

TCC/CAC Meeting August 18, 2021

TCC/CAC Members Present

Edwin Perry
John Murphy
Nick Amberger
John F. Rhodes
Mary Beth Bergin
James DeLapp
Jennifer White
Dennis Sullivan
Shilo Miller
Frank Williams
Nancy Hewston
Ricky Mitchell
Newton Cromer
Jamon Mosley
Shayla Beaco
James Franklin
Jennifer Denson
Merrill Thomas
Brian Harold

TCC/CAC Members Not Present

Mike Black
Bob Harris
John Blanton
Donald Watson
Chris Curry
Jeff Zoghby
Dr. Laura Cepeda
Essie Johnson
Fernando Billups
James Jacobs
Cade Kistler
Hon. Margie Wilcox
Christienne Gibson
Kim Sanderson
Rhonda Gullede

Guests Present:

Brian Aaron

Staff Present:

Kevin Harrison
Anthony Johnson
Tom Piper

Rickey Rhodes called the meeting to order.

The second item on the agenda was to recommend approval of ALDOT requested modification to the 2020-2023 Transportation Improvement Program with REBUILD Alabama Funds, Resolution 21-025.

Kevin Harrison said to let everybody know, as of now, the September 1st MPO meeting is still in person. And that's the chairman's call. I think until the governor makes any formal announcement, I think he still wants to meet in person. That may change, but for now, we are still meeting downstairs in the GM&O building. We had a meeting not too long ago, but some of this stuff came up. This project right here, resolution 21-025 is REBUILD Alabama State funds that come from the gas tax. They still are projects of regional significance and as part of that legislation have to go through the MPO planning process. This first one came in, the preliminary engineering for ready concrete mix paving projects throughout the region. It's got a start date of August 1. And that's for \$250,000. The construction projects for it are for next year for \$400,000 and \$750,000. I know Edwin and Brian Aaron are from ALDOT are here if they want to elaborate or if anybody has any questions. These are for a variety of different places around the

region. They've been advertised. We hadn't had any comments on it and recommendations from ya'll to go to the MPO meeting on September 1st. Are there any questions?

Motion to recommend the resolution to the MPO was made by Newton Cromer with a second by Jennifer Denson. Motion to recommend Resolution 21-025 to the MPO for approval passed.

The next item on the agenda was to recommend approval of ALDOT/MPO requested modification to the 2020-2023 TIP with Bridge Funds, Resolution 21-026.

Kevin Harrison said these are bridge funds. This is a project that is pushed back outside of the Transportation Improvement Program. The first one is construction for a bridge replacement on 43 over Cold Creek. It had a start date of June 2023 and has a new start date for in 2025 for \$5.3 million. So, the project's not being deleted, but it's being pushed outside of the four-year program which requires action from ya'll with a recommendation and then action from the MPO. Likewise, bridge paintings on 65. This was pushed back to November of 2024, which is the fiscal year 2025 for \$2.9 million. Again, the project is not being deleted, but being pushed back outside of the program. And ALDOT is on online, if anybody has any questions concerning this project.

Jim DeLapp said Kevin, I've got one. Just more for background information. I apologize for not looking into this in advance. The CN bridge painting that is being pushed back, who's the lead on that painting effort? And who's paying the 2.9? I guess, we're paying the match. Is that right?

Kevin Harrison said no. Bridge funds are spent at the state's discretion. They are federal dollars and sponsored, in the matches, are provided for by ALDOT, spent at their discretion.

Jim DeLapp said okay. I only asked because we have another bridge, we're trying to, a railroad bridge, we're trying to get painted. And I was curious as to who's doing the lead on that and how it's being done.

Kevin Harrison said Brian, or Edwin, do you have any? Okay. Anyway,

Edwin Perry said those are plans that that we work on here at the design office, and we let those out to contract.

Jim DeLapp said okay. ALDOT has the lead for repainting the railroad bridge. Is that is that what I'm understanding? No. Nick is shaking his head no.

Nick Amberger said It's likely a state bridge over a railroad track, not a railroad bridge over a route.

Edwin Perry said right. These are the bridges along I-65 and other US routes with bridges that we maintain.

Kevin Harrison said I have a quick question. Brian and Edwin. I read recently that some of the state level not at the regional level so I'm not blaming y'all. But at the state level, bridge funds were recently transferred over to administrative funds, I think. I was reading somewhere that they flexed some bridge funds over to administration. Does this have anything to do with that? Is that the reason that these would be pushed back?

Edwin Perry said Kevin, I don't believe so. I think this is just some freeing up some of the funds because we weren't able to let the Tensaw River Bridge this fiscal year as we planned. So that project got moved to this coming fiscal year of 2022. And since that's such a large project in our bridge replacement program, we had to adjust with some of our other bridge priorities.

Kevin Harrison said I understand that these are spent the State's discretion. I would just hate for bridge funds being flexed over for administrative purposes, to take away from projects in our region without us knowing about it or the MPO being alerted to it. Alright, thank you.

Nick Amberger said I do have a question for Edwin. The Cold Creek, is that the bridge right there at the exchange (inaudible) on US 43?

Edwin Perry said the Cold Creek is Mobile County/ALDOT (inaudible due to static)

Nick Amberger said I couldn't remember which one it was. I was thinking it was the one right there at (inaudible). I did a lot of work with FHWA trying to figure that out and figure the interchange out with that. So, I think this must be the one up there then by the you got the kind of the dual bridge right by the railroad trestle that's parallel to it.

Edwin Perry said yes.

Motion was made to recommend approval of Resolution 21-026 by Nick Amberger with a second by Jim De Lapp. Motion approved. The next item on the agenda was discussion of the 2020-2023 TIP.

Kevin Harrison said this is our discretionary funds that we spend in the MPO. The italicized are things which changed in the past month, that I want to bring this to everybody's attention, because and we spoke about it at the last meeting, the, right here 2022 2023. Right here, that's \$90 million for the projects that we have to fund. 2024, right here, is not in bold, because it's not required. 2020 to 2023 is actually where we are required to be fiscally constrained. Down here, we've got a balance of \$15 million. But we do not have enough money in 2024. So even some of these projects are going to have to be pushed out to 2025. The projects are ready. We've talked to some folks about what to do about it, but before I talk about the Alabama Infrastructure Bank, I always like to present this to y'all, if y'all have any questions. This is the MPO STP attributable funding for the next couple of years. Does anybody have any questions about this? About the STP attributable funding schedule?

Nick Amberger said not so much a question, but I have a comment I'll share with the group. Our City of Mobile Dauphin Street, Sage to Spring Hill. You know, we're working as hard as we can with ALDOT and FHWA, but literally, I think FHWA is trying to reinvent the wheel, and in then literally, it's probably not a bad thing, because it's pretty, pretty complicated project, but that bridge over the interstate and what to do with that, you know, do we do have a divergent diamond or put pedestrian bridges on it? I mean, it's, it's we're having a peel that onion back very, very, very hard, very, very methodically to satisfy FHWA. And, quite frankly, I don't see that project and just being realistic about it come into fruition in 2023. So that one probably will, that's a big dollar amount probably will slide out, unless we get to the point where we can just say we've got either to rescope the project and just do the stuff within the city's right of way as opposed to, ALDOT, or it doesn't appear to be ALDOT as much as FHWA, if they force the issue with the bridge, and the project's going to probably double in size, if that bridge has to be

widened. So, there's, there's a whole lot of unknowns on there still. Again, we are we've got our heads down trying to bust through the minutiae of it. But I, currently, my guess would be. it's not going to be a 2023 project.

Kevin Harrison said okay. You know, we're almost at the end of fiscal year 2021. Believe it or not, next month, I mean, October 1st, really starts fiscal year 2022. And halfway through 2022, we're going to have to start developing the 2024 to 2027 TIP. So, by the end of 2023 you know, we'll have to have the 2024 to 2027 TIP and we're going to have to be at a positive balance. Right now, the FAST Act is, there's a house bill that, you know, exclusive of the infrastructure bill, they've got to figure out the next transportation funding bill. There's been a couple iterations of that. One of them is the FAST Act is one that's that Almost replicates funding of the FAST Act. And if that's the case, we can probably assume level funding of 2024 to 2027. So, is there any other questions concerning this? Because I want to move on to the next item, the discussion of the Alabama Infrastructure Bank, which is directly related to this.

With no other questions, the next item on the agenda was discussion of the Alabama Transportation Infrastructure Bank.

Kevin Harrison said he infrastructure bank, you know, I mentioned it last time, and having Celeste road right here at \$17 million. McFarland Road, Three Notch, Airport. I know the county has said that, you know, this looks like it's on track. But right of way and utilities just got pushed back. This is another \$10 million, that as a as a potential to be in 2024. And now, Nick telling us that the \$7 million is going to be here. That's \$50 million in 2024. That we're not going to get the obligation authority for. What I mean by that is the State of Alabama, all states, they can't spend, but I think 93 or 94% of what they actually get funded. So, if the state gets \$900 million, they can they can only spend 800 and something million dollars. That obligation authority, I don't think that they're going to give us that obligation authority to spend \$50 million in 2024. So, we have looked into the Alabama transportation infrastructure bank, and September 1st at MPO meeting we will have on hand, Louis Cardinal and Alice Jackson, from Thornton, Farish. the Alabama, the Bank, I'm going to call it, it's a new program. We're the first MPO to have ever even questioned about it. This is the memorandum that came out in May of 2021 or a couple of months ago and the revenues from the bank come from diesel tax and motor registration fees. And it's about \$250 million a year, there's a \$5 million minimum, there is no maximum. It can have terms up to about 40 years. I asked if we can fund the I-10 Mobile River Bridge with this. And they kind of laughed at me No, that's not what it's set up for. It's really set up for counties. There're 38 counties that do not have a credit rating. This way, those counties that don't have a credit rating with the state can borrow money, at a double A rating with using the bank, but it can work for MPOs a couple different ways. This is brand new territory. So ALDOT and Thornton Farish are kind of looking at ways that they can help this problem that I think we're going to have in the next TIP. One of them, Tuscaloosa just created the Tuscaloosa county road improvement committee. And that committee is in charge of applying for roads to the bank, and then funding the roads to the bank. Another example Saraland for example, that \$17 million Saraland could apply to the bank. And they have to guarantee the project with levy tax. That's one of the as I interpret legislation, the apportioned MPO federal dollars are not eligible to repay the loan. So as an example, Saraland could apply to the bank for Celeste Road, have a guarantee against some tax, gas tax, lodging tax. And then the MPO has a funding agreement to reimburse Saraland. That's actually a possibility because the MPO doesn't own that project. Saraland owns Celeste Road, the county owns McFarland, City of Mobile owns Dauphin Street. That's one way it can be down and when that \$17 million project is authorized, that doesn't go against the obligation or authority to do it because we can

only program \$10 million a year. And, you know, some of these projects are way larger than that. Another way that they're looking into doing is possibly a cooperative district that can benefit from borrowing from the bank. So, these guys, Louis Cardinal, and Alex Jackson are going to be present to the MPO on September 1st. And, you know, it's actually beneficial for all the cities and the county to be introduced in the bank, not just for MPO projects, but for any other projects that y'all might be willing to do. So, they'll be on hand at the September 1 meeting. That's really all that I know about it. And if anybody has any questions, you know, I can try to answer them or they might be good questions, you can email them to me, and we can present those questions at the September 1 meeting.

Newton Cromer said question. So, setting up a regional cooperative district, that's what they are going to be talking about?

Kevin Harrison

Well, there's a lot of different cooperative districts. That's kind of what Tuscaloosa did. They created a Tuscaloosa County Road Improvement Committee. Now, that's strictly for Tuscaloosa County, because Tuscaloosa county is the one applying to the bank and levying taxes to repay the bank. But there's a committee structured in Tuscaloosa to do that. That's one way to do it. I don't suggest we need to do it that way. The other one that they suggested to us is create a cooperative, to where, you know, maybe several cities could form a cooperative, levy a tax, municipalities don't need the legislative authority to levy a tax that can go back and pay the loan. I don't think they want to do that. I don't suggest we do it that way, either. I think if we have a large project, like a Saraland project or the McFarland road project, I think it would be clean and easy if that sponsor applied for the project. And then there'll be a funding agreement over the next 10 years, or hypothetically 10 years, you know, a certain amount of STP attributable from the MPO to repay the city that they repaid the bank. Does that answer your question?

Newton Cromer

That answers my question.

Mr. Rhodes

The next item on the agenda was an update on the CRRSAA program.

Kevin Harrison

I've asked Brian Aaron, to present to us an update on the CRRSAA projects. These are the projects, as you all may recall, that the last MPO meeting, Federal Highway required us to add the names of all the streets in the description. So, for example, Saraland, here's the PE. And then here's the construction in the cost estimates for each one of the projects. Brian Aaron, do you want to give an update, and if there's any news that you might want to present to the committee.

Brian Aaron said I can. The update on the status, Neal Schaffer has been selected. ALDOT has been negotiating fees with them. We are almost complete waiting on the final draft to come in from Neal Schaffer. Once we get that finalized, we will go ahead and get the request for consultant set up and approved and give Neal Schaffer notice to proceed with design activities. So that being the case, you know, we're still looking at an early, I would say, an early spring letting. These should be relatively easy set of plans to put together but we will, as indicated previously, we will need all of the required federal documents in terms of encroachment notices, right of way clearances, etc. Previous to the letting reminder, ALDOT will be executing a funding agreement with each of the cities who are receiving the CRRSAA funds. And so, your local agencies, be on the lookout for those funding agreements to be coming in the near future from ALDOT for execution, which basically puts the city on the hook for any overruns outside of the available CRRSAA funds. Good news to share. Information came earlier this week, initially, we were directed that we would be charging indirect cost to these projects, this is pretty typical. On any federal aid project, when ALDOT lets them that equates to about 13.6% of the cost, we were informed that indirect will not be charged on these projects. And so that is putting an additional, roughly about \$400,000 back into the kitty to be spent on additional resurfacing of projects in the cities. And so that that was a good decision. And good news to be able to share with everybody, we're going to be able to potentially do more projects with this money.

Kevin Harrison said thank you, Brian. Nick, Brian Aaron, and Bryan Kegley, and I are the CRRSAA committee, and how to proceed with that, I think the best course of action would be to let these cost estimates come in and get these initial projects done. And then have another call for projects to see really how much money we have left over. This money can only be spent on these projects. And if we don't, we're going to lose it, they can't be flexed over to our regular STP attributable. So, I think that would be the best course of action is to get these projects done, at least to the point where we'll know exactly how much money will have left over. With \$400,000 we may have surplus from this first rounds we may have up to you know, who knows, it could be \$600 or \$800,000. So, any comment on that? Any disagreement with the with how to proceed with that extra money?

Nick Amberger said just a general comment, I think it'll be really important for Neel Schaefer to make sure they get a real good engineer's estimate, make sure that the that the unit prices that they're doing reflect the most recent project that's been let, probably in the city or the county and in probably put 10% on top of that. Everything we've seen let has probably gone up by that much.

The next item on the agenda was old business.

Kevin Harrison said we have a couple items under old business, the Mobile Area Major Road Plan is underway. They are working with the county. SARPC has met with them. Drew Davis gave y'all an update from Volkert at the MPO meeting so I don't I don't expect another update at the September 1st meeting. But the project is underway and on schedule. Another item of old business at the June MPO meeting the chairman wanted more communication between the Eastern Shore MPO and the Mobile MPO and ALDOT. In that first update from ALDOT to both MPOs was July 27th. In talking to the Eastern Shore MPO that meeting, should we have it every quarter, every two months and it was felt that we should have it every two months. So, the next meeting will be at the end of September, tentatively

September 20th at Five Rivers. I have to make sure that everybody's schedule is clear with that so tentatively put that on your calendar. Edwin did a great job updating everybody on that. Edwin, do you need anything from the from us?

Edwin Perry said I mean, you know, right now, we're just still trying to work off a little bit of what I talked about last time we met with I think we finalize getting the team together and you know, we're still in the middle of getting all the traffic data. You know, I would think any additional support or direction, mainly directional on what the MPOs feel like, would be a good phase one scope for us to look into as we gather this traffic data and make these updates, I think would really help me out with what we're trying to put together as far as a project for the area.

Kevin Harrison said you want us to, you want the MPO to provide y'all with a letter on how to proceed?

Edwin Perry said I think a letter would be great. You know, that would be able to make sure I'm looking at exactly what the MPOs want me to look at.

Kevin Harrison okay, we can have that done at the MPO September 1st meeting.

Rickey Rhodes said do we need a motion for that?

Kevin Harrison said yeah, we can have a motion. I mean, really Edwin, what we have to proceed is already in the long-range plans was adopted. And we can just provide that in a letter to y'all how to proceed with what's included in the long-range plan.

Edwin Perry said that's right. And you know, I think what you know what you're talking about with the letter and you know, I think a lot of things have just been talked about from what's been passed in the long-range plan and just to kind of have a clear direction. Like you said, I think it would be helpful.

Kevin Harrison said yeah, Rickey, I think if we had a motion in a second to recommend on September 1st, to provide ALDOT with would be helpful.

Motion was made by Newton Cromer with a second by Nick Amberger to recommend the MPO send a letter to ALDOT. The next item on the agenda was new business.

Kevin Harrison said I really don't have a whole lot of new business except for the September ALDOT update on the I-10 Mobile River Bridge which most likely will be September 20th at two o'clock in the afternoon at Five Rivers and that will be another joint MPO information meeting only. September 1st again, like I said, we have, we don't know if it'll be a virtual meeting. But right now, as it stands, it is a in person meeting so be prepared to wear masks.

With no other business the meeting was adjourned.