

These are the minutes of the regular meeting of the Texas Transportation Commission held on June 28, 2018, in Austin, Texas. The meeting was called to order at 9:00 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

Two public notices of this meeting containing all items on the proposed agenda were filed in the Office of the Secretary of State at 3:56 p.m. and at 4:00 p.m. on June 20, 2018, 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 24, 2018, regular meeting of the Texas Transportation Commission

Commissioner Austin made a motion, which was seconded by Commissioner New, and the commission approved the minutes of the May 24, 2018, 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.

a. Construction of Highways 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.

115237
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 5 and 6, 2018; 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. Highway Maintenance (MO)

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

115238
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 5 and 6, 2018; 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 Facilities Planning and Management Section Director Robin Cappello. 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.

115239
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 5, 2018, 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 re-advertise 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 Items

a. Innovation and Cost Efficiency Culture update (Presentation)

This discussion was led by Strategy and Innovation Director Darran Anderson. Chief Financial Officer Brian Ragland joined Mr. Anderson to cover some of the discussion topic. The commission asked questions and discussed the topic. The commission also heard comments from private citizen Don Dixon.

b. Development of 2019 Unified Transportation Program (UTP) and 2019-2022 Statewide Transportation Improvement Program (STIP) (Presentation)

This discussion was led by Transportation Planning and Programming Division Director Peter Smith. Engineering and Safety Operations Director Michael Lee joined Mr. Smith to answer questions from the commission. The commission asked questions and discussed the topic.

ITEM 5. Aviation

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

This item was presented by Aviation Division Director Dave Fulton. The commission also heard comments from the City of Fort Worth Airport System Director Bill Welstead, and from Airport Concerned Citizen Wendy Dew and Christine Graf. Airport Planning and Programming Director Greg Miller answered additional questions from the commission. 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.

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 non-primary entitlement grant funds for the improvements.

The airports listed in Exhibit B are currently in need of improvements to preserve the airports or to meets standards. The department recommends the award of federal apportionment grant funds and state grant funds for the improvements.

On June 4, 2018, 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 Exhibits A and B.

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

ITEM 6. Public Transportation

Various Counties - Consider the award of FY 2019 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)

This item was presented by Public Transportation Division Director Eric Gleason. Commissioner New made a motion, which was seconded by Commissioner Ryan, and the commission approved the following minute order by a vote of 4 - 0.

115241
PTN

The Texas Transportation Commission (commission) desires to award a total of \$81,881,823 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 85th Texas Legislature, Regular Session, \$67,682,135 was appropriated for urban and rural public transportation systems for the 2018-2019 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 FY 2019 award of \$34,991,067 to large urban, small urban, and rural transit districts is shown in Exhibit A and has been determined in accordance with §31.11.

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 of \$605,000 in state and federal §5304 funds is shown in Exhibit B 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

\$6,313,018 in federal §5310 funds is shown in Exhibit C 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 \$12,164,175 in federal §5311 funds is shown in Exhibit D and has been determined in accordance with §31.36(g)(4).

Title 43, TAC, §31.36(g)(3) establishes a formula for calculating awards to rural transit systems for discretionary purposes under the FTA Formula Grants for Rural Areas program (49 U.S.C. §5311). An award of \$866,064 in federal §5311 funds is shown in Exhibit E and has been determined in accordance with §31.36(g)(3) as a one-time award to address negative impacts due to changes in transit district boundaries.

Title 43, TAC, §31.30(c)(1) establishes a formula by which public transportation funds shall be distributed under the FTA Bus and Bus Facilities formula grant program (49 U.S.C. §5339). An award of \$5,375,275 in federal §5339 funds is shown in Exhibit F and has been determined in accordance with §31.30(c)(1).

Title 43, TAC, §§31.22, 31.36, and 31.37 establish the process by which program proposals shall be evaluated and funds distributed. On November 17, 2017, the department published a Notice of Call for Projects in the Texas Register. Project criteria included project planning and coordination, demonstration of project need and benefits, and project management. The commission finds that the projects in Exhibit G are eligible for funding and awards a total of \$21,567,224 in federal and state funds.

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 in Exhibits A-G, submit the necessary state applications to the FTA, and enter into the necessary contracts.

Note: Exhibits A - G 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

(1) Chapter 1 – Management

Amendments to §1.24, Filing of Petition; Procedure for Filing Petition and Other Documents, §1.25, Procedure for Service of Documents, and §1.36, Proposal for Decision; Filing of Exceptions and Replies (MO)

This item was presented by Associate General Counsel Rich O'Connell. 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.

115242
GCD

The Texas Transportation Commission (commission) finds it necessary to propose amendments to §§1.24, 1.25, and 1.36 relating to Procedures in Contested Case

to be codified under Title 43, Texas Administrative Code, Part 1.

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

IT IS THEREFORE ORDERED by the commission that the amendments to §§1.24, 1.25, and 1.36 are proposed for adoption and are authorized for publication in the Texas Register for the purpose of receiving public comments.

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

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

(2) Chapter 15 - Financing and Construction of Transportation Projects
New §§15.250-15.261, Ship Channel Improvement Revolving Loan Program (MO)

This item was presented by Project Finance, Debt & Strategic Contracts Division Director Ben Asher. 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.

115243
 PFD

The Texas Transportation Commission (commission) finds it necessary to propose new §§15.250 - 15.261 relating to the Ship Channel Improvement Revolving Loan Program to be codified under Title 43, Texas Administrative Code, Part 1.

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

IT IS THEREFORE ORDERED by the commission that the new §§15.250 - 15.261 are proposed for adoption and are authorized for publication in the Texas Register for the purpose of receiving public comments.

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

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

(3) Chapter 25 - Traffic Operations
Amendments to §25.977, Reporting by Investigating Officers (MO)

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

115244
TRF

The Texas Transportation Commission (commission) finds it necessary to propose amendments to §25.977 relating to Crash Records Information System to be codified under Title 43, Texas Administrative Code, Part 1.

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

IT IS THEREFORE ORDERED by the commission that the amendments to §25.977 are proposed for adoption and are authorized for publication in the Texas Register for the purpose of receiving public comments.

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

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

b. Final Adoption

Chapter 27 - Toll Projects

Amendments to §27.81, Free Use of Turnpike Project by Military Vehicles, §27.82, Toll Operations, and §27.83, Contracts to Operate Department Toll Projects (Operation of Department Toll Projects) (MO)

This item was presented by Toll Operations Division Director Rick Nelson. 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.

115245
TOD

The Texas Transportation Commission (commission) finds it necessary to adopt amendments to §§27.81 - 27.83 relating to Operation of Department Toll Projects 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 to §§27.81 - 27.83 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. Transportation Corporation Appointments

a. Grand Parkway Transportation Corporation

Consider the appointment of a director to the Grand Parkway Transportation Corporation (MO)

This item was presented by Project Finance, Debt & Strategic Contracts Division Director Ben Asher. Commissioner Austin made a motion, which was seconded by Commissioner Ryan, and the commission approved the following minute order by a vote of 4 - 0.

115246
PFD

By Minute Order 113046 dated March 29, 2012, the Texas Transportation Commission (commission) authorized the creation of the Grand Parkway Transportation Corporation (corporation) under the authority of Transportation Code, Chapter 431, Subchapters A through C, as further authorized by Title 43, Texas Administrative Code (TAC), Section 15.95; and approved the corporation's articles of incorporation and bylaws; and appointed the corporation's initial directors. The corporation was created to facilitate the developing, financing, refinancing, designing, constructing, reconstructing, expanding, operating, and maintaining of various segments of State Highway 99 (Grand Parkway) and act on behalf of the commission to promote and develop various segments of the Grand Parkway.

The powers of the corporation are exercised through its board of directors consisting of three persons appointed by the commission. Under the articles of incorporation, as approved by the commission, the directors of the corporation must be employees of the Texas Department of Transportation (department), and the commission duly appointed three initial directors in Minute Order 113046 to serve an initial term expiring on August 31, 2015. In Minute Order 114306 dated July 30, 2015, the commission reappointed all three directors to six-year terms commencing September 1, 2015.

There will be a vacancy on the corporation's board of directors due to one director, Lauren Garduno, retiring from employment with the department on June 30, 2018.

IT IS THEREFORE ORDERED THAT, effective as of the date of this minute order, Brian Barth, an employee of the department, is hereby appointed to the board of directors of the corporation to serve Mr. Garduno's remaining term expiring on August 31, 2021.

b. Private Activity Bond Surface Transportation Corporation

Consider the appointment of a director to the Texas Private Activity Bond Surface Transportation Corporation (MO)

This item was presented by Project Finance, Debt & Strategic Contracts Division Director Ben Asher. 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.

115247
PFD

By Minute Order 111551 dated October 30, 2008, the Texas Transportation Commission (commission) authorized the creation of the Texas Private Activity Bond Surface Transportation Corporation (corporation) under the authority of Transportation Code, Chapter 431, Subchapters A through C, as further authorized by Title 43, Texas Administrative Code (TAC), Section 15.94; and approved the corporation's articles of incorporation and bylaws; and appointed the corporation's initial directors. The corporation was created to assist and act on behalf of the commission to promote and develop new and expanded public transportation facilities and systems through the issuance of bonds for transportation projects developed or to be developed under comprehensive development agreements.

The powers of the corporation are exercised through its board of directors consisting of three persons appointed by the commission. Under the articles of incorporation, as approved by the commission, the directors of the corporation must be employees of the Texas Department of Transportation (department), and the commission duly appointed three initial directors on

October 30, 2008, in Minute Order 111551.

In Minute Order 112797 dated August 25, 2011, the commission appointed three directors to six-year terms, each expiring on August 31, 2017. Due to subsequent vacancies on the corporation's board of directors, the commission appointed the following department employees as replacement directors: Lauren Garduno (Minute Order 113816 dated January 30, 2014); Rich McMonagle (Minute Order 114042 dated August 28, 2014); and Brian Ragland (Minute Order 114540 dated March 31, 2016), each serving the remaining term expiring on August 31, 2017.

In Minute Order 115017 dated August 31, 2017, the commission re-appointed Lauren Garduno, Rich McMonagle, and Brian Ragland, employees of the department, to the board of directors of the corporation to each serve a new six-year term commencing September 1, 2017.

There will be a vacancy on the corporation's board of directors due to one director, Lauren Garduno, retiring from employment with the department on June 30, 2018.

IT IS THEREFORE ORDERED THAT, effective as of the date of this minute order, Brian Barth, an employee of the department, is hereby appointed to the board of directors of the corporation to serve Mr. Garduno's remaining term expiring on August 31, 2023.

ITEM 9. Annual Highway Safety Plan

Consider approval of funding for the 2019 Highway Safety Plan (MO) (Presentation)

This item was presented by Traffic Operations Division Director Michael Chacon. Chief Audit and Compliance Officer Benito Ybarra also answered questions from the commission. 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.

115248
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 2019 Highway Safety Plan (HSP).

IT IS THEREFORE ORDERED by the Texas Transportation Commission (commission) that the HSP is approved. The executive director is directed to enter into any necessary agreements and proceed in the most feasible and economical manner with program development at an estimated total cost of \$105,927,797 as shown in Exhibit A. The estimated cost for this program is contingent upon the appropriation of funds by the U.S. Congress and could increase or decrease from the requested amount.

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

ITEM 10. Purchase Order Amendment

Consider the approval of a material change to a purchase order awarded under Chapter 2155 of the Texas Government Code for the provision of traffic safety services for the Highway Emergency Response Operator (HERO) Program (MO) (Presentation)

This item was presented by Austin District Engineer Terry McCoy. 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.

115249
PRO

The Texas Department of Transportation (department) issued Purchase Order 601320000060530 on August 23, 2017 (purchase order), through a competitive solicitation under the authority provided by Chapter 2155, Government Code, for the provision of traffic safety services. The purchase order includes services to provide management and operations of highway emergency response operator (HERO) services on the capital region roadways of Texas. A copy of the purchase order is attached as Exhibit A.

The department proposes to amend the purchase order to allow the department to increase the total contract amount to allow increased quantities. The amendment would increase the total consideration to be paid under the purchase order from \$10,675,527 to \$12,810,633. A copy of the proposed amendment is attached as Exhibit B.

Subsection (b), Section 2155.088, Government Code requires that the governing body of a state agency, at a meeting, consider a material change to the contract for goods or services awarded under Chapter 2155, Government Code, and consider why that change is necessary. For the purposes of Subsection (b), an increase of at least 10 percent of the total amount paid under a purchase order is a material change.

The commission, at a meeting, has considered the material change to the purchase order that would be made by the proposed amendment and has determined that change is acceptable and necessary.

IT IS THEREFORE ORDERED by the commission that the material change to the purchase order proposed by the department and set out in Exhibit B to this minute order is approved.

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

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 Gus Cannon. 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).

115250
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 - SS. 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 - 268, 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>
Collin	SH 121	LL	0549-03-030	1,1E
Collin	SH 121	G	0549-03-030	3
Collin	SH 121	B	0549-03-030	7
Collin	SH 121	F	0549-03-030	14
Collin	SH 121	Z	0549-03-030	17
Collin	SH 121	CC	0549-03-030	18
Collin	SH 121	AA	0549-03-030	21
Collin	SH 121	MM	0549-03-030	23
Collin	SH 121	SS	0549-03-030	24,24E
Dallas	IH 635	H	2374-01-189	32
Dallas	IH 635	V	2374-01-189	34,34E
Dallas	IH 635	A	2374-02-115	82E
Dallas	IH 635	I	2374-02-115	86
Dallas	IH 635	U	2374-02-115	87
Dallas	IH 635	Y	2374-02-115	90
Dallas	IH 635	J	2374-02-115	94
Dallas	IH 635	D	2374-02-115	99E
Dallas	IH 635	X	2374-02-115	110E
Dallas	SL 9	NN	2964-10-010	95
Dallas	SL 9	OO	2964-10-010	96
Dallas	SL 9	EE	2964-10-010	100
Dallas	SL 9	S	2964-10-010	104
Dallas	SL 9	FF	2964-10-010	111
Dallas	SL 9	T	2964-10-011	160,160E
Dallas	SL 9	PP	2964-10-011	184

CONTROLLED ACCESS

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Fort Bend	US 90A	QQ	0027-08-175	5
Fort Bend	US 90A	DD	0027-08-175	6
Nacogdoches	US 59	RR	0176-01-110	44
Travis	SH 71	W	0265-02-039	1
Travis	SH 71	K	0265-02-039	3
Travis	SH 71	L	0265-02-039	4
Travis	SH 71	GG	0265-02-039	8
Travis	SH 71	M	0265-02-039	10
Travis	SH 71	R	0265-02-039	11
Travis	SH 71	Q	0265-02-039	12
Travis	SH 71	P	0265-02-039	14
Travis	RM 2222	N	2100-01-063	1
Travis	RM 2222	O	2100-01-063	2
Wharton	US 59	HH	0089-08-102	6,6AC
Wharton	US 59	II	0089-08-102	8
Wharton	US 59	JJ	0089-08-102	14AC
Wharton	US 59	BB	0089-08-102	17AC
Wharton	US 59	C	0089-08-102	32
Wharton	US 59	E	0089-08-102	33
Wharton	US 59	KK	0089-08-102	42

NON-CONTROLLED ACCESS

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Anderson	US 175	249	0198-03-031	4
Brazoria	SH 36	198	0188-03-020	106
Brazoria	SH 36	199	0188-03-020	350
Brazoria	SH 36	248	0188-04-041	88
Collin	SH 121	231	0549-03-030	2,2E
Collin	SH 121	33	0549-03-030	4
Collin	SH 121	247	0549-03-030	9,9E
Collin	SH 121	35	0549-03-030	11,11E
Collin	SH 121	8	0549-03-030	12
Collin	SH 121	15	0549-03-030	13
Collin	SH 121	31	0549-03-030	15
Collin	SH 121	32	0549-03-030	16
Collin	SH 121	34	0549-03-030	19
Collin	SH 121	28	0549-03-030	20
Collin	SH 121	183	0549-03-030	22
Collin	SH 121	48	0549-03-030	25
Collin	SH 121	49	0549-03-030	26
Collin	SH 121	109	0549-03-030	27,27E
Collin	SH 121	44	0549-03-030	28
Collin	SH 121	243	0549-03-030	29

NON-CONTROLLED ACCESS

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Collin	SH 121	46	0549-03-030	30
Collin	SH 121	236	0549-03-030	32
Collin	SH 121	237	0549-03-030	33,33E
Collin	SH 121	106	0549-03-030	34
Collin	SH 121	196	0549-03-030	35,35E
Collin	SH 121	9	0549-03-030	36,36E
Collin	SH 121	4	0549-03-030	37
Collin	SH 121	5	0549-03-030	38
Collin	SH 121	47	0549-03-030	39
Collin	SH 121	53	0549-03-030	40
Collin	SH 121	238	0549-03-030	41
Collin	SH 121	239	0549-03-030	42
Collin	SH 121	110	0549-03-030	43
Collin	SH 121	197	0549-03-030	44
Collin	SH 121	234	0549-03-030	45
Collin	SH 121	107	0549-03-030	46
Collin	SH 121	50	0549-03-030	47
Collin	SH 121	108	0549-03-030	48
Collin	SH 121	54	0549-03-030	49
Collin	SH 121	52	0549-03-030	50
Collin	SH 121	86	0549-03-030	51
Collin	SH 121	29	0549-03-030	52
Collin	SH 121	96	0549-03-030	53
Collin	FM 2478	138	2351-01-022	3
Collin	FM 2478	51	2351-01-022	4
Collin	FM 2478	184	2351-01-022	7,7E
Collin	FM 2478	246	2351-01-022	14
Collin	FM 2478	27	2351-01-022	46
Collin	FM 2478	112	2351-01-022	57
Collin	FM 2478	113	2351-01-022	58
Crane	US 385	1	0229-03-038	17,17E
Dallas	SL 9	95	2964-10-010	68
Dallas	SL 9	240	2964-10-010	69
Dallas	SL 9	97	2964-10-010	123
Dallas	SL 9	98	2964-10-010	130
Dallas	SL 9	99	2964-10-010	131
Dallas	SL 9	100	2964-10-010	132
Dallas	SL 9	101	2964-10-010	133
Dallas	SL 9	73	2964-10-010	144
Dallas	SL 9	75	2964-10-011	159
Dallas	SL 9	257	2964-10-011	163
Dallas	SL 9	76	2964-10-011	164
Dallas	SL 9	77	2964-10-011	178

NON-CONTROLLED ACCESS

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Dallas	SL 9	78	2964-10-011	179
Dallas	SL 9	85	2964-10-011	182
Dallas	SL 9	87	2964-10-011	183
Dallas	SL 9	88	2964-10-011	185
Dallas	SL 9	79	2964-10-011	186
Dallas	SL 9	80	2964-10-011	187
Dallas	SL 9	89	2964-10-011	188
Dallas	SL 9	90	2964-10-011	189
Dallas	SL 9	91	2964-10-011	190
Dallas	SL 9	81	2964-10-011	191
Dallas	SL 9	82	2964-10-011	192
Dallas	SL 9	83	2964-10-011	193
Dallas	SL 9	84	2964-10-011	194
Dallas	SL 9	93	2964-10-011	195
Dallas	SL 9	94	2964-10-011	196
Dallas	SL 9	258	2964-10-011	197
Dallas	SL 9	259	2964-10-011	198
Dallas	SL 9	260	2964-10-011	199
Dallas	SL 9	261	2964-10-011	201
Denton	FM 455	60	0816-02-081	1
Denton	FM 455	62	0816-02-081	2
Denton	FM 455	61	0816-02-081	3
Denton	FM 455	63	0816-02-081	5
Denton	FM 455	146	0816-02-081	6
Denton	FM 455	157	0816-02-081	7
Denton	FM 455	147	0816-02-081	8
Denton	FM 455	156	0816-02-081	9
Denton	FM 455	155	0816-02-081	10E
Denton	FM 455	154	0816-02-081	11,11E
Denton	FM 455	148	0816-02-081	12
Denton	FM 455	153	0816-02-081	13,13E
Denton	FM 455	152	0816-02-081	14,14E
Denton	FM 455	151	0816-02-081	15
Denton	FM 455	150	0816-02-081	16
Denton	FM 455	149	0816-02-081	17
Denton	FM 455	145	0816-02-081	18
Denton	FM 455	144	0816-02-081	19
Denton	FM 455	143	0816-02-081	20,20E
Denton	FM 455	142	0816-02-081	21,21E
Denton	FM 455	195	0816-02-081	22,22E
Denton	FM 455	141	0816-02-081	23,23E
Denton	FM 455	140	0816-02-081	24
Denton	FM 455	139	0816-02-081	25

NON-CONTROLLED ACCESS

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Denton	FM 455	137	0816-02-081	26
Denton	FM 455	194	0816-02-081	27
Denton	FM 455	216	0816-02-081	28,28E
Denton	FM 455	217	0816-02-081	29
Denton	FM 455	215	0816-02-081	30,30E
Denton	FM 455	214	0816-02-081	32,32E
Denton	FM 455	213	0816-02-081	33,33E
Denton	FM 455	64	0816-02-081	34
Denton	FM 455	212	0816-02-081	35
Denton	FM 455	211	0816-02-081	36
Denton	FM 455	210	0816-02-081	37
Denton	FM 455	209	0816-02-081	38
Denton	FM 455	167	0816-02-081	39
Denton	FM 455	168	0816-02-081	40
Denton	FM 455	169	0816-02-081	41
Denton	FM 455	158	0816-02-081	42
Denton	FM 455	159	0816-02-081	43
Denton	FM 455	208	0816-02-081	44
Denton	FM 455	66	0816-02-081	45,45E
Denton	FM 455	160	0816-02-081	47
Denton	FM 455	164	0816-02-081	48,48E
Denton	FM 455	207	0816-02-081	49
Denton	FM 455	67	0816-02-081	50,50E
Denton	FM 455	161	0816-02-081	51
Denton	FM 455	162	0816-02-081	52
Denton	FM 455	163	0816-02-081	53
Denton	FM 455	206	0816-02-081	54
Denton	FM 455	182	0816-02-081	55,55E
Denton	FM 455	186	0816-02-081	56
Denton	FM 455	193	0816-02-081	57,57E
Denton	FM 455	68	0816-02-081	58
Denton	FM 455	187	0816-02-081	59
Denton	FM 455	127	0816-02-081	61
Denton	FM 455	126	0816-02-081	63
Denton	FM 455	125	0816-02-081	65
Denton	FM 455	124	0816-02-081	66
Denton	FM 455	123	0816-02-081	67
Denton	FM 455	122	0816-02-081	68
Denton	FM 455	120	0816-02-081	69
Denton	FM 455	205	0816-02-081	70
Denton	FM 455	188	0816-02-081	71,71E
Denton	FM 455	189	0816-02-081	72

NON-CONTROLLED ACCESS

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Denton	FM 455	190	0816-02-081	73
Denton	FM 455	204	0816-02-081	74
Denton	FM 455	191	0816-02-081	75
Denton	FM 455	65	0816-02-081	80
Denton	FM 455	69	0816-02-081	82
Denton	FM 455	70	0816-02-081	84
Denton	FM 455	71	0816-02-081	86
Denton	FM 455	134	0816-02-081	88
Denton	FM 455	133	0816-02-081	89
Denton	FM 455	131	0816-02-081	90
Denton	FM 455	130	0816-02-081	91
Denton	FM 455	192	0816-02-081	92
Denton	FM 455	135	0816-02-081	93
Denton	FM 455	170	0816-02-081	94
Denton	FM 455	220	0816-02-081	95
Denton	FM 455	129	0816-02-081	96
Denton	FM 455	219	0816-02-081	97
Denton	FM 455	128	0816-02-081	98
Denton	FM 455	136	0816-02-081	99
Denton	FM 455	119	0816-02-081	100
Denton	FM 455	171	0816-02-081	101
Denton	FM 455	177	0816-02-081	102
Denton	FM 455	118	0816-02-081	103
Denton	FM 455	117	0816-02-081	106,106E
Denton	FM 455	116	0816-02-081	107,107E
Denton	FM 455	172	0816-02-081	108,108E
Denton	FM 455	174	0816-02-081	109,109E
Denton	FM 455	203	0816-02-081	112E
Denton	FM 455	173	0816-02-081	114
Denton	FM 455	175	0816-02-081	115
Denton	FM 455	176	0816-02-081	116,116E
Denton	FM 455	178	0816-02-081	117
Denton	FM 455	179	0816-02-081	118
Denton	FM 455	180	0816-02-081	119
Denton	FM 455	115	0816-02-081	120
Denton	FM 455	202	0816-02-081	122
Denton	FM 455	181	0816-02-081	124,124E
Denton	FM 455	201	0816-02-081	125,125E
Denton	FM 455	200	0816-02-081	127
Denton	FM 2181	165	2054-02-018	152E
Ellis	SL 9	102	2964-12-003	10
Ellis	SL 9	232	2964-12-003	15

NON-CONTROLLED ACCESS

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Ellis	SL 9	103	2964-12-003	24
Ellis	SL 9	104	2964-12-003	27
Ellis	SL 9	105	2964-12-003	36
Ellis	SL 9	262	2964-12-003	38
Ellis	SL 9	72	2964-12-003	41
Ellis	SL 9	263	2964-12-003	47
Ellis	SL 9	233	2964-12-003	51
Ellis	SL 9	264	2964-12-003	53
Ellis	SL 9	265	2964-12-003	54
Ellis	SL 9	266	2964-12-003	57
Ellis	SL 9	241	2964-12-003	58
Ellis	SL 9	267	2964-12-003	59
Ellis	SL 9	268	2964-12-003	61
Ellis	SL 9	242	2964-12-003	62
Ellis	SL 9	166	2964-12-003	63
Ellis	SL 9	74	2964-12-003	65
Ellis	SL 9	228	2964-12-003	67
Ellis	SL 9	229	2964-12-003	70
Ellis	SL 9	230	2964-12-003	72
Ellis	SL 9	92	2964-12-004	153
Ellis	SL 9	227	2964-12-004	155,155E
Fort Bend	SH 36	26	0188-02-038	228
Fort Bend	SH 36	226	0188-02-039	1
Fort Bend	SH 36	245	0188-02-039	6
Grimes	SH 249	114	3635-02-003	307
Grimes	SH 249	21	3635-02-003	321
Grimes	SH 249	23	3635-02-003	325
Grimes	SH 249	22	3635-02-003	341
Harris	FM 2100	235	1062-04-060	215
Harris	FM 1960	55	1685-01-105	3
Harris	FM 1960	24	1685-01-105	11
Harris	FM 1960	221	1685-01-105	14
Harris	FM 1960	244	1685-01-105	19
Montgomery	FM 1488	13	0523-08-010	3
Montgomery	FM 1488	185	0523-08-010	5
Montgomery	FM 1488	12	0523-08-010	6
Montgomery	FM 1488	121	0523-08-010	24
Nueces	US 181	36	0101-06-109	204
Randall	SL 335	25	0904-11-060	17
Travis	SH 71	56	0265-02-039	5
Travis	SH 71	111	0265-02-039	6
Travis	SH 71	58	0265-02-039	7

NON-CONTROLLED ACCESS

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Travis	SH 71	57	0265-02-039	13
Travis	RM 2222	59	2100-01-063	3
Upton	US 385	6	0229-04-058	24
Upton	US 385	19	0229-04-058	25
Upton	US 385	2	0229-04-058	26
Upton	US 385	43	0229-04-058	27,27E
Upton	US 385	20	0229-04-058	28
Upton	US 385	11	0229-04-058	29,29E
Upton	US 385	30	0229-04-058	30
Upton	US 385	45	0229-04-058	41
Upton	US 385	132	0229-04-058	43,43E
Victoria	FM 616	37	0497-05-039	1
Victoria	FM 616	39	0497-05-039	2
Victoria	FM 616	38	0497-05-039	3
Victoria	FM 616	40	0497-05-039	4
Victoria	FM 616	41	0497-05-039	5
Victoria	FM 616	42	0497-05-039	6
Wharton	US 59	7	0089-08-102	2
Wharton	US 59	14	0089-08-102	3
Wharton	US 59	222	0089-08-102	4
Wharton	US 59	10	0089-08-102	19
Wharton	US 59	223	0089-08-102	21
Wharton	US 59	250	0089-08-102	22
Wharton	US 59	218	0089-08-102	23
Wharton	US 59	16	0089-08-102	24
Wharton	US 59	251	0089-08-102	25
Wharton	US 59	224	0089-08-102	27
Wharton	US 59	252	0089-08-102	28
Wharton	US 59	17	0089-08-102	30
Wharton	US 59	253	0089-08-102	34
Wharton	US 59	254	0089-08-102	35
Wharton	US 59	3	0089-08-102	36
Wharton	US 59	255	0089-08-102	38
Wharton	US 59	225	0089-08-102	39
Wharton	US 59	18	0089-08-102	40
Wharton	US 59	256	0089-08-102	41

Note: Exhibits A - SS and 1 - 268 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 New, 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)

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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.

Donor	Description and Purpose (Exh. A)
130 Environmental Park, LLC	The donor is donating the design and construction of a right turn lane on SH 130 at FM 1185 into to the donor's facility in Lockhart, Caldwell County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$390,000, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.
Amarillo Arborological, Inc.	The donor is donating 365 days of pruning trees and other landscape maintenance of the state's IH-40, IH-27 interchange right of way in Amarillo, Potter County, Texas. All maintenance work will be performed by the donor, its consultant or its contractor. The estimated value of the donation is \$50,000.
Atlas Sand Company, LLC	The donor is donating the design, construction and construction engineering inspections (CEI) of highway improvements to include the addition of acceleration and deceleration lanes, improvements to surface drainage, and installation of small roadside warning signs on FM 874 approximately 1.69 miles west of SH 115 in Winkler County, Texas. All design, construction, and CEI work will be provided by the donor, its consultant or its contractor. The donation includes a sum of \$2,000 for the state's direct and indirect costs for reviewing the proposed construction plans, specifications and estimates, and performing limited quality assurance inspection/testing and inspection of the work that is on the state right of way. The donor will be responsible for the state's costs, providing needed real estate (if applicable), acceptable design of highway improvements, roadway construction, construction materials, and CEI for both material testing and construction inspection. The estimated value of the donation is \$1,000,000. <i>This donation replaces one previously approved in September 2017 due to a decrease in the estimated value from \$3,003,000 to \$1,000,000.</i>
Brazosport Archaeological Society	The donor is donating approximately 300 volunteer hours provided by donor's members as participants in archeological ceramic analysis for a site within the Elysian Viaduct project area (CSJ: 0508-01-351) in Houston, Harris County, Texas. Volunteers will participate in the identification and description of historic period ceramic artifacts recovered in Data Recovery excavations at Frost Town (41HR982). The estimated value of the donation is \$14,000.
Continental Homes of Texas, L.P.	The donor is donating the design and construction of dedicated U-turns with deceleration and acceleration lanes and right-turn lane, and acceleration lane for Wiley Road, which is a new intersection on US 281 in San Antonio, Comal County, Texas. The donation also includes the removal of existing cross-overs within the project limits. All design and construction will be performed by the donor, its consultant, or its contractor. The estimated value of the donation is \$800,000.

Donor	Description and Purpose (Exh. A)
Curtis C. Gunn, Ltd.	The donor is donating the design and construction of a right-turn deceleration lane from eastbound Interstate 20 frontage road into Kaitlyn Drive in Weatherford, Parker County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$210,000.
D.R. Horton, Inc.	The donor is donating the design and construction of roadway pavement widening and associated drainage improvements to include a right turn deceleration lane into donor's proposed driveway on N. U.S. Highway 183 south of Mourning Dove Lane and North of Crider Lane in Liberty Hill, Williamson County, Texas. All design and construction work will be provided by the donor, its contractor or its consultant. The estimated value of the donation is \$75,000, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.
GCGV Asset Holding LLC	The donor is donating a fixed amount of \$1,200,000 towards the state's cost to construct a heavy haul road crossing at FM 2986 (Wildcat Drive) as part of the FM 2986 roadway improvement project from FM 3239 (Buddy Ganem Drive and US 181) in San Patricio County, Texas.
HEB Grocery Company, LP	The donor is donating the design and construction of a traffic signal on FM 723 at Trinity Woods Crossing into the H-E-B development in Richmond, Fort Bend County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$160,000.
Holdsworth Center for Excellence in Educational Leadership, LLC	The donor is donating the design and an amount sufficient to cover the state's costs to construct pavement widening and drainage improvements on a section of RM 2222 to accommodate an east bound right turn deceleration lane, east bound acceleration lane and west bound left turn lane in Austin, Travis County, Texas. The estimated value of the donation is \$580,000, which includes payment for all state direct costs to construct, review, monitor, and inspect the work that is on the state right-of-way. <i>This donation replaces one previously approved in February 2018 due to a change in the donor.</i>
Lennar Homes of Texas Land and Construction, Ltd.	The donor is donating the design and construction of a right turn lane from westbound FM 1765 and left turn lane from eastbound FM 1765 into the donor's development in La Marque, Galveston County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$92,000.
Manvel Town Center, Ltd.	The donor is donating the design and construction of three driveways with deceleration lanes on westbound SH 6 into the donor's development in Manvel, Brazoria County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$380,000.
Milestone Community Builders, LLC	The donor is donating the design and construction of two right turn deceleration lanes on FM 734 (Parmer Lane) at Brushy Creek Road into the donor's development in Cedar Park, Williamson County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$180,000, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.
Milestone Community Builders, LLC	The donor is donating the design and an amount sufficient to cover the state's costs to construct a hooded left turn lane extension on northbound and southbound Parmer Lane in Williamson County, Texas. The donor will pay the state's direct costs to let, construct, review, monitor, and inspect the work that is on the state right-of-way. All design work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$ 110,000.

Donor	Description and Purpose (Exh. A)
NASH Sweetwater, LLC	The donor is donating the design and construction of: 1) modification to an existing traffic signal at Bee Creek Road; 2) a right turn deceleration lane entering the proposed development; and 3) an accelerated lane exiting the proposed development on SH 71 and Bee Creek Road in Spicewood, Travis County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$370,000, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.
National Precast Concrete Association	The donor is donating airfare, meals and lodging expenses for Jason Tucker, P.E., Precast Concrete Fabrication Engineer, to attend and present at the 2018 National Precast Concrete Association Quality Assurance Committee Meetings held in Indianapolis, IN on June 19-20, 2018. The estimated value of the donation is \$820.
Palmetto MDR, LLC	The donor is donating the design and construction of a continuous left turn lane, a left turn lane, and a traffic signal on Loop 336 into Cottage Green development in Conroe, Montgomery County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$ 1,300,000.
Southerland Canyon Creek, LLC	The donor is donating the design and construction for shoulder widening of a section on PR 37 approximately 1.78 miles West of SH 16 to accommodate traffic to and from the Canyon Creek Preserve, Phase 6 division, in Medina County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$310,000.
Sterling - Huntsville, LLC	The donor is donating the design and construction of a raised and painted curb median on State Highway 75 N in Huntsville, Walker County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$15,000, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.
Toll-GTIS Property Owner LLC	The donor is donating the design and construction of a dedicated right turn lane from southbound FM 521 into the donor's development at Sienna Parkway in Missouri City, Fort Bend County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$600,000.
Twelve Lakes, LLC	The donor is donating the design and construction of a southbound right-turn deceleration and acceleration lane at the intersection of Loop 1 SBFR and Executive Center Drive and modifying the pavement markings along the Loop 1 SBFR at the intersection of Spicewood Springs in Austin, Travis County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$600,000, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.
Union Carbide Corporation	The donor is donating a fixed amount of \$600,000 to cover the state's cost to construct a left turn lane, widening of a right turn lane, and resurfacing of SH 185 approximately 1 mile South of SH 35 to 2.4 miles South of SH 35 in Calhoun County, Texas. All design and construction work will be provided by the state. The state is responsible for letting, performing construction and costs of construction that exceed \$600,000.

Donor	Description and Purpose (Exh. A)
Vanbrooke, LLC	The donor is donating the design and construction of a dedicated right turn lane from southbound FM 521 into the donor's development at Sienna Parkway in Missouri City, Fort Bend County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$540,000. <i>This donation replaces one previously approved in April 2018 due to an increase in the estimated value from \$470,000 to \$540,000.</i>
WBW Development Group, LLC - Series 009, a Texas Series LLC	The donor is donating the design and construction of widening and re-striping a southbound turn lane and a northbound turn lane on FM 3481 at the intersection of Halona Drive in Harker Heights, Bell County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$88,000. <i>(Replaces previously acknowledged donation from WBW Development Group, LLC due to change in donor.)</i>
Wedgewood Forest, Ltd.	The donor is donating the design and construction of a traffic signal on SH 105 at Wedgewood Park into the Wedgewood Forest development in Conroe, Montgomery County, Texas. All design and construction work will be provided by the donor its consultant, or its contractor. The estimated value of the donation is \$240,000.
Wong Real Estate Management, LP	The donor is donating an amount sufficient to cover the state's cost to design let and construct a left-turn lane, right-turn lane and signal modifications at Scenic Brook/US 290 in Austin, Travis County, Texas. All design and construction work will be provided by the state. The estimated value of the donation is \$700,000.

Donor	Description and Purpose (Exh. B)
Air Werks	The donor is donating \$7,800 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
Am Petroleum, Inc. (dba) JD's Market	The donor is donating \$25,800 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
Amcheck (dba) Amcheck Franchise Marketing	The donor is donating \$8,268 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
Austin 360 Roofing	The donor is donating \$9,540.80 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
Babs Thirty-Four LLC (dba) Satellite...Eat.Drink.Orbit	The donor is donating \$7,800 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
Belfor Property Restoration	The donor is donating \$9,004.80 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
Buyers Barricades, Inc.	The donor is donating \$13,368 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
Cavender's	The donor is donating \$33,072 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
Cushman & Wakefield	The donor is donating \$12,096 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
Evangeline Cafe	The donor is donating \$9,540.80 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
Freedom Solar Power	The donor is donating \$12,084.80 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
Iron Cactus	The donor is donating \$25,800 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
Kidd Roofing	The donor is donating \$18,000 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.

Donor	Description and Purpose (Exh. B)
Kwik Ice	The donor is donating \$9,528 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
Lorenz & Lorenz L.L.P.	The donor is donating \$39,672 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
Luxury Auto Works	The donor is donating \$133,200 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
Mandola's Italian Market	The donor is donating \$10,176 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
Palms Car Wash	The donor is donating \$19,080 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
Precision Heating & Air, LLC	The donor is donating \$18,000 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
Premiere Events	The donor is donating \$8,526 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
Presidio Doors	The donor is donating \$8,268.80 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
Sames Red Barn Motors	The donor is donating \$9,000 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
Schlotsky's	The donor is donating \$8,268.80 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
Solaro Estates	The donor is donating \$7,800 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
South Austin Emergency Center	The donor is donating \$31,200 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
Sport Clips, Inc.	The donor is donating \$224,784 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
Suprabhat	The donor is donating \$9,000 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
Texican Cafe	The donor is donating \$21,612.80 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
The Salt Lick BBQ	The donor is donating \$53,952 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
The Salt Lick BBQ At The Diamond	The donor is donating \$25,440 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
Total Men's Primary Care	The donor is donating \$97,560 in exchange for Sponsor A Highway signage on the State's right of way for a period of 2 years.
Acme Brick Company	The donor is donating 8 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Adventure Forest LLC (dba) Go Ape	The donor is donating 8 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Angel Smile Pediatric Dentistry	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Baylor Scott & White Medical Center - Waxahachie	The donor is donating 32 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Belfour Property Restoration	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Bent Tree Tx-Mex Corporation (dba) Mattito's Tex-Mex	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Buyers Barricades, Inc.	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.

Donor	Description and Purpose (Exh. B)
Cavendar's	The donor is donating 8 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Consolidated Restaurant Operations, Inc.	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Dewolf Affordable Plumbing	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
El Dorado Chevrolet & Mazda	The donor is donating 8 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
First Texas Auto Credit, Inc.	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Hotels.Com LP	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Iron Cactus	The donor is donating 8 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Kidd Roofing	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Kidd Roofing	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Lee & Associates	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
M2 The Agency (on behalf of) TDECU	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
MMP Ennis Lodging, LLC (dba) Comfort Suites	The donor is donating 8 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
NBC5 Dallas Fort Worth	The donor is donating 16 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Outlaw's Barbeque, Inc.	The donor is donating 8 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Red Oak Family Dentistry, PLLC	The donor is donating 8 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
San Plumbing Supply (dba) Van Marcke Trade Supply	The donor is donating 8 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
State Fair Of Texas	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Trinity Falls Holdings, LP (a Division of) Johnson Development Corp.	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Twisted Root Burger Company	The donor is donating 8 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Universal Technical Institute	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Acme Brick Company	The donor is donating 12 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Best Western Plus Lake Worth Inn & Suites	The donor is donating 8 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Buyers Barricade (dba) Buyers Safety Inc.	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Buyers Barricades, Inc.	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Cavendar's	The donor is donating 16 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.

Donor	Description and Purpose (Exh. B)
Exceptional ER	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
First Choice ER	The donor is donating 8 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
First Financial Bankshares, Inc.	The donor is donating 12 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Law Firm Of Roger "Rocky" Walton, P.C.	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Link Staffing	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
M2 The Agency (on behalf of) TDECU	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Maa Hayarti, Inc.	The donor is donating 8 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
NBC5 Dallas Fort Worth	The donor is donating 8 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
San Plumbing Supply (dba) Van Marcke Trade Supply	The donor is donating 8 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Suncoast Resources, Inc.	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Altered Images Hair Studio, Inc. (dba) Altered Images Color Salon and Day Spa	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Amcap Mortgage, Ltd.	The donor is donating 44 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Amoco Federal Credit Union	The donor is donating 20 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Bridgewood - Clayton Oaks TRS, LLC (dba) Clayton Oaks Living	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Bridgewood Village TRS, LLC (dba) Spring Creek Village	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Buckles Operations, LLC (dba) Tom + Chee	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Buyers Barricades, Inc.	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Cavendar's	The donor is donating 12 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Danny Nguyen International	The donor is donating 40 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Energy Capital Credit Union	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
First Choice ER	The donor is donating 40 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Jumping World Pasadena, Inc.	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Jumping World Sharpstown, Inc.	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Katy Urgent Care Center	The donor is donating 8 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.

Donor	Description and Purpose (Exh. B)
Kaye Interprises, Inc. (on behalf of) Bell Dental	The donor is donating 12 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
M2 The Agency (on behalf of) TDECU	The donor is donating 16 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Nations Reliable Lending, LLC	The donor is donating 12 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Nationwide Specialty Finance, Inc. (dba) Drive Away	The donor is donating 12 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Olympia Grill Inc.	The donor is donating 12 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Riverway Builders, LLC (dba) Riverway Homes	The donor is donating 8 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Shell Federal Credit Union	The donor is donating 24 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Sigma Merchant Processing, LLC (dba) Merchant Depot	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Sun Coast Resources, Inc.	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
The Hadi Law Firm	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
TWS Acquisition Corp (dba) The Refrigeration School	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Universal Technical Institute	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Zenith Education Group (dba) Altierus Career College	The donor is donating 8 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Belfor Property Restoration	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Buyers Barricades, Inc.	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
C4 Construction Services	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Cavendar's	The donor is donating 12 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Continental Tire The America's, LLC	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Higdon, Hardy & Zuflacht, LLP - Family Law	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Iron Cactus	The donor is donating 8 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Kidd Roofing	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Pax Financial Group	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Plains ER Management, LTD (dba) Express ER	The donor is donating 8 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Prestige Emergency Room, LLC	The donor is donating 8 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.

Donor	Description and Purpose (Exh. B)
Simmonds Real Estate, Inc.	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Texas Medclinic	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.
Twisted Root Burger Company	The donor is donating 4 miles of litter pick up per year for 2 years in exchange for Sponsor A Highway signage on the State's right of way.

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

b. Real Estate Dispositions

(1) Bell County - FM 439 in Killeen - Consider the transfer of control, jurisdiction, and maintenance and transfer of right of way to the City of Killeen (MO)

115252
ROW

In Killeen, BELL COUNTY, on FARM TO MARKET ROAD 439, the state of Texas acquired certain land for highway purposes by various instruments of record, and the state used other land for highway purposes to which there is no record title.

Portions of the land (Tracts), RCSJ 0836-03-066, described in Exhibit A, are 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 (commission) may recommend the transfer of highway right of way to a governmental entity that has assumed jurisdiction, control, and maintenance of the right of way for public road purposes.

The City of Killeen (city) has assumed jurisdiction, control, and maintenance and has requested that the Tracts be transferred to the city.

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

FURTHER, if the Tracts cease to be used for public road purposes, they shall immediately and automatically revert to the state.

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

(2) Cameron County - US 83 at old US 77 in Brownsville - Consider the sale of an easement to the City of Brownsville (MO)

115253
ROW

In Brownsville, CAMERON COUNTY, on US HIGHWAY 83, the state of Texas acquired an easement interest in certain land for highway purposes by instrument recorded in Volume 640, Page 472, Deed Records of Cameron County, Texas.

A portion of the easement (Tract 1), RCSJ 0039-09-063, shown on Exhibit A, is no longer needed for a state highway purpose.

In accordance with V.T.C.A., Transportation Code, Section 202.021, the Texas Transportation Commission (commission) may recommend the sale of any interest in real property acquired and no longer needed for a state highway purpose.

The City of Brownsville is the owner of the fee in the property and has requested to purchase Tract 1 for \$160,000.

The commission finds \$160,000 to be a fair and reasonable value for the state's right and interest in Tract 1.

IT IS THEREFORE ORDERED by the commission that Tract 1 is no longer needed for a state highway purpose. The commission recommends, subject to approval of the attorney general, that the governor of Texas execute a proper instrument releasing the state's right and interest in Tract 1 to the City of Brownsville, Texas, for \$160,000.

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

(3) El Paso County - US 62/US 85 in El Paso - Consider the removal from the system, transfer of control, jurisdiction, and maintenance to the City of El Paso (city), and quitclaim of right of way to the city (MO)

115254
ROW

In El Paso, EL PASO COUNTY, on US HIGHWAY 62/US 85, the state of Texas used certain land for highway purposes to which there is no record title in the state's name.

Pursuant to Texas Transportation Code, §§201.103 and 221.001, the executive director has recommended, as shown on Exhibit A, that a segment of US 62/US 85 on El Paso Street, from Paisano Street south to 6th Avenue, be removed from the state highway system, a distance of 0.2 mile, and that control, jurisdiction, and maintenance be transferred to the City of El Paso (city).

The land (Tract 1), RCSJ 0167-03-002, shown on Exhibit A, 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 (commission) may recommend the quitclaim to the city of any interest that might have accrued to the state by use of the property.

The city will assume control, jurisdiction, and maintenance of Tract 1 and has requested the quitclaim to the city.

IT IS THEREFORE ORDERED by the commission that a segment of US 62/US 85 is removed from the state highway system on El Paso Street, from Paisano Street south to 6th Avenue, a distance of 0.2 mile, and control, jurisdiction and maintenance are transferred to the City of El Paso.

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

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

(4) Hidalgo County - FM 396, northeast of US 83 in Mission - Consider the sale of right of way to the abutting landowner (MO)

115255
ROW

In Mission, HIDALGO COUNTY, on FARM TO MARKET ROAD 396, the state of Texas acquired certain land for highway purposes by instruments recorded in Volume 977, Page 160, and Volume 977, Page 504, Deed Records of Hidalgo County, Texas.

A portion of the land (Tract 2), RCSJ 3097-02-015, described in Exhibit A, 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 (commission) may recommend the sale to abutting landowners of any interest in real property acquired and no longer needed for a state highway purpose.

A-S 135 Hwy 83-Bryan Rd., L.P., is the abutting landowner and has requested to purchase Tract 2 for \$121,446.

The commission finds \$121,446 to be a fair and reasonable value of the state's right, title, and interest in Tract 2.

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

Tract 2 to A-S 135 Hwy 83-Bryan Rd., L.P., for \$121,446; SAVE AND EXCEPT, however, there is excepted and reserved herefrom all of the state's right, title, and interest, if any, in and to all of the oil, gas, sulphur, and other minerals, of every kind and character, in, on, under, and that may be produced from the land.

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

c. Reports

(1) Compliance Division report

Note: Confidential report to commission.

(2) Report on projects being processed under the department's environmental review process (Report)

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

d. Speed Zones

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

115256
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.

The department, in consultation with the Texas Commission on Environmental Quality, has also determined that the environmental speed limit on the segment of highway established by Minute Order 109064, dated October 31, 2002 and listed in Exhibit D, is no longer necessary.

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 Exhibits C and D are canceled.

Note: Exhibits A - D 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 comments from private citizen Rick Perkins concerning funding for Oak Hill Parkway (Hwy 290 W/Hwy 71 N).

Commissioner Ryan motioned adjournment and Commissioner Austin seconded the motion. The commission voted 4 - 0 to adjourn. The regular meeting of the Texas Transportation Commission was adjourned at 12:07 p.m.

APPROVED by the Texas Transportation Commission on July 26, 2018:



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 28, 2018, in Austin, Texas.



Robin Carter, Commission Chief Clerk
Texas Department of Transportation