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**HERNDON TOWN COUNCIL
Work Session
Tuesday, March 2, 2021**

Pursuant to Virginia Code Section 2.2-3708.2, as amended; the Governor's Executive Orders, as amended; and in accordance with Ordinance 20-O-23, Continuity of Governmental Operations during Pandemic Disaster (COVID-19), as amended and readopted by the Herndon Town Council on September 8, 2020, which superseded previously adopted amendments, the regularly scheduled March 2, 2021 Herndon Town Council Work Session would be by electronic means.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, February 25, 2021. In attendance electronically were:

- 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; Jennie Tripoli, Director of Finance; Page Kalapasev, Director of Information Technology; Karen Gagliano and Maria Lee, Budget Managers; and Margie C. Tacci, Deputy Town Clerk.

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ANNOUNCEMENTS

The Deputy Town Clerk welcomed those listening to the March 2, 2021 work session and stated that night's regularly scheduled Herndon Town Council meeting was a virtual meeting, which was being conducted electronically pursuant to:

- ❖ Virginia Code Section 2.2-3708.2, as amended;
 - ❖ the Governor's Executive Orders, as amended; and
 - ❖ in accordance with Ordinance 20-O-23, Continuity of Governmental Operations during Pandemic Disaster (COVID-19), as amended and readopted by the Herndon Town Council on September 8, 2020, which superseded previously adopted amendments.
- Proper notice of the electronic meeting was provided in accordance with the Code of Virginia;
 - Agenda and meeting materials, along with information for viewing the meeting and submitting comments for the record are available on the town's website; and
 - Electronic meetings will begin with a roll call to determine a quorum and all votes, including adjournment, will be by roll call vote.

CALL TO ORDER

1. Roll Call & Confirmation of Quorum

Mayor Olem called the March 2, 2021 work session to order at 7:00 p.m. and asked the Deputy Town Clerk to call the roll for attendance. Mayor Olem asked each member of Council to respond by clearly stating their name and indicating they were present.

Following the roll call for attendance, Mayor Olem confirmed there was an electronic quorum present that evening. All members were present electronically, with Mayor Olem presiding.

Additionally, as the Deputy Town Clerk had stated, the meeting that evening was being conducted pursuant to the appropriate laws associated with the COVID-19 pandemic disaster.

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Mayor Olem asked Council to observe meeting decorum by showing their hand to be recognized by the chair for comments and stating their last name before providing comments and when making or seconding motions.

She reminded those participating in that night's public hearing ~ the Council, the staff, and the public ~ to follow the guidelines used for all government meetings ~ which included: refraining from participation unless and until recognized by the chair; being respectful in their 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, town staff, or the public would not be tolerated.

2. Comments from the Town Manager

Mayor Olem recognized the Town Manager for comments.

The Town Manager shared he would provide a COVID-19 update and other remarks. He explained that on March 11, 2020 he returned from lunch to a manager saying there was an ill employee, and that was the town staff's first COVID case. They also put another exposed staff member on administrative leave, and those were the first two COVID administrative leaves for the town. The Town Manager stated that every day since March 11, 2020, the town had at least one employee out on COVID leave, and sometimes multiple employees per day. That day (March 2, 2021) was the first day in 51 weeks there were no employees out on COVID administrative leave.

The Town Manager also stated COVID numbers were declining, but it was still real and happening. He asked those listening to stay home if they were ill, answer health department calls, and seek vaccination when it was their turn. Johnson and Johnson had 69,000 doses of their one-dose-vaccine distributed around the state which could help speed up herd immunity. He reiterated they should not let up on precautions, and staff remained vigilant to keep the workplace safe.

The Town Manager encouraged those listening at home to remain vigilant as well.

He also announced they were testing Facebook Live streaming of the meeting again that night as part of an effort to find new media for wider distribution. They wanted to make sure they were proactively investigating ways to reach Herndon citizens.

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COMMENTS & DISCLOSURES FOR THE RECORD

Mayor Olem asked the Deputy Town Clerk whether she had received comments for the record or Transactional Disclosure Declarations from Council on any items listed on that evening's agenda, and the Deputy Town Clerk stated that comments had been entered into the record for the development of the proposed FY 2022 budget. The Clerk's office had not received disclosures from Council on any items listed on the agenda that evening.

DISCUSSION

3. Organizational Orientation Discussion by the Town Manager and the Directors Finance and IT

Mayor Olem stated the Council would hold a public hearing on the agenda the following week to receive comments on the budget from the public. She recognized the Town Manager for the first discussion item.

The Town Manager stated he would be bringing Department Directors in to discuss their departments. They would provide an overview of how they operate, how they are staffed, and what their unique achievements and challenges were.

The Town Manager reoriented everyone with the town's Organizational Chart and the directional flow between citizens, the Mayor and Town Council, the Town Manager, and Department Heads. The first of these presentations would be from the Departments of Finance and IT.

The Town Manager recognized the Director of Finance, who presented a PowerPoint dated March 2, 2021 which is on file in the Town Clerk's office.

The Director of Finance outlined the Department's Vision and what the department provides to the Town Council and Town Manager. She also gave an overview of each the different finance divisions' organization and the department's direct reporting structures. She then reviewed the administrative, accounting, and revenue divisions of the department and their organization. She also discussed primary responsibilities and duties before highlighting the department's recent updates and accomplishments, which included a AAA rating from all three major rating agencies. The Director of Finance concluded her presentation with an overview of the department's future initiatives. She also provided brief information about some of the issues the department was facing. She indicated their day to day challenges varied. She was proud of the team.

There was discussion amongst Council and staff on the Director of Finance's presentation.

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Councilmember Dhakal thanked the Director of Finance and congratulated her on the department's accomplishments. He asked about the department's hurdles, how Council could help, and about knowledge management, including documentation of lessons learned.

The Director of Finance provided information about Standard Operating Procedures (SOPs) being a common issue in local governments and some of the hurdles her department faced. She further detailed that SOPs were a large project, and as for documentation of lessons learned, they did document how to do certain things including once-yearly tasks. She briefly described issues with learning new systems and reiterated the need for SOPs to exist and be written down as living documents with flow charts, key controls, risk areas, and how things were done. She thought an SOP project would need to be a town-wide effort, and they may want to find an external resource for that. She indicated that as a small government with fewer resources, they dealt with what was urgent and triaged issues, daily. She did not think the solution was to hire a lot more people. However, they did review positions to see if there was a need for a more specialized position. She did not feel that was necessary at that time. It was just an example.

Councilmember Singh inquired about her contacts at the state and local level. Responding to Councilmember Singh, the Director of Finance indicated the town had a wonderful working relationship with Fairfax County. She listed the various departments they worked with regularly there as well as key contacts they often collaborated with. She also indicated that their contacts at the state level were helpful.

Responding to further queries from Councilmember Singh regarding the direct distribution of CARES Act money to Fairfax County, the Director of Finance confirmed the county was large enough to receive those funds directly. She outlined that there was one federal government, 50 state governments, and 92,000 local jurisdictions. She said each state was different, but the Treasury went through and gave those jurisdictions with at least one million people money directly. The Director of Finance further indicated she was grateful Herndon could work with and through Fairfax County.

Councilmember Singh asked about staff qualifications in the Finance Department, and the Director of Finance outlined the education and skills of those in the department. She summarized that those in the department were highly skilled and educated.

Councilmember Friedrichs asked for the PowerPoint being presented by the Director of Finance. She expressed her personal appreciation for the Director of Finance. The Director of Finance thanked Councilmember Friedrichs for her comments and said that was a team effort with Council, the Town Manager, citizens, and the town being ready.

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Vice Mayor del Aguila also expressed appreciation for the Director of Finance. He then provided questions about a breach and felt that they may want to look at certification standards for security, if their provider did not meet them. He challenged them to look at the infrastructure and solution. He felt they might want to consider an alternative.

Vice Mayor del Aguila also asked the Town Manager if a revenue auditor could be made part of the budget going forward. The Town Manager indicated it was not in the budget. He said it was predicated on them taking the position that usually handles real estate tax billing. That current staff member could move into auditing function.

Vice Mayor del Aguila asked if they could put it in as a budget item. He wanted to make it a priority, not have it be conditional on something else happening.

Councilmember Regan asked about the significance of a AAA rating and the difference between a AAA and AA rating. The Director of Finance described that fundamentally, there were two ratings: issuer rating, which is what they have and is AAA, and each public offering bond issuance also had to be rated. This equated to lower risk and lower interest rate on their borrowings. The next tier down was AA. She indicated she did not know the order of magnitude in interest rates at that tier, but it was higher.

The Director of Finance said these AAA ratings indicated the town was a well-run, financially stable organization. She also provided information about the Northern Virginia region as a whole and about economic recovery.

The Director of Finance indicated there were things out of their control that could cause revenue to drop and outlined the town's ways to weather storms.

Councilmember Regan and the Director of Finance briefly discussed the town's debt service and capital improvement projects.

Councilmember Alam wished the Director of Finance all the best.

In response to queries from Mayor Olem, the Director of Finance discussed state legislation from 2018 that moved the due date for localities to submit the comparative report for the auditor of public accounts, and how the town worked with the county on another item in 2019. There was a brief discussion between Mayor Olem and the Director of Finance about meter readings and using both technology and door hangers to inform residents.

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Councilmember Singh provided questions about accessing documents, and the Director of Finance provided information about how different types of documents were stored, if they were digitally accessible, and the rules they follow from the Library of Virginia.

Councilmember Dhakal provided additional comments wishing the Director of Finance all the best. He recommended to the Town Manager that having a SOP living document and maintenance were crucial. He thought documenting that knowledge would allow them to continue benefiting from the current Director of Finance's experience after she left the town.

The Town Manager provided personal comments of appreciation for the Director of Finance, her work, and her service to the town. He stated she was his first hire as Town Manager, and he would miss her. He appreciated that when she found problems, she was committed to fixing them, and indicated the town's AAA rating came from her hard work and perseverance. He also stated she corrected problems with best practices.

The Director of Finance responded to the Town Manager's comments sharing that it was a privilege and she appreciated it. She indicated she had learned a lot and that she was just a phone call away. She also provided comments about the local government community being collaborative and said she would miss the other Directors of Finance she worked with as well.

The Town Manager recognized the Director of Information Technology (IT), who presented a PowerPoint dated March 2, 2021.

The Director of Information Technology also provided appreciative comments about the Director of Finance.

Before beginning his presentation, he responded to Vice Mayor del Aguila's earlier question about the data breach. He indicated it was ransomware that entered through email. It was an internal breach that did not touch customer data.

He then began an overview of the department's vision and mission. He specifically mentioned changes the department made in response to the COVID pandemic for staff and citizens and outlined the organizational flow of the department and each of the staff's primary responsibilities and those of the entire department for the town. The Director of Information Technology then highlighted the department's recent accomplishments which included items such as the remote workplace adjustments made due to COVID, email malware scans, WIFI, and cybersecurity. He concluded his presentation by outlining the department's challenges and future initiatives.

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There was discussion amongst Council and staff about the Director of IT's presentation.

Councilmember Dhakal provided comments about the importance of the department. He shared about his personal experience and asked what initiatives they had taken in terms of translating data into information. A discussion followed between Councilmember Dhakal and the Director of IT about data collection, analysis, and application. They also discussed different types of data storage, privacy concerns, and encryption as well as spam emails and mandatory cybersecurity training for staff. Councilmember Dhakal asked that those cybersecurity trainings be made available to Council as well.

Vice Mayor del Aguila thanked the Director of IT for clarifying the malware breach and inquired about the vacant cybersecurity position. The Town Manager clarified that, after being frozen due to COVID, they fully intended to fill it. He also indicated it was higher priority and already in the budget.

The Director of IT provided further comments about the importance of cybersecurity.

In response to further comments from Vice Mayor del Aguila about the possibility of a cyber-attack, the Town Manager stated the town had been attacked before, and the Firewall was thwarting dozens of attacks per minute.

Councilmember Singh provided comments about IT and thanked the department.

Councilmember Alam thanked the department for being helpful to her.

Councilmember Friedrichs also provided comments of appreciation.

Mayor Olem echoed her colleagues' appreciative comments and provided comments about a prior phone outage incidence handled by IT.

The Town Manager provided appreciative comments about the department and especially their work the past year throughout the pandemic. He said meetings would have been impossible without IT.

Mayor Olem agreed with the Town Manager's comments.

4. FY 2022 Budget Mark-up

Mayor Olem recognized the Town Manager to begin the discussion on the FY 2022 Budget Mark-up. He recognized the town's new Budget Manager, Maria Lee and provided a brief introduction about her qualifications which included having both her MD and MBA.

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He wanted to present the numbers they had prepared to marry up with departmental narratives, goals, objectives, and background information. They were more detailed than they were a couple weeks ago. He indicated they achieved balance that he would review.

He explained that there were three levels of budgets created with a full-blown budget, low-end budget, and middle-of-the-road budget. The middle-of-the-road budget was what they would focus on and that balance was represented on the PowerPoint. He provided an overview of the types of options the Council had with the budget, the General Fund Expenditures, departmental budgets, and the overall decrease of 5.5 percent in the numbers he was presenting.

He also outlined how various revenues were coming in compared to estimates and indicated that personnel expenditures were consistent. For Operations and Maintenance, they were asking for a slight increase for more maintenance items and consultant studies.

He also discussed items as they related to personnel expenditures including the omission of a one percent Market Rate Adjustment (MRA) and the inclusion of a three percent Pay for Performance (PFP). He also touched on the need for HPD vehicle replacement and that year's savings in healthcare as well as a transfer to downtown parking.

The Town Manager then presented a request to change two paid holidays a year to personal days for employees. New holiday schedules were part of this budget.

He also discussed vacancy savings from unfilled positions and how the department directors would manage these savings.

The Town Manager then discussed departmental overviews with flat numbers or numbers going down. He drew attention to decreases across the board in various departments.

He suggested this budget was even more difficult than the prior one, and he clarified that he had emailed Council the more detailed look at each department.

There was discussion amongst Council and staff about the budget markup.

Councilmember Friedrichs asked about where the 5.5 percent overall decrease in came from. The Town Manager said they were talking about General Fund that night. The word document he emailed to Council showed exactly where things came out for the decrease.

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The Town Manager also mentioned they wanted to put high-priority training back into the mix. He thanked the department heads for preparing three budgets, and he indicated the one Council was seeing was a blend between five and ten percent reductions.

There was a brief discussion between Councilmember Friedrichs and the Town Manager about retaining employees without raises. She asked if they would lose staff. The Town Manager indicated that was hard to predict but could happen.

There was a brief question and answer session between Councilmember Singh and the Town Manager about the calculation of these numbers.

Responding to Councilmember Singh's queries about submitting questions, the Town Manager indicated he would encourage them to do so.

Councilmember Dhakal wanted to know what contributed to the difference between the FY 2021 authorized budget versus the projected, and the Town Manager indicated he did not know off the top of his head.

The Budget Manager, Maria Lee, stated that she would review her notes as well.

Responding to Councilmember Dhakal's queries about the FY 2022 reductions to offset the deficit of the proposed budget, the Town Manager stated that he was legally required to submit a balanced budget. What was shown in the PowerPoint was around \$1.3 million in adjustments, which would balance the data model.

The Town Manager asked to clarify his answer to Councilmember Dhakal's previous question about the FY 2021 authorized versus projected budget. He had received a text message from the previous Budget Manager, Karen Gagliano, who stated that the frozen positions were a driver behind the gap in numbers.

Responding to Councilmember Dhakal's question about the one percent MRA, the Town Manager explained that any merit increase happens on that employee's anniversary date. The cost of living adjustment (COLA) generally happen at once across the entire workforce, which made the number somewhat higher.

Councilmember Dhakal indicated support for discretionary holidays, and he expressed concern about not providing the one percent MRA. If they could find other ways to adjust, he would like to see that.

The Town Manager stated that he could not see a pathway for that at that time. Depending what occurred, they could adjust the budget. He indicated he talks to employees about what is in the budget and what they care about. He could talk to them about the three percent PFP raise, and he said he would love to include the one percent MRA if they could, but he reiterated he did not see a pathway at that time.

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Councilmember Dhakal also asked if the Strategic Initiatives were included in this budget. The Town Manager confirmed that \$200,000 was in contingency for Council's Strategic Initiatives.

Councilmember Regan asked the Town Manager if the PowerPoint last slide (page six) was showing HPD was about \$10 million of the budget. The Town Manager confirmed. Councilmember Regan also asked if the new e-reporting requirements had an impact on HPD. The Town Manager confirmed that modifications to software had to be made in response to state law changes for reporting. Once the law was changed, they set about doing modifications which were a relatively low cost. He thought it was about \$10-20,000 and that cost was being incurred at that time.

Councilmember Regan also asked about contingency for Council Strategic Initiatives and whether the Multicultural Board, in his understanding, affected the budget. He specifically asked if this would be another task for staff.

The Town Manager indicated that they did not see a direct cost for the Multicultural Board, but the fruits of their labor would be another question. He indicated it could take staff time. In response to further questions, he confirmed he thought it would be less cost intensive and more time intensive.

Vice Mayor del Aguila asked if staff had the Strategic Initiatives list of items. He thought Council was going to receive information on their impact to the budget.

The Town Manager stated he was trying to divorce that effort from the budget, which has statutory deadlines. With contingent money, they could marry that up on July 1st. When looking at the budget as a project, he was trying to remove anything that might keep them from meeting the state deadlines. He indicated he put the funds in contingency for a placeholder number. Analysis may take longer than they had to make the budget round. The Town Manager stated they could always amend the budget or, under Town Manager's discretion, move some funds. The Council could amend the budget and move money somewhere else.

Vice Mayor del Aguila wanted to walk through something, they had not yet talked about—prioritization. He asked what that impact would be. He thought they needed that level of effort on initiatives sooner rather than later. He would prefer to disclose to the public what they were thinking about doing. He also thought that if they might need to consider increasing revenue or cutting services that needed to be part of the discussion. He felt he needed that feedback.

The Town Manager indicated he wanted to meet legal requirements for the budget first. He indicated they could get that level in April and then in their May discussions they could go through and prioritize the Council's Strategic Initiatives. He stated maybe it would not be amending for revenue, maybe they

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would tap a reserve or BPOL to make the delta for the next year. He stated there were options on the table that would not be at the expense of meeting statutory deadlines.

Vice Mayor del Aguila stated he was not suggesting missing deadlines. He wanted to know if they should assume that they needed to raise revenues or cut services. He wanted to get beyond talking about things to getting them done.

The Town Manager said they had options including contingency reserve. They could borrow from themselves and come back and refill later. There were options on the table to do these things parallel.

Vice Mayor del Aguila said he was hearing they were not in need of raising revenues or cutting services. The Town Manager said he did not want to position the Council to be raising real estate taxes during COVID, and it would take hard choices to make that happen. He was also being sensitive to what might happen if a housing bubble would burst in a couple of years. Vice Mayor del Aguila indicated he thought they discussed that, and he thought a pullback was likely to happen.

The Town Manager said, in the middle of this budget race, the town was changing out both the town's Budget Manager and Director of Finance. He indicated he would bear the brunt for the fact this did not come out to Council over the weekend.

Councilmember Alam thanked the Town Manager for his work.

Councilmember Regan asked the Town Manager to remind him of the sequence of Capital projects budget.

The Town Manager said it was merging in. He took the Planning Commission's recommendation, made some modifications, and bifurcated the list. He also indicated a COVID relief bill was sitting in the Senate that identified local governments as recipients. If it happened, it would be a one-time use only. With that he would likely look at a more robust capital program, but he was not counting on it. The Town Manager stated he was only bringing what he thought they could afford. In the way legislation was written that day, that money would be from federal sources directly to them. They would apply and there would be very few strings, so he was also trying to come up with contingency for if that showed up.

Mayor Olem thanked Councilmember Dhakal for his comments on providing raises to the employees. She also provided comments about staff and the maintenance of services. She mentioned that the staff had not even received Christmas bonuses the past year and mentioned leaving off grants to nonprofits from the proposed budget. She encouraged citizen comments. Mayor Olem also

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indicated she did not think raising taxes would be helpful. She said these were hard times and they need to be careful about adding a lot to the budget after taking so much out over the past year.

Councilmember Singh provided comments about how he thought some Strategic Initiatives would save the town money. He wanted them to look at some of those ideas and see how the fund balance came out. He thought it may be a wash in the end. Councilmember Singh wanted to look at published budgets from previous years since 2015 or 2016 and asked that those be provided.

Mayor Olem referenced the residents on the meeting and asked them to make their thoughts known to Council. She stated Council wanted their input on the Town Manager's proposed budget and what services they value.

ROUNDTABLE

1. **Councilmember Friedrichs:** Thanked staff for the updated handbook which defines Council's roles. She also thanked Anne Curtis and Dennis Holste for putting together information about how to start someone's own business in Herndon. She also commented on the Davenport report and the town's relatively good position.

Councilmember Friedrichs indicated she also wanted to talk about the special exceptions. She stated several special exceptions had come before the new Council and resulted in significant stress and confusion for Council, staff, and the applicant. She thought the approach had been backward and suggested they needed to modernize special exceptions so the conditions could be applied equitably. They also needed to see if they were restrictive or reflected a reality that no longer exists. She felt they should update the process to ensure they are equitable and preserve the vision Herndon voters see fit. She outlined that when an applicant applies, they must go to a series of meetings and the application page lists each meeting they must go to. By the time they come before Council, they have gone through many levels of staff and the application is ready to be approved. If they were doing it right, it should not require much in-depth investigation. She felt they needed to do a better job helping applicants in a way that could be replicated. She thought it was an insult to the hard work of staff and commissioners to take apart their work and raise the hopes of applicants to make changes they were not anticipating and deciding, on the spot, what to do. She wanted them to review special exception regulations and let Council know which are in their purview. She also thought that conditions that were set by Council (former/current) should be investigated for their purpose. She thought they should modernize special exception regulations without being inadvertently damaging to things the residents care about. She wanted them to have clear input from residents about what they think is important. She asked the Town Manager to have staff do this. Additionally, knowing that there were more special exceptions coming in the next few weeks, she wanted this Council to ask the

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Town Manager if the staff could prepare a briefing for the next few special exceptions that would be coming so they could act on the applications with care. She knew Council cared and did not want to impose unnecessary restrictions or leave themselves open to legal liability. She asked for other councilmembers to comment. She thought there was a big ask and a small ask that needed to be done for the work session two weeks later.

Mayor Olem indicated she did not think the Town Manager could have this to them in the next few weeks.

Councilmember Dhakal voiced his support and thanked Councilmember Friedrichs. He felt they were treating the symptoms, and he wanted to see what changes they could make based on the authority they have. He wanted to treat root causes and change the special exception accordingly.

Councilmember Friedrichs indicated she wanted to hear from more of Council and that she thought there was a big ask and a small ask that needed to be done for the work session two weeks later. Mayor Olem did not think that staff had enough time to get that done in two weeks because the exceptions coming forward had already gone through most of the process. Mayor Olem reiterated she thought it was too late to ask staff to do that for the special exceptions they would be hearing in the next month.

Councilmember Singh voiced disappointment that Councilmember Friedrichs did not give him credit for his work on providing Council with summaries of the laws. He thought not giving credit caused friction. He thought it was important to give appropriate credit for good relationship. Second, he indicated he was the one who initiated that the special exception needed to change. He indicated he was writing an article about the process so there would be some guidance about what he thought there should be. He would first share it with the Town Manager. He also wanted them to look at the variance process.

Vice Mayor del Aguila wanted everyone on Council to get credit for everything they brought forward. He supported what Councilmember Friedrichs said about it being transformational and Mayor Olem's comments that it was a lot to bring up. He felt they wrapped up a lot of the transformation in the Strategic Initiatives. Where they could make changes and modernize, he was all for it. Not just with zoning but with businesses as well. He did not know if they could ask staff to do this by the next work session, but he was in favor of modernizing anywhere they could reap benefits, especially if it would cut down on process and frustration and deliver better service to residents. He had concerns, but he could be persuaded if the rest of Council thought they should move quickly.

Councilmember Regan indicated he had a lot of thoughts about what they were discussing. He shared that he spent eight years on the Planning Commission and had tremendous faith in the individuals there. He had seen the work they do, and

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he was reluctant to undertake fundamental change of the zoning code without their expertise to guide Council. He understood it was their responsibility but if they did proceed, he would ask that the Planning Commission drive it.

Councilmember Alam agreed with Councilmember Friedrichs.

Councilmember Friedrichs addressed Councilmember Regan's comment. It was her understanding that if the Town Manager asked staff to address this, that it would go to the Planning Commission first. Councilmember Friedrichs reiterated she agreed it should go through the Planning Commission. She also mentioned that Councilmember Singh did a lot of work on this, but she did not attribute it to anyone specifically because they were all discussing it and aware of what was going on. She assumed they knew it was because Councilmember Singh was really considering the nuances in the zoning code. Her understanding was most of Council had this in mind. As a body, she thought they were all trying to move in a positive direction, and she thought it did not really matter whose idea it was. They should be working together. The goal was to make the town successful. She apologized that Councilmember Singh felt neglected. Her goal was for the town to be a better place to live, for residents to feel they were being treated respectfully and positively, and for them to do it professionally. She thought it sounded like at least some people agreed.

Mayor Olem stated she was unsure of the ask. Organizations have processes they must follow. She provided comments about prior times when she had seen total disregard for the boards and commissions that did not even match up with code. She felt they needed to address the actual code not just individuals. Mayor Olem reiterated they had processes and she felt to disregard earlier work that had been done at that stage of the process was opening a can of worms. She thought town staff could not put things together that fast.

Councilmember Friedrichs shared that she had spoken to both the Town Manager and Town Attorney and the suggestion came from the Town Manager.

Councilmember Singh stated he also talked to the Town Manager about this. He thought the way the process needed to change was with how the staff wrote reports. He thought they could be more organized and rational for others to understand. He felt the Town Attorney should be involved. Councilmember Singh indicated he was working on talking points/blueprint for the Town Manager to see if it could move forward right away. He felt it was not something they needed to turn upside down. Councilmember Singh also said he and Councilmember Regan discussed the process and how things were done. He said Councilmember Regan was very helpful in explaining what was going on, and he included that perspective in anything he wrote. He outlined the steps he took after that conversation. He indicated he would give the Town Manager something within a couple of days.

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Vice Mayor del Aguila asked Councilmember Friedrichs to restate her ask.

Councilmember Friedrichs stated she had two asks that had both been run by the Town Manager and Town Attorney. Her first ask was for the Council to ask the Town Manager to instruct staff to begin review of special exception regulations, let Council know which things were in their purview and which were established by the state and the Planning Commission, and what was the purpose of the conditions that remained. Second, she was asking the Town Manager and staff to prepare a truncated version of that for the next work session when they would had more special exceptions coming forward. She did not want to step on staff's or Planning Commission's toes.

Mayor Olem indicated she was a little confused. She asked if Councilmember Friedrichs was asking to talk about the process to understand the process before it comes to Council.

Mayor Olem and Councilmember and Friedrichs had further discussion about what Councilmember Friedrichs wanted the staff to bring to the next work session. Councilmember Friedrichs agreed that it was about what the process was because they were coming in at the end and what Council said, for example when they discussed recordation and conversations, she had spoken with attorneys about what recordation entailed.

Mayor Olem asked if Councilmember Friedrichs was asking for all of this by the next work session. Councilmember Friedrichs clarified she was asking the Town Manager to instruct staff to review special exception conditions for what Council could change. That was not an overnight ask. Mayor Olem agreed with her comments about not throwing things out.

Vice Mayor del Aguila thought Councilmembers Dhakal, Alam, and Friedrichs supported this ask and added his support. He thought it was valuable to review. He also said Councilmember Friedrichs had mentioned her ideas being squashed. He indicated he was going to support everyone's ideas being looked at and his support to Councilmember Friedrichs.

Councilmember Singh said the regulations say the exception must be defined first. Councilmember Singh outlined his understanding of the process was that once that was done, they looked at neighborhood and district impacts. After knowing impacts, the next step was to look at ways to mitigate impacts. Those became conditions on the special exceptions. He said it must move in that order. He thought that was not what the staff was doing. He thought the logic needed to be reflected in the staff report. He indicated he may write a template. He thought the Council itself could decide. He provided further comments about the regulations and how he thought the thinking should change, so they could decide which decisions were appropriate.

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(work session)**

Councilmember Regan indicated he did not know if he should respond to technical points others brought up that were not accurate. He voiced he may support the Town Manager looking into it, but he did not feel they should be talking about it in a detailed way in a roundtable environment. He felt it was not the appropriate time.

Mayor Olem asked the Town Manager if he had any comments.

The Town Manager stated he did have conversations with Councilmembers Friedrichs and Singh. He agreed it was a two-fold problem. He did not feel staff would be ready to come back and report within two weeks when they would be seeing special exceptions. He did think they could bring a truncated version for the next work session. The Town Manager further indicated Councilmember Singh was going to provide information that he thought would help with staff reports and presentations to help Council make decisions. The Town Manager also provided comments about the Planning Commission and taking this to them. He indicated he would use them as a committee on Council's behalf. He wanted to let them work on it first to use Council's time as efficiently as they could. The Town Manager was hopeful that would meet their requests.

Motion to Adjourn DIED FOR LACK OF SECOND

Councilmember Regan moved to adjourn the March 2, 2021 work session meeting.

Councilmember Alam stated she wanted to mention something.

Councilmember Dhakal thought that other Councilmembers did not get to have their roundtable time. Vice Mayor del Aguila concurred.

The Town Attorney stated there was a motion but no second.

Following the Town Attorney's clarification, the work session meeting continued.

2. **Vice Mayor del Aguila:** Thanked staff for their work on the budget and Council for their patience. He did not think it would be easy. He was looking forward to getting back information on the budget and Strategic Initiatives. He felt it was something they needed to pair together and commit to. He indicated they received a lot of input and they were in tune with concerns, but he encouraged people to keep them coming.
3. **Councilmember Alam:** Mentioned Giant is now a location for COVID vaccinations, but those interested should still register through Fairfax County.

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(work session)**

4. **Councilmember Dhakal:** Thanked staff for broadcasting the Council meeting on Facebook and YouTube. He thought it was important to use other mediums for engagement. He thought many people followed YouTube and Facebook. He thanked the Town Manager for COVID updates and reminded everyone to practice social distancing and register for vaccination when it was their turn. He provided personal comments about his family's experience.
5. **Mayor Olem:** Thanked staff for the Third Housing Webex which provided a lot of information about affordable workforce housing. She also provided comments about Metro Monday where the Town Manager represented the town to discuss why the Metro stop was important for the town. She mentioned that the bus terminal had been being used even prior to the Silver Line opening. She hoped anyone who was really interested would take the Washington Metropolitan Area Transit Authority (WMATA) survey to let them know why the metro was important.

ADJOURNMENT

On motion of Councilmember Regan, seconded by Councilmember Friedrichs, and carried by unanimous roll call vote by electronic means, the meeting of the March 2, 2021 work session was adjourned at 10:20 p.m. The vote was: Councilmembers Alam, Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye."



**Sheila A. Olem
Mayor**



**Jessica Sizemore
Legislative Assistant**



Minutes approved by Town Council: April 27, 2021.