

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 department also acquires by donation land used for highway improvement projects. Exhibit B lists property donated to the department for that purpose. The department has determined that acceptance of these donations is in the best interest and welfare of the traveling public and will provide a significant public benefit.

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 C 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.

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

Submitted and reviewed by:

Recommended by:

DocuSigned by:
Kenneth Stewart
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Director, Contract Services Division

DocuSigned by:
Ma D Willis
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Executive Director

116616 December 12, 2023

Minute
Number

Date
Passed

**EXHIBIT A
DONATIONS
December 12, 2023**

NO.	DONOR	D/D	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
1.	Ascendant Development, LLC	Houston District	Montgomery	The donor is donating the design and construction of a driveway connection and a two-way left turn lane from northbound and southbound SH 75 into the Preserve at Conroe 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 \$270,000.00.	\$270,000.00.	11/10/2023
2.	AssetWorks Inc.	Fleet Operations Division	N/A	The donor is donating an in-kind donation consisting of registration fees for Josh Morton, System Administrator for the Fleet Navigator System (FNAV) system to attend the annual 2024 AssetWorks Academy Conference in Kansas City, Missouri on March 17-21, 2024. The estimated value of the donation is \$1,300.00.	\$1,300.00	11/07/2023
3.	Chick-Fil-A, Inc.	San Antonio District	Bexar	The donor is donating construction funding for the installation of southbound I-410 deceleration lane and associated drainage structures on I-410 located approximately 550 feet north of Rigsby Avenue intersection in San Antonio, Bexar County, Texas. All design and construction work will be provided by the State. The estimated value of the donation is \$50,000.00.	\$50,00.00	10/27/2023
4.	Grapevine Convention & Visitors Bureau	Travel Information Division	N/A	The donor is donating food, beverages, transportation, and admissions to area attractions for the familiarization study tour of Grapevine, Fort Worth, and Arlington during November 13-16, 2023. The tour is sponsored by the donor and attended by TxDOT travel counselors and Travel Information Division staff. The tour is to provide education to TxDOT's travel counselors, who staff the Travel Information Centers at points of entry to the state and answer Texas travel questions for about 1.5 million visitors to Texas each year. The estimated value of the donation is \$7,200.00.	\$7,200.00	11/02/2023

NO.	DONOR	D/D	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
5	Jack's Reserve, Ltd.	Austin District	Hays	The donor is donating the design and construction of roadway improvements to FM 110 that will serve Jack's Reserve Subdivision in San Marcos, Hays County, Texas. The roadway improvements include a dedicated left turn lane with full thin overlay mixture. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$160,000.00, 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.	\$160,000.00	11/15/2023
6.	JDS Nursery Tract South LLC	Houston District	Fort Bend	The donor is donating the design and construction of a traffic signal from north, south, and west bounds FM 359 into the Candela South development in 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 \$250,000.00.	\$250,000.00	11/10/2023
7.	Lennar Homes of Texas Land and Construction, Ltd.	San Antonio District	Comal	The donor is donating the design and construction of overhead flashing beacons and left and right turn lanes at the new subdivision intersections of Neumanns Way and Canyon Loop in Comal County, Texas on FM 306 from approximately 3100 feet west of Cascada Parkway to approximately 965 feet east of Cascada Parkway. All design and construction will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$1,900,000.00 <i>(Replaces previously acknowledged for Canyon Ranch 400 LP on 8/30/2022 due to a change in donor).</i>	\$1,900,000.00	10/26/2023

NO.	DONOR	D/D	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
8.	LS-Anthem LLC	Austin District	Hays	The donor is donating the design and construction of roadway improvements to RM 150 that will serve Gregg Gardens Subdivision in Kyle, Hays County, Texas. The roadway improvements include widening, thin overlay mixture, and striping changes. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$380,000.00, 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.	\$380,000.00	10/30/2023
9.	Priefert Mfg. Co., Inc.	Atlanta District	Titus	The donor is donating ditch grading to connect two existing culverts on either side of the ditch into a single drainage system on FM 4000 in Mount Pleasant, Titus County, Texas. All work will be performed by the donor, its consultant, or its contractor. The estimated value of the donation is \$72,000.00.	\$72,000.00	11/01/2023
10	Primoris Services Corporation	Austin District	Travis	The donor is donating the design and construction of roadway overlay and pavement marking modifications to create a left turn lane to serve the Creedmoor Ditmar Industrial development driveway at 4620 FM 1327 in Creedmoor, 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 \$71,000.00, 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 for 4620 FM 1327 Development Limited Liability Company on 9/22/2022 due to a change in donor</i>).	\$71,000.00	11/15/2023
11.	QT South, LLC	Waco District	Bell	The donor is donating the design and construction of a right turn deceleration lane along the I-35 southbound frontage road, northeast of Hart Road in Temple, Bell County, Texas. The design and construction will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$410,000.00.	\$410,000.00	11/10/2023

NO.	DONOR	D/D	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
12.	Rêve Preparatory, Inc.	Houston District	Harris	The donor is donating the design and construction of a traffic signal from north, south, east, and west bounds FM 865 into the Rêve Preparatory Charter School development in Houston, 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 \$360,000.00.	\$360,000.00	11/02/2023
13.	San Antonio Spurs, L.L.C.	San Antonio District	Bexar	The donor is donating guide sign modifications at I-35 and AT&T Center Parkway in San Antonio, Bexar County, Texas. The modifications include changing the name of the signs from AT&T Center Parkway to Frost Bank Center Drive. All construction work will be part of an existing project (CSJ 0915-00-238). All design and construction work will be provided by the State, its consultant, or its contractor. The estimated value of the donation is \$120,000.00, 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.	\$120,000.00	11/03/2023
14.	Texas State Technical College	Waco District	McLennan	The donation consists of shoulder/ditch improvements to approximately 700 linear feet (LF) of Air Base Road (FM 2418), as well as the extension of East Craven Avenue to the west onto the Texas State Technical College Campus in Waco, McLennan County, Texas. The shoulder/ditch improvements will extend approximately 125 LF to the north, measured from the existing East Craven Avenue/FM 2418 intersection, and 525 LF to the south. The northbound lanes will be widened by 4' and striped for a dedicated right turn lane onto East Craven Avenue. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$70,000.00.	\$70,000.00.	11/10/2023
15.	Triquetra Holdings Company, LLC	Waco District	Bell	The donor is donating the design and construction of a right turn deceleration lane from eastbound SH 36 onto North Pea Ridge Road in Temple, 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 \$70,000.00.	\$70,000.00	11/03/2023

NO.	DONOR	D/D	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
16.	TX Conservation, LLC	Waco District	Coryell	The donor is donating the design and construction of two right-turn deceleration lanes from eastbound FM 217 into the Hidden Creek Subdivision development in Jonesboro, Coryell 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 \$64,000.00.	\$64,000.00	11/14/2023

EXHIBIT B
ROW ACQUISITION BY DONATION
December 12, 2023

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	TXDOT VALUE	ROW CSJ NO./Parcel No.	DATE ACCEPTED
1.	Republic EES, LLC, a Louisiana Limited Liability Company	Bryan District	Grimes County	Donation of 0.2295 acres of land on SH 30. The property being donated will be utilized to construct an improvement on a highway right of way that is directly related to improving access to or from the owner's land.	\$15,384.91	5500-00-075 Parcel 1	11/10/2023

**EXHIBIT C
DONATIONS
December 12, 2023**

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION
1	RJS Hospitality Services, Inc dba Chick-fil-A Bastrop	Austin	Bastrop	The donor is donating \$1845.11 under the Sponsor a Highway Program for a period of 2 years. This is a renewal on an existing sign location.
2	Babs Thirty-Four LLC dba Satellite...Eat.Drink.Orbit	Austin	Travis	The donor is donating \$1800.00 under the Sponsor a Highway Program for a period of 2 years. This is a new contract on an existing sign location.
3	Freedom Solar Power	Austin	Travis	The donor is donating \$2033.93 under the Sponsor a Highway Program for a period of 2 years. This is a renewal on an existing sign location.
4	Kidd Roofing	Austin	Travis	The donor is donating \$1926.00 under the Sponsor a Highway Program for a period of 2 years. This is a renewal on an existing sign location.
5	Lamia Kadir M.O. , PA dba Family Medicine Austin	Austin	Travis	The donor is donating \$1845.11 under the Sponsor a Highway Program for a period of 2 years. This is a renewal on an existing sign location.
6	Elephant Insurance Services, LLC	Dallas	Collin	The donor is donating 2 miles of litter pick up per month for 1 year under the Sponsor A Highway Program.
7	Frisco Tint Inc.	Dallas	Collin	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	Dallas	Dallas	The donor is donating 5 miles of litter pick up per month for 1 year under the Sponsor A Highway Program.
9	Elephant Insurance Services, LLC	Dallas	Denton	The donor is donating 2 miles of litter pick up per month for 1 year under the Sponsor A Highway Program.
10	Elephant Insurance Services, LLC	Fort Worth	Tarrant	The donor is donating 3 miles of litter pick up per month for 1 year under the Sponsor A Highway Program.

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION
11	Elephant Insurance Services, LLC	Houston	Harris	The donor is donating 1 mile of litter pick up per month for 1 year under the Sponsor A Highway Program.
12	Farah Law Group, PLLC	Houston	Harris	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.
13	Nationwide Specialty Finance, Inc (dba) Drive Away	Houston	Harris	The donor is donating 2 miles of litter pick up per month for 2 years under the Sponsor A Highway Program.
14	Zeus Mortgage, LTD (dba) ZeusLending.com	Houston	Harris	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.
15	Stewart Title Company of Montgomery County, Inc.	Houston	Montgomery	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.
16	Graco Fishing & Rental Tools, Inc dba Graco Oilfield Services	Odessa	Ector	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.
17	Thomas OilField Services, LLC	Odessa	Midland	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.
18	Graco Fishing & Rental Tools, Inc dba Graco Oilfield Services	Odessa	Ward	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.
19	Continental Tire the Americas, LLC	San Antonio	Bexar	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.
20	Guido Lumber Company, Inc	San Antonio	Kendall	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.