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BOARD OF PUBLIC WORKS

ANNAPOLIS, MARYLAND

September 6, 2023

10:09 a.m.

PRESENT

HONORABLE WES MOORE

Governor

HONORABLE DERECK DAVIS

Treasurer

HONORABLE BROOKE LIERMAN

Comptroller

JOHN GONTRUM

Secretary, Board of Public Works

ATIF CHAUDHRY

Secretary, Department of General Services

JOSH KURTZ

Secretary, Department of Natural Resources

VALERIE RADOMSKY

Chief Procurement Officer, Department of Transportation

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.

ALL: Good morning.

GOVERNOR MOORE: I would like to welcome everybody to today's meeting of the Board of Public Works. And before we start the meeting, I would just like to recognize Treasurer Davis for a point of personal privilege.

TREASURER DAVIS: Thank you, Governor. Good morning, everybody.

ALL: Good morning.

TREASURER DAVIS: It's starting to seem like I'm doing this every few weeks now. But yesterday, unfortunately a long time staff member of mine when I was in the House of Delegates, Ms. Denise Waters, passed. Denise, some of you may know her. Those who came to Economic Matters, who, you know, you know what she meant to the office. And I was reflecting upon it. The Governor called me last night -- and thank you very much for that. I appreciated your words, Governor. And I got to thinking about what I wanted to say. I wanted to acknowledge her to each of you.

See, in every office, and I think everybody knows this, you have your unsung heroes. Meaning, you have people like me who, you know, hog up all of the glory or whatever, get an undue amount of credit for what goes on in a given office, or job, as you will. But it's the unsung heroes like Denise. Denise was the one that, you know, made all of the appointments. I was talking to the

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Comptroller. She, the Governor, and I, and she mentioned to the Governor that she could always get appointments with me because of Denise. Well, that was pretty much with everybody because I would want to go off and have lunch with somebody, or an adult beverage or something, and she, you know, she was like mom, like, no, you have to have this meeting. These people have been waiting. You know, I would get all ticked off and she was like, you're having the meeting anyway.

So, you know, it was that kind of thing. She was the one that, you know, when we would go on the floor and, you know, we, I'd, you know, do the bills, me and the other members, and so forth. She was the one like, stuff like this, she was the one who put these briefing books together, these documents, to make sure that I was ready. She was the one that, you know, I had a younger staff over there. And they would, you know, get caught up in the work and she would make sure that from time to time we would go have our own little office happy hour. You know, we would go somewhere and just sort of take a break, step away from what was going on. But we still, and she also made sure that we didn't get carried away either.

You could tell everybody here who knows what getting carried away means. So she was that person. So you know, maybe she didn't give the interviews with the press, or all those kinds of things. But for any successful office, you have to have a person like that. And so I would say to those of you who have those unsung heroes, make sure you are taking time out to say thank you. Make sure you are taking time out to acknowledge them, to maybe go out to lunch or a ballgame or something. Don't get too busy with the work or anything

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else to say thank you, I appreciate you. And also, check in on them. I know Denise didn't have any siblings or any children. And so Annapolis sort of became her family. You know, the ECM staff became her family. And I don't know. I'm going to end it right there. Just to say, I couldn't let, she was with me, she came with me when I became Chairman, and of my 19 years as Chair she was there for 18 of those 19 years. So I was, and then she stayed on after I left. I thought I was keeping her there. I was just on harness. She stayed with Delegate Wilson his first two years.

So, you know, I had an opportunity to talk to him last night as well. So I'm going to greatly miss Denise. I think the General Assembly and the State of Maryland are going to miss her service and the things that she did to help make sure that, you know, things in Economic Matters went well. And I don't know what C.P. is going to do without Denise. So when it all crumbles and falls apart, it's his fault. Everything is his fault.

Anyway, Governor, thank you very much. And thank you all for allowing me to say that.

GOVERNOR MOORE: Bless you. And thank you. And that was beautiful.

COMPTROLLER LIERMAN: Yes, it was.

GOVERNOR MOORE: And so well said. And I know that I speak on behalf of the entire Moore-Miller administration and the entire team, just all of our hearts going out to you, her family, her loved ones, her colleagues, her friends, and you know, people in the General Assembly who she worked with, everyone who she touched.

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I was mentioning that I had the opportunity to meet her and I'm blessed because of it. Because you are right. I mean, you talk about a welcoming smile. That's exactly what she approached me with. But I've even been speaking to some of our team members who really knew her. And the loss we are all feeling right now. And you know you are all surrounded by our prayer angels. Because, you know, you talk about someone who epitomizes what it means to be a public servant, to give up time and energy and space for the support of others, and was always willing to meet and greet and answer every single call that comes in, no matter what it is, and to do it with a sense of integrity and a sense of passion and a sense of loyalty. And so actually, I would, and so Mr. Treasurer, and I say with the assistance of Secretary Chaudhry and our DGS team, and also many, we were able to secure the Maryland State Flag that flew atop of the State House dome yesterday when we got the news. And we would be honored if you would present this flag, and also with a certificate of love, appreciation, and condolence from the administration to the family.

(Applause.)

GOVERNOR MOORE: Madam Comptroller, you knew her well.

COMPTROLLER LIERMAN: She was, yes, I just want to echo everything the Chairman said. And Mr. Chairman, I will speak on behalf of all of us, the freshmen legislators who came in when you were a Chair, and Ms. Denise, as you said, she was the one who opened the door. So everything you said was so apt, and to Laura and Chair Wilson and everybody. And I'm so sorry. She was phenomenal.

TREASURER DAVIS: Thank you.

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GOVERNOR MOORE: Thank you. And so we'll begin with the Secretary's Agenda. Secretary Gontrum, great to see you, and good morning. Thank you.

SECRETARY GONTRUM: Good to see you as well, Governor, and good morning to you. Good morning to you, Mr. Treasurer and Madam Comptroller. There are 17 items on the Secretary's Agenda this morning. However, I am withdrawing Item 10 at the request of Maryland Environmental Service and Item 13 at the request of Morgan State University. I'm happy to assist with answering any questions.

GOVERNOR MOORE: Great. Thank you so much. Is there any discussion for the Secretary's Agenda?

TREASURER DAVIS: I don't know if Madam Comptroller was going to --

COMPTROLLER LIERMAN: Go ahead.

TREASURER DAVIS: -- I was just curious about one provision in it that would -- delegated authority. It, I think it's number five in the request. It says BCCC receiving delegated authority to exercise future renewal options without further Board of Public Works approval. Are we going forward with that as well? Or is that an option?

SECRETARY GONTRUM: It is an option. If the Board wishes to delegate authority to Baltimore City Community College to exercise renewal options without having to bring those options back, the Board may delegate that authority. We do have President McCurdy from the college available to address the request, if you'd like.

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TREASURER DAVIS: I would appreciate it, sir.

SECRETARY GONTRUM: President McCurdy, are you --

DR. MCCURDY: Yes, good morning, Governor, Treasurer Davis, Comptroller Lierman as well. And in terms of the delegated authority over all, this has to do with our ERP system, which brings this college fully forward out of the dark ages.

In general, we have an infrastructure there that we have in the last two years attempted to fully migrate. This comes up under one of our realignment tasks that was handed to us from the State. This is really about the delegation of authority. So certain items the college could manage on their own as well. But I do want the Board to be clear in terms of what we're trying to move forward, understanding that we are under a system and transitioning to a system from a 25-year-old legacy system. And part of that delegated authority will allow us to keep moving in a more positive direction. This will also allow us to remain competitive with our sister institutions as well. When one talks about 25 years under an HP LAN system, most of us don't even know what an HP LAN system was, a legacy system, 25, probably 30 years old.

When I arrived at the college, we were in the middle of beginning to talk about a transition. The Board of Public Works actually approved this transition in 2020. Unfortunately, we were hit right in the middle of the pandemic, which meant we were starting a complete transition of a system right in the middle of the pandemic. We were out for a year. So if you can imagine that we were out with a legacy system for a year in the middle of transitioning to a new system, all while we had very antiquated and inadequate infrastructure to

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move forward. So saying to the Board again, the delegation of authority allows us to move forward.

Please understand that our total infrastructure for technology at this institution literally has been ripped out and started all over again. So that's all your admissions, financial aid, registration, HR, our financial system, everything in the process of being moved forward. So we are about three-quarters of the way. We have another 14 months of services that still need to happen, professional services, managed services, all that still needs to happen and in a more expeditious way as well. But understanding that we were certainly under mandate from the legislation, as I arrived, to move our legacy system to something in this century. And in my 30 years in higher education, I have never seen a system this antiquated, which means they bought software on top of software on top of software. Nothing worked, and nothing connected. The delegated authority will simply allow us to continue to expedite and to move forward with the decisions that need to be move rapidly made as well. I do have our Procurement Executive Director on, Anna Lansaw. If Anna could just speak for a second on the procurement authority and the delegated authority that we have worked I think with legislation as well to move us to a new standard for this institution.

MS. LANSAW: Governor Wes Moore, Treasurer Davis, and Comptroller Lierman, my name for the record is Anna Lansaw, the Executive Director. The reason why we are requesting delegated authority just on these renewals is to continue moving forward as stated by President McCurdy. It's not to bypass the Board of Public Works approval. It still will have to be approved by

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the Board of Trustees, which are all appointed by yourself, Governor. It will still have control. We will still be reporting MBE compliance as required and so forth. It is just to keep us moving forward without having to come back to the Board and ask for those renewals each time.

DR. MCCURDY: The college also has full guidelines that had to be presented to the Board, both our Board of Trustees and the Board of Public Works, that we have created well over a year ago, a full guideline that does discuss procurement, our policies, our procedures that I think were well put together and, again, approved by the Board of Public Works to allow us to move forward and to give us an enhanced delegation of authority. The college suffered when I arrived with authority for only \$50,000, which meant everything had to move forward in a very slow, antiquated way, probably matching the level of the system that we were trying to work under. So we have come forward and done and completed much of what we have been asked to do to demonstrate that the college can manage the authority for procurement at enhanced levels as well. And this is certainly a good turning point for Baltimore City Community College.

TREASURER DAVIS: Thank you. Just one final question: is the BPW Procurement Advisor available?

MR. GNALL: Good morning, Governor, Comptroller, Mr. Treasurer. Gabe Gnall, for the record, Procurement Advisor to the Board. Sir, you have questions about this?

TREASURER DAVIS: I wanted to know why you are advising against us approving item -- or point five, the delegated authority under this item.

MR. GNALL: I believe in my recommendation regarding this, it

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was dependent on whether the Board wishes to retain its authority to control these procurement actions. It is all dependent on whether the Board wishes to retain that authority.

So before the Board are five recommendations. Four are for past and current actions. The fifth recommendation is for BCCC to receive delegation for any future renewal options on this contract. They are requesting exercising the first renewal option with this item. There are two future renewal options. They are both valued at approximately \$800,000 each. Under BCCC's current procurement policies and procedures, they are required to bring those actions to BPW each time they wish to exercise those renewal options because they exceed \$500,000. So if the Board of Public Works wishes to retain that authority to monitor these contracts, then it would not exercise that delegation. If the Board wishes to delegate to BCCC that authority, the Board would not see those renewal options. The Board would not see whether or not BCCC is maintaining its MBE and VSB compliance. It would not receive any additional information on these renewal options. They would not come before the Board at all. But again, it is up to you all whether or not you wish to retain that authority to review and approve these actions, or if you wish to delegate to BCCC that authority.

TREASURER DAVIS: So are you saying, are you -- so what I'm hearing is not pro or con. I'm hearing whether or not we want to retain authority. My information could be, you know, I could have misinterpreted. So you're not, so if I'm hearing correctly, you are not opposed to this. You are just providing information as to whether or not the Board wanted to retain authority and that's it?

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MR. GNALL: That is correct. I am not for or against it. It is really up to you all, the Board, whether or not you wish to retain that authority to monitor and review and approve these future actions.

TREASURER DAVIS: I understand.

COMPTROLLER LIERMAN: And can we clarify, it's just for the three option years?

MR. GNALL: Well, the first option they are requesting with this Agenda item. They are requesting approval for the current --

COMPTROLLER LIERMAN: Right, but for the delegated authority, I mean. It's just --

MR. GNALL: For the two options, yes.

COMPTROLLER LIERMAN: Two options. Okay.

TREASURER DAVIS: Thank you, Governor.

GOVERNOR MOORE: Thank you. Are there any other discussion items for the Secretary's Agenda?

COMPTROLLER LIERMAN: I just wanted to sort of laud, give some laudatory remarks on Item 6, which is the two projects that will result in the creation of 14,000 square feet in wetlands, which are critical to supporting the health and the biodiversity of the Chesapeake Bay.

Every two weeks we have wetlands license approvals on the Board of Public Works Agenda. And it is very rare that we see the actual creation of new wetlands. And so I just felt like it was important to point this out. I think it might be the first time that I have been on this Board that we are actually proactively creating new wetlands. So just a thank you to Tilghman on the

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Chesapeake Community Association for their efforts to create oyster habitat and it's just nice to see that we are really moving forward on pushing this, you know, forward on the wetlands. So I just wanted to mention that. Thank you.

GOVERNOR MOORE: Thank you. 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. Thank you. We will proceed with DNR, Department of Natural Resources. Secretary Kurtz, good morning.

MR. KURTZ: Good morning, Mr. Governor, Mr. Treasurer, Madam Comptroller. For the record, my name is Josh Kurtz. I am the Secretary of the Department of Natural Resources. The department has ten Agenda items for your consideration today. I just wanted to flag after our robust discussion on Rural Legacy last week that we do have our first two with fiscal '24. My staff and team is here to answer any questions you may have.

GOVERNOR MOORE: Thank you so much. Any questions on the DNR Agenda?

COMPTROLLER LIERMAN: No, no questions.

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

COMPTROLLER LIERMAN: So moved.

GOVERNOR MOORE: And is there a second?

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TREASURER DAVIS: Second.

GOVERNOR MOORE: Great work. Thanks, Mr. Secretary. Now we move on to University System of Maryland. Mr. Hickey, great to see you. Good morning. Great to see you.

MR. HICKEY: Good morning, Governor, Mr. Treasurer, Madam Comptroller. Tom Hickey, representing the University System of Maryland. There are two items for your consideration this morning and I am happy to answer any questions you may have.

GOVERNOR MOORE: Any questions?

COMPTROLLER LIERMAN: No questions.

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

COMPTROLLER LIERMAN: So moved.

GOVERNOR MOORE: Is there a second?

TREASURER DAVIS: Second.

GOVERNOR MOORE: Outstanding.

MR. HICKEY: Thank you.

GOVERNOR MOORE: Thank you so much, Mr. Hickey. Thank you. We'll go to MDOT. Ms. Radomsky, good morning.

MS. RADOMSKY : Good morning. Good morning, Governor, Madam Comptroller, Mr. Treasurer. For the record, my name is Valerie Radomsky. I'm the Chief Procurement Officer representing the Maryland Department of Transportation. Today we are presenting 17 Agenda items for your consideration. Revisions to the Agenda were submitted yesterday to correct

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the MBE compliance on Item 5-GM-MOD and the start date of part B of Item 16-E-MOD. We have representatives available to answer any questions you may have.

GOVERNOR MOORE: Wonderful. Are there any questions or comments on the MDOT Agenda?

COMPTROLLER LIERMAN: I have one. Thanks. Thank you. Thanks, Mr. Governor. Thanks, Ms. Radomsky for being here, and thank you to the Secretary, I'm not sure if he's here, but for his time last week to talk about Item 17.

So first, I'm hoping that you could actually just elucidate, provide some background and clarity for the public, because there have been a series of contracts around for the A&E services and I think it's just important to be transparent about what is going on. So it would be helpful if you could clarify why contract A, which was originally submitted as part of the July 5th Agenda, is being corrected to match the description and contract terms for Contracts B and C.

MS. RADOMSKY : Sure.

COMPTROLLER LIERMAN: Thanks.

MS. RADOMSKY : The correction to Contract A clarifies the intent for this contract to be used for the American Legion Bridge and I-270 project and to align the contract term with the other two contracts in a series. We do apologize for the administrative error. All three contracts were meant to be used for this project and other SHA projects as needed as well. They are not limited just to the project.

We have implemented a change to our process to ensure that this

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does not happen again --

COMPTROLLER LIERMAN: Great.

MS. RADOMSKY : -- that everyone is aware, that the Board is absolutely aware, of projects that would be --

COMPTROLLER LIERMAN: Thank you. And thanks for your time. I think, you know, the Governor and the Treasurer and now Ms. Radomsky knows of my long interest in transportation and transit funding. And poor Ms. Radomsky has to answer questions from me every Agenda. So thank you for being a good sport about it.

MS. RADOMSKY : My pleasure.

COMPTROLLER LIERMAN: And I did just want to make a couple of comments about this item, so thank you, Governor, for giving me a moment. And thank you as well, Governor and MDOT, for your commitment to better manage our congested corridors and to really secure all the federal funds that we can to make sure that we can build out a road system and a transit system that works for the people of Maryland.

This contract, to be clear, comes on the heels of MDOT's application for more than \$2 billion in funds from the Biden-Harris administration. And so I'm certainly in full support of going after federal funds like the Multimodal Project Discretionary Grant and a public funding model. While this is just the first phase of the restart of the American Legion Bridge work, I do also continue to have concerns about the efficacy of highway expansion as a means to alleviate traffic, its effect of bringing more cars to the road, resulting in more greenhouse gas emissions, and most relevant to my office,

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and this Board, any potential future reliance on a transportation P3.

I'm incredibly, I'm so glad -- and I knew this would happen but it's always great to see it when it does -- that the Governor is really committed, truly committed, to making multimodal transportation options central to this project, and not just peripheral. And that includes bus rapid transit, transit oriented development and more. But of course, there are a lot of questions about this plan and I think there are people watching who also will have questions about what's coming forward. And the point of this contract today is to do work and to engage and to have time to also engage in public engagement and talk to the stakeholders about what is going on. And in my conversation with Secretary Wiedefeld, I also strongly believe that as this project moves forward on the American Legion Bridge, they won't leave 270 behind, right? That that is such an essential corridor connecting Marylanders to Marylanders. And there has been so much important work being done along that, but there is just so much to do. And so and I will say when I'm speaking to Montgomery County business owners and leaders, often they bring up 270 first because their employees live further and further north and cannot get to work in a timely way. And while this work is important, we have seen Virginia acknowledge that roads alone don't solve congestion problems. The previous Virginia administration wisely invested in CSX track and right of way to add transit, VRE, a \$3.7 billion investment. And I think this really underscores, and I brought this up with Secretary Wiedefeld, our need to look at the 270 corridor as well.

So just, you know, this is the beginning and not the end. And I'm really excited to work with this administration, with the MDOT Secretary, with

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the Governor, with the Treasurer, and playing a role in this project's success and making sure that we are connecting Marylanders around the State. So thank you.

GOVERNOR MOORE: Thank you. Thank you. Thank you for, not just your comments, but also your leadership and partnership, Madam Comptroller.

COMPTROLLER LIERMAN: Thank you.

GOVERNOR MOORE: Are there any other questions for Ms. Radomsky? Thank you so much. May I have a motion to approve the MDOT Agenda?

COMPTROLLER LIERMAN: So moved.

GOVERNOR MOORE: And is there a second?

TREASURER DAVIS: Second.

GOVERNOR MOORE: Great. Thank you. And we will conclude, bring Secretary Chaudhry back on up for the DGS Agenda. Mr. Secretary, good morning. Good to see you again.

MR. CHAUDHRY: Good morning, sir. Mr. Governor, Madam Comptroller, Mr. Treasurer, for the record I am Atif Chaudhry, Secretary of the Maryland Department of General Services. Today the department is presenting 42 items on our Agenda. Our Agenda features over \$5 million in capital grants and loans. I just wanted to highlight just a couple of them.

I wanted to highlight Item 7-CGL, which provides \$500,000 to Southwest Partnership in Baltimore City to support the Resurrect the Rec Campaign to renovate the vacant Poppleton Recreation Center so it can be reopened as a fully operational recreational center for the adjacent communities.

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I also wanted to highlight Item 9-CGL, which provides \$250,000 for site improvements at the Wellspring of Life Farm in Baltimore County. Wellspring provides equine and canine therapy to active duty military, veterans, first responders, and teens for PTSD, stress, and other needs to help them develop goal setting and problem solving strategies.

And finally, I wanted to highlight Item 15-CGL, which provides through the Department of Health a \$1.1 million grant to Tuerk House for the acquisition of a 44,000-square foot warehouse to provide integrated substance use and behavioral health services in East Baltimore.

Our Agenda also includes three new contract awards and one contract modification to MBE prime subcontractors, MBE prime contractors, totaling over \$7.3 million, and we have agency representatives here to answer any questions you may have.

GOVERNOR MOORE: Fantastic. Thank you so much, Mr. Secretary. Are there any questions or discussion on the DGS Agenda?

COMPTROLLER LIERMAN: Thank you, Mr. Governor, thank you, Mr. Secretary. Actually, it's not, I know you are the controlling agency so you are up there but I don't have any questions for you. But thank you. I have just a couple of comments on Item 25-S-MOD. And I do want to thank Secretary McIlwain along with MTA Administrator Nizer and her team for meeting with me to thoroughly explain the contract modification and the new regulations.

The current contract, which has been in place since 2008, is incredibly outdated in its structure, both due to the original contract terms and the budget. It's a bad deal for the State right now. And so the contract modification

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is not an issue for me and I will be voting for this. But as a Delegate I voted against the underlying regulation when it was presented to the AELR Committee and I continue to believe that the regulation is wrong because of its negative impact on State revenues and overburdening of lower income Marylanders.

So I understand that the State wants to proceed with the changes since newer vehicles are not our biggest air quality concern and we are well overdue for a new VEIP testing contract. But I just can't overlook the inequity and the impact under this regulation. Drivers of older vehicles, those who often cannot afford new cars, will be bearing the brunt of funding our State's successful Clean Air Act program. And as the average cost of new vehicles continues to climb, that gap is only going to be widened. And the change of course will result in less funding for the Transportation Trust Fund. We just passed an item that is a lot of money from the Transportation Trust Fund. And of course, the Maryland General Assembly and the Governor and our leadership have recently convened a commission to determine how best to fund the TTF over the long term because we have all seen the flashing yellow lights regarding that. You know, even last week MDOT released their CTP and they noted that it's not balanced in out years, and the commission two weeks noted that it's really time to stop the bleeding from the Transportation Trust Fund. And unfortunately this regulation doesn't do that due to its impact on revenues.

In other states where this extension of time for fuel emission test was created, they enacted such a change in a revenue neutral way. And so I would just encourage Administrator Nizer and her team to examine these options and consider updates to the regulation creating long term economic stability for

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the Transportation Trust Fund is a truly urgent matter. And although of course my office is not on the commission, we will always be happy to help in any way possible to identify additional sources and options. So I am voting for this. But I just wanted to make some comments. Because I have been working on this since I was on AELR. So thank you very much.

GOVERNOR MOORE: Thank you. Thank you.

TREASURER DAVIS: Thank you. I want to take a slightly different approach to this on this particular point. And this is nothing in relation to what the Comptroller was saying, but more so what I have been reading, and the calls and letters that I have been getting. It's unfortunate that I think it has been made to be a wealth versus poor kind of argument. I don't believe it is anything like that.

See, the impression that I am getting, and I would ask the Secretary to correct me if my interpretation is wrong, but it sounds like only if you own, only if you own a Corvette, a Tesla, or a Mercedes you are getting this benefit. But see, we have -- first of all, poor people don't own cars. Let's just be honest. Now, low income and working class people do. But poor people don't. And if you think differently, I am happy to take you places in my old district on a Friday or a Saturday night and prove it to you. So we'll start there. But see, low income and working class people own cars, too. Maybe it isn't a Tesla. It might be a Ford Focus. But see, they would get that same benefit as well. Maybe it's not a Corvette, but it's a Kia. They would get that same benefit as well. Now, I also don't know how the programs works, let's say it says the first six years of a new car. What happens if someone buys it and maybe, you know, they sell it or

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whatever, and someone goes to buy what's now a used car but they buy it in three years. Do they still get that? Do they still get that benefit for the next three years until it reaches that six year threshold as well?

MS. NIZER: They are actually required to be a Tesla. So good morning, Christine Nizer, I'm the MVA Administrator. It's great to see each of you. So you are exactly right that electric vehicles are not subject to the vehicle emissions program for obvious reasons. And we want to increase the number of electric vehicles. We have many goals in that regard. But in terms of the actual implementation of this, it will require the six model years and older to be tested. But if a vehicle is sold, that vehicle will be required to get into our testing fleet. So that vehicle will be captured. We did do an environmental justice analysis, because we care about the same issues that the Comptroller mentioned and we want to make sure we are not doing anything with the program that will be unfair or unjust. And so our analysis showed that really there wasn't a difference in the three-year testing pool between race and gender and income, as far as we could extrapolate from Census data.

TREASURER DAVIS: Let me jump back in for a second, because I don't want this to get lost. What is the, I guess the failure rate for those cars six years and under? Or in other words, I think what I was reading that they were passing at like a 99 percent rate?

MS. NIZER: That's accurate.

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TREASURER DAVIS: So, look, if this is just about revenues and money, then there is another component that we need to take into consideration. That is people's time. If you know they are going to pass it anyway, but to make them -- see, not everybody is, you know, has the ability to just take off from work and go, you know, to an emissions station without it being, you know, some cost. But we know that that car is going to pass. So if it's just about money, they are paying it anyway. Stick it on the registration renewal and say this is, whatever, and go with that. But don't make them waste their time. Go through that (indiscernible) and you know, stick the thing in, and go you passed, when you know it is going to happen anyway. So that's the other component. It ain't just the money, it's people's time. And we don't need to just waste their time for this. But I just wanted to point that out, you know, that part. This whole rich versus poor, we don't need to do that. And I hope people can make better arguments on that. You know, because I have been hearing that, reading that in the paper and in the letters I was getting to my argument, you know, to my office. And like I said, there are a lot of inexpensive cars. And I don't care if you are low income or whatever. At some point, your car is going to break down and you are going to have to get a new car if you want to continue to drive. They do not last forever, or at least mine doesn't. They do not last forever. And then you will receive that benefit as well of being able to go six years and it's one less trip or something that you have to do for no reason. So that, so again, nothing, this was not in direct contradiction to what the Comptroller said. But more about what I have read in the paper and other publications, and the letters that have come to my office. They try, you know, they try to paint a very different picture. And as I saw this, I see this as, you know, a benefit that we can give back to our constituents that is one less burden, if you will, an unnecessary burden. You know, clear air is not a burden. But when they are not doing anything, when it becomes less about that

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and more about something else, then they deserve that break. So that's why I'm comfortable supporting this.

COMPTROLLER LIERMAN: Yes, and I would just, I mean, I agree, Mr. Treasurer. I think that one of the -- I agree with what you are saying. We don't, you know, it has been very clear, other states have demonstrated that we see we don't need these new vehicles to come in. It's just nice to see some other states have done this in a revenue neutral way so we're not creating the burden but we're also not losing the money. So yeah, I think well said.

MS. NIZER: I'm sorry. And I think to both of your points, that is exactly what the Transportation Revenue and Funding Commission is going to look at, and this fee is part of that larger conversation. And we are committed and the Secretary is committed to figuring out how it fits into that larger puzzle. So I think we can balance both moving forward as we look at the revenue.

COMPTROLLER LIERMAN: Thanks.

GOVERNOR MOORE: Thank you. Thank you so much. Are there other items for discussion for the DGS Agenda? Okay. Is there a motion to approve the Agenda?

COMPTROLLER LIERMAN: So moved.

GOVERNOR MOORE: Is there a second?

TREASURER DAVIS: Second. You looked at me --

COMPTROLLER LIERMAN: He is very excited.

GOVERNOR MOORE: He is very excited to second it. So thank you very much. Thank you, Mr. Secretary. Thank you. And that concludes today's meeting for the Board of Public Works. The next one will be on September 20th. Thank you so much, everybody. We are officially adjourned. Thank you.

(Whereupon, at 10:46 a.m., the meeting was concluded.)

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