

MARYLAND TRANSPORTATION AUTHORITY
BOARD MEETING

THURSDAY, MAY 25, 2023
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.
William C. Ensor, III
W. Lee Gaines, Jr.
Mario J. Gangemi
Cynthia D. Penny-Ardinger
Jeffrey S. Rosen
John F. von Paris

STAFF ATTENDING:

Col. Kevin Anderson
Jeffrey Brown
Donna DiCerbo
Tonya Dorsey
Allen Garman
Chantelle Green
Natalie Henson
James Kittleman
Jeanne Marriott
Selena McKissick
Kimberly Millender, Esq.
Sushmita Mitra
Ebony Moore
Kelly Mundle
Simon Najjar
Mary O’Keeffe
William Pines
Bradley Ryon
Joseph Sagal
John Sales
Deb Sharpless
Jennifer Stump
Akia Wheeler
Mike Yeager

At 9:05 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 APRIL 27, 2023

Upon motion by Member William H. Cox, Jr. and seconded by Member Jeffrey S. Rosen, the open session meeting minutes of the MDTA Board meeting held on April 27, 2023 were unanimously approved.

APPROVAL – CLOSED SESSION MEETING MINUTES OF APRIL 27, 2023

Upon motion by Member Mario J. Gangemi and seconded by Member W. Lee Gaines, Jr., the closed session meeting minutes of the MDTA Board meeting held on April 27, 2023 were unanimously approved.

APPROVAL – CONTRACT AWARDS

- **MR-3031-0000 – On-Call Electrical and ITS Repairs and Services**

Ms. Donna DiCerbo requested contingent approval from the MDTA Board to execute Contract No. MR-3031-0000 – On-Call Electrical and ITS Repairs and Services with Dvorak, LLC in the amount of \$6,500,000.00 and with Mona Electric Group, Inc. in the amount of \$4,500,000.00.

Ms. DiCerbo explained that this contract is a multi-award, task-based contract to provide the labor, equipment, and materials necessary in performing miscellaneous electrical, ITS, and other types of repairs, upgrades, replacements, and new construction as directed by the Engineer. This work may be required on any MDTA assets (bridges, tunnels, highways, buildings, and all ancillary structures) or any of the MDTA's facilities.

Upon motion by Member Jeffrey S. Rosen and seconded by Member John F. von Paris, the Members unanimously gave contingent approval to execute Contract No. MR-3031-0000 – On-Call Electrical and ITS Repairs and Services.

UPDATE – PROCURMENT REPORT ON OPEN CONTRACTS

Ms. Donna DiCerbo presented the MDTA Board with a verbal report on how many contracts are currently open with the MDTA excluding state credit card purchases. There are currently 218 total contracts totaling \$2,886,545,058.70.

UPDATE – NEW SECTION (SECTION 200) OF THE I-95 EXPRESS TOLL LANES (ETL) NORTHBOUND AND I-695 RAMPS

Ms. Deb Sharpless updated the MDTA Board on the second public comment period for the recommended action (recommended toll rate ranges) for the I-95 Express Toll Lanes (ETL) Northbound Extension (Section 200) and I-695 Ramps Toll Rate Range Setting. During the second comment period, no additional comments were received.

APPROVAL – CODE OF MARYLAND REGULATIONS (COMAR) AMENDMENTS

Mr. Bradley Ryon requested approval from the MDTA Board to proceed with the proposed changes to the Code of Maryland Regulations (COMAR) 11.04.02.05.

Mr. Ryon explained that a proposed action to amend COMAR 11.04.02.05 is needed for the new Governor Harry W. Nice Memorial/Senator Thomas “Mac” Middleton Bridge to accommodate the movement of any oversize or overweight vehicle. COMAR changes are needed to remove the existing restrictions for oversize vehicles. It is important to note that oversize vehicles would still be required to utilize the Maryland One permitting system and comply with existing state law and COMAR for hauling permits with oversized loads.

Upon motion by Member Jeffrey S. Rosen and seconded by Member W. Lee Gaines, Jr., the Members unanimously approved proceeding with the Amendments to COMAR 11.04.02.05.

APPROVAL – BOARD RESOLUTION NO. 23-01 – BWI PFC REFINANCING

Mr. Allen Garman requested MDTA Board approval of Board Resolution 23-01 to authorize the issuance of BWI Passenger Facility Charge (PFC) revenue bonds or alternative financing options (bank loan) to refinance portions of the Series 2012 and 2014 bonds for economic savings, apply cash from the PFC Facility Improvement Fund to reduce principal outstanding, and introduce a springing amendment to the PFC Trust that will change the issuer to MDOT from the MDTA.

Mr. Garman explained that the PFC airport bonds are non-recourse to the MDTA and are issued for the Maryland Department of Transportation, Maryland Aviation Administration (MDOT MAA) to finance projects at the Baltimore Washington International Thurgood Marshall Airport (BWI Airport). He further explained that this Resolution would authorize (1) \$100 million of bonds to refinance the PFC Series 2012 A/B and 2014 bonds for economic savings and refinance the Series 2012 C variable rate bonds to fixed rate; (2) Application of up to \$40 million in the PFC Facility Improvement Fund to reduce principal outstanding; and (3) PFC Trust Agreement springing amendment to change the issuer to MDOT from the MDTA, with an expected effective date around June 1, 2029.

Upon motion by Member William H. Cox, Jr. and seconded by Member Mario J. Gangemi, Board Resolution 23-01 was unanimously approved.

APPROVAL – QUARTERLY REVIEW OF INVESTMENT STRATEGY AND BENCHMARKS

Mr. Allen Garman requested MDTA Board approval to continue with the current investment strategies and benchmarks for the current quarter.

Mr. Garman explained that for the trailing twelve-month period ended March 31, 2023, investments conformed to Investment Policy limitations. Portfolio structuring by account adhered to Board approved strategy and should remain consistent, despite short-term return volatility associated with the rising interest rate environment. No changes in performance strategy or benchmark are recommended.

Upon motion by Member W. Lee Gaines, Jr. and seconded by Member John F. von Paris, continuation of the current investment strategy was unanimously approved.

UPDATE – 3RD QUARTER OPERATING BUDGET COMPARISON

Mr. Jeffrey Brown updated the MDTA Board on actual versus projected year-to-date spending for the third quarter of Fiscal Year (FY) 2023 Operating Budget. As of March 31, 2023, 64% of the budget was spent compared to a target of 72%. Object 06 (Fuel & Utilities) was above budget at an 82% spend rate, due, in part, to the delayed receipt and payment of utility invoices. Object 13 (Fixed Charges) was above budget at a 134% spend rate due to the payment of an annual insurance fee plus bad debt expenses associated with facility damage. All other Objects are at or below the targeted spending level. The primary underspending drivers are as follows: personnel vacancies, reduced vehicle purchases (shifting to FY2024), and other reduced line items spending.

UPDATE – 3RD QUARTER CAPITAL BUDGET COMPARISON

Ms. Jennifer Stump updated the MDTA Board on the third quarter Fiscal Year (FY) 2023 Capital Budget Comparisons. As of March 31, 2023, 54.6% of the FY 2023 budget was spent as compared to the targeted spending level of 75%. The total budget for FY 2023 is \$556.0 million. The actual spending through the third quarter was \$303.4 million.

UPDATE – QUARTERLY UPDATE ON TRAFFIC AND REVENUE

Ms. Deb Sharpless gave a quarterly and year-to-date update to the MDTA Board regarding traffic and toll revenue trends compared to the previous year and the forecast.

Ms. Sharpless explained the quarterly review looks at traffic and toll revenue trends and compares actual system-wide experience with traffic and toll revenue forecasts. CDM Smith continues to track and evaluate the performance of traffic at the lane level and traffic and revenue collected on a cash basis.

She further explained that the key takeaways are: (1) Passenger vehicle traffic levels continue to track closely to pre-pandemic levels; (2) Commercial vehicle traffic levels continue to outperform pre-pandemic levels; and (3) Systemwide, transactions and revenue exceed the forecast by 5.1% and 11.0%, respectively. When adjusting for timing differences, systemwide revenue exceeds the forecast by 6.9%.

UPDATE – CONSOLIDATED TRANSPORTATION PROGRAM (CTP) PROCESS AND ADDITIONS

Ms. Jeanne Marriott provided the MDTA Board with an overview of the MDTA Consolidated Transportation Program (CTP) Process and an update on the additions to the capital program.

Ms. Marriott explained that the CTP is MDTA's six-year plan for the capital program and includes ongoing and new capital projects for a six-year period for MDTA facilities. The CTP is updated twice a year and brought to the Board Members for approval in June as the Draft CTP and in November as the Final CTP.

After approval by the Board Members in June, the Draft CTP is presented as part of the Maryland Department of Transportation (MDOT) CTP Tour to local elected officials and citizens throughout the State of Maryland for review and comment. It is then revised and submitted, after MDTA Board approval in November, as the Final CTP as part of the Governor's budget to the Maryland General Assembly in January. This process is required by statute and applies to MDTA as well as the other MDOT business units.

She further explained that the Fiscal Year (FY) 2024-2029 Draft CTP, to be presented for approval in June, will include nine new projects: Replace Electronic Toll Collection and Operating System – 4th Generation; License Plate Recognition (LPR) System Upgrade; Mill and Overlay Fort McHenry Tunnel and Baltimore Harbor Tunnel Bridges; Rehabilitate Upper Plenum Liner and Ceiling at Baltimore Harbor Tunnel; Maryland House Water Tower Rehabilitation; Drainage Improvements of I-695 at MM 50.2 Quarantine Road; Clean and Paint I-695 Bridge over Bear Creek; Rehabilitation of Curtis Creek Drawbridge; and Bay Bridge On-Call Structural Repairs and Modifications.

UPDATE – MDTA'S TRAVEL PLAZAS

Mr. Simon Najjar updated the MDTA Board on the progress of operations at the Maryland House and Chesapeake House Travel Plazas.

Mr. Najjar explained that in 2012, the Maryland Transportation Authority (MDTA) entered into a Lease and Concession Agreement with Areas USA MDTP, LLC (Areas USA), to undertake the redevelopment (including financing) and long-term operations and maintenance of the travel plazas. Pursuant to the public-private partnership (P3) arrangement, the MDTA retains oversight of the travel plazas for a period of 35 years. The presentation provided a brief overview of the contract award and agreement; Areas USA history and expertise; current operations at the travel plazas, including the fiscal rebound from COVID-19; recent challenges; and the future outlook.

UPDATE – BAY BRIDGE TRAVEL CAMPAIGN 2023

Mr. John Sales and Ms. Kelly Mundle updated the MDTA Board on the Bay Bridge Travel Campaign 2023. Mr. Sales provided a broad overview of the campaign and introduced Ms. Mundle to give details of the campaign.

Ms. Mundle explained that the 2023 Bay Bridge Travel Campaign began earlier in the month and continues through September. The campaign emphasizes the best times to travel over the bridge as well as the best resources for up-to-date, real-time traffic information. Once again, the MDTA's Division of Communications will leverage our Bay Bridge Spokesbirds Spike & Otis throughout messaging, encouraging drivers to visit BayBridge.com and to follow @TheMDTA on Twitter, or to call 1-877-BAYSPAN (229 7726) for traffic conditions.

She further explained that the timing considerations were a collaboration between Operations, Engineering and Construction, and Communications. Before 8:00 a.m. and after 10:00 p.m. is intended to lessen demand on the roadways during primetime. The tactics incorporate public relations and grassroots efforts, traditional marketing, and heavy use of far-reaching and flexible digital marketing. The campaign reach includes Baltimore, Washington D.C., Annapolis, Eastern Shore, Salisbury / Ocean City and for the first time, Delaware Beaches. Current impressions (number of times our message is seen or heard) are expected to top 69 million, not including added value.

UPDATE – HUMAN RESOURCES COMMITTEE

Member W. Lee Gaines, Jr. presented an update on the Human Resources Committee meeting that took place on May 9, 2023. The Human Resources Committee Members were given updates on: Recruitment and Examinations Update on steps taken and progress being made to reduce the vacancy rate by 50% per the Governor's new initiative; Employee Relations Unit overview of the 2022 PULSE Performance Appraisal Project; Classification and Compensation Update on the ratification of the American Federation of State, County, and Municipal Employees Memoranda of Understanding (MOU); and an overview on MDTA's new Leadership Investment for Tomorrow (LIFT) Program which kicked off in the spring of 2023.

UPDATE – EXECUTIVE DIRECTOR'S REPORT

Mr. William Pines gave the Executive Director's Report. During his report, Mr. Pines gave the following project/event updates: The May 5th re-opening of the Raphael Road overpass at I-95; the Bay Crossing Tier 2 Study public outreach; the May 5th Fallen Heroes Ceremony; and the May 6th Shoreline Cleanup.

Mr. Pines also gave an update on the May 3rd Rodeo/Training/Employee Appreciation Event. He highlighted several items including the winners of the Rodeo event, the top finishers of the VRT competition, the winners of the 2022 MDTA Annual Awards, and the \$150 raised for the Maryland Charity Campaign. He also thanked everyone who helped to make the event possible and Members Cox and von Paris for attending.

Mr. Pines provided details on the comments received during the April 26th Bicycle System Informational Open House at the Nice/Middleton Bridge and submitted during the comment period for the Nice-Middleton Bridge bike operations. Based on the comments received from motorists and cyclists, the MDTA will open the bridge to bicycle lane sharing in June with operational hours from dawn to dusk on weekends only and State holidays, matching the Hatem Bridge operational hours.

Mr. Pines acknowledged Ms. Verlinda Dillard who received a Certificate of Appreciation from MDOT-TSO for her 20 plus years of MDOT-State Service.

Mr. Pines announced that on June 14th we will be hosting another Doing Business with Maryland Transportation Authority Workshop at MDOT Headquarters from 9:00 am – 1:00 pm.

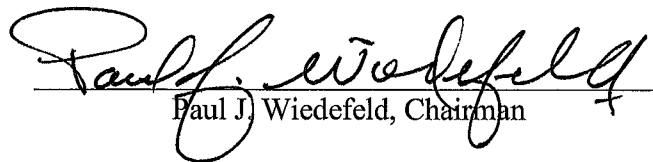
Mr. Pines concluded by wishing everyone a Happy and Safe Memorial Day Weekend and requesting that everyone please drive safely.

VOTE TO ADJOURN MEETING

There being no further business, upon motion by Member W. Lee Gaines, Jr. and seconded by Member Cynthia D. Penny-Ardinger, the Members unanimously voted to adjourn the meeting at 11:06 a.m.

The next MDTA Board Meeting will be held on Thursday, June 29, 2023 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