

These are the minutes of the regular meeting of the Texas Transportation Commission held on November 17, 2016, in Austin, Texas. The meeting was called to order at 9:00 a.m. by Chairman Lewis with the following commissioners present:

**Texas Transportation Commission:**

Tryon D. Lewis	Chairman
Jeff Austin, III	Commissioner
Victor Vandergriff	Commissioner
J. Bruce Bugg	Commissioner
Laura Ryan	Commissioner

**Administrative Staff:**

James Bass, Executive Director  
 Jeff Graham, General Counsel  
 Robin Carter, Commission Chief Clerk

A public notice of this meeting containing all items on the proposed agenda was filed in the Office of the Secretary of State at 2:35 p.m. on November 9, 2016, as required by Government Code, Chapter 551, referred to as “The Open Meetings Act.”

**ITEM 1. Safety Briefing**

This item was presented by Occupational Safety Specialist Randy Clawson.

**ITEM 2. Approval of Minutes of the October 27, 2016, regular meeting of the Texas Transportation Commission**

Commissioner Austin made a motion, which was seconded by Commissioner Vandergriff, and the commission approved the minutes of the October 27, 2016, regular meeting by a vote of 5 - 0.

**ITEM 3. Aviation**

**Various Counties - Award federal and state grant funding for airport improvement projects at various locations (MO)**

This item was deferred by the commission and not considered.

**ITEM 4. Promulgation of Administrative Rules Under Title 43, Texas Administrative Code, and the Administrative Procedure Act, Government Code, Chapter 2001:**

**Proposed Adoption**

**a. Chapter 9 - Contract and Grant Management**

**Amendments to §9.3, Protest of Department Purchases under the State Purchasing and General Services Act (General) (MO)**

This item was presented by Procurement Division Director Glenn Hagler. Commissioner Vandergriff made a motion, which was seconded by Commissioner Bugg, and the commission approved the following minute order by a vote of 5 - 0.

114763  
PRO

The Texas Transportation Commission (commission) finds it necessary to propose amendments to §9.3, relating to Protest of Department Purchases under the State Purchasing and General Services Act, to be codified under Title 43, Texas Administrative Code, Part 1.

The preamble and the proposed amendments, attached to this minute order as Exhibits A and B, are incorporated by reference as though set forth verbatim in this minute order, except that they are subject to technical corrections and revisions, approved by the general counsel, necessary for compliance with state or federal law or for acceptance by the Secretary of State for filing and publication in the *Texas Register*.

IT IS THEREFORE ORDERED by the commission that the amendments to §9.3 are proposed for adoption and are authorized for publication in the *Texas Register* for the purpose of receiving public comments.

The executive director is directed to take the necessary steps to implement the actions as ordered in this minute order, pursuant to the requirements of the Administrative Procedure Act, Government Code, Chapter 2001.

Note: Exhibits A and B are on file with the commission chief clerk.

**b. Chapter 26 - Regional Mobility Authorities**

**Amendments to §26.15, Creation (Creation of a Regional Mobility Authority) (MO)**

This item was presented by Transportation Planning and Programming Division Director Peter Smith. Commissioner Bugg made a motion, which was seconded by Commissioner Ryan, and the commission approved the following minute order by a vote of 5 - 0.

114764  
TPP

The Texas Transportation Commission (commission) finds it necessary to propose amendments to §26.15, Creation, relating to Creation of a Regional Mobility Authority, to be codified under Title 43, Texas Administrative Code, Part 1.

The preamble and the proposed amendments, attached to this minute order as Exhibits A and B, are incorporated by reference as though set forth verbatim in this minute order, except that they are subject to technical corrections and revisions, approved by the general counsel, necessary for compliance with state or federal law or for acceptance by the Secretary of State for filing and publication in the *Texas Register*.

IT IS THEREFORE ORDERED by the commission that the amendments to §26.15 are proposed for adoption and are authorized for publication in the *Texas Register* for the purpose of receiving public comments.

The executive director is directed to take the necessary steps to implement the actions as ordered in this minute order, pursuant to the requirements of the Administrative Procedure Act, Government Code, Chapter 2001.

Note: Exhibits A and B are on file with the commission chief clerk.

**c. Chapter 30 - Aviation**

**Amendments to §30.203, Definitions, §30.204, Facilities Development Program, §30.205, Eligibility for Financial Assistance, and §30.214, Grant and Loan Agreement Payments (Aviation Facilities Development and Financial Assistance Rules) (MO)**

This item was presented by Aviation Division Director Dave Fulton. Commissioner Ryan made a motion, which was seconded by Commissioner Austin, and the commission approved the following minute order by a vote of 5 - 0.

114765  
AVN

The Texas Transportation Commission (commission) finds it necessary to propose amendments to §§30.203 - 30.205 and §30.214 relating to Aviation Facilities Development and Financial Assistance Rules to be codified under Title 43, Texas Administrative Code, Part 1.

The preamble and the proposed amendments, attached to this minute order as Exhibits A and B, are incorporated by reference as though set forth verbatim in this minute order, except that they are subject to technical corrections and revisions, approved by the general counsel, necessary for compliance with state or federal law or for acceptance by the Secretary of State for filing and publication in the *Texas Register*.

IT IS THEREFORE ORDERED by the commission that the amendments to §§30.203 - 30.205 and §30.214 are proposed for adoption and are authorized for publication in the *Texas Register* for the purpose of receiving public comments.

The executive director is directed to take the necessary steps to implement the actions as ordered in this minute order, pursuant to the requirements of the Administrative Procedure Act, Government Code, Chapter 2001.

Note: Exhibits A and B are on file with the commission chief clerk.

**ITEM 5. Financial Assistance for Projects**

**a. Various Counties - Consider authorizing the executive director to enter into a second amendment to the toll equity loan agreement (TELA) for the SH 99 (Grand Parkway) toll project between the department and the Grand Parkway Transportation Corporation (GPTC) to modify the maximum amount permitted to be made available to GPTC each year during the term of the TELA (MO)**

This item was presented by Project Finance, Debt & Strategic Contracts Division Director Ben Asher. Commissioner Austin made a motion, which was seconded by Commissioner Vandergriff, and the commission approved the following minute order by a vote of 5 - 0.

114766  
PFD

The Texas Department of Transportation (department) and the seven counties in the Houston area in which SH 99 (Grand Parkway) is located have been proceeding with the development of the Grand Parkway from SH 146 in Galveston County to SH 146 in Chambers County.

In Minute Order 113046, dated March 29, 2012, the Texas Transportation Commission (commission) adopted a resolution creating the Grand Parkway Transportation Corporation (GPTC) pursuant to Title 43 Texas Administrative Code

(TAC) §15.95, approving its certificate of formation and bylaws and appointing the initial directors. The commission adopted 43 TAC §15.95 to establish procedures applicable to toll project corporations created under Transportation Code, Chapter 431 (chapter 431) in entering into contracts with or on behalf of the commission in connection with the funding and development of toll projects.

GPTC is authorized to assist and act on behalf of the commission in the development, financing, design, construction, reconstruction, expansion, operation and/or maintenance of the Grand Parkway toll project in fulfillment of the purposes of chapter 431, including promoting and developing public transportation facilities and systems by new and alternative means, reducing burdens and demands on the limited funds available to the commission, and increasing the effectiveness and efficiency of the commission.

In Minute Order 113279, dated September 27, 2012, the commission granted final approval of a toll equity loan from the department to GPTC in an aggregate amount in nominal dollars not to exceed \$9,600,000,000, and authorized the executive director of the department to enter into the toll equity loan agreement (TELA) with GPTC for the facilities costs associated with Segments D (from north of Kingsland Boulevard to north of Colonial Parkway in Harris County), E, F-1, F-2, and G of the Grand Parkway and the maintenance, operation and major maintenance costs of Segment D in Harris County and Segments E, F-1, F-2 and G, and identified and permitted costs of other portions of the Grand Parkway.

The department and GPTC entered into the TELA, dated July 17, 2013, in connection with the sale and issuance of certain of GPTC's outstanding Grand Parkway System Toll Revenue Bonds, Series 2013 (series 2013 bonds). The amounts that can be borrowed by GPTC each year may not exceed certain annual limits, including the maximum available annual amounts set forth in a schedule to the TELA and the maximum permitted amount defined in the TELA, not to exceed 100% of the projected toll revenue stream for that period in the mutually-approved investment grade traffic and revenue study. The borrowed funds may be used by GPTC for debt service payments on the TELA-supported bonds of the Grand Parkway System and for certain budgeted operations and maintenance expenses and certain major maintenance costs if toll revenue, money in certain reserve funds and accounts, and other revenue derived from the project are insufficient to make those payments.

During the term of the TELA, the provisions of the agreement permit the TELA to be amended, subject to authorization by the commission, in order to adjust the maximum amount available annually for loans by the department to GPTC.

In Minute Order 113803, dated December 19, 2013, the commission approved a first amendment to the TELA to adjust the maximum amounts available annually for loans to GPTC pursuant to the TELA in connection with the issuance by GPTC of three series of 2014 refunding bonds (series 2014 bonds) to refund certain of the series 2013 bonds subject to mandatory tender.

Pursuant to resolutions adopted on October 25, 2016, the board of directors of GPTC has (i) authorized issuance of up to \$84 million Grand Parkway System Toll Revenue Refunding Bonds, Series 2016, in one or more series (series 2016 bonds), which may be issued as TELA-supported bonds in order to refund certain outstanding

series 2014 bonds subject to maturity on December 15, 2016 and (ii) requested the commission amend the TELA in connection with the issuance of such series 2016 bonds. The maximum aggregate amount of the toll equity loans that may be made by the department to GPTC under the TELA will not change as a consequence of the issuance of the series 2016 bonds. The new principal and interest payment requirements of the series 2016 bonds, as established in connection with the sale of the series 2016 bonds, are anticipated to require an amendment of the TELA to provide for adjustments to be made in the schedule of maximum amounts available annually for loans to GPTC pursuant to the TELA.

NOW, THEREFORE, IT IS ORDERED that the executive director of the department is authorized to enter into the amendment to the toll equity loan agreement with the Grand Parkway Transportation Corporation for the Grand Parkway project as described above, the form of which is attached as Exhibit A to this order, with such changes as the executive director may approve.

IT IS FURTHER ORDERED that the executive director or his designee is authorized and directed to execute all ancillary agreements, instruments and certificates necessary to effect the delivery of the amendment to the toll equity loan agreement and the purposes of this minute order.

Note: Exhibit A is on file with the commission chief clerk.

b. Brazoria County - Brazoria County - Consider granting final approval of a request from Brazoria County for financial assistance in the form of a grant in the amount of up to \$10,000,000, from concession payment money received under the comprehensive development agreement for the SH 288 Toll Lanes Project in Harris County, to pay for costs of developing and designing a toll facility in the median of SH 288, from just south of the south abutment of the Clear Creek Bridge at the Harris County/Brazoria County line to CR 58 in Brazoria County (MO)

This item was presented by Project Finance, Debt & Strategic Contracts Division Director Ben Asher. Commissioner Vandergriff made a motion, which was seconded by Commissioner Bugg, and the commission approved the following minute order by a vote of 4 - 0. Commissioner Austin recused himself and did not participate in the vote on this item.

114767  
PFD

The Texas Department of Transportation (department) and Brazoria County have been proceeding with the development of a toll facility in the median of SH 288, from the Brazoria/Harris county line to CR 58 in Brazoria County (project).

The project is located within the boundaries of Brazoria County, and under Section 228.011 of the Transportation Code, Brazoria County has the option to design, construct, finance, operate and maintain the project.

Transportation Code §222.103 authorizes the department to participate, by spending money from any available source, in the acquisition, construction, maintenance, or operation of a toll facility of a public or private entity on terms and conditions established by the Texas Transportation Commission (commission). The department will use concession payment money that it received under the

comprehensive development agreement for the SH 288 Toll Lanes Project in Harris County (SH 288 concession payment).

Pursuant to Transportation Code §222.103, the commission adopted Title 43 Texas Administrative Code §§27.50-27.58 (financial assistance rules) to prescribe conditions for the commission's financing of a toll facility of a public or private entity.

In accordance with Section 27.53 of the financial assistance rules, Brazoria County submitted a request to receive a grant of up to \$10,000,000 to pay costs of developing and designing the project. The information and data required by Section 27.53 of the financial assistance rules is either contained in the request for financing, is already in the department's possession, or was waived by the executive director.

On February 24, 2011, the commission adopted Minute Order 112605, directing that if financial assistance is provided to a public entity under Transportation Code §222.103 from a statewide funding source: (1) that assistance shall be repaid, or (2) the department shall require the entity to which the assistance is provided to agree to share project revenue with the department, in such amounts and for such period of time as is approved by the commission. These requirements do not apply to financial assistance provided from funds allocated to metropolitan planning organizations and department districts.

In accordance with Sections 27.53 and 27.54 (a) of the financial assistance rules, the commission, in Minute Order 114742 dated October 27, 2016, granted preliminary approval of financial assistance in the amount of \$10,000,000 in the form of a grant, to be used for costs of developing and designing the project, and found that: (1) the project is consistent with the Statewide Long-Range Transportation Plan and the metropolitan transportation plan developed by the applicable metropolitan planning organization; (2) the project is not in a Clean Air Act non-attainment area; (3) the project will improve the efficiency of the state's transportation systems; and (4) the project will expand the availability of funding for transportation projects or reduce direct state costs. Pursuant to §27.54(b) and (c) of the financial assistance rules, the executive director has completed negotiation of the terms of financial assistance necessary to complete an agreement, to comply with the requirements of preliminary approval, to protect the public's safety, and to prudently provide for the protection of public funds, and has prepared findings and recommendations for the commission regarding final approval of the financial assistance. The Brazoria County Commissioner's Court has agreed to the negotiated terms and conditions for the financial assistance.

In accordance with Section 27.54(c) of the financial assistance rules, the commission finds that: (1) providing financial assistance will prudently provide for the protection of public funds; and (2) the project will provide for all reasonable and feasible measures to avoid, minimize, or mitigate adverse environmental impacts.

**IT IS THEREFORE DETERMINED AND ORDERED** that the request submitted by Brazoria County for financial assistance in the form of a grant meet the applicable requirements of 43 TAC §§27.53 and 27.54(a) and, in accordance with those provisions, and including an exception to the requirements of Minute Order 112605, the commission grants final approval of the request for financial assistance in an amount not to exceed \$10,000,000 as a grant of money from the SH 288 concession payment, to pay costs of developing and designing the project.

**ITEM 6. County Toll Road Authority**

**Brazoria County - Brazoria County and Brazoria County Toll Road Authority - Approve the connection of the Brazoria County Expressway to the State Highway System; approve payment for use of State-owned right-of-way; approve the Brazoria County Expressway Project; provide that the Project will become part of the State Highway System when the bonds issued by the County for the Project are paid; authorize the executive director to enter into a project development agreement with the County and the Toll Road Authority for the Project (MO)**

This item was presented by Transportation Planning and Programming Division Director Peter Smith. Commissioner Bugg made a motion, which was seconded by Commissioner Ryan, and the commission approved the following minute order by a vote of 4 - 0. Commissioner Austin recused himself and did not participate in the vote on this item.

114768  
TPP

Brazoria County, Texas and Brazoria County Toll Road Authority (BCTRA) have been proceeding with the development of the Brazoria County Expressway Project (Project), a project under the jurisdictional limits of Brazoria County and BCTRA, which will be a tolled project. The Texas Department of Transportation (department) has been assisting with that development.

Transportation Code § 228.011 gives Brazoria County (County) the primary responsibility to develop, construct, and operate a toll project in the Brazoria County portion of the SH 288 corridor between US 59 and Grand Parkway South (State Highway 99). The Brazoria County Expressway Project is a planned project in Brazoria County in which the County and BCTRA will add two northbound toll lanes and two southbound toll lanes in the median of the existing SH 288, with a hard barrier separation from the general purpose lanes along SH 288. The northern terminus of the Project is located two hundred feet south of the south abutment of the Clear Creek Bridge, and southern terminus is at CR 58. On May 23, 2014, the Houston-Galveston Area Council (H-GAC) adopted the FYs 2015-2018 Transportation Improvement Program in which the Project was included. H-GAC further included the Project in the H-GAC 2040 Plan adopted January 22, 2016.

Transportation Code § 228.011(b-1) requires the department to assist the County in the financing, construction, and operation of a toll project by allowing the County to use state highway right of way owned by the department and to access the state highway system, provided that the County pay an amount to reimburse the department's actual costs to acquire the right of way.

The County has committed to reimburse the department in the amount of \$66,715.38 for the use by the County and BCTRA of portions of the state-owned right-of-way, inclusive of air space, for the development, construction, operation and maintenance of the Project. This amount equals the department's actual costs to acquire the right-of-way used by the County and BCTRA for the use in the Project or the amount equal to the average historical right-of-way acquisition values for comparable

right-of-way located in proximity to the Project on the date of original acquisition of the right-of-way.

Transportation Code § 228.011(c) authorizes the department and the County to enter into an agreement that includes reasonable terms to accommodate the use of the right-of-way by the County and to protect the interests of the commission and the department in the use of the right-of-way for operations of the department, including public safety and congestion mitigation on the right-of-way.

The department, the County, and BCTRA have negotiated a project development agreement (Agreement) pursuant to which the County and BCTRA will procure, design, construct, finance, operate and maintain the tolled portion of the Project, including the toll collections and operations equipment and systems. Transportation Code, § 201.103 provides that the commission shall, in planning and making policies, consider for incorporation into the state highway system, turnpikes that other governmental or private entities are authorized to construct.

In connection therewith, Transportation Code, § 284.008(c) provides that a project becomes a part of the state highway system and the commission shall maintain the project without tolls when (i) all of the bonds and interest on the bonds that are payable from or secured by revenues of the project have been paid by the county (or another person with the consent or approval of the county), or (ii) a sufficient amount for the payment of all bonds and the interest on the bonds to maturity has been set aside by the county (or another person with the consent or approval of the county) in a trust fund held for the benefit of the bondholders, unless the commission approves a request submitted pursuant to Transportation Code § 284.008(d) that the project will not become part of the state highway system. The County has not submitted a request that the Project not become part of the state highway system.

Title 43, Texas Administrative Code, § 11.58 provides that the commission must approve a public or private entity's connection of a regionally significant highway to the state highway system. Pursuant to that provision, the County has submitted a request to the executive director to connect the Project to the state highway system. Pursuant to 43 TAC § 11.58(c), the Project is in a conforming transportation improvement program, and the County agrees to design and construct the portion of the Project that comprises the connection to the state highway system in compliance with the standards prescribed in 43 TAC § 11.58(d).

Transportation Code, § 362.051(a) and Title 43, Texas Administrative Code, § 27.73 provide that the county must obtain the commission's approval before beginning construction of a toll project that is to be part of the state highway system. The County has submitted a request for approval of the Project pursuant to that provision, and the commission finds that (i) the Project may be effectively integrated into the state highway system; (ii) the department is able to construct any connecting roads necessary for the Project to generate sufficient revenue to pay the debt incurred for its construction; and (iii) the environmental review and public involvement for the Project have been conducted in the manner prescribed by Chapter 2, Subchapter C of Title 43, Texas Administrative Code.

IT IS THEREFORE ORDERED by the commission that the executive director of the department is hereby authorized to enter into an agreement with Brazoria County

and the Brazoria County Toll Road Authority pursuant to Transportation Code §228.011, to design, construct, finance, operate, and maintain the Project located two hundred feet south of the south abutment of Clear Creek Bridge to CR 58, including the toll collections and operations equipment and systems, and that allows for the use of state owned right of way by Brazoria County and the Brazoria County Toll Road Authority.

IT IS FURTHER ORDERED by the commission that the agreement shall require Brazoria County and the Brazoria County Toll Road Authority to reimburse the department's actual costs to acquire the right of way needed for the Project, in the amount of \$66,715.38.

IT IS FURTHER ORDERED that pursuant to Transportation Code, § 362.051(a) and Title 43, Texas Administrative Code, § 27.73, the Project is approved.

IT IS FURTHER ORDERED that the commission has considered the Project for incorporation into the state highway system, the Project is not currently designated as part of the state highway system, but will become a part of the state highway system and the commission shall maintain the Project without tolls when (i) all of the bonds and interest on the bonds that are payable from or secured by revenues of the Project have been paid by the County (or another person with the consent or approval of the County), or (ii) a sufficient amount for the payment of all bonds and the interest on the bonds to maturity has been set aside by the County (or another person with the consent or approval of the County) in a trust fund held for the benefit of the bondholders.

IT IS FURTHER ORDERED that pursuant to 43 TAC § 11.58, the connection of the Project with a segment of the state highway system is approved.

**ITEM 7. Maritime Report**

**Approve the Gulf Intracoastal Waterway Report (MO) (Report)**

This item was presented by Maritime Division Director Dan Harmon. Commissioner Ryan made a motion, which was seconded by Commissioner Austin, and the commission approved the following minute order by a vote of 5 - 0.

114769  
MRD

Transportation Code, Chapter 51 (Texas Coastal Waterway Act), designates the state to act as the non-federal sponsor of the main channel of the Gulf Intracoastal Waterway (GIWW) from the Sabine River to the Brownsville Ship Channel.

Transportation Code, Section 51.007 requires the Texas Transportation Commission (commission) to continually evaluate the impact of the GIWW on the state and prepare a report for each regular session of the Texas Legislature. The evaluation shall include:

- 1) an assessment of the importance of the GIWW that includes identification of its direct and indirect beneficiaries;
- 2) identification of principal problems and possible solutions to those problems that includes estimated costs, economic benefits, and environmental effects;
- 3) an evaluation of the need for significant modifications to the GIWW; and

4) specific recommendations for legislative action that the commission believes are in the best interest of the state in carrying out the state's duties under Chapter 51.

The report of the evaluation shall be published and presented to each regular session of the Texas Legislature.

The Texas Department of Transportation has completed the evaluation and developed the report for the period of fiscal years 2015-2016.

IT IS THEREFORE ORDERED that the Gulf Intracoastal Waterway Report, as shown in Exhibit A, is approved by the commission and should be published and presented to the members of the 85th Texas Legislature, the governor, the lieutenant governor, and the speaker of the house of representatives.

Note: Exhibit A is on file with the commission chief clerk.

**ITEM 8. Minute Order Review**

Rescind Minute Orders 108544, 108545, 111358, 111410, and 112523 (MO)

This item was presented by Deputy Executive Director Marc Williams. Commissioner Austin made a motion, which was seconded by Commissioner Vandergriff, and the commission approved the following minute order by a vote of 5 - 0.

114770  
ADM

The staff of the Texas Department of Transportation (department) recently performed a review of the minute orders of Texas Transportation Commission (commission) to consider whether for each minute order that has apparent continuing effect, the reason for adopting the minute order continues to exist and if so, whether the minute order provides policy that is appropriate for the current conditions.

The department determined that the statutory authority for the provisions of Minute Order 111358 relating to the development, construction, and operation of the Trans-Texas Corridor, and for Minute Order 111410, relating to the market valuation of a toll project, has been repealed. The department determined that the provisions of Minute Order 111358 relating to the development, construction, and operation of toll roads is covered by state statute and that the substance of Minute Order 112523, relating to the sale or transfer of access rights to or from a highway on the state highway system, is now contained in Transportation Code, §202.021(j). Therefore, the department recommends that those minute orders should be rescinded because of the statutory changes.

The department also has determined that the policy addressed in Minute Orders 108544 and 108545, each relating to controlled access highway projects, is now contained in 43 TAC §15.54, relating to the construction of highway improvement projects, and recommends that those minute orders also should be rescinded.

IT IS THEREFORE ORDERED by the commission that Minute Orders 108544, 108545, 111358, 111410, and 112523 are rescinded.

**ITEM 9. Contracts**Award or reject contracts for maintenance, highway and building construction**(a) Construction of Highways, Department Buildings, and Other Transportation Facilities (MO)**

This item was presented by Construction Division Director Tracy Cain. Commissioner Vandergriff made a motion, which was seconded by Commissioner Bugg, and the commission approved the following minute order by a vote of 5 - 0.

114771  
CST

Pursuant to Transportation Code, Chapter 223, Subchapter A, and Title 43, Texas Administrative Code, Chapter 9, Subchapter B, the Texas Department of Transportation (department) solicited and received sealed competitive bid proposals for improvement of the State Highway System, which were publicly opened and read on November 3 and 4, 2016, as shown on Exhibit A.

Pursuant to cited code provisions highway improvement contract bids on a project may be accepted, rejected or deferred, but if accepted must be awarded to the lowest bidder.

An award is conditional in the event it is subject to Federal Highway Administration concurrence, third party funding or concurrence, and other conditions listed in the contract or an Exhibit to this order.

The department recommends that the Texas Transportation Commission (commission) respectively award to the lowest bidder, reject or deferred, as indicated, those highway and transportation enhancement building construction contracts identified on attached Exhibit A to this order.

IT IS THEREFORE ORDERED by the commission that the contracts described in Exhibit A, be and are hereby respectively awarded to the lowest bidder or rejected as indicated therein.

If a contractual requirement of award is not satisfied within the prescribed time limit, including any extension of time allowed by the executive director or the director's designee, by reason of the action or inaction of the successful low bidder on any contract, including, but not limited to, disadvantaged business/historically underutilized business participation, the contract is automatically in default and the executive director is authorized and directed to retain and deposit the related contract proposal guaranty to the credit of the State Highway Fund and to readvertise that project for competitive bids at the earliest practical subsequent date.

If a condition of award is not satisfied, including, but not limited to, reason of nonconcurrence of the Federal Highway Administration, the failure of a third party to fund or concur, or failure to meet other conditions in the contract or an Exhibit to this order, the respective award is voided and the department will return the bid guaranty.

Note: Exhibit A is on file with the commission chief clerk.

**(b) Highway Maintenance (MO)**

This item was presented by Construction Division Director Tracy Cain. Commissioner Bugg made a motion, which was seconded by Commissioner Ryan, and the commission approved the following minute order by a vote of 5 - 0.

114772  
MNT

Pursuant to Transportation Code, Chapter 223, Subchapter A, and Title 43, Texas Administrative Code, Chapter 9, Subchapter B, the Texas Department of Transportation (department) solicited and received sealed competitive bid proposals for maintenance of the State Highway System, which were publicly opened and read on November 3 and 4, 2016, as shown on Exhibit A.

Pursuant to cited code provisions highway maintenance contract bids on a project may be accepted or rejected, but if accepted must be awarded to the lowest bidder.

An award is conditional in the event it is subject to Federal Highway Administration concurrence, third party funding or concurrence, and other conditions listed in the contract or an Exhibit to this order.

The department recommends that the Texas Transportation Commission (commission) respectively award to the lowest bidder, reject or defer, as indicated, those highway maintenance and department building construction contracts, identified on attached Exhibit A to this order.

IT IS THEREFORE ORDERED by the commission that the contracts described in Exhibit A be and are hereby respectively awarded to the lowest bidder or rejected or deferred, as indicated therein.

If a contractual requirement of award is not satisfied within the prescribed time limit, including any extension of time allowed by the executive director or the director's designee, by reason of the action or inaction of the successful low bidder on any contract, including, but not limited to, disadvantaged business/historically underutilized business participation, the contract is automatically in default and the executive director is authorized and directed to retain and deposit the related contract proposal guaranty to the credit of the State Highway Fund and to readvertise that project for competitive bids at the earliest practical subsequent date.

If a condition of award is not satisfied, including, but not limited to, reason of nonconcurrence of the Federal Highway Administration, the failure of a third party to fund or concur, or failure to meet other conditions in the contract or an Exhibit to this order, the respective award is voided and the department will return the bid guaranty.

Note: Exhibit A is on file with the commission chief clerk.

**ITEM 10. Eminent Domain Proceedings**

**Various Counties - Authorize the filing of condemnation proceedings to acquire real property by eminent domain for non-controlled and controlled access highways (MO)**

This item was presented by Right of Way Division Director Gus Cannon. Commissioner Ryan made a motion that the Texas Transportation Commission authorize the Texas Department of Transportation to use the power of eminent domain

to acquire the properties described in the minute order set forth in the agenda for the current month for construction, reconstruction, maintenance, widening, straightening, or extending the highway facilities listed in the minute order as a part of the state highway system, and that the first record vote applies to all units of property to be condemned. The motion was seconded by Commissioner Austin and the following minute order was approved by Chairman Lewis, Commissioner Austin, Commissioner Vandergriff, Commissioner Bugg and Commissioner Ryan (a vote of 5 - 0).

114773  
ROW

To facilitate the safety and movement of traffic and to preserve the financial investment of the public in its highways, the Texas Transportation Commission (commission) finds that public necessity requires the laying out, opening, constructing, reconstructing, maintaining, widening, straightening, extending, and operating of the highway facilities listed below as a part of the State Highway System (highway system).

As provided for by Transportation Code, Chapter 203, Subchapter D, including Sections 203.051, 203.052, and 203.054, the commission finds and determines that each of the parcels of land listed below, and more particularly described in the attached Exhibits (parcels), are necessary or convenient as a part of the highway system to be constructed, reconstructed, maintained, widened, straightened, or extended (constructed or improved) and it is necessary to acquire fee simple title in the parcels or such lesser property interests as set forth in the attached Exhibits.

The commission finds and determines that the highway facilities to be constructed or improved on the parcels identified and listed below under "CONTROLLED ACCESS" are designated as a Controlled-Access Highway in accordance with Transportation Code, Section 203.031; and where there is adjoining real property remaining after acquisition of a parcel, the roads are to be constructed or improved as a part of the highway facility with the right of ingress and egress to or from the remaining real property adjoining the highway facility to be permitted or denied, as designated and set forth on each of the attached Exhibits A - M. Where there is adjoining real property remaining after acquisition of a parcel with respect to the highway facilities to be constructed or improved on the parcels identified as listed below under "NON-CONTROLLED ACCESS," roads are to be constructed or improved as a part of the highway facility with the right of ingress and egress to or from the remaining real property adjoining the highway facility to be permitted or denied, as designated and set forth on each of the attached Exhibits 1 - 36, in accordance with Transportation Code, Sections 203.002 and 203.003.

The commission finds and determines that condemnation of the parcels is required.

IT IS THEREFORE ORDERED that the initiation of condemnation proceedings for the parcels is adopted and authorized by a single order for the parcels, and this first vote by the commission applies to all of the parcels.

IT IS FURTHER ORDERED that the executive director is hereby authorized to proceed to condemnation on the parcels and directed to transmit or cause to be transmitted this request of the commission to the Office of the Attorney General to file or cause to be filed against all owners, lienholders, and any owners of any other

interests in the parcels, proceedings in condemnation to acquire in the name of and on behalf of the state, fee simple title to each parcel or such lesser estates or property interests as are more fully described in each of the attached Exhibits, save and excepting oil, gas, and sulfur, as provided by law, as follows:

**CONTROLLED ACCESS**

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Dallas	IH 35E	H	0442-02-144	15
Dallas	IH 35E	G	0442-02-144	16
Dallas	IH 35E	I	0442-02-144	21
Fort Bend	US 90A	B	0027-06-054	4
Galveston	IH 45	J	0500-04-120	9
Galveston	IH 45	K	0500-04-120	13
Galveston	IH 45	L	0500-04-120	14
Galveston	IH 45	M	0500-04-120	16
Galveston	IH 45	E	0500-04-120	18
Galveston	IH 45	F	0500-04-120	21
Galveston	IH 45	C	0500-04-120	25
Galveston	IH 45	D	0500-04-120	28
Hunt	IH 30	A	0009-13-165	2,3

**NON-CONTROLLED ACCESS**

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Bexar	US 281	19	0253-04-149	16
Bexar	US 281	12	0253-04-149	31
Bexar	US 281	9	0253-04-149	37
Bexar	US 281	11	0253-04-149	38
Bexar	US 281	10	0253-04-149	35,35E
Burleson	FM 60	13	0648-03-064	4
Burleson	FM 60	29	0648-03-064	17
Burleson	FM 60	28	0648-03-064	22
Burleson	FM 60	30	0648-03-064	31
Burleson	FM 60	31	0648-03-064	36
Ector	FM 3503	6	3570-01-010	3
Galveston	SH 146	18	0389-06-092	413
Grayson	FM 121	3	0729-01-044	3
Grayson	FM 121	2	0729-01-044	19
Grayson	FM 121	5	0729-01-044	20
Harris	SH 146	24	0389-05-095	117
Harris	SH 146	17	0389-05-095	127
Harris	SH 146	25	0389-05-095	131
Harris	SH 146	20	0389-05-095	132
Harris	SH 146	23	0389-05-095	133
Harris	SH 146	22	0389-05-095	135

**NON-CONTROLLED ACCESS (continued)**

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Harris	SH 146	21	0389-05-095	139
Harris	SH 146	4	0389-05-095	209
Harris	SH 146	27	0389-05-095	210
Harris	SH 146	14	0389-05-095	215
Harris	SH 146	15	0389-05-095	216
Harris	SH 146	16	0389-05-095	217
Hidalgo	US 83	33	0039-02-059	2
Hidalgo	US 83	34	0039-02-059	3
Hidalgo	US 83	36	0039-02-059	5
Kaufman	FM 740	32	5500-00-023	1E
Nacogdoches	FM 2609	8	2590-01-027	1
Rockwall	FM 3549	26	1015-01-077	3
Rockwall	FM 3549	7	1015-01-077	35E
Waller	FM 1774	1	1400-03-008	7
Zapata	US 83	35	0038-04-063	4

Note: Exhibits A - M and 1 - 36 are on file with the commission chief clerk.

**ITEM 11. Routine Minute Orders and Reports**

This item was presented by Executive Director James Bass. Commissioner Austin made a motion, which was seconded by Commissioner Vandergriff, and the commission approved the following minute orders by a vote of 5 - 0.

**a. Donations to the Department**

**Various Districts** - Consider the acknowledgment of donations made to the department to include: (a) donations in any form, including realty, personalty, money, materials, or services, which are made to the department for the purpose of carrying out its functions and duties; and (b) donations from landowners, with land adjacent to a highway that is part of the state highway system, to construct an improvement on the highway right-of-way that is directly related to improving access to or from the owner's land (MO)

114774  
CSD

Transportation Code, §201.206, authorizes the Texas Department of Transportation (department) to accept a donation in any form, including realty, personalty, money, materials, and services, for the purpose of carrying out its functions and duties. Government Code, Chapter 575, requires the governing board of a state agency to acknowledge the acceptance of a donation valued at \$500 or more by majority vote at an open meeting, not later than the 90th day after the date the donation is accepted. It also prohibits a state agency from accepting a donation from a person who is a party to a contested case before the agency until the 30th day after the date the decision in the case becomes final.

Transportation Code, §223.049 authorizes the department to contract with an owner of land adjacent to a highway that is part of the state highway system to construct

an improvement on the highway right of way that is directly related to improving access to or from the owner's land.

The Texas Transportation Commission (commission) has adopted 43 TAC §§1.500-1.506, which relate to the department's acceptance of donations. Section 1.503 authorizes the executive director to approve acceptance of donations to the department and requires that donations valued at \$500 or more must be acknowledged by order of the commission not later than the 90th day after the date the donation is accepted by the department. It further prohibits acceptance of a gift or donation when the donor is subject to department regulation or oversight or when the donor is interested in or likely to become interested in any contract, purchase, payment, or claim with or against the department, except as provided by that section. It also provides that the executive director may approve the acceptance of a donation, notwithstanding the foregoing proscriptions in the rules, if the executive director determines that acceptance would provide a significant public benefit and would not influence or reasonably appear to influence the department in the performance of its duties.

The executive director found that the donations identified on the attached Exhibit A were in compliance with the provisions of 43 TAC §§1.500-1.506, Government Code, Chapter 575, Transportation Code, §201.206, and Transportation Code, §223.049.

IT IS THEREFORE ORDERED by the commission that it acknowledges the acceptance of the donations identified on the attached Exhibit A.

Note: Exhibit A is on file with the commission chief clerk.

**b. Real Estate Dispositions**

**(1) Bowie County - US 59, southwest corner at US 82 in Texarkana - Consider the sale of right of way to the abutting landowner (MO)**

114775  
ROW

In Texarkana, BOWIE COUNTY, on US 59, the state of Texas acquired certain land for highway purposes by instruments recorded in Volume 533, Page 232; Volume 235, Page 434; and Volume 546, Page 707, Deed Records of Bowie County, Texas.

A portion of the land (Tract 2), RCSJ 0218-02-047, described in Exhibit A, is no longer needed for highway purposes.

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of any interest in real property acquired and no longer needed for a state highway purpose.

RNR Investments, LLC, is the abutting landowner and has requested to purchase Tract 2 for \$630,000.

The commission finds \$630,000 to be a fair and reasonable value of the state's right, title, and interest in Tract 2.

IT IS THEREFORE ORDERED by the commission that Tract 2 is no longer needed for a state highway purpose. The commission recommends, subject to approval by the attorney general, that the governor of Texas execute a proper instrument conveying all of the state's right, title, and interest in

Tract 2 to RNR Investments, LLC, for \$630,000; SAVE AND EXCEPT, however, there is excepted and reserved herefrom all of the state's right, title, and

interest, if any, in and to all of the oil, gas, sulphur, and other minerals, of every kind and character, in, on, under, and that may be produced from the land.

Note: Exhibit A is on file with the commission chief clerk.

(2) Dallas County - SH 356 in Irving - Consider the removal from the system, transfer of control, jurisdiction, and maintenance to the City of Irving (city) and quitclaim of right of way to the city (MO)

114776  
ROW

In Irving, DALLAS COUNTY, on STATE HIGHWAY 356, the state of Texas acquired certain land for highway purposes by various instruments, and the state used certain other land for highway purposes to which there is no record title in the state's name.

Pursuant to Texas Transportation Code, §§201.103 and 221.001, the executive director has recommended, as shown in Exhibit A, that SH 356 from approximately 650 feet west of Sowers Road, east to East Third Street, be removed from the state highway system, a distance of 1.195 miles, and that control, jurisdiction, and maintenance be transferred to the City of Irving (city).

The land (Tract 1), described in Exhibit B, is no longer needed for a state highway purpose.

In accordance with Texas Transportation Code, §202.021, the Texas Transportation Commission (commission) may recommend the quitclaim of any interest that might have accrued to the state by use of the property to the county or municipality where the property is located.

The city has requested that Tract 1 be quitclaimed to the city.

IT IS THEREFORE ORDERED by the commission that SH 356 from approximately 650 feet west of Sowers Road, east to East Third Street, is removed from the state highway system, a distance of approximately 1.195 miles, and control, jurisdiction, and maintenance are transferred to the city.

FURTHER, IT IS ORDERED by the commission that Tract 1 is no longer needed for a state highway purpose. The commission recommends, subject to approval by the attorney general, that the governor of Texas execute a proper instrument quitclaiming all of the state's right, title, and interest in Tract 1 to the City of Irving, Texas; SAVE AND EXCEPT, however, there is excepted and reserved herefrom all of the state's rights, titles, and interests, if any, in and to all of the oil, gas, sulphur, and other minerals, of every kind and character, in, on, under, and that may be produced from the land.

FURTHER, if Tract 1 ceases to be used for public road purposes, it shall immediately and automatically revert to the state.

Note: Exhibits A and B are on file with the commission chief clerk.

(3) Eastland County - FM 2214, old alignment east of FM 2461 - Consider the sale of right of way to an abutting landowner (MO)

114777  
ROW

In EASTLAND COUNTY, on FARM TO MARKET ROAD 2214, the state of Texas acquired certain land for highway purposes by instruments recorded in

Volume 508, Pages 121 and 137, Deed Records of Eastland County, Texas.

A portion of the land (Tract 5), RCSJ 1697-02-025, described in Exhibit A, is no longer needed for highway purposes.

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of any interest in real property that was acquired and is no longer needed for a state highway purpose.

Jerry L. McPeters is an abutting landowner and has requested to purchase Tract 5 for \$2,800.

The commission finds \$2,800 to be a fair and reasonable value of the state's right, title, and interest in Tract 5.

IT IS THEREFORE ORDERED by the commission that Tract 5 is no longer needed for a state highway purpose and that the value is less than \$10,000. The commission authorizes the executive director to execute a proper instrument conveying all of the state's right, title, and interest in Tract 5 to Jerry L. McPeters for \$2,800; SAVE AND EXCEPT, however, there is excepted and reserved herefrom all of the state's rights, titles, and interests, if any, in and to all of the oil, gas, sulphur, and other minerals, of every kind and character, in, on, under, and that may be produced from the land.

Note: Exhibit A is on file with the commission chief clerk.

(4) Ector County - SL 338 at I-20 in Odessa - Consider the sale of right of way to the abutting landowner (MO)

114778  
ROW

In Odessa, ECTOR COUNTY, on STATE LOOP 338, the state of Texas acquired certain land for highway purposes by instrument recorded in Volume 349, Page 289, Deed Records of Ector County, Texas.

A portion of the land (Tract 1), RCSJ 2224-01-090, described in Exhibit A, is no longer needed for highway purposes.

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of any interest in real property that was acquired and is no longer needed for a state highway purpose.

Union Pacific Railroad Company is the abutting landowner and has requested to purchase Tract 1 for \$1,025.

The commission finds \$1,025 to be a fair and reasonable value of the state's right, title, and interest in Tract 1.

IT IS THEREFORE ORDERED by the commission that Tract 1 is no longer needed for a state highway purpose and that the value is less than \$10,000. The commission authorizes the executive director to execute a proper instrument conveying all of the state's right, title, and interest in Tract 1 to Union Pacific Railroad Company for \$1,025; SAVE AND EXCEPT, however, there is excepted and reserved herefrom all of the state's rights, titles, and interests, if any, in and to all of the oil, gas, sulphur, and other minerals, of every kind and character, in, on, under, and that may be produced from the land.

Note: Exhibit A is on file with the commission chief clerk.

(5) Johnson County - US 67 in Cleburne - Consider the transfer of right of way to the City of Cleburne (MO)

114779  
ROW

In Cleburne, JOHNSON COUNTY, on US 67, the state of Texas acquired certain land for highway purposes by various instruments recorded in the Deed Records of Johnson County, Texas.

The land (Tract 16-02), RCSJ 0422-05-005, shown on Exhibit A, is no longer needed for highway purposes.

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may waive payment for real property transferred to a governmental entity if the estimated cost of future maintenance on the property equals or exceeds the fair value of the property.

The fair value of Tract 16-02 is estimated to be \$509,919, and the state's future maintenance costs over 50 years are estimated to be \$510,035.

The City of Cleburne (city) has requested that Tract 16-02 be transferred to the city.

The commission finds \$509,919 to be a fair and reasonable value of the state's right, title, and interest in Tract 16-02 and that the estimated cost of future maintenance exceeds the fair value.

IT IS THEREFORE ORDERED by the commission that Tract 16-02 is no longer needed for a state highway purpose. The commission recommends, subject to approval by the attorney general, that the governor of Texas execute a proper instrument transferring all of the state's right, title, and interest in Tract 16-02 to the City of Cleburne, Texas, in consideration of the savings to the state of future maintenance costs; SAVE AND EXCEPT, however, there is excepted and reserved herefrom all of the state's rights, titles and interests, if any, in and to all of the oil, gas, sulphur and other minerals, of every kind and character, in, on, under and that may be produced from the land.

Note: Exhibit A is on file with the commission chief clerk.

(6) Lampasas County - FM 580, old alignment at County Road 1403 - Consider the sale of right of way to the abutting landowner (MO)

114780  
ROW

In LAMPASAS COUNTY, on FARM TO MARKET ROAD 580, the state of Texas acquired certain land for highway purposes by instrument recorded in Volume 90, Page 421, Deed Records of Lampasas County, Texas.

A portion of the land (Tract 1), RCSJ 0231-15-040, described in Exhibit A, is no longer needed for highway purposes.

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of any interest in real property that was acquired and is no longer needed for a state highway purpose.

Michael Sean Owens is the abutting landowner and has requested to purchase Tract 1 for \$2,992.

The commission finds \$2,992 to be a fair and reasonable value of the state's right, title, and interest in Tract 1.

IT IS THEREFORE ORDERED by the commission that Tract 1 is no longer needed for a state highway purpose and that the value is less than \$10,000. The commission authorizes the executive director to execute a proper instrument conveying all of the state's right, title, and interest in Tract 1 to Michael Sean Owens for \$2,992; SAVE AND EXCEPT, however, there is excepted and reserved herefrom all of the state's rights, titles, and interests, if any, in and to all of the oil, gas, sulphur, and other minerals, of every kind and character, in, on, under, and that may be produced from the land.

Note: Exhibit A is on file with the commission chief clerk.

(7) Randall County - I-27 at McCormick Road south of Amarillo - Consider the sale of right of way to the abutting landowner (MO)

114781  
ROW

In RANDALL COUNTY, on INTERSTATE 27, the state of Texas acquired certain land for highway purposes by instrument recorded in Volume 221, Page 136, Deed Records of Randall County, Texas.

A portion of the land (Tract 1), RCSJ 0168-09-171, described in Exhibit A, is no longer needed for highway purposes.

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of any interest in real property acquired and no longer needed for a state highway purpose.

Hut One Land and Equipment, Ltd., is the abutting landowner and has requested to purchase Tract 1 for \$137,000.

The commission finds \$137,000 to be a fair and reasonable value of the state's right, title, and interest in Tract 1.

IT IS THEREFORE ORDERED by the commission that Tract 1 is no longer needed for a state highway purpose. The commission recommends, subject to approval by the attorney general, that the governor of Texas execute a proper instrument conveying all of the state's right, title, and interest in

Tract 1 to Hut One Land and Equipment, Ltd., for \$137,000; SAVE AND EXCEPT, however, there is excepted and reserved herefrom all of the state's right, title, and interest, if any, in and to all of the oil, gas, sulphur, and other minerals, of every kind and character, in, on, under, and that may be produced from the land.

Note: Exhibit A is on file with the commission chief clerk.

c. Reports  
Compliance Division  
Compliance Division report

Note: Confidential report to commission.

**d. Speed Zones****Various Counties - Establish or alter regulatory and construction speed zones on various sections of highways in the state (MO)**114782  
TRF

Transportation Code, §545.352 establishes prima facie reasonable and prudent speed limits for various categories of public roads, streets and highways.

Transportation Code, §545.353 empowers the Texas Transportation Commission (commission) to alter those prima facie limits on any part of the state highway system as determined from the results of an engineering and traffic investigation conducted according to the procedures adopted by the commission.

The Texas Department of Transportation (department) has conducted the prescribed engineering and traffic investigations to determine reasonable and safe prima facie maximum speed limits for those segments of the state highway system shown in Exhibits A and B.

Exhibit A lists construction speed zones in effect when signs are displayed within construction projects. The completion and/or acceptance of each project shall cancel the provision of this minute order applying to said project and any remaining construction speed zone signs shall be removed.

Exhibit B lists speed zones for sections of highways where engineering and traffic investigations justify the need to alter the speeds.

It has also been determined that the speed limits on the segments of the state highway system, previously established by the commission by minute order and listed in Exhibit C, are no longer necessary or have been incorporated by the city which has the authority to set the speed limits on these sections of the highway.

IT IS THEREFORE ORDERED by the commission that the reasonable and safe prima facie maximum speed limits determined in accordance with the department's "Procedures for Establishing Speed Zones" and shown on the attached Exhibits A and B are declared as tabulated in those Exhibits. The executive director is directed to implement this order for control and enforcement purposes by the erection of appropriate signs showing the prima facie maximum speed limits.

IT IS FURTHER ORDERED that a provision of any prior order by the commission which is in conflict with a provision of this order is superseded to the extent of that conflict, and that the portions of minute orders establishing speed zones shown on the attached Exhibit C are canceled.

Note: Exhibits A - C are on file with the commission chief clerk.

**ITEM 12. Executive Session Pursuant to Government Code, Chapter 551****Section 551.071 - Consultation with and advice from legal counsel regarding any item on this agenda, pending or contemplated litigation, or other legal matters.**

The commission did not meet in executive session.

**OPEN COMMENT PERIOD - At the conclusion of all other agenda items, the commission will allow an open comment period, not to exceed one hour, to receive public comment on any other matter that is under the jurisdiction of the department. No**

action will be taken. Each speaker will be allowed a maximum of three minutes. Speakers must be signed up prior to the beginning of the open comment period.

Gary Hawkins, Aviation Director for the City of Granbury, completed a speakers card for the open comment period, but did not speak. The commission received no further comments.

Commissioner Vandergriff motioned adjournment and Commissioner Bugg seconded the motion. The commission voted 5 - 0 to adjourn. The regular meeting of the Texas Transportation Commission was adjourned at 9:53 a.m.

APPROVED:



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Tryon D. Lewis, Chairman  
Texas Transportation Commission

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I hereby certify that the above and foregoing pages constitute the full, true, and correct record of all proceedings and official records of the Texas Transportation Commission at its regular meeting on November 17, 2016, in Austin, Texas.



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Robin Carter, Commission Chief Clerk  
Texas Department of Transportation