

TEXAS TRANSPORTATION COMMISSION

Various Counties

MINUTE ORDER

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Various Districts

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.

Submitted and reviewed by:

Recommended by:

DocuSigned by: Kenneth Stewart  
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Director, Contract Services Division

DocuSigned by: [Signature]  
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Executive Director

116434 February 23, 2023

Minute Date  
Number Passed

**EXHIBIT A  
DONATIONS  
February 23, 2023**

NO.	DONOR	D/D	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
1.	Ansley Corporation	Waco District	Bell	The donor is donating the design and construction for widening, milling, inlaying a section of SH 36 to add a left turn lane at the intersection Blanco Springs Road and SH 36 in Temple, Bell County, Texas. This project includes construction of asphalt pavement, grading, and restriping. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$175,000.00.	\$175,000.00	1/19/2023
2.	Abiso Potranco, LP	San Antonio District	Bexar	The donor is donating the design and construction for installation of pavement widening to allow for a left turn lane on SH 211 located south of the Potranco Road (FM 1957) and SH 211 intersection in Bexar 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 \$340,000.00, 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. <i>(Replaces previously acknowledged on 10/27/2022, due to a change in scope and an increase in the estimated value of the donation from \$222,000.00 to \$340,000.00.)</i> .	\$340,000.00	2/01/2023

NO.	DONOR	D/D	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
3.	Barkley Meadows, LLC	Austin District	Travis	The donor is donating the design and a fixed amount to cover the state's cost to construct a right turn deceleration lane on SH 71 at the entrance of the Barkley Meadows Development in Del Valle, Travis County, Texas. All construction work will be provided by the state. The design will be provided by the donor, its consultant, or its contractor. The estimated value of the construction is \$981,912.00, the estimated value of design is \$97,000.00, and the direct state costs are \$43,156.00. This project will be part of a current state project under CSJ #0265-02-036. The estimated value of the donation is \$1,122,068.00, 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.	\$1,122,068.00	1/27/2023
4.	Benchmark Acquisitions, LLC	San Antonio District	Guadalupe	The donor is donating the design and construction of left and right turn lanes and overhead flashing beacon for Panther Ridge a new public street serving the Jaro North subdivision approximately 0.34-mile north of FM 758 on SH 123 in Guadalupe 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 \$700,000.00. <i>(Replaces previously acknowledged for Bellavista Homes LLC on 9/22/2022 due to a change in donor.)</i>	\$700,000.00	1/17/2023
5.	Clay Partners - Mustang Ridge Land #1, L.P.	Austin District	Travis	The donor is donating the design and construction of roadway improvements at new driveway to the Mustang Ridge Business Park at 6925 FM 1327 in Creedmoor, Travis County, Texas. The roadway improvements include, widening pavement width to include center turn lane. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$220,000.00, 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.	\$220,000.00	1/27/2023

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6.	Colbear, LLC	San Antonio District	Atascosa	The donor is donating the design and construction for installation of new traffic signal heads and radar detector on existing TxDOT poles and span wire located 6 miles south of Loop 1604 at the intersection of SH 16 and Stacey Road, Atascosa 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 \$25,000.00.	\$25,000.00	1/12/2023
7.	D.R. Horton – Texas, Ltd.	Houston District	Fort Bend	The donor is donating the design and construction of a traffic signal at FM 359 at Sorrento Drive 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 \$210,000.00.	\$210,000.00	1/23/2023
8.	Golden Triangle Polymers Company LLC	Beaumont District	Orange	The donor is donating the design and construction of several roadway improvements on SH 62, FM 1006, FM 105, SH 87, and Business 90 in Orange, Orange County, Texas to facilitate better access to and from the donor's property. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$29,500,000.00, 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.	\$29,500,000.00	1/31/2023
9.	J.E. Properties, L.P.	San Antonio District	Comal	The donor is donating the design and construction of one turn lane, signs, pavement markings, and pavement widening for the new Prose New Braunfels Multi-Family subdivision entrance on I-35 northbound frontage road in New Braunfels, Comal County, Texas. The design and construction will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$120,000.00.	\$120,000.00	1/25/2023

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10.	Landmark Industries, LLC	Houston District	Harris	The donor is donating the design and construction of the Mason Road tie-in from westbound and eastbound FM 529 as well as roadway median modifications at the Mason Road and FM 529 intersection into the Grand Mason development in Cypress, Harris 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 \$16,000.00.	\$16,000.00	2/01/2023
11.	Lennar Homes of Texas Land and Construction, Ltd.	San Antonio District	Guadalupe	The donor is donating the design and construction of widening FM 758 to install eastbound right turn, culvert extension, pedestrian ramp and pole relocation, pavement markings, and roadside drainage on FM 758 at the intersection with SH 123 in Guadalupe County, Texas. All design and construction will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$300,000.00.	\$300,000.00	1/24/2023
12.	Lorena Travel Center Property LLC	Waco District	McLennan	The donor is donating the design and construction of a right turn deceleration lanes on I-35 frontage road at the entrance of the new Roadster Travel Center in Lorena, McLennan County, Texas. The materials used to pave the right turn will be asphalt. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$25,000.00.	\$25,000.00	1/09/2023
13.	Madrone Ranch Property Owners Association	Austin District	Travis	The donor is donating a fixed amount of \$31,366.00 for construction of a westbound right turn lane into Madrone Ranch Trail along RM 3238 in Austin, Travis County, Texas. All construction work will be provided by the state through change order as part of an existing project under CSJ #0683-04-020.	\$31,366.00	1/26/2023

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14.	Meritage Homes of Texas, LLC	San Antonio District	Bexar	The donor is donating the design and construction for installation of left turn and right turn lanes on FM 1560 located approximately 2,500 feet north of the intersection of FM 1560 and Galm Road in Helotes extraterritorial jurisdiction, Bexar 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 \$90,000.00, 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.	\$90,000.00	1/09/2023
15.	P&L Investor Group, LP	Austin District	Williamson	The donor is donating the design and construction of widening along Ranch Road 1869 for one left turn lane and one right turn lane including pavement widening, driveway improvements, pavement markings, and drainage improvements in Liberty Hill, 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 \$1,600,000.00, 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.	\$1,600,000.00	1/27/2023

**EXHIBIT B  
DONATIONS  
February 23, 2023**

<b>NO.</b>	<b>DONOR</b>	<b>D/D/O</b>	<b>COUNTY</b>	<b>DESCRIPTION</b>
1	Escuela Hispanoamericana de Texas (EHAT)	Austin	Travis	The donor is donating \$1733.40 under the Sponsor a Highway Program for a period of 2 years. This is a renewal on an existing sign location.
2	JJR Moving LLC dba Unicorn Moving and Storage	Austin	Travis	The donor is donating \$7704.00 under the Sponsor a Highway Program for a period of 2 years. This is a new contract on 4 existing sign locations.
3	Adventure Forest LLC dba Go Ape	Dallas	Collin	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
4	Total Primary Care	Dallas	Collin	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
5	Elephant Insurance Services, LLC	Dallas	Dallas	The donor is donating 3 miles of litter pick up per month for 2 years under the Sponsor A Highway Program
6	Total Primary Care	Dallas	Dallas	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
7	Best Western Plus Lake Worth Inn & Suites	Fort Worth	Tarrant	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
8	Elephant Insurance Services, LLC	Fort Worth	Tarrant	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
9	FW River Plaza LP	Fort Worth	Tarrant	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
10	World Travel Holdings Inc. dba Cruises.com	Houston	Harris	The donor is donating 2 miles of litter pick up per month for 2 years under the Sponsor A Highway Program

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<b>11</b>	Texas Turbine LLC	Lubbock	Lubbock	The donor is donating 2 miles of litter pick up per month for 2 years under the Sponsor A Highway Program
<b>12</b>	Holdsworth & Nicholas, Inc. f.b.o. Texas MedClinic	San Antonio	Comal	The donor is donating 2 miles of litter pick up per month for 2 years under the Sponsor A Highway Program
<b>13</b>	PAX Financial Group	San Antonio	Comal	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program