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STATE OFMARYLAND

BOARD OF PUBLIC WORKS

ANNAPOLIS, MARYLAND

April 1, 2020
10:12 a.m.

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PRESENT

HONORABLE BOYD RUTHERFORD
Lieutenant Governor

HONORABLE NANCY KOPP
Treasurer

HONORABLE PETER FRANCHOT
Comptroller

JOHN GONTRUM
Secretary, Board of Public Works

NELSON REICHART
Deputy Secretary, Department of General Services

DAVID BRINKLEY
Secretary, Department of Budget and Management

GREG SLATER
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

LISA GRIGSBY
Recording Secretary, Board of Public Works

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PROCEEDINGS

LIEUTENANT GOVERNOR RUTHERFORD: In a few moments, we will be conducting our second virtual meeting of the Board of Public Works. As you know, the State of Maryland is still actively responding to the coronavirus pandemic. Governor Hogan has taken a number of bold and decisive actions over the last several weeks to manage this crisis. But nevertheless, we remain in the midst of a public health emergency that will continue to affect our State and nation for many more weeks to come.

The response to this new disease requires of course that we engage in social distancing in an effort to slow the spread of this virus and protect our vulnerable populations, which is why we are meeting today virtually again. As I stated two weeks ago, we know that social distancing and some of the other steps that our administration is taking, including limiting mass gatherings and closing schools and non-essential businesses, has been a challenge for many people and families and has been very disruptive to our everyday lives. These are not actions that the administration takes lightly, but they are absolutely necessary to flatten the curve so as not to overwhelm our healthcare systems and to ensure that we have the space and resources necessary to treat those who are ill and those who will become ill with this virus, which is largely unknown and there is no vaccine or cure readily available at this time.

So before going further with the Board meeting, I want to provide a few updates with regards to the coronavirus numbers in terms of positive cases in the State. As of this morning, we have 1,985 confirmed cases of coronavirus here in Maryland. Now, understand that less than a month ago we reported our first three cases of coronavirus, approximately three, maybe three and a half weeks ago. And unfortunately, we have had 31 Marylanders to die from this virus. And that includes a retired Prince George's County police officer who was a couple of years behind me in high school at Carroll in D.C. And I didn't know him at that time, but got to know him in more recent years because we traveled in similar circles. Some of those circles included one of his better friends or best friends, that's Steve McAdams, who is in charge of our constituent services, as well as his brother, his older brother went to elementary school with Governor Hogan. And his brother also went to high school with me, a year ahead of me in high school. And so our thoughts and prayers go out to all the friends and families that have been affected by this terrible virus. And we want to assure everyone that Governor Hogan is continuing to focus his entire efforts and our administration is putting 100 percent of our efforts into addressing this pandemic.

So over the coming weeks, we will continue to take this situation very seriously and our administration will take whatever steps are necessary to make sure that we keep Marylanders safe.

Now, I just want to make two last comments before turning it over to the Treasurer and the Comptroller. First, I want to point out that the, very separately, the westbound Bay Bridge lanes are now open a year ahead of schedule. And there will be some interruption at night to make some additional adjustments, but those lanes are open and we're moving forward.

Secondly, today is Census Day. Now, while it is also the fact that the Census requirements have been moved back a little bit, it is still very important that all Marylanders, all residents of our State, take the time to answer the Census. And I believe I mentioned it a couple of weeks ago, that if you receive the Census card or have gone online, it only takes a few minutes to be able to answer those questions, which is very important to our State in terms of the resources that we can expect to receive from the federal government and decisions that will be made in the coming years with regard to redistricting and a number of other efforts. So take a few minutes, particularly for those who are working from home or are at home during this time, to fill out the Census. And for some of us who are empty nesters, it only takes a few minutes. There certainly is less to have to report.

So with that, I'd like to turn it over to Treasurer Kopp for any comments.

TREASURER KOPP: Thank you, Governor. Yes, we did get the Census questionnaire last week and filled it out and it was remarkably fast and not

terribly exciting news to put in. But good to do. And that brings me to say what I don't say too often, and that is my thanks and hats off to Governor Hogan.

First of all, I think he's been just a very good strong leader, what is needed and prudent and moderate. And leading the National Governors was able to achieve practical, important things like postponing or deferring the final date of the Census, the Real ID, showing America that our system of federalism is so important. We have strong governors. We have good state government. And to at least some extent, I believe, making up for the lack of consistent, good, and reasonable leadership from the White House. And for that, I thank him, and thank you and your administration.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you.

COMPTROLLER FRANCHOT: Thank you, Lieutenant Governor. And --

TREASURER KOPP: And Happy Birthday.

COMPTROLLER FRANCHOT: -- yeah, Happy Birthday to the Lieutenant Governor. I would like to, excuse the noise there, I would like to just echo what the Treasurer just said. I think almost all Marylanders appreciate the aggressive, rational, honest leadership of Governor Hogan. And Lieutenant Governor Rutherford, if you could give him our personal acknowledgment that he and his team, including you, have been terrific. I would also include Treasurer Kopp, obviously, among State officials that people respond to very favorably.

We have all heard from so many Marylanders about the economic and financial situations that have been totally disrupted by the pandemic. Obviously, those of us who are lucky enough to be elected officials, have the privilege of holding public office, we're going to do everything we can to support Governor Hogan and his effort to save lives. That's our first priority. But that physical well-being and health of our people, as important as it is, we have to protect simultaneously the economic well-being of our State. That's why as the State's chief fiscal officer, I'm calling on all financial institutions, small and large businesses, and consumers to work together to find solutions that help our families and businesses during these incredibly stressful times.

I have indicated that I believe this is time for a 90-day voluntary payment holiday from monthly bills to help families and businesses keep their limited cash in their checking account and their savings accounts so we can, they can manage the crisis and pay employees, suppliers, or just take care of their own financial security.

If we entered into vigorously a form of payment holiday, we could save immediately, as I speak, $6 billion in cash for small businesses, just from mortgages and auto loans, for example. Just those two categories, mortgages and auto loans, $6 billion could be saved this month if our citizens went and asked for forbearance from their creditors.

We had 42,000 unemployment filings last week. We could have 20 percent unemployment and a 20 percent reduction in State revenues as we move forward because of the economic consequences of this health crisis. I'm basically urging every individual and every business owner to get on the phone and call every single creditor and say could I please get a 90-day payment holiday. You will be stunned at the positive response that you get from the private sector.

Obviously, this is not something that can be done by executive order or even by legislation. We don't control the banks and corporations at the federal level. Many of them are outside of our State's borders. Financial and utility companies have to rise on their own volition to lend a helping hand to their customers who are struggling to stay afloat during this crisis. You know, imagine that you just lost your job and you're looking and having to pay your normal fixed costs. What I'm encouraging folks to do is call, communicate, connect with. Ninety percent of your calls will be favorably responded to and I think that will allow you to ride out this crisis.

Obviously, there are going to be some creditors or property managers or suppliers or financial institutions that say go jump in the lake or you've got to be kidding me. Well, we've already done it in the State of Maryland. We now have a tax holiday for 90 days. Nobody should file taxes, or needs to file taxes, or pay us taxes until July 15th. The private sector I'm very

pleased to report has told me over and over again, from personal conversations with leading members of the Banking Association and utilities, etcetera, that they understand what the economic catastrophe is that our families and businesses are going through and how they are hanging by a thread. And they are going to be responsive. They will give you a payment holiday if you ask. They recognize the gravity of the situation. And ironically, the banks are motivated because of federal regulations to allow mortgages, because they get penalized if mortgages and loans go into default. So trust me, 90 percent of your calls will be answered positively. But you've got to make those calls. And I believe if we do, over three months we could save a minimum of $18 billion to $20 billion in people's checking accounts and savings funds.

Why do I like that idea so much? It doesn't cost the taxpayers a penny. It involves the good will of the private sector. And it empowers individual Marylanders to take some of their financial destiny into their own hands. And gosh knows, we have enough free time on our hands because everybody is sitting at home, understandably. So thank you for letting me comment about a payment holiday and the tax holiday that we're going through. And I once again want to end with a strong statement that Governor Hogan makes us proud because of his compelling honesty about what we're facing. And thank you, Madam Treasurer, for making those comments. Governor Rutherford, thank

you for standing in for the Governor today, and you know, God bless the great State of Maryland.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you.

TREASURER KOPP: And just to follow that, I noticed in the paper today that the Governor had issued an executive order deferring the income tax payments until July, like the federal government. And I think that was very good and very helpful. So I'm not quite as optimistic, perhaps a little more skeptical than you, Comptroller, but I hope you're right about --

COMPTROLLER FRANCHOT: Well, you know, it's interesting, Treasurer Kopp, because someone called me, you know, a big landlord called me yesterday and said, how can you possibly tell my tenants to call me and ask for a payment holiday? I said, what's the problem? He said, well, I have mortgages to pay. I said, well great, call your creditors and ask for a financial holiday or a payment holiday. And he said, well, you know, some of them are out of state, so why would they care? I said, good, send them our names. Maybe we'll recognize some of them. But it turns out that of his 33 loans, massive loans that he owes to these financial institutions, 29 of them are within the State of Maryland and they are all going to respond favorably. So this is not pie in the sky. I love, what is the organization, small business, SBA, Small Business Association. I mean, they are going to be totally overwhelmed. I appreciate the Governor putting $75 million from the Rainy Day Fund into relief. But it's a drop in the bucket. And most

people are unable to navigate this alphabet soup of government programs. I mean, they are all well-intentioned, but it's just they are out of our ordinary people's reach. So this is something that people are not comfortable with. I know, they prefer paying their bills on time and but I'm saying to everybody, whatever cash you have in the bank, keep it there and protect it like a mother lion protects her cubs.

LIEUTENANT GOVERNOR RUTHERFORD: The only thing I would say to that, Comptroller, is that I don't think it should be a blanket, you know, holiday. For those of us, like the three of us here, we're getting a paycheck today.

TREASURER KOPP: Right.

LIEUTENANT GOVERNOR RUTHERFORD: We can pay our bills. So we, there's a distinction between those individuals and those businesses that are suffering, that have lost their jobs, and they are furloughed. My son in California, he's been furloughed, his shop is shut down. He's on unemployment. Those people should be calling their creditors. But the blanket idea, no, I don't think that that's appropriate because some of us, like myself, my two daughters are telecommuting. They are still getting paychecks. One of them lives along with a couple of other young ladies in a row house in Baltimore that is owned by a couple with a family who just rented that place out because they were able to save up and buy a larger place. So if they stop paying, these people have two

mortgages that they have to deal with. And I just think that cascading effect, particularly since they can pay, they still --

COMPTROLLER FRANCHOT: Well, that may be, Governor. I would be the last person to debate you. But --

LIEUTENANT GOVERNOR RUTHERFORD: The three of us have the ability to pay. So the idea of a blanket is the only thing I have an exception to. But yes, if you have lost your position or your business is suffering substantially because of this, you should call your creditors. You definitely should call and see what they can, how they can help you get through this period of time --

COMPTROLLER FRANCHOT: I respectfully, I listened to exactly what you are saying, Governor, Lieutenant Governor Rutherford, I just respectfully disagree. This is a situation where everybody, well, all successful businesspeople are already negotiating their interest rates and their --

LIEUTENANT GOVERNOR RUTHERFORD: -- we're talking about you, me, and the Treasurer --

COMPTROLLER FRANCHOT: -- why shouldn't ordinary --

LIEUTENANT GOVERNOR RUTHERFORD: -- wouldn't --

COMPTROLLER FRANCHOT: -- well hang on a minute, could I comment?

LIEUTENANT GOVERNOR RUTHERFORD: -- and we are able to pay them. I think that for everyone, I understand for those businesses, for those individuals, yes. But for someone like myself, I can pay my bills and I paid my mortgage today. And I should not be deferring. My daughters should be paying their rent because they are working. They should be doing that. They should not be seeking any exceptions at this time. We've got to keep, you know, some semblance of the economy going. And just to shut it down even for folks who are fortunate, there are a lot of federal contractors that are essential, many of them are working at home, some are still working in labs and still doing business right now. And they can afford to pay their mortgages --

COMPTROLLER FRANCHOT: Can I please interject?

LIEUTENANT GOVERNOR RUTHERFORD: -- as normal.

COMPTROLLER FRANCHOT: I strongly disagree with you. Because we have no idea --

LIEUTENANT GOVERNOR RUTHERFORD: (Indiscernible).

COMPTROLLER FRANCHOT: -- we have no idea -- would you just let me respond?

LIEUTENANT GOVERNOR RUTHERFORD: Yes, go ahead.

COMPTROLLER FRANCHOT: I'm not suggesting that people in a blanket way call who want to pay and have the money to pay. I'm just suggesting that everybody can call and ask because we have no idea what the next

month is going to look like, what the month after that is going to look like, what the month after that is going to look like. If you have disposable income that you would like to allocate, I would suggest buying gift certificates for local businesses in your area. And you know, cashing them later on down the road. But this is an idea that, unlike the government programs, is immediately available. Nobody is demanding anything. They are just calling and saying, hey, these are really rocky, rough, unpredictable times facing us, could we please have some renegotiation on our fixed costs. I think it's entirely appropriate.

LIEUTENANT GOVERNOR RUTHERFORD: Disagree. Okay. Thank you.

COMPTROLLER FRANCHOT: Onward and upward.

LIEUTENANT GOVERNOR RUTHERFORD: Secretary's Agenda?

SECRETARY GONTRUM: Hi, good morning, Governor, Madam Treasurer, Mr. Comptroller. We have 26 items on the Secretary's Agenda and one report of emergency procurement. Item 11 is being withdrawn. I'm happy to assist with answering any questions.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

COMPTROLLER FRANCHOT: I would move approval. I don't have any items.

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LIEUTENANT GOVERNOR RUTHERFORD: I do have some questions on 5 and actually several --

TREASURER KOPP: Seven.

LIEUTENANT GOVERNOR RUTHERFORD: Five, 7 through 10, then we have 13 through 16, a number of the revolving loans with regard to addressing the sewer issues and the consent decree in Baltimore City. My main questions have to do with do we have any idea if this work has started? And if it hasn't, when it will start?

SECRETARY GONTRUM: Very good, Governor. We have Secretary Grumbles able to join us, along with Assistant Secretary Suzanne Dorsey.

MR. GRUMBLES: Thank you. Can everybody hear me?

LIEUTENANT GOVERNOR RUTHERFORD: Yes.

COMPTROLLER FRANCHOT: Yes.

TREASURER KOPP: Yes.

MR. GRUMBLES: Well, it's an honor to appear before the Board. Let me say, it's an actual honor to virtually appear before the Board.

Lieutenant Governor, this funding, $132 million for Baltimore City and Baltimore County, some of these projects are in the works. They have gone through design, construction has begun. The Headworks project is critical to reducing back flows and backups into basements and streets. It almost totals half

a billion dollars, the investments that State and federal dollars that are being put into the City and the County's efforts to reduce sewage overflow. So yes, some of these projects are already under construction. But it's all part of the plan and your role in funding it is critical, so thank you. If you have some more specific questions relating to any of these, I or Assistant Secretary Suzanne Dorsey would like the opportunity to answer them.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah, I just was really more concerned about the work being done. And I guess it's through the City's Department of Public Works?

MR. GRUMBLES: Yes.

LIEUTENANT GOVERNOR RUTHERFORD: And the County, okay. Madam Treasurer, did you have a question?

MR. GRUMBLES: Lieutenant Governor, I just wanted to, you brought up something that is really important. And that is, the City has contacted us. Because of the coronavirus chapter that we're in, the unions, the workers, there are safety elements to some of this work. So like any other major project, there are going to be some important precautions taken to protect the safety of the workforce, the Department of Public Works employees. And we are in close communication with them on that front and want to use common sense and make sure that they are not violating any broad rules on protecting themselves. But this is important work that is going get done sooner than later.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Very good. Well, thank you very much. Madam Treasurer, you said you had some questions?

TREASURER KOPP: No. I was just wondering, actually, about those items and I think I do understand them. There is no specific component regarding climate change, Mr. Secretary. But do I assume that this fits within our plans because of the enhanced nutrients?

MR. GRUMBLES: That is a very safe assumption, and I would argue strongly that these investments in wastewater, stormwater infrastructure and restoring water quality in the Chesapeake Bay does fit very well into our plan, our climate adaptation and resilience measures. We are seeing that. And as well in reducing greenhouse gas emissions. Having more efficient and effective infrastructure systems reduces the energy consumption and energy waste, which also reduces the greenhouse gas emissions.

TREASURER KOPP: Good. Thanks.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you. Thank you, Mr. Secretary.

MR. GRUMBLES: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: You probably could have turned on your camera during this time, so we could have seen your wonderful face --

MR. GRUMBLES: That's my birthday gift to you, Lieutenant Governor.

(Laughter.)

MR. GRUMBLES: Limited exposure to Grumbles.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you. Like I said earlier, where else would you want to be but doing the Board of Public Works on your birthday? So.

MR. GRUMBLES: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Okay, thank you. Number 21, and I guess it's 21 through 24, I believe. It has to do with the 21st Century Schools project. And I'm very happy to see that we're on schedule to have all 28 completed by 2023, all in the works by 2021. I believe all projects are in progress. We have 14 that have been completed. And the others, we have four before us today, the construction documents. And there are another five in planning that should be, construction should start by 2021 with completion of all the new schools and renovations by 2023. So I'm glad that we're on track and that is going very well.

One of the things to consider as we move forward, and it goes for higher education as well, and I know the Treasurer had mentioned something about that, is that with the coronavirus and the social distancing, I think even once we get past this phase there is going to be a lot more remote education or tele-

education that's going to be going on. And it's going to be something very interesting for not just K through 12, but the university settings as well.

TREASURER KOPP: All new skills and the impact, it's going to be very difficult now to predict the impact on funding and financing.

LIEUTENANT GOVERNOR RUTHERFORD: Yes, very much so. You know, are the schools going to need this much dormitory space as they used to have?

TREASURER KOPP: Right.

LIEUTENANT GOVERNOR RUTHERFORD: Is there going to be that kind of difference? And just continuing this side conversation, I recently had an opportunity to do a trade mission and the President from Morgan and the Provost from UMBC attended, and we had an interesting conversation. And this was, corona was still largely an issue in China and it was starting to spread other places but really had not impacted the U.S. yet. But we were just talking about the fact that young people are becoming educated much differently than in the past with technology. And Dr. Wilson had mentioned a survey that was done by an organization he belongs to that ten years ago students were saying that they were receiving most of their information in terms of coursework information from their professors. And in a recent survey, 60 percent were saying they were getting their coursework information from YouTube. And he was saying what is happening, I see you had a visitor, he said what is happening is that students will

sit in a class with their professor, a large lecture, but they will go on their computers or tablets and put their headphones in and listen to a different professor doing the same, covering the same material. So that, you know, if they feel that they relate better to this other professor, who could be at the University of Colorado, and they are sitting there at College Park, they are listening to the lecture from that professor versus the other. And they were saying it's really going to change how, you know, the education process with this technology. And now you throw in this, it's going to be quite different.

So with that said, I don't have any other questions on the Secretary's Agenda.

TREASURER KOPP: Could I just add one thing on that, now that I unmuted myself. That's the concern about equity.

LIEUTENANT GOVERNOR RUTHERFORD: Yes.

TREASURER KOPP: As this goes forward, I think it's going to be really important to make sure that it doesn't create essentially a two-tier, two-class system.

LIEUTENANT GOVERNOR RUTHERFORD: Right. Yeah.

COMPTROLLER FRANCHOT: I would move approval of the Agenda.

TREASURER KOPP: Second.

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LIEUTENANT GOVERNOR RUTHERFORD: Well, okay. We're all in favor. I guess Department of Natural Resources. But that's a very good point, Madam Comptroller. And I could go on to say we have an uneven system now, and we don't have to exacerbate it --

TREASURER KOPP: That's quite right.

LIEUTENANT GOVERNOR RUTHERFORD: -- by technology. Madam Secretary?

MS. HADDAWAY-RICCIO: Hi, good morning, and Happy Birthday, Governor. Good morning, Madam Treasurer and Mr. Comptroller. For the record, Jeannie Haddaway-Riccio, Secretary of the Maryland Department of Natural Resources and we have seven items on our Real Property Agenda today for your consideration and approval. I'm happy to answer any questions you might have.

LIEUTENANT GOVERNOR RUTHERFORD: I didn't have any questions on Department of Natural Resources.

TREASURER KOPP: No.

LIEUTENANT GOVERNOR RUTHERFORD: Well, could we have a motion to approve?

COMPTROLLER FRANCHOT: I move approval of the Secretary, who is doing a fabulous job. I move approval of her Agenda.

TREASURER KOPP: And has a great kitchen, too.

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(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: Yeah.

MS. HADDAWAY-RICCIO: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Look at those counters. There are just not anything on them. Give us a panorama -- no, I'm just joking.

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: All right.

MS. HADDAWAY-RICCIO: I'm definitely heeding the order to work from home.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Well, thank you. The westbound lanes are open on the Bay Bridge now, so it's a little easier.

MS. HADDAWAY-RICCIO: I'm very excited about that as well. Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: All right. So I guess we're all in favor on the Department of Natural Resources. Thank you very much, Madam Secretary.

MS. HADDAWAY-RICCIO: Thank you.

TREASURER KOPP: Thank you.

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LIEUTENANT GOVERNOR RUTHERFORD: University System of Maryland.

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

LIEUTENANT GOVERNOR RUTHERFORD: Okay. I have a question about 2-AE. It's a sole source architectural and engineering over at Salisbury.

MR. EVANS: On the line I have Marvin Pyles, who is the Vice President of Administration and Finance at Salisbury University, and William Olen, who is the Executive Director of Planning and Construction at the University of Maryland College Park.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

DR. PYLES: Good morning, this is Marvin.

LIEUTENANT GOVERNOR RUTHERFORD: Good morning.

MR. OLEN: Good morning, Lieutenant Governor. It's Bill Olen. Happy Birthday, and good morning, Comptroller Franchot and Treasurer Kopp.

TREASURER KOPP: Good morning.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you and good morning. Yes, this A&E firm was selected under a prior arrangement with a P3 between the Foundation and the developer of the P3. But then they were kept

after that P3 failed. Maybe failure is not an appropriate term, but it wasn't feasible, I should say. My concern is that we, the selection was made under a procedure that's a little different than what we would typically do in an A&E contract for a University System campus. And so now we're then just going with them, even though it was a different type of selection process. Can I just hear the justification?

DR. PYLES: Yes, sir. Yeah, I would not characterize it as demonstrably different than our process. It began with the Salisbury University Foundation. They purchased the property. They were moving forward with this as a project to support Salisbury's needs. We had three old housing facilities that were failing and with health issues. They went through an RFP process, full RFP process --

LIEUTENANT GOVERNOR RUTHERFORD: Excuse me. Excuse me just a second.

DR. PYLES: -- in selecting the --

LIEUTENANT GOVERNOR RUTHERFORD: Oh, excuse me a second.

DR. PYLES: Sorry.

LIEUTENANT GOVERNOR RUTHERFORD: Those three that you are talking about, are those, is that Choptank and I can't remember the others that are the old --

DR. PYLES: No, sir, Dogwood, St. Martin's, and Chesapeake.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. All right. Thank you. Continue.

DR. PYLES: So we're looking to take them offline because of the health issues there, mold and other concerns we have. The Foundation followed what we would consider a full RFP process and we supported them in that. They solicited bids. They evaluated those bids. And then they chose a developer. At the time it was DDR. DDR was eventually bought out by Greystar. And they were with the project. They were instructed by the System to purchase the property. For various reasons that project, the System was not comfortable with the tax-exempt bond funding that they were going to use on the Foundation side. So we pursued a P3, as a P3 project with MEDCO. That, but the System also did not feel comfortable with that. So we are moving forward with revenue bonds to develop the project on the Salisbury side of the house. Greystar has been with the project from the beginning as the developer, or was. And they had used DCI for the design work.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

DR. PYLES: I'm trying to give you as much of the background as possible in a brief amount of time. I don't know if it's --

LIEUTENANT GOVERNOR RUTHERFORD: Yeah, no, I understand. I understand that. No, thank you very much. But it was the

developer that selected the A&E firm because the RFP, from what I understand based on what you said, was sent out for a developer under a P3 and they selected the A&E firm. And so now that we're doing it as a State project, we're just keeping the, not just, but we're keeping the A&E firm that was selected really in a different method. They weren't selected directly through the procurement authority of the University System. It's just a little different. And so it raised a concern. I'm not going to stand in the way of this. I just, you know, I get concerned when we go outside of our process and then it's, you know, the fact that it's a sole source usually raises questions for the Board. I know the Comptroller often has questions about sole source contracts. And so I just, you know, I think it's worth bringing the attention of that.

Separately, it does bring up points that we were hearing, and the Treasurer may remember, during our Procurement Task Force. A number of the architectural and engineering firms came in and when they complained about doing business with the State, they were particularly concerned about doing business with the University System. And their argument had to do with the specifications, the qualifications process that often the University System, they felt, was being a little too stringent. And I think they understood that you should have University experience when you are, you know, designing a lab facility. But when it came to office buildings or housing facilities, there wasn't much difference from doing a commercial office or doing an apartment building. And

so when I read the item here and it talked about the fact that Design Collective has been doing work for the University before, that's great. And good for them. But it also, you know, makes you say, it reminded me of what the local A&E firms were talking about when they said that specifications go out that require that you have to have done work with a university previously, when sometimes it's just a dormitory or in this case kind of student apartments that most A&E firms that have done commercial apartments or office buildings could do the same thing. So I just ask that Joe and all of the others that are involved in this, that you really take a look at your specifications, where you can offer opportunities to more than just a select few of A&E firms, not just being overly restrictive when it comes to these non-specialized facilities. I understand laboratories are very different. But when you're talking classrooms, or office space, liberal arts classrooms, and office space and dormitory or student housing, we need to be more inclusive.

MR. OLEN: I understand that and --

DR. PYLES: Yes, sir. I -- let me add in here, I understand and agree with your concerns. I'll just point out that DCI was part of the original bid. They were the winning partner on that. And when that was going out to bid, it was an open proposal and other companies that, we were trying to get companies on the Shore to participate. And I can tell you that there were some local firms and firms from the Ocean City/Rehoboth area that bid on this as a housing

project. So it was a true open RFP that allowed other firms to bid on this, not just limited to collegiate housing.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Well, well good. So you --

COMPTROLLER FRANCHOT: Can I ask a question?

LIEUTENANT GOVERNOR RUTHERFORD: -- right now we're at the A&E and at some point we'll have the construction contract coming through?

DR. PYLES: Yes, sir.

MR. OLEN: That is correct, Governor.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Now has that been, that has already gone out on the street? Slow down, Mr. Comptroller. That has already gone out on the street?

MR. OLEN: Lieutenant Governor, no, it has not.

DR. PYLES: No --

LIEUTENANT GOVERNOR RUTHERFORD: Oh, okay. All right. Okay, thank you. I have a quick question on Item 3. Did anyone else have a question on 2-AE?

TREASURER KOPP: I have a question on that one.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. On Item 2 or --

TREASURER KOPP: Just on Item 2. Just to make sure I understand. You went out for a P3 and essentially it wasn't financially feasible, and so we're now using auxiliary bonds in-house, essentially? Is that right?

DR. PYLES: Yes, ma'am. The System office was not comfortable. We were working with MEDCO on this project. And in order to move forward with the project, we were going to be rolling our University Park project into this. And to make the debt service coverage. But the System was not comfortable with this, and so we moved towards revenue bonds in order to pay for the project.

TREASURER KOPP: So my question really is, is there a way to get a ballpark on how much more expensive a P3 is?

DR. PYLES: More expensive or less expensive?

TREASURER KOPP: Well --

DR. PYLES: We did have some numbers modeled on the project. Frankly, with the escalation we're seeing with construction and some other things, we're going to have to be reevaluating the scope of that project at this time to see. The revenue bond approvals have been done through the Board of Regents already. We have not borrowed against that or moved forward with anything with that because of the, we haven't put out the RFP for the --

TREASURER KOPP: All right.

DR. PYLES: -- contractor yet.

TREASURER KOPP: Okay. I apologize to my colleagues. I would like to follow up offline and just understand the relative financings.

LIEUTENANT GOVERNOR RUTHERFORD: Do you, are you suggesting we pull this for --

TREASURER KOPP: No. No. I think it's a project that has to go forward. I just --

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

TREASURER KOPP: -- would like to understand it. Because I think it may have some lessons for other projects. Somebody is going to have to make money in a P3.

LIEUTENANT GOVERNOR RUTHERFORD: Right. Absolutely. And yeah. No --

TREASURER KOPP: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: -- you're not delaying anything. We're here to do the State's business. I do want to point out, Joe, you've got a couple of typos in this item. Maybe they have been corrected since I got this sheet. But you can look at that later.

I have a question on Item 3 --

COMPTROLLER FRANCHOT: Could I ask a question?

LIEUTENANT GOVERNOR RUTHERFORD: Oh, yes. Yes. I'm sorry.

COMPTROLLER FRANCHOT: Thank you, Lieutenant Governor. I listened to the conversation earlier between you and the Treasurer about the changing nature of higher education. In fact, it was brought up that people are now going to do a lot more, as a result of the situation we're in right now, much more digital education. And you I think commented do we even need new dormitories. And I guess that's my question for Vice President Evans. Have you guys reexamined the need for new dormitory spaces at Salisbury or any of your higher ed institutions based on the fact that apparently we're going to have a, somewhat of a sea change as far as how students learn and whether they even need to be on campus, I think was the crux of what some of the earlier conversation might have alluded to.

MR. EVANS: No, Mr. Comptroller, I haven't, I'm not aware that it has been looked at. But I'm sure that it's something that is going to be looked at in the future. But what I can do is go back to the System and find out exactly has anyone addressed this and find out when they will address are these dorms going to be needed in the future.

COMPTROLLER FRANCHOT: Yeah. Well, I just want to follow up and say I appreciate the Lieutenant Governor's attention to this. I think it is a bit of an odd thing. And I also share the Treasurer's concerns about the somewhat complicated new financing. So I'm open to whatever my colleagues would like to do. But --

TREASURER KOPP: I think --

COMPTROLLER FRANCHOT: -- this is an odd proposal.

TREASURER KOPP: Could I just say, Mr. Evans, it's my understanding that in fact there is a group at the University, at the System level, that's looking exactly at this in the context of enrollment projections and changes in type of enrollment. But we have some old buildings that really need to be fixed or replaced now. But that reminds me of another question. One of the problems is mold right now. And I have suggested, we have suggested in the past that the University people talk to University people in places like Mississippi and Louisiana, because in a few years Maryland will be like that. And they now have to deal with the questions of mold and similar problems with all their buildings. So will you be able to give us assurance that when the new buildings go up, they will be suitable for the next 50 years for a changed climate? How about that?

MR. OLEN: Joe, this is Bill.

MR. EVANS: Go ahead.

MR. OLEN: Would you like me to answer?

MR. EVANS: Yes, I would.

MR. OLEN: Thank you. The projects, the housing project, whether it's the ones at College Park or Frostburg or the proposed project at Salisbury, are in essence to replace aging buildings that were built pre-1970s that did not have central air conditioning, did not have dedicated outside air systems,

which means bringing fresh air into the rooms. And that has been one of the items that has caused problems throughout the System. In other institutions, Madam Treasurer, where just recirculating that air --

TREASURER KOPP: Towson.

MR. OLEN: -- so all these, all the projects that have gone forward recently include air conditioning systems that bring in and filter outside air, help control humidity better than just a recirculating system that would be inside a room.

TREASURER KOPP: So is that a yes? Or --

MR. OLEN: Yes. Yes, I'm sorry. Yes.

TREASURER KOPP: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. I have a question on Item 3-C, the on call contracts. And it's just a question. I didn't know offhand whether any of the contractors, engineering and other contractors that are there, if they are small businesses or minority businesses?

MR. EVANS: Bill, stay on the line, that one is yours.

MR. OLEN: Lieutenant Governor, I'm going to have to get back to you. This is different than our, we just did a renewal recently on our SBR/MBE on call.

LIEUTENANT GOVERNOR RUTHERFORD: Mm-hmm.

MR. OLEN: So I don't believe, one or two of these -- I would have to actually check with our procurement folks. Now what I could say is traditionally we have included other consultants as part of the team, and those consultants are MBEs, and sometimes both MBE and SBRs.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Yeah, if you can get that information with regard to the primes, that would be helpful. And just making sure that the small and the minority businesses at least know of these procurements so that they can compete. And I think you do a good job generally with regard to getting that information out. But just to know that they can compete for this and not just wait for the small business on call contract vehicle. So I just wanted, if you can get that information to me, I would appreciate it very much.

MR. OLEN: Will do, sir. And as you have addressed in prior meetings to Joe and I, we have looked at increasing the dollar threshold or task order limit on the SBRs to give them an ability to potentially do larger work, as you've asked and suggested. So we've taken that under advisement and are proceeding.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Well, thank you very much. I don't have any additional questions. I will say that I know that we pulled off a couple of items from last week's Agenda. I still have

some questions with regard to those so we'll be working with your folks, Joe, to make sure we get those questions answered before bringing it back.

MR. EVANS: Yes, sir.

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

COMPTROLLER FRANCHOT: Move approval.

TREASURER KOPP: Second.

LIEUTENANT GOVERNOR RUTHERFORD: Is that a second? Okay. We're all in favor. Thank you, University System.

MR. EVANS: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Joe, thank you.

MR. OLEN: Thank you, Board.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Department of Transportation?

MR. SLATER: Good morning.

LIEUTENANT GOVERNOR RUTHERFORD: Good morning.

MR. SLATER: Good morning, Governor, Madam Treasurer, Mr. Comptroller. For the record, my name is Greg Slater, Secretary of the Maryland Department of Transportation. The Maryland Department of Transportation presents 12 items today. Myself and some representatives are here if you have any questions.

LIEUTENANT GOVERNOR RUTHERFORD: Well, thank you for getting the westbound area of the Bridge open, open a year ahead of schedule. There was a lot of concern when it was first being done, but it was necessary work. I know it was disruptive but it needed to be done or people could possibly fall into the Bay. But, you know, getting it done a year in advance was yeoman's work, and thank you, and thank your team, thank the contractors, everyone who has been involved.

MR. SLATER: Absolutely, thank you. I really credit the whole team for coming together and just rethinking how we do this, the contractor, the MDTA team, Executive Director Jim Ports, and our Chief Engineer Will Pines. They really came together and rose to the challenge.

LIEUTENANT GOVERNOR RUTHERFORD: Very good.

COMPTROLLER FRANCHOT: Could I just say something? If I could, I want to reinforce what the Lieutenant Governor just said. I want to thank all of the local elected officials on the Shore that raised a big hullabaloo about this. The initial response from your predecessor was just you're just going to have to lump it, sorry, it's going to be a two-year project. And all of a sudden, he was no longer with us, and you were appointed, Secretary Slater. And I want to thank you for completely redesigning and remobilizing the project. And it's really, if I had been told back then when we were complaining about this and being told to just, you know, you're just going to have to get used to it for two

years, that you were going to be able to announce today, April 1st, that a lot of the work had been completed -- not all of it, there's still going to be some inconveniences -- I would have just said you're crazy, that's it's an April Fool's joke. In fact, it's reality. So thank you, on behalf of the great State of Maryland. I compared you to John Porcari, one of the legendary Transportation Secretaries in the past. And I completely support that comparison. And thank you very much for what you accomplished.

MR. SLATER: Well, you're very kind and I will credit the whole team for really coming together and working hard on this. Warm weather helped us a little bit. Light traffic helped us a little bit. But I credit the whole team for coming together on this.

LIEUTENANT GOVERNOR RUTHERFORD: I will, though, defend Secretary Rahn for a moment. He, you know, a lot of the success that we're seeing today was put in place by him. He didn't want to promise, you know, that we would be able to get everything done so soon. No one wanted to make that a public promise. But we felt that with the efforts that Secretary Rahn was putting in place that we might be able to get to this point. And the Secretary, Secretary Slater has picked up that ball and has been able to move, like you said, along with Director Ports and his efforts, and then the grace of having warmer weather. Or maybe a curse, Madam Treasurer. But we were able to get this done. But you know, maybe Secretary Rahn didn't deliver his message in a way that

was reassuring. But the plans were put in place when he was here. And he left because his wife threatened him that he needed to come back to New Mexico or stay here forever. And so it had nothing to do with his performance. So, thank you.

MR. SLATER: Absolutely, Lieutenant Governor Rutherford. Secretary Rahn did put a lot of measures in place. Certainly the team came together really behind the scenes and took advantage of every opportunity.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. You're breaking up a little bit. But any questions on the Transportation Agenda?

COMPTROLLER FRANCHOT: Move approval, if not.

LIEUTENANT GOVERNOR RUTHERFORD: I do want to, I'm not going to -- these aren't questions. I just want to point out the good work that Transportation is doing at Aviation, at MDTA, at MTA by utilizing the Small Business Reserve Program. Aviation is utilizing both the Small Business Reserve Program and certified minority businesses as prime contractors. And so you all are definitely a model agency for the rest of the State agencies with regard to utilizing small businesses and minority businesses. And so, and Motor Vehicles as well. I want to point that out. So thank you, and thank all of your team and all the modes with regard to the work that they are doing.

MR. SLATER: We will.

TREASURER KOPP: Governor, could I --

LIEUTENANT GOVERNOR RUTHERFORD: Yes.

TREASURER KOPP: -- could I suggest it might be useful for all of the agencies, and certainly for us who are sitting here learning week by week, on how MDOT with its own system has been able to move ahead with MBEs and subs, but also bringing in primes. Because it seems to me that some agencies have more difficulty doing that. And I think it would be worthwhile for us to all hear at the same time how it can be done.

MR. SLATER: Sure. We've put a significant amount of effort into mentoring MBE firms, mentoring DBE firms, mentoring our small business firms.

TREASURER KOPP: I didn't mean this very moment.

MR. SLATER: Oh, okay. Sure. Certainly. I can put some material together for you.

TREASURER KOPP: I think it really would be very helpful. Because this question of primes has been an ongoing one, how you count, how they count.

MR. SLATER: I will highlight that in this challenging time right now we are actually holding a virtual town hall for our MBE and DBE community to learn and our small businesses to learn how they can take advantage of some of the programs out there.

TREASURER KOPP: That's terrific. We should learn more and then people have to make decisions and other agencies should learn more, too.

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LIEUTENANT GOVERNOR RUTHERFORD: Well if, you know, as he said and as, you know, the University, Joe was talking about what they are doing at the University, is that it does start with the leadership, you know, sending down the message to their program managers and procurement officials that you need to look for these, you know, opportunities to work with small businesses. And sometimes it means changing, unbundling a large contract, taking a piece of it out, changing of mind set. And that's what Joe was talking about previously in terms of how much work in terms of volume that a small business can do. And so sometimes it takes a little more research on the part of our procurement personnel. And so, you know, Transportation has done a very good job. And I think as we continue to further professionalize our procurement staff, which includes compensation and training --

TREASURER KOPP: Right. Right.

LIEUTENANT GOVERNOR RUTHERFORD: -- that they will be able to perform just as well. So thank you.

TREASURER KOPP: Great message.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Now we have a, we do have a motion on the able for the Transportation Agenda. Do we have a second?

TREASURER KOPP: Second.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. I think we're all in favor. Thank you, Secretary Slater. General Services?

MR. REICHART: Good morning, Lieutenant Governor, Madam Treasurer, Comptroller. For the record, I'm Nelson Reichart, the Deputy Secretary of the Department of General Services. If I can stick a word in from the Department of General Services, Happy Birthday, Lieutenant Governor.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you.

MR. REICHART: We hope you enjoy the day.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you.

MR. REICHART: Today we are presenting 23 items including two supplementals for your consideration. Provisions have been made, have been submitted for Items 1-CGL, 6-CGL, 7-S, 8-S, 13-T, 14-T-MOD, 16-IT, 28-LL, and 23-IT. We do have representatives available to answer any questions that you might have.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. I have a quick question on 8-S. I don't know if (indiscernible). Nelson, do you have a cell phone on that's near you or in the area of the speaker? There's something that's, it seemed when you popped on it started getting feedback.

MR. REICHART: I don't believe there is anything else in here that would --

LIEUTENANT GOVERNOR RUTHERFORD: Okay. All right. Okay. On 8-S, this is just a quick question. The contract I guess is going to go C.B. Richard Ellis. Does that include the title services?

MR. REICHART: I have Wendy Napier here, our Assistant Secretary for Real Estate, to answer that, if you would.

MS. NAPIER: Good morning.

LIEUTENANT GOVERNOR RUTHERFORD: Good morning.

MS. NAPIER: I can confirm that broker services contract does not include title services. Our title services RFP is actually closing today and --

LIEUTENANT GOVERNOR RUTHERFORD: Oh.

MS. NAPIER: -- we typically bring that to the Board in June of each year.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Very good. Thank you. I'm going to jump to Item 15-IT, unless the Treasurer or the Comptroller have questions before that.

TREASURER KOPP: I had one about Item 2, the hospital.

LIEUTENANT GOVERNOR RUTHERFORD: Oh, the University --

TREASURER KOPP: Which I support strongly. No question, we need the hospital, and to see progress being made. But the Lieutenant Governor brought up the question of MBEs. And this raised in my mind and in the mind of

some legislators a question of how we work MBE goals into these sorts of what are essentially grant programs. And I just want to put sort of a stake in the ground saying I think we should come back and look at this. I'd like to understand better the process and how, I mean, this is a $56 million, this is a large grant.

LIEUTENANT GOVERNOR RUTHERFORD: Right.

TREASURER KOPP: How these issues are worked into different types of programs like this.

MR. REICHART: All right --

LIEUTENANT GOVERNOR RUTHERFORD: -- very good point. Yeah, because you know, this, particularly like this one going to the University System, or the University of Maryland Medical System, we're doing, I know there is an emergency contract that the University of Maryland Medical is doing with regard to Laurel Hospital, getting that up and operational. And so there are concerns about, you know, both emergency contracts, but just where we're providing the funding in this case, like the Treasurer said, a $56.2 million project, to making sure that there is MBE participation.

TREASURER KOPP: And I believe that there is. And that the University and the departments and everyone has the right goals in mind, the end in mind. But to understand how, when it's not a typical procurement, those ends are gained, I think is really important. Isn't that right?

LIEUTENANT GOVERNOR RUTHERFORD: Yes.

MS. KENNEDY: Good morning. I'm Shirley Terrell, or Shirley Kennedy, and I'd just like to say good morning. I am the Director of the Capital Grants Program. And with respect to your questions about the capital grantees --

TREASURER KOPP: Right.

MS. KENNEDY: -- because the individual grantees, like UMMS, conduct their own procurements, we are not involved in the procurement at all as far as MBEs or SBRs are concerned in setting goals. But what we do is to encourage them to use the process and encourage them to also use our MBEs and SBRs and provide them a listing of contractors that can work on these large capital grant projects.

TREASURER KOPP: And then are there reports? Do you then find out what has been done?

MS. KENNEDY: What we do, as they actually submit their contracts for review by our office, we do a checklist to determine whether or not MBEs and SBRs are involved. And so we have that, we have that, you know, for each of the contracts that the grantees have awarded. So we do have the data. But there are no goals. There are no goals that we set. But we do have the data for all of the contractors.

TREASURER KOPP: All right. Well, as I said, I just wanted to put the issue on the table. I think we could all learn, I at least, could learn more about and to understand and see if there is a way we can assure everybody that the

State's goals are being met. Even though I understand this is a grant program and it's different than a typical procurement. And I do believe the Lieutenant Governor and the Governor and the Comptroller share this concern.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah. And this is something we can explore and we can talk to General Services about this in terms of couldn't we put into the grant agreement, you know, some goals or utilize best efforts and something of that nature. So we can look into that. I would think if you are accepting the money, you know there's always strings attached. So at least --

MS. KENNEDY: Yeah.

TREASURER KOPP: Well, and we have no reason to think they don't want to do --

LIEUTENANT GOVERNOR RUTHERFORD: Yeah. Right.

TREASURER KOPP: -- what they can.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

MR. REICHART: We will look into it --

COMPTROLLER FRANCHOT: Can I just, this is Item 2?

LIEUTENANT GOVERNOR RUTHERFORD: Yes.

COMPTROLLER FRANCHOT: No, I strongly support it. And yesterday apparently the President of the United States announced that we, at best case scenario are looking at 100,000 to 240,000 deaths from the coronavirus.

That's under the best circumstances. And I believe he also mentioned it could go as high as 2.2 million Americans who die from this horrible virus. So I just want to thank the first responders and the healthcare workers who apparently have all sorts of concerns about equipment, etcetera, being made available. But I want to applaud them for their courage. Many of them are walking into obviously suffering from this horrible virus in order to save their patients. And it means a lot to me and I think they are true heroes.

TREASURER KOPP: And we can't afford to lose them.

COMPTROLLER FRANCHOT: Right.

LIEUTENANT GOVERNOR RUTHERFORD: Right. They are --

TREASURER KOPP: -- we cannot afford to lose them.

LIEUTENANT GOVERNOR RUTHERFORD: They are definitely heroes every day, not just in this situation. 15-IT, I have --

MR. REICHART: 15-IT? Yes, Linda Lamone and Nikki Charlson are available.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. It's more regarding, my question has to do more to do with the special election that is going to take place at the end of this month, and then the primary election that has been pushed to June. I know that there has been discussions -- well first of all, for the special election, it's going to be done via mail for the 7th District. And but there is still questions in terms of how do you handle those with disabilities who may

have difficulties with regard to a mail-in special election, as well as the primary. I understand your board has voted to go all mail for the primary also. But I don't, I'm not sure it addresses all the issues associated with those that may have disabilities.

MS. LAMONE: Good morning, Governor. Linda Lamone, State Board of Elections, and with me on another line is Nikki Charlson, my deputy. And as everyone has said, I wish you a Happy Birthday.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you very much.

MS. LAMONE: And I would like if I could to express publicly my immense gratitude to not only my staff, but the staff at all the local boards who have been working to prepare for the upcoming elections and just putting in yeoman's time and work.

The Board of Elections at its meeting last Thursday discussed the issue of how to best accommodate folks that needed assistance. And they noted that we have an online ballot delivery system with an accessible ballot marking tool. And it is a tool that has been tested by the National Federation of the Blind and the University of Baltimore Usability Testing Lab. And we have used it successfully since 2012. And the system is also designed to work with the voter's own accessibility features and tools on their home computers. So there's nothing new for them to learn in order to use it. And the Board felt that under the

circumstances with the virus at the time, and now even more a dire situation, that we needed to minimize any person to person contact. So they felt that the tool was available and should help mitigate the issue.

LIEUTENANT GOVERNOR RUTHERFORD: Has that satisfied those advocates, and I don't know what the Assistant Attorney General has said with regard to any of this, does that satisfy the advocates who have been concerned about a mail only ballot?

MS. LAMONE: Governor, I have not heard from them so I can't answer your question.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. All right. Well, there seems to be some concerns out there. I noticed that one of the senators, Senator Kagan, had some concerns about, you know, just the idea of the confidentiality associated with the ballot being something that is private, and how we address that as well. But it sounds like you are working on it. With --

MS. LAMONE: We are --

LIEUTENANT GOVERNOR RUTHERFORD: Okay. I'm sorry, go ahead.

MS. LAMONE: I would just like to add that part of the problem with having person to person voting is the availability, or now the non-availability of public transportation, especially in the urban areas. You all don't want and I

wouldn't want my folks either to be riding around on buses and so forth. So I think we all need to keep that in mind as we keep designing what we are doing.

LIEUTENANT GOVERNOR RUTHERFORD: Well, yeah. I think even probably more so is getting the workers to the locations, because often they are retirees who might be a little older or might be in the high risk categories, them getting --

MS. LAMONE: Absolutely.

LIEUTENANT GOVERNOR RUTHERFORD: -- there. With regard to the April special election, what type of activities have you put on so far, particularly as it relates to reaching the communities in the 7th Congressional District to make sure that they know, first of all, that it's going to be mail in, that they are not going to their polling place? And then even with that, having mailed out ballots, given that we're three weeks away, at this point, from the election.

MS. LAMONE: Right. I'd like, if you don't mind, Governor, I'd like to ask Nikki if she could please lay out some of the outreach that we've been doing and that we plan to do.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Thank you.

MS. CHARLSON: Good morning. This is Nikki Charlson, Deputy Administrator. Thank you, Linda, for the opportunity to talk about the voter outreach efforts and the schedule for mailing ballots. I'm pleased to report that the first batch of ballots will go in the mail today, with continuing through

Friday. So by Friday, all of the voters in the 7th Congressional District will have ballots en route.

We are working with, we have a contract for some PR support and are looking to expand that to provide much greater voter education about the change of the way we're delivering the election and the important deadlines that are coming up. Our first focus of course will be on the 7th Congressional District and making sure that we are targeting voters in that district. And then we will, depending on the Board's action tomorrow, at tomorrow's meeting, we will then start focusing very quickly on any changes to the June 2nd presidential primary election.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Now, with regard to the PR support, I'll get to the ballot mailing in a moment, but the PR support, are you utilizing entities that can reach into the urban community? I'm not sure who, and it's not important who you are using. But, you know, sometimes utilizing large PR entities don't necessarily always speak the language or are able to reach the communities that may not necessarily follow on, you know, the typical ways that we reach people. Have you looked at how you are going to reach primarily an urban community?

MS. CHARLSON: So we were fortunate in that our PR team includes people that are familiar with Maryland and have access to those advocacy groups. We also through the Assistant Attorney General have been

talking with the advocacy groups to see about how they might also help us spread the message to their constituencies. So at this point, we're going to welcome any and all help that we can get getting to as many voters in Congressional District 7 first, and then statewide for June if that's necessary.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Well, sometimes groups that are familiar with Maryland doesn't mean that they are familiar with, you know, what happens at the grassroots level. And despite what sometimes they will tell you, it doesn't mean that they, you know, are right there.

Now with regard to the mailing of the ballots, you're mailing them out today, but I think many of us, and all of us sitting on the Board today, have been in campaigns and know that sometimes when you mail out to people, their addresses change, things are different. So mailing at this point, and particularly mailing ballots, to me seems as though you are going to get a lot of those coming back, where people have changed addresses in the last year or so and have not, you know, notified the local Boards of Elections. Just in my mind as kind of a layperson, I would have thought that once the decision was made to go to a mail ballot for the April special election, that if nothing else a postcard maybe should have gone out, and then that outreach effort to say if you have not received a postcard check with your local Board of Elections with regard to, you know, whether your address is correct. So, because you will be receiving a mail ballot in the coming weeks. So, I think at this point mailing out ballots, I mean, you have

to do it. But I don't think, I think you are going to miss a lot of people who may have moved, you know, maybe someplace else, in the hospital, or whatever the case may be. But I would have hoped that you would have gotten to this a little sooner than now. How are you going to address, the question is how are you going to address those that come back, those ballots?

MS. CHARLSON: Sure. So, a couple of things. So, we have, one of our primary sources of information is the MVA and understanding that they are closed for in person transactions, we are still receiving hundreds of electronic transactions from them a day. And over the last year, we have been receiving thousands of transactions, many of which are changes of address.

As soon as the Governor's proclamation was issued on March 17th, we did start pushing out messaging about make sure your address is up to date and how to do that. So we have started, we started on that immediately after the Governor's proclamation on March 17th was issued.

We, you know, as you said, we need to get the ballots out, and that's what's happening. Giving us four weeks, getting them out four weeks before the election gives us time to receive them back and try to find the voter, as well as we're getting calls from voters and requests to change addresses as they have been hearing about this change and understand, oh, I'm at college but now I'm home, I need to change that. And so people seem to be aware. There's

always more people we can reach and we are working to do that. And we'll continue to do that all the way through the April 28th election.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Very good. So when you do receive them back, any that come back, you will try to go back and see if there is a way to reach them? And the locals, I mean, because you have three Boards of Elections that are going to be addressing this as well. So I guess they are looking at their portion of the district.

MS. CHARLSON: Correct. Those ballots will be returned to the local Board of Elections directly. And to the extent that there are, the Post Office provides a new address, we will be, you know, using that address and continuing to reach out to voters, both receiving the requests as well as being proactive to reach out to them.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. All right. Thank you. My last question, candidates who want to get onto the November ballot that are not affiliated with the major parties, they typically have to get signatures. Is there any consideration of allowing for e-signatures to get on the ballots?

MS. CHARLSON: Thank you for --

MS. LAMONE: Governor -- go ahead, Nikki.

MS. CHARLSON: No, go ahead.

MS. LAMONE: I was going to say, we have started looking at that question already, and working with the Attorney General's Office to see how we can best accommodate not only the candidates but potential new parties and any referendums. So we're still trying to figure that out.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Because what is it, there's an August timeline for collecting a certain amount of signatures?

MS. LAMONE: I think it depends on the type of signature gathering. I think for candidates, yes, that sounds about right to me. I don't know about the process, for example, for a petition to amend a charter, a county charter.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Yeah. Okay. All right. Is that in statute or regulation, do you know offhand? I haven't looked.

MS. LAMONE: It's in the Constitution, and in the statute, and we have some regulations, and then of course for the charter amendments there might be some charter provisions.

LIEUTENANT GOVERNOR RUTHERFORD: The Constitution probably did not envision e-signatures.

MS. LAMONE: No, probably not.

LIEUTENANT GOVERNOR RUTHERFORD: It probably says you must get a signature. I'll have to pull out, I have a pocket Constitution here,

State as well as the U.S. I'll have to look at it. It probably says signature. It probably doesn't say by hand. But --

MS. LAMONE: -- the State is authorized and the Governor has further expanded that, the use of digital signatures for various transactions. So we're working with the Attorney General's Office to see how we can accommodate the process.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. All right. Thank you.

TREASURER KOPP: Could I ask about the April election. Do you have any projections on participation, turnout?

MS. LAMONE: Oh, no, we don't. I mean, with everything that's going on with the virus, it's all over the place. I think, and in the other states who had their primaries, of course they weren't as far advanced (indiscernible) as we are, it's been a pretty good turnout. But I don't know whether or not the virus is going to (indiscernible).

LIEUTENANT GOVERNOR RUTHERFORD: Yeah. Okay.

COMPTROLLER FRANCHOT: Could I ask a question?

LIEUTENANT GOVERNOR RUTHERFORD: Sure.

MS. LAMONE: Sure, Mr. Comptroller.

COMPTROLLER FRANCHOT: So forgive me for being blunt, but I am highly skeptical about this ability of the State to pull off a mail order

election, or mail ballot only election. I'm a little less concerned about the congressional race, because that probably will have a lot lower turnout. But the statewide race June 2nd, I think we're still waiting to get the results from California of their statewide election. I don't remember it ever getting reported. So I guess I'd like to have Administrator Lamone walk us through again the State Board's plans to make sure we have a seamless and secure election, since nobody is going to be voting in person. And most -- well, let me just finish. Most importantly, an accurate and timely counting of the votes to prevent delays in announcing the election results such as we had in California.

MS. LAMONE: Well, first of all California wasn't a statewide vote by mail election, and some of the issues were raised because they introduced some new voting systems. But the other point I want to make is there is no plan in place yet. The State Board is meeting tomorrow to finalize whatever recommendation they are going to provide to the Governor, and then it's up to the Governor to decide how he wants us to run the election. And that depends a lot on the Department of Health's predictions. In my opinion, it depends a lot on the Department of Health's position on -- sorry for the phone -- where we are in the infection rate, and whether or not there can be person to person interaction. So there are some factors out there that are completely beyond my control.

COMPTROLLER FRANCHOT: But yeah, and forgive my lack of confidence in us doing something that we have never done before in the State of

Maryland. But I do have some real questions based on, hopefully there aren't any apps involved in this like there were in Iowa.

MS. LAMONE: No, Iowa was a caucus, not an election, run by the party. We don't use apps.

COMPTROLLER FRANCHOT: In getting election results?

MS. LAMONE: No. We don't. We have a certified network that we use.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah, Mr. Comptroller, I echo your concerns. And I thought my understanding of California was a statewide and they were doing mailing but they also were opening selective sites, not, you know, the full menu of sites that we typically have for, you know, in person voting. But they were trying to go and Los Angeles County in particular was a basket case, because they didn't get out their ballots, they didn't get out enough ballots, and then people were not as aware of those sites that they needed to go to and they had long lines. So yeah, I mean, they had a real challenge out there. Right now, it's only going to be the 7th District. But you know, I know last election cycle here, we had some challenges. And Mr. Comptroller, I guess you had some questions, I guess those questions were answered with regard to what happened and how certain polling places didn't have ballots, or they ran out of ballots in the '18 election. But I think we're, those

were answered, if I'm not mistaken? I never heard that answered, but maybe the Governor and yourself did.

COMPTROLLER FRANCHOT: It's a difficult changing environment, Lieutenant Governor. I don't mean to, and I certainly don't take any pleasure in how difficult it is. But since we are launching into a brand new program, I do have some major concerns about whether we can pull it off with the confidence of the voters as a result. I always hope for the best and prepare for the worst. But I think some of your, we never did really find out, other than just sheer incompetence, why there were not an adequate number of ballots.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. So yeah, I think seeing what takes place in April with just one congressional district is going to tell us a lot of what can be done in June when we are going statewide. So we're going to have to really, you know, pay attention to that and see how that's going to be, that's going to come about.

I do still have one more question. It's a task order within 16-IT and it has to do with the State Board of Elections. This is a data center operations task order with a data center operations company that is based in Chantilly. Where is actually the data housed? Is it housed in a separate data center that is in Chantilly? Or is it here, here being in the State?

MS. LAMONE: Governor, it's Linda Lamone again. The primary data center is in Columbia, the location.

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LIEUTENANT GOVERNOR RUTHERFORD: Columbia, Maryland?

MS. LAMONE: Yes.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Just wanted to make sure it wasn't Columbia, South Carolina, or you know there are other Columbias around, so Missouri has a Columbia.

MS. LAMONE: No, I'm sorry. Our Columbia.

LIEUTENANT GOVERNOR RUTHERFORD: Our Columbia, okay.

MS. LAMONE: Yes.

LIEUTENANT GOVERNOR RUTHERFORD: Not Columbia, South Carolina?

MS. LAMONE: No.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

MS. LAMONE: No.

LIEUTENANT GOVERNOR RUTHERFORD: All right. Okay. Any other questions then on the Board of Elections or General Services generally?

COMPTROLLER FRANCHOT: Move approval, if not.

LIEUTENANT GOVERNOR RUTHERFORD: I don't have any more questions.

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TREASURER KOPP: Second.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. All in favor. Thank you. We've had another, as far as I know, another successful virtual Board of Public Works. Thank you very much.

TREASURER KOPP: Thank you. It's been a pleasure.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you.

(Whereupon, at 11:43 a.m., the meeting was concluded.)