
STATE OF MARYLAND
BOARD OF PUBLIC WORKS
GOVERNOR'S RECEPTION ROOM, SECOND FLOOR, STATE HOUSE
ANNAPOLIS, MARYLAND

May 8, 2019
10:07 a.m.

PRESENT

HONORABLE LARRY HOGAN

Governor

HONORABLE PETER FRANCHOT

Comptroller

SHEILA C. MCDONALD

Secretary, Board of Public Works

DIANE WILSON

Chief of Staff, Department of General Services

DAVID BRINKLEY

Secretary, Department of Budget and Management

PETE RAHN

Secretary, Department of Transportation

JEANNIE HADDAWAY-RICCIO

Secretary, Department of Natural Resources

MICHAEL LEAHY

Secretary, Department of Information Technology

JIMMY RHEE

Special Secretary

Office of Small, Minority and Women Business Affairs

MISSY HODGES

Recording Secretary, Board of Public Works

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PROCEEDINGS

GOVERNOR HOGAN: Good morning, everyone.

ALL: Good morning.

GOVERNOR HOGAN: Joining us this morning is Silma Raymond.

And Silma is the Program Manager for the State Department of Assessments and Taxation in their Tax Credits Division. Silma began her career with the department in 1985 and through her strong leadership qualities she quickly worked her way up the ranks. She now oversees the Homeowners', Renters', and Homestead Tax Credit Programs. And these programs provide more than \$260 million in tax relief for Marylanders.

During the hectic application period, Silma and her team, they assist dozens of elderly walk-in customers and they answer more than a thousand phone calls and email responses. And she's been a tremendous mentor who encourages and instills a culture of high quality customer service in her team. And under her guidance, program applications are processed quickly and accurately while keeping employee morale high. And we're very excited to have her this morning to recognize her for her great work. So if you could please join me in giving Silma a huge round of applause and thank her --

(Applause.)

GOVERNOR HOGAN: It seemed like she was surprised.

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(Laughter.)

GOVERNOR HOGAN: Why don't you get in between the Comptroller and I --

MS. RAYMOND: I can't believe you did this to me.

GOVERNOR HOGAN: -- and we'll get, both of you guys get -- here, you hold your --

MS. RAYMOND: Thank you so much.

GOVERNOR HOGAN: Congratulations.

(Applause.)

GOVERNOR HOGAN: I love doing that.

(Laughter.)

GOVERNOR HOGAN: But thank you so much for all of your hard work on behalf of the taxpayers. With that, I'm going to turn it over to the Comptroller for any opening remarks.

COMPTROLLER FRANCHOT: Thank you, Governor. I appreciate that. And I don't know whether anyone noticed, but the Treasurer isn't here.

(Laughter.)

COMPTROLLER FRANCHOT: I wanted to take a moment and just

--

GOVERNOR HOGAN: I thought there was a lot of elbow room.

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COMPTROLLER FRANCHOT: Yeah.

(Laughter.)

COMPTROLLER FRANCHOT: Apparently she is celebrating her 50th wedding anniversary.

(Applause.)

COMPTROLLER FRANCHOT: I love Nancy Kopp. Years ago, when I was a young and irresponsible legislator, I supported her in an insurgent campaign that she launched against the then Speaker of the House. She was going to come in and we were going to clean everything up. And so me and a whole bunch of people supported her. She almost immediately dropped out.

(Laughter.)

COMPTROLLER FRANCHOT: And left us on the battlefield.

(Laughter.)

COMPTROLLER FRANCHOT: I remember the, an iconic meeting with then Chairman of the Appropriations Committee Pete Rawlings, who is no longer with us. But they were laying out all of the terms of surrender for us insurgents. And at one point I looked up and said, "Mr. Chairman, you can't do that. That's unfair." He looked back at me and he said, "Peter, if you have the votes you can do just about anything."

(Laughter.)

COMPTROLLER FRANCHOT: It's a good lesson for me. And but I have a fond, warm feeling for the Treasurer, for her tenure as the Treasurer but also her unbelievable accomplishments, particularly on higher education, in the Legislature. And I just want to let her know that we appreciate and honor her and I hesitate in this era to say that I love Nancy Kopp. But I do love Nancy Kopp. And Governor, I know you share my --

GOVERNOR HOGAN: Well, I'll second that. And we want to, we should give her a citation when she comes back on 50 years of marriage. That's a pretty incredible accomplishment --

COMPTROLLER FRANCHOT: I have one other person I wanted to honor, and that's Delegate Adrienne Jones, who made history as our State's first African American Speaker --

(Applause.)

COMPTROLLER FRANCHOT: Speaker Jones and I served together on the House Appropriations Committee for ten years. I'm confident that the Legislature and the citizens of Maryland are going to benefit from her breath of fresh air, strong intellect, incredible experience, results driven approach to policy making. With the fiscal and economic uncertainties that await our State in the coming years, I look forward to working with Speaker Jones and all members of the General Assembly to chart a course for our State that protects working families and small businesses from any financial disruptions in the foreseeable future.

Having lived through this in the downturn of 2009, thank God we have the Board of Public Works. But we cut \$1 billion in real time money out of the budget. We do not want to do that again.

I want to also take a moment to congratulate Baltimore's new Mayor Jack Young, whose inaugural ceremony I'll be attending tomorrow, as well as the new President of the City Council Brandon Scott. Both of these gentlemen have distinguished records of public service and I wish them the very best as they navigate through the many challenges that impact the lives of Baltimoreans each and every day.

As the City of Baltimore begins the long process of healing as a bruising and unfortunate chapter in its history comes to a close, it's my hope that the leaders will have a renewed focus on restoring the trust and confidence of the residents of the City. Baltimore is crying out for honest and competent leadership and the good people of Baltimore deserve nothing less than that from those they entrust in public office.

And if I could just offer my unsolicited two cents on a good place to start, I would suggest that Baltimore City leaders devote time, energy, and resources on the basics of running a City. Clean up the trash from the streets. Provide kids with climate controlled and safe school buildings. Address the alarming crime rate that invokes fear among residents and visitors alike. And fix the potholes. Let's face it, you can't trust your elected officials, if you can't trust them to do the little

things, and I know it's somewhat humorous about picking up the trash and fixing the potholes and getting rid of the vermin that sometimes infect, that are sometimes in urban areas, do that and you're going to get a big vote of confidence when you try to address corruption in the police force and educational problems in the schools. But it's hard to have the confidence of the people if the schools, kids can't even drink the water from the water fountains.

So I happen to believe that if residents can't trust their elected officials with the small stuff, it's impossible to trust their elected officials with the big stuff. And small businesses and innovators won't take a chance on Baltimore, invest capital, create jobs and opportunities for future generations of residents if we don't have new leadership. Thank you, Governor.

GOVERNOR HOGAN: Thank you, Mr. Comptroller. Now we'll get started with the Secretary's Agenda.

SECRETARY MCDONALD: Good morning, Governor and Mr. Comptroller. We have 17 items on the Secretary's Agenda. We are withdrawing Item 17. It is in the queue for our next Board meeting. So we have 16 items remaining for your consideration.

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

COMPTROLLER FRANCHOT: So I did have one quick question on Item 11. I'm going to vote for it. But there was a significant increase in price for this --

SECRETARY MCDONALD: Ms. Frketic is here from Maryland Environmental Service.

COMPTROLLER FRANCHOT: Easton Correctional Institution wastewater treatment plant upgrade. The initial contract I thought was, the estimate for phase two was \$14.8 million. And this item is \$9.1 million higher, \$23.9 million. Just thank you for being here and explain that.

MS. FRKETIC: Yes. Good morning --

GOVERNOR HOGAN: Good morning.

MS. FRKETIC: -- Mr. Comptroller and Mr. Governor. Ellen Frketic from Maryland Environmental Service. When we came forward with the initial contract prices, we had scaled the project way back. We were trying to stay within the budget we had at that time. We were going to, we had had a value engineering study done and they said, well, you can probably eliminate some things and wait until you get additional funding to put those in. So we gave the contractors a very reduced scope. And it was basically just an interim step to get the plant into compliance, because we had the new permit that kicked in January 1, 2018 and we have not been meeting the requirements of the discharge permit. So we wanted to get that done.

Meanwhile we got additional funding. And the contractor said, listen, we can build all this now. You know, it's going to be easier to put all this in at one time. It will be cheaper to put it all in at one time instead of the two steps.

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And also, the other thing that drove the cost up, the control system that we had, because initially it was going to be very simple, just enough to get us by. And we, it's kind of complicated out there because we send effluent from the wastewater treatment plant over to the cogeneration plant for cooling water. We're getting reject water, which is essentially like backwash from the water plant, going to the wastewater plant. So the controls are kind of complicated. But this, when this gets done -- oh, and one more thing. We were required, there was one process step that we thought we were going to be able to eliminate. But when we took it to MDE for the construction permit they said, they wanted the assurance, they wanted this process in because they want the assurance that we are going to meet our discharge permit. And it is going to be one of the most stringent permits in the State. We already had an ENR level treatment plant. This is going beyond that.

So when we get done with this work, we're going to be done, we're going to meet permit. We're going to take care of the liquid stream at the plant. The only thing we have left to do is going to be taking care of the sludge processing.

COMPTROLLER FRANCHOT: Okay. Thank you.

GOVERNOR HOGAN: Thank you.

COMPTROLLER FRANCHOT: Move approval.

GOVERNOR HOGAN: Second. Two-nothing.

SECRETARY MCDONALD: Thank you.

GOVERNOR HOGAN: We'll move on to DNR Real Property.

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MS. HADDAWAY-RICCIO: Good morning, Governor and Mr. Comptroller. For the record, Jeannie Haddaway-Riccio, Secretary of the Department of Natural Resources. And --

GOVERNOR HOGAN: Can I interrupt one second --

MS. HADDAWAY-RICCIO: Yes, sir.

GOVERNOR HOGAN: -- Madam Secretary? We went yesterday, you were kind enough to invite me to join you for the 50th anniversary of the Department of Natural Resources picnic with all of the employees. And it was just an incredible event. And I want to congratulate all of your incredible employees for, you know, a lot of things have changed over the past 50 years. But the dedication of the employees and the wonderful work that they do has not changed. And thank you for your leadership and thank you for the invitation. It was a wonderful, beautiful day out there. I don't know who is in charge of the weather at DNR but --

(Laughter.)

GOVERNOR HOGAN: -- they did a great job for the picnic.

MS. HADDAWAY-RICCIO: Well thank you very much for being there. And I hope that you'll both join us on July 1 for our official anniversary party. And with that, we have seven items on our Real Property Agenda today for your consideration.

GOVERNOR HOGAN: Any questions on DNR?

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COMPTROLLER FRANCHOT: Move approval.

GOVERNOR HOGAN: Second. Two-nothing. Let's move on to DBM.

MR. BRINKLEY: Good morning, Governor, Mr. Comptroller. I'm David Brinkley, the Secretary of the Department of Budget and Management. Last, or two weeks ago we brought to you one item. Today we bring you 22 items. So we're balancing it all out.

GOVERNOR HOGAN: What did you say? Twenty-two?

MR. BRINKLEY: Twenty-two. So I have people here to --

GOVERNOR HOGAN: I'm glad you guys finally stepped it up.

(Laughter.)

MR. BRINKLEY: We have people here to address any questions you might have.

GOVERNOR HOGAN: I want to highlight Item 6, if I can. I don't know if Mr. James is here. Oh yes, Secretary James.

SECRETARY MCDONALD: I think Mr. James --

MR. BRINKLEY: Greg James.

GOVERNOR HOGAN: Good morning, Mr. Secretary.

MR. JAMES: Good morning, Governor, Mr. Comptroller. For the record --

GOVERNOR HOGAN: Thank you very much for being here. You know, this is a request from the Department of Human Services seeking approval for a four-year contract to provide behavioral, educational, and medical services to children who have been found to be abused as a result of involvement with sex trafficking. We know that you have made great progress in reducing the number of kids that are placed in out-of-state programs. And that this program will particularly address a challenging population. And I just want to recognize you and your team. And I didn't call you up here to ask tough questions, but just to thank you for your tremendous efforts in this area, Mr. James.

MR. JAMES: Thank you, Governor. For the record, I'm Greg James, Deputy Secretary for Operations for the Maryland Department of Human Services. Thank you for that. We are very happy to have this item before the Board and to move forward with these contracts to stand up these new programs and other new programs. As we've said, we are fiercely committed to building the services necessary to serve all of our vulnerable youth in Maryland whenever possible, but really assuring that they get the services that they need. And it is thanks to the leadership of you, Governor, and Secretary Padilla at our department, as well as our partners at Department of Health and Department of Juvenile Services and elsewhere within the State. And I really would like to recognize as well the leadership within our Social Services Administration and the 24 local Departments of Social Services work on this every day. And in particular, Tennille Thomas is

our Chief of Staff at Social Services Administration and has done yeoman's work on these cases. She knows every child's name and is familiar with every one of these cases. And really has put her heart and soul into this and has worked very hard for this. So thank you, Governor. We really appreciate it.

GOVERNOR HOGAN: Thank you very much for your great work.

We appreciate it.

(Applause.)

COMPTROLLER FRANCHOT: So I have a couple of tough questions.

MR. JAMES: Certainly.

COMPTROLLER FRANCHOT: I'm kidding.

(Laughter.)

COMPTROLLER FRANCHOT: This movement from 64 out-of-state youth being treated out of state for significant amounts of taxpayer money, and moving that back into the State, 64, I think you are down to 18. That is just phenomenal. And I want to salute you, Secretary James, and also, obviously, the administration, and your staff. But this is not an easy task. You turned the big ship around and pointed it in a much better direction. And I personally appreciate it. And if you could provide us some real time information as you move forward on this so that we have some confidence that to the extent possible all these kids ultimately come back for treatment in Maryland.

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GOVERNOR HOGAN: Yeah.

COMPTROLLER FRANCHOT: And hats off.

MR. JAMES: Comptroller, we'd be happy to continue to update you and the Board as we make progress on this and as we encounter new challenges we'll bring those to you as well and --

GOVERNOR HOGAN: And let me just thank my Comptroller -- my colleague, the Comptroller, for his leadership on this issue. I know that there was one of these hearings that was a little more contentious and where the Comptroller was getting pretty rough and did ask tough questions. And but it was tough love. And we were saying that we were both concerned about this. And I think you guys really took it seriously and have jumped all over this issue. And I know these are the most difficult populations to deal with and they face unique challenges. But I think you guys have done a great job in turning things around. So thank you.

MR. JAMES: Again, thank you so much for your support, Governor, and your support, Mr. Comptroller. It really has made a big difference for us in tackling these problems. So thank you.

GOVERNOR HOGAN: Great. Thank you.

COMPTROLLER FRANCHOT: Great.

GOVERNOR HOGAN: Any other questions on DBM?

COMPTROLLER FRANCHOT: Move approval.

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GOVERNOR HOGAN: Second. Two-nothing. Maybe you should bring 22 items every week.

MR. BRINKLEY: I know.

(Laughter.)

GOVERNOR HOGAN: We're going to move on to the University System.

MR. EVANS: Good morning. Joe Evans representing the University System of Maryland. We have four items on the Agenda. We're here to answer any questions.

GOVERNOR HOGAN: I don't have any questions. Questions?

COMPTROLLER FRANCHOT: Move approval.

GOVERNOR HOGAN: Second.

MR. EVANS: Thank you.

GOVERNOR HOGAN: Two-nothing. Thank you. Department of Information Technology?

MR. LEAHY: Good morning, Governor, Mr. Comptroller. For the record, I'm Mike Leahy, Secretary of the Department of Information Technology. Today we have ten items on our Agenda. One is supplemental and I do have representatives available to answer any questions.

GOVERNOR HOGAN: Questions on DoIT?

COMPTROLLER FRANCHOT: Yeah, Item 7, please.

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MR. LEAHY: Yes, sir. Jada Wright?

MR. SLATER: Good morning --

GOVERNOR HOGAN: Good morning.

MR. SLATER: -- Mr. Governor and Mr. Comptroller. Greg Slater, for the record, Administrator, MDOT State Highway Administration. I'm here to answer any questions you may have on this Software-as-a-Service --

COMPTROLLER FRANCHOT: Right. Well this has nothing to do with the Secretary or the SHA Administrator. It simply has, it struck me that this item, as small an amount of money as it is relatively speaking, if I could just get an explanation of exactly what's going on. This software is, in the briefing material is to purchase analytics platform of transportation big data capable of generating car and truck origin to destination and average daily traffic for all roadways. That struck me as a little bit problematic in the sense that we may be collecting data about our citizens that they would not be very happy that we are amassing, I guess, somewhere in some research project. So I'm wondering if this program that you're talking about is capable of figuring out where I live and where I work based on the frequency of my travels to those destinations.

MR. SLATER: Absolutely. I'm happy to walk through it. In fact, it's the opposite of that. It's to protect those types of practices. StreetLight is, so it's a cloud-based Software-as-a-Service analytical platform. It's capable of generating car and truck origin destination in a non-traditional type of a sense to

understand the daily traffic within our regions. So what it does is it helps us deal with this increasing demand for understanding travel patterns during work zones and in these congested conditions and where traffic is overflowing. So what happens is is with the severe congestion that we have in our State, it's like water. So it travels and then you add that to people using cell phones and those types of things for navigation, it changes the travel patterns and creates some issues on the local system that we need to understand better.

So what StreetLight does is it uses a system that completely replaces the traditional sense methods of, old methods like license plate reader, those types of things. And it replaces it with scrubbed data of all personally identifiable information. And it uses under the General Data Protection Regulation this concept called privacy by design. So what it does, it's a Software-as-a-Service that takes all that data and scrubs it all, but also certifies through all the sources of that data that feed that system that they have taken that privacy into that account as well.

COMPTROLLER FRANCHOT: And where does the data come from?

MR. SLATER: It comes from probe-based sources. So what it does is traditional sources would do things like license plate readers, those types of things. What this does is it combines probe data, so people that are using cell phone apps to navigate, it helps us understand where they are traveling from in zones versus exact locations.

COMPTROLLER FRANCHOT: Okay.

GOVERNOR HOGAN: So not the individuals but the --

MR. SLATER: Correct.

GOVERNOR HOGAN: -- how many people are going from what -

-

COMPTROLLER FRANCHOT: Yeah, no, I understand that. But my cell phone is something that I didn't, I wasn't clear on that. And if I could make a friendly request to defer this until the next meeting so I could get a little more information on exactly why this is, and I'm not suggesting any --

MR. SLATER: Sure.

COMPTROLLER FRANCHOT: -- ill will here. I'm just suggesting that, well, I grew up reading George Orwell, *1984*.

(Laughter.)

COMPTROLLER FRANCHOT: And so to the extent we can accomplish something with a few people and a clipboard out at, not to bring up something specific, but when I leave Annapolis in the afternoon and I'm heading up to Baltimore, there is an unbelievable backup where, you know, 97 comes into, I don't even know what the road is. Whether it's Riva Road or one of those roads, it's I guess four lanes coming into two. And it, I think what happens is that people are so frustrated at the confluence of this that they don't let people in at all. So the

whole thing becomes -- if you could send someone with a clipboard out there just to see if there's another lane or something that can be added.

MR. SLATER: Every single day --

COMPTROLLER FRANCHOT: I'd be happy to support Governor Hogan on anything he wants.

GOVERNOR HOGAN: You know if, I think if we move forward with this item you wouldn't have to have a clipboard. It would just tell us how many cars --

MR. SLATER: Yes.

COMPTROLLER FRANCHOT: Yeah. Well I could see that. But --

GOVERNOR HOGAN: And you know, 1984 was 35 years ago.

(Laughter.)

MR. SLATER: I also have, I also have Carol Ellion here --

COMPTROLLER FRANCHOT: I'm sorry. Go ahead.

MR. SLATER: I have Carol here who is one of our big talented traffic engineers. If you have any specific questions, she may be able to address them as well. So --

COMPTROLLER FRANCHOT: Yeah. Well I'm going to take advantage of, if the Governor is willing to defer it for, till the next meeting, I can have a meeting and get fully briefed on it. And thank you very much for that.

GOVERNOR HOGAN: Is there any urgency? Nothing is going to happen if we wait and get more information for the Comptroller, right?

MR. SLATER: Absolutely. I think we can work through that.

GOVERNOR HOGAN: And I'll be happy to second your motion to

--

SECRETARY MCDONALD: Do you want to go ahead and withdraw it and bring it back?

GOVERNOR HOGAN: -- the next meeting.

MR. LEAHY: Mr. Comptroller --

COMPTROLLER FRANCHOT: Excuse me?

SECRETARY MCDONALD: Yes. Do you want to withdraw it before --

MR. LEAHY: Yes, please. The matter he brought up about privacy by design has been a movement over the last ten years that has been pushed forward by the Federal Trade Commission and other international bodies that are concerned about citizen privacy, just as you've mentioned it. And we're happy to talk to you about that because it's a significant issue for DoIT, too, that we want to make sure we're protecting our citizens' privacy.

COMPTROLLER FRANCHOT: Thank you for that. And my daughter-in-law, her name is Alexa, so --

(Laughter.)

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COMPTROLLER FRANCHOT: -- I'm scared to death at what has been soaked up in that little tube --

(Laughter.)

COMPTROLLER FRANCHOT: -- but that's okay. As long as people are aware of it and taking a look at it and I'm happy to be supportive at the next meeting.

MR. RAHN: So Greg, if you would work together and explain then how specifically signals from --

GOVERNOR HOGAN: Yeah.

MR. RAHN: -- the Comptroller's phone would be used and how it could be tracked, if it is in fact tracked, right? Explain, so take it down to that level.

GOVERNOR HOGAN: You can sit down and spend the next two weeks talking to him if you want.

MR. SLATER: Absolutely.

(Laughter.)

GOVERNOR HOGAN: I won't be here at the next meeting. So, I was going to vote yes but I won't get to vote in two weeks. So --

MR. SLATER: We'll follow up --

GOVERNOR HOGAN: -- you guys can do it without me.

COMPTROLLER FRANCHOT: Yeah. Thank you. I look forward to it.

GOVERNOR HOGAN: Thank you. Are there any other questions on DoIT? Is there a motion?

COMPTROLLER FRANCHOT: Nope. Move approval.

GOVERNOR HOGAN: With the removal of the one item.

SECRETARY MCDONALD: Yeah. We withdrew that item.

GOVERNOR HOGAN: I second. Two, we're going to move on to the Department of Transportation. We went from Transportation into Transportation.

MR. RAHN: Thank you, Governor, Mr. Comptroller. For the record, my name is Pete Rahn, Secretary of the Maryland Department of Transportation. MDOT is presenting 15 items today and we are withdrawing Item 16-GM. And we're prepared to answer any questions you may have.

GOVERNOR HOGAN: Any questions?

COMPTROLLER FRANCHOT: No.

GOVERNOR HOGAN: Is there a motion?

COMPTROLLER FRANCHOT: Move approval.

GOVERNOR HOGAN: Second. Two-nothing on Transportation. Department of General Services?

MS. WILSON: Hello. Good morning, Governor and Mr. Comptroller. My name is Diane Wilson. I am Chief of Staff for Secretary

Churchill. We, the department has 24 items on our Agenda and we'll be glad to answer any questions that you have.

GOVERNOR HOGAN: Questions on DGS?

COMPTROLLER FRANCHOT: No. Move approval.

GOVERNOR HOGAN: Second. Shortest meeting in BPW history.

We are adjourned. Thank you.

(Whereupon, at 10:34 a.m., the meeting was concluded.)