



CHESAPEAKE BAY BRIDGE AND TUNNEL COMMISSION

**Regular Meeting
CBBT Administration Building**

November 14, 2023

9:30 a.m.

Minutes

Commission Members Present: Frederick T. Stant, III; Chris Snead; Keith Colonna; Reeves W. Mahoney; Gregory L. Duncan, Sr.; Mark C. Bundy; Phillip R. Custis; Patrick E. Corbin; George B. Clarke; Thomas W. Meehan, Sr.

Commission Member Absent: None.

District Staff Present: Jeffrey B. Holland; Thomas R. Anderson, III; Michael T. Crist, P.E.; Edward A. Spencer; Brittany E. Cannon; Lieutenant Jeffery Lilliston; Lieutenant Steven Wilson.

District Advisors Present: Hugh L. Patterson, Commission Counsel.

Guests Present: David Calvert, PFM Asset Management, LLC; Lucius Kellam, III., Chris Patterson, Luke Kellam.

1. CALL TO ORDER:

The Chairman, Frederick T. Stant, III, called the meeting to order at 9:30 a.m. and welcomed everyone.

Chief Spencer introduced Lieutenant Jeffery Lilliston and Lieutenant Steven Wilson of the Bridge-Tunnel Police department to the Commission.

Mr. Holland announced that on behalf of the celebration of service for Mr. Patterson, his son, Chris Patterson has traveled in from out of state to be present for Mr. Patterson's last meeting. As well as Lucius Kellam, III who had traveled from Florida, and Luke Kellam from Franktown.

2. APPROVAL OF MINUTES – SEPTEMBER 12, 2023 MEETING, as distributed:

Motion made by Ms. Snead, seconded by Mr. Colonna, to approve the minutes of the September 12, 2023 Commission meeting, as distributed. The motion was approved unanimously.

3. PUBLIC COMMENT:

There were no public comments to be heard, nor any comments submitted in writing prior to the meeting.

4. RESOLUTION OF APPRECIATION FOR SERVICE:

Mr. Duncan read a Resolution of Appreciation for Mr. Patterson for twenty-two years of dedicated service on the Commission.

**RESOLUTION OF APPRECIATION
FOR
HUGH L. PATTERSON, Esq.**

WHEREAS, Hugh L. Patterson served as Counsel of Willcox and Savage, for 58 years; and,

WHEREAS, for many years, he actively served as a member and leader for many civic and charitable organizations, associations, boards and committees throughout Virginia; and,

WHEREAS, he diligently served as Counsel to the Chesapeake Bay Bridge and Tunnel Commission for twenty-two years; and,

WHEREAS, he has played an integral role in the business of the District, utilizing his professional and legal expertise to benefit the District; and,

NOW, THEREFORE, BE IT RESOLVED that the Chesapeake Bay Bridge and Tunnel Commission formally expresses its deep appreciation to Hugh L. Patterson for his twenty –two years of dedicated service to the District and extends congratulations and best wishes to him upon his retirement.

Unanimously passed by the Chesapeake Bay Bridge and Tunnel Commission on this 14th day of November, 2023.

Motion made by Mr. Corbin, seconded by Mr. Clarke and unanimously carried, the Commission adopted the Resolution of Appreciation for Mr. Patterson.

Mr. Holland presented Mr. Patterson with an aerial keepsake and a copy of the resolution.

5. TRAFFIC & REVENUE REPORT – OCTOBER & SEPTEMBER 2023:

Mr. Holland reported that traffic for October 2023 totaled 350,890 vehicles, which was an increase of 8,131 vehicles or 2.4% over October 2022. E-ZPass utilization totaled 75.6%. Revenue for October 2023 totaled \$5,443,612 which was an increase of \$158,083 or 3% over October 2022. Gas prices were \$3.32 in October 2023, versus \$3.02 in October 2022. There were 36 hours of wind restrictions in October 2023, versus 53 hours in October 2022. There were 102 hours of tunnel lane closures in October 2023, versus 94 hours in October 2022.

Traffic for September 2023 totaled 366,988 vehicles, which was a decrease of 11,653 vehicles or -3.1% under September 2022. E-ZPass utilization totaled 74.9%. Revenue for September 2023 totaled \$5,871,195, which was a decrease of \$221,476 or -3.6% under September 2022. Gas prices were \$3.60 in September 2023, versus \$3.41 in September 2022. There were 23 hours of wind restrictions in September 2023, versus 54 hours in September 2022. There were 18 hours of tunnel lane closures in August 2023, versus 142 hours in September 2022.

For the calendar year-to-date through September 2023, vehicles were up 3% and revenue was up 2.1%. For the fiscal year-to-date through September 2023, vehicles were up 1.2% and revenue was down -0.7%.

Lieutenant Steven Wilson reported on the Visible Intermodal Prevention and Response Operation that was held on the facility on October 10, 2023. The Chesapeake Bay Bridge-Tunnel Police Department, in coordination with the Department of Homeland Security, conducted one VIPR (Visible Intermodal Prevention and Response) Operation to enhance security on and around this facility, which has been labeled by DHS as a Critical Infrastructure. Other state and federal agencies participated in this operation. Lieutenant Wilson reported that there were no explosives found and only minimal delays to the traveling public.

6. PFM INVESTMENT ADVISORY UPDATE:

Mr. Calvert, Managing Director of PFM, was present to provide the Commission an economic summary and an update on the District's investments. The review showed the effects on the economy and the conservative changes PFM has implemented to the District's Portfolio due to the rising consumer price index.

7. TOLL RATE SCHEDULE EFFECTIVE JANUARY 1, 2024:

Tolling committee chair, Mr. Duncan reported that during the recent meeting of the Tolling Committee, the Committee unanimously approved the recommendation to the full Commission of the Alternative Proposal #5 option. The Commission then discussed dates of the planned public information sessions to be held at the Welcome Center of the Eastern Shore. Option #5 is attached to the minutes.

On motion by Mr. Meehan and seconded by Mr. Duncan, and unanimously carried, the Commission adopted the toll schedule identified as the Alternative Proposal #5 option to be implemented effective January 1, 2024.

8. AUDITED FINANCIAL STATEMENTS:

Mr. Anderson reported that the District received an unmodified or clean opinion on the financial statements and reviewed with the Commission the Basic Financial Statements for the year ended June 30, 2023. There were neither material problems nor significant deficiencies in internal controls regarding the statements.

9. AWARD OF RFP FOR LEGAL SERVICES:

Mr. Holland reported that the request for proposals was issued in late October resulting in five firms submitting proposals. Mr. Holland requested the Commission grant authorization to the Selection Committee, compiled with Mr. Stant, Mr. Mahoney and District Staff to carry out the interviews and select the best firm for general counsel.

On motion by Mr. Corbin and seconded by Mr. Duncan, and unanimously carried, the Commission authorized the Selection Committee to select the best Firm to serve as legal counsel to the District and its governing body, the Chesapeake Bay Bridge and Tunnel Commission.

10. APPROVAL OF THE EMPLOYEE HANDBOOK:

Mr. Anderson reported that the District's Employee Handbook, which has been amended from time to time has been updated and developed with assistance, input, and comments from Wilcox and Savage employment law workers. District staff proposes that it is in the best interest of the District and its employees to adopt this revised version of the Employee Handbook.

He provided an overview of a few revisions to the Employee Handbook that serve to further inform employees of District personnel policies and general applicability. He also stated that current and sound personnel policies are an essential part of recruiting and retaining excellent employees and extending high quality services to the public.

On motion by Mr. Meehan and seconded by Mr. Duncan, and unanimously carried, the Commission adopted the District Employee handbook that takes effect January 1, 2024.

11. LONG TERM CAPITAL PLAN PROJECTS UPDATE:

Mr. Crist provided an update of the following projects:

- a) The Steel Bridge repairs project: District personnel is evaluating the corroded sections of the structure to remove and replace any damaged material with newly reinforced material as well as finalizing the project by repainting the restored area.
- b) The Pile Demonstration Project: District staff is testing the concept for carbon fiber jacket system for the Pile Jacket Demonstration Project. Staff continue working with different carbon fiber jacket manufacturers to run test on different epoxy grout systems for bond and installation of the carbon fiber shells. Test are taking place in the Crofton Yard in Portsmouth and the Costal Pre-cast Yard in Cape Charles.
- c) Ventilation Buildings Emergency Power Upgrade Project: The Project was previously approved by the Commission in May. District staff have made recommendations to upgrade the outdated system to the switch gear drainage pumps to provide new controls including additions to the SCADA integration for remote monitoring and control. District staff have requested a proposal from Systems East Inc.
- d) The Ventilation Building Elevator Replacement Upgrade Project: Upgrades and replacement of the elevator systems on each of the islands (4 total) will include replacing the original equipment, which is approximately 60 years old, and adding a

- 6th stop at the lower air plenum which will provide improvement for routine maintenance and construction projects in the lower air plenum.
- e) The Trestle End Dam Project: District Staff continues to evaluate reports from the contractor and the material manufacturer to be able to find the cause of the end dam failures.

12. PARALLEL THIMBLE SHOAL TUNNEL EXPENDITURES TO DATE:

Mr. Anderson presented the attached report of Project expenditures to date.

13. UPDATE ON PARALLEL THIMBLE SHOAL TUNNEL (PTST) CONSTRUCTION:

Mr. Crist reported that CTJV is currently developing the intervention plan to remove the anchor as well as assess and repair the cutterhead as necessary. Once corrective actions have been completed, mining will resume. On Two Island, work on the mass excavation of the receiving pit continues as mud mats are installed and waterproofing is underway. On the south end of Two Island, the installation of the pipe pile wall continues and CTJV hopes to begin limited dredge work at the southern end of the pipe pile wall very soon. *Mr. Calvert, Mr. Lucius Kellam, III, Mr. Chris Patterson, and Mr. Luke Kellam departed the meeting at this time.*

14. CLOSED SESSION –CONSULTATION WITH LEGAL COUNSEL

In accordance with Section 2.2-3711 of the Code of Virginia, Mr. Duncan moved that the Commission go into Closed Meeting under the provisions of Section 2.2-3711 of the Virginia Freedom of Information Act for the following purpose: Section 2.2-3711.A 8. Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. The motion was seconded by Mr. Corbin, and unanimously carried.

15. OPEN SESSION


A roll call vote was taken pursuant to Section 2.2-3712.D. of the Code of Virginia immediately after reconvening in Open Meeting, at which time each member certified by his vote that to the best of his or her knowledge (i) only public business matters lawfully exempt from Open Meeting requirements under this chapter and (ii) only public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed, or considered in the meeting by the Commission. No member prior to the vote stated that he or she believed there was a departure from requirements (i) and (ii) Snead, yes; Bundy, yes; Clarke, yes; Meehan, yes; Custis, yes; Corbin, yes; Mahoney, yes; Colonna, yes; Duncan, yes; Stant, yes.

16. ANNOUNCEMENTS:

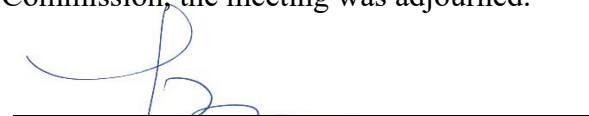
- a. Mr. Clarke stated that at the September meeting he abstained from the motion of approval of the District’s Capital Plan modifications due to having a business relationship with the hired contractor Systems East Inc. He stated that he will continue to abstain from any District approvals re: District contracts and Projects involving Systems East Inc.
- b. Mr. Holland announced that the Nominations Committee will hold a meeting in December. Following the Commission meeting, dates will be circulated for the committee to coordinate availability.
- c. Mr. Holland announced that Ms. Cannon has placed a Christmas gift memo at each place setting for each of the Commissioners to be able to make their food selections.
- d. Mr. Holland announced that the District’s annual United Way Campaign has begun and that each place setting has an informational package if anyone is interested in making a contribution.
- e. Mr. Holland announced that the 2024 Commission schedule has been sent via calendar invitations and the next Regular Commission is scheduled for Tuesday, January 9, 2024.

17. ADJOURN:


With no further business coming before the Commission, the meeting was adjourned.



Gregory L. Duncan, Sr., Treasurer



Frederick T. Stant, III, Chairman



Brittany E. Cannon, Assistant Secretary

Attachment

**Parallel Thimble Shoal Tunnel Project
Total Project Budget
As of September 30, 2023**

Project Tasks & Components	Sept 2023 Revised Budget	Total Expended To Date	Expended @ 08/31/23	Monthly Expenditures	Remaining Budget
<u>CBBT Development Phase</u>					
CBBT Development Phase Budget	18,524,560	18,524,560	18,524,560	-	-
<u>CBBT Financing Budget</u>					
Municipal Advisor	866,000	815,950	811,950	4,000	50,050
CBBT Financing Budget	3,912,210	3,862,160	3,858,160	4,000	50,050
<u>CBBT Construction Phase</u>					
Construction Mgmt	11,000,000	4,127,090	3,989,640	137,450	6,872,910
Project Counsel	5,000,000	323,210	307,480	15,730	4,676,790
Arbitration Counsel	-	2,057,370	2,036,740	20,630	(2,057,370)
Dispute Review Panel	1,500,000	486,050	486,050	-	1,013,950
Arbitration Panel	1,500,000	38,730	38,730	-	1,461,270
CNC/LUS Relocation	4,591,740	4,562,730	4,562,730	-	29,010
Garage	550,000	385,120	385,120	-	164,880
Fan Motor Control Center	4,000,000	2,544,510	2,544,510	-	1,455,490
CCTV Software Upgrade	500,000	400,940	400,940	-	99,060
Existing Tunnel Ventilation Study	250,000	-	-	-	250,000
Vent Buildings Emergency Power Upgrades	4,700,000	391,250	306,330	84,920	4,308,750
Design Mgmt/Design QA	9,583,200	6,216,280	6,216,280	-	3,366,920
Risk Management Consultant	125,000	-	-	-	125,000
District Project Management Staff	2,100,000	1,494,620	1,471,830	22,790	605,380
Commission General Counsel	125,000	17,470	15,510	1,960	107,530
Commission Approved District Development Expenses	550,000	370,890	366,670	4,220	179,110
Total CBBT Construction Phase Budget	46,074,940	23,416,260	23,128,560	287,700	22,658,680
<u>Design-Builder Construction Phase</u>					
Direct Construction Cost	795,049,205	490,434,020	470,844,370	19,589,650	304,615,185
5% Withholding	-	10,372,140	10,291,380	80,760	(10,372,140)
NCR Work Withholding	-	-	-	-	-
Total Design-Builder Construction Phase Budget	795,049,205	500,806,160	481,135,750	19,670,410	294,243,045
Project Contingency	61,229,809	-	-	-	61,229,809
Total Project Budget	924,790,724	546,609,140	526,647,030	19,962,110	378,181,584

CHESAPEAKE BAY BRIDGE-TUNNEL
JANUARY 1, 2024 TOLL RATE REVISION
CBBT PROPOSED RATES - OPTION 5

CLASS	CURRENT TOLL			PROPOSED 01/01/24 TOLL REVISION
PASSENGER CARS, LIGHT TRUCKS & RV'S				
1 - Off Peak	\$	14	\$	16
65 - Off Peak		6		6.00
1 - Peak		18		21
65 - Peak		2		1.00
75 - Commuter		6		7.00
2		20		22
2 - Return Trip		12		12.00
3		24		26
3 - Return Trip		16		16.00
4		29		31
4 - Return Trip		21		21.00
HEAVY TRUCKS & RV'S				
9		21		23
10		25		28
11		34		37
12		43		48
13		52		57
16 Escort		242		266
8		1		1
14		36		40
15		36		40