

These are the minutes of the regular meeting of the Texas Transportation Commission held on June 27, 2019, in Austin, Texas. The meeting was called to order at 9:01 a.m. by Chairman Bugg with the following commissioners present:

Texas Transportation Commission:

J. Bruce Bugg, Jr.	Chairman
Jeff Austin, III	Commissioner
Laura Ryan	Commissioner
Alvin New	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 two parts in the Office of the Secretary of State at 2:49 p.m. and at 2:57 p.m. on June 18, 2019, 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 Becky King.

ITEM 2. Consider the approval of the Minutes of the May 29, 2019 workshop meeting and the May 30, 2019, regular meeting of the Texas Transportation Commission

Commissioner Austin made a motion, which was seconded by Commissioner Ryan, and the commission approved the minutes of the May 29, 2019, workshop meeting and the May 30, 2019, regular meeting by a vote of 4 - 0.

ITEM 3. Contracts

Consider the award or rejection of contracts for highway construction and maintenance, and construction and rehabilitation of buildings (Presentation)

a. Highway Improvement and Other Transportation Facilities (MO)

This item was presented by Construction Division Director Gina Gallegos. Commissioner Austin made a motion, which was seconded by Commissioner Ryan, and the commission approved the following minute order by a vote of 4 - 0.

115507
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 June 4 and 5, 2019, as shown on Exhibit A.

Pursuant to cited code provisions highway improvement 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 consider the award to the lowest bidder, reject or defer, 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 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.

b. Routine Maintenance (MO)

This item was presented by Construction Division Director Gina Gallegos. Commissioner Ryan made a motion, which was seconded by Commissioner Austin, and the commission approved the following minute order by a vote of 4 - 0.

115508
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 June 4 and 5, 2019, 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 consider the 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.

c. Construction and Rehabilitation of Buildings (MO)

This item was presented by Project Development Branch Manager Warren Rose. Commissioner Ryan made a motion, which was seconded by Commissioner Austin, and the commission approved the following minute order by a vote of 4 - 0.

115509
SSD

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 June 4, 2019, 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 defer, as indicated, those highway improvement 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 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.

ITEM 4. Discussion Item

86th Regular Legislative Session Overview and the General Appropriations Act (Presentation)

This item was presented by State Legislative Affairs Section Director Trent Thomas. The commission asked questions and discussed the topic.

ITEM 5. Aviation

Various Counties - Consider the award of federal discretionary grant funding, federal non-primary entitlement grant funding, federal apportionment grant funding, federal supplemental funding,, and state grant funding for airport improvement projects at various locations (MO) (Presentation)

This item was presented by Aviation Division Director Dave Fulton. Commissioner Austin made a motion, which was seconded by Commissioner New, and the commission approved the following minute order by a vote of 4 - 0.

115510
AVN

The Texas Department of Transportation (department) is authorized under Title 49, United States Code, Chapter 471, and Texas Transportation Code, Chapter 21, to award federal and state funding for capital improvement projects and to assist in the development and establishment of airports in the state of Texas.

The airports listed in Exhibit A are currently in need of improvements to preserve the airports or to meet standards. The department recommends the award of federal discretionary grant funds, federal supplemental grant funds, federal non-primary entitlement grant funds, federal apportionment grant funds, and state grant funds for the improvements.

On May 31, 2019, a public hearing was held. No comments were received.

IT IS THEREFORE ORDERED by the Texas Transportation Commission that the executive director, or the director's designee, is authorized to enter into any necessary agreements to fund, through the Aviation Facilities Grant Program, the projects described in Exhibit A.

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

ITEM 6. Public Transportation

Various Counties - Consider the award of FY 2020 state public transportation grant program funds to transit districts serving rural, small urban, and large urban areas of the state and the award of state and federal formula and discretionary grant program funds to multiple entities for a variety of program-eligible purposes (MO) (Presentation)

This item was presented by Public Transportation Division Director Eric Gleason. Commissioner Austin made a motion, which was seconded by Commissioner New. Following the motions, a comment card was located and Commissioner Austin withdrew his motion. Mario Delgado, Transit Director for the Texas Transit Association, spoke briefly to the commission in support of the agenda item and of public transportation. Commissioner Austin made a motion, which was seconded by Commissioner New, and the commission approved the following minute order by a vote of 4 - 0.

115511
PTN

The Texas Transportation Commission (commission) desires to award a total of \$59,160,594 in state and federal program funds to support a variety of public transportation needs in urbanized and non-urbanized areas of the state.

Of the amounts appropriated to the Texas Department of Transportation (department) by the General Appropriations Act of the 86th Texas Legislature, Regular Session, \$69,982,133 was appropriated for urban and rural public transportation systems for the 2020-2021 biennium. Title 43, Texas Administrative Code (TAC), §31.11 establishes a formula by which state public

transportation funds shall be distributed to the large urban, small urban, and rural areas of the state. An award of \$34,991,066 of FY 2020 state funds to large urban, small urban, and rural transit districts is shown in Exhibit A and has been determined in accordance with §31.11.

Returned small urban funds appropriated by the 85th Legislature, Regular Session, are available for redistribution. Under Title 43, TAC, §31.11(e), returned funds must be administered under the discretionary program described in Title 43, TAC, §31.13. The discretionary program allows the allocation of funds by formula as described in Title 43, TAC, §31.11. An award of \$455,326 of FY 2019 state funds shown in Exhibit B, has been calculated in accordance with §31.11. These funds are intended for asset maintenance and replacement purposes.

Title 43, TAC, §31.22 authorizes the state to contract with entities for planning and research activities as defined in the Federal Transit Administration (FTA) Statewide and Nonmetropolitan Transportation Planning grant program (49 U.S.C. §5304). An award up to \$620,000 of state and federal §5304 funds is shown in Exhibit C and has been determined in accordance with §31.22.

Title 43, TAC, §31.31 establishes a formula by which public transportation funds shall be distributed under the FTA Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities program (49 U.S.C. §5310). An award of \$7,300,632 of federal §5310 funds is shown in Exhibit D and has been determined in accordance with §31.31.

Title 43, TAC, §31.36(g)(4) establishes a formula for calculating awards to rural transit systems based on total vehicle miles under the FTA Formula Grants for Rural Areas program (49 U.S.C. §5311). An award of \$15,751,834 of federal §5311 funds is shown in Exhibit E and has been determined in accordance with §31.36(g)(4).

A residual balance of Surface Transportation Program-Statewide program funds flexed to the Formula Grants for Rural Areas Program (49 U.S.C. §5311) as additional funds towards a competitive Transportation Investment Generating Economic Recovery program project is available for redistribution. An award up to \$41,736 of federal §5311 funds to Ark-Tex Council of Governments has been determined for the purchase of a replacement rural transit vehicle.

Transportation Code, Chapter 455 assigns a broad spectrum of public transportation roles and missions to the department.

Transportation Code, Chapter 456 authorizes the commission to administer funds appropriated for public transportation.

IT IS THEREFORE ORDERED by the commission that the executive director or the director's designee is directed to proceed with the awards as shown above and in Exhibits A-E, submit the necessary state application to the FTA, and enter into the necessary contracts.

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

ITEM 7. Promulgation of Administrative Rules Under Title 43, Texas Administrative Code, and the Administrative Procedure Act, Government Code, Chapter 2001:

a. Proposed Adoption

Chapter 9 - Contract and Grant Management

Amendments to §9.87, Selection (MO)

Deferred

This item was deferred and not voted on by the commission.

b. Final Adoption

Chapter 15 - Financing and Construction of Transportation Projects

§§15.50 - 15.53, and §15.55 relating to Federal, State, and Local Participation (MO)

This item was presented by Transportation Programs Section Director David Millikan. Commissioner Austin made a motion, which was seconded by Commissioner New, and the commission approved the following minute order by a vote of 4 - 0.

115512
PEPS

The Texas Transportation Commission (commission) finds it necessary to adopt amendments to §§15.50-15.53, and 15.55 relating to Federal, State, and Local Participation to be codified under Title 43, Texas Administrative Code, Part 1.

The preamble and the adopted 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 §§15.50-15.53, and 15.55 are adopted and are authorized for filing with the Office of Secretary of State.

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 8. Annual Highway Safety Plan

Consider approval of funding for the 2020 Highway Safety Plan (MO) (Presentation)

This item was presented by Traffic Safety Division Director Michael Chacon. Commissioner Ryan made a motion, which was seconded by Commissioner Austin, and the commission approved the following minute order by a vote of 4 - 0.

115513
TRF

The Texas Traffic Safety Act of 1967 (H.B. 353, 60th Legislature) and the United States Code, Title 23, Section 402, require a highway safety program designed to reduce traffic crashes and their related deaths, injuries and property damage.

The Fixing America's Surface Transportation (FAST) Act will appropriate various traffic safety incentive programs to the states.

The Texas Department of Transportation has, in compliance with these requirements, developed the FY 2020 Highway Safety Plan.

IT IS THEREFORE ORDERED by the Texas Transportation Commission that the executive director is authorized to enter into any necessary agreements and proceed in the most feasible and economical manner with program development at an estimated total cost of \$92,456,425 as shown in Exhibit A.

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

ITEM 9. Safe Routes to School Program

Consider approval of funding for the non-infrastructure Safe Routes to School Program (MO) (Presentation)

This item was presented by Traffic Safety Division Director Michael Chacon. Commissioner Austin made a motion, which was seconded by Commissioner Ryan, and the commission approved the following minute order by a vote of 4 - 0.

115514
TRF

Pursuant to Title 43, TAC §§25.500 – 25.505, Safe Routes to School Program, the Texas Transportation Commission (commission) may distribute designated federal funds to the Safe Routes to School (SRTS) Program. SAFETEA-LU funds under Section 1404 of Public Law 109-59 were allocated by the Federal Highway Administration (FHWA) to educate elementary and middle school students to walk and bicycle to school safely through education and outreach programs.

The Texas Department of Transportation (department) issued a call for applications for the FY 2019-2021 SRTS Program in the March 22, 2019 issue of the *Texas Register*. The department seeks to award two non-infrastructure grants in the total estimated amount of \$2,821,000. Through the projects the department will develop and distribute Safe Routes to School pedestrian and bicycle safety education kits and curriculums to at least 80% of the elementary and middle schools across Texas (Grades K-8).

IT IS THEREFORE ORDERED by the commission that the executive director is authorized to enter into the necessary agreements to award an estimated \$2,821,000 in federal SRTS funds in compliance with 43 TAC §§ 25.500-25.505 and federal and state law.

ITEM 10. Campus Consolidation

Travis County - Consider authorizing the department to request and obtain financing from the Texas Public Finance Authority for the purpose of constructing and equipping the Austin campus consolidation project on land owned by the department in Austin, Texas for such purpose, expressing the department's intent to reimburse certain costs from proceeds of tax-exempt obligations, and authorizing the department to take all actions and execute and deliver all documents required to effect such financing (MO) (Presentation)

This item was presented by Chief Administrative Officer Rich McMonagle. Commissioner Austin made a motion, which was seconded by Commissioner New, and the commission approved the following minute order by a vote of 4 - 0.

115515
PFD

The Texas Department of Transportation (department) is designing, developing and constructing the Austin Campus Consolidation Project (project) in Austin, Texas on one or more parcels of land owned or to be owned by the department, which will include multiple buildings and associated equipment and other improvements to support department operations, pursuant to Texas Transportation Code §201.1055.

The Texas Public Finance Authority (Authority) is authorized to issue revenue bonds or other obligations on behalf of the department in an amount not to exceed \$326,000,000 for the purpose of constructing and equipping the project pursuant to Texas Government Code, Chapter 1232, including Section 1232.111, and the General Appropriations Act, House Bill 1, Rider 42, pp. VII-29 and VII-30, 86th Texas Legislature (collectively, the Authorizing Law).

The General Appropriations Act appropriates out of the state highway fund the amounts of \$4,200,000 in fiscal year 2020 and \$19,600,000 in fiscal year 2021 which may be expended only for the purpose of making lease payments to the Authority for debt service payments on the revenue bonds or other obligations issued to construct the project.

The Texas Transportation Commission (commission) recognizes that in order to finance the cost of the project, the Authority may issue short term obligations, bonds, either or both (Obligations) in an aggregate principal amount sufficient to finance project costs in the estimated amount of \$326,000,000, plus the costs of issuance and related administrative costs, if any, which will be determined at the time of issuance.

The commission has determined that it is in the best interest of the state to authorize the department to submit a request for financing to the Authority, which includes this minute order,

a detailed description of the project to be financed for the department, and a proposed expenditure schedule for the project (Request for Financing), and to take all actions necessary to effect such financing.

The commission has determined to express the intent of the department to reimburse certain expenditures relating to the project from proceeds of Obligations issued by the Authority.

The commission has determined that it is in the best interest of the state to authorize the department to enter into and execute and deliver all documents, agreements, leases, certificates, memorandums of understanding and other instruments and to take such actions as are necessary to effect the financing and refinancing of the project and the intent of this order.

IT IS THEREFORE DETERMINED AND ORDERED by the commission that the purpose of the issuance of the Obligations by the Authority on behalf of the department is to provide funds sufficient to complete the project, and the financing of the project is appropriate at this time. Accordingly, the execution and delivery of the Request for Financing to the Authority pursuant to the Authorizing Law is hereby authorized, approved and confirmed.

IT IS FURTHER ORDERED that each Department Representative (which shall include: the Executive Director or his designee; the Chief Financial Officer; the Director, Project Finance, Debt and Strategic Contracts Division; the Director, Financial Management Division) is severally authorized and directed to enter into and execute and deliver all documents, agreements, leases, certificates, memorandums of understanding and other instruments in the form approved by the Department Representative, such approval to be conclusively evidenced by the execution thereof, that are necessary or desirable to effect the financing and refinancing of the project and the completion thereof, and each Department Representative is severally authorized and directed to take any and all actions necessary or appropriate to effect the financing and refinancing of the project, the completion thereof, and the intent of this minute order.

IT IS FURTHER ORDERED that each Department Representative is severally authorized and directed to cooperate with the Authority to prepare an official statement or other offering document in connection with the initial sale of the Obligations.

IT IS FURTHER ORDERED that all actions not inconsistent with the provisions of this minute order heretofore taken by the department, its officers, employees, agents or consultants, directed toward the financing of the project and the issuance of the Obligations, is hereby ratified, approved and confirmed.

IT IS FURTHER ORDERED that, in the event the Obligations that are initially issued to finance the project are in the form of commercial paper notes or other short term obligations, each Department Representative is hereby severally authorized and directed to execute and deliver any and all documents necessary or desirable to effect the refinancing of the Obligations initially issued, which documents may include, but shall not be limited to, a memorandum of understanding, a lease agreement and a financing agreement, each between the department and the Authority; cooperate with the Authority and its consultants to prepare an official statement or other offering document in connection with the sale of the obligations issued to refinance the Obligations initially issued to finance the project; and take any other action necessary to assist in such sale and the refinancing of the project.

IT IS FURTHER ORDERED that the department reasonably expects to reimburse itself from the proceeds of Obligations to be issued by the Authority subsequent to the date of this minute order for certain costs that have been or will be paid subsequent to the date that is 60 days prior to the date of this minute order and that are to be paid in connection with the acquisition, construction, rehabilitation, reconstruction or renovation of the project.

IT IS FURTHER ORDERED that the department reasonably expects that the maximum principal amount of Obligations issued by the Authority for the costs associated with the project will be \$326 million, which may be issued in one or more series.

IT IS FURTHER ORDERED that unless otherwise advised by bond counsel, any reimbursement allocation will be made not later than 18 months after the later of (i) the date the original expenditure is paid or (ii) the date on which the project is placed in service or abandoned, but in no event more than three years after the original expenditure is paid.

IT IS FURTHER ORDERED that the chairman and each member of the commission, each Department Representative and the general counsel are authorized and directed to perform such acts and execute such documents, agreements, resolutions, notices and other instruments, including certifications to the Authority, the attorney general, the comptroller, the Texas Bond Review Board and other parties, as may be necessary or appropriate to carry out the intent and purpose of this minute order and other minute orders of the commission relating to the financing of project.

ITEM 11. Eminent Domain Proceedings

Various Counties - Consider the authorization of 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 Kyle Madsen. Commissioner New 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 Ryan and the following minute order was approved by Chairman Bugg, Commissioner Austin, Commissioner Ryan, and Commissioner New (a vote of 4 - 0).

115516
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-000.

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 1-257 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>
AUSTIN	IH 10	CCC	0271-02-063	6
AUSTIN	IH 10	DDD	0271-02-063	8
AUSTIN	IH 10	FF	0271-02-063	10
AUSTIN	IH 10	GGG	0271-02-063	17
AUSTIN	IH 10	HHH	0271-02-063	18
AUSTIN	IH 10	FFF	0271-02-063	22
AUSTIN	IH 10	III	0271-02-063	23
BASTROP	SH 71	LLL	0265-03-044	6
BASTROP	SH 71	A	0265-03-044	8
BASTROP	SH 71	X	0265-03-044	21
BASTROP	SH 71	NNN	0265-03-044	24
BEXAR	FM 1518	B	0465-02-028	57
BEXAR	FM 1518	MM	0465-02-028	82
BEXAR	FM 1518	W	0465-02-028	83
BEXAR	FM 1518	NN	0465-02-028	130
BEXAR	FM 1518	Q	0465-02-028	131
BEXAR	IH 410	M	0521-06-140	9
BEXAR	IH 410	I	0521-06-140	40
BEXAR	IH 410	N	0521-06-140	49
BEXAR	IH 410	O	0521-06-140	52
BEXAR	IH 410	G	0521-06-140	53
BEXAR	IH 410	P	0521-06-140	54
BEXAR	IH 410	J	0521-06-140	55
BEXAR	IH 410	T	0521-06-140	56
BEXAR	IH 410	H	0521-06-140	57

CONTROLLED ACCESS (continued)

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
BEXAR	IH 410	F	0521-06-140	69
BEXAR	IH 410	D	0521-06-140	79
BEXAR	IH 410	E	0521-06-140	85
BOWIE	IH 30	YY	0610-07-099	2
BOWIE	IH 30	MMM	0610-07-099	5
CHAMBERS	SH 99	JJJ	3510-10-017	1306
CHAMBERS	SH 99	KKK	3510-10-017	1310
COLORADO	IH 10	XX	0271-01-082	3
COMAL	IH 35	C	0016-05-116	52B
COMAL	IH 35	Y	0016-05-117	24
DALLAS	IH 30	U	0009-11-246	7
DALLAS	IH 35E	EEE	0196-03-246	5
EL PASO	LP 375	R	2552-04-041	22
FORT BEND	FM 1463	WW	0188-10-037	102
GALVESTON	IH 45	CC	0500-04-123	224
GALVESTON	IH 45	VV	0500-04-136	336
GALVESTON	IH 45	L	0500-04-137	423,423AC
KAUFMAN	US 175	DD	0197-03-065	5,5E
LIBERTY	SH 99	EE	3510-09-003	1172
LIBERTY	SH 99	K	3510-09-003	1173
LIBERTY	SH 99	AAA	3510-09-003	1175
LIBERTY	SH 99	ZZ	3510-09-003	1179
LIBERTY	SH 99	S	3510-09-004	1234
MONTGOMERY	SH 99	GG	3510-07-008	816
ROCKWALL	IH 30	HH	0009-12-223	17
ROCKWALL	IH 30	II	0009-12-223	22,22E
ROCKWALL	IH 30	TT	0009-12-223	24
ROCKWALL	IH 30	JJ	0009-12-223	29
ROCKWALL	IH 30	KK	0009-12-223	32
ROCKWALL	IH 30	LL	0009-12-223	33
ROCKWALL	IH 30	QQ	0009-12-223	36
ROCKWALL	IH 30	OO	0009-12-223	37E
ROCKWALL	IH 30	PP	0009-12-223	40
ROCKWALL	IH 30	UU	0009-12-223	41
ROCKWALL	IH 30	RR	0009-12-223	42
ROCKWALL	IH 30	SS	0009-12-223	43
ROCKWALL	IH 30	V	0009-12-224	13
ROCKWALL	IH 30	OOO	0009-12-224	14
TRAVIS	SH 71	BBB	0265-03-044	12
WALKER	IH 45	Z	0675-07-104	13
WALKER	IH 45	AA	0675-07-104	14
WALKER	IH 45	BB	0675-07-104	15

NON-CONTROLLED ACCESS

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
ANDERSON	US 175	91	0198-03-031	40
BASTROP	SH 71	256	0265-03-044	7

NON-CONTROLLED ACCESS (continued)

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
BASTROP	SH 71	59	0265-03-044	16
BASTROP	SH 71	257	0265-03-044	20
BASTROP	SH 71	211	0265-03-044	25
BELL	SL 121	73	2502-01-018	8
BELL	SL 121	72	2502-01-018	9,9E
BELL	SL 121	71	2502-01-018	14
BELL	SL 121	158	2502-01-018	60
BELL	SL 121	74	2502-01-018	64
BEXAR	FM 1518	247	0465-02-028	20
BEXAR	FM 1518	15	0465-02-028	51
BEXAR	FM 1518	3	0465-02-028	52
BEXAR	FM 1518	16	0465-02-028	53
BEXAR	FM 1518	31	0465-02-028	54
BEXAR	FM 1518	32	0465-02-028	55
BEXAR	FM 1518	17	0465-02-028	58
BEXAR	FM 1518	42	0465-02-028	60
BEXAR	FM 1518	5	0465-02-028	64
BEXAR	FM 1518	18	0465-02-028	65
BEXAR	FM 1518	19	0465-02-028	66
BEXAR	FM 1518	43	0465-02-028	69
BEXAR	FM 1518	7	0465-02-028	72
BEXAR	FM 1518	20	0465-02-028	73
BEXAR	FM 1518	21	0465-02-028	74
BEXAR	FM 1518	36	0465-02-028	75
BEXAR	FM 1518	141	0465-02-028	76
BEXAR	FM 1518	22	0465-02-028	77
BEXAR	FM 1518	142	0465-02-028	78
BEXAR	FM 1518	143	0465-02-028	79
BEXAR	FM 1518	4	0465-02-028	80
BEXAR	FM 1518	144	0465-02-028	81
BEXAR	FM 1518	145	0465-02-028	84
BEXAR	FM 1518	146	0465-02-028	85
BEXAR	FM 1518	147	0465-02-028	90
BEXAR	FM 1518	152	0465-02-028	92
BEXAR	FM 1518	80	0465-02-028	93
BEXAR	FM 1518	50	0465-02-028	94
BEXAR	FM 1518	55	0465-02-028	97
BEXAR	FM 1518	33	0465-02-028	98
BEXAR	FM 1518	58	0465-02-028	100
BEXAR	FM 1518	51	0465-02-028	101
BEXAR	FM 1518	149	0465-02-028	104
BEXAR	FM 1518	150	0465-02-028	105
BEXAR	FM 1518	148	0465-02-028	106
BEXAR	FM 1518	52	0465-02-028	108
BEXAR	FM 1518	53	0465-02-028	111
BEXAR	FM 1518	151	0465-02-028	113

NON-CONTROLLED ACCESS (continued)

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
BEXAR	FM 1518	23	0465-02-028	115
BEXAR	FM 1518	153	0465-02-028	117
BEXAR	FM 1518	6	0465-02-028	118
BEXAR	FM 1518	35	0465-02-028	119
BEXAR	FM 1518	154	0465-02-028	121
BEXAR	FM 1518	155	0465-02-028	122
BEXAR	FM 1518	57	0465-02-028	124
BEXAR	FM 1518	41	0465-02-028	133
BEXAR	FM 1518	156	0465-02-028	137
BEXAR	FM 1518	56	0465-02-028	138
BEXAR	FM 1518	157	0465-02-028	139
BEXAR	PA 1502	126	7774-01-002	1
BRAZORIA	SH 36	244	0188-03-020	101
BRAZORIA	SH 36	226	0188-03-020	103
BRAZORIA	SH 36	227	0188-03-020	343
BRAZORIA	SH 36	24	0188-04-041	14
CHAMBERS	SH 99	175	3510-10-017	1317
CHEROKEE	US 175	113	0198-04-034	8
CHEROKEE	US 175	115	0198-04-034	10
CHEROKEE	US 175	120	0198-04-034	14
CHEROKEE	US 175	140	0198-04-034	15
CHEROKEE	US 175	129	0198-04-034	16
CHEROKEE	US 175	164	0198-04-034	18
CHEROKEE	US 175	165	0198-04-034	20
CHEROKEE	US 175	136	0198-04-034	22
CHEROKEE	US 175	168	0198-04-034	24
CHEROKEE	US 175	170	0198-04-034	28
CHEROKEE	US 175	171	0198-04-034	30
CHEROKEE	US 175	128	0198-04-044	3
COLLIN	SH 5	60	0047-04-026	24,24E
COLLIN	SH 5	26	0047-04-026	39
COLLIN	SH 5	159	0047-04-026	123
COLLIN	SH 5	177	0047-04-026	126
COLLIN	SH 5	116	0047-04-026	134
COLLIN	SH 5	111	0047-04-026	146
COLLIN	SH 5	45	0047-04-026	149
COLLIN	SH 5	96	0047-04-026	161
COLLIN	SH 5	49	0047-04-026	163
COLLIN	SH 5	46	0047-04-026	165
COLLIN	SH 5	92	0047-04-026	166
COLLIN	SH 5	93	0047-04-026	168
COLLIN	SH 5	75	0047-04-026	170
COLLIN	SH 5	76	0047-04-026	187
COLLIN	SH 5	160	0047-04-026	188
COLLIN	SH 5	39	0047-04-026	189,189E
COLLIN	SH 5	169	0047-04-026	190

NON-CONTROLLED ACCESS (continued)

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
COLLIN	SH 5	38	0047-04-026	192
COLLIN	SH 5	117	0047-04-026	193
COLLIN	SH 5	77	0047-04-026	194
COLLIN	SH 5	64	0047-04-026	195
COLLIN	SH 5	40	0047-04-026	196
COLLIN	SH 5	63	0047-04-026	197
COLLIN	SH 5	44	0047-04-026	198
COLLIN	SH 5	47	0047-04-026	199
COLLIN	SH 5	48	0047-04-026	200,200E
COLLIN	SH 5	173	0047-04-026	206
COLLIN	SH 5	110	0047-04-026	208
COLLIN	SH 5	172	0047-04-026	209
COLLIN	SH 5	84	0047-04-026	210
COLLIN	SH 5	82	0047-04-026	214
COLLIN	SH 5	94	0047-04-026	215
COLLIN	SH 5	167	0047-04-026	216
COLLIN	SH 5	85	0047-04-026	217
COLLIN	SH 5	86	0047-04-026	218
COLLIN	SH 5	83	0047-04-026	219
COLLIN	SH 5	97	0047-04-026	220
COLLIN	SH 5	99	0047-04-026	221
COLLIN	SH 5	161	0047-04-026	222
COLLIN	SH 5	118	0047-04-026	223
COLLIN	SH 5	194	0047-04-026	240
COLLIN	SH 5	196	0047-04-026	241
COLLIN	SH 5	202	0047-04-026	258,258E
COLLIN	SH 5	162	0047-04-026	266
COLLIN	SH 5	61	0047-04-026	275
COLLIN	SH 5	62	0047-04-026	277
COLLIN	SH 5	65	0047-04-026	279
COLLIN	SH 5	163	0047-04-026	287
COLLIN	SH 5	178	0047-04-026	288
COLLIN	SH 5	66	0047-04-026	291
COLLIN	SH 5	78	0047-04-026	294
COLLIN	SH 5	119	0047-04-026	298
COLLIN	SH 5	199	0047-04-026	299
COLLIN	SH 5	67	0047-04-026	303
COLLIN	SH 5	95	0047-04-026	304
COLLIN	SH 205	34	0451-03-015	64
DALLAS	SH 78	228	0009-02-071	1
DALLAS	SH 78	229	0009-02-071	2
DALLAS	SH 78	230	0009-02-071	3
DALLAS	SH 78	231	0009-02-071	4
DALLAS	SH 78	232	0009-02-071	5
DALLAS	SH 78	233	0009-02-071	6
DALLAS	SH 78	234	0009-02-071	9

NON-CONTROLLED ACCESS (continued)

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
DALLAS	SL 9	89	2964-10-010	92,92E
DALLAS	SL 9	81	2964-10-011	161,161E
DALLAS	SL 9	90	2964-10-011	175
DENTON	US 377	121	0081-03-062	1
DENTON	US 377	122	0081-03-062	2
DENTON	US 377	8	0081-03-062	3
DENTON	US 377	9	0081-03-062	4
DENTON	US 377	123	0081-03-062	5
DENTON	US 377	28	0081-03-062	7
DENTON	US 377	124	0081-03-062	8
DENTON	US 377	125	0081-03-062	9
DENTON	US 377	137	0081-03-062	10
DENTON	US 377	138	0081-03-062	11
DENTON	US 377	30	0081-03-062	12
DENTON	US 377	255	0081-03-062	13
DENTON	US 377	139	0081-03-062	14
DENTON	US 377	221	0081-03-062	16
DENTON	US 377	37	0081-03-062	17
DENTON	US 377	54	0081-03-062	18
DENTON	US 377	69	0081-03-062	19
DENTON	US 377	222	0081-03-062	20
DENTON	US 377	251	0081-03-062	21
DENTON	US 377	252	0081-03-062	23
DENTON	US 377	10	0081-03-062	24
DENTON	US 377	70	0081-03-062	25
DENTON	US 377	253	0081-03-062	26
DENTON	US 377	11	0081-03-062	27
DENTON	US 377	254	0081-03-062	39
DENTON	US 377	12	0081-03-062	40
DENTON	US 377	88	0081-03-062	49
DENTON	US 377	98	0081-03-062	66
DENTON	US 377	101	0081-03-062	68
DENTON	US 377	13	0081-03-062	70
DENTON	US 377	14	0081-03-062	72
DENTON	US 377	108	0081-03-062	75
DENTON	US 377	107	0081-03-062	78
DENTON	US 377	105	0081-03-062	84
DENTON	US 377	103	0081-03-062	89
DENTON	US 377	102	0081-03-062	90
DENTON	US 377	100	0081-03-062	94
DENTON	US 380	68	0135-10-059	9
DENTON	US 380	25	0135-10-059	92
ECTOR	N SL 338	135	2224-01-103	1
ECTOR	N SL 338	176	2224-01-103	2
ECTOR	N SL 338	207	2224-01-103	3
ECTOR	N SL 338	218	2224-01-103	4

NON-CONTROLLED ACCESS (continued)

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
ELLIS	SL 9	79	2964-12-004	154,154E
FORT BEND	SH 36	239	0188-02-039	68
FORT BEND	FM 1463	187	0188-10-037	100
FORT BEND	FM 1463	166	0188-10-037	101
FORT BEND	FM 1463	104	0188-10-037	106
FORT BEND	FM 1463	184	0188-10-037	108
FORT BEND	FM 1463	205	0188-10-037	109
FORT BEND	FM 1463	185	0188-10-037	110
FORT BEND	FM 1463	186	0188-10-037	111
FORT BEND	FM 1463	206	0188-10-037	113
FORT BEND	FM 1463	215	0188-10-037	118
FORT BEND	FM 1463	188	0188-10-037	119
FORT BEND	FM 1463	189	0188-10-037	120
FORT BEND	FM 1463	190	0188-10-037	122
FORT BEND	FM 1463	183	0188-10-037	123
FORT BEND	FM 1463	192	0188-10-037	124
FORT BEND	FM 1463	193	0188-10-037	129
FORT BEND	FM 1463	195	0188-10-037	131
FORT BEND	FM 1463	197	0188-10-037	133
FORT BEND	FM 1463	198	0188-10-037	134
FORT BEND	FM 1463	200	0188-10-037	136
FORT BEND	FM 1463	201	0188-10-037	138
FORT BEND	FM 1463	216	0188-10-037	140
FORT BEND	FM 1463	203	0188-10-037	142
FORT BEND	FM 1463	204	0188-10-037	144
FORT BEND	FM 1463	224	0188-10-037	150
FORT BEND	FM 1463	223	0188-10-037	153
FORT BEND	FM 1463	225	0188-10-037	154
FORT BEND	FM 1463	132	0188-10-038	202
FORT BEND	FM 1463	133	0188-10-038	203
FORT BEND	FM 1463	134	0188-10-038	206
FORT BEND	FM 1463	220	0188-10-038	208
FORT BEND	FM 1463	179	0188-10-038	213
FORT BEND	FM 1463	174	0188-10-038	223
FORT BEND	FM 1463	214	0188-10-038	237
FORT BEND	FM 2218	181	2093-01-028	68
HARRIS	FM 1960	180	1685-01-104	13
HARRIS	FM 1960	114	1685-01-104	27
HARRIS	FM 1960	27	1685-01-104	30
HARRIS	FM 1960	208	1685-03-097	113
HARRIS	FM 1960	212	1685-03-097	115
HARRIS	FM 1960	209	1685-03-097	121
HARRIS	FM 1960	210	1685-03-097	122
HARRIS	FM 1960	248	1685-03-097	125
HARRIS	FM 1960	235	1685-03-097	138
HARRIS	FM 1960	240	1685-03-097	141

NON-CONTROLLED ACCESS (continued)

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
HARRIS	FM 1960	241	1685-03-097	154
HARRIS	FM 1960	106	1685-03-097	164
HARRIS	FM 1960	246	1685-03-097	173
HARRIS	FM 1960	250	1685-03-097	176
HARRIS	FM 1960	29	1685-03-101	200
HARRIS	SH 99	219	3187-01-012	16E
HARRIS	SH 99	249	3187-01-012	17E
KAUFMAN	US 175	109	0197-03-065	4,4E
LIBERTY	US 59	182	0177-03-100	22
LUBBOCK	FM 1585	1	1502-01-035	244A
LUBBOCK	FM 1585	2	1502-01-037	288
MCLENNAN	SH 6	238	0258-09-144	5
MCLENNAN	SH 6	237	0258-09-144	8
MCLENNAN	SH 6	236	0258-09-144	9
MONTGOMERY	FM 1488	217	0523-09-017	101
MONTGOMERY	FM 1488	242	0523-09-017	105
MONTGOMERY	SH 99	243	3510-07-008	870
RANDALL	SL 335	127	2635-03-019	5E,5EA
STARR	US 83	112	0038-06-048	1
STARR	US 83	130	0038-06-048	3
STARR	US 83	131	0038-06-048	7
STARR	US 83	213	0038-06-049	1
STARR	US 83	245	0038-06-049	5
TRAVIS	SH 71	191	0265-03-044	11
WOOD	US 69	87	0203-05-043	11

Note: Exhibits A - OOO and 1 - 257 are on file with the commission chief clerk.

ITEM 12. Routine Minute Orders and Reports

This item was presented by Executive Director James Bass. Commissioner Austin made a motion, which was seconded by Commissioner Ryan, and the commission approved the following minute orders by a vote of 4 - 0.

a. Donations to the Department

Various Districts - Consider the acknowledgment of donations with a value of \$500 or more, including donations of money, materials, services, or real property, that are made to the department for the purpose of assisting the department in carrying out its functions and duties or for improving access to or from a highway on the state highway system (see attached itemized list) (MO)

115517
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.

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.

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. Exhibit A lists donations resulting from a contract executed by the department under Transportation Code, §223.049 and other donations accepted under Transportation Code, §201.206.

The commission established the Sponsorship Acknowledgement Program under 43 TAC Chapter 12, Subchapter K. The program, which is authorized by the Federal Highway Administration in FHWA Order 5610.1A, allows the department to place signs acknowledging donations made to the department to fund transportation related services. Exhibit B lists donations made to the department under the Sponsorship Acknowledgement Program.

The executive director has determined that the donations identified in the attached Exhibits comply with the applicable provisions of 43 TAC §§1.500-1.506, 43 TAC §12.353, Government Code, Chapter 575 and Transportation Code, §201.206, §223.049 and §224.001, and has approved acceptance of those donations. All required donation agreements have been executed under 43 TAC §1.504 and §1.506, as applicable.

IT IS THEREFORE ORDERED by the commission that it acknowledges the acceptance of the donations identified in the attached Exhibits A and B.

Donations to the Department:

<u>Donor</u>	<u>DDO</u>	<u>County</u>	<u>Donation Description</u>
Berry Creek (Georgetown) ASLI IX, LLC	AUS	Williamson	Design and an amount sufficient to cover the State's cost to construct a median cross over, right turn deceleration lane, and dual left turn lanes, on SH 195 in Georgetown.
Eduardo Villalon	SAT	Bexar	Strength Training Power Cage & 300 lb. Olympic Weight for the TxDOT San Antonio Wellness Fitness Center.
FM 2979 Property Inc.	HOU	Waller	Design and construction of a right turn deceleration lane from east bound SH 6 into the donor's development in Hempstead.

<u>Donor</u>	<u>DDO</u>	<u>County</u>	<u>Donation Description</u>
HLH Development, LLC	SAT	Guadalupe	Design and construction for traffic signal modifications and intersection improvements to accommodate the addition of a right turn lane from Cordova Road to SH 123 in Seguin.
KB Home Lone Star Inc.	HOU	Fort Bend	Design and construction of a left turn from northbound FM 723 into the Deer Run Meadows development in Richmond.
Ladera I, LLC	SAT	Bexar	Design and construction of a traffic signal on SH 211 and Grosenbacher Road in San Antonio.
Lennar Homes of Texas Land Construction, LTD	AUS	Travis	Design and construction of traffic signal infrastructure to accommodate the addition of the 4th approach to the intersection (southbound approach) on US 290 at Red Elm Parkway, Elgin.
LGI Homes– Texas, LLC	SAT	Bexar	Design and construction of traffic signal and striping modifications on FM 1516 and Crestway Road in Converse.
Loop 360 Land, LP	AUS	Travis	Design and construction of an additional left turn lane, removal of existing crosswalk, installation of metal guard beam fence and concrete safety barrier, and traffic signal modifications, on SL 360 at W. Courtyard, in Austin.
Manvel Town Center, Ltd.	HOU	Brazoria	Design, right of way mapping, construction phase services and funds sufficient to cover the State's costs of intersection improvements on SH 288 at SH 6 in Manvel.
“Odessa Development Corporation”	ODA	Ector	Fixed amount of funds towards the State's cost of improvements consisting of constructing a new interchange at the intersection of Yukon and Loop 338 in Ector County.
“Odessa Development Corporation”	ODA	Ector	Fixed amount of funds towards the State's cost of improvements consisting of constructing a new interchange at the intersection of IH 20 and Faudree in Ector County.
Parsley Energy, Inc.	ADM	N/A	In-kind donation of a round-trip plane flight from Austin to Midland for a member of the Texas Transportation Commission.

<u>Donor</u>	<u>DDO</u>	<u>County</u>	<u>Donation Description</u>
Presidential Meadows Limited Partnership	AUS	Travis	Design and an amount sufficient to cover the State's cost to install a new signal head, signing, and pavement markings at the intersection of US 290 and George Bush St., in Manor.
QuikTrip Corporation	SAT	Bexar	Design and construction to add a fourth leg traffic signal improvement at the intersection of US 181 and S. Presa Road traffic signal in Bexar County.
Road Ranger, L.L.C.	ATL	Bowie	Reconstructing of existing shoulders, providing a 2" full-width overlay and restriping SH 8 to provide a left turn lane in Bowie County.
SH71-130 Holdings, L.P.	AUS	Travis	Design and construction of an acceleration and deceleration lanes along SH 71 and FM 973 including widening pavement and relocating sidewalk and lighting in Travis County.
Southstar at Vintage Oaks, LLC	SAT	Comal	Design and construction of a traffic signal on SH 46 at Vintage Way in Comal County.
Sports Clips, Inc.	AUS	Travis	Revenue generation through the Sponsor a Highway Program.
Sports Clips, Inc.	AUS	Williamson	Revenue generation through the Sponsor a Highway Program.
Kidd Roofing	AUS	Travis	Revenue generation through the Sponsor a Highway Program.
GJ Chavez & Associates, P.C.	DAL	Collin	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
PTS Enterprises, Inc.	DAL	Dallas	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
Total Men's Primary Care	DAL	Dallas	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
Republic Services, Inc.	DAL	Denton	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
PTS Enterprises, Inc.	DAL	Kaufman	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.

<u>Donor</u>	<u>DDO</u>	<u>County</u>	<u>Donation Description</u>
Buyers Barricades, Inc.	FTW	Tarrant	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
Moody National Bank	HOU	Galveston	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
Elite MMA – Baytown, LLC	HOU	Harris	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
Curazao Insurance Agency DBA Julian F Cordero	HOU	Harris	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
Texas Western Warehouse	SAT	Atascosa	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
Prestige Emergency Room, LLC	SAT	Bexar	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
Higdon, Hardy & Zuflacht, L.L.P. – Family Law	SAT	Bexar	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
Iron Cactus	SAT	Bexar	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
PAX Financial Group	SAT	Bexar	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
Simmonds Real Estate, Inc.	SAT	Bexar	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.

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

b. Real Estate Dispositions

(1) Caldwell County - SH 130 - Consider the release of an easement to the underlying fee owner, Commerce Park 183, LLC. Minute Order 115379, dated November 15, 2018, is rescinded by this minute order (MO)

115518
ROW

Near Mendoza, Caldwell County, on State Highway 130, the State of Texas acquired an easement interest in certain land by an instrument recorded in Volume 544, at Page 664, Deed Records of Caldwell County, Texas.

All or a portion of the easement encumbering the real property, described in Exhibit A (the tract), is no longer needed for a state highway purpose.

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (the commission) may release an easement interest no longer needed for a state highway purpose to the owner of the fee in the property.

Commerce Park 183, LLC is the owner of the fee interest in the property and has requested to purchase the easement interest for \$8,265.

The commission finds \$8,265 to be a fair and reasonable value of the state's right, title, and interest in the easement interest.

IT IS THEREFORE ORDERED by the commission that the easement interest in the tract, described in Exhibit A, is no longer needed for a state highway purpose. The commission authorizes the executive director of the department to execute a proper instrument conveying all of the state's right, title, and interest in the easement interest to Commerce Park 183, LLC for \$8,265.

IT IS FURTHER ORDERED by the commission that Minute Order 115379, dated November 15, 2018, is rescinded and replaced by this order.

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

(2) Dallas County - US 75 - Consider the quitclaim of the state's interest including mineral rights, if any, to comply with a reversionary clause contained in the instrument that originally conveyed the interest to the state (MO)

115519
ROW

In Dallas County, on US 75, the state of Texas acquired certain land for highway purposes by instrument recorded in Volume 2408, at Page 452, Deed Records of Dallas County, Texas.

The land described in Exhibit A (the tract), is no longer needed for a state highway purpose.

The instrument conveying the tract to the state contained a clause to the effect that if the state abandons the use of the premises as a park, the property shall revert to the grantor.

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (the commission) may recommend the quitclaim of the state's interest to comply with a reversionary clause contained in the instrument that originally conveyed the interest to the state.

Devereaux Smith, has requested that the tract be quitclaimed to honor the reversionary clause.

The commission finds that it is proper and correct that the state quitclaims its right, title, and interest in the tract to comply with the reversionary clause contained in the instrument of conveyance to the state.

IT IS THEREFORE ORDERED by the commission that the tract 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 the state's right, title, and interest in the tract to Devereaux Smith.

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

(3) Denton County - I-35 - Consider the sale of right of way to the Town of Northlake (MO)

115520
ROW

In the Town of Northlake, Denton County, on IH 35, the State of Texas acquired certain land for highway purposes by an instrument recorded in Volume 516, at Page 236, Deed Records of Denton County, Texas.

All or a portion of the land, described in Exhibit A (the tract), is no longer needed for a state highway purpose.

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

The Town of Northlake is a governmental entity with the authority to condemn the tract and has requested to purchase the tract for \$66,258.

The commission finds \$66,258 to be a fair and reasonable value of the state's right, title, and interest in the tract.

IT IS THEREFORE ORDERED by the commission that the tract 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 the tract to the Town of Northlake for \$66,258; SAVE AND EXCEPT, however, there is to be excepted and reserved therefrom 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.

(4) Lubbock County - US 87 - Consider the release of an easement to the underlying fee owners Kubie Properties, LLC, Castle One Properties, LLC, Castle Two Investments, LLC, William W. Choate, Becky White, Joanna Jones, Connie Choate, and Karen Choate (MO)

115521
ROW

In Lubbock County, on US 87, the State of Texas acquired an easement interest in certain land by an instrument recorded in Volume 1089, at Page 415, Deed Records of Lubbock County, Texas.

All or a portion of the easement encumbering the real property, described in Exhibit A (the tract), is no longer needed for a state highway purpose.

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (the commission) may release an easement interest no longer needed for a state highway purpose to the owner of the fee in the property.

Kubie Properties, LLC, Castle One Properties, LLC, Castle Two Investments, LLC, William W. Choate, Becky White, Joanna Jones, Connie Choate, and Karen Choate are the owners of the fee interest in the property and have requested to purchase the easement interest for \$5,000.

The commission finds \$5,000 to be a fair and reasonable value of the state's right, title, and interest in the easement interest.

IT IS THEREFORE ORDERED by the commission that the easement interest in the tract, described in Exhibit A, is no longer needed for a state highway purpose. The commission authorizes the executive director of the department to execute a proper instrument conveying all of the state's right, title, and interest in the easement interest to Kubie Properties, LLC, Castle One Properties, LLC, Castle Two Investments, LLC, William W. Choate, Becky White, Joanna Jones, Connie Choate, and Karen Choate for \$5,000.

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

(5) Potter County - US 287 - Consider the sale of right of way to an abutting landowner (MO)

115522
ROW

In Amarillo, Potter County, on US 287, the State of Texas acquired certain land for highway purposes by an instrument recorded in Volume 849, at Page 333, Deed Records of Potter County, Texas.

All or a portion of the land, described in Exhibit A (the tract), is no longer needed for a state highway purpose.

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

Mustard Hill, LLC is an abutting landowner and has requested to purchase the tract for \$8,500.

The commission finds \$8,500 to be a fair and reasonable value of the state's right, title, and interest in the tract.

IT IS THEREFORE ORDERED by the commission that the tract is no longer needed for a state highway purpose. The commission authorizes the executive director of the department to execute a proper instrument conveying all of the state's right, title, and interest in the tract to Mustard Hill, LLC for \$8,500; SAVE AND EXCEPT, however, there is to be excepted and reserved therefrom 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.

(6) Randall County - SS 48 - Consider the removal from the system, transfer of jurisdiction, control, and maintenance, and the transfer of right of way to the City of Canyon (MO)

115523
ROW

In the City of Canyon, Randall County, on SS 48, the State of Texas acquired certain land for highway purposes by instruments recorded in Volume 295, at Pages 507, 510, 513, 516, and 519, Deed Records of Randall County, Texas.

All or a portion of the land, described in Exhibit A (the tract), is no longer needed for a state highway purpose.

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (the commission) may recommend the transfer of highway right of way to a governmental entity that is assuming or has assumed jurisdiction, control, and maintenance of the right of way for public road purposes. If, in the future, the tract is no longer used for public road purposes, the tract shall immediately and automatically revert to the State of Texas.

The City of Canyon is assuming or has assumed jurisdiction, control, and maintenance and has requested that the tract be transferred to the city.

IT IS THEREFORE ORDERED by the commission that the tract 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 the tract to the City of Canyon; SAVE AND EXCEPT, however, there is to be excepted and reserved therefrom 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.

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

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

(7) Red River County - FM 37 - Consider the sale of right of way to an abutting landowner (MO)

115524
ROW

In Red River County, on FM 37, the State of Texas acquired certain land for highway purposes by instruments recorded in Volume 183, at Pages 205 and 209, Deed Records of Red River County, Texas.

A portion of the land, described in Exhibit A (the tract), is no longer needed for a state highway purpose.

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

Deborah L. Winford is an abutting landowner and has requested to purchase the tract for \$1,500.

The commission finds \$1,500 to be a fair and reasonable value of the state's right, title, and interest in the tract.

IT IS THEREFORE ORDERED by the commission that the tract is no longer needed for a state highway purpose. The commission authorizes the executive director of the department to execute a proper instrument conveying all of the state's right, title, and interest in the tract to Deborah L. Winford for \$1,500; SAVE AND EXCEPT, however, there is to be excepted and reserved therefrom 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

(1) Compliance Division report

Note: Confidential report to commission.

(2) Environmental Report

Consider the acceptance of the report on projects being processed under the department's environmental review process (Report)

Note: The Report is on file with the commission chief clerk.

(3) Environmental Hearing Report

Consider the acceptance of the Environmental Impact Statement Positive, Negative, or Neutral Public Comments Report for the May 2018 public hearing US 290/SH 71 (Oak Hill Parkway) from State Loop 1 (MoPac) to west of Ranch-to-Market Road (RM) 1826 and from US 290 to Silvermine Drive (Report)

Note: The Report is on file with the commission chief clerk.

d. Highway Designation

Travis County - In the city of Austin, consider designating Ranch to Market Spur 620 (RS 620) on a new location on the state highway system (MO)

115525
TPP

The Austin District, Travis County and the City of Austin have requested the designation of Ranch-to-Market Spur 620 (RS 620) on a new location on the state highway system from RM 620 eastward to RM 2222, a distance of approximately 0.5 mile.

Pursuant to Texas Transportation Code, §§201.103 and 221.001, the executive director of the Texas Department of Transportation has recommended this action.

The Texas Transportation Commission (commission) finds that this action will facilitate the flow of traffic, promote public safety, and maintain continuity of the state highway system and is necessary for the proper development and operation of the system.

IT IS THEREFORE ORDERED by the commission that RS 620 is designated on a new location on the state highway system from RM 620 eastward to RM 2222, a distance of approximately 0.5 mile.

e. Designation of Access Control

(1) Chambers County - SH 99, just east of the city of Baytown - Consider the designation of one location on the west side of SH 99 at which access will be permitted to the abutting property (MO)

115526
DES

In CHAMBERS COUNTY, on SH 99, a designated controlled-access highway, the State of Texas acquired certain land for highway purposes pursuant to the Donation Deed, dated June 9, 2003 and July 11, 2003 and recorded in pages 03 650 348 to 03 650 400 of the Official Public Records of Chambers County, Texas with denial of access to the abutting remainder property as described in the instruments.

TGS Cedar Port Partners, L.P., the current owner of the abutting property, has requested the removal of access denial at one location along the west side of SH 99 described in Exhibit A.

Transportation Code, §201.103, empowers the Texas Transportation Commission (commission) to plan and make policies for the location, construction, and maintenance of a comprehensive system of state highways and public roads.

Transportation Code, §203.002 authorizes the commission to layout, construct, maintain, and operate a modern state highway system, with an emphasis on the construction of controlled-access highways.

Transportation Code, §203.031 authorizes the commission to designate locations on a controlled-access highway at which access to or from the highway is permitted and determine the type and extent of access permitted at each location.

NOW, THEREFORE, the commission finds that the removal of access denial will not compromise the mobility, safety or operation of the existing state highway facilities, and designates the removal of access denial described in Exhibit A as a location where ingress and egress may be permitted to and from SH 99.

IT IS FURTHER ORDERED by the commission that the executive director or his designee is hereby authorized to execute any necessary documents containing terms consistent with the provisions of this order.

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

(2) Travis County - SH 130, in the city of Pflugerville - Consider the designation of one location on the SH 130 northbound frontage road at which access will be permitted to the abutting property (MO)

115527
DES

In TRAVIS COUNTY, on SH 130, a designated controlled-access highway, the State of Texas acquired certain land for highway purposes pursuant to the Agreed Judgement recorded under Document No. 2005216838 (pages 1 through 27) of the Official Public Records of Travis County, Texas with denial of access to the abutting remainder property as described in the instrument.

Pecan Street Estates, Ltd., the current owner of the abutting property, has requested the removal of access denial at one location along the northbound frontage road of SH 130 described in Exhibit A.

Transportation Code, §201.103, empowers the Texas Transportation Commission (commission) to plan and make policies for the location, construction, and maintenance of a comprehensive system of state highways and public roads.

Transportation Code, §203.002 authorizes the commission to layout, construct, maintain, and operate a modern state highway system, with an emphasis on the construction of controlled-access highways.

Transportation Code, §203.031 authorizes the commission to designate locations on a controlled-access highway at which access to or from the highway is permitted and determine the type and extent of access permitted at each location.

NOW, THEREFORE, the commission finds that the removal of access denial will not compromise the mobility, safety or operation of the existing state highway facilities, and designates the removal of access denial described in Exhibit A as a location where ingress and egress may be permitted to and from the northbound frontage road of SH 130.

IT IS FURTHER ORDERED by the commission that the executive director or his designee is hereby authorized to execute any necessary documents containing terms consistent with the provisions of this order.

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

f. Speed Zones

Various Counties - Consider the establishment or alteration of regulatory and construction speed zones on various sections of highways in the state (MO)

115528
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 13. 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.

The commission received no further comments.

Commissioner Austin motioned adjournment and Commissioner Ryan seconded the motion. The commission voted 4 - 0 to adjourn. The regular meeting of the Texas Transportation Commission was adjourned at 11:00 a.m.

APPROVED by the Texas Transportation Commission on July 25, 2019:



J. Bruce Bugg, Jr., Chairman
Texas Transportation Commission

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 June 27, 2019, in Austin, Texas.



Robin Carter, Commission Chief Clerk
Texas Department of Transportation