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**HERNDON TOWN COUNCIL
Work Session Meeting Minutes
Wednesday, August 3, 2022**

The Town Council held a work session meeting on Wednesday, August 3, 2022 at 7:00 p.m. in the Herndon Police Department Community Room, 397 Herndon Parkway, Herndon, Virginia. In attendance were: Mayor Sheila A. Olem; Vice Mayor Cesar del Aguila; and Councilmembers Naila Alam, Pradip Dhakal, Signe Friedrichs, Sean M. Regan, and Jasbinder Singh.

Staff present during the meeting: Lisa Gilleran, Director of Community Development/Acting Town Manager; Lesa Yeatts, Town Attorney; Scott Robinson, Director of Public Works; John Irish, Deputy Director of Public Works; Bryce Perry, Deputy Director of Community Development; Mike Mueller, Golf Course General Manager; Maria Lee, Budget Manager; Dave Bracamonte, IT Systems Manager; Captain Justin Dyer, Herndon Police; Lieutenant Jeffrey Lange, Herndon Police; and Amanda Kertz, Chief Deputy Town Clerk.

CALL TO ORDER

1. Roll Call & Determination of Quorum

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

Mayor Olem noted that Town Manager Bill Ashton could not be at that night's meeting and that Lisa Gilleran, Director of Community Development, is serving as Acting Town Manager in his absence.

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 Meeting Guidelines, which include: refrain from threatening or intimidating language; profane, vulgar, obscene, or threatening remarks are not permitted; and attacks or harmful remarks against are not tolerated.

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Comments and Disclosures for the Record

Mayor Olem commended Chief DeBoard, Sergeant Austin, and the entire Herndon Police Department (HPD) for making National Night Out (NNO) in Herndon such a success. She also thanked Parks and Recreation staff for their work in supporting the event. Mayor Olem enjoyed visiting the neighborhoods, talking with residents, and seeing HPD officers and staff interact with families.

Mayor Olem asked Ms. Kertz if she received comments for the record or Transactional Disclosure Declarations from Council on any items listed on that evening's agenda.

Ms. Kertz stated that comments were provided to Council and entered into the record on Public Hearing item number five, Ordinance 22-O-20, 593 Herndon Parkway, Parkview.

Ms. Kertz stated that Mayor Olem and Vice Mayor del Aguila filed Transactional Disclosure Declaration statements with the Town Clerk. The statements indicate that each met with the applicants or applicants' agent to discuss the proposed development plan for 593 Herndon Parkway. Both stated they can participate in the discussions regarding these applications fairly, objectively, and in the public interest. The signed statements have been entered into the record and are on file with the Town Clerk and Town Attorney.

Ms. Kertz stated that the Town Clerk did not receive any additional public comments or statements from Council for any other items list on the agenda.

PUBLIC HEARINGS

- 2. Resolution 22-G-48, to authorize the Reserve of Fiscal Year 2022 funding for on-going operations and maintenance, Capital Projects, ARPA funds and for Outstanding Encumbrances on June 30, 2022 for the FY 2023 Adopted Budget; and**
- 3. Ordinance 22-O-18, to amend the Fiscal Year (FY) 2023 Adopted Budget for the General Fund, Water and Sewer Fund, Chestnut Grove Cemetery Fund, Herndon Centennial Golf Fund, Capital Projects Funds and ARPA funds by recognizing the outstanding encumbrances, reserved amounts, and reappropriating funds for FY 2022 as appropriated amounts for FY 2023**

Mayor Olem recognized Maria Lee, Budget Manager, who concurrently presented the staff report and PowerPoint dated August 3, 2022 for public hearing items number two and three.

Ms. Lee stated that Resolution 22-G-48 is an annual item that is required for the Town Council to authorize and appropriate monies for specific activities that occurred in the Fiscal Year (FY) 2022 budget. Since some of these projects were not completed by the end of FY 2022, the State Code and Town Code require reauthorization and reappropriation of these funds for the FY 2023 budget.

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Ms. Lee stated that in addition to the resolution, the Town is required to appropriate the FY 2023 adopted budget separately. This would recognize and authorize the reserves and encumbrances in a resolution to be set forth in the FY 2023 budget.

Seeing no additional discussion, Mayor Olem moved to the next item on the agenda.

4. Ordinance 22-O-19, to authorize the American Rescue Act (ARPA) Allocation Plan and to appropriate ARPA funds for FY 2023

Mayor Olem recognized Maria Lee, Budget Manager, who presented the staff report dated August 3, 2022.

Ms. Lee provided a review of the American Rescue Plan Act of 2021 (ARPA) including program background, eligibility requirements, challenges the Town might face, and the FY 2023 ARPA Allocation Plan that staff is proposing.

There was no discussion.

5. Ordinance 22-O-20, to consider Development Plan, DP #19-01, 593 Herndon Parkway, Parkview, a development plan in the Planned Development-Transit Oriented Core zoning district with proffered conditions to allow the redevelopment of the site with mixed office, retail, and multi-family residential uses

Mayor Olem recognized Bryce Perry, Deputy Director of Community Development, who presented the staff report and PowerPoint dated August 3, 2022, which are on file in the Town Clerk's office.

Mr. Perry provided a summary and detailed overview of the development plan, located in the Herndon Transit Oriented Core (HTOC), and he provided an outline of the Town's development plan review process.

In response to Vice Mayor del Aguila's comments on defining the town's identity, Mr. Perry indicated that there was no urgency to define the town's identity related to this project's timeline.

Councilmember Dhakal provided comments and was cautious about how the number of traffic lights on Herndon Parkway would impact traffic flow.

There was brief discussion between Councilmember Singh and Mr. Perry regarding setback requirements for development in the HTOC.

Mr. Perry and Ms. Gilleran addressed questions from Councilmembers Friedrichs and Alam regarding the proposed project, proffers, and uses.

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There was discussion between Councilmember Regan and Mr. Perry, where Councilmember Regan expressed concern about the phased building process.

Responding to questions from Councilmember Regan about water and sewer, Mr. Perry said that he did not have additional information about when the long-term water and sewer improvements for this area would occur.

Councilmember Regan referenced the applicant's comments addressing affordable housing and the Town not having a housing authority. He wanted to make clear that the applicant could still apply for housing tax credits through Fairfax County. He wanted to discuss this further if the applicant included this statement because of a Town policy.

Responding to queries from Mayor Olem, Ms. Gilleran stated that staff could include slides showing the timeline of work on the project, including the Town's public outreach, for the presentation next week. Staff could also add an early rendering of the development that the applicant made about ten years ago.

In response to queries from Councilmember Singh, Ms. Gilleran reviewed how the application met the Town's guidelines for the area, which includes the space around the promenade.

Mr. Perry discussed the HTOC guidelines, Urban Design Guidelines, proffers, and how these applied to the proposed ordinance. He addressed questions from Councilmembers Friedrichs, Regan, and Singh about the property.

Councilmember Dhakal suggested adding more Electronic Vehicle (EV) charging stations to the buildings with either option, to which Mr. Perry advised that he could ask the applicant.

GENERAL

6. Resolution 22-G-49, to approve an equipment lease purchase agreement between the Town of Herndon, Virginia and United Financial for the financing of HVAC equipment for the Herndon Centennial Golf Shop

Mayor Olem recognized Mike Mueller, Golf Course General Manager, who presented the staff report dated August 3, 2022, which is on file in the Town Clerk's office. The proposed resolution would provide financing for new HVAC equipment at the Herndon Centennial Golf Shop. VML/VACO is assisting the Town with lease financing options for the new equipment. Following the RFP process, United Financial, a subsidiary of HomeTrust Bank, had the lowest proposal for the five-year term, which is the recommended lease term. Staff recommends approval of the proposed ordinance, as presented.

Following discussion and with the concurrence of Council, staff was asked to place the item on the next meeting's consent agenda.

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7. Resolution 22-G-50, to approve a Temporary License Agreement to use a designated public space in the alley adjacent to Jimmy's Old Town Tavern for outdoor seating for an event

Mayor Olem recognized Lesa Yeatts, Town Attorney, who presented the staff report dated August 3, 2022, which is on file in the Town Clerk's office. Jimmy's Old Town Tavern is requesting to use the alley public space between 689 and 681 Spring Street for outdoor seating during a 9/11 fundraiser event on September 4, 2022 from 8:00 a.m. to 11:00 p.m. The applicant has been approved for a Temporary Use Permit from the Zoning Administrator, and this item would approve the use of the alley.

Additionally, the Town Manager issued a noise permit that prohibited amplified sound past 10 p.m. Staff recommends approval of the proposed resolution, as presented.

Councilmember Friedrichs and Mayor Olem discussed previous noise complaints from similar events.

Following discussion and with the concurrence of Council, staff was asked to place the item on the next meeting's consent agenda.

8. Resolution 22-G-51, to award contract IFB #B-22-09, Trail to Herndon Metro Station

Mayor Olem recognized John Irish, Deputy Director of Public Works, who presented the staff report dated August 3, 2022, which is on file in the Town Clerk's office. The project includes an eight-foot-wide asphalt pedestrian and bike trail from the intersection of Van Buren Street and Worldgate Drive, to the Herndon Metrorail Station pavilion entrance. Following the IFB procurement process, staff found the lowest bidder, A.P. Construction, LLC, to be responsive and responsible. Staff recommends approval of the proposed resolution, as presented.

There were no comments. With the concurrence of Council, staff was asked to place the item on the next meeting's consent agenda.

ROUNDTABLE

Councilmember Regan: No comments.

Councilmember Singh: No comments.

Councilmember Friedrichs: Thanked the Herndon Police Department and Town residents for participating in National Night Out (NNO) on August 2, 2022.

Councilmember Alam: Echoed Councilmember Friedrichs' comments about NNO.

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Councilmember Dhakal: Echoed his colleagues' comments about the successful NNO event.

Sister Cities – Nepal

Councilmember Dhakal stated that he had the opportunity to meet the Mayor of Dhulikhel, Nepal, who paid a short visit to the Town after being recognized by the United Nations. He thanked the Town Manager and Town Clerk for coordinating the meeting.

Following that meeting, Dhulikhel Municipality sent a formal request to Mayor Olem, Town Manager, and Town Clerk, about establishing a Sister City relationship with the Town of Herndon. Councilmember Dhakal wanted to discuss the possibility of establishing the relationship with the Council. He also wanted to ensure the Town had acknowledged receiving the request.

Mayor Olem stated that she was a member of the Sister Cities group that partnered with Runnymede, England. The process to establish the program was for local groups in both localities to join Sister Cities International. Following some initial work, both localities would have their mayor or chair sign an agreement to form the relationship. She discussed the responsibilities of both Sister Cities organizations, including how they would host visitors from one another.

Councilmember Dhakal asked if the local governments could establish the Sister City relationship on their own, or if there were foreign affair level implications.

Mayor Olem stated the information was on the Sister Cities website, and it was her understanding that mayors had to sign the agreement.

Councilmember Dhakal stated that the Nepalese Americans he talked to in Town were excited about the Sister Cities possibility.

Councilmember Friedrichs stated she could provide Councilmember Dhakal with information about setting up a nonprofit. She suggested that with its large international presence, the Rotary Club may be able to help.

Councilmember Dhakal indicated that he would ask for more information from the requestor. He shared that many cities in the United States have Sister City relationships with cities in Nepal, including the City of Fredericksburg.

Mayor Olem: Echoed previous comments about NNO.

Mayor Olem stated that she had seen EV stations installed all over the Town, like at Safeway and at Mom's Organic Market.

Councilmember Singh said that he wanted to add an EV station to his building, to which Mayor Olem replied that she knew someone who installed one in their home.

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Vice Mayor del Aguila: echoed Councilmember Dhakal's comments on Sister Cities and stated he would be willing to help and serve as the initial envoy.

Vice Mayor del Aguila discussed the difference between Town-sponsored EV stations and those on private property. He also thought the Town should install more EV units, highlighting that it was a strategic initiative.

Ms. Gilleran, Acting Town Manager: No comments.

ADJOURNMENT

Vice Mayor del Aguila moved to adjourn the meeting of the August 3, 2022 work session at 9:28 p.m., and Councilmember Dhakal seconded the motion. The question was called on the motion which carried by unanimous roll call vote. The vote was: Councilmembers Alam, Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye."

Amanda E. Monan Kertz

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



Minutes approved by Town Council: November 15, 2022

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