



This does not represent a verbatim transcript of the Town Council meeting. Visit www.herndon-va.gov "agendas & minutes" to view agendas and videos. Copies of videotapes of the public hearing meetings are available on request by contacting HCTV at 703-689-2323. Work sessions are not videotaped, but audio files are available. Individuals not having access to the town's website may contact the Town Clerk's office at 703-435-6804 or town.clerk@herndon-va.gov.

HERNDON TOWN COUNCIL

**Tuesday
April 14, 2020**

Pursuant to Virginia Code Section 2.2-3708.2(A)(3) and the Order of the Governor EO-53, and in accordance with Ordinance 20-O-23, Continuity of Governmental Operations during Pandemic Disaster (COVID-19) ~ adopted on March 24, 2020, Mayor Merkel has stated that the April 14, 2020 Herndon Town Council Public Hearing will be by electronic means. The meeting was broadcast and recorded through Cisco Webex and details for the meeting were made available to the public on Thursday, April 9, 2020. In attendance electronically were: Mayor Lisa C. Merkel; Vice Mayor Sheila A. Olem; and Councilmembers Jennifer Baker; Cesar del Aguila; Pradip Dhakal; Signe Friedrichs; and Bill McKenna.

Staff present during the meeting: William H. Ashton II, Town Manager; Lesa Yeatts, Town Attorney; Jennie Tripoli, Director of Finance; and Amanda M. Kertz, Deputy Town Clerk.

STAFF ANNOUNCEMENTS

Amanda Kertz, Deputy Town Clerk, stated that last week, the Council held its first virtual meeting. She stated that night's meeting was a public hearing and the public would have an opportunity to comment later in the meeting. She welcomed those listening and encouraged the public to provide comments for the record at town.clerk@herndon-va.gov.

Ms. Kertz stated, for the record, that:

- The Town Council meeting that evening was conducted electronically pursuant to Virginia Code Section 2.2-3708.2(A)(3) and the Order of the Governor EO-53, and in accordance with Ordinance 20-O-23, Continuity of Governmental Operations during Pandemic Disaster (COVID-19) ~ adopted on Mar 24, 2020;

**April 14, 2020
(public hearing)**

- Proper notice of the electronic meeting was provided in accordance with Section 2.2-3708.2 of the Code of Virginia, along with information for viewing the meeting and submitting comments for the record;
- The agenda and meeting materials are available on the town's website;
- Electronic meetings will begin with a roll call and determination of quorum; and
- All votes, including adjournment, will be by roll call vote.

CALL TO ORDER

1. Roll Call & Determination of Quorum

Mayor Merkel called the public hearing by electronic means to order at 7:00 p.m. and asked Ms. Kertz to call the roll for attendance. All members were present, electronically, with Mayor Merkel presenting.

Mayor Merkel stated, for the record, that there was a quorum present, electronically, that evening. William H. Ashton, Town Manager, and Lesa Yeatts, Town Attorney, and Amanda Kertz, Deputy Town Clerk, were also present.

Mayor Merkel asked that those on Council who wished to speak physically raise their hand, because it would be easier for her to see than the hand raise icon on the screen.

Announcements

Mayor Merkel thanked the members of the public who were joining the Council via Webex this evening. She stated there had been a few glitches that evening since Council had logged on and asked the public to bear with them if there were any audio issues.

Mayor Merkel stated that, as Ms. Kertz said at the opening of the meeting, the Council could meet virtually only because of the pandemic emergency and under Council's ordinance for continuity of government. She stated that staff and the Council were limited to discuss only crucial continuity of operations items such as the proposed budget and public hearing.

Mayor Merkel stated that the town's Fiscal Year (FY) 21 proposed budget, developed prior to the COVID-19 health crisis and delivered to the Council by April 1 as per state law, was being amended to accommodate the new fiscal realities imposed by COVID-19. Therefore, the Council and Town Manager delayed the public hearings on the proposed budget ~ which were previously advertised ~ until May 12 and May 26, 2020, when the fiscal realities may be better known.

**April 14, 2020
(public hearing)**

Mayor Merkel stated that pursuant to Virginia Code Section 2.2-3708.2(A)(3); the Order of the Governor EO-53; and in accordance with Ordinance 20-O-23, Continuity of Governmental Operations during Pandemic Disaster (COVID-19) ~ adopted by the Herndon Town Council on March 24, 2020 ~ the work sessions and public hearings for the FY 2021 budget may be by electronic means.

Mayor Merkel stated that electronic meetings would be broadcast through Cisco Webex and details for the meetings would be available to the public on the Thursday prior to the meeting. As noted on the town's website and the information posted about electronic Town Council meetings, the public is encouraged to continue to provide comments for the record at town.clerk@herndon-va.gov.

Mayor Merkel stated that there was one public hearing item on that night's agenda~ Ordinance 20-O-19, Lease Amendment, Cellco Partnership d/b/a Verizon. At the appropriate time later in the meeting, she would ask for a motion to continue the public hearing to July 14, 2020, at the recommendation of staff.

APPROVAL OF MINUTES

**Vote on March 24, 2020
Public Hearing Minutes**

On motion of Councilmember McKenna, seconded by Councilmember Dhakal, and carried by unanimous roll call vote, the minutes of the March 24, 2020 public hearing were approved, electronically. The vote was: Councilmembers Baker, Dhakal, del Aguila, Friedrichs, McKenna, Vice Mayor Olem, and Mayor Merkel voting "Aye."

**Vote on April 7, 2020
Work Session Minutes**

On motion of Vice Mayor Olem, seconded by Councilmember McKenna, and carried by unanimous roll call vote, the minutes of the April 7, 2020 work session were approved, electronically. The vote was: Councilmembers Baker, Dhakal, del Aguila, Friedrichs, McKenna, Vice Mayor Olem, and Mayor Merkel voting "Aye."

2. COMMENTS FROM THE TOWN MANAGER

Mayor Merkel recognized William H. Ashton II, Town Manager, to provide an update on the continuity of operations and matters related to the emergency, followed by questions of Council.

Mr. Ashton stated that staff was testing the town's meeting broadcast through Granicus and HCTV to see if there were any issues with these formats moving forward, so the town could broadcast its public meetings live. He stated that a video recording of this

**April 14, 2020
(public hearing)**

Webex meeting would be available on the town's website the next morning in the same manner that staff makes in-person meetings available.

Mr. Ashton stated that he would reiterate several of the announcements he made at last week's work session, as there were some individuals joining the meeting who were not available last week. He would also include some updated information.

Mr. Ashton stated that the town had to make difficult decisions regarding its staff, services, and facilities. These decisions were made with the Mayor and Council; Emergency Management Coordinator – Chief Maggie DeBoard, Herndon Police; Management Team; other local government managers; Northern Virginia Regional Commission (NVRC); and state and county health departments and emergency management staff. He stated it was important to communicate with other jurisdictions because the town was in uncharted waters, and there were no best practices to follow in this situation. Professionals throughout the region and the state were working to get through this crisis together and he appreciated the input from all the parties he listed.

Mr. Ashton stated that since March 12, 2020, decisions were made, first and foremost, to protect the community and town staff. The town was working to meet its highest priority missions, including public safety, refuse, water and sewer, and keeping the roads open and operational ~ both during and beyond the current crisis. Mr. Ashton stated that as the town moved further into the crisis, one of the priorities was assisting the business community as much as legally possible. Businesses were struggling, and he wanted to make sure that they emerged from this and were able to go back to where they were before the crisis.

Mr. Ashton stated that all town facilities were closed to the public. The town was still open for business, which it was conducting electronically. He encouraged those listening to visit the town's website, herndon-va.gov, where there was additional information about contacting the town. Mr. Ashton stated that all town and Fairfax County parks in the town limits were closed, except for the trails, where users should maintain social distance when walking or running. He stated that Herndon Centennial Golf Course was closed and Chestnut Grove Cemetery was open with restrictions on graveside services and gatherings.

Mr. Ashton stated that many town events were canceled or postponed, including the Herndon Festival, Spring Clean-Up, and Big Truck Days. He thought Friday Night Live (FNL) had announced that their May concerts were canceled. He would yield all questions about FNL to the Dulles Regional Chamber of Commerce and he hoped to get concerts back on the Town Green as soon as possible. He stated that Bike to Work Day and the Mayor's Volunteer Appreciation Reception were also canceled.

Mr. Ashton reviewed several operational changes, including creating Webex templates for town meetings, so the business of the town could continue. The town suspended special refuse and yard waste pick-up because it was not possible for staff to meet those

**April 14, 2020
(public hearing)**

demands. While Fairfax County also suspended yard waste collection, the town did not coordinate that decision with them. Non-essential police services were also suspended to reduce unnecessary interaction with the public. Fairfax County removed the purple glass recycling bins from the town shop and discontinued glass recycling at this time.

Mr. Ashton stated that there were significant budgetary changes of which citizens should be aware. He stated that approximately 35 to 36 percent of the town's refuse is from excise taxes, like meals, hotel, transient lodging, sales tax, and business licensing. Three of these categories were taking a major hit right at that time going into the final quarter of the fiscal year. Once this was known, staff immediately enacted a hiring freeze for anything that does not directly relate to public safety. Mr. Ashton stated he has suspended travel and training; overtime not directly related to the emergency; frozen capital expenditures that were not related to grant funded projects; and the use of part-time, flexible or temporary-seasonal employees. He suspended private home visits by staff to public safety matters only. Mr. Ashton was encouraging telework and expanded the telework policy to allow as many staff to work from home as possible. There were approximately 50-52 members of staff that were telework eligible and most were working remotely. Staff that was teleworking could rotate with those working on site.

To assist town businesses during the state of emergency, Mr. Ashton stated that he lifted the temporary sign permit requirement to allow businesses and restaurants to promote carry-out or delivery services and he suspended the policy to allow staff to aggressively pursue tax payments owed to the town. That evening, the Council would consider delaying the collection of real estate taxes, which would provide cohesiveness with the county and cause less confusion for residents.

Mr. Ashton stated that staff contacted the town's 128 restaurants and created a page on the town's website with information and links for those that were open for carry-out or delivery. Also listed on that page were the town's supermarkets, including information on special operating hours for senior citizens. Staff was reaching out to other businesses in town and Mr. Ashton stated he would discuss this more with Council in the future. Also, on the town's website was a page for town businesses to access governmental assistance programs, including those related to the Federal CARES Act.

Mr. Ashton stated that as an update on the budget, staff learned last week that the town would need close to \$400,000 from the Revenue Stabilization Fund for FY 20. This "Rainy Day Fund" was fully funded at \$1.8 million and there were other reserve funds available if needed.

As Mayor Merkel mentioned earlier in the meeting, Mr. Ashton stated that staff crafted a strategy for the FY 21 budget moving forward. He encouraged those who were interested to listen to last week's work session recording where that was discussed, which was available on the town's website.

**April 14, 2020
(public hearing)**

From a personnel perspective, Mr. Ashton stated that he made Gene Fleming, Director of Golf, Acting Deputy Town Manager to assist in making changes in this new environment. Part-time or seasonal employees that had not received a paycheck in 30 days were removed from the payroll. Staff created a category of administrative leave for staff members who, because of closed facilities, have no direct job right now. Those on administrative leave had to check in with their supervisor each day and were subject to recall and reassignment. Mr. Ashton stated that any employee who was symptomatic, or had a family member in their home who was symptomatic, was placed either in a telework status or on leave immediately. Staff would remain at that status until a negative COVID-19 test was received or 14 days had elapsed. These policies had been used effectively.

Mr. Ashton stated that it took three weeks, but staff had reinvented the way the town operated. Staff was learning how to operate effectively to meet its core missions and was looking for ways to bring other services online. For example, Mr. Ashton stated he has been working with Cindy Roeder, Director of Parks and Recreation, to bring virtual workouts to the town's website. This remained a fluid situation and as changes are made, staff was posting information on the town's website and social media channels.

Mr. Ashton thanked town staff, who he stated have been exceedingly resilient and flexible. He stated that staff stepped up when he asked them to do some incredible things and they met the challenge. He stated that the town's Management Team proved to him how talented and professional they were during this crisis. He especially wanted to credit the town's Information Technology (IT) Department. He stated they had been put in some very unique situations over the past several weeks and had many demands placed on them. He stated they had truly exceeded his expectations and were doing a phenomenal job.

Mr. Ashton thanked Mayor Merkel and Members of Council for their leadership, through which staff was able to adjust and operate during these trying times. He stated they were invaluable and he deeply appreciated it. On behalf of town staff, Mr. Ashton thanked the Council for their guidance on the operational changes and stated it was his pleasure to serve this community and this Council.

Mr. Ashton yielded the floor back to Mayor Merkel.

In response to queries from Vice Mayor Olem about the status of the Herndon Farmer's Market, Mr. Ashton stated he would have an answer on that by the end of the week.

Mayor Merkel concurred with Mr. Ashton's comments about town staff and stated that they have gone above and beyond during this time. On behalf of the Council, she stated that she appreciated everything staff has done.

**April 14, 2020
(public hearing)**

3. COMMENTS FROM THE TOWN COUNCIL

Mayor Merkel reminded Council that comments should be limited to continuity of business and the state of emergency to comply with state code requirements.

Councilmember Friedrichs: Concurred with Mayor Merkel's comments about staff, who she stated have been amazing. She stated they have been outstanding and she would not have been able to join the meeting without the help of the Director of Information Technology. She stated that the Town Manager mentioned the Council giving him latitude, and that was because they knew he was very good at his job.

Mayor Merkel: Stated that she and possibly Mr. Ashton would be participating in several upcoming conference calls, including one tomorrow for mayors and Congressman Connolly, and a call with the NVRC "Mayors and Chairs" group and Governor Northam's team later this week. Next week, she would participate in a joint call with Senators Kaine and Warner and the NVRC Mayors and Chairs group. She would specifically address support for local governments on these calls. She referenced a study by Old Dominion University that showed towns were at a critical point during this crisis, more so than other types of jurisdictions.

Mayor Merkel stated that Senator Kaine asked if there were questions or suggestions about the stimulus package that was passed. She asked that Council contact her and the Town Manager with their questions.

PUBLIC HEARING

4. Ordinance 20-O-19, to approve and authorize the Mayor to sign a second lease amendment to Celco Partnership d/b/a Verizon Wireless to revise the premises description, approved equipment list, and drawings at the Town's 3rd Street Water Tower (Public Hearing continued from the March 10th TCPH).

[Note: This item was continued from the March 10th Public Hearing]

Certificates of Publication were filed from the Editor of the *Fairfax County Times Newspapers*, showing that notices of said public hearing had been duly advertised in the Friday, February 21 and Friday, February 28, 2020 issues.

Mayor Merkel announced this item had been continued from the Council's March 10, 2020 meeting. Mayor Merkel opened the public hearing and recognized Lesa Yeatts, Town Attorney, for an update.

Ms. Yeatts provided comments and a recommendation. The proposed lease originated in 2002 and was amended in 2012. The proposed amendment would add essential equipment upgrades to the site at the Third Street Water Tower. However; with the

**April 14, 2020
(public hearing)**

onset of the COVID-19 crisis, staff and the applicant agreed that this item was not a critical issue for the continuity of town operations. The applicant was willing to wait until normal meetings resume, the earliest of which would July 14, 2020, given the current Governor's orders. Staff is recommending, in agreement with the applicant, that Council continue the public hearing on this item to July 14, 2020.

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

In response to queries from Mayor Merkel, Ms. Yeatts stated that if either the Governor or General Assembly do not make changes to the current law allowing for electronic meetings and the Council still had to meet in that manner, the Council would need to further continue this item at its July 14th meeting.

Ms. Yeatts agreed with Mayor Merkel's statement regarding possible changes to the electronic meeting format later this month and she stated that she would keep the Council apprised of any changes.

Mayor Merkel stated that members of the audience who wished to address Council on this item should click the hand icon to be recognized. She asked Ms. Kertz if there was anyone who joined the Webex that would like to address council on this item.

Ms. Kertz stated that she did not see anyone waiting to speak on this item.

On motion of Vice Mayor Olem, seconded by Councilmember Friedrichs, and carried unanimous roll call vote by electronic means, the public on Ordinance 20-O-19 was continued to July 14, 2020. The vote was: Councilmembers Baker, del Aguila, Dhakal, Friedrichs, McKenna, Vice Mayor Olem, and Mayor Merkel voting "Aye."

GENERAL

5. Resolution 20-G-15, to extend the July 28, 2020 due date for the first installment payment of real estate property taxes until August 28, 2020.

Jennie Tripoli, Director of Finance, presented the staff report dated April 7, 2020. The proposed resolution would extend the due date for real property taxes from July 28 to August 28, 2020. This would align the due date with Fairfax County, so as not to create confusion for town taxpayers and mortgage companies. She stated this action would delay approximately \$6.0 million of cash inflow to the town, but the town's cash position was sufficient to cover a 30-day delay in this revenue stream. Fairfax County could extend this due date up to 90 days, but so far it was 30 days, which was what the resolution would accomplish. Staff recommends approval of the proposed resolution, as presented.

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

**April 14, 2020
(public hearing)**

In response to queries from Councilmember Friedrichs, Ms. Tripoli stated that because current interest rates were very low, interest payments would only be a few dollars. When she stated that the town could “weather” the 30 day extension, she meant that the town had the cash on hand to cover the delay.

On motion of Councilmember McKenna, seconded by Councilmember Baker, and carried by unanimous roll call vote by electronic means, Resolution 20-G-15 was approved, as presented. The vote was: Councilmembers Baker, del Aguila, Dhakal, Friedrichs, McKenna, Vice Mayor Olem, and Mayor Merkel voting “Aye.”

Resolution, 20-G-15, to extend the July 28, 2020 due date for the first installment payment of real property taxes until August 28, 2020.

WHEREAS, as a result of the potential spread of COVID-19, a communicable disease of public health threat, the Governor of Virginia declared a state of emergency on March 12, 2020, and directed local governments to render appropriate assistance to prepare for this event, to alleviate any conditions resulting from the situation, and to implement recovery and mitigation operations and activities so as to return impacted areas to pre-event conditions as much as possible; and

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency beginning March 1, 2020, due to the outbreak of COVID-19; and

WHEREAS, on March 24, 2020, in response to cases of COVID-19 confirmed in the Fairfax Health District, which includes the Town of Herndon, and to fully utilize the comprehensive emergency management planning in the Herndon Emergency Management Plan and in conjunction with Fairfax County be afforded all the powers pursuant to Virginia Code Sections 44-146.16 and 44-146.21, the Town Council declared a local state of emergency and disaster; and

WHEREAS, pursuant to the authority granted by Section 58.1-3916 of the Virginia Code, the Town Council has established by ordinance a due date of July 28 for the first of two equal installment payments of real property taxes, and pursuant to that section, the Town Council may further provide by resolution for reasonable extensions of time, not to exceed 90 days, for the payment of such taxes whenever good cause exists; and

WHEREAS, the public health threat of a potential spread of COVID-19 resulting in national, state, and local declarations of emergency constitutes good cause.

**April 14, 2020
(public hearing)**

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby extends the July 28, 2020 due date for the first installment payment of real property taxes until August 28, 2020, in accordance with its authority in Section 58.1-3916 of the Virginia code.

6. Ordinance 20-O-25, to amend Chapter 30 (FINANCE AND TAXATION), Article VI (Transient Occupancy Tax), Section 30-179, of the Herndon Town Code, to temporarily extend the due dates for the remittance of Transient Occupancy Taxes.

Mayor Merkel stated that comments received by Council on this item had been entered into the record.

Jennie Tripoli, Director of Finance, presented the staff report dated April 7, 2020. The proposed ordinance requested an extension of Transient Occupancy tax (TOT) payments only that were due in March, April, May, and June of 2020. Payments due in March would be due in June; those due in April would be due in July; and those due in May and June would be due in August, because the town would be in the midst of closing its books for the fiscal year. Ms. Tripoli stated that usually with "trust taxes" like this one, staff took a harder line, but these were not normal times. Staff proposed the later dates contingent on the timely filing of information returns and would waive penalties and interest on payments so long as they are made by the extended dates.

Ms. Tripoli stated that at last week's meeting, staff was asked if Fairfax County was offering the same delay on TOT payments as the town proposed. She confirmed that the county had extended personal property, real estate, and business license due dates, but not any of the excise taxes. Staff recommends approval of the proposed ordinance, as presented.

Vice Mayor Olem moved approval of Ordinance 20-O-25, as presented. Councilmember Dhakal seconded the motion.

There were comments from Council.

Vice Mayor Olem, and Councilmembers Friedrichs and McKenna, expressed support for this item.

Councilmember del Aguila thanked Councilmember McKenna, who provided an article from *The New York Times*, which discussed the hotel industry. The article indicated that franchised hotels contributed 20 percent of their revenue to their corporate entity. He stated this ordinance could jeopardize the town with a cash flow issue in July and August. He stated that he would take a stand against this item and he thought that it sent the wrong message.

**April 14, 2020
(public hearing)**

Councilmember McKenna stated that he thought Councilmember del Aguila's comments were salient. He stated that those working in these types of jobs tend to be most vulnerable. He agreed with supporting businesses during this time and stated there were projections that it could be up to 30 months before the hotel industry normalized. He stated that a month or two of not receiving payments would not be terrible for the town, but it could be detrimental to the hotels.

Councilmember del Aguila provided personal comments about being empathetic to the working class and financial assistance. He stated that the real impact for the businesses would be negotiating on behalf of the franchises with their corporate entities. He stated that would make the difference between staying in business or going out. He stated that he wanted to clarify his comments.

Mayor Merkel stated that she heard what Councilmember del Aguila was saying, but was not sure the town was in a position to negotiate that with the corporate entities. She stated that the town was in a position to help with this excise tax and that was why it was being considered.

Councilmember Friedrichs suggested looking into Councilmember del Aguila's suggestions. She stated that she was still in favor of the proposed ordinance.

The question was called on the motion, which carried by a 6-1 roll call vote by electronic means. The vote was: Councilmembers Baker, Dhakal, Friedrichs, McKenna, Vice Mayor Olem, and Mayor Merkel voting "Aye." Councilmember del Aguila voting "No."

Ordinance 20-O-25, to amend Chapter 30 (FINANCE AND TAXATION), Article VI (Transient Occupancy Tax), Section 30-179, of the Herndon Town Code to temporarily extend the due dates for the remittance of Transient Occupancy Taxes.

BE IT ORDAINED by the Town Council for the Town of Herndon, Virginia that:

WHEREAS, on March 12, 2020, Governor Ralph S. Northam issued Executive Order Fifty-One declaring a state of emergency for the Commonwealth of Virginia arising from the novel coronavirus (COVID-19) pandemic, acknowledged the existence of a disaster as defined by Virginia Code Section 44-146.16 arising from the public health threat presented by a communicable disease anticipated to spread and ordered implementation of the Commonwealth of Virginia Emergency Operations Plan, activation of the Virginia Emergency Operations Center to provide assistance to local governments, and authorization for executive branch agencies to waive "any state requirement or regulation" as appropriate; and

**April 14, 2020
(public hearing)**

WHEREAS, on March 23, 2020, Executive Order Fifty-Three was issued which ordered all businesses to the extent possible to adhere to social distancing recommendations; and

WHEREAS, on March 24, 2020, the Town's Emergency Management Coordinator issued a Declaration of Emergency and Disaster, applicable throughout the entire Town of Herndon, Virginia pursuant to the Town's Emergency Management Plan and Virginia Code Sections 44-146.21 and the Town Council affirmed the existence of a disaster and approved Resolution 20-G-13, to declare a State of Local Emergency and Disaster; and

WHEREAS, also on March 24, 2020 pursuant to Virginia Code Section 15.2-1413 the Town Council approved Ordinance 20-O-23, to implement Emergency Procedures and Effectuate Temporary Changes to Address Continuity of Governmental Operations during Pandemic Disaster (COVID-19) for a period not to exceed six months; and

WHEREAS, on March 30, 2020, Executive Order Fifty-Five was issued which ordered all individuals in Virginia to remain at their place of residence with certain limited exceptions; and

WHEREAS, hotel owners and operators, are an integral and essential part of the Town's economy and an important source of revenue to the Town, and the restriction on the number of patrons, ability to operate and other restrictions as they now exist and as they may be imposed in the future during the COVID-19 emergency are placing significant financial burdens on such businesses within the Town; and

WHEREAS, the Transient Occupancy Tax is deemed to be held in trust by such businesses until paid but the Town Council has determined that it is in the best interest of the Town and its businesses to delay various payment due dates for such tax.

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Herndon, Virginia, that Chapter 30 (FINANCE AND TAXATION), Article VI (Transient Occupancy Tax), of the Herndon Town Code (2000), is amended as follows:

**April 14, 2020
(public hearing)**

ARTICLE VI. – TRANSIENT OCCUPANCY TAX

Section 30-179. – Reports and remittances.

All hotels must, before doing business in the town, register with the director of finance for collection of the tax imposed by this article. Each hotel shall make a report to the town for each calendar month during which business is conducted by the hotel, showing the amount of charges collected for the provision of lodging, and the amount of tax required to be collected. The monthly reports shall be made on forms prescribed by the director of finance and shall be delivered to the director of finance on or before the 20th day of the following calendar month. *Notwithstanding anything else in this article to the contrary, including the provisions of this section, the ~~Each report shall be accompanied by a~~ remittance of the amount of tax due on the 20th day of March 2020, April 2020, May 2020 and June 2020 respectively, may be made on or before the 20th day of June 2020, July 2020, August 2020 and August 2020, respectively, any checks remitted being made payable to the Town of Herndon, Virginia. Payments normally due on the March, April, May and June dates shall not be considered delinquent for purposes of this article and not subject to the imposition or penalties and interest in Sec. 30-181, if paid in full on or before the applicable due date.*

7.

ADJOURNMENT

On motion of Vice Mayor Olem, seconded by Councilmember Dhakal, and carried by unanimous roll call vote by electronic means, the meeting of the April 14, 2020 public hearing was adjourned at 7:47 p.m. The vote was: Councilmembers Baker, del Aguila, Dhakal, Friedrichs, McKenna, Vice Mayor Olem, and Mayor Merkel voting "Aye."


Lisa C. Merkel
Mayor


Amanda M. Kertz
Deputy Town Clerk



Minutes approved by Town Council: April 28, 2020.

April 14, 2020
(public hearing)

NOTE:

This page was intentionally left blank