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TEXAS DEPARTMENT OF TRANSPORTATION  
COMMISSION MEETING

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

Thursday  
February 25, 2016  
9:00 a.m.

COMMISSION MEMBERS:

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

STAFF:

James Bass, Executive Director  
Robin Carter, Commission Chief Clerk

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P R O C E E D I N G S

CHAIRMAN LEWIS: It is 9:02 a.m. I'm going to call to order the February 25th, 2016 meeting of the Texas Transportation Commission in Austin, Texas.

I'll first of all note for the record that public notice of this meeting containing all items on the agenda was filed with the Secretary of State of the State of Texas at 4:06 p.m. on February 17th, 2016. That is seven days prior to the meeting and meets the requirements of Government Code Section 551.044.

As we begin, the first thing I'd like everyone to do is to take your cell phones -- and everybody's got one or two -- and let's place those in the silent mode.

I'll do that as well. Okay. Ringer off, and ringer off.

Okay. If you wish to address the Commission today, there are speaker cards available to you. There are two colors of cards. We have an agenda that has all the items on the agenda written out and placed on the agenda. If you wish to visit with us about one of those agenda items, then I'll ask you to complete this yellow card. They're available on the desk that you passed as you come in; and also our clerk up here, Ms. Carter, has these cards as well.

1                   And you just fill it out. It says  
2 whether you wish to make a statement or just want to  
3 make your -- register your position without coming  
4 forward. It has place for the agenda number, what your  
5 position is on it, your name; and if you're here  
6 representing a group, then what your title is with that  
7 group and what group you're speaking for. So if you  
8 wish to speak to us, fill that out, come up, and hand  
9 that to the clerk.

10                   If you wish to speak on a general matter  
11 that's not on the agenda item, we call that Open Comment  
12 Period; and you may do so. So if you wish to do so, we  
13 have blue cards. It's similar in what you fill out,  
14 except, of course, it doesn't have the agenda item  
15 because you're not speaking on the agenda item. If  
16 you're speaking on the agenda, obviously, you speak --  
17 you'll be called to speak when we we're considering that  
18 item.

19                   If it's a general matter, then it's Open  
20 Comment Period at the end of our meeting. So when we're  
21 finished with all the other agenda items, we'll call for  
22 any of those of you who wish to make open comments.

23                   In either case, please confine your  
24 remarks to three minutes. We have a clock up here, and  
25 I'll let you know when your time has expired.

1 I do wish to note on open comment,  
2 sometimes the speaker will make comments and obviously  
3 be expecting the Commissioners to respond to that or say  
4 something about that or ask questions of them. That is  
5 not permitted. We cannot comment on items that are not  
6 on the agenda due to the requirements of the Open  
7 Meetings Act, so please bear that in mind. We're not  
8 being rude when we don't comment to you. That's just  
9 the requirements that we have.

10 At this time I'll turn the microphone  
11 over to our Executive Director James Bass.

12 EXEC. DIRECTOR BASS: All right. Thank  
13 you, Mr. Chairman.

14 At this time I would like to ask our  
15 Occupational Safety Specialist Randy Clawson to come  
16 forward and provide a brief safety briefing.

17 MR. CLAWSON: Thank you, Mr. Bass.

18 Good morning. For emergency procedures,  
19 I want to begin by asking: If we had an emergency, who  
20 would dial 9-1-1 for us?

21 (Raised hand.)

22 MR. CLAWSON: Thank you very much, Marc.

23 And who -- if we had folks come to the  
24 building, our emergency personnel, who would direct them  
25 into this building -- into this room from the lobby?

1 Would someone assistant with that?

2 (Raised hand.)

3 MR. CLAWSON: Thank you very much.

4 And who has first-aid CPR and would be --  
5 is willing and able to do that if we had an emergency?

6 (Raised hand.)

7 MR. CLAWSON: Thank you very much.

8 Appreciate that.

9 We want to remind people that when you do  
10 receive a -- or you do make an emergency phone call to  
11 911, that you always make sure that you're settled and  
12 tell them exactly where you are so they know where to  
13 arrive. And we're at 125 East 11th Street, directly  
14 across from the Capital.

15 If we were to have a medical emergency  
16 and needed an Automated External Defibrillator, I want  
17 to let everyone know: Right out in the lobby, near the  
18 security booth, is the AED; and even if you're not  
19 certified -- I know that we do have a couple of people  
20 that are -- but did you know that if you're not  
21 certified and you open the AED, push the green button,  
22 it will step you through, step by step, one by one on  
23 how to do that in case you found yourself in a situation  
24 where you needed that.

25 First-aid kits are also located

1 throughout each floor, with green and white.

2 In case of a fire evacuation, we would  
3 first need to alert people that there is a fire in the  
4 building. We would do that by pulling the fire alarm  
5 stations that are out in the lobbies on each floor. And  
6 you'd do that first, and then we would orderly move out  
7 of the building.

8 Our first and primary exit, again, is  
9 back towards the lobby; and we would move out of the  
10 Greer Building and be facing 11th Street, facing the  
11 Capital. You could also use one of our secondary exits.  
12 The east would be over here, towards Brazos; and the  
13 west would be over, down on the basement side, toward  
14 Congress. However we make our way out of the building,  
15 we would make our way across the street to the lawn of  
16 the capital; and that's where we'd gather.

17 After we're alerting people with the pull  
18 alarms and we're orderly moving out of the building, if  
19 someone did need to use a fire extinguisher, they are  
20 prominently displayed with red-and-white signage on each  
21 floor; and we have ABC dry chemical fire extinguishers  
22 here.

23 If you've never used a fire extinguisher  
24 but you may find yourself in need of that, all you have  
25 to do is pull the pin, aim it toward the base of the

1 fire, squeeze the handle, and move the hose back in a  
2 sweeping motion. Some people call this the P-A-S-S or  
3 "PASS" method of using a fire extinguisher.

4 In case of tornado or inclement weather,  
5 we're going to move toward a shelter area. So we would  
6 have to move away from this room because it has external  
7 walls and windows and glass. So we would want to move,  
8 in case of inclement weather, down to the basement area.  
9 We could also move toward interior restrooms if we  
10 needed. If those were full, again, we could go to the  
11 stairwells as well, stairwells, basement, and  
12 interior-located restrooms.

13 In case of an active shooter or bomb  
14 threat, each person is responsible for judging the  
15 situation and their own safety, follow instructions from  
16 the public address system security or onsite personnel.

17 Any questions about those procedures?

18 (No response.)

19 MR. CLAWSON: If not, thank you very much  
20 for your time; and I hope you have a very safe and  
21 productive meeting today.

22 My pleasure.

23 EXEC. DIRECTOR BASS: All right. Thank  
24 you, Mr. Clawson.

25 MR. CLAWSON: Thank you.

1 EXEC. DIRECTOR BASS: Mr. Chairman, with  
2 the safety briefing completed, I will hand the gavel  
3 back to you.

4 CHAIRMAN LEWIS: Thank you very much,  
5 Director Bass.

6 It is the custom of the Commission to  
7 begin each meeting with any comments that each  
8 Commissioner may wish to make, and we'll begin with  
9 Commissioner Bugg.

10 COMMISSIONER BUGG: Thank you,  
11 Mr. Chairman.

12 It's quite an honor to look out and see  
13 Mayor Rawlings and Senator Bob Hall and Senator Adler  
14 and -- I mean, Mayor Adler -- and Mayor Athas.

15 Today is an exciting day because we're  
16 going to have before the Commission the opportunity to  
17 act on amending the UTP code, which is basically how we  
18 fund our projects; and as part of the UTP discussion  
19 will be Item Number 4, I believe, Mr. Chairman.

20 We will be talking about the congestion-  
21 relief projects that we've identified working with our  
22 colleagues, our district engineers, and the mayor and  
23 county judges of the five major metropolitan areas  
24 throughout the state of Texas.

25 I also want to just say how much I

1 appreciate the support that I have received as we work  
2 together on the Commission to move this project forward,  
3 and I want to share with everyone that this project now  
4 has a new name as of today. And it will be identified  
5 and branded as Texas Clear Lanes, and Texas Clear Lanes  
6 is an aspirational goal. We have -- this is going to be  
7 a multi year project, but we wanted to set the sights  
8 high for Texas taxpayers to see what we're using their  
9 taxpayer dollars to do. And that is to achieve the  
10 aspirational goal of Texas Clear Lanes.

11 So with that, Mr. Chairman, I'll turn it  
12 back to you. Thank you.

13 CHAIRMAN LEWIS: Thank you very much,  
14 Commissioner.

15 Commissioner Vandergriff.

16 COMMISSIONER VANDERGRIFF: Chairman, I  
17 will reserve any comments for agenda items that come.  
18 I'm anxious to hear from the folks in the audience, our  
19 distinguished guests. And so I'll reserve my time until  
20 later. Thank you.

21 CHAIRMAN LEWIS: Thank you.

22 Vice-Chair Moseley.

23 VICE-CHAIR MOSELEY: Thank you Chairman,  
24 Members.

25 Good morning, everyone. It looks like

1 you're surviving the Texas winter day today very nicely.

2 By way of a quick update, Members, I'm  
3 really pleased to announce that since we last met,  
4 there's been a celebration in Houston related to the  
5 opening of Segments F1 and F2 of the Grand Parkway.

6 Some of you remember that we voted on  
7 this project about three and a half years ago. The  
8 ground was broken a year later; and two and a half  
9 years, almost to the day, this 24-mile stretch of  
10 roadway in northwest Houston that links 290 to I-45 has  
11 been opened.

12 It's pretty amazing, Chairman, to see a  
13 billion dollars go into the roadway with approximately  
14 8.8 million man-hours invested in the construction of  
15 this wonderful corridor.

16 As a matter of fact, Members, I did  
17 receive a phone call immediately upon its opening. And  
18 it was from a gentleman who traveled regularly from one  
19 part of Houston to another to see his grandchild; and he  
20 said that he and his wife's trip, because of the opening  
21 of Grand Parkway, had reduced their travel time from  
22 5-0, 50 minutes, to 1-5, 15 minutes. Imagine what that  
23 does, just looking at the economy and the movement of  
24 freight and goods to market, as well as knowledge  
25 workers getting to work.

1                   So we are truly excited about Grand  
2 Parkway, and we'll have an official opening and a  
3 celebration of it coming up in a few weeks. As well as  
4 we're looking forward to the other section opening from  
5 I-45 to 59/U.S. 69.

6                   Chairman, I also had the privilege of  
7 touring at Texas A&M a wonderful technology that's been  
8 developed over the last eleven years. It's called a  
9 freight shuttle. There's a facility in College Station  
10 where you can now see the prototype and it's a  
11 fascinating technology that the Texas Transportation  
12 Institute began working on, but it's essentially an  
13 elevated freight train. It's robotic and it has a  
14 continual loop that can pick up these twenty-foot  
15 equivalent units, these TEU, and move them away from a  
16 port or move them across an international border, and  
17 take them to a logistics hub so there's not as much need  
18 for trucks to come into the inner city. So I'm very  
19 fascinated to see how this technology can serve our  
20 highway system.

21                   Roger Guenther, from the Port of Houston,  
22 was with me on the tour, as well as Maureen Crocker,  
23 from our Gulf Coast Freight Initiative. So we'll keep  
24 you posted.

25                   And I would encourage Members of the

1 Commission to take a look at the freight shuttle,  
2 especially as it relates, Commissioner Bugg, to  
3 relieving congestion. I think this could be a real key  
4 to that overall discussion.

5 Members, this next week I'll be at the  
6 National Highway Traffic Safety Administration Summit in  
7 Fort Worth, giving an update on how our agency is  
8 talking and moving forward on specific initiatives  
9 related to safety.

10 Thank you, Chairman.

11 CHAIRMAN LEWIS: Thank you very much.

12 And, Commissioner Austin.

13 COMMISSIONER AUSTIN: Good morning,  
14 everyone.

15 Mayor, it's good to see you. I hope the  
16 S&Us start rising back up in the polls, for as long as  
17 we can.

18 (Laughter.)

19 COMMISSIONER AUSTIN: Thank you for being  
20 here.

21 Senator Hall, thank you for being here.

22 I had an opportunity to come over to  
23 Canton and visit with the Senator. We had a fun  
24 discussion. It was enlightening. And we had a -- as a  
25 military guy, I had to ask him, "What are our rules of

1 engagement?"

2 (Laughter.)

3 COMMISSIONER AUSTIN: And we had a very  
4 good, insightful discussion.

5 What I really appreciate is the Members  
6 of the Legislature. Some, yeah, transportation is  
7 there. Some, it's a passion. And some have good ideas.  
8 That really helps us. There's different ways of doing  
9 different projects, different ways; but I really  
10 appreciate Senator Hall's engagement in pulling out some  
11 ideas but also going to work to finding some ideas.

12 I know I had an opportunity to see  
13 Senator Hancock last night, and he's really talking  
14 about some ideas with transportation.

15 So, really, we're fortunate to have an  
16 engaged Legislature in transportation. And it is  
17 important to help relieve congestion and keep Texas  
18 moving because. As we talk about transportation, you  
19 know, and purchasing power and what is our purchasing  
20 power that we have right now. As you know, with  
21 inflation, the present value of the revenues that we  
22 bring in through the state and federal gas tax, all  
23 things being equal, keeps going down each year.

24 And we're going to have a challenge  
25 coming up on the scene. In the next few months, we're

1 going to begin talking about what we do with Prop 7  
2 identification of projects. We need to be careful and  
3 not think that this is solving the problem because the  
4 purchasing power with a level amount of funds may sound  
5 good now; but the purchasing power over the years that  
6 we have Prop 7, we're very thankful, will go down.

7 So we need to begin thinking of what  
8 projects can be ready; and my message to each of the  
9 communities, the cities, the municipalities -- I've  
10 gotten a chance to visit down in Laredo; I've visited  
11 with Tyler and two or three other communities -- help us  
12 help you. Set the priorities. If you have -- in your  
13 region, if you have different needs, whether the City  
14 has one priority, the County, is it an MPO or the RPO,  
15 do your best to come together to help us.

16 You know, I keep thinking of what Michael  
17 Morris helped do with the metroplex, Mayor, with Prop 1  
18 of really looking out of, "Everybody's going to get the  
19 project. Here's the money coming in, but we're going to  
20 go in a sequential manner. Which ones are ready to go?"  
21 That really set a great example.

22 And, Michael, I'm not sure if you're here  
23 or if you're watching; but if anybody wants an idea,  
24 call Michael. It was a very good process.

25 Tomorrow, I'm really excited of going to

1 the Wimberley -- going down to Wimberley for the  
2 reopening of the bridge that was lost in the floods last  
3 year, a very -- I know it was a tragic incident down  
4 there. But we're really excited that our team has  
5 worked with locals to get this bridge back in place.

6 I voted; I hope you did, too. It's very  
7 important.

8 Commissioner Moseley, I now have the  
9 right to complain because I voted.

10 (Laughter.)

11 COMMISSIONER AUSTIN: And I would  
12 encourage each of y'all to do the same. It is very  
13 important with what's coming up.

14 Lastly, as I look in the audience, we  
15 have three members here of our advisory -- of different  
16 advisory committees. One we're going to hear from in a  
17 little while, Billy Hibbs. He chairs the Bicycle  
18 Advisory Committee.

19 I know Judge Hugh Taylor, who chairs the  
20 I-69 Advisory Committee, from Marshall.

21 And, also, Rob Stephens, who we'll hear  
22 from later. He chairs TxDOT's Public Transit Advisory  
23 Committee.

24 So thank y'all for your work and for  
25 being here and for giving us some updates on different

1 items.

2 CHAIRMAN LEWIS: Thank you very much,  
3 Commissioners.

4 And with that, we'll begin our agenda  
5 items. Our first order of business is the approval of  
6 the minutes from the January 27th and January 28th  
7 meetings of the Texas Transportation Commission. Draft  
8 minutes have been provided to you.

9 Commissioner Bugg, do you move to approve  
10 the minutes of the January 27th and January 28th  
11 meetings?

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

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

16 COMMISSIONER VANDERGRIFF: I second it.

17 CHAIRMAN LEWIS: There has been a motion  
18 and a second. If there's no discussion, we'll proceed  
19 to a vote. All in favor, say aye.

20 (Chorus of "Ayes.")

21 CHAIRMAN LEWIS: Any opposed, no.

22 (No response.)

23 CHAIRMAN LEWIS: And, therefore, the  
24 motion passes. The minutes are approved.

25 And with that, Director Bass, I'll turn

1 the agenda over to you to work through today's business.

2 EXEC. DIRECTOR BASS: All right. Thank  
3 you, Mr. Chairman.

4 We will start with Agenda Item 3, which  
5 is an acknowledgment of service for retiring Strategic  
6 Projects Director Katie Nees; and our Deputy Executive  
7 Director Marc Williams will present.

8 MR. WILLIAMS: Thank you, Director Bass.  
9 Chairman and Members of the Commission,  
10 good morning.

11 At this time I would like to ask Katie if  
12 she would mind joining me up here.

13 (Katie Nees complies.)

14 MR. WILLIAMS: For the record, again, my  
15 name is Marc Williams; and I have the honor of serving  
16 as Deputy Executive Director for the Texas Department of  
17 Transportation.

18 And in particular, today, I am pleased to  
19 present to the Commission a resolution honoring and  
20 acknowledging the service of Katharine Nees, P.E., as  
21 she has retired as the Director of the Texas Department  
22 of Transportation's Strategic Projects Division, with  
23 nearly 20 years of service to the state.

24 Ms. Nees, is a licensed engineer, and  
25 holds a Master's in Business Administration from the

1 University of Texas at Dallas and a Bachelor's Degree in  
2 Civil Engineering from Purdue University.

3 And she began her career with TxDOT  
4 serving as a project engineer in the Dallas office and  
5 then graduating to Assistant Area Engineer, followed by  
6 Area Engineer and then Director of Administration for  
7 the Dallas District; and then, in 2013, she joined  
8 TxDOT's Strategic Projects Division, serving as the  
9 Deputy Division Director and, most recently, serving as  
10 Division Director for the Strategic Projects Division,  
11 where she was instrumental in helping that organization  
12 carry out TxDOT's mission of providing safe, reliable,  
13 and innovative transportation solutions for Texas.

14 And, as was introduced, we have a  
15 Resolution for Katie in recognition of her service; and  
16 there's just a couple of items I'd like to read into the  
17 record from this Resolution.

18 First of all, "Whereas the Transportation  
19 Commission takes great pride in recognizing Katharine  
20 Nees for her outstanding service to the Texas Department  
21 of Transportation after a distinguished career of almost  
22 20 years and serving recently as Strategic Projects  
23 Director;

24 And, whereas, under Katie's leadership  
25 Texas has continued to lead the country with a

1 28-billion-dollar alternative delivery program that is  
2 recognized nationally for delivery of some of the most  
3 complex and sophisticated transportation projects which  
4 has received over 24 national awards, but most  
5 important, have offered transportation solutions to the  
6 traveling public in Texas;

7 And, whereas, in recognition of her  
8 engineering and management talents, have helped advance  
9 TxDOT's mission to provide safe and reliable  
10 transportation solutions for Texas;

11 Now, therefore, be it resolved that the  
12 Texas Transportation Commission does hereby extend its  
13 sincere and best wishes to Katharine Nees, P.E., in  
14 recognition of her outstanding professional achievements  
15 and a career of loyal service on behalf of the State of  
16 Texas and its citizens."

17 And I'm pleased to present this  
18 resolution today and to thank Katie in particular for  
19 her service to the State of Texas.

20 Katie.

21 (Applause.)

22 MS. NEES: Thank you, Marc. That was  
23 very kind.

24 Chairman Lewis, Commissioners,  
25 Director Bass -- nice ring, right -- thank you very

1 much. I will keep my comments to three minutes.

2 But I did want to thank everybody for the  
3 opportunity to have such a wonderful career here at  
4 TxDOT. As many of you know, I'm not good at long  
5 speeches, so I will keep it short; but, as the area  
6 engineer, I did want to thank the many hours that the  
7 maintenance crew spent working diligently on the road to  
8 keep things safe, as well as the engineers who did  
9 countless hours of design work, and the construction  
10 people who stayed out there numerous days. They really  
11 are the rock solid part of TxDOT.

12 As well as Director of Administration,  
13 the support offices that hardly ever get recognized.  
14 They're there purchasing the materials. They're there  
15 invoicing and paying. They work behind the scenes, but  
16 they really do countless hours of work on behalf.

17 And then I'd also like to thank, of  
18 course, the SPD Division. They are really a phenomenal  
19 group, very, very instrumental in bringing some of these  
20 complex projects forward, very sophisticated, very  
21 complex projects that I know that the region has enjoyed  
22 and the citizens of Texas have enjoyed. And they are  
23 dedicated and heartfelt when they do that.

24 Last but not least, I would like to take  
25 a moment to thank James Huffman, who was a longtime

1 District Engineer for the Dallas District. And if it  
2 wasn't for him, many young engineers, as well as myself,  
3 under his guidance and direction, went on to become  
4 leaders in the department, became Division Directors,  
5 District Engineers, just to name a few, like: Phil  
6 Russell, Mary Mayland, Jaron Sterdivant, Lonnie  
7 Straywick, John Kelly. But, most importantly, he was a  
8 leader and a mentor to me; and he opened a lot of doors  
9 for women. He didn't have to take the risk and put  
10 someone -- a woman out in construction. So for that,  
11 I'm always grateful.

12 And then last but not least, my Bob, my  
13 husband, Bob, of 33 years. Everybody thinks he an  
14 enigma, but he is here.

15 (Laughter.)

16 MS. NEES: And then my two sons, Thomas  
17 and Greg. They couldn't be here -- they're in college  
18 right now -- but their support and dedication has always  
19 been great.

20 And last but not least, the Commission.  
21 You guys are outstanding. You provide the leadership  
22 and the vision, and it truly has been an honor to serve  
23 the State of Texas.

24 Thank you.

25 (Applause.)

1                   CHAIRMAN LEWIS:  Yes, we'll have our -- I  
2                   hear we'll have picture taken, which will be a nice  
3                   pleasure, in just a moment.  But any comments before we  
4                   go down for that purpose?

5                   Yes, Commissioner Austin.

6                   COMMISSIONER AUSTIN:  Katie, thank you  
7                   for being a part of us; and, you know, if you think of  
8                   what Marc said, \$28 billion of projects and  
9                   alternatives, of finding another way of doing things,  
10                  had we not had those tools, \$28 billion of projects,  
11                  that we would not have added capacity.

12                  Think of the congestion,  
13                  Commissioner Bugg, that we'd have without some of those.

14                  And so thank you very much.

15                  And we're going to miss you keeping all  
16                  those other guys in line.  So thank you for your service  
17                  to TxDOT.

18                  MS. NEES:  Thank you.

19                  VICE-CHAIR MOSELEY:  Mr. Chairman, I want  
20                  to add to Mr. Austin's note.

21                  Just, Katie, thank you for your two  
22                  decades of wonderful service to the state.  Texas really  
23                  is better because of your service.

24                  And we want to say thanks to Husband Bob,  
25                  for sharing you with us because we know there were a lot

1 of times when he just didn't know when you were going to  
2 come home and where you were because you were doing your  
3 service to this agency.

4 And so, Husband Bob, we thank you for  
5 sharing Katie with us for two decades.

6 But God bless you in your next chapter.  
7 Congratulations.

8 CHAIRMAN LEWIS: Executive Director Bass.

9 EXEC. DIRECTOR BASS: I would just like  
10 to thank Katie. I remember when I first met Katie  
11 sometime in the early Nineties, as I was a budget  
12 officer visiting the Dallas District; and ever since  
13 then, whether Katie was inside the department or working  
14 for one of our partners in the consultant industry, I've  
15 always valued her input and insight and have been very  
16 appreciative of it.

17 So thank you for all that you've done for  
18 the department. You definitely will be missed.

19 MS. NEES: Thank you.

20 CHAIRMAN LEWIS: Thank you.

21 And I think that's the comments. So  
22 shall we go down and have our pictures made? Thank you.

23 (Photos taken.)

24 (Laughter.)

25 EXEC. DIRECTOR BASS: Next, Mr. Chairman,

1 we will move on to Agenda Item 4, which is approval of  
2 updates to the 2016 UTP; and our Programming Branch  
3 Manger, Jessica Butler, will present.

4 MS. BUTLER: Good morning, Chairman,  
5 Members of the Commission.

6 For the record, my name is Jessica  
7 Butler; and I am the Programming Branch Manager in our  
8 Planning and Programming Division here at TxDOT.

9 As was discussed during the January  
10 Commission workshop and during the January Commission  
11 meeting discussion item, this UTP update include funding  
12 level adjustment and changes to project-specific  
13 authorization. The main drivers of the funding changes  
14 are to address reductions in Proposition 1 funds in  
15 2017, as well as to increase funding levels due to the  
16 passing of the FAST Act or Fixing America's Surface  
17 Transportation Act.

18 In addition, we're also outlining funding  
19 for statewide initiatives and are proposing some project  
20 list changes in connection with those initiatives.

21 So overall, this revision proposes to  
22 allocate 2.1 billion to statewide improvement  
23 initiatives, which include statewide congestion relief,  
24 connectivity and safety, maintenance and energy sector  
25 repairs, border infrastructure, as well as the statewide

1 ports program. This initial investment provides  
2 1.3 billion to address congestion relief, which is  
3 approximately equivalent to two years' worth of  
4 diversion funds.

5 The five most congested major  
6 metropolitan areas in Texas were identified for funding  
7 with the Congestion Relief Initiative: Austin, Dallas,  
8 Fort Worth, Houston, and San Antonio, to address local  
9 priorities, target congestion bottlenecks, as well as to  
10 provide some short-term construction opportunities in  
11 those areas.

12 Commissioner Bugg and TxDOT  
13 Administration listened to the needs and priorities of  
14 local stakeholders in each of these areas; and in  
15 response, 14 projects have been identified for funding.  
16 So this provides a summary of those proposed projects in  
17 those five metropolitan areas, as well as the amount of  
18 funding that's being proposed for each of those  
19 projects.

20 The proposed Connectivity Initiative will  
21 focus on key statewide connectivity projects and will  
22 provide additional funding to the statewide safety  
23 program in Category 8. In addition to the statewide  
24 initiative, we also have one for maintenance and energy  
25 sector, which allocates 240 million by formula to each

1 of our TxDOT districts into Category 1 in UTP; and  
2 that's to address priority locations impacted by the  
3 energy sector, as well as any additional maintenance  
4 needs.

5 This initiative also proposes to  
6 distribute 60 million via the Federal Border  
7 Infrastructure Program and Ryder 11B to the three border  
8 districts, Pharr, Laredo, and El Paso during fiscal  
9 years 2016 and 2017 for key projects within 50 miles of  
10 the border ports of entry. This initial allocation  
11 provides 10 million per year to each of those districts,  
12 and this provides a summary of those proposed projects  
13 at this time.

14 Ryder 48 authorizes the use of up to  
15 20 million for the 2016, 2017 biennium to provide  
16 funding for Port Capital Improvement Projects. Nine  
17 projects have been selected by the Port Authority  
18 Advisory Committee in coordination with TxDOT's Maritime  
19 Division and are being proposed for approval of this  
20 revision.

21 And that concludes the presentation.  
22 Staff recommends your approval; and if you have any  
23 questions, we'll be happy to answer them at this time.

24 CHAIRMAN LEWIS: Are there any questions  
25 of Director Butler at this time?

1 (No response.)

2 CHAIRMAN LEWIS: No questions.

3 Thank you. If you will kind of remain  
4 with us, there may be later; but thank you very much.

5 We do have some comment cards, and we'll  
6 proceed to those items at this time. We have one from  
7 Mayor Rawlings.

8 Mayor Rawlings, please come forward. And  
9 after stating your name, give us the benefit of your  
10 thoughts with regard to this agenda item.

11 MAYOR RAWLINGS: Thank you,  
12 Chairman Lewis.

13 And thank you, Commissioners.

14 Thank you, Commissioner Vandergriff, for  
15 working so hard for us and with us in the area.

16 Today is a day of listening a little bit,  
17 and I'm so proud to speak on these important projects  
18 that the staff just showed you, the Lower Stemmons and  
19 Southern Gateway projects, which are included in this  
20 Unified Transportation Program. I know that Lee  
21 Kleinman, our Dallas City Councilman and Chairman of our  
22 Transportation Committee, spoke to you last; and I just  
23 want to reiterate some of the things that he said.

24 First, congratulations on Texas Clear  
25 Lanes. I think it's a great way to do it.

1                   And I want to say personally thank you to  
2 Governor Abbott. I love public servants that deliver  
3 what they say and they're politicians and they're  
4 candidates, and he has done just that. So he needs to  
5 be congratulated.

6                   The Commission, thank you for focusing on  
7 reducing congestion, particularly in the largest  
8 metropolitan areas in the state of Texas.

9                   As Mayor Price mentioned to you last  
10 time, our metro areas are the region that fuels our  
11 state's growth; and that is true in DFW. We've been  
12 adding about a million people every decade since the  
13 1960s. We are the fourth largest metropolitan area in  
14 the United States. So you have New York, Los Angeles,  
15 Chicago, and DFW. In fact, it's projected that DFW will  
16 soon be overtaking Chicago to be Number 3 if we're all  
17 successful.

18                   Now, to do that, we need transportation.  
19 And that's what you spend your time on, transportation's  
20 connectivity, connectivity to the rest of the state, to  
21 the rest of the nation but also connectivity in our  
22 city. And it begins by listening; and there's a chief  
23 listener who did such a great job when he came to  
24 Dallas, Commissioner Bugg.

25                   Thank you for coming and participating in

1 our statewide listening session. I thought that was a  
2 great session, and I learned a lot.

3 I also want to thank Commissioner  
4 Vandergriff, who's headed up a CityMAP project, which is  
5 helping us prioritize initiatives that we have because  
6 we have got to work alongside the State to do what is  
7 critical long term in our city.

8 We're doing that with city taxpayers'  
9 money. We believe in multimodal. We've got the largest  
10 light rail system. We've got trolley systems. I know  
11 you're going to get a report on biking. We've got all  
12 those things. And we're going be working as a team to  
13 continue that growth because we think it is so important  
14 for the state.

15 The funding that is provided by this  
16 initiative is allowing us to move forward with the  
17 regional transportation's Number 1 priority, and that is  
18 the Southern Gateway. Now, as a candidate myself, I've  
19 said my Number 1 project was southern Dallas. I think  
20 it's our greatest growth opportunity. It's 60 percent  
21 of our land mass. You can fit the city of Atlanta  
22 inside southern Dallas. The problem is that we don't  
23 have the connectivity we need, and this project will  
24 make that a reality. So thank you so much for helping  
25 the growth in south Dallas.

1 Adding to that notion, the other project  
2 that is critical is the Lower Stemmons Project, which is  
3 Interstate 35 E, from just north of the Horseshoe  
4 Project to North Oak Lawn. With the Horseshoe Project,  
5 which is already underway and our Trinity Parkway, this  
6 system will provide congestion relief from north of  
7 downtown Dallas to Interstate 20. This is the Number 1  
8 congestion in the whole state of Texas, according to  
9 Texas A&M.

10 In addition, the Regional Transportation  
11 Council is committing several million dollars it has to  
12 these two projects. By working together, I think we're  
13 going to have a great Dallas.

14 Finally, by using this funding  
15 initiative, I wanted to speak to another important  
16 initiative that is going to come up later today, the  
17 Interstate 635 East Project, Item 12 in today's agenda.  
18 I know you've received letters on that. I signed one of  
19 them as well, and I want to offer my support on that.

20 Look, I understand that this one is not  
21 perfect, that we -- there's some discussion on that; but  
22 I just want to tell you: All the business leaders that  
23 I know, all the citizens that I know, all the city  
24 leaders are behind this a hundred percent; and I've just  
25 always felt sometimes that perfection is sometimes the

1 enemy of really, really good. So please consider that  
2 as well.

3 But, most importantly, thank you. Thank  
4 you for what you do for the state, for what you do for  
5 the citizens of Dallas; and you've got a partner in City  
6 Hall. God bless you.

7 CHAIRMAN LEWIS: Thank you very much,  
8 Mayor.

9 Any questions or comments, Commissioners,  
10 of Mayor Mike Rawlings?

11 Yes, Commissioner Vandergriff.

12 COMMISSIONER VANDERGRUFF: Well, not so  
13 much a question; but I just want to acknowledge your  
14 leadership for the city and, really, for the region in  
15 getting not just congestion but the whole sustainability  
16 and connectivity issues that the City of Dallas has long  
17 been seeking there. It's been a terrific effort, and  
18 it's always been a pleasure and a privilege to work with  
19 you.

20 MAYOR RAWLINGS: Thank you, Commissioner.

21 CHAIRMAN LEWIS: Yes, Vice-Chair Moseley.

22 VICE-CHAIR MOSELEY: Mayor, welcome, it's  
23 a delight to see you again. And, again, thank you for  
24 your leadership and your passion for mobility related to  
25 South Dallas.

1 I think it would be useful for us to have  
2 a full dialogue on Interstate 45 because that's a  
3 strategic corridor linking some important regions of our  
4 state; but we're excited about what's happening on I-35,  
5 clearly a demonstrated need there. And as we look to  
6 the future of Dallas and South Dallas, it seems like 45  
7 would also be an important opportunity for us.

8 MAYOR RAWLINGS: It is.

9 VICE-CHAIR MOSELEY: Thank you for what  
10 you do.

11 CHAIRMAN LEWIS: And, yes,  
12 Commissioner Austin.

13 COMMISSIONER AUSTIN: Mayor, thank you,  
14 again, for coming up and listening to us. Some of us  
15 that live outside of Dallas, in listening, you and  
16 Mayor Price have really come together to work from what  
17 appears as the Hatfields and McCoys.

18 (Laughter.)

19 COMMISSIONER AUSTIN: But y'all have come  
20 together to really work and embrace connectivity in the  
21 region. And you know who's right in the middle of  
22 Dallas and Fort Worth is Commission Vandergriff. So he  
23 is a great facilitator. But connectivity, whether from  
24 DART to the airport, with freight rail, working with  
25 other modes, with DFW, Love Field, really tying

1 everything into connectivity all around, you're setting  
2 a great example; and that's one of the reasons people  
3 keep coming to Texas. So don't stop.

4 Thank you.

5 MAYOR RAWLINGS: Thank you.

6 CHAIRMAN LEWIS: Mayor, thank you very  
7 much for taking time out of your busy schedule to come  
8 down here and visit with us. I know that you and some  
9 of our other civic leaders may need to leave at some  
10 point to catch flights and so forth, and please feel  
11 free to do that. And thank you for being here.

12 MAYOR RAWLINGS: Thank you.

13 And I know it's not on your agenda, but  
14 just know that the high speed rail is something that's  
15 very important to us all, as well as. Okay? Thank you  
16 very much.

17 CHAIRMAN LEWIS: Thank you, sir.

18 We next have Mayor Steve Adler.

19 Mayor Adler, if you will, please come  
20 forward. After stating your name, give us the benefit  
21 of your thoughts.

22 MAYOR ADLER: Chairman Lewis,  
23 Commissioners, Director Bass.

24 Steve Adler, Mayor of the City of Austin.  
25 I appreciate the opportunity to come here with an

1        overarching theme of saying thank you for the allocation  
2        in the UTP.

3                        You know, the City of Austin recently  
4        commissioned a poll to see what our citizens thought  
5        about the city. And one of the findings was that fewer  
6        than 1 in 5, about 17 percent, of the people that live  
7        in Austin were satisfied with the traffic flow; and,  
8        frankly, I'm surprised that the number is even that high  
9        in our city.

10                      (Laughter.)

11                      MAYOR ADLER: I think, perhaps, for  
12        partly that reason, I was recently appointed to the  
13        Transportation Committee of the U.S. Conference of  
14        Mayors and made Chair of the subcommittee on highways.

15                      Austin is the fastest-growing, large  
16        metropolitan area in the country over the last four  
17        years, growing about 30 percent faster than Number 2.  
18        And we don't have the infrastructure in our city for  
19        folks to be able to move around, which you know, because  
20        you're sited here and travel through our city; but I  
21        think now we're being better positioned for a win.

22                      I think this began five years ago, in  
23        2011, when the Legislature passed the Budget Rider 42 to  
24        take a look at congestion. We are real thankful that  
25        the Governor has picked this up and made it a priority.

1                   Following from that initial rider  
2 process, there was a very large community stakeholder  
3 process in this city that was focused on congestion.  
4 The Department brought in expertise and advisors. The  
5 District participated and helped lead that conversation.  
6 Texas A&M Transportation Institute, too, came in; but in  
7 classic Austin fashion, you had all of the stakeholders  
8 and all of the community participating, as well, that  
9 were focused on I-35. It is the most congested part of  
10 the highway system right now in Texas, as I-35 goes  
11 through downtown Austin. And we focused on that.

12                   We went through what I believe to be the  
13 most robust public communication effort that I've ever  
14 seen TxDOT do in this town with respect to I-35. And  
15 TxDOT did a great job of focusing energy and attention  
16 on that, and the whole community participated. I think  
17 it left us with some pretty detailed and smart work so  
18 that in this city we could actually get to work on  
19 projects, instead of just planning for them or talking  
20 about them.

21                   The proposed projects in the UTP at  
22 31st -- at 51st and I-35, Oltorf and Rundberg, are  
23 critically needed, the results of the Governor's focus  
24 on congestion, the work of this Commission, and the  
25 community process and for the hope that that passes.

1 And I, again, say thank you.

2 I would point out that part of the  
3 proposal is a 10-million-dollar investment in a traffic  
4 management system upgrade, I want you to know that we  
5 are leveraging that as part of our City's application  
6 for the 50-million-dollar Smart Cities Grant process  
7 that the Department of Transportation is now initiating.  
8 They'll announce the five finalists at the South By  
9 Southwest Festival here in Austin in just a couple of  
10 weeks. And we have our fingers crossed, but we know we  
11 have a better application because of the commitment by  
12 the State and the Commission with respect to that  
13 project.

14 With respect to the project as it's being  
15 planned, there are two proposals that are being  
16 considered, a modifying existing and a depressed concept  
17 of that plan. I want you to know that the community has  
18 long supported the depressed option. Lowering those  
19 lanes will help us deal with surface congestion in our  
20 downtown area, and that's important to us. Not  
21 incidentally, it will also help the people working in  
22 this building get back and forth more quickly.

23 It also would give us the opportunity to  
24 create economic opportunity and to raise the private  
25 investment and local investment, perhaps through a cap,

1 parts of that project, as has been done in Dallas; and,  
2 locally, we would like to be able to be given that  
3 opportunity to be able to do that.

4 It's a priority of mine. And when  
5 Commissioner Bugg came, certainly the entire community,  
6 the business community as well as all the other  
7 stakeholder groups, to have managed lanes as part of  
8 that project; and I hope ultimately that is something  
9 that is considered. It enables us to ease congestion  
10 with managed lanes, transit to be able to travel at high  
11 speeds through our city; and while a lot of people will  
12 not get out of their cars, some will. And we want to  
13 give those folks as much as opportunity as we can to get  
14 out of the other lanes. So this is a great project for  
15 us. It's for our region.

16 I would also report to you that we are  
17 now talking with our surrounding counties and cities in  
18 ways that perhaps has not happened in Central Texas  
19 before; and we are talking about moving together as a  
20 region, perhaps with regional bond proposals, as opposed  
21 to just localized efforts.

22 And this project on I-35, the vision  
23 that's been painted going from 45 in the north to 45 in  
24 the south, is something that we're all very excited  
25 about.

1 I just wanted to say thank you.

2 CHAIRMAN LEWIS: Thank you very much,  
3 Mayor.

4 Any questions or comments?

5 Commissioner Austin.

6 COMMISSIONER AUSTIN: Mayor, thank you  
7 for being here. You know, as close as we all are, we  
8 don't see you that often; but don't be a stranger.

9 One comment and then a question. The  
10 comment is: As we look at traffic relieving it here, I  
11 know that you and part of your team and your staff have  
12 been involved in looking at the sources and destination  
13 of the truck traffic. While we've looked to try to find  
14 alternate routes or solutions, I think what's been found  
15 is that the majority of the trucks we see here on 35 are  
16 coming to this area to deliver goods or pick up, you  
17 know, the short-haulers. So there's not a lot that can  
18 be done. The good news is that we have a vibrant  
19 economy and they're coming and we are doing our part to,  
20 hopefully, add relief through additional capacity.

21 The question I have -- would you mind --  
22 I have seen it -- but for the rest of us, would you give  
23 us a brief summary on what is your management system,  
24 the premise, about the \$10 million that is allocated  
25 here? It is very innovative, and I like what y'all are

1 doing.

2 MAYOR ADLER: Well, the hope is --

3 COMMISSIONER AUSTIN: Traffic management.

4 MAYOR ADLER: Yes. The \$10 million in  
5 the grant, Smart Cities Application, is built around  
6 trying to consolidate those efforts so that we don't  
7 have various and different governmental entities all  
8 dealing with those traffic management on-the-ground  
9 systems to be able to see realtime in better ways and  
10 act more interactively with respect to the response of  
11 the data that's being received, but then to consolidate  
12 that effort so that everybody's -- so that it's one  
13 effort, working together.

14 CHAIRMAN LEWIS: Thank you.

15 MAYOR ADLER: Thank you.

16 CHAIRMAN LEWIS: Any other questions?

17 Yes, Vice-Chair Moseley.

18 VICE-CHAIR MOSELEY: Thank you,  
19 Chairman.

20 Mayor Adler, thank you for being here  
21 today and for your statement. I really wanted to just  
22 kind of build on the question that Commissioner Austin  
23 posed related to traffic management. We, in our  
24 statewide highway system, have about 3500 Texans that  
25 die annually. Now, that's equivalent to about ten 747s.

1 And so we're committed to see what we can do to bring  
2 more safety design features into the roadway, and I  
3 wanted to commend you for the traffic management system  
4 because we know technology and managing the roadway can  
5 really add that safety component. There's a very strong  
6 return on investment of Texas lives saved, so I just  
7 wanted to commend you for that.

8 I-35 is clearly a strategic corridor.  
9 The Texas Almanac would even say that that is the  
10 definition of East and West Texas, believe it or not.

11 (Laughter.)

12 VICE-CHAIR MOSELEY: So it's an important  
13 corridor to the state.

14 So thank you for what you're doing, and I  
15 appreciate you're being here today.

16 MAYOR ADLER: Thank you, sir.

17 CHAIRMAN LEWIS: Thank you very much,  
18 Mayor. If there are no further questions or comments,  
19 thank you very much for being with us. We appreciate  
20 it. Thank you.

21 We have the Legislative Director of  
22 Senator Jane Nelson's office, Travis Broussard.

23 Travis, if you will, state your name and  
24 who you're here representing; and give us the benefit of  
25 your thoughts.

1 MR. BROUSSARD: Yes. Good morning.

2 For the record, my name's Travis  
3 Broussard, Legislative Director for Senator Jane Nelson,  
4 who's asked me to read the following letter on her  
5 behalf, "Dear Commissioners, I'm writing this letter to  
6 lend my earnest support for the package of congestion  
7 projects proposed for the Unified Transportation  
8 Program, particularly the State Highway 121, 360  
9 interchange and State Highway 199 projects located in  
10 Senate District 12.

11 "For years my constituents have contacted  
12 me, requesting that these areas receive improvements.  
13 The proposals before you will bring much-needed  
14 congestion relief for thousands of motorists in Tarrant  
15 County and across Texas.

16 "The Legislature has worked very hard  
17 over the past several years to prioritize transportation  
18 funding. During the 83rd Legislative Session, we passed  
19 and voters approved, Proposition 1. As Chairman of the  
20 Senate Finance Committee last session, I supported  
21 Proposition 7 and worked to end diversions from the  
22 highway fund. I believe the \$2.4 billion worth of  
23 congestion projects before you today represent the fruit  
24 of that labor.

25 "I appreciate your recognition of our

1 efforts to improve the State's transportation and  
2 infrastructure, and I'm proud to support these  
3 proposals.

4 "Thank you for your service to Texas and  
5 your work to keep Texans moving.

6 "Very truly yours, Senator Jane Nelson."  
7 Thank you.

8 CHAIRMAN LEWIS: Thank you very much,  
9 Travis. We appreciate it very much and appreciate  
10 Senator Nelson, obviously.

11 Those are all of the cards that I have.  
12 Has everyone who wished to address us on this matter  
13 filled out a card?

14 (No response.)

15 CHAIRMAN LEWIS: Then we'll proceed on.  
16 Are there any other questions of Branch Manager Butler  
17 or any other comments?

18 VICE-CHAIR MOSELEY: Chairman?

19 CHAIRMAN LEWIS: Yes.

20 VICE-CHAIR MOSELEY: The comment I would  
21 have is I believe this might be Ms. Butler's first time  
22 to present to the Commission, and we have a tradition of  
23 kind of razzing first-time presenters.

24 (Laughter.)

25 VICE-CHAIR MOSELEY: And so I wanted to

1 just say: Well done.

2 COMMISSIONER AUSTIN: You're not going to  
3 ask her about the formulas, are you?

4 (Laughter.)

5 VICE-CHAIR MOSELEY: Very good  
6 presentation.

7 MS. BUTLER: Thank you.

8 CHAIRMAN LEWIS: It was an excellent  
9 presentation. Thank you very much.

10 If there are no further questions and  
11 we're ready to proceed to receive a motion,  
12 Commissioner Bugg, do you move that the Commission  
13 approve the updates to the 2016 Unified Transportation  
14 Program in accordance with the staff's recommendations?

15 COMMISSIONER BUGG: Can I think about  
16 that for a minute?

17 (Laughter.)

18 COMMISSIONER BUGG: Mr. Chairman, it  
19 would be an honor to make the motion to approve this  
20 action.

21 CHAIRMAN LEWIS: All right. Thank you.  
22 And, Commissioner Austin, do you second  
23 that motion?

24 COMMISSIONER AUSTIN: I second the  
25 motion.

1                   CHAIRMAN LEWIS: We have a motion and a  
2 second. If there's no further discussion, we'll proceed  
3 to a vote.

4                   All in favor, say aye.

5                   (Chorus of "Ayes.")

6                   CHAIRMAN LEWIS: Any opposed, no.

7                   (No response.)

8                   CHAIRMAN LEWIS: Okay. Thank you. The  
9 motion carries. I appreciate it.

10                  (Applause.)

11                  VICE-CHAIR MOSELEY: Mr. Chairman, I  
12 might also just say a thank you to Commissioner Bugg.  
13 We talked about this at last month's meeting; but,  
14 really, to echo the comments today of his diligence in  
15 going around the state on the listening tour and  
16 bringing back this recommendation to the Commission,  
17 thank you, Commissioner, on a job well done.

18                  COMMISSIONER BUGG: Thank you, Mr. Vice-  
19 Chairman.

20                  CHAIRMAN LEWIS: Thank you.

21                  And with that, Director Bass, we'll  
22 proceed to the next item.

23                  EXEC. DIRECTOR BASS: All right. Next we  
24 have agenda Item 5(a), which is an update on House  
25 Bill 20; and Deputy Executive Director Marc Williams

1 will present this item.

2 MR. WILLIAMS: Thank you.

3 Director Bass, Members of the Commission.

4 Again, for the record, Marc Williams,  
5 Deputy Executive Director for the Texas Department of  
6 Transportation.

7 I wanted to follow the UTP presentation  
8 today with an update on where we are right now with our  
9 efforts in implementing and moving forward with House  
10 Bill 20; and as I do, I certainly want to acknowledge  
11 and express my appreciation to Commissioner Vandergriff,  
12 who has been with us throughout this whole entire  
13 process.

14 And I certainly appreciate your time and  
15 effort and energy and leadership in this effort,  
16 Commissioner. It's been a -- as we'll show on the  
17 chart, it's been ongoing effort; and I wanted to bring  
18 your fellow commissioners up to speed.

19 Although I know that Chairman Lewis,  
20 you've participated in a number of these meetings as  
21 well; and we've had an opportunity to update each of you  
22 commissioners individually.

23 But this chart kind of shows where we are  
24 right now presently in the implementation effort with  
25 House Bill 20.

1                   And, as you may recall, back in  
2                   September, we submitted our initial report that was  
3                   required under that legislation. And we're in the  
4                   process of putting together a preliminary report, which  
5                   is shown in the top line, at the end of March; and we'll  
6                   be sharing with you-all draft versions of that report  
7                   later today that you will have. And we will be stepping  
8                   through this presentation just some of the components  
9                   that are included in that.

10                   Later, at the end of the year, in around  
11                   the October, early November timeframe, the two select  
12                   committees that were established under HB 20 will be  
13                   issuing a report; and that's also shown.

14                   In the middle of this diagram of this  
15                   timeline, we've had a number of working group meetings.  
16                   We've had -- as we advised you-all early on, we  
17                   established a planning organization stakeholder  
18                   committee that included representatives from our  
19                   districts and our MPOs. It also was open to involvement  
20                   by our legislative staff members that are  
21                   representatives of the members that have been appointed  
22                   to the select committees. We've had a total of ten  
23                   meetings of that committee over the past six, seven  
24                   months. Some of those have been in person; some of  
25                   those have been over the phone but really in an effort

1 to continue to gain input and guidance from them and  
2 also talk to them about some of the processes and the  
3 programs that we follow, the formulas that are used, the  
4 analysis that we do in the various areas of our Unified  
5 Transportation Program.

6 We have future meetings that are going to  
7 be -- that will continue to come up and certainly  
8 welcome any Commissioner's participation. In those  
9 meetings Commissioner Vandergriff has been leading that  
10 effort on behalf of the Commission.

11 We're also in the process of working to  
12 put together a customer stakeholder committee that will  
13 be reacting to some of the efforts that we have  
14 underway. And we've got some members of that committee  
15 that we've been working on finalizing the list of those  
16 participants but that's really a group -- it's not so  
17 much of a working group, but really kind of a  
18 read-and-react group to some of the input and the  
19 direction that we've received from the Planning  
20 Organization Stakeholder Committee.

21 In addition, as I mentioned before, we've  
22 got the House and Senate Select Committees on  
23 Transportation Planning; and we have had, to date, three  
24 meetings with the House Committee -- the House  
25 Subcommittee. We have coming up on March 29th our first

1 meeting with the Senate Subcommittee; and it will be at  
2 that meeting we'll be stepping through with them a draft  
3 version of the preliminary report. The final version is  
4 due to be submitted on the 31st.

5 As of today, we don't have any other  
6 meeting dates that have been scheduled yet of that  
7 committee -- of either one of those two committees; but  
8 we certainly anticipate that there will be a few more as  
9 we go through the year.

10 All of this is leading to continued  
11 updates and improvements to the processes and the  
12 project selection efforts and the performance-based  
13 decision making that we have through the UTP. And as we  
14 talked about with the recent program of projects that  
15 were adopted by the UTP, we really sought to follow some  
16 of the principals and the objectives that were outlined  
17 for that project selection process by HB 20, realizing  
18 that the full process of adopting HB 20 is an ongoing  
19 effort.

20 And as we develop the 2017 UTP, we're  
21 going to be developing even more components of where  
22 HB 20 has directed us in terms of principals and  
23 integrating that into what we're doing with the UTP; and  
24 we'll be talking a little bit more about that a bit  
25 later in this presentation. And then, in addition to

1 that, there'll be an ongoing effort to adopt new rules  
2 and new public involvement processes that guide the UTP  
3 process.

4 So I want to quickly give you a highlight  
5 of the five components that are part of the HB 20  
6 preliminary report that I mentioned that will be  
7 submitted to the Legislature at the end of next month.  
8 There's really five elements that are called for in that  
9 report: One is use and utilization of alternative  
10 methods of financing authorized by the Legislature for  
11 projects that includes innovative areas as well as bond  
12 projects, performance metrics and measurement tools the  
13 Department currently uses to evaluate performance of  
14 projects and programs, recognizing that HB 20 is  
15 pointing us in the direction of enhancing those efforts.  
16 Where we are in collaboration with state and local  
17 officials, Government trade associations, planning  
18 organizations, and other entities that we work with in  
19 the development of rules and policies that are part of  
20 our planning and programming process. And what proposed  
21 rules and policies are currently envisioned in  
22 responding to HB 20 and other initiatives. And then the  
23 possible benefits of using zero-based budgeting  
24 principals. And so these were the five elements that  
25 the Legislature asked us to include and address in this

1 report; and as I mentioned before, we'll be sharing a  
2 draft copy of that report with all of the Commissioners  
3 and their staff here today.

4 Future efforts going forward, as I  
5 mentioned before, and in the present -- and in the  
6 schedule that I showed earlier, we're going to continue  
7 to meet and establish a Customer Stakeholder Committee.

8 Later on today, Darren Anderson will be  
9 presenting and talking about our mission vision values  
10 and goals. That's going to help to drive our efforts  
11 towards the performance measures and metrics that are  
12 required to be part of the HB 20 process.

13 And then we're continuing to work very  
14 closely with Legislative members and staff, as I  
15 mentioned before, in developing administrative rules  
16 and, finally, working toward adoption of the 2017 UTP,  
17 consistent with HB 20 objectives.

18 As we talk about the UTP and adopting the  
19 UTP relative to HB 20, we thought it was really  
20 important to kind of show to you all this chart here  
21 that really talks about the process that we're following  
22 because it's not an all-at-once type of deal. It's  
23 really an iterative process, and one of the very  
24 important things that I'm going to talk about here in a  
25 few minutes is the planning forecast scenarios and what

1 amount of funding and what key assumptions we're needing  
2 to make as we look at the funding targets that we're  
3 seeking to plan around.

4           And then, as we go through that effort as  
5 part of the 2017 UTP, there's a distribution strategy,  
6 project selection, and prioritization, additional  
7 funding requests, ultimately updating the ten-year  
8 programming; and then after that, beginning the process  
9 of monitoring impacts. And all of that will be based on  
10 the objectives of HB 20; but as we go into future  
11 updates of the UTP, recognizing that the 2017 UTP is  
12 going to be adopted in August, the Legislative  
13 Committees in the House and the Senate won't complete  
14 their work until November, we certainly recognize that  
15 this is going to be an iterative process.

16           And so the 2018 UTP and beyond, we'll be  
17 going through this whole cycle of evaluating how well  
18 we're doing, adjusting strategies and investment, and  
19 then re-going through the process again with  
20 distribution strategies that align more specifically  
21 with the targets and the guidelines that HB 20 sets us  
22 on.

23           So this is really a cyclical effort.  
24 Every time we go through this process, we anticipate  
25 that we'll be having a more robust and refined level of

1 efforts and precision in how we're doing performance-  
2 based project selection and fund allocation.

3 But as I mentioned earlier and as I  
4 showed at the top of this previous chart on the  
5 left-hand side, Planning Forecasts and Scenarios, key  
6 assumptions about what funding levels we need to assume  
7 and the basis for those funding levels. And there's  
8 three areas in particular that I want to point out.

9 First of all is the Proposition 1 funding  
10 levels. We currently in the UTP have FY '16 and '17  
11 funding levels that are included. Those are based upon  
12 the Comptroller's certified revenue estimates. We do  
13 not yet have fiscal years '18 and beyond in the UTP  
14 today; and in order to incorporate those into the UTP,  
15 we need to make and build on the assumption that those  
16 funds are going to continue to be available and that the  
17 Legislature is going to continue to make those funds  
18 available.

19 In looking at a ten-year historical  
20 average of what that could be, we would estimate that  
21 that would be around 800 to \$900 million; but that's on  
22 the assumption that the Legislature is going to continue  
23 to make those funds available under the guidelines that  
24 were set forth by and approved by the voters with  
25 Proposition 1.

1                   Similarly with Proposition 7, we  
2 mentioned before, Senate Joint Resolution 5 and the  
3 Ballot Initiative that was approved overwhelmingly by  
4 voters will begin starting in FY '18 to allocate  
5 \$2.5 billion a year into the UTP. To adopt that will  
6 require certain assumptions to be made; but when we  
7 begin to put those and approve those funds to be  
8 included in the UTP so that we can begin basing our  
9 performance analyses and project selection processes,  
10 building that around those funds and beginning to plan  
11 for those funds.

12                   Finally, Fixing America's Surface  
13 Transportation Act, the FAST Act, funding. Jessica  
14 mentioned as part of the current UTP that we have  
15 adopted FY '16 through FY '20 FAST Act levels.  
16 Typically when FAST Act expires, when the Congressional  
17 Act expires, some of those funding levels go away, which  
18 means if they are out of the UTP, we're not able to move  
19 forward with project development and project selection  
20 based upon that.

21                   We're going to be recommending to the  
22 Commission as part of the update in the 2017 UTP that we  
23 continue to extend those funding levels through 2026 and  
24 incorporate that into the UTP.

25                   As we move forward, we anticipate coming

1 back to the Commission with future efforts; and there's  
2 a number of ongoing activities that are part of this.  
3 The portfolio planning and continued project development  
4 with UTP are some of the current efforts that we have  
5 going on, along with what I've outlined as part of this  
6 presentation with HB 20.

7 This also links to our core strategy  
8 team, our mission vision values and goals, our Sunset  
9 review, and then, ultimately, adoption of HB 20 related  
10 rules. So it's not just -- this is not being developed  
11 in a silo. It's really being developed in a manner that  
12 is integrated in a lot of other activities that we're  
13 doing within the department, and we're working to try to  
14 tie all of these programs together.

15 So, Director Bass and Commissioners, I  
16 appreciate the opportunity to update you on where we are  
17 in this process; and I look forward to answering any  
18 questions that you may have or any comments that you may  
19 have as you continue to keep up with what we're doing  
20 and what the staff and the department is doing in  
21 response to HB 20.

22 At this time I'll conclude my  
23 presentation. I'm happy to answer any questions.

24 CHAIRMAN LEWIS: Before we do that, I  
25 just do want to make an announcement. After this item,

1 the next item that we'll take up is Item Number 12 on  
2 the Dallas Express, I-635. We have some visiting  
3 dignitaries here, and we want to be conscious of their  
4 time. So after this, we'll go over to that.

5 And now, any -- we should note on my  
6 sheet it says, "Interim Deputy Executive Director  
7 Williams." But I want to congratulate you on your new  
8 appointment.

9 MR. WILLIAMS: Thanks, Mr. Chairman.

10 CHAIRMAN LEWIS: It's no longer interim.  
11 So any questions of Deputy Executive  
12 Director Williams?

13 Yes, Commissioner Bugg.

14 COMMISSIONER BUGG: That's exactly what I  
15 wanted to do is congratulate you, Marc, on your  
16 appointment by our Executive Director, James Bass, as  
17 the Deputy Executive Director; and I look forward to  
18 working with you. And what a great job you've done and  
19 you will do.

20 MR. WILLIAMS: Thank you.

21 COMMISSIONER BUGG: The other thing I  
22 wanted to say was I just want to thank my Fellow  
23 Commissioner, Victor Vandergriff.

24 Victor, your leadership on this HB 20 is  
25 just outstanding. I know how much time -- well, I

1 really don't know how much time.

2 (Laughter.)

3 COMMISSIONER BUGG: I know our  
4 electricity bills have gone up --

5 (Laughter.)

6 COMMISSIONER BUGG: -- because in your  
7 office lights are on all night long; but, seriously,  
8 you've put so much time, effort, and energy into this.  
9 It's so important to the future of how the Commission is  
10 going to be implementing programs and helping address  
11 congestion relief, along with connectivity, and all the  
12 other important transportation issues for the state. So  
13 I, for one, just want to thank you.

14 CHAIRMAN LEWIS: Yes, Vice-Chair Moseley.

15 VICE-CHAIR MOSELEY: Chairman, just to  
16 add to Commissioner Bugg's comment, Commissioner  
17 Vandergriff really has taken what I would say is almost  
18 an abstract assignment and solidified it down into some  
19 measurables; and I thank you for that, Commissioner.

20 This is a very wonderful document that  
21 you and your committee -- and I know you give credit to  
22 your committee; and they did a super job, too. But  
23 thank you for bringing us to this point in the  
24 discussion.

25 Marc, congratulations on your assignment,

1 well-deserved.

2                   One question: One of the most  
3 fascinating things about kind of the planning and  
4 planning forecast is that, you know, we try to take a  
5 10-year look at projects; and so we're assigning  
6 projects and putting them in the pipeline. And so, in a  
7 way, you know, there's an authorization; and then  
8 there's an appropriation. And so this fascinating  
9 planning comes in where we team up with our MPOs, which  
10 now legislatively they have to do a 10-year planning  
11 document. So it should be working in tandem with our  
12 planning.

13                   But, you know, this kind of falls under:  
14 Measure it with my chronometer, mark it with a grease  
15 pencil, and cut it with an ax because there's parts of  
16 this that are very, very precise; and there's parts of  
17 it that are really a best guess. And so I admire the  
18 fact that you've got our plan to this point because,  
19 just even on Prop 1, can you give us an idea of how  
20 those revenues have dropped based on the price per  
21 barrel of crude oil from when we started to what we're  
22 projecting today? And here we are trying to make a  
23 10-year projection of revenue on revenue streams that  
24 aren't always predictable. And then there's the  
25 Federales, and we're not always sure how much money's

1 coming from the Federal Government. So just on Prop 1  
2 can you give us an idea?

3 MR. WILLIAMS: Certainly, Commissioner.  
4 That's an excellent point. And it is really what -- you  
5 know, really part of the effort that we have to go  
6 through working with you-all on is making a reasonable  
7 set of assumptions, realizing that there's a lot of  
8 variations.

9 And so when the first year of  
10 Proposition 1, the funding level was over \$1.7 billion,  
11 that was more than what the Legislature had estimated.  
12 When they passed Proposition 1, they were projecting  
13 somewhere in the 900-million-dollar range.

14 Last year that level dropped to a little  
15 bit below \$1.2 billion in the second year of that  
16 program.

17 And now, based upon the Comptroller's  
18 estimate, we anticipate that Prop 1 funding for next  
19 year will be down around \$700 billion.

20 Overall, as we look at kind of where  
21 we're at, that's still relatively in the range and  
22 slightly above the range of what the Legislature  
23 predicted when they passed Proposition 1.

24 And so what we're recommending for the  
25 Commission as part of the assumptions is that as we go

1 forward and begin to build future years of the UTP, in  
2 order to have projects ready, we need to be able to make  
3 a reasonable assumption about what that funding level is  
4 going to be and get guidance from the Commission on  
5 where to begin to look at allocating it, recognizing  
6 that the Legislature has a very important role going  
7 forward; but by doing that, we have a much better  
8 ability to work with our districts and work with our  
9 MPOs through the planning effort that HB 20 prescribes  
10 to have the best projects ready to go and have the  
11 shovel ready when those funds become available.

12 VICE-CHAIR MOSELEY: Very good. Thank  
13 you.

14 CHAIRMAN LEWIS: Commissioner Austin.

15 COMMISSIONER AUSTIN: Well, Marc, again,  
16 congratulations on your role.

17 And for those of y'all who don't know  
18 Marc. He came to us from Kentucky where he was the  
19 Secretary of Transportation in Kentucky.

20 So thank you, Marc, for bringing your  
21 addition expertise and being with us for a long time.

22 I want to share some ideas as we look at  
23 House Bill 20 in the performance of metrics, and this is  
24 not just going to roads. This is going for -- touching  
25 everything we do in the department. Commissioner

1 Vandergriff has really, really, really been involved in  
2 this. And thank you for listening to me in some of our  
3 conversations of looking at different metrics and  
4 ideas.

5 But here's some facts I'd like y'all to  
6 consider: 53,000 bridges; more than 5,000 traffic  
7 signals; over 8,000 transit vehicles; 26 Texas ports;  
8 423 miles along the Gulf Coast Intracoastal --  
9 Intracoastal, 423 miles; over 195,000 lane miles that  
10 TxDOT manages; 605 picnic areas -- a little-known  
11 fact --

12 (Laughter.)

13 COMMISSIONER AUSTIN: -- 92 rest areas --  
14 and that's important with traffic safety -- 3200 miles  
15 of interstate in Texas, that is, before I-69; 304  
16 airports; 65,000 pilots that are FAA registered in  
17 Texas; over 1500 hybrid vehicles that TxDOT maintains;  
18 and of those 195,000 lane miles that we, that are on the  
19 TxDOT system -- that's only about 26 percent of lane  
20 miles in Texas; the rest of them are city roads, county  
21 roads, and other roads -- but about 75 percent of all  
22 the traffic is all on that 25 percent. And that's kind  
23 of what we're dealing with, with the most congested  
24 roadways.

25 Given the scope, now I want to come back

1 down to point of your slide, we're looking out ten years  
2 ahead, as Commissioner Moseley talked about. A couple  
3 of things that concern me, if we look at revenue, how  
4 are we going to pay for a lot of these things? And one  
5 of our state revenue sources is the state gas tax. It's  
6 at 20 cents, and 25 percent goes to education. But of  
7 that 20 cents, taking it at face value, in 1992 when it  
8 was put in place, the purchasing power today is 8 cents.  
9 So let's go back. From 1992 to now, 2015, the  
10 purchasing power has dropped from 20 cents to 8 cents;  
11 and then of that 8 cents, 25 percent still goes to  
12 education. So we're about to 6 cents. We're still  
13 trying to pick up, you know, projects. Our construction  
14 cost index alone last year was up 6.3 percent. 6.3  
15 percent is our annual inflation rate where the costs are  
16 going back up.

17 Now, think about that. If we wait two  
18 years -- actually, it's more than 6.3; it's, you know,  
19 12.6 or almost 13 percent by the time you compound it;  
20 and then it goes on and on and on. Where I'm leading,  
21 the purchasing power going down, let's don't think that  
22 Prop 1 and Prop 7 -- we're very thankful because it's  
23 plugging a big gap that we have -- that we're solving  
24 the problem. And as we look at this next update of UTP,  
25 which will be sometime this summer, as we start looking

1 at the projects that are coming on, we're going to have  
2 to really be scarce with our resources and apply some  
3 great metrics that Commissioner Vandergriff is working  
4 to identify the right ones so we can have them done  
5 immediately and really bring some relief.

6 Vehicle miles traveled continues to go  
7 up. Population continues to go up. Again, I just want  
8 to reemphasize that this is not going to be an easy  
9 process; and as we look at a constant level of formula  
10 that, Marc, I guess y'all are going to be looking at  
11 with revenues of 2 and a half billion from Prop 7, the  
12 purchasing power -- let's don't be mistaken -- will  
13 continue to go down.

14 So we've got to be careful that we are  
15 good stewards, looking at all our modes; and sometimes  
16 that may mean looking -- even our freight initiative  
17 that is not funded, we've got to look at getting some of  
18 this traffic off the roadways onto rail or,  
19 Commissioner, you talked about a freight shuttle.  
20 There's going to be a lot of other challenges that we  
21 have, and we're going to need our friends in the private  
22 industry. We can't do it alone. We're going to need  
23 help from the Legislature to keep moving forward.

24 But I really like the direction that  
25 we're going with the metrics to make sure we're doing

1 the right projects; but it does -- as with the  
2 congestion mitigation, as we talked about, there is a  
3 lot of congestion outside the five major areas. And  
4 we're here to serve the entire state.

5 I was just in Laredo looking at the  
6 Number 1 truck crossing entry, port of entry into the  
7 country. You know, there's ports, the Farm-to-Market  
8 roads. So we have a lot of other needs, and we can't  
9 just focus just on five major metros because when they  
10 leave there, they come to our neck of the woods.

11 So, Marc, thank you.

12 And, Commissioner Vandergriff, thank you  
13 for all your work on what you're doing.

14 CHAIRMAN LEWIS: Thank you.

15 Any other questions or comments of Deputy  
16 Executive Director Williams?

17 Commissioner Vandergriff.

18 COMMISSIONER VANDERGRIFF: Yes, just a  
19 couple of things.

20 I think people have heard me say this  
21 before; but when I found Marc, when then Executive  
22 Director Phil Wilson was here and started talking about  
23 metrics and how to make sense of all these things, I  
24 said, "I think I've got the guy for you."

25 (Laughter.)

1                   COMMISSIONER VANDERGRIFF: And so we've  
2                   been we've been tied at the hip philosophically for now  
3                   two and a half years. But all the nice things you said  
4                   up here, I really appreciate that; but you didn't ask  
5                   Marc his opinion. And right now he might have reserved  
6                   comment because I think at times he'd like to kill me.

7                   (Laughter.)

8                   COMMISSIONER VANDERGRIFF: But, again,  
9                   congratulations, also, on your permanent appointment.

10                  MR. WILLIAMS: Thank you, sir.

11                  CHAIRMAN LEWIS: And thank you both,  
12                  Commissioner and Deputy Executive Director, for your  
13                  efforts.

14                  If there's nothing further, then, thank  
15                  you very. We'll proceed on to the next item, which is  
16                  Item 12; and I'll turn it back over to our Executive  
17                  Director, Mr. Bass.

18                  EXEC. DIRECTOR BASS: Yes. And our  
19                  Chief Engineer, Bill Hale, will present Agenda Item 12,  
20                  which is consideration of options concerning the  
21                  Interstate 635 East Express Lanes Project.

22                  MR. HALE: Good morning, Chairman,  
23                  Commissioners, and Director Bass.

24                  My name is Bill Hale, Chief Engineer.

25                  Item 12 that we're looking at right now

1 provides a request to the Commission action to approve  
2 the Department's determination and extent to exercise  
3 its options to develop finances, construct, and operate  
4 interim upgrades to the I-635 East Corridor, providing  
5 for the implementation of tolled express lanes along the  
6 existing highway -- High Occupancy Vehicle Corridor from  
7 east of U.S. 75 to I-30.

8 It also designates the project U.S. 75  
9 and I-30 as a tolled project on the State Highway  
10 System. In the short term, this significantly improves  
11 the traffic flow by allowing single-occupancy vehicles  
12 to fill unused HOV lane capacity for a fee. It follows  
13 specific requests from the local elected officials and  
14 the Metropolitan Planning Organization twice to  
15 implement the Express Lanes project as soon as possible  
16 and the North Texas Tollway Authority's waiver of  
17 primacy to interim Express Lane facility in October  
18 2015.

19 The Express Lane basically provides for  
20 the operation of single-occupancy vehicles in this lane  
21 right here in the northeast quadrant of Dallas. There's  
22 a contract that's been let in 2015. It will be open to  
23 traffic in 2016, in July of this year. It includes  
24 noise barriers along the centerline from Centerville  
25 Road to La Prata, and it costs about \$6.7 million,

1 including \$3.6 million for noise walls.

2 It significantly improves traffic flow, a  
3 50-percent increase in rush-hour traffic, basically  
4 going from 30 to 45 miles an hour for all the average  
5 lanes across there. It's got 60-mile-per-hour speeds in  
6 the express lanes. It allows 450 cars a day in  
7 rush-hour traffic to enter the lane and fill up the  
8 extra operations.

9 It also reduces the weaving movement that  
10 goes from the middle to the exit ramps that go across  
11 this area; and there's a high volume of traffic that  
12 runs through that area.

13 It has a 50-percent increase for the  
14 daily people in the HOV lanes. You see the chart on the  
15 right, the amount of traffic that's allowed in there  
16 during the day. And the 95 percent more vehicles using  
17 it during that timeframe. It also satisfies the Federal  
18 Air Conformity requirements we have with TxDOT and the  
19 Federal Government.

20 It was requested by the local  
21 officials -- and this is a good example of what we've  
22 got -- in October 9, 2014, the Regional Transportation  
23 Council approved funding and asked for TxDOT to advance  
24 interim project.

25 The RTC sent a letter of support and

1 presented to the public hearing on November 20, 2014  
2 that reaffirmed the proposal in August 13 of 2015. The  
3 City of Dallas provided a letter on November 26, 2014,  
4 and City of Garland provided a letter requesting the  
5 project on November 20th, 2014. It was environmentally  
6 cleared January 12, 2015; and a waiver of primacy by the  
7 North Texas Tollway Authority was requested -- or was  
8 provided October 21st of 2015.

9 So the staff is making this  
10 recommendation at this time for consideration of this  
11 action.

12 CHAIRMAN LEWIS: Thank you.

13 Commissioners, any questions or comments  
14 with regard to Chief Engineer Bill Hale at this time?

15 (No response.)

16 CHAIRMAN LEWIS: If not, then we'll  
17 proceed to receive comments. We're very honored to have  
18 Senator Bob Hall here.

19 And, Senator, after stating your name, if  
20 you would, please give us the benefit of your thoughts  
21 with regard to this project.

22 SENATOR HALL: Thank you very much. I  
23 very appreciate not only the opportunity to come speak  
24 with you today but the time that each of you gave  
25 individually to sit and talk with me on some ideas and

1 thoughts.

2 I heard your comment earlier about  
3 someone testifying here for the first time, of the  
4 hazing and harassment.

5 (Laughter.)

6 SENATOR HALL: Well, having graduated  
7 from Citadel and spending time in the military and just  
8 finishing my freshman year, I'm used to it. Bring it  
9 on.

10 COMMISSIONER AUSTIN: He's defining the  
11 rules of engagement.

12 (Laughter.)

13 SENATOR HALL: And I come here as -- I'm  
14 a citizen first and a legislator second and I spend an  
15 awful lot of time out with the citizens, with the  
16 people; and I think it was reflected in some of the  
17 conversations and discussions that took place. And it's  
18 a reflection of how the people really feel in moving  
19 away from toll roads with two legislative sessions in a  
20 row in which very specific legislation was passed, you  
21 know, prohibiting the use of the money on toll roads,  
22 trying to get a -- you know, bring it to a -- to move  
23 into a new direction.

24 And just a little bit of background here  
25 is I do come having been blessed early in my career of

1 spending about 13 years in the transportation industry,  
2 working in Washington, DC during a timeframe when the  
3 NHTSA and FHWA, and the Bureau of Motor Carrier Safety  
4 were starting to develop vehicle, highway, and truck  
5 safety standards and do a lot of studies and analysis  
6 and actual vehicle testing, barrier testing, and crash  
7 testing and things of that nature. So it's not like I  
8 talk from not having a little bit of experience,  
9 although it is a bit -- few years ago.

10 But the concern I have is this is a small  
11 project. You're talking about spending a few million  
12 dollars, you know, something that's barely noticeable on  
13 a budget sheet in there. Yet, it seems to be something  
14 that has, to me, questionable return value and a great  
15 deal of public opposition to it. I recognize that some  
16 of our officials do -- and there are a number of things  
17 that we agree and disagree on -- and Mayor Athas and I  
18 have had several discussions. I think our end  
19 objectives are the same -- at least they seem to be the  
20 same -- it's just kind of how we get there.

21 But it concerns me that that particular  
22 stretch of road, that it has five free lanes. It's had  
23 five free lanes in it since it was -- for an awful long  
24 time. For the past year, one of those lanes has been  
25 closed down. Now, I'm not going to question why it was

1 closed down for a year; but that took away basically  
2 20 percent of capacity of that road. And so, yeah, it  
3 is kind of bad there because I travel it at least once a  
4 week and generally about three times a week; and I find  
5 that entering it from the south or the north, where I'm  
6 at five lanes going into it where traffic flows free,  
7 you get into that section of four lanes; and, sure  
8 enough, it gets really bad.

9 But turning it into -- and I question --  
10 I really do -- with all due respect to the engineers,  
11 from observation, I have seen managed lanes in other  
12 places where the cost to use that managed lane flashed  
13 up on the board was as low as 2 cents; and, still,  
14 nobody was getting in it.

15 And I recall when the idea of HOV lanes  
16 was brought, it was going to be a great solution for  
17 traffic; and, yet, it didn't work out the way it was.  
18 And I question whether the money that will be spent in  
19 turning it into a managed lane will ever be recouped in  
20 what would be collected from it. I suspect it's more  
21 money to feed a slush fund somewhere rather than having  
22 any real value. I just think there are smarter ways to  
23 do it.

24 And the other piece that concerns me is  
25 that we have a great, huge effort going on safety; and I

1     applaud you for it. I absolutely agree that we have a  
2     serious problem with far too many accidents on the road;  
3     and the campaign against texting while driving, I think,  
4     is the way the issue ought to be addressed as opposed to  
5     a piece of legislation; and rightfully so. I mean, I  
6     think texting while driving is probably one of the  
7     dumbest things people can do; and you can't really  
8     legislate away stupidity.

9                     So -- but it's already, you know,  
10    breaking the law with distracted driving; but to educate  
11    people on it is right and to be opposed to it. But then  
12    to come up with a concept in which the driver is going  
13    to be required to text while driving to use that managed  
14    lane seems to be kind of pulling in opposite directions  
15    that I'm not sure that's -- how that's explained that we  
16    come up with -- I mean, I have an app that you use so  
17    you can enter the lane. And I've heard the story, "Oh,  
18    you do it before you leave home." Nobody plans that  
19    way, and it's unreasonable to ask the public to plan  
20    that way. So the concept of using it I question.

21                    But in moving forward, for congestion  
22    relief, I would like to see more effort maybe put  
23    towards what do we do to actually relieve congestion and  
24    reduce accidents. And I've talked to each of you a  
25    little bit about bringing back an old concept called

1 ramp metering; and I can tell you from the research that  
2 we did -- and we did spend some time and I'll have a  
3 report for you hopefully by tomorrow, but I have a  
4 letter for you today summarizing it. And we didn't have  
5 the technology when we first started doing it; and one  
6 thing for sure, like anything else, if you don't do it  
7 right, it ain't going to work. But I think if we were  
8 to do it right, it's not very expensive.

9           And in many cases -- and you read the  
10 studies -- these are studies of where they've actually  
11 done it. There are places where they've reduced  
12 accidents up to 90 percent. They have reduced commute  
13 time 30 or more percent. It gives you reliable commute  
14 time, and it has a significant emissions reduction. It  
15 makes the environmental people happy because you've got  
16 vehicles moving at a constant rate at a speed that emits  
17 the least amount of emissions when you maintain the  
18 speed.

19           Without going through the details of it,  
20 I would just ask that we look at something like that;  
21 and maybe also in this area to bring sooner -- or  
22 congestion relief sooner is look at staging what was  
23 going to be done there, like has been suggested or as  
24 TxDOT does now because what's really needed are the  
25 service roads.

1           And even the best of the plans that are  
2       laid out there, have no more than five free lanes in  
3       them. That's the most of any plan that I've seen is  
4       five free lanes; and then they tack on a couple of toll  
5       lanes, which do nothing for congestion.

6           And my suggestion is make the effort to  
7       go to the folks in Washington. I've talked with them.  
8       We've got people up there that will work with us on some  
9       bills to get relief on converting the HOV lane back on  
10      to a free lane. And I'd like to see us put some effort  
11     in to do that, to help us because that is probably one  
12     of our worst areas in the metroplex area; and I think  
13     there is -- this fits, to me, with what I'm really glad  
14     to hear being talked about is smarter management of what  
15     we do, making better uses of how we go about doing it  
16     rather than just trying to keep pouring more concrete  
17     without -- and the analysis that I've just talked about,  
18     that's kind of the area I come from.

19           So, Commissioner Vandergriff, I  
20      appreciate you bringing someone in who really  
21      understands that process because I think it will go a  
22      long way to smarter management of it.

23           So, anyway, that was coming here as a  
24      citizen and just -- that has talked to the people --  
25      and, believe me, I go out there; and there is no subject

1 that doesn't get them excited harder and faster than the  
2 issue of toll roads, and particularly where you take a  
3 currently free road and make it a road just to generate  
4 some revenue, where, my question is the benefit of it.

5 It's just a small project, but I would  
6 like to ask that we take another look at that and see if  
7 we can't find a smarter, better way to do this.

8 So with that, thank you very much. I  
9 very much appreciate this opportunity.

10 CHAIRMAN LEWIS: Thank you very much for  
11 being with us.

12 Are there any questions or comments for  
13 the Senator?

14 Yes, Commissioner Austin.

15 COMMISSIONER AUSTIN: Senator, thank you  
16 for your comments; and, you know, to follow up on that,  
17 it's about passion that's really understanding  
18 transportation, I think y'all can see what he's doing.

19 Instead of just actually saying "stop" or  
20 "no," you're bring forth some ideas and solutions; and I  
21 really appreciate that. The ramp metering, you know,  
22 there may be a place to revisit that; and I would hope  
23 that our team, Marc, Bill, start really looking at it.  
24 Is there a place to -- let's come back and retest this.

25 I know TTI -- the Senator shared some

1 studies with me. TTI did some previous work on this.  
2 We used to have some in Dallas and in Houston, and it  
3 may be the time to revisit technology. You know, we  
4 revisit old systems. You know, I remember a time  
5 growing up when roundabouts were good; and we got away  
6 from them. Now, they're coming back in certain areas.

7 You have -- what is it -- a Michigan turn  
8 lane? We're putting in different concepts to help move  
9 traffic; and sometimes going back to old systems can be  
10 beneficial. And so I appreciate you bringing those up.

11 One thing as we look at this project, I  
12 know there's been some controversy surrounding this.  
13 Some people are against it. There's also quite a few  
14 that are for it in moving forward, and we acknowledge  
15 both sides. This is a difficult situation we're in  
16 because we are trying to make do, as you said, with what  
17 we have. And we are trying to move congestion. And  
18 long range, I don't know if this is going to be the  
19 permanent solution; but we still need to look at adding  
20 capacity somehow. And given the resources -- you've  
21 heard us talk about the purchasing power -- how we're  
22 going to be able to do it is going to be challenging to  
23 meet the needs of every -- all across the state.

24 But thank you for helping bring  
25 additional funding so we can look at this.

1                   And thank you very much. I look forward  
2 to many more fun conversations because I learned quite a  
3 bit.

4                   SENATOR HALL: Thank you very much.

5                   CHAIRMAN LEWIS: Vice-Chair Moseley.

6                   VICE-CHAIR MOSELEY: Senator, thank you  
7 so much for your passion for mobility. I appreciate you  
8 being here today, and I especially appreciate your  
9 comments on the ramp metering.

10                   And Chairman and Members, I did visit  
11 with Senator Hall about the safety recommendations I'm  
12 bringing back to the Commission; and the Senator is  
13 going to present some ramp metering information that we  
14 can incorporate into that report because I think it does  
15 very wonderfully add value to the capacity of the  
16 roadway and to the safety. I appreciate you interest in  
17 that.

18                   Thank you, Senator.

19                   CHAIRMAN LEWIS: Again, thank you very  
20 much, Senator, for coming forward.

21                   We're also very honored to have with us  
22 Douglas Athas, the mayor of the City of Garland.

23                   Sir, if you will, please come forward,  
24 stating your name, who you're here representing; and  
25 give us the benefit of your thoughts.

1                   MAYOR ATHAS: Mayor Douglas Athas,  
2           representing the City of Garland. I also serve on the  
3           Regional Transportation Council and the Dallas Regional  
4           Mobility Council. I started serving on the Dallas  
5           Mobility Council in 2006, so I've been around this issue  
6           for a little while. I've been watching this project for  
7           a long, long time, literally since 2003.

8                   I'd just like to say it's an honor for me  
9           to be here, Mr. Chairman, Commissioners, Director.

10                   Mr. Chairman, I'll say that my dad was a  
11           highway patrolman. I got to live a lot of different  
12           places in the state, and you and I share a lot of  
13           territory together. I spent my formative years in  
14           Sanderson. I went to the fourth grade in Fannin  
15           Elementary in Odessa. But I also got to live in Farwell  
16           and Sierra Blanca and a few other places, but I also  
17           spent a lot of time years later in Central Texas. And  
18           now I'm in north Texas.

19                   One of the things as mayor that I've done  
20           I'd like to just mention real quickly is I've taken the  
21           monarch pledge, as has Mayor Adler, to support the  
22           monarch butterfly and the migration path. And really --  
23           Director, really appreciate what TxDOT's doing to plant  
24           milkweed. I mean, we all love bluebonnets; but milkweed  
25           and bluebonnets together and monarch butterflies, I

1 think is a really good thing.

2 Those of you that have been following the  
3 issue already know that the number of monarch  
4 butterflies, the longest insect migration in the world,  
5 they've lost about 90 percent of the number of  
6 butterflies in just the last couple of decades, less  
7 than two decades. So I very much appreciate the  
8 Governor's initiative and TxDOT for supporting that.

9 Mr. Chairman, I'd also like to tell you  
10 that I've met most of your Commissioners and spent time  
11 with them before. Commissioner Vandergriff has been a  
12 good friend. Every time I go to a transportation venue,  
13 I want to report that he is there. He's doing his job,  
14 and he's very well respected and liked.

15 Commissioner Austin came to Garland a  
16 couple of years ago -- less than that, along with  
17 Secretary Foxx; and we stood alongside this highway,  
18 635. The Commissioner will probably tell you we almost  
19 had to shout because the noise was so loud, but that's  
20 changed. We're building sound walls now that have been  
21 approved by you since then. So we very much appreciate  
22 that.

23 Commissioner Moseley, I don't know you.  
24 But I will promise you that Mayor Rawlings and I will  
25 jump on that high-speed train, and we'll come visit you

1 as soon as it's completed.

2 (Laughter.)

3 MAYOR ATHAS: But I'd like to brag on  
4 Commissioner Bugg for a moment, Mr. Chairman, because  
5 just a few months ago he gave me a tour of the Tobin  
6 Center and then, along with Mayor Ivy Taylor from  
7 San Antonio and Mayor Martinez from Corpus Christi, we  
8 were invited out to the Tobin Estate for a reception, a  
9 charity reception and that was a lot of fun. And I've  
10 never had a tour of any sort of musical venue or  
11 anything from a TxDOT commissioner.

12 (Laughter.)

13 MAYOR ATHAS: But I have now.

14 The things I'd like to say to you, I put  
15 them in a letter -- and I don't usually do this -- but  
16 I'm actually going to read you the letter because I will  
17 speak less and more quickly and more succinctly if I  
18 just read it to you. I brought a copy for you today and  
19 I apologize I couldn't get it to you before; but this,  
20 of course, is to the interim tolled managed lane.

21 So on your agenda it represents immediate  
22 traffic congestion relief for our citizens and neighbors  
23 in the I-635 Corridor that runs between I-30 and  
24 U.S. 75.

25 On behalf of the City of Garland, I wish

1 to register our unqualified support for conservation by  
2 TxDOT of the High Occupancy Vehicle lane to a toll  
3 managed lane. We ask for your approval of this project  
4 so we may soon receive relief from the extended delays  
5 that now occur daily. As sections to the south and  
6 north have been improved, this section remains  
7 noticeably and significantly burdened.

8 As Garland's representative to the  
9 Regional Transportation Council, I wish to express that  
10 the RTC has twice approved this project prior to the  
11 last legislative session and afterwards. The initial  
12 motion I made at the RTC. I think the second time it  
13 was made by Councilman Kleinman from Dallas, and both  
14 times it was unanimously approved.

15 The cities of Dallas, Mesquite, and  
16 Garland have worked hand in hand to advance  
17 reconstruction of this corridor because it represents a  
18 vital link important to our residents, businesses, and  
19 the entire eastern portion of the Dallas/Fort Worth  
20 region. The corridor has been recognized as the next  
21 major project for our region still needing funding.

22 Mayor Rawlings mentioned the Southern  
23 Gateway, which is our Number One project right now.  
24 This project is right behind that. This is the next  
25 project.

1                   While important advances for  
2                   transportation were realized in the last legislative  
3                   session, more funding, which we very much recognize the  
4                   Senator and the rest of the Legislature for providing,  
5                   we also want to recognize what this Commission has done  
6                   toward congestion. The 1.3 billion that we talked about  
7                   earlier is being -- is going to make a huge difference  
8                   for us in the north. But at the same time, additional  
9                   funds are still needed for congestion relief because  
10                  there's still insufficient funding for this particular  
11                  corridor.

12                  The Senator's working very hard and  
13                  representing us very diligently to try to get additional  
14                  funding in the next session so that we can get all this  
15                  done, and I very much appreciate that. Even though  
16                  we're speaking from slightly different sides of the  
17                  issue today, we are good friends; and we see things very  
18                  similarly. It's just a matter of timing right now, I  
19                  think, is making the difference because we feel like the  
20                  managed lane is the best interim solution.

21                  I'd also like to express that well over a  
22                  third of the tax base in Garland is industrial  
23                  manufacturing. Virtually all those businesses rely on a  
24                  dependable access to I-635. For example, local  
25                  manufacturers produce parts that are trucked to

1 Arlington to be put on Cadillac Escalades and other  
2 vehicles. Those parts are manufactured one per minute  
3 in Garland, and it's just-in-time delivery at the plant  
4 in Arlington. If something interrupts that flow, the  
5 production line in Arlington stops. There is no storage  
6 capacity. This is a system that's been working for many  
7 years and it works well, but that's how dependent just  
8 one sector of our businesses are on I-635.

9 But in total, boxes, barbecue sauce, oil  
10 well tools, cakes, egg rolls, and products of nearly 500  
11 manufacturers depend on 635. Congestion impedes our  
12 ability to operate profitably and long range affects  
13 their affects their acceptance of Garland as a suitable  
14 location to do business. So 635 is extremely vital to  
15 us.

16 As a region that's seen on the Tarrant  
17 Express, the LBJ Tex Express, and the DFW Connect, we  
18 expect many of those businesses to utilize the managed  
19 lanes when delivery is critical. As I travel those  
20 lanes now, getting to the airport a little bit faster, I  
21 see many service trucks, many delivery vehicles using  
22 those lanes, contrary to what some people speculated  
23 before they were completed, because they know that if  
24 they can make one more delivery, one more call, then  
25 it's profitable for them to pay a little bit more for

1 the access.

2 So on behalf of the RTC, the  
3 transportation staff of the North Texas Central Council  
4 of Governments -- I'm sorry.

5 On behalf of the RTC, the COG staff  
6 conducted a number of hearings around the district about  
7 635. Those presented various scenarios for 635, and all  
8 of those included -- and what was ultimately adopted --  
9 let me just jump to the end -- was a five-lane-in-  
10 each-direction, two-managed-lanes-in-each-direction  
11 concept.

12 But, also, we talked about the interim  
13 solution of converting the HOV to a temporary tolled  
14 managed lane; and in all those public hearings, by and  
15 large, the public was supportive and their elected  
16 officials from across the region that have been  
17 universally supportive throughout -- through the RTC and  
18 their representatives that are sent by there by cities  
19 and counties.

20 So I'm extremely proud of our region, and  
21 this is very important. Michael Morris' name was  
22 mentioned earlier, and I'll second what Commissioner  
23 Austin said. I'm extremely proud of how our region has  
24 worked together for years to effect an extremely  
25 reliable transportation that serves the whole region,

1 each city putting the good of the whole before the  
2 single interest. Advancement of this corridor is the  
3 culmination of years of work and is a testimony to the  
4 way our region has conducted itself.

5 This project and interim solution  
6 represents the interests and the will of the vast  
7 majority of the elected officials from cities and  
8 counties in the DFW region.

9 So it's with respect that I ask you to  
10 authorize TxDOT to proceed with the construction and the  
11 operation of the proposed interim managed lanes, and I  
12 very much count on your future support for the total  
13 reconstruction of the corridor that's so critical to the  
14 health of my city and region.

15 I would just like to say that this is an  
16 interim solution. I think some that the Senator talked  
17 about and some of the other things that our staff at COG  
18 have done and some of the things that the RTC is looking  
19 at, we're looking for other solutions. And with  
20 sufficient funding, I think that the ramp metering may  
21 be the way to go in the future when we look at those  
22 four managed lanes that we hope to have sometime in the  
23 next few years. Although, for right now, because of the  
24 congestion that we have, I see no other solution that  
25 will work as well as this one.

1                   If there were another one, I would  
2 support it. And I like thinking out of the box, but I  
3 really feel like this is the immediate solution that  
4 will do the most good.

5                   Quite frankly, the HOV lane has never  
6 been full; and being able to put more cars on that lane  
7 and guarantee them a faster travel speed for the single-  
8 occupancy vehicles will jump in there and take it, just  
9 as we've seen on the other managed lanes in north Texas.

10                   So I thank you for your time, and I  
11 welcome to answer any questions that you might have to  
12 ask.

13                   CHAIRMAN LEWIS: Any questions of the  
14 mayor at this time or any comments?

15                   (No response.)

16                   CHAIRMAN LEWIS: If not, thank you very  
17 much for coming forward, Mayor.

18                   We also have a card from Don Dixon.

19                   Mr. Dixon, if you will, please come  
20 forward. State your name, who you're here representing;  
21 and give us the benefit of your thoughts on this matter.

22                   MR. DIXSON: Thank you, Mr. Chairman.

23                   My name is Don Dixon, and I come from  
24 the perspective of a citizen and also as a small  
25 business person that operated in the Dallas areas

1 with employees and customers for many, many years.

2 Naturally, we want the interstate  
3 system -- I want the interstate system improved. We  
4 need it desperately. We certainly need the interstate  
5 system to work very good. The part I do not like about  
6 this plan -- and I hope you will not approve it for this  
7 reason -- is the toll element. There's a lot of sins  
8 that goes along with when you toll a road, from the  
9 public standpoint.

10 First off, this right-of-way was either  
11 donated or condemned, taken for a public roadway.  
12 "Public" has a very distinct meaning in this. That  
13 means for all.

14 Now, whenever you toll it, you have  
15 distinctions: Ones that can afford it and ones that  
16 can't afford it. So where we go is we have a two-tier  
17 system. That's not good for Texas. We need a good  
18 system -- three lanes, five lanes, six lanes, whatever  
19 you need -- that everyone can use. That's what the  
20 public wants. That's what business wants. That's what  
21 Texas needs.

22 In 1956 when the interstate system was  
23 approved and signed by Eisenhower, tolls were studied  
24 for the interstate system. They were unanimously pushed  
25 down, both by FDR, previous to him, and Eisenhower. So

1 when we deal with the interstate system, the interstate  
2 system was never intended to be tolled, for obvious  
3 reasons.

4 Another part that the public has problems  
5 with is the high tax of a toll. I've heard anywhere  
6 from \$3 to \$15 for the privilege of going fast. A lot  
7 of people don't have 3 to \$15 extra per gallon of gas.  
8 They just can't afford it. So we need to treat all of  
9 our citizens the same.

10 There's safety issues with this. You  
11 mentioned in your slide 40 to 45 miles per hour on the  
12 free lanes, 60 miles an hour on the toll lane. Now, in  
13 the flying business that I was in --

14 CHAIRMAN LEWIS: Let me just ask you to  
15 sum up your words.

16 MR. DIXSON: Very quickly, the closing  
17 rate's a problem. That's a safety issue. Whenever you  
18 go from the toll lane at 60 miles an hour and try to  
19 re-merge into the slower traffic, this doesn't work.  
20 Safety issues is a problem. We need to get -- we need  
21 to work on this.

22 I'll have to come back to finish up at  
23 the regular comments. But I would certainly hope that  
24 you would improve this interstate, but do it with all  
25 the lanes free for everybody to use. I hope you will

1 approve it under those circumstances.

2 Thank you, Mr. Chairman.

3 VICE-CHAIR MOSELEY: Mr. Chairman?

4 CHAIRMAN LEWIS: Yes.

5 VICE-CHAIR MOSELEY: Mr. Dixon, thank you  
6 for being here today.

7 And there's probably no one I appreciate  
8 more than Mr. Dixon coming regularly to bring us  
9 perspective on roadways, but I would say we might want  
10 to dust off our history books a little bit on the  
11 interstate highway system in that the state of Kansas  
12 did exercise a local option; and they didn't want to  
13 wait for their section of I-35 to be built. And so that  
14 section is tolled, and the tolls are still on that  
15 section of I-35.

16 So I just wanted -- after hearing you say  
17 that a couple of times before, I just wanted to come  
18 back and say the interstate highway system was given --  
19 each state was given multiple options on how they wanted  
20 to proceed and Kansas chose to use tolls to build their  
21 segment of 35 and that's still tolled today.

22 MR. DIXON: Yes. And, of course, the  
23 Pennsylvania Turnpike was in that category also.

24 The studies that I referenced is they  
25 studied if they should toll the interstate system.

1 VICE-CHAIR MOSELEY: Okay.

2 MR. DIXON: And the results, both by FDR  
3 studies and the Eisenhower studies is, no, they should  
4 not be -- the interstate system should not be tolled and  
5 should be free and available for all at the lowest  
6 possible cost. And that was very much a part of the  
7 process.

8 VICE-CHAIR MOSELEY: Okay. Thank you,  
9 Mr. Dixon.

10 CHAIRMAN LEWIS: Any other questions or  
11 comments?

12 Thank you very much, Mr. Dixon, for  
13 coming forward.

14 That's all of the comment cards that we  
15 have.

16 I would like our Chief Engineer, Bill  
17 Hale, to come back in case there are any other  
18 questions.

19 Yes, Commissioner Bugg.

20 COMMISSIONER BUGG: Yes. I do have some  
21 questions. After listening to Senator Hall and also  
22 Mayor Athas on this, Question Number 1 is: Of the  
23 6.7 million that we're discussing, is any of that money  
24 derived from ending diversions, Prop 1? Obviously, it's  
25 not going to be Prop 7, because that hasn't been funded

1 yet. But I want to be sure, since there's managed lane  
2 element, that it does not have as a funding source the  
3 diversions or Prop 1 money.

4 MR. HALE: It does not. It's CMAQ money,  
5 Congestion Mitigation Air Quality money to build that  
6 thing, the \$3 million.

7 COMMISSIONER BUGG: And then my second  
8 question -- and I'm sorry I'm asking it from up here,  
9 rather than in a briefing -- but why are we not trying  
10 to find a way to just give that 6.7 million without a  
11 managed lane element? I'd like your explanation of  
12 that.

13 COMMISSIONER VANDERGRIFF: Can you  
14 explain -- it might be helpful for the Commissioner for  
15 you to explain the CMAQ money and where that comes from.

16 MR. HALE: Congestion Mitigation Air  
17 Quality money, or Category's 5 money, is air quality  
18 money. It's used to help improve air quality in areas,  
19 metropolitan areas, in non-attainment areas that don't  
20 have the quality of air they need at the time. It's  
21 used in ways to reduce pollutants, and that money is  
22 allowed to be used. And one of the biggest pollutants  
23 is the cars that come out there, and it can be used for  
24 managing traffic but not capacity improvement on a  
25 roadway. And a managed lane or an HOV lane is

1 considered a managing-the-traffic use. You have a  
2 reliable transportation. You have the general purpose  
3 lanes. And then you have the frontage roads as you go  
4 out there. And that part of it used to reduce the air  
5 quality because the idea of the HOV lanes is if you  
6 improve the number of people going through, you also  
7 reduce the amount of traffic that go -- that take it to  
8 move people from here to there. So they allow you to  
9 use that as managing the operation, not a capacity  
10 improvement; and that's a requirement of that Category 5  
11 money.

12 COMMISSIONER VANDERGRIF: Where does the  
13 money come from?

14 MR. HALE: It comes from the Federal  
15 Government.

16 COMMISSIONER BUGG: Okay. So that was  
17 where I was going. So there is no State money that will  
18 be used for this. This is federal money that is  
19 earmarked for this type of project?

20 MR. HALE: On this project right here.

21 COMMISSIONER BUGG: Thank you.

22 CHAIRMAN LEWIS: Any other questions or  
23 comments of Mr. Hale?

24 COMMISSIONER AUSTIN: Bill, just a couple  
25 of general comments. You know, one, I think Don Dixon

1 brings up a good point, you know, when this was  
2 acquired; but I think we've had a good discussion today.  
3 And I know I shared some comments about the purchasing  
4 power. I know we're looking at \$6 million for an  
5 interim temporary solution, and I want to state that  
6 because I think there's going a lot of continued  
7 discussion with the local leaders and citizens to figure  
8 out what is the best ultimate solution.

9 Forty years ago, TxDOT and road funding  
10 was 36 percent of state budget. Today it's about 18  
11 percent. So it's cut in half, and the purchasing power  
12 has gone down. So we are looking for innovative  
13 alternatives to try to find a way to add capacity and  
14 keep traffic moving.

15 As we talked about the CMAQ funds -- help  
16 me here. I believe that several months ago y'all did an  
17 analysis and found, looking at the CMAQ funds, which we  
18 were using to suppress speed limits. Now, whether it  
19 was on Interstate 20, 287, whatever they are coming up,  
20 we were able -- we found the return would be greater to  
21 let the traffic move than the use of those CMAQ funds.  
22 Is that -- am I saying that properly or --

23 MR. HALE: You try to increase the flow.

24 COMMISSIONER AUSTIN: Increase the flow  
25 of traffic. So we raised the speed limits back, usually

1 where we did have some -- and that was done statewide.

2 So where I'm leading, I want to  
3 compliment y'all for finding alternatives; but we're  
4 running out of options, coming down. And I do know that  
5 this is a temporary solution; and I look forward to  
6 working, trying to find some better solutions as we go  
7 forward.

8 EXEC. DIRECTOR BASS: If I can add -- and  
9 hopefully, I'm not being too overly precise; and, Bill,  
10 please correct me if I'm wrong -- but the Federal funds,  
11 the CMAQ funds, normally would require a non-Federal  
12 match. So, typically, 80 percent of project would be  
13 funded with these Federal dollars, and then either local  
14 or state funds would fund the remaining 20 percent. Of  
15 that remaining 20 percent, Commissioner Bugg, it is not  
16 funded from the ending of diversions or Prop 1. It  
17 would either come from local funds in the  
18 Dallas/Fort Worth area or from the traditional sources  
19 of the State Highway Fund.

20 CHAIRMAN LEWIS: Yes, Vice-Chair Moseley.

21 VICE-CHAIR MOSELEY: Bill, Senator Hall  
22 in testimony questioned why a lane had not been utilized  
23 over five lanes; and I'm just curious if could...

24 MR. HALE: It's under construction right  
25 now. The project that was let back in February had to

1 have the equipment and the structure put in place to be  
2 able to build it, and they had to close the lane down to  
3 build it. So the lane's been closed in the construction  
4 of the project, and the last part that was approved was  
5 to put the gantries in there and the toll equipment.  
6 And that's what we're looking at right now, to be able  
7 to go forward with that because that's part of the  
8 project as we went through.

9 VICE-CHAIR MOSELEY: Thank you.

10 CHAIRMAN LEWIS: Let me ask a question,  
11 if I could, Mr. Hale, just so that I'll be sure that I  
12 understand the situation. As I understand it, we've got  
13 basically an interstate highway here, correct?

14 MR. HALE: Uh-huh.

15 CHAIRMAN LEWIS: And then on that  
16 interstate highway there's an HOV lane.

17 MR. HALE: That's correct.

18 CHAIRMAN LEWIS: And that HOV lane is not  
19 carrying as much traffic as it should and as it could?

20 MR. HALE: That's correct.

21 CHAIRMAN LEWIS: And so it's  
22 underutilized.

23 MR. HALE: Correct.

24 CHAIRMAN LEWIS: And since it's carrying  
25 such limited capacity, that's putting more pressure on

1 sort of the other lanes.

2 MR. HALE: Correct.

3 CHAIRMAN LEWIS: And as I understand it,  
4 to change an HOV lane on an interstate and, especially,  
5 I guess one that's a county that's non-attainment as far  
6 as air quality, if you're going to change the use of an  
7 HOV lane and what cars can use it, the Federal  
8 Government has a say in that. They're our partners in  
9 it; is that correct?

10 MR. HALE: That's correct.

11 CHAIRMAN LEWIS: And in the past, my  
12 understanding is that TxDOT has sought permission of the  
13 Federal Government to convert HOV lanes to more general  
14 capacity, but that is not a kind of permission that the  
15 Federal Government will give?

16 MR. HALE: That is correct.

17 CHAIRMAN LEWIS: But they will  
18 consider -- and the reason is: It doesn't do any good  
19 to have an HOV if it's just full of traffic; it's like  
20 every other lane?

21 MR. HALE: Right.

22 CHAIRMAN LEWIS: But my understanding is  
23 they will allow the kind of limited use that adds more  
24 capacity but limits that capacity that, say, a toll  
25 would do?

1 MR. HALE: Right.

2 CHAIRMAN LEWIS: Because you can add more  
3 cars, but you can still limit how many of them there are  
4 because of the tolling --

5 MR. HALE: That's correct.

6 CHAIRMAN LEWIS: -- is that correct?

7 MR. HALE: That's correct.

8 CHAIRMAN LEWIS: So basically what this  
9 project would do is that it will allow more capacity off  
10 the free lanes to move to that other lane, freeing up  
11 more space in the free lanes, but it would still comply  
12 with Federal Government requirements that they would do?

13 MR. HALE: That's correct.

14 CHAIRMAN LEWIS: And so it's not  
15 primarily a -- as I understand -- and I want to make  
16 sure this is right, so tell me -- it's not primarily a  
17 situation where this toll is going on there to raise  
18 more revenue or things like that; it's really a  
19 situation that it's a control mechanism that the Federal  
20 Government will allow to move traffic onto an under-  
21 utilized lane to help the free lanes?

22 MR. HALE: That's correct, the manage of  
23 traffic lanes. It allows about 450 cars an hour to go  
24 through there during the rush-hour traffic more than it  
25 is right now, which takes that off the general purpose

1 lanes and allows both lanes to go faster. And that's  
2 what the chart showed earlier, it goes from 30 to 45  
3 miles an hour, average.

4 CHAIRMAN LEWIS: So that's about a 40-  
5 percent increase in the utilization of that lane,  
6 something like that?

7 MR. HALE: That's correct.

8 CHAIRMAN LEWIS: And, Bill, thank you.  
9 Thank you very much for answering my questions.

10 COMMISSIONER AUSTIN: To add on that,  
11 right now it's HOVs. So under current -- what we're  
12 proposing will allow single-occupancy vehicles if they  
13 pay a toll?

14 MR. HALE: That's correct. And what will  
15 happen is, as HOVs increase in that lane and the  
16 congestion goes up, that price will go up and ultimately  
17 to the point where the single-occupancy vehicles will  
18 have to get out of the lane if it gets so crowded that  
19 its being used because the intent is to let the HOV  
20 lanes use it and encourage more people to use it. And  
21 this allows the free capacity to be used by SOVs as they  
22 go through there.

23 And this is the speed I was talking about  
24 earlier as far as going from 30-miles-an-hour to  
25 45-miles-an-hour speed.

1 CHAIRMAN LEWIS: Thank you.

2 Any other questions?

3 COMMISSIONER AUSTIN: I have one other  
4 comment. I feel like when I was talking about  
5 Senator Hall's ramp metering, we were discussing this;  
6 and I think I asked a question. You know, a lot of  
7 times we do studies and we look at things and sometimes  
8 I feel we study too long without making a decision. Is  
9 that a fair statement?

10 (Laughter.)

11 COMMISSIONER AUSTIN: So I asked the  
12 Senator, as we were talking about the ramp metering,  
13 "How long" -- this is the way I phrased the question,  
14 "How long would it take for you to consider this a  
15 success, a couple of years?"

16 And he said, "No. Six months."

17 And I think, given that, with that kind  
18 of timeframe and energy, if there is an appropriate  
19 place to try it and we have some ideas of some  
20 benchmarks, maybe we, you know, begin to consider some  
21 of that.

22 Did I state that accurately, Senator?

23 SENATOR HALL: Yes, sir, you did.

24 My concern --

25 CHAIRMAN LEWIS: Senator, we'd love to

1 have you back up here if you wouldn't mind to address  
2 that issue or whatever else you wish to speak to.

3 SENATOR HALL: My concern is that we are  
4 going down the road to backdoor forever a toll road over  
5 there; and it would get us in the box, just like we got  
6 ourselves in the box when we took the Federal money to  
7 turn it into an HOV lane that failed miserably, but  
8 we're stuck with it. We can't do anything about it. We  
9 could if we would make the effort to go get our  
10 Congressional Delegation to get us a bill through to let  
11 us off the hook, but that is what it would take.

12 I'm afraid that once we do this that we  
13 are now back-dooring -- because with the current plan,  
14 at least we've got it down to where they're talking  
15 about only about tolling a portion of 635 East. If we  
16 do this, I'm afraid that somebody is going to say we  
17 can't untoll this now because we took Federal money to  
18 do it; and, therefore, it's going to have to stay that  
19 way forever.

20 And I guess I'd like to have some  
21 discussion about how we arrived at these numbers because  
22 I don't think the data out there where they have done  
23 this, in my humble opinion, supports the analysis that  
24 says we could get to this. I agree with the analysis we  
25 could, but I don't think real-life data supports it. I

1 think the biggest concern is we're putting ourselves in  
2 a box we can't get out of later.

3 CHAIRMAN LEWIS: Thank you very much,  
4 Senator. Appreciate it.

5 Any other questions of our Chief Engineer  
6 at this time, either questions or comments?

7 COMMISSIONER AUSTIN: Yes, sir.

8 Bill, thank y'all working with the  
9 locals. As we continue go to look at this, we've got to  
10 monitor this and pay attention. I know this is an  
11 interim solution.

12 Mr. Chairman, I move that we approve.

13 CHAIRMAN LEWIS: We have a motion to  
14 approve the recommendation of the staff with regard to  
15 the determination to exercise the option with regard to  
16 this lane.

17 Do we have a second.

18 VICE-CHAIR MOSELEY: Second, Chairman.

19 CHAIRMAN LEWIS: All right. Vice-Chair  
20 Moseley seconds the motion.

21 All -- if there's no further discussion,  
22 I'll call for a vote.

23 All in favor, say aye.

24 (Chorus of "Ayes.")

25 CHAIRMAN LEWIS: Any opposed, no.

1 (No response.)

2 CHAIRMAN LEWIS: All right. The motion  
3 carries.

4 Thank you very much.

5 EXEC. DIRECTOR BASS: All right.  
6 Mr. Chairman, we will now move back to agenda item 5(b)  
7 which is a discussion of the Department's Bicycle  
8 Strategic Direction Report. Public Transportation  
9 Division Director Eric Gleason will introduce this item.

10 MR. GLEASON: Thank you.

11 Good morning, Mr. Chair, Members of the  
12 Commission, Executive Director Bass.

13 For the record, I'm Eric Gleason, TxDOT  
14 Director of Public Transportation.

15 Agenda Item 5 is a discussion of a  
16 recently completed report on opportunities for TxDOT's  
17 bicycle and pedestrians programs. The Strategic  
18 Direction Report is a non-binding, collaborative effort  
19 between TxDOT's Bicycle Advisory Committee and TxDOT's  
20 staff to identify important areas in an effort to  
21 advance our efforts to encourage bicycling and  
22 pedestrian activities across Texas.

23 It builds off the momentum provided  
24 this past fall when the Commission approved almost  
25 \$52 million in transportation alternative program

1 projects funding for the construction of 50 projects  
2 located in areas of the state under 200,000 in  
3 population.

4 Mr. Billy Hibbs, Chairman of our Bicycle  
5 Advisory Committee, is here with me today to highlight  
6 for the Commission areas of focus and the interim  
7 priorities identified in the report.

8 Billy.

9 MR. HIBBS: Thank you, Eric.

10 Mr. Chairman, Commissioners, Executive  
11 Director Bass.

12 I am Billy Hibbs, Chairman of the Bicycle  
13 Advisory Committee. I am honored ten hardworking  
14 volunteers that have been appointed from across the  
15 state by the Commission. We have a civil engineer, a  
16 lawyer, an industrial salesman, a business owner, and  
17 various representatives of governmental agencies such as  
18 MPOs.

19 The Bicycle Advisory Committee is a group  
20 of professional, realistic bicycling advocates who want  
21 to work with TxDOT to provide economic development,  
22 bicycle tourism, and reasonable accommodations for  
23 cyclists.

24 The document I'm about to present is very  
25 important because it has the potential to affect cycling

1 for generations of Texans.

2 This report was developed through the  
3 hard work of a consulting group as well as the Bicycle  
4 Advisory Committee and TxDOT staff. It was developed  
5 during 2015, and it's broken down into three areas. You  
6 can see them there. The overview of current bicycling  
7 conditions, a review of TxDOT policies and programs,  
8 along with recommended best practices and program focus  
9 areas and guidance for developing TxDOT's bicycle  
10 program.

11 As Eric pointed out, the \$52 million in  
12 TAP projects, you will find that at the bottom one of  
13 the seven items there, funding bicycle pedestrian  
14 projects, this is not necessarily a request for funding  
15 through this document because there are many of these  
16 items we're going to discuss that do not require  
17 authorization for any funds.

18 And the seven focus areas that we're  
19 going to cover include expanding the bicycle network;  
20 providing training for engineers, planners and  
21 construction staff; encourage people to work -- and  
22 bicycling to work; building safer and better bicycle and  
23 pedestrian accommodations; educating the public on safe  
24 driving, bicycling, and walking; developing statewide  
25 management systems for bicycling and pedestrian

1 information; and finally, some funding for some bike and  
2 pedestrian projects.

3 Bicycling in Texas. This report provides  
4 an entire section on cycling usage. Here's a brief  
5 overview of some interesting stats on cycling in Texas  
6 and how we compare nationally. Nationally, six-tenths  
7 of 1 percent of commute trips are made by bicycle; in  
8 Texas, about three-tenths of 1 percent of commutes are  
9 made by bicycle. And that represents about 30,000  
10 commuters in 2013.

11 Cycling is on the increase, especially in  
12 cities where the percent of people -- especially in  
13 cities with large population areas, cycling went from  
14 six-tenths in 2000 to 1 percent in those areas in 2012;  
15 and Texas was ranked 30th in 2015 by the League of  
16 American Bicyclists in its Annual Bicycle Friendly State  
17 Rankings. So while we think there's room for  
18 improvement, we also understand the enormous Texas  
19 geography which makes our state different than, say,  
20 Vermont.

21 (Laughter.)

22 MR. HIBBS: Bicycling in Texas is right  
23 now really in its infancy. You can see from this chart  
24 that the number of miles on TxDOT roadways is less than  
25 a thousand. It's 731 miles. We have asked Eric, and

1 his group is working on coming up with databases that  
2 will help us know more and understand more about where  
3 these roadways are located.

4 We want to ultimately have a goal of  
5 having a website which will allow cyclists to find a  
6 city in the state of Texas, click on that city, and be  
7 taken to a grid where it will show them where bicycling  
8 accommodations are and which lanes have been striped.  
9 We think this will encourage bicycle tourism and  
10 economic development in those areas as various cities  
11 work to try and bring more jobs to the State of Texas.

12 Under the columns there showing under  
13 bicycle crashes, you can see that there have been  
14 increases in the number of crashes since 2010; but  
15 bicycle deaths have remained relatively constant over  
16 the past six years.

17 In the areas of expanding the bicycle  
18 network, one of the things that's very important to us  
19 is an interactive statewide bikeway map. We want to be  
20 able to link cities across the state of Texas, to  
21 enhance our tourism. There's a lot of states and a lot  
22 of countries that actually that are taking on this  
23 project.

24 We recently heard a report on the  
25 Canadian province of Quebec, which has statewide -- or,

1 I guess, province-wide connectivity that allows them to  
2 promote a tremendous amount of tourism for their  
3 particular area.

4 We also have, under our statewide  
5 management systems, information that we need. We need  
6 data, and we need a repository for cycling-related  
7 information to help us better understand where cyclists  
8 are using those various routes.

9 We want to build safer and better bicycle  
10 and pedestrian accommodations. Honestly, there's a  
11 great need for cyclists to be able to coexist with  
12 automobile and vehicular traffic without the threat of,  
13 you know, basically being killed; and we think one of  
14 the most important things is the ability to work with  
15 engineers to help develop standards so that  
16 accommodations are made in the planning and development  
17 stage.

18 And if -- in my personal opinion, if this  
19 document does nothing else, if by engaging the  
20 engineering in the planning and development, we won't be  
21 in a situation where we've got roads and transportation  
22 arteries connected in the future without at least some  
23 thought being put into how bicycles are going to be  
24 accommodated there.

25 We also think that training is very

1 important, including for law enforcement. Cycling, law  
2 enforcement, the drivers on the highways, we need to  
3 understand what the laws are and be able make to sure  
4 that the public understands those as well.

5 Another focus area is, obviously, the  
6 education that we've just discussed. And one of the  
7 best ways to get that out is the development of the  
8 TxDOT website. There has been a lot of progress made  
9 in this particular area and we want to use that website  
10 to -- and we want to advertise it to allow people who  
11 come to the State of Texas to be able to get the  
12 resources that we have put in place to help keep them  
13 safe and know where to ride.

14 Additionally, we have a flow chart that  
15 you will see here in a moment, called Bike Stripe, that  
16 enables communities who are trying to stripe their  
17 particular areas, a roadmap to be able to determine what  
18 is the best way for them pulling together the resources  
19 to get that done.

20 We want to encourage some bike-to-work  
21 days. And, as importantly, the Bicycle Advisory  
22 Committee members, many of them have had a lot of  
23 experience with safe-routes-to-school programs and are  
24 strong supporters of that particular area. And we want  
25 to continue to see the emphasis placed on that.

1                   And then the funding of some various  
2 bicycle and pedestrian projects, including some pilot  
3 projects, as you noted there, one of which I discussed  
4 in my last presentation to the Commission.

5                   This is the flow chart that I was  
6 mentioning that would allow a smaller community that  
7 wanted to start striping some bicycle lanes be able to  
8 pull together the necessary resources and information to  
9 get this in motion.

10                   And so, for example, if someone from  
11 Nacogdoches called me -- and they have, as a matter of  
12 fact -- and said they have a lot of students at Stephen  
13 F. Austin that need to get around town that are on their  
14 bicycles, you know. "What do we do?" We're going to  
15 refer them to this flow chart so that they can have some  
16 real-world experience in terms of how to move forward  
17 with that.

18                   So, in conclusion, I'd like to say how  
19 much I sincerely appreciate the opportunity for the  
20 cyclists across the State of Texas to have a voice with  
21 this commission. In fact, after my last presentation to  
22 this group, one of the Bicycle Advisory Committee  
23 members asked your staff, "When is the last time the  
24 Chair of the Bicycle Advisory Committee advised the  
25 Commissioners?"

1                   And the answer was, "Never."

2                   So I hope you'll invite me back again  
3 soon.

4                   (Laughter.)

5                   MR. HIBBS: Thanks so much. This  
6 concludes my report, and I'll answer any questions.

7                   CHAIRMAN LEWIS: Commissioner Austin.

8                   COMMISSIONER AUSTIN: Billy, thank you  
9 for your energy and time in serving with this.

10                   And several times I've had the  
11 opportunity to visit with Billy on occasion to talk  
12 about this.

13                   And, Terry, Eric, y'all have really  
14 brought some leadership to help form what was just a  
15 committee; now they're actually coming to us with  
16 strategic direction. And I know we have a lot of  
17 advisory committees, working groups at TxDOT; and we  
18 appreciate all of the work that everyone does. But to  
19 come up with a plan to bring consensus, this is huge.

20                   Michael Sledge, in our communication  
21 group, Bob Kaufman's group, has done an outstanding job  
22 of putting together this web page. I've been able to  
23 look at this.

24                   What this -- it's my understanding, Billy  
25 or Eric, communities will have the ability to link their

1 map, whether it's Tyler or Brownsville, Wichita Falls,  
2 Austin, Dallas CityMAP, to link their bike program with  
3 a hot link group; that somebody wanting to see it can go  
4 and have a repository at one central place. So a lot of  
5 great opportunities.

6 Some of the stats I read while ago came  
7 out of a book that we have, TxDOT Facts. One thing  
8 that's been missing in here are the bicycle lane miles,  
9 and I know y'all have a task of trying to identify what  
10 we had. The 731 -- on slide four, the 731 miles that  
11 we've identified that have been designated bike routes,  
12 we know there's a lot more out there; and then that  
13 brings back whether it's in the cities, out in the rural  
14 areas, or dedicated bike paths. We would like to try to  
15 inventory -- and I hope y'all's committee can help  
16 identify those.

17 But you brought up something, what about  
18 the other trails? They're not on our system. They may  
19 be used for connectivity, we'll identify those as well.  
20 It is a very important mode of transportation; and as we  
21 become more densely populated, people will utilize this.

22 So thank you for your work. And I have  
23 one question. On the bike stripes project, I know you  
24 talked about the possibility of a -- it wasn't a flow  
25 chart -- of a pilot project. Is your vision putting

1 together a blueprint? Now, you mentioned Nacogdoches or  
2 maybe Brownsville or Tyler or wherever, of putting  
3 together kind of a working document where other cities  
4 that are considering this can just pull it off the shelf  
5 and say, "Here's the process of how it was done." Would  
6 you elaborate on that just a little bit?

7 MR. HIBBS: Yes, Mr. Commissioner. In  
8 fact, in our last Bicycle Advisory Committee meeting, we  
9 developed the parameters that we felt like were suitable  
10 for communities to be able to approach the Commission  
11 and say, "We would like to be considered for this plot  
12 project."

13 And correct me if I'm wrong, Eric. I  
14 believe the population was between 5,000 and 250,000.  
15 We also had a general, maybe not hard requirement, but  
16 we felt like it would be tremendously to their advantage  
17 if they already have a bicycle plan so that the  
18 community was far enough along in the planning stage  
19 where they had thought about some of these various  
20 things. And then we're going to basically be able to go  
21 out to the various communities and see which ones would  
22 like to attempt to go through this process.

23 And I feel, based on the feedback that  
24 I've had, that this is a very, very high level of  
25 interest to a lot of communities.

1                   COMMISSIONER AUSTIN:  So if you had a  
2  blueprint or a process, you could fill in the blank  
3  that's appropriate for that community, the ultimate deal  
4  where they could pull it off; or in the future if and  
5  when we have other TAP opportunities, they could use  
6  that for a -- using that blueprint, if we had a project,  
7  they use that for their application --

8                   MR. HIBBS:  Absolutely, absolutely.

9                   COMMISSIONER AUSTIN:  -- to complete?

10                  MR. HIBBS:  In fact, one of the things  
11  that's been learned through this process that was  
12  extraordinarily important is the fact that if a  
13  community wants to adopt a striping project for its  
14  city, by engaging the city officials, there are already  
15  many, many miles that are already planned through an  
16  overlay project, anyway.  And once this part has been  
17  placed in front of them, then, for just a very small,  
18  incremental cost, you can go in and get the striping  
19  done when you're doing the already-budgeted overlay  
20  program.

21                  But it all starts somewhere.  You've got  
22  to have a plan, and you've got to have some strategic  
23  direction.

24                  And I want to, again, thank all of our  
25  people that work for TxDOT and the committee members

1 that travel at their own expense from all over the state  
2 of Texas to come and be a part of this process.

3 COMMISSIONER AUSTIN: Well, thank you.  
4 Obviously, thank you for doing this and helping to put  
5 together a blueprint; and I hope -- I'll ask my Fellow  
6 Commissioners if we can -- as we study this a little bit  
7 more, find a way to help support this in moving this  
8 forward.

9 MR. HIBBS: Thank you so much.

10 CHAIRMAN LEWIS: Any other questions for  
11 Chairman Hibbs at this time?

12 (No response.)

13 CHAIRMAN LEWIS: Thank you very much for  
14 coming forward.

15 Any other questions for Director Gleason  
16 at this time?

17 (No response.)

18 CHAIRMAN LEWIS: If not, thank you very  
19 much.

20 And we'll turn it back to the Executive  
21 Director.

22 EXEC. DIRECTOR BASS: All right. We will  
23 move on to Agenda Item 6, which is consideration of the  
24 adoption of the department's strategic values, vision  
25 and mission statements, and goals and objectives.

1 Strategy and Innovation Officer Darran  
2 Anderson will present.

3 MR. ANDERSON: Mr. Chairman,  
4 Commissioners, Director Bass.

5 For the record, my name is Darran  
6 Anderson. I'm the Director of Strategy and Innovation.

7 Agenda Item 6 requests that the  
8 Commission adopt new values, vision and mission  
9 statements, and goals and objectives for the department.  
10 Texas Government Code Chapter 20.56 requires that each  
11 state agency prepare a five-year strategic plan every  
12 biennium. The Agency's values, vision and mission  
13 statements, and goals and objectives will serve as the  
14 foundation for the strategic plan as well as performance  
15 metric requirements that were in House Bill 20.

16 We formed a diverse and dedicated Core  
17 Strategy Team; and under Commissioner Vandergriff's  
18 guidance and leadership, we worked to evaluate our  
19 current values, mission statement, and goals and to  
20 provide a recommendation for or against change. If  
21 change were recommended, that Core Strategy Team would  
22 continue to develop recommended changes to those.

23 We conducted five focus groups, including  
24 about 60 employees in about 25 divisions and offices, as  
25 well as 16 districts; and we sent out an agency-wide

1 survey to collect information and input from around the  
2 state and agency across all of our employees.

3 The Core Strategy Team used all of this  
4 information in their discussions and recommendations.  
5 The team then recommended that we make changes and  
6 develop new values, vision and mission statements, and  
7 goals and objectives.

8 Those were regularly coordinated with  
9 those focus groups I mentioned, as well as our  
10 administration for input. These statements will serve  
11 as the foundation for all initiatives in the agency and  
12 specifically our strategic plan.

13 The staff recommends approval, and I'd be  
14 happy to answer any questions.

15 CHAIRMAN LEWIS: Are there any questions  
16 of Director Anderson at this time? Any questions or  
17 comments?

18 COMMISSIONER AUSTIN: I wanted to say  
19 thank you.

20 We discussed this last month at the  
21 workshop; and, Darran, I did offer some comments, as was  
22 discussed with Commissioner Vandergriff. I want to say  
23 thank you very much.

24 One thing I think is important is to  
25 keeps focused on economic development because we are at

1 the foundation and the front of economic development in  
2 keeping these things moving forward.

3 And I've would asked  
4 Commissioner Vandergriff a question on the mission: Was  
5 it too long, and do we need to have it short and  
6 concise?

7 And, Darran, I don't want to steal your  
8 thunder; but I appreciated what it said. Mid management  
9 really came back and stressed two things on here:  
10 Through collaboration and leadership. And I think that  
11 sends a very strong message back, those focused  
12 internally first, that, you know, a mission statement,  
13 all of the values -- the mission statement's up here.  
14 Everything else are pillars that support that. And  
15 continued collaboration is desperately needed at all  
16 levels and inter-department. Then, we start working  
17 outside, whether it be a regulatory body, legislative  
18 body, the citizens, MPOs, the different organizations  
19 that we work with, State and Federal, that we continue  
20 to do that; but I really appreciate all the work y'all  
21 have put on this. And, you know, it's a piece of paper,  
22 it's a set of values.

23 And it's going to be up, Director Bass,  
24 to y'all to communicate this, live it, breathe it, and  
25 incorporate it into performance reviews of everything

1 that we do, customer service feedback, and make sure  
2 we're living this as we go forward.

3 MR. ANDERSON: Yes, sir.

4 CHAIRMAN LEWIS: Any other questions or  
5 comments?

6 Yes, Commissioner Bugg.

7 COMMISSIONER BUGG: Yes. Thank you,  
8 Mr. Chairman.

9 Darran, well written. I just wanted to  
10 comment that I'm particularly pleased to see the words  
11 "customer service" in a TxDOT values document. And I'd  
12 like to see that word just ripple throughout the entire  
13 TxDOT 12,000 men and women that we have.

14 So I just wanted to thank you for being  
15 mindful of customer service. That is the job we're in,  
16 all of us, so thank you.

17 CHAIRMAN LEWIS: If there are no further  
18 questions or comments, then Commissioner Vandergriff, do  
19 you move that we adopt the department's strategic  
20 values, vision and mission statements, goals and  
21 objectives in accordance with the staff's  
22 recommendation.

23 COMMISSIONER VANDERGRIFF: So moved.

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

1 COMMISSIONER BUGG: Second. Thank you.

2 CHAIRMAN LEWIS: We have a motion and a  
3 second. If there's no further discussion, we'll proceed  
4 to a vote.

5 All in favor, say aye.

6 (Chorus of "Ayes.")

7 CHAIRMAN LEWIS: Any opposed, no.

8 (No response.)

9 CHAIRMAN LEWIS: The motion carries.

10 Thank you very much for all of the hard  
11 work for you and the others who worked along with you.

12 MR. ANDERSON: Thank you so much.

13 EXEC. DIRECTOR BASS: We'll now move on  
14 the Agenda Item 7, which is the appointments to the  
15 Interstate 69 Advisory Committee. Interim  
16 Transportation Planning and Programming Division  
17 Director Lauren Garduno will present.

18 MR. GARDUNO: Thank you, Mr. Bass.

19 Good morning, Chairman, Commissioners.

20 For the record, my name is Lauren  
21 Garduno; and I am the Interim Director of the  
22 Transportation Planning Programming Division.

23 For the past seven years, the I-69  
24 Corridor Advisory Committee has provided the local or  
25 grassroots level of insight and recommendations to the

1 department in our effort to further the development of  
2 the I-69 Corridor in Texas.

3 You, as the Commission, have recognized  
4 the importance of this committee and the desire to  
5 continue to seek their guidance and recommendations.

6 In your December 17th, 2015 meeting, you  
7 appointed Harrison County Judge Hugh Taylor to replace  
8 Judy Hawley, the former Chair of the committee, after  
9 she had asked to step down. The committee then met on  
10 January 5th, 2016 and elected Judge Taylor as the new  
11 Chair.

12 Due to various reasons, several  
13 individuals are no longer able to serve; and this has  
14 created several vacancies on this committee. This  
15 Minute Order appoints the individuals in Exhibit A in  
16 front of you as members of the I-69 Corridor Advisory  
17 Committee and represents the service of the 12 existing  
18 members and appoints 11 new members to fill the current  
19 vacancies and to better align representation along the  
20 corridor. Committee membership recommendations are  
21 developed through the Commission, the I-69 Chair, and  
22 with the department staff's input.

23 Staff recommends approval of these  
24 appointments to the I-69 Corridor Advisory Committee,  
25 and I'm available at this time to answer any questions.

1                   CHAIRMAN LEWIS:  Are there any questions  
2 of Director Garduno at this time?

3                   COMMISSIONER AUSTIN:  I just want to say:  
4 Lauren, thank you for working -- I know Marc Williams  
5 and Roger Beall have done a lot of work with the I-69  
6 Advisory Committee.  I know we're going to hear from  
7 Judge Taylor in just a minute.  But I'm really excited  
8 that Judge Taylor's doing -- has agreed to serve as our  
9 Chair.

10                   And what's great, we also have another  
11 very important group that's important to this advisory  
12 committee, the I-69 Alliance; and many members are  
13 members of the Alliance as well.  And the Chairman of  
14 the Alliance is Judge Neal from Corpus Christi, the  
15 county judge; and it's great to have representation from  
16 both ends of state to make sure we cover all of the  
17 entire segment.

18                   So thank y'all.

19                   CHAIRMAN LEWIS:  Thank you.

20                   If there are no further questions or  
21 comments with regard to Director Garduno, we do have a  
22 card from Judge Hugh Taylor.

23                   Judge, if you would, come up and state  
24 your name, who you're here representing; and give us the  
25 benefit of your thoughts on this item.

1 JUDGE TAYLOR: Good morning,  
2 Mr. Chairman, Commissioners, and Mr. Bass.

3 I am Hugh Taylor, the county judge in  
4 Harrison County, Texas.

5 It's not my first time to speak to the  
6 Commission. I've had the pleasure and honor of being  
7 here on several occasions before as a proponent and in  
8 support of developing our general aviation airport and  
9 then as a member of the TxDOT Interstate 20 Corridor  
10 Advisory Committee and then again as the Chairman of our  
11 local working groups, as the commissioner described  
12 earlier, where we studied I-69 through my county and a  
13 possible relief route there.

14 So it is a great honor to appear as the  
15 Chairman of the TxDOT I-69 Corridor Advisory Committees,  
16 and I did have input into the new staff -- or the  
17 staff's recommendations. I was able to comment, and I  
18 do support the slate.

19 Our first charge in January was to  
20 develop a new slate to make a recommendation to the  
21 Commission to offer some replacements due to certain  
22 circumstances; and I hope to, today, with staff, set our  
23 next meeting and talk about our agenda items for our  
24 next meeting maybe at the end of March.

25 So with that, I second the staff's

1 recommendations and ask for your approval.

2 CHAIRMAN LEWIS: Commissioner Austin.

3 COMMISSIONER AUSTIN: Judge, thank you.

4 And I know with some of the new appointments that are  
5 here -- Commissioner Moseley, I know, is looking through  
6 here -- many of these have a tie to some of the ports,  
7 the Port of Corpus. Chairwoman Janiece Longoria, I  
8 think she's Chairwoman of the Port of Houston. And also  
9 further down in Victoria. So we have a lot of folks  
10 that understand freight and the logistics of working  
11 with the National Freight Corridor. Y'all's expertise  
12 will really help in identifying the hotspots along the  
13 corridor.

14 And, Marc, I know we're spending a lot of  
15 money up and down -- we just added one section that's  
16 going to tie I-69 into the UTP as the Nacogdoches  
17 flyover. And I know we have a lot of other studies  
18 going on.

19 But thank you for your leadership, and it  
20 does show what y'all are doing. It does work. And  
21 especially as we look at UTP, where we have local  
22 support and consent and where we have the priorities in  
23 planning and construction. So thank y'all.

24 JUDGE TAYLOR: Without a doubt 69 is the  
25 I-35 relief route.

1 (Laughter.)

2 JUDGE TAYLOR: And it does draw from all  
3 your ports, including Laredo, which is the largest  
4 inland port. And a lot of representation up and down  
5 the corridor, all 1100 miles, from the Valley to  
6 Texarkana. So I think it's a good representation, and I  
7 think momentum continues. I really do see a lot of  
8 momentum. So I appreciate the Commission's support.

9 CHAIRMAN LEWIS: Thank you very much,  
10 Judge.

11 VICE-CHAIR MOSELEY: Mr. Chairman, I just  
12 wanted to add some thanks and appreciation to Judge  
13 Taylor for stepping up to lead. Clearly, filling the  
14 shoes of Judy Hawley, I mean, you've got a lot of  
15 momentum built up there; and so it's an exciting  
16 organization you stepped up to lead.

17 And as Commissioner Austin stated, it's  
18 an outstanding group of committee members. So we are  
19 going to continue to expect big things.

20 And thank you, Commissioner Austin, for  
21 your willingness to be our Commission liaison to this  
22 dynamic delegation. And I understand you guys are  
23 heading up to Washington in April. So we look forward  
24 to that report.

25 And, Mr. Chairman, if you can go with

1       them, I think that would be a good opportunity to get  
2       familiar more with some of the I-69 delegation members  
3       up there in Washington.

4                       But thank you, Judge, for your  
5       willingness to step up and lead this.

6                       JUDGE TAYLOR:  You're welcome.  And I  
7       will never be able to fill the shoes Representative Judy  
8       Hawley.  I understand that, but I will give you all I  
9       have and my best effort.

10                      Thank you.

11                      CHAIRMAN LEWIS:  Thank you very much,  
12       Judge.

13                      And any other comments or questions of  
14       Director Garduno?

15                      (No response.)

16                      CHAIRMAN LEWIS:  If not, we'll proceed  
17       on.  And, Commissioner Austin, do you move that we  
18       appoint the members to the I-69 Corridor Advisory  
19       Committee in accordance with staff's recommendation?

20                      COMMISSIONER AUSTIN:  So moved.

21                      CHAIRMAN LEWIS:  And, Vice-Chair Moseley,  
22       do you second that?

23                      VICE-CHAIR MOSELEY:  Second, Chairman.

24                      CHAIRMAN LEWIS:  All right.  We have a  
25       motion and a second.  If there is no further discussion,

1 we'll proceed to a vote.

2 All in favor, say aye.

3 (Chorus of "Ayes.")

4 CHAIRMAN LEWIS: Any opposed, no.

5 (No response.)

6 CHAIRMAN LEWIS: Thank you. The motion  
7 carries.

8 Thanks.

9 EXEC. DIRECTOR BASS: We will continue  
10 with Agenda Item 8; and Director Garduno will, please,  
11 continue.

12 MR. GARDUNO: Thank you, Mr. Bass.

13 Again, for the record, my name is Lauren  
14 Garduno, Interim Director of the Transportation Planning  
15 Programming Division.

16 This Minute Order authorizes the  
17 Executive Director of the Department, to enter into an  
18 agreement with Harris County for the use of State-owned  
19 right-of-way by the County to develop and construct the  
20 State Highway 249 Toll Project, including the frontage  
21 roads from just south of Brown Road to Spring Creek and  
22 to operate and maintain the toll lanes that are a part  
23 of the project as a part of the county road system.

24 It also approves Harris County's request  
25 that the toll lanes not become part of the State Highway

1 System and requires the agreement to provide that Harris  
2 County shall reimburse the Department the actual costs  
3 to acquire the right-of-way needed for the project in  
4 the amount of \$1,922,576.

5 Harris County proposes to reconstruct the  
6 State Highway 249 Corridor on existing State Highway  
7 right-of-way just south of Brown Road to Spring Creek to  
8 include a three-lane, toll-free frontage road in each  
9 direction and up to eight toll lanes. The County will  
10 be responsible for the development, plans for the  
11 project, and for the maintenance of the toll lanes.

12 The Department will be responsible for  
13 the maintenance of the frontage roads.

14 On November 10th, 2015, the Harris County  
15 Commissioners Court approved this agreement; and the  
16 Department has received a partially-executed agreement  
17 from the County.

18 Staff recommends approval of the Minute  
19 Order. I will take any questions at this time.

20 CHAIRMAN LEWIS: Any questions of  
21 Director Garduno at this time? Any questions?

22 (No response.)

23 CHAIRMAN LEWIS: All right. Then we'll  
24 proceed on -- do we have any -- we don't have any other  
25 comments on this, do we?

1                   Let's see, Vice-Chair Moseley, do you  
2 move to authorize the Executive Director to into the  
3 agreement with Harris County, pursuant to the staff's  
4 recommendation?

5                   VICE-CHAIR MOSELEY: Yes.

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

8                   COMMISSIONER VANDERGRIFF: I do second.

9                   CHAIRMAN LEWIS: We have a motion and a  
10 second. If there's no discussion, we'll proceed to a  
11 vote. All in favor, say aye.

12                   (Chorus of "Ayes.")

13                   CHAIRMAN LEWIS: Any opposed, no.

14                   (No response.)

15                   CHAIRMAN LEWIS: The motion carries.

16 Thank you.

17                   I'll turn it back to the Executive  
18 Director.

19                   EXEC. DIRECTOR BASS: Next, we'll move on  
20 to Agenda Item 9(a), dealing with the award of Federal  
21 and State funds; and Director of Public Transportation  
22 Eric Gleason will present.

23                   MR. GLEASON: Thank you, Mr. Bass.

24                   Mr. Chairman and the Commission.

25                   Again, for the record, my name is Eric

1 Gleason, TxDOT Director of Public Transportation.

2 I have a presentation today that's  
3 actually going to cover information related to both 9(a)  
4 and 9(b), and I'll go through the entire presentation.  
5 And then the Commission can come back and act on each of  
6 those separately if that's all right.

7 So the Rural Transit Asset Replacement  
8 Program is a deliberate, strategic effort on the part of  
9 TxDOT, with its partners in the transit industry, to  
10 blend a variety of different funding streams to replace  
11 rural fleet components beyond useful life mileage  
12 standards and upgrade or replace aging facilities needed  
13 to support ongoing administration, operations, and  
14 maintenance functions. These investments will improve  
15 rural area service reliability as well as transit  
16 customer access, connectivity, and convenience.

17 The recommendation before you today will  
18 replace over 300 fleet currently operating at 130  
19 percent of its useful life mileage, finish construction  
20 of four critically-needed facilities, and free up  
21 funding to advance efforts to design, construct, or  
22 upgrade eight other facilities in rural transit  
23 districts across Texas. And most notably today, your  
24 actions will allocate \$20.8 million in recently-secured  
25 U.S. DOT TIGER funds. Competition for these funds is

1 fierce. With only \$500 million to distribute  
2 nationwide, U.S. DOT received over \$4 billion worth of  
3 proposals; and even under this competitive environment,  
4 TxDOT received full project funding.

5 Agenda Item 9(a) rescinds a previous  
6 Minute Order passed by the Commission in July 2015 so  
7 that funds for two facility projects included in that  
8 Minute Order can be replaced, in part or in whole, by  
9 TIGER funding and re-awards funding to meet other  
10 projects included in the July 2015 action, with the  
11 exception of \$100,000 for service planning, which will  
12 be awarded at a separate time. This award -- so we  
13 anticipate awarding the rescinded facility project  
14 funding amounts to advance the eight other facility  
15 projects at a later date.

16 Item 9(b) awards a combination of TIGER  
17 funds, Surface Transportation Program funds flex to  
18 transit as a part of the transit asset approved  
19 appropriations request for fiscal years '16 and '17,  
20 and state funds. Today's recommended actions total  
21 \$35 million.

22 The pie chart you see on the slide shows  
23 the sources of funding for the entire Rural Transit  
24 Asset Replacement Project as described in our  
25 application for TIGER funding. It includes an

1 investment -- a current investment total of \$14 million  
2 of federal formula funding on earlier phases of the four  
3 facilities completed with the TIGER funding.

4 Today's action provides fleet replacement  
5 funds to 31 of 37 rural transit districts in Texas and  
6 facility construction completion funding for 4 agencies:  
7 CARTS, here in the Austin area for its Cedar Creek  
8 Campus; South Padre Island; Public Transit Services in  
9 Weatherford; and Central Texas Rural Transit Districts  
10 in Early, Texas. Exhibits A and B detail the individual  
11 sub-recipient amounts in this Minute Order, and we  
12 recommend your approval of Agenda Items 9(a) and 9(b).

13 CHAIRMAN LEWIS: We're going to take up  
14 9(a) separately. We do have some comment cards with  
15 regard to 9(b). So let's go forward here.

16 Commissioner Bugg, do you -- with regard  
17 to 9(a), do you move that we rescind the Minute Order  
18 and award the Transportation Development Credits in  
19 accordance with the staff's recommendation?

20 COMMISSIONER BUGG: So moved.

21 CHAIRMAN LEWIS: And Vice-Chair Moseley,  
22 do you second?

23 VICE-CHAIR MOSELEY: If Commissioner Bugg  
24 moves, I second.

25 (Laughter.)

1                   CHAIRMAN LEWIS: Okay. We have a motion  
2 and a second. Any discussion on 9(a)?

3                   (No response.)

4                   CHAIRMAN LEWIS: Then I'll call for a  
5 vote. All in favor of Mr. Bugg's motion, say aye.

6                   (Chorus of "Ayes.")

7                   CHAIRMAN LEWIS: Any opposed, no.

8                   (No response.)

9                   CHAIRMAN LEWIS: Then we'll proceed on  
10 the 9(b); and on 9(b), first of all, before I ask for  
11 comments, any questions of Director Gleason at this  
12 time?

13                   (No response.)

14                   CHAIRMAN LEWIS: Then, if not, we'll  
15 proceed on to the comments of others. We have a request  
16 to comment from Martin Ornelas.

17                   Mr. Ornelas, please come forward; and  
18 after stating your name, if you will, give us the  
19 benefit of your comments -- and who you're here  
20 representing. Then give us your comments.

21                   MR. ORNELAS: Yes. Good morning,  
22 Chairman Lewis, Commissioners, and Director Bass.

23                   My name is Martin Ornelas. I'm with  
24 REAL, Incorporated. We are a rural transit district  
25 operating in nine counties of the Coastal Bend. Our

1 service area encompasses approximately a population  
2 that's almost 35 percent of the entire Coastal Bend  
3 region or over 200,000 individuals, plus our current  
4 service of approximately 1500 trips on a daily basis.

5 We're more than happy to be here before  
6 you today, not that there might be questions; but the  
7 other times I've been here it has been at the Open  
8 Comment. But before I move into my comments, I do want  
9 to recognize REAL's Executive Director, Ms. Gloria  
10 Ramos, who is also with us, as well as REAL's Board's  
11 Secretary and Treasurer, a previous Jim Wells County  
12 judge, Mr. Arnold Saenz, who is here with us also today.

13 I think that the presentation that Eric  
14 made before you really is a testament to the leadership  
15 of TxDOT in accessing and leveraging both Federal funds  
16 as well as State funds and thinking outside of the box.

17 The impact of both components of the  
18 TIGER funding, both the asset replacement for smaller  
19 rural districts, like ours, is beyond explanation. The  
20 ability to provide safe and affordable transportation to  
21 residents that are -- mobilities are limited is  
22 tremendous and beyond anything that I might be able to  
23 explain.

24 I hope that during your travels one day  
25 you might stop and visit us in Alice and see firsthand

1 the impact of these kinds of projects we have in rural  
2 communities specifically.

3 I do want to talk about the second  
4 component of this innovative thinking that was secured  
5 through TIGER, and that is the facilities component. As  
6 I've spoken to you before, REAL is in a two-year process  
7 and has identified the Alice, Jim Wells County  
8 Multimodal Transit Facility; and we are one of the eight  
9 or the back-end winners, if you can call it, in this  
10 competitive process.

11 While we are tremendously happy with  
12 that, I do want to point out a couple of quick things,  
13 that the facility is located in a strategic location  
14 near the I-69 Corridor, which is directly on the nexus  
15 of -- on the west is Laredo; on the east is Corpus  
16 Christi; on the north is San Antonio; and on the south  
17 is McAllen. That strategic location for the movement of  
18 goods and services, you're more than fully aware of.  
19 We'd like to overlay the strategicness of that location  
20 on the movement of individuals. The ability for a  
21 state-of-the-art, multimodal transit facility can bring  
22 tremendous needs to a community that is tremendously  
23 impacted right now by the lack of investment in oil and  
24 gas. And the impact on local communities, as you know,  
25 has an impact on greater demand on public

1 transportation; but as investment in that area was  
2 increased, economic growth, strategically-located where  
3 there is private development taking place, where there  
4 are investments in excess of \$20 million by the City in  
5 a complex. All of this combined can only mean a  
6 positive return on a small investment.

7 We have a good problem in our hands --  
8 and I see the red light blinking; 30 seconds, if I may.

9 We have a good problem in our hands in  
10 that FTA has not released the next round of TIGER  
11 funding and we know it's a fierce competition; but for  
12 those projects that are on the eight, as you know, if we  
13 don't leverage outside funding, the potential for when  
14 other investment may take place is up to six years. And  
15 so, as you know, communities can't wait for six years.

16 So if there's any way that that could be  
17 within the consideration, it would be a tremendous  
18 asset. We're here to support it, and we'll do  
19 everything that we can.

20 Thank you for this. And, again, Eric's  
21 leadership on this is phenomenal on this; and for your  
22 leadership, too, thank you so much.

23 CHAIRMAN LEWIS: Thank you, Mr. Ornelas.

24 If there are no questions or comments,  
25 we'll proceed to Ron Stephens.

1                   Please come forward. After stating your  
2 name and who you're here representing, give us the  
3 benefit of your thoughts.

4                   MR. STEPHENS: Good morning, Commission,  
5 Chairman Lewis, Director Bass.

6                   I'll make my comments brief. There's  
7 not much more I can say about the importance of this  
8 initiative here, this agenda item.

9                   And I do want to commend Eric Gleason and  
10 staff. It's a the tremendous effort. I know we've  
11 heard a lot about urban congestion and urban traffic.  
12 Eric, I don't want to diminish the need for the rural.  
13 I think, you know, we've got 20 percent of our  
14 population that lives in that rural area that remain  
15 isolated or disconnected. And there are some of our --  
16 some of those populations are probably  
17 disproportionately elderly, disabled; and they have an  
18 issue that makes them at risk.

19                   So I believe in establishing a  
20 connectivity; and this effort here, it's important. I  
21 applaud Eric and his staff, and I'm very grateful for  
22 the opportunity to speak on this one.

23                   Thank you very much.

24                   CHAIRMAN LEWIS: Yes. We have a question  
25 or comment from Commissioner Austin.

1                   COMMISSIONER AUSTIN: Rob, I know you're  
2 up here speaking on behalf of a lot of this; but you  
3 also have another capacity. You chair TxDOT's Transit  
4 Advisory Committee. Would you share just a little bit  
5 of who y'all are and how you're appointed?

6                   MR. STEPHENS: Yes, sir, I certainly  
7 will.

8                   I serve as the general manager of a small  
9 urban district in Midland Odessa; but as well, I am on  
10 the advisory committee for the public transportation  
11 portion and I -- it's a nine-member committee. We're  
12 appointed -- there's three different categories  
13 appointed by various elected officials at the state  
14 level. We serve in an advisory capacity to the staff,  
15 working with staff very closely.

16                   We have very recently been talking about  
17 guiding principles or some of the efforts that will  
18 encompass what we will be working on this next year.  
19 Some of what we will be working on are the effects of  
20 urbanization and the urban gap, which deal with kind of  
21 this overlapping area of the urban and rural and how it  
22 affects access to funding and how those folks in both  
23 areas access funding to continue services. So those are  
24 some of the things that we'll be working on this next  
25 year.

1                   COMMISSIONER AUSTIN:  And I appreciate  
2                   that.  When I did ask Eric of your nine members, where  
3                   were they by elected officials, the Lieutenant Governor,  
4                   Governor --

5                   MR. STEPHENS:  And the speaker of the  
6                   House, yes.

7                   COMMISSIONER AUSTIN:  -- speaker.  Yeah,  
8                   three public members and three transit users in it.

9                   I know, Eric, this is in your shop, you  
10                  do a lot of working with this group.

11                  Mr. Chairman, maybe at some point in the  
12                  future it would be nice to have a brief presentation  
13                  just to talk about what y'all are doing; and there's  
14                  been a lot of activity.  We fund a lot of money to  
15                  y'all.  I would like to learn a little bit more.

16                  MR. STEPHENS:  I appreciate it,  
17                  Commissioner Austin.  Thank you.

18                  CHAIRMAN LEWIS:  Thank you very much.

19                  And John Hendrickson.

20                  Mr. Hendrickson, please come forward.

21                  After stating your name and who you're here  
22                  representing, give us the benefit of your thoughts.

23                  MR. HENDERICKSON:  Chairman Lewis,  
24                  Commissioners, Executive Director Bass.

25                  John Hendrickson.  I'm the president of

1 the Texas Transit Association, and we're here to support  
2 Agenda Item Number B -- or letter B.

3 It's interesting to think about that the  
4 first TIGER project that we had in the state of Texas  
5 was for up in Fort Worth, Tower 55; and now we've got a  
6 24-million-dollar TIGER program for rural transit in  
7 Texas. That's extremely important.

8 And I'd like to thank Eric and his staff  
9 for having the vision to go out there and work through  
10 that process to get that awarded.

11 It's extremely important, but this is  
12 just a small portion of what the need is in the rural  
13 districts in Texas. We have a lot of transit systems  
14 that lack the facilities or the assets that they need to  
15 perform all the services that they need.

16 And so I'd hope that the Commission and  
17 Eric and his staff will continue to focus on working for  
18 statewide projects like this where we can compete at the  
19 national level to get funding which will help us.

20 An interesting thought was I didn't know  
21 that there 65,606 pilots in the state of Texas, so that  
22 was the an interesting fact.

23 But I just want to thank y'all, and I  
24 appreciate y'all's time today.

25 CHAIRMAN LEWIS: Thank you very much,

1 Mr. Hendrickson.

2 We have a card from David Marsh.

3 Mr. Marsh, will you please come forward.

4 After stating your name and who you're here  
5 representing, please give us the benefit of your  
6 thoughts.

7 MR. MARSH: Thank you, Mr. Chairman.  
8 Commissioners, Mr. Bass.

9 I am Dave Marsh. I'm the general manager  
10 of CARTS, the CARTS district, Capital Area Rural  
11 Transportation. I'll make my comments brief; I know the  
12 day is going on.

13 CARTS is a rural and small urban transit  
14 district that serves that urbanized area of San Marcos,  
15 the non-urbanized area of Bastrop, Blanco, Burnet,  
16 Caldwell, Fayette, Lee, Hays, and Williamson counties.  
17 So we surround Austin. So as you travel through Austin,  
18 you will always see our buses going through the  
19 district.

20 This is the first statewide TIGER grant  
21 ever awarded for transit from the TIGER program, in the  
22 history of the TIGER program. It really is a big deal.  
23 And the benefits that we'll derive from this for CARTS  
24 and other of my peers are long term and just in time.

25 The bus part of the program is very

1 needed because in the last Transportation  
2 Reauthorization Bill, they took 60 percent of the funds  
3 set aside for our sized transit category for capital  
4 equipment and gave it to our rail districts. So the  
5 buses are right in time, but most particularly the  
6 facilities that enable us to provide and deliver  
7 services safely and efficiently will go a long ways and  
8 last a lot longer than any of us here before you today  
9 will.

10 If I can indulge in a colloquialism --  
11 and I want to make sure you understand it's gender  
12 neutral -- we are the poor boys of the transit world.  
13 We get a lot less money than the metropolitan transit  
14 authorities and the small urban districts, even though I  
15 am a part of both of those; but we do a lot with what  
16 little we have. And your attention to our needs and  
17 your public transportation division's work on this is  
18 very welcome, and we thank you very much.

19 The way the Public Transportation  
20 Division was able to dovetail the applied technical  
21 expertise of the Texas Transportation Institute and the  
22 perceived needs and planning that's done in advance for  
23 the projects you see in the list is what made this  
24 possible. And we thank you for your support. Any  
25 questions?

1 CHAIRMAN LEWIS: Any questions?

2 (No response.)

3 CHAIRMAN LEWIS: If not, thank you very  
4 much, Mr. Marsh, for coming forward.

5 Those are all the comment cards that we  
6 have.

7 Any other questions or comments with  
8 regard to Director Gleason?

9 (No response.)

10 CHAIRMAN LEWIS: If not, Vice-Chair  
11 Moseley, do you move to award the federal and state  
12 funds and transportation credits in accordance with the  
13 staff's recommendation under Item 9(b)?

14 VICE-CHAIR MOSELEY: So moved, Chairman.

15 CHAIRMAN LEWIS: And, Commissioner Bugg,  
16 do you second the Vice-Chair's motion?

17 COMMISSIONER BUGG: Any motion that  
18 Vice-Chair Moseley, makes I second.

19 (Laughter.)

20 CHAIRMAN LEWIS: Okay. Very nicely done.  
21 If there's no discussion, then we'll proceed to a vote.

22 All in favor, say aye.

23 (Chorus of "Ayes.")

24 CHAIRMAN LEWIS: Any opposed, no.

25 (No response.)

1 CHAIRMAN LEWIS: The motion carries.  
2 Thank you.

3 Executive Director.

4 EXEC. DIRECTOR BASS: Director Gleason  
5 will continue with Item 9(c).

6 MR. GLEASON: Thank you.

7 Agenda Item 9(c) awards approximately  
8 548,000 Transportation Development Credits to 4 transit  
9 agencies for a variety of capital programming purposes.  
10 The agencies and recommended TDC amounts are listed on  
11 Exhibit A.

12 Also included in Exhibit A are the  
13 various federal funding sources in amounts already  
14 obtained by each of the four recipients. The TDCs will  
15 be used and will local match to access the amount of  
16 federal funds shown.

17 Use of TDCs for the listed project  
18 purposes, construction of customer amenities and access  
19 system program vehicle procurement, IT systems,  
20 et cetera, are all consistent with previous Commission  
21 awards.

22 An agency may request TDCs at any time  
23 throughout the year. We typically will bundle up  
24 several requests such as these for TDCs for a single  
25 Commission action.

1                   We recommend your approval of this Minute  
2                   Order.

3                   CHAIRMAN LEWIS: Any questions of  
4                   Director Gleason with regard to item?

5                   (No response.)

6                   CHAIRMAN LEWIS: If not, Commissioner  
7                   Vandergriff, do you move to award the Transportation  
8                   Development Credits in accordance with staff's  
9                   recommendation?

10                  COMMISSIONER VANDERGRIFF: So moved.

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

13                  COMMISSIONER AUSTIN: I second.

14                  CHAIRMAN LEWIS: Any discussion?

15                  (No response.)

16                  CHAIRMAN LEWIS: If not, we'll proceed to  
17                  vote.

18                  All in favor of the motion, say aye.

19                  (Chorus of "Ayes.")

20                  CHAIRMAN LEWIS: Any opposed, no.

21                  (No response.)

22                  CHAIRMAN LEWIS: The Motion carries.

23                  EXEC. DIRECTOR BASS: Item 9(d).

24                  MR. GLEASON: Thank you.

25                  Agenda Item 9(d) awards approximately

1     \$23,000 of Federal Transit Administration Protection  
2     Section 5304, Statewide and Non-metropolitan area  
3     Transportation Planning grant funds and state matching  
4     funds to the South Plains Association of Governments.

5             These funds will be used to support and  
6     update the Regional Transportation Coordination Plan in  
7     that region. Regional coordination planning is required  
8     by state law and Federal transit program regulations.  
9     TxDOT has supported these efforts in each of the state's  
10    24 planning regions since 2005.

11            These coordination plans bring key  
12    transit customers and stakeholders together to improve  
13    the overall efficiency and effectiveness of public  
14    transit services in each region.

15            Staff recommends approval of this Minute  
16    Order.

17            CHAIRMAN LEWIS: Commissioners, any  
18    questions or comments with regard to Director Gleason's  
19    presentation?

20            (No response.)

21            CHAIRMAN LEWIS: If not, Commissioner  
22    Austin, do you move to award state and federal funds to  
23    the designated agencies in accordance with staff's  
24    recommendation?

25            COMMISSIONER AUSTIN: So move.

1 CHAIRMAN LEWIS: Oh, I'm sorry.

2 I take that motion. Thank you. You did  
3 so move.

4 I did ignore the fact that we do have a  
5 card. I'm sorry.

6 We will go ahead and see if there's a  
7 second.

8 COMMISSIONER VANDERGRIFF: Second.

9 CHAIRMAN LEWIS: Commissioner Vandergriff  
10 has seconded.

11 Let's see. Rob Stephens, please come up.  
12 After stating your name and who you're here  
13 representing, give us the benefit of your thoughts.

14 MR. STEPHENS: Once again, Rob Stephens  
15 here, your Chair of the PTAC Committee.

16 I'll make my comments brief and just in  
17 general to regional coordination and planning. I think  
18 it's an awesome effort. I think we're in our tenth year  
19 now. This is an awesome effort; and I want to commend  
20 Eric and staff, in that regard as well, in leading that  
21 effort.

22 This is an opportunity that creates an  
23 opportunity for the private sector, for the public  
24 sector and different agencies to work together in ways  
25 they've never worked before. So you have an opportunity

1 here to, with limited funding, to create long-term,  
2 sustainable types of projects. I think there are many.  
3 I won't speak to any of those individual ones.

4 But what I'm excited about is not just  
5 the opportunity this forum creates for folks to work  
6 together in ways they hadn't considered before, but  
7 there are innovative solutions that are on the horizon  
8 are some of the ones I want to talk about.

9 The one I want to specifically talk about  
10 that we'll be visiting in our advisory committee about,  
11 this is an opportunity for innovative solutions that  
12 involves smart technology's moving forward. You have a  
13 younger generation in even the private sector that will  
14 be driving this new mobility option using technology.

15 Just here very recently at a consumer  
16 electronic show, we had Ford CEO Mark Fields talk about  
17 changing the way people move and investing over \$5  
18 trillion in this new transit services market. I don't  
19 know what that will look like. I have no idea what it  
20 will look like, but I'm excited about embracing that new  
21 opportunity moving forward.

22 Twenty years ago I couldn't have imagined  
23 what it was like to have a cell phone, but I've got a  
24 college kid that can't live without it. So, yeah, I'm  
25 kind of excited about where that will take us and what

1 kind of options that will provide in helping us move  
2 some of these discussions forward, in how we move  
3 forward -- move people forward in connecting folks.

4 So I just want to thank you for that  
5 opportunity to talk about that.

6 Thank you.

7 CHAIRMAN LEWIS: Thank you very much.

8 We have a motion -- going forward, we  
9 have a motion; and we have a second. If there's no  
10 discussion, we'll proceed to a vote.

11 (No response.)

12 CHAIRMAN LEWIS: All in favor, say aye.

13 (Chorus of "Ayes.")

14 CHAIRMAN LEWIS: Any opposed, no.

15 (No response.)

16 CHAIRMAN LEWIS: The motion carries.

17 EXEC. DIRECTOR BASS: And Item 9(e).

18 MR. GLEASON: Thank you.

19 Again, Item 9(e) awards up \$40,000 to the  
20 city of Waco for a variety of activities associated with  
21 the 2016 Texas Transit Association Conference scheduled  
22 to be held in Waco beginning Saturday, April 23rd.  
23 Funds will be used to support a variety of activities  
24 consistent with the Department of Safety best-in-class  
25 agency goals. I may have to modify that based on an

1 earlier presentation today.

2 (Laughter.)

3 MR. GLEASON: (Inaudible) also expenses  
4 to support the Annual Transit Roadeo, which is an event  
5 similar to those held in TxDOT districts each other,  
6 promoting safety through friendly competition and  
7 vehicle operations maintenance and customer service.

8 The second category, eligible conference  
9 expenses to support workshop activities promoting best  
10 practices and issues of significance for the transit  
11 industry.

12 And, finally, training classes, including  
13 training in the departments expanded and new e-grants  
14 management systems scheduled for deployment in public  
15 transportation later this spring.

16 Waco Transit is hosting the conference  
17 there. They are traditional recipients of the  
18 department administered and state and federal traffic  
19 grant programs.

20 I recommend your approval of this Minute  
21 Order.

22 CHAIRMAN LEWIS: Any questions of  
23 Director Gleason?

24 (No response.)

25 CHAIRMAN LEWIS: If not, we do have

1 Request to Appear card from Meredith Greene.

2 Ms. Greene, if you will, please come  
3 forward, state your name and who you're here  
4 representing; and give us the benefit of your remarks.

5 MS. GREENE: Good morning.

6 Thank you, Chairman Lewis, Commissioners,  
7 Director Bass.

8 My name is Meredith Greene, and I'm the  
9 new Executive Director of the Texas Transit Association.

10 The mission of our association is to  
11 support the needs of public transportation systems  
12 through education and advocacy, and one of the ways we  
13 do that is by facilitating the Annual Conference and Bus  
14 Roadeo for our public transit agencies and partners.

15 The roadeo allows the best of best  
16 transit operators from around the state to compete for a  
17 statewide title, and then subsequently move on to the  
18 national competition. It's a great time for operators  
19 to show off their skills, for TTA to award the drivers  
20 and tell them how much we appreciate all of their hard  
21 work throughout the year.

22 This year we are honored to have Waco  
23 Transit host our state roadeo. And I'd like to  
24 recognize our President, who spoke earlier, John  
25 Hendrickson. And we are also grateful for the

1 partnership of Eric Gleason and the Public  
2 Transportation Division, who have made planning this  
3 conference much easier than I anticipated.

4 This conference is also significant since  
5 it is the 30-year anniversary of TTA. We're very  
6 excited to show off the association, the direction that  
7 we're headed, and public transit operators across the  
8 state.

9 And we thank you for your support.

10 CHAIRMAN LEWIS: Thank you very much.

11 Any questions?

12 (No response.)

13 CHAIRMAN LEWIS: Thank you very much.

14 Commissioners -- if there's no further  
15 discussion, Commissioner Austin, do you move that we  
16 award the program funds to the City of Waco in  
17 accordance with staff's recommendation?

18 COMMISSIONER AUSTIN: So moved.

19 CHAIRMAN LEWIS: And, Vice-Chair Moseley,  
20 do you second?

21 VICE-CHAIR MOSELEY: With a yee-haw I'll  
22 second that.

23 CHAIRMAN LEWIS: Okay. I believe we have  
24 a motion and an enthusiastic second.

25 (Laughter.)

1 CHAIRMAN LEWIS: If there are no further  
2 comments --

3 (Laughter.)

4 CHAIRMAN LEWIS: -- all in favor, please  
5 say aye.

6 (Chorus of "Ayes.")

7 CHAIRMAN LEWIS: Any opposed, no.

8 (No response.)

9 CHAIRMAN LEWIS: Thank you.

10 EXEC. DIRECTOR BASS: Next we have  
11 Item 10(a), dealing with the proposed adoption of rules  
12 concerning management.

13 General Counsel Jeff Graham will present.

14 MR. GRAHAM: I can almost say good  
15 afternoon. We have a minute.

16 (Laughter.)

17 MR. GRAHAM: Recently Senate Bill 1267,  
18 amended the Government Code Chapter 2001, specifically  
19 in the APA, the Administrative Procedures Act, in  
20 certain ways. This is simply our modification for  
21 internal rules, TAC, to comply with the changes made in  
22 the statute.

23 We would recommend that you adopt the  
24 Minute Order presented.

25 CHAIRMAN LEWIS: Any questions of General

1 Counsel Graham at this time on this matter?

2 Yes, Commissioner Austin.

3 COMMISSIONER AUSTIN: You know, we talk  
4 about people coming up for the first time. And legal  
5 counsel's here, and we don't have any tough questions  
6 for him.

7 MR. GRAHAM: I wondered where you were  
8 going with that.

9 (Laughter.)

10 CHAIRMAN LEWIS: Anything else?

11 (No response.)

12 CHAIRMAN LEWIS: If not, Commissioner  
13 Bugg, do you --

14 Oh, do we have any more cards?

15 Yeah, Commissioner Bugg, do you move that  
16 we approve the proposed amendments in accordance with  
17 the staff's recommendation?

18 COMMISSIONER BUGG: So moved.

19 CHAIRMAN LEWIS: And Commissioner  
20 Vandergriff, do you second?

21 COMMISSIONER VANDERGRIFF: Second.

22 CHAIRMAN LEWIS: I have a motion and a  
23 second. If there's no further discussion, we'll proceed  
24 to a vote.

25 (No response.)

1 CHAIRMAN LEWIS: All in favor, say aye.

2 (Chorus of "Ayes.")

3 CHAIRMAN LEWIS: Any opposed, no.

4 (No response.)

5 CHAIRMAN LEWIS: The motion carries.

6 Director Bass.

7 EXEC. DIRECTOR BASS: Next, we have

8 Item 10(b), proposed adoption of amendments concerning

9 financing and construction of transportation projects.

10 Contract Services Director Ken Stewart

11 will present.

12 MR. STEWART: Good day.

13 My name is Ken Stewart.

14 Commissioner Lewis, Commission Members,

15 Mr. Bass.

16 I bring before you today proposed changes

17 to 15.52 dealing with agreements for federal, state, and

18 local participation, largely technical with the cleanup.

19 We're asking to change some existing language that will

20 better match up with the federal nomenclature; and since

21 these are subject to a single State audit, that could

22 reduce some issue of discussion later by correcting an

23 internal citation; and we're changing language to make

24 the rules more internally consistent with regard to

25 responsibility for costs that exceed the initial cost

1 estimate.

2 Staff recommends approval. I will answer  
3 any questions y'all may have.

4 CHAIRMAN LEWIS: Commissioners, any  
5 questions of Director Stewart at this time?

6 (No response.)

7 CHAIRMAN LEWIS: If not, Commissioner  
8 Vandergriff, do you move to approve the proposed  
9 amendments to Section 15.52 in accordance with staff  
10 recommendations?

11 COMMISSIONER VANDERGRIFF: So moved.

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

14 COMMISSIONER AUSTIN: Second.

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

18 (No response.)

19 CHAIRMAN LEWIS: All in favor, say aye.

20 (Chorus of "Ayes.")

21 CHAIRMAN LEWIS: Any opposed, no.

22 (No response.)

23 CHAIRMAN LEWIS: The motion carries.

24 EXEC. DIRECTOR BASS: Next, Agenda  
25 Item 11(a), a Nueces County SIB loan request will be

1 presented by Interim Chief Financial Officer Ben Asher.

2 MR. ASHER: Thank you, Director Bass.

3 Chairman, Commissioners.

4 For the record, I'm Ben Asher. I'm  
5 serving as the Interim Chief Financial Officer here at  
6 TxDOT.

7 This item is to consider final approval  
8 of an application submitted by Nueces County to borrow  
9 up to \$12 million from the State Infrastructure Bank  
10 because the County is participating in the Harbor Bridge  
11 Project.

12 Staff recommends approval, and I'd be  
13 happy to answer any questions.

14 CHAIRMAN LEWIS: Yes,  
15 Commissioner Austin.

16 COMMISSIONER AUSTIN: I have one  
17 question. Really, it's probably for Marc, if I may ask.

18 Marc, we're still scheduled to move  
19 forward on the bridge; we're looking at breaking ground  
20 sometime in the early summer, late summer?

21 MR. WILLIAMS: Yes, sir, I believe it has  
22 a summer groundbreaking on it; but we can provide you  
23 definitely with that information.

24 COMMISSIONER AUSTIN: Thank you.

25 CHAIRMAN LEWIS: Are there any other

1 questions for CFO Asher at this time?

2 (No response.)

3 CHAIRMAN LEWIS: If not,

4 Commissioner Austin, do you move for final approval of  
5 the request for Nueces County --

6 COMMISSIONER AUSTIN: So moved.

7 CHAIRMAN LEWIS: -- for the State  
8 Infrastructure Bank loan in question?

9 COMMISSIONER AUSTIN: So moved.

10 CHAIRMAN LEWIS: And, Commissioner  
11 Vandergriff, do you second?

12 COMMISSIONER VANDERGRIFF: Second.

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

16 (No response.)

17 CHAIRMAN LEWIS: All in favor, say aye.

18 (Chorus of "Ayes.")

19 CHAIRMAN LEWIS: Any opposed, no.

20 (No response.)

21 CHAIRMAN LEWIS: The motion carries.  
22 Director Bass.

23 EXEC. DIRECTOR BASS: 11(b).

24 MR. ASHER: Thank you.

25 This item is to consider final approval

1 of an application submitted by San Patricio County to  
2 borrow up to \$12 million from the State Infrastructure  
3 Bank to fund their portion of participating in the  
4 Harbor Bridge Project.

5 Staff recommends approval, and I'd be  
6 happy to answer questions.

7 CHAIRMAN LEWIS: Are there any questions  
8 of CFO Asher with regard to this matter?

9 (No response.)

10 CHAIRMAN LEWIS: If not, Vice-Chair  
11 Moseley, do you move for final approval of the request  
12 form San Patricio County for the State Infrastructure  
13 Bank loan in question?

14 VICE-CHAIR MOSELEY: So moved, Chairman.

15 CHAIRMAN LEWIS: And, Commission Bugg, do  
16 you second?

17 COMMISSIONER BUGG: Second.

18 CHAIRMAN LEWIS: There being a motion and  
19 a second with regard to this, if there's no further  
20 discussion, we'll proceed to a vote.

21 (No response.)

22 CHAIRMAN LEWIS: All in favor, say aye.

23 (Chorus of "Ayes.")

24 CHAIRMAN LEWIS: Any opposed, no.

25 (No response.)

1 CHAIRMAN LEWIS: The motion carries.  
2 Director Bass.

3 EXEC. DIRECTOR BASS: Having considered  
4 Agenda Item 12 earlier, we'll now move to Agenda  
5 Item 13, the establishment of toll rates in accordance  
6 with the Regional Transportation Council policy; and  
7 Toll Operations Division Director Rick Nelson will  
8 present.

9 DIRECTOR NELSON: Thank you.  
10 Chairman, Commissioners, Executive  
11 Director Bass.

12 The staff recommends -- I'll have to get  
13 to my Minute Order -- establishment of toll rates for  
14 the I-30 Managed Lanes Project from west of Center  
15 Street in Tarrant County to east of Sylvan Avenue in  
16 Dallas County, in accordance with the Regional  
17 Transportation Council.

18 CHAIRMAN LEWIS: Are there any questions  
19 of Director Nelson at this time?

20 (No response.)

21 CHAIRMAN LEWIS: If there are none,  
22 Commission Vandergriff, do you move that we set the  
23 rates in accordance with the staff's recommendation?

24 COMMISSIONER VANDERGRIFF: This is very  
25 hard for me because my father fought for years with the

1 Department to take tolls off of this road. I'm afraid I  
2 would be struck from heaven on this one.

3 (Laughter.)

4 CHAIRMAN LEWIS: It's very important for  
5 us all that you get to heaven, so...

6 (Laughter.)

7 COMMISSIONER VANDERGRIFF: No, he's  
8 looking down. I'm not saying I'm getting there.

9 CHAIRMAN LEWIS: When you do get there,  
10 we want you to have good relations --

11 (Laughter.)

12 CHAIRMAN LEWIS: -- with another  
13 Vandergriff whose name is on many buildings in that  
14 area.

15 COMMISSIONER AUSTIN: I'll motion.

16 VICE-CHAIR MOSELEY: Second, Chairman.

17 CHAIRMAN LEWIS: We do have a motion from  
18 Commissioner Austin. We have a second from Vice-Chair  
19 Moseley. Is there any discussion on this item?

20 (No response.)

21 CHAIRMAN LEWIS: If not, I'll call for a  
22 vote. All in favor, say aye.

23 (Chorus of "Ayes.")

24 CHAIRMAN LEWIS: Any opposed, no.

25 (No response.)

1                   CHAIRMAN LEWIS: The motion carries.

2 Thank you.

3                   EXEC. DIRECTOR BASS: Now we'll move on  
4 to Item 14(a), dealing with a contested case regarding  
5 OAD, Outdoor Advertising.

6                   Assistant General Counsel Rich O'Connell  
7 will present.

8                   MR. O'CONNELL: Good morning.

9                   My name is Rich O'Connell, Associate  
10 General Counsel.

11                   This Item 14(a) before us is an  
12 administrative enforcement case initiated by TxDOT staff  
13 under the Commission's rules concerning outdoor  
14 advertising signs.

15                   The case concerns two signs adjacent to  
16 I-45, near La Marque. TxDOT's staff began the  
17 enforcement case when it concluded the owner did not  
18 install the signs at the exact location agreed to with  
19 TxDOT staff when the permit application was first  
20 submitted. Also, the signs were too close to the state  
21 right-of-way.

22                   Staff gave notice of the cancellation of  
23 the permits to the owner. In response, the owner  
24 exercised a right and asked for a Contested Case  
25 Hearing.

1                   The contested case was held by an  
2                   Administrative Law Judge at the State Office of  
3                   Administrative Hearings. You now have before you the  
4                   ALJ's proposal for a decision.

5                   The ALJ recommended that the enforcement  
6                   case be dismissed as moot. She came to this conclusion  
7                   because TxDOT's staff, during the pendency of the case,  
8                   in two instances declared that there was no outstanding  
9                   violations concerning the signs. The parties did not  
10                  file exceptions to the ALJ's recommendations.

11                  OGC recommends you adopt the Commission  
12                  Order which adopts the ALJ's proposed findings of facts  
13                  and conclusions of law and dismisses the enforcement  
14                  case. OGC has prepared a Draft Order for your  
15                  consideration. If you vote to approve it, the  
16                  Commission's clerk will distribute the Order for your  
17                  signature.

18                  CHAIRMAN LEWIS: Thank you very much.

19                  Commissioners, are there any questions of  
20                  Assistant General Counsel Rich O'Connell with regards to  
21                  this matter? If not --

22                  COMMISSIONER AUSTIN: Chairman, I do.

23                  Just as a matter of process, to get up to  
24                  this level is pretty uncommon; but I know you guys in  
25                  the Right-of-Way Division give them ample notice

1 multiple times and have discussions with them. So to  
2 get to this level, that means it's probably a pretty  
3 flagrant, "No, we don't want to do it" or "We don't want  
4 to comply"?

5 MR. O'CONNELL: Well, definitely the  
6 contested case -- yes. The answer to your question is  
7 yes. There were communications for several years about  
8 this, yes.

9 COMMISSIONER AUSTIN: I would just  
10 encourage to the department, as we look at this, you  
11 know, we have these rules in place; and those that are  
12 following them and doing the right thing, we appreciate  
13 that. And those that are not, you know, kind of ruin  
14 things for other folks. Make sure we're enforcing these  
15 quickly and fairly and swiftly, taking action across the  
16 board.

17 MR. O'CONNELL: Thank y'all.

18 VICE-CHAIR MOSELEY: Chairman?

19 CHAIRMAN LEWIS: Yes, Vice-Chair Moseley.

20 VICE-CHAIR MOSELEY: Also, Rich, it's my  
21 understanding that basically there's federal guidelines;  
22 and we're simply being asked to enforce those  
23 guidelines. Is that correct?

24 MR. O'CONNELL: Well, this is definitely  
25 under the Federal Highway Beautification Act; but as far

1 as the procedures for enforcement, the Department does  
2 have its own rules in Chapter 21, yes.

3 VICE-CHAIR MOSELEY: But there's a  
4 federal act, federal guidelines?

5 MR. O'CONNELL: Yes.

6 VICE-CHAIR MOSELEY: Thank you.

7 CHAIRMAN LEWIS: If there are no other  
8 questions of Mr. O'Connell, Commissioner Vandergriff, do  
9 you move that we adopt the Administrative Law Judge's  
10 proposal for a decision, in accordance with staff's  
11 recommendation?

12 COMMISSIONER VANDERGRIFF: So moved.

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

15 COMMISSIONER BUGG: Second.

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

19 (No response.)

20 CHAIRMAN LEWIS: All in favor, say aye.

21 (Chorus of "Ayes.")

22 CHAIRMAN LEWIS: Any opposed, no.

23 (No response.)

24 CHAIRMAN LEWIS: The motion carries.

25 EXEC. DIRECTOR BASS: Item 14(b).

1                   MR. O'CONNELL: Commissioners, this is an  
2                   item, TxDOT versus Whalen's Furniture, Inc. This is an  
3                   administrative enforcement case, also, TxDOT's staff,  
4                   under the Commission's rules concerning outdoor  
5                   advertising signs.

6                   Here, the case concerns an outdoor sign  
7                   adjacent to State Highway 83 near Harlingen. The case  
8                   began when TxDOT inspected the permitted site and  
9                   discovered that the sign had been removed. Under the  
10                  TxDOT's rules, if the sign is removed, the permit shall  
11                  be canceled. Staff gave Notice of Cancellation to the  
12                  owner; and in response, the owner asked for a Contested  
13                  Case Hearing.

14                  The Contested Case Hearing was held by an  
15                  Administrative Law Judge at the State Office of  
16                  Administrative Hearings, and you now have before you the  
17                  ALJ's proposal for a decision. The ALJ recommended that  
18                  the permit be canceled, as recommended by TxDOT staff.  
19                  He came to this conclusion after hearing testimony of  
20                  TxDOT staff and of the owner of the permit. He  
21                  concluded that the TxDOT staff's position was rationally  
22                  based on evidence.

23                  The owner filed exceptions to the ALJ's  
24                  recommendations. In response, the ALJ submitted a  
25                  letter saying that she would make no changes to her

1 recommendation; the staff's actions were rationally  
2 based on the evidence.

3 OGC recommends you adopt the Commission  
4 Order which adopts the ALJ's proposed findings of facts  
5 and conclusions of law and cancel the permit. OGC has  
6 prepared a draft order for your consideration; and if  
7 you vote to approve it, the Commission's Clerk will  
8 distribute it to you for signature.

9 CHAIRMAN LEWIS: Are there any questions  
10 of Mr. O'Connell with regard to this matter?

11 (No response.)

12 CHAIRMAN LEWIS: If not, Commissioner  
13 Bugg, do you move that --

14 We don't have any cards on this, right?

15 Commissioner Bugg, do you move that we  
16 adopt the Administrative Law Judge's proposal for a  
17 decision, in accordance with staff's recommendation?

18 COMMISSIONER BUGG: So moved.

19 CHAIRMAN LEWIS: And, Commissioner  
20 Vandergriff, do you second?

21 COMMISSIONER VANDERGRIFF: Second.

22 CHAIRMAN LEWIS: We have a motion and a  
23 second with regard to this. If there's no further  
24 discussion, we'll proceed to a vote.

25 (No response.)

1 CHAIRMAN LEWIS: All in favor, please say  
2 aye.

3 (Chorus of "Ayes.")

4 CHAIRMAN LEWIS: Any opposed, nay.

5 (No response.)

6 CHAIRMAN LEWIS: The motion carries.

7 EXEC. DIRECTOR BASS: Next, we have  
8 Item 15(a), which is the approval of the material change  
9 to a purchase order for bulk roadway salt.

10 Procurement Director Glenn Hagler will  
11 present.

12 MR. HAGLER: Good morning.

13 For the record, I'm Glenn Hagler. I'm  
14 the Director of Purchasing for the Contract and  
15 Purchasing Division.

16 The Minute Order before you proposes an  
17 amendment to a referenced purchase order, ending in  
18 4767, which is awarded under the Texas Government Code  
19 Chapter 2155, for the purchase of additional bulk,  
20 brine-quality sodium chloride or salt for roadway  
21 maintenance scheduled during the 2016 fiscal year. This  
22 is for replenishment of the supply that had been  
23 previously used with earlier cold snaps.

24 The terms of the purchase order allow the  
25 amendment being proposed in the Section 25 -- 2155.088

1 of the Government Code, requires a governing body in a  
2 state agency at a meeting to approve a material change  
3 in the contract for goods or services awarded under that  
4 section, 2155.

5 And considering why that change was  
6 necessary, the proposed amendment is a material change  
7 under Chapter 2155, the Agency's Chief Financial Officer  
8 has determined there will be no fiscal impact as a  
9 result of administering the amendment.

10 Staff recommends award of the amendment.  
11 I'd be glad to answer if there are any questions that  
12 the Commission may have.

13 CHAIRMAN LEWIS: Are there any --  
14 Commissioners, are there any questions or remarks with  
15 regard to this matter for Director Hagler?

16 (No response.)

17 CHAIRMAN LEWIS: If not, Vice-Chair  
18 Moseley, do you move that we approve the material change  
19 to the purchase order, awarded in accordance with  
20 staff's recommendation?

21 VICE-CHAIR MOSELEY: So moved, Chairman.

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

24 COMMISSIONER AUSTIN: Second.

25 CHAIRMAN LEWIS: We have a motion and a

1 second.

2 Any discussion?

3 (No response.)

4 CHAIRMAN LEWIS: If not, we'll proceed to  
5 a vote.

6 All in favor, say aye.

7 (Chorus of "Ayes.")

8 CHAIRMAN LEWIS: Any opposed, no.

9 (No response.)

10 CHAIRMAN LEWIS: The motion carries.

11 EXEC. DIRECTOR BASS: Item 15(b).

12 MR. HAGLER: This Minute Order proposes  
13 amendment to a referenced purchase order, ending in  
14 3859, awarded under Government Code Chapter 2155 for the  
15 purchase of additional bulk fuel dyed diesel for the  
16 Galveston Ferry Operation's ferry boats operating daily  
17 between Galveston and Port Bolivar Peninsula.

18 The terms of the purchase order allow the  
19 amendment being proposed in Section 25 -- 2155.088 of  
20 the Government Code require that the governing body of a  
21 state agency have a meeting considering the material  
22 change to the contract for goods and services awarded  
23 under Chapter 2155.

24 And consider why that change is  
25 necessary, the proposed amendment is a material change

1 under that chapter. The Agency's Chief Financial  
2 Officer has determined there will be no fiscal  
3 implications as a result of administering the amendment.

4 Staff recommends approval. I'll be glad  
5 to answer any questions the Commission may have.

6 CHAIRMAN LEWIS: Are there any questions  
7 or comments regarding Director Hagler on this particular  
8 matter?

9 (No response.)

10 CHAIRMAN LEWIS: If there are not,  
11 Commissioner Austin, do you move that we approve the  
12 material changes to the purchase order in accordance  
13 with staff's recommendation?

14 COMMISSIONER AUSTIN: So moved.

15 CHAIRMAN LEWIS: Vice-Chairman Moseley,  
16 do you second?

17 VICE-CHAIR MOSELEY: Second, Chairman.

18 COMMISSIONER AUSTIN: We have a motion  
19 and a second. If there's no further discussion, we'll  
20 proceed to a vote.

21 (No response.)

22 CHAIRMAN LEWIS: All in favor, say aye.

23 (Chorus of "Ayes.")

24 CHAIRMAN LEWIS: Any oppose, no.

25 (No response.)

1 CHAIRMAN LEWIS: The motion carries.

2 Executive Director.

3 EXEC. DIRECTOR BASS: Item 16(a) consists  
4 of the awarding of maintenance and department building  
5 construction contracts.

6 Director of Construction Tracy Cain will  
7 present.

8 DIRECTOR CAIN: Good afternoon.

9 For the record, my name is Tracy Cain.  
10 I'm the Director of the Construction Division.

11 The item before you, Item 16(a) is for  
12 the consideration of the award or rejection of highway  
13 maintenance and department building construction  
14 contracts, with an engineer's estimate of 300,000 or  
15 greater that were let on February 9th and February 10th  
16 of 2016.

17 We present a total of 34 projects for  
18 which we received 95 bids for an overall average of 2.79  
19 bids per project. The low-bid value of those projects  
20 was \$40,940,983. We had an overrun -- overall of  
21 6.8 percent.

22 Staff recommends award of all of the  
23 maintenance projects with the exception of the following  
24 three projects: The Dallas District Project,  
25 RMC629685001, in Ellis County; a Waco District Project,

1 RMC629833001 in McClellan County; and Abilene District  
2 Project RMC629743001 in Taylor County.

3 The Dallas and Abilene District projects  
4 only received one bid, a single bid; and the Waco  
5 District discovered there was a substantial error in  
6 those plans. All three districts have indicated the  
7 need to both reevaluate and to redesign those plans. So  
8 we concur.

9 And, therefore, we recommend that these  
10 three projects be rejected and relet a later date.

11 CHAIRMAN LEWIS: Are there any questions  
12 of Director Cain at this time with regard to this  
13 matter?

14 (No response.)

15 CHAIRMAN LEWIS: If there are no  
16 questions, then, Vice-Chair Moseley, do you recommend  
17 that we award the highway maintenance and construction  
18 contracts as recommended and that we except from that  
19 the three projects which were outlined by staff so that  
20 we act in accordance with staff's recommendation?

21 VICE-CHAIR MOSELEY: So moved, Chairman.

22 CHAIRMAN LEWIS: And, Commissioner Bugg,  
23 do you second?

24 COMMISSIONER BUGG: Second.

25 CHAIRMAN LEWIS: All right. We have a

1 motion and a second.

2 Any discussion on the matter?

3 (No response.)

4 CHAIRMAN LEWIS: If not, we'll proceed to  
5 a vote. All in favor, say aye.

6 (Chorus of "Ayes.")

7 CHAIRMAN LEWIS: Any opposed, nay.

8 (No response.)

9 CHAIRMAN LEWIS: The motion carries.

10 EXEC. DIRECTOR BASS: Item 16(b).

11 MR. CAIN: Okay. This item before you,  
12 Item 16(b), is for the consideration of the award or  
13 rejection of Highway and Transportation Enhancement  
14 Building Construction contracts that were let on  
15 February 9th and 10th, 2016.

16 We present 74 projects today for which we  
17 received a total of 307 bids, giving us an overall  
18 average number of 4.15 bids per project. The low-bid  
19 value was \$446,364,144. We had an overall underrun of  
20 4.5 percent.

21 Staff recommends award of all the  
22 construction projects with the exception of one in the  
23 Houston District, and that is STP2014139TE in Harris  
24 County. The low bid on this project came in at  
25 \$3,482,964, which was 46.9 percent over the engineer's

1 estimate.

2 This project includes participation by an  
3 outside entity. Both the Houston District and the  
4 outside entity, the Energy Corridor District, agree that  
5 the total price that we received on this project is too  
6 extreme; and they indicated they need to reevaluate,  
7 redesign, and then let this project at a later date. We  
8 concur and, therefore, recommend that that project be  
9 rejected and relet at a later date.

10 CHAIRMAN LEWIS: Any questions of  
11 Director Cain with regard to this matter?

12 (No response.)

13 CHAIRMAN LEWIS: If not,  
14 Commissioner Vandergriff, do you move that we award all  
15 of the Highway and Transportation Enhancement Building  
16 Construction contracts with the exception of the Houston  
17 District project in Harris County that's outlined by  
18 staff and, therefore, act in accordance with staff's  
19 recommendation?

20 COMMISSIONER VANDERGRIFF: So moved.

21 CHAIRMAN LEWIS: We have a motion.  
22 Commissioner Bugg, do you second?

23 COMMISSIONER BUGG: Second.

24 CHAIRMAN LEWIS: We have a motion and a  
25 second. If there's no further discussion, we'll proceed

1 to a vote.

2 (No response.)

3 CHAIRMAN LEWIS: All in favor say aye.

4 (Chorus of "Ayes.")

5 CHAIRMAN LEWIS: Any opposed, no.

6 (No response.)

7 CHAIRMAN LEWIS: All right. The motion  
8 carries.

9 EXEC. DIRECTOR BASS: Item 16(c).

10 MR. CAIN: Okay. This item before you,  
11 Item 16(c) is for consideration to rescind the award of  
12 three Highway and Building Construction contracts. The  
13 contracts for Projects NH2015598 and C398-4-59, both in  
14 the Waco District in Bell County were awarded on  
15 June 25th of 2015 by Minute Order 114292 and Contract  
16 ITS2001537 in the Bryan District of Brazos County. It  
17 was awarded January 28th, 2016 by Minute Order 114477.

18 The staff recommends that three  
19 aforementioned contracts be rescinded as we feel that is  
20 in the best interest of the State to proceed with this  
21 action.

22 CHAIRMAN LEWIS: Are there any questions  
23 of Director Cain with regard to this matter?

24 Yes, Commissioner Bugg.

25 COMMISSIONER BUGG: Mr. Cain, I guess

1 this question is really addressed to Jeff Graham. And  
2 my only question is: On the James Construction  
3 contracts that have been awarded, as well as the Brazos  
4 County project that was awarded, which we didn't include  
5 the qualifications, do we have any kind of legal  
6 liability, the fact that we have granted the contract  
7 and now we're taking unilateral action to rescind it?

8 MR. GRAHAM: Commissioner Bugg, these  
9 exist in a period between. The reason this is before  
10 you is the Commission awarded them, but they have not  
11 been executed. And because they haven't been executed,  
12 only the Commission can take away what the Commission  
13 granted. So because they have not yet been executed,  
14 the proper mechanism is for you, the Commission, to then  
15 say: No, I rescind that order.

16 Had they already been executed, your  
17 question would have very timely.

18 COMMISSIONER BUGG: Okay. You answered  
19 my question. Thank you.

20 COMMISSIONER AUSTIN: And to follow up on  
21 Commissioner Bugg's comments, they are aware of this  
22 action. In fact, they agreed to the actions.

23 MR. CAIN: Yes. On all three contracts  
24 the contractor has been notified.

25 COMMISSIONER AUSTIN: Okay. Thank you.

1                   CHAIRMAN LEWIS:  And we do not have any  
2                   comment cards or any appearances, otherwise.

3                   Are there any other questions of  
4                   Director Cain or others at this time?

5                   (No response.)

6                   CHAIRMAN LEWIS:  If not,  
7                   Commissioner Austin, do you move that we rescind the  
8                   awards in accordance with the staff's recommendation?

9                   COMMISSIONER AUSTIN:  So moved.

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

12                  VICE-CHAIR MOSELEY:  Second, Chairman.

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

16                  (No response.)

17                  CHAIRMAN LEWIS:  All in favor of the  
18                  motion, say aye.

19                  (Chorus of "Ayes.")

20                  CHAIRMAN LEWIS:  Any opposed, no.

21                  (No response.)

22                  CHAIRMAN LEWIS:  The motion carries.

23                  EXEC. DIRECTOR BASS:  This brings us to  
24                  Item 17, the Eminent Domain Proceedings; and Director of  
25                  Right-of-Way Gus Cannon will present.

1 MR. CANNON: Good morning.

2 Director Bass, Commissioners, Commission  
3 Staff.

4 My name is Gus Cannon, Director of the  
5 Right-of-Way Division.

6 Your consideration on Item 17, which  
7 authorizes the filing of that condemnation proceedings  
8 necessary for the acquisition of 30 parcels by exercise  
9 of eminent domain; 19 of the parcels are non-controlled,  
10 and 11 are controlled.

11 Staff recommends your approval of the  
12 Minute Order.

13 CHAIRMAN LEWIS: Commission Bugg, do you  
14 have a motion to make?

15 COMMISSIONER BUGG: Mr. Chairman, this is  
16 the highlight of my day, I just want you to know.

17 CHAIRMAN LEWIS: All of our days.

18 COMMISSIONER BUGG: I move that the Texas  
19 Transportation Commission authorize the Texas Department  
20 of Transportation to use the Power of Eminent Domain to  
21 acquire the properties described in the Minute Order set  
22 forth in the agenda for the current month for  
23 construction, reconstruction, maintenance, widening,  
24 straightening, or extending the highway facilities  
25 listed in the Minute Order as a part of the State

1 Highway System and that the first record vote applies to  
2 all units of property to be condemned.

3 CHAIRMAN LEWIS: Well stated,  
4 Commissioner Bugg.

5 And do we have a second,  
6 Commissioner Austin? Do you second that?

7 COMMISSIONER AUSTIN: I second it, you  
8 know, especially since you did say "The Transportation  
9 Commission" this time.

10 (Laughter.)

11 CHAIRMAN LEWIS: All right. We do have a  
12 motion. Any other questions or comments?

13 (No response.)

14 CHAIRMAN LEWIS: If not, we'll proceed to  
15 a vote. All in favor of the motion, say aye.

16 (Chorus of "Ayes.")

17 CHAIRMAN LEWIS: Any opposed, no.

18 (No response.)

19 CHAIRMAN LEWIS: Okay. The motion  
20 carries.

21 MR. CANNON: Thank you.

22 EXEC. DIRECTOR BASS: That brings us to  
23 Item 18, which contains the Routine Minute Orders,  
24 including donations to the Department, real estate  
25 donations and dispositions, finance reports,

1 transportation planning, and speed zones.

2 Staff recommends your approval.

3 CHAIRMAN LEWIS: Thank you, Mr. Bass.

4 Commissioners, are there any questions  
5 regarding the Routine Minute Orders?

6 (No response.)

7 CHAIRMAN LEWIS: If not, Vice-Chair  
8 Moseley, do you move to approve the Routine Minute  
9 Orders, in accordance with staff's recommendations?

10 VICE-CHAIR MOSELEY: So moved, Chairman.

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

13 COMMISSIONER VANDERGRIFF: Second.

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

17 All in favor, please say aye.

18 (Chorus of "Ayes.")

19 CHAIRMAN LEWIS: Any opposed, no.

20 (No response.)

21 CHAIRMAN LEWIS: The motion carries.

22 Let's see. The next item we have is  
23 Executive Session. And let's see. I just want to be  
24 sure of this with General Counsel here. I think the  
25 last time we had Executive Session when we had some

1 folks who wanted to make open comments, we received the  
2 open comments first and then went into Executive  
3 Session. That's my recollection. And are we permitted  
4 to do it that way to allow the open comment folks to  
5 have their say and not have to wait on us?

6 MR. GRAHAM: Yes.

7 CHAIRMAN LEWIS: Okay. Thank you.

8 If there's no objection, then that's what  
9 we're going to do. We're going to go ahead with open  
10 comments. Then, we'll go into Executive Session. That  
11 will be announced.

12 We do have some -- it looks like we have  
13 five Open Comment cards. I'll first ask Amy Nobles to  
14 come forward.

15 After stating your name and who you're  
16 here representing, give us the benefit of your thoughts.

17 MRS. AMY NOBLES: My name is Amy Nobles,  
18 and I am here representing our family.

19 Good afternoon now.

20 Chad, unfortunately, couldn't be here.  
21 So you will only get the benefit of nine minutes of our  
22 comments today, instead of twelve.

23 So thanks again for continuing to listen  
24 to us concerning our 249 Toll Road issue along County  
25 Road 307.

1           As I considered what to speak on today, I  
2 was reminded, while watching the political -- wild  
3 political Presidential race, and the way that the  
4 majority is seemingly speaking out; and whether it is  
5 our preference or not, the choice will be made by the  
6 majority.

7           I am reminded of the presentation we gave  
8 in August where we informed you of the desire of the  
9 majority of the stakeholders to locate, if inevitable,  
10 the road on the currently-proposed black route.

11           No landowner in this area wants you to  
12 take their land by eminent domain; but if a route must  
13 be chosen, then it is prudent to choose the route with  
14 the most support. Not only is it the route with the  
15 most support, it the route that is the most  
16 geometrically superior, stays the farthest away from  
17 homes; and it's the least disruptive to daily living and  
18 farming activities in the area.

19           I'm sure you are aware; but, if not, in  
20 this part of Grimes County landowners are experiencing  
21 eminent domain issues with the high-speed rail routes,  
22 power line extensions, and the toll roads. This rural  
23 part of Grimes County needs your help to keep it intact  
24 and not carved up by entities that would like to cut  
25 through to get to other places.

1                   We are asking that you consider all of  
2 what has been presented to you over the last ten months  
3 concerning this route issue and request that the TxDOT  
4 staff choose to go with the preference expressed by the  
5 majority in August, the black route. That's all I have  
6 to say about that.

7                   I will say I have taken 99. It usually  
8 takes me 45 minutes to get to the Woodlands; it takes me  
9 20 now. I can't spend as much money in The Woodlands  
10 because I spent it on the road, but it is faster.

11                   And, speaking to the rail route, we would  
12 love for you to put that down 45, if possible, instead  
13 of cutting through Grimes County as well. That's all.

14                   Thank you.

15                   CHAIRMAN LEWIS: Thank you, Ms. Nobles.  
16 Sandra Nobles.

17                   MRS. SANDRA NOBLES: Good afternoon,  
18 Commissioners.

19                   Once again, my name is Sandra Nobles; and  
20 I'm here to represent myself in opposition to the 249  
21 Toll Road in the area of County Road 307 in Grimes  
22 County. I'm asking for your support on the black route.  
23 This route is favored by the majority of the landowners  
24 and is the least devastating to the property and the  
25 peaceful country lifestyle of all permanent homeowners

1 there.

2 I am strongly opposed to both the blue  
3 and the green routes which come too close to our home  
4 and deny access to a large part of our property.

5 It is our understanding from the Bryan  
6 District Office that the route decision is in the hands  
7 of Austin. So, please, as you consider which route to  
8 choose, I'm asking you to pick the black route.

9 Thank you so much for your time.

10 CHAIRMAN LEWIS: Thank you.

11 Mr. Nobles, Robert Nobles. Please step  
12 forward and state your name and give us the benefit of  
13 your thoughts.

14 MR. ROBERT NOBLES: My name is Robert  
15 Nobles, and I'm here to represent myself as a landowner  
16 with a permanent homestead on County Road 307 in Grimes  
17 County. We will be affected by all of the routes that  
18 have been proposed.

19 As I have said before, I am against the  
20 toll road. If, however, TxDOT continues with the  
21 construction plans for the toll road, I urge you to  
22 consider the black route which was chosen by 87 percent  
23 of the stakeholders in County Road 307.

24 I strongly oppose the blue and the green  
25 routes which will come close to our home, split our

1 cattle and our ranch operation on the ranch.

2 Years ago TxDOT considered improving 1774  
3 and making a major intersection to Highway 105. A group  
4 of property owners of the four corners managed to squash  
5 that project. It stopped.

6 According to public record recently, that  
7 TxDOT recently purchased property on those same four  
8 corners of 1774 and Highway 105. My question is: What  
9 are the plans? Because that's only about 3 miles or  
10 4 miles from where it's going to intersect at 1774 right  
11 now, where you're looking at cutting across the  
12 property.

13 So I drove 1774 and 105; and I do not  
14 understand the logic in constructing a controversial  
15 toll road. Since that road already purchased -- since  
16 TxDOT's already purchased the four corners right there  
17 of 1774 and 505, would it not be less expensive just to  
18 make the improvements to 1774, about 3 or 4 miles?

19 Again, I would appreciate your support of  
20 the black route; and if the toll road project has to go,  
21 please accept or approve the black route.

22 Thank you for your time.

23 CHAIRMAN LEWIS: Thank you.

24 Don Dixon.

25 MR. DIXON: Thank you, Mr. Chairman.

1 My name is Don Dixon.

2 And I'm glad to hear Commission Bugg say  
3 that the Commission is really working in customer  
4 service. That is a fabulous thing for the Commission to  
5 do. And one of the things that I'd like you to look at  
6 in terms of customer service is the about \$7 billion of  
7 public road money since 2003 the public has put into the  
8 coffers, but that money was not used for a public road.  
9 It was used to build toll roads.

10 Now, that really does go against customer  
11 service. We're paying our taxes in to get a public road  
12 built but then it goes into a toll road and you either  
13 can't use it because you can't afford it or if you can  
14 afford it, then you have to pay double. It's a double  
15 tax.

16 So why not you-all take a look at where  
17 you put those -- that \$7 billion of public money and  
18 give the taxpayers a tax reduction? That's real popular  
19 in Texas, and that's certainly something that you-all  
20 should do. Take a look at that. This is very, very  
21 important to the public who's trying to support you  
22 financially in supporting our public road system; but  
23 this kind of goes against the grain when you use it for  
24 a toll road.

25 For the life of me, for customer service

1     sake, I cannot see why we would ever approve an HOV lane  
2     on a toll lane. I've observed those many, many times  
3     personally. They're not used. They're not customer  
4     friendly. It costs too much to collect the tax.

5             The way you do it now, it's just ^ to  
6     collect that tax. That way it's very expensive. It's  
7     confusing. Those white pylons you put there to separate  
8     the public roads from the HOV toll lanes are dangerous.  
9     People don't like to get next to them. They can be --  
10    there's no place to maneuver.

11            In my observation, those roads, when you  
12    toll them, the HOV lanes are not used that much; but the  
13    other lanes are very, very well used. In fact, I  
14    noticed in some cases people kind of steer away from  
15    those white pylons and they move over and causes  
16    congestion and environmental issues and all kinds of  
17    things. So don't use the public money. Try not to use  
18    it this way.

19            In San Antonio, everything, basically,  
20    that is coming down is an HOV lane; and the 281 issue --

21            CHAIRMAN LEWIS: If I could ask you,  
22    Mr. Dixon, to sum up your words.

23            MR. DIXON: And I will respect that  
24    because I over-spoke last time.

25            Thank you.

1                   CHAIRMAN LEWIS: Thank you.

2                   And we have James von Walske.

3                   Please come forward, stating your name  
4 and who you're here representing, if you're representing  
5 a group; and give us the benefit of your thoughts.

6                   MR. von WALSKE: James von Walske,  
7 engineer, retired.

8                   First of all, I addressed the group when  
9 Ric Williamson was Chair.

10                  I don't represent anybody; but when I  
11 left, he said, "You come back anytime. I like what you  
12 have to say."

13                  I speak for people who aren't here with  
14 some political or money agenda. And what I said -- what  
15 I said was that every road TxDOT built should be  
16 numbered 222, too narrow, too crooked, and too late.  
17 But the reason is they're getting pushed around by local  
18 pipsqueak politicians that don't know anything about  
19 what to think and they're all gerrymandering the route  
20 to satisfy their constituents, the money -- the money  
21 people.

22                  Now, the White Oak Hill is no good.  
23 Going through that traffic the way it's design, it's  
24 designed to go underground.

25                  Number 1, you do not subordinate a

1 federal highway to any local highway.

2 Number 2, we've 60 rock targets throwing  
3 things off I-35. Police are spending all kinds of money  
4 and time in it trying to solve it.

5 There's a hobo camp right next to the  
6 White Oak Hill. They're the ones that started the big  
7 fire out there a few years ago.

8 Then there was the flooded underpass down  
9 by Houston somewhere a couple years ago. And put the  
10 road above grade and let mean old Mr. Gravity get that  
11 damn water. Don't be trying to pump it out of a hole.

12 Okay. What happened there? Because I  
13 went to some of the initial hearings and they had this  
14 lady who was from a -- representing a whiney  
15 neighborhood association and she wanted parkway, a  
16 parkway, a parkway.

17 Look, you're here to build a highway, a  
18 federal highway. So don't listen to those people.

19 I think you got DHS money for 281, the  
20 bridge up Marble Falls; and I think you're going to get  
21 it for 290. And I'm here to speak for the people who  
22 use 290, who come from over there by Houston. We're all  
23 the way across the state. They're not going to come to  
24 this meeting and say, "Why did you do such a bad job?"

25 Number 2, Loop 360. I said it was laid

1 out by a bunch of stop sign salesmen. Well, who'd've  
2 thunk that it would ever grow like that, right?

3 So I came out of there -- I was over  
4 there, living over in that area. I called up Greg  
5 Mallinalig, who is an ex-District Engineer; and I said,  
6 "Don't spend any money on 360 because you've got the  
7 bottleneck of the bridge."

8 He said, "Right."

9 I said, "Well, what if they double deck  
10 the bridge?"

11 He said, "No one's ever come up with that  
12 idea."

13 So I checked on the price and the  
14 feasibility, and that's what need to be done. Don't put  
15 any other money in it anywhere else. You can drop the  
16 plans. Just don't do it.

17 And...just a minute, please.

18 No, no one in their right mind takes 360  
19 rather than Loop 1, as bad as Loop 1 is, they just  
20 don't, because 360's so bad.

21 Loop 1 is doomed to fail. And going by  
22 the Aggies, you can't put three-quarters of fudge into a  
23 2-quart pail. That's what you're trying to do.

24 There was about 50 or so houses along the  
25 railway. They're kind of marginally even useable. They

1 should have bought it up; but, no, the local  
2 neighborhoods put pressure on City Council. City  
3 Council had the at large, and so they caved in to the  
4 local groups.

5 I had a friend from England and I told  
6 the friend, I said, "Why are all the roads in England so  
7 rinky-dink?"

8 And he said, "You're right." And he  
9 said, "The only good roads in all of England were the  
10 straight ones, and those were built by the Romans 2000  
11 years ago."

12 And you've got to make them straight, and  
13 don't do shared corridors. I worked for POC, terrible  
14 idea.

15 CHAIRMAN LEWIS: Sir, Mr. Von Walske, we  
16 are going to have to ask you to sum up your remarks,  
17 please.

18 MR. Von WALSKE: Sum up my remarks?

19 CHAIRMAN LEWIS: Yes, your time has  
20 expired.

21 MR. Von WALSKE: I think that -- well, I  
22 wish more knowledgeable people would get involved in  
23 this process. In fact, one of the County Commissioners  
24 was lamenting that all of their advisory boards are  
25 formed by people with monetary interests in this see.

1 I'm going to go back and see if he'll put me on that.  
2 Grow money to those kinds of politics.

3 And, also, you should move your public  
4 comment to the beginning of the meeting. That's what  
5 almost every other Commission does, rather than make  
6 people wait.

7 Thank you.

8 CHAIRMAN LEWIS: Thank you, sir.

9 At this time that will conclude our --  
10 that's all the cards we have for Open Comment Period.

11 At this time we will go into  
12 Executive Session only as provided by Government Code  
13 Sections 551.071 and 551.076.

14 And for the record, the time is  
15 12:38 p.m.

16 (Off the record from 12:38 to 1:42 p.m.)

17 CHAIRMAN LEWIS: We're now out of  
18 Executive Session. The time is 1:42 p.m.

19 Is there any other business to come  
20 before the Commission?

21 (No response.)

22 CHAIRMAN LEWIS: There being none,  
23 Commissioner Austin, do you make a motion we adjourn?

24 COMMISSIONER AUSTIN: So moved.

25 CHAIRMAN LEWIS: And, Vice-Chair Moseley,

1 do you second that motion?

2 VICE-CHAIR MOSELEY: Second, Chairman.

3 CHAIRMAN LEWIS: There being no  
4 discussion, I'll call for a vote.

5 All in favor, say aye.

6 (Chorus of "Ayes.")

7 CHAIRMAN LEWIS: All opposed, no.

8 (No response.)

9 CHAIRMAN LEWIS: Please note for the  
10 record the time is 1:43 p.m., and the meeting stands  
11 adjourned.

12 (Proceedings adjourned at 1:43 p.m.)

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C E R T I F I C A T E

I, Debbie D. Cunningham, CSR, Certified Shorthand Reporter, in and for the State of Texas do hereby certify that the foregoing pages 1 through 190 constitutes a full, true, and accurate transcript of stenographic notes taken by me at the time of the proceedings.

IN WITNESS WHEREOF, I have this date subscribed my name.

Dated: March 21, 2016.



Debbie D. Cunningham, CSR

Texas CSR No. 2065

Expiration: 12/31/2016

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