



AVAILABLE DRAFT DOCUMENTS CAN BE ACCESSED BY
SELECTING THE BLUE (MO) LINK AT THE SPECIFIC
AGENDA ITEM. DOCUMENTS ARE SUBJECT TO
CHANGE PRIOR TO COMMISSION ACTION.

INTERNET ADDRESS:
<http://www.txdot.gov>

AGENDA

TEXAS TRANSPORTATION COMMISSION

125 East 11th Street
Austin, Texas

THURSDAY
November 15, 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 October 24, 2018, workshop meeting and the October 25, 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. **Grayson County** - Consider concurring with the award of Oklahoma highway improvement project contract on US 377 at the Texas/Oklahoma border (see attached itemized list) ([MO](#))

The proposed minute order will concur with the award of a contract in the State of Oklahoma pursuant to an agreement signed by Texas Governor Greg Abbott and the State of Oklahoma on September 10, 2015. Under this agreement, the Texas Transportation Commission is authorized by authority of the governor to contract with an adjoining state to provide for the improvement of a road or highway that crosses the state boundary.

b. **Construction of Highways and Other Transportation Facilities**

(see attached itemized list) ([MO](#))

c. **Highway Maintenance** (see attached itemized list) ([MO](#))

d. **Construction and Rehabilitation of Buildings**

(see attached itemized list) ([MO](#))

**AVAILABLE DRAFT DOCUMENTS CAN BE ACCESSED BY
SELECTING THE BLUE (MO) LINK AT THE SPECIFIC
AGENDA ITEM. DOCUMENTS ARE SUBJECT TO
CHANGE PRIOR TO COMMISSION ACTION.**

4. **Transportation Planning**
Various Counties and Districts - Consider rescinding Minute Order 105686 dated June 27, 1995, related to establishing an Urban Road classification system ([MO](#))
This minute order rescinds Minute Order 105686, which established an Urban Road (UR) system. The order provided that subdivisions of the state highway system be established, classified as Urban Roads, to be used in lieu of the Farm or Ranch to Market Road designations within urbanized areas with populations of 50,000 or more. Although it was signed in 1995, the provisions of the order were never implemented by the department. Specifically, no UR signs were erected and no highways were changed to reflect the UR designation in any roadway inventory database. Neither the department nor the public adopted the UR designation into common usage.

5. **Promulgation of Administrative Rules Under Title 43, Texas Administrative Code, and the Administrative Procedure Act, Government Code, Chapter 2001:**
 - a. **Proposed Adoption**
Chapter 2 - Environmental Review of Transportation Projects
Repeal of §§2.301 - 2.308 and New §§2.301-2.308 (Memorandum of Understanding with the Texas Commission on Environmental Quality) ([MO](#))
Transportation Code, §201.607, requires the department to enter into a memorandum of understanding with each state agency that is responsible for the protection of the natural environment or for the preservation of historical or archeological resources. This updated agreement concerns the department's coordination of certain transportation projects with the Texas Commission on Environmental Quality. The agreement must be updated every five years. The changes would make the coordination process more efficient.

 - b. **Final Adoption**
Chapter 15 - Financing and Construction of Transportation Projects
Amendments to §15.182, Eligibility, §15.188, Application Procedure, and §15.192, Payment of Money (County Transportation Infrastructure Fund Grant Program) ([MO](#))
In accordance with Senate Bill 1305, 85th Legislature, Regular Session, 2017, the proposed amendments eliminate references to county energy transportation reinvestment zones and related advisory boards.

6. **Toll Projects**
Various Counties - Consider issuing an order prohibiting the operation of certain motor vehicles on Texas Department of Transportation toll projects ([MO](#))
Transportation Code, Section 372.110, authorizes the commission to issue an order prohibiting the operation of a motor vehicle on a department toll project if the registered owner of the vehicle has been finally determined to be a habitual violator, subject to certain notice requirements. A person commits an offense if the person operates a motor vehicle on a toll project in violation of the order. Subsequent offenses may result in impoundment of the vehicle.

7. **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.

**AVAILABLE DRAFT DOCUMENTS CAN BE ACCESSED BY
SELECTING THE BLUE (MO) LINK AT THE SPECIFIC
AGENDA ITEM. DOCUMENTS ARE SUBJECT TO
CHANGE PRIOR TO COMMISSION ACTION.**

8. **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) **Austin County** - US 90 and Cindy Lane in Sealy - 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) **Bexar County** - I-10 at Woodlake Parkway - Consider the release of a channel easement [\(MO\)](#)

The district has determined that the easement is no longer needed for highway purposes. The owner of the fee in the property has requested to purchase the easement, and it may be sold to the owner.

(3) **Caldwell County** - SH 130, east side, south of SH 21 near Mendoza - Consider the release of a drainage easement [\(MO\)](#)

The district has determined that the easement is no longer needed for highway drainage purposes. The owner of the fee in the property has requested to purchase the easement, and it may be sold to the owner.

(4) **Midland County** - Loop 250 - Consider a mineral deed without warranty to correct an error in a conveyance to the state [\(MO\)](#)

The department has determined that the state was erroneously conveyed both fee and mineral interest in the property when the intent was only to convey fee. A mineral deed without warranty will correct the error and ambiguity.

(5) **Randall County** - I-27 west side north of McCormick Road - Consider the sale of right of way to 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.

(6) **Wichita County** - Loop 473 at 3000 Jacksboro Highway in Wichita Falls - 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.

(7) **Williamson County** - SH 183A at Avery Ranch Boulevard NEQ in Austin - Consider the sale of right of way to the successful bidder [\(MO\)](#)

The district has determined that the land is no longer needed for highway purposes. The local governmental entities declined to purchase the land, and legal notice was posted for sale by sealed bid. A successful bidder has been identified, and the land may be sold to the successful bidder.

**AVAILABLE DRAFT DOCUMENTS CAN BE ACCESSED BY
SELECTING THE BLUE (MO) LINK AT THE SPECIFIC
AGENDA ITEM. DOCUMENTS ARE SUBJECT TO
CHANGE PRIOR TO COMMISSION ACTION.**

8. Routine Minute Orders and Reports (continued)

c. Reports

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.

d. Designation of Access Control

Johnson County - US 67, in the City of Cleburne - Consider the designation of one location on the US 67 eastbound frontage road at which access will be permitted to the abutting property ([MO](#))

The designation of one 80-foot break in the control-of-access line will allow the abutting landowner to open one commercial driveway for access to and from the US 67 eastbound frontage road. The district has determined that access may be permitted at the designated locations.

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](#))

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

9. 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

* * *

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.

**AVAILABLE DRAFT DOCUMENTS CAN BE ACCESSED BY
SELECTING THE BLUE (MO) LINK AT THE SPECIFIC
AGENDA ITEM. DOCUMENTS ARE SUBJECT TO
CHANGE PRIOR TO COMMISSION ACTION.**

TEXAS TRANSPORTATION COMMISSION AGENDA

**Attached Lists
November 15, 2018**

**Texas-Oklahoma Joint Highway And Transportation Construction Contract
Let By The State Of Oklahoma Agenda (a)**

<u>Dist</u>	<u>County Name</u>	<u>Highway Number</u>	<u>Controlling Project No.</u>
PAR	GRAYSON	US 377	BR 2018(434)

**Construction of Highways and Other Transportation Facilities
State Let (b)**

<u>Dist.</u>	<u>County Name</u>	<u>Highway Number</u>	<u>Controlling Project No.</u>
AMA	GRAY	SH 70	STP 2019(236)HES
AMA	HEMPHILL	US 83	STP 2019(210)
AMA	OCHILTREE	SH 70	STP 2019(237)
AMA	POTTER	US 87	NH 2019(212)
ATL	BOWIE	US 82	STP 2019(202)
ATL	BOWIE	US 59	NH 2019(201)
ATL	MORRIS	US 67	STP 2019(213)HES
AUS	BASTROP	US 290	NH 2019(106)
AUS	BASTROP	CR	BR 2018(884)
AUS	MASON	SH 29	STP 2019(160)
AUS	TRAVIS	VA	C 914-00-414
AUS	TRAVIS	VA	C 914-00-415
AUS	TRAVIS	VA	C 914-00-418
AUS	TRAVIS	RM 1431	STP 2019(198)HES
BMT	CHAMBERS	IH 10	STP 2019(188)HES
BMT	CHAMBERS	VA	STP 2019(189)TAPS
BMT	CHAMBERS	VA	STP 2019(190)TAPS
BWD	EASTLAND	IH 20	NH 2019(184)
CHS	HALL	FM 658	STP 2019(144)
CRP	NUECES	SH 361	BR 2019(165)

**AVAILABLE DRAFT DOCUMENTS CAN BE ACCESSED BY
SELECTING THE BLUE (MO) LINK AT THE SPECIFIC
AGENDA ITEM. DOCUMENTS ARE SUBJECT TO
CHANGE PRIOR TO COMMISSION ACTION.**

Construction of Highways and Other Transportation Facilities
State Let (b)

<u>Dist.</u>	<u>County Name</u>	<u>Highway Number</u>	<u>Controlling Project No.</u>
DAL	NAVARRO	BI 45-F	BR 2019(207)
ELP	EL PASO	US 54	NH 2019(166)
ELP	HUDSPETH	IH 10	BR 1802(572)
FTW	TARRANT	VA	STP 2019(284)
HOU	FORT BEND	FM 2759	STP 2019(192)
HOU	HARRIS	SH 146	NH 2019(191)
HOU	HARRIS	FM 2920	STP 2019(222)
LBB	FLOYD	FM 97	STP 2019(158)
LBB	HALE	IH 27	STP 2019(193)
LBB	LYNN	US 84	NH 2019(154)
LBB	LYNN	US 87	STP 2019(157)
LFK	ANGELINA	VA	STP 2019(183)
LFK	HOUSTON	FM 228	C 635-3-25
LFK	SHELBY	SH 7	STP 2019(181)
LRD	LASALLE	IH 35	NH 2019(164)
LRD	WEBB	VA	STP 2019(346)
ODA	ECTOR	VA	STP 2019(197)
ODA	ECTOR	VA	NH 2019(159)
ODA	ECTOR	SL 338	NH 2019(359)
PAR	FANNIN	SH 11	STP 2019(216)
PHR	BROOKS	US 281	C 255-4-94
SAT	BEXAR	VA	STP 2019(169)
SAT	GUADALUPE	FM 78	STP 2019(171)
SAT	UVALDE	US 83	STP 2019(170)

**AVAILABLE DRAFT DOCUMENTS CAN BE ACCESSED BY
SELECTING THE BLUE (MO) LINK AT THE SPECIFIC
AGENDA ITEM. DOCUMENTS ARE SUBJECT TO
CHANGE PRIOR TO COMMISSION ACTION.**

Construction of Highways and Other Transportation Facilities

State Let (b)

<u>Dist.</u>	<u>County Name</u>	<u>Highway Number</u>	<u>Controlling Project No.</u>
TYL	HENDERSON	SH 334	STP 2019(242)
WAC	BELL	SH 195	STP 2019(143)HES
WAC	HAMILTON	FM 218	STP 2019(223)HES
WAC	LIMESTONE	US 84	STP 2019(224)
WFS	COOKE	US 82	NH 2019(217)
WFS	WICHITA	BU 287J	NH 2019(219)
YKM	DEWITT	US 87	NH 2018(834)
YKM	DEWITT	FM 2656	STP 2019(177)
YKM	GONZALES	SH 97	STP 2019(173)
YKM	GONZALES	FM 108	BR 2019(176)
YKM	LAVACA	US 90A	STP 2019(174)
YKM	MATAGORDA	FM 2031	STP 2019(175)HES

Highway Maintenance

State Let (c)

<u>Dist.</u>	<u>County Name</u>	<u>Highway Number</u>	<u>Controlling Project No.</u>
ATL	TITUS	US 67	BPM - 633153001
AUS	GILLESPIE	US 87	RMC - 633360001
AUS	TRAVIS	IH 35	RMC - 632560001
AUS	TRAVIS	IH 35	RMC - 632714001
AUS	TRAVIS	IH 35	BPM - 633359001
BMT	JASPER	FM 1131	RMC - 631248001
BMT	JASPER	US 190	RMC - 633177001
BMT	JEFFERSON	US 69	RMC - 633397001
BMT	JEFFERSON	SS 136	RMC - 633398001
DAL	DALLAS	SL 12	RMC - 633265001
DAL	DALLAS	SH 78	RMC - 633266001
DAL	DALLAS	US 67	RMC - 633826001
DAL	DALLAS	US 80	RMC - 633827001

**AVAILABLE DRAFT DOCUMENTS CAN BE ACCESSED BY
SELECTING THE BLUE (MO) LINK AT THE SPECIFIC
AGENDA ITEM. DOCUMENTS ARE SUBJECT TO
CHANGE PRIOR TO COMMISSION ACTION.**

Highway Maintenance

State Let (c)

<u>Dist.</u>	<u>County Name</u>	<u>Highway Number</u>	<u>Controlling Project No.</u>
DAL	ELLIS	US 77	RMC - 631043001
DAL	ELLIS	IH 45	RMC - 632819001
DAL	ELLIS	SH 34	RMC - 633329001
DAL	NAVARRO	SH 22	RMC - 633348001
FTW	ERATH	US 377	RMC - 633622001
FTW	PARKER	IH 20	RMC - 632980001
FTW	PARKER	IH 20	RMC - 633308001
FTW	TARRANT	IH 35W	RMC - 631666001
FTW	TARRANT	IH 20	RMC - 632896001
FTW	TARRANT	IH 20	RMC - 632999001
HOU	GALVESTON	SH 146	RMC - 633551001
HOU	HARRIS	IH 610	RMC - 632988001
HOU	HARRIS	IH 10	RMC - 633559001
HOU	HARRIS	SL 08	RMC - 633576001
HOU	WALLER	US 290	RMC - 633575001
PHR	HIDALGO	IH 02	RMC - 633553001
SJT	RUNNELS	FM 1770	RMC - 633565001
TYL	HENDERSON	SH 31	RMC - 632958001
WAC	BELL	SH 317	RMC - 633873001
WAC	HILL	SH 171	RMC - 633346001
WAC	MCLENNAN	FM 2416	RMC - 633422001
YKM	DEWITT	US 183	RMC - 633816001
YKM	VICTORIA	US 59	RMC - 633674001
YKM	VICTORIA	US 59	RMC - 633675001

**AVAILABLE DRAFT DOCUMENTS CAN BE ACCESSED BY
SELECTING THE BLUE (MO) LINK AT THE SPECIFIC
AGENDA ITEM. DOCUMENTS ARE SUBJECT TO
CHANGE PRIOR TO COMMISSION ACTION.**

Construction and Rehabilitation of Buildings

State Let (d)

<u>Dist.</u>	<u>County Name</u>	<u>Site Number</u>	<u>Project ID</u>
AMA	RANDALL	49039	04-470418002
SHQ	TRAVIS	299004	38-470418001

Eminent Domain

Controlled Access

<u>County</u>	<u>Highway</u>	<u>Exhibit</u>	<u>ROW CSJ No.</u>	<u>Parcel</u>
Liberty	SH 99	B	3510-09-003	1169
Nueces	US 181	A	0101-06-109	229

Eminent Domain

Non-Controlled Access

<u>County</u>	<u>Highway</u>	<u>Exhibit</u>	<u>ROW CSJ No.</u>	<u>Parcel</u>
Brazoria	SH 36	8	0188-03-020	201
Brazoria	SH 36	18	0188-04-041	7
Brazoria	SH 36	19	0188-04-041	40
Fort Bend	FM 2218	10	2093-01-028	36
Harris	FM 1960	23	1685-01-105	13
Harris	FM 1960	14	1685-03-101	209
Harris	FM 1960	25	1685-03-101	214
Harris	FM 1960	16	1685-03-101	218
Harris	FM 1960	24	1685-03-101	221
Harris	FM 1960	27	1685-03-101	225
Harris	FM 1960	15	1685-03-101	227
Harris	FM 1960	17	1685-03-101	232
Harris	FM 1960	20	1685-03-101	248
Harris	FM 1960	21	1685-03-101	267
Hunt	SH 276	26	1290-07-002	1,1E
Hunt	SH 276	6	1290-07-002	7
Hunt	SH 276	12	1290-07-002	28,28TE
Hunt	SH 276	7	1290-07-002	30
Liberty	US 59	13	0177-03-100	12
Liberty	US 59	9	0177-03-100	16
Lubbock	FM 1585	3	1502-01-036	216
Lubbock	FM 1585	2	1502-01-036	220
Lubbock	FM 1585	4	1502-01-036	221
Lubbock	FM 1585	1	1502-01-037	284

**AVAILABLE DRAFT DOCUMENTS CAN BE ACCESSED BY
SELECTING THE BLUE (MO) LINK AT THE SPECIFIC
AGENDA ITEM. DOCUMENTS ARE SUBJECT TO
CHANGE PRIOR TO COMMISSION ACTION.**

Eminent Domain

Non-Controlled Access

<u>County</u>	<u>Highway</u>	<u>Exhibit</u>	<u>ROW CSJ No.</u>	<u>Parcel</u>
Montgomery	FM 1488	11	0523-08-010	40
Montgomery	FM 1488	22	0523-08-010	50
Titus	US 271	5	0221-05-094	1

Donations to the Department

<u>Donor</u>	<u>Dist</u>	<u>County</u>	<u>Donation Description</u>
2018 Vista Parke Austin LLC	AUS	Travis	Design and construction of three right turn deceleration lanes, each approximately 450 linear feet and a 1700 linear foot bike lane on North RM 620 Rd in Austin.
720 Airport Partners, LLC	AUS	Travis	Design and construction of a northbound left turn lane at the intersection of Airport Boulevard and Levander Loop including traffic signal modifications to accommodate the northbound left turn lane in Austin.
AGC of Texas Highway, Heavy Utilities & Industrial Branch	ADM	N/A	Travel lodging expenses for 10 TxDOT employees to attend and participate as speakers at the Associated General Contractors (AGC) Administrative Conference held in San Antonio, Texas on July 26-28, 2018.
BAM Houston Real Estate Investment, L.P.	HOU	Harris Grimes	Funds sufficient to cover the State's costs associated with preliminary engineering, construction engineering, construction, right-of-way acquisition, and all other costs directly related to revising the location of a planned future thoroughfare crossing within Parcel 150. This work will be performed under the existing construction contract for the SH 249 extension from Pinehurst in Harris County to SH 105 in Grimes County.
Charter School Solutions	HOU	Fort Bend	Design and construction for a right turn lane for northbound Eldridge Road (FM 1876) into the Harmony School development in Sugar Land.

**AVAILABLE DRAFT DOCUMENTS CAN BE ACCESSED BY
SELECTING THE BLUE (MO) LINK AT THE SPECIFIC
AGENDA ITEM. DOCUMENTS ARE SUBJECT TO
CHANGE PRIOR TO COMMISSION ACTION.**

Donations to the Department

<u>Donor</u>	<u>Dist</u>	<u>County</u>	<u>Donation Description</u>
HDC Venado Crossing LLC	SAT	Guadalupe	Design and construction for widening of the existing shoulder and restriping of the roadway to provide for a left turn lane for a new subdivision entrance on FM 78 west of Deer Meadow in Cibolo.
HF Management Development Company, LLC	HOU	Montgomery	Design and construction of a traffic signal, a left turn lane, a right turn lane, and a continuous left turn lane from eastbound and westbound FM 830 into the donor's development in Conroe.
Hopper Communities Inc.	AUS	Williamson	Design and construction of a northbound right turn lane on US 183 in Williamson County.
KB HOME Lone Star Inc.	SAT	Guadalupe	Design and construction of a right turn lane for a new subdivision entrance on SH 46 in New Braunfels.
Keep Brazos Beautiful, Inc.	BRY	Brazos	130 pounds of wildflower seeds. The seeds will be planted by TxDOT crews in the state right of way at various locations in College Station.
OSR Hwy 6 Stop, LLC	BRY	Robertson	Design and construction of turning lane improvements on State Highway 6 including design and construction of a northbound turn lane and southbound U-turn lane in Robertson County.
SLF III -- Onion Creek, L.P.	AUS	Travis	Design and construction of a right turn deceleration lane for Avenida Mercado Street which tie into the IH 35 frontage road in Travis County.
The Menninger Clinic	HOU	Harris	Design and construction of a right turn deceleration lane from eastbound US 90A frontage road into the Menninger Clinic development in Houston.