

These are the minutes of the regular meeting of the Texas Transportation Commission held on May 26, 2022, in Austin, Texas. The meeting was called to order at 10:03 a.m. by Chairman Bugg with the following commissioners present:

Texas Transportation Commission:

J. Bruce Bugg, Jr.	Chairman
Laura Ryan	Commissioner
Alvin New	Commissioner
Robert C. Vaughn	Commissioner

Administrative Staff:

Marc Williams, Executive Director
 Becky Blewett, Deputy General Counsel
 Nicole Lawson, Commission Chief Clerk

A public notice of this meeting containing all items on the proposed agenda was filed in the Office of the Secretary of State at 2:28 p.m. on May 18, 2022, as required by Government Code, Chapter 551, referred to as “The Open Meetings Act.”

ITEM 1. Safety Briefing

Executive Director Marc Williams directed that the Greer building safety video be shown on the screens in the Ric Williamson hearing room.

ITEM 2. Opening Comments from Commissioners and Executive Director

The commissioners made opening remarks.

ITEM 3. Consider the approval of the Minutes of the April 19, 2022 special meeting, and the April 20, 2022, regular meeting of the Texas Transportation Commission

Commissioner Vaughn made a motion, which was seconded by Commissioner Ryan, and the commission approved the minutes of the April 19, 2022 special meeting and the April 20, 2022, regular meeting by a vote of 4 - 0.

ITEM 4. Acknowledgment of Service

Recognize by resolution Chief Engineer William L. Hale, P.E. for 39 years of service to the department.

This resolution was presented by Brian Barth, P.E. Deputy Executive Director for Program Delivery.

ITEM 5. GRIT Award

This award was presented by Commissioner Laura Ryan to the project team involved in the preparation and continued management of the move to the Stassney Campus. The award was accepted by Facilities Modernization Project Manager Brian Sweat, on behalf of the entire Stassney project team.

ITEM 6. Contracts

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

a. Highway Improvement and Other Transportation Facilities (MO)

This item was presented by Construction Division Director Duane Milligan. 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.

116236
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 May 4 and 5, 2022, as well as BRYAN DISTRICT, BURLESON COUNTY, Job Number 3217, Project Number BR 1702(439), and BEAUMONT DISTRICT, JASPER COUNTY, Job Number 3220, Project Number STP 2021(242)SRS, which were publicly read on April 7, 2022, as shown on Exhibit A.

Pursuant to cited code provisions highway improvement contract bids on a project may be accepted or rejected, but if accepted must be awarded to the lowest bidder.

An award is conditional in the event it is subject to Federal Highway Administration concurrence, third party funding or concurrence, and other conditions listed in the contract or an exhibit to this order.

The department recommends that the Texas Transportation Commission (commission) respectively consider the award to the lowest bidder, reject or defer, as indicated, those highway and transportation enhancement building construction contracts identified on attached Exhibit A to this order.

IT IS THEREFORE ORDERED by the commission that the contracts described in Exhibit A, be and are hereby respectively awarded to the lowest bidder or rejected or deferred as indicated therein.

If a contractual requirement of award is not satisfied within the prescribed time limit, including any extension of time allowed by the executive director or the director's designee, by reason of the action or inaction of the successful low bidder on any contract, including, but not limited to, disadvantaged business/historically underutilized business participation, the contract is automatically in default and the executive director is authorized and directed to retain and deposit the related contract proposal guaranty to the credit of the State Highway Fund and to readvertise that project for competitive bids at the earliest practical subsequent date.

If a condition of award is not satisfied, including, but not limited to, reason of nonconcurrence of the Federal Highway Administration, the failure of a third party to fund or concur, or failure to meet other conditions in the contract or an exhibit to this order, the respective award is voided and the department will return the bid guaranty.

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

b. Routine Maintenance (MO)

This item was presented by Construction Division Director Duane Milligan. 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.

116237
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 May 4 and 5, 2022, 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.

ITEM 7. Discussion Items**a. Cash Management and Contract Awards (Presentation)**

This discussion was led by Stephen Stewart Chief Financial Officer and Bill Hale Chief Engineer. The commission asked questions and discussed the topic. The commission also heard comments from Executive Director Marc Williams.

The commission took a short recess at 12:05 p.m.; and reconvened at 12:14 p.m.

b. Legislative Appropriations Request (Presentation)

This discussion was led by Amanda Landry Financial Management Division Director. The commission asked questions and discussed the topic. The commission also heard comments from Chief Information Officer Anh Selissen and Executive Director Marc Williams.

c. North Houston Highway Improvement Project (Presentation)

This discussion was led by Brandye Hendrickson Deputy Executive Director for Planning and Administration. The commission asked questions and discussed the topic. The commission also heard comments from Kevin Quist representing Urban Houston, Michael Mortiz and Alec Ajnsztan both representing Stop TxDOT 45, private citizens Walter Mallet and Fabian Ramirez, and Molly Cook on behalf of private citizen Modesti Cooper.

ITEM 8. Strategic Plan

Consider the adoption of the 2023-2027 Strategic Plan for submission to the Legislative Budget Board and the Office of the Governor (MO) (Presentation)

This item was presented by Darran Anderson Director of Strategy and Innovation. 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.

116238
STR

Texas Government Code, Chapter 2056, requires that each state agency prepare a five-year strategic plan every biennium. The Office of the Governor (governor's office) and the Legislative Budget Board require certain items to be covered in the plan.

The strategic plan represents the commitment by the Texas Department of Transportation (department) to fulfill its mission to, through collaboration and leadership, deliver a safe, reliable, and integrated transportation system that enables the movement of people and goods.

IT IS THEREFORE ORDERED by the Texas Transportation Commission that the document entitled Agency Strategic Plan for the Fiscal Years 2023-2027 Period (plan), as shown in Exhibit A, is adopted and approved for submission to the governor's office, the Legislative Budget Board, and other required officials.

IT IS FURTHER ORDERED that the executive director or his designee is authorized to approve alterations to the plan as necessary to meet the requirements of the governor's office and the Legislative Budget Board.

IT IS FURTHER ORDERED that the executive director or his designee shall proceed with the publication of the governor's office and the Legislative Budget Board.

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

The commission took a short recess at 1:30 p.m.; and reconvened at 1:37 p.m.

ITEM 9. Annual Highway Safety Plan

Consider approval of funding for the 2023 Highway Safety Plan (MO) (Presentation)

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

116239
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 Infrastructure Investment and Jobs 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 2023 Highway Safety Plan (HSP).

IT IS THEREFORE ORDERED by the Texas Transportation Commission that the Executive Director is authorized to enter into any necessary agreements and proceed in the most feasible and economical manner with program development at an estimated total cost of \$101,470,645.72 as shown in Exhibit A.

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

ITEM 10. State Infrastructure Bank (presentation)

a. Williamson County - Round Rock Transportation and Economic Development Corporation - Consider preliminary approval of a request from the Round Rock Transportation and Economic Development Corporation for a State Infrastructure Bank loan in the amount of up to \$27,000,000 to pay for the costs of utility relocation, right-of-way acquisition and construction necessary for a non-tolled, off-system project involving various improvements to Gattis School Road in Williamson County, Texas (MO)

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

116240
PFD

Round Rock Transportation and Economic Development Corporation (Round Rock TEDC) has submitted an application for financial assistance in the form of a loan of up to \$27,000,000 from the State Infrastructure Bank (SIB) under Transportation Code, Chapter 222, Subchapter D, and Title 43 Texas Administrative Code (TAC), Chapter 6 (SIB Rules). The application satisfies all requirements of the rules, including passage by Round Rock TEDC of a resolution authorizing submission of the application to the Texas Department of Transportation (department).

The intended use of the financial assistance conforms to the purposes of the SIB. Round Rock TEDC intends to use the financial assistance to pay for Round Rock TEDC's costs of utility relocation, right-of-way acquisition and construction necessary for a non-tolled, off-system project involving various improvement to Gattis School Road in Williamson County, Texas (project).

The present and projected financial condition of the SIB is sufficient to cover the requested financial assistance for the project.

Round Rock TEDC has proposed a pledge of sales tax revenue as security for repayment of the loan.

The SIB Rules provide for both preliminary and final approval by the Texas Transportation Commission (commission) of any SIB loan in the principal amount of more than

\$10 million or in which the department does not have primary responsibility, unless the commission waives the preliminary approval requirement for that application.

The executive director or his designee implemented actions authorized and required by the SIB Rules for preliminary approval. The executive director recommends that the commission grant preliminary approval of Round Rock TEDC's application for financial assistance from the SIB.

In accordance with the SIB Rules, the commission finds that:

1. the project is consistent with the Statewide Long-Range Transportation Plan and the metropolitan transportation plan developed by the applicable metropolitan planning organization;
2. the project is not in Clean Air Act non-attainment area;
3. the project will improve the efficiency of the state's transportation systems;
4. the project will expand the availability of funding for transportation projects or reduce direct state costs; and
5. the application shows that Round Rock TEDC is likely to have sufficient revenues to assure repayment of the financial assistance.

IT IS THEREFORE DETERMINED AND ORDERED by the commission that the application submitted by Round Rock TEDC for financial assistance in the form of a loan from the SIB meets the applicable requirements of the SIB Rules and, in accordance with those provisions, the commission grants preliminary approval of Round Rock TEDC's application for a SIB loan in an amount not to exceed \$27,000,000 to pay Round Rock TEDC's costs of utility relocation, right-of-way acquisition and construction necessary for the non-tolled, off-system project.

IT IS FURTHER ORDERED by the commission that the executive director or his designee is directed and authorized to commence negotiations and other actions with Round Rock TEDC authorized and required by its rules.

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

b. Zapata County - Falcon Rural Water Supply Corporation - Consider final approval of a request from the Falcon Rural Water Supply Corporation for a State Infrastructure Bank loan in the amount of up to \$786,000 to pay for the costs of utility relocation necessary for a non-tolled state highway improvement project to widen US 83 in Zapata County, Texas (MO)

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

116241
PFD

Falcon Rural Water Supply Corporation (WSC) has submitted an application for financial assistance in the form of a loan of up to \$786,000 from the State Infrastructure Bank (SIB) under Transportation Code, Chapter 222, Subchapter D, and Title 43 Texas Administrative Code (TAC), Chapter 6 (SIB Rules). The application satisfies all requirements of the rules, including passage by the City of a resolution authorizing submission of the application to the Texas Department of Transportation (department).

The intended use of the financial assistance conforms to the purposes of the SIB. The WSC intends to use the financial assistance to pay the costs of utility relocation to improve US 83 in Zapata County.

The present and projected financial condition of the SIB is sufficient to cover the requested financial assistance for the project.

The WSC has proposed a pledge of water revenues as security for repayment of the loan.

In accordance with the SIB Rules, the executive director has negotiated all the terms of an agreement as necessary to protect the public's safety and to prudently provide for the protection of public funds while furthering the purposes of the SIB, contained in the Term Sheet attached hereto as Exhibit A.

The SIB Rules allow for final approval by the Texas Transportation Commission (commission) of any SIB loan in the principal amount of \$10 million or less without first going through the preliminary approval process described in the SIB Rules if the financial assistance is to be used for a project for which the department has primary responsibility.

The executive director or his designee implemented actions authorized and required by the SIB Rules for final approval. The executive director affirms that the necessary social, economic, and environmental impact studies have been completed and approved by the department. The executive director recommends that the commission grant final approval of WSC's application for financial assistance from the SIB.

In accordance with the SIB Rules, the commission finds that:

1. the project is consistent with the Statewide Long-Range Transportation Plan and the metropolitan transportation plan developed by the applicable metropolitan planning organization;
2. the project is not in a Clean Air Act non-attainment area;
3. the project will improve the efficiency of the state's transportation systems;
4. the project will expand the availability of funding for transportation projects or reduce direct state costs;
5. the application shows that the WSC is likely to have sufficient revenues to assure repayment of the financial assistance;
6. providing financial assistance will protect the public's safety and prudently provide for the protection of public funds, while furthering the purposes of the SIB; and
7. the project will provide for all reasonable and feasible measures to avoid, minimize, or mitigate for adverse environmental impacts.

IT IS THEREFORE DETERMINED AND ORDERED by the commission that the application submitted by the WSC for financial assistance in the form of a loan from the SIB meets the applicable requirements of the SIB Rules and, in accordance with those provisions, the commission grants final approval of the WSC's application for a SIB loan under the terms in the Term Sheet attached hereto as Exhibit A in an amount not to exceed \$786,000 to pay the costs of utility relocation for the non-tolled project.

IT IS FURTHER ORDERED by the commission that the executive director or his designee is directed and authorized to enter into a financial assistance agreement with the WSC which complies with the SIB Rules and which contains the terms in the Term Sheet attached hereto as Exhibit A.

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

ITEM 11. Real Estate Disposition

Chambers County - FM 3180 - Consider the removal from the system, transfer of jurisdiction, control, and maintenance, and transfer of right of way to the City of Mont Belvieu, Texas (MO)

This item was presented by Right of Way Division Director Kyle Madsen. Commissioner Ryan made a motion, which was seconded by Commissioner New, and the commission approved the following minute order by a vote of 4 - 0.

116242
ROW

In the City of Mont Belvieu, Chambers County, on FM 3180, the State of Texas acquired certain land for highway purposes by an instrument recorded in Document No. 2018-136139 of the Official Public Records of Chambers County, Texas.

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

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

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

IT IS THEREFORE ORDERED by the commission that the tract, as shown on Exhibit A, is removed from the state highway system.

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

IT IS FURTHER ORDERED that, if the tract ceases to be used for public road purposes or if the unrestricted motor vehicle lanes are reduced in number or width, it shall immediately and automatically revert to the state.

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

ITEM 12. Municipal Utility Relocation Reimbursement

Brazoria County - Consider the approval of a request from the City of West Columbia to make the relocation of the City of West Columbia's utility facilities required by the SH 36 highway improvement project an expense of the state under Transportation Code §203.092(a-4) (MO)

This item was presented by Right of Way Division Director Kyle Madsen. 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.

116243
ROW

The Texas Department of Transportation (department) has a state highway project in Brazoria County, on Highway SH 36, that requires the relocation of utility facilities. The City of West Columbia owns those utility facilities.

Transportation Code, §203.092(a-4) authorizes the Texas Transportation Commission (commission) to determine that certain publicly-owned utilities are eligible for utility facility relocation at the expense of the state. The City of West Columbia has requested that the commission determine that the relocation of their utility facilities be at

the expense of the state. The department estimates the amount of expense will be \$8,432,843.78.

The commission finds and determines that the City of West Columbia meets the eligibility standards contained in that statute and that the department's expenditures under Transportation Code, §203.092(a-4) and Texas Administrative Code, Chapter 12, Subchapter B, Rule 21.25, including the request by the City of West Columbia, will not exceed the fiscal year limitation contained in Transportation Code, §203.092(e).

IT IS THEREFORE ORDERED by the commission that the relocation of the City of West Columbia utility facility required by the improvement of the state highway system is an expense of the state to be paid by the department.

ITEM 13. Eminent Domain Proceedings

Various Counties - Consider the authorization of the filing of condemnation proceedings to acquire real property by eminent domain for non-controlled and controlled access highways (MO)

This item was presented by Right of Way Division Director Kyle Madsen. Commissioner Vaughn 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 New and the following minute order was approved by Chairman Bugg, Commissioner Ryan, Commissioner New, and Commissioner Vaughn (a vote of 4 - 0).

116244
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-NNN. 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 1-72 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>
Colorado	IH 10	DD	0271-01-081	29
Colorado	IH 10	P	0271-01-081	47
Colorado	IH 10	CC	0271-01-081	56
Colorado	IH 10	G	0271-01-081	79
Colorado	IH 10	H	0271-01-082	73
Comal	IH 35	ZZ	0016-04-114	37
Comal	IH 35	AAA	0016-04-114	38
Freestone	IH 45	R	0675-01-076	P00058796
Freestone	IH 45	Q	0675-01-076	P00058799
Freestone	IH 45	K	0675-01-076	P00058801
Freestone	IH 45	B	0675-01-076	P00058803
Freestone	IH 45	C	0675-01-076	P00058804
Freestone	IH 45	D	0675-01-076	P00058805
Freestone	IH 45	J	0675-01-076	P00058807
Freestone	IH 45	M	0675-02-093	P00060409
Freestone	IH 45	L	0675-02-093	P00060413
Jefferson	IH 10	F	0028-13-138	19
Tarrant	IH 820	W	0008-13-242	508A
Travis	IH 35	E	0015-10-065	P00000934
Travis	IH 35	NNN	0015-10-065	P00000945
Travis	IH 35	X	0015-13-406	P00001047
Travis	IH 35	S	0015-13-406	P00001048
Travis	IH 35	U	0015-13-406	P00001050
Travis	IH 35	O	0015-13-406	P00001066
Travis	IH 35	UU	0015-13-406	P00001070
Travis	IH 35	T	0015-13-406	P00001074
Travis	IH 35	N	0015-13-406	P00001094
Travis	IH 35	TT	0015-13-406	P00001105
Travis	IH 35	Y	0015-13-406	P00001110
Travis	IH 35	I	0015-13-406	P00001116
Travis	IH 35	RR	0015-13-406	P00001118
Travis	IH 35	VV	0015-13-406	P00001120

CONTROLLED ACCESS (continued)

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Travis	IH 35	WW	0015-13-406	P00056278
Travis	IH 35	V	0015-13-406	P00056291
Travis	IH 35	XX	0015-13-406	P00056296
Travis	IH 35	AA	0015-13-406	P00056303
Travis	IH 35	SS	0015-13-406	P00056307
Travis	IH 35	BB	0016-01-122	P00001313
Travis	IH 35	YY	0016-01-122	P00001323
Travis	IH 35	FF	0016-01-122	P00001329
Travis	IH 35	OO	0016-01-122	P00001338
Travis	IH 35	PP	0016-01-122	P00001342
Travis	IH 35	GG	0016-01-122	P00001345
Travis	IH 35	II	0016-01-122	P00001346
Travis	IH 35	MMM	0016-01-122	P00001348
Travis	IH 35	LL	0016-01-122	P00001349
Travis	IH 35	NN	0016-01-122	P00001351
Travis	IH 35	QQ	0016-01-122	P00001352
Travis	IH 35	BBB	0016-01-122	P00001353
Travis	IH 35	CCC	0016-01-122	P00001354
Travis	IH 35	DDD	0016-01-122	P00001358
Victoria	US 77	HH	2350-01-068	P00059750
Victoria	US 77	JJ	2350-01-068	P00059751
Victoria	US 77	KK	2350-01-068	P00059761
Webb	US 59	EE	0086-14-092	13
Webb	US 59	Z	0086-14-093	51
Webb	US 59	A	0086-14-093	53
Wharton	US 59	III	0089-07-163	1
Wharton	US 59	KKK	0089-07-163	3
Wharton	US 59	JJJ	0089-08-104	8
Wharton	US 59	MM	0089-08-104	10
Wharton	US 59	LLL	0089-08-104	13
Wharton	US 59	GGG	0089-08-104	14
Wharton	US 59	HHH	0089-08-104	21
Wharton	US 59	EEE	0089-08-104	29
Wharton	US 59	FFF	0089-08-104	30

NON-CONTROLLED ACCESS

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Brazoria	SH 36	2	0188-04-041	1
Brazoria	FM 518	70	3416-01-014	110
Denton	FM 1173	9	1059-02-003	P00055948
Denton	FM 1173	8	1059-02-003	P00055949
Denton	FM 1173	7	1059-02-003	P00055951
Denton	FM 1173	6	1059-02-003	P00055952
Denton	FM 1173	5	1059-02-003	
	P00055953,P00055953.002			
Denton	FM 1173	19	1059-02-003	P00055954
Fort Bend	FM 723	72	0188-09-047	221

NON-CONTROLLED ACCESS (continued)

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Gregg	FM 2275	3	2158-01-025	29
Harris	FM 2100	71	1062-02-021	216
Hidalgo	FM 676	21	1064-01-047	41E
Hidalgo	FM 676	22	1064-01-047	42E
Lubbock	FM 1585	27	1502-01-037	379
Montgomery	SH 105	43	0338-07-022	723
Montgomery	SH 105	41	0338-07-022	724A
Montgomery	SH 105	42	0338-07-022	724B
Starr	SL 195	10	3632-01-004	112
Starr	SL 195	20	3632-01-004	113
Starr	SL 195	54	3632-01-004	114
Starr	SL 195	55	3632-01-004	116
Starr	SL 195	23	3632-01-004	120
Starr	SL 195	56	3632-01-004	123
Starr	SL 195	57	3632-01-004	131
Starr	SL 195	58	3632-01-004	137
Starr	SL 195	60	3632-01-004	140
Starr	SL 195	59	3632-01-004	141
Starr	SL 195	1	3632-01-005	64
Starr	SL 195	4	3632-01-005	75
Starr	SL 195	11	3632-01-006	88
Starr	SL 195	12	3632-01-006	91
Starr	SL 195	13	3632-01-006	92
Starr	SL 195	14	3632-01-006	93
Starr	SL 195	15	3632-01-006	94
Starr	SL 195	16	3632-01-006	96
Starr	SL 195	17	3632-01-006	104
Starr	SL 195	18	3632-01-006	105
Travis	RM 620	49	0683-02-081	25
Travis	RM 620	24	0683-02-083	101
Victoria	US 77	25	2350-01-068	P00059745
Victoria	US 77	26	2350-01-068	P00059746
Victoria	US 77	30	2350-01-068	
	P00059747,P00059747.002			
Victoria	US 77	28	2350-01-068	P00059748
Victoria	US 77	29	2350-01-068	P00059749
Victoria	US 77	40	2350-01-068	P00059753
Victoria	US 77	44	2350-01-068	P00059754
Victoria	US 77	45	2350-01-068	P00059755
Victoria	US 77	31	2350-01-068	P00059756
Victoria	US 77	32	2350-01-068	P00059757
Victoria	US 77	33	2350-01-068	P00059758
Victoria	US 77	46	2350-01-068	P00059759
Victoria	US 77	34	2350-01-068	P00059762
Victoria	US 77	47	2350-01-068	P00059763
Wharton	US 59	52	0089-07-163	2
Wharton	US 59	35	0089-07-163	4

NON-CONTROLLED ACCESS (continued)

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Wharton	US 59	69	0089-07-163	5
Wharton	US 59	65	0089-08-104	6
Wharton	US 59	53	0089-08-104	7
Wharton	US 59	36	0089-08-104	9
Wharton	US 59	37	0089-08-104	12
Wharton	US 59	64	0089-08-104	15
Wharton	US 59	38	0089-08-104	16
Wharton	US 59	50	0089-08-104	17
Wharton	US 59	51	0089-08-104	18
Wharton	US 59	63	0089-08-104	19
Wharton	US 59	39	0089-08-104	20
Wharton	US 59	48	0089-08-104	22
Wharton	US 59	66	0089-08-104	23
Wharton	US 59	68	0089-08-104	24
Wharton	US 59	61	0089-08-104	26
Wharton	US 59	67	0089-08-104	27
Wharton	US 59	62	0089-08-104	28

Note: Exhibits A - NNN and 1 - 72 are on file with the commission chief clerk.

ITEM 14. Routine Minute Orders and Reports

This item was presented by Executive Director Marc Williams. Commissioner Ryan 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)

116245
CSD

Transportation Code, §201.206, authorizes the Texas Department of Transportation (department) to accept a donation in any form, including realty, personalty, money, materials, and services, for the purpose of carrying out its functions and duties. Government Code, Chapter 575, requires the governing board of a state agency to acknowledge the acceptance of a donation valued at \$500 or more by majority vote at an open meeting, not later than the 90th day after the date the donation is accepted. It also prohibits a state agency from accepting a donation from a person who is a party to a contested case before the agency until the 30th day after the date the decision in the case becomes final. The Texas Transportation Commission (commission) has adopted 43 TAC §§1.500-1.506, which relate to the department’s acceptance of donations. Section 1.503 authorizes the executive director to approve acceptance of donations to the department and requires that donations valued at \$500 or more must be acknowledged by order of the commission not later than the 90th day after the date the donation is accepted by the department. It further prohibits acceptance of a gift or donation when the donor is subject to department regulation or oversight

or when the donor is interested in or likely to become interested in any contract, purchase, payment, or claim with or against the department, except as provided by that section. It also provides that the executive director may approve the acceptance of a donation, notwithstanding the foregoing proscriptions in the rules, if the executive director determines that acceptance would provide a significant public benefit and would not influence or reasonably appear to influence the department in the performance of its duties.

Transportation Code, §223.049 authorizes the department to contract with an owner of land adjacent to a highway that is part of the state highway system to construct an improvement on the highway right of way that is directly related to improving access to or from the owner's land. Exhibit A lists donations resulting from a contract executed by the department under Transportation Code, §223.049 and other donations accepted under Transportation Code, §201.206.

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

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

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

Donations to the Department

<u>Donor</u>	<u>Dist</u>	<u>County</u>	<u>Donation Description</u>
Alfonso C. Nevarez	TRF	Maverick	Fixed amount of funds to design, fabricate, and install two memorial highway designation signs on the portion of LP 480 within Maverick County.
Bayten Ltd	HOU	Harris	Design and construction of a right turn deceleration Lane from eastbound East Freeway service road into the Crossings at Baytown development in Baytown.
Caldwell (SAP) DTP, LLC	BRY	Burleson	Design and construction of an R-cut on SH 21 into the donor's property and FM 60 located in Burleson County.
Cooks Point Hwy21, LLC	BRY	Burleson	Design and construction of a left turn lane on SH 21 into the donor's property located in Burleson County.

Donations to the Department (continued)

<u>Donor</u>	<u>Dist</u>	<u>County</u>	<u>Donation Description</u>
Five Eighteen Estate, LLC	HOU	Galveston	Design and construction of a Real deceleration lane from eastbound FM 518 into the 2.63-Acre commercial development in League City.
Forestar Group Inc.	AUS	Travis	Design and funds sufficient to cover the state's cost to construct a hooded left turn lane, a culvert, and cable barrier modification to the existing grassy median on eastbound US 290 from Old Kimbro Road to FM 1100 in Manor.
Forestar (USA) Real Estate Group Inc.	HOU	Montgomery	Design and construction of a street tie-in to connect to the south side of FM 2090 to serve the Splendora Crossing development in Montgomery County.
Formosa Plastics Corporation, Texas	YKM	Calhoun Jackson	Fixed amount of funds to design and construct two additional through lanes along with turning lanes for public use on FM 1593, from SH 35 to 3.6 miles north of SH 35 in Calhoun and Jackson Counties.
Gram Vikas Partners, Inc.	SAT	Comal	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.
Lennar Homes of Texas Land and Construction, Ltd.	SAT	Bexar	Design and construction of a traffic signal and turn lanes on SH 211 and Ladera Hills in San Antonio.
Homes-Texas, LLC	SAT	Medina	Design and construction of a left turn lane along FM 1957 to provide for safe left turn movements into the proposed development in Medina County.

Donations to the Department (continued)

<u>Donor</u>	<u>Dist</u>	<u>County</u>	<u>Donation Description</u>
MA Durango Farms, LLC	AUS	Williamson	Design and construction of intersection improvements to include 1) right turn lane; 2) left turn lane; 3) sidewalk construction; and 4) traffic signal at FM 1660 and Mager Lane in Hutto.
Masonwood Lockhart 1, LLC	AUS	Caldwell	Design and construction of deceleration lanes on SH 142 from Borchert Loop to Richland Drive in Lockhart.
Melissa Ranch Apartments, Ltd.	SAT	Bexar	Design and construction for a Deceleration lane along a section of US 90 at Pue Road as off-site improvements for the Melissa Ranch development in San Antonio.
Nash FM 529, LLC	HOU	Harris	Design and construction of 1) an eastbound left turn lane, westbound right turn lane, and a traffic signal on FM 529 at Elyson Exchange Way, 2) a westbound right turn lane on FM 529 at Elyson Square Way, and 3) an eastbound right turn lane on FM 529 at southbound SH 99 Frontage Road in the Elyson Development in Harris County.
Nash FM 529, LLC	HOU	Harris	Design and construction of 1) an eastbound right turn lane and a traffic signal on FM 529 at Elyson Boulevard, 2) a westbound right turn lane, and eastbound and westbound left turn lanes on FM 529 at Porter Road, and 3) a westbound right turn lane and eastbound left turn lane on FM 529 at Elyson Village Road in the Elyson Development in Harris County.
NB Dean 32, LLC	SAT	Guadalupe	Design and construction right and left turn lanes for the new Jaro north and south subdivision entrances on FM 758 in Guadalupe County.

Donations to the Department (continued)

<u>Donor</u>	<u>Dist</u>	<u>County</u>	<u>Donation Description</u>
Pulte Homes of Texas, L.P.	HOU	Fort Bend	Design and construction of a traffic signal, left turn lane from northbound FM 359 and a right turn lane from southbound FM 359 into the Del Webb Fulshear development in Fulshear.
Richmond RR LLC	HOU	Brazoria	Design and construction of a left turn lane from southbound Cullen Boulevard into the future commercial development in Pearland.
Ridgeland Hills, Ltd.	HOU	Montgomery	Design and construction of two traffic signals at Longstreet Road and I-45 frontage road (northbound and southbound) and a right turn lane from southbound I-45 into the Ridgeland Hills development in Willis.
Rodajo, Inc.	WAC	McLennan	Design and construction of a proposed right turn deceleration lane along the northbound frontage road of I-35 in Waco.
San Isidro Management, L.C.	LRD	Webb	Funds sufficient to cover the state's cost to construct cost to widen the road for a total of approximately 1,856 square yards to accommodate two driveways and the extension of the turning lane in the vicinity of San Isidro Northeast, Ltd. along US 59 in Laredo.
Southstar at Mayfair, LLC	SAT	Comal	Design and construction of right turn lanes for two new subdivision entrances known as Ford Trail and Ransom Drive on the northbound frontage road of I 35 and a channelized acceleration lane at Ransom Drive in New Braunfels.
Tesla, Inc.	AUS	Travis	Fixed amount of funds to cover the state's cost to conduct a Traffic and Revenue Analysis Study for the proposed improvements along SH 130, from north of the Colorado River to FM 969, in Austin.

Donations to the Department (continued)

<u>Donor</u>	<u>Dist</u>	<u>County</u>	<u>Donation Description</u>
William G. Nelson and Steve Nelson	WFS	Cooke	Design and construction of partial removal and rebuilding of concrete and asphalt driving surface, curb of crossover, and median on northbound FM 372 north of O'Neal Street in Gainesville.
C3 Presents, LLC	AUS	Travis	Revenue generation through the Sponsor a Highway Program. This is a new contract on an existing sign location.
Northwood Ravin	AUS	Travis	Revenue generation through the Sponsor a Highway Program. This is a contract renewal on an existing sign location.
El Dorado Chevrolet & Mazda	DAL	Collin	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
Kidd Roofing	DAL	Collin	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
Amber Allen - In Memory of Family Member (Dakota)	DAL	Denton	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
Exceptional ER	FTW	Tarrant	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
AMCAP Mortgage, LTD.	HOU	Fort Bend	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
J's Pools and Spas, LLC	HOU	Fort Bend	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
AMCAP Mortgage, LTD.	HOU	Harris	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
AMOCO Federal Credit Union	HOU	Harris	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.

Donations to the Department (continued)

<u>Donor</u>	<u>Dist</u>	<u>County</u>	<u>Donation Description</u>
Shell Federal Credit Union	HOU	Harris	Litter pick-up throughout a corridor on the State’s right of way through the Sponsor a Highway Program.
Texas Plumbing Supply, Inc.	HOU	Harris	Litter pick-up throughout a corridor on the State’s right of way through the Sponsor a Highway Program.
Lubbock Electric Co., Inc.	LBB	Lubbock	Litter pick-up throughout a corridor on the State’s right of way through the Sponsor a Highway Program.
Monaco Residential, LP	ODA	Midland	Litter pick-up throughout a corridor on the State’s right of way through the Sponsor a Highway Program.
J.D. Collision Express, LLC	SAT	Bexar	Litter pick-up throughout a corridor on the State’s right of way through the Sponsor a Highway Program.
Rox All Pro Services, LLC dba Rox & Exteriors	SAT	Bexar	Litter pick-up throughout a corridor on Roofing the State’s right of way through the Sponsor a Highway Program.
Walker Advertising, Inc.	SAT	Bexar	Litter pick-up throughout a corridor on the State’s right of way through the Sponsor a Highway Program.

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

b. Real Estate Dispositions

(1) Hidalgo County - I-2 - Consider the sale of right of way to an abutting landowner (MO)

116246
ROW

In the City of Mission, Hidalgo County, on I-2, the State of Texas acquired certain land for highway purposes by an instrument recorded in Volume 1101, at Page 732, of the Deed Records of Hidalgo County, Texas.

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

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

Bharat Gordhan and Hema Gordhan are abutting landowners and have requested to purchase the tract for \$85,020.

The commission finds \$85,020 to be a fair and reasonable value of the state’s right, title, and interest in the tract.

IT IS THEREFORE ORDERED by the commission that the tract is no longer needed for a state highway purpose. The commission recommends, subject to approval by the attorney general, that the governor of Texas execute a proper instrument conveying all of the state's right, title, and interest in the tract to Bharat Gordhan and Hema Gordhan for \$85,020; SAVE AND EXCEPT, however, there is to be excepted and reserved therefrom all of the state's right, title, and interest, if any, in and to all of the oil, gas, sulphur, and other minerals, of every kind and character, in, on, under, and that may be produced from the land.

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

(2) Williamson County - US 183 - Consider the sale of right of way to an abutting landowner (MO)

116247
ROW

In the City of Austin, Williamson County, on US 183, the State of Texas acquired certain land for highway purposes by an instrument recorded in Volume 1723, at Page 855, of the Deed Records of Williamson County, Texas.

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

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

Avery Land Investors, LP is an abutting landowner and has requested to purchase the tract for \$580,000.

The commission finds \$580,000 to be a fair and reasonable value of the state's right, title, and interest in the tract.

IT IS THEREFORE ORDERED by the commission that the tract is no longer needed for a state highway purpose. The commission recommends, subject to approval by the attorney general, that the governor of Texas execute a proper instrument conveying all of the state's right, title, and interest in the tract to Avery Land Investors, LP for \$580,000; SAVE AND EXCEPT, however, there is to be excepted and reserved therefrom all of the state's right, title, and interest, if any, in and to all of the oil, gas, sulphur, and other minerals, of every kind and character, in, on, under, and that may be produced from the land.

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

c. Reports

(1) Compliance Division report

Note: Confidential report to commission.

(2) Central Texas Turnpike System

Travis and Williamson Counties - FY 2022 Central Texas Turnpike System Annual Inspection (Report)

Note: The Report will remain on file with the commission chief clerk for two years.

(3) Quarterly Investment Report for all of the funds invested at the direction of the commission (Report)

Note: The Report will remain on file with the commission chief clerk for two years.

(4) State Highway 249 System

Grimes and Montgomery Counties - Quarterly Traffic and Operating Report for the State Highway 249 System (Report)

Note: The Report will remain on file with the commission chief clerk for two years.

d. Land Acquisitions for Facilities

Angelina County - Consider the grant of authority to the department to acquire real property for facilities (MO)

116248
SSD

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

Transportation Code Chapter 203 authorizes the commission to acquire an interest in real property that the commission determines is necessary or convenient to construct or operate a facility used in connection with the construction, maintenance or operation of a state highway or toll project, or to accomplish any other purpose related to the location, construction, improvement, maintenance, beautification, preservation or operation of a state highway.

The Texas Department of Transportation (department) proposes to acquire the properties listed on the attached Exhibit A for the construction of new facilities and expansion of existing facility sites. Funds for the purchase of these properties were appropriated by 87th Legislature, Supplemental Appropriations Act for the 2022-23 Biennium.

The commission finds that the acquisition of the properties listed in Exhibit A is necessary for the overall efficiency of the construction, maintenance and operation of the state highway system.

IT IS THEREFORE ORDERED by the commission that the purchase prices for the individual properties listed on Exhibit A may be expended to pay for such properties, together with such additional funds as may be required to pay any necessary and customary incidental expenses of performing due diligence and acquiring fee simple title to the properties.

IT IS FUTHER ORDERED by the commission that the executive director, or his designee, is authorized to negotiate and execute earnest money contracts or purchase agreements containing such terms as determined necessary to purchase the properties. The executive director, or his designee, may terminate such contracts or agreements in the event that the department determines that one or more of the properties is unsuitable for its intended purpose.

IT IS FURTHER ORDERED by the commission that the executive director, or his designee, is authorized to close the acquisition of the properties and execute any related closing documents, to expend funds for the applicable purchase prices, surveys, due diligence, title insurance, and any other necessary ancillary expenses, and to take

other actions necessary to acquire fee simple title to the properties, consistent with the provisions of this minute order.

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

g. Speed Zones

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

116249
TRF

Transportation Code, §545.352 establishes prima facie reasonable and prudent speed limits for various categories of public roads, streets and highways.

Transportation Code, §545.353 empowers the Texas Transportation Commission (commission) to alter those prima facie limits on any part of the state highway system as determined from the results of an engineering and traffic investigation conducted according to the procedures adopted by the commission.

The Texas Department of Transportation (department) has conducted the prescribed engineering and traffic investigations to determine reasonable and safe prima facie maximum speed limits for those segments of the state highway system shown in Exhibits A and B.

Exhibit A lists construction speed zones in effect when signs are displayed within construction projects. The completion and/or acceptance of each project shall cancel the provision of this minute order applying to said project and any remaining construction speed zone signs shall be removed.

Exhibit B lists speed zones for sections of highways where engineering and traffic investigations justify the need to alter the speeds.

It has also been determined that the speed limits on the segments of the state highway system, previously established by the commission by minute order and listed in Exhibit C, are no longer necessary or have been incorporated by the city which has the authority to set the speed limits on these sections of the highway.

IT IS THEREFORE ORDERED by the commission that the reasonable and safe prima facie maximum speed limits determined in accordance with the department's "Procedures for Establishing Speed Zones" and shown on the attached Exhibits A and B are declared as tabulated in those exhibits. The executive director is directed to implement this order for control and enforcement purposes by the erection of appropriate signs showing the prima facie maximum speed limits.

IT IS FURTHER ORDERED that a provision of any prior order by the commission which is in conflict with a provision of this order is superseded to the extent of that conflict, and that the portions of minute orders establishing speed zones shown on the attached Exhibit C are canceled.

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

ITEM 15. 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 Eduardo Calvo Executive Director of the El Paso Metropolitan Planning Organization, Walter Miller Chair of the El Paso Metropolitan Planning Organization, and Director of Performance & Innovation for the El Paso Chamber Stephen Voglewede all commenting on transportation projects in the El Paso District.

The commission received comments on the Imperial sinkhole on FM 1053 from private citizens Schuyler Wight who also called for a moment of silence for the victims of the Uvalde elementary school shooting.

The commission received no further comments.

Commissioner Ryan motioned adjournment and Commissioner Vaughn seconded the motion. The commission voted 4 - 0 to adjourn. The regular meeting of the Texas Transportation Commission was adjourned at 2:16 p.m.

APPROVED by the Texas Transportation Commission on June 23, 2022:

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 May 26, 2022, in Austin, Texas.


Nicole Lawson, Commission Chief Clerk
Texas Department of Transportation