

December 6, 2004

Mr. Steve Silverman  
President, Montgomery County Council  
100 Maryland Avenue  
Rockville, Maryland 20850

Dear Mr. Silverman:

We very much appreciated the opportunity to meet with you on December 3, 2004. As promised at that meeting, we are providing a summary of our Seven Locks community's comments on the cost information provided by MCPS to the State of Maryland, and the cost information that we assume was provided to the County Council. In addition, we have attached: (1) a critique of the cost data provided by MCPS and request for follow-up action, (2) a cost comparison for Seven Locks Elementary School options, and (3) options recommended by the Seven Locks community with particular focus on cost savings.

#### Cost Assessments

We were not able to review and provide comments on Montgomery County Public Schools cost information earlier because MCPS was not willing to share any detailed assumptions and cost information with the community, in spite of written requests to MCPS starting in June 2004. We only received the cost data because Dr. David Lever, Executive Director, Public School Construction Program, State of Maryland, interceded on our behalf and sent us the MCPS cost information. We do not know why the MCPS consciously chose to withhold cost information from the community.

Having reviewed the information provided to us on November 16, 2004, we have concluded that the MCPS cost information used by the County Council to approve the replacement school at Seven Locks was flawed. Based on talking with you and understanding the importance the County Council places on fiscal integrity, we understand that, if the MCPS data and assumptions were indeed flawed or incomplete, the County Council will reconsider their decision based on the new information and new options.

We understand that, when the State professional staff member evaluated Seven Locks Elementary School, she concluded in mid October 2004 that the current Seven Locks facility is acceptable as a school for expansion with large classrooms and good corridors, and recommended that the State not fund the proposed Montgomery County Elementary School at Kendale Road at the higher level of state funding associated with a replacement school. We understand that the MCPS changed their data after that staff recommendation, which implies that any cost information given to the County Council before October 2004 was not correct.

Because we want the County Council decision to be based on the most credible and accurate cost information, we are providing the following comments:

- Based on our review and comments from the Montgomery County Department of Planning, we think **MCPS substantially underestimated the cost for Kendale site issues**. The site costs do not consider the costs for road widening. It is impossible for school busses to pass each other, or for fire trucks to pass if SUVs are parked on Kendale Road. Staff at the Department of Planning thinks that Kendale Road, which is only 18 feet wide and winding, needs to be widened to 24 feet over an extensive length, not just in front of the school. Also the Kendale site is near a designated flood area. The stream in that vicinity regularly floods (e.g. based on a video we have, one foot of water flooded above Kendale road two days before Montgomery County awarded a sole source \$800,000 contract to an architectural firm to design the Kendale school). Thus, the site and environmental costs are not likely to be the standard percentage, and extensive storm water management costs are likely to be incurred. Other above average costs are likely to include reforestation and external building architecture costs.
- The costs seem **unnecessarily high at Seven Locks site** for a variety of reasons. For instance, the building square footage for the Seven Locks site has been made 10% higher than for the Kendale school building. This may have been done for good reasons (some inefficiency in working with existing building, or building smaller classrooms in Kendale school), rather than to inflate the price to allow the new school to be funded by the state at a higher rate, but no detail was available in the cost information, and Mr. Hawes of MCPS was not able to delineate the basis for the increased space. Insufficient detail and rationale has been provided for a second addition during the modernization phase (with the identical cost as the addition during the first addition phase).

Additional cost analysis and requested actions are included in first two attachments.

#### Request for County Council Action

**1<sup>st</sup> Request:** We request that the County Council re-evaluate the MCPS cost information and ascertain whether it reflects the **full cost of the project**, not just a selective sample of construction costs chosen to influence the results. You may have to request information from other County or State agencies to obtain valid and independent assessments of costs such as Kendale road expansion and storm water protection for steeply sloping land near a flood area.

**2<sup>nd</sup> Request:** We request that MCPS be required to submit costs for alternative construction approaches and options that are less costly to Montgomery County and Maryland State taxpayers. Because Montgomery County and State school constructions funds are limited, we think that the County Council should seriously consider reasonable alternatives that are less expensive than the one planned by MCPS. We have recommended less expensive options in the third attachment.

Perspective

You might note that, for over three years (2001, 2002 and 2003), the **MCPS Superintendent of Schools in his CIP and the Montgomery County Board of Education recommended the expansion and modernization of Seven Locks Elementary School, not the building of a replacement school on Kendale Road**

Even Montgomery County Superintendent of School Jerry Weast believed as recently as this year that a new elementary school at Kendale was inappropriate when he wrote on February 23, 2004, "**It is far more cost effective to add onto existing schools than to open additional schools** when the amount of projected space needed is modest, as is the case in the Winston Churchill Cluster." Therefore, because Kendale is in the Churchill cluster and his quote came from a document discussing the Kendale site, his professional opinion (perhaps before he was subject to political pressure to try to justify a abrupt reversal in MCPS planning) was not to build at Kendale.

Civic leadership representing over 5,000 citizens in Montgomery County have testified on the lack of transparency on this subject and will be tracking the County Council's assessment of the costs.

Summary

Because building an elementary school at Kendale Road versus expanding Seven Locks Elementary School is in **direct contradiction of the written public statements of the Montgomery County Superintendent of Schools in 2001, 2002, 2003, and 2004**, we do not think the County Council should believe or should act on the recently crafted **MCPS cost numbers, which we consider incomplete and flawed.**

We urge you to act on our two requests to exercise requisite fiscal responsibility, and to undertake independent evaluation of the cost numbers and options that appear to offer considerable cost savings. We do not think it is appropriate to spend millions of extra dollars of Montgomery County taxpayer money on the replacement school on Kendale Road for no apparent good reason. Our community believes that it would be preferable to use the money saved for other higher priorities in the County.

Sincerely yours,

Cyril W. Draffin, Jr.  
President, Deerfield Weathered  
Oak Citizens Association

Sandy Vogelgesang  
Board Member, West Bradley  
Citizens Association

cc:

Councilmember Phil Andrews  
Councilmember Howard Denis  
Councilmember Nancy Floreen  
Councilmember Mike Knapp  
Councilmember George Leventhal  
Councilmember Tom Perez  
Councilmember Marilyn J. Praisner  
Councilmember Michael Subin  
Montgomery County Council  
100 Maryland Ave.  
Rockville, MD 20850

Dr. David Lever,  
Director, Public School Construction Program  
State of Maryland  
200 West Baltimore Street  
Second Floor  
Baltimore, MD 21201

Copy under separate cover to Senator Robert J. Garagiola and Delegate Brian J. Feldman

Attachments:

- (1) Critique, Observations and Questions on MCPS Comparative Cost Data for Seven Locks Elementary School
- (2) Preliminary Comparative Costs of Options for Seven Locks Elementary School
- (3) Community Recommendations for Options to Consider

# Critique, Observations and Questions on MCPS Comparative Cost Data for Seven Locks Elementary School (Bethesda, MD)

Attachment 1 - 12/6/04

**1. Insufficiency of data for fully valid assessment and comparison.** The data provided by MCPS are at such a level of generality that it is difficult for those outside MCPS to assess fully the components in the cost charts and thus to make clear definitive comparisons of the options.

- a. **Inadequacy of standard data for different sites.** Many of the MCPS numbers are simply standard “lump sum” (LS) numbers that may or may not apply to the two very different sites and topography in question. Seven Locks E.S. is situated on a flat, dry 10-acre site at the intersection of two roads that allow buses and other traffic to pass easily. In contrast, the replacement school on Kendale Road is planned to be built on a ten-acre site with only eight acres of buildable terrain due to the hilly and rocky topography and proximity to a flood plain. It is also along a road that is too narrow for two school buses to pass safely and at a point from which – without extensive road widening and straightening – no emergency egress could be made to Bradley Boulevard.
- b. **Vague terminology.** It is difficult to know what terms such as “site costs” mean. In the case of the current school, we have been told that the figure (\$1,354,745) includes, *inter alia*, construction of new road egress to Bradley Boulevard and Seven Locks Road. However, MCPS staff have not been able to explain the comparable “site costs” for the replacement school at Kendale. Further, that matter is particularly troubling in light of potentially serious discrepancies between the topographical and aerial maps provided to us by the Maryland-National Capital Park and Planning Commission (M-NCPPC), the architects hired by MCPS, and material for the adjoining German School which could suggest quite different (and substantially higher) requirements and expenditures for off-site drainage, environmental remediation, and other factors.
- c. **Action Requested:** MCPS disaggregation of cost data with complete breakout of each cost component, including but not restricted to: construction, site, contingency, planning and maintenance/operation, to be validated by independent County/State or private experts. The community has been requesting such elaboration for over six months but has yet to receive any such data from MCPS. Cost data provided to us came from the State of Maryland Executive Director for Public School Construction.

**2. Inadequacy of the options presented by MCPS.** The options for expanding and/or modernizing the current Seven Locks E.S. or building the replacement school on Kendale Road are inadequate in several respects and thus do not provide either the Montgomery County Council or the State of Maryland the full and complete basis on which to make

decisions. This is a particularly serious situation in light of the difficult choices that must be made due to increased budget stringency.

- a. **Limited options.** The proposed MCPS options do not include possibilities recommended by the community (such as one-step expansion/modernization or a second-story addition to the existing Seven Locks E.S).
- b. **Questionable MCPS second addition.** It is not clear why the addition/modernization plan proposed by MCPS includes two stages of additions – one for the initial complex of classrooms and gym and a later one as part of the modernization. Interestingly, this option still does not seem to provide for one of the needs most underscored by the PTA and parents -- namely, the expanded cafeteria needed to serve an increase in enrollment from 250 to 550 students.
- c. **Unnecessary increase in square footage and cost.** The addition/modernization option for Seven Locks presented by MCPS, without some clarification, appears to increase square footage and costs unnecessarily. There is no clear case made for the large size (18,000 sf) and cost (\$2,520,000) of the second addition or indeed for the absolute need for such a second-stage addition.
- d. **More cost-effective use of increased multi-purpose space (v. gym).** It would appear that the most essential item (expanded cafeteria) space could be included in the first-stage addition for new classrooms and gym, perhaps expanding the classroom area to provide for auxiliary eating space.
- e. **Action Requested:** MCPS provides analysis of full range of options, with accompanying cost data, to be corroborated independently by other entities in Montgomery County and State government, as well as, if possible, private industry.

**3. Some apparent reasons for construction cost differential.** There appear to be several reasons why the options presented by MCPS seem to indicate that it is cheaper to build a replacement school on Kendale Road rather than to proceed with use of the existing Seven Locks site.

- a. **Pricey second addition.** Large size of the second addition for the MCPS expansion/modernization plan for Seven Locks E.S. increases costs. Without that inexplicably large addition, a one-step addition/modernization of Seven Locks would appear to be cheaper than the replacement school on Kendale.
- b. **Square footage differential.** The total square footage, as per MCPS data, indicates that the expanded/modernized Seven Locks would be 71,140 sf versus 64,490 sf for the Kendale replacement. Using MCPS unit cost of \$140 per square foot, that represents a differential of \$931,000. Extrapolating from that basic construction differential to incorporate other stipulated costs (contingency, site, etc.) the difference in size between the two schools could account for an estimated

\$1 – 1.5 million (or more) difference. It is not clear why Seven Locks E.S. needs to be 71, 140 sf if it is intended to serve only 500-550 students whereas Kendale, with 64,490 sf, is intended to serve as a 740-student core facility.

- c. **Already planned addition for new school.** It is also not clear from MCPS data to date what size MCPS envisions for the replacement school on Kendale. There is discussion of another planned addition for the new school, but no cost indication.
- d. **So-called sunk costs.** The cost data do not reflect the considerable funds already spent to launch the expansion/modernization of Seven Locks. MCPS, when asked about these expenses, says that they are “sunk” costs and should not be calculated as part of the overall project. As taxpayers, we beg to differ. MCPS has not indicated to the community, County Council, or others the full extent of funds already expended for the long-planned expansion/modernization of Seven Locks (architectural planning fees, new roof, air conditioning, installation of new perimeter fences, etc.). MCPS has indicated that the current Seven Locks facility meets County Code for existing structures. Why, in light of much more pressing needs elsewhere in the County and recent expenditures on that facility, tear it down?
- e. **Action Requested:** MCPS to provide justification for options included and those from community that have not been addressed (see third attachment) with independent evaluation by County/State authorities and private industry.

**4. Omission of Full Costs for the Replacement School on Kendale Road.** Despite repeated community requests over the last six months, MCPS has refused to provide information on the full costs (versus just construction data) of the replacement school on Kendale – a point that is particularly crucial given some of the special challenges of the Kendale site. Such costs include the fact that the school will be situated on a narrow and winding road, too narrow now for two school buses to pass each other safely, and the fact that there is a major drainage and flood problem on the Kendale site. To date, we have been told that no such data are available, that such information will be known only later, and that those are costs that come outside the MCPS budget and thus do not count as far as County Board of Education presentations to the County Council are concerned. The community believes that the County, State, and taxpayers should have a clearer indication of likely full/full costs before proceeding further on this project. Some illustrative items include:

- a. **Road widening.** Even if buses are to exit the school on Kendale Road via Kentsdale Road and not the much more winding portion exiting on Bradley Boulevard, we understand from M-NCPPC and others that it will be necessary to widen the road in front of the school and to Kentsdale Road from 18 feet to 24 feet. There is, further, no indication of what widening and straightening of narrow Kendale Road might be necessitated for safety in the event of an emergency need for egress onto Bradley Boulevard. Wouldn't basic safety considerations dictate enabling traffic to access the school from two directions? To date, no traffic survey or study has been made available to the community.

- b. **Storm Water Management.** A state of the art system may be required to address the recurrent flooding problems in an area that experiences severe flash floods, both on Kendale Road and the adjacent Bradley Boulevard area that must be transited by school buses no matter which entry point is used for access to the new school on Kendale. (Videos are available of typical storm situations along Kendale Road.) The size of the planned replacement school building, the paved parking lot and paved play areas makes it essential that a carefully engineered storm water management system be implemented, regardless of cost. The local Kendale community has been assured by MCPS that it will meet this requirement. However, no engineering system has been done and no cost data are available. It will be impossible to estimate full costs of proposed Kendale project until civil engineers have calculated the flow rate of run-off and indicated what kind of underground pipe storage system (or other option) may be required (since County regulations preclude any increase in flow rate).
- c. **Extension of All Utilities.** At least a 150-foot extension is required to bring sewage connection to the Kendale property. The full cost of that facility plus running all other utilities to the site and the likely need for an upgrade for electrical and telephone service in an area of frequent power and cable outages needs to be provided.
- d. **Reforestation.** The Forest Conservation Worksheet for the site may indicate the need for significant reforestation with the need to plant 1300 or more trees elsewhere in the County to compensate for the clearing of the heavily wooded Kendale site.
- e. **Landscaping.** To comply with Kendale community requests, there are plans (so far not costed out) to provide high (at least six foot) berms around the entire perimeter of the Kendale property, as well as extensive new plantings to screen the property from residents.
- f. **Architectural Costs.** To comply with requests from the well-established Potomac neighborhood, there are plans to provide multiple treatments of exterior surfaces of the school to help the school appear more residential in design and scale and to provide treatments of the roof (use of pergolas, multi-levels, etc.) to help the school look less institutional.
- g. **Site Costs.** The hilly topography with steep grades and large rock outcroppings is likely to lead to incurring higher than usual costs. Thus, the inclusion in our comparative cost spread sheet of a "rock contingency" in case MCPS finds that rock outcroppings in one portion of the site in fact are present more widely, particularly in areas where high-cost blasting would be required to install underwater storm water holding facilities, etc. Prudence would have dictated MCPS doing basic preliminary boring of the rocky Kendale area terrain before/proceeding with design work and site placement and completing the



engineering assessment of storm water management and site runoff. The challenging site (only eight of the ten acres are suitable for building or recreation areas) suggests the need to estimate the cost for providing extra grading, dirt removal or relocation, construction of retaining walls, etc.

- h. **Action Requested:** MCPS to provide estimate of full cost of this project, to cover such items as those noted above and others that might be identified by County/State authorities and independent private firm. There should also be immediate soil borings done to determine the extent of rock on the site before/before proceeding with further design work and site placement.

**5. Apparent MCPS effort to adjust data to support shift of course.** The County Board shifted from the plan, endorsed in 2001-2003, to expand and modernize Seven Locks E.S. It decided, instead, in late spring of 2004 to close that school, propose possible surplus of the Seven Locks site for affordable housing, and build a much larger replacement school on Kendale Road.

- a. **Expedient flexibility – or changing positions to suit changing political needs.** MCPS and the County Board of Education has tended to make the case that suits its purpose or the purpose of others at any given time. For example, County Superintendent Jerry Weast stated on February 23, 2004 that “It is far more cost effective to add onto existing schools than to open additional schools when the amount of projected space needed is modest, as is the case in the Winston Churchill Cluster.” However, just four months later, he stated, “Cost is an important consideration in moving Seven Locks Elementary School to the Kendale Road site. The total cost is between \$2 and \$3 million less for building a replacement facility, because it is less expensive to build a new facility at a new site rather than phasing construction at an existing facility over a number of years.” At no point has he been able to document that alleged cost savings and at no point has the County Board of Education or MCPS produced the promised full feasibility study for the Kendale project.
- b. **Suspect data increase apparent cost of Seven Locks.** The data that have been provided by MCPS to substantiate the contention of cost savings for the Kendale replacement are, at best, unclear and unsubstantiated and, at worst, contrived. For example, it would be helpful to have disaggregated data and rationales for the kinds of costs indicated under “Project Planning Costs.” What need is there for \$20,000 for a boundary study on a school at Seven Locks built in 1964 where, presumably, the boundaries have not changed? Cutting back on what appear to be inflated costs for Seven Locks would lead, of course, to reduced “construction contingency costs.” There could be further savings in terms of what appear to be unnecessarily pricey items (e.g. although road access on Bradley is needed and included in MCPS costs, the new configuration for road egress onto Seven Locks Road seems unnecessarily costly).

- c. **Gaps in data decrease apparent cost of Kendale replacement.** Many of the items required for the construction of the replacement school (as opposed to the current facility) -- as noted above -- are simply not included in the data for the Kendale option.
- d. **Omitting options that might make most economic sense.** Many of the options for expanding and/or modernizing Seven Locks might well be cheaper. One option that builders and architects in the Seven Locks community think merits exploration -- namely, adding a second story to the existing facility -- is not mentioned at all. There might well be other even more cost-effective options. However, at no point, has the County Board or MCPS been willing to meet with the community to discuss what the full range of options might be and what their comparative costs are.
- e. **Action Requested:** MCPS to provide full range of options, after meeting with community representatives, with disaggregated comparative cost data for the full costs of all options and to present the combined findings and proposals to County Council.

# Preliminary Comparative Costs of Options for Seven Locks Elementary School

Attachment 2 – 12/06/04

Costs (in \$)	Seven Locks One-step Addition/Modern ization; One Community Plan	Seven Locks Addition Only (10 Classrooms/gy m); Alternative Community Plan	Seven Locks, Phased Addition/Modern ization; MCPS Plan	Kendale Replacement; MCPS Plan
Construction (modernization of existing structure, including expanded multi- purpose space vs. gym) \$3,473,610	6,473,610*	5,899,487	12,653,480	11,559,770
Second-story addition over all first floor, except multi-purpose space (25,000 sf-2,000,000*)				
Related Construction	1,250,000	632,000	1,680,000	1,595,000
Contingency	325,000	273,115	605,525	530,866
Project Planning	700,000	648,454	1,258,912	1,026,753
<b>Project Capital Investment FY 2005</b>	<b>8,748,610*</b>	<b>\$7,453,056</b>	<b>16,197,917</b>	<b>14,712,390</b>
Road widening	0	0	0	500,000?
Off-site drainage to flood area	0	0	0	500,000?
Rock contingency	0	0	0	?
<b>ESTIMATED TOTAL COST</b>	<b>8,748,610*</b>	<b>7,453,056</b>	<b>16,197,917</b>	<b>15,712,390</b>
			<b>Minus</b>	<b>Plus</b>
			Unnecessary costs included in estimate	Rock contingency; Architectural detail/landscaping to win Kendale community approval, etc.
Square Footage	54,190 sf	53,040 sf	71,140 sf	64,490 sf
Completion Date	Dec. 2006	Sept. 2006	Sept. 2010	Sept. 2007

\* Data estimated by community architects/builders (12/6/04); all other data provided by MCPS or indicated as question to be addressed to assess full project cost.

# Seven Locks Elementary School: Some Community Recommendations of Options That Should Be Considered

Attachment 3 - 12/06/04

The Seven Locks community of Bethesda, Maryland recommends that the Montgomery County Council, before endorsing further work on the planned replacement Seven Locks facility on Kendale Road, ask the Montgomery County Board of Education to address the full range of cost-effective options. In that spirit, the community would suggest that serious consideration be given to the options noted below:

## 1. Simple addition to existing Seven Locks Elementary School

- a. **Proposal:** Add ten classrooms and gym (or multi-purpose space to complement existing multi-purpose space and thus serve expanded enrollment to 550 students). This addition was originally proposed as stage one of the MCPS plan for expansion and modernization of Seven Locks in 2000-2003.
- b. **Advantages**
  - i. Cost: ~\$7,463,056 (the cheapest of all proposed options and one that still meets essential student needs)
  - ii. Saves money, compared to Kendale option, because there are no unusual construction challenges to be addressed on flat, dry 10-acre site
  - iii. Completion date: September 2006, the earliest completion date of all proposed options
  - iv. No need for holding school during construction
  - v. Provides relief for Potomac E.S. overcrowding even sooner than Kendale option
  - vi. Cost savings could be applied to other County school needs, such as long overdue modernization of Potomac E.S.

## 2. Second-story addition to existing Seven Locks facility combined with modernization of first floor.

- a. **Proposal:** Add approximately 25,000 sf with second story over existing classroom area and modernize the ground floor. That ground-floor modernization could include expansion of the current multi-purpose space, perhaps in lieu of building a new gymnasium. That plan could provide more cost-effective flexibility in meeting the needs of an enlarged student body.
- b. **Advantages**
  - i. Cost: ~\$8,748,610
  - ii. Completion date: December 2006
  - iii. Provides for overcrowding at Potomac E.S. and also provides cost savings that might be applied to modernization of Potomac E.S.

- iv. Saves maximal amount of outdoor recreation space (space for baseball and softball fields and two soccer fields, versus just one softball and one superimposed soccer field on compressed Kendale site)

**3. One-step expansion/modernization with same plan earlier proposed by MCPS**

- a. **Proposal:** Addition of ten classrooms and gym, with or without large second addition proposed as part of extensive modernization originally proposed by MCPS
- b. **Advantages**
  - i. Cost: Approximately \$13-14 million depending on magnitude of second addition and whether option provides for expanded multi-purpose space versus new gymnasium
  - ii. Saves money by proceeding in one step versus two-three stages proposed by MCPS
  - iii. Avoids undue dislocation of students occasioned by multi-phase project that was criticized by Seven Locks parents and PTA.
  - iv. Addresses expected student enrollment needs of Seven Locks/Potomac area

Testimony by Mark R. Adelman - Board of Education, November 10, 2004

Members of the Board, Dr. Weast - My name is Mark Adelman. I am a long time resident of Kensington Heights (3206 University Blvd. W.). While you all know me in my role as Chair of the Civic Federation Education Committee, I am here testifying as an individual, a concerned citizen whose employment has been, for over 30 years, as an educator. Because my time is extremely limited, I will only read portions of this document: I leave the rest with you as a reading assignment! As part of the dialogue about capital improvements, we are discussing the fate of the Seven Locks elementary school and, necessarily, of the MCPS properties that are or may be needed to hold it. Which brings me to my main point: I am here to urge you, as forcefully as possible, to say NO to the request of the County Executive to declare unneeded the Edson Lane, Brickyard Road, and Kendale Road properties. You have already heard [and will no doubt hear more] extensive, well-reasoned, and eloquent testimony as to why these properties should be retained by MCPS. I will not attempt to add more detail. Instead, acting as an educator, I wish to ask you to consider a series of somewhat rhetorical questions.

1. Are you the Board of Education, or the Board of Housing?
2. Do you work for the County Executive and the County Council or do you work for our children? And - as a corollary - is it not your moral imperative to take only those actions designed to enhance the education of all of our children?
3. Is it your responsibility to convince us that your decisions are wise and principled, or is it your job to convince yourselves that you can justify saying yes to a request from the County Executive?
4. Do you believe that anyone in this room, or - for that matter - any resident of Montgomery County - accepts the notion that ANY MCPS properties are "unneeded"? And [another corollary], how do YOU define the terms unneeded and unused? For example, if a school is built on one portion of a multi-parcel site, and another, smaller, parcel is only used for a playing field, or as a buffer between the school and the surrounding madness of our county, is that smaller parcel unused or unneeded?
5. Do you expect any of us to believe that the County Executive's request is a one-time action? That this is only about three small MCPS properties in the Potomac and North Bethesda areas? Or do you understand - as we do - that this is just the tip of the iceberg, the first step in a long process by which every square foot of MCPS property that you are willing to cede will be fed into the maw of a machine that believes that, as our County approaches "build-out", it must focus on "build-up".
6. Do you understand the deep truth of our society: that our children are our most important resource and that we have temporarily entrusted you with managing the

processes and systems by which our children are educated? And that you must - in order to retain our trust and thus your jobs - continually re-convince us that you know what you are doing and recognize the moral obligation under which you operate: **serve our children?**

We all recognize the immense effort you put forth on our behalf, and are grateful. We recognize how often your tasks are complex and your deliberations are unappreciated. And we understand the enormous political pressure under which you operate. It is often VERY difficult to make the right decision - sometimes for lack of facts, sometimes for lack of wisdom, sometimes for lack of will. That is why we are here: to give you facts, to share our wisdom, and to strengthen your will.

Please do not err on this one. I implore you to tell the County Executive and the County Council NO. Tell them you have considered the request carefully, have listened to your constituencies, have attempted to see through a very cloudy crystal ball and have decided that these three properties are NOT unneeded and that you do NOT approve their transfer. And do an even better thing: send the clear message that, in your best judgment it is highly unlikely that your constituents will entrust you to turn over ANY MCPS property for ANY purpose other than the education of our children at ANY time in the foreseeable future.

**Testimony to Montgomery County Board of Education  
Regarding Current CIP and Facilities Planning**

November 10, 2004

Cyril W. Draffin, Jr.

President, Deerfield Weathered Oak Citizens Association

In evaluating the CIP (FY 2006 Capital Budget and amended FY 2005-2010 Capital Improvement Program, October 2004), there are two key points to be made:

**1) The MCPS planning that resulted in this CIP is flawed.** There has been lack of transparency in how the Board of Education makes decisions and does demographic analysis, and statements by public officials have been wrong.

Let us use the plans to close and surplus Seven Locks Elementary School as an example. In 2001 and 2002 the MCPS and the Board of Education recommended the expansion and modernization of Seven Locks. **In 2003 the MCPS and Board again recommended the expansion and modernization of Seven Locks** and explicitly recommended it in the November 2003 CIP. Then in early 2004 **the Board of Education repudiated the planning done by the MCPS and the previous Boards of Education**, and recommended Seven Locks not be expanded but instead be discarded (*a complete turnabout*).

Since there has been no substantive change in the MCPS land, schools, or students in Churchill cluster in the last year, that suggests two alternatives:

- 1) **The plans of the MCPS and the CIP are not to be trusted.** If this is the case no taxpayer funds should be further spent on the CIP until community representatives review all of the CIP (and background data not shared with the community) in detail and see where else errors may have been made.
- 2) **Rapid change in CIP is due to political pressure from the County Executive (Doug Duncan) and others to use school property for real estate developers and not for students.** If this is the case, and this "deal" resulted in a rapid change in the CIP, we think each of you as the members of Board of Education are abrogating your responsibilities to students and parents of future students.

We (leaders in civic associations and PTAs representing well over 5,000 homes) have asked questions about the planning process, but have been given information that has been wrong or misleading. When we finally had a meeting with the MCPS representatives on July 6, 2004 to answer our questions, they followed up by having the MCPS Director of Planning, Mr. Joe Lavorgna, write to us that they would **not** answer the questions of the community representatives or the PTA. After waiting a few months for answers, we have concluded the MCPS has been **consciously hiding relevant information** from the public (including parents and taxpayers), and possibly the Board of Education as well.



As recently as Monday night (at the Joint Montgomery County House/Senate Delegation Annual Public Hearing on November 8, 2004), the Chairman of the Montgomery County Board of Education said the impetus to close Seven Locks Elementary School was the recommendation to build on the Kendale site that came from the community. As President of Deerfield Weathered Oak Citizens Association I had checked the facts on this. I talked with Presidents of all the local citizens associations near Seven Locks and Kendale, the PTA Presidents of Seven Locks and Kendale, PTA leaders in Churchill Cluster, the Montgomery County Civic Federation, and hundreds of other citizens, and no one has said they or anyone they know in the community recommended building a replacement school on Kendale, especially in the time frame in late 2003/early 2004 to which Ms. Cox is referring. When I met with Ms. Cox this summer she indicated a PTA person who had recommended the site, but when I checked with this PTA person she said she had not recommended building on the Kendale site, just that it could be considered. Therefore the facts suggest that Ms. Cox's statement on Monday night was wrong.

There have only been two independent non-County Government groups (the community and the state) that have reviewed this change in the CIP, and **both are against** the MCPS recommendations. So far the community groups representing over 5,000 home have been against this complete reversal at Seven Locks Elementary. At least one Board of Education Member was surprised that a community was against a new school because usually when planning is done properly communities wholeheartedly support schools. That was an insightful comment and reflects the errors caused by the political deals struck in early 2004 that have resulted in this controversial project. It may be the **MCPS staff has not provided comprehensive or accurate information to the members of the Board of Education, and decisions they have made in 2004 have been based on specious or incomplete cost and other data.**

The other independent group is the **State of Maryland**. When the MCPS presented their feasibility study for getting rid of Seven Locks Elementary and building a replacement school (which we assume they had been working on for over six months), the state did an on-site review of the Seven Locks Elementary School and **concluded the MCPS staff was wrong**. Based on my conversations with the Executive Director, Public School Construction, State of Maryland, the state concluded that Seven Locks is a suitable school and should not be replaced. Seven Locks Elementary was in good condition with large classrooms and adequate hallways. The state usually routinely approves reasonable requests so this action is unusual. Thus state funds would be decreased and Montgomery County taxpayers will have to pay for the poor planning by the Board of Education (and the MCPS that you control). When MCPS was told of the state conclusion, they said they would go back and **change the numbers**. Therefore I can only assume the numbers the MCPS staff gave the Board of Education earlier in 2004 were wrong or the numbers and assumptions are being changed (manipulated?) to justify a political deal.

In the CIP it states the Kendale project would **only** go forward if the state provides funding at levels projected by the County Council for the FY2005-2010. (p. 4-14; "State of Maryland must provide state funding at levels projected by the County Council for the FY2005-2010.") Again two scenarios: 1) The County Council knew their plans were flawed and bad for students and expected the state not to give them funding for Kendale—a disregard for good planning and Montgomery County taxpayers that we hope is not true, or 2) if the

state does not provide funding in 2005, MCPS will **not** go ahead with their 2004 plan for Kendale and instead work with community to reconsider their 2001-2003 plans. I understand from the State that Kendale is a C Project and there are 18 Montgomery County B Projects in line ahead of the Kendale project for funding.

The Mission (<http://www.mcps.k12.md.us/boe/about/mission.shtm>) of the Montgomery County Board of Education is "to provide leadership and oversight for a high quality educational system with community-supported goals, policies, and resources committed to benefit our growing and diverse student population." We in the community (which includes civic associations, PTAs and taxpayers) want to jointly work with the Board of Education to support the County's growing student population.

If the Board of Education were willing to be open to community input, there may be a better solution. For instance why not take the money allocated for Kendale, and go ahead with the expansion & gymnasium at Seven Locks that the Board of Education had recommended in 2000-2003, and use the extra money to expand Potomac Elementary where there is overcrowding? If budgets were tight then the modernization of Seven Locks at this time could be considered.

**2) We are against Board of Education plans to surplus any school property.**

**We do not support recent efforts of the MCPS and the Board of Education to get rid of current schools and fields (e.g. Tilden Middle School land at Edson Lane), and other school property being held for future school use throughout the county.** If the Board of Education succumbs to political pressure to give up school land, regardless of educational merit, then every Montgomery County parent will have to worry that their fields and schools will be at risk. There are approximately 17,000 students in trailers, the majority of which are in trailers due to poor MCPS planning when they got rid of prior schools when they thought they would not be needed in the future. We understand from the County Council that the Board of Education would not get any money or Memorandum of Understanding incentives from giving away school land to the County Council, and we are surprised the Superintendent of **Schools** (Jerry Weast) seems so **eager to get rid of schools**, school playing fields, and school property to support a political deal with the County Executive.

I am sorry to be a bit harsh, but our multiple letters and meetings have not yet gotten you to have meaningful public involvement. Therefore with the community (local community groups representing over 5,000 homes, as well as a growing number of civic federations, PTAs, and the Montgomery County Civic Federation against surplusing) saying your recent plans are wrong, and the State of Maryland saying you are wrong, we need to boldly speak out. We do not agree with this CIP and the recent planning that takes current quality schools, school fields, and public land held for future students and uses them for political purposes. **We do not think this Board of Education wants to be known as a group who put students and school property last, and political deals and real estate developers first.**

MONTGOMERY COUNTY BOARD OF EDUCATION  
NOV. 10, 2004 STATEMENT OF COURTENAY ELLIS

MY NAME IS COURTENAY ELLIS. I AM THE FATHER OF TWO CHILDREN AT SEVEN LOCKS SCHOOL. I AM HERE WITH MANY OTHERS TO **SAVE SEVEN LOCKS SCHOOL.**

LET ME TALK ABOUT THE ISSUES OF **RELIANCE, COMMON SENSE AND DUE PROCESS** WITH RESPECT TO THE PLAN TO RIP DOWN MY KIDS' SCHOOL.

RELIANCE

LIKE MANY FAMILIES WE CAREFULLY CHOSE OUR HOUSE SO OUR TWO KIDS COULD ATTEND SEVEN LOCKS SCHOOL. WE RELIED ON THE EXISTENCE OF SEVEN LOCKS SCHOOL. TO KNOCK DOWN THE SCHOOL IS TO KNOCK THE LEGS FROM UNDER US AND COUNTLESS FAMILIES.

COMMON SENSE

THERE IS NO COMMON SENSE IN THIS PROCESS.

THERE IS A PROBLEM OF EIGHT PORTABLES AT POTOMAC ELEMENTARY SCHOOL. INSTEAD OF SOLVING THAT ONE COMMUNITY'S PROBLEM, OUR GOVERNMENT IS TURNING THREE COMMUNITIES UPSIDE DOWN.

POTOMAC ELEMENTARY HAS BEEN DENIED FUNDING TO FIX THE PORTABLES – A \$5 OR 6 MILLION PROJECT. SO THE POTOMAC COMMUNITY IS ANGRY.

INSTEAD, THE DECISION IS TO KNOCK DOWN SEVEN LOCKS SCHOOL AND TURN IT INTO HOUSING – A MULTI-MILLION DOLLAR PROJECT THAT WILL MAKE SOMEONE RICH. SO THE SEVEN LOCKS COMMUNITY IS UPSET.

THE THIRD NAIL IN THE COFFIN IS TO DROP A MEGA SCHOOL INTO TINY KENDALE ROAD FOR AN EXPENDITURE OF AT LEAST \$14 MILLION. SO KENDALE TOO IS IN TURMOIL.

INSTEAD OF FIXING ONE COMMUNITY YOU TURN THREE COMMUNITIES UPSIDE DOWN.

WHERE IS THE COMMON SENSE HERE?

DUE PROCESS

THIS PROCESS HAS BEEN A TRAVESTY OF DUE PROCESS SUMMED UP BY MR. LAVORGA'S COMMENT THAT NOTHING COULD BE DONE BECAUSE THE HORSE HAD ALREADY "LEFT THE BARN."

THIS CUTE ANALYSIS DOES NOT REMEDY THE LACK OF DUE PROCESS.

\* \* \*

DO EVERYONE A FAVOR:

- END THESE SHENANIGANS.
- DEVELOP A SOLUTION TO THE POTOMAC ELEMENTARY PORTABLES THAT DOES NOT UPSET AND ALIENATE THREE COMMUNITIES
- DO NOT DEMOLISH SEVEN LOCKS SCHOOL ON THE OCCASION OF ITS 40<sup>TH</sup> ANNIVERSARY
- INSTEAD DO THE RIGHT THING AND –

**SAVE SEVEN LOCKS SCHOOL**

THANK YOU.