



Meeting Minutes – December 14, 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
Secretary Atif Chaudhry, Maryland Department of General Services
Michael Darenberg, Appointee of the Governor
Linda Eberhart, Appointee of the Speaker of the House, Vice-chair
Brian Gibbons, Appointee of the Speaker of the House
Gloria Lawlah, Appointee of the President of the Senate
Jill Lemke as Designee for Secretary Rebecca Flora, Maryland Department of Planning
Dr. Carey M. Wright, Interim State Superintendent of Schools

Members Not in Attendance:

None.

Revisions to the Agenda:

None.

Public Comment:

There was no public comment.

IAC Correspondence:

None.

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

Executive Director Alex Donahue informed the IAC that the IAC's independent status is nearly completed, save for a few financial arrangements which are in progress. Executive Director Donahue indicated that IAC staff would be moving to the new office space at Camden Yards within the coming weeks, and that procurement for a moving company was currently underway. He discussed his ongoing contact with Maryland county representatives and stakeholders and mentioned that the IAC will be operating an outreach booth at the Maryland Association of Counties (MACo) 2024 summer conference. Briefly, Executive Director Donahue outlined the process of the Capital Improvement Program (CIP), and today's 75% allocation round, noting an unprecedented level of uncertainty and ongoing staff analysis that is required before project allocations are finalized in May.

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

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

A. November 9, 2023 Minutes

To approve the draft November 9, 2023 IAC Meeting Minutes, as presented.

B. Contract Awards

To approve contract procurements as noted below.

C. IAC 2024 Meeting Schedule – [Informational Only]

An informational item containing the dates by which materials are due from LEAs and each IAC meeting in 2024.

3. FY 2025 Capital Improvement Program 75% Project Approvals – [Motion Carried]

Funding Programs Manager Arabia Davis presented IAC staff recommendations for 75% of the preliminary school construction allocation for the FY 2024 CIP. Staff recommended the approval of 2 planning requests and 99 funding requests totalling \$210,000,000 for the 75% allocation round based on the Governor’s Preliminary Capital Budget. Ms. Davis indicated that project status codes differ slightly from their historic usage. The “C” status code in particular this year indicates not only projects for which not all the necessary information has been provided, but also projects which may become eligible in a later round but do not yet have a finalized Maximum State Allocation due to the need to perform a Pre-Kindergarten enrollment analysis or another staff analysis.

Ms. Davis also noted a correction regarding Board of Education (BOE) Support letters from several LEAs. During the November 2023 meeting, it was stated that Anne Arundel County, Baltimore County, and Baltimore City had not yet provided BOE approval letters. However, these counties had provided letters from the Superintendent certifying that the BOE had approved these Counties’ CIPs, which is an acceptable alternative according to the IAC’s Administrative Procedures Guide.

Sixteen different LEAs and the Maryland School for the Blind provided written and/or oral testimony to the IAC from 9:17 am to 10:19 am.

Prior to the reading of the motion, Chair Kasemeyer requested that Executive Director Donahue provide further background information about Worcester County’s appeal, specifically regarding Buckingham Elementary School. Executive Director Donahue indicated that Buckingham Elementary as currently proposed is not eligible for State participation, due to available capacity at adjacent schools. The methodology of calculating eligible enrollment is standardized across the State. Mr. Donahue also indicated that the rules have not changed significantly for how this analysis is conducted, but the IAC now has the capacity to fully implement these rules, which they may not have had in previous years.

Chair Kasemeyer mentioned past conversations with Worcester County Public Schools in which potential compromises had been discussed, but these suggestions were unacceptable to the LEA. The IAC and staff are committed to ongoing communication with Worcester County Public Schools.

Upon a motion made by Mr. Darenberg, seconded by Ms. Lemke, the IAC voted unanimously to approve the recommended Fiscal Year 2025 75% Capital Improvement Program (CIP) preliminary Allocations and Planning Approvals as presented in the Summary of 75% Recommendation Details by Project included in this item, Column E “IAC Staff Recommendations 75% New Authorization,” contingent upon appropriations in the FY 2025 State Capital Budget and final approval of the 100% FY 2025 Capital Improvement Program by the Interagency Commission on School Construction in

May 2024. Further, to authorize IAC staff to make adjustments to project allocations to avoid over and under funding of a project. Approval of projects with a “U” status is contingent upon resolution of outstanding issues.

4. FY 2024 Capital Improvement Program Amendment - Baltimore City Public Schools - Northeast Middle School Limited Renovation – [Motion Carried]

Funding Programs and Finance Assistant Tatyana Tate presented a recommendation to amend the existing FY 2024 CIP for Northeast Middle School’s Limited Renovation project to apply additional funding from the LEA’s reserve account, making the total allocation \$7,880,000.

Upon a motion by Ms. Lemke, seconded by Vice-chair Eberhart, the IAC voted unanimously to approve the allocation of \$5,376,000 from Baltimore City Public Schools’ (City Schools) Reserve Appropriation Account to be used for the Northeast Middle School (PSC30.137) FY 2024 Capital Improvement Program (CIP) Limited Renovation project.

5. FY 2023 Capital Improvement Program Reversion/Amendment Request - Anne Arundel County Public Schools - Elevator Modifications Projects – [Motion Carried]

Capital Projects Manager Lisa Vaughn indicated that Anne Arundel County Public Schools (AACPS) uses rounded figures to prepare their CIP requests and that these rounded figures are subsequently approved by the Anne Arundel County Board of Education. This rounding difference between Anne Arundel County and the IAC affected two elevator modification projects approved in the FY 2023 CIP, and requested a reversion to these amounts to account for this rounding difference. To address this discrepancy, IAC staff recommends a reduction of \$200 from Glendale Elementary School’s (PSC 02.065) CIP allocation and an increase in Four Seasons Elementary School (PSC 02.010) allocation by \$400. Funds in AACPS’ reserve account will be utilized to make this correction, with remaining funds requested to be applied to FY 2025 CIP requests.

Upon a motion by Ms. Wright, seconded by Vice-chair Eberhart, the IAC voted unanimously to approve the reversion of \$200 from the Anne Arundel County Public Schools FY 2023 Capital Improvement Program Glendale Elementary School Elevator Modifications project to the LEA’s reserve account; and, to increase, in accordance with COMAR 14.39.02.07C, a project allocation in the amount of \$400 for the Anne Arundel County Public Schools FY 2023 Capital Improvement Program Four Seasons Elementary School Elevator Modifications project from the LEA’s reserve account.

6. Interagency Commission on School Construction Bylaws Amendments – [Motion Carried]

Deputy Director Cassandra Viscarra proposed amendments to the IAC Bylaws to reflect changes that occurred during the 2023 Legislative Session with the passage of HB 458. These changes included identifying the IAC as an independent agency and clarifying the circumstances under which an IAC member could be removed from the commission.

Upon a motion by Mr. Darenberg, seconded by Secretary Chaudhry, the IAC voted unanimously to approve amendments to the Interagency Commission on School Construction Bylaws as presented.

Announcements:



None.

Adjournment:

Upon a motion by Mr. Gibbons, seconded by Vice-chair Eberhart, the IAC voted unanimously to adjourn the meeting at 10:34 am.