

MARYLAND TRANSPORTATION AUTHORITY  
BOARD MEETING

THURSDAY, JANUARY 25, 2024  
9:00 A.M.

2310 BROENING HIGHWAY, BALTIMORE MD 21224  
IN-PERSON & LIVESTREAMED OPEN MEETING

OPEN SESSION

Paul J. Wiedefeld, Chairman

MEMBERS ATTENDING:

Dontae Carroll – Via Telephone  
William H. Cox, Jr.  
W. Lee Gaines, Jr.  
Mario J. Gangemi  
Cynthia D. Penny-Ardinger  
Jeffrey S. Rosen – Via Telephone  
Samuel D. Snead  
John F. von Paris

STAFF ATTENDING:

Percy Dangerfield  
Jeffrey Davis  
Choshena Farmer  
Allen Garman  
Chantelle Green  
James Harkness  
Natalie Henson  
James Kittleman  
Selena McKissick  
Kelly Melhem  
Kimberly Millender, Esq.  
Mary O’Keeffe  
Mark Rappold  
Jerell Reynolds  
Bradley Ryon  
Acting Colonel Joseph Scott  
Deborah Sharpless

OTHERS ATTENDING:

Christopher Heisey, Retired MDTA Senior Officer

At 9:00 a.m. Chairman Paul J. Wiedefeld called the meeting of the Maryland Transportation Authority (MDTA) Board to order. The meeting was held in-person at MDTA Headquarters, 2310 Broening Highway, Baltimore MD 21224 and was livestreamed on the MDTA Board Meeting web page.

**APPROVAL – OPEN SESSION MEETING MINUTES OF DECEMBER 21, 2023**

Upon motion by Member William H. Cox, Jr. and seconded by Member W. Lee Gaines, Jr., the open session meeting minutes of the MDTA Board meeting held on December 21, 2023 were unanimously approved.

**APPROVAL – CLOSED SESSION MEETING MINUTES OF DECEMBER 21, 2023**

Upon motion by Member Mario J. Gangemi and seconded by Member John F. von Paris, the closed session meeting minutes of the MDTA Board meeting held on December 21, 2023 were unanimously approved.

**APPROVAL – OPEN SESSION MEETING MINUTES OF JANUARY 11, 2024**

Upon motion by Member W. Lee Gaines, Jr. and seconded by Member Mario J. Gangemi, the open session meeting minutes of the MDTA Board meeting held on January 11, 2024 were unanimously approved.

**APPROVAL – CLOSED SESSION MEETING MINUTES OF JANUARY 11, 2024**

Upon motion by Member William H. Cox, Jr. and seconded by Member Cynthia D. Penny-Ardinger, the closed session meeting minutes of the MDTA Board meeting held on January 11, 2024 were unanimously approved.

**RESOLUTION – YEARS OF SERVICE RECOGNITION**

Mr. Percy Dangerfield read and presented the Years of Service Recognition Resolution for MDTA Senior Officer Christopher Heisey. On the occasion of Senior Officer Heisey's retirement from his distinguished career of service, the Chairman and Members of the Maryland Transportation Authority Board hereby express to him their most sincere appreciation for his excellence and commitment.

**APPROVAL – CONTRACT AWARD**

- **MT-00210896 – Janitorial Services – Francis Scott Key (FSK) Bridge Facility**

Mr. Jeffrey Davis requested approval from the MDTA Board to execute Contract No. MT-00210896 – Janitorial Services – Francis Scott Key (FSK) Bridge Facility with Alliance, Inc. in the amount of \$2,068,596.34.

Mr. Davis explained that this contract provides comprehensive janitorial services including supervision, supplies, labor, and equipment at the FSK Bridge facilities. This contract will be performed by Community Service Provider Alliance, Inc. The Pricing and Selection Committee approved the rates for these services on December 21, 2023. Janitorial supplies are included in the contract total and the contract specifies that supplies be purchased from Blind Industries of Maryland, also a Community Service Provider.

He also explained that this Contract exceeds the delegated procurement authority of the MDTA; and therefore, will be presented to the Board of Public Works on February 14, 2024.

Upon motion by Member W. Lee Gaines, Jr. and seconded by Member John F. von Paris, the Members unanimously gave approval to execute Contract No. MT-00210896 – Janitorial Services – Francis Scott Key (FSK) Bridge Facility.

**APPROVAL – BOARD RESOLUTION NO. 24-01 – TOLL REVENUE BONDS REFINANCING**

Mr. Allen Garman requested MDTA Board approval of Board Resolution No. 24-01 authorizing the issuance of toll revenue bonds to refinance a portion of outstanding debt for economic savings and reduced risk. The resolution supersedes Resolution No. 23-02 approved in December 2023 to increase the authorized par and expand the targeted bond series to include tender candidates.

Mr. Garman explained the prior Resolution No. 23-02 approved in December authorized refunding bonds to refinance the Series 2009B and 2010B taxable Build America Bonds (BABs) for economic savings utilizing the make-whole call provision. Savings and dissavings characterized in the resolution are typically on a cash flow to maturity basis. However, economic savings projections with BABs should include some estimates for continuing federal subsidy cuts and conservative modeling of projected subsequent refinancing savings derived from the 10-year par call of the refunding bonds, essentially cash flows to the call date and cash flows after the second refinancing to maturity, as the result of a refunding transaction to be authorized in a future resolution.

Before explaining the new provisions outlined in Resolution 24-01, Mr. Garman and Ms. Deborah Sharpless clarified that the proposed BABs refunding should be viewed purely as a risk mitigation strategy (to eliminate the risk associated with the federal BABs subsidy) and that potential future refunding savings associated with the 10-year call option due to the replacement of the BABs with tax-exempt debt should not be considered when determining whether to authorize the resolution.

Mr. Garman went on to state that Resolution No. 24-01 expands the authorization to include economic refinancings for certain maturities of the Series 2017, 2020, and 2021 bonds through a secondary market tender process.

The market dependent refinancings could occur as soon as February 2024 and will be sized to account for the call/tender premiums or discounts, refinancing bond premiums, and costs of issuance, including funding a debt service reserve.

The Executive Director and Chief Financial Officer (CFO) will have the authority to manage the bond sale and closing, including the award of the 2024 bonds to the successful underwriting firm(s) and/or negotiation of terms for a private placement. The resolution also provides for authority to select other service providers and to prepare and execute all closing documents, certificates, and bond forms.

Upon motion by Member Mario J. Gangemi and seconded by Member Cynthia D. Penny-Ardinger, Board Resolution 24-01 was unanimously approved.

#### **UPDATE – LEGISLATIVE REPORT SUBMITTED TO THE LEGISLATURE**

- **Tolling at the Francis Scott Key Bridge (I-695) Facility**

Ms. Mary O’Keeffe introduced Mr. James Kittleman, Government Relations Assistant Manager, and gave a brief background on legislative reports and how they are requested.

Mr. Kittleman then provided a summary of the Joint Chairmen’s Report (JCR) issued by the MDTA regarding Tolling at the Francis Scott Key Bridge (I-695) Facility examining the issue of travelers accessing the Port of Baltimore via I-695 without crossing the Key Bridge to determine if tolls currently being assessed are appropriate. The report also requested the MDTA to include a map of the entire Key Bridge Facility and all entry and exit points, including toll rates for each route.

He explained that the MDTA reassessed the toll rates at the Francis Scott Key (FSK) facility when preparing this report. Besides the option to implement trip construction (the Intercounty Connector methodology), all travelers are being assessed the appropriate tolls based on vehicle classifications and entry and exit points.

Since the opening of the FSK facility in 1977, tolls have been collected for all vehicles traversing midpoint locations. The MDTA has been tolling the Bear Creek/Broening Highway only movement since the facility opened. The conversion to All-Electronic Tolling (AET) did not change the vehicle movements that are tolled and the placement of the AET toll gantries at the FSK facility were installed to allow a consistent tolling practice and to meet bondholder expectations.

The 10.9-mile long FSK facility includes three tolling locations. These locations include I-695 Northbound (NB) and I-695 Southbound (SB), north of the Key Bridge, and Broening Highway/Service Road adjacent I-695. Certain vehicle movements that traverse the FSK Facility do not incur a toll (and have never incurred a toll). In the NB direction these vehicle movements include vehicles entering I-695 via Exits 43 – Bethlehem Boulevard/Peninsula Expressway and vehicles exiting I-695 via Exit 2 – Route 10 and Exit 1 – MD 173. In the SB direction these vehicle movements include vehicles entering I-695 via Exits 1 – MD 173 and Exit 2 – Route 10 and vehicles exiting I-695 via Exit 43 Bethlehem Boulevard.

He further explained that the primary concern conveyed by customers is the belief that a toll should not be charged when a customer does not traverse the Key Bridge (Patapsco River). The best way to address this concern is continued education about the footprint of the entire FSK facility, trust agreement obligations, costs to maintain the facility, and discount programs available. The MDTA

has and will continue to support efforts to educate the local community and businesses on its trust agreement obligations, costs to maintain the facility, and discount programs available.

### **UPDATE – LEGISLATIVE SESSION**

Mr. Bradley Ryon gave an update to the MDTA Board regarding the bills that have been filed that will have an impact to the MDTA and the number of legislative casework/inquiries that his office has received thus far.

### **UPDATE – EXECUTIVE DIRECTOR’S REPORT**

Mr. Percy Dangerfield gave the Executive Director’s Report. He wished everyone a Happy New Year before beginning his report.

Mr. Dangerfield gave updates on the following items: Amending COMAR for the Nice/Middleton Bridge; the January 3 Bay Bridge Reconstruction Advisory Group Quarterly Meeting; the Federal Highway’s Office of Project Development and Environmental Review developing case studies on Best Practices for virtual public involvement in NEPA; severe weather that recently impacted Maryland drivers (severe rain and windstorm on January 9 and 2 snow events); the \$80 million federal grant for the Baltimore Harbor Tunnel Improvement Project that was announced on January 12; and, the final MDTA MCC numbers that exceeded our Giving Goal for 2023.

Mr. Dangerfield then highlighted the following employee recognitions:

- Jamaal Turner received the Maryland Public Purchasing Associations’ Manager of the Year Award. This award is granted to those public procurement professionals who have supervisory or management responsibilities that include overall procurement/material management activities in a specific governmental entity to include the supervision of procurement personnel and/or the display of executive abilities involving economic/financial, technical, statistical, legal, and administrative attributes. Management positions may be totally dedicated to the procurement function or shared with other responsibilities.
- Donna DiCerbo, MDTA’s Director of Procurement, was awarded the Harry H. Bain Distinguished Service Award. This high honor recognizes extraordinary dedication and service to the public procurement profession.
- Jerell Reynolds, Human Resources and Workforce Development, received the Employee of the Quarter award for the 4<sup>th</sup> Quarter of 2023. She was described in her nomination as “an employee with over 25 years of service that views each new relationship, interaction, assignment and even challenge as an opportunity to advance their own skill and invest in the development of others around them.” She is quick to offer assistance with new programs, train new colleagues or supervisors, problem-solve technical issues in Cornerstone, and provide exceptional customer service to employees seeking more information regarding the Career Development Program. She is viewed as a brand ambassador for the MDTA – her experience, knowledge, connections, and relatability during the New Employee Orientation make her an invaluable asset. She is a great listener and decision maker who provides support while allowing others to shine around her.

Before ending his remarks, Mr. Dangerfield thanked the Chairman and Board Members for giving him the opportunity to be Acting Executive Director during this transition period.

**VOTE TO GO INTO CLOSED SESSION**

At 9:54 a.m., upon motion by Member William H. Cox, Jr. seconded by Member W. Lee Gaines, Jr., the Members voted unanimously to move into Closed Session under the Maryland Open Meetings Act, the MDTA Board met in Closed Session under the General Provisions Article, Section 3-305(b)(10) and (12) to receive an update on deployment of police staff and resources and other security measures; and to discuss pending investigative proceedings involving possible criminal conduct; and Section 3-305(b)(8) to receive a status update on all litigation currently pending against the MDTA.

In attendance for the Closed Session were Chairman Paul J. Wiedefeld; Members Carroll (via telephone), Cox, Gaines, Gangemi, Penny-Ardinger, Rosen (via telephone), Snead, and von Paris; Percy Dangerfield; Kimberly Millender, Esq.; Acting Col. Joseph Scott; and Natalie Henson.

**VOTE TO ADJOURN CLOSED SESSION**

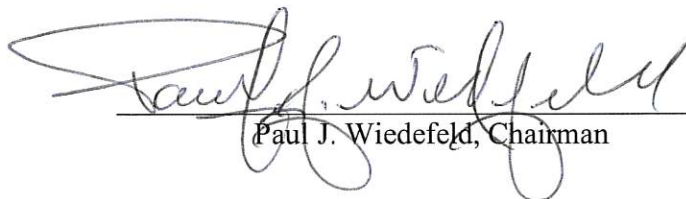
At 10:33 a.m., a motion was made by Member Samuel D. Snead and seconded by Member John F. von Paris, which was unanimously approved, to adjourn the Closed Session and return to Open Session. There were no actions taken in Closed Session that require ratification.

**VOTE TO ADJOURN MEETING**

There being no further business, upon motion by Member William H. Cox, Jr. and seconded by Member W. Lee Gaines, Jr., the Members unanimously voted to adjourn the meeting at 10:36 a.m.

The next MDTA Board Meeting will be held on Thursday, February 29, 2024 at 9:00 a.m. at MDTA, 2310 Broening Highway, Baltimore MD and will be livestreamed on the MDTA Board webpage.

APPROVED AND CONCURRED IN:

  
Paul J. Wiedefeld, Chairman