

These are the minutes of the regular meeting of the Texas Transportation Commission held on January 17, 2024, in Austin, Texas. The meeting was called to order at 10:03 a.m. by Chairman Bugg with the following commissioners present:

Texas Transportation Commission:

J. Bruce Bugg, Jr.	Chairman
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 3:30 p.m. on January 9, 2024, as required by Government Code, Chapter 551, referred to as "The Open Meetings Act."

ITEM 1. Safety Briefing

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

ITEM 2. Opening Comments from Commissioners and Executive Director

The commissioners made opening remarks.

ITEM 3. Consider the approval of the Minutes of the December 12, 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 December 12, 2023, regular meeting by a vote of 5 - 0.

ITEM 4. Contracts

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

a. Highway Improvement and Other Transportation Facilities (MO)

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

116622
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 January 4 and 5, 2024, as well as Paris District, Delta County, Job Number 3022, Project Number STP 2024(417)HES, Amarillo District, Hutchinson County, Job Number 3207, Project Number F 2024(462), and

Pharr District, Kenedy County, Job Number 3028, Project Number F 2024(529), which were publicly read on December 5 and 6, 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.

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

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

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

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

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

b. Routine Maintenance (MO)

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

116623
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 January 4 and 5, 2024, 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 Meade, and the commission approved the following minute order by a vote of 5 - 0.

116624
SSD

Pursuant to Transportation Code, Chapter 223, Subchapter A, and Title 43, Texas Administrative Code, Chapter 9, Subchapter B, the Texas Department of Transportation (department) solicited and received sealed competitive bid proposals for improvement of the State Highway System, which were publicly read on January 2 and January 3, 2024, 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 5. Discussion Item

Development of the 2025 Unified Transportation Program (UTP) Planning Targets

This discussion was led by Transportation Planning and Programming Division Director Humberto Gonzalez Jr. The commission heard comments from El Paso Community Foundation Director of Binational Affairs Mario Porras; Jobe Materials, LP Assistant General Counsel Garrett Yancey; El Paso Chamber of Commerce President & CEO Andrea Hutchins; and El Paso Metropolitan Planning Organization Executive Director Eduardo Calvo. The commission asked questions and discussed the topic.

ITEM 6. Aviation

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

This item was presented by Aviation Division Director Dan Harmon. The commission heard comments from North Texas Regional Airport Executive Director Bill Majers. Commissioner Vaughn made a motion, which was seconded by Commissioner Alvis, and the commission approved the following minute order by a vote of 5 - 0.

116625
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 and state funding for capital improvement projects and to assist in the development and establishment of airports in the state of Texas.

Further, Texas Constitution, Article 3, §49-k(c) authorizes money in the Texas Mobility Fund (TMF) to be used to provide participation by the state in the payment of a portion of the costs of constructing and providing public transportation projects in accordance with the procedures, standards, and limitations established by law. Texas Transportation Code §201.943 provides that money in the TMF may be used in the payment of a portion of the costs for providing public transportation projects that are determined by the Texas Transportation Commission (commission) to be in the best interests of the state in its major goal of improving the mobility of the residents of the state.

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, federal apportionment grant funds, and state grant funds for the improvements.

On December 22, 2023, a public hearing was held. No comments were received.

Pursuant to Transportation Code §§201.943 and 201.946, the commission finds that the public transportation projects in exhibit A to be in the best interests of the state in its major goal of improving the mobility of the residents of the state and are eligible for TMF funds.

IT IS THEREFORE ORDERED by the 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 7. Transportation Corporation

Galveston and Brazoria Counties - Designate a portion of Segment B of the SH 99 (Grand Parkway) toll project (Segment B-1) as a toll project on the state highway system; authorize the Grand Parkway Transportation Corporation (GPTC) to act on behalf of the commission in connection with the development, financing, refinancing, design, construction, reconstruction, expansion, tolling, operation and maintenance of Segment B-1 in Galveston and Brazoria counties; authorize GPTC to enter into, assign and assume all contracts relating to Segment B-1 and perform any function necessary to the exercise of powers delegated to GPTC; authorize amendments to the toll rate agreement between the commission and GPTC to include Segment B-1; authorize the executive director of the department to execute a project agreement with GPTC to provide for the allocation of responsibilities relating to Segment B-1; and provide for the assignment of revenues of Segment B-1 to GPTC (MO)

This item was presented by Alternative Delivery Division Director Greg Snider. Commissioner Alvis made a motion, which was seconded by Commissioner New, and the commission approved the following minute order by a vote of 5 - 0.

116626
ALD

In accordance with the requirements of former Section 228.0111 of the Transportation Code and the policies included in Minute Order 111410 dated June 26, 2008, the Texas Department of Transportation (department) and the seven counties in the Houston area in which SH 99 (Grand Parkway) is located entered into a Market Valuation Waiver Agreement, effective March 25, 2009 (MVWA), in which the parties agreed on the terms and conditions for the development, construction, and operation of the SH 99 (Grand Parkway) Project, a toll project extending from SH 146 in Galveston County to SH 146 in Harris County (Grand Parkway Project), agreed to waive the development of a market valuation of the Grand Parkway Project, and agreed to certain other provisions applicable to the development, construction, and operation of the Grand Parkway Project. 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 Project located within the territory of the county. In a series of minute orders, the Texas Transportation Commission (commission) approved the department's determination to exercise its option to develop, construct, and operate the portions of the Grand Parkway Project in Harris, Montgomery, Liberty, and Chambers counties.

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 113046, dated March 29, 2012, the 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, in order to act on behalf of the commission in the development, financing, refinancing, design, construction, reconstruction, expansion, tolling, operation and/or maintenance of the Grand Parkway Project, initially comprising those segments in Harris and Montgomery counties, in fulfillment of the purposes of chapter 431, including promoting and developing public transportation facilities and systems by new and alternative means, reducing burdens and demands on the limited funds available to the commission, and increasing the effectiveness and efficiency of the commission.

In Minute Order 111167, dated December 13, 2007, the commission designated the portion of Grand Parkway Project Segment I-2, from I-10 to Fisher Road, as a toll project on

the state highway system (included within Segment I-2A). In Minute Order 114881, dated March 28, 2017, the commission designated the portion of Grand Parkway Project Segment I-2A from Fisher Road to FM 1405 as a toll project on the state highway system. In Minute Order 112756, dated July 28, 2011, the commission authorized the department to charge tolls in Chambers County on the portion of Segment I-2A from I-10 to Fisher Road at the existing tolling points on that segment.

In Minute Order 113202, dated July 26, 2012, and Minute Order 114290, dated June 25, 2015, the commission confirmed that the GPTC is authorized 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, reconstructing, expanding, tolling, operating, and/or maintaining some or all of the segments of the Grand Parkway Project that are to be developed by the department, including a portion of Segment D located in Harris County and Segments E, F-1, F-2, and G located in Harris and Montgomery counties (Initial System), and Segments H, I-1, and I-2 located in Harris, Montgomery, Liberty and Chambers counties (together with the Initial System, the Grand Parkway System).

In Minute Order 113279, dated September 27, 2012, the commission assigned all revenue from Grand Parkway Project Segments D (Harris County), E, F-1, F-2, and G to the GPTC to enable the GPTC to establish a toll revenue system that would support the GPTC's project debt, with such assignment of revenue becoming effective upon the execution of a project agreement between GPTC and the department. Also in Minute Order 113279, the commission granted final approval of financial assistance from the department to GPTC in an aggregate principal amount 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 the 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), and Segments E, F-1, F-2, and G, and certain identified and permitted costs of other portions of the Grand Parkway Project. The commission subsequently authorized the department to enter into certain amendments to the TELA with GPTC to reallocate the amounts that could be borrowed by GPTC each year within the maximum permitted amount or commitment provided for in the TELA, in Minute Order 113828 dated January 30, 2014, Minute Order 114766 dated November 17, 2016, Minute Order 114880 dated March 28, 2017, and Minute Order 116506 dated June 29, 2023.

The commission and the GPTC have entered into: (1) that certain Toll Rate Agreement, SH 99 (Grand Parkway) Harris and Montgomery County Segments, between Texas Transportation Commission and Grand Parkway Transportation Corporation, Dated as of August 1, 2013, pursuant to Minute Order 113399, dated December 13, 2012, and (2) that certain First Amendment to Toll Rate Agreement effective June 26, 2015, pursuant to Minute Order 114290, dated June 25, 2015 (as amended, the Toll Rate Agreement), in which the commission (1) covenanted that it will, for the benefit of the GPTC's bondholders, adopt and maintain in effect a toll rate schedule for the Grand Parkway System and establish toll rates at a level sufficient to satisfy the toll rate covenant contained in the Toll Rate Agreement; and (2) established a Free Passage Policy for the Grand Parkway System, which was amended in Minute Order 113247, dated August 30, 2012, Minute Order 113682, dated August 29, 2013, Minute Order 114962, dated June 29, 2017, and Minute Order 115270, dated July 26, 2018.

On August 1, 2013, and in February 2014, the GPTC issued toll revenue obligations payable from the revenues of the Grand Parkway System, including a loan from the U.S. Department of Transportation through its Transportation Infrastructure Finance and Innovation Act (TIFIA) program. Certain of the bonds issued by the GPTC were supported by the financial assistance provided by the TELA between the department and the GPTC.

In Minute Order 114290, dated June 25, 2015, the commission ordered that the GPTC is authorized to act on behalf of the commission, and the commission conferred all powers to the GPTC, in order for the GPTC to develop, finance, refinance, design, construct, reconstruct, expand, toll, operate, and/or maintain Segments H, I-1, and I-2 of the Grand Parkway Project located in Harris, Montgomery, Liberty, and Chambers counties as a part of its Grand Parkway System. In Minute Order 114881, dated March 28, 2017, the commission authorized the GPTC, upon substantial completion of the construction of Segments H, I-1 and I-2B, to charge the initial toll rates, and also authorized the executive director of the department to annually escalate the initial toll rates in accordance with established indices and the Toll Rate Escalation Policy, for the tolled portions of Segments H, I-1, and I-2 of the Grand Parkway Project in Montgomery, Harris, Liberty and Chambers Counties, and for the portion of Segment I-2A from Fisher Road to FM 1405 in Chambers County.

Transportation Code § 228.051 provides that the commission, by order, may designate one or more lanes of a segment of the state highway system as a toll project or system. The department entered into a Toll Project Agreement with Galveston County effective February 7, 2023, reflecting the waiver of primacy by Galveston County for the portion of Segment B of the Grand Parkway Project located within Galveston County. The department entered into a Toll Project Agreement with Brazoria County effective February 7, 2023, reflecting the waiver of primacy by Brazoria County for the portion of Segment B of the Grand Parkway Project from the Brazoria/Galveston County line west to north of FM 2403 just south of Alvin. Both agreements together provide the department with the authority to develop, finance, refinance, construct, reconstruct, toll, maintain and/or operate the portion of Segment B from I-45 South to North of FM 2403 for a total distance of 12.9 miles (Segment B-1). The department and Brazoria County are currently in the process of amending the distance of Segment B-1 to include an additional 1.3 miles to South of FM 2403. If the department is successful in amending the Toll Project Agreement with Brazoria County to extend the limits of Segment B-1 to South of FM 2403 for a total distance of 14.2 miles, then the scope of Segment B-1, as defined in this minute order, shall include the extended limits. Both agreements identify certain features that Brazoria County and Galveston County propose to be included in the current development of their respective portions of Segment B and acknowledge that an amendment to the MVWA is required to construct these desired features at the current time and sets forth a timeline to obtain the required amendment.

The department has been working to identify an approach to provide for the funding and development of Segment B-1. In furtherance of those efforts, the commission has determined that it is in the best interest of the state to delegate responsibility for Segment B-1 to GPTC, subject to a determination by the board of directors of the GPTC to accept the delegation, and to authorize the GPTC to assist and act on behalf of the commission in the development, financing, refinancing, design, construction, reconstruction, expansion, tolling, operation and/or maintenance of Segment B-1. Such authorization will be in fulfillment of the purposes of chapter 431, including promoting and developing public transportation facilities and systems by new and alternative means, reducing burdens and demands on the limited funds available to the commission, and increasing the effectiveness and efficiency of the commission. Upon acceptance of such delegation by the GPTC board of directors, Segment B-1 will become subject to the terms of the Toll Rate Agreement and any amendments thereto to provide for the expansion of the Grand Parkway System. The plan of finance for Segment B-1 contemplates that the commission will assign the revenues from Segment B-1 to the GPTC effective upon the opening of Segment B-1 to tolled traffic.

Pursuant to commission Minute Order No. 113202 dated July 26, 2012, and Minute Order 113279 dated September 27, 2012, the department and the GPTC entered into a Project Agreement dated July 17, 2013, to define (1) the responsibilities of the GPTC to pay the costs

of financing, refinancing, constructing, reconstructing, tolling, operating and/or maintaining Grand Parkway Project Segments D through I, pursuant to development agreements, design-bid-build agreements and other contracts to construct, equip, deliver, operate and maintain those segments and the funding of certain predevelopment costs of other portions of the Grand Parkway Project; and (2) the assistance to be provided to GPTC by the department in the form of personnel, consultant advice and contractual support and financial assistance. The department and the GPTC subsequently entered into that certain Amended and Restated Project Agreement Dated as of May 1, 2018, in conjunction with the GPTC's issuance of additional obligations to improve and extend the Grand Parkway System, including the H and I Project, as amended by that certain First Amendment to Amended and Restated Project Agreement effective September 27, 2023 (as amended, the Project Agreement). The commission has determined that it would be beneficial to authorize the GPTC and the department to further amend the Project Agreement to allocate responsibilities between the GPTC and the department and to document any assistance to be provided by the department to the GPTC relating to Segment B-1, other than financial assistance under Transportation Code, Section 222.103.

The timely extension of the Grand Parkway Project with Segment B-1 of the Grand Parkway Project is a crucial element in the development of Galveston and Brazoria counties and the surrounding region. Development of additional segments of the Grand Parkway Project will benefit the region by reducing congestion and improving air quality in those areas.

NOW, THEREFORE, IT IS ORDERED by the commission that Segment B-1 is designated as a toll project on the state highway system, and the GPTC is authorized to act on behalf of the commission, and the commission confers all powers to GPTC, in order for GPTC to develop, finance, refinance, design, construct, reconstruct, expand, toll, operate, and/or maintain Segment B-1 as a part of its Grand Parkway System.

IT IS FURTHER ORDERED that GPTC is authorized to enter into, assign and assume all contracts relating to the development, design, construction, reconstruction, tolling, operation and/or maintenance of Segment B-1.

IT IS FURTHER ORDERED that the GPTC is authorized to perform any function specified by Subchapters A-C of chapter 431 and perform any function not specified by chapter 431, but necessary to develop, finance, refinance, design, construct, reconstruct, expand, toll, operate and/or maintain the Grand Parkway System, including the issuance of one or more series of public securities; collecting and enforcing tolls or causing such; execution of any agreements with the department or any other parties necessary in connection with the plan of finance for the Grand Parkway System or other matters relating to tolling, and other agreements and loans with the department pursuant to Transportation Code, Section 222.103; and other matters related thereto.

IT IS FURTHER ORDERED that the chairman of the commission is authorized to execute amendments to the Toll Rate Agreement with the GPTC regarding the extension of covenants in that agreement relating to tolling rates and policies governing the Grand Parkway System to include Segment B-1 of the Grand Parkway Project which Toll Rate Agreement may be amended and restated for the convenience of the parties.

IT IS FURTHER ORDERED that the executive director of the department is authorized to execute amendments to the Project Agreement with the GPTC to provide for the allocation of responsibilities and the support and assistance to be provided by the department relating to the inclusion of Segment B-1 into the Grand Parkway System, which Project Agreement may be amended and restated for the convenience of the parties.

IT IS FURTHER ORDERED that the revenues of Segment B-1 are assigned to the GPTC upon the opening of Segment B-1 to tolled traffic.

IT IS FURTHER ORDERED that the executive director of the department or his designee is authorized and directed to execute all ancillary agreements, instruments and certificates necessary to effectuate the purposes of this order.

ITEM 8. Promulgation of Administrative Rules Under Title 43, Texas Administrative Code, and the Administrative Procedure Act, Government Code, Chapter 2001:

a. Rule Proposals

(1) Chapter 9 - Contract and Grant Management - Amendments to §§9.11-9.12, §§9.15-9.18, §§9.23-9.25, and §9.27 concerning contracts for highway projects (MO)

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

116627
CST

The Texas Transportation Commission (commission) finds it necessary to propose amendments to §§9.11, 9.12, 9.15-18, and 9.23-25, and new §9.27, relating to Highway Improvement Contracts to be codified under Title 43, Texas Administrative Code, Part 1.

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

IT IS THEREFORE ORDERED by the commission that the amendments to §§9.11, 9.12, 9.15-18, and 9.23-25, and new §9.27 are proposed for adoption and are authorized for publication in the *Texas Register* for the purpose of receiving public comments.

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

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

(2) Chapter 7 - Rail Facilities - The repeal of §§7.82, 7.83, and 7.86, enactment of new §§7.82, 7.83, and 7.86, and amendments to §§7.80, 7.84-7.85, 7.87-7.95, all concerning the Rail Fixed Guideway System State Safety Oversight Program (MO)

This item was presented by Public Transportation Division Director Eric Gleason. Commissioner Meade made a motion, which was seconded by Commissioner New, and the commission approved the following minute order by a vote of 5 - 0.

116628
PTN

The Texas Transportation Commission (commission) finds it necessary to propose the repeal of §§7.82, 7.83, and 7.86, new §§7.82, 7.83, and 7.86, and amendments to §§7.80-7.81, 7.84-7.85, and 7.87-7.95, relating to Rail Fixed Guideway System State Safety Oversight Program to be codified under Title 43, Texas Administrative Code, Part 1.

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

IT IS THEREFORE ORDERED by the commission that the repeal of §§7.82, 7.83, and 7.86, new §§7.82, 7.83, and 7.86, and amendments to §§7.80-7.81, 7.84-7.85, and 7.87-7.95, are proposed for adoption and are authorized for publication in the *Texas Register* for the purpose of receiving public comments.

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

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

(3) Chapter 31 - Public Transportation - Amendments to §§31.11 and 31.13 concerning State funding programs (MO)

This item was presented by Public Transportation Division Director Eric Gleason. Commissioner Alvis made a motion, which was seconded by Commissioner Vaughn, and the commission approved the following minute order by a vote of 5 - 0.

116629
PTN

The Texas Transportation Commission (commission) finds it necessary to propose amendments to §§31.11 and 31.13, relating to State Programs to be codified under Title 43, Texas Administrative Code, Part 1.

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

IT IS THEREFORE ORDERED by the commission that the amendments to §§31.11 and 31.13, are proposed for adoption and are authorized for publication in the *Texas Register* for the purpose of receiving public comments.

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

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

b. Rule Adoption

Chapter 16 - Planning and Development of Transportation Projects - Amendments to §16.105 (Unified Transportation Program) and §16.154 (Transportation Allocation Funding Formulas) (MO)

This item was presented by Transportation Planning and Programming Division Deputy Director Mildred Litchfield. Commissioner Meade made a motion, which was seconded by Commissioner Alvis, and the commission approved the following minute order by a vote of 5 - 0.

116630
TPP

The Texas Transportation Commission (commission) finds it necessary to adopt amendments to §§16.105, Unified Transportation Program and 16.154, Transportation Allocation Funding Formulas, relating to Planning and Development of Transportation Projects to be codified under Title 43, Texas Administrative Code, Part 1.

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

IT IS THEREFORE ORDERED by the commission that the amendments to §§16.105 and 16.154 are adopted and are authorized for filing with the Office of the Secretary of State.

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

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

ITEM 9. Public Transportation

Travis County - Consider the award of federal §5311(b)(3) funds to the Texas Transit Association (MO)

This item was presented by Public Transportation Division Director Eric Gleason. 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.

116631
PTN

The Texas Transportation Commission (commission) desires to award a total of \$81,000 in Federal Transit Administration (FTA) program funds to the Texas Transit Association for the 2024 Texas Transit Association Annual State Conference, Expo, and Rodeo training activities.

Title 43, Texas Administrative Code (TAC), §31.37 establishes a process by which eligible proposals will be selected to receive funds for training and technical assistance needs under the FTA Rural Transportation Assistance Program (49 U.S.C. §5311(b)(3)).

Transportation Code, Chapter 455 assigns a broad spectrum of public transportation roles and missions to the department.

Transportation Code, Chapter 456 authorizes the commission to administer funds appropriated for public transportation.

IT IS THEREFORE ORDERED by the commission that the executive director or the director's designee is directed to proceed with the award as described and enter into the necessary contracts.

ITEM 10. State Infrastructure Bank (Presentation)

Bell County - City of Nolanville - Consider an amendment to Minute Order 116493 to amend the maturity term and interest rate of the State Infrastructure Bank loan between the department and the city of Nolanville for a project for bridge repair, road construction, and a shared use path necessary for a non-tolled, off-system project to make improvements to Old Nolanville Road and bridge in Bell County, Texas (MO)

This item was presented by Project Finance, Debt & Strategic Contracts Section Director Patrick Marotta. 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.

116632
PFD

On December 13, 2022, by Minute Order 116396, the Texas Transportation Commission (commission) granted preliminary approval of the city of Nolanville's (city) State Infrastructure Bank (SIB) loan application, and on June 29, 2023, by Minute Order 116493, the commission granted final approval authorizing the Texas Department of Transportation (department) to enter into a financial assistance agreement for a SIB loan with the city with a term to maturity up to seven (7) years and an interest rate of 3.56%.

On August 21, 2023, the city and the department executed a SIB loan agreement for \$1,000,000 with a term to maturity up to seven (7) years with an interest rate of 3.56%.

The city has submitted a request to amend the agreement to modify the term to maturity of their SIB loan from up to seven (7) years to up to fifteen (15) years.

The commission finds that the proposed amendment to the term to maturity to the city's SIB loan meets the findings made by the commission in Minute Order 116396 and Minute Order 116493.

IT IS THEREFORE DETERMINED AND ORDERED by the commission that the request for amendment submitted by the city to amend the term to maturity approved in Minute Order 116493 from a term to maturity up to seven (7) years to a term to maturity up to fifteen (15) years is granted. Additionally, the interest rate on the loan will be amended from 3.56% to 4.08% to reflect the new term to maturity.

IT IS FURTHER ORDERED by the commission that the executive director or his designee is directed and authorized to enter into an amendment to the SIB loan agreement with the city.

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 Deputy Director Greg Faber. 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 Vaughn, Commissioner Meade, and Commissioner Alvis (a vote of 4 - 0).

116633
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-JJ. 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 1-426 in accordance with Transportation Code, Sections 203.002 and 203.003.

The commission finds and determines that condemnation of the parcels is required.

IT IS THEREFORE ORDERED that the initiation of condemnation proceedings for the parcels is adopted and authorized by a single order for the parcels, and this first vote by the commission applies to all of the parcels.

IT IS FURTHER ORDERED that the executive director is hereby authorized to proceed to condemnation on the parcels and directed to transmit or cause to be transmitted this request of the commission to the Office of the Attorney General to file or cause to be filed against all owners, lienholders, and any owners of any other interests in the parcels, proceedings in condemnation to acquire in the name of and on behalf of the state, fee simple title to each parcel or such lesser estates or property interests as are more fully described in each of the attached Exhibits, save and excepting oil, gas, and sulfur, as provided by law, as follows:

NON-CONTROLLED ACCESS

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Angelina	US 69	269	0200-01-096	P00065651
Angelina	US 69	245	0200-01-096	P00065657
Angelina	US 69	246	0200-01-096	P00065660
Angelina	US 69	277	0200-01-096	P00065661
Angelina	US 69	310	0200-01-096	P00065662
Angelina	US 69	278	0200-01-096	P00065664
Angelina	US 69	272	0200-01-096	P00065665
Angelina	US 69	275	0200-01-096	P00065666
Angelina	US 69	279	0200-01-096	P00065667
Brazoria	SH 6	266	0192-02-061	1
Brazoria	SH 6	265	0192-02-061	2
Brazoria	FM 518	23	0976-02-097	207
Brazos	FM 158	276	0212-03-064	16
Collin	SS 399	306	0047-10-004	P00069741
Collin	SS 399	78	0047-10-004	P00069751
Collin	SS 399	308	0047-10-004	P00069768.001-.002
Collin	SS 399	307	0047-10-004	P00069776
Collin	US 380	129	0135-02-072	P00069662.001
Collin	US 380	130	0135-02-072	P00069663.001-.002E
Collin	US 380	128	0135-02-072	P00069664.001,002E, .003E
Collin	US 380	123	0135-02-072	P00069665.001

NON-CONTROLLED ACCESS (continued)

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Collin	US 380	122	0135-02-072	P00069666.001
Collin	US 380	121	0135-02-072	P00069667.001
Collin	US 380	120	0135-02-072	P00069668.001
Collin	US 380	119	0135-02-072	P00069670.001-.002E
Collin	US 380	118	0135-02-072	P00069673.001
Collin	US 380	117	0135-02-072	P00069674.001
Collin	US 380	116	0135-02-072	P00069675.001
Collin	US 380	115	0135-02-072	P00069676.001
Collin	US 380	114	0135-02-072	P00069677.001
Collin	US 380	113	0135-02-072	P00069678.001
Collin	US 380	112	0135-02-072	P00069679.001
Collin	US 380	111	0135-02-072	P00069680.001
Collin	US 380	110	0135-02-072	P00069681.001
Collin	US 380	109	0135-02-072	P00069682.001
Collin	US 380	108	0135-02-072	P00069683.001
Collin	US 380	107	0135-02-072	P00069684.001
Collin	US 380	106	0135-02-072	P00069685.001
Collin	US 380	105	0135-02-072	P00069686.001
Collin	US 380	104	0135-02-072	P00069687.001
Collin	US 380	103	0135-02-072	P00069688.001
Collin	US 380	102	0135-02-072	P00069689.001
Collin	US 380	101	0135-02-072	P00069690.001
Collin	US 380	100	0135-02-072	P00069691.001
Collin	US 380	99	0135-02-072	P00069692.001
Collin	US 380	98	0135-02-072	P00069693.001
Collin	US 380	97	0135-02-072	P00069694.001
Collin	US 380	96	0135-02-072	P00069695.001
Collin	US 380	95	0135-02-072	P00069696.001
Collin	US 380	94	0135-02-072	P00069697.001
Collin	US 380	93	0135-02-072	P00069698.001
Collin	US 380	92	0135-02-072	P00069699.001
Collin	US 380	91	0135-02-072	P00069700.001
Collin	US 380	180	0135-02-074	P000074455.001-.002
Collin	US 380	178	0135-02-074	P00074379
Collin	US 380	177	0135-02-074	P00074380
Collin	US 380	176	0135-02-074	P00074382
Collin	US 380	175	0135-02-074	P00074383
Collin	US 380	174	0135-02-074	P00074384
Collin	US 380	173	0135-02-074	P00074385
Collin	US 380	172	0135-02-074	P00074386
Collin	US 380	171	0135-02-074	P00074387
Collin	US 380	170	0135-02-074	P00074388
Collin	US 380	169	0135-02-074	P00074389
Collin	US 380	168	0135-02-074	P00074390
Collin	US 380	167	0135-02-074	P00074392
Collin	US 380	166	0135-02-074	P00074393.001-.003
Collin	US 380	165	0135-02-074	P00074394
Collin	US 380	164	0135-02-074	P00074395
Collin	US 380	163	0135-02-074	P00074396

NON-CONTROLLED ACCESS (continued)

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Collin	US 380	162	0135-02-074	P00074397
Collin	US 380	161	0135-02-074	P00074398
Collin	US 380	160	0135-02-074	P00074400
Collin	US 380	159	0135-02-074	P00074401
Collin	US 380	158	0135-02-074	P00074402
Collin	US 380	157	0135-02-074	P00074403
Collin	US 380	156	0135-02-074	P00074404
Collin	US 380	155	0135-02-074	P00074405.001-.002
Collin	US 380	154	0135-02-074	P00074406
Collin	US 380	153	0135-02-074	P00074408
Collin	US 380	247	0135-02-074	P00074409
Collin	US 380	149	0135-02-074	P00074410
Collin	US 380	148	0135-02-074	P00074411
Collin	US 380	179	0135-02-074	P00074412.001-.002
Collin	US 380	152	0135-02-074	P00074413
Collin	US 380	151	0135-02-074	P00074414
Collin	US 380	147	0135-02-074	P00074415
Collin	US 380	146	0135-02-074	P00074417
Collin	US 380	145	0135-02-074	P00074418
Collin	US 380	321	0135-02-074	P00074420
Collin	US 380	323	0135-02-074	P00074421
Collin	US 380	325	0135-02-074	P00074422.001-.002
Collin	US 380	327	0135-02-074	P00074423
Collin	US 380	144	0135-02-074	P00074424
Collin	US 380	328	0135-02-074	P00074425
Collin	US 380	372	0135-02-074	P00074426
Collin	US 380	409	0135-02-074	P00074427
Collin	US 380	143	0135-02-074	P00074428
Collin	US 380	142	0135-02-074	P00074429
Collin	US 380	141	0135-02-074	P00074430
Collin	US 380	140	0135-02-074	P00074431
Collin	US 380	132	0135-02-074	P00074432
Collin	US 380	131	0135-02-074	P00074433
Collin	US 380	329	0135-02-074	P00074435
Collin	US 380	330	0135-02-074	P00074436
Collin	US 380	331	0135-02-074	P00074437
Collin	US 380	332	0135-02-074	P00074438
Collin	US 380	334	0135-02-074	P00074441
Collin	US 380	335	0135-02-074	P00074442
Collin	US 380	336	0135-02-074	P00074443
Collin	US 380	337	0135-02-074	P00074444
Collin	US 380	338	0135-02-074	P00074445
Collin	US 380	339	0135-02-074	P00074446
Collin	US 380	340	0135-02-074	P00074448
Collin	US 380	341	0135-02-074	P00074449
Collin	US 380	342	0135-02-074	P00074450
Collin	US 380	343	0135-02-074	P00074451
Collin	US 380	344	0135-02-074	P00074452
Collin	US 380	345	0135-02-074	P00074453

NON-CONTROLLED ACCESS (continued)

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Collin	US 380	346	0135-02-074	P00074454
Collin	US 380	376	0135-02-074	P00074457
Collin	US 380	347	0135-02-074	P00074458
Collin	US 380	235	0135-04-039	P00072848
Collin	US 380	234	0135-04-039	P00072849
Collin	US 380	233	0135-04-039	P00072852
Collin	US 380	232	0135-04-039	P00072854
Collin	US 380	231	0135-04-039	P00072856
Collin	US 380	229	0135-04-039	P00072860
Collin	US 380	228	0135-04-039	P00072861
Collin	US 380	227	0135-04-039	P00072862
Collin	US 380	226	0135-04-039	P00072863
Collin	US 380	225	0135-04-039	P00072864.001-.002
Collin	US 380	224	0135-04-039	P00072865
Collin	US 380	223	0135-04-039	P00072866
Collin	US 380	222	0135-04-039	P00072867
Collin	US 380	219	0135-04-039	P00072868.001-.002
Collin	US 380	218	0135-04-039	P00072869
Collin	US 380	217	0135-04-039	P00072870
Collin	US 380	215	0135-04-039	P00072871
Collin	US 380	213	0135-04-039	P00072872
Collin	US 380	210	0135-04-039	P00072873
Collin	US 380	208	0135-04-039	P00072874
Collin	US 380	205	0135-04-039	P00072875
Collin	US 380	202	0135-04-039	P00072876.001-.002
Collin	US 380	199	0135-04-039	P00072877
Collin	US 380	195	0135-04-039	P00072878
Collin	US 380	230	0135-04-039	P00072857
Collin	US 380	239	0135-05-031	P00072908
Collin	US 380	238	0135-05-031	P00072909
Collin	US 380	237	0135-05-031	P00072910
Collin	US 380	236	0135-05-031	P00072911
Collin	US 380	282	0135-11-027	P00067908.001
Collin	US 380	283	0135-11-027	P00067909.001-.002
Collin	US 380	284	0135-11-027	P00067910.001
Collin	US 380	281	0135-11-027	P00067911.001,.002E, .003
Collin	US 380	425	0135-11-027	P00067912.001,.002E, .003
Collin	US 380	424	0135-11-027	P00067913.001
Collin	US 380	423	0135-11-027	P00067914.001
Collin	US 380	422	0135-11-027	P00067915.001
Collin	US 380	421	0135-11-027	P00067916.001
Collin	US 380	420	0135-11-027	P00067917.001
Collin	US 380	419	0135-11-027	P00067918.001
Collin	US 380	418	0135-11-027	P00067919.001
Collin	US 380	417	0135-11-027	P00067920.001
Collin	US 380	416	0135-11-027	P00067921.001
Collin	US 380	415	0135-11-027	P00067922.001

NON-CONTROLLED ACCESS (continued)

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Collin	US 380	406	0135-11-027	P00067923.001
Collin	US 380	75	0135-11-027	P00067924.001
Collin	US 380	280	0135-11-027	P00067925.001
Collin	US 380	150	0135-11-027	P00067926.001
Collin	US 380	274	0135-15-003	P00068385.001,.002
Collin	US 380	273	0135-15-003	P00068391.001
Collin	US 380	271	0135-15-003	P00068392.001
Collin	US 380	270	0135-15-003	P00068417.001
Collin	US 380	268	0135-15-003	P00068419.001
Collin	US 380	267	0135-15-003	P00068420.001
Collin	US 380	264	0135-15-003	P00068445.001
Collin	US 380	352	0135-15-003	P00073321.001
Collin	US 380	353	0135-15-003	P00074464
Collin	US 380	354	0135-15-003	P00074465
Collin	US 380	355	0135-15-003	P00074467.001-.002
Collin	US 380	356	0135-15-003	P00074468
Collin	US 380	357	0135-15-003	P00074469
Collin	US 380	358	0135-15-003	P00074470
Collin	US 380	359	0135-15-003	P00074471
Collin	US 380	360	0135-15-003	P00074472
Collin	US 380	361	0135-15-003	P00074473
Collin	US 380	362	0135-15-003	P00074474.001-.002
Collin	US 380	363	0135-15-003	P00074475
Collin	US 380	364	0135-15-003	P00074476
Collin	US 380	365	0135-15-003	P00074477
Collin	US 380	366	0135-15-003	P00074480
Collin	US 380	367	0135-15-003	P00074481
Collin	US 380	368	0135-15-003	P00074482
Collin	US 380	369	0135-15-003	P00074483
Collin	US 380	370	0135-15-003	P00074484.001-.002
Collin	US 380	371	0135-15-003	P00074485.001-.002
Collin	US 380	408	0135-15-003	P00074486
Collin	US 380	373	0135-15-003	P00074489.001-.002
Collin	US 380	137	0135-15-003	P00074491
Collin	US 380	374	0135-15-003	P00074492.001-.002
Collin	US 380	375	0135-15-003	P00074493
Collin	US 380	377	0135-15-003	P00074494
Collin	US 380	378	0135-15-003	P00074496
Collin	US 380	379	0135-15-003	P00074497
Collin	US 380	380	0135-15-003	P00074498
Collin	US 380	381	0135-15-003	P00074499
Collin	US 380	382	0135-15-003	P00074500
Collin	US 380	383	0135-15-003	P00074501
Collin	US 380	384	0135-15-003	P00074502
Collin	US 380	385	0135-15-003	P00074503
Collin	US 380	386	0135-15-003	P00074504
Collin	US 380	387	0135-15-003	P00074505
Collin	US 380	388	0135-15-003	P00074506
Collin	US 380	389	0135-15-003	P00074507

NON-CONTROLLED ACCESS (continued)

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Collin	US 380	390	0135-15-003	P00074508
Collin	US 380	391	0135-15-003	P00074509
Collin	US 380	392	0135-15-003	P00074510
Collin	US 380	393	0135-15-003	P00074511
Collin	US 380	216	0135-15-003	P00074512
Collin	US 380	214	0135-15-003	P00074513
Collin	US 380	212	0135-15-003	P00074514
Collin	US 380	211	0135-15-003	P00074515
Collin	US 380	209	0135-15-003	P00074516
Collin	US 380	207	0135-15-003	P00074518
Collin	US 380	206	0135-15-003	P00074519
Collin	US 380	204	0135-15-003	P00074520
Collin	US 380	203	0135-15-003	P00074521
Collin	US 380	138	0135-15-003	P00074522
Collin	US 380	139	0135-15-003	P00074525
Collin	US 380	136	0135-15-003	P00074526
Collin	US 380	201	0135-15-003	P00074527
Collin	US 380	200	0135-15-003	P00074528
Collin	US 380	198	0135-15-003	P00074529
Collin	US 380	197	0135-15-003	P00074530
Collin	US 380	196	0135-15-003	P00074531
Collin	US 380	194	0135-15-003	P00074532
Collin	US 380	193	0135-15-003	P00074533.001-.002
Collin	US 380	192	0135-15-003	P00074534
Collin	US 380	135	0135-15-003	P00074536
Collin	US 380	191	0135-15-003	P00074537
Collin	US 380	190	0135-15-003	P00074538
Collin	US 380	189	0135-15-003	P00074539
Collin	US 380	188	0135-15-003	P00074540
Collin	US 380	187	0135-15-003	P00074541
Collin	US 380	186	0135-15-003	P00074542
Collin	US 380	185	0135-15-003	P00074543
Collin	US 380	184	0135-15-003	P00074544
Collin	US 380	134	0135-15-003	P00074545
Collin	US 380	133	0135-15-003	P00074547
Collin	US 380	183	0135-15-003	P00074548
Collin	US 380	182	0135-15-003	P00074549
Collin	US 380	313	0135-15-003	P00074550
Collin	US 380	181	0135-17-003	P00072883
Collin	US 380	241	0135-17-003	P00072886
Collin	US 380	309	0135-17-003	P00072887
Collin	US 380	304	0135-17-003	P00072888
Collin	US 380	240	0135-17-003	P00072892
Collin	US 380	242	0135-17-003	P00072893
Collin	US 380	255	0135-17-003	P00072894
Collin	US 380	257	0135-17-003	P00072895
Collin	US 380	256	0135-17-003	P00072896
Collin	US 380	258	0135-17-003	P00072897.001-.002
Collin	US 380	259	0135-17-003	P00072898

NON-CONTROLLED ACCESS (continued)

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Collin	US 380	305	0135-17-003	P00072899
Collin	US 380	263	0135-17-003	P00072900
Collin	US 380	243	0135-17-003	P00072904
Collin	FM 1461	414	1973-01-018	34
Collin	FM 1461	413	1973-01-018	38
Collin	FM 1461	261	1973-01-018	P00075146
Collin	FM 428	351	2678-01-015	P00067648.001
Collin	FM 428	333	2678-01-015	P00067649.001-.003
Collin	FM 428	21	2678-01-015	P00067650.001-.002
Collin	FM 428	407	2678-01-015	P00067651.001
Collin	FM 428	20	2678-01-015	P00067652.001
Collin	FM 428	410	2678-01-015	P00067653.001
Collin	FM 428	350	2678-01-015	P00067654.001
Collin	FM 428	22	2678-01-015	P00067655.001
Dallas	SL 9	317	2964-10-007	P00071868
Dallas	SL 9	314	2964-10-007	P00071869
Dallas	SL 9	315	2964-10-007	P00071870
Dallas	SL 9	316	2964-10-007	P00071871
Dallas	SL 9	322	2964-10-007	P00071873
Dallas	SL 9	324	2964-10-007	P00071874
Dallas	SL 9	326	2964-10-007	P00071875
Dallas	SL 9	399	2964-10-007	P00071876
Dallas	SL 9	400	2964-10-007	P00071877
Dallas	SL 9	77	2964-10-007	P00071878
Dallas	SL 9	401	2964-10-007	P00071879
Dallas	SL 9	402	2964-10-007	P00071880
Dallas	SL 9	403	2964-10-007	P00071881
Dallas	SL 9	404	2964-10-007	P00071882
Dallas	SL 9	76	2964-10-007	P00071886
Dallas	SL 9	405	2964-10-007	P00071944
Denton	US 377	85	0081-06-043	P00024384
Denton	US 377	87	0081-06-043	P00024400
Denton	US 377	86	0081-06-043	P00024401
Denton	US 377	90	0081-06-043	P00024402
Denton	US 377	286	0081-06-043	P00024412
Denton	US 377	287	0081-06-043	P00024414
Denton	US 377	288	0081-06-043	P00024415
Denton	US 377	289	0081-06-043	P00024417
Denton	US 377	290	0081-06-043	P00024418
Denton	US 377	291	0081-06-043	P00024421
Denton	US 377	292	0081-06-043	P00024422
Denton	US 377	293	0081-06-043	P00024429
Denton	US 377	294	0081-06-043	P00024430E
Denton	US 377	295	0081-06-043	P00024431E
Denton	US 377	84	0081-06-043	P00024454, P00024454E
Denton	US 377	89	0081-06-043	P00024501
Denton	US 377	88	0081-06-043	P00024513
Denton	US 377	262	0081-06-043	P00024631

NON-CONTROLLED ACCESS (continued)

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Denton	US 380	127	0135-10-067	P00067706.001
Denton	US 380	126	0135-10-067	P00067707.001-.003E
Denton	US 380	125	0135-10-067	P00067708.001
Denton	US 380	124	0135-10-067	P00067709.001
Denton	FM 407	319	1310-01-052	P00068110
Galveston	FM 646	285	0978-02-072	416
Galveston	FM 646	398	0978-02-073	404
Galveston	FM 646	300	0978-02-073	422
Gregg	SH 31	46	0424-02-049	P00067252.001
Gregg	SH 31	44	0424-02-049	P00067253.001
Gregg	SH 31	45	0424-02-049	P00067268.001
Gregg	SH 31	412	0424-02-049	P00067269.001
Gregg	SH 31	36	0424-02-049	P00067278.001
Gregg	SH 31	37	0424-02-049	P00067279.001
Gregg	SH 31	40	0424-02-049	P00067280.001
Gregg	SH 31	38	0424-02-049	P00067281
Gregg	SH 31	39	0424-02-049	P00067283.001
Gregg	SH 31	41	0424-02-049	P00067284.001
Gregg	SH 31	43	0424-02-049	P00067289.001
Gregg	SH 31	42	0424-02-049	P00067310.001
Gregg	SL 485	312	3290-02-011	P00061570.001
Gregg	SL 485	348	3290-02-011	P00061572.001
Gregg	SL 485	349	3290-02-012	P00061577.001
Harris	SH 35	303	0178-09-030	109
Harris	SH 35	302	0178-09-030	111
Harris	SH 35	301	0178-09-030	117
Hidalgo	FM 2061	395	1939-01-066	1
Hidalgo	FM 2061	396	1939-01-066	10
Hidalgo	FM 2061	397	1939-01-066	19
Hidalgo	FM 2061	19	1939-01-066	52
Hidalgo	FM 2061	18	1939-01-066	59
Hidalgo	FM 2061	17	1939-01-066	74
Hidalgo	FM 2061	16	1939-01-066	99
Hidalgo	FM 2061	10	1939-01-066	108
Hidalgo	FM 2061	13	1939-01-066	118
Hidalgo	FM 2061	12	1939-01-066	120
Hidalgo	FM 2061	15	1939-01-066	127
Hidalgo	FM 2061	14	1939-01-066	128
Hidalgo	FM 2061	11	1939-01-066	130
Hunt	US 380	221	0135-06-040	P00072913
Hunt	US 380	220	0135-06-040	P00072914
Karnes	BUS HWY 181E	1	0348-04-062	P00063461.001
Kaufman	FM 741	34	1092-01-023	P00056551.001
Kaufman	FM 741	33	1092-01-023	P00056566.001
Kaufman	FM 741	32	1092-01-023	P00056570.001
Kaufman	FM 741	31	1092-01-023	P00056571.001
Kaufman	FM 741	28	1092-01-023	P00056590
Kaufman	FM 741	27	1092-01-023	P00056593
Kaufman	FM 741	26	1092-01-023	P00056595

NON-CONTROLLED ACCESS (continued)

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Kaufman	FM 741	30	1092-01-023	P00056596
Kaufman	FM 741	25	1092-01-023	P00056637.001
Kaufman	FM 741	29	1092-01-023	P00056655
Kaufman	FM 741	24	1092-01-023	P00056661
Lampasas	US 183	82	0272-06-041	P00071472.001
Lampasas	US 183	83	0272-06-041	P00071473.001
Lampasas	US 183	81	0272-06-041	P00071478.001
Lampasas	US 183	80	0272-06-042	P00071461.001
Liberty	SH 105	248	0338-05-034	800
Liberty	SH 105	249	0338-05-034	801
Liberty	SH 105	250	0338-05-034	802
Liberty	SH 105	253	0338-05-034	803
Liberty	SH 105	251	0338-05-034	804
Liberty	SH 105	252	0338-05-034	805
Liberty	SH 105	254	0338-05-034	806
Montgomery	FM 1488	260	0523-07-003	11
Montgomery	FM 1488	394	0523-07-003	17
Montgomery	FM 1488	9	0523-07-003	19
Montgomery	FM 1488	8	0523-07-003	22
Montgomery	FM 1488	7	0523-07-003	23
Montgomery	FM 1488	3	0523-07-003	24
Montgomery	FM 1488	6	0523-07-003	25
Montgomery	FM 1488	2	0523-07-003	27
Montgomery	FM 1488	5	0523-07-003	26A
Montgomery	FM 1488	4	0523-07-003	26B
Montgomery	SH 242	35	3538-01-047	300
Nacogdoches	US 259	311	0138-06-050	P00065760
Nueces	FM 665	296	1052-02-099	P00074660.001
Nueces	FM 665	297	1052-02-099	P00074661.001
Robertson	US 79	320	0204-09-052	4
Smith	SH 31	62	0424-01-060	P00067166.001
Smith	SH 31	56	0424-01-060	P00067172.001
Smith	SH 31	55	0424-01-060	P00067179.001
Smith	SH 31	70	0424-01-060	P00067180.001
Smith	SH 31	47	0424-01-060	P00067181.001
Smith	SH 31	69	0424-01-060	P00067182.001
Smith	SH 31	68	0424-01-060	P00067183.001
Smith	SH 31	57	0424-01-060	P00067184.001
Smith	SH 31	58	0424-01-060	P00067185.001
Smith	SH 31	48	0424-01-060	P00067186.001
Smith	SH 31	59	0424-01-060	P00067187.001
Smith	SH 31	49	0424-01-060	P00067189.001
Smith	SH 31	67	0424-01-060	P00067190.001
Smith	SH 31	60	0424-01-060	P00067192.001
Smith	SH 31	71	0424-01-060	P00067193.001
Smith	SH 31	61	0424-01-060	P00067199.001
Smith	SH 31	64	0424-01-060	P00067200.001
Smith	SH 31	72	0424-01-060	P00067201.001
Smith	SH 31	50	0424-01-060	P00067204.001

NON-CONTROLLED ACCESS (continued)

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Smith	SH 31	65	0424-01-060	P00067205.001
Smith	SH 31	51	0424-01-060	P00067206.001
Smith	SH 31	52	0424-01-060	P00067207.001
Smith	SH 31	66	0424-01-060	P00067208.001
Smith	SH 31	53	0424-01-060	P00067209.001
Smith	SH 31	63	0424-01-060	P00067210.001-.002
Smith	SH 31	73	0424-01-060	P00067212.001.001-.003
Smith	SH 31	54	0424-01-060	P00067216.001
Smith	SH 31	74	0424-01-060	P00067218.001
Smith	FM 756	298	0492-04-040	P00063768.001
Smith	FM 756	299	0492-04-040	P00063793.001
Smith	FM 756	426	0492-04-044	P00063838.001
Taylor	US 83	244	0034-01-138	P00070082
Wharton	US 59	318	0089-07-165	303
Wichita	US 82	79	0156-04-124	P00005566
Wichita	US 82	411	0156-04-124	P00005567

CONTROLLED ACCESS

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Burnet	US 281	I	0252-01-086	P00059545
Burnet	US 281	H	0252-01-086	P00059546
Burnet	US 281	F	0252-01-086	P00059547
Burnet	US 281	G	0252-01-086	P00059548
Collin	US 380	K	0135-02-072	P00069669.001
Collin	US 380	J	0135-02-072	P00069672.001
Denton	IH 35E	P	0196-01-100	2
Denton	IH 35E	Q	0196-01-100	3
Denton	IH 35E	S	0196-01-100	5
Denton	IH 35E	R	0196-01-100	4,4AC
Ellis	IH 45	M	0092-04-083	P00072644
Ellis	IH 45	L	0092-05-059	P00072609
Ellis	IH 45	Y	0092-05-059	P00072611
Ellis	IH 45	X	0092-05-059	P00072613
Ellis	IH 45	W	0092-05-059	P00072614
Ellis	IH 45	V	0092-05-059	P00072618
Ellis	IH 45	Z	0092-05-059	P00072619
Ellis	IH 45	BB	0092-05-059	P00072628
Ellis	IH 45	JJ	0092-05-059	P00072629
Ellis	IH 45	HH	0092-05-059	P00072630
Ellis	IH 45	GG	0092-05-059	P00072632
Gregg	IH 20	II	0495-07-085	P00064923.001
Harris	IH 69	D	0027-13-227	118
Harris	IH 69	E	0027-13-227	119
Harris	IH 45	A	0500-03-608	302
Harris	IH 45	B	0500-03-608	318
Harris	IH 45	C	0500-03-608	322
Harris	IH 45	CC	0500-03-608	439

CONTROLLED ACCESS (continued)

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Harris	IH 45	FF	0500-03-608	404AAQ
Harris	IH 45	U	0500-08-002	719
Harris	IH 45	DD	0500-08-002	502AAQ
Travis	IH 35	O	0015-13-434	P00064470
Travis	IH 35	AA	0015-13-434	P00064480
Travis	IH 35	EE	0015-13-434	P00064504
Travis	IH 35	N	0015-13-435	P00067422
Travis	IH 35	T	0015-13-443	P0074688

Note: Exhibits A - JJ and 1 - 426 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 Meade, 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)

116634
CSD

Transportation Code, §201.206, authorizes the Texas Department of Transportation (department) to accept a donation in any form, including realty, personalty, money, materials, and services, for the purpose of carrying out its functions and duties. Government Code, Chapter 575, requires the governing board of a state agency to acknowledge the acceptance of a donation valued at \$500 or more by majority vote at an open meeting, not later than the 90th day after the date the donation is accepted. It also prohibits a state agency from accepting a donation from a person who is a party to a contested case before the agency until the 30th day after the date the decision in the case becomes final.

The Texas Transportation Commission (commission) has adopted 43 TAC §§1.500-1.506, which relate to the department’s acceptance of donations. Section 1.503 authorizes the executive director to approve acceptance of donations to the department and requires that donations valued at \$500 or more must be acknowledged by order of the commission not later than the 90th day after the date the donation is accepted by the department. It further prohibits acceptance of a gift or donation when the donor is subject to department regulation or oversight or when the donor is interested in or likely to become interested in any contract, purchase, payment, or claim with or against the department, except as provided by that section. It also provides that the executive director may approve the acceptance of a donation, notwithstanding the foregoing proscriptions in the rules, if the executive director determines that acceptance would provide a significant public benefit and would not influence or reasonably appear to influence the department in the performance of its duties.

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

department under Transportation Code, §223.049 and other donations accepted under Transportation Code, §201.206.

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

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

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

DONATIONS TO THE DEPARTMENT

<u>DONOR</u>	<u>DD</u>	<u>COUNTY</u>	<u>DONATION DESCRIPTION</u>
3405 Xpress LLC	AUS	Williamson	Design and construction of shoulder widening and re-striping of a section of FM 3405 to accommodate a new left turn lane deceleration, a new right turn lane deceleration, and driveway access to Lot 1, Block A of the north US 183 and FM 3405 Phase 1 Subdivision in Liberty Hill.
Aguilas Robles, LLC	SAT	Comal	The installation of a traffic signal at FM 1102 and Watson Road in Comal County, Texas.
Artavia Development Company	HOU	Montgomery	Design and construction of a traffic signal from north, south, east, and west bound FM 1314 into the Artavia development in Conroe.
Bell County Expo, Incorporated dba Cadence Bank Center	WAC	Bell	Funds to replace the Bell County Expo Center exit signs with Cadence Bank Center signs on I-35 and I-14 in Belton.
Belton Realestate LLC	WAC	Bell	Design and construction of modifying the ramp and I-35 southbound frontage road to prevent direct access to Laila Street intersection in Belton.

DONATIONS TO THE DEPARTMENT (continued)

<u>DONOR</u>	<u>DD</u>	<u>COUNTY</u>	<u>DONATION DESCRIPTION</u>
Blue Ridge Commerce Center West LLC	HOU	Fort Bend	Design and construction of a deceleration lane, street tie-in, and traffic signal from eastbound and westbound FM 2234 into the Blue Ridge Commerce Center West development in Houston.
BW Texas Bryan Nash, LLC	BRY	Brazos	Design and construction of the fourth leg of a traffic signal and a shared use path on FM 158 at Nash Street adjacent to the donor's property located in Bryan.
CanAm 1604, LLC	SAT	Bexar	Design and construction for the installation of a left turn lane on FM 2252 located approximately 0.27 miles northeast of Loop 1604 and FM 2252 intersection in San Antonio.
Cedar Creek MH, LLC	AUS	Bastrop	Design and construction of two deceleration lanes on SH 71 0.02 miles west of County Road 214 and on SH 71 2.97 miles east from Triangle Acres Lane in Cedar Creek.
Cerco Development, Inc.	AUS	Travis	Design and construction of a traffic signal on US 290 and LedgeStone Terrace in Austin.
CSW South Lamar MF, LP	AUS	Travis	Design and construction of a mountable curb and delineation along the exit ramp of US 290 to Loop 343 South Lamar Boulevard. in Austin.
CT II Partners LP	HOU	Harris	Design and construction of a right turn lane from northbound SH 288 into the CT II Partners Ltd development in Houston.
Essence Prep, Inc.	SAT	Bexar	Funds to cover the design and construction of a southbound-northbound turnaround on I-410 frontage road at the intersection with US 87 (Rigsby Avenue) in the San Antonio.
KDAveO, LLC	WAC	Bell	Design and construction of a right turn lane from northbound I-35 frontage road onto River View Road in Belton.

DONATIONS TO THE DEPARTMENT (continued)

<u>DONOR</u>	<u>DD</u>	<u>COUNTY</u>	<u>DONATION DESCRIPTION</u>
Lennar Homes of Texas Land and Construction, Ltd.	SAT	Bexar	Design and construction for installation of westbound to eastbound turnaround, eastbound to westbound turnaround, two right turn lanes, grading, and drainage on US 181 located approximately 975 feet north of West Laguna Road to 165 feet north of Dove Road Bexar County.
Martin Marietta Materials, Inc.	TRF	Jack Wise	Funds to design, fabricate, and install two memorial highway designation signs on the portion of US 380 between US 281 and County Road 3001, designated as the Lost Battalion Memorial Highway within Jack and Wise Counties.
Precast/Prestressed Concrete Institute	BRG	N/A	Airfare, ground transportation, lodging at the hotel, meals, and other directly related expenses for Taya Retterer, Transportation Engineer, and Jason Tucker, Structural Materials Section Director to attend the 2024 PCI Convention Days held on February 6-9, 2024, in Denver.
QT South, LLC	LRD	Webb	Funds for a portion of the state's cost of an installation of a proposed traffic signal and associated roadway improvements near the intersection of Business 59- Z and Loop 20 in Laredo.
RH Pioneer North, LLC	AUS	Travis	Design and construction of four westbound deceleration lanes along FM 734 from Samsung Boulevard to Yager Lane/Hulsey Road intersections in Austin.
Sig Magnolia LP	HOU	Montgomery	Design and construction of a right turn lane from southbound FM 1486 into the Magnolia Springs development in Montgomery.

DONATIONS TO THE DEPARTMENT (continued)

<u>DONOR</u>	<u>DD</u>	<u>COUNTY</u>	<u>DONATION DESCRIPTION</u>
Texas DPS Troopers Foundation, Inc.	TRF	Bowie	Funds to design, fabricate, and install two memorial highway designation signs on the portion of US 67 within the municipal limits of Texarkana, designated as the Trooper Howard Jordan Memorial Highway within Bowie County.
Texas DPS Troopers Foundation, Inc.	TRF	Denton	Funds to design, fabricate, and install two memorial highway designation signs on the portion of US 377 within the municipal limits of Denton, designated as the Trooper Hollis S. Lacy Memorial Highway within Denton County.
Texas DPS Troopers Foundation, Inc.	TRF	Howard	Funds design, fabricate, and install two memorial highway designation signs on the portion of I-20 between mile marker 173 and mile marker 190, designated as the Trooper Troy Hogue Memorial Highway within Howard County.
The Redeemed Christian Church of God (Desire of Nations)	HOU	Galveston	Design and construction of a right turn lane from northbound SH 3 into the Desire of Nations Redeemed Christian Church of God in League City.
Union Pacific Railroad Company	ELP	El Paso	Remaining grade separation credit, which represents the real estate agreed value from the Loop 375 Border Highway West Extension Project in El Paso.
Woodmere Development Co., Ltd.	HOU	Harris	Design and construction of a street tie-in from east bound SH 99 at Beckendorff Road into the Grand Mason development in Houston.
Yisrael Realty (Bergstrom Logistics Center Austin) Limited Partnership	AUS	Travis	Funds to design and construction of new traffic signals at the intersection of SH 130 frontage roads with Elroy Road and Pearce Lane in Austin.

DONATIONS TO THE DEPARTMENT (continued)

<u>DONOR</u>	<u>DD</u>	<u>COUNTY</u>	<u>DONATION DESCRIPTION</u>
Evangeline Cafe	AUS	Travis	Revenue generation through the Sponsor a Highway Program. This is a contract renewal on an existing sign location.
Presidio Doors	AUS	Travis	Revenue generation through the Sponsor a Highway Program. This is a contract renewal on an existing sign location.
Sport Clips, Inc.	AUS	Travis	Revenue generation through the Sponsor a Highway Program. This is a contract renewal on an existing sign location.
Elephant Insurance Services, LLC	DAL	Collin	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
Elephant Insurance Services, LLC	DAL	Dallas	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
Elephant Insurance Services, LLC	DAL	Denton	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
Law Firm of Roger "Rocky" Walton, P.C.	FTW	Tarrant	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
Dysol Inc. dba Socomore	FTW	Wise	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
AMOCO Federal Credit Union	HOU	Harris	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
Daniel Lopez dba Clever Solutions	HOU	Harris	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.
Elephant Insurance Services, LLC	HOU	Harris	Litter pick-up throughout a corridor on the State's right of way through the Sponsor a Highway Program.

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

b. Real Estate Dispositions**(1) Fannin County - SH 121 - Consider an easement release to the underlying fee owner (MO)**116635
ROW

In the city of Bonham, Fannin County, on SH 121, the State of Texas acquired an easement interest in certain land by an instrument recorded in Volume 494, at Page 469, of the Deed Records of Fannin County, Texas.

All of the drainage easement, which easement encumbers the real property 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 release an easement interest no longer needed for a state highway purpose to the owner of the fee in the property.

The Bonham Economic Development Corporation, a Texas Type B economic development corporation, is the owner of the fee interest in the property and has requested to purchase the easement interest for \$10,472.

The commission finds \$10,472 to be a fair and reasonable value of the state's right, title, and interest in the easement interest.

IT IS THEREFORE ORDERED by the commission that the easement interest encumbering the tract, described in exhibit A, is 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 easement interest to the Bonham Economic Development Corporation, a Texas Type B economic development corporation, for \$10,472.

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

(2) Parker County - I-20 - Consider the sale of right of way to an abutting landowner (MO)116636
ROW

In the city of Willow Park, Parker County, on I 20, the State of Texas acquired certain land for highway purposes by an instrument recorded in Volume 549, at Page 530, of the Deed Records of Parker 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.

STORE Master Funding XVIII, LLC, a Delaware limited liability company, is an abutting landowner and has requested to purchase the tract for \$68,330.

The commission finds \$68,330 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, described in exhibit A, is 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 tract to STORE Master Funding XVIII, LLC, a Delaware limited liability company for \$68,330; 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) Travis County - RM 1431 - Consider the sale of right of way to Travis County, Texas (county) (MO)

116637
ROW

In the city of Cedar Park, Travis County, on RM 1431, the State of Texas acquired certain land for highway purposes by instruments recorded in Document No. 2009174351, Document No. 2014031676, and in Volume 1284, at Page 117, of the Deed Records of Travis 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 real property no longer needed for a state highway purpose to a governmental entity with the authority to condemn the property.

Travis County, Texas is a governmental entity with the authority to condemn the property and has requested to purchase the tract for \$571,358.

The commission finds \$571,358 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 Travis County, Texas for \$571,358; 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) Wichita County - US 82 - Consider the sale of right of way to an abutting landowner (MO)

116638
ROW

In the city of Wichita Falls, Wichita County, on US 82, the State of Texas acquired certain land for highway purposes by instruments recorded in Volume 1056, at Page 438, and Volume 1071, at Page 271, of the Deed Records of Wichita County, Texas.

All of the land, 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.

Jeff Martin is an abutting landowner and has requested to purchase the tract for \$13,000.

The commission finds \$13,000 to be a fair and reasonable value of the state's right, title, and interest in the tract.

IT IS THEREFORE ORDERED by the commission that the tract, described in exhibit A, is 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 tract to Jeff Martin for \$13,000; SAVE AND EXCEPT, however, there is to be excepted and reserved therefrom all of the state's right, title, and interest, if any, in and to all of the oil, gas, sulphur, and other minerals, of every kind and character, in, on, under, and that may be produced from the land.

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

c. Reports

(1) Compliance Division Report

Note: Confidential report to commission.

(2) Letting Allocation Status Report

Quarterly status report on the Fiscal Year 2024 letting allocation, the actual allocation utilized through the current month, and proposed remaining highway maintenance and construction contract letting for the fiscal year (Report)

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

(3) Quarterly Cash Report

Quarterly report on Fiscal Year 2024 State Highway Fund 6 cash status (Report)

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

(4) Annual Financial Report

Texas Department of Transportation Annual Comprehensive Financial Report (with Independent Auditor's Report) for the Fiscal Year Ended August 31, 2023 (Report)

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

(5) Texas Mobility Fund

Audited financial statements of the Texas Mobility Fund as required by the governing master resolution (Report)

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

(6) Central Texas Turnpike System

Travis and Williamson Counties - Audited financial statements of the Central Texas Turnpike System (CTTS), as required by the CTTS Indenture of Trust (Report)

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

d. Economically Disadvantaged Counties Program (EDCP) 2023

Various Counties - Consider the approval of the Fiscal Year 2023 Annual Report on the Economically Disadvantaged Counties Program (MO)

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TPP

Section 222.053(a), Transportation Code, defines an “economically disadvantaged county” as a county that has, in comparison to other counties in the state: (1) below average per capita taxable property value; (2) below average per capita income; and (3) above average unemployment.

Section 222.053(a-1) provides that, notwithstanding Section 222.053(a), a county is considered to be an “economically disadvantaged county” if it meets the criteria as laid out in subsection (a) within the past six years and has been included in no less than five federally declared disasters within the same time period. Section 222.053(a-2) provides that, for a county described by subsection (a-1), the adjustment to the local matching funds requirement

shall be equivalent to the highest adjustment rate set in the last year the county was considered to meet the criteria.

Section 222.053(c) directs the Texas Transportation Commission (commission), when evaluating a proposal for a highway project in a political subdivision that consists of all or a portion of an economically disadvantaged county, to adjust the minimum local matching funds requirement after evaluating the political subdivision's effort and ability to meet the requirement.

Section 222.053(e) further directs the commission to report annually to the governor, the lieutenant governor, and the speaker of the house of representatives on the use of matching funds and local incentives and the ability of the commission to ensure that political subdivisions located in economically disadvantaged counties have equal ability to compete for highway funding with political subdivisions in counties that are not economically disadvantaged.

The Texas Department of Transportation has completed the Fiscal Year 2023 Annual Report on the Economically Disadvantaged Counties Program, which is attached as exhibit A.

IT IS THEREFORE ORDERED by the commission that the Fiscal Year 2023 Annual Report on the Economically Disadvantaged Counties Program, as shown in exhibit A, is approved by the commission and shall be presented to the governor, the lieutenant governor, and the speaker of the house of representatives as required by Section 222.053(e), Transportation Code.

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)

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TRF

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

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

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

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

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

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

IT IS THEREFORE ORDERED by the commission that the reasonable and safe prima facie maximum speed limits determined in accordance with the department's "Procedures for Establishing Speed Zones" and shown on the attached exhibits A and B are

declared as tabulated in those exhibits. The executive director is directed to implement this order for control and enforcement purposes by the erection of appropriate signs showing the prima facie maximum speed limits.

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

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

ITEM 13. Executive Session Pursuant to Government Code, Chapter 551 Section 551.071

Consultation with and advice from legal counsel regarding any item on this agenda, pending or contemplated litigation, or other legal matters.

The commission did not meet in executive session.

OPEN COMMENT PERIOD - At the conclusion of all other agenda items, the commission will allow an open comment period, not to exceed one hour, to receive public comment on any other matter that is under the jurisdiction of the department. No action will be taken. Each speaker will be allowed a maximum of three minutes. Speakers must be signed up prior to the beginning of the open comment period.

The commission received no further comments.

Commissioner Meade motioned adjournment and Commissioner Alvis seconded the motion. The commission voted 5 - 0 to adjourn. The regular meeting of the Texas Transportation Commission was adjourned at 11:46 a.m.

APPROVED by the Texas Transportation Commission on January 17, 2024:

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 January 17, 2024, in Austin, Texas.



Amanda Brown, Commission Chief Clerk
Texas Department of Transportation