



Notice of Special Meeting
Commissioners Court of Caldwell County, Texas

Notice is hereby given that a meeting of the Caldwell County Commissioners Court will be held on the 28th day of August 2015 at 10.00 A.M. in the 2nd Floor Courtroom, Caldwell County Courthouse located at 110 South Main Street, Lockhart, Texas at which time the following subjects will be discussed, considered, passed or adopted, to wit:

Note: Commissioners Court Meeting packets are prepared several days prior to each meeting. This information is reviewed and studied by the Court members, eliminating lengthy discussions to gain a basic understanding. Timely action and short discussion on agenda items does not reflect lack of thought or analysis on the part of the Court.

Start times for regular agenda items are tentative; some items may be held earlier or later than the scheduled time.

Agenda

Call Meeting to order.

- 2015.08.28.01 Pledge of Allegiance to the Flags.** (Texas Pledge: Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible).
- 2015.08.28.02 Announcements.** Items or comments from Court Members or Staff.
- 2015.08.28.03 Citizens' Comments.** At this time any person may speak to Commissioners Court if they have filled out a Caldwell County Commissioners Court Participation Form. Comments will be limited to four (4) minutes per person. No action will be taken on these items and no discussion will be had between the speaker(s) and members of the Court. The Court does retain the right to correct factual inaccuracies made by the speakers. (If longer than 30 minutes, then the balance of comments will continue as the last agenda item of the day).
- 2015.08.28.04 Discussion/Action** to authorize a member of the Commissioners Court to solicit bids for construction of the following three county roads: Old Fentress Road (CR217), Westwood Road (CR215), and Cherryville Parkway (CR110), all to be funded by SH130 Concession funds. **Cost: None. Speaker: Judge Schawe. Backup 1.**
- 2015.08.28.05 Adjournment.**

As authorized by Chapter 551 of the Texas Government Code, the Commissioners Court of Caldwell County, Texas reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed above. The Court may adjourn for matters that may relate to Texas Government Code Section 551.071(1) (Consultation with Attorney about pending or contemplated litigation or settlement offers);

FILED this 25th day of Aug 20 15
8:50 A M
CAROL HOLCOMB
COUNTY CLERK, CALDWELL COUNTY, TEXAS
By Jane Rize Deputy

Texas Government Code Section 551.071(2) (Consultation with Attorney when the Attorney's obligations under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflicts with Chapter 551 of the Texas Government Code); Texas Government Code Section 551.072 (Deliberations about Real Property); Texas Government Code Section 551.073 (Deliberations about Gifts and Donations); Texas Government Code Section 551.074 (Personnel Matters); Texas Government Code Section 551.0745 (Deliberations about a County Advisory Body); Texas Government Code Section 551.076 (Deliberations about Security Devices); and Texas Government Code Section 551.087 (Economic Development Negotiations). In the event that the Court adjourns into Executive Session, the Court will announce under what section of the Texas Government Code the Commissioners Court is using as its authority to enter into an Executive Session. The meeting facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the County Judge's office at 512-398-1808 for further information.
www.co.caldwell.tx.us

EXHIBIT A

Caldwell County Projects to be funded with SH 130 Concession Payments

Roadway Name	From	To	Proposed Improvement	Preliminary Cost Estimates
Old Fentress Road/ CR 217	SH 130	FM 20	Upgrade and repave 2-lane county roadway	\$700,000
Westwood Road/ CR 215	FM 20	2.1 miles SE of FM 20	Pave unpaved portion of 2-lane county roadway	\$3,000,000
Schuelke Road/ CR 222	SH 21	SH 130	Upgrade and repave 2-lane county roadway	\$4,500,000
Cherryville Parkway	SH 80	0.8 mile N of SH 80	Pave unpaved portion of 2-lane county roadway	\$800,000
Yarrington Road Extension	SH 21	SH 130	Conduct feasibility study for new location roadway	\$500,000
FM 150 Extension	SH 21	SH 142	Conduct feasibility study for new location roadway	\$500,000
CALDWELL COUNTY SH 130 CONCESSION FUNDING TOTAL				\$10,000,000

TEXAS TRANSPORTATION COMMISSION

TRAVIS County

MINUTE ORDER

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AUSTIN District

Transportation Code, §228.012 requires the Texas Department of Transportation (department) to create a separate account in the state highway fund to hold payments received by the department under a comprehensive development agreement and the surplus revenue of a toll project or system.

The department is required to create subaccounts in the account for each project, system, or region, and to hold money in a subaccount in trust for the benefit of the region in which a project or system is located. Interest earned on money in a subaccount shall be deposited to the credit of that subaccount.

The department has created subaccounts in the state highway fund to hold the payments received from the SH 130 Concession Company, LLC under the SH 130, Segments 5&6 Facility Concession Agreement for the right to develop, finance, design, construct, operate, and maintain the SH 130, Segments 5&6 toll project from US 183 in Travis County to I-10 in Guadalupe County (SH 130 Payments). Selection of projects to be financed using those funds shall be made by the department, subject to Texas Transportation Commission (commission) concurrence. The projects are to be selected in a cooperative selection process which considers the desires of the cities and counties in which the project is located.

Pursuant to Transportation Code, §228.012, the SH 130 payments may be used to pay the costs of a transportation project or air quality project within a region in which any part of the SH 130 toll project is located. Money must be allocated to projects authorized by Transportation Code, §228.0055 or §228.006, as applicable. An air quality project is a project or program of the department or another governmental entity that the commission determines will mitigate or prevent air pollution caused by the construction, maintenance, or use of public roads.

The department has established work programs to account for and track projects in the Austin and San Antonio Districts that are to be funded with the SH 130 payments. Minute Order 113487 dated February 28, 2013, allocated \$127,000,000 of those funds to programs and projects in the Austin and San Antonio Districts, of which \$10,000,000 was allocated to Caldwell County. On June 23, 2014, the Caldwell County Commissioners Court approved a list of projects to be funded with the Caldwell County allocation, which is shown in Exhibit A. The department reviewed the potential air quality benefits of the proposed projects and found that the projects will mitigate air pollution caused by the use of public roads, either through reduced emissions or improved mobility.

IT IS THEREFORE ORDERED by the commission that it concurs with the projects shown in Exhibit A that have been selected by Caldwell County to be funded with the SH 130 payments, and approves the placement of those projects in the work program with CONSTRUCT authority, to be developed consistent with applicable state and federal laws, regulations, and procedures. Pursuant to the findings of the department, the commission determines that the projects shown in Exhibit A are air quality projects that will mitigate or prevent air pollution caused by the construction, maintenance or use of public roads, and are therefore eligible to be funded with the SH 130 payments.

IT IS FURTHER ORDERED that additional projects or changes in the distribution of the SH 130 payments as shown in Exhibit A will be approved by the commission through updates to the department's Unified Transportation Program.

TEXAS TRANSPORTATION COMMISSION

TRAVIS County

MINUTE ORDER

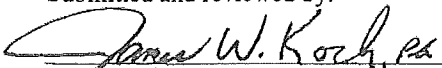
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AUSTIN District

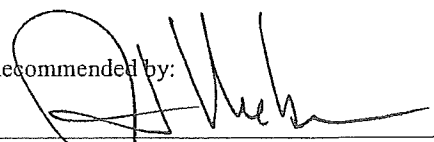
IT IS FURTHER ORDERED that, unless otherwise approved by the commission, all direct costs associated with these projects for which federal and state funds have not been allocated shall be charged to this work program, including the costs of right of way acquisition, preliminary engineering, and construction engineering, and the costs of department staff incurred in the development, procurement, and construction of the projects.

IT IS FURTHER ORDERED that the department shall annually provide the commission a report describing the status of projects in the work programs.

Submitted and reviewed by:


Director, Transportation Planning and Programming

Recommended by:


Executive Director

114035 AUG 28 14

Minute
Number

Date
Passed