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**HERNDON TOWN COUNCIL
Work Session
Tuesday, May 3, 2022**

At a regular meeting of the Town Council of the Town of Herndon, Virginia, held in the Herndon Police Department Community Room, 397 Herndon Parkway, Herndon, Virginia, on Tuesday, May 3, at 7:00 p.m., there were present:

- Mayor Sheila A. Olem, presiding;
- Vice Mayor Cesar del Aguila;
- Councilmember Naila Alam
- Councilmember Pradip Dhakal;
- Councilmember Signe Friedrichs;
- Councilmember Sean M. Regan; and
- Councilmember Jasbinder Singh.

Staff present during the meeting: William H. Ashton II, Town Manager; Lesa Yeatts, Town Attorney; Chief Maggie DeBoard, Herndon Police; Scott Robinson, Director of Public Works; Page Kalapasev, Director of Information Technology; Lisa Gilleran, Director of Community Development; Mike Mueller, General Manager, Herndon Centennial Golf Course; Cindy Roeder, Director of Parks and Recreation; Viki Wellershaus, Town Clerk; John Irish, Deputy Director of Public Works; John Verdin, Capital Projects Program Manager; Dave Bracamonte, Systems Manager; and Amanda Kertz, Chief Deputy Town Clerk.

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CALL TO ORDER

1. Roll Call & Determination of Quorum

Mayor Olem called the work session to order at 7:00 p.m. and asked the Deputy Town Clerk to call the roll for attendance. Following the roll call, Mayor Olem confirmed there was a quorum present.

Mayor Olem asked Council to observe meeting decorum by showing their hand to be recognized by the chair for comments. She reminded those participating to follow the town's Meeting Guidelines that were used for all government meetings to maintain good order, which included: refraining from participation unless and until recognized by the chair; being respectful in comments; refraining from threatening or intimidating language; profane, vulgar, obscene, or threatening remarks were not permitted; and attacks on the character, motive, or other harmful remarks against individual members of Council, staff, or the public would not be tolerated.

AMEND THE AGENDA

Request to Amend the Agenda

Mayor Olem stated the Town Manager made her aware that there was a need for an additional closed meeting that evening. She asked for a motion to amend the agenda, that the Council go into closed meeting under Section 2.2-3711(A)(8), to consult with legal counsel regarding the town's interest in real property relative to the planned redevelopment of the downtown, and that the agenda be so amended.

On motion of Councilmember Dhakal, seconded by Vice Mayor del Aguila, and carried by unanimous roll call vote, the agenda was amended to include a closed meeting under Section 2.2-3711(A)(8), to consult with legal counsel regarding the town's interest in real property relative to the planned redevelopment of the downtown. The vote was: Councilmembers Alam, Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye."

Mayor Olem clarified the Council would proceed with the closed meeting relative to appointments to boards and commissions as scheduled, followed by the closed meeting to consult with legal counsel.

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COMMENTS & DISCLOSURES

Mayor Olem asked the Chief Deputy Town Clerk if there were any comments or disclosures for the record. The Chief Deputy Clerk stated the Clerk had not received any comments for the record or disclosures from Council on any items listed on the agenda that evening.

PUBLIC HEARING

2. Resolution 22-G-32, to consider the Town of Herndon FY 2024 – FY 2028 Capital Improvement Program.

Mayor Olem recognized the Deputy Director of Public Works, who presented the staff report and PowerPoint dated May 3, 2022, which are on file in the Town Clerk's office.

The Deputy Director of Public Works stated the Capital Improvement Program (CIP) is a financial planning document that would establish a six-year schedule for public improvements. It serves as a companion document to the town's 2030 Comprehensive Plan and the Annual Operating Budget that the Council had approved. The focus of this action was the FY 2024 through FY 2028 portion of the CIP. This year's program would benefit from federal funds, including the American Rescue Plan Act (ARPA) funds, as a result of lost revenue due to the pandemic. Beyond the first year, the CIP is a general commitment to support major project phases from concept through design and construction. He provided an overview of the current FY 2022 – 2027 CIP projects.

The Deputy Director of Public Works introduced the Capital Projects Program Manager, who continued the presentation. This year, the CIP was prepared through the town's new budgeting software, ClearGov.

The Capital Projects Program Manager stated the proposed CIP included 56 projects, which were 43 General Government and 13 Enterprise Fund projects. He stated that 87 percent of the projects were carried over from previous years. The CIP would have approximately \$180 million in funding over six years. He then outlined and provided an overview of the FY 2023 CIP costs; the FY 2024 – FY 2028 CIP funding sources; and the FY 2024 – FY 2028 operational costs.

Next, the Capital Projects Program Manager provided an overview on the new proposed projects:

General Government Projects

- Council Chambers retrofit for information technology equipment at \$200,000;

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- Police Department update to Computer Aided Dispatch and Records Management System (CAD/RMS) at \$225,000;
- Herndon Municipal Center and Council Chambers Fire Alarm System replacement at \$1.6 million; and
- Parks and Recreation Department Aquatic Office Conversions to alleviate overcrowding at \$100,000; and the study and preliminary engineering for eight pickleball courts by repurposing the under-utilized adult softball fields at \$30,000.

Enterprise Fund Projects

- Water and Sewer Funds - water tower facility security/improvements at physical sites, including water storage tanks, and enhancements related to security at \$150,000;
- Golf Course Fund - replacement of vehicles and equipment at \$150,000; and
- Cemetery Enterprise Fund - development of approximately 3,000 burial sites on 3.5 acres, at \$2.6 million.

The Capital Projects Program Manager reviewed the steps that staff would recommend changing for the next CIP cycle. Next year, staff hoped to engage with the Planning Commission earlier in the process, identify additional funding sources for larger projects, ensure accurate budgetary costs, and include return on investment and future cost/benefit analysis.

The Capital Projects Program Manager stated the majority of the proposed projects were funded by sources outside of the General Fund and were being used to address aging infrastructure. In its current form, the CIP was a realistic and affordable plan for the town. Staff recommended adoption of the FY 2024 – FY 2028 CIP, as presented.

There was brief discussion amongst Council and staff on this item.

In response to queries from Councilmember Dhakal, the Deputy Director of Public Works discussed the Worldgate Drive extension outlined in the project sheets. Staff had split the extension into two projects, one being the road, and the other being the intersection with Herndon Parkway. They were separated because of funding requirements that the intersection project could meet.

In response to queries from Councilmember Dhakal, the Capital Projects Program Manager stated the costs varied for different parts of the cemetery. He reviewed costs for the cemetery project on ClearGov, and stated the average cost was approximately \$7,000 per site.

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Responding to the discussion, the Director of Parks and Recreation stated the total cost for the cemetery improvements could not be averaged out because there were different price points in the cemetery. She reviewed the proposed land purchase and stated that the combination of costs would be an approximate average of \$5,000 to \$7,000 per site. This was reflected in the current pricing schedule that was adopted at the last public hearing. She stated that the plots would be used up in about 25 years with the additional land. The current inventory would be occupied in less than two years.

In response to queries from Councilmember Dhakal, the Deputy Director of Public Works stated that some changes from last year's CIP included reinstating projects that had been deferred over the past two years due to COVID. The town was able to add these projects back because of ARPA funding. Projects that could use ARPA funding were fast-tracked, as the funds have to be spent in a certain amount of time.

In response to queries from Councilmember Dhakal, the Town Manager discussed ARPA funding. He reviewed how staff worked to have projects ready that fell under the ARPA criteria, so the town could meet the funding deadlines. Other additions to this year's CIP were focusing on operational impact and using the ClearGov software for better public access.

In response to queries from Councilmember Friedrichs about the Council Chambers upgrades, the Director of Information Technology highlighted proposed changes to the equipment, including adding monitors, microphones, updating the mixer and audio feed, along with technology upgrades for the Hoover Conference Room.

The Town Manager stated that the upgrades, especially the mixer, would allow for greater accessibility, such as for those who were hearing impaired. He stated staff could add more technology upgrades in the future. The Director of Information Technology agreed, stating the mixer upgrade would help with microphone feedback. He stated that the new monitors would allow those in the Council Chambers to see the information more clearly.

In response to queries from Councilmember Singh, the Director of Information Technology stated there would be technological updates to the Hoover Conference Room, but staff had not taken the HPD Community Room into account. Staff could adjust the project if it were needed. The Town Manager followed up by discussing additional improvements to the Council Chambers, like replacing the carpet.

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In response to queries from Councilmember Singh, the Deputy Director of Public Works reviewed the CIP's funding sources, which could be viewed through ClearGov on the town's website. The Town Manager followed up by going over other funding options and discussed monies from the General Fund compared to external sources.

Vice Mayor del Aguila thanked staff for taking this approach to the CIP, and the Town Manager replied by discussing how staff was planning projects by including budgeting estimates and other realistic funding tools.

In response to queries from Vice Mayor del Aguila about estimated water and sewer revenues in the outyears, the Town Manager indicated that staff could look at merging the CIP model with the consultant's water and sewer projection over the next five years. He stated that the Council Chambers upgrade should occur that summer and he hoped it would take care of the microphone feedback.

In response to queries from Vice Mayor del Aguila, the Capital Projects Program Manager stated that the proposed pickleball courts had to first go through study and engineering to obtain cost estimates. If funds were available sooner, the project could be moved up in the schedule.

In response to queries from Vice Mayor del Aguila about the golf course fund, the Golf Course General Manager stated that Phase III improvements were included with the FY 2023 adopted budget.

In response to queries from Councilmember Regan, the Town Manager stated that the town's current debt was approximately \$1.2 million, and the town hoped to retire old debt and regenerate new debt in the near future. He stated there would be no GO Bonds scheduled this year, however, he agreed there could be debt to handle in FY 2024. The Town Manager reminded Council that when the town incurs debt through GO Bonds, it does not pay interest for the first year. Councilmember Singh interjected that he thought the time period for the town not to pay interest was six months, to which the Town Manager replied that it was a year for the last GO Bond because of timing.

Regarding water tower projects, Councilmember Regan suggested adding the town's name or brand to them, so it could be seen from the air. He then asked staff to clarify the projects mentioned in the closing paragraphs of the Planning Commission's resolution, which was attached to the staff report.

The Capital Projects Program Manager stated the project he thought Councilmember Regan was referring to was the IT infrastructure project, of which approximately \$51,000 from the General Fund was slated for FY 2023.

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The Town Manager asked Councilmember Regan to clarify which project he was looking at, and Councilmember Regan stated he was asking about the projects referenced in the "Now Therefore Be It Resolved" and the "Be it Further Resolved" sections of the Planning Commission's resolution.

The Capital Projects Program Manager reviewed sidewalk funding that was mentioned in the "Be It Further Resolved" section of the Planning Commission's resolution. He stated there was no General Fund money allocated for the sidewalks project in FY 2023, but some funding would be carried over from FY 2022. He stated there was approximately \$250,000 scheduled for sidewalks from FY 2024 to FY 2028.

The Deputy Director of Public Works added that the lines at the end of the Planning Commission's resolution were included to emphasize that continuing projects were moving forward.

Mayor Olem stated that the enterprise funds were self-funded, and the Capital Projects Program Manager agreed. Mayor Olem stated she had heard that questioned in the community and she wanted to confirm it.

In response to queries from Mayor Olem, the Deputy Director of Public Works reviewed external funding sources, many of which were for transportation projects. He stated that one of the things staff considered was that money from external funding is not often available until the town asks for reimbursement.

Responding to queries from Mayor Olem, the Town Manager stated that VDOT was operating the East Elden Street project.

Regarding East Elden Street, the Deputy Director of Public Works stated that VDOT handled the right-of-way and easement acquisition on that project. It was his understanding that they had completed approximately 95 to 98 percent of that work. On the pickleball fields, he stated that staff would find out if those fields would replace the adult softball fields after the study was completed.

The Director of Parks and Recreation stated that adult softball use has declined, and the town received a lot of requests for pickleball fields. The town would lose an adult softball field in the proposal. She stated that youth softball would still be held at Haley Smith Park.

In response to queries from Councilmember Singh, the Deputy Director of Public Works stated that external funding sources were primarily for transportation projects from state and federal agencies. Those funds were often reimbursement-loaded funds, meaning the town had to spend money first and then seek the reimbursement. He clarified that the projects VDOT administered usually did not require the town to spend money first, but other types of projects did.

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There was further discussion between Councilmember Singh, the Town Manager, and Capital Projects Manager about funding sources for future projects.

There was brief question and answer session between Councilmember Regan and the Town Manager about the town's operational costs, capital, and project lifecycles. Councilmember Regan asked staff include these costs in ClearGov.

Mayor Olem stated that in the past, a lot of the CIP funding was provided to DPW, because they had been the ones who fixed building issues. The Town Manager stated the town was trying to capture costs to feed into the CIP model to approximate the expenditures for the next several years.

Councilmember Friedrichs had heard the town had a large amount of money in reserve with Fairfax County and she requested more information. The Deputy Director of Public Works responded, stating that she was referring to the Northern Virginia Transportation Authority (NVTA) 30 percent local funds that Fairfax County administers. These funds were allocated based on factors including percentage of tax generated by the locality. The fund balance was provided to the town on an ongoing basis, totaling about \$700,000 to \$800,000 per year. It was one of the town's most accessible funds and it was often used to fill the gaps between spending and reimbursement from external funding.

Responding to the discussion, the Town Manager stated the NVTA local funds also provided flexibility to move money amongst projects.

It was Councilmember Friedrichs' understanding that the town had not utilized a lot of this funding, and the Deputy Director of Public Works replied and stated there was about \$6.1 million available. This had not all been used because there needed to be enough left to backfill projects that had a matching component or had not yet been reimbursed.

GENERAL

3. Resolution 22-G-33, to award Contract #D-22-01 for Architectural & Engineering Services.

Mayor Olem recognized the Deputy Director of Public Works for the staff report dated May 3, 2022, which is on file in the Town Clerk's office. The proposed resolution would allow for an on-call engineering service, which is something the town used periodically. The project was awarded on a one-year basis, with the option to renew for up to four years.

On November 10, 2021, the town issued a Request for Proposals and received 17 initial proposals. An evaluation committee selected four firms for interviews. Meanwhile, staff had discussed selecting multiple firms to best meet the town's

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needs. Following the interviews, the evaluation committee selected, and staff negotiated with, Gauthier, Alvarado & Associates, Inc. (GAA), and Shaffer, Wilson, Sarver & Gray, A Professional Corporation (SWSG), which were the top-rated firms. Negotiations with GAA and SWSG resulted in favorable hourly rates.

Funds to support individual task orders would be provided from the appropriate CIP, ARPA, and professional services accounts. Staff recommends approval of the proposed resolution, as presented.

There was brief discussion amongst Council and staff on this item.

ROUNDTABLE

1. **Councilmember Singh:** No comments.
2. **Councilmember Dhakal:** No comments.
3. **Councilmember Regan:** No comments.
4. **Councilmember Alam:** Stated that she enjoyed attending the Mayor's Volunteer Appreciation Reception, where she was glad to see Mayor Olem and Councilmember Friedrichs.

Councilmember Alam noted that Eid was on Monday and wished a Happy Eid to those in attendance.

Later during Roundtable, Councilmember Alam provided additional comments.

5. **Councilmember Friedrichs:** Thanked staff for responding and helping citizens who were involved in incidents on both Elden Street and Sterling Road.

Councilmember Friedrichs thanked the Director of Parks and Recreation for hosting Mayor's Volunteer Appreciation Reception.

Councilmember Friedrichs congratulated the Golf Course General Manager, who was recently promoted to that position, along with the Town Attorney, who was voted in as the Vice President of the Local Government Attorneys of Virginia for the next five years.

6. **Vice Mayor del Aguila:** No comments.

Councilmember Alam: (additional) Indicated that she wanted to also thank the Director of Parks and Recreation and her staff for hosting the Mayor's Volunteer Appreciation Reception.

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7. **Mayor Olem:** Shared that she attended a Bisnow event with Councilmember Friedrichs that past week, which she found exciting. The event was about Reston and Herndon and focused on Metro and Dulles Airport.

Mayor Olem shared that she enjoyed the 36th Annual Mayor's Volunteer Appreciation Reception that past Sunday. She said there were around 200 volunteers with 100 hours of service or more in Herndon, but only about 100 or so attended due to COVID concerns. She thanked the volunteers for all they do in the town.

Mayor Olem stated that afternoon she attended the Northern Virginia Regional Commission's sustainability council meeting. There was a state representative there who discussed the program called "electrify America," which would install high volume energy stations around the state. The project would concentrate on locations in one mile of Metro Stations and near interstate highways. She explained these were the higher-powered stations that could charge an electric car fast. She indicated that this project would use ARPA funds.

COMMENTS FROM THE TOWN MANAGER

The Town Manager had no comments.

CLOSED MEETING

Mayor Olem stated that the Council had a need 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 Herndon Police Department Community Room, 397 Herndon Parkway, Herndon, Virginia.

As a reminder, Mayor Olem stated that earlier in the meeting the agenda was amended to include an additional closed meeting item.

Mayor Olem stated that only public business matters lawfully exempted from open meeting requirements by Virginia law can be discussed by Council in closed meeting. These matters must be clearly stated in the motion to convene in the closed meeting.

On motion of Councilmember Dhakal, seconded by Vice Mayor del Aguila, and carried by unanimous roll call vote, the Herndon Town Council went into Closed Meeting at 8:20 p.m., under:

- Section 2.2-3711(A)(1) of the Code of Virginia, for discussion of prospective candidates relative to appointments to boards & commissions; and

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- Section 2.2-3711(A)(8) to consult with legal counsel regarding the town's interest in real property relative to the planned redevelopment of the downtown.

Vote: Councilmembers Alam, Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye."

RECESS

At 8:20 p.m. Mayor Olem called a brief recess, and at 8:28 p.m., the closed meeting reconvened Herndon Police Department Community Room, all members present, and with Mayor Olem presiding.

CLOSED MEETING (CONTINUED)

On motion of Councilmember Friedrichs, seconded by Councilmember Regan, and carried by unanimous roll call vote, the Herndon Town Council reconvened in public session at 10:29 p.m.

Vote: Councilmembers Alam, Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye."

On motion of Councilmember Dhakal, seconded by Vice Mayor del Aguila, and carried by unanimous roll call vote, the Herndon Town Council approved the following Certification of Closed Meeting.

Vote: Councilmembers Alam, Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye."

Certification of Closed Meeting

WHEREAS, the Town Council of the Town of Herndon has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by this Town Council that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Herndon hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Closed Meeting to which this

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certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the Closed Meeting were heard, discussed, or considered by the Town Council.

VOTE:

Ayes – 7

Nays – 0

ABSENT DURING VOTE: 0

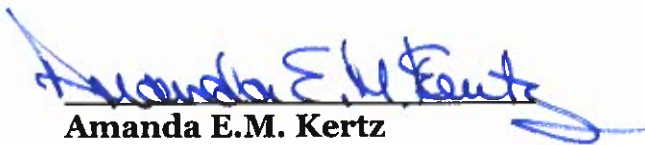
ABSENT DURING MEETING: 0

ADJOURNMENT

On motion of Vice Mayor del Aguila, seconded by Councilmember Alam, and carried by unanimous roll call vote, the meeting of the May 3, 2022 work session was adjourned at 10:32 p.m. The vote was: Councilmembers Alam, Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye."



**Sheila A. Olem
Mayor**



**Amanda E.M. Kertz
Chief Deputy Town Clerk**



Minutes approved by Town Council: August 9, 2022.