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MOBILE COUNTY COMMISSION

The Mobile County Commission met in a special session in the Government Plaza Auditorium, in the City of Mobile, Alabama, on Monday, March 7, 2016, at 10:00 A. M. The following members of the Commission were present: Jerry L. Carl, President, Merceria Ludgood and Connie Hudson, Members. Also present were John F. Pafenbach, County Administrator/Clerk of the Commission, Jay Ross, County Attorney, and Joe W. Ruffer, County Engineer. President Carl chaired the meeting.

INVOCATION

The invocation was given by Glenn L. Hodge, Deputy Administrator.

AGENDA #1

AUTHORIZE PRELIMINARY AWARD/ARBOURS AT MCFARLAND/
SUPPORT APPLICATION/ALABAMA HOUSING FINANCE
AUTHORITY (AHFA)/2016 LOW INCOME HOUSING TAX CREDITS
(LIHTC)/PROPOSED FAMILY DEVELOPMENT/HOME FUNDS/
AWARD TO MOBILE COUNTY/U. S. DEPARTMENT
OF HOUSING AND URBAN DEVELOPMENT (HUD)

Commission President Jerry L. Carl: Speakers, if someone ahead of you or behind you is going to give us the same information, trust me, between the emails and the phone calls this morning, I get it, I understand it. For any of you who have sent me emails, I'll make sure that John Pafenbach has a copy of every email that I've received. I've tried to answer every one of these emails, and we will make them part of the record, whatever decision comes from this meeting.

Grants Director Nayyer Mahdi: Good morning, Commissioners. Today, we have a special meeting for approval of a preliminary award to Arbours Valley Development, LLC, to develop a 70-unit family rental housing which is very close to Cottage Hill Road, it is near McFarland Road, 2825 is the exact address of this project. This is a preliminary award we are giving to this development. We put out an advertisement of Request for Proposals (RFP) asking developers to send us their proposals when they are going to apply to the Alabama Housing Finance Authority for the 2016 Tax Credit. The Grants Department asked the Commission to approve the advertisement (ad) in September for this Request for Proposals (RFP). We put out this Request for Proposals

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(RFP), and we received three (3) proposals. After doing the underwriting, we believed all of them were very good proposals, but Arbours Valley Development, LLC, had a little edge over the others. Therefore, we have asked the Commission to approve a preliminary award. Arbours Valley Development, LLC, will then go to the Alabama Housing Finance Authority and apply for the tax credit. This is a highly competitive award system. Arbours Valley Development, LLC, is going to compete with all the developers in the State of Alabama. There are going to be four (4) developers, who will be applying from Mobile; one (1) is in the City of Mobile, and three (3) are in the County. Are there any questions?

Commissioner Connie Hudson: The emails I've been receiving, I think there might be some confusion or misinformation about whether or not this is a Section 8 Housing Development and maybe you can explain the difference between Section 8 Housing and what this is. This is under the HOME Program, correct.

Grants Director Mahdi: Yes, this is under the HOME Program. Section 8 is where the rent is subsidized, in other words, the tenant can pay zero for the rent, or they can pay up to fair market value, but it is subsidized rent. Whereas in affordable housing there is no subsidized rent. That's the only difference; that's the main difference. What happens is that we provide funding with HOME funds, for example, HOME funding we provide the funds at the construction level and then the developer has to keep the rent at an affordable rate, in our case, it has to be that affordable for twenty (20) years. The rent rate ranges from four hundred thirty-seven dollars (\$437.00) to seven hundred thirty-three dollars (\$733.00) at the moment. They are allowed to charge between five hundred dollars (\$500.00) to eight hundred thirty-one dollars (\$831.00), which is a fairly good rent.

Commissioner Hudson: What is the qualification? You have to have a minimum and maximum income depending on the number of members of your family, is that how it works?

Grants Director Mahdi: That's right. There is an income eligibility; it depends on the number of family members.

Commissioner Hudson: Do you know what those are?

Grants Director Mahdi: The lowest for one (1) person is twenty-nine thousand nine hundred dollars (\$29,900.00) and for eight (8) persons is fifty-six thousand three hundred dollars (\$56,300.00).

Commissioner Hudson: Anywhere from twenty-nine thousand nine hundred dollars (\$29,900.00) to fifty-six thousand three hundred dollars (\$56,300.00)?

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Grants Director Mahdi: Yes.

Commissioner Hudson: Okay.

Commissioner Merceria Ludgood: A thousand dollars a year, right at thirty thousand dollars (\$30,000.00) up to fifty-six thousand dollars (56,000.00) per year is what these people could earn?

Grants Director Mahdi: Yes ma'am.

Commissioner Hudson: It's based on the median income of the area, and it's a percentage of that. As I recall it was up to about eighty percent (80%).

Grants Director Mahdi: It is thirty percent (30%) and fifty percent (50%) Area Median Income (AMI).

Commissioner Hudson: Okay.

Commission President Carl: So with this much government involvement there are tax incentives, so they are subsidized in some way, it's not a private group.

Grants Director Mahdi: The development is somewhat subsidized, yes it is, but they bring in funding from other sources, too.

Commission President Carl: Okay, all right.

Grants Director Mahdi: I think that will be clarified better by the developer because they are the experts when it comes to the financing part. I can only talk about the HOME Program as such; it's a huge package, and they will be able to describe it better.

Samuel T. Johnston, Arbour Valley Development, Birmingham, Alabama [Slideshow Presentation]: We are with Arbour Valley Development, and we're based in Birmingham, Alabama. There are five (5) partners; myself, David Sumrall, who is from Mobile, Alabama, another partner in Birmingham, Alabama, and two (2) guys in South Florida. We've developed and own about two thousand (2,000) units, it will be in Birmingham sweeping through South Alabama down to about Orlando. We have a management company, we self-manage, Arbour Valley Management. We managed our stuff plus incrementally one thousand (1,000) units that we've been asked to manage with other owners. Being able to self-manage is pretty important because after you build you maintain control over the duration in making sure that property is maintained properly. Arbours at McFarland is a 13 million development that orients toward families. The \$13 million will be largely construction cost, but it also

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includes architectural fees, engineering, reserves, bonds, performance bonds; everything it'll take to put the development together. It's going to be comprised of one (1), two (2) and three (3) bedroom units with about seventy (70) units in total. The development is called small because your typical apartment complex is two hundred (200) plus units, and you get a benefit of economies of scale for the larger you go. This particular unit is going to be small, about 70-units. Brick, cementitious and siding materials that are going into the development are durable, long-term and good looking with a thirty (30) year roof. The developments are meant to last and look good over time. We are going to follow the City's subdivision requirements which mean a certain setback and buffers. We will go through the normal approval process. The next slide is a crazy looking map; the left-hand side is about two-thirds (2/3) of Mobile County, and the right-hand side is not Baldwin County, but it's a magnified portion of Mobile County. On the left-hand side are developments that have been financed through the Alabama Housing Finance Authority for twenty-five (25) plus years and there is something like forty-eight (48) developments. Mobile County gets one (1) or two (2) developments every single year and a lot of people don't know about them. The Allen Housing uses federal tax credits to finance these developments that are based on the area median income; it's a county by county deal. Mobile County income dictates the income level of tenants who move into these developments and the rent levels. It's a program that has been around since the Ronald Reagan Administration, it's part of the 1986 Tax Reform Act, it's not Section 8, but it has been around a long, long time. A lot of people don't know about it, and one thing we say, it's a testament to success because it works. There's accountability. If anything goes south in this development, it comes out of our hide. We have guarantees for construction completion, guarantees for operating deficit if the development were to go in the red; we're responsible. On the right-hand side is a magnified portion around our site, the green circle is where the site is located with a two (2) mile radius. The one thing you will notice within that same area, there are three (3) developments that the County recently supported with a HOME loan. In the City of Semmes, the Baytown Senior Village was a 2013 award, which has been built and is doing well. In 2014, y'all supported Arbours at Pierce Creek at the intersection of Schillinger Road and Ziegler Boulevard, and then a family development, Pelican Landing, over near Mobile Airport. What's before you today is exactly the same type of development, nothing is different. Financing from the Alabama Housing Finance Authority, a conventional bank loan and then, what we are requesting today is a construction loan, it's paid down to about a six hundred fifty thousand dollars (\$650,000.00) HOME loan from y'all. The site location is on McFarland Road south of Cottage Hill Road. The Preliminary Site Plan is when we laid out the site this seemed to be the best layout in terms of

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trying to maintain privacy, the setbacks and so forth. This is a preliminary, and we will go through the normal approval process. If there are tweaks here and there that need to be done, they'll be done. This is a typical building elevation; we envisioned a two-story building. Again, you will see the brick and Hardie board siding, a 30-year roof, materials that endure. We are here today about the six hundred fifty thousand dollars (\$650,000.00) HOME loan, the permanent HOME loan, and construction loan request. The pictures are representing properties of what we have already done. In the upper left-hand corner is an 80-unit development in DeFuniak Springs, Shoemaker Place; the upper right-hand corner is an 112-unit that we did in Pensacola off of 9 Mile Road; the lower left-hand corner which you can't see too well is a 288-unit rehab in Montgomery, Alabama, which we completely repositioned that property; and the bottom right-hand corner is Magnolia Court in Birmingham, Alabama, 240 units, and again we completely repositioned that property. The ones at Magnolia Court were 2005 or so; it's been around awhile, and they still look pretty good. I can address some of the concerns that I'm aware of up front, but I'll hit some of them and then people would probably have some more that I would like to address after I've heard additional concerns if that's okay. When we did our market study, the target market is the southwestern portion of the County; it's the people who live in the area who are going to move in there. In terms of jobs, they'll probably be younger teachers, younger police officers, people who work retail stores. I don't know exactly what they are going to do for employment, but they will have a job, and they will earn up to a certain amount of money to be able to live there. If this development did not have tax credits associated with it and it was an opened market rate development, it would probably have a very similar profile to a market rate development. It's not going to be an exact fit some people may be making upwards forties, but it's going to be largely a similar profile even if it were a market rate. The big difference is with the tax credit; you can build a beautiful development where the construction quality is Class A. McFarland Road is a pretty straight road, and as we go through the permit process the traffic will be addressed by the Traffic Department, and if there are any traffic issues they will be handled at that time, if they are perceived as being a problem. Property devaluation is something where you often hear if you put in one of these developments it's going to devalue our property. The truth is and I'll quote the National Association of Realtors that "the property devaluation is a myth, there is no data out there to support it. There's no long-term negative impact on property value." Princeton University did a study in Mount Laurel, New Jersey, which compared the communities. In the Mobile County area, the median income is about fifty-three thousand dollars (\$53,000.00) and in New Jersey, in this particular community about eighty-one thousand dollars (\$81,000.00). The people were concerned

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about a development, and after these professors had gone there, they determined there was zero impact on the affluent residences in the area. When they compared the surrounding communities' property values and all these other metrics they used, it fluctuated up and down together, in other words, there was no impact. Good management makes a difference, it was noted in the studies. We self-manage because we have better control over the properties if something goes awry, we will know it in real time, and we can rectify it. There are other studies that show there is no difference. We've had personal experiences in Phoenix Springs, which is the picture in the left-hand corner, in a similar situation where the neighbors were upset, we went before the City Council for a site plan approval. The room was packed; people were spilling out of the City Council's room. In particular, there was a man who was so upset his face was flushed, a red faced man; it was very little we could say that would ease him. The City Council supported our development, we moved forward and built it. Three (3) years later, we wanted to go back to build an elderly development. In today's world, the elderly are fifty-five (55) years and older, I'll be there in June. We went back there for their support for an elderly development, I walked into the City Council Meeting, and lo and behold the red faced man is on the City Council. We gave our presentation to the City Council, and when it got around for him to talk and he said, Mr. Johnston do you remember me? I said yes I do remember you. He goes on to say do you remember I didn't want your development here? I said yes I remember. He said after that, I was so upset I decided to run for City Council, and I had one (1) issue on my platform, no more developers like you in our town. So I listened to him, I didn't know what his reaction was, but when it came up for a vote to support us, he voted for us. He said we delivered what we said we were going to deliver, and we've managed it how we said we were going to manage it. So that's just our own testimonial of a City Council member in DeFuniak Springs, Florida.

Commission President Jerry L. Carl: When you say gated community, is that an open gate or a scan gate to get in and out?

David Sumrall, Arbour Valley Development: Scan gate.

Commission President Carl: It will be closed?

Mr. Sumrall: Yes.

Commission President Carl: Okay. We have some horrible drainage issues in Mobile.

Mr. Sumrall: Yes, sir.

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Commission President Carl: That part of my county is certainly no exception. Have we seen any plans or anything as far as that property? We have no idea of what we're going to do with the runoff.

Mr. Sumrall: The runoff will be fine. There is an additional 6-acres that we also will be purchasing behind us, the low lying area in the back and the runoff will go into that area so we will contain all of our runoff.

Commission President Carl: Well I'm a little picky about that I'll have to see it before I believe it.

Mr. Sumrall: I understand.

Commission President Carl: We do have some horrible drainage issues, and we certainly have some down there. My biggest fear is traffic. You have said that the traffic would be addressed, are y'all prepared to four (4) lane that road.

Mr. Sumrall: We will have to adhere to subdivisions requirements of the City of Mobile because we are within 5-miles, so we'll go through their whole traffic scenario.

Commission President Carl: I meant that to be sarcasm.

Mr. Sumrall: Yep.

Commission President Carl: The people now are waiting, that's a horrible intersection for traffic. At 8:00 A. M. and 5:00 P. M., you can't get through there. For people to get to work just a few miles away, they're leaving thirty (30) minutes early because they're sitting and moving one at a time.

Mr. Sumrall: The studies will be done, and we are prepared to do turn lanes if we are asked to do them.

Commission President Carl: What comes first the chicken or the egg? I mean you want approval but you are going to do the study, that bothers me a little bit.

Mr. Sumrall: The City of Mobile's Traffic Department will do the study.

Commission President Carl: How long have y'all owned this land?

Mr. Sumrall: We have it under option to purchase.

Commission President Carl: Okay, you have it under option.

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Commissioner Connie Hudson: As far as what this development would look like, which one of those four (4) illustrations most closely resembles what you're thinking of building.

Mr. Sumrall: The first one we put up that had the brick and Hardie board siding. The entire plan is to have what is known as a 30-year exterior before it needs any maintenance, so it's all brick, concrete sidewalks, and the Hardie board siding is a cement siding that doesn't rot or anything like that. It will get a 35-year roof on it, double paned windows and all the latest energy efficient appliances, air conditioning and so forth.

Commissioner Hudson: Thank you.

Commission President Carl: Thank you.

Jessica Allday, 9540 Cottage Park Court, West Mobile, Alabama: Our major issue is traffic. I take my son to school ten (10) miles away and if I don't leave forty (40) minutes early I'm not going to make it there in time, so our big concern is traffic. Where we live, we already don't have sidewalks; that's another concern for us. You've got these two (2) Cottage Park and Dawes Point; you already don't have sidewalks in so you have parents that have to watch their children during the day because people use them as cut throughs. I know I have to use Dawes Point to cut through in the mornings because traffic is horrendous. This morning I had a wreck to my right and traffic to my left, so my next best option was to cut through Dawes Point. Those types of things are our main concerns.

Commission President Jerry L. Carl: Thank you.

Commissioner Merceria Ludgood: So traffic is already a problem?

Ms. Allday: Yes it is.

Commissioner Ludgood: Have y'all raised that issue before, outside the contacts of this development? Have y'all come to the County or the City or anybody to talk about the traffic situation?

Ms. Allday: I don't know if we have, that's a good question. I will discuss it with my husband.

Commissioner Ludgood: Thank you.

Ms. Allday: Sure.

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Dr. William Foster, 8808 Stillwood Court, Mobile, Alabama: Good morning, I am appearing before you, not on behalf of the Board of School Commissioners of which I am a member, but as a representative of those children, families, and schools that I serve in the Dawes Community. I am requesting you not to allow the development of a 70-unit apartment complex on McFarland Road. I don't know whether you realize it or not, but the dramatic demographic shifts of families to the west of Schillinger Road has created infrastructure problems relating to roads, traffic, and schools. Baker High School has grown from eighteen hundred (1,800) students to twenty-eight hundred (2,800) students over the last eight years. Causey Middle School is seven-tenths (7/10^{ths}) of a mile down the road from this development that has over fifteen hundred (1,500) students, and it is still growing. O'Rourke Elementary School has over one thousand (1,000) students. Hutchens Elementary School and Dawes Intermediate School together, they have over one thousand (1,000) students as well. The proposed location is a significant concern I have, the children who live there will not be eligible for school bus transportation which will exacerbate the traffic problem we have in the area. There are no sidewalks in that area so those children living in the new development would have to be taken to school by their parents, or they would have to walk to school because they will not be eligible for school bus transportation. There are seven (7) apartment complexes within a two (2) mile radius of O'Rourke Elementary School, and they are nice apartments. I don't know whether they're Section 8 or whether they're government subsidized or not. That's not the issue; the issue is the number of its impact on those schools in that area. On behalf of those people who are seated behind me today and on behalf of those children who God has entrusted me to serve, I want to ask you to take this into serious consideration. There have been some other issues brought forward here that did not occur to me before, but as I listened to the gentleman speaking on behalf of Arbours Valley Development, LLC, things came to my mind, and I'll be more than happy to talk with any of you at your leisure about those issues. A reminder to the young lady who mentioned this was not Section 8, it was government surplus or it was government subsidized, we are the government, and the government is subsidizing this kind of thing. Consequently, a reminder, we are the government. Thank you.

Commission President Jerry L. Carl: Thank you very much.

Commissioner Merceria Ludgood: Dr. Foster, based on what we've been seeing looking at population shifts everything is moving west.

Dr. Foster: Correct.

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Commissioner Ludgood: Whether this happen or not that growth is going to happen. I was out there the other day, and there is a brand new D. R. Horton Subdivision going in. I looked at the infrastructure and looked like it is going to be a lot more than seventy (70) families. Are you as concerned or are you doing anything? Is the Board of School Commissioners preparing for this in some way because this seems to have become the ground zero, but none of the issues I hear about are new issues. What I'm trying to figure out, if you don't have this development, you're still going to have the brand new one where they're building housing now. How is this different and what exactly is the Board of School Commissioners going to do to prepare for it because you're going to have growth whether you have this development or not.

Dr. Foster: Yes, ma'am, you're correct, Ms. Ludgood. The concern that I have and once again, I'm not speaking on behalf of the Board of School Commissioners, but I'm speaking on behalf of the representatives of that area. First of all, apartment complexes exacerbate the situation because it draws more into a smaller area. The normal housing, the growth, the aging of the community keeps the school population to an extent after you reached the max, it keeps the school population sturdy, or it slightly declines. Now this is the major shift, and major problems have occurred since the Board committed to the last one hundred million dollar (\$100,000,000.00) bond issue which was five (5) years ago. Baker High School has grown almost to one thousand (1,000) students in that length of time, and we were committed to building new schools in areas where we had to build schools and to renovate schools; several schools within the City of Mobile, within the City of Prichard and Mobile County. A new school at Tanner Williams Elementary to replace a school that's been there one hundred (100) years. We have bonded to the max. What are we going to do? I will tell you what we are going to do; I have no idea because we do not have access to any other funds for the foreseeable future. I believe that the Board of School Commissioners of Mobile County prior to my being a member has done a yeoman's job in terms of building for the community and anticipating building. We're doing the very best we can at this time, and we are just asking that the problem not be exacerbated.

Commissioner Ludgood: So you're saying growth from apartments is bad, but growth from single family housing is not.

Dr. Foster: No, I didn't say it was bad, or that is was not. I said large groups of people in a small area the growth there is not the normal type of growth you have with built homes and you sell homes. It's a much slower process the other way. This way, the more we move into one area, the more it exacerbates the problem. I'm not saying apartment growth is bad, but let's put them somewhere just

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not in the middle of a subdivision or on a road that's going to create issues for those schools out there. I am certainly not asking you to do the business of the school system; we'll do the very best we can with what we have. I'm not asking you to build new schools either, but I'm asking you to be aware of what's happening, particularly, in West Mobile.

Commissioner Ludgood: Thank you.

Commission President Carl: Have y'all considered getting private investors to build schools and lease them back to the school system.

Dr. Foster: We're going to have to do something along those lines. There is no other option we have out there.

Commission President Carl: That will be a wonderful idea, and we have some contractors at the meeting who would probably jump on it.

Jeff Lynde, 2507 Meadowview Drive, Mobile, Alabama: I live in Dawes Pointe Subdivision, and our biggest concern is our neighborhood has become a shortcut for traffic. Shortcuts are for people who are in a hurry, and people who are in a hurry have little to no adherence to speed limits and without speed limits or patrol in the area, the danger exists for a pedestrian to get hurt or worse, a small kid riding a bicycle in the middle of the road to be run over. The discussion would change from additional traffic to the death of a pedestrian or a kid. I live on the main road where folks cut through driving at an ungodly amount of speed. I'm worried about the amount of people a seventy (70) unit apartment complex is going to bring. When they come out, they only have to go less than one-quarter (1/4) of a mile and make a right turn into the subdivision with little regard to speeding. I don't see it getting any better, in fact, I see it getting a lot worse. That is my overarching concern. We talked about runoffs, and it sounds like there is no plan for drainage issues right now. I find it very difficult to understand why we are at this stage in the game looking for approval if we haven't even got that passed. My concern is safety for the residents in Dawes Pointe Subdivision. Commissioner Ludgood, I, and a couple of others in the subdivision have made phone calls to local authorities to no avail. We talked about getting speed bumps and patrolling the speed, but nothing has happened. If traffic were just on McFarland Road, which is straight through, that would be one thing, but in reality for us who live in Dawes Pointe Subdivision, we know that is not the case. Traffic is more than McFarland Road going from Point A to Point B; traffic comes through our neighborhood.

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Commission President Jerry L. Carl: I've gotten several phone calls for speed bumps on the cut through at Valley View Drive.

Marna Grandquest, 9258 Champion Circle North, Mobile, Alabama: I have lived there for two and one-half (2 ½) years, and I love our neighborhood and our community. Over the past couple of years, I've noticed a few things going on in and around our area that I have not particularly cared for, but I understand that everything is moving out west. My concern is transportation, the WAVE is being cut back, and we are not sure there is going to be transportation for the community, the new complex that wants to go in. They said they were going to self-manage, I would like to know how they're going to self-manage and who exactly is going to self-manage? Is it going to be someone in Mobile or is it going to be someone in Birmingham?

Samuel T. Johnston, Arbour Valley Development: This development will have a locally hired manager onsite day in and day out, a locally hired maintenance man on site, and probably a leasing agent. There will be people on site every day managing this development.

Jesse Pettis, 10054 Buttercreme Court, Mobile, Alabama: The O'Fallon Subdivision that is going up across the street has thirty-two (32) homes, which is less than half of what we're talking about here. If you're potentially putting seven (7) people into each of these apartments, that's quite an influx. Cell phones and Google are pretty powerful, wouldn't you say. I pulled up a property you mentioned in your presentation and the first review that popped up read, "My experience with Magnolia Court Apartments was horrible. Please do not move into the building. They allow the tenants to urinate, sell drugs, and drop trash in the breezeway. I've tried talking to management, but they are so unprofessional and maintenance you can hang it up." From one (1) Google, this is the first thing I see. My question to you, are we inviting that into our neighborhood?

Commission President Jerry L. Carl: Very good.

Cole Kennedy, 3011 Olde Gate Road, Mobile, Alabama: My property line will touch the property line of this complex. The 6-acres of drainage are my backyard. We are

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not on a public sewer system, can a seventy (70) complex unit have a large enough septic tank, and if so, I know where it spills, in my backyard. I bought my home four (4) years ago, remodeled it and in 2014 my son was born, about a month later my wife was diagnosed with cancer. She has Stage IV Metastatic Cancer, the same thing Jimmy Carter is battling. Today, I have to put a for sale sign in my front yard, and I can't believe my property value is going to be maintained. I ask the Commission to vote against it.

Commission President Jerry L. Carl: Thank you so much.

Felicia Hester, 9241 Shiloh Drive, Mobile, Alabama:

The definition of culture is the arts and other manifestations of human intellectual achievement regarded collectively. The culture of West Mobile is of hard working people. We're dedicated to our community, and we're dedicated to our school system. We're very, very involved; we're invested heavily. We manage our property and are heavily invested because that's where we pour our hard working money. I speak from the point of experience; I am a former real estate agent for almost a decade. I've managed subsidized housing, and the culture of the people that are looking for subsidized housing is not the same culture of the people of West Mobile. Anywhere from two hundred dollars (\$200.00) to maybe seven hundred dollars (\$700.00) for subsidized rent depending on the collective income doesn't compare to the stake the current residents have in the community. Many of our power bills are what their rent is. They are not contributing to the property tax like we do as single family residents in the community because they are in subsidized housing. They contribute to the overloading of our school system, and they will have a say in everything to do with our school system. Commissioner Ludgood in raising questions, you got seventy (70) units, six (6) people per unit, that's an influx of kids in our school system. My kids attend three (3) of the schools within the County. They are all in portables; some of the air conditioning (AC) don't work. I live within a one (1) mile radius of Causey Middle School, and it takes me thirty (30) minutes to get there. People of the culture of subsidized housing do not have anything to lose in the community; they are not vested. Referring to the Community Development Block Grant, Page 3 of that grant application lists the things that are to be accomplished. One is for housing repairs, rehabilitation, and capital improvement. If a projected proposal will be put out for developers to come in to get approval on this grant, could the Commission

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consider some of the blighted properties and housing needs already existing within Mobile County? If that is not sufficient enough to handle the housing needs, maybe you can take the grant money and use it for improving communities with blighted houses and foreclosures.

Commission President Jerry L. Carl: Thank you very much.

Nicole Crammer, Dutchman Woods Subdivision, Dawes Road, Mobile, Alabama: I live directly across the street from where the development will be built. My sons go to Hutchens Elementary School and Dawes Intermediate School. We are busting at the seams already, and we want our kids to get a good education. If you keep putting more children into these classrooms, we will not have programs like the PACE (Pursuing Academics, Creativity and Excellence) Program if there is overrun in the classroom size. Are we still going to have these programs for our children to help them be better students and to be able to go to college and possibly get scholarships? There are already twenty-two (22) to twenty-five (25) children in a classroom. The issue is not who they are, it is the amount of people at one time moving in and registering their kids to go to our schools. New neighborhoods are being built in our area, but those will not be filled as fast. People who work hard and want to build a home and better their community should have a chance for their children to go to a good school and have opportunities. We will have to add another five (5) to six (6) kids per classroom at every grade. Hutchens Elementary School was overpopulated, and Dawes Intermediate School was built almost immediately. Our area is growing, and we need to figure out how we are going to fund this growth, but I don't think a large influx of people is the answer.

Commission President Jerry L. Carl: Thank you so much.

John Balance, Representative of the Property Owner: I am concerned about the topics discussed relating to income levels, hardworking people, and the stereotyping toward potential residents. Just because some assistance is involved does not mean they are not hardworking people. When the developer goes before the Planning Commission, it will require sidewalks on this piece of property and it will require that this project meets all drainage requirements prior to moving forward. It is not a chicken in an egg. It would have been inappropriate for these folks to design fully an apartment complex today and ask you for your permission to do it. Typically, the

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developers submit their Planned Unit Development (PUD) site plan to the Planning Commission for approval; the Planning Commission approves the developers Planned Unit Development (PUD) site plan subject to drainage requirements. The developer would have to meet all drainage requirements of the County prior to obtaining a permit and doing construction. This property is currently 15-acres, you could build anywhere from three and one-half (3 ½) to four (4) unit per acre of single family homes on this property. You could develop sixty (60) houses. They are no longer building two (2) bedroom houses in Mobile County. If you built sixty (60), three (3) to four (4) bedroom homes, it would equate to about one hundred eighty (180) bedrooms. The unit count for a seventy (70) unit apartment complex versus a sixty (60) single family development is very similar. I don't think we can say it is inappropriate for this type of home based on its density because they are not developing the entire site. This is the normal type of growth that has happened in the real estate business over the last twenty-five (25) years. You have single family homes, retail stores, and multi-families. This is exactly what we are striving for throughout the City and the County. It is smart growth when you do mixed-use development. We are not trying to stick all single family homes in one area and all commercial structures in another area and schools in another place, that increases traffic problems. If you develop pedestrian-friendly communities near schools and near retail shops people could walk. The fact that this site is seven-tenths (7/10ths) of a mile away from a school is beneficial. Kids can walk to school, and they can ride their bikes to school. I have to challenge the County Commission if there is a sidewalk problem the Commission needs to address it. If there is a road problem, the Commission needs to address it. If there is growth out there, are we going to halt growth until the County catches up on the roads or are we going to continue to grow and address those problems throughout every community?

Commission President Jerry L. Carl: To walk to school on the roads is impossible they have deep ditches. I had the same problem in the city at Burriss Elementary School. We, the County, put the money up to fix it. The County does not do sidewalks there are some rare exceptions where we have been able to get some funding, some grant money, it's usually right around the schools where we get the money for sidewalks. It would be impossible for a child without getting in the roadway to walk to and from that school, especially at this point. We are the County and not the City, there are things we don't do. Speed bumps, for example, historically, speed in the County is faster than within the City, where it is a 35-speed limit and a 40-speed limit for us it might be a 15-speed limit in a typical neighborhood. They can put speed bumps in, and if you hit the speed bump at 35 miles per hour, you got some serious problems. You can't compare apples and oranges

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when you start to talk about the County's vision versus the City because we are looking at it from two (2) different directions.

Mr. Balance: I just don't think this project should be held accountable for all these issues out there. If there are sidewalk issues, if there are traffic issues those things need to be addressed and corrected. It's unfair for my property owner not to be able to sell or develop their property until all these other items are addressed throughout the County. That's just the main point I wanted to touch on.

Commission President Carl: Thank you very much. I appreciate the work you do.

Public Question: Where do the owners live?

Commission President Carl: They are commercial developers.

Mr. Balance: It's a family of four (4) siblings; one lives in Montgomery, one lives in Birmingham, and one lives up north.

Commission President Carl: Do you own this property?

Mr. Balance: No. The property owners are from Mobile and are four (4) siblings.

Commission President: They own this property?

Mr. Balance: Yes.

Commission President: Okay, I didn't know that I've learned something.

Brandy Crosby: He talked about choosing between single family homes and apartments, I would absolutely. If we're going to take the government's money to subsidize this housing, I would prefer to put a fifty (50) to sixty (60) single family homes in the neighborhood opposed to an apartment building and help these people become homeowners. Get people in here who will have a stake in the community, who are going to be here for thirty (30) years not people who are at one stop that is renting that is not going to help our community.

Commission President Jerry L. Carl: Okay, thank you.

Michael Butler: Good morning County Commission.

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Commission President Jerry L. Carl: Good morning.

Mr. Butler: Just to touch on what Dr. Foster said earlier when he was speaking about the difference between an apartment complex and single family homes. I recently purchased my home on Johnson Road South, August 2015; I know the process that it takes to purchase a home. It took me about two (2) months to get approved for it. An apartment is pretty much an overnight decision. The vetting process is a little more extensive when you go to buy a home, so that keeps people who may not be able to take care of a home out of it through the extensive process. In an apartment complex being that it is overnight, you have people move in as a bunch and with a home, people stay there for a certain amount of time. I hope you all vote no on it because I don't want that population density to come across the street from my house. There is a cotton field, and I'm afraid it will be turned into a subdivision one day. At what point do you stop when do we say no more. The population density continues to grow, when do we stop it. Hopefully, we stop it right now.

Commission President Carl: We're building a road across that cotton field by the way.

Mr. Butler: To get to the school?

Commission President Carl: Yeah, to get them to the school.

Dr. William Foster, 8808 Stillwood Court, Mobile, Alabama: In 2004, there was a proposed property development in that area there. The plat proposed a 48 lot, 18.8 acres subdivision. If we can only get forty-eight (48) houses on 18.8 acres subdivision, we certainly can't get sixty (60) on a 15 acres subdivision with the surface roads.

David Sumrall, Arbour Valley Development: We will be on the sewer that's been taking care of and approved by Mobile Area Water and Sewer System (MAWSS). Sewer is run through the new O'Fallon Subdivision already.

Commission President Jerry L. Carl: There are a lot of sewer lines that goes to our school system. I built on Schillinger Road, twelve (12) years ago and there was no sewer out there, but I convinced the school system. I paid them a fortune to tap into it, and now Mobile Area Water and Sewer System (MAWSS) owns it. A lot of that's changing and growing with you. They want you on there as bad as you want to be on there.

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Mr. Sumrall: We've applied, and it's all been certified. The funding the County has put forward is HOME money, not Community Development Block Grant money. It has a certain purpose for what we are using it for, and we like to take the HOME money and combine it with these state tax credits. It stretches the County's HOME dollars from six hundred thousand dollars (\$600,000.00) to \$13 million to put in this subdivision apartment complex. There are several people who are vying for these tax credit funds that come out from the State of Alabama, and different organizations will take other funds like HOME funds from the County or HOME funds from the City of Mobile and combine these to move forward. We're being spotlighted here today with the County because we're going to the County for HOME funds. There are other developments that are going to the City for HOME funds that we are competing with, and if we're not successful here, the group that's going to the City for funds is going to be successful. The developer looking for the City is the corner of Cottage Hill and Schillinger Road, and they're looking to put up 80-units called Cottage Hill Place. It's going to impact the schools more than ours is going to impact schools by their sheer numbers and size, they have 4-bedrooms. The group that is doing this is coupled with the City of Mobile Housing Board, and these are going to be Section 8 Apartments. We're trying to use the County money to get the state funds to move forward with our development and if we are not successful, you are going to have another developer at Schillinger Road and Cottage Hill coming in with 80-units that will be a Section 8 Apartment Complex.

Commission President Carl: I have not heard of that project until this morning, that one is totally new. We're going to have to wrap it up, thank you.

Clem Richardson, Principal, Baker High School, 8901 Airport Boulevard, Mobile, Alabama: I've been at Baker High School for 13 years and in those 13 years our population doubled. Our biggest problem with our growth is not the students' end of it, but the logistics of Mobile County has a grant where all students eat free. Our Third Period when we feed lunch is locked in on time. We have four (4) twenty-five minute lunch waves. We feed an average of sixteen hundred (1,600) students a day; that is four hundred (400) kids that have to come in, eat in twenty-five minutes, and get back to their class. On days when there is food everybody likes, we may feed two thousand (2,000), and we are writing passes to students just to get them back to class, and they are missing instructions. So being able to feed our students is an issue, and the growth is an impact. The second is the traffic and the parking; trying to get in and out of Baker High School. We've addressed the problem by opening up a

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football field stadium to enter, and we have two (2) Crossing Guards out in the morning and the afternoon. We have eight hundred twenty-five (825) freshmen who a lot of their parents bring them to school. Traffic and feeding our students, the growth impacts us there and the bigger we get the more impact. We cannot continue to feed or work the traffic problem.

Commission President Carl: Thank you.

Commission Ludgood moved that the Commission authorize the preliminary award of \$1,120,070.00 to Arbours at McFarland in support of their application to Alabama Housing Finance Authority (AHFA) for 2016 Low Income Housing Tax Credits (LIHTC) for a proposed 70-unit family development.

Motion failed for lack of a second.

AGENDA #2

APPROVE EFP-132-16/CONTRACT/
BOARD OF SCHOOL COMMISSIONERS/
ELLA GRANT ELEMENTARY SCHOOL

Commissioner Hudson moved, seconded by Commissioner Ludgood, that the Board approve EFP-132-16, contract with the Board of School Commissioners in the amount of \$31,730.85, from District 1 funds, to purchase playground equipment for Ella Grant Elementary School, and authorize the President of the Commission to execute the contract on behalf of Mobile County.

Motion carried unanimously.

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AGENDA #3

APPROVE RIGHT-OF-WAY AND/OR EASEMENT
AGREEMENT/PURCHASE TRACT 5/
PROJECT MCR-2012-202/CLEBORNE ROAD

Commissioner Hudson moved, seconded by Commissioner Ludgood, that the Board approve the right-of-way and/or easement agreement to purchase Tract 5 in the amount of \$195.96, for Project MCR-2012-202, Cleborne Road, and authorize the President of the Commission to execute the agreement on behalf of Mobile County.

Motion carried unanimously.

AGENDA #4

AWARD BID/PROJECT MCR-2012-204/
OAK CREST DRIVE - GRADE, DRAIN,
BASE AND PAVE/JOHN G. WALTON
CONSTRUCTION COMPANY, INC.

Commissioner Hudson moved, seconded by Commissioner Ludgood, that the Board award the bid for Project MCR-2012-204, Oak Crest Drive - grade, drain, base and pave, to John G. Walton Construction Company, Inc., for their bid in the amount of \$258,471.52.

Motion carried unanimously.

AGENDA #5

AWARD BID/PROJECT MCR-2010-010/
DAWES ROAD/DAWES LANE INTERSECTION
IMPROVEMENTS/H. O. WEAVER AND SONS, INC.

Commissioner Hudson moved, seconded by Commissioner Ludgood, that the Board award the bid for Project MCR-2010-010, Dawes Road at Dawes Lane Intersection Improvements, to H. O. Weaver and Sons, Inc., for their bid in the amount of \$955,173.69.

Motion carried unanimously.

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AGENDA #6

COMMISSION ANNOUNCEMENTS
AND/OR COMMENTS

Commissioner Connie Hudson: I wanted to take this opportunity to thank everyone for coming out today and expressing your views. The point of view of the problems with traffic congestion, safety, and school overcrowding are major issues, and this has been a difficult decision. The apartment complex that is being proposed could benefit a lot of people in our community. It's unfortunate that there was misinformation I think from the beginning that got out. A lot of calls and emails I received referenced problems with other Section 8 Housing and as it was pointed out today this is part of an Affordable Homes Program designed to help people who are near the median income for our community. There are a lot of people that fall into this category. When you talk about the starting pay for Police Officers and half of the people in the Sheriff's Department are below median income at this point and teachers. You got a lot of people who could be positively impacted, but multi-family housing is a problem in our community, and it is a niche that I think these developers are trying to fill, and also they have every right to develop this property. They are asking for tax credits to help to do that, and if they don't receive these tax credits, anybody has the right to come in and develop the property. Growth and development are going to happen it's the future, and unfortunately, there is some downsizing that comes with that and being able to keep up with infrastructure improvements is a big challenge. I understand what all of you have related to us today and for those of you who do not know what has happened, that item did fail for lack of a second. We heard you loud and clear.

Commissioner Merceria Ludgood: In the tone of the emails was one interesting thing they kept saying, low income equals criminality. I have a real difficult time with that because there are so many people maybe even people in this room who haven't always been as one email pointed in a middle-class community. You may not have always been middle class, but just because you weren't making what other people made didn't necessarily mean you were going to have a criminal behavior. You started at a place, and you aspired to something better. Decent affordable housing ought to be available to everybody in this County, and I just find it so unfortunate that a person said there is a culture in subsidizing housing which is just troubling to me, what does that mean. I just believe for the most part people are working, they're going to work every day, they're trying to keep their children safe, they're paying taxes when purchasing their goods; they're using their vehicles, they're paying gas taxes, they're doing what they can. I just think it's unfortunate

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when we label them as somehow undesirable just because of their income status. This is not what I believe this nation stands for; it's certainly not what I stand for. I hope we can get to a point where we look beyond those things that divide us and find out that the average person is just like you, they're just trying to get through day by day. They may not have the resources that you have, but that doesn't necessarily mean they are bad people who are looking for a time they can cruise by and break into your house. That's simply just not so.

Commission President Jerry L. Carl: As a Commissioner of that area the first thing that came to my mind was traffic, and that's all I have focused on was traffic. We have a traffic issue there and to add more to it; one lump sum is problems on top of problems. That is the reason for my vote. I would like to thank everyone who voted for me; I appreciate it. I get another four (4) years of this so hopefully it'll go smoother than the first four (4) years.

AGENDA #7

ADJOURN

Commissioner Ludgood moved, seconded by Commissioner Hudson, that the Board approve a request for motion to adjourn until March 14, 2016.

Motion carried unanimously.

Jerry L. Carl, President

Merceria Ludgood, Member

Connie Hudson, Member

ATTEST:

John F. Pafenbach, County Administrator