



September 9, 2015

MEMORANDUM

TO: Birmingham Metropolitan Planning Organization (MPO) Policy Committee

FROM: Honorable William Parker, Secretary /s/

**SUBJECT: Meeting Minutes
September 9, 2015**

A regularly scheduled meeting of the Birmingham Metropolitan Planning Organization Policy Committee was held on Wednesday, September 9, 2015, 1:30 p.m., in the RPCGB, Juster Conference Room (Suite 310), Two Twentieth Street North, Birmingham, AL 35203.

MEMBERS PRESENT

Honorable Thomas Henderson, MPO Chairman, District 3, Jefferson County Municipalities
Mr. Tim Westhoven, MPO Vice-Chairman, District 4, City of Hoover, Jefferson County
Honorable William Parker, MPO Secretary, District 1, City of Birmingham
Honorable Valerie Abbott, District 1, City of Birmingham
Honorable Allen Armstrong, Blount County Public Transportation
Mr. Cletus Beard, District 6, St. Clair County
Mr. Dan Biles, Unincorporated Jefferson County
Mr. Andre Bittas, District 1, City of Birmingham
Mr. Randy Cole, District 5, Shelby County
Mr. Greg Dawkins, District 1, City of Birmingham
Mr. Fred Hawkins, District 1, City of Birmingham
Mr. Scott Holladay, District 5, Shelby County
Honorable David Jones, District 6, St. Clair County
Mr. Tom Magee, District 1, City of Birmingham
Honorable Roger McCondichie, District 3, Jefferson County Municipalities
Ms. Christie Hester Pannell, Shelby County
Mr. Clyde Rice, St. Clair County Public Transportation
Mr. Mark Bartlett, FHWA, Non-Voting Member

MEMBERS REPRESENTED BY PROXY

Honorable Tommy Alexander, District 3, Jefferson County Municipalities
Represented by Ms. Donna Blackman

Honorable Lindsey Allison, District 5, Shelby County
Represented by Mr. Randy Cole

Honorable Delor Baumann, District 3, Jefferson County Municipalities
Represented by Mr. Jim Byram

Honorable William Bell, District 1, City of Birmingham
Represented by Mr. Kevin Owens

Honorable Jerry Brasseale, District 3, Jefferson County Municipalities

Represented by Honorable Roger McCondichie

Ms. Lisa Cooper, City of Birmingham

Represented by Mr. Andy Mayo

Honorable Mark Hall, District 5, Shelby County

Represented by Mr. George Pickle

Honorable Joe Knight, District 2, Jefferson County

Represented by Mr. Zack Brooks

Ms. Johnnye Lassiter, BJCTA, Voting Representative

Represented by Dr. Henry Ikwut-Ukwa

Honorable Gene Melton, District 3, Jefferson County Municipalities

Represented by Mr. Wayne Sullivan

Honorable Lawrence Oden, District 3, Jefferson County Municipalities

Represented by Ms. Dana Hazen

Mr. Allen Pate, District 4, City of Hoover, Jefferson County

Represented by Mr. Tim Westhoven

Ms. Tracy Pate, District 2, Unincorporated Jefferson County

Represented by Ms. C. J. McKinnon

Honorable Kim Rafferty, District 1, City of Birmingham

Represented by Mr. Marcus O'Dell

Honorable Jimmie Stephens, Unincorporated Jefferson County

Represented by Chris Willis

Honorable Loxcil Tuck, District 3, Jefferson County Municipalities

Represented by Mr. Ken Jones

Honorable Gary Waters, District 5, Shelby County

Represented by Mr. Jesse Jowers

Honorable Alberto Zaragoza, District 3, Jefferson County Municipalities

Represented by Mr. Conrad Watson

MEMBERS NOT PRESENT

Honorable Kenneth Coachman, District 3, Jefferson County Municipalities

Honorable Marty Handlon, District 5, Shelby County- City of Alabaster

Mr. Harvey Henley, District, 2, Unincorporated Jefferson County

Mr. DeJarvis Leonard, ALDOT East Central Region

Mr. Rod Long, District 5, City of Hoover, Shelby County

Honorable Steve Parsons, District 3, Jefferson County Municipalities

Honorable Gary Richardson, District 3, Jefferson County Municipalities

Honorable Gary Stricklin, Blount County Public Transportation

Honorable Slade Blackwell, Non-Voting Representative

Honorable Kurt Wallace, Non-Voting Representative

Mr. Robert Jilla, ALDOT, Non-Voting Member

OTHERS PRESENT

Mr. Willie Osborne, TCC

Mr. Zak Robertson, Eng. Design Technologies

Mr. Clint Andrews, FHWA

Mr. Christopher Brady, City of Vestavia Hills

Mr. Othell Phillips, Jefferson County Commission

Ms. Becky White, Sain Associates
Mr. Jim Meads, Sain Associates
Ms. Andrea Pickrell, United Consulting
Mr. Brian Davis, ALDOT
Ms. Janet Smith, St. Clair County Public Transportation
Mr. Charles Ball, Regional Planning Commission
Mr. Scott Tillman, Regional Planning Commission
Mr. Mike Kaczorowski, Regional Planning Commission
Mr. Harry He, Regional Planning Commission
Ms. Cissy Crowe, Regional Planning Commission

MPO Chairman Tom Henderson called the meeting to order at 1:30 p.m. A quorum was declared. The meeting proceeded with the scheduled agenda.

INTRODUCTORY ITEMS

Dr. Ikwut-Ukwa moved and Mr. Westhoven seconded to approve the June 10, 2015 meeting minutes. The motion passed on a voice vote.

PUBLIC INVOLVEMENT REPORT

Ms. Cissy Crowe and Mr. Mike Kaczorowski presented the Public Involvement Documentation report from the July 15, 2015 Public Involvement Meeting on the Air Quality Conformity Determination for the FY 2016-2019 Transportation Improvement Program and Amended 2040 Regional Transportation Plan (RTP) Capacity Project Listing.

The meeting documentation included outreach procedures, information presented at the meeting, as well as a summary of comments and questions received. Ms. Crowe reported an increase in attendance and a broader representation of underserved citizens. Social media is being used more as an outreach procedure. The overall evaluation of the meeting was very good and well received.

Mr. Kaczorowski reviewed the comments/responses received during the 21 day comment period. Several of the comments related to the Northern Beltline but the majority of the comments were related to the Cahaba Beach Road Bridge project. Comments received during the comment period were forwarded to ALDOT and each individual project sponsor.

Mr. Osborne, Vice Chairman of the TCC reported that the TCC recommended moving this forward to the Policy Committee. Mr. Dawkins, Chairman of the TTC reported that the TTC recommended moving this forward to the Policy Committee. Councilor Abbott moved and Mr. Bittas seconded to accept the Public Involvement Meeting Documentation. Motion passed on a voice vote.

Air Quality Conformity Determination Resolution

Mr. Osborne, Vice Chairman of the TCC reported that the TCC recommended moving this forward to the Policy Committee. Mr. Dawkins, Chairman of the TTC reported that the TTC recommended moving this forward to the Policy Committee. Councilor Abbott moved and Mr. Westhoven seconded to accept the Air Quality Conformity Determination resolution. Motion passed on a voice vote.

Amended 2040 Regional Transportation Plan Capacity Project Listing Resolution

Mr. Osborne, Vice Chairman of the TCC reported that the TCC recommended moving this forward to the Policy Committee. Mr. Dawkins, Chairman of the TTC, reported that the TTC recommended moving this forward to the Policy Committee. Councilor Abbott moved and Mr. Westhoven seconded to accept the Amended 2040 Regional Transportation Plan Capacity Project Listing resolution. Motion passed on a voice vote.

FY2016-2019 Transportation Improvement Program Resolution

Mr. Osborne, Vice Chairman of the TCC reported that the TCC recommended moving this forward to the Policy Committee. Mr. Dawkins, Chairman of the TTC reported that the TTC recommended moving this forward to the Policy Committee. Councilor Abbott moved and Mr. Westhoven seconded to accept the FY2016-2019 Transportation Improvement Program resolution. Motion passed on a voice vote.

TRANSPORTATION PLANNING PROCESS AGREEMENT (3-C)

Mr. Tillman presented the Transportation Planning Process Agreement (3-C) to the committee. This agreement is a modification to the 2008 agreement to bring it in alignment with the Birmingham MPO bylaw changes made in 2012 based on the 2010 U.S. Census information. It also reflects the change from the transportation bill, SAFETEA-LU to MAP-21. This agreement must include mass transit providers (Birmingham Jefferson County Transit Authority) and air quality (Jefferson County Department of Health and Alabama Department of Environmental Management). This agreement is a federal mandate in order to be eligible for federal funding.

Mr. Osborne, Vice-Chair TCC, stated they approved moving this forward. Mr. Greg Dawkins, Chair TTC, stated they approved moving this forward. Councilor Abbott moved and Mr. Westhoven seconded to recommend adoption of this agreement by the MPO. Motion passed on a voice vote.

FTA SECTION 5310 FY2015

Ms. Land presented the following information for the funding request for FTA Section 5310 FY2015. In order to fulfill the obligated balances for the Travelers Aid project a request was made for the Birmingham Jefferson County Transit Authority that they be funded in the amount of \$57,000 under this years' FY2015 5310 programs.

Mr. Osborne, Vice-Chair TCC, stated they approved moving this forward. Mr. Greg Dawkins, Chair TTC, stated they approved moving this forward. Councilor Parker moved and Councilor Abbott seconded to recommend approval of this request to the MPO.

ADA COMPLIANCE

Mr. Clint Andrews, Planning and Program Team Leader, FHWA, presented the following information on required ADA Compliance in order for transportation and transit federal dollars to continue to flow into the Birmingham MPO Metropolitan Planning Area (MPA).

- Why the ADA exists

- Legal background
- Five Titles of ADA
- Title II – State and Local Governments
- Barden vs. Sacramento Conclusioin
- “Grandfather” Clause or Small Entity Exemption
- 28 CFR 35.105 Self-Evaluation
- Self-Evaluation Basics
- “Self-Evaluation” – “Transition Plans” – “Program Access”
- SUMMARY – Title II – State and Local Governments
- Transition Plan Elements
- Self-Certification requirements in 23 CFR 450.334
- MPO Self-Certification requirements related to ADA
- USDOT ADA Regulation 49 CFR 27
- What authority does the MPO have?
- What are the statutory bases MPO self-certification in the planning process

Mr. Tillman expressed his concern that ALDOT did not discuss this with staff of the Birmingham MPO prior to sending out a letter. This MPO is the largest in the state and the deadlines stated in the letter puts a hardship on the MPO. Mr. Andrews stated that the MPO can use allocated dollars to fund the task. Mr. Tillman pointed out that the 2016 UPWP has been adopted and the letter arrived just after adoption so there is not a Task in the work program.

Mr. Tillman stated that the ALDOT letter said “member governments” of the MPO and asked for clarification. Mr. Andrews stated that all government entities in the MPA will have to provide documentation of meeting this requirement not just the voting members of the MPO. He further stated that if one entity fails then all dollars will be halted.

OTHER

Chairman Tom Henderson reviewed the upcoming meetings. Other Committee meetings in September are cancelled and the Policy Committee meeting in October is cancelled.

With no other business, the meeting adjourned at 2:20 p.m.

APPROVED:

Honorable William Parker
MPO Policy Committee Secretary

Date