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*STATE OF MARYLAND*  
**BOARD OF PUBLIC WORKS**

*GOVERNOR'S RECEPTION ROOM, SECOND FLOOR, STATE HOUSE  
ANNAPOLIS, MARYLAND*

**October 30, 2019**  
**10:00 a.m.**

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# PRESENT

## **HONORABLE BOYD RUTHERFORD**

Lieutenant Governor

## **HONORABLE NANCY KOPP**

Treasurer

## **HONORABLE PETER FRANCHOT**

Comptroller

## **SHEILA C. MCDONALD**

Secretary, Board of Public Works

## **ELLINGTON CHURCHILL**

Secretary, Department of General Services

## **MARC NICOLE**

Deputy Secretary, Department of Budget and Management

## **PETE RAHN**

Secretary, Department of Transportation

## **JEANNIE HADDAWAY-RICCIO**

Secretary, Department of Natural Resources

## **MIKE LEAHY**

Secretary, Department of Information Technology

## **JIMMY RHEE**

Special Secretary

Office of Small, Minority and Women Business Affairs

## **MISSY HODGES**

Recording Secretary, Board of Public Works

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# PROCEEDINGS

LIEUTENANT GOVERNOR RUTHERFORD: Well, good morning.

ALL: Good morning.

LIEUTENANT GOVERNOR RUTHERFORD: I just want to start off by mentioning that last week we had the home-going for a wonderful Marylander, Congressman Cummings, who loved his country, loved his State, and his hometown of Baltimore City. And it was a great tribute to him in Baltimore, as well as at the Capitol. And I think we'll all miss him.

I also want to mention the fact that our very own Lion of the Senate has announced last week that he is stepping down as Senate President, but he will continue in his role as Senator. But someone who will be missed, who definitely has made history during his time. And it will be a lot of changes around here, and particularly an interesting opening of Session. And we'll have two new leaders of the Legislature. It's the first time in decades. I could jokingly say centuries but --

TREASURER KOPP: 1987.

LIEUTENANT GOVERNOR RUTHERFORD: 1987, when all of us were children at that time.

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: Not quite. But I just want, you know, my condolences to the Cummings family, but also just, you know, pray for Senator Miller and thank him for his long service to the State of Maryland. Madam Treasurer?

TREASURER KOPP: Very well taken. Thank you, Governor. I just want to add my voice to your fine words. Elijah Cummings was also a great leader in Annapolis --

LIEUTENANT GOVERNOR RUTHERFORD: Mm-hmm. That's right.

TREASURER KOPP: -- in addition to Washington. And I think that's where so many of us remember him. He was our Speaker Pro Tem. And you could hear his booming voice even then. It boomed even louder when he got to Washington. But a great thinker, a great orator. An inspiration then and an inspiration now. I know those of us who were at the service on Friday will never forget it. It was just, it was a time of celebration of a great man, but also, as the Bishop said, of re-centering, of re-dedication for all the people who were there. Four thousand people, a huge, huge sanctuary. And yet everybody felt like a family and was re-dedicated together. It was amazing. He will be sorely missed.

And Mike Miller, what can you say? Thank heavens he'll still be here.

LIEUTENANT GOVERNOR RUTHERFORD: Mm-hmm.

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TREASURER KOPP: Because there is no man, I think, who has loved the Senate and the House and the process and the legislative body and the understanding of the role of the Legislature more than Mike. And his leadership, I was going to say his moral leadership but he would probably beat me over the head if I accused him of moral leadership. But his great leadership based on a true understanding of what the Legislature can be, should be, I believe, will stand throughout history as the embodiment of a leader who was of his institution as well as the leader of his institution.

We might not agree with every issue, I understand that. And I might not always agree with the language that Mike chooses to use. But the fact is, a true leader who has been an inspiration. I will say, as someone who has been involved in legislative organizations across the country, inspiration for many all over the State in terms of how to build balanced leadership and how to move forward, keeping people together. And I'm glad that he will be there to give advice to the brilliant new President of the Senate.

I know the other major issue before us today I assume you will mention later on, so I won't start now.

LIEUTENANT GOVERNOR RUTHERFORD: Yes, I think that's with the Secretary's Agenda.

TREASURER KOPP: But this is a date for celebration for a lot of things. Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Mm-hmm. Very much. Mr. Comptroller?

COMPTROLLER FRANCHOT: Yes. Speaking of celebrations, did anyone see the baseball game last night?

ALL: Yeah.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah, I stayed up for it.

COMPTROLLER FRANCHOT: So --

(Applause.)

TREASURER KOPP: And they are playing in Houston tonight, which --

LIEUTENANT GOVERNOR RUTHERFORD: Right.

TREASURER KOPP: -- apparently is good.

COMPTROLLER FRANCHOT: Yes. Apparently, yeah.

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: It is a good thing. And let me just, let me add to that, I have added interest in it because at the Cummings' funeral I happened to be sitting beside Congressman Al Green, and of course at the time the Nationals were up two-nothing. And he was saying something about he had to leave. And I said, so you're not staying for the game tonight? Because he's from Houston. And so he was, he, you know, gave me a

little hard time about that. And I said, well you know, it's only two games. We, this, you know, it's just two games. You know. All hope is not lost for Houston. But you know, it's whatever. And he said, well, I'll tell you what. If Houston wins, you have to buy me a Texas sized dinner and if Maryland -- I was going to say Maryland. If the Nationals win, then he will buy me a whatever, a Maryland sized dinner.

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: Eastern Shore chicken, whatever I decide.

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: So I, you know, I have added incentive to, for them to win.

COMPTROLLER FRANCHOT: Excellent. I just wanted to comment about last week I announced that I will be establishing a task force to study the health and safety impacts of so-called electronic smoking devices. These are the vaping devices that are so widely popular among particularly young people these days. My job as Maryland's chief tobacco regulator is to protect public health, keep any and all of these products out of the hands of kids. So the situation right now with e-cigarettes and vaping devices, we have a product that's making people sick. We have a product that's causing real and lasting damage to people. We have a product that, according to a growing number of national

reports, are killing people. And right now we just don't know enough about them. We don't know what they are really composed of, how they are truly being used, or the differences between these products that are being made, products that are being made by national manufacturers and those that are being concocted in a basement somewhere, although recently the biggest national manufacturer's fired CEO claims that there are all sorts of unannounced contaminants that have been put even in their products.

I truly believe this is one of those instances where the marketplace is moving at a faster pace than the government. We can't walk into a convenience store, for example, to buy a bottle of water or a candy bar that hasn't been scrupulously regulated by the federal government. But we don't have a real set of laws and regulations in place for a nicotine product that people are putting into their lungs. That's what our new task force, titled E-facts, is all about. We have to learn more about these products in order to determine the best possible course of action. I look forward to working with all of the stakeholders, doctors, hospitals, public health officials, advocates, policy makers, small business owners, manufacturers, legislators, to find a smarter way forward on an issue where lives are literally at stake.

Lieutenant Governor, I just want to add that my office has spoken with Secretary Neall and both presiding officers about participating in the task force. It's my hope that we can have bipartisan representation from the

Legislature and experts from the Department of Health. Thank you for letting me make that brief statement. It's an important subject, because --

LIEUTENANT GOVERNOR RUTHERFORD: It is.

COMPTROLLER FRANCHOT: -- for whatever reason, these products have been exempt from even basic things like listing on the product what's in the product. So we're going to get to the bottom of it in a very speedy group of four public hearings. And I think that everybody will benefit once we get more facts out on the table.

LIEUTENANT GOVERNOR RUTHERFORD: Well, yeah, it is quite a phenomenon, of something that went from a replacement to actual burning cigarette smoke, to now something that people, young people in particular, who never smoked, all of a sudden are using these types of devices. And the CDC recently found that close to 80 percent of the people that they, in the survey they did, who were experiencing these health issues also had THC in their vape. So I'm not sure if those were bootleg versions, or something that they got from dispensaries, or whatever the case may be. But there definitely needs to be a closer look. As you said, the marketplace and policy in some cases has gotten ahead of technology. And we've seen that in other areas. That was the case many, many years ago with regard to cigarettes themselves and tobacco. And I personally think we're seeing the same thing with regard to marijuana, that the policy is getting well ahead of the science and the federal government needs to

take a look. And for the very same reasons that you said. You know, everything else that you purchase, anything else that you prescribe, has gone through some type of regulatory process, testing, some review to tell you exactly what's in it and what the benefits and negative aspects are of it. We've all seen those pharmaceutical commercials where they scare you half to death about all the things that they could cause, including death in many cases. But they've gone through this review. So I agree and look forward to hearing from you.

COMPTROLLER FRANCHOT: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Madam Secretary?

SECRETARY MCDONALD: Good morning, Lieutenant Governor, Madam Treasurer, Mr. Comptroller. We have 22 items on the Secretary's Agenda, three reports of emergency procurement. We had 16 items on the Agenda when it was printed. We added a hand-carried item yesterday, and then Items 18 to 22 were walked into you this morning, but they appear on the internet now and we have copies if anybody needs them.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. And 18 through 22 are the provisions for those gentlemen who were wrongly convicted of crimes and served time in our State penal system. And so I know the Treasurer mentioned she wanted to say something about this. But it is, you know, we're bringing this matter to, you know, a just and rightful close. Hopefully the

individuals who also needed additional assistance through this process will get that, the assistance that they need. I know we helped them at one point get into a facility and so I hope this will help in that whole process. Madam Treasurer?

TREASURER KOPP: I'd just like to thank all the staff and the Comptroller, the Lieutenant Governor, the Governor, the Attorney General's Office, everyone who has worked on this project. But more importantly, this payment of several million dollars is in fact a very small token of the heartfelt apologies of the State and all of our citizens to five people. I notice it says erroneously convicted. That's very antiseptic. These are men who spent thousands of days, thousands of mornings, one of them almost 50 years in prison for the most part because of not only were they innocent of crime, but others worked to get them where they did not belong. And there's no way, I believe, that we can sufficiently apologize or that we can believe that an amount of money can make up for a person's life.

So I just want to thank those men, acknowledge the sacrifice that they made, hope that they understand that this is their community's way of recognizing that not only were they innocent, but they were terribly, terribly wronged. And I apologize.

In addition, I'd like to point out that while our staff and the Office of the Attorney General and everyone worked very hard, I fear this would not have come to us were it not for the hard work of attorneys who care very much

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about this situation and about these particular gentlemen. People who work pro bono. People like the Innocence Project, who have devoted hours, years, sometimes their lives, to trying to see justice finally done. And so, we all I think ought to acknowledge them and support them in their future endeavors, too. And I --

LIEUTENANT GOVERNOR RUTHERFORD: Very well said.

Thank you.

COMPTROLLER FRANCHOT: Thank you, Lieutenant Governor.

If I could just make a comment also. Obviously, I associate myself with the remarks of the Lieutenant Governor and of the Treasurer. And I'm very pleased that Jerome Johnson, Lamar Johnson, Walter Lomax, Clarence Shipley, Hubert James Williams, who are all victims of a broken criminal justice system, and even though no dollar amount can restore what was stolen from them, I hope that today's action brings some solace and a sense of vindication for these five individuals.

Each of them will be receiving approximately \$78,000 for every year they spent in incarceration, an amount that represents the median household income in Maryland. We chose the median household income intentionally, because through their erroneous conviction and incarceration, these five men were deprived of the opportunity to have a household and the opportunity to gain an income and make contributions to their communities and to our State.

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Along with the Lieutenant Governor and the Treasurer, I'd like to tip my hat to the Board staff for all their hard work behind the scenes that made today's action possible. But I particularly want to salute John Gontrum, who is, looks like he just got out of high school here --

(Laughter.)

COMPTROLLER FRANCHOT: -- but he's a very talented lawyer. And he came up with the objective number of the median family income. We don't have to go through this anymore in future years. If an individual is determined by the courts and all of the representative bodies to have been falsely incarcerated, we can simply take the median family income -- that's an objective number, it's not something we're picking out of the air, \$50,000, \$100,000, where did that come from? No, this figure is something that can be relied upon, both by this panel, the Board of Public Works, but also hopefully in the Legislature if they choose to revisit this issue. But this particular formula should take care of this issue, not just for these five individuals but for unfortunately anyone that may follow in their footsteps. I hope there are none. But to the extent there are we don't have to go through a lengthy process reinventing the wheel. This is, this is a good development, not just for these individuals but also for anyone else that deserves to be compensated in this manner.

And I agree with the Treasurer. We're compensating people with money, but guess what? We took from them decades of their, sometimes decades in instances, of their lives. How do you pay that back?

So hats off to everyone involved. Thank you, Lieutenant Governor. And Madam Treasurer, thank you particularly for your outspokenness. Seriously. Thank you. And --

LIEUTENANT GOVERNOR RUTHERFORD: Thanks also.

COMPTROLLER FRANCHOT: -- also to the staff.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Well thank you. And --

COMPTROLLER FRANCHOT: And I would move approval of that item, if we could separate it.

LIEUTENANT GOVERNOR RUTHERFORD: I would, we can do that.

TREASURER KOPP: Second.

LIEUTENANT GOVERNOR RUTHERFORD: All in favor. Yes, you can't make up time. That's one thing you can't get back. So thank you very much. I want to point out Item 15, which is Stadium Authority. And it is the construction of the Calverton Elementary/Middle School construction management.

SECRETARY MCDONALD: Mr. McGuigan and Mr. Johnson are here from the Stadium Authority.

MR. MCGUIGAN: Good morning. Gary McGuigan with the Stadium Authority. I'm happy to answer any questions.

LIEUTENANT GOVERNOR RUTHERFORD: Good morning. I just want to, I wanted to point out that this is one of the nearly \$1 billion school construction program that is going on in Baltimore City. I think you're up to -- I'm not sure what number you are up to in terms of schools that have been completed.

MR. MCGUIGAN: We have 11 open to date.

LIEUTENANT GOVERNOR RUTHERFORD: Eleven new schools --

MR. MCGUIGAN: Yes --

LIEUTENANT GOVERNOR RUTHERFORD: -- or renovated schools that have been opened, and we're on track for 22?

MR. MCGUIGAN: Twenty-seven to 28.

LIEUTENANT GOVERNOR RUTHERFORD: Twenty-seven? See, you beat me on that. So I think that is something that we should all be proud of, and particularly for those children who are going to have a new, bright facility that they are going to be able to go to.

The Treasurer and I were at a school opening --

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TREASURER KOPP: The Reach School.

LIEUTENANT GOVERNOR RUTHERFORD: -- the Reach School a couple of weeks ago. And that was, you know --

TREASURER KOPP: It was great.

LIEUTENANT GOVERNOR RUTHERFORD: -- quite impressive reuse of an old building. And as a person who really appreciates the architecture of the older buildings, I typically like that. Versus our kind of modern, Soviet architecture that we use now. So --

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: -- I don't know if there are any other questions.

TREASURER KOPP: Yeah, I do have a question. I know you are making a significant effort to make these buildings green, energy efficient and at times carbon neutral. Can we just talk about that briefly, where you are on that?

MR. MCGUIGAN: Sure. All the schools are at least LEED Silver. We've been working on the control systems and daylight harvesting. Where we can, we put geothermal in. But because of the sites in the City, that's only been, you know, a handful of schools. But yeah, all the schools have a lot of environmental energy efficient measures.

LIEUTENANT GOVERNOR RUTHERFORD: And I believe the Reed School, was it silver?

TREASURER KOPP: Was it silver? And what about the carbon neutral ones? Am I right in thinking that --

MR. JOHNSON: (Indiscernible) those two projects are being managed by City Schools. They are net zero, they are designed to be net zero.

TREASURER KOPP: All right. So how --

MR. JOHNSON: They are not --

TREASURER KOPP: -- because they are new buildings, they can do that?

MR. JOHNSON: Yes.

TREASURER KOPP: Is there any way we can incorporate that into our plans going forward? I understand that it's hard to do as a retro.

MR. JOHNSON: Yeah, we actually looked at being able to do that. It was a grant that came through the at the end of the administration, for those. And the projects that are identified in our program would not qualify for it. But we are, we continue to look for --

TREASURER KOPP: And was the grant for looking at it or for actually --

MR. JOHNSON: Designing --

TREASURER KOPP: -- doing it? Designing it? And how much was the grant?

MR. JOHNSON: I think it was \$3.5 million.

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TREASURER KOPP: For two schools?

MR. JOHNSON: Yes.

TREASURER KOPP: It's not a huge amount of money for --

MR. JOHNSON: No --

TREASURER KOPP: -- the future and for the savings that it represents. Are you all looking at the, something like that? I'm looking at Gary.

(Laughter.)

MR. MCGUIGAN: I mean, we looked at it for a few schools, as Eric said. But why don't we take a deeper dive as we progress through the program and take one more look and do a full analysis.

TREASURER KOPP: Do you have a goal to try to be as energy efficient and carbon neutral as possible?

MR. MCGUIGAN: Yes, as we do the individual projects, we look at them individually.

TREASURER KOPP: Mm-hmm.

MR. MCGUIGAN: I mean, one of the goals is to make sure the maintenance costs and the operational costs are less so that a strapped school district like Baltimore City can afford the schools. So we do energy modeling during design to look at the utility consumption. And we've really been focused on the dollar amount but we can, we can take a step back and --

TREASURER KOPP: I think that would be helpful. You know, the Governor has got a goal of reduction of non-green energy use, as well as our shared State goal for reducing climate impact, which can't be done without changes which may be initially expensive but in the long run --

MR. MCGUIGAN: Yeah.

TREASURER KOPP: -- significantly saving of both the environment and our resources. So I would think that as one of the leading construction agencies in this State, you would be a leader in this, too, Gary.

MR. MCGUIGAN: We will definitely take a step back and (indiscernible) deeper dive.

TREASURER KOPP: That's great. Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: What -- you mentioned something about geothermal. What were the issues, or are the issues, in Baltimore with regard to geothermal?

MR. MCGUIGAN: It's the tight sites --

LIEUTENANT GOVERNOR RUTHERFORD: Oh, okay.

MR. MCGUIGAN: -- in an urban area. A lot of these sites are fairly small and just making sure that it makes sense when putting it on the site, and also from a cost standpoint. I mean, balancing the capital cost and the operational cost is a constant struggle.

LIEUTENANT GOVERNOR RUTHERFORD: Right. Okay. All right.

TREASURER KOPP: Although, you know the State is going in the direction of trying to look essentially at life cycle costing and not just --

MR. MCGUIGAN: Understood.

TREASURER KOPP: -- up front.

MR. MCGUIGAN: Yeah, we've been talking to (indiscernible) about that issue.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah. Okay. Thank you very much.

MR. MCGUIGAN: All right?

TREASURER KOPP: Congratulations.

MR. MCGUIGAN: Thank you.

COMPTROLLER FRANCHOT: Could I ask, Lieutenant Governor, did we approve separately Items 18 through 22?

SECRETARY MCDONALD: Eighteen to 22 have been approved.

COMPTROLLER FRANCHOT: Yes. Have been approved, excellent.

SECRETARY MCDONALD: Right.

COMPTROLLER FRANCHOT: I have Item 17.



SECRETARY MCDONALD: Item 17 is the settlement that was given --

LIEUTENANT GOVERNOR RUTHERFORD: That's the other hand in?

SECRETARY MCDONALD: The Mass Transit Administration, MDOT. I don't know, Mr. Rahn, if you want to introduce it, or you want your Attorney General to --

MR. RAHN: We can have --

SECRETARY MCDONALD: Mr. Hartwig --

MR. RAHN: -- is here. I might be able to answer questions as well.

COMPTROLLER FRANCHOT: Well, I'm going to vote no on it. I'm not going to get into all the specifics. I'm perfectly willing to have folks go into it if they wish to. But it's a \$100,000 settlement. I think my colleagues are aware of the situation. But I happen to strongly believe that the taxpayers of Maryland should not be cutting a check to an employee who made racially offensive comments to her colleagues. So, please if we could, if we could pull this out also and I could be recorded in the negative, I would appreciate it, Governor.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

MR. RAHN: Mr. Comptroller, I understand totally your statement and sentiment. The issue, I believe, though is that if we don't address it here, the potential loss to the State taxpayers could be much greater if it ends up going to trial.

COMPTROLLER FRANCHOT: Yeah. No, from me. But, thank you for that concern.

LIEUTENANT GOVERNOR RUTHERFORD: I don't know if there's anything that the gentleman can add?

SECRETARY MCDONALD: I think the Secretary --

MR. QUINN: Yeah, sure, so Kevin Quinn, Administrator of MDOT MTA. Thank you for having us here. I'll introduce Eric Hartwig, our Assistant Attorney General, who may be able to --

MR. HARTWIG: Yes, Your Honor. My name is --

(Laughter.)

COMPTROLLER FRANCHOT: Gee, maybe I'll change my vote.

(Laughter.)

MR. RAHN: Keep going, Eric.

(Laughter.)

MR. HARTWIG: As has been addressed, this matter does have its potential to lead to additional litigation. For that reason, we do believe at this time the request for \$100,000 is in the State's best interests so the agency and

State can move on from the matter. And I do appreciate your concerns, but we do request that this matter be approved.

MR. RAHN: I guess I would add, Mr. Comptroller, that, I mean, we found this just as appalling and that's why we took the initial action. And we are where we are as a result. We did not believe that the statements made were appropriate at all and should not have continued.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah, I think the challenge as I understand it is, and like you said, you know, the conduct was terrible. You took action that had some challenges associated with it procedurally. But the, if it goes to trial, a potential remedy would be that you have to take this person back. And then that person will be entitled to certain protections that could cause litigation on anything that they don't like in the future. I experienced something similar to this when I was General Services Secretary, and we didn't settle. We went to the mat on it. And we had to take the employees back. And that was a very difficult situation because they really could not do their job because of the sensitive nature of what they were in and we still had to have them and that was not good. So, I understand the situation that the State is in, and MTA in this case.

TREASURER KOPP: I might as well chime in. Obviously, I think to me the most important thing is this person is no longer working for the people.

LIEUTENANT GOVERNOR RUTHERFORD: Right.

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TREASURER KOPP: And is no longer representing the department and the State of Maryland. Clearly, mistakes were made involving obtaining the information, whether I don't know who was wiretapped or just listening or communicating in a way that can't be supported. And I hope that the result is new systems and better training --

LIEUTENANT GOVERNOR RUTHERFORD: Mm-hmm.

TREASURER KOPP: -- so that that won't happen again. But I hope even more that we won't have people representing the State saying the sort of thing that this individual did. I sympathize completely with the Comptroller, but I understand the argument and the Lieutenant Governor.

MR. QUINN: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you.

TREASURER KOPP: But can you, we didn't hear from you and I think it probably is, not this moment, hear from the department or Greg what's been done to prevent this ever happening again.

MR. QUINN: So --

TREASURER KOPP: It doesn't have to be this moment.

MR. QUINN: So we, maybe we can converse --

TREASURER KOPP: But you're assuring us that the system is going to tick so this can't happen again.

MR. QUINN: Absolutely.

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MR. RAHN: Yes. Once we were aware of the different circumstances that apply in this situation, it was resolved almost immediately.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

TREASURER KOPP: Thank you. Thanks.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Thank you. So we'll have a separate vote on this motion, or this item. Do we have a motion on the vote?

TREASURER KOPP: I would approve the item.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. And we're going to approve it two, and one to the negative.

SECRETARY MCDONALD: Thank you.

MR. RAHN: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you.

SECRETARY MCDONALD: And now Items 1 through 16, and the emergency items.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah. Any other questions on the Secretary's Agenda?

COMPTROLLER FRANCHOT: Yes, I did. Item 13.

SECRETARY MCDONALD: Item 13 is the Department of the Environment. And it looks like, here we go, this is the Salisbury Regional

Airport. I think it's great news. Coming up we're hooking the Airport up to the water.

LIEUTENANT GOVERNOR RUTHERFORD: Mm-hmm.

MS. DORSEY: For the record, I'm Suzanne Dorsey, Assistant Secretary, Maryland Department of the Environment.

COMPTROLLER FRANCHOT: Great. What is this grant for, or loan and grant?

MS. DORSEY: This is part of our Water Quality Planning (indiscernible) and we are looking at providing water supply financial assistance.

COMPTROLLER FRANCHOT: Excellent. And it has my full support. I happen to think that the Mayor of Salisbury has done a fabulous job on this particular project. The Airport, which is our State's second largest Airport, plays a critical role in the region's economy. For example, I know Mayor Day and the Salisbury City Council have expressed their strong support for this item. They certainly have to me personally. And Madam Treasurer, Madam Lieutenant Governor, it's kind of a dry technical subject. But it is, so to speak, but it's --

LIEUTENANT GOVERNOR RUTHERFORD: We're an accepting society.

COMPTROLLER FRANCHOT: Yeah --

LIEUTENANT GOVERNOR RUTHERFORD: You called me Madam.

(Laughter.)

COMPTROLLER FRANCHOT: Oh, I'm sorry. Sorry. Excuse me. But this is important for that, for Salisbury and Wicomico County, so hats off to the agency.

MS. DORSEY: We're pleased to be a part of it. Thank you.  
We're pleased to be a part of it. Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you.

TREASURER KOPP: Governor, could I also --

COMPTROLLER FRANCHOT: Yes.

LIEUTENANT GOVERNOR RUTHERFORD: Yes.

TREASURER KOPP: -- Suzanne, on both 13 and 12, which is another MDE project that we've heard from the Legislature about, not only because it's a great project and needed but like 13 and 11, all projects of the Department of the Environment, I noticed that you are now putting on your items at the bottom Coast Smart, this project will be constructed in accordance with coastal and non-coastal resiliency guidelines developed as part of the Coast Smart Program to reduce climate change risks to such projects. And I, that's terrific to see that it has gone through a process before it comes to us to see how it is impacted by and impacts climate change. And I, this is a great model, you and the University System, also.

MS. DORSEY: Thanks to your leadership we're allowed to recognize the hard work of our staff. They do --

TREASURER KOPP: Yeah.

MS. DORSEY: -- consider these very carefully as they move forward. Thank you.

TREASURER KOPP: And I congratulate the folks in Salisbury for pushing to do that, too.

LIEUTENANT GOVERNOR RUTHERFORD: Mm-hmm.

MS. DORSEY: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Any other questions on the Secretary's Agenda?

COMPTROLLER FRANCHOT: Move approval.

TREASURER KOPP: And 14.

COMPTROLLER FRANCHOT: Oh, I'm sorry.

LIEUTENANT GOVERNOR RUTHERFORD: Oh, 14? Okay.

TREASURER KOPP: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Did you want her to come back up?

TREASURER KOPP: No.

COMPTROLLER FRANCHOT: Are you through, Madam Treasurer?



TREASURER KOPP: Yes, sir. Thank you.

COMPTROLLER FRANCHOT: I would move approval of the --

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

COMPTROLLER FRANCHOT: -- remaining items.

LIEUTENANT GOVERNOR RUTHERFORD: All right. I have a second. And I think we're all here.

SECRETARY MCDONALD: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.  
Department of Natural Resources?

MS. HADDAWAY-RICCIO: Good morning, Governor, Madam Treasurer, Mr. Comptroller. For the record, Jeannie Haddaway-Riccio, Secretary of the Department of Natural Resources. We have six items on our Real Property Agenda today for which we are seeking approval, and I'm happy to answer any questions you may have.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. I'm just letting some people transition. I just want to say thank you for accompanying me on park tours last week. We had nice stops at Susquehanna State Park, as well as Elk Neck State Park. And it was, you know, a good time to get out on a beautiful day. It was a little chilly in the morning, but it warmed up and we have wonderful State Parks, 75, sometimes 76, depending on how you count them, throughout our State. And it's a wonderful, they are wonderful family friendly places to go to

enjoy the diversity of our State and the outdoors. Some have cabins. Many have campgrounds. And it is something that I think we should encourage more of our Marylanders to get off their couch and away from their Twitters and things of that nature. And if you go to some of the Western provisions, they don't have any cell phone service or internet service. So if you want to unplug, yeah, that is very good. You know. As people nowadays panic when they, you know, leave the house and forget their phone. I, the other day I went to the store and I left my phone and I came back home and I told my wife, I said, you know, it felt good not having my phone with me. So --

TREASURER KOPP: Almost like panic whenever --

LIEUTENANT GOVERNOR RUTHERFORD: Yeah. There's a slight panic, and then you say, where did you leave it? And then it's, when I realized where I left it, I said, oh, that's fine. I didn't lose it. So that's good. But sometimes it's good to be disconnected from -- I say disconnected. But just a few years ago, we didn't walk around and be instantly available, you know, at every moment. So we're not surgeons on call or OB/GYNs on call. So and they can find us if they need us. So, thank you.

TREASURER KOPP: Governor, could I --

LIEUTENANT GOVERNOR RUTHERFORD: Yes?

TREASURER KOPP: I know we passed it and I support it. But the two, A1 and A2, the State Police helicopters.

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SECRETARY MCDONALD: Right --

LIEUTENANT GOVERNOR RUTHERFORD: I think --

TREASURER KOPP: No, just -- yeah, no, no.

LIEUTENANT GOVERNOR RUTHERFORD: Oh, okay.

TREASURER KOPP: I understand that there are going to be discussions it says between the State Police Superintendent, Aviation Commanders, Attorney General, Chief Procurement Officer, Budget and Management, etcetera. I would hope the Board of Public Works staff would be involved in that, too.

SECRETARY MCDONALD: Yeah, so actually --

TREASURER KOPP: Okay. Great.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

TREASURER KOPP: Because I think they have to understand why the regulations were changed.

SECRETARY MCDONALD: Right.

TREASURER KOPP: And it wasn't, we don't want to use emergency as a work around.

SECRETARY MCDONALD: Yeah, no --

LIEUTENANT GOVERNOR RUTHERFORD: Right.

SECRETARY MCDONALD: -- right. We understood, when the three came in like this, we are working on it. We needed to get the reports to you because they had been awarded but --

TREASURER KOPP: Yeah. No. It's just --

SECRETARY MCDONALD: We were --

TREASURER KOPP: -- my concern that we don't want to look like we're playing games --

LIEUTENANT GOVERNOR RUTHERFORD: That's a good point.

TREASURER KOPP: -- to address a real problem. Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: That's a good point. And this, I guess, has been brought to Bob's attention, Bob, are you aware of these, the items associated with the State Police helicopters? No? Okay. Well, we'll update you. Okay. All right. Okay. Any questions on Department of Natural Resources? Do we have a motion to approve?

COMPTROLLER FRANCHOT: Yeah, move approval.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Okay, we're all in favor.

SECRETARY MCDONALD: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: We're all in favor.  
Thank you.

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MS. HADDAWAY-RICCIO: Thank you very much.

LIEUTENANT GOVERNOR RUTHERFORD: University System?

MR. EVANS: Good morning. Joe Evans, representing the University System of Maryland. We have three items on the Agenda. We're here to answer any questions.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you.

TREASURER KOPP: Just I hope you'll tell the doubters back there how much we appreciate adding on the provisions at the bottom of here, about opportunities for environmental sustainability and all the great things that you are doing, ranging from exterior envelope improvements to control of interior solar heat gain, etcetera, to work examinations of both energy and environmental impact into all this.

MR. EVANS: Yes, ma'am.

LIEUTENANT GOVERNOR RUTHERFORD: All right. Well, on Item 2-AE I was at Towson yesterday and speaking to some students, and it came to mind with regard to what we were just talking about, being disconnected, not being connected. I really feel in about 20 years there are going to be a lot of people, maybe 30, that are going to have neck problems with so many students that are walking around like this, walking into the street with their head down. You know, we stopped several times, the trooper that was driving, and we would

say, he didn't even look, she didn't even look. Their phone is on, looking down like this, walking into the street. So and you have no control over that but --

MR. EVANS: But we have at my campus, which is UMB, we have billboards up, the --

LIEUTENANT GOVERNOR RUTHERFORD: Well, they don't see them because they are looking down.

(Laughter.)

MR. EVANS: They are in the buildings. So we have, you know, don't walk, don't --

LIEUTENANT GOVERNOR RUTHERFORD: Text and walk?

MR. EVANS: -- text and walk. But they don't do any good.

LIEUTENANT GOVERNOR RUTHERFORD: No. But you have to send, you know, maybe there can be alerts that go out.

SECRETARY MCDONALD: Exactly --

LIEUTENANT GOVERNOR RUTHERFORD: Get cattle prods, or put scoopers on the vehicles like they have on the old trains, I guess the cattle -  
-

TREASURER KOPP: I'll tell you quite candidly when I was learning how to drive, decades obviously ago, we had to take driver ed and driver training first. And the one thing that everybody remembered from driver ed were the movies that showed what happened to kids who weren't looking, weren't

doing what they should be doing, and you see them being wheeled out of operating rooms with missing limbs, etcetera. That stuck. And that actually made a difference, I think. And sometimes you've got to smack people upside the head like that to --

LIEUTENANT GOVERNOR RUTHERFORD: Yeah. Yeah. I mean, those old drivers ed and traffic school, you know, movies --

TREASURER KOPP: Yeah.

LIEUTENANT GOVERNOR RUTHERFORD: -- or something that they, I think parents now with the whining about little Johnny or Janie watching the blood curdling and things, even though they play video games --

TREASURER KOPP: Trigger warning --

LIEUTENANT GOVERNOR RUTHERFORD: Yeah, the trigger warning, they play video games that are much more graphic than that but they would be all upset about, but yeah, no, it's just, it's quite interesting. And they are on a campus with other students driving, which is even just as dangerous and so, because the student is driving and texting. And I scolded a young neighbor of mine the other day because I saw her driving and texting. She can't be but 17. And she said, oh, I was just looking at the navigation. I said, no you weren't because you were at the corner, I had walked to the store, and I said, you were at the corner and you passed your house. You're in your neighborhood. You weren't looking for navigation. You were headed to the store, which you could

have walked to instead of driving, but let's not start. I didn't tell her parents, but yeah I am one of those neighbors, okay?

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: Any questions on

--

TREASURER KOPP: Well, seriously, let me take advantage of looking straight ahead and seeing Bonnie Fogel sitting there, the Imagination Stage. One of the virtues of Imagination Stage is people can see things.

LIEUTENANT GOVERNOR RUTHERFORD: Mm-hmm.

TREASURER KOPP: Young people, and they don't have to actually endanger themselves, but they see what's happening in the world around them and it sinks in. And I think we're not talking about kids, because you have to start younger --

LIEUTENANT GOVERNOR RUTHERFORD: Oh, yeah.

TREASURER KOPP: -- than when they come to UMB.

LIEUTENANT GOVERNOR RUTHERFORD: Mm-hmm.

TREASURER KOPP: But it's really the work of each person to educate them and for smoking, the same thing. The smoking and the --

LIEUTENANT GOVERNOR RUTHERFORD: And the vaping.

TREASURER KOPP: -- what do you call it? Vaping.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah. Okay.

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TREASURER KOPP: That's mama's -- thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Any questions?

COMPTROLLER FRANCHOT: No, move approval.

LIEUTENANT GOVERNOR RUTHERFORD: Second, and I think we're all in favor. Thank you.

MR. EVANS: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Department of Transportation.

MR. RAHN: Good morning, Lieutenant Governor, Madam Treasurer, Mr. Comptroller. For the record, my name is Pete Rahn. I am Secretary of the Maryland Department of Transportation. MDOT is presenting 15 items today. We are withdrawing Items 5-GM-MOD and 8-S-MOD, leaving 13 items for your consideration. I'm available to answer questions or others are.

LIEUTENANT GOVERNOR RUTHERFORD: So 8-S is -- okay. I had questions about that.

MR. RAHN: And then I would also take the opportunity to come in on the previous remarks about distracted walking is actually a thing and we are, we have programs within Highway Safety to address distracted driving and distracted walking, because we have such a high percentage of pedestrian fatalities within Maryland. It's a real problem. And it's many, many people are putting themselves needlessly in danger by doing exactly what was described.

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TREASURER KOPP: And so what are you, are you looking at environmental, I mean, I read at one point that one of the problems was a sidewalk that actually, I guess to get rid of rainwater, was slanted toward the road. So that when somebody lost control of a bike or something it slid towards the road.

MR. RAHN: There was --

TREASURER KOPP: Do you look at things like that?

MR. RAHN: The only issue that I'm familiar with regarding a bicycle that was high profile and a sidewalk was a young person who was riding around trash receptacles that had been left on the sidewalk and riding around that caused them to fall into the roadway.

TREASURER KOPP: Well, my understanding was that, yes, I think we're talking about the same thing.

MR. RAHN: Is that the same? Yeah.

TREASURER KOPP: But in addition, there was no detente, there was nothing to stop the bike from skidding. It wasn't driving into the road, but skidding into the road.

MR. RAHN: Yeah. And I think the cause of that was still whomever it is that had left their trash receptacles in --

TREASURER KOPP: No question. I'm just saying when we look at construction and things, do we look at things like that?

MR. RAHN: Water runoff is a major issue that --

TREASURER KOPP: But --

LIEUTENANT GOVERNOR RUTHERFORD: But also curbs, I mean, are kind of worse. I mean, if you're going to fall off a curb, you know, if the person is going around something and they get to a curb, they are going to, that's, that can be a challenge.

MR. RAHN: And typically, the department does not either, typically, does not build sidewalks --

TREASURER KOPP: That might not be the best example. I get that. What I'm saying is when you look at your construction or planning or design, do you look with an eye towards understanding the problems of the pedestrians, or the distracted bicyclists, or whatever, in addition to moving the traffic along?

MR. RAHN: Yeah, ADA requirements are actually --

TREASURER KOPP: Yeah.

MR. RAHN: -- address all those issues about not just the normal pedestrian but also disadvantaged individuals, disabled individuals, who --

TREASURER KOPP: People --

MR. RAHN: -- need to be accommodated within those roadways. That's all part of what we have to do.

COMPTROLLER FRANCHOT: Can I ask --

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LIEUTENANT GOVERNOR RUTHERFORD: Mm-hmm.

COMPTROLLER FRANCHOT: -- on a different subject, what is the time frame for getting rid of the toll booths at the Chesapeake Bay Bridge? Literally physically removing them? So --

LIEUTENANT GOVERNOR RUTHERFORD: The Board --

COMPTROLLER FRANCHOT: -- bottleneck --

MR. RAHN: Before the existing ones are removed, we have to have gantries in place to collect tolls all electronically. Right now, the best estimate is May of next year we could have gantries in place.

COMPTROLLER FRANCHOT: Okay. I heard --

MR. RAHN: And then the next step would be to remove the toll booths that are currently there.

TREASURER KOPP: Why does it take so long?

COMPTROLLER FRANCHOT: Thank you.

MR. RAHN: Pardon me?

TREASURER KOPP: Why does it take so long?

COMPTROLLER FRANCHOT: Thank you.

MR. RAHN: I don't know. It just, first off we have to have the contract to design these. And this, the Bay Bridge had not been in the previous priority list for all electronic tolling. And so we had other bridges in which design was occurring. And obviously, now implementation at the Francis Scott Key

Bridge and at Hatem Bridge, which is coming up. So the Bay Bridge was not in that priority list. It has since moved into that list. But it does require design and it's actually a complicated design. We have to be able to accommodate vehicles at speed and we then need to acquire the equipment and we have to have, frankly, contracts amended which will be coming to the Board for the services that we're going to need to add to the back office in dealing with these additional all electronic tolling. There's a lot to this that goes on behind the scene that you just, you don't see, but that we have to deliver. So May, right now, is the best estimate for replacement of and installation of new gantries.

LIEUTENANT GOVERNOR RUTHERFORD: That's May of '20?

MR. RAHN: May of '20.

LIEUTENANT GOVERNOR RUTHERFORD: Mm-hmm.

COMPTROLLER FRANCHOT: Could I just suggest that you, like fast drying concrete and 24/7 construction, you figure out how to get this done much more quickly? Because there is building outrage, outrage among citizens, that's not -- I mean, I frankly applaud you, Mr. Secretary, for a lot of the things that I read about. But you've got to move on this faster. Because otherwise, the outrage from the public is going to become overwhelming. And it's not fair. I understand, you know, the Governor is doing everything possible and you've got a lot of balls up in the air. But you've got to get rid of those toll booths faster.

Because people are going to -- I kid people and say they are going to start jumping off the Bridge, they are so mad. So please, do something that will accelerate that so that those of us who are concerned about this on behalf of the public they can actually see something. I mean, this is not rocket science, putting a --

LIEUTENANT GOVERNOR RUTHERFORD: It's --

COMPTROLLER FRANCHOT: -- item across the Bay Bridge at X altitude that can track these cars' E-ZPasses. If you need to use an emergency procurement, great. Do it. But don't sit there and say, hey, May is okay. May is not okay. Thanksgiving, that I read about today, is going to be a nightmare.

MR. RAHN: And we are trying to encourage people to go early and stay late over the holidays. But the issue is do, you know, do we want to have this project done in one season or do we want it in two? And if we want it in one, it means greater inconvenience now to get it over faster. And we are already seeing substantially shorter backups at the Bridge. And so we actually have devices that monitor anger and joy with the department. And there is substantially less anger being expressed within the social networks now. So it's, the things that are going on are, you know, people are accepting and I believe the fact that when the Governor ordered us to do this as quickly as possible, and our efforts now, we do have people working, we have on all sections of the Bridge at one time to accelerate this. But there are certain physical conditions and

constraints that we have that we're having to deal with. And we can't change those.

COMPTROLLER FRANCHOT: Yeah. I'm just reporting back that I think your information is flawed and that you're going to see bigger backups because of the construction schedule. I can understand your logic, to tell folks to lump it for a year because it could have been two years. But I'm also suggesting that you accelerate this removal of these 1970s technology and have it occur in, let's pick a number, 30 days, rather than 180 days. Because that is something that is visible and physical and the public, I think it will obviously help, I'm sure your people agree, that it will help mitigate that bottleneck on the eastbound side of the Bridge. So I'm trying to be supportive. But it's going to be hard once this new hurry up schedule is applied and you're going to be coming back to us saying, God, we didn't realize everybody was going to be this upset on top of everything else. And so, it's a friendly suggestion, accelerate it.

MR. RAHN: Yeah. I can assure you, in fact I can assure everyone, if there is something that can be done to accelerate it, we are doing that now. I mean, we are doing it. So it's not even things that will be implemented. It's things that we are implementing and have implemented. And we are making progress. But again, certain things take X amount of time. And if it takes X amount of time, that's what we've got.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Thank you.

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COMPTROLLER FRANCHOT: Okay. If I could just add by saying, if you could give the Board a list of everything that you believe is being done in the timeframe, and the added cost, I assume these things are costing more.

MR. RAHN: They are.

COMPTROLLER FRANCHOT: And the actual time frame that they are going to be completed in, because going from two years to one year is obviously significant if in fact it's true. So, if you could supply that to us on the Board, that would be appreciated. Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: That would be good. Thank you very much. And step by step --

TREASURER KOPP: Can I just -- yeah.

LIEUTENANT GOVERNOR RUTHERFORD: -- actions that you have to take.

MR. RAHN: I just want to make sure that it's understood --

LIEUTENANT GOVERNOR RUTHERFORD: Yes.

MR. RAHN: -- that I have not said or intend to say anything untrue and that we are providing all the information we have. There is a caveat to all of this, which is if the weather turns severe --

LIEUTENANT GOVERNOR RUTHERFORD: I understand that. I don't know if everyone does. I understand construction and I understand that



the system side of it, too, that you know, takes time. But if you can just lay out the step by step --

MR. RAHN: Absolutely.

LIEUTENANT GOVERNOR RUTHERFORD: -- of what you have to do, you know, from design to system alterations to construction to demolition, what has to be done, I think that would be helpful. As well as the other steps that the Comptroller is talking about in terms of construction.

MR. RAHN: We will have that to you very quickly.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Thank you. I have a question on 7-GM, Aviation. And this is something, yeah, good to see Ricky Smith.

MR. SMITH: Good morning.

LIEUTENANT GOVERNOR RUTHERFORD: Good morning. Can you introduce yourself, please?

MR. SMITH: For the record, I'm Ricky Smith, Executive Director of MDOT, the Maryland Aviation Administration.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Thank you. This is a concession contract, EZ Connect Shuttle, and it appears it's app based. Is this kind of a variation on the Super Shuttle concept?

MR. SMITH: Good morning, Governor, Madam Treasurer, Comptroller. It is a derivation of the Super Shuttle contract. Super Shuttle provides point to point service.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah, I was saying concept, not necessary the contract.

MR. SMITH: Anyway, this particular service is direct service from BWI to hotels in Downtown Baltimore.

LIEUTENANT GOVERNOR RUTHERFORD: Oh, okay.

MR. SMITH: So that's the difference.

LIEUTENANT GOVERNOR RUTHERFORD: Okay, so it's not -  
- okay. All right. And I guess the reason I raise it -- and it's app based?

MR. SMITH: Yes, it is app based.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

MR. SMITH: So you can make a reservation regardless of where you are in the country --

LIEUTENANT GOVERNOR RUTHERFORD: So is it both ways?

MR. SMITH: Yes --

LIEUTENANT GOVERNOR RUTHERFORD: So if you are at the Hilton --

MR. SMITH: That's correct.

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LIEUTENANT GOVERNOR RUTHERFORD: -- and you're going to the Airport, you just on your app --

MR. SMITH: That's correct.

LIEUTENANT GOVERNOR RUTHERFORD: -- schedule a pickup.

MR. SMITH: Just follow directions.

LIEUTENANT GOVERNOR RUTHERFORD: So they compete with the Ubers and Lyfts from that standpoint.

MR. SMITH: And Super Shuttle.

LIEUTENANT GOVERNOR RUTHERFORD: And Super Shuttle, okay.

MR. SMITH: Yes.

LIEUTENANT GOVERNOR RUTHERFORD: And this is a question maybe for the Secretary. Because when I saw that it was an app based shuttle, I, you know, thought about one of the issues that we've been confronting when we talk about the two generation approach to eliminating poverty. Transportation is a big issue for a number of people, and particularly if you're in distant suburbs or rural communities that getting to a doctor's appointment, getting to work sites can be a challenge. And I give the example of where I live in Howard County, we have a Howard County Transit. And most of those buses are empty. And I've, you know, thought for a long time that a type of a van pool

and on demand service was better than fixed routes in certain suburban areas and rural areas. I mean, fixed routes if you're going from employment centers to particular housing centers during the employee times are probably good. But when you're running the fixed routes which I see in my jurisdiction all day, and you have an empty bus spewing out diesel fumes with no one on the bus during the day, that the better service would be something that is closer to a Super Shuttle or app based shuttle service for those who need to get places. But I understand there are some transportation funding issues associated with that. Are you familiar with that?

MR. RAHN: I am in general. It depends on how specific you want to get.

LIEUTENANT GOVERNOR RUTHERFORD: The U.S. Department of Transportation provides funding for wealth based transit. Is that, am I understanding correct?

MR. RAHN: So there are funds available that we then carry, that we forward on to local --

LIEUTENANT GOVERNOR RUTHERFORD: Mm-hmm.

MR. RAHN: -- counties and operators. And the Howard County system, the buses you are seeing are actually operated by Howard County. I believe Anne Arundel County is part of that regional, and we provide them funds

that come from the federal government to them for the operation of their system. But they are limited. It's formula based and --

LIEUTENANT GOVERNOR RUTHERFORD: But I understand that. The funds, though, are limited to route based --

MR. SMITH: Fixed route, yes.

LIEUTENANT GOVERNOR RUTHERFORD: -- transit, which is a challenge when you're not in an urban area or close in suburb area that people are going to a central place of work and you're picking up from, you know, condensed areas, that it's a challenge.

MR. RAHN: You're correct. Yes.

LIEUTENANT GOVERNOR RUTHERFORD: So it's something that we need to talk to our federal officials about, you know, bringing our transit systems into the 21st Century. Because they can, you know, fund, because what it does is it encourages these counties, like what Howard County and Anne Arundel are doing, to buy these gigantic buses. And it doesn't matter if they get a hybrid bus or an electric bus, they are pounding on the pavement with no one in there. You know, so that was my soapbox for this part of the Board of Public Works.

MR. SMITH: Glad to be a part of it, Governor.

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: I think --

TREASURER KOPP: Can I, just on that same line, Ricky, do you have any idea what the, in general what the fare is from there to -- pick a downtown hotel. I don't know --

MR. SMITH: So for this service, this service, the fare is \$30 per person. But if you want to reserve one of the buses for a group, it's \$12 per person in the group. So if you compare that to our taxi service, for example, it's about \$32 for a taxi from BWI to one of the hotels in Downtown Baltimore.

TREASURER KOPP: I was just thinking about our previous discussion about the employees there, the people who work at the Airport. And one of their major problems being transportation, particularly when they have difficult hour shifts.

MR. SMITH: Yes. So we've worked closely with MDOT MTA on expanded service to BWI. Not just the transit service, but also the Light Rail service. I mean, they are, they are stretching the hours of Light Rail services as far as they can without violating the time they need to do repairs, right?

TREASURER KOPP: But that's 11:00. Yeah.

MR. SMITH: But that continues to be work that we're engaging with MTA. As the Airport grows, more employees demand more access to the Airport. They worked very closely with us, for example, to provide service to the new cargo facility that's opened at the Airport.

TREASURER KOPP: Mm-hmm.

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MR. SMITH: That was a major plus for making that facility work. And so, I mean, they are doing everything they can. It's a challenge to meet their needs 100 percent. But I think we're doing the best we can.

MR. RAHN: What we are doing is we are concentrating on work centers. And as the High Flyer develops their facilities at the Airport, we're looking at potentially 1,000 employees who are at the midfield cargo facility. And we've changed our bus routes to provide access and we're providing it during the work hours for the existing shifts. But as that changes, what we're having to do, but it's frankly a good management approach, is that three times a year we're looking at where are people using our transit system, where are they not, and when we need more service in some areas we're moving buses from where they are not to where they are needing to go. So that we don't have these empty buses that people talk about.

TREASURER KOPP: Yeah. I'm concerned about the people who are actually working at the Airport. Not the new, just at our present. As you know, many of them making living wage but not anymore. If you've got to go out to the Airport, back to the City, out to the Airport, back, at difficult hours, at the ends of evening shifts or the beginning of morning shift, there is not a lot available that anyone can afford.

MR. RAHN: Administrator Quinn is here if you would like --

(Laughter.)

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MR. RAHN: -- a specific question about how they are managing demand at the Airport.

TREASURER KOPP: Well we can, if you want. I don't want to delay everybody.

MR. RAHN: Okay.

TREASURER KOPP: But I am very interested in pursuing that.

MR. QUINN: Sure. Kevin Quinn, Administrator at MDOT MTA. Transportation to the Airport is really important to us, not just for people using the Airport, but for people working at the Airport as well. So we take a, we are doing as best we can with our Light Rail service. We use the off hours of Light Rail to do maintenance on the track so it's a really important time for us, as Ricky noted. We also have our local bus service, Local Link 75, which goes around there. And we recently adjusted those hours to get folks to work at Mathison Way near the Airport and some other areas that the Secretary noted. So we look three times a year at adjusting bus schedules to meet those shift worker times. And even just recently, we're working with other employers like Amazon and others that ramp up especially during the holiday times which can get a little crazy from a work schedule perspective to meet those shift times even better. And we're able to make those adjustments kind of on the fly. We're trying to take a more nimble approach in working with employers to do that.



TREASURER KOPP: Well maybe we'll be in touch and follow up.

MR. QUINN: Okay.

TREASURER KOPP: And learn a little more specifics. Thank you.

MR. QUINN: Sure. Yeah.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Thank you. Mr. Secretary, I want to mention Items 11 through 14. And you don't need to bring anyone up. 11-M is Motor Vehicles, maintenance Contract. I commend them for putting it into the Small Business Reserve Program, a \$1.3 million award to a certified small business. I also commend them for MVA again on another contract, janitorial services that they put into the Small Business Reserve Program. I commend them, MVA as well as State Highway, on 13 and 14, that they put out a bid that a small business actually won the bid, won both bids. These could very well have been put into the Reserve Program. And so I'd ask that you suggest to your modals, all your modals, and I'm looking at Ricky Smith and I'm looking at Quinn here, that they do more in terms of putting projects into the Small Business Reserve Program. Like with 11, it doesn't have to be below \$1 million, because these contractors can do that work. So I just want to both commend and encourage utilization of the Small Business Reserve Program.

MR. RAHN: Thank you.

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LIEUTENANT GOVERNOR RUTHERFORD: Thank you.

TREASURER KOPP: Governor, could I just, a quick question on 9-M, which I understand is under, is still before the Board of Contract Appeals. What happens if, I find this a confusing situation --

MR. RAHN: If we lose the appeal?

TREASURER KOPP: Yeah.

MR. RAHN: Moot.

TREASURER KOPP: Well --

LIEUTENANT GOVERNOR RUTHERFORD: It sounds like it's moot. I think the whole appeal is moot, from my understanding.

TREASURER KOPP: Is it? Is that --

MR. RAHN: And so we're, who do we have? We've got Joe here. But we have gone through numerous attempts in addressing this, and the problem is we can't put this off any longer. Right now, we have \$53 million programmed over the coming five years to address elevators and escalators within our system.

TREASURER KOPP: Yeah. No, no, I get that and I don't intend to vote against this item. But I'm just confused about where we are and what happened.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah, the winner is protesting.

MR. RAHN: Yeah, that's strange.

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LIEUTENANT GOVERNOR RUTHERFORD: I won but I'm suing you for winning.

TREASURER KOPP: Yeah. So --

MR. SEDTAL: For the record, Joe Sedtal, Director of Procurement, MDOT MTA. I also have Damon Brown with us, who is with our AAG and has been working on this case. So he can address any of those questions.

In short, you are absolutely right. The incumbent is the one protesting. So, if they win, they get awarded this contract based on your vote, and then also win the appeal, then the contract would be (indiscernible).

MR. BROWN: Good morning.

LIEUTENANT GOVERNOR RUTHERFORD: Good morning.

MR. BROWN: Well, basically if they did win, my understanding and my expectation would be that they would withdraw the appeal because it would be moot at that time. Because if they were to proceed after being awarded the contract, and they were to win, then the remedy they requested was for the solicitation to be cancelled. And so they couldn't very well win a contract from a solicitation that was cancelled. So it is kind of a cat and mouse type of thing. But should this proceed, and the contract be awarded, my expectation is that they would withdraw and it would be moot.

COMPTROLLER FRANCHOT: I believe that's correct and I think this is a tremendous company that you are negotiating with. I think they got on cross hairs with you over the fact that their bidding information was released when the last procurement was halted for some reason. I'm not even sure about all that. But I am very pleased that you have a Baltimore company that has lots of workers who get a path to the middle class frankly because of this company, and as the Lieutenant Governor said the maintenance has been deferred for some time and I can understand the bewilderment of some of us looking at the history of this. But this is a good contract. I'm glad you're moving forward and obviously I'm very interested in employing skilled people in the Baltimore regional area. So, job well done.

MR. BROWN: Thank you.

COMPTROLLER FRANCHOT: I wouldn't worry about the protest.

MR. BROWN: Any other questions?

TREASURER KOPP: No.

COMPTROLLER FRANCHOT: No.

LIEUTENANT GOVERNOR RUTHERFORD: Any other questions on the Transportation Agenda?

COMPTROLLER FRANCHOT: No, move approval.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

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TREASURER KOPP: Second.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. We're all in favor. Thank you. Department of General Services.

COMPTROLLER FRANCHOT: Governor, if I could, the Treasurer mentioned Bonnie Fogel. This is a legendary person in the Washington region. I wonder if, Bonnie, you could come up and just explain Item 29?

LIEUTENANT GOVERNOR RUTHERFORD: Gee, I was going to mention that. But we haven't gotten to General Services yet.

COMPTROLLER FRANCHOT: Oh --

LIEUTENANT GOVERNOR RUTHERFORD: We're on General Services but he hasn't --

COMPTROLLER FRANCHOT: I was waiting --

LIEUTENANT GOVERNOR RUTHERFORD: -- identified himself. Okay.

MR. CHURCHILL: -- gallery. But good morning, Governor, Madam Treasurer, Mr. Comptroller. For the record, I'm Ellington Churchill, Secretary of the Department of General Services. The department has 41 items on our Agenda, including two supplementals. We are withdrawing Item 4 and we have agency representation to answer any questions you may have at this time.

COMPTROLLER FRANCHOT: I'd still --

LIEUTENANT GOVERNOR RUTHERFORD: Yes.

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COMPTROLLER FRANCHOT: -- Item 29, I don't know whether -- with your approval, Governor.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah. Yeah. I was going to mention it. Bring it up now.

COMPTROLLER FRANCHOT: Yes, because this is a person who represents more for the arts and the culture of the Washington area in Maryland than anybody could possibly ever be in the past or be in the future. Bonnie, thank you for what you represent and that unbelievable legacy and achievement that you have. And wasn't there some kind of partnership that you're about to embark upon? Is that you personally, or is that the Imagination Stage?

MS. FOGEL: Bonnie Fogel, Imagination Stage. I'm the founder and the Executive Director and I've had the real pleasure of knowing the Comptroller, Comptroller? And the Treasurer for 30 of the 40 years that we are now celebrating.

TREASURER KOPP: And what was Imagination Stage before it was --

MS. FOGEL: Before we were the Bethesda Academy of Performing Arts --

TREASURER KOPP: Thank you.

MS. FOGEL: A somewhat pretentious name but after the Royal Academy of Dramatic Arts in London. Are you referring to our new partnership with the Whittle?

COMPTROLLER FRANCHOT: Yes.

MS. FOGEL: Yes. Thank you. We just put out the press release this week. Imagination Stage has formed a partnership with the Whittle School and Studios, which is a global school system, a new school system. They are opening, their first two schools they have opened this September, one in Washington D.C. in the former intel staff building on Connecticut Avenue at Van Ness. The other with which we are immediately concerned is in Shenzhen, China, where we are the consultant on bringing in a theater program to that school. The school project is for 33 schools in 11 countries in the next decade. And we hope to be very much associated with those. But we were here today to say thank you and to be in support of the Governor's capital project, support of a new warehouse that Imagination Stage wishes to purchase in Maryland, which will allow us to instead of rent to have a building that we own. And that will have a huge economic impact on Imagination Stage. It will save us a great deal of money, which we need to do. Even though we are a successful arts organization, we are always suffering it seems. And also, it will allow us to share our space with other, smaller nonprofits who are looking for space to build their sets. So thank you very much for that support.

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LIEUTENANT GOVERNOR RUTHERFORD: Very good.

TREASURER KOPP: And people will learn how to, what goes into building sets and moving things --

MS. FOGEL: It's all part of the program.

TREASURER KOPP: -- and acting on the stage.

LIEUTENANT GOVERNOR RUTHERFORD: Yes. It's a lot behind the scenes. And I've had the pleasure of many years ago taking my daughters there, to Imagination Stage.

MS. FOGEL: That's fabulous news. Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: So thank you.

MS. FOGEL: Thank you.

TREASURER KOPP: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Let's go back to earlier in the Agenda. Item 5, Information Technology, 5-IT. It's a retroactive Higher Education Commission.

MR. CHURCHILL: Yes, so Aubrey Bascom, Director of Budget and Management.

MR. NEWMAN: Actually, I'm Geoff Newman, Assistant Secretary for Finance and Administration. I'm accompanied by Donna Thomas, our Director of the Office of Financial Assistance; Paris Jackson, Director of Information Technology; and Aubrey is here as well.

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LIEUTENANT GOVERNOR RUTHERFORD: And you're with which entity?

MR. NEWMAN: Maryland Higher Education Commission.

LIEUTENANT GOVERNOR RUTHERFORD: Okay, Higher Education.

MR. NEWMAN: We're here on behalf of the Secretary. He had to attend a Board meeting.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. I didn't get that part. My question on this, this is a sole source contract that it appears that you are changing a contract that had several renewals in it to make it just a straight four-year contract?

MR. NEWMAN: That is correct. This contract was approved in August of 2018. It was a competitively bid contract that you approved back in 2018, with one year and then four one-year options. When we went to exercise the first option this August, we notified the vendor in August of 2019 and then we also notified the Department of Information Technology on this contract in September. We received advice back from Department of Information Technology that the contract had lapsed because it was now September and that we couldn't exercise the option. So we're returning to retroactively enact the contract with all four years under this contract so we do not have to exercise every year --

LIEUTENANT GOVERNOR RUTHERFORD: Every year come back.

MR. NEWMAN: Yeah.

LIEUTENANT GOVERNOR RUTHERFORD: Now I understand also that Higher Education originally wanted this to be a five-year contract. Why was it not a five-year contract, or what was the --

MR. NEWMAN: Yeah. Well, this was a brand new vendor --

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

MR. NEWMAN: -- that won the award for the contract. So we did, and I think it was prudent advice that we do this one-year contract with the options in case we weren't satisfied with their performance after the first year.

LIEUTENANT GOVERNOR RUTHERFORD: Well most State contracts have termination for convenience.

MR. NEWMAN: Yes.

LIEUTENANT GOVERNOR RUTHERFORD: And so you could do that type of thing anyway. I mean, I'm not blaming you. I'm actually blaming the procurement group that was in charge, and that's pre you, Bob, so and pre the reorganization that took place, is that they should have been looking at this. I think you, if they are following what tends to be typical practice, you would have a termination for convenience, or you have a one-year and then a four-year

renewal or a two-year and a renewal. So okay. All right. I just wanted to clarify that.

MR. NEWMAN: Sure.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Thank you.

MR. NEWMAN: Thank you.

TREASURER KOPP: Could I just pile on that just to say we don't have enough people in this State working on procurement. I think we all agree on that. And everybody has a lot of things to do. And it seems to me that dividing a five-year contract maybe into one and four, I can see that make sense. Although you can terminate for convenience --

LIEUTENANT GOVERNOR RUTHERFORD: Mm-hmm.

TREASURER KOPP: -- and I gather this vendor has been excellent.

LIEUTENANT GOVERNOR RUTHERFORD: Right.

MR. NEWMAN: Yes.

TREASURER KOPP: But to make people come back every year --

LIEUTENANT GOVERNOR RUTHERFORD: Every year, right.

TREASURER KOPP: -- just doesn't make sense.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah. Right. So some of it's, you know, some of my comments are just kind of to send a message to the department, not necessarily you, but control agencies in terms of when they

are working with their customers, their clients, that they think further along and think about the work flow that has to be done. That, yeah, you're testing them out, maybe it's a one-year. But then not to require them to keep coming back.

MR. NEWMAN: We will gladly echo your --

LIEUTENANT GOVERNOR RUTHERFORD: Thank you. I know that was something that you all wanted initially so --

MR. NEWMAN: Yes. Thank you very much.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Thank you.

TREASURER KOPP: Can --

LIEUTENANT GOVERNOR RUTHERFORD: Yes?

TREASURER KOPP: Item 1?

LIEUTENANT GOVERNOR RUTHERFORD: Oh, okay.

MR. CHURCHILL: Item 1, having to do with --

TREASURER KOPP: I shouldn't ask people this and I --

LIEUTENANT GOVERNOR RUTHERFORD: No, no. Go ahead. No.

TREASURER KOPP: I just am not quite sure what it is, the consultant services for technical reviews of, how does this fit into the whole --

MR. CHURCHILL: This is Lauren Buckler, Assistant Secretary for Capital Construction.

MS. BUCKLER: Good morning.

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TREASURER KOPP: What is this --

MS. BUCKLER: Good morning, members of the Board. So this item is outsourced review for K through 12 and community college schools. We hit peaks and valleys with those submissions because of the timing of school construction and school construction typically occurs in the summer because that's when schools aren't occupied. So the design reviews are heavy in the winter. They come into our office for approval. Our staff stays stagnant during the entire year. So we have the outsourcing ability to send some of these out for review to firms in the area.

TREASURER KOPP: So this, DGS is part of --

MS. BUCKLER: Yes.

TREASURER KOPP: -- school construction --

MS. BUCKLER: Yes.

TREASURER KOPP: This is not setting up another office to --

MS. BUCKLER: No.

TREASURER KOPP: That's what -- thank you.

MR. CHURCHILL: Great.

MS. BUCKLER: Thank you.

TREASURER KOPP: Thanks.

LIEUTENANT GOVERNOR RUTHERFORD: That's why DGS sits on the Interagency Committee --

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MR. CHURCHILL: Yes.

TREASURER KOPP: Absolutely.

LIEUTENANT GOVERNOR RUTHERFORD: -- for School Construction.

TREASURER KOPP: Yeah.

MR. CHURCHILL: And Governor, I would make a note on this, that 50 percent of the contracts that would be awarded to this are going to --

LIEUTENANT GOVERNOR RUTHERFORD: Small Business Reserve?

MR. CHURCHILL: Small Business Reserve. Okay?

LIEUTENANT GOVERNOR RUTHERFORD: Excellent. That's excellent. Very good. Okay. 6-IT-MOD?

MR. CHURCHILL: Item 6-IT-MOD, Danny Mays, Director of Procurement.

MR. MAYS: Good morning.

LIEUTENANT GOVERNOR RUTHERFORD: Good morning. I was, I guess I was just somewhat surprised initially that we are purchasing \$67.5 million per year of IT equipment that doesn't include laptops and desktops. I was told that this is on a statewide and it's a statewide contract that the other agencies in their budgets are purchasing this much information technology in a year's time.

MR. MAYS: That's correct.

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LIEUTENANT GOVERNOR RUTHERFORD: Okay. I would hope we're seeing efficiencies in the operations, and that's not necessarily your call, but these departments, that they are buying the IT equipment, they are not necessary, and this would be turning to the Secretary, that they are not just following the whims of the Dell and the Microsoft salesperson that comes in and says, hey, you need the latest and greatest of this and that. But it's something that's needed.

MR. MAYES: So I can say from a procurement standpoint, we work very collaboratively with Secretary Leahy and the DoIT team. All transactions that are purchased off of this contract must be blessed by his team and our office before they are undertaken. So the purchases are aligned within the IT master plan so the agencies aren't going rogue and spending off the contracts in a way that doesn't benefit the State's overall plan.

LIEUTENANT GOVERNOR RUTHERFORD: Anything to add, Mr. Secretary?

MR. LEAHY: Thank you, Governor. Mike Leahy, Secretary of DoIT. Yes, we are working very collaboratively. And as the procurement process has changed, we've also changed our intake process for not only projects but purchases of capital goods. And there will be additional insight because we are asking people to project things earlier so that we can look for those efficiencies to buy things under larger bulk contracts.

TREASURER KOPP: Governor, since you started this --

LIEUTENANT GOVERNOR RUTHERFORD: Mm-hmm.

TREASURER KOPP: -- could I flip over to 41-IT? It's a supplemental, but it falls in with this, I think. Department of Health is procuring a lot of stuff, 620 desktops, 540 laptops, 500 docking stations, with Windows 10. Because as I understand it, at the end of this calendar year -- I don't have any problems. At the end of this calendar year, Windows --

MR. LEAHY: Windows 7 will go out of support, correct.

TREASURER KOPP: And this is not the only agency that is dependent.

MR. LEAHY: No, but we --

TREASURER KOPP: So what are we doing to make sure that everybody else can continue operating?

MR. LEAHY: Absolutely. We have a plan at DoIT and at this point we expect 95 percent of the systems that are currently operating on Windows 7 or earlier will be moved to Windows 10. The remaining systems will be moved, but we have difficulties because there are legacy technologies that they are connected to that don't work with Windows 10. So we are working out those differentiations and we expect to have everything up to date, operating under Windows 10, in the coming year.



TREASURER KOPP: In the coming year? So things are not going to collapse on the 1st of January?

MR. LEAHY: No. Not at all. We have agreements with Microsoft that systems we cannot update, they will continue to support at an additional cost.

TREASURER KOPP: Great. Let me ask you two things. Can you just send a letter to us saying that?

MR. LEAHY: Sure.

TREASURER KOPP: And secondly, can we follow up on, there are particularly agencies that I am concerned about.

MR. LEAHY: Certainly, I'm happy to talk to you about it.

TREASURER KOPP: Thank you. God bless you all.

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: I think the, I had a question on 9-IT but I think that's been previously answered. I was happy to see it was a certified small business --

MR. CHURCHILL: Absolutely.

LIEUTENANT GOVERNOR RUTHERFORD: -- was getting a task order under the COTS contract, as well as under the, yes, under the COTS contract. So I'm fine with that. There is a provision in 9-IT with Navigator. It's a task order. They had a 24 percent MBE goal and their compliance is at 4.23 percent. And their task order is for another \$2.2 million. There appears to be no

way that they are going to get to that 24 percent, I mean, they could but it's going to be a challenge for them to get to that point with where they are.

MS. NIZER: Christine Nizer, MVA Administrator. We believe we've got a plan in place with them that we started in August, where they have dedicated an MBE resource to the contract. While we wouldn't be able to achieve that under the original contract, with the extension we believe that we can get them there. This is a contract in which we issue task orders. And so we've now ensured that each of those task orders that we issue, they have that MBE resource as part of that effort. And we do believe that we'll be able to get there with the extension, to that original goal.

LIEUTENANT GOVERNOR RUTHERFORD: Now, Navigator Management Partners, I guess they are kind of an integrator of some sort, or a staffing entity?

MS. NIZER: Yes. They provide business process re-engineering services. And so part of the issue is we didn't start really utilizing them early on when the contract was awarded. We've had an IT modernization going on at the same time, as you know, and we're trying to synchronize some of these things. And so now we're letting the task orders more quickly, which is more opportunity for the MBE to get those opportunities.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. All right. I'm just concerned when I see these, you know, this type of shortfall and the

Secretary knows I'm having a meeting with a number of the entities, our agencies and departments, to talk about the challenges that are coming to me with regard to the MBE program. You know, I think that some of these projects we can, you know, eliminate or alleviate these challenges if, and this may not be the case, but I've heard some egregious cases where the contractor is doing certain things that are basically making it difficult for the MBE to do its work and then blaming the MBE and trying to then move them out. This is not the case here. I just want to say that. And so we're going to talk about what actions can be taken where in my mind the contractor, the prime contractor is in violation of their contract because they said they were going to do certain things, as well as in violation of the spirit and policy of the contract, which could then in my mind, you know, mean that they either have breached a contract that we can terminate for cause or utilize our termination for convenience. And in some cases where that MBE was actually doing most of the work with supervision, emergency contract to the MBE until we can approve. I think that, those types of things would send a message that we're serious about the program. Secondly, take a closer look. And thank you for what you've done in the Small Business Reserve Program. But some of these could be in the Small Business Reserve Program as well.

MS. NIZER: Yeah, we'll certainly continue to look at it. I will say the prime in this instance was very receptive to the improvement plan we put in

place for them. They have already got the MBE in the current ask orders that they are doing today.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

MS. NIZER: So we feel confident that working with them, it is something we take seriously. We've got a good history in terms of our MBE rate at MDOT MVA and that's something we take seriously.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Well thank you very much.

MS. NIZER: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: I had some other -- I was just going to point out the capital grants and loans, which you already mentioned Imagination Stage. Do you have any other questions on any of the others besides capital grants and loans?

TREASURER KOPP: No, I just wanted to do a shout out on the Hoen Building, 28.

LIEUTENANT GOVERNOR RUTHERFORD: That was -- yeah, okay.

TREASURER KOPP: I think --

LIEUTENANT GOVERNOR RUTHERFORD: No, go ahead.  
Yeah.

TREASURER KOPP: Yeah, I think it is a tremendously exciting example of reuse --

LIEUTENANT GOVERNOR RUTHERFORD: Mm-hmm.

TREASURER KOPP: -- of older buildings that have been sitting there for so long, have been constructed specifically for another purpose, and is going to be reused, repurposed, in a way that is really going to, I believe, be significantly instrumental in revitalizing the neighborhood.

LIEUTENANT GOVERNOR RUTHERFORD: Right. That is part of an ongoing area in that portion of East Baltimore. It's within walking distance of Hopkins and the EBDI development project that the State has put a lot of investment in. And it's --

TREASURER KOPP: It's very exciting.

LIEUTENANT GOVERNOR RUTHERFORD: It is an exciting opportunity for that section of East Baltimore. I want to mention 24-CGL. And I see former Senator and Secretary McCabe here, if they could come up, sir.

MR. CHURCHILL: Yes.

MR. MCCABE: Good morning.

LIEUTENANT GOVERNOR RUTHERFORD: Good morning.

MR. MCCABE: Good to see you, Mr. Lieutenant Governor, Mr. Comptroller, Madam Treasurer, and various Secretaries here. My name is Chris McCabe. I am the Executive Director of Chrysalis House. It's a drug and alcohol

treatment center in Crownsville next to the Crownsville State Hospital. I've been there about four and a half years. We are gender specific. We served approximately 155 women last year with severe substance use and mental health disorders. And in addition, we serve about 65 children. We are unique in Maryland in that we can serve women with these disorders while their children are with them --

LIEUTENANT GOVERNOR RUTHERFORD: Right.

MR. MCCABE: -- and it's just a great opportunity. I'm honored to be here. We appreciate all the support that the Maryland General Assembly has given us towards a campus expansion. And we've also received support, a capital grant, from the Anne Arundel County Government. And we're also working with various State agencies, including Department of Housing and Community Development, Maryland Department of Health, and of course the Department of General Services that is helping us, this area right here.

I just wanted to introduce Loren Weisman, who is our Director of Development, who works very closely with me. Because all of our women are on medical assistance. So all of the taxpayers of Maryland, essentially, are supporting the programs and services we provide. So Lauren helps our organization apply for public grants and we also are looking for private support as well.

So Mr. Lieutenant Governor, I appreciate your visit a couple of years ago, Madam Treasurer, the same. And a picture is worth a thousand words. It's great to see the public investment really make a difference in the lives of people who are exceptionally vulnerable. So.

LIEUTENANT GOVERNOR RUTHERFORD: Well, thank you for the work that you're doing there. I was quite impressed. And it was very good to speak to the ladies there that are going through the process of recovery and the fact that they are able to do this with their children is an added benefit. That's one less stress that they have to, you know, encounter on their road to recovery. So thank you very much.

MR. MCCABE: In that regard, I was honored to be the Secretary of the Department of Human Resources, which is now Human Services. And at least I'm going to say 60 percent of the women, or the children in the child welfare system in Maryland and probably across the country is because of an addiction in the family. And so part of what we also do at Chrysalis House is we reunite women with their children who may be in temporary foster care or kinship care while their moms are going through treatment. So we have Departments of Social Services visiting us I'm going to say two or three times a week. So we work very closely with the Departments of Social Services. So we're just excited about what we do.

We're on the frontlines of the opioid crisis. It's very real. Despite our best efforts, there are times when women leave us that we gave them all the tools we could and they overdose and, yeah, we've lost women. And that's the reality of where we are. But we're glad we have an opportunity to serve the State.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you.

TREASURER KOPP: No, it's interesting. We started off this afternoon, this morning, talking about Elijah Cummings --

LIEUTENANT GOVERNOR RUTHERFORD: Mm-hmm.

TREASURER KOPP: -- and the inspirations that he has always been and that his service on Friday was. And I just think, Chris, to finish up with Chrysalis House, it just, it just shows you from beginning to end what can be done in the community if the community pulls together.

MR. MCCABE: Thank you all very much.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you.

MR. MCCABE: Good to see you.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. I won't keep you too much longer. I have a question on 34-CGL. This is the Bromo Tower, Bromo Seltzer Tower. I just wanted to know what is going on there. I know a couple of years ago there was some talk about it being a, is there anyone here, or --

MR. CHURCHILL: Shirley Kennedy.

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LIEUTENANT GOVERNOR RUTHERFORD: Is there someone?

MR. CHURCHILL: Then I'll take your question.

LIEUTENANT GOVERNOR RUTHERFORD: You'll take my question?

(Laughter.)

MR. CHURCHILL: Because I don't think we have anyone from --

LIEUTENANT GOVERNOR RUTHERFORD: I know a couple of years ago there was talk of it being turned into condominiums or something or apartments for artists or an art compound or something of that nature. And I just was, I saw this capital grant for some design and repair. I just wanted to know what's going on there. It still lights up but --

MR. CHURCHILL: It still lights up and I believe that the Zola (phonetic) development was part of the Bromo-Seltzer --

LIEUTENANT GOVERNOR RUTHERFORD: The who development?

MR. CHURCHILL: Zola.

LIEUTENANT GOVERNOR RUTHERFORD: Oh, okay.

MR. CHURCHILL: Zola. But what we'll do is we'll, at that time my knowledge of the Tower, this is under a previous hat, it was exactly that. But we can follow up with that since I don't have the particulars --

LIEUTENANT GOVERNOR RUTHERFORD: So you believe it, at least at some point there was --

MR. CHURCHILL: At some point --

LIEUTENANT GOVERNOR RUTHERFORD: -- supposed to be apartments for artists --

MR. CHURCHILL: That's right.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Yeah, I just was curious when I saw that. I want to commend on 36, Vehicles for Change. They do a lot of good work. Don't we have anyone from Vehicles for Change?

MR. CHURCHILL: I don't believe we have anyone. Usually it's Marty Schwartz that comes out for Vehicles for Change.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. They do a very good job. And if anyone has gone over to their site, they train people on automotive repairs. They do, they actually will do repair work if you need repair work on your vehicle. Of course, they accept vehicles that they repair and then make available to individuals that need transportation. So --

MR. CHURCHILL: So we have entered into a focus on Vehicles for Change that the partner has. And we engaged a pilot, where actually Vehicles for Change services our State vehicles. And they have a mobile response center, which allows for efficiencies to save hours for State employees. So, at State Center, we have them come out and we line up the cars and they can do five, ten,

15 cars. And so we're looking to see what we can do to scale that up. We've also introduced the same program here in Annapolis to come out to the lot outside of St. John's to service our vehicles. So they've been a great partner.

LIEUTENANT GOVERNOR RUTHERFORD: Well, very good.

MR. CHURCHILL: Yes.

TREASURER KOPP: I need to go. I want to go see it.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah, she should go.

MR. CHURCHILL: Mm-hmm. Yeah.

LIEUTENANT GOVERNOR RUTHERFORD: My last question, and I'm not going to, 39-CGL. This, I have some questions about this. This is the real estate holdings. We purchased a converted row-house apartment building.

MR. CHURCHILL: We have Dana Dembrow.

MR. DEMBROW: Good morning. May it please the Board, my name is Dana Dembrow, Director of Procurement for the Maryland Department of Health. And I'm here to introduce Ahmed Awad. He can give you the details. We also have a representative of Alliance with us.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

MR. AWAD: Good morning --

LIEUTENANT GOVERNOR RUTHERFORD: Good morning.

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MR. AWAD: -- Lieutenant Governor, Madam Treasurer, and Mr. Comptroller. I'm the Administrator for the Office of Property Managers and Development. The property that we're looking at is a three-story building. It will be divided into three studio apartments, three one-bedroom apartments, and then three two-bedroom apartments. So each individual in those two-bedroom apartments will be in separate bedrooms in that unit.

Mr. Scott Rose is representing Alliance and he will be able to answer any questions that you may have.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. You may have partially answered the question I have, because the document I have says that the property would be made available to three persons suffering from mental illness. And the question I had, you have nine units, and so how are you making this, if it's just nine people, who is the sap that gets the three, the, you know, the studios versus the one person who gets the three bedrooms? So that's, that was my, it sounds like you can have more than --

MR. AWAD: Yes. The reason why I put in the nine persons here, is that in some cases you'll get somebody who says, so we filled up the single bedrooms, now we're left with the two-bedroom units. We have one individual who says, I don't want to share. So we are minimum nine people. And the maximum of additional people I believe is 12.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. So I could just say I don't want to share and I get a three-bedroom suite in --

MR. AWAD: It's a two-bedroom suite and --

LIEUTENANT GOVERNOR RUTHERFORD: Oh, probably a two-bedroom, I'm sorry. Yes.

MR. AWAD: I think that Mr. Rose would be able to answer that because of their vetting system, the way that --

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

MR. AWAD: -- I'm pretty sure would eliminate that condition.

LIEUTENANT GOVERNOR RUTHERFORD: Maybe he can --

MR. ROSE: Sure. Thank you. My name is Scott Rose. I'm the Chief of Rehabilitation and Recovery Services for Shepherd Pratt and Alliance is a part of Shepherd Pratt Health System.

So, it's a clinical decision who gets what apartment. It's based on a number of factors, the individual's skills, their preferences. There are some individuals that want to live with other folks, so we would place them in a two-bedroom apartment. There are some folks that either want or need to live on their own. And so, I anticipate that we'll be able to fill all the beds. What Ahmed was referring to is every now and then if the only unit left is a two-bedroom apartment and that individual's mental health issues are such that it's better not to put a second person in for a while --

LIEUTENANT GOVERNOR RUTHERFORD: Mm-hmm.

MR. ROSE: -- then we might have some space there. But we anticipate them being filled.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. All right. I understand that. And I guess if the single, the studio or the one-bedroom opens up, you can move them --

MR. ROSE: Exactly.

LIEUTENANT GOVERNOR RUTHERFORD: All right. That was just, that's what struck me when you said nine, nine people, nine units. And it's like three of these units are two-bedrooms and if one is one-bedroom and you're sticking other people, typically there's jealousy. Wait a minute, why does he get the two-bedroom and I'm in this, you know, studio apartment? So.

MR. DEMBROW: It's a very good question, Mr. Lieutenant Governor. It's actually a capacity of 12, so we're going to do a lot of good with these.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. All right. Well, thank you. Yeah, we, I am chairing a Mental Health and Behavioral Health Commission. Mental illness is something that we as a country and a State have not done a good job and it starts with the de-institutionalization. We went way too far with it in terms of there was supposed to be a place for people to go and it didn't really happen. And then all of a sudden we said, oh, we have a homeless

issue. And many of the individuals are suffering from mental illness and we are not really addressing it. And so we're looking at what we can do on the State level, but also calling on our federal partners to really take a look at some of the regulations that are in place. Because it's, there's so many barriers to getting help for individuals via the mental health restrictions, the HIPAA restrictions, substance use disorder restrictions, that we need some assistance from our federal partners to look into that, as well as funding in terms of how we take care of a person who truly can't take care of themselves. And I give the example of the University of Maryland Hospital in Baltimore a couple of years ago, where the woman was cast out on the street. And she clearly could not take care of herself. And our systems are set up that we, you know, if they stabilize the person, they are considered voluntarily committed, and then they go. And we wouldn't do that with an Alzheimer's patient. You know, we wouldn't just say to, you know, an Alzheimer's patient, we wouldn't just open the door and let them wander. And so we need to really take a close look at what we do here. So, thank you.

All right. Any more questions on General Services?

TREASURER KOPP: I just have a quick question on 40-IT. And that is, is MAFIS II history now?

MR. CHURCHILL: I'm sorry, I didn't hear you.

TREASURER KOPP: MAFIS II?

LIEUTENANT GOVERNOR RUTHERFORD: 40-IT.

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TREASURER KOPP: We're re-upping MAFIS I, I get that.

SECRETARY MCDONALD: Secretary Green is here.

TREASURER KOPP: It's really sort of I assume a yes or no.  
Maybe not.

MR. GREEN: Good morning. Secretary Robert Green,  
Department of Public Safety and Correctional Services. I'm joined by Kevin  
Combs, our Chief Information Officer.

This is for a maintenance and hardware contract for our MAFIS I  
system.

TREASURER KOPP: Right.

MR. GREEN: This is a system that was installed in 2008. In 2018,  
we entered into another contract for MAFIS II. But this sustains MAFIS I, our  
current operating system, while we move forward.

TREASURER KOPP: So we're still planning and on track to move  
to MAFIS II?

MR. GREEN: MAFIS II is an already signed contract.

TREASURER KOPP: Yeah.

MR. GREEN: It's already in place. It's been approved by the  
Board of Public Works and is moving forward.

TREASURER KOPP: Great. Okay. Thank you.



LIEUTENANT GOVERNOR RUTHERFORD: Thank you. And thank you for your service on the Mental Health Commission, too.

MR. GREEN: Thank you for having me.

LIEUTENANT GOVERNOR RUTHERFORD: Our prison and jail system is probably the largest mental health providers in the country.

TREASURER KOPP: Oh, yeah.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Any other questions on General Services? Do we have a motion?

COMPTROLLER FRANCHOT: Move approval.

TREASURER KOPP: Second.

LIEUTENANT GOVERNOR RUTHERFORD: We're all in favor. Thank you very much.

(Whereupon, at 11:40 a.m., the meeting was concluded.)