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AGENDA

TEXAS TRANSPORTATION COMMISSION

125 East 11th Street
Austin, Texas 78701-2483

THURSDAY
January 31, 2013

9:00 A.M. CONVENE MEETING

1. **Safety Briefing (A/V)**

Staff will provide general safety instruction.

2. **Approval of Minutes** of the December 13, 2012, meeting of the Texas Transportation Commission (A/V)

3. **Appointments (A/V)**

113421

a. **Freight Advisory Committee**

Create the Freight Advisory Committee and appoint members of the committee (MO)

This minute order creates the Freight Advisory Committee (committee) and appoints the members of the committee. The committee will serve as a forum for discussion regarding transportation decisions affecting freight mobility and promote the sharing of information between public and private stakeholders on freight issues.

113422

b. **I-69 Corridor Advisory Committee**

Appoint members to the I-69 Corridor Advisory Committee (MO)

The commission created the I-69 Corridor Advisory Committee (committee) in March 2008. The purpose of the committee is to facilitate and achieve support and consensus from affected communities, governmental entities, and other interested parties in the planning of transportation improvements in the I-69 corridor and in the establishment of development plans for that corridor. This minute order re-appoints numerous members of the committee, replaces members that have asked to be removed and adds an additional member that will represent the Laredo area.

113423

c. **Lone Star Rail District**

Appoint a public member to the board of directors of the Lone Star Rail District (MO)

The Lone Star Rail District is governed by a board of directors, which is responsible for the management, operations and control of the district. State law provides that the commission shall appoint two public members to the board of directors. This minute order approves the appointment of a public member to the board for a two-year term beginning February 2013.

- 113424 3. **Appointments (continued)**
 d. **Port Authority Advisory Committee**
 Appoint one member to the Port Authority Advisory Committee (MO)
State law requires the commission to appoint a seven-member Port Authority Advisory Committee to advise the commission and the department on port issues and to provide a forum for the exchange of information between the commission, the department, and committee members representing the Texas port system. The representative from the Port of Freeport has resigned.
- 113425 4. **Aviation (A/V)**
Various Counties - Award federal and state grant funding for airport improvement projects at various locations (MO)
Federal law authorizes the award of federal funding to preserve and improve the state's general aviation system. State law authorizes the award of state funding for capital improvement projects. The airports listed in Exhibit A are eligible for award of these grant funds and the department seeks approval of the awards.
- 113426 5. **Public Transportation (A/V)**
Various Counties - Award federal §5310 funds, Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program, and award transportation development credits for FY 2013 (MO)
The awards identified in this minute order reflect the allocation of federal grant funds from the Federal Transit Administration §5310, Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program, to various public transportation providers. Transportation development credits are awarded to various transportation agencies to assist with the match of federal funds for capital projects.
- 113427 6. **Comprehensive Development Agreement (A/V)**
Tarrant and Dallas Counties - Authorize the executive director of the department to issue a request for qualifications for the development, design, construction, financing, maintenance and operation of all or part of the SH 183 Managed Lanes Project, comprised of improvements to SH 183 from SH 121 to I-35E, and additional facilities necessary for connectivity and financing purposes, subject to the enactment of legislation authorizing the department to enter into a comprehensive development agreement for those additional connecting facilities, and subject to the North Texas Tollway Authority's (NTTA) election to waive or decline to exercise its option to develop, finance, construct, and operate those additional connecting facilities (MO)
Transportation Code Section 223.201 authorizes the department to enter into a comprehensive development agreement on the SH 183 Managed Lanes Project. The state will benefit from issuance of an RFQ for the SH 183 Managed Lanes Project as soon as possible after compliance with all legal requirements associated with that action.

- 113428 7. **Pass Through Toll Program (A/V)**
Montgomery County - Approve an amendment to the original pass-through toll agreement with Montgomery County that reduces the county's obligation to reinvest a minimum of \$76 million in pass-through toll reimbursements into future transportation projects (MO)
The department and Montgomery County (county) executed a Pass-Through Toll Agreement (agreement) in 2005 for the construction of improvements to FM 1484, FM 1485, FM 1488, and FM 1314, and construction of direct connectors from SH 242 to I-45. The agreement provided that \$76 million of the total reimbursement of pass-through toll payments by the department would be placed into an escrow account to be used for future transportation projects in the county. Because of higher than expected construction costs, the county needs use of an additional \$20 million in reimbursements to complete the SH 242 to I-45 direct connector project and requests that the reimbursements allocated to escrow be reduced by that amount. The amendment will not increase the total of department funds to be paid under the agreement.
- 113429 8. **Toll Roads (A/V)**
a. **Various Counties** - Consider the approval of the department's determination to exercise its option to develop, construct, finance and operate the portion of SH 99 (Grand Parkway) in Liberty County, authorize Segments H, I-1, and I-2 of Grand Parkway, in Harris, Montgomery, Liberty, and Chambers Counties, with DEVELOP authority; and authorize the Grand Parkway Transportation Corporation (GPTC) to finance any pre-development costs up to \$300 million and enter into or assume any agreements related to the pre-development costs being financed on any future segments (MO)
On December 18, 2012, the Liberty County Commissioners Court rescinded its September 22, 2009 action to exercise Liberty County's option to develop, construct, and operate the portion of the Grand Parkway project in Liberty County. Pursuant to Transportation Code, §373.055, the Liberty County Commissioners Court further waived and declined to exercise Liberty County's option to develop, construct, finance and operate the portion of the Grand Parkway project in Liberty County. As a result, the department has 60 days after that date to decide whether it will exercise its option to develop, construct, finance and operate that project, pursuant to Transportation Code §373.053. The state will benefit from the development of Segments H, I-1 and I-2 and the payment of pre-development costs by GPTC relating to any future segments of the Grand Parkway.
- 113430 b. **Travis County** - Authorize the department to enter into an agreement with the Central Texas Regional Mobility Authority for the development, construction, operation, and maintenance of the MoPac Improvement Project, an 11.2 mile project to add one express, variable tolled lane in each direction between FM 734 (Parmer Lane) and Cesar Chavez Street in Travis County, and approve the connection of the MoPac Improvement Project with a segment of the state highway system (MO)
The commission previously approved the CTRMA's request for financial assistance for the development and construction of the MoPac Improvement Project. Under Transportation Code, §370.187 and 43 TAC 26.31 et seq., a regional mobility authority must request commission approval of a transportation project that will connect to the state highway system or to a department rail facility. Under 43 TAC §11.58, a public or private entity may not connect a regionally significant highway to a segment of the state highway system without the approval of the commission.

- 113431 8. **Toll Roads (continued)**
- c. **Travis and Williamson Counties** - Establish temporary toll rate tables on SH 130, Segments 1-4 and SH 45 Southeast to charge the two-axle rate for all vehicles, regardless of classification **(MO)**
This minute order authorizes temporary toll rates during the winter season for Segments 1-4 of SH 130 and SH 45 SE. All truck toll rates will be the same as passenger car toll rates from February 4, 2013 through March 3, 2013 for main lane and ramp plazas. The intent of this minute order is to encourage greater through trips of trucks on the toll roads during this traditionally lower usage period. The rates will revert back to existing rates on March 4, 2013.
- 113432 9. **Promulgation of Administrative Rules** Under Title 43, Texas Administrative Code, and the Administrative Procedure Act, Government Code, Chapter 2001: **(A/V)**
- a. **Final Adoption**
- (1) **Chapter 9 - Contract and Grant Management (MO)**
 Repeal of §§9.30-9.43, and New §§9.30-9.39 (Contracting for Architectural, Engineering, and Surveying Services)
The new sections reorganize the current rules and remove information deemed to be overly prescriptive. In addition, two new provider selection processes are established. The federal process will target provider selection requirements for engineering and design related contracts reimbursed with federal-aid highway program funds to aid the department in ensuring compliance with these requirements. The small contract process will benefit the small business community by providing a simpler, more expeditious method by which to compete for architectural, engineering, and surveying contracts of limited scope and dollar value.
- 113433 (2) **Chapter 12 - Public Donation and Participation Program (MO)**
 New Subchapter K, Acknowledgment Program, New §§12.351-12.355
This new subchapter establishes the provisions for a state Acknowledgment Program. This program will allow the department to acknowledge donations for certain transportation purposes such as mowing the right of way, litter pick-up, and maintenance of rest areas with federally approved acknowledgment signs in the state right of way. These new provisions prescribe the policies and procedures for implementing the Acknowledgment Program and allow the department to contract for its development.
- b. **Proposed Adoption**
- 113434 (1) **Chapter 1 - Management (MO)**
 Amendments to §1.85, Department Advisory Committees (Advisory Committees)
The proposed amendments to §1.85 create a freight advisory committee, which will serve as a forum for discussion regarding transportation decisions affecting freight mobility and promote the sharing of information between the public and private sectors on freight issues.
- 113435 (2) **Chapter 2 - Environmental Review of Transportation Projects (MO)**
 Amendments to §2.12, Project Coordination (General Provisions) and §2.103, Public Participation for an Environmental Impact Statement or Supplemental Environmental Impact Statement (Public Participation)
The adoption of new memoranda of understanding with the Parks and Wildlife Department, Historical Commission, and Commission on Environmental Quality has resulted in a reorganization of Chapter 2 of the commission's rules. These amendments merely change references in Chapter 2 to accurately cite the new provisions.

9. **Promulgation of Administrative Rules (continued)**b. **Proposed Adoption (continued)**

113436

- (3) **Chapter 2 - Environmental Review of Transportation Project (MO)**
 Repeal of §2.21, Purpose, and §2.22, Memorandum of Understanding with the Texas Parks and Wildlife Department; and New Subchapter G, Memorandum of Understanding with the Texas Parks and Wildlife Department, New §§2.201-2.214

Transportation Code, §201.607, requires the department to enter into a memorandum of understanding with each state agency that is responsible for the protection of the natural environment or for the preservation of historical or archeological resources. This updated agreement concerns the department's coordination of certain transportation projects with the Texas Parks and Wildlife Department. The agreement must be updated every five years. The changes would make the coordination process more efficient.

113437

- (4) **Chapter 2 - Environmental Review of Transportation Project (MO)**
 Repeal of §2.24, Memorandum of Understanding with the Texas Historical Commission; and New Subchapter H, Memorandum of Understanding with the Texas Historical Commission, New §§2.251-2.278

Transportation Code, §201.607, requires the department to enter into a memorandum of understanding with each state agency that is responsible for the protection of the natural environment or for the preservation of historical or archeological resources. This updated agreement concerns the department's coordination of certain transportation projects with the Texas Historical Commission. The agreement must be updated every five years. The changes would make the coordination process more efficient.

113438

- (5) **Chapter 2 - Environmental Review of Transportation Project (MO)**
 Repeal of §2.23, Memorandum of Understanding with the Texas Natural Resource Conservation Commission; and New Subchapter I, Memorandum of Understanding with the Texas Commission on Environmental Quality, New §§2.301-2.308

Transportation Code, §201.607, requires the department to enter into a memorandum of understanding with each state agency that is responsible for the protection of the natural environment or for the preservation of historical or archeological resources. This updated agreement concerns the department's coordination of certain transportation projects with the Texas Commission on Environmental Quality. The agreement must be updated every five years. The changes would make the coordination process more efficient.

113439

- (6) **Chapter 7 - Railroad Facilities (MO)**

Amendments to §7.31, Safety Requirements (Rail Safety)

As a result of the department's review of its rules outdated references to some laws were discovered. The changes merely update and consolidate the references to reflect current law.

113440

c. **Rule Review**

In accordance with Government Code, §2001.039, Readoption of Title 43 Texas Administrative Code Chapter 2, Environmental Review of Transportation Projects, and Chapter 7, Rail Facilities (MO)

State law requires a state agency to review each of its rules every four years. After the review, the agency must readopt the rule, readopt the rule with amendments, or repeal the rule. The department reviews its rules on a rotating basis.

10. **Office of Compliance and Ethics Report (Report) (A/V)**

State law requires the commission to establish a compliance program, which must include a compliance office to oversee the program. The compliance office is responsible for acting to prevent and detect serious breaches of department policy, fraud, waste, and abuse of office, including any acts of criminal conduct within the department. The compliance office is required to provide a monthly report to the commission regarding investigations and a summary of information relating to trends and recommendations.

11. **Finance**

113441

a. **Central Texas Turnpike System Revenue Bonds (A/V)**

Approve the Seventh Supplemental Indenture authorizing the issuance of one or more series of Central Texas Turnpike System (CTTS) Revenue Refunding Bonds to refund all or any portion of outstanding bonds to achieve a net present value debt service savings of at least 3 percent of the CTTS Revenue Bonds being refunded; approve the official statement, bond purchase contract, escrow agreement and other documents relating to any issuance of refunding bonds and authorize the chief financial officer and other designated department representatives to take all actions necessary to effectuate any refunding and to deliver one or more series of CTTS Revenue Refunding Bonds; and approve application to the Texas Bond Review Board for exemption from approval or approval to issue such refunding bonds (MO)

This action provides final authorization for the chief financial officer and other designated department officials to move forward with the issuance of one or more series of CTTS Revenue Refunding Bonds to refund all or any portion of outstanding bonds to achieve a net present value debt service savings of at least 3 percent of the bonds refunded, approve the official statement, bond purchase contract, escrow agreement and other documents relating to any issuance of refunding bonds, authorize the chief financial officer and other designated department representatives to take all actions necessary to effectuate any refunding and to deliver one or more series of CTTS Revenue Refunding Bonds; and approve application to the Texas Bond Review Board for exemption from approval or approval to issue such refunding bonds.

113442

b. **State Highway Fund Revenue Bonds**

Approve an amended and restated Sixth Supplemental Resolution authorizing the issuance of new money and refunding obligations of the State Highway Fund in one or more series; approve documents relating to the issuance of such obligations and the refunding of certain outstanding State Highway Fund revenue bonds, including official statements, bond purchase contracts, and escrow agreements; designating certain department officials to take all action necessary to deliver the obligations; and approve application to the Texas Bond Review Board for authority to issue such obligations (MO)

This action provides final authorization for the chief financial officer and other designated department officials to move forward with the issuance and delivery of State Highway Fund revenue obligations in one or more series for new money and refunding purposes, as authorized under Transportation Code, Section 222.003, and Government Code, Chapters 1207 and 1371. Any series of refunding obligations must achieve a net present value debt service savings of at least 3% of the bonds refunded, provide for the refinancing of outstanding variable rate bonds, or both.

- 113443 11. **Finance (continued)**
- c. **Texas Mobility Fund Obligations**
 Approve an amended and restated Ninth Supplemental Resolution authorizing the issuance of new money and refunding obligations of the Texas Mobility Fund in one or more series; approve documents relating to the issuance of such obligations and the refunding of certain outstanding Texas Mobility Fund revenue bonds, including official statements, purchase contracts, and escrow agreements; designating certain department officials to take all action necessary to deliver the bonds; and approve application to the Texas Bond Review Board, if necessary, for authority to issue such bonds (MO)
This action provides final authorization for the chief financial officer and other designated department officials to move forward with the issuance and delivery of Texas Mobility Fund obligations in one or more series for new money and refunding purposes as authorized under Article III, Section 49-k of the Texas Constitution, Chapter 201 Subchapter M, of the Texas Transportation Code and Chapters 1207 and 1371 of the Texas Government Code. Any series of refunding obligations must achieve a net present value debt service savings of at least 3% of the bonds refunded, provide for the refinancing of variable rate bonds, or both.
- 113444 12. **Unified Transportation Program (UTP) (A/V)**
 Approve updates to the 2013 UTP (MO)
The UTP is a 10 year statewide plan for transportation project development. This minute order updates funding allocations based on funds transfer requests and the allocation of fiscal year 2013 federal funds and the SH 130 concession payment. In addition, this minute order updates project specific program lists, provides programming authority for recent increases in the Strategy 111 Consultant budget, incorporates information regarding transportation development credits, and includes minor revisions and technical corrections.
- 113445 13. **Contracts (A/V)**
 Award or reject contracts for maintenance, highway and building construction
These proposed minute orders contain information concerning the receipt of bids for highway improvement contracts. The department may reschedule receipt of bids for those projects where the commission rejects all bids. Those bids accepted by the commission will result in conditional contract awards to the low bidders. Contract award conditions may involve securing funding from other sources, the contractor's ability to satisfy federal DBE subcontracting requirements, or other requirements as outlined in the project bid proposal.
- 113446 a. **Highway Maintenance and Department Building Construction**
 (see attached itemized list) (MO)
- b. **Highway and Transportation Enhancement Building Construction**
 (see attached itemized list) (MO)

- 113447 14. **Eminent Domain Proceedings (A/V)**
Various Counties - Authorize the filing of condemnation proceedings to acquire real property by eminent domain for non-controlled and controlled access highways (see attached list) (MO)
Commission findings, determinations, and authorizations for the state, by motion made in accordance with Senate Bill 18 (82nd Legislature), to acquire by eminent domain, upon the payment of adequate and just compensation, various ownership interests in specific parcels of real property that are needed to develop or improve both non-controlled and controlled access state highways, to include requesting the state attorney general to bring and pursue condemnation suits relating to those specific parcels of real property described in the attached itemized list.
15. **Routine Minute Orders (A/V)**
- a. **Donations to the Department**
- 113448 (1) **Traffic Operations Division** - Consider a donation from the American Traffic Safety Services Association (ATSSA) for department employee's travel expenses to attend the 42nd Annual Convention and Traffic Expo in San Diego, California on February 23 - 26, 2013 (MO)
Participation at the convention will allow the department the opportunity to discuss traffic safety issues and solutions with other state department of transportation representatives.
- 113449 (2) **Abilene District** - Consider a donation from Walmart, for the design and construction of road modifications to create a thru-lane through intersection at SH 350 and Cogdell Boulevard and curb for a right-turn construction as part of the proposed Walmart in Snyder, Texas (MO)
The donation will ensure the safety of the traveling public to and from donor's facility.
- 113450 (3) **Austin District** - Consider a donation from Walmart Stores, Inc., for the design and installation of a traffic signal on RM 1431 at Market Street for the proposed new Walmart Store in Cedar Park (MO)
The donation will ensure the safety of the traveling public to and from donor's facility.
- 113451 (4) **Beaumont District** - Consider a donation from First Baptist Church of Beaumont, for the ROW, design and construction of a proposed access driveway located on the west right of way abutting FM 364 approximately 447 feet South of Folsom Drive and drainage improvements within the department's roadside ditch on the north side of FM 364 near Folsom Drive in Beaumont at the future development of the donor (MO)
The donation will ensure the safety of the traveling public to and from donor's facility.
- 113452 (5) **Beaumont District** - Consider a donation from Eastland Ventures, LLC, for the design and construction of a crossover, an acceleration merge lane and a deceleration turn lane centered at the access point of the donor's facility between the ROW of SH 124 and SH 73 in Jefferson County (MO)
The donation will ensure the safety of the traveling public to and from donor's facility.
- 113453 (6) **Bryan District** - Consider a donation from Brazos Texas Land Development, LLC for the design and construction of right turn deceleration lanes and raised islands from the SH 6 southbound frontage road and from eastbound SH 40 to the proposed entrances to the Caprock Crossing development (MO)
The donation will ensure the safety of the traveling public to and from donor's facility.

15. **Routine Minute Orders (continued)**a. **Donations to the Department (continued)**

- DEFER (7) **Houston District** - Consider a donation from HEB Grocery Company, LP, for the design and construction of a widening of SL 336 to four lanes, including a continuous left turn lane along SL 336 to the donor's facility at the White Oak Market Commercial site development in Harris County (MO)
The donation will ensure the safety of the traveling public to and from donor's facility.
- 113454 (8) **San Antonio District** - Consider a donation from Casey Development, LTD, for the design, construction and installation of a north to south median turnaround and traffic signal on US 281 in San Antonio, Texas (MO)
The donation will facilitate safe and orderly access of traffic to and from the donor's development.
- 113455 (9) **San Antonio District** - Consider a donation from Estates at Stone Crossing, Ltd., a Texas Limited Partnership, for the design and construction of a left turn lane, right turn lane, and traffic signals on LP 337 in Comal County for a new mixed use development (MO)
The donation will ensure the safety of the traveling public to and from donor's facility.
- 113456 (10) **San Antonio District** - Consider a donation from Davis Equity, Inc., for the design and construction of left turn lanes, right turn lanes, and traffic signals on SH 46 in Kendall County for a new mixed use development (MO)
The donation will ensure the safety of the traveling public to and from donor's facility.
- 113457 (11) **San Antonio District** - Consider a donation from HK LaVernia Associates, Ltd., for the design and construction of right turn lanes at various locations on US 87 and FM 1346 in Wilson County for a new commercial development (MO)
The donation will ensure the safety of the traveling public to and from donor's facility.
- 113458 (12) **San Antonio District** - Consider a donation from Hughes Family Farms, Ltd., for the design and construction of right turn lane on US 181 in Wilson County for a new commercial development (MO)
The donation will ensure the safety of the traveling public to and from donor's facility.
- 113459 (13) **San Antonio District** - Consider a donation from Newcombe Development, LLC, for the design and construction of left turn and right turn lanes on FM 1863 in Comal County for a new residential subdivision development (MO)
The donation will ensure the safety of the traveling public to and from donor's facility.
- 113460 (14) **San Antonio District** - Consider a donation from Saint Joseph's Catholic Church, for the design and construction of a left turn lane on SH 46 in Comal County for a new Church development (MO)
The donation will ensure the safety of the traveling public to and from donor's facility.

15. **Routine Minute Orders (continued)**a. **Donations to the Department (continued)**

- 113461 (15) **Yoakum District** - Consider a donation from Walmart Real Estate Business Trust, for the design, construction and a set of construction plans to improve the safety associated with two (2) proposed signal installation on BUS 71 at the intersection of FM 609 and the proposed Walmart driveway in LaGrange, Texas within the department's right-of-way (MO)
The donation will enable the State to address safety concerns and access issues related to the donor's development.

b. **Right of Way Dispositions and Donations**

- 113462 (1) **Bexar County** - I-37 at Market Street in San Antonio - Consider the transfer of surplus right of way to the city (MO)
The city proposes several measures to enhance transportation infrastructure and promote tourism with expansion of the convention center. In the first phase of the project, the city proposes to replace a south-bound exit ramp and relocate Market Street as a feeder road. The city will assume jurisdiction, control and maintenance of the surplus land, and it will remain in use for public road purposes.
- 113463 (2) **Burnet County** - RM 2342 at FM 1431 east of Kingsland - Consider the sale of a surplus drainage easement (MO)
The district has advised that an alternate drainage plan has been implemented by the developer of the property. The district has advised that the surplus easement is no longer needed for highway purposes, and it may be sold to the fee owner of the property.
- 113464 (3) **Calhoun County** - SH 35 east of Point Comfort - Consider the sale of a surplus easement (MO)
The surplus easement was the original acquisition for a roadside park. The park has been closed, and the district recommends that the surplus easement be sold to the fee owner of the property.
- 113465 (4) **Dallas County** - I-20 at Honeysuckle Lane in Dallas - Consider the sale of surplus right of way to the abutting landowner (MO)
A new frontage road was built, and the old access road was removed, creating surplus land. The district has determined that the land on the old alignment is no longer needed for highway purposes. The abutting landowner has requested to purchase the surplus land, and it may be sold to the abutting landowner.
- 113466 (5) **Lubbock County** - I-27 at 19th Street in Lubbock - Consider the sale of surplus right of way to the abutting landowner (MO)
The right of way at this location includes a portion of a closed city street that the city quitclaimed to the state. The district has determined that the land has never been used for highway right of way and is no longer needed for highway purposes. The abutting landowner has requested to purchase the surplus land, and it may be sold to the abutting landowner.

c. **Release of Access Rights**

- 113467 (1) **Harris County** - I-10, immediately east of Fox Lake Drive in Houston - Consider the designation of two locations on the highway at which access will be permitted to the abutting property (MO)
The designation of two 45-foot breaks in the control-of-access line will allow the abutting landowner to open two proposed driveway locations for access to and from the westbound frontage road. The district has determined that access may be permitted at the designated locations.

15. **Routine Minute Orders (continued)**c. **Release of Access Rights (continued)**

- 113468 (2) **Harris County - I-10**, immediately east of Houston Chronicle Boulevard in Houston - Consider the designation of two locations on the highway at which access will be permitted to the abutting property (MO)
The designation of two breaks in the control-of-access line will allow the abutting landowner to open two proposed driveway locations for access to and from the westbound frontage road. The district has determined that access may be permitted at the designated locations.

d. **Finance**

- 113469 (1) **Accept the Quarterly Investment Report (MO)**
This minute order accepts the quarterly investment report for investments of funds relating to financing of the Central Texas Turnpike System and held by the Bank of New York Mellon, acting as trustee.
- 113470 (2) **Travis and Williamson Counties - Accept the audited financial statements of the Central Texas Turnpike System (CTTS), as required by the CTTS Indenture of Trust (MO)**
The Indenture of Trust that prescribes the terms for bonds and obligations issued to finance the 2002 Project of the CTTS, a toll project comprised of the SH 130, Segments 1-4, SH 45N, and Loop 1 project elements, requires the preparation of a financial report of the results of operation of the system for each fiscal year. Audited financial statements meeting the requirements of the Indenture have been prepared for FY 2012. The financial statements for FY 2011 are provided for comparative purposes.
- 113471 (3) **Accept the audited financial statements of the Texas Mobility Fund (TMF) as required by the governing master resolution (MO)**
The Master Resolution governing the issuance of TMF bonds requires the preparation of an audited financial report of the TMF for each fiscal year. Audited financial statements have been prepared for FY 2012
- (4) **Obligation Limit Report**
 Quarterly status report on the FY 2013 Obligation Limit, the actual obligations utilized through the current month, proposed remaining highway maintenance and construction contract letting for the fiscal year and an update on motor fuel tax receipts
This report will provide the current overall obligation status, by district and metropolitan planning organization, of the FY 2013 Obligation Limit and will also provide the anticipated effect on the obligation limit of remaining proposed highway maintenance and construction letting. The report will also provide an update on motor fuel tax receipts, including estimated versus actual receipts fiscal year to date, and any potential impact on letting volume.
- (5) **Quarterly report on FY 2012 State Highway Fund 6 cash status**
This report updates the commission on the year-to-date cash balance and activity of Fund 6. The report will include original projections and actual revenues/inflows and expenditures/outflows on a cash basis.

15. **Routine Minute Orders (continued)**e. **Transportation Planning**

113472

- (1) **Various Counties** - Concurrence with the Regional Transportation Council of the North Central Texas Council of Governments' funding of construction and other project development costs of projects to be advanced through the use of payments received from the North Texas Tollway Authority for the right to develop, finance, design, construct, operate, and maintain the SH 161 toll project from I-20 to SH 183 in Dallas County (MO)

The department has established a separate fund to account for and track projects and project costs funded with the SH 161 payments. This minute order authorizes the funding of additional projects costs with those payments. The project costs to be funded were selected through a cooperative process with the RTC.

113473

- (2) **Various Counties** - Concurrence with the Regional Transportation Council of the North Central Texas Council of Governments' funding of construction and other project development costs of projects to be advanced through the use of payments received from the North Texas Tollway Authority for the right to develop, finance, design, construct, operate, and maintain the SH 121 toll project from Business SH 121 in Denton County to US 75 in Collin County (MO)

The department has established a separate fund to account for and track projects and project costs funded with the SH 121 payments. This minute order authorizes the funding of additional projects costs with those payments. The project costs to be funded were selected through a cooperative process with the RTC.

113474

f. **Speed Zones**

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

This minute order establishes or alters regulatory and construction speed zones on various sections of highways in the state.

16. **Executive Session** Pursuant to Government Code, Chapter 551 (A/V)

- a. **Section 551.071** - Consultation with and advice from legal counsel regarding any item on this agenda
- b. **Section 551.074** – Discussion regarding the evaluation of the performance of the executive director.

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.

ADJOURN

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NOTE:

Enumerated agenda items are assigned numbers for ease of reference only, and will not necessarily be considered by the commission in that particular order. Items identified with (MO) for minute order are those upon which the commission is considering an action. Persons with special needs or disabilities who plan to attend this meeting and require auxiliary aids or services are requested to contact Kristen Webb at (512) 305-9536 at least three working days prior to the meeting so that appropriate arrangements can be made.

TEXAS TRANSPORTATION COMMISSION MEETING
ATTACHED LISTS
January 31, 2013

**HIGHWAY MAINTENANCE AND BUILDING CONSTRUCTION CONTRACTS-
STATE LET**

| <u>DIST</u> | <u>COUNTY NAME</u> | <u>HIGHWAY NUMBER</u> | <u>CONTROLLING PROJECT NO.</u> |
|--------------------|-------------------------------|----------------------------------|---|
| ABL | TAYLOR | IH 20 | RMC – 624960001 |
| ATL | UPSHUR | US 259 | RMC - 624700001 |
| AUS | BASTROP | US 290 | RMC - 624685001 |
| BMT | CHAMBERS | FM 1410 | RMC - 624954001 |
| BMT | JEFFERSON | IH 10 | RMC - 624747001 |
| BMT | JEFFERSON | IH 10 | RMC - 624768001 |
| BMT | JEFFERSON | SH 124 | RMC - 624847001 |
| BMT | NEWTON | FM 1414 | RMC - 624737001 |
| BMT | TYLER | FM 1943 | RMC - 623352001 |
| CRP | SAN PATRICIO | FM 3024 | RMC - 625197001 |
| DAL | NAVARRO | IH 45 | RMC - 624757001 |
| DAL | NAVARRO | SH 31 | RMC - 624306001 |
| DAL | NAVARRO | SH 31 | RMC - 625247001 |
| ELP | EL PASO | IH 10 | RMC - 624863001 |
| FTW | HOOD | SL 567 | RMC - 624113001 |
| FTW | TARRANT | SH 360 | RMC - 625038001 |
| FTW | TARRANT | US 287 | RMC - 625037001 |
| HOU | HARRIS | IH 45 | RMC - 623977001 |
| HOU | HARRIS | SH 225 | RMC - 625017001 |
| HOU | HARRIS | SH 225 | RMC - 625050001 |
| LRD | DIMITT | FM 1019 | RMC - 623691001 |
| LRD | ZAVALA | FM 1436 | RMC - 624018001 |
| LBB | PARMER | SH 86 | BPM - 625275001 |
| PAR | GRAYSON | US 75 | RMC - 624977001 |
| PAR | HUNT | US 69 | RMC - 625234001 |
| PAR | LAMAR | US 82 | RMC – 623417001 |

**(CONTINUED) HIGHWAY MAINTENANCE AND BUILDING CONSTRUCTION
CONTRACTS-STATE LET**

| <u>DIST</u> | <u>COUNTY NAME</u> | <u>HIGHWAY NUMBER</u> | <u>CONTROLLING PROJECT NO.</u> |
|--------------------|-------------------------------|----------------------------------|---|
| PHR | CAMERON | US 83 | RMC - 625251001 |
| SJT | REAGAN | SH 137 | RMC - 624623001 |
| SAT | BEXAR | IH 10 | RMC - 625199001 |
| SAT | BEXAR | IH 35 | RMC - 625198001 |
| SAT | GUADALUPE | IH 10 | RMC - 625189001 |
| SAT | MEDINA | US 90 | RMC - 625190001 |
| YKM | FAYETTE | SH 71 | RMC - 625203001 |
| YKM | GONZALES | IH 10 | RMC - 625170001 |
| YKM | GONZALES | US 183 | RMC - 625207001 |
| YKM | VICTORIA | US 59 | RMC - 625212001 |

**HIGHWAY AND TRANSPORTATION ENHANCEMENT BUILDING
CONSTRUCTION CONTRACTS - STATE LET**

| <u>DIST</u> | <u>COUNTY NAME</u> | <u>HIGHWAY NUMBER</u> | <u>CONTROLLING PROJECT NO.</u> |
|--------------------|-------------------------------|----------------------------------|---|
| ABL | HOWARD | BI 20-G | DMO 2013(423) |
| ABL | TAYLOR | VA | STP 2013(310) |
| AMA | DEAF SMITH | US 60 | NH 2013(311) |
| ATL | UPSHUR | US 259 | STP 2013(313) |
| AUS | BASTROP | FM 535 | BR 2013(340) |
| AUS | BASTROP | SH 71 | STP 2013(339) |
| AUS | HAYS | RM 1826 | CC 1754-2-21 |
| AUS | TRAVIS | LP 1 | STP 2013(341) |
| AUS | WILLIAMSON | SH 29 | STP 2013(338) |
| BMT | LIBERTY | FM 2518 | STP 2013(314)HES |
| BRY | FREESTONE | IH 45 | IM 0452(139) |
| BRY | WASHINGTON | SS 125 | STP 2013(315)HES |
| CHS | KNOX | CR | BR 2012(340) |
| CRP | NUECES | SH 358 | STP 2013(343) |

**(CONTINUED) HIGHWAY AND TRANSPORTATION ENHANCEMENT BUILDING
CONSTRUCTION CONTRACTS - STATE LET**

| <u>DIST</u> | <u>COUNTY NAME</u> | <u>HIGHWAY NUMBER</u> | <u>CONTROLLING PROJECT NO.</u> |
|--------------------|-------------------------------|----------------------------------|---|
| DAL | DALLAS | SH 78 | NH 2013(316) |
| DAL | DALLAS | US 175 | NH 2013(317) |
| FTW | TARRANT | SH 199 | HP 2008(345)* |
| FTW | TARRANT | US 377 | CC 81-2-66 |
| HOU | BRAZORIA | SH 332 | STP 2013(320) |
| HOU | GALVESTON | FM 2004 | STP 2013(324) |
| HOU | GALVESTON | SH 6 | NH 2013(319) |
| HOU | HARRIS | IH 10 | IM 0107(435) |
| HOU | HARRIS | VA | STP 2013(321) |
| HOU | HARRIS | VA | STP 2013(322) |
| LRD | LA SALLE | FM 468 | STP 2013(345) |
| LRD | LA SALLE | FM 624 | STP 2013(346) |
| LRD | VAL VERDE | VA | ITS 99(709) |
| LRD | WEBB | SH 44 | STP 2013(344) |
| LBB | LUBBOCK | US 84 | STP 2013(325) |
| LBB | TERRY | US 62 | NH 2013(326) |
| LBB | TERRY | US 62 | NH 2013(327) |
| LFK | HOUSTON | SH 7 | STP 2013(330)HES |
| LFK | NACOGDOCHES | US 59 | NH 2013(328) |
| ODA | ECTOR | FM 1882 | STP 2013(347) |
| ODA | ECTOR | SP 588 | C 3571-1-6 |
| PAR | DELTA | CR | BR 99(600) |
| PAR | GRAYSON | FM 1417 | STP 2013(332) |
| PAR | HOPKINS | IH 30 | IM 0302(100) |
| PAR | HUNT | CR | BR 2012(619) |
| SAT | ATASCOSA | FM 2924 | STP 2013(349) |
| SAT | GUADALUPE | FM 78 | STP 2013(348) |
| WAC | HILL | IH 35W | BR 2013(162) |
| WAC | LIMESTONE | FM 342 | BR 2013(336) |
| WAC | MCLENNAN | SH 6 | STP 2013(335) |
| WAC | MCLENNAN | US 84 | NH 2013(334) |

**(CONTINUED) HIGHWAY AND TRANSPORTATION ENHANCEMENT BUILDING
CONSTRUCTION CONTRACTS - STATE LET**

| <u>DIST</u> | <u>COUNTY NAME</u> | <u>HIGHWAY NUMBER</u> | <u>CONTROLLING PROJECT NO.</u> |
|--------------------|-------------------------------|----------------------------------|---|
| WFS | COOKE | FM 373 | STP 2013(337) |
| YKM | CALHOUN | CR | BR 1102(131) |
| YKM | CALHOUN | PW | C 913-19-25 |
| YKM | GONZALES | IH 10 | IM 0106(101) |
| YKM | LAVACA | FM 532 | STP 2013(350) |
| YKM | VICTORIA | CR | BR 2011(294) |

* Consideration of award or rejection deferred from December 13, 2012, Commission meeting in accordance with Title 43, Texas Administrative Code §9.17(e)

EMINENT DOMAIN
NON-CONTROLLED ACCESS

| <u>COUNTY</u> | <u>HIGHWAY</u> | <u>EXHIBIT</u> | <u>ROW CSJ NO.</u> | <u>PARCEL</u> |
|----------------------|-----------------------|-----------------------|---------------------------|----------------------|
| Collin | FM 2786 | 7 | 3392-01-010 | 9 |
| Collin | US 75 | 1 | 0047-14-071 | 2 |
| Collin | US 75 | 9 | 0047-14-071 | 22 |
| Dallas | SH 289 | 4 | 0091-06-055 | 1 |
| Harris | US 290 | 5 | 0050-09-084 | 663 |
| Harris | US 290 | 2 | 0050-09-084 | 665 |
| McLennan | FM 1637 | 11 | 0833-03-040 | 16 |
| McLennan | FM 1637 | 8 | 0833-03-040 | 48 |
| McLennan | FM 1637 | 10 | 0833-03-040 | 15 |
| McLennan | FM 1637 | 12 | 0833-03-040 | 33 |
| McLennan | FM 1637 | 13 | 0833-03-040 | 34,34E |
| Red River | SH 37 | 6 | 0189-01-008 | 1 |
| Wise | US 380 | 3 | 0134-08-038 | 27 |

CONTROLLED ACCESS

| <u>COUNTY</u> | <u>HIGHWAY</u> | <u>EXHIBIT</u> | <u>ROW CSJ NO.</u> | <u>PARCEL</u> |
|----------------------|-----------------------|-----------------------|---------------------------|----------------------|
| Bell | IH 35 | R | 0015-04-083 | 120 |
| Bell | IH 35 | S | 0015-04-084 | 4,4AC |
| Bell | IH 35 | N | 0015-04-084 | 14 |
| Bell | IH 35 | O | 0015-04-084 | 17,17AC,17E |
| Bell | IH 35 | Q | 0015-04-084 | 19 |
| Bell | IH 35 | J | 0015-14-123 | 117 |
| Bell | IH 35 | L | 0015-14-124 | 7 |
| Bell | IH 35 | P | 0015-14-124 | 6 |
| Bell | IH 35 | M | 0015-14-124 | 18 |
| Bell | IH 35 | K | 0015-14-124 | 22 |
| Dallas | SH 121 | H | 0364-02-020 | 27,27AC |
| Harris | Beltway 8 | E | 3256-01-101 | 1505 |
| Harris | Beltway 8 | C | 3256-01-101 | 1507 |
| Harris | US 290 | A | 0050-09-083 | 617 |
| Harris | US 290 | G | 0050-09-083 | 616 |