
STATE OF MARYLAND
BOARD OF PUBLIC WORKS
ANNAPOLIS, MARYLAND

August 31, 2022
10:02 a.m.

PRESENT

HONORABLE BOYD RUTHERFORD

Lieutenant Governor

HONORABLE DERECK DAVIS

Treasurer

HONORABLE PETER FRANCHOT

Comptroller

JOHN GONTRUM

Secretary, Board of Public Works

ELLINGTON CHURCHILL

Secretary, Department of General Services

JIM PORTS

Secretary, Department of Transportation

JEANNIE HADDAWAY-RICCIO

Secretary, Department of Natural Resources

MICHAEL LEAHY

Secretary, Department of Information Technology

LISA GRIGSBY

Recording Secretary, Board of Public Works

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PROCEEDINGS

LIEUTENANT GOVERNOR RUTHERFORD: We have thousands of people waiting, sitting out there on the internet, waiting for folks to arrive. So thank you. Well, good morning, Mr. Comptroller, who is coming in remote, and Mr. Treasurer --

COMPTROLLER FRANCHOT: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: -- it's great to be here again.

I just want to point out that today is Overdose Awareness Day, something that we should be very much concerned about. We still have a large number of people who are dying from overdoses every year in this State and throughout the country. And I will be speaking at an event this evening, and we need to keep that in mind as we are really still dealing with a major challenge. More people have died on an annual basis from overdoses than our murder rates, our auto accident rates in this State. And so it's something that we need to be very conscious of. There was a little bit of almost forgetting about it during the concern about COVID, rightful concern. But I think we, not all of us, but I think the public took the eye off the ball with regard to those who are suffering and in recovery. And September is International Recovery Month. And so we should keep all of those things in mind. Fentanyl is really the major killer. There is an article in the *Wall Street Journal* today talking about the Fentanyl coming in from Mexico, these bootleg labs that are producing it and bringing it in over the border. And we need to be very much concerned about that as well.

Before starting the full Agenda, I do want to take a moment to recognize a couple of employees for exhibiting exemplary customer service. And

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we will be presenting them with Governor's Citations.

First, on July 12th of this year while on duty, Sergeant Herbert DuBois of the Central Home Detention Unit within the Department of Public Safety and Correctional Services witnessed a vehicle that had overturned several times on I-295 south and as soon as he was safely able to render assistance, and after contacting a communications officer to get fire and EMS sent to the scene, he noticed that there was a second vehicle, a semi-truck that was in the bushes. He pulled the driver out of that vehicle and then ran to the overturned SUV and comforted those who were trapped inside the vehicle until EMS was able to arrive. For Sergeant DuBois' heroic actions, and it required him to put his life on the line to protect the lives of others. And we are pleased to thank him for his admirable efforts and would like to present him with a Governor's Citation. I think I've got it here. Sergeant?

(Applause.)

(Citation was presented. Photographs were taken.)

LIEUTENANT GOVERNOR RUTHERFORD: Okay. And also, on July 16th, a young person at the Department of Juvenile Services who was in their care at the Charles H. Hickey School passed out while playing basketball and went into cardiac arrest. Our DJS staff mobilized quickly and immediately rendered aid. A nurse arrived with an AED device and once the nurse arrived, the staff took turns giving CPR as the nurse utilized the defibrillator to restart the young person's heartbeat. The DJS employees continued to render aid for approximately ten minutes until the first responders arrived to be able to take over. The DJS staff members helped to save the life of this young person. We are very proud of them and I'd like you all to join me in thanking Brionne Powell, Marisha Joseph Jenkins, Tiffany Rankin, Tajin Burke, Therese Ball, Lisa Ammeker, and Taneka Jackson for their historic efforts. And I'd like to present

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them with a Governor's Citation.

(Applause.)

(Citations were presented. Photographs were taken.)

LIEUTENANT GOVERNOR RUTHERFORD: And I saw the Secretary up here. I guess he has already walked out. But I just want to say -- oh, Mr. Secretary, thank you. And it really shows the training that these individuals and their commitment to their job. And so thank you for all of your effort and thank them.

MR. ABED: Thank you and I appreciate the acknowledgment to the training unit. And I think it is a real testament to their work that they do.

(Applause.)

LIEUTENANT GOVERNOR RUTHERFORD: Mr. Treasurer? And then we'll go to the Comptroller.

TREASURER DAVIS: Good morning, everyone.

ALL: Good morning.

TREASURER DAVIS: It's so great to see our hard-working State employees recognized for all that they do for the citizens of Maryland. So thank you for that, Governor.

If I can, I just want to speak to, as Treasurer, I have the privilege of serving on, like 25 boards and commissions. I say that tongue-in-cheek --

(Laughter.)

TREASURER DAVIS: -- but one of the ones that the Treasurer's Office was assigned to not that long ago was the Maryland Environmental Services Board. And last week, we had a meeting and from that I learned about the Durable Medical Equipment Reuse Program that is operated that was actually started by Senator Kramer, Secretary Kramer. I'm sorry. I'm still in --

LIEUTENANT GOVERNOR RUTHERFORD: -- once a Senator,

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always a Senator.

TREASURER DAVIS: -- there you go. And that program, I just found it fascinating. It's my understanding that it is one of a kind, you know, in the country. And essentially, you know, it takes, you know, medical equipment that has been used, and so you can bring it, it is sanitized and repaired, refurbished as the case may be. And then it goes out to those who are really in need. They can come and get what they need and, you know, as we are battling all sorts of economic challenges now, there are many Marylanders who can benefit from this program. So I just wanted to highlight it a little bit, hoping that, you know, we can get the word out more for those who have this equipment that they can turn in and for those who have the need. This is a place that they can go. So I just wanted, again, to just commend Secretary Kramer and the Department of Aging. I believe they do it in partnership with the Maryland Environmental Services office. And you know, just tip my hat to that good work.

LIEUTENANT GOVERNOR RUTHERFORD: And you left out free of charge.

TREASURER DAVIS: Free of charge.

LIEUTENANT GOVERNOR RUTHERFORD: To any citizen that can get this equipment. I was just down there yesterday, as a matter of fact, and toured their warehouse, an old tobacco warehouse near Cheltenham. And it's a great program. Secretary Kramer, Senator Kramer saw something similar on a visit to Israel with the Governor several years ago and she brought the idea back. And you are absolutely right, it is the only statewide program to offer that. And we really need to get that information out more. And I have started to contact a lot of faith communities, because many of the parishioners are a little order, that this is equipment that can be provided. And then there is the environmental benefit, that anyone who has had any, you know, medical equipment, be it a

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wheelchair, shower chair, anything of that nature, no one takes those as donations. If you try to donate them, no one takes them because they don't want the liability. So they end up in landfills. And so this is a place where you can take it. There are pick up locations around the State that we'll pick them up. And as was mentioned, they are cleaned, they are sanitized, they are refurbished, and they are made available at no charge. So there is an environmental benefit. I believe there are six locations around the State where you can actually go and retrieve the items, and then there are additional locations where you can donate. They even have places at some of the landfills where you can set it aside. If a person is bringing something to the landfill thinking they are going to just throw this old wheelchair in the big bin. They can put it off on the side and --

TREASURER DAVIS: Yes. Again, it's a terrific program. I'm glad one of those Kramer kids are doing --

LIEUTENANT GOVERNOR RUTHERFORD: Yeah, at least one.
(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: All right. Mr. Comptroller?

COMPTROLLER FRANCHOT: Yes, I want to associate myself with the remarks, Lieutenant Governor, of you and also the Treasurer. And I really appreciate everybody's forbearance as I am visiting my grandkids right now and somewhat tongue in cheek I say every moment is a pleasure. Sometimes they melt down. So I'm glad to be with you guys for a while.

And I wanted to briefly mention, in addition to Fentanyl, which is such a problem, and the customer service, which is so well deserved, and Senator Kramer, Secretary Kramer's program that the Treasurer was talking about, how great that is. But I wanted to just touch briefly on student loans because they are such an impediment right now to young adults getting on the path to home

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ownership and perhaps starting a business on their own.

This issue of student loan debt is really weighing down, I believe, the recovery of the State and the nation's economy. A lot of the spotlight has been on President Biden's recent actions to forgive student loan debt for up to 43 million young adult borrowers. And I can't emphasize how important that is. Obviously, it has got some, you know, pros and cons associated. But I think the President is doing the right thing.

Here in Maryland, I don't think a lot of people realize we have our own student loan debit relief initiative with an important deadline that is coming up that everyone should be aware of. Obviously, President Biden's actions at the federal level to address this long standing crisis are front and center. While it's not the ultimate long term solution to address the exorbitant cost of higher education, the President's actions provide immediate meaningful relief for millions of Americans, especially low income families. But I want to just briefly mention this other outstanding program from the State of Maryland, aimed at providing student loan debt relief right here in our State. In just a little over two weeks, on September 15th, applications for the student loan debt relief tax credit are due and I encourage all eligible Marylanders who have student loan debt to apply. The program, which is administered by the Maryland Higher Education Commission, provides an income tax credit. That's not an income tax deduction, that's an income tax credit, for Maryland residents making eligible undergraduate and/or graduate education payments on loans from an accredited college or university. To be eligible, the applicant must claim Maryland residency for the 2022 tax year, file 2022 Maryland State income taxes, have incurred at least \$20,000 in undergraduate or graduate student loan debt, and have at least \$5,000 remaining in outstanding student loan debt upon applying for the tax credit.

Since its inception in 2017, and I applaud all the leaders in

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Maryland that supported this, more than 40,000 Marylanders have benefitted from the tax credit with more than \$40 million distributed through the program. In last year alone, 9,155 Maryland residents received a student loan debt relief tax credit. Those who attended in state institutions received \$1,067 average in tax credits while eligible applicants who attended out of state institutions received \$875 in tax credits.

This is a terrific program that has been road tested and has already benefitted so many Marylanders. I encourage everyone to please spread the word and once again, I join with my colleagues in applauding the innovation of the State of Maryland. Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you.

TREASURER DAVIS: Governor?

LIEUTENANT GOVERNOR RUTHERFORD: Yes?

TREASURER DAVIS: If I can, forgive me, but it would be remiss of me if I did not acknowledge the passing of former Delegate Mike Smigiel on Sunday evening. So I just wanted to do that as well.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you. Okay. Mr. Secretary?

SECRETARY GONTRUM: Yes, good morning, Governor, Mr. Treasurer, Mr. Comptroller. There are 16 items on the Secretary's Agenda and one report of an emergency procurement. That's Item A1, which I am now withdrawing at the request of the Department of Labor. One revision note: Item 13 from Morgan State has been revised to clarify that the Montebello Hospital Complex demolition costs will be credited against the tenant's future ground rent obligations. I'm happy to assist with answering any questions.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. I do have a question about that one. Before, and this isn't really a question, but Item 12,

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Point Lookout. I was just there a couple of weeks ago as I continue to go through various parks. And I see they are getting a new water system.

Point Lookout, like all of our parks, is really a jewel. It's at the end of the Western Shore, the very end of the Western Shore. But if you can swim real hard, or better yet have a boat, you can get to Crisfield from there fairly easily. But I just wanted to point out, you know, again, one of our beautiful parks and the investment that the State makes in those parks.

Item 13, do we have anyone from Morgan with us?

SECRETARY GONTRUM: We do. We have Executive Vice President Mr. Sidney Evans.

LIEUTENANT GOVERNOR RUTHERFORD: Good morning, Sidney.

MR. EVANS: Good morning, Mr. Lieutenant Governor, good morning, Mr. Comptroller, and good morning, Mr. Treasurer.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Well, my fellow bison friend, with the osteopathic college, the Maryland College of Osteopathic Medicine, what is going to be the title of it? Is it going to be the new college, is it going to be the Maryland College of Osteopathic Medicine at Morgan? Or how are you going to -- since it's on Morgan property.

MR. EVANS: Yes. And for the record, I'm Sidney H. Evans, Jr., Executive Vice President for Finance and Administration at Morgan State University. Mr. Lieutenant Governor, you are absolutely, correct. It will be the Maryland College of Osteopathic Medicine at Morgan State University. That will be the name as it stands right now.

LIEUTENANT GOVERNOR RUTHERFORD: Now is it both a college and a hospital?

MR. EVANS: No, sir. It is just an osteopathic medical school.

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LIEUTENANT GOVERNOR RUTHERFORD: Okay.

MR. EVANS: It will be the first at an HBCU and the first for the State of Maryland.

LIEUTENANT GOVERNOR RUTHERFORD: All right. Thank you. Very good. It's very exciting.

MR. EVANS: Yes, it is. And we're very excited about this and we thank each of you for your support for Morgan State University and we continue to pay strong dividends back to the taxpayers of Maryland for their investment in Morgan State University.

COMPTROLLER FRANCHOT: Forgive me for my ignorance, Lieutenant Governor. What is the definition of osteopathic medicine?

LIEUTENANT GOVERNOR RUTHERFORD: You're not asking me.

COMPTROLLER FRANCHOT: I'll get the Executive Vice President --

MR. EVANS: Mr. Comptroller, I am a chief financial officer --
(Laughter.)

MR. EVANS: -- not a physician. But I will say to you the osteopathic medical concept is around the healing using hands and working with the musculoskeletal aspect of the human body. And osteopathic medicine has been around for a while. There are osteopathic medical schools across the United States. Quite frankly, when you walk into a doctor's office or a hospital, you really won't know if your physician is an MD or a DO. One of the huge outcomes of osteopathic medicine is that a lot of DOs become primary care physicians. And that's what we need in the City of Baltimore and in the State of Maryland. We need more physical care physicians to address the needs of the population. I mean, primary care physicians to meet the needs of the citizens of

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Maryland.

COMPTROLLER FRANCHOT: Thank you. For not being a doctor, that's a good explanation. Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Any other questions on the Secretary's Agenda? Thank you, Sidney. I keep saying Sidney, but not Sidney.

MR. EVANS: Thank you all as well.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Sidney Evans was the Superintendent of Howard County Schools when my kids were there, so I always think of Sidney Evans. Any other questions on the Secretary's Agenda?

COMPTROLLER FRANCHOT: I wanted to just, Governor, applaud your administration for Item 5.

SECRETARY GONTRUM: Item 5 is the Board's operating grant to the Beloved Community Services Corporation --

LIEUTENANT GOVERNOR RUTHERFORD: Oh yes.

SECRETARY GONTRUM: -- responsible for the Justice Thurgood Marshall Center project.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you, Mr. Comptroller.

COMPTROLLER FRANCHOT: Yeah, no, I think it's very significant. And maybe Dr. Hathaway would like to comment on it.

LIEUTENANT GOVERNOR RUTHERFORD: Pastor Hathaway, you can come up.

Go over to the -- yes, there is a microphone and all there.

DR. HATHAWAY: I just want to thank you, Governor Hogan, you, Lieutenant Governor Boyd Rutherford, Treasurer Dereck Davis, Comptroller

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Peter Franchot. It is an honor that we were able to restore with the support of the State of Maryland the school that Justice Thurgood Marshall attended and his elementary school. It had been a building that had been vacant in West Baltimore for more than 20 years. It is a building of historic significance and this investment is catalytic. When you just think that yesterday, August 30, 1967, 55 years ago, Justice Thurgood Marshall was appointed to the bench of the Supreme Court, he was confirmed. I think his is a significant personality. I believe that Justice Thurgood Marshall should be to the State of Maryland as the Reverend Dr. Martin Luther King is to Georgia. And so we are just proud. We are excited. We broke ground on his birthday, which was June 2nd. We intend to cut the ribbon on July 2, 2023, which would be his 115th birthday. So again, I want to just thank everyone, particularly to the State of Maryland for your support. It allowed us to leverage over \$14 million to restore this building. Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Before you leave, I think you need to introduce yourself for the record.

DR. HATHAWAY: Okay. Thank you. My name is Reverend Dr. Alvin Hathaway. I'm the President of Beloved Community Services Corporation. I am the Pastor Emeritus of Union Baptist Church in Baltimore City.

LIEUTENANT GOVERNOR RUTHERFORD: Very good. Thank you, sir.

TREASURER DAVIS: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: And a beautiful church that is. Okay.

COMPTROLLER FRANCHOT: I would move approval of the Agenda, if that's appropriate.

TREASURER DAVIS: I will second it.

LIEUTENANT GOVERNOR RUTHERFORD: Yes, it is. Thank

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you. All in favor. The Department of Natural Resources.

MS. HADDAWAY-RICCIO: Good morning, Governor, Mr. Treasurer, and Mr. Comptroller. For the record, Jeannie Haddaway-Riccio, Secretary of the Maryland Department of Natural Resources. We have 17 items on our Real Property Agenda today. And with your approval and your prior approvals, I just wanted to point out that that will bring us to a total of 18 Community Parks and Playgrounds projects totaling just over \$4.5 million. So we're very grateful for that investment as well. And we are happy to answer any questions you may have.

LIEUTENANT GOVERNOR RUTHERFORD: Just a quick question on Item 15A, which is Rural Legacy funding in St. Mary's County. Is the involvement of the Navy, is that due to flight paths at Pax River?

MS. HADDAWAY-RICCIO: Yes. So this is directly attributable to the REPI Program here. We were able to leverage those federal funding sources because of the REPI Program.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Great. Any other questions on Department of Natural Resources?

COMPTROLLER FRANCHOT: Move approval, if appropriate.

TREASURER DAVIS: Second.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Thank you.

MS. HADDAWAY-RICCIO: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: University of Maryland System?

MR. HICKEY: Good morning, Governor, Mr. Treasurer, Mr. Comptroller. Tom Hickey representing University System of Maryland. We have five items for your consideration this morning and we're happy to answer any questions you may have.

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LIEUTENANT GOVERNOR RUTHERFORD: Well, one of these weeks I'm going to ask you to come down here. Come and enjoy beautiful Annapolis. Using this technology, I guess I can't say that. Any questions for University System?

COMPTROLLER FRANCHOT: I would move approval if there are no questions.

TREASURER DAVIS: I would second it.

LIEUTENANT GOVERNOR RUTHERFORD: All right. Before we do the final vote, which I guess we pretty much have, I just want to say one thing about college debt relief. We do still need to do something about the cost of college and a lot of the talk about debt relief says nothing to the cost of college. And sometimes they have a perverse incentive, mostly at the college level but somewhat at the student level because they just don't really, they are not thinking about that they are going to have this debt at the end of the period of education. And for any of those who, you know, have sent kids to college and when you get the financial aid document that says how much, you know, a grant is a small amount of money, and then there's loans underneath it, student and parent loan, and then the bottom line is you don't have to pay anything, zero. Just show up. Sign here and show up. And it's four years later that you realize that you have all this debt and you went into an area that the initial salaries are not that great. So I just wanted to point that out, when we talk about relief in terms of college debt is that we need to address the high cost of colleges. With that --

COMPTROLLER FRANCHOT: I couldn't, Lieutenant Governor, if I could just add in there, I couldn't agree more with you about that. But there is another issue in there that you kind of brought up, which is we don't want to incentivize the higher ed institutions to simply tack on extra incentives to debt, as the government tries to forgive debt. And that's the tension that exists right now.

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And I think it's a perfectly legitimate point of inquiry and something we should pay attention to, because ultimately it's the cost of the higher ed institution that drives some of this debt.

LIEUTENANT GOVERNOR RUTHERFORD: Right.

COMPTROLLER FRANCHOT: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Thank you.
So the Department of Transportation.

MR. PORTS: Good morning, Governor, Mr. Treasurer, Mr. Comptroller. For the record, my name is Jim Ports, Secretary for the Maryland Department of Transportation. And the Maryland Department of Transportation is presenting 25 items for your consideration. Item 25-GM was submitted as a supplemental item to the Agenda. I'm very happy to bring that forward because Item 25-GM-MOD is a \$564 million reduction in project costs, specifically \$197 million reduction to the State for our partnership with the U.S. Army Corps of Engineers. And I'd be happy to answer any questions you may have.

LIEUTENANT GOVERNOR RUTHERFORD: Well, speaking of Item 25, do you know which islands are going to be restored?

MR. PORTS: So it's James Island and --

MS. HADDAWAY-RICCIO: Barren.

MR. PORTS: -- Barren Island. That's it, Barren and James.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Those two islands are actually on the map in my office from --

MR. PORTS: Oh wow.

LIEUTENANT GOVERNOR RUTHERFORD: -- so those islands are there. And just mentioning restoration of some of the Bay islands, and this is going to Secretary Haddaway-Riccio, have you had a chance to talk to Maryland Environmental Services about soft shorelines at, I guess for the new islands, but

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also at Poplar?

MS. HADDAWAY-RICCIO: Yes, sir. I did. In fact, we just recently had a dredged material management program meeting, where all of us were together, and I had a chance to speak with Dr. Glass about that.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. And just for the audience out there, those thousands of people who were waiting for the Treasurer to come in --

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: -- Poplar Island is, and these islands are receiving dredge material from the Bay to keep the shipping channel open. And on a visit to Poplar Island, there was a, I guess there was a, I guess he's a botanist, I'm not sure, but he's like the turtle doctor. A scientist, a doctor, who studies the migration of turtles. And was pointing out that when you have these hard shorelines that are built, you know, to resist erosion, there are new methods now on how you can resist erosion with living shorelines. And the folks who were administering or managing the project, Maryland Environmental Services, were still caught in having these hard, you know, embankments versus the living shorelines that allow the natural habitat to take place, the wildlife to come up on the island, to return to the island. And so, you know, hopefully Poplar they can add some additional soft shoreline that still would be resistant to erosion and then with these new islands that they are able to do the same. Because they were there before. I'll turn to the Treasurer and the Comptroller for questions on Transportation's Agenda?

COMPTROLLER FRANCHOT: I had a question on Item 3. I'm not sure whether it should be the Administrator Ricky Smith at the Airport or Secretary Ports. And but my question is, this is not a huge contract and obviously it's a computer aided design project that needs to be done at BWI Thurgood

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Marshall. I understand that. But it looks as if we're being held up by endless negotiations with the current vendor and it has gotten so bad that at the end of the briefing document, it says that the Airport is exploring the possibility of obtaining the required services from another vendor under a contract which may result in cost savings. And I'm just concerned that we're negotiating with a vendor that is perhaps not completely in synch with us. And why, if we may be procuring a new maintenance program, why don't we do it now rather than waiting for another year?

MR. PORTS: So I believe what we --

COMPTROLLER FRANCHOT: Is that -- yeah. Hi Ricky, how are you?

MR. PORTS: Oh, there's Ricky. Okay. Hi, Ricky.

LIEUTENANT GOVERNOR RUTHERFORD: You're muted.

MR. PORTS: You're muted, Ricky. But it sounded great.

(Laughter.)

MR. SMITH: Good morning, members of the Board. Sorry about the clunky arrival. I'm Ricky Smith, for the record, Executive Director of the Maryland Aviation Administration. Thanks a lot for your question, Comptroller Franchot. We too are frustrated with this situation. But unfortunately we have a system today that is a proprietary system. And unfortunately, we have to negotiate with that vendor in order to enter a new contract. That vendor has been very difficult to deal with. Meanwhile, we are working with the Maryland Transportation Authority on an opportunity to enter a new contract and replacing the system that we're currently using, the (indiscernible) that we're currently using, at a reduced cost. We're not sure at this point if the MDTA option will work. We're still vetting that option. And that is why we have to continue negotiating with the current vendor. Hopefully, we'll be able to work out

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something with the MDTA contractor and move on from the current contractor.

COMPTROLLER FRANCHOT: When is that all going to be brought to fruition? Because it sounds as if the leverage is with the vendor, not with us.

MR. SMITH: The leverage is with the vendor. I would say we are a month or so away from resolving whatever opportunity we might have with the MDTA.

COMPTROLLER FRANCHOT: So this was supposed to be done back in September of last year. Now it's not going to be done until September of next year, I take it? Or could that be accelerated?

MR. SMITH: Well, it would take longer if we have to migrate to the new system with the Maryland Transportation Authority. If we're able to work out an agreement with the current vendor then the new contract would go into place and it would not be extended.

COMPTROLLER FRANCHOT: Okay. If you could keep us in the loop as to how that progresses, because it obviously is not a, it doesn't feel like a good position for the State to be in right now.

MR. SMITH: Yes, we're not in the best position. We are in a position of weakness. But we're trying to work to resolve it either by negotiating something with the current vendor, and as a matter of fact we will continue working with MDTA to see if that option is a viable option for us because it removes us from the situation that we're in now.

COMPTROLLER FRANCHOT: Administrator Smith, thank you. I have a great deal of confidence in your judgment so keep up the good work. And you know, keep moving forward with the Airport. Thank you for that.

MR. SMITH: Thank you, sir.

COMPTROLLER FRANCHOT: I noticed that the Secretary is

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there also, and I wonder if I could just ask him, since I'm on MDOT's Agenda, Jim, this is a little more contentious issue that I'm going to ask you about right now. It's my understanding that the existing Governor Harry W. Nice Bridge in Charles County is going to be demolished or is anticipated or beginning to be demolished? I just have a couple of questions because a lot of people have asked me about this. What is the rush to demolish the bridge right now, given the intense public interest in perhaps keeping it as an alternative path or a trail or something across the, in addition to the new bridge, as well as the high cost associated with construction projects? And is there any harm caused by keeping the existing bridge in place for the time being? My second question, I guess, is that with the new bridge is not yet open, and the demolition, I guess, may be contemplated if not already underway, what safety precautions are being taken to protect motorists who are crossing the bridge?

MR. PORTS: So you are asking a lot of questions there. I will say this for the record. We have looked at this issue several times. When Charles County came to us and asked about the bike path, keeping it as a bike path for economic development, we said, that's a great idea. Let's look at that. And so you know, MDTA only gets their revenues from toll facilities. And so according to our trust agreement they are not supposed to have facilities outside of things that don't bring in revenue, right? So they can't maintain it for another county, for example. So the idea was to turn that bridge over to Charles County for free, working with them on their economic development model.

Unfortunately, when they looked into it, the cost of maintaining the bridge for many years having to increase the sides of the bridge to protect pedestrians as well as bicyclists, they in turn decided that it was not worth it and so declined. We also worked with King George, I think it is, County in Virginia, who came to us with a similar proposal and they did a separate analysis of the

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bridge. Again, we were going to give it to them for free in cooperation for them to maintain it for a bike or pedestrian trail. And after they too looked into the efforts of maintenance for many, many years out, declined.

So we have made every attempt to work with the local jurisdictions in that area to turn that over to them for free. It was in the original RFP that we would tear it down and utilize that structure for oyster bed replenishment. As you know, oysters I think clean up about 50 gallons of water a day, I believe, Jeannie, if I got that right. And so we are utilizing this bridge in a very environmentally friendly way working with the fishery community through oyster beds and trying to clean up the Bay. As you know, that's one of Governor Hogan's initiatives, to help clean the Bay and look for environmental reasons to work together. So we in the Department of Transportation have done our utmost best to work with both local jurisdictions on each side of the bridge as well as the environmental community, MDE, and DNR on the oyster bed replenishment.

So that's kind of the reason that we're not looking at it again. There is also after all of that, the bridge was designed also not, there is what they call scouring, protection for the bridge. Since the bridge was coming down and going to be utilized for oyster beds, they decided to build a new bridge without the scouring protection because it wasn't needed. And if that bridge were to remain open now, we would have scouring around those bridge pillars, which would diminish the ability to stay in place. So for all those reasons, again, this has been vetted many, many times by third parties on both sides of the bridge, by the MDTA. As you know, I was executive director at that time. We have looked at this over and over and over again. We have gotten that message out. We sent a four- or five-page letter to the congressional delegation explaining all of this and more. I can't remember the exact letter. I wasn't ready for this question, obviously. But I'm very familiar with the issue, as you can tell. And so you

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know, it's time that we tear it down and move on. We're very excited about opening up a four-lane bridge in that area. It's something that has been requested for decades and this administration under Governor Hogan's leadership is getting it done. So we're very proud of that.

COMPTROLLER FRANCHOT: Thank you for that. Has the demolition in fact begun?

MR. PORTS: So when they say the demolition has begun, there are, and I don't know the technical term because I'm not an engineer, but around the pillars near the water line there is some like metal wraps around the concrete. The bridge is very old, as you know. And some of those had started to disintegrate on their own. And so for safety reasons we took some of those wraps, if you will -- again, I'd have to ask an engineer for a technical term -- but off of those pillars. They technically call that demolition. It's not as --

COMPTROLLER FRANCHOT: Right.

MR. PORTS: -- as you would think in a demolition definition in my opinion. But that's where we are.

COMPTROLLER FRANCHOT: And Mr. Secretary, I take it we're paying for the demolition, the State?

MR. PORTS: Yes, that was part of the contract, the original RFP. I believe, but I'd have to look it up, it's around \$17 million. It would take somewhere around \$50 million or a little bit more over a 30-year to 50-year period to maintain that bridge. So actually it's the cheaper way out, quite frankly. But again, we tried to work with all the local jurisdictions to give it to them for free and have them take it over, but everyone declined.

COMPTROLLER FRANCHOT: Could I just suggest from a, it's friendly suggestion. I know that --

MR. PORTS: Sure.

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COMPTROLLER FRANCHOT: -- the Ports strategy is always to make sure that things are, Is are dotted and Ts are crossed. But you might slow down just for a couple of weeks and sit down with the locals again and, you know, speak to the citizen groups because there are a lot of them. And the future is not perhaps all as much fossil fuel dedicated as we think and this may in fact be something similar to Cambridge. I believe down there the, one of the existing bridges was kept. It's just a friendly suggestion that you might want to not reopen the entire issue, but convene some kind of town hall meeting where people can, you know, react to what you just said but also there might be some new information.

MR. PORTS: Sure. I would be happy to.

COMPTROLLER FRANCHOT: Yeah.

MR. PORTS: As a matter of fact, we have our CTP tours coming up. We did speak with them at MACo. As you know, at MACo the Department of Transportation avails themselves to meet with every jurisdiction in the State. We met with 22 of the 24 jurisdictions during the MACo event. And we're going out, CTP starts September 15th and goes until November 15th by law. We will be meeting with all the local jurisdictions and would be more than happy to meet with them again. I have met with the Commissioners several times on this issue. We have also met with the biking community and other communities of interest and actually offered the biking community and other community organizations the same offer that we gave to Charles County and King George County. And but yes, I would be more than happy. Again, we're going to meet with them CTP. We would be more than happy to listen to them again.

COMPTROLLER FRANCHOT: I would appreciate that if you could take one more lap around the track. Because --

LIEUTENANT GOVERNOR RUTHERFORD: Yeah. Can I just

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clarify something for --

COMPTROLLER FRANCHOT: Sure.

LIEUTENANT GOVERNOR RUTHERFORD: -- you mentioned the bridge and that links Dorchester and Talbot County. The old highway, which became the Bill Burton Fishing Pier, maintained for a fishing pier, they took out the middle section, but that pier is closed now because it is unsafe for even pedestrian traffic. Just like old trees, bridges come down eventually. So you know, in that case, that one down there we have had to close and it's going to be demolished at some point. And there will be some decisions with regard to a new pier, fishing pier, and how that's going to be done. But right now, you know, the engineers from Department of Natural Resources looked at the bridge and said it is not safe even for pedestrians to be on it. So it's not a good example.

MR. PORTS: I didn't know that.

LIEUTENANT GOVERNOR RUTHERFORD: Yes, it's closed right now.

TREASURER DAVIS: And if I could move favorable on the Transportation Agenda?

COMPTROLLER FRANCHOT: Yes, absolutely. Second.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Thank you. The Department of General Services.

MR. CHURCHILL: Good morning, Governor, Mr. Treasurer, Mr. Comptroller. For the record, I'm Ellington Churchill, Secretary of the Department of General Services. Today we are presenting 55 items on our Agenda, including one supplemental. Our Agenda includes more than \$19 million in capital grants and loans, including \$4 million for the Baltimore Museum of Art, \$1 million for the Route 29 North-South Jug Handle Connector in Howard County, as well as \$200,000 for Vehicles for Change on the Eastern

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Shore for a full circle auto repair and training center in Wicomico County. The department is seeking approval for contract action on three minority businesses and 12 small businesses. We would also note that there is one item concerning action that you, Governor, along with Governor Hogan and President Ferguson announced in McKeldin Plaza last April concerning the relocation of more than 3,000 State employees out of State-owned facilities and into leased facilities that the Department of General Services would sublet. Concerning that, we are available to answer any questions you may have at this time.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. I want to start by there are a number of capital grant and loan requests that are here, recommendations for approval. And I just want to point out 1-CGL, the Nathaniel McFadden Learning (Learn) and Play Park. You know, I'm glad to see that there is an initiative to rename the park in East Baltimore after the former Senator. He is a good man and I'm glad to see this recognition. And I call on Baltimore City's Council to pass their resolution to rename the North Center Park to the Nathaniel McFadden Education Park. It would be a great honor to a great man.

Also, in the CGLs, and all the CGLs are great, I'm just pointing out a couple CGLs, 6-CGL, the Choo Smith Youth Empowerment, Inc. Choo Smith is a Baltimorean who is a former Globetrotter, Harlem Globetrotter, who has started a program, an existing program that he has. Summer camps for young people from, you know, the Baltimore area. And this is to further the efforts that he has to instill, you know, teamwork and leadership skills for young people.

Item 12-CGL, I'm very happy to see that the Board of Directors for the Men and Families Center led by Leon Purnell. Leon has been doing this work for a long time, bringing fathers back with their families, encouraging and helping on parenting, strengthening families as well as bringing health services to

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that area of East Baltimore. He has combined with Hopkins on different projects and initiatives and so I wanted to point that out as well.

I have two more. One was mentioned, 18-CGL, Vehicles for Change. They are expanding into Wicomico County, as the Secretary had just mentioned. We had an opportunity with the Secretary a couple of months ago to go to the Vehicles for Change location in Baltimore County in Halethorpe, I think it's Halethorpe, isn't it? Yes, Halethorpe, where they were providing vehicles to needy families that had been refurbished by the individuals who are at Vehicles for Change. Many of them, almost all of them have come out of our public safety and correctional services and learned these trades after being released and in some cases through partial release. And then providing these vehicles to individuals that need it, that can help them get to their jobs and as a gateway out of under employment.

And then lastly, 19-CGL, and this is up the road a good ways from you, Mr. Comptroller, the Warriors Canine Connection that we're providing funding there for their efforts. It is something if you ever want to do any volunteering, you can go up there and hold puppies when they want to get the puppies used to being around people. They train these dogs to go to individuals. Generally, it is those who are coming back from our various wars who are injured and may need, you know, the help of an animal to help them get around. They are not seeing eye dogs, but they are companions for individuals. And not all of them are coming back from war, but just individuals who could use that companionship. So I want to point that out. I'm going to get to Item 54 in a moment. If there are questions before we get to Item 54?

COMPTROLLER FRANCHOT: I had a question about Item 44.

LIEUTENANT GOVERNOR RUTHERFORD: Sounds good. I'm

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COMPTROLLER FRANCHOT: Thank you, Lieutenant Governor

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LIEUTENANT GOVERNOR RUTHERFORD: -- before 54 --

COMPTROLLER FRANCHOT: -- Item 44 --

LIEUTENANT GOVERNOR RUTHERFORD: -- yes, sir?

COMPTROLLER FRANCHOT: -- is a three-year extension on an existing contract with Motorola for \$43 million for the Statewide public safety wireless communication system. This is yet another modification of an existing contract. If approved, the value of this contract will have ballooned to \$447 million. Years ago, about 12 years ago, I first voted against this contract. I made it clear that my concerns that the State was locking itself into a 15-year agreement at that time of a \$345 million contract, this was 2010 with Motorola, despite appeals from other bidders and concerns that were expressed. I again voted against the modification to the contract in 2018 because I didn't think the taxpayers' credit card should be charged twice for delays caused by the vendor. Today, I have a few new concerns I would like to raise.

How current is the Motorola technology? If we were designing this type of system today, would we rely on radio technology or has the technology already been surpassed by more modern communication systems? It's my understanding that the construction of the system is in its final phase, phase five, which is scheduled to be completed in fiscal year '23. Overall, that would represent a four-year delay. So perhaps Secretary Leahy could walk me through what exactly the additional costs, what if the delays continued, why have they continued, why is the cost being put on the shoulders of the Maryland taxpayers? And thank you, if the Secretary is available.

LIEUTENANT GOVERNOR RUTHERFORD: Yes. He's coming up.

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MR. LEAHY: Good morning, Governor, Mr. Treasurer, Mr. Comptroller. I appreciate the questions. I will make a brief statement and then I believe the chief of our radio system, the director, is available, Norm Farley, to answer specific questions.

So to your point, Mr. Comptroller, the project did fall behind schedule. And if you note, a significant portion of these funds are to pay for the maintenance of the system which was part of the original contract with Motorola and that as the system is finished will still have to occur. So the citizens would have had those maintenance costs regardless. Had the project been finished, certainly we would have let RFPs to have others compete for that work, as will be the case when the contract is completed.

In terms of the question about the technology being modern, as you know one of the delays was that the State requested Motorola move all of the system, ultimately, but particularly phase five initially, to fiber rather than copper based communications. And Mr. Farley can speak to that. Ultimately, it is my understanding that the technology we have finally agreed with Motorola to implement is state of the art, is modern and will address the concerns that we have all raised over these last three years about making certain that the technology will provide what is necessary for our public safety and our communications systems throughout the State into the foreseeable future. So Mr. Farley, would you like to add anything to that before we address any other questions?

MR. FARLEY: Yes, sir. Good morning, Governor, Mr. Comptroller, Mr. Treasurer. For the record, I'm Norman Farley. I'm the DoIT Chief of Public Safety Communications. With regard to maintaining the currency or using modern technology for the system, as part of the maintenance costs, we have a system assurance upgrade program with Motorola that every two years the system goes through a modernization. In fact, we are in the middle, are starting

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one right now. And that upgrades the software and the technology of this system to make sure that it's always at the forefront of technology.

As the Secretary said, the \$43 million is not for, it's not an increase of scope. It is to do maintenance on the system that would have been done regardless, whether it was Motorola or any other, you know, another vendor had been chosen. The fact that we have to extend the contract in order to finish the project work to get phase five online and to complete the T1 to ethernet conversion for phases one through four, maintenance still has to be done on the system. We'll have, phase five will be completed next summer and it goes into a two-year warranty period. At the same time, during that period Motorola will be actively working on phases one through four to do the upgrade from T1s to ethernet. And so while that is happening, you can't have a second party trying to do maintenance on the system. It's like having two cooks in the kitchen and it will be problematic. I hope, I don't know whether that has addressed your questions or not, Mr. Comptroller. But I stand by for any amplifications.

COMPTROLLER FRANCHOT: No, that was very helpful. But my, I hear from you and the Secretary a commitment that ultimately this maintenance of the system will be competitively bid?

MR. FARLEY: Absolutely. Yes, sir. In fact, we have already, because a year or so ago when we were anticipating or hoping that the system would be completed, we were already in the process of drafting an RFP. We have got, the way we are structuring it is there's about 16 functional areas and so what we're going to do is when we put it out on the street, vendors can either bid for the entire contract or they can bid for some or all, or I'm sorry, for one or some of the functional areas. So it will give an opportunity for a company who may not be able to do it all but can do some components of it. For example, one might be able to do monitoring where the other one can do break fix. And so we're going

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to structure it like that, that will give everyone an opportunity to compete. And this will be the last extension for this contract.

COMPTROLLER FRANCHOT: And the timeframe for the process you just talked about is what, ballpark?

MR. FARLEY: We're thinking, we're looking at I think it was May of '24 where we would put the contract or the RFP out on the street so that we can go through the competitive process, go through BPW approval, and have a contract in place by late summer of '25. And then that gives a couple of months of turnover period between, if there is a second vendor, between the vendors.

COMPTROLLER FRANCHOT: Okay. Thank you very much. Lieutenant Governor, I appreciate that explanation. And I do have a question about Item 55, but you had a question about either that or something else.

LIEUTENANT GOVERNOR RUTHERFORD: Yes. Well, we'll go to Item 54. And I just want to say that -- oh, thank you, Mr. Secretary.

MR. LEAHY: Okay, thank you, sir.

LIEUTENANT GOVERNOR RUTHERFORD: I'm very excited to be able to vote on this item today, Item 54, to start the process of moving State employees from State Center, the State Center complex, to Downtown Baltimore, the central business district.

Back in 2021, as Secretary Churchill had stated, the Governor and I announced the initial steps of revitalizing the downtown area, the central business district, by issuing RFPs that would eventually move 3,000 State employees from various agencies at State Center downtown. The first agency to move will be the State Department of Assessments and Taxation. They will be moving out and moving to the heart of Downtown Baltimore. The new office spaces will offer client intake space located on the first floor, with a dedicated street level entrance allowing the agency to continue to provide excellent

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customer service. And anyone who has been to SDAT for reasons, incorporation or LLC or other issues, know that it is on I think it's the seventh floor, it's the seventh floor of State Center. So it's not necessarily a nice retail operation or a location for it.

But what the location will do is, you know, for our State employees, there will be a number of interior as well as exterior amenities, including the cafes, fitness center, shopping, and restaurants that are right there downtown to help out many of those businesses that have, you know, suffered difficulties, particularly during the COVID period when a lot more people were not downtown, they were working remotely. So the actions today will finally begin that process of providing modern and vibrant workspace for our hardworking State employees, which will also provide investment and spur additional economic and civic revitalization and transformation in Downtown Baltimore.

Now, once we get the agencies out of State Center, it is our intention to turn that property over, surplus that property to the City of Baltimore so that the citizens and their elected representatives can determine the best use for that site. Earlier this month we received a very favorable decision from the Circuit Court of Baltimore City. The Court affirmed the State's right to rescind its approval of a contract with a developer and to terminate the leases that have not been executed. And the only question now is what are the reasonable pre-development costs. What was previously done through the previous administration basically would have put a financial albatross around the necks of the State. The agreement with the developer would have locked us in, us as a State, us as taxpayers, into exorbitant rents that were well above market rates for that area of the City. And those unexecuted leases were rejected by this Board back in 2019. So as I said, surplusing State Center's campus to the City of

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Baltimore will allow its citizens and City leadership to determine the best use for the property in their own right and create opportunities for those in Baltimore to determine what is the best use for that property.

I called Mayor Scott just yesterday to inform him of our intentions with regard to the property and the City. He was thankful for the information. I'm quite sure there are some things that they have to think about with that. But we really feel that the best decisions with regard to the future use of that property should come from the City and its residents, and not necessarily from Annapolis.

In 2018, the Governor did direct the Department of General Services to survey the market to confirm interest in the property. In November of '19 the Governor announced that the State was moving forward with a request for information and a request for proposals on the redevelopment of State Center. We will be providing the information that came back to the City for their review and their consideration in terms of their making decisions on what will be next for that property. So we're very happy to be able to provide wonderful new office space for our workers and this is the beginning of a long process. And while it wasn't at State Center, we recently moved the Department of Human Services out of decrepit space that was on Saratoga that was really the combination of two or three department buildings. I should say department stores. And it was a terrible building. It was costing us more money to maintain than what it is going to cost us to rent in the central business district. So we're trying to improve the work environment for our hardworking State employees and at the same time help to revitalize Downtown Baltimore.

So with that, I wanted to make sure I said that. But you had a question on Item 55-IT, Mr. Comptroller?

COMPTROLLER FRANCHOT: Correct, if I could. And the question is for Secretary Leahy again. I thought we were going to have a lot more

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competition from these master contracts. And I keep seeing Mythics come up as the entity that gets all the contracts for these Oracle software. Apparently on the task list there is only two companies that would have an interest in bidding on this work and one of them apparently has no interest or is indicated by you as possibly having interest, but they don't bid. So we in effect have this group Mythics doing all the time these different, obviously this doesn't break the budget, it's a contract for only \$1 million. But it's a single bid contract. And I'm just wondering what you are planning as far as bringing to us some proof of competition between two or more vendors on your task force list.

MR. LEAHY: Mr. Comptroller, again, Michael Leahy, Secretary of Information Technology. Thank you for the question. I will have to get back to you with a specific plan, because at present, you know, our procurement goes through an intake process. We have contract management people in DoIT and we work very closely with our partners at the Department of General Services. I am as surprised as you that there has been little competition and I assure you that it is our goal to not only increase competition, but to make certain that what we learn from these processes can be applied into all of our contracting and all of our procurements.

COMPTROLLER FRANCHOT: Excellent. I think you need to have a conversation with Oracle. Because it is beginning to look as if there is no competition, in fact, for this product that we're talking about. But thank you for looking at the broader issue of injecting more competition into the folks that have been selected to be on the task force, or task order, I guess.

MR. LEAHY: Absolutely, sir. And I will be happy to keep you apprised of our discussions with Oracle.

COMPTROLLER FRANCHOT: Thank you, Lieutenant Governor. I'm happy to move approval on the DGS Agenda, unless the Treasurer has some

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questions.

TREASURER DAVIS: I'm good. I'll second it.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Thank you.

Thank you, everyone. Thank you, Mr. Comptroller. Enjoy the grandchildren.

(Whereupon, at 11:14 a.m., the meeting was concluded.)