



DRAFT Meeting Minutes – February 13, 2025

Call to Order:

Chair Edward 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
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
Chuck Boyd as Designee for 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
Krishnanda Tallur as Designee for Dr. Carey M. Wright, State Superintendent of Schools

Members Not in Attendance:

None.

Revisions to the Agenda:

None.

Public Comment:

The IAC received public written comment from Mr. Joseph Jakuta from Climate Parents of Prince George's which expressed support for the alteration to the net-zero cost share that would allow more counties to receive the incentive funds. He also asked the IAC for updates to be made to the life cycle cost estimator.

IAC Correspondence:

None.

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

Executive Director Alex Donahue updated the IAC on the process of revising the Administrative Procedures Guide (APG) and informed commission members that staff have extended the revision schedule to give adequate time for all LEAs to provide feedback on the draft. Additionally, Executive Director Donahue gave an update on legislation impacting the IAC, specifically House Bill 736, which would override the IAC's State-local cost share formula for the Kent County Middle School project. Executive Director Donahue indicated while staff understand the need for additional funding for this project beyond what has been recommended for the project in the FY 2026 CIP, many LEAs are facing fiscal walls that prevent them from realizing the total local funding amount required for urgent projects.

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

Mr. Darenberg asked whether the Baltimore County Oliver Beach project is one of the last remaining open space enclosure projects. Executive Director Donahue informed the commission that there are still a number of LEAs who have open spaces in school buildings that will need to be enclosed.

Mr. Darenberg also asked about the Washington County E. Russell Hicks Chiller project, stating that the school had previous HVAC work done within the last 10 years. Capital Projects Manager Lisa Vaughn clarified that the previous projects did not include the requested scope, which includes replacement of the chiller and cooling tower which are from 1998 and 1991, respectively. Mr. Darenberg suggested that for future contract award reports on the agenda, staff should include additional project information to provide greater clarity on project scopes.

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

a. **December 13, 2024 Meeting Minutes**

To approve the draft December 13, 2024 IAC Meeting Minutes, as presented.

b. **Contract Awards**

To approve the contract procurements and project reversions as presented on the following pages.

c. **Revisions to Previously Approved Contracts**

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

d. **Project Fund Reversions**

To approve the reversion of the uncontracted project fund amounts as presented in this item to the appropriate reserve accounts.

e. **FY 2024 Healthy School Facility Fund Correction to PSC and School Name – Frederick County Public Schools – Urbana High School (PSC L10F048)**

To correct the PSC Number and school name listed in Item 10 of the December 19, 2024 IAC meeting agenda for Frederick County Public Schools' FY 2024 Healthy School Facility Fund (HSFF) reallocation request for Urbana Elementary (PSC L10F022) to Urbana High School (PSC L10F048).

f. **Special Education Determination and Maximum State Award Increase – Frederick County Public Schools – Middletown Elementary/Middle School (PSC L10F085) Replacement**

To amend the conditional FY 2025 Capital Improvement Program (CIP) award for the Frederick County Public Schools (FCPS) Middletown Elementary/Middle (PSC L10F085) replacement project as presented to reflect an increase to the Maximum State Award from \$67,069,000 to \$67,121,000 due to finalization of the Special Education enrollment.

3. **Amendment to the FY 2026 Capital Improvement Program (CIP) 75% Project Approval and Adoption of the FY 2026 90% CIP Project Recommendations – **[Motion Carried]****

Executive Director Donahue and Funding Programs Manager Arabia Davis presented the FY 2026 CIP recommendations comprising 90% of total estimated funding allocations. Ms. Davis indicated that the Governor's Preliminary Capital Budget includes an increase over the December estimated allocations of \$20 million in new authorization, and \$13 million in Enrollment Growth and Relocatable Classroom (EGRC) funding. She noted that in the 90% round of funding, staff proposed that additional bond funds be awarded to ten critical major construction projects and two systemic renovations to ensure full

funding. The recommendations include 103 projects and 6 local planning requests, with a total award amount of \$258,775,266.

Chair Kasemeyer asked for clarification on how unfunded project needs were reduced from \$134 million to \$55 million. Executive Director Donahue informed the commission that the proposed budget and the increase in EGRC funding helped reduce unfunded gaps in districts that qualify for EGRC. IAC staff have also received additional information regarding county cash flows to ensure that projected awards are sufficient to help the project move forward on schedule, but not provide funds earlier than needed. This has allowed for the movement of funds to urgent construction projects that had not received funding.

Upon a motion made by Vice-chair Eberhart, seconded by Secretary Chaudhry, the IAC voted unanimously to approve amendments to the 75% Capital Improvement Program (CIP) preliminary awards, and to recommend to the budget committees of the General Assembly and the Department of Legislative Services, in accordance with Education Article §5-304(b)(f), the adoption of the Fiscal Year 2026 90% CIP IAC staff recommendations for each school system and the Maryland School for the Blind totaling \$258,775,266, including \$1,691,171 in funding allocated from the Statewide Reserve Account as shown in the attached FY 2026 CIP IAC 90% Staff Recommendations. Projects shown with a “U” status are contingent upon resolution of outstanding issues and all project approvals are contingent upon demonstrated compliance with the Programmatic Agreement between the Interagency Commission on School Construction and the Maryland Historical Trust Regarding Maryland School Construction Programs.

4. Proposed Administrative Procedures Guide — [Informational Only]

Deputy Director Cassandra Viscarra and Executive Director Alex Donahue presented proposed updates to the Administrative Procedures Guide (APG). Ms. Viscarra and Executive Director Donahue made clear that the revisions shown in the draft were only proposed revisions and that IAC staff were still working diligently with LEA stakeholders to determine what changes may need to be made.

5. FY 2025 Amendments to the Aging Schools Program Administrative Procedures Guide — [Motion Carried]

Ms. Viscarra presented an Item which revised one line in Section 5 of the Aging Schools Program (ASP) APG which would allow LEAs to request reimbursement for projects that are already under contract, a stipulation that has not been permitted previously. This would permit projects forward-funded by LEAs to be eligible for ASP funding.

Upon a motion made by Mr. Darenberg, seconded by Secretary Chaudhry, the IAC voted unanimously to amend the FY 2025 Aging Schools Program (ASP) Administrative Procedures Guide (APG) to permit projects under contract prior to IAC approval to be eligible for ASP funding.

6. COMAR Revisions to Statewide Per-Square-Foot Cost for Net Zero Projects — [Motion Carried]

Ms. Viscarra presented an Item which would revise COMAR 14.39.02.07F to allow for projects built in compliance with net-zero energy requirements to receive the incentive, even if the cost share for that LEA was 96% or higher. Ms. Viscarra noted that currently, LEAs who receive a 96% cost share are ineligible for this incentive add-on to pursue net-zero construction projects, since they will not receive the 5% State-cost-share increase. To remedy this, IAC staff has developed a calculation to be included in COMAR which would allow for these LEAs to receive additional funding via a mechanism other than a State-cost-share add-on.

Chair Kasemeyer asked for clarification on the additional funding that LEAs would receive. Ms. Viscarra indicated that if an LEA already receives a 97% for their State-cost share, they would be unable to receive the full 5% increase for net-zero construction and would only receive up to 3%, since they are unable to have a cost share over 100%. She indicated that this motion would allow the IAC to adjust the cost per square foot by the remaining amount, which in the example mentioned would be 2%. Mr. Darenberg asked how many LEAs this would impact, to which Ms. Viscarra indicated that this is a variable amount. While there are a handful of LEAs who have a State-cost share of 96% or higher, there are LEAs who are able to reach 96% or higher State-cost share amounts on a project-level basis due to other eligible add-ons available.

Upon a motion made by Mr. Darenberg, seconded by Vice-chair Eberhart, the IAC voted unanimously to approve amendments to COMAR 14.39.02.07F that will allow for additional funding for LEAs' projects that are eligible for the Net-Zero State Cost-Share Add-on but cannot receive the full value of the Add-on because the project-specific State Cost Share is 96% or higher.

7. FY 2024 Healthy School Facility Fund Revision – Calvert County Public Schools – Windy Hill Middle School (PSC L04F022) Air Conditioning – [Motion Carried]

Capital Projects Manager Lisa Vaughn presented a revision to the FY 2024 Healthy School Facility Fund (HSFF) award for the Windy Hill Middle School (PSC L04F022) air conditioning project in Calvert County. Ms. Vaughn stated that Calvert County Public Schools (CCPS) has requested additional funds be awarded from the Statewide reserve fund to address higher than anticipated bid costs for the project.

Upon a motion made by Mr. Darenberg, seconded by Secretary Chaudhry, the IAC voted unanimously to increase the FY 2024 Healthy School Facility Fund (HSFF) funding award for the Calvert County Public Schools (CCPS) Windy Hill Middle School (PSC L04F022) air conditioning project from \$489,830 to \$526,064 by transferring \$36,234 from available HSFF funds held in the Statewide Reserve to the project.

8. FY 2013 Energy Efficiency Initiative (EEI) Funding Adjustment – Authorizing the Use of Statewide Reserve Funds to Replace EEI Funds – [Motion Carried]

Ms. Viscarra presented an Item which detailed an accounting clean-up which awards Statewide Reserve Funds to several projects which were underfunded due to EEI funds being reverted by the State Treasurer's Office.

Executive Director Donahue noted that Items such as this are one reason why the IAC elects to maintain reserves rather than allocating all funds to projects. Mr. Darenberg asked how it was discovered that funds were rolled back from 2013, to which Ms. Viscarra replied that many funds sit for a significant amount of time, particularly program-specific funds which can only be used for certain types of projects. By using the oldest funding first, sometimes funds are awarded from prior fiscal years which can go this far back. But this does mean that sometimes these amendments are necessary when we reach a past funding year that had amendments to its appropriation.

Upon a motion made by Secretary Chaudhry, seconded by Mr. Boyd, the IAC voted unanimously to approve the use of \$3,137,903 in Statewide Reserve funds for projects that were previously awarded funding under the FY 2013 EEI appropriation.

9. Built to Learn Funding Request – Baltimore County Public Schools – Scotts Branch Elementary School (PSC L03F025) Replacement Project – [Motion Carried]

Ms. Davis presented a request from Baltimore County Public Schools (BCPS) to award their remaining Built to Learn (BTL) funding allocation of \$5.5 million to the Scotts Branch Elementary School replacement project. Ms. Davis noted that the remaining funds of \$2.7 million required for this replacement project would likely be sought through the FY 2027 CIP.

Mr. Darenberg asked if this was the last of the BTL funding available to BCPS, and Ms. Davis confirmed that this uses the remaining amount of BCPS BTL funding. Chair Kasemeyer asked how much BTL funding BCPS had originally, to which Ms. Davis answered that they were originally allocated \$357 million. Mr. Darenberg asked how many LEAs were close to the end of their BTL funding, to which Ms. Viscarra answered that eight LEAs have funding remaining unawarded, with the most significant being Baltimore City with \$209 million, and \$110 million across the other seven LEAs.

Upon a motion made by Vice-chair Eberhart, seconded by Ms. Lawlah, the IAC voted unanimously to approve Baltimore County Public Schools' (BCPS) request to award Built to Learn (BTL) construction funding to the Scotts Branch Elementary School (PSC L03F025) replacement project totaling \$5,543,000.

10. Legislative Update — [Informational Only]

Ms. Viscarra gave an update on several bills which would impact the IAC or LEAs, specifically mentioning HB 66, which would deal with the tracking and reporting of energy usage by the LEAs to the IAC and HB 38, which would restore IAC's authority to look in all project cases at adjacent school capacity when determining eligible enrollment for purposes of establishing Maximum State Awards. Ms. Viscarra also briefly presented the Governor's proposed budget, which included around \$34 million more than had previously been expected for funding projects submitted through the CIP.

Announcements:

None.

Adjournment:

Upon a motion by Mr. Darenberg, seconded by Vice-chair Eberhart, the IAC voted unanimously to adjourn the meeting at 9:46 am.