



Meeting Minutes – April 20, 2023

Call to Order:

Chair Kasemeyer called the video-conference meeting of the Interagency Commission on School Construction to order at 9:01 a.m.

Members in Attendance:

Edward Kasemeyer, Appointee of the President of the Senate, Chair
Linda Eberhart, Appointee of the Speaker of the House, Vice-chair
Secretary Atif Chaudhry, Maryland Department of General Services
Michael Darenberg, Appointee of the Governor
Secretary Rebecca Flora, Maryland Department of Planning
Brian Gibbons, Appointee of the Speaker of the House
Gloria Lawlah, Appointee of the President of the Senate

Members Not in Attendance:

Superintendent Mohammed Choudhury, Maryland State Department of Education

Revisions to the Agenda:

There were no revisions to the agenda.

Public Comment:

There was no public comment.

IAC Correspondence:

None.

1. Overview of the Blueprint for Maryland's Future – **[Informational Only]**

Rachel Hise, Executive Director of the Blueprint for Maryland's Future Accountability and Implementation Board, presented the history, purpose, and current progress of the Blueprint.

2. Executive Director Report – **[Informational Only]**

Alex Donahue, IAC Executive Director, provided an update on House Bill 458, which has passed both chambers and has been sent to the Governor to be signed. Additionally, Mr. Donahue provided an update on the IAC's Blueprint Facilities Workgroup. The Workgroup will be extended to address topics in more detail.

3. Consent Agenda – **[Motion Carried]**

Upon a motion by Mr. Darenberg, seconded by Ms. Lawlah, the IAC voted unanimously to approve the consent agenda.

A. Approval of the March 9, 2023 Minutes

To approve the minutes of the March 9, 2023 Interagency Commission on School Construction Meeting.

B. Contract Awards

To approve contract procurement as presented.

C. Property Transfer – Harford County Public Schools – Lot 2

To approve the transfer of 5.369 acres of Lot 2 at 351 Lewis Lane, Havre de Grace, Harford County from the Harford County Board of Education to the Harford County Council for use as the Boys & Girls Clubs of Harford and Cecil Counties - Havre de Grace Club.

D. Approval of Easements

To approve the conveyance of the easements as presented.

E. Built to Learn Project Status Report – [Informational Only]

F. Facility Status Changes – [Informational Only]

4. Approval of IAC Executive Director Performance Evaluation Policy and Form – [Motion Carried]

Vice-chair Eberhart presented a new policy that outlines the annual evaluation process of the IAC Executive Director's performance. Mr. Donahue confirmed his involvement and support of the policy.

Upon a motion by Mr. Gibbons, seconded by Ms. Lawlah, the IAC voted unanimously to approve the adoption of the Interagency Commission on School Construction Executive Director Performance Evaluation Policy and FY 2023 Executive Director Evaluation Form as presented.

5. Built to Learn Project Approval – Baltimore City Schools – City Springs PreK-8 #008 Replacement – [Motion Carried]

Melissa Wilfong, IAC Senior Regional Facilities Manager, presented Baltimore City Schools' request for Built to Learn funding of \$19 million for the City Springs PreK-8 #008. Per statute, the project can not receive more than 6% of City Schools' total BTL allocation, and this request ensures that this value will not exceed this threshold. The school will house the Conversion Charter school and have an anticipated capacity of 954 students.

Upon a motion by Ms. Lawlah, seconded by Vice-chair Eberhart, the IAC voted unanimously to approve Baltimore City Schools' Built to Learn funding request for the City Springs PreK-8 #008 (30.202) Replacement project with a Maximum State Allocation of up to \$21,692,000, contingent upon the final total Baltimore City BTL allocation and to allocate State Built to Learn program funding of \$19,000,000, which does not exceed the 6% required by Economic Development Article §10-650(b)(2). Approval of an estimated 3,000 square feet of community use space is conditional upon City Schools providing acceptable verification documentation as required by the Administrative Procedures Guide.

6. Pass-Through Grant Administrative Procedure Guide Revisions – [Motion Carried]

Cassandra Viscarra, IAC Deputy Director for Administration, presented revisions to the Pass-Through Grant (PTG) Administrative Procedures Guide. The revisions clarified that PTG funds have to be used for schools providing educational services and change orders on projects eligible for PTG funding. The revisions further update LEA reporting criteria.

Upon a motion by Mr. Darenberg, seconded by Mr. Gibbons, the IAC voted unanimously to approve revisions to the Pass-Through Grant Administrative Procedures Guide as presented to clarify definition of eligible school projects, define eligibility of change orders, and update reporting requirements, and to authorize staff to make non-substantive edits.

7. Pass-Through Grant Funding Approvals – [Motion Carried]

Arabia Davis, IAC Funding Programs Manager, presented requests from Dorchester, Garrett, Howard, and Worcester Counties for several projects totaling \$35 million. All projects presented have met the requirements of the program and are eligible for funding. The deadline for PTG funding applications is May 1, 2023.

Upon a motion by Vice-chair Eberhart, seconded by Ms Lawlah, the IAC voted unanimously to approve the Pass-Through Grant program projects as presented with a total allocation of \$35,152,135 subject to reconciliation and potential adjustment at project closeout.

8. Aging Schools Program Administrative Procedures Guide and Schedule for Applications – [Motion Carried]

Ms. Viscarra presented revisions to the Aging Schools Program (ASP) Administrative Procedures Guide (APG) and the opening of applications for Fiscal Year 2024. ASP is a statutory program that provides \$6.1 million to LEAs. The revisions to the APG set clear expectations for LEAs, allow IAC staff better management of workload, and update the prevailing wage threshold in accordance with statutory changes.

Upon a motion by Mr. Gibbons, seconded by Secretary Chaudhry, the IAC voted unanimously:

1. To approve the Aging Schools Program (ASP) Administrative Procedures Guide, and to authorize IAC staff to make non substantive edits as needed;
2. To open the FY 2024 ASP application period and direct staff to solicit ASP projects from LEAs with a maximum total allocation of \$6,109,000 in accordance with the FY 2024 State budget, plus any available funds from prior year allocations; and
3. To delegate authority to approve eligible projects within each total LEA allocation to IAC staff and Designees, with a report of project allocations submitted to the IAC periodically at regularly scheduled meetings.

9. FY 2022 Aging Schools Program Rescission – Baltimore County Public Schools – [Motion Carried]

Ms. Davis presented Baltimore County Public Schools' request to rescind FY 2022 Aging Schools Program funding totaling \$865K for the Perry Hall High and Woodmoor Elementary Intercom Replacement Projects and to reserve the funding for future distribution due to revised project scopes and increased construction costs.

Upon a motion by Ms. Lawlah, seconded by Vice-chair Eberhart, the IAC voted unanimously to approve the cancellation of two Baltimore County Public Schools intercom projects funded in the Fiscal Year 2022 Aging Schools Program (ASP); and, to reserve the funding for future distribution to eligible projects in the FY 2024 ASP.

10. Gross Area Baseline Variance - Anne Arundel County Public Schools – Park Elementary School – [Motion Carried]

Ms. Wilfong presented Anne Arundel County Public Schools' request for a Gross Area Baseline variance of 8,000 GSF for the Park Elementary School project to fund a classroom addition.

Upon a motion by Ms. Lawlah, seconded by Mr. Darenberg, the IAC voted to approve a Gross Area Baseline variance for an additional 8,000 gross square feet at Anne Arundel County's Park Elementary School (PSC 02.076) in support of a potential six classroom addition. This increases the eligible

building area from 76,047 to 84,047 gross square feet based upon a total projected enrollment of 642 students.

11. FY 2021 Capital Improvement Program Cancellation and FY 2022 Amendment – Montgomery County Public Schools - Ronald McNair Elementary – [Motion Carried]

Ms. Davis presented Montgomery County Public Schools' (MCPS) request to amend the FY 2021 CIP to rescind funding applied to the Ronald McNair HVAC project and reallocate the available funds to the FY 2022 CIP Ronald McNair HVAC project to cover the increased budget.

Upon a motion by Ms. Lawlah, seconded by Ms. Eberhart, the IAC voted unanimously to rescind the Fiscal Year 2021 Capital Improvement Program (CIP) Ronald McNair Elementary School HVAC project and transfer the allocation of \$487,000 to the Montgomery County Public Schools (MCPS) Prior Year Reserved Appropriation Account; and to approve the reallocation of \$487,000 from the MCPS Prior Year Appropriation Account to the FY 2022 CIP Ronald McNair Elementary School HVAC project, increasing the State Share from \$975,000 to \$1,462,000.

12. FY 2022 and FY 2023 Capital Improvement Program Rescission Requests – Baltimore City Public Schools – [Motion Carried]

Ms. Davis presented Baltimore City Public Schools' (City Schools) request to rescind funding from several projects approved in FY 2022 and 2023 CIP and revert the funding to City Schools' LEA reserve account for future use.

Upon a motion by Ms. Lawlah, seconded by Mr. Gibbons, the IAC voted unanimously:

1. To approve the rescission of eight Baltimore City Public Schools (City Schools) projects funded in the FY 2022 Capital Improvement Program (CIP);
2. To approve the rescission of \$15,000,000 approved for allocation in the FY 2022 and FY 2023 CIP and reapply for future redistribution to the FY 2024 CIP Armistead Gardens PreK-8 School #243 addition/renovation project; and
3. To transfer \$49,437,000 to the LEA's reserve appropriations account for future redistribution.

13. FY 2023 Capital Improvement Program Rescission – Harford County Public Schools – Harford Technical High School – [Motion Carried]

Ms. Davis presented Harford County Public Schools request to rescind FY 2023 CIP local planning approval and funding for the Harford Technical High School Limited Renovation project due to the fluctuating condition of the construction market.

Upon a motion by Ms. Lawlah, seconded by Vice-chair Eberhart, the IAC voted unanimously to approve the rescission of Harford County Public Schools' (HCPS) FY 2023 CIP Harford Technical High School (PSC 12.008) Limited Renovation planning and construction allocation totaling \$10 Million, and to subsequently transfer the rescinded funds into the reserve account designated for HCPS.

14. Healthy Schools Facility Fund FY 2021, FY 2022, and FY 2023 Project Realignments and Extensions – [Motion Carried]

Ms. Davis and Gene Shanholtz, IAC Regional Facilities Manager, presented requests from Calvert, Carroll, and Garrett Counties to extend the Healthy School Facility Fund program deadlines due to unanticipated project delays and realignment funding for projects that came in with significantly

higher construction costs due to recent bid results. In response to a question from Commission members, Staff confirmed that Sunderland Elementary School is fully air conditioned and the project will replace the current unit that has reached the end of its expected useful life.

Upon a motion by Mr. Darenberg, seconded by Ms. Eberhart, the IAC voted unanimously:

1. To approve the realignment of Healthy Schools Facility Fund (HSFF) funding allocations for projects in Calvert County, Carroll County, and Garrett County as presented;
2. To extend the encumbrance deadline for the Westminster High project from June 1, 2023 to December 31, 2023;
3. To extend the deadline for funds to be expended for the Sunderland Elementary School Chiller/Rooftop Unit project from October 3, 2023 to June 3, 2024; and
4. To extend the reimbursement submission deadline for the Sunderland Elementary School Chiller/Rooftop Unit project from May 1, 2024 to August 1, 2024.

15. Approval of Adjustment to Maximum State Allocation - Baltimore City Public Schools – Furley Elementary School – [Motion Carried]

Mr. Shanholtz presented Baltimore City Public Schools' request to adjust the Maximum State Allocation for the Furley Elementary School replacement project due to market conditions and the ongoing escalation of construction costs. The project received local planning approval in Fiscal Year 2021 and \$12 million in funding from the Fiscal Year 2022 and 2023 CIPs. Commission members questioned if the increase is consistent with the current inflation. Staff confirmed when the project was approved that the price per square foot was locked into fiscal year 2022 rates and the increase would reflect the current status of the construction market.

Upon a motion by Ms. Lawlah, seconded by Vice-chair Eberhart, the IAC voted unanimously to approve Baltimore City Public Schools' request to increase the Maximum State Allocation for Furley Elementary School from \$27,446,000 to \$42,852,000, based upon bids received pursuant to COMAR 14.39.02.07C and to include funding for design & furniture, fixtures, and equipment as reflected in the presented project worksheet.

16. Nonpublic Aging Schools Program – FY 2023 Project Approvals and Allocations – [Motion Carried]

Myron Mason, MSDE School Facilities Program Officer, presented the FY 2022 allocations for the Nonpublic Aging Schools Program, totaling \$3,499,998.38. Commission members inquired about the low available funds. Staff explained that the funds appropriated by the legislature are consistent with previous years and the amount is specified in the annual budget bill.

Upon a motion by Ms. Lawlah, seconded by Vice-chair Eberhart, the IAC voted unanimously to approve FY 2023 Senator James E. "Ed" DeGrange Nonpublic Aging Schools Program project allocations as presented, totaling \$3,499,998.38.

17. FY 2024 Capital Improvement Program Supplemental Information Report – [Informational Only]

Jillian Storms, MSDE Office of School Facilities Acting Director, presented an overview of information gathered from LEAs as part of the FY 2024 CIP submission process, including air conditioning availability in classrooms, number of design and planning professionals on staff, open space instructional areas, and number of relocatable classrooms per LEA. Commission members requested further information on the funding and future use of relocatable classrooms. Staff explained that the

State no longer provides relocatables . The State owns approximately 99 relocatables, the majority of which have exceeded their useful life and will be demolished when no longer in use.

18. Legislative Update – [Informational Only]

Ms. Viscarra presented an overview of the bills that are of interest to the IAC that were approved by both chambers during the 2023 legislative session and sent to the Governor for signing.

Announcements:

Chair Kasemeyer mentioned that during the budget hearing in Annapolis, the IAC committed to meeting with LEAs and County Government officials throughout the year to engage in discussion.

Adjournment:

Upon a motion by Mr. Darenberg, with a second by Secretary Chaudhry, the IAC voted unanimously to adjourn the meeting at 10:36 a.m.