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GOVERNOR HOGAN: No.

MR. GILDEA: And we have drawings and I'll have them all emailed to you.

GOVERNOR HOGAN: Thank you. Next up, we'll hear from Steven Hyatt and Bret Anderson. It looks like Alan Hyatt is here instead of Steven. Oh, Steven is here. And Alan is in the back. And Jonas Jacobson are all hanging out in the back.

MR. HYATT: Thank you, Governor Hogan, Madam Treasurer, Mr. Comptroller. I'll start by addressing everything that Mr. Hartman went through. Yes, a very passionate presentation. It's just that besides the fact that they support the project overall, none of it is true. It's not supported by any law and these are just assertions -- what you heard essentially was an abbreviated version of four nights of presentations to the Port Wardens. And the Port Wardens made their final decision and said that SAYC, we are well within our rights. We complied with the City Code. We're within what they call our developable waterway area. And MDE also supported that decision. The Army Corps of Engineers also supported that decision. And the Board's Wetlands Administrator also recommended support for that decision.

There is no requirement whatsoever that we obtain a deed to wetlands licenses, to the backfill of the bulkhead that Newport happened to

obtain, but there is no requirement for that. And frankly, what we are doing on the east side that's really Newport's area of concern is replacing exactly what's there. There was a comment about encapsulation being, you know, a couple feet further out. That's not true. We are replacing, as Mr. Morgante acknowledged, we have a survey that is going to be a condition to our license that we will replace everything as it's been for nearly 50 years. And again, that's going to be part of the license.

Speaking of that license, it was approved in 1972 and we complied with it. We have two letters from the Wetlands Administration from 1976, June and December of 1976, that confirm we complied with our license and no further regulatory action was required by the State. And to say that a newer 1990s license usurps or supersedes that is, again, totally unfounded.

There was comments about title issues and deed issues. Well, the State has a Code 16-201 of the Environment Article that says you own what you improve that is attached to your land, and that's what we have. We understand that the State owns what's beneath that, but we own the physical improvement and we're allowed to replace that and the Port Wardens acknowledged that and gave us a final approval for that.

You know, again, these assertions, they are just, they are delay tactics. As you heard Mr. Gildea say that they want to negotiate with us. Well, we are doing everything within our developable waterway area, what the Port

Wardens determined to be ours. Frankly, we have more water frontage, which is what determines, that combined with the City Code, where you can develop. We have more than Newport and they want more than they have today and there's no negotiating that. I mean, it's been finally determined.

In regards to the appeals, there were two. We had a hearing on Monday in front of the Circuit Court and they determined that two of those appellants did not have standing. The Newport folks, that is on the 18th of March and nothing that they can raise is likely to overcome what is known as the fairly debatable standard. And that basically means that unless the Court finds that the Port Wardens decision is not fairly debatable, then they are going to let them move forward. The Port Wardens had four nights of hearings. There was total transparency. We presented everything, I mean, I don't know how many experts we had. And the opposition, they presented their experts. There was substantial evidence and we ended up with a 40-page decision from the Port Wardens, which is very unique, where they addressed, they went over every single one of those elements saying that, yes, this complies with everything in the City Code.

This process is, has been, transparent all the way through. There was adequate public notice sent at all stages. Public input and comment every step of the way. The, Heather Hepburn with MDE and I spoke several times and she acknowledged that they have the authority to approve what's within a developable waterway area. That has been determined by the Port Wardens. So

we are well within our rights. And I just want to highlight a couple of things from an environmental perspective.

Madam Treasurer mentioned, you know, there's climate concerns and it's a big deal today. This project is going to be unprecedented. Currently there is no stormwater management in place and essentially a one-inch rain event results in 55,000 gallons of untreated, unfiltered stormwater that goes right into Spa Creek. And last year in 2018 we had about 70 inches of rain. That equates to about 4 million gallons of water entering into Spa Creek unfiltered and untreated. What we propose is adding, the City requires only for us to address ten percent of that. We're going above and beyond that voluntarily to address 65 percent of the stormwater management. There's going to be thousands of plants planted in the hundred-foot buffer that will account for this. Several dozen stormwater facilities. We're removing over 20,000 square feet of covered boat slips that will promote submerged aquatic vegetation habitats and allow for spawning of local perch and other marine wildlife. We are reducing the impervious coverage area in the critical area, the 100-foot buffer, by nearly 10,000 feet. And we are reducing the number of slips, which I think is one of the reasons why, besides this is a 112-year old plus marina, Newport supports this. We're removing boats from Spa Creek. So, there will be less boats on the Creek. That's going to help improve navigation to and from SAYC and along Spa Creek. And when all is said and done, this final product at SAYC is going to raise the bar in terms of what is

expected for future development on the Chesapeake Bay. And we have successfully navigated the development process. We have received endorsements from the Port Wardens, MDE, the Army Corps, and this Board's Wetlands Administrators. Every step of the way, this is a fantastic project, and it's going to make a serious difference on, to the environment on Spa Creek.

COMPTROLLER FRANCHOT: Can I just ask a question?

MR. HYATT: Sure.

COMPTROLLER FRANCHOT: Apparently the previous opponents of this, supporters of it but opponents of it without conditions, I think their argument was that the people that sold you the land didn't really own it.

MR. HYATT: That's not true. They owned it.

COMPTROLLER FRANCHOT: How do you know that?

MR. HYATT: We've had title searches. We have financing in place. There was a comment that no banks had been involved. We currently have financing in place. There was a title commitment and policy approved by a national title insurance company that we went through with them through the whole chain of title and I mean they weren't going to lend us the money, you know, multimillion dollars, many millions of dollars, without accepting that we own what we purport to own. And we do and they have accepted that.

COMPTROLLER FRANCHOT: So you have some kind of evidence that compensation was paid to the State in return for the ownership of that to sell to you guys?

MR. HYATT: No, no. Are you talking about the 1972 wetlands license?

COMPTROLLER FRANCHOT: Yeah.

MR. HYATT: There, I worked with --

SECRETARY MCDONALD: Yeah, okay, let me address that point, Mr. Comptroller. The statute Environment Article 16-201, which Mr. Hyatt already referred to, does specifically say statute after an improvement has been constructed, the improvement is the property of the owner of the land to which the improvement is attached. So in the 1972 wetlands license, it said you can create this fastland and it did say at the very end you will pay compensation for that once we figure out how much that appraisal is. What we have been unable to find in Board records, we find the license and all that, we not been able to find the 1972 proof of payment, the proof of --

COMPTROLLER FRANCHOT: By the previous owner?

SECRETARY MCDONALD: By the previous owner. But that doesn't, and that's what they've been asking and saying that there's no proof that they did pay it. I don't have proof that they didn't pay either. And in effect the statute does give it to them anyway. We have never issued these deeds of title



that they are talking about. The Board has not, the Board not often but occasionally, has let licensees create fastland out of our wetlands. And when they do, they owe us compensation. But then it's fastland that belongs to them. Traditionally the Board has not prepared a deed to give it to them. They just did the license exactly like they are talking about. So what we don't have is we don't have proof that they paid or didn't pay in 1972.

MR. HYATT: But Mr. Comptroller, what we do have is a letter from Mr. Joseph Lewandowsky on December 17, 1976 stating that no enforcement action or revocation of the subject license is required because they have complied with all physical requirements of that license, recognizing that they still need to pay the compensation to the State as the Secretary just said, can't find, or can't prove or deny that occurred. But there is no action necessary and the State recognized that in 1976. And --

COMPTROLLER FRANCHOT: Thank you, Governor.

MR. HYATT: -- there was just one more thing. Mr. Comptroller, you raised in question, in regards to the dredging area. And the difference between the 30,000 feet and the 40,000-some feet today. The calculation, it was a miscalculation. But the physical area has not changed. Those plans have not changed whatsoever. There is a hashed area on the set of plans. And it was a, basically a clerical error based on an actual human miscalculation. So the information is still the same.

You know, with all that said we respectfully request that the Board recognize that SAYC is well within their rights and grant the wetlands license so we can begin restoring SAYC into the thriving environmentally sound maritime center in the heart of this great State's capital. And I thank you for your time and your consideration, and I'm going to have Mr. Anderson say a few words if he'd like.

MR. ANDERSON: Thank you for the opportunity to speak, Governor, Treasurer, Mr. Comptroller. I'm the owner of SAYC, a lifelong Maryland resident. I've been a --

COMPTROLLER FRANCHOT: What's your name, please?

MR. ANDERSON: Pardon me?

COMPTROLLER FRANCHOT: Your name, just for the record.

MR. ANDERSON: Bret Anderson.

COMPTROLLER FRANCHOT: Great.

MR. ANDERSON: Yes. So I'm the owner of the property. I've been working on this project now for seven years. We've probably had over 1,000 meetings with the community. We've stuck through all kinds of variations. But I had basically three guiding principles for this project. One was that the environmental aspect had to be paramount, had to be. The second was that I wanted it to look like it belonged in Annapolis architecturally and that it would

provide great maritime benefits. And lastly, I did not want to ask for special exceptions. And basically we've adhered to those three basic principles.

The environmental aspect of this project is huge. We had a paddleboard company has operated there for six years. They did water testing every single day. The quality of water in Spa Creek has been horrendous, nothing short of horrendous. This project will have the single largest environmental impact of any project ever to hit the Annapolis Harbor. We're talking about 55,000 gallons of untreated water every one-inch rain storm. We've had close to 4 million gallons of water flow into Spa Creek from this site. We're going to do six times what we're mandated to do.

In regards to the piers and drawings, the drawing that they are referring to, the additional drawing, was nothing more than taking the drawing that was submitted and put metes, bounds, and coordinates on the pilings and the bulkhead so no one could ever come back and dispute that it wasn't built back in its original place. To say that there wasn't transparency, the Port Wardens had closed the actual review process, reopened it to allow them to testify one more time and to present drawings for the developable waterway. The Port Wardens looked at their drawings and said they didn't abide by any of the standards. We're not going to accept those drawings.

So this is a great project for the City. It's a great project for the residents of the State of Maryland. This has been nothing more than a delay tactic

that I've battled for the last two years and we need to have this project to improve the water quality so we can all benefit. Not to mention the marine aspects and the benefits that Annapolis City will gain from taxes, jobs, and a state of the art facility. So I hope I have your support here today and I really appreciate the opportunity to speak in front of you.

GOVERNOR HOGAN: Thank you. Any questions? Is there a motion?

COMPTROLLER FRANCHOT: Well I would normally side with the citizens that are opposing this. But it's very confusing and it's got a lot of detail attached to it. As I understood from their testimony, they are going to court. But I would urge, I'm going to move favorable on the permit, but I hope that you can if all of their efforts fail and fall into flames somewhere in the court, etcetera, I hope that there is some ability to adjust what you are doing where it makes sense to meet their concern about the ownership of the riparian area in front of them. And I'm not quite sure how you would do that, and it may be impossible given all the emotion, but I'm an expert at being a mediator, if you haven't noticed. But you might, don't channel me, but try to channel the Governor, maybe, and you can come up with some, you know, some adjustments for the other side. I know it's very heated right now. But I would move, with that, I would move that we pull this out of the Agenda and I would move favorable unless –

TREASURER KOPP: Second.

GOVERNOR HOGAN: Very good. And there is a second. I'm also going to vote in favor of it. Look, I think, you know, I appreciate the fact that you've gone through this long process. It sounds like an incredible project and you've done so much to work on it to make sure that it's going to be a positive for Annapolis and the work that you've done from an environmental standpoint is incredible. And I understand the concerns of some of the citizens adjacent, but it sounds like you've done a heck of a lot to work with the neighbors. But the fact that it's been approved by the Army Corps of Engineers, you've gone through the Board, MDE supports it, and they have studied it in depth, and the Wetlands Administrator. And I mean, you answered all of the questions. And so I'm going to support it as well. So thank you very much for coming in.

MR. ANDERSON: Thank you all. Thank you.

GOVERNOR HOGAN: Thank you. And I understand you have another item you want to --

TREASURER KOPP: I do have one other question, Governor, referring to what I mentioned in the beginning. An example is Item 7, Department of MDE, I'm sorry.

SECRETARY MCDONALD: I think Mr. Curry is back up to the podium. This is Item 7, the treatment plan in Montgomery County.

TREASURER KOPP: This is, this could be raised about a number of items. It's just this one is a very significant and large one. And my question is, first of all, this is authorizing general obligation bond proceeds to be used as a required match for federal funds in the Montgomery County Municipal separate storm sewer system development, which is something we all want. I remember the days in Montgomery County when we had combined sewage and water and we don't want that. No question at all. And I understand that the county uses modern techniques and presumably up to date numbers. I'm not quite sure what the role of the State is in reviewing the ongoing plans and the reason I'm asking this is my concern about climate change impact and adaptation to assure resilience of our infrastructure. And I understand that you incorporate best management practices and all these other things. But I don't see anywhere where it's written that, yes, we analyzed the impact of projected climate change impact and this project addresses it in this way. And this is just an example. Can you either today or come back, because I know it's a big question, but help us understand how in this project and in the range of projects, some of which are obviously undertaken by other State agencies so you may not be the person to ask, but how you all, how you all look in an integrated way at addressing this climate change impact question when you look at infrastructure improvement?

MR. CURRY: Sure. Absolutely. Lee Curry again with Maryland Department of the Environment. I'm not going to defer this question. So

thinking about climate resiliency and building it into our systems, the stormwater practices that you speak to in general, almost all of those practices are beneficial to us in terms of climate resiliency. And let me just name a few for example.

So, some of that funding and the money will go towards additional tree planting. And that reduces or helps mitigate carbon, so we have carbon sequestration, it captures rainfall. My point is that many of these practices play a very important role to our local communities. So in that when MDE is looking at these stormwater permits, one thing we do is work to incentivize climate resiliency. So we're actually building that into, it's already built into our current permit and we're building it in more detail into our next permit to say how do we find and use those more climate resilient practices? And we want to better educate our local jurisdictions in terms of what those practices are, so we have some work with our colleagues from DNR with the Climate Leadership Academy, and we want to make sure projects like stream restoration, which helps stabilize our streams and prepare them for these large storm events, are funded. We want to make sure there's additional tree planting. And then you'll also see in there there's some outfall restoration. And I think that's another important project also because outfall restoration, what that does is help saves infrastructure. And we've seen that with our State Highway Administration.

TREASURER KOPP: So I guess my question is all of these things work towards --

MR. CURRY: Right.

TREASURER KOPP: -- resiliency. But where is there a place that says here's what our goal is, here's how we know we're achieving it, here's how this fits in with it? Not that they do good --

MR. CURRY: Okay.

TREASURER KOPP: -- but they do good specifically to meet these goals in this point of time.

MR. CURRY: Yes. We don't have that --

TREASURER KOPP: That's not a new discussion.

MR. CURRY: No, no, that's a good point. We don't specifically say this is to reach these certain climate goals, these are part of a larger climate adaptation strategy.

TREASURER KOPP: I think to help people understand the situation we're in you really need to spell it out --

MR. CURRY: Okay.

TREASURER KOPP: -- and repeat it over and over.

MR. CURRY: I agree.

TREASURER KOPP: Thank you.

MR. CURRY: And that's one of our goals is to continue to spell it out.



TREASURER KOPP: And the same is true of transportation projects and State capital, all across the board. My two cents.

GOVERNOR HOGAN: Thank you.

MR. CURRY: Thank you.

GOVERNOR HOGAN: Any other questions on the Secretary's Agenda? Is there a motion?

COMPTROLLER FRANCHOT: Move approval.

TREASURER KOPP: Second.

GOVERNOR HOGAN: Second. Three-nothing. We're going to move on to the DNR Real Property Agenda. I was going to now do my big welcome but we've already done that. So --

COMPTROLLER FRANCHOT: Move approval.

GOVERNOR HOGAN: -- Madam Secretary?

(Laughter.)

MS. HADDAWAY-RICCIO: They say you should be quiet when you are winning. Maybe I should --

GOVERNOR HOGAN: Might as well quit while you are ahead.

MS. HADDAWAY-RICCIO: I would just like to quickly take a point of personal privilege, if I may. My name is Jeannie Haddaway-Riccio. I'm now the Acting Secretary of the Department of Natural Resources. I just want to thank everyone for being so welcoming this morning. Specifically I would like to

thank the Governor and the Treasurer and the Comptroller for your kind words. And with that, we do have six items on the Department of Natural Resources Real Property Agenda today for which we are seeking approval.

GOVERNOR HOGAN: And I'm going to make a motion we deny all of them.

(Laughter.)

GOVERNOR HOGAN: Just kidding. Is there a motion?

COMPTROLLER FRANCHOT: Move approval.

GOVERNOR HOGAN: Second? Three-nothing. Don't expect that every time.

(Laughter.)

MS. HADDAWAY-RICCIO: Yes, sir.

GOVERNOR HOGAN: We'll move on to the, I guess we're going to move on to the Department of Budget and Management.

MR. BRINKLEY: Good afternoon, Governor, Mr. Comptroller, Madam Treasurer. For the record, David Brinkley, the Secretary of the Department of Budget and Management. We've brought five items for your consideration and Item 5-S is a supplemental item.

GOVERNOR HOGAN: I've got a couple of questions on Items 3 and 4.

MR. BRINKLEY: Three and 4. I have Donna DiCerbo, is that right? Did I pronounce it correctly?

MS. DICERBO: Yes, sir.

MR. BRINKLEY: It's handwritten in here so I couldn't --

GOVERNOR HOGAN: It's really kind of a broad question. I'm not going to grill you too much. But these are both requests to extend current contracts to provide more time to do procurements for new contracts. One is for inmate legal services at the Department of Public Safety and Corrections. The other one is for armored car services at the Maryland Transportation Authority. And I'm just commenting on the fact that we're, I've noticed a few of these types of requests lately for extensions on what appear to be relatively straightforward contracts. And we don't like it. It goes against what we're trying to do here. And I'm curious as to why these agencies are unable to complete procurements on time. Why are we doing extensions of existing contracts? You know, why aren't we, you know, I'm not arguing about these two vendors or these two particular contracts or services. But I'm not a fan of arbitrary extensions in lieu of procurements. And I think we need to do a better job of managing the contracts to ensure that we're getting the procurements done on time because we don't like just doing extensions. So maybe you can address it, or maybe we'll have the Secretary of Budget and Management address it. But it's something that we want all of our cabinet secretaries to start working on, kind of like we don't like single

bid contracts. We don't like random extensions. So maybe you can explain to me why you didn't get the procurement done on time, Mr. Secretary?

MR. MOYER: Thank you, Governor.

(Laughter.)

GOVERNOR HOGAN: I'm going to take you off the hook. I'm going to kick it up to the --

(Laughter.)

MR. MOYER: I went 12 months without this so, Governor, Madam Treasurer, Mr. Comptroller --

GOVERNOR HOGAN: Then we'll drag in the MTA after that.

MR. MOYER: -- my responsibility. We monitor. We thought we had enough funds left on this contract for the extension. The RFP goes out Friday and it's my fault.

GOVERNOR HOGAN: Well we're not going to beat you up too much. But it really, I mean, it's, it just happens a lot. It's like, hey, we need an extension, we need an extension. It's kind of like the dog ate my homework. I can't get my stuff in time. You know, we like to have stuff done on time.

MR. MOYER: You remind me often, sir.

(Laughter.)

GOVERNOR HOGAN: All right. Thank you.

MR. MOYER: All right. Thank you.

MR. RAHN: And so, Governor, may I comment on --

GOVERNOR HOGAN: Yeah, would you please?

MR. RAHN: -- on the Authority's, in which --

COMPTROLLER FRANCHOT: His answer was pretty good.

GOVERNOR HOGAN: Yeah.

(Laughter.)

GOVERNOR HOGAN: I like the, I like the, yeah, we just screwed up. Sorry.

MR. RAHN: Actually, some of these modifications are necessary because the procurement gets drug out when we get single bids and we go back out.

GOVERNOR HOGAN: Well that's a good answer.

MR. RAHN: And, yes, and so actually some of the goals that the BPW desires actually --

GOVERNOR HOGAN: You send them back and say we have to get more bids.

MR. RAHN: We say we are not going to bring something to the Board if we can avoid it. In the case of this particular one, there was a threat of a protest to the procurement. And so we had to wait a particular length of time to see if there was going to actually be a filed procurement. And we have gotten to that point where they didn't utilize it within their timeframe. We just need the

modification. It's, while it has multiple in there, we think we can have this under contract in March. But again, there are circumstances like this that just happen --

GOVERNOR HOGAN: Yeah.

MR. RAHN: -- and we don't like them.

GOVERNOR HOGAN: Yeah. I understand occasionally these circumstances happen. We're just seeing it a little too often, that's all. Thank you. That's a good explanation. Better than we screwed up.

(Laughter.)

GOVERNOR HOGAN: Well he gets an A for honesty, though. The University System has no Agenda so they are completely off the hook.

SECRETARY MCDONALD: They are not here, so --

GOVERNOR HOGAN: And we're going to move on to Information Technology.

MR. LEAHY: Good morning, Governor, Madam Treasurer, and Mr. Comptroller. For the record, I'm Michael Leahy, Secretary of the Department of Information Technology. Today we have --

GOVERNOR HOGAN: First of all, let me congratulate Secretary Leahy on his unanimous confirmation through the Senate.

(Applause.)

MR. LEAHY: Thank you, Mr. Governor.

GOVERNOR HOGAN: He's done a terrific job with the leadership of this agency and we want to congratulate you and look forward to your continued leadership.

MR. LEAHY: Thank you so much, sir. Today we have four items on the Agenda. We are withdrawing Item 3-IT. And I do have agency representatives available to answer any questions.

GOVERNOR HOGAN: Any questions on DoIT? Is there a motion?

COMPTROLLER FRANCHOT: Move approval.

TREASURER KOPP: Second.

GOVERNOR HOGAN: Second? Now we're going to move on to the Department of Transportation, the ones that had that slow --

MR. RAHN: Thank you, Governor, Madam Treasurer, Mr. Comptroller. For the record, Pete Rahn, Secretary of the Maryland Department of Transportation. Today MDOT has 11 items for your consideration. And I need to make one comment. And I know everyone wants to get out of here. Last BPW meeting I pleaded with the Board for a single bid item for maintenance on the, at the Port, including the World Trade Center. I can -- and thank you for that approval. Last week, we had a water break at the World Trade Center that flooded ten floors. So that contract was desperately needed and we were able to

utilize it and we only had the building closed for a few days. So we weren't, we did not abuse our request in asking for that approval.

GOVERNOR HOGAN: Okay. Anyway --

TREASURER KOPP: Too bad about the World Trade Center, though.

GOVERNOR HOGAN: Any --

TREASURER KOPP: I have a question about Item 3. Did you take Item 3 off the, Item 3 is still on the Agenda? The paratransit?

MR. RAHN: Yes.

TREASURER KOPP: It's the same thing again. I understand that you want to make a major change in the way you're delivering the services. But this thing has got two renewals, two modifications, and now another renewal. How, I mean, you didn't decide yesterday to change it. Why --

MR. RAHN: Well this is another one that had a potential protest. But this whole area --

TREASURER KOPP: Paratransit is very difficult. I get it.

MR. RAHN: Yeah, it's incredibly difficult and complicated and the players within it tend to be quite contentious as we attempt to deliver the service. And it is hugely expensive. And so we are continuing to explore ways to try to reduce our costs there, and what you're seeing is the pain that we have gone



through to try to come up with a solution to reduce our costs and still provide a really good service to the people who need this. It's --

TREASURER KOPP: Do you think we're going to see another modification before we see --

MR. RAHN: I don't believe so. I do not believe you will see another one. Even though this is requesting I think up to three, but no. I do not believe you will see another modification on this contract.

TREASURER KOPP: This goes to May 20.

MR. RAHN: Yes. Yes. Yes. And if we need another modification, my Deputy will be here --

(Laughter.)

TREASURER KOPP: We know him well.

GOVERNOR HOGAN: He may be the Secretary.

(Laughter.)

GOVERNOR HOGAN: Any other questions on the Transportation

--

COMPTROLLER FRANCHOT: Move approval.

TREASURER KOPP: Just one other, just to repeat. Item 10 and 11.

GOVERNOR HOGAN: Let me go back to one thing. Sorry to interrupt.

TREASURER KOPP: No, that's okay.

GOVERNOR HOGAN: On the, you said -- on two things you said we delayed it because there was a protest. If you and your procurement team believe that you're in the right, I couldn't give a damn if there's a protest. You know, move forward with the procurement and let them go through the protest process and take it before the Board of Contract Appeals or go to court. But we don't want to slow down the wheels of government because somebody has a protest. Keep, you know, keep moving forward.

TREASURER KOPP: Because it's part of the process.

MR. RAHN: And we have done that. In fact, I think you may remember a few months ago we brought a contract to the Board that was under protest and the Board did approve it.

GOVERNOR HOGAN: Yeah.

MR. RAHN: There was a lot of conversation about it and --

GOVERNOR HOGAN: If you think there's legitimate concerns and you want to review it or go back and take another look, that's great. But if you think it's a frivolous protest, don't slow down.

MR. RAHN: Thank you. I appreciate that license.

GOVERNOR HOGAN: It's all right.

TREASURER KOPP: It's difficult to know sometimes --

GOVERNOR HOGAN: Yeah.

TREASURER KOPP: -- whether the protest is going to be frivolous or not. I understand that.

MR. RAHN: But it's a game by some as a way to hold onto their contract for another year or so.

GOVERNOR HOGAN: Yeah. I don't want to do that.

MR. RAHN: And we've seen that. And it's been a practice, and we try to plow through that.

GOVERNOR HOGAN: We're into getting the best services for the best money for the taxpayers. We're not in the incumbent protection service.

COMPTROLLER FRANCHOT: I don't even have to be here anymore. This is music to my ears.

GOVERNOR HOGAN: I learned well --

COMPTROLLER FRANCHOT: Yeah. Yeah.

(Laughter.)

MR. RAHN: So Madam Treasurer, you had something on Item 10.

COMPTROLLER FRANCHOT: Incumbent, is that your incumbent vendor protection program?

GOVERNOR HOGAN: Incumbent protection could go a lot of ways. You know. Not partisan redistricting.

COMPTROLLER FRANCHOT: Yeah.

(Laughter.)

TREASURER KOPP: I think this actually is one. You do want to observe everyone's rights and there has to be a reason in the face of a protest to award it. But this question of incumbents spinning out their contracts absolutely is a concern to the Board.

MR. RAHN: Mm-hmm.

TREASURER KOPP: Items 10 and 11?

MR. RAHN: Mm-hmm.

TREASURER KOPP: I would hope that you all would come in every time explaining why we use diesel or LNG instead of electricity. I mean, just again, the same question of how these procurements fit into our goals and your department is taking a leading role in addressing climate change impact by saying we have to go to electrification. One answer I keep hearing is we have to see whether we get the use of the Volkswagen settlement money. But that, I mean it's good to have Volkswagen money, but the question is what are your priorities?

MR. RAHN: Mm-hmm.

TREASURER KOPP: And I would like to see from now on a little more clear, transparent, simple language evidence of having gone through the process of weighing that before it comes to us.

MR. RAHN: Madam Treasurer, I believe we are on the cusp of seeing electric technology for propulsion to really come into its own. We're not

quite there yet on buses. And we've looked at these in a number of areas. You need to have the ability because what we're looking for is the ability to charge these in place and be able to keep them continuously operating. If they have limited ranges and have to be taken out of service frequently to be charged, then they are not being useful and --

TREASURER KOPP: All I'm saying is when we see the items, we don't see that discussion usually.

MR. RAHN: Yes, ma'am. Understood.

GOVERNOR HOGAN: Great. Is there, are there any other questions?

COMPTROLLER FRANCHOT: Move approval.

GOVERNOR HOGAN: Motion, second, three-nothing. Move on to Department of General Services.

MR. CHURCHILL: Good afternoon, Governor, Madam Treasurer, and Mr. Comptroller. For the record, I'm Ellington Churchill, Secretary for the Department of General Services. The department has 16 items on our Agenda today, including two supplementals, and we are withdrawing Items 8 and 14, and we are available to answer any questions you have at this time.

GOVERNOR HOGAN: Questions on DGS?

COMPTROLLER FRANCHOT: Yes. Item 15, Mr. Secretary.















TREASURER KOPP: And the other simply is to note that we did receive correspondence from Senator Eckardt in support of Item 12, which looks like a terrific cost effective way of continuing the Richardson Museum --

MR. CHURCHILL: Yes.

TREASURER KOPP: -- and all of its projects and all of its activities in one centralized place --

MR. CHURCHILL: Mm-hmm.

TREASURER KOPP: -- in the county. Thank you for that.

GOVERNOR HOGAN: Thank you for mentioning that.

MR. CHURCHILL: Thank you. Yes.

GOVERNOR HOGAN: Very good. Is there a motion on DGS?

COMPTROLLER FRANCHOT: Move approval.

TREASURER KOPP: Second.

GOVERNOR HOGAN: Second? Three-nothing. That concludes the Board of Public Works. Thank you.

(Whereupon, at 1:14 p.m., the meeting was concluded.)