

MPO Minutes

July 28th, 2021

MPO Members Present:

Hon. William S. Stimpson
Hon. Connie Hudson
Bryan Kegley
Hon. Fred Richardson
Linda Johnson rep. Hon. Barry Broadhead
Hon. Howard Rubenstein
Hon. Brandon Van Hook
Jamon Mosley for Damon Dash
Matt Ericksen
Rob Middleton
John F. "Rickey" Rhodes
Hon. Mark Barlow
Hon. George E. McCall, Jr.
Hon. John Williams

MPO Members Not Present:

Hon. Don Nelson
Hon. Jimmie Gardner
Brad Lindsey
Hon. Henry Barnes, Sr.

TCC/CAC Members Present

Edwin Perry
Brian Harold
Nick Amberger
Jamon Mosley
Mary Beth Bergin
James DeLapp
Jennifer White
Ricky Mitchell
Kim Sanderson
Newton Cromer
John Murphy

TCC/CAC Members Not Present

Hon. Margie Wilcox	Shayla Beaco
Bob Harris	Mike Black
Shilo Miller	John Blanton
Jennifer Denson	Donald Watson
Christienne Gibson	Merrill Thomas
Dr. Laura Cepeda	Frank Williams
Rhonda Gullede	Dennis Sullivan
Essie Johnson	James Jacobs
Fernando Billups	Chris Curry
Brian Harold	James DeLapp
Nancy Hewston	Jason Franklin
Cade Kistler	Jeff Zoghby

Guests Present:

Drew Davis
Candace Cooksey

Staff Present:

Kevin Harrison
Tom Piper
Anthony Johnson
Monica Williamson

The meeting was called to order by Mayor Stimpson.

The second item on the agenda was to approve the minutes of the July 14th, 2021 TCC/CAC meeting. Motion was made by Newton Cromer with a second by John Murphy. Motion was approved.

The third item on the agenda was to approve the minutes of the June 2nd, 2021 Mobile MPO meeting. Motion was made by Commissioner Hudson with a second by Bryan Kegley.

The fourth item on the agenda was to approve the modification to the 2020-2023 Transportation Improvement Program with STP Attributable Funds, Resolution 21-019.

Kevin Harrison said the first resolution in your folder is 21-019. This is the MPO funds, the STP attributable and this is from McGregor. It's kind of a shuffling around the funds but at the same time a cost increase for the construction. The utilities I think are being included into the construction for 1.5. Anytime a project is removed from the TIP, it's got to have MPO approval. At the same time. We've had a cost increase on construction from 3.3 to 8.6 million. Anytime there's a cost increase of over 5 million it requires ya'lls approval. So that's what we have in front of us today. The city's here. Nick, do you want to talk about the cost increases and update on the project with McGregor?

Nick Amberger said part of the increase was the collapse of utility project into the construction so that 1.5 is really added to the 3.4. And then there was an additional lighting project. We're in the midst of real estate acquisition, we've acquired a little over 50% of properties there. It's 43 parcels that have been acquired. If you could imagine if any one of a number of scenarios. Were still pushing through with that and hopefully, you know, once the real estate acquisition is done. Again, obviously, there's each one of those, each one of those real estate transactions can derail the project. There's several of them that are tied up with clients. If you have a mortgage on a piece of property, you just don't get to sign over the right of way. So, you have a mortgage and a second mortgage you're having to deal with multiple banks.

Mayor Stimpson called for a motion. Motion was made by Councilmember Williams with a second by Commissioner Hudson. Mayor Stimpson asked for any other questions of Nick.

Mayor Rubenstein said I noticed the cost went from 3.3 million 8.6 million. Where will the extra money come from?

Nick Amberger said the cost comes out of the attributable funds. The match portion of that is currently pay as you go funds city funds.

Kevin Harrison said Mayor, later on in the agenda, we'll get to the attributable funding schedule.

Mayor Stimpson said okay, any other questions? All those in favor of resolution signify by saying aye.

Resolution 21-019 was approved.

The next item on the agenda was to approve the ALDOT/MPO requested modification to the 2020-2023 Transportation Improvement Program with TAP Funds, Resolution 21-020.

Kevin Harrison said Resolution 21-020 is the TAP Funds. This is for Mobile County. These were through a competitive process in 2019 and were awarded we didn't have projects in 2020. Ya'lls project in 2021, got lumped in with the state's projects in terms of federal approval. So, we're expecting to hear by October 1st, the federal approval for your last application. We're going to have a pre-agreement meeting as soon as that happens. So, these are for the 2019 funds so they get the TIP and once authorized, Mobile County can get started on them. They're ADA curb cuts for various locations in the county.

Motion to approve Resolution 21-020 was made by Councilmember Williams with a second by Commissioner Hudson. Motion was approved.

The next item on the agenda was approve the ALDOT/MPO requested modification to the 2020-2023 TIP with Bridge Funds, Resolution 21-021.

Kevin Harrison said this resolution is for bridge funds. These are funds spent the state's discretion and this is PE and engineering for I65 in Saraland over 158. PE is 120,000 and the construction is 1.2 million. ALDOT is here if anybody has any questions concerning this project.

Motion was made by Mayor Rubenstein with a second by Bryan Kegley to approve resolution 21-021. Motion was approved. The next item on the agenda was to approve Resolution 21-022, ALDOT/MPO requested modification to the TIP with National Highway Funds.

Kevin Harrison said this resolution is for National Highway Funds spent at the state's discretion. This is actually June 2nd when we approved the I-10 Mobile River Bridge into the TIP. We had a project for PE for 44 and a half million dollars, that takes the place of this project. So, the PE has been deleted for \$52 million. So just like previously, anytime there's a project deleted, whether it's, you know, a million or 52 million, it requires ya'lls approval. At the same time utilities for the I-10 Mobile River Bridge, as I understand it was pushed into the construction that we approved on June 2nd. Is that correct?

Mayor Stimpson said Edwin's nodding his head, yes.

Motion to approve Resolution 21-022 was made by Commissioner Hudson with a second by Councilmember Williams. Motion was approved. The next item on the agenda was to approve the FY 2022 Unified Planning Work Program, Resolution 21-023

Kevin Harrison said this resolution is for our Unified Planning Work Program. It's this document right here. It's a rather thick document. I've emailed y'all the link several times in the past. We reviewed this at the June 2nd meeting. This was on the agenda, I reviewed the schedule of funds with you on June 2nd. This is the full document it's been approved by ALDOT. Typically, I'd mail these out to you, it's pretty costly. And so, if there's any discussion on how I've done it this time, we can talk about it. But I emailed y'all the link to hopefully review. As we discussed the June 2nd, when we reviewed the schedule, it's basically our funding, I have increased travel. 2020 we did not have a lot of travel because of COVID. So, in the budget, I've increased travel and then the long-range plan, since it was complete in 2020, I've decreased that amount and put it in other programs. So, if anybody has any questions, I do have copies of it here if anyone wants, we can have a long discussion, but this is basically our budget.

Motion was made by Commissioner Hudson to adopt Resolution 21-023 with a second by Rob Middleton. Motion was approved. The next item on the agenda was to approve Resolution 21-024 for CRRSAA Funds.

Kevin Harrison said Resolution 21-024 is kind of housekeeping. The CRRSAA money, which is the \$3.2 million. The committee has reviewed the projects that were submitted by each municipality. At the last meeting in June, you may recall that we included a single Preliminary Engineering project to do the engineering for all of them for \$227,000. Federal Highway Administration is scrutinizing this money because it's relief funds. They've requested that we have seven different PEs with the seven construction projects. If you recall, we had, for example resurfacing in the City of Saraland, as one of the project descriptions, various streets in the City of Saraland. Certainly, that's commonly done when some of these federal projects but the Federal Highway Administration is scrutinizing these and they want a detailed description of the streets being resurfaced. So as an administrative modification, which staff is allowed to do, is that the second page here is the construction that ALDOT has come up with for the description of each one of those construction projects. And the PE matches that so what we're doing today is we're adding the seven PE projects with the lengthy description, and we're deleting the one PE that it is replacing. At the TCC meeting, I asked everybody to review a map. There's a map at mobilempo.org that Anthony has created of all these projects. I have not heard back from anybody whether the map matches the project. So, I think I think we're pretty good on that. I think Anthony did a good job on that map. That's what the resolution is doing. And as I understand it, the consultant will be on board soon and hopefully we'll get this project started.

Commissioner Hudson said I'm curious. Does this increase the cost?

Kevin Harrison said no, this does not increase the cost. So, we do have a situation where if one of these projects is not, or one of these roads can't be done, we're going to have to come back to, to the MPO. And that's, that's a problem. It's work. But I mean, it's just the Federal Highway Administration is requesting this. So, there will be seven

different funding agreements. Each one these municipalities, Saraland, Prichard, Chickasaw, Satsuma Creola, Bayou la Batre, if there is a project overrun on some of these projects, then that municipality is going to be responsible for those cost overruns. If there's a cost under run, which may happen, if we don't spend all the money, we have to 2024 to spend all this money and these are resurfacing projects that go pretty quick, I think we'll have time to go back to the table by 2024 and select from some of the projects that were submitted that weren't funded. We had more projects from the seven municipalities submitted that we weren't able to fund. So, we've got kind of a plan for that.

Mayor Rubenstein said I have a question. If Saraland has a project underrun, will that save be specifically for another Saraland project or go back in the CRRSAA pot?

Kevin Harrison said it'll go back in the CRRSAA pot. The CRRSAA committee tried to remain very equitable and in how much each of the city's got, really, basically centerline miles and population.

Mayor Rubenstein said my only concern is that it takes away any incentive for an individual municipality to try and get their projects done economically, because basically, if we do a good job getting our project done under budget, basically, in my opinion, would it be worth considering letting us have that money for our waiting projects that we weren't able fund.

Kevin Harrison said we can certainly, the CRRSAA committee can go back and review how some of this is done. This has never been done before.

Mayor Rubenstein said and that's why I'm suggesting.

Kevin Harrison said okay. We'll have to see if there are costs underruns.

Motion to approve Resolution 21-024 was made by Mayor Rubenstein with a second by Bryan Kegley. Motion was approved.

The next item on the agenda was a discussion of the 2020-2023 TIP.

Kevin Harrison said in your folder is the 11 by 17 of the STP Attributable funds. I like to review this with you every time we meet. We do have a carryover in 2020 of \$48 million. It looks like we have a lot of money. But I want you all to recognize the 2024, which we're not required to show, we're only required to show 2020 to 2023. The next TIP, which will be 2024 to 2027, we are already negative \$10 million in that outer year. I want you to recognize Airport Boulevard, the right of way, is in italics, 1.5 million just got pushed back from this year to next year. I guess there's a possibility that the construction can be done in 2023. If it gets pushed back that outer year, 2024, we're going to have a large number of projects. And some quick math here, in 2022, 2023, and 2024, there are \$90 million with projects. We've programmed \$10 million here. Here's my fear, that we're going to have all these projects ready to go in 2024, and ALDOT is not going to give us the obligation authority to spend that money. What obligation authority is, is that the state gets about \$890 million a year from the federal government, Congress says you can only spend \$890 million. If they bring that back to the MPOs we're only going to be able to spend \$10 million a year. Here we've got \$90 million of projects in the next three years. So, I'm afraid, this backlog of projects can be problematic in the next TIP. What I've also included that I'm looking into the Alabama transportation infrastructure bank loan program. There's a possibility that if some of these projects are funded through the infrastructure bank, it doesn't go against the obligation authority to the state. So, I've had a conversation with Jeff Hornsby, who's the chief finance officer for ALDOT if this is a possibility. He said, this is a new one on him. So, this is something, if we can do this, there's a variety of ways we can do this. With STP attributable which is apportioned federal funds, can be used to pay back the infrastructure bank, then when that Celeste Road project is done, ready to go, start construction. McFarland Road is ready for construction, start construction. There won't be any delays because of obligation authority. So, we have time to look into this. We have time to think about this. If we're not allowed to do that, if the Alabama infrastructure bank legislation says it can be paid back with tax only, then we can do a cooperative or something like that, then y'all

can apply for it and then we can have an agreement with us where the MPO attributable pays y'all back for it. So, there's a variety of ways that we can do that. My fear is that we're just, these federal projects that get pushed back, and they're stacking up. And I'm afraid of what might happen when they stack up and we can't fund them because of obligations. So, I might be overly cautious, maybe too cautious, but it's something that I wanted to bring to your attention for perhaps the next TIP in 2024.

Mayor Stimpson said Kevin, I'd say thank you, everybody for looking forward like that, because we don't want to wake up two years from now not having been thinking about and not be able to do these projects. These projects have been on the books too long to get a surprise. So, thanks for the warning.

Tom Piper said when a project is ready for the construction to be authorized, we need to go to Montgomery and say we need obligational authority for \$27 million dollars or whatever. We need to be proactive in doing that first. You know, it may be the district state says okay, you give us a heads up and we know we need this money, you need this this obligation authority. So, we can budget, but we need to know when the project is ready to go.

Kevin Harrison last year, it was actually two years ago, ALDOT kind of warned us for Zeigler Boulevard It was \$20 million. They said we may not have that 20 million obligation authority to give you. So that's the only time it's been kind of hit home and this might be a problem.

Mayor Rubenstein said I'd also like to thank Kevin for being proactive toward to this. As we discussed the last meeting, our Celeste Road project is so bad that there is anything we can do to work with you to help make that happen, we will certainly do that.

Bryan Kegley said Kevin, the way I understand this approach, we would approach the State and the State would actually foot the additional monies and provide that to the MPO through the Garvee program and we would repay the state with our attributable funds as they become available. Is that correct?

Kevin Harrison said in the general sense, yes, but the ALDOT chief executive finance guy is working with me on trying to figure something out. Like I said, he said this is this is a new one on me. Never been done.

Bryan Kegley asked would there be any requirement for the sponsoring agency agreement with the MPO?

Kevin Harrison said could be. We're in the figuring out states right now. It could be an agreement with SARPC. It could be the agreement could be the MPO. It could be the agreement could be with each individual agency. Now, it goes back to what's in the legislation for the infrastructure bank and how to interpret it.

The next item on the agenda was an update from Volkert on the Mobile Area Major Road Plan.

Kevin Harrison said every now and then, we get carryover funds from UPWP that we don't spend and we have a third-party contract. We've had several in the past; the US 45 feasibility study, the downtown mobility study. With carryover funds, we've decided to do a major mobile area road plan. So, when the City of Mobile pulled the planning jurisdiction back to the city limits, that kind of left Mobile County with not really a way to preserve their right of way. That can be done through a major road plan. We had consultant selection committee, selected Volkert to do the project, and it is underway. So, I've invited Drew Davis here to just give a quick update on the Mobile County Major Road Plan.

Drew Davis said you have a little front and back fact sheet we've developed for the plan. We're early in the process, about two months in, so not much of an update today. But just to kind of give you a background. SARPC selected us to do a major road planning map. And the city told me that their plan is limited to the corporate limits. So, we're looking primarily at the unincorporated areas within Mobile County. But that's in conjunction with the municipality's comprehensive plans, try to be in line with those as well. But primarily, the unincorporated areas of the county with the horizon year of 2056, 30 years out. Looking at regulatory components and guidance that will provide basically

the county to preserve right of way for transportation and future transportation projects within the county. So, again, we're early in the process, we've developed some regulatory components and case studies and background information, and compiled that data. And we're moving forward with an evaluation of existing conditions right now. And then looking at the future conditions. So, if you flip to the back that will kind of show you the process underway, that we've developed for this. We anticipate that of stakeholder input, these MPO meetings, meeting some of that, and then also formal public meetings, just public in general, but also stakeholders as well. And then we've had a kick off meeting with SARPC, as well in conversation with Bryan from the County. Kevin, we talked about possibly having a formal review and approval of the MPO prior to the Mobile County Commission.

Kevin Harrison said yeah, for the mayors in the room, your planning commission's will, will be visited by as they are with our Diane Burnett and Nicole Taylor with our staff and they're working heavily with Drew on this so this is going to have connectivity with all the municipalities in the county in terms of their Major road plan. So, each of city's comprehensive plan and subdivision regulations will have connectivity with the county in terms of the major roads.

Bryan Kegley said absolutely. And Kevin, we're in the process of revising our subdivision regulations for the County. We anticipate for the end of the year possibly having those accomplished. And those revised documents will go on and make reference to the major road plan has been adopted by the MPO and will then be incorporated once this document is complete.

The next item on the agenda was old business. There was no old business.

The next item on the agenda was new business.

Kevin Harrison said put on the calendar September 1st, I've got to have another MPO meeting. I've already got stuff on the agenda to be added to the STIP. They did they missed the deadline for public involvement. So, I'm going to have to have another meeting probably September 1st.

Mayor Stimpson said how many attended yesterday's informational meeting over at Five Rivers? Edwin, you did a very good job with your presentation. And, you know, I think some of the questions that were asked was, if there's one that had questions about it would be what's going to happen with the three lanes on restriping? So, we know that the Baldwin County MPO, is there concern that project may last 20 years, and that's causing concern for them. So, they are scratching their head trying to figure out what to do about that. And so, as we watch what they do, we'll pay close attention. And we'll figure out what we need to do to make sure that we're synchronized with them by having a meeting on the first of September, because there are some, some real deadlines that ALDOT has to meet in order to make sure that hopefully we don't lose the INFRA grant. ALDOT will be pushing the Eastern Shore MPO if they have concerns, speak up, and so we'll be paying attention to that and we will, again react accordingly. Any comments or questions?

With there being no other business, the meeting was adjourned.

ATTEST:

Chairman, TCC

Chairman, MPO

Date

Date