
STATE OF MARYLAND
BOARD OF PUBLIC WORKS
ANNAPOLIS, MARYLAND

October 26, 2022
10:10 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

SEAN POWELL

Deputy Secretary, Department of Transportation

JEANNIE HADDAWAY-RICCIO

Secretary, Department of Natural Resources

LISA GRIGSBY

Recording Secretary, Board of Public Works

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PROCEEDINGS

LIEUTENANT GOVERNOR RUTHERFORD: Good morning, everyone.

ALL: Good morning.

LIEUTENANT GOVERNOR RUTHERFORD: It's always a pleasure to be at the Board of Public Works and to chair the Board of Public Works. And before we get started with the meeting, I want to share a few things that happened in the last week and less.

Yesterday, we had the honor of welcoming the White House Office of National Drug Control Policy, Dr. Rahul Gupta, to Maryland, the Drug Czar, as it's commonly known. In this visit, we focused on showing Dr. Gupta about the administration's efforts to reduce the opioid and heroin epidemic and the mortality associated with overdoses, and included visits to several local organizations in the State. Dr. Gupta had a chance to tour Helping Up Mission with me, as well as Robin Rickard, who is our Director of the Opioid Operation Command Center. We toured the facility to see -- their existing facility, which has been in place since the 1800s but primarily worked with men who are in recovery and provide housing as well as other services. But they recently opened, with assistance from the State and private philanthropy, the women's facility that will house or have capacity for up to I believe over 300 women who are in similar situations. The men's facility is 500. And so he, you know, was able to join us there. Prior to that, he was with Robin at a place called The Well, an organization that supports women with substance use disorder and women who are experiencing poverty and sexual exploitation.

And let me go back to the Helping Up Mission. And their

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women's facility is going to not only help women who have substance use disorders, but also women with their children. And they have partnerships with both Hopkins and GBMC, Greater Baltimore Medical Center, to provide services for the folks in both of the facilities, but also referrals from the emergency room at Hopkins, which is around the corner from there.

And then toward the end of the day, Dr. Gupta sat in on our Interagency Heroin and Opioid Coordinating Council meeting here in the State House, in this room, a council that I have been chairing for the last seven years. And so he had an opportunity to hear about the practices that we have been employing to address this epidemic that has occurred, not just here but throughout the country.

And then we, you know, when you listen to the news there are a lot of things in the newspapers, on the media and the news broadcasts about challenges that we face in this State, everything from crime and other issues, automobile accidents that take people's lives, and a number of other ailments. But we are losing over 2,000 people a year to overdoses. Opioid overdoses are about 2,500 of that, 2,700 total. It includes alcohol overdoses contributing. And so it is a, you know, probably the number one cause of death in our State. So it's something that we have been working on. We saw progress starting in 2019. Of course, the pandemic has, you know, set us all back. Preliminary numbers are looking somewhat promising, but it is still way too many people are dying from that. And so that's one thing, or one of many things, that we will be stressing for when a new administration comes in, that they continue to focus on this particular issue.

On a more lighter note, last week, I was joined by Secretary Haddaway-Riccio and Secretary Ellington Churchill on a walk across Maryland. Yes, we were able to walk across Maryland in one day in Hancock, Maryland,

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which is about two miles between the Pennsylvania border and the West Virginia border, and we did that walk. So we did, we have walked across the State of Maryland. How many of you have done that? No --

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: It's only two miles. And it was a wonderful time. We stopped at the end of that at the Potomac River Grill in Hancock and had milkshakes and they gave us hamburgers, and so that was good. And then we continued on our way. The Governor joined us for part of that. Not that he was, you know, backing out of the two mile walk, but he had been doing --

TREASURER DAVIS: There's no shame in that.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah --

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: -- well, no, he was doing other events. There was the Appalachian Regional Conference that was going on, and he had been there that morning. And then a groundbreaking for a baseball stadium in Hagerstown. So he was able to squeeze it in between -- he came for the milkshakes. But so that was quite enjoyable.

I do want to give a particular shout-out to Mark Widmyer, who is our Western Maryland Coordinator for the Governor's Office, as well as the Mayor of Hancock and the Washington County Sheriff's Office for helping to plan that and making sure we didn't get run over on the roadway. And amazingly, while we were walking in Hancock on one of the back roads, a country road just really a little outside of Hancock, a guy pulled up and it's like, what are you, what are you guys walking for? And it turned out that it was a City Council member from Baltimore City. What was his name again?

MS. HADDAWAY-RICCIO: Ryan --

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LIEUTENANT GOVERNOR RUTHERFORD: Ryan Dorsey, Ryan Dorsey. And he recognized us and then he was like, what are you doing out here? And he was coming from Cleveland, Ohio. And it was like, this is a little, you took the scenic route coming from Cleveland to this back road. But in any event, you never know who you are going to run into when you are out on a country road.

And then lastly, I completed last week the Lieutenant Governor's State Park Bucket List, by hitting the 75th of the 75 parks that the State manages in the State. So I was able to visit all 75. I understand there's plans for the 76th and so I will go to that before leaving office. But we finished off the tour at St. Clement's Island State Park, in St. Mary's County. Of course, the birthplace of modern Maryland. I say modern Maryland, going back to the 1600s. But we went out to St. Clement's Island. It was an enjoyable day down there. And so it has been a four-year journey to really expose and promote outdoor recreation in Maryland, the diversity of our natural environment. I encourage people to take advantage of our parks and natural resource management areas and natural resource environmental areas that we have in the State. And I want to thank Secretary Riccio and her staff at the Department of Natural Resources, the Natural Resources Police who have been helping us in this process as well. And then a separate shout-out to the members of the State Forest Service. That while they were not part of my bucket list, I did do a lot of side trips to the State forests, where they were very accommodating. Your predecessor, Treasurer Kopp, went on two trips to State forests, Pocomoke State Forest. We went there at one point to, where she learned about forestry, modern forestry, and controlled burning, which she was not aware of. I was, because I worked at Agriculture and the U.S. Forest Service. And then we came back to see the wildflowers that were growing in that same area where they had the controlled burnings. And that was the reason

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for doing that.

So I wanted to, you know, thank them for their efforts. And as a matter of fact, I just, I went to Green Ridge State Forest just this past weekend to enjoy the fall foliage. I surprised the Secretary --

MS. HADDAWAY-RICCIO: You did.

LIEUTENANT GOVERNOR RUTHERFORD: -- upkeep of the forest. But that is another story. You never know. I enjoyed that. And before I turn it over, I do want to correct the record on something that the Comptroller asked me in the last meeting when I was talking about Queen Henrietta Marie and you asked is there was somebody out there that was beheaded, and I always thought you were talking about the queen. But you know, when I walked out I said, you know, I think that's King Charles I, who was beheaded. And I checked with Elaine Bachmann, and she confirmed that it's King Charles. So yes, we have a portrait of someone who was later beheaded.

COMPTROLLER FRANCHOT: Well, that's a bad sign.

(Laughter.)

TREASURER DAVIS: Just in time for Halloween.

LIEUTENANT GOVERNOR RUTHERFORD: Just in time for Halloween. So with that, I'll turn it over to my colleagues. And since I'm correcting the record, I'll start with the Comptroller.

COMPTROLLER FRANCHOT: Thank you very much, Lieutenant Governor. And I will, just to bring you up to date on my itinerary, I'll be walking from my house this afternoon down to Takoma Park's City Hall --

LIEUTENANT GOVERNOR RUTHERFORD: Oh --

COMPTROLLER FRANCHOT: -- to put my ballot for the City into a drop box, the yellow one, and put my other ballot, for the State elections, in the drop box of the county or the State. And I just want to say how honored I've

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been to be an elected official. But it is hard for me to believe, since I'm not on the ballot, that the next time the Board is going to meet on November 18th (16th), our general election will have taken place.

LIEUTENANT GOVERNOR RUTHERFORD: Yes.

COMPTROLLER FRANCHOT: And the incoming elected leadership of State government will be preparing to transition into office. Thank you very much. That's all good. Because I'm enjoying my return to normalcy, which involves a tremendous amount of partnership with my better half at home. But --

LIEUTENANT GOVERNOR RUTHERFORD: -- yelling at you and you yelling back why you got this frog in your throat? Is --

COMPTROLLER FRANCHOT: No, I just have a little hoarseness. It's nothing --

LIEUTENANT GOVERNOR RUTHERFORD: Or yelling at kids, get off my lawn.

COMPTROLLER FRANCHOT: -- anyway, early voting starts tomorrow and runs until November 3rd, with Election Day being on November 8th. There are so many competitive and highly consequential races up and down the ballot in Maryland, from school board elections all the way up to the Governor's election. And I hate to say this, but my sense is that not everyone is paying attention to these local, State, and congressional races that have tremendous impact on our lives in Maryland. I encourage everyone not only to vote, but to encourage others, your family, your friends, your neighbors, your coworkers, to research the candidates and participate in this year's election. Our democracy is fragile. Our voting, by the way, is super safe. Don't ever doubt for a moment about the 2020 elections or the upcoming 2022 or the ones in 2024. They are the safest elections in the world.

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So but nonetheless, there is a tremendous amount of internet talk out there that promotes the concept that our democracy is fragile and its health and its strength are challenged. But they are not. They are going to be sustained by us, the people, as active participants and stakeholders.

So I encourage everyone in Maryland to go to www.iwillvote.com and make a plan to vote today, either returning your mail ballot, voting early, voting on Election Day. It is critical that everyone takes this obligation seriously. Thank you, Lieutenant Governor.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you.

Treasurer?

TREASURER DAVIS: Thank you. Well, I can cross that off the list.

(Laughter.)

TREASURER DAVIS: That's why I hate going last. All the good stuff gets said.

But --

LIEUTENANT GOVERNOR RUTHERFORD: -- crossing off the parks --

TREASURER DAVIS: Yeah, I got the parks --

(Laughter.)

TREASURER DAVIS: Yeah, I woke up this morning at 4:47 and I walked from my bedroom to the bathroom, and I walked --

(Laughter.)

TREASURER DAVIS: -- that's the extent of the walking for the day.

In regards to what the Comptroller said about the elections, I'll just say this, and I absolutely agree. The elections are safe. I don't know when we

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got to this point where candidates now think if they don't win, somebody cheated. When did we get that arrogant that, you know, we're so great that if we don't win something must have gone awry? There is that odd chance that the voters just happened to like somebody better. It's as simple as that. Will mistakes happen? Of course they are going to happen. We are human. But this, you know, theory that there is this widespread plan to subvert the will of the voters, I can only speak for Maryland. And I can assure everyone that's not going to happen. Go out, do your duty. For all those who love to complain about government, this is your opportunity to say what you need to say in a meaningful and a constructive way. But if you just want to sit at the barbershops and so forth and complain, then you really have nothing to complain about. If you are not going to do the heavy lift, and it's not really a heavy lift, if you are not going to do the work to educate yourself on the candidates and vote who you think best represents, you know, your values and your ideals, then keep quiet. Do us all a favor and keep quiet. I can say that now. I'm not on the ballot anymore.

(Laughter.)

TREASURER DAVIS: I can talk as tough as I want now. We know that earlier this month that it was Breast Cancer Awareness Month, but it's also Financial Planning Month. And a few years ago when I was in the Legislature, there was a lot of talk about the silver tsunami and, you know, research was showing how most Americans, and that includes us as Marylanders, we really weren't prepared for retirement. I believe the numbers were within ten years we had, most of us had less than \$10,000 saved towards retirement. So we have to continue to work to improve upon that.

I know we got off the ground, after many years of working at it, Maryland Saves. It debuted, because I was at a conference as a matter of fact when it happened. So that was August. And it's how we help our small

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businesses to be able to get in a low cost, affordable way, to get their employees that benefit of being able to prepare through a payroll deduction. Like, I don't know about you all, but for me, when they just take the money before I ever see it, it's not a problem. It's once it gets into my pocket, trying to get it out, you know, that's a different story. So this is a great program that we have started, a bipartisan initiative, that I hope we will continue to promote. And as our businesses become more and more aware of it, they will, you know, they will enroll in it. Basically, the State just needs access to their payroll information and it can go from there and we can help our folks prepare as they move into those twilight years in terms of working that they are adequately prepared. So that's all I've got. Thank you all for being here and coming.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you.

Thank you. All the comments were wonderful and I agree with both of you. The elections are safe. They are, despite all the issues I have with the Executive Director of our Board of Elections, I don't think that she is doing anything to make the elections corrupt. There are operational things that can be done better, but I don't think it's affecting, you know, the actual elections. And I would say that a couple of years ago, right after the past presidential election, and I don't often respond to people on Twitter. But some crankypants constituent said something about the elections being stolen or whatever and asked my opinion. And I sent back, and I said, there were probably some mistakes around the margins that happened, you know, but nothing that would make a difference in the outcome of the election. And Mr. Crankypants just said, oh, okay. So he just needed somebody to respond to him. That's all it was. I guess he was fine. But maybe he is now, you know, protesting somewhere. I don't know. But in any event, Mr. Secretary?

SECRETARY GONTRUM: Good morning, Governor, Mr.

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Comptroller, Mr. Treasurer. There are 12 items on the Secretary's Agenda this morning. Item 12 is a supplemental item. It is a settlement request from the Attorney General's Office on behalf of several State agencies providing benefits to Mr. Paul Madison who was erroneously incarcerated. This is the companion item to Item 4 on this Agenda, which is a compensation schedule for Mr. Madison. And I'm happy to assist with answering any questions.

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

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

TREASURER DAVIS: Second.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. That one was easy. The Department of Natural Resources -- oh, wait a minute. Come back. Wait a minute --

TREASURER DAVIS: Just on that one, I wanted, would it be appropriate to discuss Item 11 now?

SECRETARY GONTRUM: Of course.

LIEUTENANT GOVERNOR RUTHERFORD: You know, I thought this would come up. Because this was similar to what you were saying before, if it's not what, if it's the one I'm thinking about.

TREASURER DAVIS: I'm certain it's the one you're thinking about.

SECRETARY GONTRUM: Item 11 is a settlement request from the Baltimore County State's Attorney's Office. We have Ms. Wendy Shiff available from the Attorney General's Office, and we have State's Attorney Shellenberger. One moment while we get connected, please.

TREASURER DAVIS: You know what? Let me do this. I don't

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want to waste anyone's time because I know what it does. What I want to say on this is that this isn't, and you are right, Governor, this is exactly where I was going. This is simply a matter of if we just do our jobs, stay in our lane, we would not be giving away, we would not need to be giving away \$50,000 of the people's money. This, when you read, and I'll just leave it there, when you read the details of this settlement, this should not have occurred. This should not have occurred. And as a result, the people of Maryland are paying for something that shouldn't have happened. So that's all I wanted to say on that. I don't need any further discussion on it. But I could not just let this go by without making that comment. And hopefully, we won't be in this position again.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah. The only thing I'll add to that is the slight silver lining, good thing, is that at least the county is paying part of this. And even looking at those individuals who were exonerated, that I don't understand why it's not the locale and the State's Attorney's Office in that jurisdiction that is not paying for this. It was a local jury. It was the local State's Attorney that, you know, convicted an individual erroneously. Now they are being released and it's all the State taxpayers that have to pay for it, versus that jurisdiction paying for it. But that's something maybe for -- you can talk to your friends in the Legislature about changing that. Ha, fat chance that it will happen.

I think we voted already on it? Okay. So the 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 ten items on our Real Property Agenda today for which we are seeking approval. I'm happy to answer any questions. And Governor, congratulations again on completing your

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bucket list challenge.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you.

Thank you. Speaking of which, Item 9A, South Mountain State Park, so are you expanding the park? The park and I guess some of it would be the forest?

MS. HADDAWAY-RICCIO: Yes, so with this acquisition, we will be adding a little over 25 acres to the state park there and also providing some important environmental protections for forest interior dwelling species. It is in the green corridor so all in all, a win-win.

LIEUTENANT GOVERNOR RUTHERFORD: For those who don't know, the Appalachian Trail runs through there and on one of our park visits, I don't think any of us were quite prepared for what we were going to face by going up the side of the mountain on the trail. It was grueling, a little more than a mile up the mountain and slippery surfaces. And so it was a good trek. And of course, meeting a number of people who were doing the trail, doing the full trail, going from Georgia to Maine, and some going in the opposite direction on the trail. So some hardy souls were out there hiking. And they were just moving along and we were kind of struggling along. But so all right. Any questions for Natural Resources?

COMPTROLLER FRANCHOT: Move approval, if --

TREASURER DAVIS: Second.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Thank you. That was also easy. University System?

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

LIEUTENANT GOVERNOR RUTHERFORD: I want to

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commend President Pines and College Park for the announcement with regard to providing financial assistance to those individuals who have Pell Grants to make up the gap between their financial aid and need for tuition and housing. I think that is the right direction that we should go to be working on, you know, reducing the need for substantial college debt. And so, for the universities all to start looking at how they can help the students, how they can control their own costs going forward I think is a very good thing. So I commend the President for taking that step. And I joined him last week, I think it was the same day, yeah Friday, the same day that I completed the park visit, to watch Terrapin soccer out at College Park. And they beat Michigan State. So that was enjoyable.

For those who didn't know, Dr. Pines' son plays for D.C. United and is a professional footballer. So. Any questions?

TREASURER DAVIS: No, sir.

LIEUTENANT GOVERNOR RUTHERFORD: Any questions?

COMPTROLLER FRANCHOT: Move approval.

TREASURER DAVIS: Second.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you. Pass on my regards to Dr. Pines.

MR. HICKEY: Thank you. Will do.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. We're saving up our questions for the Department of Transportation.

(Laughter.)

MR. POWELL: Good morning, Governor, Mr. Treasurer, Mr. Comptroller. For the record, my name is Sean Powell, Deputy Secretary for the Maryland Department of Transportation. We are presenting 23 items for your consideration. And Governor, thank you for finishing up your park tour and you saved the best for last, my home and mother county, St. Mary's County. It was

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good to see you down there.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you. Glad to be there.

MR. POWELL: We have representatives available to answer any questions you may have.

LIEUTENANT GOVERNOR RUTHERFORD: And I was there for Oyster Fest the week before.

MR. POWELL: That's right.

LIEUTENANT GOVERNOR RUTHERFORD: That was good. It is good to see that you have a number of small businesses that were able to win contracts, particularly A&E contracts, for the small business enterprise, small business. It's also disadvantaged business entity. So I'm glad to see that you are continuing, or at least the department is continuing, to work hard to make opportunities for some of our small and minority owned businesses in the State.

MR. POWELL: Yes, sir. In particular Item 9-AE --

LIEUTENANT GOVERNOR RUTHERFORD: Yes.

MR. POWELL: -- million dollar single --

LIEUTENANT GOVERNOR RUTHERFORD: -- any questions for Transportation?

COMPTROLLER FRANCHOT: I had a few questions --

LIEUTENANT GOVERNOR RUTHERFORD: Yes?

COMPTROLLER FRANCHOT: -- unless the Treasurer has something?

TREASURER DAVIS: No, go ahead.

COMPTROLLER FRANCHOT: Items 5-GM, 6-GM, and 7-GM, 5, 6, 7.

MR. POWELL: I believe that is the Maryland Aviation

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Administration.

LIEUTENANT GOVERNOR RUTHERFORD: Yes.

COMPTROLLER FRANCHOT: Yes.

MR. POWELL: And Executive Director Smith should be on the line.

COMPTROLLER FRANCHOT: Excellent. Is he there?

SECRETARY GONTRUM: Yes, sir. One moment, please.

LIEUTENANT GOVERNOR RUTHERFORD: Oh, there he is.

COMPTROLLER FRANCHOT: Is he muted?

LIEUTENANT GOVERNOR RUTHERFORD: We can't hear you, sir.

MR. POWELL: Ricky, you --

LIEUTENANT GOVERNOR RUTHERFORD: You may want to sign off and sign on again. Reboot. I've found that sometimes works when I've had trouble. Well, as they say, if you can't fix it with a hammer, it can't be fixed.
(Laughter.)

COMPTROLLER FRANCHOT: Why don't we come back to Ricky when he's available? And let me move to --

LIEUTENANT GOVERNOR RUTHERFORD: Are you there?
Can you hear us? No, still having the same problem.

COMPTROLLER FRANCHOT: Let's move to Item 10, if I could?

MR. POWELL: That one is the Purple Line and we have Matt Pollack, our Purple Line Executive Director for you, sir.

LIEUTENANT GOVERNOR RUTHERFORD: Ricky, we'll come back to you. Keep working on that.

MR. POLLACK: And this is Matt, so I hope you can hear me.

COMPTROLLER FRANCHOT: Yes, I can hear you. Thank you.

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It's the Comptroller and the Lieutenant Governor and the Treasurer.

MR. POLLACK: Absolutely.

COMPTROLLER FRANCHOT: So I don't have any opposition to this item. I just wanted to personally thank MTA and yourself for working collaboratively with LIUNA and the buildings trades to reinstitute a project labor agreement on the Purple Line project. The agreement, in my opinion, is critical to ensuring not only the timely completion of the project, but also it guarantees that those working on the project are receiving fair compensation and benefits that they deserve. And so kudos to you and your team for reaching this collective bargaining agreement. Could I get possibly, in addition to anything you want to comment on that, just a quick update on where things stand with the project? And my regards to the Administrator. She is not available, but go ahead.

MR. POWELL: She is also on the line as well, if you have questions for her.

COMPTROLLER FRANCHOT: Ms. Arnold, Administrator Arnold, kudos to you.

MR. POLLACK: Yes, absolutely, Comptroller. I would be happy to give you a little bit of an update on what has been going on on the Purple Line.

So since April of this year, our design builder, Maryland Transit Solutions, has undergone really an intense mobilization period and has been ramping up its construction activities. The major activities that MTS has underway include resuming work at the Bethesda Station. That is the elevator shaft that was partially excavated in 2020. They are also continuing relocations up and down the corridor and they started with stormwater infrastructure. They are advancing structures, most visibly Connecticut Avenue and at the Rock Creek Trail, where they are completing the Light Rail bridges at both those locations, and then we'll be coming back at a later date to install those pedestrian bridges.

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There is also a bunch of paving and sidewalk work along University Boulevard, in particular at the northwest branch where that, where half of the span has been completed. We are going to be transferring traffic over and then demolishing the eastbound span so that it can completely be widened for Light Rail traffic. And of course, everything has been quite busy over at the Glenridge Operations and Maintenance Facility, where both the State and the contractor have been working so that come this coming summer we can start receiving our vehicles, which are almost completely manufactured at this time.

COMPTROLLER FRANCHOT: Excellent. Administrator Arnold, do you want to add anything?

MS. ARNOLD: I don't know what's going on with my camera. But good morning, Governor, Comptroller, and Treasurer. I just want to add, you know, Matt and his team have been doing a fantastic job at continuing construction. MTS, our contractor, has been working really diligently to make sure that we're getting back up and running with construction. And the team has been working overtime as well to ensure that we are providing that pedestrian access and safety for students in particular, but really all pedestrians and residents along the alignment. So we're really proud of that work. We're proud as well to have the agreement, the PLA with LIUNA and to continue ensuring that all contractors have access that bid on this work.

COMPTROLLER FRANCHOT: Okay. Well, I said earlier that I was impressed with your leadership and your team. I do have a question for you, Administrator, on Item 13, which is an MTA contract. This is the fifth modification to the contract with Bombardier Mass Transit Corporation up in Pennsylvania for the overhauling and upgrading of MTA's 63 MARC III coaches. So with today's \$1.5 million adjustment, this contract has increased 31 percent since it was originally awarded. Is there some dishwashing going on in the back

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there or --

(Laughter.)

COMPTROLLER FRANCHOT: Anyway, this is the fifth amendment. It has gone up 31 percent. And it was (indiscernible) for seven years. So obviously the services are important if not critical, but it goes back to my issue about delegating things that are beyond the -- well, I'm going to ask Ricky Smith about this. I don't mind delegating the authority of the agencies to bypass the Board of Public Works if there are incidental changes to the contracts. But is this an example of I guess what we perhaps are inching towards, which is significant extensions of existing contracts and increases in spending, all of it not presented to the Board? I think it's a possible example of what I am concerned about with Ricky Smith's on a smaller level. But could you just talk us through what caused both the delays and the price increases?

MS. ARNOLD: So this is actually a request for additional services from the vendor, Wabtec, and so we didn't originally anticipate these services from Wabtec whenever the contract was created. So this is for positive train control on our MARC system. And so the operation needs for this, you know, to allow for proper troubleshooting and continued operation of PTC really developed over time as the system was built out. You know, we, the portal that we are requiring to add here hadn't been developed by the contractor or made available for commercial sale when we first started. And so this will allow us to, again, ensure that positive train control remains operational so that we can have a safe and reliable transit system on the MARC line. So, you know, we --

COMPTROLLER FRANCHOT: Are you confident this fifth modification is going to finish the contract? The remaining repairs of -- I guess we are upgrading and overhauling the bi-level rail cars. But will this cover the remainder?

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MS. ARNOLD: I am confident, yes. I mean, our team has been working really diligently on this. And so yes, I feel confident on that.

COMPTROLLER FRANCHOT: Thank you. Madam Administrator, thank you. If my colleagues don't have questions on this, I'd like to return to Ricky Smith. Because Ricky, can you hear us?

MR. SMITH: I can hear you very well.

LIEUTENANT GOVERNOR RUTHERFORD: We do hear you now. Yes.

MR. SMITH: Okay.

COMPTROLLER FRANCHOT: So Ricky, this is, I have a question about Items 5, 6, and 7-GM.

MR. SMITH: Okay. Well, I can give a brief overview if you want, or I can wait for your question, sir.

COMPTROLLER FRANCHOT: Yeah, so these are three requests from the Maryland Aviation Administration to approve a series of lease and concession contracts for space and services and you are requesting delegated authority to enter into similar contracts without future Board of Public Works approval. And it's my understanding that if approved, MAA would no longer be required to come before the Board for any non-material modifications made to contracts related to certain leases of land and office space, as well as self-funding rights at Martin State Airport, as well as on contracts for airline support tenants that provide skycap and wheelchair services at BWI. Could you just give us some examples of the types of non-material changes that are common modifications? I don't mind asking for that delegation of authority. It's just that we get into what I just ran into with the Bombardiers, which is, you know, the fifth modification of an existing contract and it was somewhat immaterial, I guess, it could be seen as that. So if you could reassure me that we're not creating a large safe harbor for

agencies to move forward with contract changes without our approval?

MR. SMITH: Yes, sir. For the record, I'm Ricky Smith, Executive Director of the Maryland Aviation Administration. Good morning, members of the Board, and thanks for your question, Comptroller. So each of these items involves standard contracts that have already been approved by the Board of Public Works. And what typically happens with these contracts is they may have, for example, an insurance requirement, right? And that insurance requirement has to be renewed each year. And so if they come in with a different level of insurance, that's a change to the contract that we would have to come back to the Board. That's, we consider that a non-material change.

For Martin, for example, we have a number of self-fueling operators at Martin State Airport. If another company, if another tenant that is already there decides they want to sell fuel, we would have them agree to the same terms and conditions that have already been approved by the Board of Public Works for other self-fueling operations. And so to come back to the Board for a standard item, a standard contract that has already been approved by them but no change in terms or conditions, we are considering that a non-material change, for example.

And then the last example I will give is many of these services, for example the skycaps, are services that we contract on behalf of the airlines because the skycap operators actually report to the airlines. The airlines might want to expand the number of operators that are providing skycap services. In support of them, we would want to approve another vendor under the exact same terms and conditions that have already been approved by the Board. And so we see that as an example, another example of a non-material change. So we're not looking at anything that would have a fiscal impact or a change in the terms of the contract, just the ability to use the same terms and conditions that have already

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been approved by the Board for a new vendor out of convenience to our tenant.

COMPTROLLER FRANCHOT: Excellent. So you have this highly compartmentalized. It's not something where you are going to be adding money and, you know, launching into new areas using this delegation of authority?

MR. SMITH: You are correct, sir. We will not be, there will be no fiscal impact or material change to their agreement.

COMPTROLLER FRANCHOT: Excellent. Thank you very much. And how is the Airport doing? It looks like a beehive when I walk into it.

VOICE (AUTOMATED): Interesting question.

MR. SMITH: The Airport is doing quite well -- a beehive.

(Laughter.)

TREASURER DAVIS: Is that right?

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: Someone liked your question.

COMPTROLLER FRANCHOT: Meet my wife, Annie.

(Laughter.)

MR. SMITH: We have never quite described it that way, sir. But the Airport is doing quite well. As a matter of fact, a couple of days we met the busiest day since the pandemic. And so we're about 85 to 90 percent full, depending on the day of the week or the time of the year. And we're getting ready now for the Thanksgiving holiday season. That's our Super Bowl and we expect that to be a record breaking year, season.

COMPTROLLER FRANCHOT: Excellent. Keep up the great work.

MR. SMITH: Thank you, sir.

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LIEUTENANT GOVERNOR RUTHERFORD: I think we have something to add to the transition reports for the next administration. Ban cell phones in the --

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: -- listening to everything. We're already recording. We don't need --

(Laughter.)

TREASURER DAVIS: Co-signing.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah, co-signing. We don't need Apple or Meta or Google listening in to our proceedings. Unless they come through the website, so. They may try to sell commercial time, so we've got to -- Mr. Treasurer, you have some questions for Transportation?

TREASURER DAVIS: Are we --

LIEUTENANT GOVERNOR RUTHERFORD: We're still on the Transportation Agenda.

TREASURER DAVIS: No. I'm good.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Do we have a motion?

COMPTROLLER FRANCHOT: Move approval.

TREASURER DAVIS: Second.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

MR. POWELL: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: The Department of General Services.

MR. CHURCHILL: Good morning, Governor, Treasurer, Mr. Comptroller. For the record, I'm Ellington Churchill, Secretary for the Maryland Department of General Services.

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LIEUTENANT GOVERNOR RUTHERFORD: Not to be confused.

MR. CHURCHILL: Today we are presenting 55 items on our Agenda. We are withdrawing Items 21 and 52 at this time. We will be bringing Item 52, which is the DBM lease, back to the next BPW meeting on November 16th. Our Agenda features \$5.9 million in capital grants and loans, including \$2.3 million to the NorthBay Environmental Educational Center in Cecil County. We are seeking approval for contract action to support one minority business and five small businesses. And Governor, I would also note that we are presenting leases to continue the exit from State Center. We are presenting leases for the Maryland Department of Health, Maryland Department of Aging, the Office of the Comptroller, and the Maryland Department of Planning. That along with the other leases that had been approved in the past of 100,000 square feet of (indiscernible). We have speakers --

LIEUTENANT GOVERNOR RUTHERFORD: We have two speakers here.

MR. CHURCHILL: -- that would like to speak on the lease moves and we are happy to answer any questions you may have at this time.

LIEUTENANT GOVERNOR RUTHERFORD: A couple of items before we get to those. And I'm just going to point out a couple of the capital leases. You mentioned North Point. It's an excellent organization, great camp facilities that they provide for kids up there. But 8-CGL, a grant to Central Baptist in Camp Springs, I know Pastor Burruss very well. Pastor Burruss is fighting cancer right now and I just want to send a shout-out to him in support for the battle that he is going on. He does great work for his congregation there. He was very helpful during the pandemic in terms of being able to provide vaccine support at his church with our National Guard, as well as being able to distribute

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mask and test kits that we provided him.

Another one that I want to point out that does excellent work in the Comptroller's home county, Cornerstone Montgomery, they provide residential and outpatient services for those who are suffering with mental health issues as well as substance use disorder. Excellent organization, I met them many, many years ago and have been working with them over the years. And I am glad to see that they are expanding their facilities in Rockville and in Silver Spring. And so I look forward to continuing to work with them and as a private citizen as well.

A more substantive question, though, has to do with 23-S. It's a service contract through Department of the Environment, mine assistance, mine engineering and reclamation. My question really comes up in terms of the entity that -- now it's a multiple award contract. But the entity that was fourth technical was rated number one overall because it had the lowest -- well, and I don't say, it also had the lowest price. But I would think if you are number four technically and have the lowest price, you would be somewhere in the middle. And I guess price is being weighed more favorably than their technical skills. But in mine reclamation, and there's a lot that goes on with that, restoring an old coal mine. And you know, making sure that, you know, the water that is, that often is collected in old coal mines, you know, they are not leaching any chemicals that may have been used to extract the coal into the waterways. If this is out in Western Maryland, it is probably at the headwaters of the Potomac River. So I just, it, was this one of those situations, and I know the federal government had moved to something like this where it was the, you know, sufficiently qualified that fit the pricing mechanism, or fit their, and there is a technical term that I forgot what they used to use. But it was basically a way around a low bid. So what happened here? How did they get to be number one overall?

MR. CHURCHILL: Well, that is a good question. I'm going to

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ask --

LIEUTENANT GOVERNOR RUTHERFORD: Do we have someone on the Environment?

MR. CHURCHILL: -- Suzanne Dorsey, Suzanne Dorsey. And we also have Secretary --

LIEUTENANT GOVERNOR RUTHERFORD: Oh, yes.

MR. CHURCHILL: -- Tablada available.

MR. TABLADA: Good morning --

LIEUTENANT GOVERNOR RUTHERFORD: Good morning, Mr. Secretary.

MR. TABLADA: -- Governor, Mr. Comptroller, Mr. Treasurer. For the record, Horacio Tablada, I'm Secretary of the Environment. And with me is Suzanne Dorsey, also, who comes normally to the Board meetings, is able to assist with this question. But the mining program, you know, is a very complex program that we have in Western Maryland. Our office is in Frostburg and I have visited it many times. And they do from mine reclamation, from biological studies on the streams, from trying to restore the acid mine drainage from previous practices. Sometimes we have done projects where there is a collapse at the side of the road because the mining, the cavity gave up and so we have to have emergency contracts.

So this is what we call normally a basic ordering agreement. Where we have an agreement where we go to number one company, the one that is ranked one. But if number one is not available or cannot do that type of service, then we go to the next company that is able to do it. Multiple companies do different services at different times and based on their experience. And the staff, which is highly technical, they can call upon, you know, we need, we need a surgeon today, we need a carpenter tomorrow, we need this, and they will do

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different, based on the need for the project, so or the time available so we can respond.

LIEUTENANT GOVERNOR RUTHERFORD: No, I understand that point. My concern was more of how did the lowest ranked technical become the highest ranked overall. Was it that you just said their technicals, they are not as good as everybody else but they are sufficient to do the job? But their price is superior to everyone else? So --

MR. TABLADA: I think technically they were similar, all of them, but the price was a little bit different. Suzanne, do you want to --

DR. DORSEY: No, that's exactly right. The technical differences were so small. We had to rank them, but really the technical differences were so small between the different contracts that, you know, the price could be an effective driver. And again, as Secretary Tablada said, depending on the type of emergency or situation that the mines program is responding to, the different technical strengths of each individual firm would come into play.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. And can you repeat your name, Ms. Dorsey, for the record?

DR. DORSEY: Suzanne Dorsey, Deputy Secretary, Maryland Department of the Environment, thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you.

MR. CHURCHILL: Governor, I will just add one thing. When the proposals or the solicitations are crafted, the teams evaluate where the weight of the evaluation, the total evaluation should be. So they make a determination as to how many, what is the weight on the technical proposal. In this case, as the department has indicated, they are all close, and what is the weight on the financial proposal. And so in this case, I think you are seeing that the financial proposal was weighted higher than the technical.

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LIEUTENANT GOVERNOR RUTHERFORD: Okay, particularly since they were all fairly close. Okay. All right. Thank you very much.

MR. TABLADA: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: I do have questions on Item 28, 29, and 31. It's the same question. It's not the merits of the contract, but each one had language saying that they were looking for the extension because we're trying to complete a new procurement. Now just seeing it multiple times, it's a challenge. I don't know if all of them were poor planning, or I know that's a harsh term, or if there is, you know, contract protests or things of that nature that came in. There can be extenuating circumstances. But just when you see it repeated, and I believe they are all Department of Health, and I know you've had changes and personnel changes. No, well, Budget and Management is one, and Department of Health, and who is 31? Item 31 is again Health. So Health and Budget and Management.

MR. CHURCHILL: Right. And we do have Webster Ye available that can talk a little bit about the nuances of the contract.

LIEUTENANT GOVERNOR RUTHERFORD: Oh, he's right there.

MR. YE: Good morning, Lieutenant Governor, Comptroller, Treasurer. Webster Ye, Assistant Secretary with the Maryland Department of Health. Governor, thank you for that question about 28 and 31.

The basic point is, those are two very complex Medicaid procurements and I think many of you have observed that procurements take a while to get through. With 28 specifically, this was a procurement that started two and a half years ago and we put out a solicitation, we received two bids at that point, and after reviewing the bids the evaluation committee believed that the two bids did not (indiscernible). And so this has been on the behavioral health side of

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Medicaid, an evolving conversation that we have had both with this Board and also with the General Assembly. And so what we did was over the past two and a half years, we have taken a time to really look at how we do our Medicaid contracts. And the exact item that was 28 was we developed, we took the time, we went back with our RFP, we developed new service level agreements. And the service level agreements from our viewpoint seemed to be the right solution to get our Medicaid vendors to perform better.

With 28 there was a specific issue with MBE. We had put up a target of 25 percent. Currently, it's about 21-point-whatever percent, and we are trying to get them up to meet their requirement, what they said they would do. With the next RFP, it is currently going through the procurement review process. We are anticipating putting out the RFP in hopefully November or December with increased service level agreement provisions so that we can better contract manage our vendors.

With 31, it is a similar story but a little bit different. We are again targeting the release of this, of the new RFP for mid-November again. It is in the final stages of procurement review right now. And the main issue here is the Telligen procurement, we had to again go through the RFP development process. It had a couple of twists and turns internally and we are hopefully trying to get it out as soon as we can.

LIEUTENANT GOVERNOR RUTHERFORD: All right. Well, work harder.

MR. YE: Yes, sir. We are trying really hard.

LIEUTENANT GOVERNOR RUTHERFORD: That's what I would tell my kids when they came home with a B. B means you'd better do better. So --

MR. YE: Governor, you are absolutely right. And you know, my

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thanks first to the Department of General Services Office of State Procurement. They have been really helping us since last, in April through last July they really took an in-depth look into our procurement processes. They gave us a list of recommendations. We have been rebuilding our procurement office to focus both on the procurement side and also on the contract management side. And then we have really empowered our various administrations' chiefs of staff so that procurements, we have rapidly found out, especially on the Medicaid and the technology side, the moment you do something, you get something out, you have to start planning for the next contract. And so we are talking lead times of, previously we were thinking, hey, we can get something done in 12 months. Now we're saying, hey, start planning three years out so that we don't have, we have time for these twists and turns.

LIEUTENANT GOVERNOR RUTHERFORD: All right. Thank you. Anything from Budget and Management on their item?

MR. CHURCHILL: I think --

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Well, if you can just get back to me. I'm not going to hold up everything on that. Yeah, this is in their retiree benefits. So, okay. Thank you, Webster. Thank you very much. Item 32-IT. This is the broadband expansion program. And it's really a simple question. Oh, Mr. Secretary, how are you?

MR. LEAHY: I'm well, good morning.

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: -- I didn't see you both. Good morning to both of you. Identify yourselves.

MR. LEAHY: Thank you. Michael Leahy, Secretary of Information Technology. Secretary Holt?

MR. HOLT: Good morning, Mr. Treasurer, Mr. Comptroller,

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Lieutenant Governor. I'm Ken Holt, Secretary of the Maryland Department of Housing and Community Development.

LIEUTENANT GOVERNOR RUTHERFORD: My question is for Secretary Holt, I guess it is, and it's pretty simple. How do people apply for this program?

MR. HOLT: Well, Rick Gordon, head of the Statewide Broadband, is here. I'm going to ask Rick to step in and answer that question. I wanted to give you a few sort of updates on our broadband rollout.

To this point, we have delivered about \$182 million for infrastructure, the laptop distribution, as well as connectivity. And we have served, we believe there are about 100,000 people that are still unserved with broadband. We are in the process of serving about 38,000 of those. So the money that we have obligated, the \$182 million, will finish up that group of 38,000. So we figure we have 60,000 to maybe 65,000 unserved folks to address in the future.

Part of the infrastructure is the equity and inclusion, which relates to laptops, as well as training young folks how to use the laptops. So I know that's what your primary interest is. And Rick, if you could come on up and describe exactly how your application process is, and I think it will be of interest.

MR. GORDON: Thank you, Secretary Holt. Kenrick Gordon, Director, Office of Statewide Broadband at DHCD. So we are currently developing a program application that will allow local jurisdictions, both municipal and county, to request a portion of the laptops that we're going to be purchasing through this contract. And part of the application process, and the application submittal, is the jurisdiction applying for the devices are going to have to tell us the distribution plan as well as their outreach plan for their local low to moderate income households that will come to them to receive one of these

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laptops.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Well, it's good to know that it is going to go to the locals to make that -- yeah, the concern I had is that someone was going to say, oh, you have to go online to apply. Like, ah, we don't have broadband and we don't have a computer. So I mean, you can go to the library, I guess. But I just wanted to make sure that that thought process --

MR. GORDON: -- is always an issue and we try to figure out ways around it. Now, these will be distributed by people directly to people. So.

LIEUTENANT GOVERNOR RUTHERFORD: All right.

COMPTROLLER FRANCHOT: Could I ask a question?

LIEUTENANT GOVERNOR RUTHERFORD: Yes, please do.

COMPTROLLER FRANCHOT: Rick, this is the Comptroller. What is the general timeline for finishing this program?

MR. GORDON: So in about two weeks, we will have the application ready to roll out. It will be roughly a six-week application period and then there will be about a six-month period where the awardees, the local jurisdictions, will have to do their distribution. They will provide a distribution plan, as I mentioned, that will include a timeline. We figure you can put out about three laptops per hour. And of course, depending on what the hours that they are willing to do the distribution, but we think six months is about a good number. And I believe that is what the vendor has been told that they will have to do their supply chain over.

COMPTROLLER FRANCHOT: Great. Thank you for that. And I just want to give a shout-out to Secretary Holt and Secretary Leahy. This is a tremendous program to take care of a really essential program, I think, as far as moving the State forward.

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LIEUTENANT GOVERNOR RUTHERFORD: While you are here, let me ask you a question about kind of that last mile issue that, you know often happens in some of our rural communities, where you know, the connection from the broadband has to reach these communities that are more spread out than, say, an urban/suburban community. How are we doing with those areas?

MR. GORDON: So right now we have worked with 20 different counties on programs to do just that, to try and reach those really difficult to serve areas. Our program actually provides grants based on the density, so the fewer homes there are, the higher grant amount because we are really trying to drive into those really low density areas where historically the ISPs, internet service providers, just haven't had a desire to go because it wasn't profitable. So and we have had really good success with that. A lot of the grant applications that we get are for those very low dense areas.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. And how has been the negotiations with some of the local utilities, the phone companies, and we have heard that they can sometimes be resistant to utilizing their poles? You know --

MR. GORDON: And you are correct. It's called make ready, getting the pole lines ready to receive the new wires on them. It has been difficult for some of our ISPs dealing with, especially small internet service providers dealing with large utility companies. You know, they don't have an existing relationship that a Comcast or a Verizon might have with them and they don't necessarily know the ropes getting through some of the permitting processes. So that has been a challenge. And it has slowed down some of the projects, although it hasn't put any project in jeopardy at this point.

LIEUTENANT GOVERNOR RUTHERFORD: Are we able to assist, we being the State, assist in negotiating with these phone companies?

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MR. GORDON: We do have contacts at most of them, BGE, Verizon, we do have contacts. We haven't had to step in at this point.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

MR. GORDON: Nobody has asked us to do that. But we would use our contacts if necessary.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. All right. Thank you. It would be good to utilize that. And BGE and Verizon ask for things from the State from time to time. So it's, you know, it's good that they would have good relations with the State and so we are just asking them to help us. It's not like we're asking for it for free, to help us deliver services to some of their customers. So --

MR. GORDON: Agree.

LIEUTENANT GOVERNOR RUTHERFORD: -- thank you very much. Mr. Secretary, thank you. Always good to see you.

MR. HOLT: Thank you, sir.

MR. GORDON: Thank you, sir.

LIEUTENANT GOVERNOR RUTHERFORD: I have some minor questions. I'm not going to tie you down on that. And then we go to the leases. So I will turn it over to the Treasurer and the Comptroller for questions that they may have on items.

TREASURER DAVIS: If I can, I wanted to request a deferral on Item 48. I have been talking with Secretary Churchill, the owners, and I believe one of our speakers. But I don't know if it's more appropriate to allow the speaker to speak (indiscernible) any further. I'm not in opposition to the project, but some things that we're trying to work through is the reason.

LIEUTENANT GOVERNOR RUTHERFORD: Do you have questions, or comments on anything --

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COMPTROLLER FRANCHOT: Yeah, I do want to thank the Secretary for delivering what we all asked for, which were some competitively bid leases. And that is a tremendous accomplishment. And frankly, I think a lot of the State Center State agencies are going to move into modernized workplaces thanks to your work, Secretary Churchill. I think even my own Comptroller's Office up in Baltimore. And I think our new centralized location on St. Paul Street will not only offer a safe workplace, but it's ultimately going to help us recruit and retain employees and provide the space and resources we need to serve Maryland taxpayers in the years to come. And we're just one of five. So I want to commend the Secretary for doing what we asked him to do, all the work they have put in to identifying new locations for agencies currently housed in State Center. It's a seamless transition and it is a big accomplishment.

I do have a question, however, because there is a lot of public money going to private organizations, (indiscernible) and others, to do the, you know, as tenants, but we're also going to be part of their development. And these tenant leases that we are approving today vastly increase the value of their developments or their buildings that they own. And I'm wondering, is there, I know it's not required in leases, but is there any understanding with the private sector as to how they should include small, minority, and women owned businesses as far as management, as far as maintenance work, as far as janitorial work, as far as sharing in the prosperity that the State money is going to bring, albeit it's not mandated, apparently. So if you could just help me understand why, if there are some informal MBE goals, I guess would be the question.

MR. CHURCHILL: Well, thank you, one for the compliment, Mr. Comptroller and members of the Board. We are very pleased to be able to say in terms of all the leases (indiscernible) competition level response from the Baltimore City downtown ownership groups were tremendous. Every lease had a

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minimum of three, many had ten to 12 responses. So there is more than 50 different responses --

COMPTROLLER FRANCHOT: How about the Comptroller's Office?

MR. CHURCHILL: It was right up there --

(Laughter.)

MR. CHURCHILL: -- in their building.

LIEUTENANT GOVERNOR RUTHERFORD: They figure you have that big bag of cash --

(Laughter.)

MR. CHURCHILL: So and of course, all leases were generated and brought to the Board without protest. I think that's a fantastic accomplishment as well.

And now to your question about minority participation or small business participation, these are of course private ownership groups.

COMPTROLLER FRANCHOT: I understand. A lot of public money, though.

MR. CHURCHILL: A lot of public money. And what we are, what the trend is, we don't have that established now. So let me just first say that. As we look and evaluate all of our business units and processes, you know, where can we gain that type of benefit, especially for the State? So it's something that although we don't have today, because these were all formulated more than a year ago in terms of the solicitation, you know, we certainly can look at. And we would have to put that as a part of our spec -- it shouldn't be just a quiet statement. You know, you have to be very intentional about those types of things. So because it would be a contractual relationship that they would have to, if we say it quietly, we expect that it would be an action and just not lip service.

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COMPTROLLER FRANCHOT: Got it. Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: We have a couple of people I think you said signed up to speak?

MR. CHURCHILL: Yes, we do have Shelonda Stokes, President of the Downtown Partnership, and we also have from the area Dr. Bruce Jarrell from University of Maryland Baltimore.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Shelonda?

MS. STOKES: Hello and thank you. For the record, I'm Shelonda Stokes, President of Downtown Partnership of Baltimore. I thank you, Governor, Comptroller, Treasurer, Secretary, and all for the opportunity to speak in support of those State Center leases coming into the central business district in Downtown Baltimore.

Just a couple of things I want to share. As President of the Downtown Partnership, I wake up with my team every day with the mission of making Downtown Baltimore a destination of choice for all. And so Comptroller, I appreciate your question even around diversity, as we go into this. We are really excited about having these organizations, Planning, the Comptroller's Office, Health Department, Aging, all in the central business district with others, because of not only what it does for the employees in giving them this great space to come out and enjoy, but what it does to stimulating the downtown economy and the heartbeat of our State of Maryland.

And so I want to thank you all, also the Governor, Senate President Ferguson, Speaker Jones, and just making sure that this investment really served as a catalyst for revitalizing downtown. Part of what I walked into, and I came into this role two years ago, but I walked into nearly more than 23 percent office vacancy in that area. And so part of what we needed was that shot in the arm to show investors and people who live and work and play in Downtown Baltimore

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that the State was willing to invest not only its resources but its people to help bring that energy back into our City. And we are committed to locking arms with the State. In addition to the State Center relocation, we know that we have been granted other dollars to help connect the dots. We want to make sure that the State employees come out to great retail experiences, for park spaces and transportation. So we really look forward to being a partner in that work, and we know the elephant in the room around a number of things as it relates to the City is around safety. And we have doubled down on safety in that area. And so while we see decreases already in those numbers, we know that uptick is going to get even better as we bring in our State partners. We have doubled down with the MTA, Maryland State Troopers, Baltimore Police Department, and our assets to do everything that we can to make sure that you all feel welcome downtown. So I just thank you for the opportunity and offer support.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you. And you said we have --

COMPTROLLER FRANCHOT: Dr. Jarrell.

LIEUTENANT GOVERNOR RUTHERFORD: -- Doctor? Is it Dr. Jarrell?

COMPTROLLER FRANCHOT: Jarrell.

LIEUTENANT GOVERNOR RUTHERFORD: Jarrell. Is he online? Oh, okay.

DR. JARRELL: Did it come through? Good morning.

LIEUTENANT GOVERNOR RUTHERFORD: Oh. Good morning.

DR. JARRELL: Good morning, Lieutenant Governor, Mr. Comptroller, Mr. Treasurer. For the record, I am Dr. Bruce Jarrell, a surgeon and also President of the University of Maryland Baltimore. I want to be clear that we

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at UMB are highly enthusiastic and excited about Maryland Department of Health moving next door. As you know, UMB has had a close relationship with the Department of Health throughout the years for many different healthcare initiatives and partnerships, and we highly value that relationship. Because of our complementary missions, this move will help create a much more integrated campus where the Department of Health can capitalize on the many intellectual and other assets of UMB and UMMC.

We think that with MDH being next store, there will be even greater opportunities for this collaboration. The citizens of Maryland will benefit from that. Furthermore, as some of you may know, there will be a new School of Social Work building at UMB which will be right next to Metro West along with the recent renovation of Lexington Market, which we get great pride in. This move will greatly benefit the west side of the Baltimore Community and help make it a more vibrant area. Vibrancy and opportunity, that's what happens with this. We are highly supportive. Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you and thank you for mentioning what was called in the earlier days when Nelson was a boy, West Side Development, you know, remember there was a lot of talk about that? And maybe this will help stimulate what's going on. We appreciate what is going on at the University of Maryland Baltimore, the medical campus, now the social work building is going to be right there. But yes, that relationship between Department of Health and the University is something that I think it makes a lot of sense to be closer.

At one point there was discussions back when I was at General Services that the lab tower would possibly be rebuilt there. Other decisions were made, it went on the other side of town. So having the Health Department there next to you I think is, you know, a great opportunity. So I'm glad that it could

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work out, you know, from a financial standpoint. And we got a very competitive bid and the owners are going to be doing substantial work, I think upwards of \$100 million that they have to do. The building had been vacant for many years and they are building a garage for us as well as the work that they are going to have to do to get that building up to snuff, and at a very competitive rate. I think the same rate that one of the other agencies is paying on the other side of the central business district, and 80 cents more per square foot than what Planning is paying. So for a lot of space. So thank you very much for that support.

DR. JARRELL: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Did you have questions -- oh, let me just say we have a map. There is a display here. We have a map that shows where all the yellow portion of this map where that is being displayed is the existing entities that are moving out of State Center, and the yellow dots show where they are going. The red box and the red dots are the three current State-owned buildings that are in the central business district, and who is in those buildings. And you can follow on the map, the red dots. And the blue are other, or green and blue, are other leases of State agencies that are in the central business district. So I just wanted to point that out for our listening and watching audience. So Mr. Treasurer?

TREASURER DAVIS: Thank you, Governor. What I was going to request was a deferral to our next meeting. I have had some conversations with Secretary Churchill, as I mentioned earlier, as well as the LLC that is in this project, that we were going over a couple of things. And I think with just a little bit more time we will get there.

LIEUTENANT GOVERNOR RUTHERFORD: Which one?
Which item is that?

TREASURER DAVIS: Oh, I'm sorry, Item 48.

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LIEUTENANT GOVERNOR RUTHERFORD: That's the Health Department?

TREASURER DAVIS: Yes.

LIEUTENANT GOVERNOR RUTHERFORD: Is there a particular concern about this item?

TREASURER DAVIS: Well, okay, we can do it now, then. I'm happy to do it now. Yes, several things. As you mentioned earlier, this property has sat vacant for eight years, six of which the owners have had. And so my concern, A, is as worthwhile as it is, and we certainly want to do it, I want to make sure that the State is getting the best deal it possibly can get on this. The rent is listed at \$12 million a year, but after the first year there is a 2.5 percent escalator, which is \$300,000, works out to be \$300,000 more, and then obviously there is compounding in all the subsequent years. My question or one of the things that we wanted to talk to was, A, why is this necessary? And then B, and probably more importantly with the whole thing, it's a 1.1 million square feet property that quite frankly no one wants. And so the question becomes we are going to, when the State moves in we're going to take less than half of that. At some point, I'm wondering or I'm figuring, if you are still, if the LLC is still unable to rent this property, does the square footage amount start to come down? If it does, does the State get what I like to call a most favored nation type of deal, where then okay, we can rediscuss what we are paying per square foot --

LIEUTENANT GOVERNOR RUTHERFORD: If the next group coming in has a lower price?

TREASURER DAVIS: If the next group -- exactly.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

TREASURER DAVIS: Those kinds of things. What I was initially told was that that's not something the State had looked into. And quite frankly, I

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only got the idea from the Baltimore Ravens, I mean, the Baltimore Orioles and their dealings with the State as it relates to the Ravens, that in that contract that we did earlier with them, they mentioned in theirs if any improvement is made to M&T Bank it goes to Camden Yards. I thought that was brilliant. And so I'm sort of looking at that for the State. If someone is going to come in behind us with the remainder of that property, and they get a better rate, then do we get a better rate as well?

LIEUTENANT GOVERNOR RUTHERFORD: Right. Right.

TREASURER DAVIS: So those were the kinds of questions --

LIEUTENANT GOVERNOR RUTHERFORD: Yeah. That's reasonable --

COMPTROLLER FRANCHOT: Treasurer, I'm delighted to second you --

LIEUTENANT GOVERNOR RUTHERFORD: That's a reason, that's, you know, reasonable, comment. One thing that we might be looking at is that as some of our -- the Health Department still has other leases around in the City, several hundred thousand square feet. And as those leases expire, if the space is open, we could very well be occupying a lot of that building. Probably not a full million square feet, but some additional. Because there was some talk early on of, you know, the potential and others were talking about the potential of both Human Services and the Health Department being there. One of our previous Secretaries of Health had talked about consolidating all the leases and putting them in a facility that would have a million square feet. But I don't think, if that doesn't cause any problems as far as, you know, going forward and going back and talking to the ownership. But I do want to stress that the rates that they are charging, including the accelerator, on a square foot basis, is consistent with the other properties and was bid and the market. So we'll see what the, you

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know, what the owners will say.

MR. CHURCHILL: So we will withdraw the item, bring it back (indiscernible). And we will, and we have had great conversations with the ownership group so far to get us to this point. And I believe, Mr. Treasurer, is just asking for a true, a well-rounded win. We (indiscernible) so we're exploring options and we will advise the Board of the options that will be agreeable in terms of compromise between the State and the ownership group for this property.

TREASURER DAVIS: And I want to stress, I am not opposed to the project. I don't want anybody --

LIEUTENANT GOVERNOR RUTHERFORD: I already put it out on Twitter because --

(Laughter.)

TREASURER DAVIS: I don't want half of Baltimore calling me.

LIEUTENANT GOVERNOR RUTHERFORD: The Treasurer wants these people to stay in these decrepit buildings that are falling apart, the street is about to fall in --

(Laughter.)

MR. CHURCHILL: I will say that there is quite a bit of capital that is going into this project and so there is a great future for that part of the City, getting together the University and the State and other developments --

COMPTROLLER FRANCHOT: What is the amount that the private sector is putting into this project?

MR. CHURCHILL: Several hundred million dollars. And I don't want to speak for them. They are here if you would like them to --

LIEUTENANT GOVERNOR RUTHERFORD: I saw a minimum of \$100 million. I don't know how much the parking garage costs alone.

MR. CHURCHILL: Well, when we did the numbers on the

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project, we identified that there would have to be in excess of, you know, \$400 million across the entire property. Because it's a million square feet and State Center is about the same. And we were running numbers for the upgrade of State Center at more than a million, it was several hundred million dollars to upgrade. So we're very excited that the Maryland Department of Health will have by far the newest equipment, the newest of everything at this property, once the Board --

COMPTROLLER FRANCHOT: Is the private sector --

MR. CHURCHILL: Well I think --

COMPTROLLER FRANCHOT: -- here from the project?

MR. CHURCHILL: -- Larry Boltansky, membership of the ownership group, if you will come to the podium --

COMPTROLLER FRANCHOT: Thank you.

MR. CHURCHILL: -- to address --

COMPTROLLER FRANCHOT: Because I appreciate the Treasurer's deferral for two weeks. And I know we want to be just quietly in favor of small and minority owned businesses, but not so quiet all the time. So I would like to, as you meet and talk to the Treasurer and communicate what the situation is and why this is good for the State, you know, he mentioned the figures. It's a pretty significant chunk of public money. And I would love to get briefed, quietly if necessary but I would love it to be publicly, what you anticipate for minority and women owned businesses as far as management and maintenance and taking janitorial services and the jobs that are available to these small businesses perhaps as you move forward with something that I think will be very successful financially.

MR. BOLTANSKY: My name is Larry Boltansky and I am the authorized member of Green Street Ventures, which owns the Metro West Complex, the joint venture between our company, which has 50 percent, and

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Caves Valley, which owns the other 50 percent.

COMPTROLLER FRANCHOT: What is the total amount that you see the private entities putting into this entire project?

MR. BOLTANSKY: Well, the first phase is just shy of \$100 million for the parking that is necessary and the build out for the Department of Health, as well as other building infrastructure projects. And then phase two, which would be the 400 block because the 300 -- this building, for those of you who don't know, occupy two square city blocks, Saratoga Street to the south and Franklin Street to the north, Martin Luther King to the west, and then Greene Street to the east. And with Mulberry Street going through the middle. So we foresee another approximately \$100 million on phase two as well as, you know, all of the Department of Health employees. I'm told, how many employees -- 2,500 employees, which will be a great asset to the west side renaissance and redevelopment.

Answering your question, Mr. Comptroller, we currently have a dozen, 12 State leases right now throughout the State, where we own them and we manage them ourselves. And many times, we use minorities for whether it be the janitorial, security, we have, in Baltimore City we have the MVA and we have security and janitorial that is both held by minorities. And as far as from a landlord's perspective, that's, you know, we're not in there day to day doing the office work. That is for the tenant to do. So our input is primarily taking care of the building, the HVAC, the roof, the janitorial, and just making sure the building runs properly, elevator maintenance, etcetera. And the employees, the 2,500, we make sure that they are safe and secure to the best of our ability.

COMPTROLLER FRANCHOT: Well, that's terrific and I applaud that. But I just am asking, since you are going to take a few weeks to talk to the Treasurer, to also think about having someone either -- Greene Street is the name

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of your company?

MR. BOLTANSKY: Greene Street Ventures.

COMPTROLLER FRANCHOT: Greene Street Ventures and Caves Partners and ask them to have someone up near the management level who is paying attention to hiring small local businesses to the extent they can so there is a little bit of top down direction. Since, you know, I have no problem with capitalism. I love free enterprise. I love the, you know, the fact that you guys are going to make a lot of money from this because it is going to be prosperous for everybody. But I'd like to see a little management energy directed towards specifically hiring small and local businesses.

MR. BOLTANSKY: We'll be back and I assume that we will be on the Agenda in two weeks?

LIEUTENANT GOVERNOR RUTHERFORD: Two weeks, yes.

MR. BOLTANSKY: Okay.

LIEUTENANT GOVERNOR RUTHERFORD: We'll be back. Thank you. Thank you very much. Comptroller, I don't know. You may get kicked out of Takoma Park, being a capitalist in Takoma Park.

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: That's a little difficult.

COMPTROLLER FRANCHOT: It is the People's Republic.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah, that's right. I know.

COMPTROLLER FRANCHOT: I've lived there for 43 years.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah, they must not have known this side of you. So we can, we're going to withdraw that item, particular Item 48.

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MR. CHURCHILL: Forty-eight.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Do we have a motion to approve the rest of the --

COMPTROLLER FRANCHOT: Move approval --

TREASURER DAVIS: Second.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. All right. Well, thank you. We're all done.

(Whereupon, at 11:38 a.m., the meeting was concluded.)