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AGENDA

TEXAS TRANSPORTATION COMMISSION
125 East 11th Street
Austin, Texas 78701-2483

THURSDAY
November 15, 2007

9:00 A.M. CONVENE MEETING

NOTE: AGENDA ITEM 3. IS AMENDED. ALL OTHER AGENDA ITEMS REMAIN AS ORIGINALLY POSTED ON NOVEMBER 7, 2007.

3. **Discussion Item**
 - a. Discussion of impacts of near- and mid-term cash flow projections on system operations and resource reallocation
 - b. Discussion of potential funding options for State Highway 161 project

I certify that I have reviewed this document and that it conforms to all applicable Texas Register filing requirements.

CERTIFYING OFFICIAL: Bob Jackson, General Counsel, (512) 463-8630.



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125 East 11th Street
Austin, Texas 78701-2483

THURSDAY
November 15, 2007

9:00 A.M. CONVENE MEETING

1. **Approval of Minutes** of the October 25, 2007 regular meeting of the Texas Transportation Commission
2. **Report**
Grand Parkway Association – Annual report on the status of projects and activities undertaken during the preceding 12 months
3. **Discussion Item**
Discussion of impacts of near- and mid-term cash flow projections on system operations and resource reallocation
4. **Internal Compliance Program**
Develop an internal compliance program (MO)
5. **Aviation**
 - a. Approve funding for airport improvement projects at various locations (MO)
 - b. Approve the FY 2008-2010 Capital Improvement Program (MO)
6. **Public Transportation**
 - a. Rescind Minute Order 110967, dated June 28, 2007 and award an increased amount of state funds to public transportation providers for FY 2008 (MO)
 - b. **Various Counties** – Award transportation development credits to public transportation agencies for various capital projects (MO)
 - c. **Various Counties** – Award Federal §5304 funds and state matching funds to Alamo Area Council of Governments, Concho Valley Council of Governments, and South East Texas Regional Planning Commission for transit planning projects (MO)

7. **Toll Project**
Collin County – Authorize the designation of the mainlanes on SH 121 from the Dallas North Tollway to US 75 as a toll project on the state highway system, and as a controlled-access facility for the purpose of development, maintenance and operation (MO)

8. **Transportation Planning**
 - a. **All Counties** – Amend the 2007 Statewide Preservation Program by authorizing the 2008 Supplemental Preventive Maintenance and Rehabilitation Program through a reduction of the Fiscal Year 2010 Preventive Maintenance and Rehabilitation Program (MO)
 - b. **Hidalgo County** – Amend the 2007 Statewide Mobility Program to authorize a project to extend FM 396/Anzalduas Road and construct an overpass at FM 1016 in Category 12, Strategic Priority (MO)

9. **State Infrastructure Bank**
 - a. **Preliminary Approval**
 - (1) Grayson County – **City of Pottsboro** – Consider granting preliminary approval of an application from the City of Pottsboro to borrow \$1 million from the State Infrastructure Bank to pay for utility relocation due to expansion of SH 289 in the city of Pottsboro (MO)
 - (2) Harris County – **City of Baytown** – Consider granting preliminary approval of an application from the City of Baytown to borrow \$2 million from the State Infrastructure Bank to pay for construction of a direct connector from Spur 330 to SH 146 in the city of Baytown (MO)
 - (3) Hunt County – **Caddo Basin Special Utility District** – Consider granting preliminary approval of an application from the Caddo Basin SUD to borrow \$2,119,002 from the State Infrastructure Bank to pay for utility relocation costs along US 380 from the city of Greenville westward to the Hunt/Collin county line (MO)
 - b. **Final Approval**
 - (1) Collin County – **Culleoka Water Supply Corporation** – Consider granting final approval of an application from the Culleoka Water Supply Corporation to borrow \$1,879,418 from the State Infrastructure Bank to pay for waterline relocation along FM 982 in Collin County (MO)
 - (2) El Paso County – **City of El Paso** – Consider granting final approval of an application from the City of El Paso to borrow \$6,107,000 from the State Infrastructure Bank to pay for rehabilitation of the Stanton International Bridge in the City of El Paso (MO)

9. b. **Final Approval (continued)**
 - (3) Hidalgo County – **Mission Redevelopment Authority** – Consider granting final approval of an application from the Mission Redevelopment Authority to borrow \$3 million from the State Infrastructure Bank to pay for construction related to the extension of FM 396/Anzalduas Road from the international border to US 83 in Hidalgo County (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)
 - b. **Aransas County** – Project RMC 6167-87-001. Award of maintenance contract to second lowest bidder (MO)

11. **Promulgation of Administrative Rules** Under Title 43, Texas Administrative Code, and the Administrative Procedure Act, Government Code, Chapter 2001:
 - a. **Proposed Adoption (to be published in the Texas Register for public comment)**
 - (1) **Chapter 6 – State Infrastructure Bank (MO)**
Amendments to §6.42, Performance of Work, and §6.45, Financial and Credit Requirements (Financial Assistance Agreements)
 - (2) **Chapter 8 – Motor Vehicle Distribution (MO)**
Amendments to §8.2 Definitions; Conformity with Statutory Requirements (General Provisions), §8.21, Objective, §8.28, Hearing Docket, §8.56, Final Decision (Adjudicative Practice and Procedure), New §8.201, Objective (Warranty Performance Obligations), New §8.301, Scope and Purpose, New §8.302, Conformity with Statutory Requirements, New §8.303, Application of Division and SOAH Rules, New §8.304, Notice of Alleged Violation, New §8.305, Filing of Complaints, Protests, and Petitions, New §8.306, Referral to SOAH, New §8.307, Notice of Hearing, New §8.308, Reply to Notice of Hearing and Default Proceedings, New §8.309, Recording and Transcriptions of Hearing Cost, New §8.310, Issuance of Proposals for Decision, Recommendations, and Orders, New §8.311, Amicus Briefs, New §8.312, Discovery, New §8.313, Official Notice of Division Records, New §8.314, Cease and Desist Orders, New §8.315, Statutory Stay, New §8.316, Informal Disposition, and New §8.317, Motion for Rehearing (New Subchapter I, Practice and Procedure for Hearings Conducted by the State Office of Administrative Hearings)

11. a. **Proposed Adoption (continued)**
 - (3) **Chapter 17 – Vehicle Titles and Registration (MO)**
Amendments to §17.22, Motor Vehicle Registration, and §17.30, Commercial Vehicle Registration (Motor Vehicle Registration), §17.68, Rebuilt Salvage Motor Vehicles (Nonrepairable and Salvage Motor Vehicles), §17.73, Salvage Vehicle Dealer License, and §17.81, Denial, Suspension, or Revocation (Salvage Vehicle Dealers)
 - (4) **Chapter 21 – Right of Way (MO)**
New §21.921, Purpose, §21.922, Definitions, §21.923, Eligibility, §21.924, Application Procedure, §21.925, Master Agreement, §21.926, Calculation of Annual Prepayment Amount, §21.927, Project Utility Agreement, §21.928, Utility Cost Estimates, §21.929, Reimbursement, §21.930, General Requirements (New Subchapter P, Utility Relocation Prepayment Funding Agreements)
 - (5) **Chapter 31 – Public Transportation (MO)**
Amendments to §31.1, Scope and Purpose, §31.2, Organization, §31.3, Definitions (General), §31.11, Formula Program (State Programs), §31.16, Section 5309 Grant Program, §31.17, Section 5316 Grant Program, §31.18, Section 5317 Grant Program, §31.21, Section 5303 Grant Program, §31.22, Section 5313 Grant Program, §31.26, Section 5307 Grant Program, §31.31, Section 5310 Grant Program, §31.36, Section 5311 Grant Program, §31.37, Rural Transit Assistance Program (Federal Programs), §31.40, Public Involvement, §31.41, Private Sector Participation, §31.42, Standard Federal Requirements, §31.43, Contracting Requirements, §31.44, Procurement Requirements, §31.47, Audit and Project Close-Out Standards, §31.48, Project Oversight (Program Administration), §31.53, Maintenance Requirements, and §31.57, Disposition (Property Management Standards)
- b. **Final Adoption**
 - (1) **Chapter 1 – Management (MO)**
Amendments to §1.82, Statutory Advisory Committee Operations and Procedures, §1.85, Department Advisory Committees (Advisory Committees)
 - (2) **Chapter 9 – Contract Management (MO)**
Amendments to §9.20, Partial Payments (Highway Improvement Contracts)
 - (3) **Chapter 15 – Transportation Planning and Programming (MO)**
Amendments to §15.101, Definitions, §15.103, Application Procedures, and §15.105, Apportionment (Border Colonia Access Program)

11. b. **Final Adoption (continued)**
 - (4) **Chapter 23 – Travel Information (MO)**
Amendments to §23.2, Definitions (General Provisions), and §23.14, Display of Travel Literature in the Texas Travel Information Centers (Travel Information), Repeal of §23.26, Magazine Discount Card Program, Amendments to §23.27, Magazine Ancillary Products, and §23.29, Magazine Advertising (Texas Highways Magazine)
 - (5) **Chapter 25 – Traffic Operations (MO)**
New §25.950, Purpose, §25.951, Definitions, §25.952, Application, §25.953, Determination of Program Eligibility, §25.954, Fee, §25.955, Sign Description, §25.956, Sign Installation and Replacement, and §25.957, Sign Removal (New Subchapter N, Memorial Sign Program for Victims of Impaired Driving)
 - (6) **Chapter 27 – Toll Operations (MO)**
Amendments to §27.4, Solicited Proposals, and New §27.10, Formula for Determining Compensation Upon Termination for Convenience (Comprehensive Development Agreements)
 - c. **Rule Review**
In accordance with Government Code, §2001.039, Readoption of 43 Texas Administrative Code, Chapter 3, Public Information; Chapter 4, Employment Practices; Chapter 6, State Infrastructure Bank; Chapter 9, Contract Management; Chapter 13, Materials Quality; Chapter 22, Use of State Property; Chapter 23, Travel Information; Chapter 25, Traffic Operations; and Chapter 29, Maintenance (MO)
12. **Routine Minute Orders**
 - a. **Eminent Domain Proceedings**
Various Counties – noncontrolled and controlled access highways (see attached itemized list) (MO)
 - b. **Load Zones & Postings**
Various Counties – Revise load restrictions on various bridges on the state highway system (MO)
 - c. **Right of Way Dispositions and Donations**
 - (1) **Freestone County** – SH 164 east of Donie – Consider the exchange of right of way (MO)
 - (2) **Hardin County** – US 96 south of SH 327 in Silsbee – Consider the sale of surplus right of way (MO)

12. **Routine Minute Orders (continued)**
 - c. **Right of Way Dispositions and Donations**
 - (3) **Limestone County** – SH 7 east of Kosse – Consider the sale of surplus right of way (MO)
 - (4) **Travis County** – I-35 at Yager Lane in Austin – Consider the exchange of right of way (MO)
 - d. **Speed Zones**
Various Counties – Establish or alter regulatory and construction speed zones on various sections of highways in the state (MO)
13. **Executive Session Pursuant to Government Code, Chapter 551**
 - a. **Section 551.071** – Consultation with and advice from legal counsel
 - b. **Section 551.072** – Discussion of real property purchase, exchange, lease, donations
 - c. **Section 551.074** – Discuss the evaluation, designation, reassignment, and duties of department personnel, including district engineers, division directors, and office directors

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
NOVEMBER 15, 2007**

**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>
ATL	PANOLA	US 59	RMC-616873001
ATL	PANOLA	US 59	BPM-616922001
AUS	LEE	US 290	RMC-616151001
AUS	LLANO	SH 71	RMC-616161001
AUS	WILLIAMSON	US 79	RMC-616149001
BWD	BROWN	US 377	RMC-616898001
CHS	HARDEMAN	US 287	RMC-615869001
CHS	WHEELER	IH 40	RMC-615871001
CRP	NUECES	IH 37	RMC-614608001
DAL	ROCKWALL	IH 30	RMC-616356001
DAL	ROCKWALL	IH 30	RMC-616539001
HOU	HARRIS	US 59	RMC-616326001
LRD	WEBB	IH 35	RMC-616767001
LFK	NACOGDOCHES	FM 226	RMC-614303001
PAR	GRAYSON	US 75	RMC-616886001
PAR	HOPKINS	IH 30	RMC-616864001
PHR	HIDALGO	US 83	RMC-616932001
PHR	HIDALGO	US 83	RMC-616933001
PHR	ZAPATA	FM 496	RMC-616935001
TYL	SMITH	US 69	RMC-616883001
WAC	HILL	SH 171	RMC-617062001

**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>
ABL	MITCHELL	IH 20	IM 0202(223)
ABL	SHACKELFORD	US 180	BR 2008(161)
ABL	STONEWALL	US 83	STP 2008(140)
AMA	POTTER	US 87	NH 2008(136)
BMT	JASPER	RR 255	STP 2008(168)
BMT	LIBERTY	SH 105	HP 1169(009)
BWD	EASTLAND	IH 20	IM 0203(075)
BRY	WALKER	US 190	STP 2008(162)
CRP	JIM WELLS	FM 2295	STP 2008(170)
DAL	DALLAS	SH 356	CM 2008(165)
DAL	DENTON	FM 1171	STP 2008(166)
DAL	DENTON	FM 156	HP 2007(522)
DAL	DENTON	FM 2499	NH 2008(040)
DAL	KAUFMAN	US 175	STP 2007(795)HES
FTW	TARRANT	VA	IM 0204(266)
HOU	BRAZORIA	SH 288	C 598-3-23
HOU	HARRIS	IH 10	IM 0107(412)
HOU	HARRIS	IH 10	HP 2008(173)
HOU	HARRIS	IH 610	HP 2008(172)
HOU	HARRIS	VA	STP 2008(174)
HOU	HARRIS	VA	STP 2008(175)
HOU	HARRIS	VA	CPM 912-72-82
HOU	MONTGOMERY	SH 242	STP 2008(176)
LRD	DUVAL	SH 339	STP 2008(017)
LRD	WEBB	SH 44	STP 2008(177)
LBB	HALE	IH 27	CPM 67-4-43
LBB	LUBBOCK	LP 289	NH 2008(145)
LBB	LUBBOCK	US 87	NH 2008(143)

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

<u>DIST</u>	<u>COUNTY NAME</u>	<u>HIGHWAY NUMBER</u>	<u>CONTROLLING PROJECT NO.</u>
LFK	SHELBY	SH 87	STP 2008(155)
ODA	REEVES	IH 20	IM 0201(168)
PAR	HOPKINS	BU 67-V	CPM 9-18-15
PAR	HUNT	SH 66	CPM 9-6-48
PHR	HIDALGO	VA	C 921-00-62
PHR	STARR	US 83	NH 2007(739)
SJT	MENARD	FM 2092	STP 2008(159)SB
SJT	RUNNELS	US 83	NH 2008(146)
SAT	BEXAR	IH 10	BR 2007(589)
SAT	BEXAR	SP 122	CPM 100-2-58
SAT	COMAL	IH 35	IM 0352(325)
SAT	FRIO	BI 35-E	CPM 17-15-18
TYL	HENDERSON	SH 19	STP 2008(179)
TYL	VAN ZANDT	CR	BR 2006(817)
TYL	WOOD	SH 11	STP 2008(150)
WAC	CORYELL	US 281	STP 2008(148)
WFS	WILBARGER	FM 2072	BR 2008(167)
YKM	DEWITT	VA	CL 913-0-80
YKM	WHARTON	US 59	NH 2008(085)

**EMINENT DOMAIN - [AGENDA ITEM 7.b.]
NONCONTROLLED ACCESS**

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ACCOUNT</u>	<u>PARCEL</u>
Brazoria	SH 35	5	0178-02-072	11
Collin	FM 982	3	0387-05-017	157
Collin	SH 289	2	0091-05-052	8
Collin	SH 289	1	0091-05-052	7
Robertson	SH 6	4	0049-06-070	6
Tarrant	SH 26	6	0363-01-126	97

CONTROLLED ACCESS

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Anderson	US 79	U	0205-07-065	25,25E
Angelina	US 69	D	0200-02-035	46
Angelina	US 69	L	0200-02-027	3
Archer	US 277	A	0156-05-047	13
Archer	US 277	B	0156-05-047	12
Caldwell	SH 130	Q	3583-01-002	1601W
Caldwell	SH 130	R	3583-01-002	1607W
Caldwell	SH 130	S	3583-01-002	1616W
Erath	US 67	K	0079-08-002	16
Harris	SH 35	J	0178-09-001	268
Hill	SH 31	M	0162-02-035	32, 32TE
Montgomery	IH 45	E	0675-08-089	26
Montgomery	IH 45	G	0675-08-089	25
Montgomery	IH 45	H	0675-08-089	3
Montgomery	IH 45	I	0675-08-089	132
Montgomery	IH 45	F	0675-08-089	24
Webb	Cuatro Vientos Rd.	C	0922-33-109	1
Williamson	SH 195	N	0440-01-037	46, 46E
Williamson	SH 195	O	0440-01-037	44, 44E, 44TE
Williamson	SH 195	T	0440-01-037	45
Williamson	SH 195	P	0836-01-013	13