



Maryland
Interagency Commission
on School Construction

Wes Moore | Governor
Edward J. Kasemeyer | Chair
Alex Donahue | Executive Director

Meeting Minutes – July 13, 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
Brian Gibbons, Appointee of the Speaker of the House
Michael Darenberg, Appointee of the Governor
Secretary Rebecca Flora, Maryland Department of Planning
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:

None.

IAC Correspondence:

None.

1. **Executive Director's Report – [Informational Only]**

Alex Donahue, IAC Executive Director, provided an update on IAC initiatives. While facility age is only a rough proxy measure of facility condition and not as accurate a measure as the Facility Condition Index (FCI) generated by the Statewide Facilities Assessment, the average Statewide facility age decreased from 31 years in 2022 to 30 years in 2023. On an LEA level, three LEAs (Cecil, Wicomico, and Worcester) saw a decrease in average age, and the remaining 21 LEAs held steady. IAC Staff believe this is a result of the recommended portfolio practice of substituting more facility renovation and replacement projects over building-system replacements.

Additionally, IAC Staff have to date facilitated 11 meetings of the Blueprint Facilities Workgroup on proposed adjustments to the Gross Area Baselines (GABs) to reflect changes in educational practice and anticipated implementation of Blueprint requirements since the GABs were last updated in 2019. LEA staff have provided extremely valuable input and draft recommendations are expected to be brought to the IAC in August following three more meetings of the Workgroup.

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

Upon a motion by Vice-chair Eberhart, seconded by Ms. Lawlah, the IAC voted unanimously to approve the consent agenda.

A. **June 8, 2023 Minutes**

To approve the draft June 8, 2023 IAC Meeting Minutes, as presented.

B. **Contract Awards**

To approve contract procurement as noted below.

C. **Revisions to Previously Approved Contracts**

To approve the revisions to previously approved contract awards as presented to accurately reflect the State and local participation in the contract amounts and/or corrections to project allocation information.

D. **Property Transfer Amendment - Baltimore City - Grove Park PK-8**

To amend the action of the IAC on May 14, 2020 approving the transfer of the #022 Grove Park Elementary/Middle School (30.271), 5545 Kennison Avenue, Baltimore, MD, 21215, from the Baltimore City Board of School Commissioners to the Mayor and City Council of Baltimore, to revise the outstanding bond debt from \$2,844,159.99 to \$2,832,134.33. This action does not affect the IAC's prior approval of the transfer of the building from City Schools to the City government, nor the City government's obligation to obtain approval of the IAC before transferring any right, title, or interest to any portion of the property.

E. **Property Transfer - Washington County Public Schools - Ruth Anne Monroe Primary School Secondary**

To approve the transfer of 28.04 acres at 1311 Yale Drive, Hagerstown, MD in Washington County from the Washington County Board of Education to the Washington County Board of Commissioners for potential resale to Meritus Health System as a site of student housing for the Meritus School of Osteopathic Medicine. The Washington County Board of Commissioners shall obtain approval of the IAC before transferring any right, title, or interest to any portion of the property.

F. Property Transfer - Baltimore County Public Schools - Catonsville Elementary School

To approve the transfer of 0.7035 acres of the Catonsville Elementary School (PSC 03.217) property at 106 Bloomsbury Ave, Catonsville, MD from the Baltimore County Board of Education (BCBOE) to the Baltimore County Council for use in the Rails to Trails program. The Baltimore County Council shall obtain approval of the IAC before transferring any right, title, or interest to any portion of the property.

G. Easement & Right-of-Way

To approve the conveyance of the easement and right-of-way as presented.

3. Property Disposal - Baltimore City - Alexander Hamilton Elementary School – [Motion Carried]

Cassandra Viscarra, IAC Deputy Director for Administration, presented Baltimore City's request for disposal via sale of the property formerly used for Alexander Hamilton Elementary School. The Commission requested information on the eight schools previously approved for closure by City Schools and IAC Staff confirmed that the two school programs noted as operational (Lois T. Murray and Sharp-Leadenhall Elementary/Middle Schools) are in new facilities. Staff also confirmed that the future use of the property is intended for Head Start services, behavioral services, health services, workforce development, youth activities, meeting and community space, and classrooms, per the presented Land Disposition Agreement.

Upon a motion by Ms. Lawlah, seconded by Mr. Gibbons, the IAC voted unanimously to approve the sale of the property formerly used for Alexander Hamilton Elementary School (PSC 30.068) located at 800 Poplar Grove Street, Baltimore, MD, 21216 from the Mayor and City Council of Baltimore to the Associated Catholic Charities on terms set forth in the draft Land Disposition Agreement between these parties. The consideration for the sale of the property is the amount of \$1.2 million, of which amount \$500,000 shall be paid in cash and \$700,000 shall be evidenced by a seller take-back promissory note from the Associated Catholic Charities to the City of Baltimore. In accordance with this Commission's April 29, 2021 approval of the closure and transfer of this property to the Mayor and City Council of Baltimore, this approval is also conditioned upon full repayment of the outstanding State bond debt associated with this property by Baltimore City within 30 days of the closing of the sale of the property. Further, requiring Baltimore City to pay the State a proportional share of the disposition proceeds based on the State's investment in the School Property of \$54,752.89. This proportional share is based upon a total consideration of \$500,000 pursuant to Schedule C of the provided Land Disposition Agreement and in recognition of the criteria for the City to forgive the \$700,000 seller take-back promissory note. However, the IAC reserves the right to require the City to repay the State proportional share of the \$700,000 investment, which is \$646,980.26, if Baltimore City does not forgive the seller take-back promissory note in accordance with the note.

4. FY 2025 Cost per Square Foot – [Motion Carried]

Tom Lockman, IAC Chief Financial Officer, presented the annual proposed Statewide construction cost per square foot that will apply to school construction projects that receive their first year of construction funding between January 1 and December 31, 2023. In response to questions raised by Commission Members, IAC Staff clarified that a 19% increase to the construction cost per square foot is provided for site costs for new construction and a 5% increase is provided for site costs for renovation projects. A school replacement on a different part of its existing site is considered new construction and would receive a 19% increase for site costs.

Upon a motion by Mr. Gibbons, seconded by Mr. Darenberg, the IAC voted unanimously to adopt the Fiscal Year 2025 Statewide per-square-foot school construction cost of \$404 for building only.

5. Adoption of FY 2025 and FY 2026 State Cost Share Percentages – [Motion Carried]

Executive Director Donahue and Mr. Lockman presented an overview of proposed updates to the State and local cost share percentage for each LEA, which the IAC must update, approve, and publish every two fiscal years. Mr. Donahue explained that, unlike in recent update cycles, recently amended statutory language bars the IAC from holding LEAs harmless when the formula produces decreases in the State cost share percentages. IAC Staff are working to reevaluate and modernize the formula over the next two years and upon questions from Commission Members, confirmed that Staff will work with relevant State agencies and stakeholders throughout this process. Mr. Donahue also noted that a set of project-level add-ons to the State cost share percentages, which are available to LEAs when applicable.

Upon a motion by Vice-chair Eberhart, seconded by Mr. Gibbons, the IAC voted unanimously:

1. To adopt the Fiscal Year 2025 and Fiscal Year 2026 State Cost Share Percentages as presented, calculated based upon the formula in COMAR 14.39.02.05; and
2. To approve amendments to COMAR 14.39.02.05, as presented in this item and to authorize staff to make additional technical edits as necessary. The proposed COMAR revisions will be published in the Maryland Register and will be open for public comment for a period of at least 30 days before returning to the IAC for final approval.

6. Adoption of the FY 2025 Capital Improvement Program Instructions – [Motion Carried]

Arabia Davis, IAC Funding Programs Manager, presented the proposed instructions for the upcoming FY 2025 Capital Improvement Program. A notable addition to this year's instructions are directions in compliance with the Safe Walk to Schools Act of 2022 regarding the requirement for LEAs to submit a pedestrian safety plan for any project that is slated to increase the capacity of a school by more than 100 students. IAC Staff anticipate releasing application forms to the LEAs by mid-August.

Upon a motion by Vice-chair Eberhart, seconded by Mr. Gibbons, the IAC voted unanimously to adopt the FY 2025 Public School Construction Capital Improvement Program (CIP) Instructions as presented.

7. Maximum State Allocation and Built to Learn Program Funding Increases - Montgomery County Public Schools - Neelsville Middle School – [Motion Carried]

Following the postponement of a related item at the June 8, 2023 IAC Meeting, IAC Capital Projects Supervisor Melissa Wilfong presented Montgomery County Public Schools' request for an increased Maximum State Allocation and Built to Learn program funding for the Neelsville Middle School replacement project. The initial funding request for this project was only 50% of the initial cost estimate for the project and with this request MCPS seeks additional funds to supplement the project.

Upon a motion by Vice-chair Eberhart, seconded by Mr. Darenberg, the IAC voted unanimously to increase the Maximum State Allocation and Built to Learn (BTL) program funding for the Montgomery County Public Schools (MCPS) Neelsville Middle School (PSC 15.136) replacement project by \$5,210,000 from \$27,362,000 for a total revised allocation of \$32,572,000.

8. Maximum State Allocation and Built to Learn Program Funding Increases - Montgomery County Public Schools - Woodward High School – [Motion Carried]

Also following the postponement of a related item at the June 8, 2023 IAC Meeting, Ms. Wilfong presented MCPS' request to set the Maximum State Allocation and provide Phase 2 funding for the Woodward High School replacement project, which received an initial funding allocation prior to the Maximum State Allocation being established due to a complex long range planning process.

Upon a motion by Mr. Gibbons, seconded by Vice-chair Eberhart, the IAC voted unanimously to set the Maximum State Allocation for the MCPS Woodward High School (PSC 15.125) replacement project at \$78,597,000 and increase BTL program funding to fund phase 2 of the project by \$49,690,000 from \$28,907,000 for a revised total project (including phase 1) allocation of \$78,597,000.

9. FY 2024 School Safety Grant Program – [Motion Carried]

Ms. Davis presented the Notice of Funding Availability and Memorandum of Understanding with the Maryland Center for School Safety for the joint administration of the FY 2024 School Safety Grant Program, which has an application period slated to begin on August 1.

Upon a motion by Mr. Gibbons, seconded by Vice-chair Eberhart, the IAC voted unanimously:

1. To delegate to the Maryland Center for School Safety (MCSS), in consultation with IAC staff for the purposes of determining project eligibility, authority to administer the FY 2024 School Safety Grant Program (SSGP) and grant extension requests for FY 2024 SSGP projects;
2. To approve the SSGP Notice of Funding Availability, pending non-substantive edits by MCSS and IAC staff;
3. To direct MCSS to solicit SSGP projects from LEAs and the Maryland School for the Blind with a maximum total FY 2024 allocation of \$10 million and available prior year funding;
4. To allocate funding as presented in this item to each LEA based on a combination of their proportion of total 2022 enrollment and their proportion of total facility square footage, with every LEA receiving a minimum allocation of \$200,000;
5. To authorize the Chair to execute the Memorandum of Understanding between the IAC and MCSS, pending non-substantive edits by MCSS and IAC staff.

10. FY 2024 Healthy School Facility Fund Recommendations – [Motion Carried]

Ms. Davis presented funding recommendations for the FY 2024 Healthy School Facility Fund program, which includes funding for 59 projects. 26 projects were not recommended for funding due to fiscal constraints.

Upon a motion by Secretary Chaudhry, seconded by Mr. Gibbons, the IAC voted unanimously to approve Fiscal Year 2024 Healthy School Facility Fund (HSFF) project allocations totaling \$89,937,198, including \$44,937,198 for Baltimore City, and \$45,000,000 and \$2,104,877 from reserve funds for jurisdictions other than Baltimore City.

Announcements:

There were no announcements.



Adjournment:

Upon a motion by Mr. Gibbons, with a second by Vice-chair Eberhart, the IAC voted unanimously to adjourn the meeting at 9:55 a.m.