





























voting and Election Day. The ballots for early voting and Election Day, about 19 million sheets, are being printed and being delivered to the local boards. We hope for delivery to be complete next week for all 24 jurisdictions.

Our voter statewide effort to educate voters continues. Right now, the messages are about voter registration and requesting a ballot, but they will soon shift to voting in person and returning ballots.

As you all noted, the local boards are gearing up to start counting the ballots this month. A few of them started earlier this week. Montgomery County I think started yesterday. The results of course will be embargoed until election night. But allowing them to start early will help us ensure that we have some meaningful results election night and that we'll meet the various deadlines in Maryland law and the federal deadline for the Electoral College.

As you all noted, the Governor already, I was going to mention the important deadlines coming up. But Governor, thank you, you did that for me. And with that, we'll be happy to answer any of your questions.

GOVERNOR HOGAN: So thank you for that. That answered a lot of my questions. The one question I have is I know early on there was concern about not having enough election judges, and we went out and recruited tens of thousands of them. And I just, I'm still hearing that some people have never been contacted or they haven't been trained by the local Election Board. Can you tell

me where we stand with all the potential help we need at the voting centers, and whether people have been contacted or trained yet?

MS. LAMONE: Well, the first question, I think all the local boards are very comfortable with the numbers of people that they have available to them. Part of the problem was, thanks to you, Governor, they were overwhelmed with requests. And which is a good thing. It was just wonderful to see so many people interested in helping. What happened in some of the jurisdictions is they were trying to schedule their classes and not having to provide two notices. One, yes, we want you to, here's your class. So they waited to send a notice to folks to say, okay, Ms. Lamone, you are an election judge at our elementary school and your training class will start on October 15th. That was probably not the best way to handle it, but that's the way it was done at some of the county levels. And people are still getting notices and still being thanked. I forgot your second question.

GOVERNOR HOGAN: Okay, great. Well, thank you. I'm glad we have plenty of folks to work the polls. I don't have any other questions. Anybody, do my colleagues have any questions of --

COMPTROLLER FRANCHOT: Yes, I have a few questions. Thank you. Madam Treasurer, I don't mean to step in front of you. You disappeared for a moment off the screen so I hope everything is okay.

TREASURER KOPP: I'm having a little trouble but I can hear you.

COMPTROLLER FRANCHOT: Okay. Excellent. So here we are, 27 days away from the November 3rd election. At the last Board meeting Lieutenant Governor Rutherford was chairing, I made a famous pledge to come over, you know, as skeptic as I am that this election is going to be smooth and straightforward because always something seems to happen in Maryland. I'm happy to follow through on my commitment, which is if it goes smoothly I'm going to come over with several cases of Maryland craft beer and give it to your staff and thank them on behalf of the State. But I continue to be concerned about the mechanics of what we're talking about. You mentioned that I think we have, you said 1.2 million, I think the number is 1.3 million requests for absentee ballots and 800,000 have been delivered. When is the remainder of the requests, when are they going to be fulfilled?

MS. CHARLSON: So Mr. Comptroller, Nikki Charlson with the State Board of Elections. So it's a rolling basis. There are ballots being shipped, ballot packets being shipped every day. So that 800,000, and it is more than that now, it's changing, the company, the Taylor, or Curtis1000 as it is on the Agenda -- it's all the same company. It's a subsidiary and Curtis1000 does the work so the contractor chose them. They are producing thousands of packets every day and we are tracking them file by file and monitoring to make sure that the number of records that we are sending to voters are turning into packets being mailed, being shipped to Maryland, and then entering the mail stream. So the numbers



are always changing. We are sending files regularly and they are shipping them regularly.

COMPTROLLER FRANCHOT: Okay. And you mentioned the new contract that we're approving today. It looks like it's a company down in Georgia, but apparently it's owned by the Minnesota company that we have a contract with. Can you just explain what the relationship is between these two companies?

MS. CHARLSON: Sure, of course. It's a good question and we had the same question ourselves. So Taylor is the Minnesota company. They have five subsidiaries or business units. And Taylor is sort of the branded name of the company. Curtis1000 is one of those subsidiaries, one of the five or one of the five business units. And the way their corporate structure works is that the company that is performing the work or the business unit, I'm sorry, that is performing the work is the name on the contract. So Curtis1000, that business unit, is producing and shipping our packets. And so the contract is with Curtis, but it is with the broader umbrella company of Taylor. I hope that helps a little bit.

COMPTROLLER FRANCHOT: Yeah, it's a little confusing. But as long as the printing is being done under your supervision in Minnesota, I take it, this has not been moved down to Georgia, I hope. And when you say the

ballots are being driven over to Maryland post offices, I hope that is still the case. Is it?

MS. CHARLSON: Yes. So our ballots, our ballot production and shipping is all coming out of Minnesota, and they are shipping via truck into Maryland and entering them directly into the United States Postal System locally here in Maryland.

COMPTROLLER FRANCHOT: Okay. And can you guys estimate or commit that you are going to have these absentee ballots tabulated or screened, or whatever the process is, so that they can be reported at 8:00 on Election Day?

MS. CHARLSON: (Indiscernible).

MS. LAMONE: (Indiscernible).

MS. CHARLSON: Go ahead, Linda.

MS. LAMONE: No, you go ahead.

MS. CHARLSON: That's one of the reasons the local boards, the State Board authorized the local boards to start counting earlier. So as Linda said earlier, that some of the counting has started. And so over the next 30, well I guess it's 26 days, the local boards will be counting ballots so that once the polls close on Election Day, there will be some results from mail-in ballots released, along with early voting results, and then later that night Election Day results.

COMPTROLLER FRANCHOT: Well, if you could keep the Board --

MS. CHARLSON: I'm sorry, Mr. Comptroller, I didn't hear the rest. I'm assuming you are asking for us to keep you updated, and yes, of course we will.

COMPTROLLER FRANCHOT: Did the --

SECRETARY GONTRUM: The Comptroller has difficulties. I will work with his staff to see if we can't get him back online.

GOVERNOR HOGAN: The Comptroller is pretty good at doing that kind of thing, like you stand like a statue. It looks like he's not even moving. I don't know how he did that.

TREASURER KOPP: Well I was going to ask Nikki or Linda, what are the, what would be warning flags? What are you looking at, other than the obvious thing like ballots not being delivered? What are you looking at as indicators of smooth or less than smooth going?

MS. CHARLSON: So Nikki Charlson, I'm happy to answer that. And then Linda, if I miss something, feel free to jump in. I think we are tracking and monitoring the number of requests for mail-in ballots coming in. The data center through the terrific support of DBM and MVA has been a huge help, as Linda mentioned, allowing us to process more. The counties are working, the local boards are working very hard to get those applications in. We're averaging

about 35,000 a day statewide. The data centers are responsible for a portion of that. So we're watching that. We're obviously monitoring the progress of performing the pre-election testing that Linda has mentioned. That's getting the voting units all ready for Election Day and there's a lot of units to prepare. And it's, because we're doing precinct level results, which I know lots of people are excited about, it does take the prep time a little bit more. So we're monitoring that closely to make sure that the equipment will all be ready for transportation. And of course, managing the transportation contract. With the ballot drop-off boxes, we have two deliveries coming up this month, and then we have lots of deliveries with early voting and Election Day. So those are some of the logistics that we're monitoring to make sure we're on schedule, all of which are important for voting to start obviously on the 26th with early voting, and then running through November 3rd.

TREASURER KOPP: Okay. And you've got plans or at least know where to try to go if the warning flags do go up?

MS. CHARLSON: We do. We do. Right. So we are trying to track these as far enough as possible so we have time to respond. And we're in contact with the local boards regularly and looking at data daily and our vendors regularly as well.

TREASURER KOPP: Okay.











General Assembly changes the law, we will continue to allow anyone who wants to get their ballot delivered electronically to do so.

COMPTROLLER FRANCHOT: Yes, I can see that for the long term. But obviously there should have been a big warning here on this thing that if you use the internet, your vote may not be counted until Christmas, as far as I can tell. Because --

MS. LAMONE: Well --

COMPTROLLER FRANCHOT: -- this is going to take a long time to do if you have more than 100,000 and perhaps get another 100,000 where you have to have a Republican judge and a Democratic judge handing these things back and forth. I mean, it just sounds tremendously doomed to failure. So I hope in the future there is some way around the situation that exists right now. Isn't this a huge, intensive labor situation? It sounds like it.

MS. LAMONE: Yes, it is. But to get to your main point here, the Board of Elections adopted messaging to send to voters to explain to them that if they chose to vote by electronic delivery of a blank ballot, they should be aware that they would have to be duplicated and it slows down the canvassing process. Once that message started going out, the requests decreased. So --

COMPTROLLER FRANCHOT: Okay. That's good. I appreciate that. But in the future, I assume we're going to put some kind of additional caveats on. Because I think anybody that is filing their vote or trying to vote over

the internet who understands that this is going to be a much more difficult labor intensive process, I assume they would go and do what I'm doing, or what the Treasurer and the Governor are doing, putting their absentee ballots in drop boxes. That seems like a much more efficient way. Are there other states in the union that are allowing internet voting without the kind of cumbersome process we're experiencing here in Maryland?

MS. LAMONE: Well, every state has to make it available both to the military, overseas, and disabled voters. I think there are two or three other states where the legislature has expanded it beyond that community, but I would have to get back to you on that, Mr. Comptroller. I don't off the top of my head know who they are.

COMPTROLLER FRANCHOT: Okay. So just getting back to my putting my ballot in the drop box, I take it there is some system that the Montgomery County Board of Elections has with you where you actually track and send me an email that, as an average voter, that yes, my ballot has been received. And I think you then are going to send me a second one saying it's been processed. Is that correct?

MS. LAMONE: I'll let Nikki answer the second part of your question. But I will just say if we have your email address, yes, you will get an email. Nikki, where are we at the notification set up?

MS. CHARLSON: So we are notifying voters that their, if we can, if we have an email on file, that the application has been processed, that your ballot is being sent, and the ballot has been received. So those are the three notices. Yes, Mr. Comptroller, it is based on information the local boards of elections put in the system that we then grab and send out an email.

COMPTROLLER FRANCHOT: That's excellent. So how many of our voting folks do you think you have email addresses for? Ball park?

MS. CHARLSON: I'm sorry, I don't know the answer --

COMPTROLLER FRANCHOT: -- percent? Fifty percent?

MS. CHARLSON: I don't know.

COMPTROLLER FRANCHOT: Well, how many notices have you sent out already?

MS. CHARLSON: We have sent out a couple hundred thousand of the ballot has been, your ballot is getting ready, and your ballot has been received. A couple hundred thousand of those.

COMPTROLLER FRANCHOT: Excellent. Well, just keep us apprised (apprised) on that, if you could. And obviously, there is a [voterservices.elections.maryland.gov/votersearch](http://voterservices.elections.maryland.gov/votersearch). I mean, honestly, I think it's tremendously optimistic to think people can navigate all of this. The Treasurer and the Governor are more competent on technology than I am. But I hope we are able to learn from all of this what other states who perhaps are more

successful at having these virtual elections, which I think is going to be more and more the case down the road.

But let me just also reiterate my appreciation to the Governor for recruiting election help. This is obviously not particularly a safe place to be on Election Day. I'm sorry to report that, but the virus is an unbelievable menace out there. And I hope people, you know, respect their own personal safety. And God bless the people, Governor, that you have recruited. I take it there are a lot of young people who are stepping up and saying, look, we're not going, we're going to replace some of the folks that may be at risk because of their age or because of underlying conditions. You know --

GOVERNOR HOGAN: (Indiscernible).

COMPTROLLER FRANCHOT: -- I just hope everybody is going to be very, very careful about the social distancing and the, protecting these new recruits. And hats off to you, Governor, for figuring out how to get State employees. I think some folks from the Comptroller's Office are volunteering. But it's not without risk, let's be honest. And I hope everybody is properly recognized for their courage. Thank you. I will let you go, Linda. I'll see you after the election with my beer or not my beer. I'm not sure which. But God bless our great State. And I just hope the election is smooth and easily reported on election night to the extent possible.

MS. LAMONE: Thank you. I do, too. Thank you very much.

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GOVERNOR HOGAN: I'll second that as well. Thank you.

TREASURER KOPP: Governor, could I just --

COMPTROLLER FRANCHOT: -- second my craft beer commitment?

GOVERNOR HOGAN: Yeah --

MS. LAMONE: -- absolutely.

GOVERNOR HOGAN: Well, you know, I don't want to commit on here to drinking beer. But you know, maybe I'll come over there with you, sure. Yeah. I look forward to that. Some people may be popping champagne on election night, but you know, beer would be fine with me. So thank you. Are there any other questions --

TREASURER KOPP: Governor?

GOVERNOR HOGAN: -- on the Secretary's Agenda?

TREASURER KOPP: I'd like to ask DGS a question about the Board of Elections item. And that is, I don't know if anyone there can answer right now but if they could get back to us, the question is why the contract was originally handled as a commodity and not as a service? This question has been raised --

MR. CHURCHILL: Yes, Madam Treasurer. Thank you for the question. We can get back to you since that contract was a number of years ago and there is a simple explanation. Danny Mays, who is our Director of

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Procurement, actually probably can answer that because he has addressed that one before. Danny Mays?

TREASURER KOPP: That's terrific. I don't want to keep everybody's time and I know we support the item.

MR. CHURCHILL: We'll send you the information.

GOVERNOR HOGAN: Great. Thank you, Mr. Secretary. Any other --

COMPTROLLER FRANCHOT: Governor, if I could just finish by saying Item 2 on the Agenda is a wetlands license for Living Classrooms. What's Living Classrooms? That's an unbelievably wonderful not-for-profit in Baltimore City. Senator Cory McCray has been a huge champion of it. It aims to disrupt the cycles of poverty and build stronger, safer, and healthier communities through a wide range of educational programs based on sailing, outdoors work, etcetera. They are doing a great job. They have had an enormous positive impact since 1985 and, Governor, I'm glad that we've got this item on, and giving them the opportunity to expand their program because it has been extraordinarily successful. Thank you.

GOVERNOR HOGAN: Yeah, thank you. Any other questions, or is there a motion to approve the Secretary's Agenda?

COMPTROLLER FRANCHOT: Move approval.

TREASURER KOPP: Second.

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GOVERNOR HOGAN: Is there a second?

TREASURER KOPP: Second.

GOVERNOR HOGAN: Three-nothing. Next we have the DNR Real Property Agenda.

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

GOVERNOR HOGAN: Good morning, Madam Secretary. Are there any questions on the DNR Agenda? Is there a motion?

COMPTROLLER FRANCHOT: Could I just ask how many people have visited State Parks and how are we doing?

GOVERNOR HOGAN: A lot.

COMPTROLLER FRANCHOT: Why, did I just interrupt you, Governor, from asking the same question?

GOVERNOR HOGAN: No. That's a good question.

MS. HADDAWAY-RICCIO: It is. Thank you very much for that question. We are now at over 17 million visitors. Just for comparison purposes, last year we set a record at 14.9 million visitors. So we have well exceeded that record and it's only September. So visitation has been very high. Our staff has

been working very hard and we're happy to be able to provide some outdoor recreation opportunities for individuals and families during these hard times.

GOVERNOR HOGAN: Thank you very much.

COMPTROLLER FRANCHOT: Does Lieutenant Governor Rutherford get counted as just visiting one park? Or is it all parks that he's visiting?

GOVERNOR HOGAN: Yeah, how many times is he being counted? That's a good question.

MS. HADDAWAY-RICCIO: That is a great question.

GOVERNOR HOGAN: Well, thank you very much, Madam Secretary. Any other questions on DNR? Or is there a motion?

COMPTROLLER FRANCHOT: I would move approval.

GOVERNOR HOGAN: Is there --

TREASURER KOPP: Second.

GOVERNOR HOGAN: Three-nothing. Thank you.

MS. HADDAWAY-RICCIO: Thank you.

GOVERNOR HOGAN: Next up we have the University System.

MR. HICKEY: Good morning, Governor, Madam Treasurer, Mr. Comptroller. Tom Hickey representing University System of Maryland. We have three items on the Agenda today and I'm happy to answer any questions you may have.

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GOVERNOR HOGAN: Anybody have questions on the University System?

TREASURER KOPP: I did. Tom, I don't know if you heard my comment or question regarding DHCD and its projects, but even more the University, which has probably the most projects of any unit in the State, we're going to have to know what progress you are making towards the electrification of the buildings and the transportation and the goal that some folks have, but it's not in the law yet, of 100 percent new electric, that 100 percent of the State buildings starting in 2025 or '26 should be by default electric, unless there are clear reasons not to.

But at any rate, even if that goal isn't in the law, the goal of greenhouse gas mitigation is. It is a mandate, 40 by 30, or 50 by 30, or 60 by 30. And so it seems to me it's very important to know how the University is meeting that goal. And I believe they are, in fact, quite accurate. So it would be perhaps, we hope, good news.

MR. HICKEY: We would be happy to provide that information to you. We actually do have representation on the State's Green Building Council, and I understand that they are not taking a position on this.

TREASURER KOPP: But I'm sure they also understand that there is no way we can meet our greenhouse gas mitigation goals without electrifying

the building, without from now on, building electric heating and air conditioning and illumination, as well as electrification of our fleet. It just, it can't be done.

GOVERNOR HOGAN: Thank you. Any other questions --

TREASURER KOPP: Unless, unless, Governor, you could persuade someone like Elon Musk to come to Maryland and invent an entirely new way of doing it. That's possible.

GOVERNOR HOGAN: I'll give him a call and we'll see what we can come up with.

COMPTROLLER FRANCHOT: Yeah, I think he's in Texas right now. But that's all good. I do have a question about Item 2, Mr. Hickey. This is a request to retroactively approve a \$1.6 million modification and increase the one year not to exceed renewal option amount from \$4 million to \$5.5 million. Obviously this is in the great scheme of things not a huge amount of money. But the revised contract amount will be \$15.1 million. It's my understanding it's for mechanical contracting services for construction projects and service, repair, and maintenance at USM institutions across the State. Obviously, I have no problem with that. However, according to the information provided by USM, the reasoning behind the \$1.6 million increase in the contract cost compared to the initial amount that we approved in 2018 at this Board was due, and I quote right here, "to a breakdown in the management of the contract and tracking of the spending." That obviously raises some red flags. It's quite disconcerting to learn

that the tracking of the costs associated with this contract somehow got off track. Could you just explain to me what happened and why we hopefully are not going to see any other recurrences of this?

MR. HICKEY: First of all, I just want to apologize to the Board. I take these items very seriously and in the five years I've been here, I have never brought a retroactive request to this Board. And so I apologize to you. It's unacceptable and I'll ensure it doesn't happen again. And for your specific question about what happened at College Park, I will turn it over to Kim Watson, who is the Director of Procurement for the University of Maryland College Park. She should be on the line.

MS. WATSON: And I am on the line, Tom. Good morning, Governor Hogan, Madam Treasurer, and Comptroller Franchot. I believe this is our first meeting and I mean, it's the first time I've come before you. It's not the most opportune way to go about this. This is a situation where we had been manually recording what the totals were in an Excel spreadsheet to try and stay on top of these things. Somewhere in the midst of those recordings of the task orders that were issued against these contracts, we had incorrect recording. What we're, the steps we're taking presently is I'm working with our systems team and our financial system to devise a field where we have stops on the PO's and spend limits so that we cannot overspend or issue task orders beyond the spend limit

that's established. We believe we have a solution so that this does not happen again.

COMPTROLLER FRANCHOT: Excellent. Thank you very much.

MS. WATSON: You're welcome.

TREASURER KOPP: Welcome.

MS. WATSON: Thank you.

GOVERNOR HOGAN: All right, and thank you.

COMPTROLLER FRANCHOT: I'm happy to move approval of the USM Agenda, if it's appropriate.

GOVERNOR HOGAN: Great. Is there a second?

TREASURER KOPP: Second.

GOVERNOR HOGAN: The vote is three-nothing. Thank you, Tom.

MR. HICKEY: Thank you.

GOVERNOR HOGAN: Now we're going to move forward to the Department of Transportation Agenda. Secretary Slater?

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 is

presenting 11 items for your consideration today. Myself as well as representatives are here to answer any questions you may have.

GOVERNOR HOGAN: Thank you, Mr. Secretary. Good to see you. I just have a quick question about Item 7-M, the \$285,000-plus modification to an SHA contract to maintain and repair highway street lighting at various locations in Prince George's County. And my understanding is that this is needed in large part to cover the impact of an enormous amount of theft of light fixtures or light fixture components. And I just wondered if you could, you know, expand on your efforts to try to ensure that this doesn't continue to happen.

MR. SLATER: Yes, sir. Thank you for that question. You know, so we've had a large rash of people stealing the copper wire out of our lighting systems. So whether they are street lights or pedestrian lights, those types of things, we'll go and discover an outage and we'll get there and we'll find that they have taken really detailed efforts in taking the copper wiring out of that. So we've been working with Maryland State Police, as well as some of our own forces, Maryland Transportation Authority. We've been able to apprehend a couple of folks doing this and we're looking at efforts on the best way to kind of tackle this long term. But it's an ongoing issue for us. And those lights are directly related to safety on our system. But it's pretty disturbing to get out there and find out. And the reality is that amateurs are not doing this. You have to really know how to be a contractor to install these types of things. So somebody

with experience on hot-wiring kind of taking those things out of those lighting systems. So it's a real issue and frankly creating a safety issue on our system.

GOVERNOR HOGAN: Yeah, well, I mean, it's a lot of money. It sounds like a pretty serious criminal operation. So hopefully we can -- are we cooperating with Prince George's County on it? Or is it just the State agencies that are handling it?

MR. SLATER: We're working across the board. Of course, you know, a lot of the local jurisdictions and their police forces, trying to get the word out and get them to look for and don't be shy about stopping if you see someone, no matter what the vehicle looks like on the side of the road. You know, we have permits for folks that are out there that we cross-reference. But just kind of getting some awareness out there for our law enforcement partners that if you see somebody working on the side of the road, don't be shy about stopping and saying, hey, let me see your permit, those types of things.

GOVERNOR HOGAN: Yeah. Great. Okay. Well, thank you.

COMPTROLLER FRANCHOT: -- interesting, if I could ask a question, is it something happening elsewhere around the State in other jurisdictions?

MR. SLATER: It's happening around the State, for the most part. We've been seeing it in every jurisdiction. We have a large piece around the Beltway and around Interstate 97, those types of areas. But it's really all over the

State. So I've been having some conversations with some of my counterparts in the other states to see if they are dealing with it. And I've gotten kind of mixed answers back, some are, some are not. But certainly the copper wire theft has been kind of an issue outside of transportation for a while, but now they are just kind of getting into the lighting systems and the transportation systems.

COMPTROLLER FRANCHOT: And I hesitate to ask because they may just steal the cameras. But is there camera technology that can help law enforcement get a handle on this situation?

MR. SLATER: It depends on the location. So what our camera systems that are on our roadways to respond to incidents and those types of things, they are not camera systems that record. They just stream so that we can respond to incidents. But if they are in the vicinity of an area where maybe a business or something like that has a camera, then we can certainly take advantage of that.

COMPTROLLER FRANCHOT: Thank you for bringing it up, Governor. I didn't even realize that this was -- obviously law enforcement is a big deterrent. If some of these folks get arrested and are brought to justice, I hope, hopefully, for theft, I think that may be a help to you as far as --

GOVERNOR HOGAN: Yeah.

COMPTROLLER FRANCHOT: -- reducing this.

GOVERNOR HOGAN: All right.

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MR. SLATER: Absolutely. We're still reaching out to the scrap metal dealers, those types of folks, to flag those that people are bringing that type of wiring in so we can open that line of communication up.

GOVERNOR HOGAN: Great.

TREASURER KOPP: Is there any way to, going forward, somehow mark the wiring so that it can be identified as publicly owned?

MR. SLATER: Sure. We hadn't really thought about that marking piece, because what they do is they kind of strip it down and just becomes a pile of kind of blank wire. We've been focusing more on kind of the awareness on the law enforcement side, but also the people that are buying it so that their awareness as they are, you know, kind of questioning, almost like a registry type thing, so folks are saying, hey, where are you getting this type of wiring? But certainly something to explore.

GOVERNOR HOGAN: Yes. Well, thank you, Mr. Secretary.  
Any other questions on the Transportation Agenda?

COMPTROLLER FRANCHOT: Move approval.

GOVERNOR HOGAN: Great. Is there a second?

TREASURER KOPP: Second.

GOVERNOR HOGAN: Very good. The vote is three to nothing.  
And now we're going to move on to the Department of General Services.

MR. CHURCHILL: Good morning.

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GOVERNOR HOGAN: Good morning, Mr. Secretary.

MR. CHURCHILL: Good morning, Governor. Before I make my intro, because I would anticipate a question from Madam Treasurer about sustainability, I took the liberty, and I'm going to send you this report, Madam Treasurer, this was a report issued by General Services in response to the Governor's executive order in 2019 concerning reducing energy consumption of State-owned buildings. And we just completed that report and issued it (indiscernible). I will send it to you and it's a comprehensive report.

TREASURER KOPP: Thank you.

GOVERNOR HOGAN: Thank you.

MR. CHURCHILL: Again, good morning, Governor, Madam Treasurer, Mr. Comptroller. For the record, I'm Ellington Churchill, Secretary for the Maryland Department of General Services. Today we are presenting 16 items for your consideration, including three supplementals, and we are available to answer any questions you may have at this time.

GOVERNOR HOGAN: Thank you, Secretary Churchill. Any questions on DGS?

TREASURER KOPP: Very quickly, Mr. Secretary, speaking of energy savings, Item 3, the new roofs for a large number of facilities. It's not a huge item, the amount of money. But my understanding is that you've got 16 buildings which will now have more energy efficient roofs, is that right?

MR. CHURCHILL: Yes. Yes, Madam Treasurer. And we do have our program manager available to answer any specific questions concerning those buildings.

TREASURER KOPP: No, I just think if that's what it is, and that is what it looks like, that's a good thing.

MR. CHURCHILL: Well, roof replacements, by its nature they are going to be more energy efficient. And so we're very proud of the projects that are being presented.

GOVERNOR HOGAN: Thank you.

TREASURER KOPP: Well you might include a report on that along with the other material you are sending. Because I do think you'll see that it's a good story.

COMPTROLLER FRANCHOT: Can I just comment that my great predecessor, Louis Goldstein, is happy right now up in heaven because somebody is talking about roofs. He didn't like flat roofs --

TREASURER KOPP: Roofs, oh yeah. And he was right, too.

COMPTROLLER FRANCHOT: Yeah. But, Madam Treasurer, thank you for your advocacy of basically protecting the planet. And Governor, I had just a comment about Item 7. This is for a renewal option, Department of Human Services, for a group called Family Tree, which provides services to at risk families, especially in the area of preventing child abuse. And I believe their

focus is Baltimore City, Baltimore County, and Prince George's County. Obviously, it's something very important. And with the COVID pandemic to force everybody to stay at home, so one of the big problems there is increased domestic violence and child abuse going unreported. And I just want to thank your administration, Governor, and the department for continuing the relationship with this important and consequential work by the organization, The Family Tree. Great item.

GOVERNOR HOGAN: Yeah. Thank you. Any other questions?

Or is there a motion on DGS?

COMPTROLLER FRANCHOT: I do have an item on 9-IT.

MR. CHURCHILL: Yes, Mr. Comptroller. Which item on 9?

COMPTROLLER FRANCHOT: Task orders 2.1 and 3.1.

MR. CHURCHILL: Okay. We have Julia Fischer, Director, Data Services at the Department of Information. We also have Secretary Leahy.

COMPTROLLER FRANCHOT: Okay. So this is the ESRI group, which I've had on my radar screen since the last administration where amazingly a single bid contract was awarded to them and then there was, you know, some kind of speech that was given for a large amount of money and it just looked very unseemly as far as being on the level. But nonetheless, back in 2019 I put my sword back in the sheath because you guys said we have five master contractors under one task order and 12 master contractors for the other one that were deemed

qualified to submit bids for the services. So that kind of addressed the semi-corrupt situation that was with the previous administration. But then, the documents for this task order now indicate that despite all the master contractors and others, there's only one contractor, ESRI, that company that paid the extraordinary amount of money. There's only one contractor, ESRI, was eligible to bid. So why is that the case?

MR. LEAHY: Julia, are you on the call? I just want to make sure you are here before I start speaking.

MS. FISCHER: I am, Secretary. Thank you.

MR. LEAHY: Good morning, Mr. Comptroller, Madam Treasurer, Governor. It is not my understanding that they were the only company eligible to bid. However, as I understand it, and I'm still doing further research which I will certainly share with you, ESRI, like IBM, is a behemoth in this industry. And in fact, these contracts are for maintenance that only they provide on the licensed software we purchased from them. There are, as you've stated, a number of other companies that are in our program that are eligible to provide GIS services. And in fact, there have been a number of companies that have provided services but the amounts have typically, as I understand it, been under the threshold in the past to come to this Board. But as I said, I am researching that presently and I hope to have a definitive answer to you in the next few days. Julia, what would you like

to add about the specifics? Because you've been here since this process began in 2015.

MS. FISCHER: Thank you, Secretary, and thank you, Board, for allowing me to address this topic this morning. As you know, GIS has had a long and very strong existence within the State of Maryland. We have been using the technology to support any number of agencies. We have 50, 60 different units, agencies, all the way from the election mapping that is currently available to assist Marylanders in determining where their voting and voting drop off locations are, as well as I want to point out most recently the GIS platform has been used for hosting the coronavirus.maryland.gov site, which has seen more than eight million visitors since it was launched in March. So I believe that the efforts of the State employees who are using this technology are good and pure to serve those Marylanders and the citizens of Maryland.

ESRI is, as the Secretary mentioned, the leader within the industry. Their technology has been utilized within the State for decades. We have hundreds of additional websites that have this technology launched within them. We have thousands of State employees who are trained in utilizing this technology. And as a result, we hope to continue the great work that each and every one of those individuals has been able to do with these tools. It is that reason why we want to continue with the platforms that we have been using. We

have seen great successes in the past and would like to continue to see those successes continue in the future. So --

COMPTROLLER FRANCHOT: Okay, thank you for that. That's helpful. But why in the briefing documents that we have, why is this listed as one, one single qualified master contractor?

MS. FISCHER: Yes.

COMPTROLLER FRANCHOT: When you have over the years described five master contractors under the one task order and 12 under the other one, where you are coming twice and saying there is only a single qualified master contractor.

MS. FISCHER: Thank you, Mr. Comptroller. We wanted to ensure that our State partners had access to other GIS providers who have areas of expertise throughout the broader GIS industry. However, in the areas that the State is primarily applying GIS, ESRI again is the leader. They do not have any resellers. So although we do have a number of master contractors who are available to provide their software, ESRI again is the one we have found to be the most reliable and had the most success with. They do not have resellers.

COMPTROLLER FRANCHOT: So why don't we just bring this before the Board as a sole source contract? What is the problem with that? I mean, I understand completely what you are saying, that this is software that has a proprietary interest and it is spread throughout the State agencies and nobody else

can maintain it. But in that instance, generally it's a sole source contract that's brought before us.

MR. LEAHY: Mr. Comptroller, I agree with you completely and as I said, I am attempting to research how it has not come forward in that way to the Board.

COMPTROLLER FRANCHOT: Okay. Well I would like to defer this for a couple of weeks if my colleagues were favorable, because you know, this, it's not usual that a sole source contract or a single bid contract has \$150,000 speaker's fees for Maryland officials. That's my problem with this. I would defer to my colleagues. But if I could investigate it with you, I would be grateful. If I can't get that delayed, then I'm happy to vote against it. But I find it to be a troubling optic.

GOVERNOR HOGAN: Mr. Secretary, can you maybe address the Comptroller's concern there? Because I believe we have already delayed this once before and there is some deadline coming up tomorrow. Is that correct?

MR. LEAHY: Yes, Governor. Mr. Comptroller, I assure you that as I said at the beginning, the proprietary nature of this software and its widespread embedment in the State of Maryland does make it a critical tool for a number of tools we are utilizing with regard to COVID. All of our mapping, all of our attempts to create certain types of data that are visual as well as numeric. And to delay it further, I believe, will not address the concerns you have raised.

The software is, as we've said, licensed only by ESRI and this is to continue to maintain our operational status with that software, which we will continue to use into the indefinite future.

COMPTROLLER FRANCHOT: Well since --

MR. LEAHY: As I said I'll -- I'm sorry, sir.

COMPTROLLER FRANCHOT: Let me just interrupt. Since these folks are so ubiquitous I guess now with State agencies, and we're so dependent on them, I'm sure they would more than willingly continue for a month or so until, as you say, you're investigating it. I'd like to at least take a look at it again because last time I voted in favor of it and I was under -- it was not correct information, I guess, that I was given at that point. So I would --

MR. LEAHY: Yes, sir. And I --

COMPTROLLER FRANCHOT: -- I would still urge my colleagues to let me have a couple of weeks to take a look at it. I don't think anything bad is going to happen.

MR. LEAHY: Well, we will have to bring it as a retro at that point, because the contract expires on the 8th.

COMPTROLLER FRANCHOT: I have no problem with that. But I think, you know, you're investigating it, I'm investigating it. Let's, I didn't get this particular explanation. And I assume in the future this is going to be a sole



source contract, not a single bid contract. And but I also want to resolve my concern about the optics of it.

MR. LEAHY: Certainly. That is my intent, sir. And to your point that you raise regularly, to the extent any other vendors become adept at this particular technology, we will certainly compete it vigorously.

COMPTROLLER FRANCHOT: Anyway, if you guys, my colleagues, I'll just leave it up to you. But --

TREASURER KOPP: I --

COMPTROLLER FRANCHOT: -- I think it's appropriate to take --

TREASURER KOPP: -- I believe, Comptroller, as long as you can bring it as a retro contract next time, I mean, I think we have to approve this contract. I happen to not all have the same problems going back to whenever it was, eight or nine years ago. But if the Comptroller wants more time to look at it and it will not impede any action forward actually by our State agencies.

MR. LEAHY: Well I, that is, Julia, will this have an impact? Are they going to stop providing services?

MS. FISCHER: For the SaaS renewal, the company does have contractually the right to shut off the service starting tomorrow. That unfortunately is the platform that hosts the coronavirus.maryland.gov website.

TREASURER KOPP: We do not want anything shut off. At least, I don't. I have no problem approving this right now, but I have no problem giving time to the Comptroller if it doesn't harm things. Cutting off the platform would harm things, I believe.

MR. LEAHY: Right. Well, I would hope they would not. But as this arose yesterday, I have not had contact with them to see what their position would be. Mr. Comptroller, I assure you I will provide you any information I find at the earliest possible date and I commit going forward that so long as we are dealing with a circumstance like this with ESRI, it will go forward as a sole source contract. And I apologize for you not having been given proper information in the past.

COMPTROLLER FRANCHOT: Well I think that the right thing to do would be to defer this and I don't think any harm will come from it. And you know --

GOVERNOR HOGAN: Well I, you know, look --

COMPTROLLER FRANCHOT: -- the fact that it's before us with a deadline of tomorrow is just another reason that this should be looked at. And I'm sorry --

GOVERNOR HOGAN: It --

COMPTROLLER FRANCHOT: -- I don't mean to get exercised -

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GOVERNOR HOGAN: -- it was before us before and it was already delayed, I think. But look, I share all of your concerns about the original contract that you and the Treasurer were involved in with the previous Governor. But now it seems as if this vendor is critically important to agencies all across the State. And I also think we need to get back and address some of the questions. But as the Treasurer pointed out, we don't want to put ourselves in the position where all of our State agencies could potentially be without this vendor while we're dealing in the middle of a state of emergency with a pandemic. I don't think that they would do that, but they contractually have the right to do that. You know, we know we're going to approve it anyway. And rather than coming back in two weeks, I would say we should move forward and then still address all of the concerns. Because I don't think anything is going to change over the next few weeks other than us not having the service --

COMPTROLLER FRANCHOT: -- here, which is that the item we voted on in 2019 was wrong and that needs to be corrected legally. So I don't want to end on a down note. But I just think we need to take a couple of weeks here. This is a, this group has a monopoly power. I assume they understand exactly what I'm talking about and, you know, we can approve it at the next meeting. But obviously it takes two votes.

GOVERNOR HOGAN: I hate to see what happens if they cut off all of our critical work that we're doing tomorrow and then I don't know how we would explain that.

COMPTROLLER FRANCHOT: Well, what would that say? Obviously, we use them in the Comptroller's Office. But what would that say about this group?

GOVERNOR HOGAN: Yeah, well I agree. But I don't want to take the chance.

COMPTROLLER FRANCHOT: Well, then maybe the agency should bring this with more than a one-day gun to our head.

GOVERNOR HOGAN: I think they, they've been trying to move it forward for a while and they have gone through all of their extensions, their options, and now we're at the end of the line.

COMPTROLLER FRANCHOT: And it ends tomorrow. That's --

MR. LEAHY: Yes, that's correct. We have brought this matter before attempting to bring it before the Board, Mr. Comptroller.

TREASURER KOPP: When was it brought before and what was the problem?

MR. LEAHY: Julia, what was the initial time it was brought up this past summer?

MS. FISCHER: We had the initial renewal for August 1st, and just through circumstances, mostly connected to the pandemic and people continuing to adjust to new work flows, we did not meet, you know, critical deadlines.

COMPTROLLER FRANCHOT: Yeah. Let me say for the record, that wasn't me or my office. We are being confronted with an incorrect description and it also is a mistake on the 2019 contract that we approved, Governor. And I think it needs to be looked at and corrected. And I can't imagine the company after its long history or partnership with the State is going to pull the plug. But --

TREASURER KOPP: What is the nature of the error in the contract?

COMPTROLLER FRANCHOT: We voted for two bids, but there was only one bid.

TREASURER KOPP: We voted for two bids?

COMPTROLLER FRANCHOT: Yes. It needs to be --

TREASURER KOPP: What is -- I don't know.

COMPTROLLER FRANCHOT: I think the Secretary knows what I'm talking about. It's, you know, we voted two contracts and there was only one bid. I don't know. But it needs to be, it's probably a technical issue but it needs to be corrected. But I'm more concerned about just making sure that everything

is correct here and on the level. Because, you know, I have confidence in Secretary Leahy and Secretary Churchill. I just want to take a look at it.

SECRETARY GONTRUM: To answer your question, Madam Treasurer, it's my understanding that the 2019 item that was brought to the Board listed the number of bids as two, when in fact there was only one bidder, the vendor in question today, that bid on the contract for the task order, purchase order (indiscernible).

COMPTROLLER FRANCHOT: And as I recall, that was where I famously said I'm putting my sword away because it was a competitive bid. It wasn't a competitive bid.

GOVERNOR HOGAN: So is there a motion on the floor?

COMPTROLLER FRANCHOT: Yes, I would move to defer this for two weeks.

GOVERNOR HOGAN: Is there a second?

TREASURER KOPP: Second.

GOVERNOR HOGAN: Okay. Two to one. I'm going to vote against you on this one. I don't want to see our whole State shut down. So with that, that concludes the --

MR. LEAHY: Mr. Governor --

GOVERNOR HOGAN: -- unless there's another question on another item for DoIT.

MR. LEAHY: If I may have a moment of personal privilege, since we've all been talking about sustainability. Yesterday we received the Center for Digital Government's annual survey results. We again for the second cycle in a row got the highest grade the State has ever gotten for IT. But Madam Treasurer, you will be happy to hear that they have other awards called the Top Three that they will not specify who was first, second, or third. But we finished in the top three for the sustainability for IT (indiscernible) conservation, environmental management, and State modernization of physical assets. So I just wanted you to be aware of that.

TREASURER KOPP: That's terrific. Congratulations, Mr. Secretary.

MR. LEAHY: Thank you so much.

TREASURER KOPP: I'm glad to hear that. That really is very good news and we look forward to seeing you in two weeks with the retro contract that you indicated you could bring. Thanks.

GOVERNOR HOGAN: You know, Secretary Leahy, if you had brought that up a little earlier, you may, you know, the Treasurer may not have seconded the Comptroller's motion --

MR. LEAHY: I should have, sir. And I'll remember that going forward. And Mr. Comptroller, I will be in touch with your folks --

TREASURER KOPP: I look forward to congratulating you again in two weeks.

SECRETARY GONTRUM: Members, before you adjourn, if you could just clarify the record --

GOVERNOR HOGAN: Yeah --

SECRETARY GONTRUM: -- motion to defer the item was on subitems 2.1 and 3.1?

GOVERNOR HOGAN: Yes.

SECRETARY GONTRUM: Is that correct?

COMPTROLLER FRANCHOT: And --

GOVERNOR HOGAN: -- pull them out of the Agenda.

SECRETARY GONTRUM: -- those items.

COMPTROLLER FRANCHOT: -- the Board staff to look at the 2019 issue I raised as to the misinformation that we voted on.

TREASURER KOPP: We have to make sure that this contract, what we're voting on in two weeks, is in fact, doesn't incorporate an error that was unintended last year.

SECRETARY GONTRUM: Well the error, Madam Treasurer, was on the Board item itself, the item that was submitted to the Board. The record of the Board of Public Works is incorrect, is my understanding. That the record of



the Board of Public Works listed two bids on the 2019 item when in fact there was only one bid. That would not impact the actual underlying contract.

COMPTROLLER FRANCHOT: Thank you.

GOVERNOR HOGAN: So are we pulling out that one item to have a separate vote, we voted on. Now we have to vote on the rest of the DoIT Agenda, is that correct?

COMPTROLLER FRANCHOT: Move approval.

TREASURER KOPP: Second.

GOVERNOR HOGAN: All those in favor? Aye. All right. Well thank you --

TREASURER KOPP: Before we go, Mr. Governor, I understand that Mr. James Point Du Jour is going to be busy this weekend, is that right? And John, do you want to say anything about it?

SECRETARY GONTRUM: That is correct. James Point Du Jour, the Board's Operations Manager who makes all of this possible, all of these virtual meetings, that the Board can stop and turn on a dime after 156 years of meeting in person, and was able to start meeting virtually, was all due to James Point Du Jour. And this is a very, very happy week because this Saturday he is celebrating his wedding. So it's, thank you, Madam Treasurer, for pointing it out. We all could not be happier for James.

TREASURER KOPP: Well, I'm sure we all send him our congratulations and his bride also.

MR. POINT DU JOUR: Thank you, Mr. Governor, Madam Treasurer, Mr. Comptroller. That's quite a surprise, I really appreciate it. And yes, I'm getting married this Saturday. I'm very excited. Thank you, Mr. Gontrum for this very delightful surprise. I really appreciate it. Thank you so much.

COMPTROLLER FRANCHOT: Can I make a motion --

GOVERNOR HOGAN: Yes, thank you, and congratulations.

COMPTROLLER FRANCHOT: -- I consider marriage to be a great institution and I think all three of us are in agreement on that. But good luck, James. All the best.

MR. POINT DU JOUR: Thank you so much, Mr. Comptroller. I appreciate it.

GOVERNOR HOGAN: Yeah, thank you. Congratulations. Good luck. With that, I think that concludes the meeting for today. Thank you all very much.

TREASURER KOPP: Bye-bye.

COMPTROLLER FRANCHOT: Take care.

(Whereupon, at 11:27 a.m., the meeting was concluded.)