

**Maryland Port Commission  
Open Session Minutes  
September 12, 2023**

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The Four Hundredth Session of the Maryland Port Commission was called to order at 9:00 a.m. by Secretary of Transportation Paul J. Wiedefeld. The Commission met in Open Session from 9:00 a.m. until 9:33 a.m. in the Stanton Room, 20<sup>th</sup> floor, World Trade Center, 401 E. Pratt Street, Baltimore, MD 21202.

**Present:** Secretary Wiedefeld and Commissioners Barber, Dandy, McDonald, Richardson, Roberts and Webb.

**Staff:** Brian Miller (Interim Acting Executive Director), Robert Munroe (Deputy Executive Director, Administration and Environment), Philip Whaling (Assistant Attorney General and Principal Counsel), Richard Scher (Director of Communications), Dominic Scurti (Director of Planning), Holly Miller (Director of Harbor Development), Steve Johnson (Director of Engineering), Wonza Spann-Nicholas (Director of Finance), Ryan Barry (Director of Operations), Richard Powers (Director of Marketing), Bradley Smith (Director of Maritime Commercial Management & Strategic Initiatives), Jennifer Guthrie (Director of Office of Government Relations and External Affairs), William Richardson (Director of the Environment), Cindy Burman (Deputy Director of Business Development and Cruise), Trisha O'Neal (Assistant Manager of Procurement), Denise Vrablic (Executive Office), Nichol Conley (Executive Office), and Krystal Jones (Executive Office).

**Minutes of the Three Hundred and Ninety-Eighth Closed Session and Open Session Meeting**

Commissioner McDonald moved to approve the Closed Session and Open Session Minutes of the Three Hundred and Ninety-Eighth Port Commission meeting. Commissioner Barber seconded the motion. The Commission then voted unanimously to approve the Closed and Open Session Minutes.

**Minutes of the Three Hundred and Ninety-Ninth Open Session Meeting**

Commissioner Barber moved to approve the Open Session Minutes of the Three Hundred and Ninety-Ninth Port Commission meeting. Commissioner Roberts seconded the motion. The Commission then voted unanimously to approve the Open Session Minutes.

**Remarks from Secretary Paul J. Wiedefeld, Maryland Department of Transportation**

Secretary Wiedefeld thanked Brian Miller, Interim Acting Executive Director, for taking on the role and position on an interim basis to lead the Maryland Port Administration (MPA) during the transition of executive leadership. Secretary Wiedefeld noted that the MPA has not skipped a beat under Mr. Miller's interim leadership. Mr. Miller thanked Secretary Wiedefeld and also commended and thanked the staff at the MPA for their support and for continuing to move the agency forward in this time of transition.

## **Interim Acting Executive Director's Update, Brian Miller, Interim Acting Executive Director**

Interim Acting Executive Director Miller provided an update on issues impacting the Port of Baltimore.

### **Cargo**

Last year, the public marine terminals of the Port of Baltimore set a record in handling \$74.3 billion worth of cargo and set other records for containers, general cargo, and roll-on/roll-off farm equipment and construction machinery.

The Port of Baltimore also led the nation for the 12<sup>th</sup> consecutive year in car and light truck volumes. That performance has continued into 2023.

Seagirt Marine Terminal handled just over one million TEUs last year.

In June, at the end of the MPA's fiscal year, MPA set a record by handling 11.6 million tons of general cargo which is currently up over last year's roll-on/roll-off and container records. Our terminals are full of cargo.

Mr. Miller commended the MPA Operations Department for their oversight in the handling of all the cargo and for keeping operations running smoothly.

### **Cruise**

There is good news for the cruise industry, which shutdown in 2020 and 2021 because of the pandemic. The MPA is proud to report that all cruise ships leaving from the Port of Baltimore are now back to sailing at full passenger capacity.

On September 1, 2023, Cruise Maryland welcomed the first Norwegian Cruise Line (NCL) vessel, the Norwegian Sky, to sail out of Baltimore in years. NCL will have nine (9) additional cruises sailing out of Baltimore through October 24, 2023.

### **Howard Street Tunnel Expansion Project**

The Howard Street Tunnel (HST) Expansion Project is underway with work ongoing in Pennsylvania and Delaware. On August 23, 2023, CSX held a pre-construction meeting with its construction contractor for the Baltimore Track Lowering portion of the project. The contractor has been issued a Notice-To-Proceed (NTP) and is expected to begin mobilizing the site this month. Once completed in early to mid-2026, the expanded tunnel will enable the Port of Baltimore to handle double-stacked containers via rail. The expanded tunnel will grow business at the Port by about 160,000 containers annually and generate about 13,000 new jobs.

Secretary Wiedefeld asked if MPA has heard from affected communities regarding the Howard Street Tunnel Expansion Project. Bradley Smith, Director, Maritime Commercial Management & Strategic Initiatives, stated that CSX (HST Expansion Project Partner) has held meetings with communities affected by the bridge construction portions of the project. Secretary Wiedefeld

advised the MPA to monitor interest by the communities in light of the community engagement generated by another railroad tunnel project, the Frederick Douglass Tunnel expansion for Amtrak commuter rail. The public may confuse the two projects and there may be more community engagement as work on the Frederick Douglass Tunnel commences.

**Open Meetings Act – Training Requirement for Public Entities, Philip Whaling, Assistant Attorney General and Principal Counsel**

Mr. Whaling provided the Commission with an overview of the Maryland Open Meetings Act and its training requirements for public entities.

On October 1, 2017, the Maryland Open Meetings Act legislation became effective which states a public body may not meet in a closed session that is subject to the Act unless the public body has designated a member to take the training. A designated member must attend the open meeting at which the public body votes to hold the closed session, or, otherwise, the public body must complete the Compliance Checklist and attach it to the open session minutes. The public body may also designate a staff employee to take the training.

The training is an online class and must be taken within 90 days of the designation.

A motion to designate Commissioners Karenthia Barber, David Richardson and Sandy Roberts as members to take the training for Maryland’s Open Meetings Act was made by Commissioner Richardson, seconded by Commissioner McDonald and approved unanimously by the Commission.

In a separate vote, a motion to designate Krystal Jones, Nichol Conley and Denise Vrablic as MPA staff employees to take the training for Maryland’s Open Meetings Act was made by Commissioner McDonald, seconded by Commissioner Roberts and approved unanimously by the Commission.

**Draft of the Annual Maryland Port Commission (MPC) Report to the Legislature, Jennifer Guthrie, Director, Office of Government Relations and External Affairs**

Ms. Guthrie presented the draft of the FY2023 Maryland Port Commission Report to the Maryland General Assembly’s Senate Budget and Taxation Committee and House Appropriations Committee. Ms. Guthrie informed the Commission that the Maryland Port Commission must submit a report to the Maryland General Assembly by January 15 of each year documenting the status of the port, its revenues and operations. The report consists of updates on departments within the MPA, the port’s activities, and any newly achieved records. The Maryland Department of Legislative Services reviews the report on behalf of the Legislature and will submit any questions to the MPA regarding the report and in preparation for the upcoming session of the General Assembly.

Commissioner McDonald commented on the outstanding quality of the report. Commissioner Roberts remarked that the report was impressive.

Commissioner Richardson requested additional time for the Commission to review the report. Commissioner Richardson had questions regarding the bulk cargo statistics. Approximately two-thirds of the tonnage moving through the Port of Baltimore is bulk cargo. Dominic Scurti,

Director of Planning, commented that MPA's focus on the State-owned marine terminals is mainly general cargo, although bulk cargoes are important to the greater Port statistics. Coal is a large portion of the bulk cargo moving through the Port of Baltimore, accounting for 40-50% of the overall tonnage. The numbers for coal exports were down in calendar year 2023 due to an explosion at the CSX coal facility in Curtis Bay in December 2021. Commissioner Richardson stated that bulk cargo should be included in the report.

As a result of the discussion, it was agreed that the Commission would be given additional time to review the report and submit any comments or edits to Ms. Guthrie for incorporation into the report. The updated report will be presented to the Commission at the October MPC meeting.

No votes were taken on the report.

**Contract for Approval, Trisha O’Neal, Assistant Manager of Procurement**

Trisha O’Neal, Assistant Manager of Procurement, presented the following contract to the Maryland Port Commission for approval:

1. Contract #519817 – Agencywide Facilities Improvement at Maryland Port Administration (MPA) Facilities, Baltimore Contractors, Inc., Glen Burnie, Maryland; \$10,000,000; Term: October 5, 2023 – October 4, 2026 (Three Years).

After discussion, a motion to approve Contract #519817 was made by Commissioner Barber, seconded by Commissioner Dandy, and approved unanimously by the Commission.

**Move into Closed Session**

At 9:33a.m., in accordance with State General Provisions Article, Sections 3-305(b)(1)(i)(ii) and (4) of the Annotated Code of Maryland, Commissioner Richardson moved that the Commission meet in Closed Session, and Commissioner Roberts seconded the motion. The motion was approved unanimously. See attached Closing Statement. The Commission met in Closed Session from 9:33 a.m. until 10:30 a.m. Secretary Wiedefeld and Commissioners Barber, Dandy, McDonald, Richardson, Roberts, and Webb, and Brian Miller (Interim Acting Executive Director), Robert Munroe (Deputy Executive Director, Administration and Environment), Philip Whaling (Assistant Attorney General and Principal Counsel), and Krystal Jones (Executive Office) were present for the closed session. Brian Miller (Interim Acting Executive Director) and Krystal Jones (Executive Office) were present in the closed session until they exited just prior to the Section 3-305(b)(1)(i)(ii) discussion on the Executive Search Process.

The following topics were discussed in closed session:

<b>State General Provisions Article Citation #</b>	<b>Topics Discussed</b>
§ 3-305(b)(4)	Point Breeze Update
§ 3-305(b)(4)	Baltimore Sun Editorial – MPA Environmental Priorities
§ 3-305(b)(1)(i)(ii)	MPA Executive Vehicle Policy

No actions were taken in the closed session. The closed session adjourned at 10:30 a.m.

**Adjournment**

There being no further business, a motion to adjourn was made by Commissioner McDonald and seconded by Commissioner Webb. The motion carried unanimously. The meeting adjourned at 10:31 a.m.