

TCC/CAC Meeting July 14, 2021

TCC/CAC Members Present

Brian Aaron for Edwin Perry
John Murphy
Janic Terry for Nick Amberger
Jeff Zoghby
Mary Beth Bergin
James DeLapp
Jennifer White
Hon. Margie Wilcox
Shilo Miller
Frank Williams
Nancy Hewston
Timothy Wicker for Ricky Mitchell
Kim Sanderson
Jamon Mosley
Rhonda Gulledege
John F. Rhodes
Dennis Sullivan
Newton Cromer
Kevin Harrison for Jennifer Denson

TCC/CAC Members Not Present

Mike Black
Bob Harris
John Blanton
Donald Watson
Chris Curry
Shayla Beaco
Dr. Laura Cepeda
Essie Johnson
Fernando Billups
James Jacobs
Cade Kistler
Brian Harold
Christienne Gibson

Guests Present:

Staff Present:

Kevin Harrison
Anthony Johnson
Monica Williamson

The meeting was called to order by John F. Rhodes

The second item on the agenda was to adopt the minutes from the May 19th, 2021 TCC/CAC Meeting.

Kevin Harrison said normally, as you all know, the minutes of the TCC/CAC meeting always go to MPO for adoption. And reprising their main, because that's your role provide recommendations to the MTA. But the June 2 meeting, we didn't have a quorum of the TCC. So, we did not approve the TCC meeting minutes at the June 2 MPO meeting. So, we're adopting them here today. But today's meeting those minutes will be adopted on July 28. So those are always joint meetings, the MPO and the TCC. Because it's good to have TCC members there. If there's ever any

discussion about what happened at the TCC meeting, we'll have TCC members there. So that's why today, we're adopting the TCC minutes. They're online. I sent you all the link so hopefully everybody read the minutes. And we do have copies here.

Motion was made by Kim Sanderson to adopt the minutes with a second by Representative Wilcox. Motion approved.

The third item on the agenda was to recommend for approval an amendment to the 2020-2023 TIP with STP Attributable Funds, Resolution 21-019.

Kevin Harrison said the first resolution in your folder is 21-019. It is McGregor Avenue. And the first one we see here, 100052601 is being deleted. It's utilities. The first one is utilities. 52602 is construction. So, 52601 is the utilities being deleted. But at the same time, the old estimate for the construction property 52602 went from \$3.3 million to \$8.6 million. So, it does include the utilities, but the cost of that project was greatly increased and anytime a project is over \$5 million or reduced by \$5 million, it requires your approval of the y'all and it requires the approval of the MPO. The city is here to talk about the cost increase if there's any questions about the cost. The utilities was added and included in construction cost.

Jeff Zoghby asked why has it gone up so much and how long of a period has it been?

Janic Terry said it's a 2016 estimate. That was the original estimate in it has not been updated officially. Since then, there has been a couple of design changes that have taken place, and also the utilities. The original estimate didn't include the utilities and now that \$1.5 has been moved over into that \$8.6.

James DeLapp asked does this also include the real estate component as well?

Janic Terry said the real estate's a separate item.

Jeff Zogby asked has the right of way been achieved?

Janic Terry said not yet. We're working on it.

Newton Cromer said I thought he said that the land costs were increased as part of the new figure, so there's not an updated appraisal as part of that?

Janic Terry said that's just construction.

Brian Aaron said lighting was added to the project, that was not in the original, the utilities. And then the roundabout was added late in 2015. I don't think we fully had a good grasp that far back on what roundabouts really cost. And I think a token amount was added \$800,000. You can't build one for that cheap. So, it was just a low estimate to begin with when that roundabout was added in 2015. And then the other increases.

Kim Sanderson said prices have had a sharp increase in the last few months.

Jeff Zogby asked are we having problems with the right away or we do we think that we're getting close?

John Murphy said I just want to the point out that this estimate was done before that.

James DeLapp said we're close. We hope to have it all complete by the first of October. But it's been since then that they've been working on this. I think even prior to that they were starting on this. So, what there was it was floundering for a long time there wasn't really working in earnest. Over the last 12 months, we've been working really hard. There's about two or three sticky ones that we're still pushing through the rest are pretty much already on track to be complete.

Motion was made by Representative Wilcox to recommend the resolution for approval with a second by Jennifer White.

The next item on the agenda was to recommend approval of Resolution 21-020 amending the 2020-2023 TIP with TAP funds.

Kevin Harrison said Resolution 21-020 is TAP funds. These are for Mobile County's ADA curb ramps. This is actually 2019 funding. This is a competitive grant awarded to the county and they are now ready to go into working status to plan status and go into the TIP. They're both for \$250,000. And as you may recall this year we had a May application deadline for TAP For those unfamiliar, TAP is transportation alternatives program. And that's basically sidewalk money sidewalk and bicycle pedestrian funding. Mobile MPO is apportioned about \$520,000 a year. And we have an annual competitive call for projects. We've right now got over a million dollars' worth of projects, we only have one applicant in May. So, we've upped the maximum to \$400,000, it was \$200,000, to try to get more applicants. We only have one application from the county this go around and we're waiting right now for federal approval from Federal Highway Administration. So, we can get that pre-agreement for this project. Let me back up. Since we only had one application this round, we've got another call for projects. August 6th, is the deadline if anybody else wants to submit information. We've got about a million dollars. The maximum amount to submit is \$400,000. Mobile County and in cities in the Mobile Urban area are eligible to submit. Three o'clock on August 6th is the deadline. The match is 20%

Mary Beth Bergin said the engineering, PE is not included, just construction.

Kevin Harrison said this particular resolution is just for the two county projects that were awarded for 2019 to enter into the TIP so they get authorized for funding.

Motion to recommend Resolution 21-020 for approval was made by Jeff Zoghby with a second by James DeLapp. Motion was approved with one abstention by John Murphy.

The next item on the agenda was to recommend for approval Resolution 21-021 amending the 2020-2023 TIP with Bridge Funds.

Kevin Harrison said Resolution 21-021 is bridge widening along I-65 over 158. There's been a modification to this as of yesterday, the folders were already done. But this project is set to start August 1 instead of July 1. And the PE is \$120,800. And construction is \$1,220,080. So, this is for the bridge widening on I 65. ALDOT is here if anybody has any questions concerning that widening.

Newton Cromer said quick question, that's the area going north, just to the right that had was an issue.

Brian Aaron said correct.

Kevin Harrison said and it's going to be August 2021? the PE is set for August 2021.

Motion to recommend for approval of Resolution 21-021 was made by Newton Cromer with a second by Representative Wilcox. Motion was approved.

The next item on the agenda was to recommend approval of amending the 2020-2023 TIP with National Highway Funds, Resolution 21-022.

Kevin Harrison said this is a bookkeeping item. You may recall at the June 2nd MPO meeting, we adopted into the TIP funding for the bridge PE which was 13073594. That was a 44 and a half million-dollar PE for the I-10 Mobile River Bridge. ALDOT had in their national highway funds for the bridge, \$52 million in utilities, which is now part of the construction. Part of those added in the June 2 MPO meeting. So anytime these projects over \$5 million need to be deleted, it requires approval from y'all and once again from the MPO. So, it's a bookkeeping item, but that's what the resolution is doing today. It's deleting the funds that were in there, that were put in in the June 2 MPO meeting.

Someone asked so they replace?

Kevin Harrison said right now, the PE has is \$44.5 million dollars in. Brian, it's state funds? Am I correct on that? The P E is being funded in the state funds?

Brian Aaron said yes.

Kevin Harrison said the previous PE was national highway funds. ALDOT is deleting that project and replacing it with \$44.5 million dollars with state funds. And then the utilities part of the project has been deleted, because that's been included in the construction part of the project.

James DeLapp asked what's the delta between the 40 whatever and 52?

Brian Aaron said I don't know. I'd have to find out. I think scope may have reduced it down and we're not going full length. We're just looking at the first phase.

Motion to recommend Resolution 21-022 for approval was made by Mary Beth Bergin with a second by James DeLapp. Motion was approved.

The next item on the agenda was to recommend for approval the Draft FY2022 Unified Planning Work Program.

Kevin Harrison said resolution 21-023 is adoption of the unified planning work program. This was reviewed with you at the May 19 TCC CAC meeting and reviewed with the MPO June 2. This is actual document I've emailed y'all the link. It's online. It's basically a budget. There are no third-party contracts in this in this UPWP except for the remainder of the Volkert major roads plan, which is set to end in May. So, if anybody has any questions, I do have some copies here. There's one correction made this morning, Ms. Rhonda Gullledge instead of Mr. Sorry. We did make some copies if anybody has any questions concerning the UPWP. We changed the public participation plan. We used to have to take this document to places around the county, and then before the MPO meeting, pick them up with absolutely no comments. So, our public participation changed for this particular document to where we advertise it online. If we have if we have a third-party contract in there from carryover funds, generally, there will be questions about the UPWP. So next year we won't have any, but in 2023, we probably will have a substantial amount of carryover funds to do another third-party study like the major routes plans.

Motion was made by Representative Wilcox to recommend Resolution 21-023 with a second by Brian Aaron. Motion was approved.

The next item on the agenda was Resolution 21-024 with CRRSAA funding.

Kevin Harrison said this is a two-part item a resolution, Resolution 21-024. It is the CRRSAA funding. You may recall we were awarded \$3.2 million. We decided to resurface local roads with that. And through our CRRSAA committee, Brian Aaron, Nick Amberger and Bryan Kegley, we reviewed all the roads This is attached to the resolution. It is kind of a more bookkeeping because if you recall the June 2 meeting, we had a resolution that had one PE for all the projects, then we had seven construction projects that said resurfacing of certain streets in the city. The Federal Highway Administration said you can't do it, you got to be more specific with your description. So, they're making us put another PE. So instead of one PE for all seven, we have seven PE's, and we have to add the descriptions to the construction of this project. So, this is what that resolution is doing. ALDOT has developed a naming scheme that has added all the streets and the resurfacing for each city. So, we're adding the PE for each one of the city's instead of having one PE. We're deleting that project that was added in the June 2 meeting. So, the one project for \$227,000 is being replaced by the seven PE projects for each city. As I understand it out entrepreneur have one contract for that line, correct? No. One would

Newton Cromer said couldn't it be up to seven because you might get some scale where one person can handle three of them. And we the same PE. When you start having seven folks in that it just increases costs. So, if it was up to one, there might be some consolidation of scale.

Kevin Harrison said we didn't want to do this.

Brian Aaron said the feds made us change it to what you see in front of us. We intended to have one PE to do all seven.

Kevin Harrison said now what's happened, this is CRRSAA money. And we had we had to get special authority, to do this. This is the first time ever that federal funds are being used to resurface local roads. And there's encroachment, there's clear zone there's a lot of stuff, federal stuff that local roads, some of these local roads. These funds are being heavily scrutinized, by the feds and by the state. Every stone is being turned and this is just one of many to come.

Frank Williams said that's the standard on almost everything. Monitoring the standards and lines of control.

Kevin Harrison said right. On the other side of it, if a project goes over or under, bookkeeping is going to be a lot easier for ALDOT to know what project went under. These projects, if you go to mobilempo.org, those municipalities that are here, we've made a map of all these projects. So, I would like for you, some homework, go to mobilempo.org and at the ESTIP, verify what your city has applied for and what the CRRSAA committee has agreed to do, because a lot of the cities have applied more than what we're able to do. Someone asked is the Mobile TIP? Mobilempo.org. I will send it out in my newsletter. If you can't verify that, and we're not saying that some of those may not be eligible. I mean, Brian, have you looked? I mean, I've ridden all these streets with a little Google man, some of them have some problems,

Brian Aaron said yes, some of these streets have problems. I mean, there are encroachments that you can't move, because there's a retaining wall, that seven feet tall holding up a house on it, I mean, you can't get rid of that retaining wall. Part of the consultant's scope when we get them on board is to give a double check and go behind the committee that looked at these and really dig down into the weeds and say yea or nay in terms of being able to qualify under the federal guidelines. And so, what you're seeing listed is our best shot initially, what we think. It could be less roads, it could be more roads, but we will amend that as we get further into the design.

Newton Cromer said it's already less roads because you have to have more overhead.

Brian Aaron said its less roads and we're taking a stab at the cost. Initially, you know, if we end up with better pricing, because we intend to lump all these together. We'll have seven separate projects, but we're going to let them as one contract. So, I've got one contractor that will do them all. So, we're hoping that that will help bring the price down as well. Maybe give us an opportunity to get more roads in.

Kevin Harrison said 3.2 million, we had 10% for PE; we allotted 15% for CNI; and 13% for our ALDOT administration and that 13% was non-negotiable. But there are problems like some of some of the roads that I went through the houses the dirt, and some of the front yard went to the bottom of a hill. And one of the one of the streets is covered in dirt and filled the drainage up and now there's tree growing out of the drainage at the bottom of the hill that's encroached into the surface that has to be resurfaced. So, is that all going to be part of the this or is that something that the cities have to do?

Brian Aaron said that's something that we're going to be looking on the city to handle before repaving and each city will have to submit the clearance letters that are required by the feds to address you know, these encroachments, these issues, I mean limb encroachments. I drove through some street's limbs were hitting my truck. And I mean, you can't get a paver down that street, so I mean, there's going to have to be some legwork on the front end from some cities, just to be able to pave the streets if everything else is good. There's some challenges and the PE consultant that we're selecting is going to be heavily involved on the front end, to help us navigate through that to determine what roads are and are not going to be feasible.

Motion to recommend Resolution 21-024 for approval was made by Newton Cromer with a second by Kim Sanderson. Motion was approved with an abstention by John Murphy.

The next item on the agenda was a discussion of the TIP.

Kevin Harrison said I would like to review the TIP. A couple things have changed. The McGregor Avenue is changed. The price went up to \$8.6 million and was \$3.3 million. McDonald Road, project number 2, utilities for \$700,000 was pushed back to 2022. We had Zeigler Boulevard, right of way and utilities were pushed back from 20 and 21 to 21 and 22 respectively. McFarland got pushed back. Each phase of it got pushed back on, right of way, utilities, and construction. As did airport Boulevard. Utilities was pushed back. So, this is our current schedule. It looks like we've got \$15.6 million in 2023. And we're negative 10 million in 2024. I want to kind of discuss something. We've got Airport Boulevard utilities just got pushed back and right of way? I'm willing to bet that Airport, Snow to Eliza Jordan, will be pushed, the construction \$9.9 will be pushed to 2024. County, are y'all going to be on scheduled to do that in 2023? So, here's a problem,

Kim Sanderson said that one is moving faster than some of our other projects.

Kevin Harrison said okay. But either way, 2022, 2023 and 2024 is \$90 million worth of projects. We get 10 million a year. If we come up to 2024 and we asked for \$50 million worth of projects, we're not going to get that obligational authority from the state. What I mean by obligation authority, is that when say the state gets, state of Alabama gets 900 million federal funds a year, Congress only lets them spend 890 million or something like that, they can't spend. So, for us to think that ALDOT is going to allow us to have five to six times more than what we're apportioned to spend, I don't think is feasible. There is something that I'm looking into, and I want to discuss all this. There's a potential that we might be able to have, like some kind of Garvee bond. Garvee stands for grant anticipation revenue view. If we can, for example, McFarland, and Celeste Road, both big ticket items and more than our apportionment. If they're neck and neck on getting done, who's going to get done first? There's a potential that we can pay for both at the same time. And then pay back that Garvee bond with \$4 or \$5 million attributable for the next 10 years. It limits what we can do, but we got to do something. We're getting stacked up. These federal projects keep getting pushed back and we've got to do something. Any thoughts on that?

James DeLapp said we're spending what we've already been allocated in the current years, right?

Kevin Harrison said we're federally required to keep a positive balance and we have a positive balance. There's 15 million in 2023.

James DeLapp said we've got a bigger appetite than what we can do. The other options are to push everything back, keep pushing things back and spread it out.

Kevin Harrison said look at the schedule. In 2020, there's one project that was authorized, there's nothing, there's nothing. So, these federal projects keep getting pushed back. And I think part of the problem is., as far as the MPO, we savor this money to do big projects. Not all MPO's do that. So, these big projects take time, land federal right of way requirements, just push everything time wise back. So, it becomes a problem. And then obligation authority is another problem on top of that. ALDOT may not allow us to spend that money. So, you think Garvee bond, floating a bond to fund. Even if you do all the 2024 projects. 2022, 2023, and 2024, that's \$90 million. we get we only get \$10 million. So, I see a big potential problem coming up. And I think we need to try to fix it.

Newton Cromer said can I say something? I know I'm new and I'm sorry. We're real concerned on the Celeste Road project. Not only because of increased neighborhoods and growth in there, but this is a major artery that the county spent millions of dollars in the last 20 years to do the exit for hurricanes, up Celeste Road, out Henry Davis Road to hit 43. They did that with pay as you go, and all that made that connection, because that is now an evacuation route. And we are jammed up right there. From that, that little point there at I-65 going north. Not only is it busy, because people, kids, traffic, all that, but if we had a major emergency, we're really going to have an issue. And that was part of the solution, get some of the traffic out 43 many years ago, out there at exit 19, was to make that, and (are you county), were you here when, when they started doing Henry Davis, then they went around and tied it in to up to Bucks on Weaver Road around. That is called hurricane route now. And that was an exit for people to get to safety if we had a hurricane coming in. So, gets them off I-65, gets them up 43 if they are gong west and of course, you're going to have people going up Moffatt going to lower Mississippi going over on 158. But the rest of them are going up hit 43 to go north. So, I just want to throw that in to make sure that as a group, we realize that that's a really important road that people don't see from day to day.

James DeLapp said is it on track for the timeline that's laid out there for the PE, right of way, utilities and then construction in 2024?

Newton Cromer said what we've got the plans a doing acquisition now and we're trying to really push that project because we just have a huge bottleneck since we did the improvements at exit 15. Several years ago, that bridge improvement. Now it's starting to if that's working real well getting across, that's working really well. But then all sudden, we have a huge bottleneck on the other side. We actually have another project where we're trying to get another light for Forrest to kind of loop around off Shell street because of the Infirmary property and the Publix area, that frontage road, we have a local project that we're working on also. We just have interesting challenges which is good when you're when you're growing and we're growing.

James DeLapp said so, Kevin, I mean, you know, looking at that item, so Celeste Road and then McFarland, those are your two biggest. I mean, they're spread out. Right. So, you got right away acquisition, utilities and the construction, but they're both in the same years. I mean, can we offset one of those? I mean, you know, flip a coin, prioritize. One's going to go and slide one to the right. I mean, you.

Kevin Harrison said yeah, we can. But Saraland is desperate to get that Celeste Road project. Mobile County definitely wants to get the other project. It's just the more time it takes, the more money it costs.

Jennifer White said if one slides forward a year, if you could do construction of McFarland or Celeste a year earlier, you got a \$15 million surplus, and then you've got a \$10 million deficit, it would almost fix the problem if one of them was ready to go earlier.

James DeLapp said who has right of way acquisition done?

Newton Cromer said we're moving fast.

John Murphy said not on this project. The right of way acquisition is on the city project.

Brian Aaron said this is still in planning phase. It has not been authorized. Right of way for Celeste.

John Murphy said the right of way moving forward right now is on your city project. Right of way acquisition, as we all know, is the monster that makes most of the shift. It's not getting design done, it's the right of way.

Kim Sanderson said last year was hard with Covid, getting people to meet with you. We lost a lot of time.

John Murphy said McGregor, for example, I know, people just wouldn't even meet with you to talk about it because of the Covid situation.

James DeLapp said I mean, a recommendation would be is, maybe Kevin, you know, you're in a small group, you all take and spread these out, slide them appropriately, and say, here's what we're proposing, we'll need to meet that and it does not leave all stacked up, but just spread them out over the next five years, a five year plan, which this is a two year or two and a half

Kevin Harrison said this is a four-year plan, and the next one will be 24 25, 26 and 27. So we'll start developing that in 2023. But we're obviously as projects get further along, this 2024 year, we'll start responsibly, putting them in order for the next TIP. But at the same time, you know, 2024, we're getting a lot of projects stacked up, and I just wanted to bring it to your attention that obligation authority is going to be a problem. And if we if we bond to the Alabama infrastructure bank, then it's not subject to obligation authority. And we can actually do \$90 million with the projects in one year. But it would take a lot of

John Murphy said I think it's worth looking into. One thing you got to make sure that the new folks that are here is some of these projects have been on here for years, I know McGregor started in 2012 and McFarland started in 14, I think. Some have been on this for this for 10 years. And it's usually not the engineering part. It is usually right of way and utility relocation. That's the part that slow.

Kevin Harrison said I just want to be prepared for a building project.

Someone asked do you know the timelines for Garvee? How long does it take to put that in motion?

Kevin Harrison said I've actually had mixed answers on whether we can do it or not. someone at ALDOT said we could do it and someone said that we couldn't The Alabama infrastructure bank is only cities and counties are eligible. MPO's are not eligible. So, there's other ways you can do that. I just wanted your input. Just thinking about preparing for a backlog of projects, and not have an obligational authority to do

Representative Wilcox said so your recommendation is to investigate whether Garvee bonds would work and the cities would have to do that on their own because it is not something you could do.

Kevin Harrison said I'm just letting y'all know that I'm investigating because I would hate to have 2024 come along because if we have McFarland, Celeste and Airport ready to go and the state say you got to wait to 2025 because we can't give you obligational authority.

James DeLapp said history show that's probably not going to happen based on what we know., but I think it's good that we you know. We can at least get prioritizing if we had to make a tough call. Someone's going to have to hold up their project a year or so. It'll probably naturally do that on its own based on history of right of way acquisition and other challenges.

Kevin Harrison said I am going to investigate it and this will come back to you all.

Someone said I would want to know the answer to the question what is the entity that's going to protect obligation of Garvee's? Where's the company? Who's going to repayment obligation.

Kevin Harrison said if it's to the infrastructure bank, it's the state. if it's a separate bond...

Someone said that's part of the investigation,

Kevin Harrison said yeah. But I do know that if we do it through the Alabama infrastructure bank, and then the obligation authority doesn't apply through the state so the state would be in favor of it. There's a lot of investigation that has to be done.

The next item on the agenda was old business.

Kevin Harrison said I don't really have this is kind of old and new business. But the bridge, there will be a joint information only meeting on July 27th at 2:00 pm at 5 Rivers Delta with the Mobile MPO and the Eastern Shore MPO. It is advertised as a joint meeting and everyone is welcome to come. We'll have probably a 30-minute presentation from ALDOT to kind of give everybody a report an update on the Bridge and Bayway project.

The next item on the agenda was new business.

Mary Beth Bergin said I'm kind of excited our contractor for the Government Street CMP started today. Actually, they're out under the interstate at Canal Street starting with a fiber installation. It's going to be several months before they're done, but we're working on the shorter-term solution with the DOT to get some improvements in Government Street but ultimately that's the objective is to get Government Street working better into the tunnel.

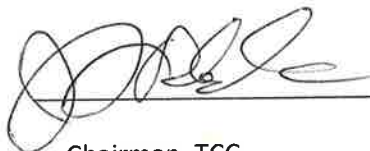
John F. Rhodes asked a question about the traffic light at the tunnel and Causeway near Austal. Is that signal on any kind of synchronization?

Brian Aaron said it is now. It was not synchronized but it is now. We actually implemented that right before the fourth I believe so we are seeing improvements there. And you can get a lot of gains from exactly what we're doing. So, for very little money, I think it was a couple \$100,000, maybe 150. You know, you're getting good gains, and versus spending \$40 million to widen that road, you know. So that's what you're going to see out of these programs that we're doing that this board approved sometime back with the RTOP programs, that's what you're going to see improvement from these on their performance for Government like this based on what it was before July 3rd.

With no other business, the meeting was adjourned.

ATTEST:





Chairman, TCC

Date 7/28/2021