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Loudoun County School Board, Finance and Operations Committee Meeting, Tuesday, September 5, 2023

Date Tuesday, September 5, 2023
Place Loudoun County Public Schools / School Board meeting (see BoardDocs / LCPS-TV)
Length 30m (video)

- Official meeting video (Vimeo / LCPS-TV): <https://player.vimeo.com/video/861698925?rel=0>
- BoardDocs (School Board): <https://go.boarddocs.com/vsba/loudoun/Board.nsf/Public>

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[00:00:00] - Good afternoon. Welcome to the Tuesday, September 5th, 2023 Finance Operations Committee meeting. I see that we have Ms. Corbo. And Ms. Corbo, I assume that you are wishing to participate remotely today.

[00:00:16] Can you state where you are located, whether you are alone, and whether this is a medical or personal exemption? - Thank you. I'm home, I'm alone, and I'm asking for remote participation due to an ongoing disability and medical condition.

[00:00:32] Okay, therefore, I will entertain a motion for Ms. Corvo's remote participation due to medical exemption. Okay, there is a lack of a motion. Would you like to participate in a personal exemption? No, thank you. Not at this time. Okay, so Ms. Corvo will not be participating as a board, as a committee member.

[00:00:53] So we'll move on to procedures for public comment. Is there anybody here? I know the house is packed. Nobody? Okay, so we'll move on to item three, which is the approval of the draft minutes. Is there a motion, Mr. Medvede? Yes, Chair, I move that the committee approve the draft minutes from August 1st.

[00:01:11] I'll second. Any further discussion? Seeing none, all those in favor of the motion, please see aye and raise your hand. Aye. That motion will carry 2-0. Ms. Corvo, absent for the vote. Thank you. Now we're on to item 4.01, business financial services, state cost per pupil for tuition purposes.

[00:01:30] Ms. Willoughby? Yes, this is the annual update to the tuition rates for our non-resident students, so the ones that are out of the county or also out of the state. It sets what the tuition is for a student to attend a LCPS school.

[00:01:47] The out-of-county rate would be \$14,338 for the whole year, and an out-of-state rate would be \$20,777. This is an increase from last year. Last year's rate was \$19,591 for an out-of-state student.

[00:02:06] As we've seen historically, these are typically for short-term periods where someone is moving in or out of the county to help with that transition. When we look at our numbers historically also, we only have a handful of students, and I mean like four or five, that actually attend the school year-round by paying the rate.

[00:02:30] This is coming straight as an action item because we have been waiting to have the final FY24 budget. We have already billed for the first quarter for our students that are non-residents. However, once we had submitted this for board docs, last week the state also released an update to their budget.

[00:02:49] So while we work through those numbers and see what the governor or the state finally approves, we will likely bring another revision back. But we decided to go ahead and keep this so that we can update our billing for our families. And so if the school board approves it tonight, we would request that it go on consent at the next school board meeting.

[00:03:10] Okay, because it's coming as an action item, I'd like to go ahead and move to suspend the rules so that we could consider this as an action item for the committee. Mr. Mohedvi? Thank you, Chair. So it's already posted in the board docs as an action item.

[00:03:26] So I don't know if we need to suspend the rules. If it's brought the information, then probably need to. Well, because it's supposed to come through us as an information item, I'm just, okay. So are those in favor of suspending the rules? Sure, yeah.

[00:03:43] So Ms. Willoughby, in the past we brought items to action items without bringing information items. I think we did that last time, too, because of timeliness. So how does this one play out, too? You are correct. And so I am kind of watching this as well to see, thinking, if we suspend the rules, is this something that we need to be mindful of going forward?

[00:04:02] Because there are times that we do bring things straight as action. And typically, if it was something that would be a typical motion to bring as an action item due to the time criticality, I guess this could be played either way, but I would, I'll still move to suspend the rules for this.

[00:04:23] There may be other opportunities where we might not consider that, but because this is being pushed forward, and so I'll make the motion. I'll support you. Okay. So all those in favor? Aye. That will pass 2-0.

[00:04:38] So now we can go ahead and make the motion, and I'll make it. I move that the Finance Operations Committee recommend that the Loudoun County School Board adopt as a tuition rates for the 2023-2024 school year \$14,338 for in-state, out-of-county, and \$20,777 for out-of-state students.

[00:04:58] I'll second that. Okay, the motion has been seconded. The question I have is for school year 2023, it's \$14,338. Can you remind me what it was last year? So for the in-state, out-of-county student for this school year, it'll be \$14,338.

[00:05:15] I don't have it broken out what it was last year. I just had the out-of-state. Okay. If you could bring that one. Well, we're going to place this on consent. So if you could just provide that as part of the superintendent's weekly, just have that information passed through so the board will see that.

[00:05:32] And so the intent is to place this on consent. So did you have further questions, Mr. Mejedevi? Chair, I think that's the question I had was like, what was the number last year? Okay, so I think get that information out.

[00:05:49] If there are problems, we can always, any member can pull it off consent. So with that, I'll place the motion to vote. All those in favor of placing the motion on the consent agenda, please say aye and raise your hand. So that motion will carry 2-0. Ms. Corvo absent for the vote. Thank you. On to 14.02 support services, grant of easement to Dominion Energy at Loudoun Valley High School.

[00:06:11] Is there a motion? Mr. Manavie. I move to the Finance and Operations Committee to recommend that the Loudoun County School Board approve the Dominion Energy Right-of-Way Agreement and plan associated with the proposed streetlights in front of the Loudoun Valley High School property. Further, the Chair of the School Board is authorized to sign the easement and the Right-of-Way Agreement upon presentation.

[00:06:32] I will second that. Further discussion? Yes. One question. Lights on this, was there also mention of lights in the Leesburg Proffer? Are those the same or are those different situations?

[00:06:48] - So this one is for Loudoun Valley, which is in Percival. I'm not sure. I mean, this is just an easement.

[00:07:03] It's not lighting. - Okay, so this is outside of the-- - Outside of the town of East. - And it's also street lights only. It wasn't for anything else. Okay, further questions? No? Okay, we'll place a motion to vote. All those in favor of the motion, please say aye and raise your hand. - Aye. - That motion will carry 2-0.

[00:07:19] Ms. Corvo, absent for the vote. Okay, now we're on to 4.03, which is granted easement to Verizon, Virginia LLC at the Valley Service Center. Is there a motion, Mr. Mahedovee?

[00:07:35] - Aye, yes, Chair. I move that the Penitent and Operation Committee recommend that the Lownden County School Board approve the easement associated with Valley Service Center property, further that the Chair of the School Board is authorized to sign the easement upon presentation. - I'll second that motion for the discussion now.

[00:07:53] All those in favor of the motion, please say aye and raise your hand. Aye, that motion will carry to zero. Ms. Corbo, absent. Onto 4.04, which is grant of deed of easement and vacation to the town of Leesburg at Catoctin Elementary School. - Is there a motion, Mr. Mejedevi?

[00:08:09] - Yes, Chair. I move that the Finance and Operation Committee recommend that the Lownder County School Board approve the deed of easement and vacation associated with the Catoctin ES property. Further, the Chair of the School Board is authorized to sign the deed of easement and vacation upon presentation.

[00:08:26] - Okay, I will second that motion. Further discussion? None? Seeing none, all those in favor of the motion, please say aye and raise your hand. - Aye. - That motion will carry to zero. Thank you. Ms. Corvo, absent for the vote. On to item 4.05, which is support services, grant of deed of easement to Commonwealth of Virginia, Virginia Department of Transportation at Valley Service Center and Harmony Middle School.

[00:08:49] Is there a motion, Mr. Mahedavine? - Yes, Chair. I move that the Finance and Operation Committee recommend that the Loudoun County School Board approve the easements associated with the Valley Service Center and Harmony Middle School properties. Further, that the Chair of the School Board is authorized to sign the easement upon presentation.

[00:09:05] - Second that motion, further discussion? Seeing none, all those in favor of the motion, please say aye and raise your hand. - Aye. - That motion will carry to zero. Ms. Corbo has sent for the vote. And on to item 4.06, support services, contract award RFP number 23519, architectural engineering services for Banneker Elementary School renovation in addition.

[00:09:26] Mr. Matavy. - I move that the finance and operation committee approve and recommend that the school board approve to name the Broadworn High School softball field. No, sorry, hang on. - This is 4.06.

[00:09:42] - I move that the Finance and Operations Committee approve and recommend the Loudoun County School Board approve the contract award for RFP 23519, Architecture and Engineering Services for Banneker ES Renovation, in addition in the amount of \$3,041,990 to Architecture Incorporated, and authorizes the Chair of the School Board to sign the final contract documents upon presentation.

[00:10:11] - I'll second that motion. Further discussion? The only, I have one question. I know we have the matrix, but for the record, can you tell us what the scoring differential was on the cost for the three finalists?

[00:10:28] I'll ask Mr. Joe Pasquale. He's got that information. Yeah, we didn't get costs from the other vendors because of the way the process works is we award the contract based on the proposal that they provide.

[00:10:45] Then once we select a contractor, then we negotiate a fee at that point. So typically in our construction, There's a contractor at risk.

[00:11:02] Is that the phraseology? That's a method of procurement here, yes. Did we use contractor at risk methodology for this procurement? Well, it's similar, but it's a little different because these are A&E services. So the way we would procure any project would be similar to that for a large project like this.

[00:11:22] Okay, because normally the cost matrices are included with work that is – I might be confused with how we push this. If it was actual construction work, we would have listed the cost down. This is a professional services contract for A&E.

[00:11:40] So the board, when they're scoring the different architectural engineering firms, kind of score them blind to the cost. They get the proposals from the vendors. They select the best A&E for this project.

[00:11:57] Then they initiate, once they've selected that one vendor, then they initiate the discussions as far as setting up the fees and schedule for the project. Okay, so that comes after selection, but before contract signature?

[00:12:12] Correct, and this is just the designer. This is not selecting the company that's going to actually build the project. Right, design services. Yes, sir. Very good. Mr. Mejedevi. Thank you, Chair. So I guess from my understanding, so we are approving the contract ceiling for \$3,041,990.

[00:12:35] So do you reject? I mean, how do you negotiate for the price once you know the dollar amount has been set? So generally the way the contracts are negotiated is it really is negotiating scope, right?

[00:12:52] So we have a good sense of what the architects are going to and the engineer is going to charge as a unit rate. So we work on scope with them. So they're going to assume that there's a certain scope, and we'll work back and forth with them, make sure that scope is correct, and then we land on a fee from there. Has ever the negotiation has broken down?

[00:13:13] I mean, so you selected this vendor, and somehow you cannot come to terms. Has that happened in the past? It's rare, but it has happened. So that's why we wouldn't bring it to this committee without having done that work, even though most of the time it were successful in negotiating a proper fee.

[00:13:34] So my only thing is I have not been shy about this. I have always been struggling with our contracting process, having worked as a contractor. So, again, with respect to just kind of continuing with this thing, I'm going to support it. But I think at some point I do like to understand, I don't know if it's come to Mr. Lewis' shop or I don't know your shop, but I think this has been, I think, my fourth or fifth meeting on this topic of other contracts.

[00:13:58] So I think, again, going forward, I'd like to have a better understanding on how we do the contracts in the future. That's all. Thank you. Further discussion? No. We place the motion to vote. All those in favor of the motion to award the services contract, please say aye and raise your hand. Aye. That motion will carry 2-0.

[00:14:15] Ms. Corbo absent for the vote. Now we're on to item 4.07, which is a request to name the Broad Run High School softball field, the Ed Steele softball field. Is there a motion, Mr. Mahedee? Yes, Chair. I move that the Finance and Operations Committee approve and recommend that the school board approve to name the Broad Run High School softball field after Mr. Steele, therefore named Ed Steele softball field for a period of 10 years.

[00:14:42] There's a motion. I will second that. Further discussion? Okay, I think the community had full support on this, so we'll place a motion to vote. All those in favor of the motion, please say aye and raise your hand. Aye. That motion will carry to zero. Thank you. So now we're moving on to item 4.08, which is support services request to name the Algonquian Elementary School Gymnasium

[00:15:13] basketball court to the Joe Tarango Court. Is there a motion, Mr. No? I am also not going to make the motion, and I think that, and Mr. Mejedevi, I'll let you speak to this as well. I think that we're challenged in LCPS by the amazing things that our employees do every day, and the expectation that comes from the community that our employees perform at the level that they do is

[00:15:47] met without question. I think that a precedence of setting that an active employee would be honored either through this method or any other method at one of the schools makes it very difficult for us to equate that to all the other work that's currently going on. It's the body of work up to that date, but I think it's important for us to consider the impact on our ability to

[00:16:22] make these decisions when we start to include those that are still active employees. I would have absolutely no problem evaluating this given a retirement or resignation or, God forbid, the death of an employee who has this type of service record because it is tremendous. But because I I think that our policy is set forth to honor those that are no longer employees.

[00:16:55] I will not make the recommended action, so I will not be making the motion. Mr. Madhavi. - Thank you, Chair. I think you eloquently said everything I wanted to share. And the only thing I'll say, I think a couple of the names that we have done have unfortunately been staff that have been deceased.

[00:17:17] And I was speaking with one of the staff that hopefully, the schools and the school boards can bring recommendation of employees who are done exemplary service to LCPS, but have retired, but so we can honor while they're living versus, you know, when they pass away.

[00:17:36] So that's my only thing. So for every reason, I think the chair has recommended that I had my concerns when this item was brought last time itself. So I would not be supporting this motion also. - Okay, thank you.

[00:17:52] So with that, we'll go ahead and move on to the information items starting 5.01, which is printing, graphic design, mailing, and related services. Ms. Filio, who is not here? She's not here, so I'll take this one. So this is the renewal for our printing, graphic design, mailing, and related services, as you mentioned. This is the first renewal out of four one-year terms, and there are multiple vendors, and this is for the services across the division. And finally, that it's the same pricing as before. There are no increases. That answers my question. Mr. Mahedeby, any questions

[00:18:27] or comments on this? I don't have any questions. I do have one. What was the, is this something, the same dollar amount we're renewing from last year or is this an increase from last year? It's the same. Okay, so is there interested in placing that on consent for our next committee meeting? Please. Thank you. On to 5.02, which is the town of Leesburg proffer funds. Here we go.

[00:18:59] Good evening, gentlemen. Back in 2005, the town of Leesburg, at the request of the Board of Supervisors and the school system, started collecting proper funds to offset the impact of developments, specifically school-related.

[00:19:15] And up to today, we have received over \$6 million in proper contributions that the town has authorized for our school uses that have funded part of the Loudoun County NJROTC building, the design of the North Star School.

[00:19:33] We have put inclusive playgrounds at Catoctin, Cool Spring. We've done a play pad at Frederick Douglass Elementary. And right now, construction is getting ready to begin work on walking tracks at a couple of our schools, Smarts Mill, Leesburg, and John W. Tolbert.

[00:19:52] So we are back again a couple years ago. We were here, and the Finance Committee began the process of reviewing potential projects for the fund balance that is currently out there, which is about \$2 million. So we have reached out to the school principals, only principals in schools that are located within the incorporated limits of town.

[00:20:14] So we are not including Sicklin, we're not including others that might have a Leesburg zip code, only those that are within the town limits. We've reached out to them to ask them if there are any projects

that they might like to be considered. We've also combed through the CIP, the CAP, just to see if there are additional projects there.

[00:20:32] And so this item, what you have here are two charts within your item. The first one outlines CIP and CAPP projects that are at schools within the town limits. And then the second grouping identifies general descriptions, and I can provide details for any of these requests that we've received from the school principals.

[00:20:54] We did not receive some from some principals they're working on, they're thinking about it, because this is a proffer contribution that is offered up every time a residential house is zoned. And so there will be additional monies coming into this fund, the town staff has said.

[00:21:10] But we need to begin that process of how to spend down some of these collected monies, and thus we return to you today. Again, final review would result with the school board, But what would be required with each of this, like in the past, is we would submit a list of projects to the town staff, particularly the zoning administrator, to determine eligibility.

[00:21:33] We know playgrounds, inclusive playgrounds, have been approved in the past, so my hunch would be that they would be very quick to respond on those requests that we have for these additional schools. But there are other projects here equally worthy, and so we're bringing that to you. We would ask that you make a recommendation to the school board, then the school board give us direction to work with the town staff, and before any project is identified and funding allocated, we would seek school board direction again, and then we would begin the project and ultimately get reimbursement as allowed. I can answer any questions if I did not explain thoroughly.

[00:22:08] I got most of it. The process is a little different here. We initially approve an initial series, then they evaluate the viability and come back to us, but that's the only change that they would make. They would not change our prioritization or anything like that, correct? That is correct.

[00:22:25] They might say that all of these projects, when we give them detail, all of them would qualify, and then it's just determining which of them are most worthy at the school board level, which you would like to move forward with first. We could certainly hold on to these lists. We We compiled the list back in 2021, and we looked at that list again when we compared this one.

[00:22:48] So, yes, you are correct. That's the only difference is just we would come back with a determination once they look at them. So will that occur in between the committee and the board, or that occurs after the board vote on the general resolution and then a second vote on the?

[00:23:04] It would be we would come back to you as an action item on the 19th, and then we would go to the school board as an information item on the 26th. and then school board action kind of determining if we want the whole list to go or just certain items on the list. Then we would work with the town staff to see which qualified, and we report back to you for a final action.

[00:23:27] It's a long and winding road. It's great to look at it and say, yes, we'd like all those things to happen. And over time, perhaps they may all be able to accomplish. But I think what we should do is go ahead and move this forward to the action item agenda for the next committee meeting.

[00:23:43] And I'd like you also to reach out to the two Leesburg representatives, Ms. Corbo and Ms. Ogadegbe, and ask them for their thoughts and their inputs as well so that we can prioritize that. Thank

you. We will. Okay, so we'll place that on the action. Further comments or questions?

[00:23:59] Mr. Mehta. Thank you, Chair. My only question is I think the dollar amount I see, Ms. Tate, is that \$2 million or that's what they have? That is the balance of collected funds that are currently available. By the time we go through this process, there may be additional monies added to that, but their current balance with the outstanding that we're anticipating for the walking treks because we have not asked for reimbursement because those projects are in process.

[00:24:30] But yes, correct. Right now, it's \$2 million. And the schools have to be part of the Leesburg town also, right? I mean, that's one. They have to be physically within the corporate limits of the town. Yes, sir. That's all. Thank you. Okay. So we'll add that on as an action item for the next committee meeting.

[00:24:49] Excellent. Okay, and last up is the adoption of new policy 6450 accommodations for the disabled. Mr. Traynor? Yes sir, this is simply coming forward the new policy the creation of policy 6450 accommodations for the disabled and this policy just simply states that anytime that we're doing renovations construction work to buildings that we will bring those buildings up to current ADA code requirements for the area that we're working in.

[00:25:24] Okay. I'm challenged by this simply because it's the law and do we have to, is it codified that we have to include the law in policy as well or that we just need to comply with this? So we need to comply with it and we have been complying with it.

[00:25:42] Okay. This was just, this comes out of a recommendation from the VSPA, it's one of the recommended policies that they have when we were going through looking at those, so that we did not have a policy that addressed this.

[00:26:00] So it was a recommendation that we have a policy that says we will comply with the law. Yeah, I'm not excited about that. I don't know what Mr. Mehedeve feels, but adding policies that say we're going to follow state or federal law makes absolutely no sense to me.

[00:26:19] I think, go ahead, Mr. Mehedeve. I was exactly on the same direction because maybe you can help specify, like, again, the reasons for this policy that you're bringing. I think you mentioned SBA, but I'm, what was it, something, some third, was it SBA you mentioned?

[00:26:38] VSBA. VSBA, there's, yes, sir, there's listings in there of recommended policies that school systems have, and when we were going through that list, this is one of those that we don't currently have a policy addressing this.

[00:26:54] Because I was in the same sort of, same wavelength that, you know, we have a lot of laws that we follow, state or federal law, but we don't really have a corresponding policy. And I think, so, I would need to have, like, really good, more reasons to say, well, why do we need to have that?

[00:27:12] Because then again, it doesn't even say, I mean, it says by law, but I think, you know, there are many laws. So I think, do we list everything out? I'm not sure we want to be bound by policy just for that. That's kind of where my head is right now.

[00:27:29] Yeah, I completely agree with that. In fact, what I would say is you have a cross-reference on policy 1040. This could be a paragraph added to an inclusive policy, such as that's the equal opportunity for equitable, safe, and inclusive environment. We could just add this paragraph into it instead of creating a whole new policy on that.

[00:27:49] Yes, sir. That's our thoughts moving forward. Terrific. All right. Is there any new business? Seeing no new business, we are adjourned. Thank you all.



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