
STATE OF MARYLAND
BOARD OF PUBLIC WORKS
ANNAPOLIS, MARYLAND

October 12, 2022
10:01 a.m.

PRESENT

HONORABLE BOYD RUTHERFORD

Lieutenant Governor

HONORABLE DERECK DAVIS

Treasurer

HONORABLE PETER FRANCHOT

Comptroller

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PROCEEDINGS

LIEUTENANT GOVERNOR RUTHERFORD: Good morning, everyone. Another riveting episode of the Board of Public Works.

I don't really have much in the way of opening remarks. I'll just state something of personal interest that I have and came across. I was reading a book review this weekend of Henrietta Maria. Her portrait is out in the hallway. And I didn't realize -- I didn't go to school here in Maryland. I was raised in what once was Maryland, the District of Columbia. And so I didn't know the history that she was married to Charles I, we now have Charles III. And Charles I was actually beheaded in a revolution or a fight over I guess they called it the Religious Wars between the Protestants and Catholics. She was a Catholic but he was Protestant and some thought that he was trying to push England toward becoming a Catholic country. Charles II, Henrietta's daughter, or son, excuse me, and she was often called the Warrior Queen because she resisted those revolutionaries who killed her husband, beheaded her husband. Charles II came back to power. He administered vengeance on those who had killed his father. And she came back into power at that point. And then so it was just an interesting review. I don't know if I'm going to get the book. But given the timing of the Queen's passing and now we have Charles III, getting just a little brief history on Charles I and II and the woman who Maryland is named after.

With that, I'll turn it over to the Treasurer.

TREASURER DAVIS: Thank you, Governor. And by the way, if

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you don't get the book, I'll get you the Cliffs Notes. I was good at that in college.

(Laughter.)

TREASURER DAVIS: I got you. Good morning, everybody. I guess I want to take the opportunity to thank you all for being here today. Just two quick points.

I believe since we last met, a good friend and former colleague passed, Senator David Harrington. David served as Mayor of Bladensburg, on the Prince George's County Council, and then I believe from 2008 to 2011, roughly that time period, he was in the Maryland Senate.

For those of you who know him, who knew him, I don't have to tell you what a big guy he was. And he, after he left public office he transitioned to working as the Executive Director and President of the Prince George's Chamber. And I have to tell you, and I'll move on after that, what an influence he was on some of the policies that came up before the State, whether it was earned sick leave, paid sick leave, the essential workers bill. David, I had faith and confidence in him as being a former legislator as well as now on the business side. David had a unique perspective, that he knew when an idea whose time had come and it was going to pass. So rather than maybe fight against something or stubbornly say no, he would say, Dereck, can we sit down and talk about the bill? And he would go with this is most objectionable, this is most problematic, can we work on that? And so some of the bills that went through, they had his prints all over it and we were able to get things done to make things, you know, palatable to all. Even if they didn't always agree, he at least in my view helped to make things a little bit better or acceptable. So I wanted to just acknowledge his

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passing.

And finally, Breast Cancer Awareness Month, this is Shareese, right? I don't own a pink tie. But so, but she insisted that I --

LIEUTENANT GOVERNOR RUTHERFORD: A rental tie?

TREASURER DAVIS: It's a rental tie. You know me, black, brown, blue, you know, very basic. But I am honored to have it on and to wear it today, because of just a terrible disease that afflicts many. We, I venture to say we all know, everyone in this room knows someone who has been touched by this. It's the second most common cancer among women in the United States. About one in eight U.S. women, or 13 percent, will develop invasive breast cancer over the course of her lifetime. And the most significant risk factors for breast cancer, family history, but gender and age. You can reduce the risk of breast cancer by taking care of your health and getting routine mammograms, which are recommended for women over 40. So I just wanted to do that. And again, thank you all for being here today.

LIEUTENANT GOVERNOR RUTHERFORD: Mr. Comptroller?

COMPTROLLER FRANCHOT: So my question, Lieutenant Governor, is the portrait of someone who was beheaded?

LIEUTENANT GOVERNOR RUTHERFORD: No, no, no, no, no. This is --

TREASURER DAVIS: Before and after.

LIEUTENANT GOVERNOR RUTHERFORD: -- this is Marie. Her husband, King Charles I, was beheaded.

COMPTROLLER FRANCHOT: I just was over the weekend

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sitting for my portrait. So I wanted to make sure that there wasn't any connection. But that's okay -- it's a great history lesson.

LIEUTENANT GOVERNOR RUTHERFORD: I don't think they do that anymore. At least not in --

(Laughter.)

COMPTROLLER FRANCHOT: -- so and I also want to applaud the Treasurer about his comments. David Harrington, his legacy is so unbelievable in Prince George's County. He was chief sponsor with Junior Achievement of this finance academy that the county has, you know, it's a game changer for the K through 12 system in Prince George's County. And he really was the person who pushed that. And I appreciate the Treasurer's comment about breast cancer. Because we all should be taking better care of our health.

Two weeks ago at the Board of Revenue Estimates, Treasurer Davis and Secretary Brinkley and I approved the revised estimates for fiscal year 2023. And we released our first revenue projections for fiscal year 2024. Less than two weeks after my agency announced we were closing our fiscal year 2022 general fund with a \$2 billion surplus, the Board voted to increase our revenue projections for fiscal year 2023 by \$1.2 billion. All told, we're seeing revenue surpluses in excess of \$10 billion over the last two years.

As I mentioned during the meeting and I think it was generally approved by the Treasurer and the Budget Secretary, moving forward we must temper our expectations for Maryland's long term fiscal growth and make smarter choices to ensure we remain healthy in the long term. We can't be lulled into believing that another revenue hike means our fiscal trajectory is immune to the

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laws of economic gravity. The spigot of federal pandemic funds, which have been the catalyst for the unprecedented revenue growth we have seen in the past two years, that Maryland has received, it's going to be, it's going to run dry and the ripple effects from the historic infusion of money into our economy will soon dissipate. This will undoubtedly present a unique challenge for the incoming administration and the General Assembly. Future leaders will need to delicately balance investing in programs and initiatives that uplift communities and address critical priorities, while ensuring we have robust reserves to adequately respond to future crises and weather economically turbulent periods.

I think it's increasingly obvious to everyone that winter is coming and we're going to go through what is a predictable, unfortunately predictable recession that is going to occur down the road. And we need to have that front and center, which I'm sure everybody will agree is a priority. Because we don't want to be in a situation where we don't have reserves, where we have to raise taxes to meet (indiscernible) and generally create chaos as far as the budget planning for the State of Maryland. Thank you, Lieutenant Governor.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Very well said. We do anticipate that in the coming months and years there will be a slow-down, and that means folks have to be prudent going forward. And there will be a lot of demands, as always. But they need to be prudent in terms of spending.

And I do want to say also the State will miss David Harrington, and particularly that relationship that you just spoke of, having a person who can come in and advocate on behalf of business to a chairman that understands. Because a lot of our legislators don't understand how business is developed,

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created, how jobs are created. And so having someone who can advocate that and having another person who can listen and work with them to craft reasonable legislation, because there can be a tendency for good intentions that can go a little far. So with that said, Mr. Secretary?

SECRETARY GONTRUM: Good morning, Governor, Mr. Treasurer --

LIEUTENANT GOVERNOR RUTHERFORD: I was talking to you. Secretary Gontrum?

SECRETARY GONTRUM: -- can see the proceedings of the Board. The Secretary's Agenda has 17 items this morning and one report of emergency procurement. Item 12 for the Maryland Historical Trust has been revised to remove a grantee. Item 15 from Morgan State University has been revised to clarify the ground lease term and to update project details. Item 17 from the Department of Transportation has been revised to update the fund source and to add necessary language from the statute. I'm happy to assist with answering any questions.

LIEUTENANT GOVERNOR RUTHERFORD: I was particularly interested in, and liked, Item 13, which is the Stadium Authority being brought in for a market economic study on a soccer facility for D.C. United. Do we have anyone available from the Stadium Authority?

SECRETARY GONTRUM: We do, Governor. Mr. McGuigan is available from the Stadium Authority.

MR. MCGUIGAN: Good morning, Governor, Mr. Treasurer --

LIEUTENANT GOVERNOR RUTHERFORD: Good morning.

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MR. MCGUIGAN: -- Mr. Comptroller. Gary McGuigan from the Stadium Authority. Would you like a brief overview of the study?

LIEUTENANT GOVERNOR RUTHERFORD: Yes. Just tell us a little bit about this study.

MR. MCGUIGAN: Well, we were approached by the Department of Commerce. D.C. United is looking to expand with a new Division III team in the Baltimore metropolitan area. And this study will analyze up to five sites, hopefully utilizing existing assets at first, and conducting a market and economic study to see the benefits if they do move any team here.

LIEUTENANT GOVERNOR RUTHERFORD: And D.C. United would own the team?

MR. MCGUIGAN: Yes, sir. They would own and operate the stadium.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Well, very good. And you are also a United fan, correct? Man United fan?

MR. MCGUIGAN: Yes, sir. I had a slow start to the season, but things are picking up now. Actually, let me qualify -- the stadium, the ownership is up in the air. The operation would be D.C. United.

LIEUTENANT GOVERNOR RUTHERFORD: Oh, okay. Okay. All right. Okay.

COMPTROLLER FRANCHOT: I agree with you, Lieutenant Governor. This is a great project.

LIEUTENANT GOVERNOR RUTHERFORD: Yes.

COMPTROLLER FRANCHOT: Because Baltimore is an absolute

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gem of a soccer appreciation.

LIEUTENANT GOVERNOR RUTHERFORD: Right.

COMPTROLLER FRANCHOT: And I think this has a lot of economic potential. What are the five sites you're looking at, if I could ask?

MR. MCGUIGAN: They have not been determined yet. One of the first tasks would be to (indiscernible) look in the metropolitan area and pick five sites, along with the team.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

COMPTROLLER FRANCHOT: Well, it's a great partnership and I applaud Commerce for linking up with D.C. United. And I hope you expedite this and get it done as quickly as possible as far as your planning.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Yes, I may have confused you when I was saying United fan. I meant Man United. I think you are a Man United fan, correct?

MR. MCGUIGAN: Yes. I was born in Manchester City, so you kind of have to be a United fan.

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: No, not really. There is another team that plays in the city, whereas United plays outside the city in greater Manchester.

MR. MCGUIGAN: Point well taken, Governor.

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: There was a derby a couple of weeks ago and so I'm just kind of ribbing you on that. But thank you.

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I know there has been a lot of discussion about bringing a team to Baltimore and a stadium. Paul Tiburzi over at Piper has been talking about this and working with different groups about that possibility. So it's good to see that this is moving. So thank you very much. Good job.

MR. MCGUIGAN: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Oh, I'm sorry.

TREASURER DAVIS: If I can, I guess to be the contrarian in this, I was originally going to ask to have this one separated out so I could vote no on it and here's -- but I'm not going to. But not because I have changed my position on this project but if we're going to do the study, if somebody else is going to help pay for it, then we should accept the money regardless. But here is my concern.

We have over in Landover, FedEx Field that the State helped pay for, the infrastructure over there. We have Camden Yards. We have M&T Bank. We have Bowie Baysox. We have I believe something recently was approved in the Harford area. We are in the stadium business big time. And to be honest, I would say let's donate that \$50,000 to charity or whatever. Because I already know what the impact study is going to say. We can dust off any one of the ones that we had, like when I voted for the stadium in Baltimore and against the one in Landover. They are all going to say this. We're going to have thousands of construction jobs where money can be made, and X number of permanent jobs, that they are going to be an economic engine that's going to draw hotels and restaurants and so forth. They all say the same thing and they very rarely live up to what they say. So we don't really need an impact -- if we want to build a

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stadium, we might as well just build a stadium. But the impact study is a waste of time and money because they all say the same thing and they all fail to deliver. We just spent, or authorized, \$1.2 billion in upgrading, that is needed, I'm not opposed to that, for the stadiums that we do have, plus another \$400 million, I believe, or \$600 million in the area around the FedEx Stadium. Again, we are heavy into stadiums and at some point, we have got to ask ourselves how much of our entertainment dollars do we have to go around to support baseball and football and soccer and so forth? Is that the best use of our resources? So again, I'm going to support this because it just doesn't make sense. If we're going to do a study, if the chief beneficiaries are going to help pay for it, then we should accept the money. But I would ask that we think long and hard about getting into the stadium business one more time.

LIEUTENANT GOVERNOR RUTHERFORD: Very well said.

COMPTROLLER FRANCHOT: Well, I obviously, we have a disagreement on all that. But I happen to think, and I'm thinking back on the last Ravens game, the last second of that game, how united these sports programs around the State are able to bring people together while rooting for a common cause. And I think the economic impact is more perhaps than the Treasurer may be alluding to. I think obviously there is a State partnership with these organizations. But fundamentally they are a healthy exercise. And to not have the Orioles, to not have the Ravens, to not have D.C. United in the Washington area, that's something if we can partner with them will help us both psychologically and morale wise, but also economically. But I agree, the devil is in the details. And anything that we do should be carefully looked at. And I

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assume that's, that's why I was asking for the five sites --

LIEUTENANT GOVERNOR RUTHERFORD: Well, location matters. Location does matter. And the benefit that the Baltimore stadiums have is that they are downtown. I think, you know, the Washington team, whatever they are called now, the Commies, you know, Bruce's favorite team over there, I think they made a mistake years ago moving out of the city, moving out of D.C. But that was an issue between the then mayor and the then owner and other issues that popped up. But location matters. And the modern sports arenas, they do build around them. And we see the Landover situation is very different. And this is minor league, which has a different excitement level. But I mean, very good points. You know, sometimes they come back, and I'm quite sure when they were selling the Landover site and the State put infrastructure money in, not the stadium, you know, it was, a lot of these things were said. But you can see a difference with the Baltimore stadiums.

COMPTROLLER FRANCHOT: Maybe they should take a look at State Center, my favorite idea --

(Laughter.)

COMPTROLLER FRANCHOT: -- it never got picked up but --

LIEUTENANT GOVERNOR RUTHERFORD: Well, they can work on that if they want.

COMPTROLLER FRANCHOT: Exactly.

LIEUTENANT GOVERNOR RUTHERFORD: You know, the City could work on that. And that might be one of those five sites. But I know there was talk of in the Port Covington area. That was discussed years ago, when

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we first came into office. The then developers were talking about that, which they may have been saying that to get my attention. But so there is, I'm quite sure there are a couple of places they are looking at. Thank you.

I know you said they revised the ground lease for Morgan -- oh, any other questions for Stadium Authority? I'm glad to see Morgan -- we don't need to talk to Sidney or anyone from Morgan. But the new Thurgood Marshall housing, it's something that is needed. I think in the last Board of Public Works we talked about the housing issue for students at Morgan and the fact that they are growing. But I don't have any other questions on this Agenda.

COMPTROLLER FRANCHOT: Move approval, if, unless the Treasurer --

LIEUTENANT GOVERNOR RUTHERFORD: Mr. Treasurer, do you have any more questions on this?

TREASURER DAVIS: Item 17.

SECRETARY GONTRUM: Item 17 is a settlement agreement with the Department of Transportation. It's a, as I recall it's actually a reimbursement of attorney's fees. And we have Mr. Peter Tollini available.

TREASURER DAVIS: I'm sorry, you said --

SECRETARY GONTRUM: Mr. Peter Tollini from the Maryland Transportation Authority, MDOT MTA. One moment, Mr. Tollini.

LIEUTENANT GOVERNOR RUTHERFORD: Is --

SECRETARY GONTRUM: (Indiscernible).

TREASURER DAVIS: Thank you. I know we can't get into the details too much or so I'm told. But here is my concern, and I just feel strongly

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about these kinds of things generally. Because these are not our dollars. These are public dollars. And (indiscernible) details of the case, what we have, what is clear is that there was an issue between two employees, so much so that literally a bump led to a criminal complaint. Now I don't know who signed off on it that said it should go forward. But then it was dismissed before it went forward. And now what we have before us is a request to pay \$5,500 of, you know, taxpayer money. So I mean, we could dismiss the amount because it's \$5,500. But those are dollars, those are public dollars that could go someplace else. And I don't blame the gentlemen be made whole about this. I guess my frustration is with, I don't know if it was the prosecutor or whomever, who signed off on such a frivolous complaint that it had to be dismissed, but this gentleman had to retain an attorney. And now we're on the hook, we being the people, to pay for something that should never have gotten this far. And there is no repercussions. And again, this is clear when you read this stuff, this was simmering thing that was going on and so when you look at it, there's no repercussions. I filed a complaint that, and if something happens to the guy, great. If it doesn't, nothing happens to me, no harm, no foul. And so as opposed to us, and I guess the question becomes, as opposed to us just paying it, well --

LIEUTENANT GOVERNOR RUTHERFORD: I think you said it precisely. The State, you know, the prosecutor, the State's Attorney, decided to take up this case when that person could have looked at the facts and said, no, this is, you know, an ongoing simmering dispute between people and someone bumps into you in the hall and you are going to charge them with assault. But the State prosecutor is the one that did this.

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TREASURER DAVIS: Can we transfer that \$5,500 from their budget?

(Laughter.)

TREASURER DAVIS: That's where it should come from --

SECRETARY GONTRUM: Mr. Tollini, if you could turn down the volume of the meeting, perhaps?

TREASURER DAVIS: -- I've said, we keep getting stuff like this all the time. All the time. And so, okay, it's \$5,500 here, \$22,000 there. It's like every year, we need a slush fund to pay off dumb stuff. And in this case, this was to prosecute, somebody bumped somebody. They weren't injured, didn't go to the hospital, none of that. But you bumped into me and --

LIEUTENANT GOVERNOR RUTHERFORD: I'm going to go and file criminal charges against you.

TREASURER DAVIS: Right, which is bad enough. And then the person who is supposed to have the cooler head and the background in this kind of stuff, they actually let this move forward. That is not serving the people. That is not serving the public at all. I'd rather see that same money go into a school for supplies. But instead, and I don't blame the attorney. He needed his services and that's what they cost. But it should have never gotten that far. And time and again, we keep being asked to pay these kinds of settlements because of dumb stuff, stupid stuff. And we just need to be wise stewards of the people's money. And I hope, you know, at some point folks, I'm not talking about this body here, and so forth, but I hope folks when they are making decisions they realize that there are, you know, there are consequences to this stuff. So I'm, I think I woke

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up on the wrong side of the bed or something --

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: No, that's all right. No, no, no. This is, this is the local State's Attorney decided to take up this matter and it's something that that State's Attorney uses his discretion to not prosecute trespass and a number of other issues but has decided to take up this one. So that's an issue and there was an election and I think some of that is going to change. Any other questions on this Agenda? We have a motion --

TREASURER DAVIS: Second.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Thank you. Department of Natural Resources?

MS. HADDAWAY-RICCIO: Good morning, Governor, Mr. Treasurer, Mr. Comptroller. For the record, Jeannie Haddaway-Riccio, Secretary of the Maryland Department of Natural Resources. We have 15 items on our Real Property Agenda today, including \$27.1 million in grants through the Rural Legacy Program. And with that, we're happy to answer any questions you may have.

LIEUTENANT GOVERNOR RUTHERFORD: (Indiscernible) steward of our land and waters. Thank you. Any questions for --

COMPTROLLER FRANCHOT: Move approval.

TREASURER DAVIS: Second.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

MS. HADDAWAY-RICCIO: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: The University

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System of Maryland?

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

LIEUTENANT GOVERNOR RUTHERFORD: I don't have any.

TREASURER DAVIS: Me either.

COMPTROLLER FRANCHOT: Move approval.

TREASURER DAVIS: Second.

MR. HICKEY: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you. Okay.

The Department of Transportation?

MR. POWELL: Good morning, Governor, Mr. Treasurer, Mr. Comptroller. I'm Sean Powell, Deputy Secretary for the Maryland Department of Transportation. We are presenting 25 items today for your approval and we are also withdrawing Item 16. With that, we're pleased to handle any questions, except, Mr. Comptroller, you said that if Secretary Ports wasn't here in the future you wouldn't have questions.

(Laughter.)

COMPTROLLER FRANCHOT: Yeah. Give him my best.

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: I did see that State Highway has, oh no, I'm sorry, MTA and State Highway have a number of small business reserve contracts. And so thank them for that. There should be more.

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MR. POWELL: Yes, we have five small business and one minority business, and total about \$9 million. So I was supposed to --

COMPTROLLER FRANCHOT: I did have a question on Item 1 if --

LIEUTENANT GOVERNOR RUTHERFORD: Yes. Yes, please.

COMPTROLLER FRANCHOT: So this is the proposal to award the final construction bid to Clark Construction of Bethesda, Maryland on the \$360 million project to reconfigure the A/B Concourses and the baggage handling system at BWI Marshall Airport. The cost of this bid package is \$332.5 million. Is there anyone here from the Airport who can give us an update on the execution of the project to date and are we still on schedule? And I flew over the weekend and --

LIEUTENANT GOVERNOR RUTHERFORD: I see Ricky there.

COMPTROLLER FRANCHOT: -- I had a great experience at BWI Airport. It's a wonderful place. But are we on track, Mr. Administrator?

MR. SMITH: Yes. Good morning, Governor, Treasurer, Comptroller, members of the Board. This is, for the record, I'm Ricky Smith, Executive Director of the Maryland Aviation Administration. Thanks for asking the question about this project. The answer is yes, this project is on schedule. It is slated to open to the public around December of 2025, which was the original plan. And it continues to be on budget. And so we are very happy with this.

Just as some context, this is a multiyear project that will improve the customer's experience at the Airport and will provide Southwest Airlines with much needed capacity, particularly with the baggage handling system. It is the

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one aspect of our facility that is stunting their growth at this point. And so we are excited to get this project moving along.

The total program is \$425 million, makes it the largest project in the Airport's history. The item before you now, as the Comptroller mentioned, is a request for approval of gross maximum price Item 2, which is for \$332,542,807. This will allow Clark Construction to initiate the much needed construction aspect of the project so that we can maintain schedule.

COMPTROLLER FRANCHOT: And are these federal dollars?

MR. SMITH: The project is funded through a revenue bond issued by the Maryland Aviation Administration. Part two of the bond will be issued later next year to fund the second half of the project. We are looking at applying for some federal funds to support the project, but that would be a replacement of funds that have already been identified.

COMPTROLLER FRANCHOT: Well, it's a difficult time for air travel and construction projects together. So hats off to both you and Southwest, because you are great -- well, Southwest is a lynchpin for that Airport.

MR. SMITH: Mm-hmm.

COMPTROLLER FRANCHOT: And both of your entities are doing great jobs. Thank you.

MR. SMITH: Thank you very much.

COMPTROLLER FRANCHOT: Move approval if there are no other questions.

TREASURER DAVIS: Second.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. We're all

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in favor. Thank you. Thank you, Mr. Secretary. The Department of General Services.

MR. CHURCHILL: Good morning, Governor, Mr. Comptroller, Mr. Treasurer. For the record, I'm Ellington Churchill, Secretary for the Maryland Department of General Services. Today we are presenting 72 items on our Agenda and we are withdrawing Items 36, 37, 38, 39, 41, 42, 43, 44, and DGS A-1 and A-2. Our Agenda includes \$41 million in capital grants and loans, including \$25.5 million to the Anne Arundel County Crownsville Hospital Memorial Park. We are seeking approval for contract action on six minority businesses and five small businesses. We have representatives available to answer any questions the Board may have.

LIEUTENANT GOVERNOR RUTHERFORD: Well, in the CGLs, which there are plenty of them, I was happy to see the grants to BAAM, or Building African American Minds, over in Easton.

MR. CHURCHILL: Yes.

LIEUTENANT GOVERNOR RUTHERFORD: Very good cause and facility and they do a lot of good works. I just wanted to give them a shout out. All the CGLs, of course, are very good and productive. The money for Rash Field is needed, well deserved. And hopefully, that will just be part of the catalyst of reinvigorating the Inner Harbor. And I know that the City brought in a new developer at the Inner Harbor because it has really gone down over the last several years. It once was a clean place, a great tourist attraction, a great place for Marylanders in the region and outside the region to go to and enjoy the waterfront areas. But for various issues and concerns, it has really gone down. A lot of the

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stores and facilities and restaurants that were there are no longer there. So hopefully, this is part of the invigoration of that area.

And then I saw that there were several capital grants and loans going to a number of the community colleges. I think like CGL-36 through 44, are they still on? Or did you pull those?

MR. CHURCHILL: We pulled all but one because of a funding error in the write-ups.

LIEUTENANT GOVERNOR RUTHERFORD: So they will come back?

MR. CHURCHILL: They will be coming back.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. I'm a very big supporter of community colleges. I think it's a smart choice for a lot of families and kids. All the talk about, you know, college debt, all of that is because the schools, the four-year institutions do not do a good job in terms of controlling their costs. And it's very easy for them to push it onto the kids and the families. And the kids aren't thinking long term, they are just thinking right now and they come out later with a lot of debt. But the smart move, if you are concerned about cost, is to spend a year or two years in the community college and transfer over. Also, they are a place for transition, people who are transitioning in terms of their careers, either adding skills to an existing career or deciding to move into another area. Community colleges provide a great service. And so I'm a big supporter of the community colleges. I'm very biased that way.

And then my last comment is on 45-AE, design services for the new Baltimore Therapeutic Treatment Center. This came about with the closing, when the Governor closed the Civil War era jail in Baltimore, then Secretary of Public Safety and Corrections Moyer came in and talked to me about the fact that somewhere around 60 percent of their prisoners have drug or mental health issues, 60 percent. It's either or both, but they have those issues. And what he was proposing at that time was that we should have facilities to support that 60 percent. And so what came out of that was that rather than building a new jail, but building a facility that can treat or work to treat these individuals that are there.

Now, we still have a lot of challenges with regard to getting treatment for those who don't do things that wind up putting them behind bars. But this is a step in the direction of at least treating those individuals who are behind bars before they come back out and hopefully be able to develop a warm hand-off for either outpatient or inpatient treatment for those individuals that come out. So I just, I wanted to put into history, because a lot of people, I know my staff wasn't around at that time, you know, six or seven years ago. But a lot of people, we as Americans sometimes forget the past and people forget about the fact that we closed the jail and then the idea of what are you going to do next.

And the last editorial comment is that the Baltimore City Jail is the only jail that is managed by a State. Jails across the country, with that exception, are managed at the local level. But that's just another comment at that point.

Any other questions with regard to the General Services Agenda?

COMPTROLLER FRANCHOT: I'd just like to mention one of the items. I see Howard Libit --

LIEUTENANT GOVERNOR RUTHERFORD: Oh that's --

COMPTROLLER FRANCHOT: -- of Baltimore Jewish Council

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is here and --

LIEUTENANT GOVERNOR RUTHERFORD: I was not going to mention Howard because he snubbed me on a trip to Israel --

COMPTROLLER FRANCHOT: Oh yeah --

(Laughter.)

COMPTROLLER FRANCHOT: -- come up for a minute and redeem himself by talking about the \$2 million grant for the Pearlstone Center.

MR. LIBIT: Thank you, Mr. Comptroller and Governor, Mr. Treasurer.

COMPTROLLER FRANCHOT: -- identify yourself --

MR. LIBIT: Howard Libit, Executive Director of the Baltimore Jewish Council, here on behalf of the Pearlstone item. I think it's Item 35.

This is an amazing campus expansion renovation that we're doing for Pearlstone, which is a community retreat center, education center, up in the Reisterstown area in the Speaker's district. It is a tremendous facility in terms of offering opportunities for schoolchildren from Baltimore City, Baltimore County, their first overnight environmental experiences, as well as a lot of community activities. It's a roughly \$19 million to \$20 million project. It keeps growing as we see inflation. The cost keeps growing as we see inflation.

An expanded retreat center to be accommodated more, it is not specific to Jewish retreats. I remember the first time I visited there, I came and it was a silent retreat for, and they routinely host retreats for many different faiths, many different organizations, as well as amazing outdoor experiences related to the Jewish holidays.

COMPTROLLER FRANCHOT: Excellent.

MR. LIBIT: Thank you. And we appreciate the support of the Governor and the Legislature and your support for this campus expansion.

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COMPTROLLER FRANCHOT: Thank you very much.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you,
Howard.

MR. LIBIT: Thank you.

COMPTROLLER FRANCHOT: I had a specific question on Item
57, if that wasn't withdrawn.

MR. CHURCHILL: Mr. Comptroller --

LIEUTENANT GOVERNOR RUTHERFORD: Yeah it's like --

COMPTROLLER FRANCHOT: -- long list --

LIEUTENANT GOVERNOR RUTHERFORD: -- yeah what's
left?

MR. CHURCHILL: -- the Emergency Assistance to Nonpublic
Schools Program and I believe we have the Deputy Secretary Krishnanda Tallur
to comment.

COMPTROLLER FRANCHOT: So the question here is a
procurement issue. I understand it was not procured by MSDE but you are
partnering with the State of Texas Educational Service Center Region 8. Why are
we locked into a Texas vendor, I guess? Are they somehow known to be better
than we are as far as procurement?

LIEUTENANT GOVERNOR RUTHERFORD: Well, the vendor
is from New York, correct?

MR. TALLUR: Good morning, Mr. Comptroller, Mr. Treasurer,
Mr. Governor. This is Krishnanda Tallur from the Maryland State Department of
Education, Deputy State Superintendent. Can you hear me?

LIEUTENANT GOVERNOR RUTHERFORD: Yes, we can hear
you.

COMPTROLLER FRANCHOT: Yeah, I guess the question, and

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the Lieutenant Governor reminded me, it's not a question about the vendor. It's about why are we using the Texas procurement system? Why not just, is this, is the vendor someone that you identified as the person you wanted, the vendor you wanted? Or are we just piggybacking out of convenience?

MR. TALLUR: We are piggybacking out of convenience. The vendor was not selected as somebody that MSDE identified. The contract here or the services that MSDE was required to provide is under the provision of EANS, the Education Assistance Program for Nonpublic Schools that was under various coronavirus recovery funds that were issued to the State. Under the provisions or the conditions of these grants, anything that is provided, we cannot disburse the funds to the nonpublic schools, but MSDE can provide services. So the nonpublic schools around the State required a number of services and they needed a number of procurements to be done. So as a result, we worked with, or we tried to look for, rather than declaring an emergency procurement, we tried to look for ICPA or the competitively bid contracts through the vehicles that are available to us. And one which is the EAPS, which is out of Texas, that is done for the educational agencies where the solicitations are reviewed and the contracts, and the vendors are identified based on the best bids. We selected this one. It was in the interests of time to get the services to the nonpublic schools at the beginning of the school year. We used this particular vehicle.

COMPTROLLER FRANCHOT: Did you -- I understand the restraints of the federal money and your situation. But was there any consideration given to in-person tutoring rather than virtual tutoring?

MR. TALLUR: Yes. Both the options were taken into consideration, Mr. Comptroller. But I can provide your office with additional clarification on that question.

COMPTROLLER FRANCHOT: Thank you. And have you been

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in consultation with the private schools that are going to participate in this?

MR. TALLUR: Yes. Assistant State Superintendent Justin Dayhoff and his team ran, contacted all the nonpublic schools earlier this year to gather a comprehensive list of their needs. That was just not limited to tutoring, but there were other things, supplies, COVID testing equipment, things of that nature, some of which we have used the State's existing master contracts and for some we have used TIPS. So there has been an extensive contact and communication between MSDE's finance team and the nonpublic schools.

COMPTROLLER FRANCHOT: Okay. Thank you, Lieutenant Governor.

MR. TALLUR: Thank you, sir.

COMPTROLLER FRANCHOT: I have another item that I'm interested in.

LIEUTENANT GOVERNOR RUTHERFORD: Yes?

COMPTROLLER FRANCHOT: Item 61-IT, task order 3.1 and 3.2.

MR. CHURCHILL: Item 61-IT, 3.1 and 3.2 with Department of Information Technology. Jennifer Colton, Director of Grants, along with Assistant Secretary for DoIT Stefano is available to answer questions.

COMPTROLLER FRANCHOT: Could they bring us up to date on the procurement that we asked for months ago, I think it was ten months ago? We asked the Governor's Grants Office to do a procurement on this subject.

MR. CHURCHILL: The Assistant Secretary is in the --

MR. GHEBREHAWARIAT: Good morning, Comptroller, Governor, Treasurer. My name is Stefano Ghebrehawariat. I am the Assistant Secretary with the Maryland Department of IT.

COMPTROLLER FRANCHOT: Yeah, the question is I think the

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Board identified numerous flaws with the procurement that came before us ten months ago, including different information provided to vendors at varying points in the process, multiple vendors disqualified, numerous award recommendations. And I thought we were going to have a new procurement done expeditiously without those flaws. Here we are ten months later. Can you give us a status update on the procurement?

MR. GHEBREHAWARIAT: Absolutely. I believe we have representatives from OSP that can answer that. But to my understanding, that procurement is in evaluation already. I don't have any more current status but --

LIEUTENANT GOVERNOR RUTHERFORD: I think that's separate from this. You're talking about a procurement that the Grants Office had put out, right? This, where this is IT. I'm not, I mean, I'm not sure --

COMPTROLLER FRANCHOT: Yeah, but this is I think employing two individuals, which it struck us as the cart before the horse. In other words if --

LIEUTENANT GOVERNOR RUTHERFORD: Mr. Secretary, am I --

MR. CHURCHILL: I believe --

LIEUTENANT GOVERNOR RUTHERFORD: -- I'm a little --

MR. CHURCHILL: -- Mr. Comptroller, you are asking about the grants software vehicle that was being procured that was under evaluation. It was put out on the market, proposals received, and is currently under evaluation. That's, I believe, your question. Now I can ask my Deputy CPO, do we know the timeline --

COMPTROLLER FRANCHOT: But aren't these two staff people, the \$1.6 million over the three years, isn't that related to the grants program? I mean, why are they being hired?

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MR. HAIFLEY: -- integration?

MR. GHEBREHAWARIAT: This is for the integration, yes. I don't see Jennifer Colton here. But yes, this is to facilitate the integration of the new system, Comptroller. These resources, I believe, will be supporting the actual requirements gathering and then the communication with the agencies.

COMPTROLLER FRANCHOT: So it doesn't seem contradictory to hire the staff and then go out and do the procurement. I mean, I don't know, \$1.6 million, that's for two people for three years. That's two good salaries. I'm just interested in where the procurement is and what the status is and when will it be brought before the Board?

MR. GHEBREHAWARIAT: The procurement for the system?

COMPTROLLER FRANCHOT: Yes, that these two individuals are being hired, apparently, to -- that's the reason they are being hired.

MR. GHEBREHAWARIAT: Right.

COMPTROLLER FRANCHOT: So shouldn't we do the procurement first and then the hiring? I don't mean to confuse you --

MR. GHEBREHAWARIAT: No, no. I'm not confused at all. But I'm looking at this from a different perspective. You know, we are looking for domain experts, specifically around FMIS. And Comptroller, it's a big challenge to, you know, identify and, you know, find. Because I am aware of this, you know, I have been supporting the Grants Office and it has taken a very long time to find suitable candidates. So it's not perhaps, you know, I understand the question around the order. But also if we take into account the challenges in order to find these types of resources, I think that could be part of, you know, a good explanation for why this is happening in that order. But I would be more than happy to consult --

COMPTROLLER FRANCHOT: Thank you.

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MR. GHEBREHAWARIAT: -- the Grants Office and get back to your office.

MR. CHURCHILL: Mr. Comptroller, we will get to you, you were asking for where we are --

COMPTROLLER FRANCHOT: Thank you.

MR. CHURCHILL: -- in the process of the evaluation and we're going to bring it back to you --

COMPTROLLER FRANCHOT: And shouldn't we hire the staff after we figure out what system we are going to use? Because if the staff is unfamiliar with the new system, perhaps we should have a different order --

MR. CHURCHILL: -- can't speak to the expertise of the staff. But I would assume that they are highly technical and should be able to transition --

COMPTROLLER FRANCHOT: Thank you.

MR. CHURCHILL: -- use of resources.

COMPTROLLER FRANCHOT: Thank you very much. I have just one last question.

LIEUTENANT GOVERNOR RUTHERFORD: Yes? Yes?

COMPTROLLER FRANCHOT: The expedited procurement that is being pulled?

MR. CHURCHILL: Yes?

COMPTROLLER FRANCHOT: With the Western Maryland Hospital? What is the, is there a procurement out on the street for that project?

MR. CHURCHILL: Yes.

COMPTROLLER FRANCHOT: And when is the end date for that? When are the bids, if any, due?

MR. CHURCHILL: It's going back to a normal form, at this point.

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COMPTROLLER FRANCHOT: Is there someone from the Health Department --

MR. CHURCHILL: Yes. Secretary Schrader from the Department of Health can --

COMPTROLLER FRANCHOT: Oh, good.

MR. CHURCHILL: -- give you the timeline.

COMPTROLLER FRANCHOT: Thank you.

MR. SCHRADER: Mr. Comptroller, Mr. Governor, Treasurer. The closing date is October 21st and it will go through that regular order evaluation process. And then sometime in late November/December before the Board.

COMPTROLLER FRANCHOT: And is that the intent timewise as far as the administration? Because there is a lot of interest in this issue.

MR. SCHRADER: Yes.

COMPTROLLER FRANCHOT: And I think people want to make sure that it is, we are doing the absolute best we can for the --

MR. SCHRADER: Right.

COMPTROLLER FRANCHOT: -- heavily affected patients, albeit a somewhat small number.

MR. SCHRADER: Yes, absolutely. This problem has been around for quite a number of years with this particular facility. We've got the master plan and we've got a long list of things. This was number three on the list, because of the condition and our concern about the patients. We are having difficulty keeping the program and the staff intact and we were very worried about the condition of the infrastructure. We had an incident three years ago where the air conditioning was, just stopped working. We had to bring in a flatbed trailer to keep the air conditioning running through the summer while we

repaired it. Our boiler is a World War II vintage boiler that requires an operating engineer and when we need parts we actually have to have the parts manufactured, one off. So we're very worried about if that were to go bad during the winter, we would have to evacuate these patients.

Most of them are nursing home patients. Right now, 38 of the 43 are nursing home patients. And there are much more modern ways to facilitate it. You know, the question was raised, well, why don't we demolish the building and build a nursing home? That could take six to eight years. We are worried about the patients that are there now who are fragile.

COMPTROLLER FRANCHOT: Right. And I, when asked about this, we don't normally say how we're going to vote. But I said I was very troubled by the, we were voting a large amount of spending without a vendor selected. So assuming that there is some vendor selected after the 21st --

MR. SCHRADER: Yes, sir.

COMPTROLLER FRANCHOT: -- on an accelerated basis, I guess, is what you are saying, there will be something brought back before us?

MR. SCHRADER: Right. We agreed with the wisdom of your feedback and decided that that was a better course of action.

COMPTROLLER FRANCHOT: Excellent.

MR. SCHRADER: Yes, sir. Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Any other questions?

TREASURER DAVIS: No, sir.

LIEUTENANT GOVERNOR RUTHERFORD: Do we have a motion?

COMPTROLLER FRANCHOT: Move approval.

TREASURER DAVIS: Second.

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LIEUTENANT GOVERNOR RUTHERFORD: Okay. We're all in favor. Very good. Thank you very much, everyone.

(Whereupon, at 10:55 a.m., the meeting was concluded.)