

MARYLAND TRANSPORTATION AUTHORITY
BOARD MEETING
THURSDAY, AUGUST 29, 2019
2310 BROENING HIGHWAY, BALTIMORE, MD 21224

OPEN SESSION

Pete K. Rahn, Chairman

MEMBERS ATTENDING:

P. Jack Basso
Dontae Carroll
William H. Cox, Jr.
William Ensor
W. Lee Gaines
Mario J. Gangemi – via Telephone
Jeffrey S. Rosen
John F. von Paris

STAFF ATTENDING:

Carl Chamberlin
Jeffrey Davis
Luther Dolcar
Meryle Dunlap, Esq.
Allen Garman
Chantelle Green
Jim Harkness
Natalie Henson
Meshelle Howard
Col. Jerry Jones
Kimberly Millender, Esq.
Tonya Morant
Mary O'Keeffe
John O'Neill
James F. Ports, Jr.
Deborah Sharpless
Tim Wendt
Melissa Williams
Eric Willison

OTHER ATTENDEES:

Tom Curtain, Maryland Department of Transportation
David A. Ferrara, MDTA Retiree
Jim Kruszynski, FOP 34
Ronald A. Pugh, MDTA Retiree

At 9:05 a.m. Chair Pete K. Rahn called the meeting of the Maryland Transportation Authority (MDTA) Board to order.

APPROVAL – OPEN SESSION MINUTES OF JULY 25, 2019

Upon motion by Member Mario Gangemi and seconded by Member P. Jack Basso, the open meeting minutes of the MDTA Board meeting held on July 25, 2019 were unanimously approved.

RESOLUTIONS – YEARS OF SERVICE RECOGNITION

Mr. James F. Ports, Jr. read the Years of Service Recognitions for the following retired employees: Mr. David A. Ferrara, Ms. Teresa D. Graves and Mr. Ronald A. Pugh. On the occasion of their retirement from their distinguished careers of service, the Chairman and Members of the Maryland Transportation Authority hereby express to them their most sincere appreciation for their excellence and commitment.

APPROVAL – DEBT POLICY

Mr. Allen Garman presented the MDTA's Debt Policy for the required review and approval of the MDTA Board. The Finance Committee reviewed and recommended this item for approval at its meeting on August 6, 2019.

Mr. Garman noted that following a recent review of the Debt Management Policy by internal staff and the MDTA's two municipal advisory firms, no material changes to the policy were recommended. For clarity improvement, two minor phrasing changes are recommended in Policy Statements 15 and 16.

Upon motion by Member P. Jack Basso and seconded by Member John F. von Paris, the Members unanimously approved MDTA's Debt Policy.

UPDATE – TOLL MODERNIZATION

Mr. Carl Chamberlin reminded the MDTA Board that at their last Board Meeting they approved a motion to proceed with Toll Modernization Hearings. Mr. Chamberlin then walked through the logistics of the Toll Modernization Open House and Toll Hearings and what would be expected of the Board at each hearing.

Mr. Chamberlin ended with a very high-level summary of the public comments that were received as of August 15, 2019.

UPDATE – HUMAN RESOURCES COMMITTEE

Member W. Lee Gaines, Jr. presented an update on the Human Resources Committee meeting that took place on August 8, 2019. The Members were given an overview of the MDTA Mentorship Program, the Chief Facility Maintenance Officer Salary Review and the MDTA PULSE Performance Appraisal.

UPDATE – EXECUTIVE DIRECTOR

Mr. James F. Ports, Jr. gave a brief update on the following topics: Legionellosis Testing Results Update, I-95 Express Toll Lanes Extension Program Open Houses, Maryland Association of Counties Summer Conference, Queen Anne's County Board of Commissioners Meeting, Bay Crossing Study, 2018 Certificate of Achievement for Excellence in Financial Reporting and upcoming events, including Toll Modernization Hearings, Getting Your Foot in the Door Program, Customer Appreciation Day at the ICC Facility, the Susquehanna River Running Festival and the Fort McHenry Tunnel Run.

Mr. Ports then presented a Resolution of Appreciation to Mr. John O'Neill for his outstanding work during his tenure as the MDTA Acting Executive Director from April 17, 2019 through June 27, 2019.

VOTE TO GO INTO CLOSED SESSION

At 10:15 a.m., upon motion by Member P. Jack Basso and seconded by Member William Ensor, the Members voted unanimously to move into Closed Session under § 3-305(b)(7) of the General Provisions Article of the Annotated Code of Maryland to obtain legal advice concerning a recent opinion of the Open Meetings Compliance Board and the MDTA Board Operating Policy requirements and obligations.

At 10:43 a.m., a motion was made by Member Dontae Carroll and seconded by Member W. Lee Gaines, which was unanimously approved, to adjourn the Closed Session and return to Open Session. There were no actions taken during the Closed Session.

There being no further business, the meeting of the MDTA Board was adjourned by consensus at 10:45 a.m.

The next MDTA Board Meeting will be held on September 26, 2019 at 9:00 a.m. at the Maryland Transportation Authority, 2310 Broening Highway, Baltimore MD 21224.

APPROVED AND CONCURRED IN:



Pete K. Rahn, Chairman



**MARYLAND TRANSPORTATION AUTHORITY
STATEMENT FOR CLOSING A MEETING**

LOCATION: MDTA Headquarters
2310 Broening Highway
Baltimore, Maryland 21224

DATE: August 29, 2019

TIME: 9:00 a.m.

MOTION BY: P. Jack Basso

SECONDED BY: William Ensor

VOTE TO CLOSE SESSION:

	AYE	NAY	ABSTAIN	ABSENT
Peter J. Basso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
W. Lee Gaines, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William E. Ensor, III	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William H. Cox, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John von Paris	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dontae Carroll	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mario J. Gangemi, P.E. <i>via telephone</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jeffrey S. Rosen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**STATUTORY AUTHORITY TO CLOSE SESSION
GENERAL PROVISIONS ARTICLE, §3-305(b)**

- (1) ☐ To discuss: (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or (ii) any other personnel matter that affects 1 or more specific individuals.
- (2) ☐ To protect the privacy or reputation of individuals with respect to a matter that is not related to public business.
- (3) ☐ To consider the acquisition of real property for a public purpose and matters directly related thereto.
- (4) ☐ To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.
- (5) ☐ To consider the investment of public funds.
- (6) ☐ To consider the marketing of public securities.
- (7) ☒ To consult with counsel to obtain legal advice.

STATEMENT FOR CLOSING A MEETING

Page 2

- (8) ☐ To consult with staff, consultants, or other individuals about pending or potential litigation.
- (9) ☐ To conduct collective bargaining negotiations or consider matters that relate to the negotiations.
- (10) ☐ To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans.
- (11) ☐ To prepare, administer, or grade a scholastic, licensing, or qualifying examination.
- (12) ☐ To conduct or discuss an investigative proceeding on actual or possible criminal conduct.
- (13) ☐ To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.
- (14) ☐ Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.
- (15) ☐ To discuss cybersecurity, if the public body determines that public discussions would constitute a risk to: (i) security assessments or deployments relating to information resources technology; (ii) network security information, including information that is: 1. Related to passwords, personal identification numbers, access codes, encryption, or other components of the security system of a governmental entity; 2. Collected, assembled, or maintained by or for a governmental entity to prevent, detect, or investigate criminal activity; or (iii) deployments or implementation of security personnel, critical infrastructure, or security devices.

TOPICS TO BE DISCUSSED AND REASON FOR CLOSING:

For each provision checked above, disclose the topic to be discussed and the public body's reasons for discussing that topic in closed session.

Citation #	Topic	Reason for closed-session discussion of topic
§3-305(b)(7)	Open Meetings Act	To obtain legal advice regarding a recent opinion of the Open Meetings Act Compliance Board.
§3-305(b)(7)	MDTA Board Resolution No. 18-01	To obtain legal advice regarding the MDTA Board Operating Policy requirements and obligations.



PRESIDING OFFICER