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AGENDA

TEXAS TRANSPORTATION COMMISSION

**125 East 11th Street
Austin, Texas 78701-2483**

**THURSDAY
June 26, 2008**

9:00 A.M. CONVENE MEETING

1. **Approval of Minutes** of the May 29, 2008 regular meeting of the Texas Transportation Commission
2. **Discussion Items**
 - a. Establishment of a project management model to be tied to the issuance of debt for the development of transportation projects
 - b. Federal legislative update
3. **Aviation**
Various Counties – Approve funding for airport improvement projects at various locations (MO)
4. **Public Transportation**
 - a. **Various Counties** – Award state funds to public transportation providers for FY 2009 as appropriated by the 80th Texas Legislature (MO)
 - b. **Various Counties** – Negotiate and award federal §5311(f), Nonurbanized Area Formula Program, funding and award transportation development credits for intercity bus projects (MO)
 - c. **Various Counties** – Award federal §5311, Nonurbanized Area Formula Program, funding to Greyhound Lines, Inc. (MO)
 - d. **Various Counties** – Negotiate and award federal §5304 funds, State Planning and Research Program, and state matching funds to designated lead agencies to support continuation of coordinated regional public transportation planning (MO)
 - e. **Various Counties** – Award federal §5311, Nonurbanized Area Formula Program, funds to rural transit districts to assist with increases in transit expenses (MO)

5. a. **Promulgation of Administrative Rules** Under Title 43, Texas Administrative Code, and the Administrative Procedure Act, Government Code, Chapter 2001: **Final Adoption**
- (1) **Chapter 8 – Motor Vehicle Distribution (MO)**
New §8.87, License Terms and Fees, and §8.88, Issuance of Licenses for Various Periods (Licenses, Generally), and Amendments to §8.133, General Distinguishing Number (General Distinguishing Numbers)
 - (2) **Chapter 17 – Vehicle Titles and Registration (MO)**
Amendments to §17.28, Specialty License Plates, Symbols, Tabs, and Other Devices; and New §17.40, Marketing of Specialty License Plates through a Private Vendor (Motor Vehicle Registration)
 - (3) **Chapter 18 - Motor Carriers (MO)**
Repeal of §18.80, Purpose and Scope, §18.81, Applicability, §18.82, Definitions, §18.83, Application for Original Vehicle Storage Facility License, §18.84, Issuance and Renewal of License, §18.85, Payment of Fees, §18.86, Insurance Requirements, §18.87, Notifications Regarding Towed Vehicles, §18.88, Documentation and Records, §18.89, Notice of Complaint Procedure, §18.90, Rights of Owner or Authorized Representative, §18.91, Facility Requirements, §18.92, Technical Requirements, §18.93, Storage Fees and Charges, §18.94, Sanctions, §18.95, Criminal Convictions, Insurance, and Family Code, and §18.96, Disposal of Certain Vehicles (Vehicle Storage Facilities) and §18.100, Purpose and Scope, §18.101, Filing Nonconsent Towing Fees Schedule, §18.102, Review of Nonconsent Towing Fees Schedule, §18.103, Required Posting at Vehicle Storage Facility (VSF), and §18.104, Sanctions (Nonconsent Towing Fees Schedule)
- b. **Proposed Adoption (to be published in the Texas Register for public comment)**
- (1) **Chapter 4 – Employment Practices (MO)**
Amendments to §4.50, Purpose, §4.51, Definitions, §4.55, Contribution Returns, and §4.56, Withdrawals (Sick Leave Pool Program)
 - (2) **Chapter 15 – Transportation Planning and Programming (MO)**
New §15.94, CDA Projects Corporation
(Transportation Corporations)
 - (3) **Chapter 17 – Vehicle Titles and Registration (MO)**
Repeal of §17.40, Marketing of Specialty License Plates through a Private Vendor, and New §17.40, Marketing of Specialty License Plates through a Private Vendor, New §17.41, Removal of License Plates and Registration Insignia upon Sale of Motor Vehicle, and Amendments to §17.51, Registration Reciprocity Agreements (Motor Vehicle Registration)

5.
 - b. **Proposed Adoption (continued)**
 - (4) **Chapter 25 – Traffic Operations (MO)**
Amendments to §25.1, Uniform Traffic Control Devices (General)
 - (5) **Chapter 25 – Traffic Operations (MO)**
Amendments to §25.20, Definitions, §25.21, Introduction, §25.22, Regulatory and Advisory Speeds, and §25.25, Application of Advisory Speeds (Procedures for Establishing Speed Zones)
 - (6) **Chapter 25 – Traffic Operations (MO)**
New §25.975, Crash Record Statistical Analysis, §25.976, Reporting by Involved Drivers, §25.977, Reporting by Investigating Officer (Crash Records Information System)
 - c. **Rule Review**
In accordance with Government Code, §2001.039, Readoption of 43 Texas Administrative Code Chapter 1, Management and Chapter 11, Design (MO)
6. **Toll Road Projects**
 - a. **Various Counties** – Act on the recommendation of department staff concerning: (1) the selection of the best value proposal for the planning, development, acquisition, design, construction, financing, maintenance, and operation of the element of the Trans-Texas Corridor System from Northeast Texas to the Texas/Mexico border (I-69/TTC); and (2) the execution of a comprehensive development agreement for I-69/TTC (MO)
 - b. Adoption of policies relating to the implementation of the market valuation process required by Senate Bill 792, 80th Legislature, 2007 that is used to determine whether the department or a local toll project entity will develop a toll project (MO)
 - c. Accept the Report of Actual Traffic and Revenue for the Central Texas Turnpike System for the time period through May 31, 2008 (MO)
7. **Strategic Plan**
Approve the Texas Department of Transportation's 2009-2013 Strategic Plan for the Legislative Budget Board (MO)
8. **Finance**
Approve replacing the remarketing agent on the Texas Mobility Fund Series 2005-B bonds and setting parameters for modifying or executing derivative agreements relating to the Mobility Fund Revenue Financing Program (MO)

9. **State Infrastructure Bank Final Approval**
 - a. **Hopkins County** – Consider granting final approval of an application from Hopkins County to borrow \$868,298 from the State Infrastructure Bank to pay for utility relocation and right-of-way acquisition along SH 11 and SH 154 (MO)
 - b. **Montgomery County** – Consider granting final approval of an application from Montgomery County to borrow \$550,000 from the State Infrastructure Bank to pay for a toll feasibility study for the Montgomery County Parkway project (MO)

10. **Contracts**
 - a. **Award or Reject Highway Improvement Contracts**
 - (1) **Highway Maintenance and Department Building Construction** (see attached itemized list) (MO)
 - (2) **Highway and Transportation Enhancement Building Construction** (see attached itemized list) (MO)

11. **Routine Minute Orders**
 - a. **Donations to the Department**
 - (1) **Bridge Division** – Acknowledge a donation from TDC Partners, Ltd for reimbursement of a department employee’s travel expenses related to attending the Bridge Evaluation Quality Assurance (BEQA) Scan Workshop held in Pittsburgh, Pennsylvania from June 25 – 26, 2008 (MO)
 - (2) **Construction Division** – Acknowledge a donation from the Texas Asphalt Pavement Association (TxAPA) for department employee’s travel expenses to participate and present two technical presentations at TxAPA’s Annual Mid-Year meeting held in Ruidoso, New Mexico from June 16 – 18, 2008 (MO)
 - (3) **Tyler District** – Consider a donation from Luminant Mining, LLC for sufficient funding, property, and services to provide for land acquisition and exchange of right of way, utility relocation, environmental assessments, schematics, plans, specifications and estimates, and construction and construction engineering necessary for relocation of an approximately 3.8-mile length of highway designated as FM 1716 in Rusk County to provide the department with a new length of highway on property currently owned by the donor in exchange for the existing parallel length of highway (MO)

 - b. **Eminent Domain Proceedings Various Counties** – noncontrolled and controlled access highways (see attached itemized list) (MO)

11. **Routine Minute Orders (continued)**
 - c. **Highway Designations**
 - (1) **Fannin County** – Extend the designation of FM 87 along a new location (MO)
 - (2) **Val Verde County** – Designate a new location known as the Del Rio Outer Loop as State Loop 79 (MO)
 - (3) **Val Verde County** – Extend the designation of State Spur 317 along a new location (MO)
 - d. **Load Zones & Postings**
Motley County – Revise load restrictions on various bridges on the state highway system (MO)
 - e. **Right of Way Dispositions and Donations**
 - (1) **Archer County** – US 277 at FM 368 in Holliday – Consider the sale of surplus right of way (MO)
 - (2) **Bexar County** – I-10 at El Monte in San Antonio – Consider the quitclaim of surplus right of way to the city (MO)
 - (3) **Bexar County** – I-35 between Stonewall and W. Harlan in San Antonio – Consider the quitclaim of surplus right of way to the city (MO)
 - (4) **Collin County** – SH 289 at County Road 73 in Prosper – Consider the sale of surplus right of way (MO)
 - (5) **Dallas County** – US 190 at I-35 in Carrollton – Consider the sale of surplus right of way (MO)
 - (6) **Henderson County** – US 175 at Loop 60 in LaRue – Consider the quitclaim of surplus right of way to the abutting landowner (MO)
 - (7) **Parmer County** – US 60 at BNSF Railroad east of Friona – Consider the transfer of surplus right of way to the county (MO)
 - (8) **San Jacinto County** – US 190 approximately 0.25 mile west of Point Blank – Consider the quitclaim of surplus right of way to the abutting landowner (MO)
 - (9) **Travis County** – FM 2304 at Easy Street in Manchaca – Consider the exchange of drainage easements (MO)
 - f. **Speed Zones**
Various Counties – Establish or alter regulatory and construction speed zones on various sections of highways in the state (MO)
12. **Executive Session Pursuant to Government Code, Chapter 551**
 - a. **Section 551.071** – Consultation with and advice from legal counsel regarding any item on this agenda
 - b. **Section 551.074** – Discussion regarding the creation of a performance plan for the executive director

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 commission. 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 only, and will not necessarily be considered by the commission in that particular order. Items identified with (MO) for minute order are those upon 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 Dee Hernandez at (512) 305-9536 at least three working days prior to the meeting so that appropriate arrangements can be made.

**TEXAS TRANSPORTATION COMMISSION MEETING
ATTACHED LISTS
JUNE 26, 2008**

**HIGHWAY MAINTENANCE AND DEPARTMENT BUILDING CONSTRUCTION –
STATE LET [AGENDA ITEM 10.a.(1)]**

| <u>DIST</u> | <u>COUNTY NAME</u> | <u>HIGHWAY NUMBER</u> | <u>CONTROLLING PROJECT NO.</u> |
|-------------|------------------------|---------------------------|------------------------------------|
| AUS | TRAVIS | FM 3177 | RMC-617439001 |
| BMT | JEFFERSON | US 69 | RMC-617716001 |
| CHS | CHILDRESS | US 287 | RMC-617846001 |
| CRP | NUECES | SH 358 | RMC-617615001 |
| DAL | ELLIS | IH 45 | RMC-617131001 |
| DAL | ELLIS | SH 34 | RMC-617129001 |
| DAL | NAVARRO | SH 31 | RMC-610979001 |
| HOU | HARRIS | IH 610 | RMC-609833001 |
| HOU | HARRIS | US 59 | RMC-617770001 |
| HOU | HARRIS | US 59 | RMC-617836001 |
| HOU | HARRIS | US 290 | RMC-617743001 |
| LBB | HALE | IH 27 | RMC-617478001 |
| LFK | TRINITY | US 287 | RMC-617621001 |
| PAR | FANNIN | SH 078 | RMC-617575001 |
| PAR | HOPKINS | FM 71 | RMC-617117001 |
| SJT | SUTTON | | CBC-470400652 |
| WAC | HILL | SH 171 | RMC-617682001 |
| YKM | AUSTIN | IH 10 | RMC-617952001 |
| YKM | DEWITT | US 87 | RMC-617800001 |
| YKM | WHARTON | FM 1301 | RMC-616610001 |

**HIGHWAY AND TRANSPORTATION ENHANCEMENT BUILDING
CONSTRUCTION – STATE LET [AGENDA ITEM 10.a.(2)]**

| <u>DIST</u> | <u>COUNTY NAME</u> | <u>HIGHWAY NUMBER</u> | <u>CONTROLLING PROJECT NO.</u> |
|-------------|------------------------|---------------------------|------------------------------------|
| ATL | BOWIE | US 67 | STP 2008(655)HES |
| AUS | LEE | FM 2440 | STP 2008(657) |
| AUS | TRAVIS | US 183 | BR 2008(656) |
| AUS | WILLIAMSON | IH 35 | IM 0353(266) |
| BMT | HARDIN | CR | BR 2007(760) |
| BMT | JEFFERSON | IH 10 | CC 739-2-135 |
| BWD | COLEMAN | CR | BR 96(312) |
| BWD | EASTLAND | CR | BR 2008(400) |
| BRY | BRAZOS | FM 2154 | STP 2006(593) |
| BRY | BRAZOS | SH 21 | NH 2008(660) |
| BRY | ROBERTSON | SH 6 | NH 2008(659) |
| BRY | WALKER | IH 45 | IM 0452(127) |
| CRP | NUECES | FM 1694 | C 1742-1-23 |
| DAL | COLLIN | US 75 | STP 2008(700)MM |
| DAL | DALLAS | CS | STP 2007(870)HES |
| DAL | DALLAS | SP 366 | IMD 35E-6(374) |
| DAL | DALLAS | VA | STP 2008(694) |
| DAL | DALLAS | VA | STP 2008(666) |
| DAL | DENTON | CR | BR 2006(837) |
| DAL | DENTON | IH 35W | STP 2008(163)MM |
| DAL | DENTON | US 377 | NH 2008(684) |
| DAL | KAUFMAN | SH 34 | STP 2008(664) |
| ELP | EL PASO | CS | STP 2003(312)MM |
| ELP | EL PASO | IH 10 | IM 0101(245) |
| ELP | EL PASO | SH 20 | STP 2008(668) |
| FTW | PALO PINTO | FM 1195 | STP 2008(669)HES |
| FTW | PALO PINTO | FM 2256 | STP 2008(779)HES |
| FTW | TARRANT | FM 1220 | STP 2008(631) |

**HIGHWAY AND TRANSPORTATION ENHANCEMENT BUILDING
CONSTRUCTION – STATE LET [AGENDA ITEM 10.a.(2)]**

| <u>DIST</u> | <u>COUNTY NAME</u> | <u>HIGHWAY NUMBER</u> | <u>CONTROLLING PROJECT NO.</u> |
|-------------|--------------------|-----------------------|--------------------------------|
| HOU | FORT BEND | VA | STP 2005(485) |
| HOU | HARRIS | IH 10 | IM 0107(415) |
| HOU | HARRIS | IH 45 | IM 0451(333) |
| LFK | ANGELINA | FM 842 | STP 2008(671)HES |
| LFK | ANGELINA | VA | C 911-00-63 |
| LFK | SAN JACINTO | US 59 | C 177-2-82 |
| ODA | WARD | FM 1776 | BR 2008(672) |
| PAR | HUNT | SH 276 | C 1290-5-15 |
| SAT | BEXAR | CS | STP 2008(676)HES |
| SAT | BEXAR | IH 410 | BR 2008(675) |
| SAT | COMAL | CS | STP 2008(388)HES |
| SAT | KERR | RM 783 | BR 2008(677) |
| WAC | BELL | FM 2305 | STP 2008(648)HES |
| WAC | BELL | VA | STP 2008(678) |
| WAC | FALLS | CR | BR 2006(291) |
| WFS | BAYLOR | US 82 | NH 2008(682) |
| WFS | COOKE | US 82 | C 44-8-61 |
| WFS | THROCKMORTON | US 183 | CL 125-2-29 |
| WFS | THROCKMORTON | US 183 | STP 2008(681) |
| WFS | WICHITA | CS | STP 2008(249)HES |
| WFS | YOUNG | CR | BR 2006(870) |
| YKM | WHARTON | CR | BR 2007(229) |

**EMINENT DOMAIN - [AGENDA ITEM 11.b.]
NONCONTROLLED ACCESS**

| <u>COUNTY</u> | <u>HIGHWAY</u> | <u>EXHIBIT</u> | <u>ACCOUNT</u> | <u>PARCEL</u> |
|---------------|----------------|----------------|----------------|---------------|
| Brooks | US 281 | 1 | 0255-03-031 | 27 |
| Brooks | US 281 | 3 | 0255-03-031 | 29 |
| Robertson | SH 6 | 2 | 0049-06-070 | 25 |
| Tarrant | SH 26 | 5 | 0363-01-123 | 145 |
| Tarrant | SH 26 | 4 | 0363-01-123 | 165 |

CONTROLLED ACCESS

| <u>COUNTY</u> | <u>HIGHWAY</u> | <u>EXHIBIT</u> | <u>ROW CSJ NO.</u> | <u>PARCEL</u> |
|----------------------|-----------------------|-----------------------|---------------------------|----------------------|
| Caldwell | SH 130 | R | 3583-01-002 | 481H & 481HE |
| Caldwell | SH 130 | S | 3583-01-002 | 602 |
| Caldwell | SH 130 | T | 3583-01-002 | 604 |
| Caldwell | SH 130 | U | 3583-01-002 | 606 |
| Caldwell | SH 130 | V | 3583-01-002 | 608 |
| Caldwell | SH 130 | W | 3583-01-002 | 613 & 614 |
| Caldwell | SH 130 | X | 3583-01-002 | 622 |
| Caldwell | SH 130 | Y | 3583-01-002 | 624 |
| Caldwell | SH 130 | Z | 3583-01-002 | 625 |
| Dallas | IH 635 | M | 2374-01-052 | 10 |
| Dallas | IH 635 | H | 2374-01-052 | 20 |
| Dallas | IH 635 | G | 2374-01-052 | 7AC |
| Dallas | IH 635 | B | 2374-01-052 | 8 |
| Dallas | IH 635 | L | 2374-01-150 | 49 |
| Hill | IH 35 | P | 0014-07-094 | 14 |
| Hill | IH 35 | Q | 0014-07-094 | 16 |
| Hill | IH 35 | F | 0014-07-094 | 18 & 18E |
| Hill | IH 35 | N | 0014-07-094 | 2 & 2E |
| Hill | IH 35 | O | 0014-07-094 | 3 |
| Hill | IH 35 | K | 0014-07-094 | 38 |
| Hill | IH 35 | E | 0014-07-094 | 6 & 6E |
| Hill | IH 35 | D | 0014-07-094 | 7 |
| Hill | IH 35 | C | 0014-07-094 | 9 |
| Houston | SH 7 | A | 0336-01-044 | 32 & 32AC |
| Johnson | SH 121 | J | 0504-05-002 | 443 |
| Johnson | SH 121 | I | 0504-05-002 | 67 |
| Travis | SH 130 | CC | 0440-06-008 | 1504 |
| Travis | SH 130 | DD | 0440-06-008 | 1546E |
| Travis | SH 130 | AA | 0440-06-008 | 448 & 448E |
| Travis | SH 130 | BB | 0440-06-008 | 462 |