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*STATE OF MARYLAND*  
**BOARD OF PUBLIC WORKS**  
*ANNAPOLIS, MARYLAND*

**February 15, 2023**  
**10:06 a.m.**

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# PRESENT

**HONORABLE WES MOORE**

Governor

**HONORABLE ARUNA MILLER**

Lieutenant Governor

**HONORABLE DERECK DAVIS**

Treasurer

**HONORABLE BROOKE LIERMAN**

Comptroller

**JOHN GONTRUM**

Secretary, Board of Public Works

**ATIF CHAUDHRY**

Acting Secretary, Department of General Services

**SEAN POWELL**

Deputy Secretary, Department of Transportation

**JOSH KURTZ**

Secretary, Department of Natural Resources

**THOMAS HICKEY**

Director of Procurement and Real Property Initiatives,  
University System of Maryland

**LISA GRIGSBY**

Recording Secretary, Board of Public Works

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# PROCEEDINGS

GOVERNOR MOORE: Good morning, everybody --

ALL: Good morning.

GOVERNOR MOORE: -- and welcome to today's Board of Public Works meeting. And before we get started on the official business for today, I'd like to take the moment and on behalf of our entire administration, and frankly on behalf of our entire State, to wish my friend and Maryland's 34th Comptroller a very, very Happy Birthday.

COMPTROLLER LIERMAN: Thank you.

(Applause.)

GOVERNOR MOORE: -- for our Comptroller and have a birthday on Valentine's Day is pretty awesome. By the way, quick side note, and we can include this in the meeting, in the minutes or not, she is the fourth person I know, to include actually our appointments secretary, who has a birthday on Valentine's Day.

COMPTROLLER LIERMAN: Yes, good Aquarians.

GOVERNOR MOORE: Good Aquarians. So I have no idea, like, what nine months before Valentine's Day is going on.

(Laughter.)

TREASURER DAVIS: Yeah, you do.

(Laughter.)

(Applause.)

TREASURER DAVIS: -- what's going on.

GOVERNOR MOORE: -- nine months before Valentine's Day. But we celebrate you.

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COMPTROLLER LIERMAN: Thank you.

GOVERNOR MOORE: And we're thankful for you.

COMPTROLLER LIERMAN: Thank you.

GOVERNOR MOORE: And with that, let's go ahead and let's get started. So Mr. Secretary, it's great to see you, and please proceed.

SECRETARY GONTRUM: Good to see you, Governor. Good morning. Good morning, Mr. Treasurer, Madam Comptroller. There are 22 items on the Secretary's Agenda and three reports of emergency procurements. Item 21 is a supplemental item. That is the settlement recommendation from the Department of Public Safety and Correctional Services in the matter of *Poole v. Bishop*. Item 22 is a hand-carried item. That is the recommendation from the Department of Budget and Management to spend the remaining balance of the FY '23 contingent fund on leave payouts in the Executive Department - Boards, Commissions, and Offices. I'm happy to assist with answering any questions.

COMPTROLLER LIERMAN: Governor, I don't have any questions. But I would like to move to separate out Item 20 from the rest of the Agenda.

GOVERNOR MOORE: Thank you. And I'd like to call up Item 11, which is a request from the Department of Natural Resources to approve a \$9.1 million contract award to Chesapeake Appreciation and Oyster Recovery Partnership for the purchase and collection of oyster substrate and plant hatchery-reared oysters for the oyster reef construction in large-scale oyster restoration tributaries.

SECRETARY GONTRUM: Thank you, Governor. Mr. Secretary Kurtz?

MR. KURTZ: Good morning, everyone. For the record, Josh Kurtz, Department of Natural Resources Secretary. I'm really excited to talk to

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you about Item 11 today. When we look at what we've been doing as a State, this is something we should be truly proud of. This is meeting one of the Chesapeake Bay Agreements we are on schedule to meet for 2025.

The thing about this project that is important is this isn't just significant for the State. This is a globally significant restoration project. This is the largest oyster restoration project on the planet. And this is going to kind of be taking us over the finish line here, finishing the fifth, or getting the fifth tributary moving, replanting some of the other initial tributaries. But the thing that I wanted to just let you all know is how successful it has been. When we look at the minimum threshold for oysters that was set, the goal, for this project, we have met 99 percent of it across all of these tributaries. And not only have we met the minimum, we have gone 77 percent of the way to the high threshold. So this has been successful in restoring oysters within our large scale tributaries and a project we are really excited about.

Some of the partners who have worked on this, the Oyster Recovery Partnership you just mentioned, Paul and Ward are here today, and it has been just an absolute success when you look at what has happened in Harris Creek, the Little Choptank, Tred Avon, the Upper St. Mary's, and soon to be the Manokin.

GOVERNOR MOORE: First, Mr. Secretary, let me start by saying congratulations --

MR. KURTZ: Thank you.

GOVERNOR MOORE: -- on the confirmation, and how excited all of us are to continue working with you. And also, on this initiative in particular, why this is so important, because this really is critical. It is critical to our State's efforts, our regional efforts, to restore our entire oyster population and that is going to be critical to restoring the health of the Chesapeake Bay. So we

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really appreciate this and we really appreciate you as well.

MR. KURTZ: If I could comment on Item 35 on the DGS Agenda, as well? Again, sticking with the oyster work -- and this is really exciting, and this is kind of the next evolution, the next step forward for oyster fund is kind of recovery across the State. This project is focused on Eastern Bay. And what is great about this is we are looking at abundance across all three of the pillars of our restoration programming, which is the sanctuary restoration, which is the public shellfish areas, making sure that we have got a really abundant and healthy harvest area, and the aquiculture industry as well. So the goal of this is working with partners, we're bringing people together. And also, this is the result of legislation passed last year by the Legislature, built on a process that brought people together to come up with solutions. And we really see this as a potential way for us to start really growing that abundance of our oyster population and doing it with all three of our really critical components: the industry side, the aquiculture side, and the restoration side.

GOVERNOR MOORE: Are there any questions --

TREASURER DAVIS: Not of the Secretary. But I at the appropriate time I would like to comment on Items 19 through 21 of the Secretary's Agenda.

I am supporting each of these items but --

COMPTROLLER LIERMAN: I'm going to recuse myself if we are going to discuss Item 20, okay?

GOVERNOR MOORE: Okay --

COMPTROLLER LIERMAN: On advice of counsel, I'm just recusing myself while we discuss Item 20.

TREASURER DAVIS: This won't be long. I'm just being a grumpy old man. For those of you who are regular attendees here, and I'm

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certainly, this does not fall on the current administration, which has been here less than a month. But in general, those of you who have been around know that I question settlements quite frequently. This is a case, I mean, we are talking about the Department of Corrections. I have heard from various advocacy organizations and so forth about how underfunded the department is, how there is need for more -- and I get it, that this may, this is arguably after the chief executive of the State the hardest job or one of the hardest jobs in the State to fulfill. It does require extraordinary patience and tolerance, but when I look at some of the things that are going on, when I read the details of the settlement, we are about to pay \$132,000 for no good reason, I mean, yeah, for no really good reason. It's warranted and it certainly saved the State a lot of money, which is why, potentially, which is why I am supporting it. But as a workforce, as individuals, we have to be mindful that there are certain standards that we have to adhere to and that we have to show restraint even when provoked, otherwise we're in a situation like this. Here we are, a month and a half into the new year, we are on pace for just this one agency to pay over three-quarters of a million dollars in settlements. That's the pace that we're on. And that is money that could stay -- and it comes out of the agency's budget. So when we say we need more money for corrections, I'm thinking if we could just keep and use some of the money we already have, you know, it may lessen the need. And again, it's for things that I would say we all would -- I'm going to leave that part alone. I'll just say this. If we --

GOVERNOR MOORE: You don't have to --

TREASURER DAVIS: -- if we just, you know, exhibit the standards that we all expect of public employees, myself included, there is a lot of money that could remain in this agency to carry out the will and the agency's budget should not become basically a slush fund to pay out for misbehavior, and

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then we have organizations that have a vested interest in this complaining about there is not enough money in the budget for salaries and so forth. So I would just -- I'll end it here. But I would just say to those people, you know, right now we are on a pace to spend over three-quarters of a million dollars on settlements in one agency alone. Thank you.

SECRETARY GONTRUM: Treasurer, if I may recommend, Governor, if I may recommend a vote on Item 20 before the Comptroller returns?

GOVERNOR MOORE: Yes --

TREASURER DAVIS: Yes --

GOVERNOR MOORE: -- and before a couple of points, very good point. And I would agree with you also that it's not exclusive to one. I think there is a broader conversation --

TREASURER DAVIS: Absolutely.

GOVERNOR MOORE: -- take place and as we have, as you are right, as we have seen in our three weeks of office. So yes, Secretary Gontrum, I think we can call for the vote on Item 20. Is there a motion to approve?

TREASURER DAVIS: So moved.

GOVERNOR MOORE: I will second the motion and I will vote yes. The vote is two in the affirmative and none in the negative and with one recusal. So I think we can invite the Comptroller back.

TREASURER DAVIS: We tried to lower your salary.

(Laughter.)

COMPTROLLER LIERMAN: I know --

(Laughter.)

GOVERNOR MOORE: So maybe we can move now back to DNR Real Property Agenda. Oh no, so -- great. So next up is University System of Maryland Agenda.

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SECRETARY GONTRUM: Governor, I apologize, we just need a vote on the remainder of the Secretary's Agenda. So we had a vote on Item 20, but the balance of the Agenda requires a vote.

GOVERNOR MOORE: Sorry, so motion to approve on the remainder of the Agenda?

COMPTROLLER LIERMAN: Second.

GOVERNOR MOORE: And all in favor?

TREASURER DAVIS: Aye.

GOVERNOR MOORE: All right. Thank you. So next up we'll go on to the University System. And good morning, Mr. Hickey, good to see you.

MR. HICKEY: Good morning, Governor. Good morning, Mr. Treasurer, Madam Comptroller. Tom Hickey representing University System of Maryland. There are three items on the Agenda for your consideration. With me today is the President of Salisbury University, Dr. Carolyn Lepre, who is here to support Item 2-C. And I think she would like to speak to you if you will allow that.

GOVERNOR MOORE: Please.

DR. LEPRE: Good morning. Governor Moore, Comptroller Lierman, and Treasurer Davis, I am honored to be standing before you today at my first Board of Public Works meeting in support of the Blackwell Hall renovation project at Salisbury University. This project was added to the CIP long before I became President, but I thought it was important enough for me to come in person for this item because I believe that the project represents how well we steward State funds.

Blackwell Hall, which is our former library, opened in 1957, and since that time has served tens of thousands of students who attended SU. We were fortunate enough to open a new library in 2016, thanks to the support of the

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Legislature and this Board, and we have since used Blackwell as flex space while we waited on the renovation. When the project is complete, the Blackwell renovation will co-locate our most important student services, such as our student health center, our counseling center, and the registrar, into one central facility so that students can more easily locate and utilize the resources that will help them be successful and graduate on time.

We are proud that we have the second highest four- and five-year graduation rates and among the highest retention rates in the USM system of Maryland. This fall we also welcomed the most racially diverse freshman class in the University's history. The changing demographics of our students, coupled with the lingering effects of the pandemic, mean that we must do more to ensure that our students can be successful and point them to the resources that allow them to do just that. If a family trusts us enough to send their student to SU, we want to make sure that we are providing them with the high quality education that they expect and giving them the tools to be successful. We do not want students leaving without their degree and saddled with debt, which is why, in addition to our graduation and retention rates, we are proud that our students graduate with the second lowest amount of debt in the entire University System of Maryland.

I'm fortunate to be here to speak with you today and I thank you for your support of education in general. Thank you for the support of our students and I'm happy to answer any questions you might have for me.

GOVERNOR MOORE: Well, I don't have questions, President Lepre, but I do have praise. What you are all are doing at Seagull Nation is remarkable. And when we talk about what are some of the true assets of our State, you all have been one of the true assets of our State. You know, I just wanted to make a point for everybody here that the University was named the nation's number one masters level producer of Fulbright students in the masters

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classification of '22-'23. And for the sixth consecutive year, has been named amongst the top Fulbright student producers in the United States. And so I just want to say congratulations to you all for that because that is a remarkable achievement and something that the entire State should be very, very proud of.

DR. LEPRE: Thank you very much --

GOVERNOR MOORE: So thank you. Are there any other comments or questions on the USM Agenda?

COMPTROLLER LIERMAN: I just want to comment.

GOVERNOR MOORE: Please.

COMPTROLLER LIERMAN: Mr. Hickey, I just want to comment on, a question and a comment, I guess, about the sustainability goals. So I appreciate that USM's, all of your projects in here contain information about the sustainability and your compliance with the Maryland State High Performance Green Building Program. And I just wanted to note that it's important information and I appreciate you including that and hope that you will continue to do that. And could even provide more detail, but I really appreciate it. Thank you.

MR. HICKEY: I credit former Treasurer Kopp for that. She really pushed us to contain this information in our items.

COMPTROLLER LIERMAN: Great. Thank you.

MR. HICKEY: Thank you.

GOVERNOR MOORE: May I have a motion to approve the USM Agenda?

COMPTROLLER LIERMAN: So moved.

GOVERNOR MOORE: All right. Is there a second?

TREASURER DAVIS: Second.

GOVERNOR MOORE: All right. Thank you so much. Thank

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you. Before we move on to MDOT, I just want to go back now to the Real Property Agenda, if that's okay. So Secretary Kurtz, back to you again.

MR. KURTZ: Good morning, Governor, Madam Comptroller, Happy Birthday, Mr. Treasurer. For the record, I am Josh Kurtz, Secretary of the Maryland Department of Natural Resources. Today the department is presenting eight Agenda items for your consideration. We do have agency representatives available if there are any questions.

COMPTROLLER LIERMAN: I have no questions.

GOVERNOR MOORE: No questions? Do I have a motion to approve the Agenda?

COMPTROLLER LIERMAN: So moved.

GOVERNOR MOORE: Is there a second?

TREASURER DAVIS: Second.

GOVERNOR MOORE: Mr. Secretary, thank you so much.

MR. KURTZ: Thank you.

GOVERNOR MOORE: Congrats again. Congrats again. Next up, going to MDOT. And we'd like to have Deputy Secretary Powell, it is good to see you again, sir.

MR. POWELL: You as well, sir. Good morning, Madam Comptroller, Mr. Treasurer. As the Governor mentioned, I'm Sean Powell, Deputy Secretary for the Maryland Department of Transportation. Today we are presenting 13 Agenda items. We are withdrawing Item 5. The Agenda includes three awards to certified minority and small businesses that total nearly \$2.1 million. Additionally, two of our items on the DGS Agenda for consideration today are being awarded to certified minority and small business enterprises and they total a little over \$11 million. So we are proud that that is moving along in both directions. We do have representatives available here or on the line if you

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have any questions, and I'll turn it back to you, sir.

GOVERNOR MOORE: I'm very proud of that fact, as well, and well done.

MR. POWELL: We were looking at our Agenda yesterday and doing our review and we were, like, wait a minute, we're not highlighting the things we have on other agendas as well. So we wanted to make sure that we brought that out.

GOVERNOR MOORE: Yes. Yes. We're glad you are. Thank you so much. Are there any questions on the MDOT Agenda?

COMPTROLLER LIERMAN: No questions. Thank you.

GOVERNOR MOORE: Thank you. May I have a motion to approve the Agenda?

COMPTROLLER LIERMAN: So moved.

GOVERNOR MOORE: And is there a second?

TREASURER DAVIS: Second.

GOVERNOR MOORE: Outstanding. Thank you so much.

MR. POWELL: Thank you.

GOVERNOR MOORE: So at this time, I'd like to ask Lieutenant Governor Miller to take over and preside over the remainder of the meeting, as I finalize all of my arrangements for a blind trust to prevent any financial conflicts during my tenure as Governor. My team and I have been in regular consultation with the Ethics Commission to ensure that we follow the spirit and the letter of the laws. And therefore, I am heeding their advice and counsel and recusing myself from the discussion and vote of one of the items in the DGS Agenda, and will turn it over to our fantastic Lieutenant Governor, and my partner in governing, for the portion and for the remainder of the meeting. So thank you all very much.

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LIEUTENANT GOVERNOR MILLER: Thank you very much, Mr. Governor. Madam Comptroller, Mr. Treasurer, members of the cabinet and guests and our press. Good morning, my name is Aruna Miller. I'm thrilled to be here. So at this point, I'd like to go ahead and conclude with the Department of General Services Agenda. Secretary Chaudhry?

MR. CHAUDHRY: Thank you very much, Madam Lieutenant Governor, Madam Comptroller, Mr. Treasurer. For the record, I am Atif Chaudhry, Acting Secretary of the Department of General Services. Today the department is presenting 52 items on the Agenda. We are withdrawing Item 31-C. The Agenda features \$17 million in capital grants and loans, includes \$2 million to support renovations for the Medstar Franklin Square Hospital Center, and \$3 million to the Waterfront Partnership of Baltimore for renovations at Rash Field Inner Harbor. We have agency representatives here and online to answer any questions you may have.

LIEUTENANT GOVERNOR MILLER: Thank you, Mr. Secretary. Any questions? Okay. So it's my understanding that Delegate Chris Tomlinson is joining us today to speak in support of the 23-CGL. Is Delegate Tomlinson here? No?

SECRETARY GONTRUM: No, I'm not seeing --

TREASURER DAVIS: -- session downstairs --

LIEUTENANT GOVERNOR MILLER: You think they are in session?

TREASURER DAVIS: Yes.

LIEUTENANT GOVERNOR MILLER: Okay. All right. Well, in that case any discussion on the DGS Agenda?

COMPTROLLER LIERMAN: I think I just have to give a shout out to a couple of the bond bills that were passed in my former district last year.

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4MyCiTy, which is an amazing organization doing, since 2018 they have distributed over 180 million pounds of food to families, and they do composting food, and of course, Waterfront Partnership. So it's exciting to go from a General Assembly seat to this seat and see the money actually getting out there. And I'm excited to work with DGS and the Board up here to streamline the capital grants and loans process even more so that we can make it easier for our nonprofits to get those, to gain access to those LBIs, that actual funding. So thank you. Thank you, Mr. Secretary.

MR. CHAUDHRY: Thank you.

LIEUTENANT GOVERNOR MILLER: Thank you, Madam Comptroller. May I have a motion to approve the Agenda?

COMPTROLLER LIERMAN: So moved.

LIEUTENANT GOVERNOR MILLER: Is there a second?

TREASURER DAVIS: Second.

LIEUTENANT GOVERNOR MILLER: All right. Well, thank you. Thank you all very much for joining us today and we look forward to seeing you on Wednesday, March 1st. The meeting is adjourned. Thank you.

(Whereupon, at 10:45 a.m., the meeting was concluded.)