

Ad Hoc School Building Advisory Committee- Phase 2

BE IT RESOLVED, by the Town Council (Council) and Board of Education (BoE) of the Town of Scarborough, Maine (hereinafter “the Parties”), that,

WHEREAS, Scarborough schools currently have thirty (30) portables classrooms in operation and the physical condition of the three (3) primary schools is deteriorating; and,

WHEREAS, the Board of Education recommended a K-8 school solution that was derived from a citizen-lead effort; and,

WHEREAS, in November 2023, the voters soundly defeated the proposed school solution; and,

WHEREAS, the Council and the BoE jointly created the School Building Advisory Committee (SBAC) in January 2024 which was originally comprised of over 70 residents who were charged with considering the need, validating the prior work and recommending a school solution that could garner voter support; and,

WHEREAS, the SBAC considered the results of a statistically valid community survey and recommended that four school building options be considered further; and,

WHEREAS, in an effort to advance this important project, the Parties wishes to draw upon the resources of the community and qualified consultants to consider the work of the SBAC and recommend a single solution to meet school needs with sufficient detail to seek voter approval.

NOW, THEREFORE, BE IT RESOLVED, by the Parties, that there is hereby an Ad Hoc School Building Advisory Committee – Phase 2 (SBAC2) created, and the membership, terms, offices and duties shall be as follows:

1. **Purpose.** The purpose of the SBAC2 is to continue the fine work of the SBAC by collaborating with staff and qualified consultants in an effort to advise the Council and BoE on the preferred site, design and probable cost estimates for a school solution that will meet the needs of students and staff that can be supported by the voters. Such recommendation shall be sufficient to serve the purpose of preparing to seek voter approval for the facility. The following is a general overview of the discussion points, expectations and deliverables the SBAC2 should consider in arriving at its recommendations:
 - **Review of Prior Work**-The SBAC2 shall familiarize itself with all prior work accomplished for the project. Specifically, the SBAC2 should review the four options identified by the SBAC and rely on consultants and school staff input.
 - **Consultant Selection** – The SBAC2 shall be involved in the review and selection of qualified consultants to support the work. The SBAC2 Leadership Team is responsible for establishing a workflow process and communicating with the Consultant.
 - **Deliverables**- The work and final recommendations should include the following elements:

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1. **Site Selection-** Conduct a complete site selection process that considers all reasonable options for locating the facility, including public and private property;
2. **Space Needs Analysis-** A complete evaluation of space needs for removal of all portable classrooms and related support facilities and consider pace required to accommodate expected growth in student enrolment.
3. **Construction Modes:** Assess the pros and cons of various construction modes like off-site or on-site construction options;
4. **Schematic Design-** Prepare a conceptual design, including lot layout and building elevations, that will provide sufficient detail to describe the facility;
5. **Probable Cost Statement** - Prepare a probable cost estimate of the proposed facility with sufficient detail to forward to the voters for consideration.
 - a. The SBAC2 shall commit to a solution that fits within the acceptable range of potential tax impact, which translates to a solution in the range of \$70-130 million, as indicated in the community wide survey conducted in 2024;
6. **Operating Costs-** Evaluate the expected long-term and annual operating costs of the proposed solution.

- **Public Involvement** – The SBAC2 shall incorporate public input into the process, which will culminate in a public presentation of its findings and recommendations to the Council and BoE.

Public involvement is the expectation that formal reporting will occur at progress checkpoints, outlined below.

- **Scarborough Public Schools Employees (SPS)**-In its work to identify a solution that meets the needs of the school district, the SBAC2 will actively seek out and integrate feedback from Principals and school staff, ensuring that their expertise and insights are central to the process as solutions are vetted and further developed.
- **Best Practices** - Research and review other similar projects to determine best practices that may be incorporated into the project. Tours of similar facilities are encouraged.

The SBAC2's powers and duties shall not exceed those prescribed, herein or otherwise restricted by Town Council or Board of Education Rules or Policies and the Charter of the Town of Scarborough.

2. **Membership.** The membership intends to capitalize on the expertise of the SBAC process and to provide fair representation of key stakeholders and unique

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expertise in the construction or development field. The Committee shall be limited to Scarborough residents and comprised of as many as twenty-three (23) members as follows:

- Five (5) members from the SBAC – Phase 1 Subcommittee Chairs (or designee)

- Four (4) members of the SBAC-Phase 1 Building Leadership Team

- Four (4) members of the SBAC-Phase 1 Solution Subcommittee Chairs (or designee)

- Three (3) Residents At-Large

- Three (3) Alternate Members- Residents

- Two (2) Members of the Town Council

- Two (2) Members of the Board of Education

Although official membership is limited to twenty-three (23) members, the SBAC2 is encouraged to draw upon other resources and invite other key stakeholders to participate in their proceedings as they feel appropriate, particularly in the area of communication.

Subcommittee Chairs are identified as the Enrollment, Benchmarking, Finance, Infrastructure and Communication subcommittee Chairs from SBAC Phase 1.

Alternate members are expected to attend meetings, are privy to all information but shall not vote except in the event of absence or vacancy.

Establishment of an Application Process and Appointment Committee - Membership to the SBAC2 will be determined by an application and appointment process conducted by 2 members of the BOE, 2 members of the Council, the Town Manager, The Superintendent and the Chair of the SBAC Phase 1 Committee (herein designated as the Appointment Committee). The appointment committee will base selections on the qualifications of applicants in accordance with the desired composition outlined in Section 2. The application committee has full flexibility to deviate from the desired composition, understanding that time constraints or other external factors may not allow certain community members to participate in the SBAC2. The Appointment Committee will develop an application, process and criteria for selection which will be distributed to the entire community no later than September 13, 2024 with appointments to be recommended and approved by the BOE and Town Council no later than October 18, 2024. In the event of timeline delays, public communication of any changes to the process will be made with a minimum of 2 weeks notice. Once the SBAC2 is seated, the Appointment Committee may be reconvened during the process as needed to fill vacancies.

3. **Referendum Timeframe** - In order to be prepared for a November 2025 referendum, SBAC2 shall have a final recommendation for a solution by June 30, 2025.

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4. **Process Checkpoints** - In order to keep the community and governing bodies well informed, the SBAC2 Leadership Team shall report on their progress at a joint workshops with the Parties on the following dates:
 - November 20, 2024
 - January 16, 2025
 - March 19, 2025
 - May 1, 2025
5. **Staff Resources Available** -School and Town staff will be made available to the SBAC2. Such involvement shall be coordinated by the Phase II Building Leadership Team through the Superintendent of Schools and the Town Manager.
6. **Consulting and Financial Support** – It is understood that the Committee will require the services of qualified design professionals to conduct its work. Sufficient resources have been allocated for this purpose. Staff will initiate and oversee the selection process; however, the SBAC2 will be involved in the review and selection of qualified consultants to support the work. These monies will be under the control of the School Department who will be responsible for management of the consultant(s) and payment for services rendered.
7. **Vacancies and Removal**. Any vacancies shall be filled by action of the Parties. The Parties may remove any member of the Committee by vote of a majority of its members for misconduct or non-performance of duty.
8. **Officers**. The Committee shall elect a Chair, Vice-Chair and Recording Secretary from among its members. The Chair and Vice-Chair shall be counted to determine a quorum and shall have the same rights as other members of the Committee, including the right to vote. The officers will be part of the SBAC2 Leadership Team along with two (2) at large members selected from the SBAC2 membership, two (2) members of the Town Council and two (2) members of the Board of Education.
9. **Quorum and Voting**. A quorum shall consist of eleven (11) members. The concurrence of a majority of the members present and voting shall be necessary to decide any question before the Committee.
10. **Meeting and Records**. The Committee shall meet often enough to complete its responsibilities within the deadline set. The Committee shall televise and record all proceedings and allow for in-person or remote participation. It is expected that the SBAC2 will follow Roberts Rules to conduct meetings and proceedings, including public comment.