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Loudoun County Board of Supervisors, Finance/Government Operations and Economic Development Committee, Tuesday, June 11, 2024

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- Official meeting video (county, Granicus): <https://loudoun.granicus.com/player/clip/7697>
- Agenda (Granicus): https://loudoun.granicus.com/AgendaViewer.php?view_id=73&clip_id=7697

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[00:15:08] Good evening. I'll now call the order of the June Finance, Government, Operations, and Economic Development Committee meeting. This room has a hearing loop. If you need hearing assistance, switch your hearing aids to telecoil mode. If you need a headset, we have those available as well. Please see the clerk to request one. We have seven items proposed for consent, and they are item number two, contract award purchase of services agreement with potential service providers through the Children's Services Act for eligible youth and families.

[00:15:36] Item number three, 2023, Loudoun County Community Justice Board annual, Criminal Justice Board annual reports. Item number four, November 2024 bond referendum. Item number five, Loudoun County Community Policy and Management Team bylaws revision and endorsement of the 2023 annual reports.

[00:15:53] Item number six, FTE Authority for Parks, Recreation, and Community Services, additional CASA site at Henrietta Lacks Elementary School. Item number seven, Affordable Multifamily Housing Loan Program Application for the Atlantic Boulevard Development. And item number eight, Affordable Multifamily Housing Loan Application for the Cedar Terrace Apartments.

[00:16:14] I will move approval of the consent agenda. Is there a second? Second. Seconded by Chair Randall. Any discussion on the consent agenda? Yes, please. Chair, well, okay. Chair Randall? Thank you, Mr. Chairman. There are two things. One, we have been talking for a long time about the importance of how our application process moves along, especially sometimes as it pertains to attainable homes.

[00:16:42] And so I don't want this moment to pass to highlight the fact that we are, and I don't know if this is the right word, but fast-tracking is the word I'm going to use, two of our attainable homes developments in this motion. That is important, just knowing some of the numbers.

[00:16:58] And so I wanted to say thank you to Mr. Turner, who actually has been talking to Mr. Kim Hart and doing this, and to all the staff who's helped us move this along faster. So thank you for that. I also want to pause and make note of who Henrietta Lacks was, because we're doing the Henrietta Lacks Elementary School.

[00:17:20] Henrietta Lacks was a woman who died, an African-American woman, who died very early in her life of cancer. She had what was called like recurring DNA. Her cells divided so quickly that her cells, because of the kind of cells they were, were able to be replicated over and over and over and over again now, hundreds of thousands of times.

[00:17:44] And because of that, she is credited, her cells are credited with having been used for so much medical research and helping to solve problems for many conditions and diseases. For a long time, her family was not aware that her cells were used in the cell division.

[00:18:06] They became aware of that fairly recently, and there's been a lot of discussion around what belongs to a person's body after they have passed on, what is the legacy of a person's actual body, but also, you know, what is a family of someone who has passed on?

[00:18:31] What do they, if any compensation, what is that compensation? Because she had received no compensation. The family had received no compensation. But in medical history, so much of the recurring DNA um um breakthroughs that have happened have have become have come because of henrya leak's uh sales and her sale division and i don't i sometimes i think we do things and we we do important things here we do hard things here we do big things and we go and we pass them by so quickly we don't always stop and pause and say what it is and so i just want to stop and pause

[00:19:10] on that and and reflect on who this woman was and and it's very possible that she's touched Well, she has touched millions of lives, and they don't even know it. So I just wanted to give that history a little bit. Thank you, Mr. Chairman. Okay. Supervisor Brisbane. Thank you.

[00:19:26] And I apologize. I didn't read line for line number seven and number eight, but I was just curious if somebody knew the affordability period in those two projects. Can staff come forward on that? Mr. Hall is coming.

[00:19:43] Thank you. Good evening. Okay, thank you. Any further comment on the consent agenda?

[00:20:00] favor say aye aye anyone opposed motion carries five zero we have one information item and i believe five remaining action items due to the you can come forward mr riser due to the relatively short agenda tonight i think we're going to try to get through without a dinner break there is a dinner available at the end if things change and we're going slower then we can re-evaluates. Mr. Reiser, the monthly

economic development reports. Good evening, everyone. We are close to wrapping up the fiscal year, and I'm happy to report that we will finish with another

[00:20:38] strong year for the Loudoun economy. When all is said and done, we'll end the year with almost 150 wins, \$8 billion in new commercial investment, and 5,000 newer retained jobs. Once again this year, we will meet or exceed all of our internal and reported metrics. We focused on workforce in our report this month. The Work in Loudon program provides customized workforce solutions across the county, encompassing talent, pipeline development, labor market, and technology trend research, workforce development partnerships, and identifying and helping address skills gaps. The Work in Loudon program provides a suite of customized professional services designed to connect the D.C. region's

[00:21:18] talent workforce with open positions in the county. We recognize that this is one of the most important things that we're working on right now right now today there's about 60,000 open positions in northern Virginia and so we're working hard to make sure we're understanding what those needs are we've completely changed the way we approach workforce shed the labor shed because of post-COVID there are different things that we have to take into account for example you know how far do certain jobs travel before they won't do them anymore? What are the impacts of the

[00:21:57] teleworking and hybrid workforce? So we've really tried to double down on our research and try to understand the workforce a little bit better in order to be able to tell that story to our clients, and it's really made a big difference. The most recent community profile provided by the Virginia Employment Commission VEC shows that outside of government employee categories Loudoun continues to have high employment in the professional scientific technical services category which also reflects the feedback of our need when we talk to our businesses. Nationally jobs increased by 272,000 in May which was more than was expected. April is the most recent month for local

[00:22:37] unemployment data. The rate was 2.0 for Loudoun County, 2.8 for Virginia, 3.9 for the U.S. It did tick up in the U.S. to 4 percent for May, according to brand new data. Inflation continues to be a significant source of concern for businesses and for the public in general. The report last month showed prices in April were up 3.4 percent compared to the year before, 3.5 for March, 3.2 in February.

[00:23:05] The next CPI report is released tomorrow, so it'll be interesting to see how that works out. With that, I'll turn it over to EDEC for Siobhan McFadden and Tim Shinbara. Do we want to just pause for questions for Mr. Reiser on the department first before we do EDEC?

[00:23:21] I know I have one. Ms. Brissman, do you have one for the department? When you're talking about workforce development, does child care ever come up? A lot. Child care is a limiting factor for certain segments of the workforce.

[00:23:38] in particular the female work cohort in the workforce we hear about it a lot you know we post-covid especially people are trying to figure out how to balance all the things so in our workforce research we see a lot of information about what are the barriers to re-entering the market from a job standpoint and workforce i mean and child care is often at the top of that list The top of the list. And when you say clients in that conversation, who are the clients?

[00:24:09] We call our clients the actual business. The business. That's what I thought. That's what I thought. OK. Has there been any conversation about how the Department of Economic Development

might influence or help out with the lack of child care in the county?

[00:24:27] I believe that's probably outside of our scope, but we would be very interested in understanding what a role, what role we could play in that proactively. You know, I think that what we're seeing a lot is businesses having to take on a lot of that burden themselves and creating those programs or offering more flexible schedules than probably are optimal.

[00:24:50] Exactly. Yeah. Oh, go ahead. Just to comment on that from a national level, we're seeing federal dollars now allocated under the auspices of industrial base, so the companies used to make the things, with workforce development called wraparound services.

[00:25:07] So we now are seeing national federal dollars coming in to help fund localities like the EDE, or the Department of Economic Development, for not just child care, but housing and transportation as well, wraparound services. That's really good to hear, and that kind of tees me up for what I was going to say next, and that is at NACO, I sit on the Economic and Workforce Development Committee, and I'm working with the Human Services Committee, one of the members there, to bring forth a platform change at NACO, asking the federal government to invest more in child care nationally, because I don't think it's talked about enough in the economic and workforce

[00:25:47] development side of things. I feel like it's always sort of thought of just a woman's issue and, you know, it comes through in other, it comes through in other ways, but I'd like us to focus on it from an economic development perspective so we can have more conversations about it.

[00:26:02] Thank you. Thank you. Supervisor Umstead. Thank you, Mr. Chair. Buddy, you probably remember, this was several years ago, Senator Mark Warner was talking about, I think the number may have been 200,000 empty jobs in tech in Northern Virginia.

[00:26:32] So now we're down to 60,000 overall in all categories. I'm sorry, I misspoke. Those are tech jobs. I believe that when we look at that, it's been fairly steady around 60,000.

[00:26:48] I do think that there were times where we saw the number peak. I don't remember it being as high as you recall, but it's been fairly consistent in high double digits. So are we not really making any progress then?

[00:27:05] It's just always going to be 60,000? There hasn't been a lot of shift. I mean, we're still creating a lot of jobs, and workforce development has continued to be. There's a certain amount that's going to be transient, and we're always going to see that.

[00:27:21] But it is a limiting factor in our ability to attract, you know, big employers to Northern Virginia. Okay, thank you. Was your department at all, we recently had a transit summit, and one of the discussions was a BMI that I had brought a while back related to commuter bus service from Loudoun to points north and west. Was your department at all involved, do you know, in any of the information gathering that took place to survey businesses, or do you see a role

[00:27:56] perhaps in the future for that? No, absolutely. You know, we think that, you know, our workforce program should be involved in those kinds of things. To my knowledge, we weren't involved in this instance. So maybe a request, I guess, more for county administration on this, which is when, you know, in something like this, where we're doing direct outreach to employers to try to gauge interests, it seems to me that DED would be pretty central to trying to do that as part of their outreach and gauge.

What we're trying to do is figure out if there's kind of a variety of locations within the county that could be viable to reallocate commuter buses to, since we have

[00:28:34] surplus and pretend whether it's the 15 corridor up to frederick to or you know out west to winchester the trick with that will would be we're here is there enough hub of people to be able to make service viable that actually might get use i think personally a good place to start is with the county itself and the school system but um certainly you know would love kind of a referral to your department on that as well absolutely okay um why don't we move over to our uh economic Development Advisory Commission. Thank you, Mr. Chair. As always, the EDAC is happy to serve at

[00:29:10] the pleasure of the board in partnership with the DED. We're going to give you an update of what we've been doing over the last quarter. I'm going to start with my vice chair that's going to give an update for our last meeting. Then we have a couple of requests that we want to ask as well. All right. Good evening. The biggest highlight that we had on our last EDAC, which was May meeting, was the invited speaker, Mr. Tom Weithman. He's from the Virginia Innovation Partnership Commonwealth, I'm sorry, Corporation for all the Commonwealth. Their goal is to expand investment and growth opportunities for Virginia-based innovation-driven startups and entrepreneurial ecosystems throughout the Commonwealth. It was a great tie-in from our

[00:29:46] EDAC executive member, Fred Briggs. I bring up Mr. Briggs because he's been instrumental in helping our Loudoun Innovation Challenge program succeed over the years. This was surprisingly the first time we've had a pure investment speaker at the EDAC meeting. So this is a lot of, some would say disproportionate innovation comes out of Loudoun County. We do not have the similar type of investment coming in from the state level. So we like to change that obviously to match up better with the innovation engine we do have here in Loudoun. But that was the quick on the May EDAC

[00:30:20] meeting. What's really important about that is EDAC has paid particular attention to our capital ecosystem in Loudoun County. And when I talk about a capital ecosystem, I'm talking about venture capital, angel, PE, banking, and all the different ways a business can access capital.

[00:30:40] We have to organize that system so that we make all of these services more readily known and available to the companies that want to start, scale, and soar in the county. And this ties in with the EDAC's Innovation Challenge. It ties in with the DED's Launch Loudoun program. And we must have a real robust capital ecosystem and having VIPC come in was really EDAC's first nugget in building that ecosystem out in the county. So we really want to organize that, get the business community more educated on what VIPC has to offer, get them more educated on what the capital

[00:31:18] ecosystem is going to look like, and make sure we have connection points to these accesses, to these ways to access capital, that way we can recruit and retain the type of business that we want to have in the county so having vipc come in was really critical in the effort of driving economic development especially diversity in economic development because to have diversity in economic development you have to have access to a capital ecosystem and we need to be known as a place that a business can come and start scale and soar and that kind of starts with capital along with other areas support so i was really happy that fred briggs organized that for us

[00:31:55] What's unique about Fred is he's built and started two or three VC-backed companies and sold them, and he has one now. We have that type of talent on the EDAC, and we're using that for the benefit of

the entire business community. So this was the first step in building some concrete action items, one with VIPC and other areas of capital to make those connection points for our business community.

[00:32:19] The second item that we have is we had an EDAC commissioner had to resign her position. She had a change in her business and her employment. She was the CEO of a company. She's not only a CEO. She's moved on to a different company, so she felt the best that she no longer served.

[00:32:38] Typically, we have a very robust process when we recommend a commissioner. We've gone through an abbreviated part of that process to recommend Colleen Gillis to serve out the rest of her term. With only 23 commissioners, the spots are really, really critical, and we really need her expertise and zoning for the work that the commission is doing right now.

[00:33:01] She's recently started her own law practice here in Loudoun, and she serves most of her business in the Loudoun community. So we would just like you to strongly consider approving Colleen Gillis for commissioners who are in the EDAC. Okay, thank you. from my understanding from a process standpoint that a member of the board would need to make that nomination at the next uh business meeting for the board's consideration okay any questions for uh edak mr mcfad would this be mrs skillis's first term if she was approved yes she's never been a commissioner she's never been a commissioner okay thank you and actually she would serve out

[00:33:39] the remainder of the departing commissioner's term and then she would have to be reappointed for her first full term after that is done. Any other questions? Okay, thank you very much, and thank you for sharing that exciting conversation about capital.

[00:34:00] It's so important. You're going to stay right here because our next item is item number nine, action item, which is an ad hoc committee request. EDAC's requesting an ad hoc be approved regarding the data center CPAM and ZOAM.

[00:34:17] So perhaps I'll first turn it over to you to explain the request to the committee. So we've been kind of setting this up for a while. The EDAC would like to have a data center ad hoc. The mission of the data center ad hoc is to convene practitioners, technical advisors, and other business community members to advise the board via the EDAC process through the zoning ordinance and comp plan and amendment process to help identify unintended consequences from potential changes to the zoning, to the data center policy.

[00:34:49] Typically, we build ad hocs with commissioners and experts both on the commission and outside the commission so that we have a broad representation so that when we give a report to you, it's representative for the entire business community, not just data center centric or EDAC centric, but an entire broad scope of the business community.

[00:35:09] So we would time that ad hoc with the schedule of the county, and we would like to start building that ad hoc with our approval as soon as possible. Okay. Questions before we go to a motion for EDAC, Supervisor Brisbane.

[00:35:27] Thank you. What other committees, and this might be something for staff, but what other committees are going to be looking at the CPAM and ZOAM? I can assume ZOC and Planning Commission will be looking at it. Do we have any other ad hocs or committees involved?

[00:35:47] I believe there's a stakeholders group, but Mr. Hampshire, can you answer that? What we'll do is go ahead and check with DPZ and have them provide a written response tomorrow. I believe the committees you have named, ZOC and the Planning Commission, are required to look at it as part of the CPAM and the zoning ordinance amendment that goes through them.

[00:36:11] I think what EDAC is suggesting is that they provide stakeholder input directly to the board, which would be a normal function of that committee. Did EDAC have a ZOAR ad hoc? We had a zoning ordinance ad hoc that went for three years.

[00:36:27] Okay. And I guess my biggest concern is further slowing down the process of this CPAM and ZOAM, which was first introduced in 2021.

[00:36:45] So I'm not sure I'm going to be in favor of this, given the other committees that are already going to be reviewing this. and we do know that the industry is well represented in the county. I mean, they are well represented. So my fear is slowing it down.

[00:37:03] The benefit of EDAC, since we are an appointed body of the board, is that we have to be in alignment with the board's schedule, and our ad hocs have not created any slowdown on any work the board has done over our history. As a matter of fact, the work that's come out of EDAC ad hocs has been very well received over the history from the board, and it's been information that has been used in many of the decisions that the board has made.

[00:37:29] So it would not be our desire to slow down. The reason we haven't asked for the ad hoc earlier was to make sure that we're timed appropriately with the board and county admin. Okay, and then if it's okay, Chair Letourneau, this might be one for staff as well.

[00:37:48] Setting up an ad hoc, does that require a staff liaison and rooms to meet in and all the commiserate. We run all our staff at the DED. So they already have the infrastructure. We already have the infrastructure. You already have it. Yes. Okay. Okay.

[00:38:04] So that's good to hear. Okay. I think those are, well, I guess the other question is where, and I don't know if you can answer this, but I'm just wondering if we have representation on other committees, for example, of, you know, the HOA consortium and other residential groups?

[00:38:25] Are they represented on ZOC or anywhere else? I believe we have a stakeholders committee set up specifically on the ZOAM. We do. Yeah. We already do have a stakeholder committee. I'm pretty sure. I know the right staff isn't here to answer the question, but I'm pretty sure that's all what we voted on.

[00:38:42] I believe that's correct. I just don't know that for certain off the top of my head, And so that's why I want to provide a written response tomorrow, but I believe that's correct. Okay. All right. Thank you. Sharon. We do, and I can go through that later on. But my concern and my hesitation is this.

[00:39:02] So, first of all, who would make these recommendations? And it sounds like that the goal is to, and I'm going to be probably less poetic about this than I should, that the goal would be to tell us, like, almost why we shouldn't make changes into the things we're trying to make.

[00:39:23] we may want to make changes to, and I'm not, and I did read the item, and I did hear that all these people have expertise in the data center community, but what about the, you know, what about the voice that says, because the voices that come to us that says, not that we don't want to have data centers

anymore, because that's not true, or that we don't value the community, because that's not true, but that we do need changes, and especially, you know, in land use and where they're located and that type of thing.

[00:40:00] I'm worried that this reads like an ad hoc committee that is kind of, for lack of a better word, and I want to be really careful because I don't think anyone's anti-data center, but this reads like an ad hoc committee that tells us it's kind of like rah-rah data centers and this is why we shouldn't change and that type of thing.

[00:40:23] And as an elected official, my job is to try to hear all voices of this issue. And the amount of voices that come to us was concerned, especially about land use, of where data centers are located, are constant and loud.

[00:40:48] And I am not real comfortable with, one, again, I'm not sure who's making these appointments. And I wouldn't mind seeing some of the, although I do have good confidence that you all, when you appoint people, they are very, very well qualified.

[00:41:04] I've never seen these appoint people who are not very well qualified. But it feels like almost a chairing committee, a chairing ad hoc committee for data centers. And I don't believe that's what we need when we try to go through this discussion. And so as of right now, I'm not going to support this motion.

[00:41:25] However, this is probably not the only discussion we can have about this, and I am more than willing to have discussions offline with people and have other discussions. But I just don't feel that a data center chairing committee is what we need to be doing right now.

[00:41:41] I think it needs to be, I'd like to see the list at least so I know how balanced this committee is. Before I say yes to the committee, I want to know the balance of the committee, who's on it, who's not, what their expertise areas are. And what I've read so far, and once again, I did read it, it just doesn't look balanced in that way that I'm looking for.

[00:42:03] Thank you. So, Chair Randall, let me provide some clarification. EDAC doesn't appoint anybody to an ad hoc. Ad hocs are open to the public. What EDAC's charge is, is to make sure that we build an ad hoc that would have broad representation.

[00:42:21] And we've always done that. The second thing would be, it certainly would not be a chairing committee. I don't lead that way. I don't think it's... And let me stop you for right there and saying that I wasn't making the accusations.

[00:42:37] And that was, I'm trying to look for better words. And so I'm not disparaging anybody, you or anybody else. Point taken. And that's not my point here. My point here is we have consistently provided balanced groups with balanced advice to this board.

[00:42:54] And this committee would be no different. And anybody that wants to serve can serve. And what's unique about EDEC is we are the appointed voice of the business community to this board. It is our charge to give a broad, broad advice on topics of this measure to the board.

[00:43:16] So without the ad hoc, we would not be able to serve in the capacity that we're appointed to do and provide the appropriate advice to something that's so vital in economic development to this board. Mr. Chairman, may I have a follow-up?

[00:43:32] Yeah, we are in questions. I'll just remind everybody of that. But go ahead. Yes. So to the discussion of anybody who wants to serve can serve, I'm making the assumption that people who serve

have some expertise already.

[00:43:48] So it's not anybody that wants to serve. No, it's anybody that wants to serve can serve. How large do you want this ad hoc group to be? Hasn't been determined. Okay. We have to make sure we have certain people to get the work done, but we also have to make sure that we have people who aren't directly tied so that their opinions can be included in that work because they're impacted too.

[00:44:12] Same approach as we took on the zoning ordinance ad hoc, same approach that we took on transit development, same approach that we took on housing. It's always a broad representation, so we get all voices in the room so that when we give you a report, it is balanced and it is appropriate, and it's the advice that we feel is best.

[00:44:31] We only give advice. The board makes decisions. And we don't know the size of this at this point. Okay. All right. Thank you. Okay. Mr. Sainz, questions? Thank you. So this might be Mr. Hemistry or staff question if they have the information in front of them.

[00:44:52] When would our first check-in be? with this group if it was established? And when are we starting our process on the county side? I would, I mean, you're free, feel free to answer, but they have quarterly reports to us.

[00:45:09] So this isn't something sitting outside of this meeting. This is what we are doing right now. So EDAC, this is their work. They come to us every quarter and present to us. When they have an ad hoc committee, it includes a presentation on what the ad hoc committee is doing. So next quarter, when they come forward, would be the check-in.

[00:45:28] That's correct. Same cadence that we had on the zoning ordinance ad hoc. Every time we come, we give an update on the ad hoc. So, all right, so we don't know who would be on there, so we'll put out a call, right, asking for participants. Would we be making the final vote or would you agree?

[00:45:47] No, EDAC builds the ad hoc. You approve it, EDAC builds the ad hoc. So we approve it. Will you approve the names as well? No. You approve the ad hoc. And then you guys take care of it for me. Yeah. Okay. So the first call is commissioners who want to serve an ad hoc.

[00:46:04] And would you envision only having folks that live in Loudoun County on this? Excuse me? Would you envision only having Loudoun County folks on this? I would envision that everybody in ad hoc would have some type of tie to Loudoun County. Same bylaws as we use.

[00:46:27] Yeah, I would say it needs to follow the same bylaws that we have for all of our commission. And that is a tie to Loudoun County. Well, it's resident or if they have a business. That's correct. Not just in general terms. And you feel this would not hinder or slow down any of the processes, and I don't know if staff.

[00:46:48] No, actually, my experience from our last ad hoc is we wanted to move faster than ZOC, but we couldn't from the zoning ordinance. So we're not in the business of moving slow, and we're not in the business of hindrance, and we serve at the pleasure of the board, so we have to keep pace with the board and the county admin.

[00:47:10] That is our charge. All right. Let me ask, what would be different from your board than the boards or advisory boards that would be set up with this process already? I don't know the composition, so I can't answer that. Just in all fairness, you know, yes, you know, there have been plenty of advisory boards

and whatnot in the past, and they've done some good work on recommending things, but we didn't have a competing, in my opinion, sometimes we didn't have a competing board or advisory committee working at the same time.

[00:47:45] So to me, it's like, why are we, you know, looking at it as we're possibly going to be duplicating efforts in some capacity. So I'm resting with this and also say, I think if you possibly came sooner than now, maybe having a different conversation too, at least on my end.

[00:48:06] Well, the intentions were to come sooner and we were asked not to. and I brought that up every FDODC meeting that we want to ask for the ad hoc but the timetable for the county change so our ad hoc schedule has to change based on the county changing meaning that we're tied to you guys so we have to keep pace on how you're doing business which is kind of answering your question about would it slow it down our initial plan was to ask for the ad hoc in January and here we are in May just being able to ask for that up that's new

[00:48:42] information to me so all right well they I mean the last quarterly report you said you were going to be coming for it with a request I think even maybe the one before you do so okay I'm gonna move to a motion we can certainly still have debate and discussion in the motion I will move that the finance government operations and economic development committee recommend the Board of Supervisors approve the creation of an economic development advisory commission data center and ACOC committee to advise the Board of Supervisors on proposed data center related amendments to the Loudoun County 2019 comprehensive plan and Loudoun County Zoning Ordinance as outlined in the June 11, 2024 Finance, Government Operations, and Economic Development Committee action item.

[00:49:17] Second. Chair Letourneau. Chair Letourneau. Yes. We sent out a supplemental item. Oh, I'm sorry. I didn't really. I made a mistake. The bylaws allow finance to approve the ad hoc. It does not need to go to the board. Yes, that's right. Okay, let me make a different motion.

[00:49:34] I move the finance government. I was trying to figure out what was different in these supplements. Now I know. Okay. Yeah. All right. I move the Finance, Government, Operations, and Economic Development Committee improve the creation of an Economic Development Advisory Commission Data Center Ad Hoc Committee to advise the Board of Supervisors on proposed data center-related amendments to Loudoun County 2019 Comprehensive Plan and Zoning County, Loudoun County Zoning Ordinance, as outlined in the June 11, 2024, Finance, Government, Operations, and Economic Development Committee action item.

[00:50:00] Second. Okay. I think maybe we're overthinking this a little bit. So first of all, EDAC has a very defined role in this discussion, which is to present the views of EDAC to the Board of Supervisors. The board certainly doesn't have to accept those views, sometimes does, sometimes doesn't, but they are the views of EDAC, and we have asked them to do this.

[00:50:25] That's why we have an EDAC. We have not, this is not the first ad hoc committee. When we updated the bylaws for EDAC, we spent a lot of time on the concept of the ad hoc committee, what made sense. We did create the committee approval of the ad hoc committee to make sure that, quite frankly, EDAC wasn't going off and spending a lot of resources on things the board had no interest in.

[00:50:49] But certainly this is not that in terms of a topic. What we did not do is micromanage how EDAC ran its ad hoc committee and who could be on it and who could not be on it. So I would be very concerned

about doing that. I think that that would be overstepping the board's role if we're going to ask EDAC to exist.

[00:51:09] There is no question on this data center zoning ordinance amendment. We are going to get an extraordinary amount of public input, and we're going to get a lot of stakeholder input. It's going to be directly from the data center industry. It's going to be from residents, I believe, who are opposed to data centers completely. It's going to be from folks in between.

[00:51:26] It's going to be from the Farm Bureau, from the PEC. And we've set up a stakeholder committee that's going to help manage all that. This is sitting outside of that. The report that we got from EDAC on the zoning ordinance amendments was relatively succinct. It did echo some of the issues that were raised by the stakeholders and came up in the work sessions.

[00:51:47] But it was a resource for the board. Some board members used it. Some probably didn't. But what I kind of detect in the discussion is some concern that perhaps, you know, or a supposition of the outcome and a concern about what that might be, and I don't think we should go that far.

[00:52:05] And if the outcome isn't something that the board agrees with, then we're the board. That's why we're here. But I think to not allow the ad hoc committee to go through the process and do the work and provide the input would be a mistake and would be limiting our options ultimately when we move forward.

[00:52:27] So I made the motion, and I will support the creation of the ad hoc committee. Certainly, as with the other ad hoc committees, this is a topic of great interest to the community, and I trust that the committee will run it appropriately. Other discussions on the motion?

[00:52:43] to Rosa Brisbane. Thank you. Well, I have no doubt that EDAC would put together a committee of experts and that they would run the committee efficiently and provide information to the board. I'm not going to support the motion. I think that this is over-representation of one specific industry that could potentially have more regulations as a result of this project so I think that we have a stakeholders committee where that industry will be represented

[00:53:20] if they're not they should be we have the chamber of commerce we have the data center coalition that can advocate for changes or not for changes in this process and we we will always listen but given that we already have a stakeholders, we have a ZOC, we have the planning commission, we will have a public hearing. I just think it's over-representation. I think that, you know,

[00:53:52] one seat or maybe two seats on the stakeholders committee should suffice. So I'm not going to support the motion. Thank you. Chair Endel. Thank you, Mr. Chairman. So let me ask this question another way because I literally heard two different answers and I'm going to own that. I thought I heard Mr. McPatton say that you don't make any appointments. EDOC doesn't make any appointments.

[00:54:25] And then when Ms. Bricksman asked you, you said that we approve and then you make the appointments. Is that correct? No, I never said that. Okay. I said ad hocs are open to the public. I know that. No, I got that part. Anybody can serve and we make a call out to see who wants to serve on the ad hoc and we make sure that we have the representation needed to do our work. But the people who are on the ad hoc are people that you all approve? No, we don't approve them. Anybody can show up. So everyone who shows up is on? It's a public meeting. So everyone who shows up is on the ad hoc committee? It's a public meeting. We cannot tell

[00:55:04] anybody know i'm not saying no one can no no i mean if you say i want to be on ad hoc you can be on ad hoc anybody everybody no matter how large this may be that's how all our ad hocs work because they're public meetings we can't restrict participation we don't have the authority to restrict anybody from participating on an ad hoc ever are you ever worried that you that you could have a group so large it becomes unwieldy no you're never worried about that no it's never happens i don't worry about it most people don't want to do the level of work that it takes to serve one of our ad hocs well i will say this you guys have done great work in the past and great

[00:55:44] levels of work in the past i think that this i think that every many situations have an exception and the exception would not be that you all wouldn't do amazing work because you would the exception would be i have never had an issue not even um the we call it the nighttime The nighttime economy.

[00:56:05] Yeah, not even the nighttime economy has had, do I get just random, I mean, never has an issue had this much consternation, this much interest, this much yelling at us, this much, it just has never happened before.

[00:56:21] I think the level of opinions in just the general public is higher than I've ever seen before in any issue. And so I do believe that you're right.

[00:56:37] Getting down and doing the work is hard, and so that's never happened before. I do think, though, that this could get on the OD pretty fast. You know, this is the first place I have colleagues who have been out just talking about data centers who have hecklers who people are screaming at them from the audience about data centers.

[00:56:54] And so I think Mr. Letourneau is right. If we're going to let you all do the work, take our hands off and let you all do the work, I agree with that completely. but i think this is my exception to the good to and you all do great work but i'm going to be a no on this one but thank you supervisor umstep thank you mr chairman um i mean i think one of the most valuable um services that edac provides the board with is their expertise um their

[00:57:27] business savvy and their knowledge as to what they need to be able to adequately advise the board. So I will be supporting this. EDAC has not let us down. They have always, their advice has always been top notch and I'm going to go along with their advice on this. Thank you. Okay, I guess I get a closing. So if a lot of people show up and things get unwieldy, that's EDAC's problem

[00:58:05] to handle, to manage. I don't think that's a reason to not allow an ad hoc committee. I don't think there's certainly not a precedent for us to not allow an ad hoc committee on a topic of interest. I think it sends a very bad message that the board is closed-blinded.

[00:58:25] It has its mind made up before we've even begun a discussion, and I don't think that's a message we want to send. Regardless of the outcome, I think we should be open to the voice of our appointed Economic Development Advisory Commission and allow them to establish a group and manage the group as they need to and see fit.

[00:58:46] And given that we have a quarterly check-in, certainly if there are issues that arise, it's not as if this is disconnected from staff, from economic development, from the county administration, will know about it and we can handle it and we can even help manage it if that happens but i don't think that's a reason to simply tell them no to the request all right all in favor of the motion say aye aye no uh the motion

fails two three so there at least as of now will not be an ad hoc committee thank you for being here tonight the next action item is number 10 an ordinance to

[00:59:22] establish a new chapter of the codified ordinances of latin county uh admissions tax good evening Chair Letourneau, members of the committee. I have with me Thomas Pryor, who is an analyst in the Office of Management and Budget, who will give the presentation. I will turn it over to Thomas.

[00:59:53] Thank you. Good evening, supervisors, members of the committee. Beginning July 1, 2020, counties were granted an authority to levy an admissions tax of up to 10% the cost of admission to a wide variety of events. Later that week, staff presented the newly authorized revenue options at which the board expressed an interest in pursuing a cigarette tax, a disposable bag tax, and an admissions tax specifically related to admissions to professional sporting events. At the board's direction, the county attorney's office requested an opinion from the attorney general regarding the

[01:00:33] locality's ability to narrowly define the type of events. And on October 1st, 2021, the attorney general concluded that the county may levy an admissions tax on professional sporting events specifically, as long as the tax applies uniformly across events within the same class.

[01:00:56] Professional sporting events have been defined within the item and in the ordinance as an athletic or sporting competition that is governed by a particular set of rules and or governing body in which contestants, whether individually or as part of a team, receive payment for their participation.

[01:01:14] So this definition would not apply to any events such as concerts, museums, theaters, or school sporting events. And I'd just like to emphasize that it only applies to sporting events in which all participants are compensated for their participation. Staff has determined that such a tax would primarily impact the events hosted at Segra Field, but that other organizations and facilities in the county may on occasion host professional sporting events that would be subject to the proposed tax.

[01:01:45] Within the lease agreement at Segra Field, the county has agreed to cooperatively pursue legislative authority and impose an admissions tax if requested by the tenant, which is a D.C. soccer management company. Additionally, any admissions tax generated at the facility would then be applied to offset the annual base rent due from the tenant during the debt service period.

[01:02:07] Following the termination of the debt service period, the admissions tax revenue would be unrestricted general fund revenue. At present, staff did not identify any other regular professional sporting events occurring within the county. However, the item does list a few venues and organizations who have in the past or could potentially in the future host events subject to the tax.

[01:02:28] As mentioned earlier, the Virginia Code authorizes counties to impose a tax of up to 10% the cost to admission, which is what staff is recommending this evening. Staff considered the impact to spectators as well as the impact to the annual lease payment as outlined in the lease agreement at Segra Field.

[01:02:50] When proposing this rate, at an average ticket price of \$25 for a Loudoun United game, the admissions tax would amount to \$2.50 per ticket. And based on past attendance, it is estimated that a 10% tax would generate between \$60,000 and \$150,000 annually at Segarfield.

[01:03:09] And this revenue would offset the annual rent payment during the 30-year debt service period. After that time, admissions tax revenue generated at Segarfield would become unrestricted general fund

revenue. And additionally, any ad hoc events that admissions taxes generated from in the county would also be unrestricted general fund revenue.

[01:03:33] In terms of business outreach, Economic Development has been in contact with D.C. Soccer Management Company regarding the proposed tax, and they have expressed their support. As noted previously, the revenues generated would offset the team's annual base rent, thereby providing additional funds that the team could reinvest into enhancing the fan experience and future improvements to the Segarfield campus over the course of the debt service period.

[01:04:05] And outlined here are the next steps if the committee chooses to move the item to the Board of Supervisors. And based on this timeline, the Commissioner of the Revenue and the Treasurer's Office has identified January 1st, 2025 as a feasible effective date. Lastly, I would like just to make a correction to the item.

[01:04:23] On page 3, the item states that towns are not permitted to levy an admissions tax. However, they are permitted to do so. So the sentence should read, towns are permitted to levy an admissions tax. If the county levies an admissions tax, it will also apply to events within incorporated town limits.

[01:04:40] And with that, we are happy to answer any questions. Okay, let's do a round of questions. I'm just going to start. As I recall, we have a contractual obligation to do an admissions tax. That might be a Mr. Hempstree question, because he was around during the creation of that agreement, or Ms. McClellan.

[01:04:57] Yes, part of our agreement with D.C. Soccer Management was to, at a time agreeable to the county, to pursue the admissions tax. And so staff is now recommending that because the team has become established.

[01:05:15] We've gone through, we don't have any outstanding issues with the soccer team at this point. And so this is fulfilling our contractual obligation. That's correct. The team has met their obligations at Bowlin Park for the improvements that were planned.

[01:05:34] And so pursuing the admissions tax is a way for the county to provide revenue that will go towards the debt service payments that the team owes the county. So it's not a payment to the team.

[01:05:50] It is an offset to the debt service using revenue that their events are bringing in. Right. Does this only apply to Sagra Field, or could this apply to other venues in the county, and how would that be determined? As staff mentioned, our understanding is that it could apply to other events as long as they are professional sporting events where both teams are being compensated, and it looks like staff is agreeing.

[01:06:18] So theoretically, if a professional sporting event was held elsewhere in the county or another sport, it could qualify for admissions tax. But not amateur events, not high school events, nothing like that? That's correct. Okay. Not to complicate things, what about college events?

[01:06:37] Collegiate events would usually typically not fall under that classification of all participants being compensated for there. It's a changing world out there. It's changing. As in how you look at NAL. okay all right other questions i'll start down the answer i'm sorry i think that i might not have understood the answer are you saying that we're obligated to create this tax to offset their debt we were we agreed as part of the the agreement with the team when they first established

[01:07:15] that at the appropriate time when they had met their requirements that we would pursue the admissions tax. Now, we were going to pursue it because we also need a General Assembly authority and things of that nature. So we have been pursuing that authority. We now have it.

[01:07:33] And now staff is obligated, we feel, to bring the admissions tax before the board. And so the main goal is to offset their debt. Yes, a portion of their debt service.

[01:07:52] It will not offset, we do not believe it will offset their complete debt service payment, but it will go towards their debt service. Okay. Is it because they're struggling that they need help with their debt service payments? This was always a planned source of revenue to offset that requirement.

[01:08:13] So this does not indicate any kind of challenges that they may be having or anything like that. Okay, and right now, it would only apply to SEGRA? No, it does not only apply to SEGRA. Right now, the only consistent professional sporting events in the county are played at SEGRA Field.

[01:08:33] However, there could be other events in the future, other professional teams that come and have exhibition games or things of that nature that could happen, or there could be future events with other teams or more events with this team in the future.

[01:08:51] Would it be a problem to offset their debt service with, like, fund balance? I mean, it's \$60,000 to \$150,000.

[01:09:07] I see Tim laughing. I think I know the answer, but it's just I'm afraid about the cost sensitivity for the ticket purchasers. So we should not offset their obligation, right?

[01:09:22] So during the course of the negotiations on the agreement, they requested and the board agreed at the time to bring this to, which is a charge that is attached to their ticket price. So they are responsible for making the total cost of the product work, including any emissions tax that is attached to it, which is then just utilized initially to offset, to help offset their debt service.

[01:09:50] And that eventually comes totally 100% to the county. okay we should not offset their obligation okay now another thing was they could not make the request or we would not bring it until they had satisfied their requirements which meant the completion of the fields that they were required to right i remember completion of sagra completion of their locker rooms in that facility and the other obligations they were supposed to provide to the county so they have now done that so that's what triggers us bringing and what and as miss

[01:10:23] seek authorization from the general assembly right which we also have received it have there been discussions with them as to whether they would prefer six percent or ten percent or are they are they in favor of the ten percent or would they prefer a five or six percent or something like that so my understanding is we have been having continual discussions with the team around this they are requesting this so they are in agreement with what's being proposed

[01:10:56] and to go to your comment about sensitivity um the team is proposing this so i think it can also be assumed that they feel that their their fan base could react to this um positively okay thank you. Mr. Sainz. Thank you. What is the average attendance right now? Do we have that information?

[01:11:28] We do. So in FY 2023, or sorry, season 2023, they were at about 55% capacity on average. And you're 22? They were, I believe, at 30%. They saw an increase of about 78% between 2022 and 2023 all right and my fear is if we do this just as you said the attendance is

[01:12:06] increased over time which is great you know they put in the work to get the tenants going my fear is if we put in extra tax in that might deter some families of four or five and whatever stop going to the games and then the tenants will drop because we've seen it where and just it's an analogy where there's a certain shopping area didn't have paid parking was doing well and thriving they went when they put in paid parking they went dead until this day they're

[01:12:41] struggling to try to get attendance back to that certain location well then they're going to lose revenue because and also so that that's my fear also what are they going to do because my understanding is that right now they do a lot of free games and whatnot so would that still uh play into a factor will that go away i don't know if you have the answer to that question or not i do not go ahead thank you i i don't have any indication that that would be the case we don't have the answer for that um and then i you know from miss mccullin we it's part of the

[01:13:18] agreement that at some point we would do this but it doesn't stipulate when exactly it just says when things are looking good and the building is complete we can do it but there's no stipulation saying oh you're in year 2024 we have to do this so we could in theory wait another year or two if possible we could however I do think that it is written into the agreement that as soon as as it is practical to bring this to the board and we receive the authority that we would do that that

[01:13:56] we would pursue it and as the board is aware staff did put this off for a while while we resolved some issues at Bowlin Park. They were resolved to our satisfaction and so we did take our time in bringing this to the board for your consideration. Okay and then another hypothetical because I see you know we have Sagara, we have Ion, Raven Tech Park, I don't even know what that one is, the USATA there obviously they're not in existence yet, Marvin Park and then the golf course in Lowe's Island, Sterling area. So in theory, your staff proposing to do it for all

[01:14:36] those? It applies to any professional sporting event where the players are all getting paid that would occur in the county. So this is a list of some of the places where professional events happen or could happen. So it would apply countywide. Okay. And who else besides Loudoun united currently is playing their their games at segra currently it is just loud and united so the rugby team is not there anymore either not anymore oh where they go i believe uh maryland they went

[01:15:13] okay they went from dc to here now they're in maryland we lost the spirit um so we have nobody else but just loud and united that is correct all right um oh another question all right i know we have Alexandria, Fredericksburg, they did this. Do we have any data or information? Did they see a decrease or an increase in their attendance once they implemented the tax? I do not have that information in front of me. Okay, thank you. All right, before we go, we'll let everybody else ask

[01:15:50] questions. I will mention to the committee that I'm told that we did not ask Loudoun United to be here tonight. Quite frankly, I think staff was sort of seeing this as more of a pro forma because of the previous agreement if it's not for the board and it would help committee members to have a discussion with them we could delay the item to allow that to happen so I'll just throw that out there um okay good for Mr. Sainz so if if no one if people aren't comfortable voting tonight but that's Supervisor Epstead uh thank thank you Mr. Chair I mean I I would prefer to

[01:16:26] see not just Loudoun United but also any other facility that could be impacted with this to their great surprise and probable dismay. Erin, you have been very precise as always in the way you described

any obligation the board might have and you spoke in terms of pursuing it. I admit I have not looked at the contractual language. In your opinion, in Leo's opinion, are we mandated

[01:17:03] to impose an admissions tax? Do not believe we are mandated to impose it. We are obligated to consider it. Okay. And I think that in discussions with the team at the time, it was seen as something that could be favorable overall and so it was it was discussed as a possibility that

[01:17:35] the board would favorably entertain. Okay I remember the admissions tax was initially described as an additional benefit to I thought the taxpayers of the county but that doesn't appear to be what this tax will benefit at this point. Referring to some of the points that

[01:18:01] Supervisor Sainz made, I'm a little uncomfortable potentially imposing a tax on audience members who may be of a particular demographic that may not be as wealthy as a demographic as others.

[01:18:29] and if it turned out we were taxing those who might not have resources but we weren't taxing other folks who might go to other types of events whether professional or not that would give me pause. I personally don't feel ready to vote on this tonight if I have to vote I'll vote no but I would want to hear from every entity in the county or at least give them an

[01:19:01] opportunity to weigh in that might also be impacted by this if they have paid professionals involved in any exhibition or performance or or game so that's those are my two cents okay i will point out the motion is to draft an ordinance advertise it and go to public hearing which would be the point of that not to enact it tonight but nevertheless uh jaren thank you mr chairman why

[01:19:33] would we have to include other sports facilities that could or could not have professional sports being played? I understand what the contractual obligation looks like it may be with SEGRA, but that obligation doesn't extend to ION in other places. So in other words, why are we putting in all these other facilities that don't need to be put in there by contractual obligation. Why are we putting them in there? The second question is, is this the contractual amount, 10 cents, or are we saying that this is the amount that somebody has said will

[01:20:11] create this amount of money, a certain amount of money that they might be requesting or need or want? In other words, can it be a lower amount? Should it be a higher amount? Why is this the amount? And I think my last question was just answered because from what I was understanding from Mr. Letourneau, and that also wasn't my memory, if this was part of their contract why is it before us at all if this is something that the contract said we had to do why is it before us versus the contract saying we have to consider it which are two different things because if we have to do it by contract why are we talking about it it just would be done versus we

[01:20:46] need to consider it so those are are my three questions I think your first question was why is it being applied to other venues the opinion that we have from the Attorney General is that the county has to apply it uniformly so we can limit it to professional sporting events it just has to be applied uniformly. It has to be applied uniformly even though it's only in the contract from SEGRA? So the contract with with DC soccer management is that it states that

[01:21:24] the county will pursue the tax which is what we're doing. So then if we pursue the tax and it passes, then it has to be applied uniformly. Thus, they're in there just because we may pursue. Correct. I understand. Okay, thank you. What was your second?

[01:21:44] I'm sorry. Why 10 cents? 10%. I mean 10%. Why 10%? That is the max that the... So why are we going to the max? Is it because that's the amount that they were trying to get to? They're trying to get to a max amount for their debt?

[01:22:02] Just to maximize the amount of revenue that could be generated. So the 10% is to maximize, it doesn't have to be 10%. Correct. It can be lower? It could be lower. Okay, but it can't be higher. Correct. Not that I want it higher, but it can be lower. Okay.

[01:22:18] It can be lower. Thank you. And then my last question, I think, was already answered, which is this, huh? It wasn't. I can answer it, but. It's not in the contract that it has to happen. a contract that they have to be considered or pursued okay but i understand well that's not really so we can't we couldn't put anything in the contract that adopts an ordinance like you can't put an ordinance you have to the old we did everything we could do so all i can do all can all that we can do is consider it or pursue it or not consider it or pursue it so the contract

[01:22:54] states that we would consider it or pursue it which was done so the the general assembly has granted the authority and so because of that staff is before you now to present so then would you would an attorney say that we have met the contractor goals already by getting the general assembly to say yes and we'll have to do anything else i know you're gonna say i'm not an attorney you're gonna say i'm not an attorney and you are not so madam chair we are not attorneys but our understanding but you play one on television i don't even play on television

[01:23:32] I'm not that good. But our understanding is that our obligation through the contract was to pursue the legislative change, which we did. In pursuing the legislative change, I think we also essentially implied that if we pursue the legislative change, we would also bring it forward to the board for consideration. You do not have to do anything. The contract cannot mandate a change, as Supervisor letourneau said yes to the ordinances of loudon county only the board can take that discreet

[01:24:07] action but the questions that remains by pursuing the legislative change that we meet the contractual goal i believe you i believe that you need to we are now meeting the goal by asking the board to consider it so it going before the board is is meeting even if the board says no considering it the board can say no. Okay. Thank you. Thank you, Mr. Chairman. Okay. I'm going to make a motion to the table in a moment. I am going to ask Mr. Reiser to come up because the two of us were the ones for a decent amount of time who were handling the negotiation with Loudoun United. My recollection

[01:24:47] very clearly is that we asserted that this was part of the agreement and that the board would enact an emissions tax. And that was then baked into their financial model. And Mr. Hempstreet's nodding so you can wait in as well. So I think while Chair Randall might be correct that we may not be truly legally obligated to adopt it, we will have broken our commitment to the team if we don't because we asserted that we would during the negotiation. Do you agree with that?

[01:25:15] Yes, it was always part of the plan. Mr. Hepstreet. I would agree with that as well. Okay. So the reputational risk to the organization for making an agreement in a negotiation and then reneging it to me would be of paramount concern. That said, I think clearly we could use more information and a discussion with the team, including perhaps more information on their pricing, how they discount, how they don't discount, how they bake in revenue, those kind of things.

[01:25:45] So if Mr. Hemstreet, you think that they would be willing to engage in that, whether it's individually or whether it's an open session like this, I really have no preference, but you think that they would yes i do i mean they made the request and as you've articulated it has always been contemplated as part of the agreement so we did not bring them here because the board had approved the agreement we went ahead in your mind we've already said yes to this the legislative that the legislative approvals that we needed and so we did not anticipate the board having concerns so that's my error in in assuming that may i ask a clarifying question okay my clarifying

[01:26:25] question, and one of my hesitations is this. I do understand everything that's been said here, and I did that. My hesitation is that what we agreed to did not extend to other venues except this one, and now because of an opinion, it has to extend to other venues, so other venues are being held to a standard that they have not agreed to at all. Is there any way that we can talk to our attorneys and find out, can those other venues be separated? Because that's a problem

[01:27:04] for me. So is there... We can definitely bring the county attorney into the discussion, and we will see what we can do. I will just caution and say any tax that's levied by the county has to be uniformly applied. So the way it gets applied and to whom it applies has to be uniform. We cannot single out just a venue and say it only applies to that venue if other venues meet the same characteristics. Okay, thank you. More questions. Go back this way. Supervisor Upstead. I'm not

[01:27:42] going to, well, no, I'm going to make a motion to the table, which is not debatable. So if you have another question, please. All right, Supervisor Upstead. All right, thank you. The problem I have is this admissions tax for Segra would go to the benefit of the team, whereas theoretically, admissions tax imposed on Morvan Park if they had professional polo players or ION if they had professional skaters, that goes back to the taxpayers.

[01:28:17] So they're two very different purposes for this tax depending on which entity is having it imposed upon it so i'm really really uncomfortable with uh telling ion guess what we're going to be taxing you i know you weren't part of the discussion and it's all because of segra or telling that to morvin park or if we ever have a performing arts center telling that to any paid performers there so i appreciate the motion

[01:28:53] to table. I'll certainly support the motion to table. So just one thing I should say about this is that the debt that was issued is county debt, right? So the way that we secured that, and this goes back to the original financing and then the contractual arrangement that we have with the team. The team has agreed to repay us for their portion of the debt through annual lease

[01:29:25] payments or semi-annual lease payments we also we always as a staff considered the admissions tax to be an additional security to ensure that the revenue that the revenue bonds are repaid and so that's how that's how we have looked at it as opposed to a benefit to the lessee it's more security against security to ensure the repayment of the debt so that's just want to make sure that's clear uh i totally understand your comments on other venues now the only thing i will say is

[01:30:03] keep in mind that it has to be professional athletes right so it has to be folks that are being paid where both teams or the participants are being paid so it does not apply to any venue or any i guess contest or game or match or whatever that where the participants are not being paid so a lot of these venues if if they're amateurs that are that are participating or their other events other than paid sporting events tax would not apply mr saints all right thank you

[01:30:40] yeah i would like you know if we're tabling thank you so we can hear from loudon united if we can get the questions answered regarding the other localities that did this did they see a decrease or increase after this was implemented if we can please get a true a true you know not to say you know everybody saying that they don't you're not a lawyer if we can get the lawyers to weigh in because to me i think mr umstead made a good point yeah if we contractly say we're going to do this for segra but we didn't have this agreement with ion and whoever else why are they you have to be lumped into this too and to mr hemistry's point you know can we get a little bit more detailed information for example ion i know they've had recently some showcases where

[01:31:20] professional skaters came in so that sounds like we would have to charge the the tax there but they've also done concerts so does it so is it only just sports only sporting events okay um but you know with marvin park they do the polo i don't know if those people get paid we've had the the golf course in sterling they've hosted twice now two professional actually no three professional tournaments um in the in the last few years so i'm assuming that would have been a paid thing if we were to enact this but so if we can just get a little bit more detailed information and also

[01:31:55] hear from these other um entities because correct me wrong i don't know if we reach out to them and let them know that we've discussed that we're discussing this or do they even have an idea of this happening so i will take responsibility for for it again we brought this forward as part of our contractual agreement with the team so so no i mean we i'll say it again it's my mistake i did not anticipate the additional concerns that are being levied tonight legitimately so by the finance committee i mean we that we've been in this deal for several years i you know i'll take

[01:32:34] responsibility for it so no we haven't spoken to anybody else because the board has been in this arrangement for several years it was always a part of the deal so we have lobbied the general assembly went through a couple cycles with the general assembly we have gotten we've waited until they have completed all of their required improvements that they were required to make at Boland Park. And so we brought this as a matter of course, because it's what we agreed to do.

[01:33:00] All right. But yeah, we can go and do the outreach. If the chair would allow all those to be. Of course. Thank you. So how's the best one? Thank you. Um, yeah, I think that, um, I did read the item, but I think having some background on, on the agreement, um, before coming to the meeting would, I know we talked about it a little bit during COVID when there were some issues, but I didn't have an understanding that this was actually part of their agreement. My question

[01:33:27] would be to Buddy. Would a zero tax in this category be a better deal if professional teams wanted to come to Loudoun County? Would that be part of the, and could we, could it be part of the negotiation for a future team? I can't speak to a future team. I would tell you that the Loudoun

[01:34:04] united and certainly will have them here to speak for themselves consider this is an important part of the the deal for them and i think most professional organizations would see this as an asset cool okay thank you okay um one last question which you don't have to answer now so just to the point of who benefits the in the segred segred deal obviously at certain point we will have paid off the debt correct but the emissions tax would stay in place and then that becomes just a direct revenue source for the county as i recall we did a calculation around that i don't know how long is

[01:34:41] left in that debt service but that could be something to inform us with as well in a follow-up item okay so i think we need more discussion and that's perfectly fine um i will then move to table this

item second by chair randall it's a non-debatable motion all in favor say aye aye anyone opposed motion carries five zero so i will work with the county administrator to bring back the item when it's appropriate i was going to say at the end that i was hoping to alter the schedule for july due to my own availability and we were working with staff with some potential

[01:35:19] dates for that so whether we could make july for this item or however we want to handle it i can work with staff on but we want to make sure everybody gets information that they need and whatever time staff needs to bring back answers to those questions okay i think famous last words that the remaining items should go pretty quickly.

[01:35:39] So why don't we try to plow through to item 11, which is Loudoun County Cycle 4 COVID-19 Vaccine Equity Program Grant Funding Recommendations. The question was asked, will they come up?

[01:35:54] Why wasn't it this on consent? We actually thought about putting it on consent, but because it was a grant allocation, I know sometimes people have questions. But I think it could go pretty quickly unless there are questions. Why wasn't it on consent?

[01:36:10] Was that your question? Okay. So Dr. Goodford, how about it very quick?

[01:36:17] Our operations focused on Lavin County.

[01:37:11] They need to have experience in dealing with these populations of concern. That's what you get for inviting me. Sorry. I got the PowerPoint right at least tonight. But it can't be used to pay for vaccine.

[01:37:30] And that's really the biggest concern in the community is now that the vaccine has been privatized uh uninsured folks particularly low-income folks are going to have a challenge accessing vaccine but this grant funding can't pay for vaccine at all it also can't pay for gift cards and that's why for one of the entities why we weren't able to to fund them at 100 but we did go through the procurement process we we put out in our an rfa we did significant notifications to the community in general and also targeted to to those community-based organizations

[01:38:09] that focus on these populations of need held an application webinar webinar had an additional initial deadline but really didn't get much interest so got permission to extend out that deadline to maximize that opportunity for this upcoming covet season so we had two applications total. The request was for \$34,000. One of the requests included \$2,000 for gift cards, which unfortunately we're not able to use these funds for. But otherwise, our recommendation is to fully

[01:38:46] fund what we're able to within these two. As I mentioned, Erica Wickline was in charge of the review process for these grants, and they reviewed both of those. And aside from that \$2,000 of of non-allowable uh requests uh their recommendation was to fully fund both organizations so in the item it has on table one has those two organizations the ark of loudon and the loudon volunteer caregivers and again to fully fund them at what they requested other than for the

[01:39:20] unallowable two thousand dollars in gift cards so we're coming to you to just to address any questions you have and then uh to see if if that would be something you would recommend to the full board okay i think we can handle any potential questions in a motion that's okay so um i will page already i move the finance government operations economic development committee recommend the board of supervisors approve 32 000 and grant funding to two community-based organizations to increase access

acceptance and uptake of the coven 19 vaccine as outlined in the June 11 2024 finance government operations economic development committee action item and

[01:39:58] direct staff to notify the selected applicants and process. Second. Motion seconded. I think Chair Randall was first. All right. Comments on the motion? Chair Randall? Just a real quick question. Vaccine clinics for seniors. What do you guys deem as seniors? The organization actually does more than just seniors. Yeah, that's what I meant.

[01:40:23] They were able to check all of the different groups of individuals that they plan on. So then, and I know that, that's why I asked, because this actually wouldn't be completely correct. It doesn't have to be just seniors, correct?

[01:40:41] Correct. Okay, yeah, okay. Just want to make sure, because it does say that, so just so people know that it doesn't. When we get to the final vote, because I will put this item on consent, he's made one change in the item. All right, thank you. Supervisor Brisbane.

[01:40:59] Thanks. So, just to clarify, because one of my questions was that 2,000, and if, so it sounds to me like there won't be fewer vaccine clinics because they don't get the 2,000. Like, they're going to do just as many without that 2,000. The 2,000 was an unallowable request for something completely, sounds like something kind of different than just getting a vaccine.

[01:41:21] Well, one of the challenges for these populations is to try to incentivize them to want to come. And gift cards are a good way to do that. But unfortunately, it's not an allowable. OK, as long as everyone's getting the opportunity to get a vaccine that as many people as possible, I'm fine with it.

[01:41:36] Thank you. OK. Any further discussion on the motion? If not, all in favor say aye. Aye. Anyone opposed? Motion carries 5-0. Thank you, Dr. Goodfriend. And thank you as well. OK, our last item is a Town of Leesburg request to add a study of Route 15 and South King Street interchange improvements to Route 7 improvements, Route 9 to Dulles-Greenway long-term improvements projects.

[01:42:03] As staff's coming up, the town's request of the county study a potential modification to the interchange of Route 7 and Route 15 as part of the Route 7 widening project. Good evening. Good evening, committee members.

[01:42:19] So I will try to make this a little briefer and quicker. So what we're here to discuss is that, as you just said, Supervisor Letourneau, that the town of Leesburg has made a request to the board to add scope to an existing county CIP project, specifically the Route 7 widening between Route 9 and the Dulles Greenway.

[01:42:43] And specifically what they've added to add to the scope was a study of the Route 7 slash Route 15 bypass interchange with South King Street.

[01:43:02] So that's what has been requested, and essentially what we're here to do is tell you and explain why that we don't recommend adding that to the scope of the project because it will affect our ability to deliver the existing project.

[01:43:23] So we will get started. I will just give a brief background on what's going on with this project. This has been in the CIP for a number of years. Give me a second here. All right. And it originally showed up in the CIP in 2020, and it was broken into different segments because of the cost of the project.

[01:43:50] So the three different elements that have been in this project for the last few CIPs are, One, the construction of an acceleration lane from Route 9 to eastbound Route 7, which I believe last year the board approved giving that over to VDOT to administer that particular project, and VDOT is moving forward on that project.

[01:44:15] The other elements of the project are the eastbound widening of Route 7 from two to three lanes between Route 9 and the Dulles Greenway, as well as increasing from two to three lanes, segment westbound from the Dulles Greenway to West Market Street, the section that was not widened as part of the truck climbing lane project that Virat did a number of years ago. So I'm going to just skip through a couple of these slides for brevity's sake, but essentially what has happened over the

[01:44:50] last couple CIPs is we've gone through different iterations of consolidating and breaking the project up just based on cost and there as we went through and estimated the cost of the project in like the FY 22 CIP it was the cost made it such that we broke the project into several different segments as a result VDOT went through and did what they call a pipeline study to look at what are some cost effective ways that this project can be executed to bring the

[01:45:28] cost down. And based on that, they were able to come up with some recommendations for widening to the median as opposed to the exterior, which in event, or as a result, we were able to not have to rebuild several bridges as part of the project. And that brought the cost estimate down. Long story short, what that does for us is it's always been part of the strategy for funding this project to use regional funding, and as we all know, that is a competitively based type of funding,

[01:46:05] and as you bring the cost down, you now make it more competitive. Part of the reason for the pipeline study in the first place was when we submitted for SmartScale funding a number of years ago, the project scored very highly in the area of congestion mitigation, but because of the cost, which is sort of the denominator in the equation, benefit divided by cost, we were not able to qualify for smart scale funds. So what has transpired is because of this pipeline study,

[01:46:40] we've been able to bring the cost down of the project. We are now in the process of submitting for smart scale funding this year. And we think we have a very competitive application. And by adding this scope to the project at this point in time would jeopardize our ability to get smart scale funding. In addition, it would also create a delay because going through that study for an interchange is basically a two-year process because there is a, what's called an interchange

[01:47:17] modification report you would have to go through. That takes that amount of time to get through the VDOT system. And so that would slow down our project. And ultimately, what I'm going to get to here is what we would recommend is that we respond back to the town and say we are going to decline their request and suggest to them that any study of that interchange should be done separately from our capital project. This recommendation is not really focused on the

[01:47:56] merits of the request. It's more of the means that it is performed. We just don't feel it should be performed as part of our CIP project because it'll be a detriment both on a funding side and the schedule side for our project. And if it's pursued, it should be done separately. And so that's our recommendation. Thank you for the presentation. I think it's pretty clear about that issue, but let me ask one question and see if others have that. So if it were to be pursued as a separate study, How exactly would that take place?

[01:48:28] Well, I mean, there's actually a good example, which is actually occurring or has occurred in the town of Leesburg. And that is the town of Leesburg went through a interchange, well, interchange. IAR. IAR. They keep changing the name, sorry.

[01:48:45] At 15 in Battlefield Parkway, which is right at the terminus of our Route 15 project. And that IMR went through at the same time we were developing our Route 15 project. So the two can happen.

[01:49:02] But the point is the town did it. I guess what I'm getting at is I don't think the county should be pursuing those projects. If the town wants to study it, the town can study it. So is that what you're saying with this recommendation? It's not clear to me because it would send a letter saying that a study be performed independently of the Route 7 project.

[01:49:23] I kind of read that to mean that we would do that. And I'm saying, I don't think we should do that. So as part of this item, following the receiving the letter from the town, the staff and I did meet with the town manager and his team on May 1st.

[01:49:42] Part of that discussion included exactly what's happening here. Where we ended up is that the town does have the ability, And as part of the county's annual capital budget process to make requests to the county for funding for specific capital projects that benefit both the town and the county.

[01:50:05] So this interchange and the study of the interchange would fall into that category. And so I think that's the nature of where we kind of left that conversation. But it would be a separate project from being included in this one.

[01:50:21] And the board would have to initiate it. Yes, but it would be a request from the town asking for the study. A separate project, yeah. It wouldn't jump the line, so to speak. Well, I mean, that depends on how the board funds it.

[01:50:36] I mean, the town, as you know, the town CIP funding is somewhat separate from the other capital projects within the CIP. I see. All right, supervisor, I'm step. Thank you, Mr. Chair. I'm going to support staff's recommendation because of the risk to smart scale funding potentially and also the potential for this add-on to delay the main project.

[01:51:05] But I would, and this is a conversation I'll have with Tim and Aaron, but I would like to see the county cooperate with the town in assisting with their study of the South King Street bypass interchange, whether they want to apply for NVTa funding or whether they want to add it in.

[01:51:37] as Tim said, to their request for capital project funding. But at this point, I know we have had difficulty getting smart-scale approval, I believe, for this project, and we've waited a number of years for it.

[01:51:57] So I'll be happy to support your recommended motion. Thank you. Chair Randall. Thank you. It's too late, I think, for the MBTA funding in this funding cycle. However, the town does get money, their 30% as a town that comes through county from NVTa.

[01:52:18] So they do have the option of using their 30% of NVTa funds for this effort. I don't know how much that is, but I have an NVTa meeting coming up, and I can find out how much that is. I don't think that, I mean, I don't believe that there's, yeah, I believe that that money is about to come out.

[01:52:43] So let me check when I go to NVTa in a couple of days and find out what that amount would be and when that could happen. Because I know that it's too late to put it in now for the new funding cycle.

[01:53:01] But the 30% fund comes every year. So let me check on that. And then I'll get back to you and you can get back to the town and let them know what that looks like. Or the town can check on that themselves if they want to. But probably since I'm the MVP this year and I'm going, it may just be just as fast as I do it.

[01:53:16] Thanks. Okay. We're ready for a motion. I move the Finance, Government, Operations, and Economic Development Committee recommend the Board of Supervisors decline the Leesburg Town Council's request to add a study of improvements to the Route 7 and South King Street interchange to the existing Route 7 improvements, Route 9 to Dulles-Greenway, long-term improvements project included in the FY25 adopted capital improvement program budget, and request the Board of Supervisors authorize the Chair at large to submit a letter to the Town of Leesburg Mayor informing her of the decision and informed that the town of Leesburg that a study of the interchange should be performed independently. I think we're missing a word there, but should be performed independently

[01:53:53] of the Route 7 project. Seconded by Supervisor Umstead. Any discussion on the motion? Seeing none, all in favor say aye. Aye. Anyone opposed say no. Motion carries 5-0. And that is the last item to come before the committee. As I mentioned, we're looking at a different date for July, so we'll be in touch with that and we did pretty well 743 which is a lot sooner than tomorrow's meeting is probably going to be we are adjourned



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