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AGENDA

TEXAS TRANSPORTATION COMMISSION
125 East 11th Street
Austin, Texas

THURSDAY
December 13, 2018

9:00 A.M. CONVENE MEETING

1. **Safety Briefing**

Staff will provide general safety instruction.

2. **Consider the approval of the Minutes** of the November 15, 2018, regular meeting of the Texas Transportation Commission

3. **Contracts**

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

These proposed minute orders contain information concerning the receipt of bids for highway improvement contracts. The department may reschedule receipt of bids for those projects where the commission rejects all bids. Those bids accepted by the commission will result in conditional contract awards to the low bidders. Contract award conditions may involve securing funding from other sources, the contractor's ability to satisfy federal DBE subcontracting requirements, or other requirements as outlined in the project bid proposal.

a. **Highway Improvement and Other Transportation Facilities**

(see attached itemized list) (MO)

b. **Routine Maintenance** (see attached itemized list) (MO)

c. **Construction and Rehabilitation of Buildings**

(see attached itemized list) (MO)

4. **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)

Federal law authorizes the award of federal non-primary entitlement grant funding and federal apportionment grant funding to preserve and improve the state's general aviation system. State law authorizes the award of state grant funding for capital improvement projects.

5. **Public Transportation**

- a. **Various Counties** - Consider the award of federal §5339 and §5311 funds to various rural transit districts for fleet replacement (MO)
The awards identified in this minute order reflect the allocation of funding to various rural transit districts for the replacement of fleet. The department was successful in receiving federal discretionary §5339(b) funds for the purpose of replacing fleet beyond its useful life and beyond 130% of recommended service miles. The department is also contributing additional §5311 funds to the project to ensure a state of good repair through 2020.
- b. **Various Counties** - Consider the award of federal §5311(b)(3) Rural Transit Assistance Program funds to Southwest Area Regional Transit District (MO)
The award identified in this minute order reflects the allocation of federal §5311(b)(3) funds to support a regional "roadeo" event to assist the driver training program in evaluating driver performance.

6. **Design-Build Contract**

- Travis County** - Consider authorizing the department to issue a request for proposals to develop, design, and construct the Oak Hill Parkway Project, consisting of non-tolled improvements along US 290 from approximately the east end of Circle Drive to Loop 1, and non-tolled improvements along SH 71 from US 290 to Silvermine Drive, including the reconstruction of the US 290 and SH 71 interchange, and the addition of frontage roads and grade separations at major intersections, in Austin and southwest Travis County; and consider approving stipulated amounts as payment for the work product of unsuccessful proposers (MO) (Presentation)
On September 27, 2018, by Minute Order 115335, the commission authorized the department to issue a request for qualifications to develop, design, construct and potentially maintain the Oak Hill Parkway Project. This minute order continues the procurement process by authorizing the issuance of a request for proposals for the project and approves stipulated amounts for the payment of work product of responsive, unsuccessful proposers.

7. **Financial Assistance for Projects**

Pursuant to Minute Order 114960, approved by the Texas Transportation Commission on June 29, 2017, and a Design-Build Agreement executed October 3, 2017, and in consideration of the contractor's reliance on the contract and continuous progress on the Texas Department of Transportation's project to extend SH 249 from FM 1774 in Pinehurst, Texas in Montgomery County to FM 1774 in Todd Mission, Texas in Grimes County (Segment 1), and from FM 1774 in Todd Mission, Texas to SH 105 near Navasota, Texas in Grimes County (Segment 2), consider approving a Master Trust Agreement and Supplemental Agreements authorizing the issuance of one or more series of SH 249 System Toll Revenue Bonds to finance a portion of the cost of Segment 1 of the project, including design, right-of-way, construction, and financing costs, approving the documents relating to such bonds and designating department officials to take all actions necessary to deliver the bonds; and consider adopting investment strategies for funds to be held under the trust indenture for the bonds; and consider establishing initial toll rates and approving a toll rate escalation policy for the SH 249 System, which will be comprised of Segment 1 of the project (MO)

The SH 249 System will be comprised of Segment 1 of a highway project to extend SH 249 to include an up to four-lane divided, controlled access toll road with intermittent two-lane, non-tolled, one way frontage roads in each direction, from FM 1774 in Pinehurst, Texas to FM 1774 in Todd Mission, Texas. Pursuant to Minute Order 114960 and in consideration of the contractor's reliance on the contract and continuous progress on Segments 1 and 2 of the department's project under the Design-Build Agreement, this minute order authorizes the chief financial officer and other designated department officials to issue one or more series of SH 249 System Toll Revenue Bonds to pay a portion of the cost of the project including design, right-of-way, construction, and financing costs of Segment 1 of the SH 249 Project and approves official statements, bond purchase contracts, continuing covenant agreements and other related documents as authorized by Texas Transportation Code Chapter 228 and Government Code Chapter 1371. This minute order also adopts investment strategies for funds to be held under the trust indenture for the bonds, which will be added to the investment policy. The Public Funds Investment Act requires the commission to approve by order any modifications to the investment policy and investment strategies. This minute order also adopts the initial toll rates and the toll rate escalation policy for the SH 249 System, which will become effective upon the substantial completion of the construction of Segment 1.

8. **State Infrastructure Bank**

Eastland County - City of Rising Star - Consider final approval of a request from the City of Rising Star (city) for a State Infrastructure Bank loan in the amount of up to \$252,388 to pay the city's contribution to the department for funding participation in the costs of acquiring right of way and relocating or adjusting utilities necessary for a non-tolled state highway improvement project on US 183 within the city limits of the City of Rising Star in Eastland County, Texas (MO)

The City of Rising Star will secure the loan with a pledge of utility revenues. The loan will be used to pay the city's contribution to the department for right of way acquisition and utility relocation costs necessary for a non-tolled state highway improvement project on US 183 within the city limits of the City of Rising Star.

9. **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 (see attached itemized list) (MO)
Commission findings, determinations, and authorizations for the state, by motion made in accordance with Senate Bill 18 (82nd Legislature), to acquire by eminent domain, upon the payment of adequate and just compensation, various ownership interests in specific parcels of real property that are needed to develop or improve both non-controlled and controlled access state highways, to include requesting the state attorney general to bring and pursue condemnation suits relating to those specific parcels of real property described in the attached itemized list.
10. **Routine Minute Orders and Reports**
- 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)
State statutes require the commission to acknowledge the acceptance of a gift to the department that is valued at \$500 or more. By the adoption of this minute order, the commission acknowledges the receipt and acceptance of the property specified in the minute order.
- b. **Real Estate Dispositions**
The commission must approve the sales, transfers, and exchanges of state rights of way and other real properties that are no longer needed for a state highway purpose. It must also approve, accept, and acknowledge donations to the state of real property that is valued at \$500 or more.
- (1) **Harris County** - 12110 FM 1960 in Huffman - Consider the sale of right of way to the abutting landowner (MO)
The district has determined that the land is no longer needed for highway purposes. The abutting landowner has requested to purchase the land, and it may be sold to the requester.
- (2) **Jefferson County** - I-10 at Major Drive in Beaumont - Consider the sale of right of way to the abutting landowner (MO)
The district has determined that the land is no longer needed for highway purposes. The abutting landowner has requested to purchase the land, and it may be sold to the requester.
- c. **Reports**
- (1) **Compliance Division report**
State law requires the commission to establish a compliance program, which must include a Compliance Division to oversee the program. The Compliance Division is responsible for acting to prevent and detect serious breaches of department policy, fraud, waste, and abuse of office, including any acts of criminal conduct within the department. The Compliance Division is required to provide a monthly report to the commission regarding investigations and a summary of information relating to trends and recommendations.
- (2) **Report on Environmental Review of Projects (Report)**
A report on projects processed under the procedures of Transportation Code, Chapter 201, Subchapter I-1, Environmental Review Process, enacted by the 82nd Texas Legislature. This report is required by Transportation Code §201.762(a).

10. **Routine Minute Orders and Reports (continued)**

d. **Highway Designation**

Cameron County - In the city of Brownville, consider removing a segment of FM 803 from the state highway system and designating a segment of FM 803 on a new location (MO)

This minute order removes a segment of FM 803 from the state highway system from Olmito North Road southward to FM 511/SH 550, a distance of approximately 2.3 miles; and designates a segment of FM 803 on a new location from the former location of FM 803 (Olmito North Road) southwestward to I-69-E, a distance of approximately 2.0 miles.

e. **Designation of Access Control**

(1) **Fort Bend County** - I-69, in the City of Rosenberg - Consider the designation of six locations on the I-69 southbound frontage road at which access will be permitted to the abutting property (MO)

The designation of four 30-foot breaks and one 30.51-foot break in the control-of-access line will allow the abutting landowner to open five commercial driveways and one 70-foot break in the control-of-access line will allow the abutting landowner to open one roadway (proposed by the City of Rosenberg) for access to and from the I-69 southbound frontage road. The district has determined that access may be permitted at the designated locations.

(2) **Harris County** - SH 288, in the City of Houston - Consider the designation of one location on the SH 288 southbound entrance ramp at West Orem Drive at which access will be permitted to the abutting property (MO)

The designation of one 43.29-foot break in the control-of-access line will allow the abutting landowner to open one commercial driveway for access to and from the SH 288 southbound entrance ramp at West Orem Drive. The district has determined that access may be permitted at the designated locations.

f. **Speed Zones**

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

This minute order establishes or alters regulatory and construction speed zones on various sections of highways in the state.

11. **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.

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.

ADJOURN

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NOTE:

Enumerated agenda items are assigned numbers for ease of reference and will not necessarily be considered by the commission in that order. Agenda items with (MO) are those for which the commission is considering an action. Persons with special needs or disabilities who plan to attend this meeting and require auxiliary aids or services are requested to contact Robin Carter at

(512) 305-9536 at least three working days prior to the meeting so that appropriate arrangements can be made.

Atención. Si desea recibir asistencia gratuita para traducir esta información, llame al 512-936-0928.