

**HERNDON TOWN COUNCIL
Work Session Minutes
Tuesday, June 4, 2024**

1. Call to Order

Mayor Olem called the June 4, 2024, Town Council work session meeting to order at 5:32 p.m. in the Hoover Conference Room of the Herndon Council Chambers Building, 765 Lynn Street, Herndon, Virginia. In attendance were: Mayor Sheila Olem; Vice Mayor Clark Hedrick (arrived at 5:51 p.m.); and Councilmembers Naila Alam (arrived at 5:34 p.m.), Cesar del Aguila, Pradip Dhakal, Keven LeBlanc, and Donielle M. Scherff (arrived at 5:43 p.m.).

Mayor Olem determined there was a quorum of four Councilmembers present, with Vice Mayor Hedrick and Councilmembers Alam and Scherff having not yet arrived.

2. Closed Meeting

a. A closed meeting as provided under Section 2.2-3711(A)(1) of the Code of Virginia pertaining to discussion of a specific public employee relative to an annual performance review

Mayor Olem stated that the Council needed to go into a closed meeting and that the appropriate meeting notices were provided in accordance with state law. The closed meeting was held in the Hoover Conference Room in the Herndon Council Chambers Building, 765 Lynn Street, Herndon, Virginia.

Councilmember LeBlanc moved that the Council convene in a closed meeting to discuss the following as permitted by Section 2.2-3711(A)(1) of the Code of Virginia pertaining to discussion of a specific public employee relative to an annual performance review. Councilmember Dhakal seconded the motion, which carried by a 4-0 roll call vote. The vote was: Councilmembers del Aguila, Dhakal, LeBlanc, and Mayor Olem voting "Aye." Councilmembers Alam and Scherff, and Vice Mayor Hedrick had not yet arrived.

The Council went into Closed Meeting at: 5:33 p.m.

During the meeting, Councilmember Alam arrived at 5:34 p.m.; Councilmember Scherff arrived at 5:43 p.m.; and Vice Mayor Hedrick arrived at 5:51 p.m.

Vice Mayor Hedrick moved to come out of the closed meeting. Motion seconded by Councilmember Dhakal and carried by unanimous roll call vote. The vote was: Councilmembers Alam, del Aguila, Dhakal, LeBlanc, Scherff, and Vice Mayor Hedrick and Mayor Olem voting "Aye."

The Council came out of closed meeting at 6:55 p.m.

Councilmember Scherff moved to certify that, to the best of each member's knowledge, in the closed meeting just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed meeting and (2) lawfully permitted to be discussed in a closed meeting under the provisions of the Virginia Freedom of Information Act as cited in that motion. Motion seconded by Councilmember Alam and carried by unanimous roll call vote. The vote was: Councilmembers Alam, del Aguila, Dhakal, LeBlanc, Scherff, and Vice Mayor Hedrick and Mayor Olem voting "Aye."

Aye: 7
Nay: 0
Absent: 0

Recess

At 6:55 p.m. Mayor Olem called a brief recess, and at 7:02 p.m., the Town Council work session meeting reconvened in the Herndon Council Chambers, with six Councilmembers present, with Mayor Olem presiding. Councilmember Alam was away from the dais and returned at 7:03 p.m.

Work Session

Staff present during the meeting: William H. Ashton II, Town Manager; Lesa Yeatts, Town Attorney; Kirstyn Barr Jovanovich, Town Clerk; Chief Maggie DeBoard, Herndon Police Department; Lisa Gilleran, Director of Community Development; Marjorie Sloan, Director of Finance; Page Kalapasev, Director of Information Technology; Scott Robinson, Director of Public Works; John Irish, Deputy Director of Public Works; and Margie Tacci, Deputy Town Clerk.

Mayor Announcements

Mayor Olem announced that Council had previously met in a closed meeting, with all members present, pursuant to State Code requirements. Mayor Olem reminded those present of the meeting decorum.

Mayor Olem provided information on upcoming events on Saturday, June 8, including: (1) Carroll House Panel Dedication at 11:00 a.m., hosted by the Herndon Historical Society at Runnymede Park, and (2) Herndon Pride Event at

Arts Herndon, from noon to 5:00 p.m.; where Mayor Olem stated that she will be speaking at 1:00 p.m.

Comments and Disclosures for the Record

Mayor Olem asked Margie Tacci, Deputy Town Clerk, if she received comments for the record or signed disclosure declarations from Council.

Ms. Tacci stated that Mayor Olem, Vice Mayor Hedrick, and Councilmembers del Aguila and Dhakal entered Signed Transactional Disclosure Declarations into the record on Discussion Item #5(a), Donation Request to Stars and Stripes NOVA Committee. The statements indicate that they are able to participate in the discussions fairly, objectively, and in the public interest. The signed disclosure statements have been entered into the record with the Town Clerk and Town Attorney.

The Town Clerk did not receive additional public comments or disclosures on any other items listed on that meeting's agenda.

3. General

a. Resolution to approve the submission of a Fiscal Year (FY) 2028 Smart Scale application to the Virginia Department of Transportation (VDOT) for the 'Herndon Parkway Improvements at Sunset Park Drive' intersection project

Lisa Gilleran, Director of Community Development, presented the staff report, stating that the proposed resolution will authorize the submittal of one FY 2028 Smart Scale application to (VDOT). The proposed request is for up to \$6 million in funding for the Herndon Parkway Improvements at Sunset Park Drive. Ms. Gilleran stated that while no local match is required under this program, the Town will have to reimburse the funds for the project. If approved, staff will be able to apply for federal funds to use for the project. Ms. Gilleran reviewed the location and proposed improvements to the intersection and stated that staff recommends approval of the proposed resolution, as presented.

There was discussion among the Council and staff on the proposed grant request, including: (1) funding sources, (2) proposed pedestrian improvements, (3) signage for Sunset Business Park, and (4) communication about the project with the Sunset Business Park business community.

Councilmember Scherff stated, for the record, that in the business park, there are multiple owners' associations, along with many business owners and operators, who are not necessarily part of the main condominium association. She asked staff to ensure that updates would be communicated with all businesses in the park, in addition to the main condominium group.

Responding to Councilmember Scherff, Ms. Gilleran advised that staff has a meeting scheduled with the leadership of the main condominium association and stated that she would discuss communication with the businesses at that meeting.

Following Ms. Gilleran's comments, William H. Ashton II, Town Manager, stated that he will work with staff and the main condominium association to make sure the project updates are communicated to all the businesses in Sunset Hills Business Park.

Following brief discussion and with the concurrence of Council, staff was directed to place this item as presented on the Consent Agenda for the next meeting's agenda.

4. Consent

- a. Ordinance to approve and authorize the mayor to sign a Third Lease Extension between the Town of Herndon and The Elden Street Players d/b/a NextStop Theatre Company for space at 397 Herndon Parkway for storage**
- b. Ordinance to approve and authorize the mayor to sign a Fifth Lease Extension between the Town of Herndon and The Elden Street Players d/b/a NextStop Theatre Company for space at 397 Herndon Parkway for rehearsal**
- c. Resolution to award contract IFB# B-24-01, Dranesville Road Water Main Replacement**
- d. Resolution to authorize the Town Manager to grant Encroachment Agreements for the Streeterly Pilot Program**

Mayor Olem asked the Town Council if there were any questions on the Consent Agenda.

Councilmember Scherff requested to take items (a) and (b) off the Consent Agenda.

Responding to Councilmember Scherff, William H. Ashton II, Town Manager, stated that while two of the Town's leases at Arts Herndon were originally on that evening's agenda, those items were removed so that staff could have more conversations with the arts groups about the leases.

Following discussion among Council and staff about the leases, Councilmember Scherff withdrew her request to remove items (a) and (b) from the Consent Agenda.

There was discussion among Council and staff about the leases the Town has with nonprofit groups, including: (1) the rental price for these leases, typically

\$1.00, (2) market rates for the leases, and (3) request to track the leases with nonprofit groups as "in-kind" contributions.

Following further discussion among Council and staff, Mr. Ashton stated that staff tracks the data related to market rates for the leases the Town has with nonprofit groups. He indicated that the Town has comparable rates to use for the leases at 397 Herndon Parkway because of the commercial tenant in the building, and he stated that staff will work with Arts Herndon to determine the best estimate for their building. Mr. Ashton stated he can provide information on the market rates versus the leases the Town has with nonprofit groups and local elected officials.

5. Discussion

a. Donation request to Stars and Stripes NOVA Committee

Mayor Olem recognized Marjorie Sloan, Director of Finance, to begin the discussion on this item. Ms. Sloan indicated that the Stars and Stripes NOVA Committee had not submitted the required paperwork to the Finance Department, and she did not have the necessary details about the donation request.

There was a brief question and answer session between Councilmember del Aguila and Ms. Sloan about communication with the organization and the information needed for the donation application. Councilmember del Aguila stated that he would follow-up with the organization.

There were brief comments from Council.

6. Roundtable

Councilmember Scherff: no comments.

Councilmember Dhakal: provided information on upcoming and past events, including: (1) a recent picnic event, where he noted he saw several Herndon residents, (2) Reston Pride Festival, which was on Saturday, June 1, (3) he encouraged those interested to attend the Herndon Pride event on Saturday, June 8, and the Juneteenth Event in Herndon on June 15, and (4) he discussed a Virginia Asian American and Pacific Islander Caucus event that he recently attended.

Councilmember del Aguila:

Adams-Green Funeral Home Historic District Review Board (HDRB) appeal

Councilmember del Aguila asked the Town Attorney to confirm that the appeal concerning the Town Council's decision on the Adams-Green Funeral Home property was dismissed.

Lesa Yeatts, Town Attorney, stated that the case was dismissed and the Town Council's decision on the HDRB appeal stands.

There was a question and answer session between Councilmember del Aguila and Ms. Yeatts about the legal process for the Adams-Green appeal.

Responding to Councilmember del Aguila, William H. Ashton II, Town Manager, provided an update on a meeting staff had with Adams-Green, where they discussed the site plan and demolition permit.

Councilmember del Aguila requested that the Town Council conduct a "post-mortem" exercise on the Adams-Green HDRB appeal and on the HDRB processes. He indicated that he requested this after the Russia House's application to the HDRB to paint their building. He suggested having this discussion at either an upcoming work session or a strategic planning meeting.

There was discussion among Council and staff about reviewing HDRB processes, including: (1) discussing it as part of a strategic planning meeting, (2) conducting a comprehensive review of the processes, including what is in the Council's purview to change, (3) how the type of application impacts the process, and (4) requesting a flow chart of the HDRB decision-making process, with a focus on the Adams-Green and Russia House applications.

Kirstyn Barr Jovanovich, Town Clerk, suggested that this topic be included for discussion at the next Town Council Strategic Planning Meeting scheduled for September 3rd.

Councilmember del Aguila asked to discuss the Adams-Green appeal and Russia House HDRB applications at a Town Council work session. He thought the Council could then discuss the HDRB processes at a strategic planning meeting.

Business Anniversary Recognition

Councilmember del Aguila asked if the Town could issue a proclamation for Adams-Green Funeral Home expressing appreciation for the number of years the business has been operating in the Town.

Vice Mayor Hedrick suggested having a standard process through which the Council can recognize businesses for operating a certain number of years in the Town.

Responding to the discussion, Ms. Jovanovich discussed the Town Council's presentation policy and said there are several mechanisms by which the Council could recognize businesses. She asked Councilmember del Aguila to email her the information and stated that staff will work on it.

Various Updates

Councilmember del Aguila asked for updates on the: (1) streetery program, (2) considering a "pilot program" for upgrading Town trails, focused around the Hunters Creek bridge area.

Responding to Councilmember del Aguila, Mr. Ashton stated that there was an item on that evening's Consent Agenda, which would be on the next regular meeting agenda, allowing the Town Manager to implement the streetery program. Following Mr. Ashton's comments, Ms. Yeatts agreed that by taking this action, the Town could begin the program.

Responding to Councilmember del Aguila, Scott Robinson, Director of Public Works, stated that the Hunters Creek Bridge project will require a lot of heavy equipment. As part of the stream restoration following the bridge replacement, he stated that staff plans to upgrade that section of trail. He shared that staff is requesting funding through Congressman Connolly's office for further improvements in Runnymede Park.

Following Mr. Robinson's comments, Councilmember del Aguila asked for an inventory of the Town's trails, along with an estimate of what repairs would cost throughout the trails. He understood that funds may not be available in the current fiscal year.

Councilmember Alam: asked for an update on the status of electric vehicle (EV) stations in Town and stated she received several noise complaints from residents about trucks behind Starbucks on Elden Street.

Councilmember Alam shared that Express Care received a grant from the American Rescue Plan Act (ARPA) to purchase grocery store gift cards for residents in the Town and neighboring areas.

Councilmember Le Blanc: no comments.

Vice Mayor Hedrick: no comments.

Mayor Olem: provided information on past and upcoming events, including: (1) meeting with the Herndon High School interns earlier that week, (2) Grand Opening for Bricks and Minifigs on Saturday, June 8 from 10:00 a.m. to 8:00 p.m., and (3) she enjoyed attending the first several weeks of Friday Night Live! events.

William H. Ashton II, Town Manager: no comments.

7. **Adjournment**

There being no further business, Mayor Olem adjourned the June 4, 2024 Town Council Work Session at 7:49 p.m.

Amanda E. Moraw Kertz

Amanda E.M. Kertz
Chief Deputy Town Clerk



Minutes approved by Town Council: **August 13, 2024**