

**Mobile Area Transportation Study
Metropolitan Planning Organization and
Technical Citizens Committee Meeting
April 1, 2009, 10:00 a.m.
SARPC Boardroom**

MPO Members Present

Mr. Russell J. Wimberly
Mr. Vince Calametti
Comm. Mike Dean
Mayor Sam Jones
Mr. Tyrone Parker
Comm. Mike Dean
Ms. Betty Donald (Rep. Mayor Ken Williams)
Mr. Joe Ruffer
Mayor Byron Pittman
Mr. Norman Walton
Councilman Troy Ephriam
Mayor Ron Davis
Mayor Don Nelson
Mayor William Stewart

TCC Members Present

Ms. Tywanda Jackson
Mr. Russell J. Wimberly
Mr. Jackie Glasgow
Ms. Ginny Russell
Ms. Betty Donald
Mr. Steve Perry
Ms. Lindsay Hutchisson
Mr. Nick Amberger
Ms. Margie Wilcox
Mr. John Bell
Ms. Jennifer White
Mr. Gerald Alfred
Mr. John Murphy
Mr. Bill Metzger
Mr. Thomas Hughes
Mr. James Jacobs
Mr. Ricky Mitchell

Guests:

Mr. Neal Howard
Mr. Mark Barlow
Mr. Don Powell
Mr. Jim Harper
Mr. Thomas Briand
Mr. Chris Miller
Mr. Bryan Kegley
Mr. Donnie Brown
Mr. Dan Murtaugh

MPO Members Absent

Mayor Don Nelson
Mayor Stan Wright
Councilman William Carroll
Councilman Reggie Copeland
Mr. Mark Bartlett
Mr. Robert Jilla

TCC Members Absent

Ms. Sandra Forbus
Ms. Jennifer Denson
Mr. Donald Watson
Mr. Joseph Threadcraft
Mr. George Crozier
Mr. Bert Hoffman
Mr. Randy Delchamps
Mr. James Foster
Mr. Bryan Kegley
Ms. Casi Callaway
Mr. Janic Terry

Advisory Members Absent

Ms. Alfredo Acoff
Mr. Craig Thomas
Mr. Cornell L. Tatum
Mr. Dave Harris

Staff:

Mr. Kevin Harrison
Ms. Monica Williamson
Mr. Thomas Michie

MPO 4/1/2009

The meeting was called to order by Mayor Sam Jones.

The second order of business was to approve the minutes from the meeting on February 4, 2009. Motion was made by Mr. Norman Walton and seconded. Minutes were approved.

The third order of business was to approve the minutes from the March 18, 2009 TCC/CAC meeting on Motion was made by Mayor Ron Davis with correction on page 23. Ferry Road should be McCrary Road. Approval of minutes was seconded by Mr. Norman Walton. Minutes were approved.

The next item on the agenda was to consider modifications to the FY2008-2012 Transportation Improvement Program as proposed by ALDOT for the Job Access Reverse Commute Funds – Rural.

Mr. Kevin Harrison said these are Job Access Reverse Commute Funds. They are transit monies. There are two pots of JARC money. One is urban JARC money which is available through the WAVE Transit. They are the direct recipients of the JARC. They create a program management plan and from that they create a program of projects. This JARC money is actually the state's JARC money. It's rural. Bayou La Batre vans even though Bayou La Batre is inside the urban area, the service area for these vans are outside the urban area. Bayou La Batre has \$55,000 for capital, \$22,500 for operating the vans. They have three years to spend the money. The other JARC project is for our CommuteSmart project.

Ms. Monica Williamson said our CommuteSmart program is a ridesharing program. We are using the JARC funds to provide our Emergency Ride Home in Baldwin County for people who live and work in Baldwin County.

Mr. Harrison said and those parts of Mobile County that are not urban; Grand Bay, Mt. Vernon, Citronelle, Dauphin Island. If anybody commutes to those parts of the county, we will be able to provide them with an Emergency Ride Home if they are a registered carpooler. That's what this money is for.

Motion was made by Commissioner Mike Dean with a second by Mayor Ron Davis to approve the resolution for modifying the FY 2008-2012 Transportation Improvement Program with regards to rural JARC funds.

The next item on the agenda was to consider the modification to the FY 2008-2012 Transportation Improvement Program as proposed by ALDOT for structure demolition at various locations with National Highway System Funds.

Mr. Harrison says this involves several dilapidated houses to be demolished with National Highway System Funds. I really don't know a whole lot about that, but perhaps the division might can tell us.

Mr. Calametti said yes, these are properties that we have purchased but that the project is forthcoming. Just to clean the areas up. I think there are four on US 98. There's two on Mobile Street and three in Spanish Fort and one on I-10 and County Road 13. Just clean them up so they won't become a problem.

Motion was made to accept the modifications by Mr. Joe Ruffer with a second by Mr. Norman Walton. Motion passed.

The next item on the agenda was to consider modification to FY 2008-2012 Transportation Improvement Program as proposed by the TCC/CAC for the STP attributable funds.

Mr. Harrison said as you may recall the MPO not only votes on all federal transportation dollars that comes to the area, but the MPO also gets the privilege of scheduling one pot of money which is called the attributable funds. Since December, our attributable pot of money which is behind the resolution, the schedule of projects, has been out of balance. We are required to keep a positive balance. As you may recall, in January, the TCC/CAC met. We moved some projects around and created a positive balance, but we weren't quite sure whether the Airport Boulevard project was going to come in high or low. We anticipated it coming in low. At the February meeting, if you remember, we tabled moving Zeigler Boulevard, Cody to Schillinger out because we weren't sure how much money we were going to be left with. The TCC met March 18th, and we still had a negative balance. We had a negative balance of \$1.3 million in 2010 and \$1.1 million in 2011. These are the projects that were moved out. Zeigler Boulevard, Cody to Schillinger. Utility and construction was moved from 2011 to 2012. McDonald Road, North of I-10 to Old Pascagoula Road was moved into the four year schedule for a \$1 million from 2012 to 2011. The right of way from McGregor, from Dauphin Street to Eslava Creek was in the outer year, 2012, we moved up to 2011, \$2 million. If you look on the schedule of funds, the stapled sheet behind the resolution, there are some strikethroughs and italicized numbers. The first one, #6, Zeigler Boulevard, Cody to Schillingers was in 2010, the right of way of \$846,648, we pushed that back a year to 2011. We added 4%, \$877, 393. That doesn't require a resolution from the MPO that can be an administrative change. What does require resolution from the MPO is moving it into the outer year which is 2012. Utilities and construction you see a strikethrough in 2011 and are italicized in 2012. Likewise, project #8, the construction of McDonald Road, north of I-10 to Old Pascagoula Road, \$1 million, that was in the outer year and moved up to 2011 for \$1 million. Project #9, the PE for Dauphin Street from Sage Avenue to Springhill Memorial Hospital that was in 2010 from \$300,000 and was pushed back to 2011 for \$312,000. Project #10, the preliminary engineering for Three Notch Road, Schillinger to McDonald, \$280,000 was pushed back to 2011 for \$291,200. On the next page, we had a remainder of about \$2 million so we were able to push up McGregor,

Dauphin Street to Eslava Creek from 2012 to 2011. Once we made those changes, we had a positive balance in the outer year of \$63,000 so we are now fiscally constrained. I don't know how long that is going to last, but that's what resulted from that March 18th Technical Coordinating/Citizens Advisory meeting.

A question was asked about FY 08.

Mr. Harrison said this is the current funding schedule and it is actually 2008 to 2011. We are required to update this actually every four years and we will update all the rest of the years also.

Mr. Wimberly asked when you move something up a year why do you increase it by 4%, but when you move it from 2011 to 2012 you don't increase by 4%?

Mr. Harrison said actually that outer year is wish list and we are not required to add that 4%.

With no other questions on the modification, Mr. Joe Ruffer made a motion to approve the resolution with a second by Mr. John Bell. Motion passed.

The next item was to consider the modification to FY2008-2012 Transportation Improvement Program as proposed by the Wave Transit for ARRA Transit funds.

Mr. Harrison said these next two resolutions involve the 2009 American Recovery and Reinvestment Act. The first one is going to involve transit dollars. The state received \$53 million in transit from the ARRA. It was disbursed using the 5307 formula. Mobile received \$4,090,571. One percent of that has to be used for enhancements. Since it was disbursed using the 5307 formula, the WAVE Transit is the designated recipient for 5307. WAVE Transit spent the money as they saw fit and I think the rolling stock of \$3.8 million is for 10 buses. Other capital items is \$249,000 and Mobile Bus Enhancements for \$40,906. If you have any questions, Mr. Tyrone Parker is here with the WAVE Transit.

With no questions, Mr. Norman Walton made a motion to approve the resolution with a second by Mr. Vince Calametti. The motion was approved.

The next item was to consider the modification to FY2008-2012 Transportation Improvement Program as proposed by the Mobile MPO TCC/CAC for ARRA Highway Funds.

Mr. Harrison said this next resolution in your folder pertains to the Highway dollars. The state of Alabama received \$513 million from the 2009 American Recovery and Reinvestment Act. \$43 million of the \$513 million went towards large MPOs. \$11 million went to Mobile MPO. On March 18th, the TCC met. We sent out a request for projects and this is the last sheet in your folder. We received about \$34 million worth of projects. After a 3 hour meeting on March 18th, we hashed out and developed this list of projects which is a fair and equitable project list for the Mobile MPO area. These projects have to be authorized within one year. By March 2, 2010, these projects have to be obligated or authorized. The money is use it or lose it. If we don't use it, we can lose it.

Commissioner Dean said we can use it.

Mr. Harrison said some of the projects are going to have their preliminary engineering done with the ARRA funds. We decided at the TCC meeting that those cities that have their preliminary engineering, their plans and environmental work done, funded with this pot of money, they will have four months from today, today is April 1st, so August 1st, they will have four months to have the PE, have a consultant hired and the preliminary engineering underway. If they don't, then that money will go back into the pot to be redistributed.

Mr. Harrison continued these are the projects. The first two projects are sidewalk improvements for Bayou La Batre. The PE and construction for Bayou La Batre totaled about \$298,000.

Mr. Powell said I thought we eliminated the PE for that.

Mr. Harrison said you are right. If I could make a correction to that resolution. The total construction for the sidewalk improvements along 188, from Alba School to Arnett Street will be \$298,000 with no PE.

Mr. Harrison said the next two projects widen existing lanes on Viaduct Road, east of Mike Box Bridge to Southern Ionix, the City of Chickasaw. Those two projects includes PE and Construction for a total of \$535,000.

Mr. Harrison said the next five projects, install LED traffic signals and pedestrian signals, replace Michigan Avenue Bridge, resurface Springhill Ave from McGregor to I-65 and from I-65 to Moffett Road, and adjust signal timing at various traffic signals. Those five projects from the City of Mobile totaled about \$4.86 million.

The next page the City of Prichard, resurface Main Street from Prichard Avenue to Branch Avenue. Those two projects, the PE and Construction totals about \$949,000.

The next project roadway striping and marking for Celeste Road from State Route 13 to Lafitte Road, \$150,000 for Saraland.

The next project is for the city of Satsuma; resurface Baker Road from 65 to US 43. Those two projects total \$298,000.

The next three projects resurface McCrary Road from 98 to Lott, resurface Howell's Ferry Rd from Snow Rd to Cody, and resurface Irvington Bayou La Batre Hwy from 188 to US 90. The three county projects total \$3.75 million.

The next project restripe Deadlake Rd from 43 to 65 in Creola and restripe Radcliffe Road from 43 to 1 mile west of Creola city limits for \$100,000.

Then the Technical Coordinating Committee also recommended two vans to the Mobile Association of Retarded Citizens for \$67,860.

Part of this as far as stimulus, these projects totaling \$11,006,128 has about 157 direct jobs and 173 indirect jobs so about 330 total jobs based on these projects.

There are going to be reporting requirements with this money. It's going to be information that the contractor is going to have to get to ya'll. All the reporting requirements are not out yet, but they will be posted on the webpage.

Cost overruns with these projects. It was decided in the meeting that they should be the responsibility of the sponsor so if there are underage's, that will go back into the pot until March 2, 2010. After March 2, 2010 that money is use it or lose it. As I understand it, the state can do the CE&I for these projects for 15%, but somebody has to do the engineering and inspection on the projects.

Mr. Walton asked if these projects are subject to the 5% gross receipts tax through the state since the money came from them.

Mr. Harrison said I am not aware of it.

Mr. Calametti said I would think so. I would check first, but I think so.

Mr. Walton said that 5% gross receipt tax is on the total on the job.

Mr. Harrison said I do know that the 11% indirect normally charged for projects, not MPO projects, but other type projects, that state's projects, that 11% indirect will not be charged to these projects.

Mayor Jones said would you clearly explain the lose it or use it provision.

Mr. Harrison said whatever is left of this \$11, 006,128, what is not obligated or authorized, if we don't obligate it, it goes not back to the state, but back to the federal government.

Mayor Jones said well you had here an August 1 date, what is that date?

Mr. Harrison said August 1 is four months from today and it was decided at the TCC meeting that those cities who are doing the plans, preliminary engineering, for these resurfacing jobs with the 100% federal money, if these cities do not have an engineer hired and under contract with preliminary engineering work started, then that money goes back into the pot.

Mayor Jones said okay, so started by August 1.

Mr. Harrison said right because then they will not have time to finish. The problem is the federal requirements to hire a consultant to get the work done, takes time. A year really isn't a whole lot of time when you are doing hiring a consultant to get the plans done, environmental work and then hiring a contractor to do the actual work.

Mr. John Murphy said and again Kevin, we need a definition of either authorized or obligated for that period of time.

Mr. Harrison that would be at the state's discretion. The state is letting these projects.

Mayor Jones said I think John's right. We need a clear definition of what that means even if it's from the state because that is somewhat subjective. I think we need a clear definition especially if it is going to come to a point where some action is going to be taken if somebody doesn't do something at a certain time. I think we need to be very, very clear on what they have to accomplish by that time. Whether we get that later or get that now, I think it is going to be important for all the cities and the county and everybody to get that definition.

Mr. Calametti said Mayor, that's still a moving target with us, that definition. I would rather get an official for the MPO's projects.

Mayor Jones said the reason I say that is important because if it's a moving target for you, then August 1 is going to be a moving target too. I just think that as soon as we can, we need to clarify that especially, I would think for cities who don't have engineers on staff who have to really do some other things to meet these deadlines, I think it will be real important that we have a clear definition for that.

Mayor Davis asked the funds that come in underbid and there is an excess, it goes back into the pot. What do you do with that that goes back into the pot?

Mr. Harrison said we will have to come together again as a Technical Coordinating Committee to redistribute. I don't think we are going to have a whole lot of money that is going to come in under.

Mayor Davis said I understand that. I'm just saying hypothetically, if it does happen, you are saying we have to come back together and redistribute those funds.

Mr. Harrison said hypothetically, if the city doesn't have an engineer underway, working on preliminary engineering in four months for these resurfacing projects, that's going to go back into the pot for redistribution. Now the City of Mobile or Mobile County or somebody else may already have plans done for a project that is ready to go. That money would be eligible to be used on that project.

Mr. Wimberly said but the TCC would still have to meet and recommend to the MPO for moving that project into the process.

Mr. Harrison said that has to be done under the TCC and approved by the MPO before that happened.

Mayor Davis said and I'm saying with the impression that all of these projects are done that is in the list and they bid out and some come back underbid. You have a collection of them come in underbid and you have money that's going back into the pool. I'm asking would we have to come back to redistribute those \$100 or \$1000, that's what I'm asking.

Mayor Jones said the TCC would have to meet again and go through the same process.

Mr. Harrison said or if there is left over money that could be used if a project goes over, but that's not going to last very long. That's probably something else that the MPO is going to have to vote on because the cost overages are the responsibility of the project sponsor.

Mayor Jones said is there any prohibition that if there are leftover funds, that the TCC can make a decision that it is used for an overage in projects. Is there a prohibition against that?

Mr. Harrison said no.

Mayor Jones said so there is a possibility that if we have some projects under and some over, you would come back and redistribute and cover some of the overages.

Mr. Harrison said that's correct.

Mayor Davis said that's exactly what I want to hear with that.

Mr. Harrison said there's actually, if there is cost overages, attributable funds can be used for those overages, but I don't recommend that because we've got now only \$63,000 in the outer year.

Mr. Wimberly said wait now. If there are overages, we don't have to come back as an MPO to approve that because the sponsor is going to take care of the overages unless we want to use attributable funds to take care of that.

Mr. Harrison said no, I said that is eligible.

Mayor Jones said if the sponsor is not capable of doing that and there are funds left over from other projects, what I was asking you is, is there any prohibition against the TCC saying okay, we want to help this sponsor complete this projects with whatever is left over.

Mr. Harrison said that wasn't brought up in the TCC.

Mayor Jones said but you would have to meet again anyway.

Mr. Harrison said yes, we would have to meet again anyway.

Mayor Davis said I would just recommend that is something to be talked about because if you got it there and somebody has overruns, why would you hold that and have to send it back when it can go back into the pool and cover those expenses.

Mr. Murphy said I think everybody on the TCC wants to spend all this money and if that is a scenario, we would be fortunate to have money leftover, we would want to spend it. We wouldn't want to let it get back to Washington, that's for sure.

Mayor Jones said if it's at the point where the overage is greater than what's left, then I guess the sponsor would have to assure the TCC that they have the balance of it prior to

the TCC contributing to that part of it. I think that option is wide open depending on what the situation is after the bids on them.

Someone asked if ALDOT is going to be able to help these cities with the bids so the consultant selection process is not so long.

Mr. Calametti said we do have an alternate method of selecting the consultant basically that the sponsor can request through the director for the alternate method and then the director can approve for them to choose one of our on call consultants and that will cut the time down. If we are going to do that we need to hit the road running real quick and we urge you to contact us very quickly.

Mr. Wimberly asked Vince how many on call consultants do you have listed.

Mr. Calametti said roughly six.

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Mr. Powell said in the division we have six. Statewide, and I don't know how that works, there is more.

Mr. Calametti said we have contract capabilities with them. We can get the ball rolling real quick.

Somone asked Vince was the percentage on CE&I for ALDOT, the administrative cost, is it 15%, is that the percentage that needs to be budgeted.

Mr. Harrison said if the state does it.

Mr. Calametti said if the state does it. Typically it is 15. If it's a smaller bridge, it can be 10 or it could be 8. We'll set that during the plan review.

Mr. Murphy said I thought at the TCC meeting we were told that the state was going to let these projects and that they were going to do the CE&I.

Mr. Harrison said Mr. Doolin at the state told me that's not so. The state can do it, but they are not requiring that the state does the CE&I.

Mr. Murphy said so what does it take to get the state to do it.

Mr. Calametti said that is something that we need to discuss. We also have a big workload but then again we have on call consultants that I think we are all going to have to pull from to get all of this work done in timeframe that we have.

Mayor Jones said it is going to be real important that we actually know what the state will and won't do because of the timing we have here and I would think that all of the cities, the county and everybody needs to know that because everybody is setting up their program based on what you can or can't do.

Mr. Murphy said the twelve months actually started in March so we've already lost some of it.

Mr. Calametti said we have processes that will allow us to pull from our on call signed contracts and our on call CE&I contracts. With that, I think we could handle just about everything, it's just a matter of us all getting together and getting it scheduled.

Mayor Jones said so when do we get together, today or tomorrow. I think that you are going to find that everyone wants to keep from missing the deadline so I think everybody is going to want to get started as soon as possible.

Mr. Murphy said the first thing that has to be done is an agreement from ALDOT. Is the process already started once the approval gets done. Is ALDOT going to immediately start sending us the agreements for each sponsor to sign?

Mr. Powell said they should be. All these projects are in CPMS, they've been entered into the system, that's what those 1000 numbers on the left side are so Jim Doolin should be working on agreements.

Mayor Jones asked if there were any further questions on this modification.

With no questions, Commissioner Mike Dean made a motion to approve the resolution with a second by Councilman Troy Ephriam. The motion was approved.

There was no old business.

Mr. Harrison said I have several items under new business. I've got some communication from MPO members to include members to the Citizens Advisory Committee: Mr. Sam Rawls from Chickasaw and Mr. Tom Briand from Satsuma. I would like to see those reflected in the minutes if there is no objection to those members being included to the Citizens Advisory Committee.

There were no objections.

Mr. Harrison said April 8th from 3 to 5 in this room, the MPO is going to have an open house. I encourage you all to attend, please attend. We have sent out about 450 invitations to this. It's our attempt to educate and it's an outreach to the public as to what an MPO does; the planning process, the transportation planning process, how federal transportation dollars are spent. One of the highlights of the open house is the University of Alabama-Huntsville will be here to tell us their findings on our freight study so we now have freight as an element to our long range plan. We have the ability to model trucks, to validate the model of trucks and forecast freight movement from Mobile. They will be here to discuss that as well as Federal Highway Administration and ALDOT to talk about Federal Transportation dollars. Also under new business.

Mr. Wimberly said wait, what were those times again.

Mr. Harrison said from 3 to 5, April 8th.

Mr. Wimberly said correct me if I am wrong but that is also the Mobile City County luncheon date.

Mayor Jones said that is at 11:00.

Mr. Harrison said also the WAVE Transit has requested that the TIP the
If you look at the Transit section in the TIP there are four categories of Transit funds; bus facilities, transit buses, preventative maintenance, and enhancements. They are renaming those categories to match their reporting to Transit Rolling Stock, Station Stops and Terminals, Support Equipmnet Facilities, Bus Signal Communication, Other Capital and Enhancements. It does not require a resolution. This is just an administrative change that they are renaming the categories in the Transportation Improvement Program.

Mr. Wimberly said if you haven't signed the sign in list for our records please do so before you leave.

There being no other business, the meeting was adjourned.

ATTEST:

Chairman, TCC

Chairman, MPO