

These are the minutes of the regular meeting of the Texas Transportation Commission held on June 29, 2023, in Austin, Texas. The meeting was called to order at 10:00 a.m. by Chairman Bugg with the following commissioners present:

Texas Transportation Commission:

J. Bruce Bugg, Jr.	Chairman
W. Alvin New	Commissioner
Robert C. Vaughn	Commissioner
Alex Meade	Commissioner
Steven D. Alvis	Commissioner

Administrative Staff:

Marc Williams, Executive Director
 Jeff Graham, General Counsel
 Amanda Brown, 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 3:46 p.m. on June 21, 2023, 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. Resolution

Resolution to extend sympathy to the relatives of Ashley Lopez, an employee of the Odessa District, who died while performing her duties with the Texas Department of Transportation.

Chief Engineer Lance Simmons provided remarks and expressed the commission’s sympathy for the family members of Ashley Lopez.

ITEM 3. Opening Comments from Commissioners and Executive Director

The commissioners made opening remarks.

ITEM 4. Consider the approval of the Minutes of the May 25, 2023, regular meeting of the Texas Transportation Commission

Commissioner Alvis made a motion, which was seconded by Commissioner Meade, and the commission approved the minutes of the May 25, 2023, regular meeting by a vote of 5 - 0.

ITEM 5. 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 Vaughn made a motion, which was seconded by Commissioner New, and the commission approved the following minute order by a vote of 5 - 0.

116490
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 1 and 2, 2023, 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.

On August 30, 2022, the Texas Transportation Commission (commission) approved the 2023 Unified Transportation Program (UTP), which included language that provides that the commission may approve additional funding to projects up to 25% in categories 2, 4, and 12. The additional funding is subject to the availability of funds for that category and commission approval at the time of award of the contract for the highway construction project. Increases to funding may not impact the total formula allocation to the district or MPO.

The 2023 UTP includes projects that are funded with categories 2, 4 and 12, and those projects that received bids in excess of the 2023 UTP funding are shown on exhibit B.

The department recommends that the 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.

The department also recommends that the commission respectively consider to increase funding, reject or defer, as indicated, for those highway construction contracts identified on attached exhibit B 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.

IT IS FURTHER ORDERED by the commission that the category funding to projects described in exhibit B, be and are hereby respectively approved for increase or rejected or deferred as awarded as indicated therein.

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

b. Routine Maintenance (MO)

This item was presented by Construction Division Director Duane Milligan. Commissioner Alvis made a motion, which was seconded by Commissioner Meade, and the commission approved the following minute order by a vote of 5 - 0.

116491
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 1 and 2, 2023, 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 Warren Rose. Commissioner New made a motion, which was seconded by Commissioner Vaughn, and the commission approved the following minute order by a vote of 5 - 0.

116492

Pursuant to Transportation Code, Chapter 223, Subchapter A, and Title 43, Texas

SSD

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 read on June 6 and June 7, 2023, 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 6. Discussion Item

a. Legislative Session Overview (Presentation)

This discussion was led by State Legislative Affairs Section Director Cory Henrickson. The commission asked questions and discussed the topic. The commission heard comments from Farm & City Executive Director Jay Blazek Crossley complimenting the department on this session.

The commission recessed for break at 11:14 a.m. and reconvened the meeting at 11:23 a.m.

b. Unified Transportation Program (Presentation)

This discussion was led by Transportation Planning and Programming Division Director Humberto Gonzalez Jr. The commission asked questions and discussed the topic. The commission heard comments from city of Sherman Mayor David Plyler who thanked the commission for their continued investment in the MPO area, particularly highway 75; City of Laredo Mayor Pro tem Vanessa Perez asked for consideration for FM 1472 in the UTP and statewide priority; City of Laredo Council Member Melissa R. Cigarroa thanked the commission for their support for the new state highway 84; El Paso Metropolitan Planning Organization (MPO) Executive Director Eduardo Calvo is excited to see the emphasis and focus on the boarder and gave an update on the Downtown 10 project; and Farm & City

Executive Director Jay Blazek Crossley talked about the budget for safety, the need for more ADA sidewalks, asked how much of this year's UTP is going to lane expansions, and questioned why dangerous urban roads are not reflected in this UTP.

ITEM 7. National Electric Vehicle Infrastructure Program

Consider approval to issue one or more requests for grant applications and award one or more grants to construct electric vehicle charging stations along the Electric - Alternative Fuel Corridors (MO)

This item was presented by Transportation Planning and Programming Division Director Humberto Gonzalez Jr. The commission heard comments from Americans for Affordable Clean Energy Consultant Brandy Marques and DL DeAngelo Consulting, LLC Principal David DeAngelo asking for the mandate for the NACS charger to be removed from this round of NEVI funds. This item was not voted on and was deferred to the August meeting.

ITEM 8. State Infrastructure Bank

Consider approval of applications for State Infrastructure Bank loans from various applicants (MO) (Presentation)

This item was presented by Project Finance, and Enterprise Operations Division Director Patrick Marotta. Commissioner Vaughn made a motion, which was seconded by Commissioner New, and the commission approved the following minute order by a vote of 5 - 0.

116493
PFD

The applicants listed in exhibit A have each submitted an application for financial assistance in the form of a loan from the State Infrastructure Bank (SIB) under Transportation Code, Chapter 222, Subchapter D, and Title 43 Texas Administrative Code (TAC), Chapter 6 (SIB Rules). Each application satisfies all requirements of the rules, including passage 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. Each applicant intends to use the financial assistance to pay for eligible project costs to perform work on various projects in various counties in Texas, as detailed in exhibit A.

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

In accordance with the SIB Rules, the executive director has negotiated all the terms of an agreement with each applicant 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, as contained in exhibit A.

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. In Minute Order No. 116396, dated December 13, 2022, the commission granted the city of Nolanville preliminary approval of its application and, in accordance with the SIB Rules, found 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 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 the city of Nolanville is likely to have sufficient revenues to assure repayment of the financial assistance.

The SIB Rules also allow for final approval by the 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 the applications listed in exhibit A for financial assistance from the SIB up to the amount listed for each project, contingent on any special conditions required in exhibit A.

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

1. the projects listed in exhibit A are consistent with the Statewide Long-Range Transportation Plan and the metropolitan transportation plan developed by the applicable metropolitan planning organization;
2. the city of Dublin's project listed in exhibit A is in a Clean Air Act non-attainment area and is consistent with the Statewide Transportation Improvement Program, with the conforming plan and Transportation Improvement Program for the MPO in which the project is located, and with the State Implementation Plan;
3. the projects listed in exhibit A will improve the efficiency of the state's transportation systems;
4. the projects listed in exhibit A will expand the availability of funding for transportation projects or reduce direct state costs;
5. the applications submitted show that the applicants listed in exhibit A are likely to have sufficient revenues to assure repayment of the financial assistance;
6. providing financial assistance to each applicant listed in exhibit A 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 projects listed in exhibit A 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 each application listed in exhibit A submitted 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 applications for SIB loans under the terms contained within exhibit A up to the amount listed for each project to pay for the eligible project costs necessary for the non-tolled projects.

IT IS FURTHER ORDERED by the commission that the executive director or his designee is directed and authorized to enter into financial assistance agreements for each of the attached SIB loan requests, which comply with the SIB Rules and which contains the terms attached hereto as exhibit A.

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

ITEM 9. Aviation

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

This item was presented by Aviation Division Director Dan Harmon. Commissioner New made a motion, which was seconded by Commissioner Vaughn, and the commission approved the following minute order by a vote of 5 - 0.

116494
AVN

The Texas Department of Transportation (department) is authorized under Title 49, United States Code, Chapter 471, and Texas Transportation Code, Chapter 21, to award federal 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, and federal apportionment grant funds for the improvements.

On June 1, 2023, 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, subject to applicable federal and state requirements, is authorized to enter into any necessary agreements to fund, through the Aviation Facilities Grant Program, the projects described in exhibit A.

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 services for toll customer service center operation for the department (MO)

This item was presented by Project, Finance, Debt & Strategic Contracts Division Director Ben Asher. Commissioner Alvis made a motion, which was seconded by Commissioner Meade, and the commission approved the following minute order by a vote of 5 - 0.

116495
PFD

The Texas Department of Transportation (department) issued purchase order 60144000055037 on November 5, 2019, for toll customer service center operation for the department, through a competitive solicitation under the authority provided by Chapter 2155, Government Code.

The department proposes to amend the purchase order to allow the department to increase quantities needed for toll customer service center operation, due to unforeseen circumstances causing the initial assumptions and projections concerning level of effort to perform the service to be underestimated. Initial purchase order amount of \$142,272,700 has increased to \$156,499,969 via previously approved purchase order change notices. This amendment would increase the total consideration to be paid under the purchase order from \$156,499,969 to \$184,954,509 which will result in an increase of more than 10 percent of the total amount paid under the purchase order for the initial term. A copy of the proposed amendment is attached as exhibit A.

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 the 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.

Approval to amend the purchase order will allow additional funding of \$28,454,540 needed for the continuation of toll customer service center operation for initial term of contract.

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 A to this minute order is approved.

Note: Exhibit A is 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 Kyle Madsen. Commissioner Alvis 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 Meade and the following minute order was approved by Chairman Bugg, Commissioner New, Commissioner Vaughn, Commissioner Meade, and Commissioner Alvis (a vote of 5 - 0).

116496
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-U. 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 1-302 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 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:

NON-CONTROLLED ACCESS

COUNTY	HIGHWAY	EXHIBIT	ROW CSJ NO.	PARCEL
Brazoria	SH 36	198	0188-05-031	408
Brazoria	SH 36	201	0188-05-031	409
Brazoria	SH 36	196	0188-05-031	410
Brazoria	SH 36	197	0188-05-031	411
Cameron	US 281	159	0220-04-057	41
Cameron	US 281	158	0220-04-057	45
Cameron	US 281	157	0220-04-057	46
Cameron	US 281	156	0220-04-057	54
Clay	US 82	161	0044-03-052	17
Clay	US 82	162	0044-03-053	18
Collin	FM 455	203	0816-04-110	P00059531
Denton	US 377	59	0081-06-043	P00024333
Denton	US 377	58	0081-06-043	P00024334, P00024335
Denton	US 377	57	0081-06-043	P00024336
Denton	US 377	56	0081-06-043	P00024337
Denton	US 377	55	0081-06-043	P00024339
Denton	US 377	54	0081-06-043	P00024341
Denton	US 377	53	0081-06-043	P00024343
Denton	US 377	52	0081-06-043	P00024344
Denton	US 377	51	0081-06-043	P00024346
Denton	US 377	50	0081-06-043	P00024347
Denton	US 377	49	0081-06-043	P00024348
Denton	US 377	41	0081-06-043	P00024351
Denton	US 377	40	0081-06-043	P00024352
Denton	US 377	39	0081-06-043	P00024353
Denton	US 377	38	0081-06-043	P00024355
Denton	US 377	37	0081-06-043	P00024356
Denton	US 377	36	0081-06-043	P00024357
Denton	US 377	35	0081-06-043	P00024358
Denton	US 377	34	0081-06-043	P00024359

NON-CONTROLLED ACCESS (continued)

COUNTY	HIGHWAY	EXHIBIT	ROW CSJ NO.	PARCEL
Denton	US 377	33	0081-06-043	P00024360
Denton	US 377	32	0081-06-043	P00024361
Denton	US 377	31	0081-06-043	P00024362
Denton	US 377	30	0081-06-043	P00024364
Denton	US 377	29	0081-06-043	P00024366
Denton	US 377	23	0081-06-043	P00024367
Denton	US 377	21	0081-06-043	P00024368
Denton	US 377	60	0081-06-043	P00024369
Denton	US 377	22	0081-06-043	P00024427
Denton	US 377	224	0081-06-043	P00024436
Denton	US 377	225	0081-06-043	P00024437
Denton	US 377	226	0081-06-043	P00024439
Denton	US 377	227	0081-06-043	P00024440
Denton	US 377	228	0081-06-043	P00024441
Denton	US 377	229	0081-06-043	P00024442
Denton	US 377	230	0081-06-043	P00024443
Denton	US 377	231	0081-06-043	P00024444
Denton	US 377	232	0081-06-043	P00024445
Denton	US 377	234	0081-06-043	P00024446
Denton	US 377	235	0081-06-043	P00024447
Denton	US 377	236	0081-06-043	P00024448
Denton	US 377	237	0081-06-043	P00024449
Denton	US 377	238	0081-06-043	P00024450
Denton	US 377	239	0081-06-043	P00024451
Denton	US 377	240	0081-06-043	P00024452
Denton	US 377	241	0081-06-043	P00024453
Denton	US 377	243	0081-06-043	P00024455-1, P00024455-2
Denton	US 377	244	0081-06-043	P00024456
Denton	US 377	246	0081-06-043	P00024457
Denton	US 377	247	0081-06-043	P00024458
Denton	US 377	249	0081-06-043	P00024459
Denton	US 377	250	0081-06-043	P00024460, P00024460E
Denton	US 377	251	0081-06-043	P00024461, P00024461E
Denton	US 377	253	0081-06-043	P00024463
Denton	US 377	254	0081-06-043	P00024464
Denton	US 377	255	0081-06-043	P00024465
Denton	US 377	256	0081-06-043	P00024466
Denton	US 377	257	0081-06-043	P00024467
Denton	US 377	258	0081-06-043	P00024468
Denton	US 377	259	0081-06-043	P00024469
Denton	US 377	260	0081-06-043	P00024470
Denton	US 377	261	0081-06-043	P00024471
Denton	US 377	263	0081-06-043	P00024473
Denton	US 377	264	0081-06-043	P00024474
Denton	US 377	265	0081-06-043	P00024475
Denton	US 377	266	0081-06-043	P00024476

NON-CONTROLLED ACCESS (continued)

COUNTY	HIGHWAY	EXHIBIT	ROW CSJ NO.	PARCEL
Denton	US 377	267	0081-06-043	P00024477-1, P00024477-2
Denton	US 377	268	0081-06-043	P00024478
Denton	US 377	269	0081-06-043	P00024479
Denton	US 377	270	0081-06-043	P00024480-1, P00024480-2
Denton	US 377	272	0081-06-043	P00024482
Denton	US 377	273	0081-06-043	P00024483-1, P00024483-2
Denton	US 377	274	0081-06-043	P00024484
Denton	US 377	275	0081-06-043	P00024485
Denton	US 377	276	0081-06-043	P00024486
Denton	US 377	277	0081-06-043	P00024487
Denton	US 377	278	0081-06-043	P00024488
Denton	US 377	279	0081-06-043	P00024489
Denton	US 377	280	0081-06-043	P00024490
Denton	US 377	281	0081-06-043	P00024491
Denton	US 377	282	0081-06-043	P00024492
Denton	US 377	283	0081-06-043	P00024493
Denton	US 377	284	0081-06-043	P00024495
Denton	US 377	285	0081-06-043	P00024496
Denton	US 377	286	0081-06-043	P00024497
Denton	US 377	202	0081-06-043	P00024498
Denton	US 377	194	0081-06-043	P00024499
Denton	US 377	193	0081-06-043	P00024500
Denton	US 377	191	0081-06-043	P00024502
Denton	US 377	190	0081-06-043	P00024503
Denton	US 377	189	0081-06-043	P00024504
Denton	US 377	188	0081-06-043	P00024505
Denton	US 377	187	0081-06-043	P00024506
Denton	US 377	186	0081-06-043	P00024507
Denton	US 377	185	0081-06-043	P00024508
Denton	US 377	184	0081-06-043	P00024509
Denton	US 377	183	0081-06-043	P00024510
Denton	US 377	182	0081-06-043	P00024511
Denton	US 377	181	0081-06-043	P00024512
Denton	US 377	180	0081-06-043	P00024513
Denton	US 377	179	0081-06-043	P00024514
Denton	US 377	178	0081-06-043	P00024515
Denton	US 377	177	0081-06-043	P00024516
Denton	US 377	176	0081-06-043	P00024517
Denton	US 377	175	0081-06-043	P00024518
Denton	US 377	174	0081-06-043	P00024519
Denton	US 377	173	0081-06-043	P00024520, P00024520E
Denton	US 377	172	0081-06-043	P00024521
Denton	US 377	171	0081-06-043	P00024522
Denton	US 377	170	0081-06-043	P00024523-1, P00024523-2

NON-CONTROLLED ACCESS (continued)

COUNTY	HIGHWAY	EXHIBIT	ROW CSJ NO.	PARCEL
Denton	US 377	169	0081-06-043	P00024525
Denton	US 377	168	0081-06-043	P00024526
Denton	US 377	167	0081-06-043	P00024527
Denton	US 377	166	0081-06-043	P00024528
Denton	US 377	165	0081-06-043	P00024529-1, P00024529-2
Denton	US 377	146	0081-06-043	P00024557
Denton	US 377	145	0081-06-043	P00024568
Denton	US 377	144	0081-06-043	P00024569
Denton	US 377	143	0081-06-043	P00024570
Denton	US 377	142	0081-06-043	P00024571
Denton	US 377	141	0081-06-043	P00024572
Denton	US 377	140	0081-06-043	P00024574
Denton	US 377	139	0081-06-043	P00024575
Denton	US 377	138	0081-06-043	P00024576
Denton	US 377	137	0081-06-043	P00024577
Denton	US 377	136	0081-06-043	P00024578
Denton	US 377	135	0081-06-043	P00024579.001-.002
Denton	US 377	134	0081-06-043	P00024580
Denton	US 377	133	0081-06-043	P00024581
Denton	US 377	132	0081-06-043	P00024582, P00024582E
Denton	US 377	131	0081-06-043	P00024583
Denton	US 377	130	0081-06-043	P00024584
Denton	US 377	155	0081-06-043	P00024590.001-.002
Denton	US 377	129	0081-06-043	P00024591
Denton	US 377	128	0081-06-043	P00024592
Denton	US 377	153	0081-06-043	P00024593
Denton	US 377	127	0081-06-043	P00024594
Denton	US 377	126	0081-06-043	P00024595.001-.002
Denton	US 377	125	0081-06-043	P00024596
Denton	US 377	124	0081-06-043	P00024597.001-.002
Denton	US 377	122	0081-06-043	P00024600, P00024600E
Denton	US 377	121	0081-06-043	P00024601
Denton	US 377	120	0081-06-043	P00024602
Denton	US 377	119	0081-06-043	P00024603
Denton	US 377	118	0081-06-043	P00024604
Denton	US 377	117	0081-06-043	P00024605
Denton	US 377	116	0081-06-043	P00024606
Denton	US 377	115	0081-06-043	P00024607
Denton	US 377	114	0081-06-043	P00024608
Denton	US 377	152	0081-06-043	P00024609
Denton	US 377	113	0081-06-043	P00024610
Denton	US 377	112	0081-06-043	P00024611
Denton	US 377	111	0081-06-043	P00024612.001-.002
Denton	US 377	110	0081-06-043	P00024613
Denton	US 377	109	0081-06-043	P00024614.001-.002
Denton	US 377	151	0081-06-043	P00024615

NON-CONTROLLED ACCESS (continued)

COUNTY	HIGHWAY	EXHIBIT	ROW CSJ NO.	PARCEL
Denton	US 377	150	0081-06-043	P00024616
Denton	US 377	108	0081-06-043	P00024617
Denton	US 377	107	0081-06-043	P00024618
Denton	US 377	106	0081-06-043	P00024619
Denton	US 377	105	0081-06-043	P00024620
Denton	US 377	149	0081-06-043	P00024621
Denton	US 377	104	0081-06-043	P00024622
Denton	US 377	103	0081-06-043	P00024623
Denton	US 377	102	0081-06-043	P00024624
Denton	US 377	148	0081-06-043	P00024626
Denton	US 377	101	0081-06-043	P00024627
Denton	US 377	100	0081-06-043	P00024628
Denton	US 377	99	0081-06-043	P00024629
Denton	US 377	98	0081-06-043	P00024630
Denton	US 377	96	0081-06-043	P00024632
Denton	US 377	95	0081-06-043	P00024633
Denton	US 377	147	0081-06-043	P00024634
Denton	US 377	94	0081-06-043	P00061856
Denton	US 377	93	0081-06-043	P00061858
Denton	US 377	92	0081-06-043	P00061859
Denton	US 377	91	0081-06-043	P00061861
Denton	US 377	89	0081-06-043	P00061862.001
Denton	US 377	90	0081-06-043	P00061863
Denton	US 377	48	0081-06-043	P00024349
Denton	FM 2931	223	2979-01-012	P00055669.001
Denton	FM 2931	222	2979-01-012	P00055670.001
Denton	FM 2931	221	2979-01-012	P00055671.001
Denton	FM 2931	220	2979-01-012	P00055672.001
Denton	FM 2931	218	2979-01-012	P00055673.001
Denton	FM 2931	217	2979-01-012	P00055674.001
Denton	FM 2931	2	2979-01-012	P00055675.001
Denton	FM 2931	4	2979-01-012	P00055676.001-.002
Denton	FM 2931	9	2979-01-012	P00055677.001
Denton	FM 2931	1	2979-01-012	P00055678.001
Denton	FM 2931	87	2979-01-012	P00055679.001
Denton	FM 2931	88	2979-01-012	P00055680.001
Denton	FM 2931	86	2979-01-012	P00055682.001
Denton	FM 2931	8	2979-01-012	P00055685.001
Denton	FM 2931	85	2979-01-012	P00055686.001
Denton	FM 2931	5	2979-01-012	P00055687.001
Denton	FM 2931	10	2979-01-012	P00055689.001
Denton	FM 2931	11	2979-01-012	P00055690.001
Denton	FM 2931	15	2979-01-012	P00055691.001
Denton	FM 2931	7	2979-01-012	P00055692.001
Denton	FM 2931	154	2979-01-012	P00055693.001
Denton	FM 2931	123	2979-01-012	P00055694.001
Denton	FM 2931	195	2979-01-012	P00055695.001
Denton	FM 2931	242	2979-01-012	P00055696.001
Denton	FM 2931	252	2979-01-012	P00055697.001

NON-CONTROLLED ACCESS (continued)

COUNTY	HIGHWAY	EXHIBIT	ROW CSJ NO.	PARCEL
Denton	FM 2931	262	2979-01-012	P00055698.001
Denton	FM 2931	271	2979-01-012	P00055699.001
Denton	FM 2931	97	2979-01-012	P00055700.001
Denton	FM 2931	192	2979-01-012	P00055706.001-.002
Denton	FM 2931	28	2979-01-012	P00055717.001
Denton	FM 2931	46	2979-01-012	P00055719.001
Denton	FM 2931	63	2979-01-012	P00055720.001
Denton	FM 2931	61	2979-01-012	P00055721.001
Denton	FM 2931	47	2979-01-012	P00055723.001
Denton	FM 2931	64	2979-01-012	P00055724.001
Denton	FM 2931	62	2979-01-012	P00055725.001
Denton	FM 2931	69	2979-01-012	P00055731.001
Denton	FM 2931	67	2979-01-012	P00055732.001
Denton	FM 2931	70	2979-01-012	P00055734.001
Denton	FM 2931	68	2979-01-012	P00055735.001
Denton	FM 2931	66	2979-01-012	P00055736.001
Denton	FM 2931	65	2979-01-012	P00055738.001
Denton	FM 2931	72	2979-01-012	P00055740.001
Denton	FM 2931	73	2979-01-012	P00055743.001
Denton	FM 2931	75	2979-01-012	P00055744.001-.002
Denton	FM 2931	74	2979-01-012	P00055746.001
Denton	FM 2931	71	2979-01-012	P00055748.001
Denton	FM 2931	12	2979-01-012	P00055749.001
Denton	FM 2931	14	2979-01-012	P00055750.001
Denton	FM 2931	18	2979-01-012	P00055752.001
Denton	FM 2931	17	2979-01-012	P00055753.001
Denton	FM 2931	13	2979-01-012	P00055755.001
Denton	FM 2931	16	2979-01-012	P00055756.001
Denton	FM 2931	19	2979-01-012	P00055758.001-.002
Denton	FM 2931	25	2979-01-012	P00055759.001
Denton	FM 2931	27	2979-01-012	P00055760.001
Denton	FM 2931	24	2979-01-012	P00055761.001
Denton	FM 2931	26	2979-01-012	P00055762.001
Denton	FM 2931	20	2979-01-012	P00055763.001
Denton	FM 2931	44	2979-01-012	P00055764.001
Denton	FM 2931	43	2979-01-012	P00055765.001
Denton	FM 2931	45	2979-01-012	P00055766.001
Denton	FM 2931	42	2979-01-012	P00055771.001
Denton	FM 2931	76	2979-01-012	P00055773.001
Denton	FM 2931	219	2979-01-012	P00073532.001
Galveston	FM 646	215	3049-01-032	233
Gregg	SL 485	302	3290-02-011	P00061550
Gregg	SL 485	287	3290-02-011	P00061555
Gregg	SL 485	288	3290-02-011	P00061556
Gregg	SL 485	289	3290-02-011	P00061557
Gregg	SL 485	301	3290-02-011	P00061558
Gregg	SL 485	290	3290-02-011	P00061559
Gregg	SL 485	291	3290-02-011	P00061560
Gregg	SL 485	292	3290-02-011	P00061562

NON-CONTROLLED ACCESS (continued)

COUNTY	HIGHWAY	EXHIBIT	ROW CSJ NO.	PARCEL
Gregg	SL 485	293	3290-02-011	P00061563
Gregg	SL 485	294	3290-02-011	P00061564
Gregg	SL 485	295	3290-02-011	P00061565
Gregg	SL 485	296	3290-02-011	P00061566
Gregg	SL 485	297	3290-02-011	P00061567
Gregg	SL 485	298	3290-02-011	P00061569
Gregg	SL 485	299	3290-02-011	P00061573
Gregg	SL 485	300	3290-02-011	P00061574
Hidalgo	FM 2220	84	2094-01-070	11
Hidalgo	FM 2220	207	2094-01-070	16
Hidalgo	FM 2220	83	2094-01-070	19
Hidalgo	FM 2220	82	2094-01-070	23
Hidalgo	FM 2220	81	2094-01-070	33
Hidalgo	FM 2220	80	2094-01-070	38
Hidalgo	FM 2220	79	2094-01-070	46
Hidalgo	FM 2220	206	2094-01-070	86
Hidalgo	FM 2220	205	2094-01-070	97
Limestone	US 84	199	0057-01-032	P00057698.001
Limestone	US 84	200	0057-01-032	P00057702.001
Navarro	FM 636	233	0574-02-024	P00065388.001
Navarro	FM 636	245	0574-02-024	P00065389.001
Navarro	FM 636	248	0574-02-024	P00065390.001
Navarro	FM 744	208	0997-01-048	P00065394.001
Navarro	FM 744	210	0997-01-048	P00065395.001
Navarro	FM 744	209	0997-01-048	P00065396.001
Navarro	FM 744	211	0997-01-048	P00065398.001
San Saba	FM 45	6	0480-08-036	34
San Saba	FM 45	3	0480-08-036	73
Smith	FM 756	78	0492-04-044	P00063835.001
Smith	FM 756	216	0492-04-044	P00063839.001
Smith	FM 756	163	0492-04-044	P00063840.001
Smith	FM 756	213	0492-04-044	P00063843.001
Smith	FM 756	212	0492-04-044	P00063844.001
Smith	FM 756	160	0492-04-044	P00063847.001
Smith	FM 756	204	0492-04-044	P00063848.001
Smith	FM 756	164	0492-04-044	P00063849.001
Smith	FM 756	77	0492-04-044	P00063851.001
Smith	FM 756	214	0494-04-044	P00063841.001

CONTROLLED ACCESS

COUNTY	HIGHWAY	EXHIBIT	ROW CSJ NO.	PARCEL
Cooke	IH 35	I	0194-02-096	28A
Cooke	IH 35	M	0194-02-096	33B
Cooke	IH 35	L	0195-01-113	89E
Gregg	IH 20	H	0495-07-085	P00064906.001
Gregg	IH 20	R	0495-07-085	P00064907.001
Gregg	IH 20	Q	0495-07-085	P00064910.001
Gregg	IH 20	S	0495-07-085	P00064911.001
Gregg	IH 20	C	0495-07-085	P00064912.001-.002

CONTROLLED ACCESS (continued)

COUNTY	HIGHWAY	EXHIBIT	ROW CSJ NO.	PARCEL
Gregg	IH 20	T	0495-07-085	P00064914.001
Gregg	IH 20	P	0495-07-085	P00064915.001
Gregg	IH 20	U	0495-07-086	P00064917.001
Kaufman	IH 20	B	0095-14-032	P00074760
Madison	FM 978	K	0552-02-032	P00064886
Madison	FM 978	J	0552-02-032	P00064887
Midland	IH 20	A	0005-14-099	P00063615.001
Nolan	IH 20	D	0006-03-123	P00068461
Nolan	IH 20	E	0006-03-123	P00068462.001-.002
Nolan	IH 20	G	0006-03-123	P00068464
Nolan	IH 20	F	0006-03-123	P00068465
Travis	IH 35	O	0016-01-122	P00001345
Travis	IH 35	N	0016-01-122	P00066361

Note: Exhibits A - U and 1 - 302 are on file with the commission chief clerk.

ITEM 12. Routine Minute Orders and Reports

This item was presented by Executive Director Marc Williams. Commissioner Vaughn made a motion, which was seconded by Commissioner Alvis, and the commission approved the following minute orders by a vote of 5 - 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)

116497
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 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.

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

DONATIONS TO THE DEPARTMENT

<u>DONOR</u>	<u>DD</u>	<u>COUNTY</u>	<u>DONATION DESCRIPTION</u>
Artesia at Medina Valley LLC	SAT	Bexar	Design and construction of traffic signal improvements at SH 211 and US 90, including new signal heads, radar detection, signs, and pavement markings and the addition of a left turn lane on Masterson Road southbound into proposed driveway in Lacoste.
Belton Partners LLC	WAC	Bell	Design and construction of a right turn deceleration lane on the northbound side of I-35 service road in Belton.
Bluegreen Development, LLC	TYL	Van Zandt	Funds towards improvements at I-20 westbound exit ramp at SH 19 in Canton, Van Zandt County, Texas. The improvements include widening and extending the existing frontage roadway, adding two driveway entrances, and realigning the I-20 exit ramp to the frontage road.

DONATIONS TO THE DEPARTMENT (continued)

<u>DONOR</u>	<u>DD</u>	<u>COUNTY</u>	<u>DONATION DESCRIPTION</u>
Caterpillar Inc.	SAT	Guadalupe	Design and construction of a traffic signal and left turn lane on US 90 (Kingsbury) located approximately 1,100 linear feet east of FM 464 in Seguin.
CenterPoint Properties Trust	FTW	Tarrant	Design and construction of deceleration lane at proposed driveway on westbound US 183 frontage road between Reliance Parkway and Plaza Drive in Bedford.
Colbear, LLC	AUS	Caldwell	Design and construction of a center turn lane on US 183 from Blanco Avenue to 0.2 miles east of Blanco Avenue in Luling.
CSW 5th Street, LP	AUS	Travis	Design and construction of one westbound left turn bay at the intersection of East 7th Street and Levander Loop in Austin.
CSW 5th Street, LP	AUS	Travis	Design and construction of one eastbound left turn bay at the intersection of East Cesar Chavez Street and Levander Loop in Austin.
GC Magnolia, L.P.	HOU	Montgomery	Design and construction of a traffic signal from southbound Spur 149 and left turn lane markings into the Magnolia Village Retail Center development in Magnolia.
Great Aggie Land, LLC	BRY	Brazos	Design and construction of modifications to the existing median on Business 6R (Texas Avenue) into the donor's property located in College Station.
HLH Development, LLC	SAT	Bexar	Design and construction for roadway widening to install a left turn lane on FM 1957 east of FM 471 in Bexar County.

DONATIONS TO THE DEPARTMENT (continued)

<u>DONOR</u>	<u>DD</u>	<u>COUNTY</u>	<u>DONATION DESCRIPTION</u>
Heidelberg Materials Southwest Agg LLC	PAR	Grayson	Design and construction of the widening of SH 289 to add a left turn deceleration lane for northbound SH 289 and a right turn deceleration lane for southbound SH 289 at the Fallon Road intersection near Gunter in Grayson County.
Lennar Homes of Texas Land and Construction, Ltd.	AUS	Caldwell	Funds towards the state's cost for design and construction of a traffic signal on US 183 at the entrance to Summerside Subdivision in Lockhart, Caldwell County, Texas.
LTL Peterson, LLC	AUS	Williamson	Design and construction for the widening of FM 1660 to provide a right and left turn lane at Firefly Pointe Drive and a left and right turn lane at Twilight Breeze Way on FM 1660 in Hutto.
M/I Homes of Houston, LLC	HOU	Montgomery	Design and construction of a traffic signal on FM 2854 at Johnson Road into Lone Star Landing subdivision in the Conroe ETJ, Montgomery County.
M/I Homes of Houston, LLC	HOU	Montgomery	Design and construction of a right turn lane eastbound on FM 2854 and Johnson Road into Lone Star Landing subdivision in the Conroe ETJ, Montgomery County.
National Association of State Procurement Officials (NASPO)	PRO	N/A	Travel expenses consisting of airfare, transportation, lodging and meals for Kenneth Wood, Procurement Division Director, to attend and participate at the National Procurement Vision Summit in Atlanta, Georgia on June 7-8, 2023.
New Frontiers Public Schools, Inc.	SAT	Bexar	Design and construction for installation of right turn lane at the northwest corner of I-410 and South Zarzamora Street, located near the 9650 block of South Zarzamora Street in San Antonio.

DONATIONS TO THE DEPARTMENT (continued)

<u>DONOR</u>	<u>DD</u>	<u>COUNTY</u>	<u>DONATION DESCRIPTION</u>
PacFin 6, Ltd	HOU	Fort Bend	Design and construction of two right turn deceleration lanes from eastbound FM 1093 into the District East development in Richmond.
Space for All LLC	AUS	Travis	Design and construction of one right turn lane on US 290 at County Line Road and one permitted type-II driveway in Elgin.
Sensato, LLC	PAR	Hopkins	Design and construction of traffic signals on SH 19 at the Cefco truck stop development in Sulphur Springs.
Simpler Media Group, Inc.	AUS	CMD	Two government rate passes to the Reworked Connect Employee Communications and Technology Conference on May 10-12, 2023, in Austin Texas.
Water Oaks MHC, LLC	HOU	Waller	Design and construction of one right turn lane and a two-way left turn lane from northbound and southbound FM 362 into the Water Oaks development in Waller County.
Zamin, L.P.	AUS	Williamson	Design and construction to modify the existing traffic signal at SH 29 and to provide signalization for the proposed south leg widening at Cedar Hollow Road in Georgetown.
Dreamland Tank Town, LLC	AUS	Travis	Revenue generation through the Sponsor a Highway Program. This is a contract renewal on an existing sign location.
Kidd Roofing	AUS	Travis	Revenue generation through the Sponsor a Highway Program. This is a contract renewal on an existing sign location.
Spanish Oaks Realty	AUS	Travis	Revenue generation through the Sponsor a Highway Program. This is a contract renewal on an existing sign location.

DONATIONS TO THE DEPARTMENT (continued)

<u>DONOR</u>	<u>DD</u>	<u>COUNTY</u>	<u>DONATION DESCRIPTION</u>
Highway Lodging McKinney, LP dba Fairfield Inn & Suites Dallas-McKinney	DAL	Collin	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
Island Peak Group, LLC dba Texas Tax Protest	DAL	Dallas	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
Moody National Bank	HOU	Galveston	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
Farah Law Group, PLLC	HOU	Harris	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
Zeus Mortgage, LTD (dba) ZeusLending.com	HOU	Harris	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
PAX Financial Group	SAT	Bexar	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
Prestige Emergency Room, LLC	SAT	Bexar	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
Board of Trustees Of the Manor Independent School District	AUS	Travis	Donation of 0.0115 acres of land on FM 973. The property being donated will be utilized to install a traffic signal, pedestrian elements, and pavement markings at FM 973 and Murchison Street in Travis County, Texas.
Prologis Logistics Services Incorporated, A Delaware Corporation	HOU	Harris	Donation of 0.1139 acres of land on Beltway 8. The property being donated will be utilized for a deceleration lane from westbound Beltway 8 into Milner Road, Houston, Harris County, Texas.
Kings River Trail Association, a Texas Non-Profit Corporation	HOU	Harris	Donation of 2.3216 acres of land on FM 1960. The property being donated will be utilized for a sound barrier wall on FM 1960 at Kings Parkway.

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

b. Real Estate Dispositions

(1) Hidalgo County - US 281 - Consider the sale of easements to an abutting landowner (MO)

116498
ROW

In the City of Pharr, Hidalgo County, on US 281, the State of Texas acquired certain easements for highway purposes by instruments recorded in Volume 385 at Page 97, Volume 386 at Page 489, and Volume 386 at Page 204, of the Deed Records of Hidalgo County, Texas.

Portions of the easements, which portions encumber the real property described in exhibit A (tract), 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 sale of any interest in right of way no longer needed for a state highway purpose to abutting and adjoining landowners.

International Weight Inspection Services, LLC, a Texas limited liability company, is an abutting landowner and has requested to purchase the easements for \$330,000.00.

The commission finds \$330,000.00 to be a fair and reasonable value of the state's right, title, and interest in the easements.

IT IS THEREFORE ORDERED by the commission that the easements encumbering the real property described in exhibit A 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 conveying all of the state's right, title, and interest in the easements to International Weight Inspection Services, LLC, a Texas limited liability company, for \$330,000.00.

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

(2) Kendall County - I-10 - Consider the sale of right of way to an abutting landowner (MO)

116499
ROW

In the City of Boerne, Kendall County, on I - 10, the State of Texas acquired certain land for highway purposes by instruments recorded in Volume 89, at Page 632, and Volume 85, at Page 507, of the Deed Records of Kendall 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.

Buc-ee's, Ltd., a Texas limited partnership, is an abutting landowner and has requested to purchase the tract for \$356,105.00.

The commission finds \$356,105.00 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 Buc-ee's, Ltd., a Texas limited partnership for \$356,105.00; 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.

(3) Tarrant County - Near I-30 - Consider the sale of right of way to an abutting landowner (MO)

116500
ROW

In the City of Fort Worth, Tarrant County, near I - 30, the State of Texas acquired certain land for highway purposes by instruments recorded in Volume 14386, at Page 541, and Volume 13769, at Page 208, of the Deed Records of Tarrant County, Texas.

All land, which is described in exhibit A (tracts), 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.

Dashrose, LLC, a Texas limited liability company, is an abutting landowner and has requested to purchase the tracts for \$1,633.00.

The commission finds \$1,633.00 to be a fair and reasonable value of the state's right, title, and interest in the tracts.

IT IS THEREFORE ORDERED by the commission that the tracts, described in exhibit A, are no longer needed for a state highway purpose. The commission authorizes the executive director of the Texas Department of Transportation to execute a proper instrument conveying all of the state's right, title, and interest in the tracts to Dashrose, LLC, a Texas limited liability company for \$1,633.00; 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.

(4) Tarrant County - I-30 - Consider the exchange of a drainage channel easement as part of a transaction to acquire a drainage channel easement needed for a state highway purpose (MO)

116501
ROW

In the City of Ft. Worth, Tarrant County, on I - 30, the state of Texas acquired a drainage channel easement encumbering certain land by an instrument recorded in Volume 14146, at Page 316, of the Deed Records of Tarrant County, Texas.

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, §202.024, the Texas Transportation Commission (commission) may recommend the exchange of an interest in real property acquired but not needed for a highway purpose as whole or partial consideration for another interest in real property needed for a state highway purpose.

The easement encumbering the land, described in exhibit A, (tract) is no longer needed for a state highway purpose. The value of the easement is \$306,000.

A drainage channel easement needed for a state highway purpose, encumbering the land described in exhibit B, (parcel) and its associated improvements is to be conveyed to the state by MC Estates, LLC, a Texas limited liability company. The value of the easement encumbering the parcel, along with its associated improvements, is \$526,537.

MC Estates, LLC is the owner of the fee interest in the tract and has requested that the easement encumbering the tract be released to it in exchange for an easement encumbering the parcel, and MC Estates, LLC will donate the \$220,537 difference in value between the easement encumbering the tract and the improved easement encumbering the parcel to the State, in accordance with an executed exchange agreement.

It is the opinion of the commission that it is proper and correct that the state release the easement encumbering the tract to MC Estates, LLC as partial consideration for the improved easement encumbering the parcel and accept the donation of \$220,537 value difference from MC Estates, LLC.

IT IS THEREFORE ORDERED by the commission that the easement encumbering 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 the state's right, title, and interest in the easement encumbering the tract to MC Estates, LLC, a Texas limited liability company, in exchange and as partial consideration for the improved easement encumbering the parcel.

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

c. Reports

(1) Compliance Division Report

Note: Confidential report to commission.

(2) Environmental Report

Consider the acceptance of the report on projects being processed under the procedures of Transportation Code, Chapter 201, Subchapter I-1 (Report)

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

d. Finance

(1) Central Texas Turnpike System Bonds

Consider approving the Ninth Supplemental Indenture authorizing the issuance of Central Texas Turnpike System (CTTS) revenue refunding bonds in one or more series, the documents relating to such bonds, and the refinancing or remarketing of certain outstanding CTTS bonds without incurring additional debt and without extending the final maturity if financial market conditions are favorable for refinancing; and designating department officials to take all actions necessary to deliver the bonds (MO)

116502
PFD

Transportation Code Section 228.051 provides that the Texas Transportation Commission (commission) by order may designate one or more lanes of a segment of the state highway system as a toll project or system.

By Minute Order 108873, dated April 25, 2002, the commission designated SH 130 as a toll project and a controlled access state highway from I-35 north of Georgetown to the intersection of US 183 and SH 130 at SH 45 Southeast (SH 130) as part of the Central Texas Turnpike System (system).

By Minute Order 108896, dated May 30, 2002, the commission designated SH 45 North as a toll project and a controlled access state highway from west of US 183 to the SH 130/SH 45 North interchange (SH 45 N) as part of the system.

By Minute Order 108896, dated May 30, 2002, the commission designated Loop 1 as a toll project and a controlled access state highway from the existing Loop 1 and FM 734 (Parmer Lane) to the Loop 1/SH 45 N interchange (Loop 1) as part of the system.

By Minute Order 109729, dated July 29, 2004, the commission designated SH 45 Southeast as a toll project and a controlled access state highway from I-35 at FM 1327 south of Austin to the SH 130/US 183 interchange (SH 45 SE) and by Minute Order 113243 dated August 30, 2012, SH 45 SE was designated as part of the system.

The commission has issued toll revenue obligations to finance and refinance a portion of the costs of the system (system bonds), composed of the SH 130, SH 45 N, Loop 1, and SH 45 SE project elements, described above, pursuant to an "Indenture of Trust" dated July 15, 2002 (master indenture) and eight supplemental indentures. Any terms not otherwise defined in this order have the meaning given in the master indenture as supplemented by the ninth supplement, defined below.

The commission is authorized pursuant to Chapters 1207 and 1371, Texas Government Code, and Chapter 228, Texas Transportation Code, to refund, refinance and restructure outstanding toll revenue obligations, such as the system bonds, and the Texas Department of Transportation (department) is reviewing all outstanding system bonds for refunding opportunities.

The commission has determined it to be in the best interest of the state and the system to issue additional obligations pursuant to the master indenture to refund all or any portion of the outstanding system bonds (refunding bonds), and the master indenture authorizes the issuance of such refunding bonds to refund all or any portion of the outstanding system bonds upon compliance with certain conditions as set forth in the master indenture, as supplemented by the ninth supplement.

The master indenture, together with the "Ninth Supplemental Indenture of Trust" (ninth supplement), prescribes the terms, provisions and covenants related to the proposed issuance of refunding bonds in one or more series with such name, series designation and other terms and provisions as provided in the ninth supplement and each related award certificate so long as the issuance of such refunding bonds results in any of the following: (i) a net present value debt service savings of not less than 3% of the system bonds refunded, (ii) provides long-term fixed rates for refunded variable rate obligations, (iii) alternative variable rate financing for refunded variable rate obligations, (iv) variable rate refinancing of fixed rate obligations or (v) any combination thereof.

Under the ninth supplement, the chief financial officer is defined in the ninth supplement as the chief financial officer of the department and the director of the project finance, debt and strategic contracts division of the department (each a "chief financial officer"), who are each authorized to conduct a tender offer for outstanding and defeased bonds and to determine the method of sale for each series of refunding bonds as well as the terms of such refunding bonds to include the price, lien status and any tender offer of outstanding and defeased bonds, as prescribed in each award certificate in accordance with the ninth supplement.

The commission understands that preliminary official statements and final official statements will be distributed in connection with the public offering of one or more series of the refunding bonds. The commission further understands that additional disclosure and tender documents may be distributed in connection with any tender offer related to outstanding and defeased bonds.

Under the ninth supplement, each chief financial officer, on behalf of the commission, is authorized to conduct a tender offer for outstanding and defeased bonds as well as price all or a portion of the refunding bonds with structures including variable rate bonds, put bonds, index bonds and others, which may require the use of liquidity providers, credit providers, tender agents, remarketing agents, calculation agents and other entities performing various functions in connection with any such structures or tender offers. Under the ninth supplement, each chief financial officer, on behalf of the commission, is authorized

to execute any additional supplemental indentures necessary to comply with the master indenture including designating certain system funds as current revenues.

In accordance with the master indenture and each supplemental indenture, each chief financial officer, on behalf of the commission, is authorized to designate the trustee for each series of bonds and is further authorized to remove and replace the trustee for outstanding system bonds in compliance with the requirements of the master indenture and each supplemental indenture if such change is determined by such chief financial officer to be in the best interest of the system.

The commission has also determined it to be in the best interest of the state to remarket or refund the commission's Central Texas Turnpike System First Tier Revenue Refunding Put Bonds, Taxable Series 2020- B (the "Series 2020-B Bonds") that are subject to mandatory tender on August 15, 2024.

IT IS THEREFORE ORDERED by the commission that the chairman of the commission and executive director of the department are authorized and directed to execute and deliver each series of the refunding bonds and such other documents and certificates necessary or appropriate to carry out the intent of this order and each chief financial officer, on behalf of the commission, is authorized and directed to execute and deliver the ninth supplement, any additional supplemental indentures, each bond purchase agreement (including any forward or delayed delivery bond purchase agreements), escrow agreements, tender offer agreements, paying agent/registrar agreements, award certificates and similar or other agreements necessary or appropriate for each series of the refunding bonds (collectively, program documents), in the form approved by each chief financial officer or in substantially the form previously approved by the commission in connection with the outstanding system revenue bonds, as applicable, with such changes as each chief financial officer, on behalf of the commission, executing the same may approve, such approval to be conclusively evidenced by execution of the program documents.

IT IS FURTHER ORDERED by the commission that each chief financial officer, on behalf of the commission, is authorized and directed to execute and deliver any remarketing agreements, liquidity agreements, continuing covenant agreements, purchase agreements, tender agent agreements, calculation agent agreements and similar or other agreements necessary or appropriate for any variable rate refunding bonds (collectively, variable rate documents), and the variable rate documents in the form approved by each chief financial officer or in substantially the form previously approved by the commission in connection with outstanding system bonds are approved, as applicable, with such changes as each chief financial officer executing the same may approve, such approval to be conclusively evidenced by execution of the variable rate documents. Pursuant to the foregoing authority, each chief financial officer is authorized to approve specific terms of, execute and deliver, and terminate or amend, in accordance with its terms, variable rate documents in the form of a "credit agreement," as defined by Section 1371.001(1), Government Code; provided, however, that any variable rate document executed in the form of a credit agreement shall (i) be in a maximum aggregate principal amount not to exceed the outstanding aggregate principal amount of the bonds to which such credit agreement relates, (ii) be for a term that does not exceed the final maturity date of the bonds to which such credit agreement relates, (iii) provide that any payments thereunder shall not bear interest at a rate that exceeds the maximum rate allowed by law, (iv) be payable from and secured by sources identified in the supplemental indenture that authorized the issuance of the bonds to which such credit agreement relates, (v) be executed with a counterparty whose credit is rated investment grade by a nationally recognized statistical rating organizations, and (vi) be executed and delivered before the first anniversary of the date of this order.

IT IS FURTHER ORDERED by the commission that any necessary notices and ancillary documents in connection with the issuance of each series of the refunding bonds,

any tender offer, any remarketing, any additional supplemental indentures, any change in trustee, the program documents, the variable rate documents are hereby approved, and each chief financial officer, on behalf of the commission, is authorized and directed to execute and deliver such documents.

IT IS FURTHER ORDERED by the commission that preliminary official statements and official statements are approved for distribution in connection with the public offering and sale of each series of refunding bonds in such form as each chief financial officer, on behalf of the commission, may approve such approval to be conclusively evidenced by delivery of such official statements. Each chief financial officer, on behalf of the commission, is authorized to deem each preliminary official statement and official statement final for purposes of rule 15c2-12 of the Securities and Exchange Commission (rule) with such omissions as permitted by the rule. Disclosure documents are approved for distribution in connection with any tender offer program for outstanding and defeased bonds in such form as each chief financial officer, on behalf of the commission, may approve.

IT IS FURTHER ORDERED by the commission that any necessary ancillary documents in connection with the issuance of each series of the system refunding bonds, any tender offer, any supplemental indentures, change in trustee, the program documents and the variable rate documents, if any, are hereby approved, and each member of the commission, each chief financial officer, the executive director of the department and general counsel of the department, on behalf of the commission, are authorized and directed to perform all such acts and execute such agreements, documents, certificates, notices and applications, including any applications and submissions to the Bond Review Board, if necessary, and execution of certifications to any underwriters, the Attorney General, the Texas Comptroller of Public Accounts, the Bond Review Board and other parties, as may be necessary or appropriate to carry out the intent of this order and other orders of the commission relating to the system, the ninth supplement, the program documents and the variable rate documents.

IT IS FURTHER ORDERED by the commission that each chief financial officer is authorized and directed to provide any required notices and execute all necessary documents in connection with any remarketing of the Series 2020-B Bonds in the same or different interest rate modes or different subseries as authorized by the eighth supplement authorizing the Series 2020-B Bonds including any remarketing agreements, purchase agreements, tender agent agreements, calculation agent agreements and similar or other agreements related to any such remarketing. Each chief financial officer, on behalf of the commission, is authorized to take all other actions necessary in connection with any remarketing of the Series 2020-B Bonds.

(2) State Highway Fund Bonds

Consider approving the 10th Supplemental Resolution authorizing the issuance of State Highway Fund revenue refunding bonds in one or more series, the documents relating to the issuance of such bonds, and the refinancing or remarketing of certain outstanding State Highway Fund revenue bonds without incurring additional debt and without extending the final maturity if financial market conditions are favorable for refinancing; and designating department officials to take all actions necessary to deliver the bonds (MO)

116503
PFD

Pursuant to Minute Order 110472, dated March 30, 2006, the Texas Transportation Commission (commission) approved a “Master Resolution Establishing a Financing Program for Bonds, Other Public Securities and Credit Agreements Secured by and Payable from Revenue Deposited to the Credit of the State Highway Fund,” as subsequently amended and restated (master resolution), to establish a revenue financing program (state highway fund revenue financing program) pursuant to which the commission may issue bonds, notes and other public securities and execute credit agreements secured by and payable from a pledge

of and lien on revenues deposited to the credit of the State Highway Fund (highway fund). Any terms not otherwise defined herein have the meaning given in the tenth supplement, as hereinafter defined.

Section 49-n, Article III, of the Texas Constitution (constitutional provision), Transportation Code Section 222.003 (enabling act), and other applicable law, including Government Code Chapters 1207 and 1371, authorize the commission to issue bonds and other public securities and enter into bond enhancement agreements that are payable from revenue deposited to the credit of the highway fund to fund state highway improvement projects. The constitutional provision further provides for the appropriation of amounts from highway fund revenues that are sufficient to pay the principal of and interest on such bonds or other public securities and any cost related to the bonds and other public securities, including payments under bond enhancement agreements.

The enabling act authorizes the commission to issue bonds and other public securities secured by a pledge of and payable from revenue deposited to the credit of the highway fund (bonds). The enabling act further provides that the Texas Comptroller of Public Accounts shall withdraw from the highway fund amounts determined by the commission to permit timely payment of the principal of and interest on the bonds and other public securities and any cost related to the bonds and other public securities, including payments under credit agreements.

The commission has determined it to be in the best interest of the State of Texas (state) and the highway fund to issue additional bonds, on parity with previously issued obligations (parity debt), secured by and payable from a pledge of and lien on revenues deposited to the credit of the highway fund under the constitutional provision to refund all or part of the outstanding parity debt to provide: (i) savings to the state, (ii) long-term fixed rates for refunded variable rate bonds, (iii) alternative variable rate financing for refunded variable rate bonds, or (iv) any combination thereof.

The master resolution, together with the “Tenth Supplemental Resolution to the Master Resolution Establishing a Financing Program for Bonds, Other Public Securities and Credit Agreements Secured by and Payable from Revenue Deposited to the Credit of the State Highway Fund” (tenth supplement) prescribes the terms, provisions and covenants related to the issuance of refunding bonds in one or more series, from time to time, with such title and series designation as set forth in the tenth supplement so long as the issuance of such refunding bonds provides any of the following: (i) net present value debt service savings of not less than 3% of the principal amount of the refunded parity debt, (ii) long-term fixed rates for refunded variable rate bonds, (iii) alternative variable rate financing for refunded variable rate bonds, or (iv) any combination thereof.

The department representative, as defined in the tenth supplement, includes the chief financial officer of the Texas Department of Transportation (department) and the director of the project finance, debt and strategic contracts division of the department (each a “department representative”). Each department representative is authorized to determine the method of sale of each series of the bonds and shall further determine the price, interest rate or rates, and such other terms of the bonds as prescribed in each award certificate in accordance with the tenth supplement. Each department representative is further authorized to offer to purchase, solicit offers to sell and engage in such other activities as are deemed necessary or appropriate in connection with invitations to tender previously issued parity debt on such terms as shall be determined by the department representative and prescribed in each award certificate for bonds issued in connection with any such tender in accordance with the tenth supplement.

Under the tenth supplement, each department representative is authorized to price all or a portion of the bonds with structures including variable rate bonds, put bonds, index bonds and others, which may require the use of liquidity providers, tender agents,

remarketing agents, calculation agents and other entities performing various functions in connection with any such structures.

The commission has determined that it is in the best interest of the state to authorize each department representative to enter into any memoranda and agreements (collectively, management agreements) as are deemed necessary or appropriate by each department representative to permit timely payment of obligations issued or incurred pursuant to the master resolution and the tenth supplement and to provide for the management and administration of the highway fund and any other funds and accounts established and maintained in connection with or related to such obligations.

The commission has also determined that it is in the best interest of the state to authorize each department representative to take such actions as are determined to be necessary or appropriate in connection with the remarketing of previously issued variable rate bonds (remarketed variable rate bonds), from time to time, as contemplated by the supplemental resolution that authorized the issuance of such bonds, and price all or a portion of such remarketed variable rate bonds with various interest rate and other structures, including fixed or variable rate bonds, put bonds, index bonds and others, which may require the use of liquidity providers, tender agents, remarketing agents, calculation agents and other entities performing various functions in connection with any such interest rate structures.

The commission understands and intends that official statements, remarketing memoranda, invitations to tender, or other offering documents (collectively, official statements) will be distributed in connection with the public offering of the bonds, including remarketed variable rate bonds, and invitations to tender previously issued parity debt, which official statement will include a description of the revenues deposited to the credit of the highway fund and other security and payment provisions related to the bonds, including remarketed variable rate bonds.

IT IS THEREFORE ORDERED by the commission that the chairman of the commission and the executive director of the department are authorized and directed to execute and deliver each series of bonds and such other documents and certificates as are necessary or appropriate to carry out the intent of this order and each department representative, on behalf of the commission, is authorized and directed to execute and deliver the tenth supplement, any bond purchase contract (including any forward or delayed delivery bond purchase contract), award certificate, paying agent/registrar agreement, invitations to tender and related agreements, escrow agreement and similar or other agreements necessary or appropriate for any series of the bonds (collectively, program documents), in the form approved by each department representative or in substantially the form previously approved by the commission in connection with parity debt, as applicable, with such changes as each department representative, on behalf of the commission, executing the same may approve, such approval to be conclusively evidenced by execution of the program documents.

IT IS FURTHER ORDERED by the commission that each department representative, on behalf of the commission, is authorized and directed to execute and deliver any remarketing agreements, liquidity agreements, continuing covenant agreements, purchase agreements, tender agent agreements, calculation agent agreements, and similar or other agreements necessary or appropriate for any variable rate bonds (collectively, variable rate documents), and the variable rate documents in the form approved by each department representative or in substantially the form previously approved by the commission in connection with parity debt are approved, as applicable, with such changes as each department representative executing the same may approve, such approval to be conclusively evidenced by execution of the variable rate documents. Pursuant to the foregoing authority, each department representative is authorized to approve specific terms of, execute and deliver, and terminate or amend, in accordance with its terms, variable rate documents in the form of a "credit agreement," as defined by Section 1371.001(1), Government Code;

provided, however, that any variable rate document executed in the form of a credit agreement shall (i) be in a maximum aggregate principal amount not to exceed the outstanding aggregate principal amount of the bonds to which such credit agreement relates, (ii) be for a term that does not exceed the final maturity date of the bonds to which such credit agreement relates, (iii) provide that any payments thereunder shall not bear interest at a rate that exceeds the maximum rate allowed by law, (iv) be payable from and secured by sources identified in the supplemental resolution that authorized the issuance of the bonds to which such credit agreement relates, (v) be executed with a counterparty whose credit is rated investment grade by a nationally recognized statistical rating organizations, and (vi) be executed and delivered before the first anniversary of the date of this order.

IT IS FURTHER ORDERED by the commission that the chief financial officer of the department and the director of the project finance, debt and strategic contracts division are hereby designated as authorized representatives for purposes of the master resolution.

IT IS FURTHER ORDERED by the commission that each department representative is authorized to execute and deliver such management agreements as are deemed necessary or appropriate to permit timely payment of bonds issued or incurred pursuant to the tenth supplement or the redemption of a portion of the outstanding parity debt and to provide for the management and administration of the highway fund and any other funds and accounts established and maintained in connection with or related to such bonds.

IT IS FURTHER ORDERED by the commission that official statements are approved for distribution in connection with the public offering and sale of each series of bonds, including remarketed variable rate bonds, in such form as each department representative, on behalf of the commission, executing the same may approve, such approval to be conclusively evidenced by delivery of such official statements. Each department representative, on behalf of the commission, is authorized to execute the official statement for each series of bonds, including remarketed variable rate bonds, and to deem final the preliminary form of each official statement for purposes of Rule 15c2-12 of the Securities and Exchange Commission (rule) with such omissions as permitted by the rule. Invitations to tender and related official statements are approved for distribution in connection with any invitation to tender previously issued parity debt in such form as each department representative, on behalf of the commission, may approve, such approval to be conclusively evidenced by delivery of such invitations to tender and related official statements.

IT IS FURTHER ORDERED by the commission that it delegates authority to each department representative to act on behalf of the commission to make all disclosure filings and submit reports relating to the bonds, including continuing disclosure reports, without further action by the commission.

IT IS FURTHER ORDERED by the commission that any other agreements, instruments or ancillary documents necessary or appropriate in connection with the issuance of each series of the bonds, any invitation to tender previously issued parity debt, the conversion or remarketing of outstanding parity debt issued as variable rate bonds, and the performance of the terms and conditions of any program document or variable rate document are hereby approved, and each member of the commission, each department representative, the executive director of the department and general counsel of the department, on behalf of the commission, are authorized and directed to perform all such acts and execute such documents, certificates, notices and applications, including any applications and submissions to the Texas Bond Review Board, if necessary, and execution of certifications to the underwriters, the Texas Attorney General, the Texas Comptroller of Public Accounts, the Texas Bond Review Board and other parties, as may be necessary or appropriate to carry out the intent of this order and other orders of the commission relating to the state highway fund revenue financing program established by the master resolution, the program documents and the variable rate documents, if any.

(3) Texas Mobility Fund Bonds

Consider approving the 14th Supplemental Resolution authorizing the issuance of Texas Mobility Fund refunding bonds in one or more series, the documents relating to the issuance of such bonds, and the refinancing or remarketing of certain outstanding Texas Mobility Fund bonds without incurring additional debt and without extending the final maturity if financial market conditions are favorable for refinancing; and designating department officials to take all actions necessary to deliver the bonds (MO)

116504
PFD

Pursuant to Minute Order 110081, dated May 4, 2005, the Texas Transportation Commission (commission) approved a "Master Resolution Establishing the Texas Transportation Commission Mobility Fund Revenue Financing Program," as subsequently amended by the first amendment, second amendment and third amendment (master resolution), to establish a revenue financing program (mobility fund revenue financing program) pursuant to which the commission may issue bonds, notes and other public securities and execute credit agreements secured by and payable from a pledge of and lien on all or part of the moneys in the Texas Mobility Fund (fund). Any terms not otherwise defined herein have the meaning given in the fourteenth supplement, as hereinafter defined.

Section 49-k, Article III of the Texas Constitution (constitutional provision), Transportation Code, Subchapter M of Chapter 201 and other applicable law, including Government Code Chapters 1207 and 1371, authorize the commission to issue bonds, notes and other public securities secured by all or part of the money in the fund (bonds or obligations) to: 1) pay all or part of the costs of constructing, reconstructing, acquiring, and expanding state highways; 2) provide participation by the state in the payment of part of the costs of constructing and providing public transportation projects that are determined by the commission to be in the best interests of the state; 3) create debt service accounts; 4) pay interest on obligations for a period of no longer than two years; 5) refund or cancel outstanding obligations; and 6) pay the costs or expense of the issuance of the bonds.

Transportation Code, Chapter 201, Subchapter M, provides that the commission may guarantee on behalf of the state the payment of any obligations and credit agreements secured by the fund by pledging the full faith and credit of the state to the payment of the obligations and credit agreements in the event the revenue and money dedicated to the fund and on deposit in the fund under the constitutional provision, are insufficient for that purpose.

The commission has determined it to be in the best interest of the state and the fund to issue additional obligations, on parity with the previously issued outstanding parity debt, secured by revenues and money dedicated to the fund and on deposit in the fund under the constitutional provision and by a pledge of the full faith and credit of the state to refund all or part of the outstanding parity debt: (i) for savings to the state, (ii) to refund outstanding variable rate obligations, and/or (iii) to renew or replace credit agreements relating to variable rate obligations.

The master resolution, together with the "Fourteenth Supplemental Resolution to the Master Resolution Establishing the Texas Transportation Commission Mobility Fund Revenue Financing Program" (fourteenth supplement), prescribes the terms, provisions and covenants related to the issuance of additional bonds in one or more series with such title and series designation as set forth in the fourteenth supplement so long as the issuance of such refunding bonds results in any of the following: (i) provides a net present value debt service savings of not less than 3% of the outstanding parity debt refunded, (ii) provides long-term fixed rates for refunded variable rate bonds, (iii) alternative variable rate financing for refunded variable rate bonds or (iv) any combination thereof.

Under the fourteenth supplement, the department representative, as defined in the fourteenth supplement, includes the chief financial officer of the Texas Department of

Transportation (department) and the director of the project finance, debt, and strategic contracts division of the department (each a “department representative”). Each department representative is authorized to conduct a tender offer for outstanding and defeased bonds as well as determine the method of sale of each series of the obligations and shall further determine the terms of such refunding obligations to include the price, interest rate or rates and any tender offer of outstanding and defeased bonds, as prescribed in each award certificate in accordance with the fourteenth supplement.

Under the fourteenth supplement, each department representative is authorized to conduct a tender offer for outstanding and defeased bonds as well as price all or a portion of the bonds with structures including variable rate bonds, put bonds, index bonds and others, which may require the use of liquidity providers, credit providers, tender agents, remarking agents, calculation agents and other entities performing various functions in connection with any such structures or tender offers.

The commission understands that preliminary official statements and final official statements will be distributed in connection with the public offering of the bonds, which preliminary official statements and official statements will include a description of the general obligation pledge of the state's full faith and credit in the event the revenue and money dedicated to and on deposit in the fund are insufficient for payments due on the bonds and any related credit agreements. The commission further understands that additional disclosure and tender documents may be distributed in connection with any tender offer related to outstanding and defeased bonds.

IT IS THEREFORE ORDERED by the commission that the chairman of the commission and the executive director of the department are authorized and directed to execute and deliver each series of the refunding bonds and such other documents and certificates necessary or appropriate to carry out the intent of this order and each department representative, on behalf of the commission, is authorized and directed to execute and deliver the fourteenth supplement, any bond purchase contracts (including any forward or delayed delivery purchase contracts), award certificates, paying agent/registrar agreements, tender offer agreements, escrow agreements and similar or other agreements necessary or appropriate for any series of the refunding bonds (collectively, program documents), and the program documents in the form approved by each department representative or in substantially the form previously approved by the commission in connection with the outstanding parity debt, are approved, as applicable, with such changes as each department representative, on behalf of the commission, executing the same may approve, such approval to be conclusively evidenced by execution of the program documents.

IT IS FURTHER ORDERED by the commission that each department representative, on behalf of the commission, is authorized and directed to execute and deliver any remarketing agreements, liquidity agreements, continuing covenant agreements, tender agent agreements, calculation agent agreements and similar or other agreements, including any extensions of any existing agreements, necessary or appropriate for any variable rate bonds (collectively, variable rate documents), and the variable rate documents in the form approved by each department representative or in substantially the form previously approved by the commission in connection with the outstanding parity debt, are approved, as applicable, with such changes as each department representative executing the same may approve, such approval to be conclusively evidenced by execution of the variable rate documents, if any. Pursuant to the foregoing authority, each department representative is authorized to approve specific terms of, execute and deliver, and terminate or amend, in accordance with its terms, variable rate documents in the form of a “credit agreement,” as defined by Section 1371.001(1), Government Code; provided, however, that any variable rate document executed in the form of a credit agreement shall (i) be in a maximum aggregate principal amount not to exceed the outstanding aggregate principal amount of the bonds to which such

credit agreement relates, (ii) be for a term that does not exceed the final maturity date of the bonds to which such credit agreement relates, (iii) provide that any payments there under shall not bear interest at a rate that exceeds the maximum rate allowed by law, (iv) be payable from and secured by sources identified in the supplemental resolution that authorized the issuance of the bonds to which such credit agreement relates, (v) be executed with a counterparty whose credit is rated investment grade by a nationally recognized statistical rating organizations, and (vi) be executed and delivered before the first anniversary of the date of this order.

IT IS FURTHER ORDERED by the commission that the chief financial officer of the department and the director of the project finance, debt and strategic contracts division are hereby designated as authorized representatives for purposes of the master resolution.

IT IS FURTHER ORDERED by the commission that a pledge of the full faith and credit of the state be utilized in connection with the refunding bonds and the payment obligations of the commission under any credit agreements.

IT IS FURTHER ORDERED by the commission that preliminary official statements and official statements are approved for distribution in connection with the public offering and sale of each series of refunding obligations in such form as each department representative, on behalf of the commission, may approve, such approval to be conclusively evidenced by delivery of such official statement. Each department representative, on behalf of the commission, is authorized to deem each preliminary official statement and official statement final for purposes of rule 15c2-12 of the Securities and Exchange Commission (rule) with such omissions as permitted by the rule. Disclosure documents are approved for distribution in connection with any tender offer program for outstanding and defeased bonds in such form as each department representative, on behalf of the commission, may approve, such approval to be conclusively evidenced by delivery thereof.

IT IS FURTHER ORDERED by the commission that any necessary ancillary documents in connection with the issuance of each series of the refunding bonds and any tender offer, the program documents and the variable rate documents, if any, are hereby approved, and each member of the commission, each department representative, the executive director of the department and general counsel of the department, on behalf of the commission, are authorized and directed to perform all such acts and execute such documents, certificates, notices and applications, including any applications and submissions to the Bond Review Board, if necessary, and execution of certifications to the underwriters, the Attorney General, the Texas Comptroller of Public Accounts, the Bond Review Board and other parties, as may be necessary to carry out the intent of this order and other orders of the commission relating to the mobility fund revenue financing program established by the master resolution, the fourteenth supplement, the program documents and the variable rate documents.

(4) Highway Improvement General Obligation Bonds

Consider approving the Sixth Supplemental Resolution authorizing the issuance of Highway Improvement General Obligation (HIGO) refunding bonds in one or more series, the documents relating to the issuance of such bonds, and the refinancing of certain outstanding HIGO bonds without incurring additional debt and without extending the final maturity if financial market conditions are favorable for refinancing; and designating department officials to take all actions necessary to deliver the bonds (MO)

116505
PFD

Pursuant to Minute Order 112100, dated January 28, 2010, the Texas Transportation Commission (commission) approved a "Master Resolution Establishing the Texas Transportation Commission Highway Improvement General Obligation Financing Program" (master resolution) to establish a general obligation financing program in an aggregate

principal amount not to exceed \$5 billion pursuant to which the commission may issue bonds and execute credit agreements secured by and payable from the general revenues of the state pursuant to the constitutional provision and Transportation Code Section 222.004. Any terms not otherwise defined herein have the meaning given in the sixth supplement, as hereinafter defined.

Section 49-p, Article III of the Texas Constitution (constitutional provision), Section 222.004, Transportation Code and other applicable law, including Government Code Chapters 1207 and 1371, authorize the commission to issue Highway Improvement General Obligation bonds, notes and other public securities (general obligation bonds) and to enter into credit agreements. The commission may issue general obligation bonds for one or more of the following purposes to: 1) pay, or reimburse the State Highway Fund for payment of all or part of the costs of highway improvement projects including loans for highway improvement projects; 2) pay (a) the costs of administering projects authorized under Section 222.004, Transportation Code, (b) the costs or expense of the issuance of the bonds or (c) all or part of a payment owed or to be owed under a credit agreement; and 3) refund outstanding bonds.

All new money general obligation bonds authorized pursuant to the constitutional provision have been issued; however, employees of the Texas Department of Transportation (department) continue to review all outstanding general obligation bonds for refunding opportunities.

The master resolution, together with the "Sixth Supplemental Resolution to the Master Resolution Establishing the Texas Transportation Commission Highway Improvement General Obligation Financing Program" (sixth supplement), prescribes the terms, provision and covenants related to the issuance of general obligation refunding bonds in one or more series with such title and series designation as set forth in the sixth supplement so long as the issuance of such refunding bonds results in a net present value debt service savings of not less than 3% of the outstanding bonds refunded.

Under the sixth supplement, the "department representative," as defined in the sixth supplement, includes the chief financial officer of the department and the director of the project finance, debt, and strategic contracts division of the department. Each department representative is authorized to determine the method of sale for the refunding bonds and shall further determine the terms of such refunding bonds to include the price, interest rate or rates and any tender offer of outstanding and defeased bonds, as prescribed in each award certificate in accordance with the sixth supplement.

Under the sixth supplement, each department representative is authorized to conduct a tender offer for outstanding and defeased bonds as well as price all or a portion of the bonds with structures including variable rate bonds, put bonds, index bonds and others, which may require the use of liquidity providers, credit providers, tender agents, remarking agents, calculation agents and other entities performing various functions in connection with any such structures or tender offers.

The commission understands that preliminary official statements and final official statements will be distributed in connection with the public offering of one or more series of the refunding bonds, which preliminary official statements and official statements will include a description of the general obligation pledge of the state's full faith and credit. The commission further understands that additional disclosure and tender documents may be distributed in connection with any tender offer related to outstanding and defeased bonds.

IT IS THEREFORE ORDERED by the commission that the chairman of the commission and the executive director of the department are authorized and directed to execute and deliver each series of bonds and such other documents and certificates necessary or appropriate to carry out the intent of this order and each department representative, on behalf of the commission, is authorized and directed to execute and deliver the sixth

supplement, any bond purchase contracts (including any forward or delayed delivery purchase contracts), award certificates, tender offer agreements, paying agent/registrars agreements and escrow agreements, and similar or other agreements necessary or appropriate for any series of the refunding bonds (collectively, program documents), and the program documents in the form approved by the department representative or in substantially the form previously approved by the commission in connection with the outstanding parity debt, are approved as applicable, with such changes as the department representative, on behalf of the commission, executing the same may approve, such approval to be conclusively evidenced by execution of the program documents.

IT IS FURTHER ORDERED by the commission that the department representative, on behalf of the commission, is authorized and directed to execute and deliver any remarketing agreements, liquidity agreements, continuing covenant agreements, purchase agreements, tender agent agreements calculation agent agreements and similar or other agreements necessary or appropriate for any variable rate bonds (collectively, variable rate documents), and the variable rate documents in the form approved by the department representative or in substantially the form previously approved by the commission in connection with any series of bonds, are approved, as applicable, with such changes as the department representative executing the same may approve, such approval to be conclusively evidenced by execution of the variable rate documents. Pursuant to the foregoing authority, the department representative is authorized to approve specific terms of, execute and deliver, and terminate or amend, in accordance with its terms, variable rate documents in the form of a "credit agreement," as defined by Section 1371.001(1), Government Code; provided, however, that any variable rate document executed in the form of a credit agreement shall (i) be in a maximum aggregate principal amount not to exceed the outstanding aggregate principal amount of the bonds to which such credit agreement relates, (ii) be for a term that does not exceed the final maturity date of the bonds to which such credit agreement relates, (iii) provide that any payments there under shall not bear interest at a rate that exceeds the maximum rate allowed by law, (iv) be payable from and secured by sources identified in the supplemental resolution that authorized the issuance of the bonds to which such credit agreement relates, (v) be executed with a counterparty whose credit is rated investment grade by a nationally recognized statistical rating organizations, and (vi) be executed and delivered before the first anniversary of the date of this order.

IT IS FURTHER ORDERED by the commission that the chief financial officer of the department and the director of the project finance, debt and strategic contracts division are hereby designated as authorized representatives for purposes of the master resolution.

IT IS FURTHER ORDERED by the commission that preliminary official statements and official statements are approved for distribution in connection with the public offering and sale of each series of refunding bonds in such form as each department representative, on behalf of the commission, may approve, such approval to be conclusively evidenced by delivery of such official statements. Each department representative, on behalf of the commission, is authorized to deem each preliminary official statement and official statement final for purposes of rule 15c2-12 of the Securities and Exchange Commission (rule) with such omissions as permitted by the rule. Disclosure documents are approved for distribution in connection with any tender offer program for outstanding and defeased bonds in such form as each department representative, on behalf of the commission, may approve, such approval to be conclusively evidenced by delivery thereof.

IT IS FURTHER ORDERED by the commission that any necessary ancillary documents in connection with the issuance of each series of the refunding bonds, the program documents, and the variable rate documents, if any, are hereby approved, and each member of the commission, each department representative, the executive director of the department, and general counsel of the department, on behalf of the commission, are authorized and

directed to perform all such acts and execute such documents, certificates, notices and applications, including any applications and submissions to the Bond Review Board, if necessary, and execution of certifications to the underwriters, the Attorney General, the Texas Comptroller of Public Accounts, the Bond Review Board and other parties, as may be necessary or appropriate to carry out the intent of this order and other orders of the commission relating to the general obligation financing program established by the master resolution, the sixth supplement, the program documents, and the variable rate documents.

(5) Grand Parkway Transportation Corporation

Various Counties - Consider authorizing the executive director of the department to amend the toll equity loan agreement (TELA) between the department and the Grand Parkway Transportation Corporation (GPTC) to modify the maximum amount permitted to be made available to GPTC each year during the term of the TELA, in connection with the issuance by the GPTC of toll revenue refunding obligations related to SH 99 (Grand Parkway) (MO)

116506
PFD

The Texas Department of Transportation (department) and the seven counties in the Houston area in which SH 99 (Grand Parkway) is located have been proceeding with the development of the Grand Parkway from SH 146 in Galveston County to SH 146 in Chambers County.

In accordance with the requirements of Transportation Code §228.0111 and the policies included in Minute Order 111410, dated June 26, 2008, the department and the seven counties entered into a Market Valuation Waiver Agreement, effective March 25, 2009, in which the parties agreed on the terms and conditions for the development, construction, and operation of the Grand Parkway, agreed to waive the development of a market valuation of the Grand Parkway, and agreed to certain other provisions applicable to the development, construction, and operation of the Grand Parkway. Each of Harris, Montgomery, Liberty, and Chambers counties subsequently elected not to exercise its option to develop, construct, and operate the portion of the Grand Parkway located within the territory of the county.

In Minute Order 113046, dated March 29, 2012, the Texas Transportation Commission (commission) adopted a resolution creating the Grand Parkway Transportation Corporation (GPTC) pursuant to Title 43, Texas Administrative Code, §15.95, approving its certificate of formation and bylaws and appointing the initial directors. The commission adopted 43 TAC §15.95 to establish procedures applicable to toll project corporations created under Transportation Code, Chapter 431 (chapter 431) in entering into contracts with or on behalf of the commission in connection with the funding and development of toll projects.

In Minute Order 113202, dated July 26, 2012, the commission granted preliminary approval of financial assistance requested by GPTC in order to perform the functions authorized by chapter 431 and any other functions not specified by chapter 431 as necessary in the promotion and development of public transportation facilities and systems of the department by developing, financing, refinancing, designing, constructing, expanding, operating or maintaining some or all of the segments of the Grand Parkway toll project that are to be developed by the department, initially a portion of Segment D located in Harris County and Segments E, F-1, F-2, and G located in Harris and Montgomery counties (together with all the portions of the Grand Parkway toll project designated by GPTC as the System, the “Grand Parkway System”).

In Minute Order 113279, dated September 27, 2012, the commission granted final approval of financial assistance from the department to GPTC in an aggregate amount in nominal dollars not to exceed \$9,600,000,000, and authorized the executive director of the department to enter into a toll equity loan agreement (TELA) with GPTC to provide financial assistance in the form of a loan for the facility costs associated with Segments D (from north of Kingsland Boulevard to north of Colonial Parkway in Harris County), E, F-1, F-2, and G

of the Grand Parkway and the maintenance, operation and major maintenance costs of Segment D in Harris County and Segments E, F-1, F-2 and G, and identified and permitted costs of other portions of the Grand Parkway.

The department and GPTC entered into that certain Toll Equity Loan Agreement for the Grand Parkway Project, dated July 17, 2013 (the "Original Agreement"), in connection with the sale and issuance of certain of GPTC's outstanding Grand Parkway System Toll Revenue Bonds, Series 2013 (series 2013 bonds). The amounts that can be borrowed by GPTC each year may not exceed certain annual limits, including the maximum available annual amount set forth in a schedule to the Original Agreement and the maximum permitted amount defined in the Original Agreement, not to exceed 100% of the projected toll revenue stream for that period in the mutually approved investment grade traffic and revenue study. The borrowed funds may be used by GPTC for debt service payments on its TELA-supported bonds for the Grand Parkway System and for certain budgeted operations and maintenance expenses and certain major maintenance costs if toll revenue, money in certain reserve funds and accounts, and other revenue derived from the project are insufficient to make those payments.

Section 8.06 of the Original Agreement permits the Original Agreement to be amended, subject to authorization by the commission, in order to adjust the maximum amount available annually for loans by the department to GPTC.

In Minute Order 113803, dated December 19, 2013, the commission approved a first amendment to the Original Agreement to adjust the maximum amounts available annually for loans to GPTC pursuant to the Original Agreement in connection with the issuance by GPTC of three series of 2014 refunding bonds (series 2014 bonds) to refund certain of the series 2013 bonds subject to mandatory tender.

In Minute Order 114766, dated November 17, 2016, the commission approved a second amendment to the Original Agreement to adjust the maximum amounts available annually for loans to GPTC pursuant to the Original Agreement in connection with the issuance by GPTC in 2016 of TELA-supported refunding bonds to refund certain of the maturing series 2014 bonds.

In Minute Order 114290, dated June 25, 2015, the commission authorized GPTC to act on behalf of the commission and conferred all powers to GPTC, in order for GPTC to develop, finance, refinance, design, construct, reconstruct, expand, operate and/or maintain Segments H and I as a part of the Grand Parkway System. Minute Order 114290 further authorized GPTC to enter into, assign and assume all contracts relating to the development, design, construction, operation and maintenance of any and all segments of the Grand Parkway within its Grand Parkway System among other authorizations necessary to add Segments H and I to the Grand Parkway System, including the execution of any agreements with the department or other parties necessary in connection with the plan of finance for the Grand Parkway.

In Minute Order 114880, dated March 28, 2017, the commission authorized a third amendment to the Original Agreement in connection with the issuance by GPTC of designated series of its toll revenue obligations and to the addition of Segments H and I to the Grand Parkway System in order to (i) provide financial assistance for costs of Segments H and I (including major maintenance costs) incurred or reasonably expected to be incurred in addition to the financial assistance already approved for the initial system, (ii) modify the schedule of maximum amounts available annually for loans to GPTC pursuant to the Original Agreement to reflect the new principal and interest payment requirements of such obligations, (iii) provide for a later maturity date of the Toll Equity Loan Note to accommodate the expected later maturity date of the Grand Parkway System obligations to be issued but not later than fiscal year ending August 31, 2058, (iv) revise the project budget provided for in

the Original Agreement, and (v) provide other amendatory provisions necessary to integrate Segments H and I into the Original Agreement and add them to the Grand Parkway System.

Pursuant to Minute Order 114880, the department and GPTC entered into the Third Amendment to Toll Equity Loan Agreement dated as of May 16, 2018, and additionally entered into an Amended and Restated Toll Equity Loan Agreement dated as of May 16, 2018 (the “Amended and Restated TELA”) to incorporate amendments and revisions to the Original Agreement and provide a complete, comprehensive, coherent, and definitive version of the terms and conditions of the department’s financial assistance.

Pursuant to resolutions adopted on February 23, 2023, the board of directors of GPTC has (i) authorized issuance of refunding obligations, which may be issued as TELA-supported bonds, in order to refund certain outstanding obligations, and (ii) requested that the commission approve a First Amendment to the Amended and Restated TELA in connection with the issuance of such obligations. The maximum aggregate amount of the toll equity loans that may be made by the department to GPTC under the First Amendment to the Amended and Restated TELA will not change as a consequence of the issuance of the obligations. The new principal and interest payment requirements of the obligations, as established in connection with the sale of the obligations, will require an amendment of the Amended and Restated TELA to provide for adjustments to be made in the schedule of maximum amounts available annually for loans to GPTC pursuant to the First Amendment to the Amended and Restated TELA.

The commission has determined that it would benefit the GPTC’s financing of the Grand Parkway System if Section 2.06 of the Amended and Restated TELA were amended to remove the requirement that the GPTC pay a fee to the department.

NOW, THEREFORE, IT IS ORDERED that the executive director of the department is authorized to enter into the First Amendment to the Amended and Restated TELA in order to enable the issuance of the GPTC’s refunding obligations for the Grand Parkway System as described above, the form of which is attached as exhibit A to this order, with such changes as the executive director may approve.

IT IS FURTHER ORDERED that the executive director or his designee is authorized and directed to execute all ancillary agreements, instruments and certificates necessary to effect the delivery of the First Amendment to the Amended and Restated TELA and the purposes of this order.

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

e. Speed Zones

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

116507
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.

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 city of Eagle Pass Bridge Director Homero Balderas and City Engineer Danny Magee who thanked the commission for everything that they do in maintaining and improving the transportation infrastructure, and for all the support the Texas Department of Transportation (TxDOT) has given to the recently had event in Eagle Pass, the Port of Eagle Pass Trade Summit and also thanked commissioners New and Meade for attending the Summit; City of Laredo Mayor Pro tem Vanessa Perez thanked the commission and gave the city's appreciation of their support for the new state highway 84; and Anthony Schneider, Sr. spoke on the violations on Loop 1604 in Universal City and his grievances with TxDOT employees. The commission received no further comments.

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 recessed to executive session at 12:33 p.m. and returned from executive session at 1:46 p.m.

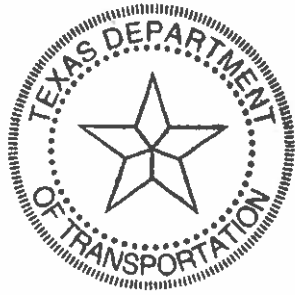
Commissioner Alvis motioned adjournment and Commissioner Meade seconded the motion. The commission voted 5 - 0 to adjourn. The regular meeting of the Texas Transportation Commission was adjourned at 1:47 p.m.

APPROVED by the Texas Transportation Commission on July 11, 2023:



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 29, 2023, in Austin, Texas.



Amanda Brown, Commission Chief Clerk
Texas Department of Transportation