's aviation division.
11 This minute order contains a request for grant funding
12 approval for eight airport improvements projects. The
13 total estimated cost of the request as shown in
14 Exhibit A is approximately \$6.6 million. Approximately
15 3.3 million in federal funds, 2.6 million in state
16 funds, and 700,000 in local funds. A public hearing was
17 held on October 22nd. No comments were received.

18 We would recommend approval of this
19 minute order.

20 CHAIRMAN LEWIS: Are there any questions
21 of Director Fulton or any comments at this time?

22 If not, Vice Chair Moseley, do you move
23 to approve the grant funding according to staff's
24 recommendations?

25 VICE CHAIR MOSELEY: So moved, Chairman.

1 CHAIRMAN LEWIS: And, Commissioner
2 Vandergriff, do you second that motion?

3 COMMISSIONER VANDERGRIFF: I do second.

4 CHAIRMAN LEWIS: No further discussion,
5 then we have a motion and a second.

6 All in favor, please say "aye."

7 BOARD MEMBERS: (In unison) Aye.

8 CHAIRMAN LEWIS: Any opposed, "no."

9 Motion carries.

10 MR. DAVE FULTON: Thank you.

11 CHAIRMAN LEWIS: Thank you. General.

12 GENERAL WEBER: Next is Item 6(a)(1),
13 final adoption of rules to Chapter 1 concerning advisory
14 committees. Chief of Staff Rich McMonagle will present.

15 MR. RICH McMONAGLE: Thank you, General
16 Weber.

17 Chairman and commissioners, my name is
18 Rich McMonagle, and I'm the chief of staff of the
19 department.

20 The minute order before you adopts
21 amendments concerning the duration of statutory and
22 department advisory committees. Every two years, the
23 commission reviews its need for the continuance of its
24 advisory committees.

25 The rules currently provide that each

1 advisory committee is abolished on December 31st, 2015.
2 We received no public comments on this item. Therefore,
3 staff recommends the approval of this item which extends
4 the Sunset dates of the statutory and department
5 advisory committees to December 31st, 2017.

6 Do you have any questions?

7 CHAIRMAN LEWIS: Thank you. Are there
8 any questions of Chief McMonagle at this time?

9 Yes, Commissioner Austin.

10 COMMISSIONER AUSTIN: I just want to say
11 to the members that serve on our advisory committees and
12 working groups, they really do make a difference. And
13 by extending them -- you know, I know this may look like
14 a routine order, but whether it's I-69, any segment
15 groups -- 35 has done quite a bit, the Freight Advisory
16 Committee. I know we have the commission up in
17 Dallas/Fort Worth looking at the rail. We can go to the
18 Port Advisory Committee.

19 We have a lot of folks that give us ideas
20 and solutions and also identifying where the traffic
21 flow goes. So I really -- and aviation we heard last
22 month. So I want to say thank you to all those that
23 serve.

24 CHAIRMAN LEWIS: Vice Chair Moseley?

25 VICE CHAIR MOSELEY: I've been sitting

1 next to Commissioner Austin too long. He took the words
2 right out of my mouth. I appreciate the service of
3 these volunteers.

4 CHAIRMAN LEWIS: Thank you.

5 If there are no other questions or
6 comments, Commissioner Vandergriff, do you move to
7 approve the amendments in accordance with the staff's
8 recommendation?

9 COMMISSIONER VANDERGRIFF: Absolutely. I
10 do.

11 CHAIRMAN LEWIS: And, Commissioner Bugg,
12 do you second?

13 COMMISSIONER BUGG: Second.

14 CHAIRMAN LEWIS: We have a motion and
15 second. If there's no other discussion, we'll proceed
16 to a vote.

17 All in favor, say "aye."

18 BOARD MEMBERS: (In unison) Aye.

19 CHAIRMAN LEWIS: Any opposed, "no."

20 Motion carries. Thank you.

21 MR. RICH McMONAGLE: Thank you, sir.

22 CHAIRMAN LEWIS: General.

23 GENERAL WEBER: Next is Item 6(a)(2),
24 final adoption of amendments to Chapter 25 concerning
25 memorial highways. Traffic Operations Division Director

1 Carol Rawson will present.

2 MS. CAROL RAWSON: Good morning. I'm
3 Carol Rawson, TxDOT's director of traffic operations
4 division.

5 The minute order before you adopts
6 amendments to our existing rules to update the statutory
7 citation and reflect the department practice on the
8 approval process for local entities to assign a memorial
9 or other identifying designation to a state highway
10 under Transportation Code 225.002.

11 The amendments also clarify the process
12 by which local entities can designate memorial highways
13 or historical routes for roadways under local
14 jurisdiction. Highways may be assigned memorial
15 designation through statute or by local government
16 entities through local ordinance.

17 Recent requests have indicated that local
18 governments do not understand the requirements for
19 approval of designated highways. These more detailed
20 rules will provide guidance necessary to improve
21 designation requests.

22 The amendments also provide that the cost
23 of designing, constructing, and installing these types
24 of memorial markers must be paid for by donation in
25 accordance with statutory requirements. The commission

1 approved the proposed amendments by minute order on
2 August 27th, 2015, and the proposed amendments were
3 posted in the Texas Register for comment. No comments
4 were received. Staff recommends approval of this minute
5 order.

6 CHAIRMAN LEWIS: Thank you.

7 Commissioners, is there any questions of
8 the director at this time or any comments?

9 If not, Commissioner Bugg, do you move to
10 approve the amendments in accordance with staff's
11 recommendation?

12 COMMISSIONER BUGG: So moved.

13 CHAIRMAN LEWIS: And, Commissioner
14 Austin, do you second?

15 COMMISSIONER AUSTIN: Second.

16 CHAIRMAN LEWIS: We have a motion and
17 second. If there's no further discussion, we'll proceed
18 to a vote.

19 All in favor, please say "aye."

20 BOARD MEMBERS: (In unison) Aye.

21 CHAIRMAN LEWIS: Any oppose, "no."

22 It carries. Thank you very much.

23 General.

24 GENERAL WEBER: Carol, if you'll please
25 continue with Item 6(a)(3), final adoption of

1 amendments, Chapter 25, concerning lane restrictions in
2 work zones.

3 MS. CAROL RAWSON: Once again, for the
4 record, my name is Carol Rawson, TxDOT's director of the
5 traffic operations division.

6 The minute order before you adds new
7 25.605 and amends existing 25.601 and 25.602 to
8 implement House Bill 3225 regarding lane restrictions
9 for commercial vehicles in construction or maintenance
10 work zones.

11 The changes provide the procedures for
12 TxDOT to establish lane restrictions when necessary to
13 improve traffic safety. Construction or maintenance
14 work zones can be challenging for drivers to maneuver
15 with many distractions due to signs, equipment, workers,
16 and other factors.

17 Commercial motor vehicles traveling
18 through construction or maintenance work zones increase
19 these challenges, especially when these larger vehicles
20 frequently change lanes.

21 In 2014, commercial motor vehicles were
22 involved in 9.4 percent of all crashes on the state
23 highway system but were involved in 16.2 percent of
24 crashes in work zones during the same period of time.

25 Many commercial vehicle crashes could be

1 avoided if commercial motor vehicles were using only
2 certain lanes in construction or maintenance work zones
3 when there are at least two lanes available.

4 The commission approved a proposed
5 amendment August 27th, 2015, and the amendments were
6 posted in the Texas Register for comment. One comment
7 in favor of the amendments was received from the Texas
8 Trucking Association. Staff recommends approval of this
9 minute order.

10 CHAIRMAN LEWIS: Commissioners, are there
11 any questions or comments with regard to this matter at
12 this time?

13 Then, if not, Commissioner Austin, do you
14 move to approve the amendments in accordance with
15 staff's recommendation?

16 COMMISSIONER AUSTIN: So moved.

17 CHAIRMAN LEWIS: And, Vice Chair Moseley,
18 do you second?

19 VICE CHAIR MOSELEY: Second.

20 CHAIRMAN LEWIS: We have a motion and
21 second. If there's no further discussion, we'll proceed
22 to a vote.

23 All in favor, say "aye."

24 BOARD MEMBERS: (In unison) Aye.

25 CHAIRMAN LEWIS: Any opposed, "no."

1 The motion carries. Thank you.

2 General.

3 GENERAL WEBER: Next is Item 6(a)(4),
4 final adoption of amendments to Chapter 28 concerning
5 Hidalgo County RMA permits. Our maintenance division's
6 Roadway Asset Management Section Director Mark McDaniel
7 will present.

8 Mark.

9 MR. MARK McDANIEL: Thank you, sir.

10 Again, my name is Mark McDaniel. I'm the
11 branch manager for the roadway asset management field
12 engineering services in the maintenance division.

13 Maintenance order presented proposes
14 final adoption rules and changes for Chapter 28 of the
15 Texas Administrative Code in permitting the requirements
16 of House Bill 1969 passed during the 84th legislative
17 session. The amended rules implement surety bond
18 requirements for the issuance of oversize and overweight
19 permits by Hidalgo County Regional Mobility Authority.

20 Rules changes were proposed by minute
21 order of this past September and were published for
22 comment. Having received no comments, staff recommends
23 approval.

24 CHAIRMAN LEWIS: Commissioners, are there
25 any questions of Section Director McDaniel? Yes.

1 COMMISSIONER AUSTIN: Just one comment.
2 I see Chairman Sweeten out here. Obviously, I thank
3 you-all for what you're doing because you-all are
4 implementing some tools at the local level to help solve
5 some oversize/overweight issues and construct something
6 that's relevant for economic development down there. So
7 thank you all for what you-all -- and your legislative
8 delegation for giving you the tools to do that.

9 That was a form of a motion.

10 CHAIRMAN LEWIS: Okay. I'll take you for
11 it. And, Vice Chair Moseley --

12 VICE CHAIR MOSELEY: Second.

13 CHAIRMAN LEWIS: We do have a motion and
14 second.

15 Are there any other comments or
16 discussion? If not, we'll proceed to a vote.

17 All in favor of the motion, please say
18 "aye."

19 BOARD MEMBERS: (In unison) Aye.

20 CHAIRMAN LEWIS: Any opposed, "no."

21 The motion carries. Thank you.

22 GENERAL WEBER: Next is Item 6(b), rule
23 review of Chapters 3, 4, 6, 12, 13, 22, 23, 25, and 29.
24 General Counsel Jeff Graham will present.

25 Jeff.

1 MR. JEFF GRAHAM: Thank you, General,
2 Commissioners, Robin.

3 Every four years, the department has to
4 review its rules to make sure they're still needed, at
5 which point different divisions or offices look at their
6 rules and say whether or not they're still needed or
7 not.

8 Staff does recommend that each of these
9 rules is necessary and recommends adoption of this
10 minute order as the general -- mentioned these are
11 sections of Chapters 3, 4, 6, 12, 13, 22, 23, 25, and
12 29. You'll be seeing more of this in the future,
13 because, as I mentioned, this is a revolving process.
14 They're not all done at once.

15 CHAIRMAN LEWIS: Thank you very much,
16 Jeff.

17 Are there any questions from the
18 commissioners of Jeff Graham at this time?

19 If not, if there are no other comments,
20 Commissioner Vandergriff, do you move to adopt the Texas
21 Administrative Code chapters in accordance with the
22 staff's recommendation?

23 COMMISSIONER VANDERGRIFF: I do.

24 CHAIRMAN LEWIS: And, Commissioner Bugg,
25 do you second?

1 COMMISSIONER BUGG: Yes, sir.

2 CHAIRMAN LEWIS: We have a motion and
3 second.

4 With no further discussion, all in favor,
5 please signify by saying "aye."

6 BOARD MEMBERS: (In unison) Aye.

7 CHAIRMAN LEWIS: Any opposed, "no."

8 Thank you. It's adopted. Thank you.

9 GENERAL WEBER: Next is Item 7, final
10 approval of loan documents. Innovative Financing and
11 Debt Management Officer Ben Asher will present.

12 Ben.

13 MR. BEN ASHER: Thank you, General. Good
14 morning, Chairman, Commissioners.

15 For the record, I'm Ben Asher. I'm the
16 innovative financing/debt management officer here at
17 TxDOT.

18 This item is to consider approval of a
19 trust agreement and a first supplemental agreement as
20 well as a loan agreement for the United States
21 Department of Transportation relating to a TIFIA loan
22 for the I-35E Managed Lanes Project. Staff recommends
23 approval. And I'd be happy to answer any questions.

24 CHAIRMAN LEWIS: Yes. I think we have a
25 question.

1 COMMISSIONER AUSTIN: This is just kind
2 of a note. You know, we talked about the federal
3 reauthorization. This amount right here is 300 million.
4 The federal reauthorization in the House has 250 million
5 a year, and then the Senate is 300 million a year.

6 Where I'm leading, T is almost for Texas
7 in the TIFIA, where we're almost going to use up the
8 entire obligation in the federal level. And that's
9 down -- I know that 300 amount that they do can be
10 leveraged up quite a bit, but there's a lot of projects
11 that we're competing with, that is a very important tool
12 with other states that we've got to be careful to make
13 sure we get our application in.

14 And I know Senator Cornyn had an
15 amendment to make sure that whoever submits, they're
16 ready to go. We're ready to go unlike a lot of other
17 states, so thank you all for your staff for doing this.
18 This is something we're really watching, the
19 reauthorization.

20 MR. BEN ASHER: Appreciate that,
21 Commissioner.

22 CHAIRMAN LEWIS: Other -- are there other
23 questions at this time?

24 Then if not, Vice Chair Moseley, do you
25 move to --

1 VICE CHAIR MOSELEY: So moved, Chairman.

2 CHAIRMAN LEWIS: -- to approve the
3 negotiations for the loan --

4 VICE CHAIR MOSELEY: So moved.

5 CHAIRMAN LEWIS: And, Commissioner
6 Vandergriff, do you second?

7 COMMISSIONER VANDERGRUFF: Second.

8 CHAIRMAN LEWIS: We have a motion -- and
9 is there any other discussion?

10 If not, we have a motion and a second.

11 All in favor of the motion, please
12 signify by saying "aye."

13 BOARD MEMBERS: (In unison) Aye.

14 CHAIRMAN LEWIS: Any opposed, "no."
15 Thank you. The motion carries.

16 GENERAL WEBER: Next is Item 8, the
17 restriction of fireworks at state highway rest areas.
18 Director of Traffic Operations Carol Rawson will
19 present.

20 Carol.

21 MS. CAROL RAWSON: For the record, I'm
22 Carol Rawson, TxDOT's director of the traffic operations
23 division.

24 The item before you orders the
25 prohibition and/or restriction of the use of fireworks

1 in state highway rest areas in the unincorporated areas
2 of Erath County and orders the installation of signs
3 giving notice of the order. The Texas Transportation
4 Commission may order the prohibition or restriction of
5 the use of fireworks at a state highway rest area under
6 Section 203.112 of the Texas Transportation Code.

7 Recently enacted, SB 570 specifies that
8 the commissioners court of a county must petition the
9 commission to adopt the order. On September 28th, 2015,
10 the Erath County commissioners court passed a resolution
11 petitioning the commission to adopt such an order and
12 agreed to pay the department for the cost of the signs.
13 Staff recommends approval of this minute order.

14 CHAIRMAN LEWIS: Are there any questions
15 of Director Rawson at this time on this matter? Any
16 other comments?

17 If not, Commissioner Bugg, do you move to
18 order the prohibitions/restrictions in accordance with
19 staff recommendation?

20 COMMISSIONER BUGG: So moved.

21 CHAIRMAN LEWIS: And, Commissioner
22 Austin, do you second?

23 COMMISSIONER AUSTIN: I second.

24 CHAIRMAN LEWIS: All right. We have a
25 motion and a second.

1 If there's no further discussion, we'll
2 proceed to vote.

3 All in favor, please signify so by saying
4 "aye."

5 BOARD MEMBERS: (In unison) Aye.

6 CHAIRMAN LEWIS: And opposed, "nay."

7 Thank you. Motion carries. Thank you.
8 General.

9 GENERAL WEBER: Item 9(a) consists of the
10 awarding of maintenance and department building
11 construction contracts. Deputy Director of Construction
12 Darren Hazlett will present.

13 Darren.

14 MR. DARREN HAZLETT: Good morning. For
15 the record, I'm Darren Hazlett, deputy director of the
16 construction division.

17 Item 9(a) is for the consideration of the
18 award or rejection of highway maintenance and department
19 building construction contracts let on November 3rd and
20 4th of 2015.

21 We present 20 projects today for which we
22 received a total of 79 bids for an overall average
23 number of bids of 3.95 per project. The low bid value
24 for the letting was 30,676,856.11. We had an overall
25 underrun of 8.5 percent. Staff recommends award of all

1 the maintenance projects.

2 CHAIRMAN LEWIS: Do we have any questions
3 of Deputy Director Hazlett?

4 COMMISSIONER AUSTIN: I just have one
5 comment. When all of us come on the commission, you
6 know, somebody's always kind of joking or asking you,
7 you know, "What are you going to do about this road?
8 What are you going to do about this intersection,"
9 et cetera. They are taken to heart.

10 But I will say there's one that's being
11 awarded today in Corsicana that, after my second
12 meeting, I stopped by -- and this is November of 2011 --
13 stopped by in Corsicana and visited with Chairman Byron
14 Cook, the state rep, and a lot of the locals to figure
15 out and work out and begin working a strategy to -- for
16 a solution for a relief route.

17 And this is one of the things that's
18 being awarded today. It takes a while, but they even
19 secured land donations to help. That's how bad they
20 wanted this. So it does -- the system does work. And
21 listening to locals to come up with local solutions does
22 work. And I want to say thank you to Chairman Cook for
23 doing this.

24 CHAIRMAN LEWIS: Thank you. And let me
25 just -- to be clear, so the recommendation of staff is

1 to award all of the funds.

2 MR. DARREN HAZLETT: All -- all of the
3 maintenance contracts, correct.

4 CHAIRMAN LEWIS: Thank you.

5 Then, Commissioner Vandergriff, do you
6 move to award the contracts in accordance with staff's
7 recommendation?

8 COMMISSIONER VANDERGRIFF: I do. So
9 moved.

10 CHAIRMAN LEWIS: Vice Chair Moseley, do
11 you second?

12 VICE CHAIR MOSELEY: Second.

13 CHAIRMAN LEWIS: We have a motion to
14 second.

15 If there's no further discussion, we'll
16 proceed to a vote.

17 All in favor of the motion, signify by
18 saying "aye."

19 BOARD MEMBERS: (In unison) Aye.

20 CHAIRMAN LEWIS: Any opposed, "no."

21 The motion carries. Thank you.

22 General.

23 GENERAL WEBER: Darren, please proceed
24 with Item 9(b), construction contract.

25 MR. DARREN HAZLETT: Item 9(b) is for the

1 consideration of the award, or rejection of highway and
2 transportation enhancement, building construction
3 contracts let on November 3rd and 4th, 2015. And
4 Tarrant County Project NH 2016(098), which was deferred
5 from the September 24th, 2015, commission meeting.

6 We present 55 projects today for which we
7 received a total of 258 bids, giving us an overall
8 average number of 4.69 bids per project. The low bid
9 value was \$925,629,714.06. We had an overall underrun
10 of .16 percent.

11 Staff recommends the award of all
12 construction projects with the exception of two. Travis
13 County Project No. NH 2016(098) that was deferred at the
14 September 24th, 2015, commission for a reevaluation of
15 the corridor is recommended for rejection as being in
16 the best interest of the state while the corridor
17 reevaluation continues.

18 And Hopkins County Project STP
19 2000(825)TE which is being recommended -- excuse me --
20 for construction of safety rest areas on I-30, which is
21 being recommended for rejection based on the low bid
22 coming -- coming in significantly over the estimate.
23 The district would like to redesign the project.

24 We concur and therefore recommend this
25 project be rejected and relet at a later date.

1 CHAIRMAN LEWIS: Thank you.

2 Commissioners, are there any questions of
3 Deputy Director Hazlett on this matter or any other
4 comments with regard to these items?

5 If not, Vice Chair Moseley, do you move
6 that we award the Highway and Transportation Enhancement
7 Building Construction contracts as listed in Exhibit A
8 with the exception of the two items, one in Travis
9 County, one in Hopkins County, and therefore follow the
10 staff recommendation with regard to that?

11 VICE CHAIR MOSELEY: So moved, Chairman.

12 CHAIRMAN LEWIS: And, Commissioner
13 Austin, do you second?

14 COMMISSIONER AUSTIN: I second.

15 CHAIRMAN LEWIS: We have a motion and a
16 second.

17 With no furtherer discussion, all in
18 favor of the motion, please signify by saying "aye."

19 BOARD MEMBERS: (In unison) Aye.

20 CHAIRMAN LEWIS: Any -- otherwise, say
21 "nay."

22 No nays. Therefore, it's adopted. Thank
23 you.

24 MR. DARREN HAZLETT: Thank you.

25 CHAIRMAN LEWIS: General.

1 GENERAL WEBER: That brings us to Item
2 10, the eminent domain proceedings.

3 Interim Director of Right of Way Gus
4 Cannon will present.

5 MR. GUS CANNON: Thank you.

6 For the record, my name is Gus Cannon.
7 I'm the interim director of the Right of Way Division.
8 I'm presenting for your consideration today Item 10,
9 which authorizes the filing of condemnation proceedings
10 necessary to progress the acquisition of 16 parcels by
11 exercise of eminent domain. Ten of the parcels are
12 non-controlled, and six are controlled. And staff
13 recommends your approval of the minute order.

14 CHAIRMAN LEWIS: Are there any questions
15 at this time or comments?

16 If not, Commissioner Bugg, do you have a
17 motion to make with regard to this matter?

18 COMMISSIONER BUGG: Chairman Lewis, it
19 would be my honor to move that the Texas Transportation
20 Commission authorize the Texas Department of
21 Transportation to use the power of eminent domain to
22 acquire the properties described in the minute order set
23 forth in the agenda for the current month for
24 construction, reconstruction, maintenance, widening,
25 straightening, or extending the highway facilities

1 listed in the minute order as a part of the state
2 highway system and that the first record vote applies to
3 all units of property to be condemned.

4 CHAIRMAN LEWIS: And, Commissioner
5 Vandergriff, do you second that motion?

6 COMMISSIONER VANDERGRIFF: I second it.

7 CHAIRMAN LEWIS: We have a motion.

8 COMMISSIONER VANDERGRIFF: I view that
9 motion nostalgically listening to. That's harmonious to
10 my ears.

11 CHAIRMAN LEWIS: Okay. We do have a
12 motion and a second.

13 If there's no other discussion, we'll
14 proceed to a vote.

15 All in favor, signify by saying "aye."

16 BOARD MEMBERS: (In unison) Aye.

17 CHAIRMAN LEWIS: Otherwise say "nay."

18 The motion passes. Thank you very much.
19 General.

20 GENERAL WEBER: Item 11 contains the
21 routine minute orders, including donations to the
22 department, real estate dispositions, reports,
23 transportation planning, and speed zones.

24 Chairman and Commissioners, staff
25 recommends approval.

1 CHAIRMAN LEWIS: Are there any questions,
2 Commissioners, with regard to this item?

3 If not, Commissioner Vandergriff, do you
4 move to approve the routine minute orders --

5 COMMISSIONER VANDERGRIFF: So moved.

6 CHAIRMAN LEWIS: -- in accordance to
7 staff recommendation?

8 And, Vice Chair Moseley, do you second?

9 VICE CHAIR MOSELEY: Second.

10 CHAIRMAN LEWIS: We have a motion and a
11 second for approval.

12 All in favor, please say "aye."

13 BOARD MEMBERS: (In unison) Aye.

14 CHAIRMAN LEWIS: Any opposed, "nay."

15 The motion carries.

16 Thank you, General.

17 Commissioners and those in the audience,
18 the next item we have is to go into executive session.
19 However, we do have several individuals who have
20 requested to address the commissioners in open comment
21 period. And since the executive session may take a
22 while, and instead of keeping everybody from out of town
23 waiting here, if there's no objection, we'll proceed to
24 go ahead and hear the open comments and then go into
25 executive session. We have -- we'll proceed to do that

1 at this time.

2 We have -- the first request to appear
3 for open comment is by Arnold Saenz.

4 Mr. Saenz, thank you. Please come
5 forward. Just approach the dais here. And after saying
6 your name and if you're here representing someone, who
7 you represent, and give us the benefit of your comments.
8 And I'll let you know when your three minutes have
9 expired. Thank you.

10 MR. ARNOLD SAENZ: Good morning. For the
11 record, I'm Arnold Saenz. I'm a board member of REAL,
12 Incorporated, which is a rural transit district in a
13 nine-county South Texas service area, which includes
14 Live Oak, Jim Wells, San Patricio, Jim Hogg, Duval
15 County, Brooks, and Refugio.

16 First of all, congratulations to TxDOT
17 for receiving their TIGER 7 funding. And of course,
18 congratulations to everybody that participated in
19 getting Prop 7 passed, which is, I think, a really big
20 deal. I sit on the I-69 advisory commission. And
21 again, thank you for extending that commission -- that
22 committee. And Prop 7 was a really great thing.

23 I've noticed that Prop 7 received
24 83 percent in favor where the "Gone Fishing" Prop 6
25 received 81. So I think people realized that they want

1 better roads so they can go fishing. So I think it was
2 a win-win for everybody.

3 So today, we're here -- and I have
4 another partner with me that's going to speak a little
5 bit later -- to provide some information on our latest
6 plans and needs for the area. We feel that the need for
7 public transportation is very important in the state,
8 but especially in the rural communities.

9 The transportation coordination network
10 of the coastal bend and the Community Transportation
11 Association of America have developed lands to provide a
12 multimodal center and maintenance facility at the
13 crossroads of U.S. 281 and Highway 44 in Alice.

14 We feel this facility will maximize our
15 transportation program and -- trying to cut this short,
16 Mr. Ornelas, which will speak in a while, will provide a
17 little bit more information.

18 Again, I want to thank everyone for your
19 continued service to the state of Texas. I think
20 transportation is the most important thing. Some people
21 will think different, but if we don't have roads, we
22 don't have anything in Texas. So, again, thank you
23 for -- for your service. Thank you again.

24 CHAIRMAN LEWIS: Thank you, Judge.

25 Do we have any questions for Judge Saenz

1 at this time? Apparently not.

2 Thank you, sir, for your comments.

3 MR. ARNOLD SAENZ: Thank you.

4 CHAIRMAN LEWIS: I'm sorry. I always do
5 this. We're not supposed to make any comments. So
6 thank you for reminding me.

7 Thank you, sir.

8 MR. ARNOLD SAENZ: Okay. And I'm a
9 retired judge for 20 years from Jim Wells County. So
10 now I water the grass and mow the yard. So thank you.
11 I appreciate it.

12 CHAIRMAN LEWIS: Thank you. And,
13 Mr. Ornelas, please come forward.

14 MR. MARTIN ORNELAS: Yes. Thank you,
15 Mr. Chairman. May I approach and provide additional
16 information to you?

17 First, thank you for your attention and
18 for the opportunity. By way of record, my name is
19 Martin Ornelas. I'm the director of the transportation
20 coordination network of the Coastal Bend. We serve an
21 11-county service area near the Corpus Christi urbanized
22 area, and we serve a total 11 counties, 10 of which are
23 rural in nature.

24 Again, I share in the congratulations of
25 TIGER 7 funding. It's certainly very much welcomed with

1 a rural focus of both the aging fleet that rural transit
2 districts operate with as well as a focus on capital
3 projects and multimodal transit facilities specifically.

4 Two years ago, before the funding stream
5 the coordinator called that the public transportation
6 division issues, TCN led a three and four-month regional
7 planning process to prioritize as a Coastal Bend region
8 priority projects that we needed to respond to.

9 Stakeholders from both the urbanized area
10 as well as the entire ten-county service area prioritize
11 as the highest priority a regional multimodal transit
12 facility on the western part of the Coastal Bend,
13 specifically in Jim Wells County.

14 In the TIGER 7 application, as you can
15 see, it included four specific capital projects. We
16 gave you a brief summary of the full application itself.
17 It prioritized those four projects, thereby increasing
18 the other eight identified multimodal transit facilities
19 as moving further along and speeding them along.

20 We are one of those projects. The final
21 report in partnership from the Coastal -- I'm sorry --
22 the Community Transportation Association of America
23 facilitated our ability to move up and get into the
24 TxDOT pipeline.

25 We were able to leverage outside

1 resources and not depend on TxDOT resources to finish
2 this report. So we're extremely excited at the next
3 possibilities and opportunities.

4 As stakeholders, we are planning on doing
5 a -- an update of our regional priorities, but we
6 certainly know that the improved mobility of seniors,
7 persons with disabilities, workforce workers in our
8 area, through the various means is critically important.

9 As Corpus Christi grows, the outlying
10 rural areas grow with it and the dependence on
11 interconnectivity is critically important. We are clear
12 that this multimodal transit system in conjunction with
13 appropriate land use in that intersection is critical as
14 it is a key corridor.

15 The multimodal transit facility is
16 envisioned to be in the -- at the epicenter. On the
17 west of us is Laredo. On the east of us is Corpus
18 Christi. On the north of us is San Antonio. And on the
19 south of us is Harlingen.

20 We certainly are at that crossroad, and
21 we certainly see that the Alice and the hub city can
22 take its role in constructing this future multimodal
23 transit facility.

24 Thank you for your time, for your
25 attention, and we look forward to the next steps. And,

1 again, congratulations. It's certainly to the
2 leadership of Eric Gleason and PTN. We are most
3 grateful for the continued support.

4 Thank you, Mr. Chairman.

5 CHAIRMAN LEWIS: Thank you, Mr. Ornelas.

6 Next we have Chad Nobles.

7 MR. CHAD NOBLES: Good morning. Thank
8 you again for allowing you to -- or allowing us to
9 speak.

10 My name is Chad Nobles, and I appreciate
11 your hospitality for allowing us to speak ahead of
12 executive session. Thank you very much.

13 Once again, I wanted to kind of bring you
14 up to date on a couple things. On November 13th, we met
15 with TxDOT staff and presented some pictures as well as
16 some facts as to why the blue route, which the local
17 Bryan office is proceeding forward with, is by far the
18 worst route and has the greatest impact to our area, and
19 specifically the environment.

20 Each of you should have received a copy
21 of this report by now or at least our presentation. In
22 that meeting, we pointed out many issues associated with
23 the blue route, and I'd like to cover a couple of those
24 today.

25 One of those being that the blue route is

1 the least geometrically superior route by having three
2 curves which are a major safety concern. The blue route
3 requires a relocation of County Road 307. The blue
4 route requires the filling in of a lake on
5 Mr. Eversole's property.

6 The blue route will run on top of three
7 major springs that feed Jackrabbit Creek as well as
8 Beason Creek. The blue route will run alongside and
9 through wetlands located on our property as well as
10 Mr. Eversole's property. The blue route will divide six
11 tracts of land, but yet, somehow the report rated it
12 low.

13 The blue route will completely eliminate
14 all County Road 307 frontage -- road frontage that my
15 parents have for this large 400-acre tract of land. It
16 will run on top of gravesites located on several pieces
17 of property. It will run on top of Jackrabbit Creek for
18 approximately 500 feet along the Jenson/Cuvion/Nobles
19 property line. And finally, it will completely
20 eliminate an easement that I have on my southeast corner
21 from County Road 304.

22 In summary, the blue route is not the
23 least impactful route, but yet is by far the most
24 controversial. For instance, of the eight stakeholders
25 affected in the area, we've been able to contact six of

1 those, and all six are opposed to this route. That's
2 75 percent of the stakeholders currently opposed to this
3 route.

4 If you recall, back in August, we
5 presented and the stakeholders presented TxDOT had a
6 route in which 90 percent of the stakeholders approved.
7 That was the black route. But it is our understanding
8 as of today that route is not being considered for the
9 environmental assessment report. So, again, we -- we're
10 here today to ask you kind of why this black route is
11 not being considered.

12 I have a letter here from one of our
13 neighbors who asked me to read this letter, and I'd like
14 to take a few minutes to read that.

15 "Dear Commissioners and General Weber, my
16 name is Ronnie Christian. My wife and I own property in
17 the area between County Road 304 and County Road 307.
18 Until last week when I ran into a neighbor, I was under
19 the impression from past conversations I've had with the
20 Bryan TxDOT office that my property would not be
21 impacted directly by the proposed State Highway 249.

22 "However, while I have not been contacted
23 by the Bryan TxDOT office, I have learned from articles
24 in the paper and seen the new proposed blue route
25 recommending -- being recommended for consideration. My

1 wife and I are very much opposed to this blue route
2 since it will negatively affect my property and will
3 divide my property.

4 "I continue to be frustrated with the
5 miscommunication and lack of communication regarding
6 proposed routes and their effects on my property from
7 the Bryan TxDOT office. My wife and I cannot support a
8 route that would divide our property or come fairly
9 close to our home.

10 "It is also our understanding that the
11 road was supposed to have feeder roads along each side.
12 However, we are hearing that it will not. This will not
13 only lower our property value but will deny us
14 access" --

15 CHAIRMAN LEWIS: Pardon me, Mr. Nobles.
16 If you would sum up.

17 MR. CHAD NOBLES: Sure. I have one
18 paragraph left.

19 -- "access portions of the property if
20 the road is built.

21 "After reviewing the six options listed
22 on the most recent report, we would be in full support
23 of the orange, pink, yellow, or black routes. Anything
24 but the green or blue.

25 "We still do not understand after all the

1 controversy over toll roads and route selection why
2 TxDOT cannot just expand 1774 and Highway 105, which
3 would be the least impact to the landowners and the
4 cheapest option for taxpayers."

5 Thank you.

6 CHAIRMAN LEWIS: Thank you, sir.

7 Amy Nobles.

8 MS. AMY NOBLES: Good morning. Thanks
9 for having me. My name's Amy Nobles. I want to thank
10 you again for giving us the opportunity to highlight our
11 concerns and issues related to the 249 toll road route
12 along County Road 307.

13 The concerns are still numerous as TxDOT
14 has evaluated multiple iterations of the route and at
15 present has chosen to recommend a route that directly
16 and indirectly negatively impacts the environment,
17 raises safety issues due do multiple curves in the
18 4-mile stretch of highway, and will sit less than a
19 thousand feet from two homes.

20 We have still not been given an
21 appropriate answer to the preferential treatment
22 provided to the adamantly opposed property owner whose
23 land will be avoided completely if the current Bryan
24 district office preferred route is approved.

25 In addition, no one has addressed the

1 issue of the 90 percent support we had in August based
2 on signed letters from the property owners that lent
3 stakeholder support before all the additional iterations
4 dividing property owners were created to the black
5 route.

6 In conclusion, we know that the next
7 steps based on information provided to us by your TxDOT
8 staff is an environmental assessment of the current
9 preferred blue route. Since there have been at least
10 three or four preferred routes proposed over the past
11 two years and the negotiations or discussions are not
12 complete, and based on Commissioner Bugg's and
13 Vandergriff's request in August -- in the August meeting
14 to have final approval over the route, we would request
15 that an EA be conducted on all viable routes, especially
16 the black route that had original stakeholder approval
17 so that TxDOT covers all their bases due to the
18 controversy over this section of the highway.

19 And just in closing, I would like to help
20 Mr. Williams with identifying funding mechanisms to
21 support the congestion relief project. And we would
22 recommend that you abandon the whole toll project in
23 Grimes County and use those funds to help with extreme
24 need for urban mobility and to use those moneys to
25 alleviate congestion in large- and medium-size metro

1 areas.

2 Thank you very much.

3 CHAIRMAN LEWIS: Thank you, ma'am.

4 Sandra Nobles.

5 MS. SANDRA NOBLES: Good morning. My
6 name is Sandra Nobles, and I am here once again to
7 express my opposition to the 249 toll road through
8 Grimes County.

9 Instead of constructing this
10 controversial toll road, I am asking TxDOT to utilize
11 funds to improve existing roadways such as specifically
12 State Highway 105 and FM 1774.

13 However, if TxDOT insist on pushing the
14 toll road on the citizens of Grimes County, then I am
15 asking you to work with the landowners that will be
16 affected by it and avoid coming close to homes,
17 cemeteries, and lakes.

18 As our permanent home is grossly affected
19 by the proposed blue route, I am asking for your support
20 of the black route instead, which was preferred by the
21 landowners on County Road 307. I have a letter today
22 that I'd like to read to you from my neighbor
23 Mrs. Melinda Jensen. She could not be here today.

24 "Commissioners, I am a property owner
25 impacted by the currently preferred route, blue route,

1 for the Grimes County portion of this proposed project.

2 I am opposed to this route for several reasons.

3 "It will cut off access to a large
4 portion of my creek. It will destroy much of the
5 natural habitat that remains after the wildfires of 2011
6 and 2013 swept through this area. It will pose a
7 security threat to my family. It will disrupt my
8 wildlife exemption that currently includes hunting on my
9 property. It will cause noise and light pollution and
10 thereby reduce the value of my property.

11 "I still stand by the no-build option
12 that supposedly a consideration until recently.
13 However, if this road must be built, the black route
14 seems to be a more logical option. I would ask the
15 commission to reconsider the concerns of the property
16 owners involved in the blue route and choose the black
17 route that was originally deemed preferable.

18 "Sincerely, Melinda Jensen."

19 Thank you so much.

20 CHAIRMAN LEWIS: Thank you, ma'am.

21 Robert Nobles.

22 MR. ROBERT NOBLES: Hello. My name is
23 Robert Nobles. I am opposed to the blue route or any
24 route that comes close to my home or my neighbors. This
25 route will come up the east side of our property, make a

1 turn, go across the front of our ranch taking all of the
2 frontage with a bridge at my entrance and leaving us
3 with two tracts.

4 TxDOT said that they were going to
5 relocate parts of County Road 307. But by taking the
6 yellow route or the black route and going on the west
7 side of County Road 307, you would not have to relocate
8 County Road 307.

9 In the Navasota Examiner Newspaper dated
10 October the 21st, 2015, the Grimes County judge stated
11 in his article about his opposition to the high speed
12 rail. The private property rights we have enjoyed in
13 the state of Texas for over 150 years are not for sale.

14 I agree with the judge. Private property
15 rights are not for sale. I am opposed to toll roads or
16 anything that would take people's property away from
17 them. With all the controversy over this toll road and
18 the passing of Proposition 7, which is more money for
19 TxDOT, couldn't TxDOT use the existing roads by widening
20 1774 and 105?

21 Thank you.

22 CHAIRMAN LEWIS: Thank you, sir.

23 Chris Eversole.

24 MR. CHRIS EVERSOLE: My name is Chris
25 Eversole, son of Dean and Zeddie Eversole. My father is

1 actually in the -- out here in the crowd.

2 I have lived south of my dad -- my
3 father's commercial hay barn for 17 years. I have
4 raised two sons in a quiet country setting with no
5 noise, a very peaceful way of life. So when I found out
6 that I had four routes that would affect my family's way
7 of living, my wife, two sons, and myself was truly
8 devastated and heartbroken.

9 I drive 65 miles one way into Houston to
10 work. And from the moment I get to work, I cannot wait
11 to get back home to see my family and back to my
12 serenity.

13 My father and mother knew how heartbroke
14 we were, told us, "Don't worry. We have a plan. We
15 will give you-all the 84 acres" that's part of their
16 266-acre ranch to build a house on. We were in shock
17 with their generosity. At this point, at least we had a
18 plan and we were -- we are executing this plan with
19 dedicated easements back to the 84 acres and getting
20 house plans in order.

21 Then my father called me about a month
22 ago with more sad news about a blue route. They would
23 split his 266 acres and access cut off to the 84 acres.
24 Just another blow that has added more stress to my
25 family.

1 If the toll road has to come through the
2 area, the black route would be the least offensive to
3 the people that calls this area home. I would -- my
4 family and myself would really like to see the toll road
5 abandoned and use existing routes via 1774 and 105.

6 Thank you.

7 CHAIRMAN LEWIS: Thank you, sir.

8 Dean Eversole.

9 MR. DEAN EVERSOLE: I'm Mr. Eversole. As
10 of now, TxDOT prefers the route north. The blue route
11 has a negative effect on the use of my 266-acre ranch
12 since it will cut a quarter mile of commercial road
13 easement over the top of the lake that will make it
14 unpassable, resulting in restricted access to over half
15 of my property, it will destroy my commercial hay
16 business and livelihood; no access to the pivot system
17 for my irrigation on the hay.

18 Eighty-four acres where my son and family
19 has planned to build will lose their road access
20 easement to their property. Access to a commercial
21 saltwater drop well will be cut off. Construction has
22 previously started on a commercial building 52 by
23 200 feet. It's now in the path of the blue route.

24 Construction has previously started on an
25 18,000 square-foot hay barn which has halted due to the

1 uncertainty of the outcome of the effect on the property
2 due to the toll road.

3 Plans to build our retirement home in
4 this property have been halted due to close proximity to
5 the toll road. Electrical easement is on top of the dam
6 and would be lost and could not get power to the other
7 side.

8 Half of the blue route will run over an
9 old existing cemetery of Pat Gray Marcos. I've been
10 told by previous landowners that a section of this
11 property has a old Bidal, B-I-D-A-L, Indian tribe burial
12 ground on it.

13 Some of these south routes would affect
14 another piece of my property consisting of 17 acres and
15 a commercial hay barn. This property also has a road
16 easement going to the site where my son and family
17 lives.

18 As many have already stated, I also
19 oppose a toll road since it would save tax dollar payers
20 money, eliminate affecting the family and homes the
21 property as said. A wider -- I propose a wider new road
22 on 1774 and 105 right-of-way.

23 However, if there is no recourse but to
24 build a toll road, I oppose the blue route. I would not
25 object to the black route affecting my 17 acres plot in

1 order to keep the toll road off of my 266-acre ranch.
2 This route also cuts off access to my son's family, but
3 we have discussed to relocate them on the 84 acres on my
4 266-acre ranch.

5 Gentlemen, I ask all you-all to look at
6 the problems we have and to make the right choice. The
7 blue route comes through everybody's backyard. The
8 black route comes in everybody's front yard. It -- the
9 black route gets all us people -- it gets it away from
10 us, but the blue route goes -- it destroys our able to
11 live there and be right.

12 Thank you, gentlemen.

13 CHAIRMAN LEWIS: Thank you. That's all
14 of the comment cards that -- thank you, sir.

15 That's all of the comment cards that we
16 have. So at this time, we will go into executive
17 session in accordance with Government Code Sections
18 551.071 and 1.074. For the record, the time is
19 10:52 a.m.

20 (Executive session)

21 CHAIRMAN LEWIS: Let's get back on the
22 record, then. The commission has concluded its
23 executive session. The meeting of the Texas
24 Transportation Commission in Open Hearing has
25 reconvened. For the record, the time is 1:03 p.m. All

1 of the actions items on the agenda are completed. We do
2 not have anyone else signed up for open comment today.
3 There being no other business to come before the
4 commission, Commissioner Bugg, do you move that we
5 adjourn?

6 COMMISSIONER BUGG: So moved, Chairman.

7 CHAIRMAN LEWIS: Commissioner
8 Vandergriff, do you second that motion?

9 COMMISSIONER VANDERGRIFF: I do.

10 VICE CHAIR MOSELEY: Wait a minute. I'm
11 Commissioner Vandergriff. I do.

12 COMMISSIONER VANDERGRIFF: That's right.
13 I sat in your seat.

14 CHAIRMAN LEWIS: There being no further
15 discussion, then we'll all vote. All in favor say
16 "aye."

17 THE BOARD: (In unison) Aye.

18 CHAIRMAN LEWIS: Any opposed, "no."
19 We're adjourned.

20 (Proceedings adjourned)

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C E R T I F I C A T E

I, Heidi Morrison, Certified Shorthand Reporter for The State of Texas, do hereby certify that I did, in computerized stenotype shorthand, transcribe proceedings in the above-entitled matter to the best of my ability and hearing, proceedings before the Texas Department of Transportation Commission and that the above and foregoing pages contain a full and correct computer-assisted transcription of my computerized stenotype shorthand notes.

Signed this the 24th day of November, 2015.



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