

---

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

**January 4, 2023**  
**10:03 a.m.**

---

# PRESENT

**HONORABLE LARRY HOGAN**  
Governor

**HONORABLE DERECK DAVIS**  
Treasurer

**HONORABLE PETER FRANCHOT**  
Comptroller

**JOHN GONTRUM**  
Secretary, Board of Public Works

**ELLINGTON CHURCHILL**  
Secretary, Department of General Services

**JAMES PORTS**  
Secretary, Department of Transportation

**JEANNIE HADDAWAY-RICCIO**  
Secretary, Department of Natural Resources

**LISA GRIGSBY**  
Recording Secretary, Board of Public Works

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

# CONTENTS

Subject	Agenda	Witness	Page
<b>Presentation of Governor's Citations</b>		Governor Hogan	4
<b>Lease Agreement Between the Maryland Stadium Authority and the Baltimore Ravens Limited Partnership</b>	SEC 18, p. 24	John Gontrum Tom Kelso	12
<b>Payment of Settlement in the matter of <i>Ikiem Smith v. Sean Harris, et al.</i></b>	SEC 15, p. 21	John Gontrum	21
<b>DNR Agenda</b>	DNR	Jeannie Haddaway- Riccio	24
<b>Modification of Contract for Comprehensive Project Planning and Miscellaneous Consulting Services</b>	DOT 1-AE- MOD, p. 40	Jim Ports	27
<b>Modification of Contract for Comprehensive Project Planning and Miscellaneous Consulting Services</b>	DOT 2-AE- MOD, p. 43	Jim Ports	27
<b>Grant to the Board of Trustees of DeMatha Catholic High School, Inc.</b>	DGS 3-CGL, p. 66	Ellington Churchill	29
<b>Various Task Orders/Purchase Orders Under Master Contract</b>	DGS 20-IT, p. 91	Ellington Churchill	30

---

HUNT REPORTING COMPANY  
 Court Reporting and Litigation Support  
 Serving Maryland, Washington, and Virginia  
 410-766-HUNT (4868)  
 1-800-950-DEPO (3376)

# PROCEEDINGS

GOVERNOR HOGAN: Good morning, everyone.

ALL: Good morning.

GOVERNOR HOGAN: Happy New Year.

ALL: Happy New Year.

GOVERNOR HOGAN: Welcome to the Board of Public Works. I hope everybody had an enjoyable holiday season.

I think as most people know, this is the last Board of Public Works meeting that I will have the honor of chairing. And I just want to begin by saying that it has indeed been a real honor to serve with both Comptroller Franchot and Treasurer Davis. Treasurer Davis, in a few weeks you're going to go from this green rookie to the seasoned veteran of this Board.

(Laughter.)

GOVERNOR HOGAN: Congratulations to you. Comptroller Franchot, for the last eight years, it has truly been an honor and a pleasure and a privilege to serve alongside you. Comptroller Franchot began his career with the State of Maryland, his public service in the House of Delegates, in 1987. That's a long time ago.

(Laughter.)

COMPTROLLER FRANCHOT: Get me a blue bottle.

(Laughter.)

GOVERNOR HOGAN: But in 2007, he took the oath of office as Comptroller and for the past 16 years, he has tirelessly served the people of Maryland. He modernized the operation of the Comptroller's Office, making it a national model. And in his office, he has instilled a culture of customer service

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

and respect for the taxpayers. He has been a true partner and a true friend. And so it is my honor to present you, Mr. Comptroller, with a Governor's Citation --

COMPTROLLER FRANCHOT: Oh boy --

GOVERNOR HOGAN: -- for your decades of outstanding service to the people of Maryland.

(Applause.)

COMPTROLLER FRANCHOT: My better half is here --

GOVERNOR HOGAN: -- you get over here, Annie.

COMPTROLLER FRANCHOT: She insisted that I speak only briefly.

(Laughter.)

GOVERNOR HOGAN: Thank you very much.

COMPTROLLER FRANCHOT: Thank you.

(Applause.)

GOVERNOR HOGAN: I've got to do another presentation here, not nearly as important as that one. But an important one, nonetheless. I'm sure many of you followed this story in the news. But on the morning of December 26th, a small plane was taking off from Lee Airport and it crash landed into an icy Beards Creek, which I used to live on, just a few miles down the road from here in Edgewater. And recognizing the danger of the situation, several residents and Anne Arundel County police officer Elizabeth Myers took immediate action to rescue the pilot, Steven Couchman. John Gelinne, his son, John Gelinne, Jr., and Officer Myers jumped into kayaks to reach the plane, which was sinking in the icy water. Unable to use a paddle due to the ice, John and his son used shovels to break the ice and paddle to the plane. Officer Myers used screwdrivers to try to move the kayak across the ice. And with the pilot in icy water up to his shoulders, John was able to get to the pilot and pull him onto the kayak and get

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

him out of the freezing water. And then Natural Resources police officers Albert Leevel and Mark Miller arrived on the scene by boat, and they cut through the ice to safely bring the pilot on board and arrange for ambulance transport for the pilot. Due to their swift intervention and heroic action that day, a life was saved and a tragedy averted. So all five of these heroes are with us this morning and we want to present them with Governor's Citations.

(Applause.)

GOVERNOR HOGAN: Thank you very much. And now I'll turn it over to my colleagues for some opening comments, and I'll start with the short-timer on the Board, who I'm sure has a few things to say. Mr. Comptroller?

COMPTROLLER FRANCHOT: Thank you very much, Governor. And Mr. Treasurer, thank you. Happy New Year. It's obviously a little bit conflicted here for me. Because I'm here at the last of the 355 meetings of the Board of Public Works that I have been lucky and honored enough to sit, frankly, with you, Governor Hogan, Treasurer Davis, but also Treasurer Kopp and Governor O'Malley. And those meetings, except for the ones that we held virtually due to COVID and bond sales over in our office, I sat in this very chair alongside two terrific Governors and two terrific Treasurers. We have reviewed hundreds of thousands of contracts over the last 16 years, preserved hundreds of thousands of acres for land and environmental conservation, approved hundreds of billions of dollars in State contracts and capital projects, and effectively executed our critical functions of being fiscal watchdogs on behalf of Maryland taxpayers.

I've obviously from time to time disagreed on some issues, but I'm immensely proud of the fact that this Board has always maintained its long held tradition of working in a collaborative and bipartisan fashion. We have had to make tough decisions and we have taken hard votes, but we have done so with the

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

best interests of Maryland at heart. This institution, the Board of Public Works is unique to Maryland, and plays such a vital role in effective government operations, transparency, accountability, and how taxpayers' hard earned dollars are expended and invested, and improving the quality of services and programs that benefit every single Marylander. In this most public of forums, just like we have today, under the watchful eye of our State House press corps, wonderful advocates for the public, our words are put into posterity. We have, we have transcripts, where our State's most significant expenditures and capital works have been reviewed and approved by its principal fiscal officers. This is how we ensure proper check and balance and how we maintain the public interest in our government in the great State of Maryland.

Governor, I want to thank you for the proclamation. It's the only one I've seen recently that I didn't sign. So --

(Laughter.)

COMPTROLLER FRANCHOT: -- but I just want to thank you again for your friendship and the collaborative partnership that we have shared between our two officers through your entire administration. It has been my sincere honor to partner with you on critical issues facing our State. I am personally grateful to Governor Hogan for the graciousness and friendship, not only of him but the First Lady, and it's the reason I asked my wife to come down with me. She is a phenomenal partner for me. But she and the First Lady get along terrifically well.

Mr. Treasurer, my sincere thanks to you as well. While the Treasurer and I have had our fair share of disagreements over the years, he has always been --

TREASURER DAVIS: Hasn't it been fun, though?

COMPTROLLER FRANCHOT: Yeah --

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

(Laughter.)

COMPTROLLER FRANCHOT: -- he has always been an honest and thoughtful leader and it has been a true privilege, Dereck, to have served alongside you both in the House of Delegates, the Treasury Department, and here on the Board of Public Works.

To the cabinet secretaries and procurement officers who have had to endure many questions --

(Laughter.)

COMPTROLLER FRANCHOT: -- behind that podium up there, my thanks to each of you for your work, your commitment to public service, and for representing and recognizing the crucial role and function of the Board of Public Works.

To the Board of Public Works staff, thank you for your professionalism and efforts that have allowed us to carry out our crucial functions.

And lastly, to my personal staff, some of whom are here, for their hard work over the past 16 years, their careful and diligent research and analyses, their candor and wise council, their unwavering commitment to public service.

As is true for every politician and elected official, we often get the credit for work done by our staff, which is behind the scenes. So I want to thank my staff, past and present, especially those who have played a role in support of my Board of Public Works portfolio.

In closing, Governor, to the people of Maryland, thank you for the incredible opportunity to serve our great State over the past 36 years. It has been an honor that I will forever be grateful for and I'm proud of the work that we accomplished together. A lot of people say, what the heck are you going to do? And I just want to say for one moment, I can look back on my career and say, job well done. Thank you very much.

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)



(Applause.)

GOVERNOR HOGAN: Well, now we're going to turn to the sole survivor --

(Laughter.)

GOVERNOR HOGAN: -- Mr. Treasurer --

TREASURER DAVIS: And I said this before, there is a heck of an assumption made that I'm going to get reelected.

(Laughter.)

TREASURER DAVIS: -- the more you start assuming stuff -- anyway. When I was in the General Assembly, that was I thought the best time of my life, or professionally speaking. And but I knew when it was time to go. And I never thought I could find anything else that, you know, would really replace my experience there. And while that will always hold a special place for me, being here with you gentlemen, it has made the transition for me personally so, so much more fulfilling, my purpose.

Governor, it's funny, people always, you know, they recognize the friendship, the working relationship that the Comptroller and the Governor had. But what many people don't know is, at least I believe, we had the same relationship, Governor. We have always been able to work together. And whether we agreed or disagreed, we respected each other's opinion. And we had the type of relationship when I first came down here, and you know, people would tell me how it used to be. Senator Exum would always, every time something went crazy, well this is how we used to do it. And so the relationship, Governor, that I had with you reminded me of those times that Senator Exum used to, you know, reminisce with me about.

I want to commend you. You know, when I thought about, you know, your career, you know, leading up to today, you know, and the last eight

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

years, and I thought what would be the defining moment? Or what do you think is the defining moment of the Governor's career in Annapolis or the legacy or that mark? And I would have to say it's the way you handled the pandemic. A lot of people, a lot of people, they made it much more political than what it should have been. And I mean, I'm not singling anybody out. I'm just saying people in general. But you essentially, from what I saw, you sort of turned some things over to the Lieutenant Governor and you went to work on trying to keep Maryland as safe as best as you could. And for me, and there were other things I know that you did. But that's the thing that sticks out to me. We were in uncharted territory and everyone was scared and, you know --

GOVERNOR HOGAN: I was scared too.

TREASURER DAVIS: So was I.

(Laughter.)

TREASURER DAVIS: You know, and no one wanted to leave the house and all of that. But day in and day out, you know, you were before the press giving us updates and doing the things you thought that could keep us safe. And that superseded any other considerations. And I know you took some hits for some things. But you know, leaders lead. You know, you do what you have to do. So I wanted, I just wanted to acknowledge that --

GOVERNOR HOGAN: Thank you. I appreciate that very much.

TREASURER DAVIS: -- and say what a great job you did.

Mr. Comptroller, as you mentioned earlier, yeah, we had our times, both of us just like to get after it, that's really what it's about. But I can't, you know, 36 years is 36 years. You know, you don't get that by accident. The public must think, the constituents must think you are doing something right. Nobody has the Governor's approval ratings but --

(Laughter.)

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

TREASURER DAVIS: -- yours had to be up there pretty high as well for them to, you know, not only in your district but then statewide to keep you coming back.

I remember one of my, even though we had served together a little while back by the time I first became chairman in '03, my first like sort of interaction or whatever with the Comptroller, there was something, there was something on the floor. And, you know, I was a new chairman. And I think Chairman Hurson and I were, you know, getting after it a little bit. And then the Comptroller sort of spoke up and started, he started preaching for comity. And I was like, yeah. And then I leaned over and I was talking to Tawanna Gaines, former Delegate Tawanna Gaines, what does that mean?

(Laughter.)

TREASURER DAVIS: So I quickly looked it up, and I was like, oh okay. And so but that was one of my first, you know, real interactions with him, other than, you know, polite conversations, him sort of helping me out at that moment on the floor. Again, whether people agreed or not, you know, with you on a given issue, that's okay. It's okay to disagree. But there is a difference, you know, disagreeing and being disagreeable. And so that's why we are here, to bring different opinions and to flesh things out and for me, Mr. Comptroller, I never have a problem, and I certainly didn't with you, challenging me on things you disagreed with. If I can't defend what I say or what I do, then I shouldn't be saying it or doing it. And so, to the extent that, you know, you kept folks honest or on their toes, it's, you know, you were doing your job and what you thought was right. And you can't ever fault anybody for doing what they think is right. So I will just, you know, close with this.

I appreciate the time that I have served with both of you. I appreciate your commitment to the State and all that you have given. And you

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

know, they have always, whether you are in office or not, as we always tell people, you don't have to be in office to serve or to give back or whatever the case may be. So please keep being available to this great State that we all love and we certainly commend and thank you for your service.

COMPTROLLER FRANCHOT: I'm so glad my wife came down.

(Laughter.)

(Applause.)

GOVERNOR HOGAN: All right. Now that we have all the crying over with, let's get started with the Secretary's Agenda.

SECRETARY GONTRUM: Good morning, Governor, Mr. Comptroller, and Mr. Treasurer. There are 18 items on the Secretary's Agenda and two reports of emergency procurements. Item 8 from the Department of the Environment has been revised to clarify the status of the proposal. Item 18 is a supplemental item, that's the Stadium Authority lease. I'm happy to assist with answering any questions.

GOVERNOR HOGAN: I'd like to start with Item 18, the new lease agreement between the Maryland Stadium Authority and the Baltimore Ravens. I'm very excited about this item today. This extends the team's commitment to remain in Baltimore at least through the 2037 season and it supports further infrastructure improvements to M&T Stadium. This agreement is based on the stadium legislation which was enacted earlier this year with overwhelming bipartisan support, and it reflects the State's strong partnership with the Baltimore Ravens. In fact, we are advancing this agreement several years ahead of the expiration of the current agreement and it will only enhance the team's presence in Baltimore. It will also expand the economic impact of games and other year round activities at the stadium. This is an exciting day for the City of Baltimore and the State of Maryland and I just want to, while we're thanking

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

people, I want to take a moment to commend the Chairman of the Stadium Authority Tom Kelso for his incredible service over the past eight years, but particularly on getting this lease done. Thank you very much, Tom, for your hard work.

(Applause.)

GOVERNOR HOGAN: I also want to thank the entire Board and Mike Frenz, everybody at the Maryland Stadium Authority. This was months and months of incredible hard work that went into these discussions. I want to also thank Ravens President Sashi Brown for being here for your leadership as well. The Ravens truly are a world class organization and I'm very proud that we are able to partner with them to keep the team in Baltimore for many years to come. Any comments --

(Applause.)

GOVERNOR HOGAN: -- come and get grilled by the Comptroller.

COMPTROLLER FRANCHOT: I was going to go and get a proclamation for them.

(Laughter.)

COMPTROLLER FRANCHOT: But Chairman Kelso, thank you for the leadership you have provided over the years on many different projects. The State is indebted to you, honestly.

MR. KELSO: It has been a tremendous honor and I really thank you. Governor, I thank you for the nice comments and the first time -- I was only in front of the Board of Public Works one other time, and that was in early 2015 when we brought down the first schools contract, the 21st Century Schools Program. And I thought, wow, I'm not sure I ever want to go back there again.

(Laughter.)

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

GOVERNOR HOGAN: -- on the 21st Century Schools Program as well that the Stadium Authority has gotten all those schools built.

MR. KELSO: That's a great job by the MSA and the MSA team in partnership with Baltimore City Schools and but it's a real honor also to be here today on this most auspicious day at the Board of Public Works and to share it with you guys.

COMPTROLLER FRANCHOT: Well, I agree conceptually with the Governor on the need to keep the Ravens here, because they are a jewel for our State. But I just want to make sure we get on the record that what the State's partnership with the Ravens is getting. So maybe you could help me understand, or perhaps the President of the Ravens is better suited to do that. What exactly the State is getting back, other than the presence of a great football team. Because I assume there is a quite a bit of capital money associated with this lease.

MR. KELSO: Well, there is. And if you don't mind, I'd like to, you know, maybe outline for you as to why we believe this is in the best interest of the State of Maryland.

This agreement is totally consistent with the intent of HB 896. The proposed agreement between the MSA and the Ravens is based on the assumption that it is in the best interest of the State of Maryland and Baltimore City that the Ravens continue to play in Baltimore at M&T Bank Stadium and that the useful life of M&T Bank Stadium be extended as contemplated in HB 896. This agreement is the result of a negotiation where both parties had leverage and there were compromises made during the negotiations by both sides. It assures the Ravens will remain in Baltimore through 2037 and likely beyond. The State, the City, and surrounding counties will continue to benefit from all of the direct and ancillary revenues generated by the team and also the benefits of having a major civic minded organization like the Ravens in our local communities. It continues

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

a partnership with the Ravens, who have invested significantly in M&T Bank Stadium, most recently \$120 million from 2017 to 2019, as well as invested in their complex in Owings Mills and now Baltimore County.

It provides for, one, a growing revenue stream for MSA through continued growth in the A&A tax. The A&A tax increased from \$1.75 million in 1999 to \$7.3 million in 2022, growing at an annual average growth rate of 13.5 percent. Two, it causes the Ravens to continue to pay the operations and maintenance expenses associated with the stadium costs. These costs increased from \$4.45 million in 1999 to almost \$11 million in 2022, and growing at an annual average growth rate of about six percent. Three, it is structured to encourage the Ravens to hold more non-NFL in stadium events, thereby increasing the A&A tax revenues with MSA assuming no risk. And four, continues to permit MSA to retain all non-stadium event revenues, which is more than 200 events per year.

As envisioned in HB 896, the agreement is a key first step, and I want to stress first step, in the transformation of Camden Yards and the surrounding communities to a live, work, play environment where the public investment in keeping the stadium best in class can be leveraged by private investment by the teams and/or third party investors, either on the complex or in the area surrounding the complex. It includes a provision where the Ravens agree to participate in a master planning exercise at their own expense. This agreement ensures M&T Bank Stadium will remain best in class. The construction projects contemplated in the agreement will create good jobs, underscoring MSA's commitment to prevailing wage and significant economic opportunities for contractors, subcontractors, as well as people in the local work force. MSA will continue its strong commitment to minority business enterprises and small business enterprises when allocating this work.

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

This agreement ensures Baltimore and the surrounding counties remain thought of as a major league city. This agreement is consistent in structure and size of public investment with those of other states and municipalities with publicly financed stadiums of similar age. It is far more cost effective to extend the useful life of an existing stadium than it is to build a new one. This agreement documents the historically excellent practices for operations, maintenance, and capital projects encompassed in the working relationship that has been developed over 25 years between the Ravens and the Maryland Stadium Authority. And finally, this agreement includes many legal protections for Maryland and MSA that were lacking in the existing agreement, which was essentially an MOU that was never converted to a lease.

COMPTROLLER FRANCHOT: And I understand former President Cass was involved in these negotiations?

MR. KELSO: He was.

COMPTROLLER FRANCHOT: Would you give him my personal thanks and regards.

MR. KELSO: We absolutely will. And Sashi, I know that you will be happy to pass that along as well.

COMPTROLLER FRANCHOT: Just on a technical point, you mentioned the capital works and construction opportunities I take it for MBEs as well as small businesses in the area.

MR. KELSO: Yes.

COMPTROLLER FRANCHOT: For the team selected capital works and MSA selected capital works, are you going to come back to this Board for review and approval of some of the construction contracts?

MR. KELSO: Yes, all major construction contracts will come back before the Board of Public Works for approval.

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)



COMPTROLLER FRANCHOT: And with respect to labor participation, is there anything to preclude project labor agreements or similar provisions from being included in construction contracts for some of these appropriate capital improvements?

MR. KELSO: There is not.

COMPTROLLER FRANCHOT: Well, thank you again to the leadership of the Stadium Authority and your personal guidance of this. I know it wasn't easy.

MR. KELSO: Well, it was really a pleasure to work with the Ravens.

COMPTROLLER FRANCHOT: I was there, I was lucky enough back in the day to vote for the original stadium --

MR. KELSO: I know.

COMPTROLLER FRANCHOT: -- yeah, but I was --

GOVERNOR HOGAN: Even though he was probably a fan of that other team in the Washington area.

COMPTROLLER FRANCHOT: Yeah.

MR. KELSO: It took a lot of vision to be able to see what Camden Yards can be. And I hope that HB 896 is just the beginning to be able to more fully build out that vision that the Mayor, then Governor, and the Legislature had as to what the west side of downtown Baltimore can be and how important this complex is to the success of that.

COMPTROLLER FRANCHOT: Anyway, just before the vote, I remember a large number of my neighbors picketed my house in Takoma Park, which is a liberal jurisdiction --

TREASURER DAVIS: No.

(Laughter.)

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

COMPTROLLER FRANCHOT: -- signs read schools, no stadiums. And it was a big deal back then because that was the way the argument was somewhat postured. And --

GOVERNOR HOGAN: And now I think the Stadium Authority has built 27 new schools.

COMPTROLLER FRANCHOT: Well, there you go. I hadn't thought of that connection. But I remember going out and communicating calmly with everybody and they made their points that this was an inappropriate expenditure for a privately, these stadiums. And I said, then we're just going to have to agree to disagree. And Mr. Chairman, I adopted that mode. And the vote was taken and then about a month later, I remember some of them were very familiar faces came to me and said, could you help us get a ticket?

(Laughter.)

COMPTROLLER FRANCHOT: And that's human nature. It was all --

GOVERNOR HOGAN: If you and Annie see some of your neighbors out in the front yard when you get back today, they will just be welcoming you home after the Board of Public Works.

COMPTROLLER FRANCHOT: Oh, good. It's a great community.

TREASURER DAVIS: I don't really have any questions, Mr. Kelso, just more of a statement. And this isn't going where I think many of you all think it's going.

(Indiscernible.)

(Laughter.)

TREASURER DAVIS: Here's the thing, though, and I was there with the Comptroller, then the delegate from District 20?

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

COMPTROLLER FRANCHOT: Yes.

TREASURER DAVIS: And I, too, cast that vote, I believe it was either '96 or '97 in favor of what's now M&T Bank Stadium. I had the opportunity, I think it was August 9th, as a matter of fact, of this year, to go to the Ravens training camp, and I met Mr. Bisciotti and had an opportunity to talk with him, and Coach Harbaugh, and Ozzie Newsome, and a few others. And you are right, Governor, they are a first class organization that we hope can be replicated throughout the State.

(Laughter.)

TREASURER DAVIS: You like that? Yeah, we hope to have that throughout the State at some point. But be that as it may, and so I think they have been good neighbors, good corporate partners. So I have no concern with them. I also really have no concern with the Stadium Authority on this particular matter, because I think the charge you were given was to keep the Ravens in the State. And so, you know, you all did what you had to do, what you needed to do, to make that happen. So really, my comments are towards the people of Maryland. And it becomes essentially, for me sports teams, football, and nobody is a bigger football fan than I am. Trust me, I've got all sorts of bone whatever from playing and I never even made it to that level. But what I'm getting at is, for me, I see them as more a source of like civic pride or, you know, something that rallied all of us together. And there would be nothing greater in the State if we had, you know, the Ravens, you know, continue what they do, actually, contend for championships. And then on my end of the State, we can figure out to get in the playoffs. You know, if we, that would be a great, you know, rallying point. But the question we're going to have to ask ourselves at some point is at what cost? You know, we are charged, you know, with being wise stewards of the people's money and so I'm not saying anybody did anything wrong. And I'm not trying in

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

any way to say anything negatively. But we are going to have a choice to make. Because that, if I'm not mistaken, if my math is correct, the stadium is 25 or 26 years old. The agreement is essentially, I think, a 15-year agreement, which means at the end of it it's going to be 40 years old. I don't know that we keep patching a 40-year old stadium. We're probably going to have to do a new stadium. And when we did these back in '96 and '97, or I know that the one in Landover, which was privately financed, it was about \$200 million. I'm not exactly certain what the number was for this one.

MR. KELSO: About the same.

TREASURER DAVIS: About the same? And now I know, what, the one in Dallas, Jerry's world, or whatever, a few years back hit \$1 billion. So 15, and that, like I said, that was few years ago. So 15 years from now, you know, we can just imagine what it's going to be. And you know, when I was awake in econ class, when I was awake, you know, I learned the concept of opportunity cost. You know, like what are we forgoing? What else are we forgoing by doing this? Whatever, you know, this is in this case, you know, our sports teams, our athletic teams. So what are the opportunity costs of doing that? So those are just things, like I said, that's not on the Stadium Authority, that certainly isn't on the Ravens. That's on the people of Maryland because ultimately, you know, you all, we all make that decision and we have to decide how much that pride is worth to us. And whatever it is, you know, so be it. We need to come to grips with that.

So let me close by congratulating you because you did your charge, sir. You and the Stadium Authority. And let me congratulate the Ravens as well for signing that lease. What is it, one down, one more to go? So --

MR. KELSO: By my count.

(Laughter.)

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

TREASURER DAVIS: So I do want to congratulate each of you for us coming to this moment and fulfilling what I believe, from my perspective, the wishes of the General Assembly, but also the citizens certainly in the Baltimore region and perhaps throughout the State that we get this done. So thank you all very much.

MR. KELSO: Thank you, Mr. Treasurer.

(Applause.)

GOVERNOR HOGAN: Any other questions on the Secretary's Agenda?

TREASURER DAVIS: I do have one. Item 15 for the Maryland State Police. This is for, I don't believe I have any questions on this. But I am going to oppose this particular settlement, and here is the reason why. I'm really not sure what I'm supposed to say or not say as it relates to settlements, so if I'm not supposed say it, it ain't the first time I've gotten it wrong.

I can't support this. See, the crux of the matter of this is that we, it was an interaction between some members of the Maryland State Police, who are a fine organization. Please, don't take this as any broad brush or anything like that. But we're talking, there was a case, they were I guess pursuing a suspect that was suspected of narcotics violation, or something akin to that. And but we're setting that aside. That's really not the issue. That has been adjudicated and that's where it is. But it's the actions that occurred that day that have me, I was up last night, late, debating about what I was going to say, or not, or do, or not do. The bottom line is this. There is no way I cannot speak on this. You see, while some things may be in dispute, the bottom line is that we have five officers and we had one suspect who was face down on the ground but yet a K9, you know, dog was allowed to attack him, to bite him, I believe that the report said on his foot and things of that nature. And while that is distressing in and of itself, the

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

thing that is really concerning to me is, oh yeah, you know, the cameras were turned off. The recordings were turned off. So we don't know what was said. You know, it's in dispute. Well, we gave a command. No, you didn't. Well, we wouldn't have that dispute if we had those cameras on.

We can't have that. See, and a lot of these settlements come because there is concern about what the jury is going to do. Juries, I'm always told juries are unpredictable. You don't know what they are going to say. There is a reason for that. And when you have stuff like this, where you know, you have a situation and the cameras weren't on, now we don't know what happened. So people's minds are allowed to think and go places that we hope that they wouldn't. But it's perfectly reasonable. Had it been on, it would have been. And when you are talking about dogs attacking people, let me just be blunt. It hearkens back, for me, a time, you know, not that long ago, a very ugly part of our history in this country. And so, you know, I read the, you know, the file on it. And I know why they want to settle. I mean, it could end up being a lot of money and the proposal is only \$75,000. Relatively speaking, and I say only relative to the amount. It's still \$75,000 of the people's money, so I don't take that lightly. But for me, this is bigger than the plaintiff in this case. You know, what we are essentially, something nefarious to have occurred and we are sort of sweeping this under the rug with a \$75,000 check. So I asked the question. I was like, you know, they said, well the attorney general found that they weren't criminally negligent of something. And so I said, well, why are we settling? Effectively, we are saying everything was okay. But we want to settle anyway. So then I said, all right, well we're writing this check for \$75,000. What type of discipline did the officer or officers have? None. And then, you know, forgive me, but I had to ask one last question last night. What were the races of the people involved? The defendant was black, four of the five officers were white. It hearkens back to that

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

fifties and sixties imagery of what we saw in places like Birmingham, Alabama, where we turned hoses and dogs and so forth on people. Again, this isn't about this particular defendant and his guilt or innocence or why it occurred. It's bigger than him, because while it was Mr. Whomever at that time, it could be somebody else later. It could be another person later. And if we are not speaking on it, and we're not pointing it out. If we're, you know, write this check and it will go away, you know, when we are talking about the benefit to the State, see, our attorneys, they are strictly dollars and cents. Which is fine. I guess maybe as Treasurer I should be, too. But I have, for me I have a greater responsibility than just counting, being a bean counter, counting the dollars and cents. I have a responsibility to the citizens of the State of Maryland, all of us. And we can't have that. We cannot have dogs being turned on people unless it's, I guess in some manner absolutely necessary. And so we can't have mistakes. I'll even be willing to grant that, someone forgot to turn on the recorder. If we're willing to allow that, someone forgot. We can't have that and then we have this type of an assault or an occurrence, and now, you know, here we are today. So for me, I'd rather it play out despite the potential costs to find out what really happened and have people explain themselves. So for that reason, Governor, I can't vote for this.

GOVERNOR HOGAN: So did you want to pull that, this item out for a separate vote? Or just say -- because we can't, this is the whole --

TREASURER DAVIS: Yeah, we can move to separate that out.

GOVERNOR HOGAN: Is there a second to move it out? Or --

TREASURER DAVIS: I think, a point of order, because we're working on a consent calendar, you don't need a motion, you can just pull it out. Am I incorrect?

SECRETARY GONTRUM: That is correct. And so, Mr.

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

Treasurer, you can make a motion to disapprove the item. If it fails for lack of a second, the item will move back into its default posture as part of the consent calendar. If there is a motion on the entire Secretary's Agenda, it would be approved as part of that motion. You can also ask for a separate vote just to be recorded in the negative, assuming that's, you know, assuming that you make a motion to disapprove the item and it fails for lack of a second.

TREASURER DAVIS: No, I don't want to do that and it very well may be in the State's best financial interest to approve it. But I in good conscience can't. So if we can separate that out so I can be recorded as voting no, and then we can vote unanimously on the remaining items.

SECRETARY GONTRUM: Okay.

GOVERNOR HOGAN: Great.

SECRETARY GONTRUM: So is there a motion to approve the item?

TREASURER DAVIS: About the Agenda?

SECRETARY GONTRUM: No, just Secretary -- oh, you want to be recorded in the negative -- Secretary's Agenda 15 will be, we'll record that as approved two to one, with the Treasurer voting no. Okay.

GOVERNOR HOGAN: Very good. Thank you, Mr. Treasurer. Any other questions on the Secretary's Agenda? Or is there a motion?

COMPTROLLER FRANCHOT: Move approval.

TREASURER DAVIS: Second.

GOVERNOR HOGAN: All in favor, three-nothing. Thank you very much. We're going to move on to the DNR Real Property Agenda. Madam Secretary, good morning.

MS. HADDAWAY-RICCIO: Good morning. Good morning, Governor. Good morning, Mr. Treasurer and Mr. Comptroller. For the record,

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)



Jeannie Haddaway-Riccio, Secretary of the Maryland Department of Natural Resources. I do want to just take a short moment for a point of personal privilege because this is also my last Board of Public Works meeting, just to say that it has been a tremendous privilege and honor to serve in the Hogan-Rutherford administration and also to serve in this capacity on the Board of Public Works. It has been a really informative and interesting experience. So thank you very much.

GOVERNOR HOGAN: Thank you for your incredible service. There are a lot of people sitting around this room that it might be their last --  
(Applause.)

MS. HADDAWAY-RICCIO: With that, we have seven items on our Real Property Agenda that we are seeking approval for today and we are happy to answer any questions that you may have.

GOVERNOR HOGAN: Does anybody have questions for DNR?  
Is there a motion?

COMPTROLLER FRANCHOT: Move approval.

GOVERNOR HOGAN: Second?

TREASURER DAVIS: No need to change that.

(Laughter.)

GOVERNOR HOGAN: Way to finish out, Madam Secretary. Very good. Next we have nothing on the Agenda for University System so we're moving to the Department of Transportation.

MR. PORTS: All right. Well, good morning, Governor, Mr. Treasurer, Mr. Comptroller. For the record, my name is Jim Ports, Secretary of the Maryland Department of Transportation. And today the department is presenting 11 Agenda items for your consideration. Two contracts valued at more than \$1.3 million are recommended for award to certified small business

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

enterprises and we would be happy to answer any questions you may have.

But I also would like to take a point of personal privilege because I have actually had the pleasure of serving with both of these gentlemen in the House of Delegates. And not that we always agreed, right, Peter?

GOVERNOR HOGAN: Not that you ever agreed.

(Laughter.)

MR. PORTS: Well, I can't say that. But you know, it's funny how we did our battle back in the day in the committee room or on the House floor, and then we would have lunch or dinner together. And that's what we did. And so over the years, we have become really good friends, I think. And it has been a pleasure serving with you in this capacity or in my Deputy Secretary capacity at the Board of Public Works. I do recognize your job is to be tough on us and have us defend our positions, and I appreciate that as a steward of Maryland. And I hope you appreciate the fact that we tried to do the same thing, being good stewards of Maryland. And Governor, of course, it has been a tremendous pleasure working for you as both Deputy Secretary of MDTA, Executive Director, and now Secretary. And I really appreciate --

GOVERNOR HOGAN: We had to keep moving you around.

MR. PORTS: Yeah, I couldn't find a job, you know. I had to, yeah, I was waiting to find it. But no, it has just been a pleasure working with all three of you. And also Jeannie in her capacity, and Ellington, and others, Dennis, both administrations, Ehrlich and this one. And so, I just want to thank you.

GOVERNOR HOGAN: Thank you for your incredible service.

MR. PORTS: And Peter, I do want to talk to you afterwards about some of what you want to do later. Because I think you and I have a lot in common, with the kids learning about finances.

COMPTROLLER FRANCHOT: Excellent.

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

GOVERNOR HOGAN: Any questions on Transportation?

COMPTROLLER FRANCHOT: Well, I didn't have any, but let me go on and on. But no, Jim, thank you for those kind comments. And what is your view on the Bay crossing? Is there some contract in here that locks the State into --

MR. PORTS: So there is an A&E contract, two of them, that we are trying to award today. It is not just for tier two, Chesapeake Bay. It is actually for, we have the Baltimore Harbor Tunnel, AET contract we're working on. We have the Belvedere grant that we have for that Amazon plant up in Cecil County. And we also have the MDTA facilities master plan. And of course, it also includes the tier two. So it's A&E, it's an on call contract for services we may need. And some of it would go to the tier two Bay Bridge project, that is correct. But --

COMPTROLLER FRANCHOT: I'm in favor of that project. So I'm just asking because there are a lot of people who are concerned --

MR. PORTS: Mm-hmm.

COMPTROLLER FRANCHOT: -- and I assume that the next administration can --

MR. PORTS: Well, I think some of the concern is that it mandates the next administration to build a bridge and that is not true. It does have a no build -- first of all it's just a study and it's part of the NEPA process, National Environmental Protection Act. And so it always includes a no build provision. So that is one of the alternatives that comes out of this. But it also, it's also looking at transit. So it's looking at bus, it's going to look at rail, it's going to look at ferries, and how those types of modes can also improve the traffic flow across the Bridge. So again, it's a study. And so once the study is complete, whatever administration is in place at that time will have the decision if they want

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

to move forward or not.

GOVERNOR HOGAN: Very good.

COMPTROLLER FRANCHOT: Thank you. We are also going to start our youth lacrosse league, I think.

MR. PORTS: Oh, okay.

COMPTROLLER FRANCHOT: I'm happy to --

MR. PORTS: I know we've got the soccer thing going too, so --

COMPTROLLER FRANCHOT: -- working on it.

GOVERNOR HOGAN: Any questions on Transportation or a motion?

COMPTROLLER FRANCHOT: Move approval.

TREASURER DAVIS: Second.

MR. PORTS: Governor, one other thing, if you don't mind?

GOVERNOR HOGAN: Too late.

(Laughter.)

MR. PORTS: Yeah, but you'll like this. So obviously you are giving out awards all the time.

GOVERNOR HOGAN: That was three-nothing, by the way.

MR. PORTS: And you're giving out awards all the time. And I told you I had this one item here for you. I think we've captured two of your priorities, and I just want to present it to you.

(Laughter.)

(Applause.)

GOVERNOR HOGAN: You know, most people don't know but I actually designed the new --

MR. PORTS: Yeah. Very artistic.

(Laughter.)

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

COMPTROLLER FRANCHOT: Very nice.

GOVERNOR HOGAN: All right. Well, thank you. That's three-nothing on Transportation. And now we're going to move on to the Department of General Services Agenda.

MR. CHURCHILL: Good morning, Governor, and Happy New Year to the Board, Mr. Treasurer, Mr. Comptroller. For the record, I'm Ellington Churchill, Secretary for the Department of General Services.

Governor, in terms of a point of personal privilege, for six and a half years I have had the great privilege of presenting the department's Agenda for approval to this distinguished Board. And Governor, I do want to thank you for the opportunity to serve in the Hogan-Rutherford administration.

GOVERNOR HOGAN: Thank you for your service.

MR. CHURCHILL: And to all the Board members, I want to thank you for your leadership, and this also includes Lieutenant Governor Rutherford and former Treasurer Kopp, for the efforts to bring greater transparency to the business of the State. And I echo Jim's comments, that your efforts certainly have had a positive effect in the Department of General Services.

So with that, today's Agenda we are presenting 23 items. The Agenda includes \$4.1 million in capital grants and loans, and including \$1 million to the Arc of Central Chesapeake Region for the Eastern Shore Headquarters. Additionally, the department is seeking approval for contract actions to support three minority businesses and five small businesses. And it's a great honor to say we are available to answer any questions.

GOVERNOR HOGAN: Thank you very much, Mr. Secretary, for your leadership. I want to start with, and just to note, Item 3. This is a \$500,000 grant to DeMatha Catholic High School to help them construct a new engineering, arts, and robotics building. And I will admit on the record that I'm a little bit

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

biased on this one, being a DeMatha stag myself. But we have several representatives from DeMatha who are joining us today: Father James Day, the President of DeMatha; we have Tom Ponton, Director of Development; Jeff Hathaway, Vice President of the Board of Directors; Charlie Kenny, a member of the Board of Directors; and Maureen McCart, Assistant Director of Development. I want to thank all of you for everything you do at DeMatha training young people. And it's a wonderful institution and we're happy to support this effort. Go Stags.

And one last item I want to mention is 20-IT-4. And this is a task order of the Innovative Workforce Solutions master contract. And it's the first contract under the Information Technology Innovative Workforce Solutions Program which we launched last year. This program will provide work opportunities to individuals apprenticing to become information technology professionals, giving them a pathway to break into the industry and to help them develop long term career opportunities. This Innovative Workforce Solutions Program is directly in alignment with our other workforce development initiatives, including our recent effort to formally eliminate the four-year college degree requirement for thousands of State jobs and working with partnerships to recruit and market these roles to job seekers who are skilled through alternative routes. So I just want to highlight that item. I'm excited about that one as well. And with that, are there any other questions or comments on the DGS Agenda?

COMPTROLLER FRANCHOT: Move approval.

TREASURER DAVIS: Second.

GOVERNOR HOGAN: Three-nothing. Well, once again, thank you. That concludes our last Board of Public Works. Mr. Comptroller, Mr. Treasurer, thank you all. Thanks for a wonderful eight years --

(Applause.)

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

(Whereupon, at 10:57 a.m., the meeting was concluded.)

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)