

**MARYLAND SUPPLEMENTAL RETIREMENT PLANS
BOARD OF TRUSTEES**

**PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING
UNDER THE OPEN MEETINGS ACT
(General Provisions Article § 3-305)**

1. Recorded vote to close the meeting:

Date: August 28, 2023

Time: 11:49 a.m.

Location: 6 St. Paul Street, Suite 200, Baltimore, MD 21202 and call-in line provided for that purpose

Motion to close meeting made by: Lynne Durbin;

2nd Motion made by: John Lewis

Vote to Close Session:

	AYE	NAY	ABSTAIN	ABSENT
T. Eloise Foster, Chair	[X]	[]	[]	[]
Thomas M. Brandt, Jr.	[]	[]	[]	[X]
Dereck E. Davis	[X]	[]	[]	[]
Lynne M. Durbin	[X]	[]	[]	[]
Jaclyn Hartman	[X]	[]	[]	[]
Thomas P. Hickey	[X]	[]	[]	[]
John D. Lewis	[X]	[]	[]	[]
Jonathan R. West	[X]	[]	[]	[]
VACANCY (Participant)	[]	[]	[]	[]

2. Citation of statutory authority to close session (check all that apply): This meeting is being closed under General Provisions Article § 3-305(b), only:

___ (1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals;

___ (2) To protect the privacy or reputation of individuals concerning a matter not related to public business;

___ (3) To consider the acquisition of real property for a public purpose and matters directly related thereto;

- (4) To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;
- (5) To consider the investment of public funds;
- (6) To consider the marketing of public securities;
- (7) To consult with counsel to obtain legal advice on a legal matter;
- (8) To consult with staff, consultants, or other individuals about pending or potential litigation;
- (9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations;
- (10) To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans;
- (11) To prepare, administer, or grade a scholastic, licensing, or qualifying examination;
- (12) To conduct or discuss an investigative proceeding on actual or possible criminal conduct;
- (13) To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter;
- (14) Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, *if* public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process;
- (15) To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to" (i) "security assessments or deployments relating to information resources technology"; (ii) "network security information," such as information that is related to passwords, personal ID numbers, access codes, encryption, security devices, or vulnerability assessments or that a governmental entity collects or maintains to prevent, detect, or investigate criminal activity; or (iii) "deployments or implementation of security personnel, critical infrastructure, or security devices.

3. Disclosure of the topics to be discussed, for each citation checked above:

§3-305(b)(7): *Board counsel will provide legal advice on pending or potential litigation matters.*

§3-305(b)(8): *Board staff, contractors, and counsel will discuss pending or potential litigation claim matters.*

§3-305(b)(13): *The Board will review and vote to approve the minutes of the Closed Session Board Meeting of 05/22/2023.*

§3-305(b)(14): *The Board will discuss a matter directly related to a negotiating strategy regarding a contract, because public discussion or disclosure would adversely impact the ability of the Board to participate in the competitive bidding or proposal process.*

4. For each topic listed in #2, disclosure of the reason for discussing it in closed session rather than in open session:

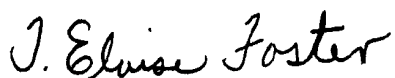
§3-305(b)(7): *Protection of the attorney-client privilege with respect to any legal advice provided to the Board as noted above.*

§ 3-305(b)(8): *Protection of the ability to confidentially brief the Board on pending or potential litigation claims.*

§ 3-305(b)(13): *To review and approve the minutes of the Closed Session Board Meeting of 05/22/2023 (GP§ 3-306(c)(3)(ii)).*

§3-305(b)(14): *Preservation of the Board's ability to participate in the competitive bidding or proposal process by having a discussion of the negotiation strategy regarding a contract.*

5. This statement is made by T. Eloise Foster, Chair of the MSRP Board of Trustees, Presiding Officer.



T. Eloise Foster
Board Chair