

Meeting Minutes – January 12, 2023

Call to Order:

Chair Kasemeyer called the video-conference meeting of the Interagency Commission on School Construction to order at 9:00 a.m.

Members in Attendance:

Edward Kasemeyer, Appointee of the President of the Senate, Chair
Superintendent Mohammed Choudhury, Maryland State Department of Education
Linda Eberhart, Appointee of the Speaker of the House
Brian Gibbons, Appointee of the Speaker of the House
Gloria Lawlah, Appointee of the President of the Senate
Valdis Lazdins, Designee for Acting Secretary Sandy Schrader, Maryland Department of Planning
Courtney League, Designee for Secretary Ellington Churchill, Department of General Services

Members Not in Attendance:

Michael Darenberg, Appointee of the Governor

Revisions to the Agenda:

There were no revisions to the agenda.

Public Comment:

There was no public comment.

IAC Correspondence:

Alex Donahue, IAC Executive Director, noted the inclusion in the agenda of two letters. The first was a letter to Governor-Elect Wes Moore from the Maryland Association of Boards of Education and the Public Schools Superintendents Association of Maryland. Mr. Donahue noted that IAC staff will provide additional information regarding the issues addressed in the letter at the February IAC Meeting. The second was a letter from Chair Kasemeyer to former IAC member Dick Lombardo, who recently resigned from the Commission, thanking him for his service.

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

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

A. Approval of the December 8, 2022 Minutes

To approve the minutes of the December 8, 2022 Interagency Commission on School Construction Meeting.

B. Contract Awards

To approve contract procurement as presented.

C. Approval of Revisions to Previously Approved Contracts

To approve the revisions to previously approved contract awards as presented.

D. Anne Arundel County Public Schools – Site Approval – Old Mill North Middle School

To approve the reuse of the existing Center of Applied Technology - North site of 55.36 acres owned by the Anne Arundel County Board of Education (AACBOE) at 800 Stevenson Road, Severn, MD, 21144 (Parcels 1 and 3 of Tax I.D. # 02-04-00090036241, Liber 2274, Folio 442), for the construction of a replacement for Old Mill North Middle School with a scheduled completion in Fall 2027; adhering to the actions identified in the state clearinghouse review, state application identifier MD20221007-0792.

E. Baltimore County Public Schools – Site Approval – Deer Park Elementary School

To approve the acquisition and use by the Baltimore County Board of Education (BCBOE) of 14.86 acres of land at 9809 Lyons Mill Road, Owings Mills, MD, 21117 for the construction of a replacement for Deer Park Elementary School; adhering to the actions identified in the state clearinghouse review, state identifier MD20211122-0884.

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

2. Adoption of Final 14.39.02.06 COMAR Revisions – [Motion Carried]

Jonathan Borghetti, IAC Policy Analyst, presented the final revisions to COMAR 14.39.07 to be adopted by the IAC.

Upon a motion by Ms. Eberhart, seconded by Ms. Lawlah, the IAC voted unanimously to adopt the final COMAR Revisions as published in the November 4, 2022 Maryland Register (Volume 49, Issue 23, Page 1011).

3. Healthy School Facility Fund FY 2023 Extension Request and Administrative Procedure Guide and Attachment 1 Baltimore City Public School System’s Schedule for Application and Approval of Project Funding Revisions - [Motion Carried]

Arabia Davis, IAC Funding Programs Manager, and Gricel Muñoz, IAC Regional Facilities Manager presented changes to the Healthy School Facility Fund (HSFF) Administrative Procedures Guide (APG) to decrease the threshold above which prevailing wage rates are applicable to public work projects from \$500,000 to \$250,000, as consistent with revisions to State law. Also included were proposed revisions to extend the application schedule for Baltimore City Public Schools to February 28, 2023 to provide sufficient time for City Schools to submit and for IAC staff to review HVAC projects eligible for use of the remaining \$20 million in Federal American Rescue Plan Act (ARPA) funds.

Upon a motion by Mr. Gibbons, seconded by Ms. Lawlah, the IAC voted unanimously to approve revisions to the HSFF APG as shown in the presented draft document.

4. Baltimore City Public Schools - FY 2023 Healthy School Facility Fund Approval of Project Allocations - [Motion Carried]

Ms. Davis presented four HSFF project requests submitted by Baltimore City Schools totaling \$24.5 million in new authorization.

Upon a motion by Ms. Eberhart, seconded by Mr. League, the IAC voted unanimously to approve Fiscal Year 2023 HSFF project allocations for Baltimore City Public Schools totaling approximately \$25 million in new authorization as presented in Table 1 of the agenda item.

5. Use of Bond Proceeds for Capital Improvements in Leased Public School Buildings - [Motion Carried]

Mr. Donahue presented a proposed agenda item that would direct IAC staff to develop a draft policy to address the use of bond proceeds for capital improvements in leased public school buildings. The Blueprint for Maryland's Future specifies requirements for PK-12 education that may require LEA's to expand on their facilities portfolios. A number of LEAs have expressed concern that they may not have available space or ability to purchase further space within their jurisdiction. LEAs have suggested that they may be able to acquire the necessary space through leasing facilities and reconfiguring or renovating them.

Commission members asked questions about the policy under consideration. Mr. Donahue explained that a draft policy is still under development and that if the agenda item was approved, staff would work with the State Treasurer's Office and other stakeholders to develop and propose appropriate policy details.

Upon a motion by Ms. Eberhart, seconded by Mr. Gibbons, the IAC voted unanimously to direct staff to develop a policy for the use of certain bond proceeds, including Capital Improvement Program funds and Pass-Through Grant funds, for capital improvements requested by Local Education Agencies in facilities that are leased to Local Education Agencies or charter school operators for use as public schools. Staff will present the policy to the Commission in a subsequent meeting for review and approval as a Commission policy.

Announcements:

Mr. Donahue introduced Melissa Wilfong as the new Senior Regional Facility Manager. Ms. Wilfong expressed excitement to begin working with the IAC.

For the past 10 years, the IAC and the Maryland Historical Trust (MHT) have had an agreement to facilitate compliance during school construction projects with the State's historic preservation processes. The agreement is set to expire within the next month. MHT and the IAC will work together to develop a new agreement. Until a new agreement is approved, the IAC will present a proposal to extend the current agreement to prevent a gap in agreement terms. Mr. Donahue noted that a proposed extension is expected to be presented at the February IAC meeting.

Adjournment:

Upon a motion by Ms. Eberhart, with a second by Ms Lawlah, the IAC voted unanimously to adjourn the meeting at 9:22 a.m.