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**HERNDON TOWN COUNCIL
Organizational Meeting and
Work Session Meeting Minutes
Tuesday, January 3, 2023**

The Town Council held an organizational and work session meeting on Tuesday, January 3, 2023, at 7:00 p.m. in the Herndon Police Department (HPD) Community Room, 397 Herndon Parkway, Herndon. In attendance were: Mayor Sheila Olem, Vice Mayor Clark Hedrick, and Councilmembers Cesar del Aguila, Pradip Dhakal, Keven LeBlanc, and Donielle M. Scherff.

Councilmember Naila Alam arrived at 7:04 p.m.

Staff present during the meeting: William H. Ashton II, Town Manager; Lesa Yeatts, Town Attorney; Chief Maggie DeBoard, Herndon Police; Kirstyn Barr Jovanovich, Town Clerk; Lisa Gilleran, Director of Community Development; Page Kalapasev, Director of Information Technology; Marjorie Sloan, Director of Finance; Scott Robinson, Director of Public Works; Anne Curtis, Chief Communications Officer; Cindy Roeder, Director of Parks and Recreation; Tammy Chastain, Deputy Director of Public Works; Dave Bracamonte, Systems Manager; and Amanda Kertz, Chief Deputy Town Clerk.

1. CALL TO ORDER

Mayor Olem called the work session to order at 7:00 p.m. and determined there was a quorum, with all members present.

Mayor Announcements

Mayor Olem wished everyone a Happy New Year and hoped all had enjoyed the holiday season. She congratulated and welcomed the 2023-2024 Town Council and stated that she is looking forward to a productive working relationship with each of them over the next two years. She invited and encouraged her fellow Councilmembers to contact her at any time.

Comments and Disclosures for the Record

Mayor Olem asked Amanda Kertz, Chief Deputy Town Clerk, if the Town Clerk 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 received on Public Hearing item a) Ordinance, Abandonment of Conduit, to Harris Corporation. Ms. Kertz stated that no other comments or disclosure from Council were received on any items on the agenda that evening.

2. ORGANIZATIONAL MEETING ITEMS

a. Resolution 23-G-01, to adopt *Robert's Rules of Order Newly Revised in Brief, 3rd edition* and to designate the Town Attorney as the Parliamentarian

Councilmember Dhakal moved approval of Resolution 23-G-01, as presented. Councilmember del Aguila seconded the motion.

The question was called on the motion, which was approved by unanimous roll call vote. The vote was: Councilmembers del Aguila, Dhakal, LeBlanc, Scherff, and Vice Mayor Hedrick, and Mayor Olem voting "Aye." Councilmember Alam had not yet arrived.

b. Resolution 23-G-02, to elect the Vice Mayor

Mayor Olem nominated Clark Hedrick as Vice Mayor for the 2023-2024 Town Council and moved approval of Resolution 23-G-02, to elect Clark Hedrick as Vice Mayor of the Town of Herndon for the term of January 1, 2023 through December 31, 2024. Councilmember Dhakal seconded the motion.

The question was called on the motion, which was approved by a 5-0 roll call vote. The vote was: Councilmembers del Aguila, Dhakal, LeBlanc, Scherff, and Mayor Olem voting "Aye." Councilmember Alam had not yet arrived, and Vice Mayor Hedrick abstained from the vote.

Following the vote, Mayor Olem offered congratulations to Vice Mayor Hedrick, stated she looked forward to working together over the next two years.

Mayor Olem stated for the record that Councilmember Alam arrived at 7:04 p.m.

PUBLIC HEARING

- a. Ordinance to approve the abandonment, without removal, of approximately 100 feet of conduit located in Town right-of-way, crossing Worldgate Drive, by Harris Corporation (formerly Excelis, Inc., formerly ITT Corporation), resulting in Town ownership and control of conduit**

Tammy Chastain, Deputy Director of Public Works, presented the staff report and PowerPoint dated January 3, 2023, which are on file in the Town Clerk's office. Ms. Chastain stated that the Harris Corporation is no longer operating in the Town and the 100 feet of conduit in the right-of-way is not being used. The abandoned conduit will become Town property and the Harris Corporation will not be compensated. Staff recommends approval of the proposed ordinance, as presented.

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

Responding to Councilmember LeBlanc, Ms. Chastain stated that there could be another company that wanted to use the abandoned conduit in the future. She could not say at that time if the Town would remove the conduit if a construction project occurred at the site.

3. GENERAL

- a. Ordinance, to amend Chapter 2 (ADMINISTRATION), Section 2-1 (Meeting schedule) to clarify meeting location and meeting scheduling process**

Kirstyn Barr Jovanovich, Town Clerk, presented the staff report dated January 3, 2023, which is on file in the Town Clerk's office. The proposed ordinance removes references to specific meeting locations and revises the Council's meeting scheduling process. The meeting location will be noted in the agenda distribution and the Council will adopt a meeting schedule each fall, which will account for holidays and Town events. Staff recommends approval of the proposed ordinance, as presented.

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

Councilmember del Aguila stated that he would like to hold the work session and regular meetings in the Herndon Council Chambers. He knew this was not part of this ordinance, but he wanted Council to direct staff to hold all meetings in the Council Chambers.

There was discussion between Council and staff on the pros and cons of changing the work session meeting location, including consistency, meeting dynamics, and staffing.

Responding to the discussion, Lesa Yeatts, Town Attorney, stated that at next week's regular meeting, the Council should review and consider the subject of the proposed ordinance, which is to clarify the meeting location and scheduling process. The Town Council can direct the Town Manager on policy, but they were not voting on this item that evening.

Mayor Olem stated this could be discussed at the next regular Town Council meeting during the consideration of this ordinance.

Councilmember del Aguila called a point of order, and Mayor Olem asked him to explain what he was referencing.

Councilmember del Aguila stated that the proposed ordinance and work session location were separate matters. He indicated that he supports the ordinance proposed by staff as presented. Separate from the ordinance, he thought Council could direct staff to hold the work sessions in the Council Chambers. He stated he had majority support for this request.

Responding to the discussion, Mr. Ashton stated that Page Kalapasev, Director of Information Technology, advised him that staff is planning a major retrofit for the Council Chambers starting in March. For logistical reasons, he asked if the Council could wait on considering a change to the meeting location until after Information Technology completed the updates.

Following discussion, Mayor Olem stated that staff would wait on changing the Town Council work session location until after March following the Council Chambers retrofit.

b. Resolution to approve and authorize the Town Manager to sign a Memorandum of Agreement between Fairfax County and the Town of Herndon for the service, maintenance, and repair of town owned and operated vehicles and motorcycles

Ms. Yeatts presented the staff report. The proposed resolution was a housekeeping item for Fairfax County to maintain Herndon Police Department motorcycles, which have to use specialized vendors for repair. The County also suggested adding all Town vehicles to the agreement, to which the Town agreed. The MOU was adopted by the Fairfax County Board of Supervisors, and staff recommends approval of the proposed resolution, as presented.

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

4. Discussion

a. Town Council FY 2024 Budget Guidance

Mr. Ashton began the staff presentation, which he stated will include an overview of financial trends, revenue projections, and economic pressures impacting the FY 24 Budget. At the end of January, staff will present the Budget Guidance Resolution that provides broad advice to him on what the Council wants to see in the upcoming budget. The discussion that evening will contribute to what staff includes in the resolution and he stated there will be several opportunities for the Council to review the budget. He recognized Marjorie Sloan, Director of Finance, to continue the presentation.

Ms. Sloan presented a PowerPoint dated January 3, 2023, which is on file in the Town Clerk's office. She discussed: 1) FY 2023 mid-year conditions and projected revenues and trends, 2) Impacts of inflation, supply chain delays, labor conditions, 3) FY 2023 updates on Enterprise Funds, Capital Projects, and use of American Rescue Plan Act (ARPA) funds, 4) local and national trends and predictions for FY 2024, and 5) key dates for the FY 2024 budget process. She emphasized that night's discussion will shape the Budget Guidance Resolution.

Mr. Ashton discussed some challenges the Council should consider going into the FY 2024 budget, including personnel pressures and potential adjustments to pay and cost of living. He stated that the Council had to update the Comprehensive Plan per State Code and needed to finalize the Transit Related Growth (TRG) plan.

There was brief discussion between Council and staff.

Responding to Councilmember Scherff, Mr. Ashton stated that staff is working on projecting the financial impacts of the Comstock project timeline. He advised that staff is scheduling a closed meeting at Council's next work session to review the project's status.

Responding to Councilmember LeBlanc, Mr. Ashton stated that he did not have the information at that time regarding the turnover rate for Town staff.

Responding to questions from Councilmember Dhakal about real estate and commercial tax rates, Mr. Ashton stated that staff is working to understand how teleworking will impact the tax revenue for these categories in the future.

Vice Mayor Hedrick discussed the uncertainty of real estate tax revenue and stated that something he wanted to address was housing affordability, especially aging in place, along with pay adjustments for staff. He expressed concern about increasing the Council's salary during the last term and asked if the Council could revisit the salary increase during the current term.

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Responding to Vice Mayor Hedrick, Ms. Yeatts indicated that the State Code does not reference reductions to salaries. In her opinion, it was something the Council could consider, and it could take effect during the current term. She understood that there was direction to review Boards and Commission member salaries through the budget process this year. Any change to the Council salaries will be a separate ordinance.

Responding to Mayor Olem, Ms. Sloan stated that she did not yet have Fairfax County's fiscal guidance regarding foreclosures. She was waiting to receive the December's economic indicators report, which may address foreclosures.

Responding to Councilmember del Aguila, Mr. Ashton stated that he was working to schedule a Town Council retreat with the moderators from George Mason University (GMU), who have been facilitating the Town Council Strategic Planning Initiatives meetings. Following that, he would work with them to schedule the next Town Council Strategic Planning Initiatives Meeting.

Councilmember del Aguila expressed concern about a future economic downturn, and he asked staff for a projection of revenues and expenditures for the next three to five years, using the assumption that revenue will decrease.

Responding to Councilmember del Aguila, Mr. Ashton stated that the cost-saving measures staff implemented during the pandemic will be tools they can use if there is an economic downturn. He stated that staff will look at revenue and expenditure projections over the next few years for Council.

Regarding the water and sewer rate analysis, Mr. Ashton stated that the Town's consultants were looking at various scenarios and the goal was to gradually increase the Town's rates, as needed. Councilmember del Aguila asked to discuss water and sewer rates as part of the next strategic planning meeting.

Councilmember Scherff asked to take a moment of personal privilege to commend Chief DeBoard and her officers for resolving a hostage situation in her neighborhood last week. She expressed kudos to HPD for working with Fairfax County and state agencies during the event and stated that she was thankful everyone left the situation safe. She said it was a testament to the culture and training at HPD.

Following discussion, Mr. Ashton stated that staff will come back to Council with a draft Budget Guidance Resolution for their review and consideration.

b. General Overview of Organization and Town Operations

Mr. Ashton stated that with each new Council, staff usually held a two-night orientation meeting, where the department heads would review their organization and discuss challenges. At the virtual meetings held during the COVID-19 pandemic, staff

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held two departmental orientations during the discussion portion of several Town Council Work Sessions. Mr. Ashton stated that he planned to follow a similar process this year.

Mr. Ashton stated that he was also working on organizing a Town Council retreat, where they will work on updating the Town Council's Vision. This work will help inform a forthcoming Comprehensive Plan update and long-range town planning. This will be part of the Town Council retreat he mentioned earlier. The Council will also soon receive an invite to a joint meeting with the Planning Commission to further discussion the TRG area.

There was brief discussion between the Council and staff.

Councilmember del Aguila suggested that during the first strategic planning meeting of this term, they allow more than one to two initiatives per person, which had been the Council's process. Responding, Mr. Ashton stated that he highly encouraged ranked prioritization systems.

Councilmember del Aguila stated that he wanted to revisit what the Council prioritized last year, and Mr. Ashton stated that he will work with the GMU moderators to review that at the first strategic planning meeting.

Mayor Olem stated that the Virginia Municipal League's (VML) Handbook was helpful to see how town governments function in the Commonwealth.

5. **ROUNDTABLE**

Councilmember Scherff: Stated that she has received feedback that residents are having difficulty working through established processes, such as obtaining a sign permit or business license. She said her goal was to increase communication with residents so that processes are easier to understand. She indicated she is working on a plan about communications to present to Council at a future work session.

Councilmember del Aguila: Replying to Councilmember Scherff, Councilmember del Aguila thought that her proposal sounded like an excellent strategic initiative idea.

Councilmember Dhakal: Asked if the Council could participate in some regular staff training as part of the Council's onboarding process. Some examples of training he wanted to see include implicit bias and information technology security.

Mr. Ashton stated that staff trainings are held throughout the year and can be lengthy. Staff is working with one of the Town's trainers to streamline the sessions to be meaningful to the Council. Mr. Ashton said that he will ask for an update from staff. He is also working to schedule a meeting with Council on physical security, and more information on that topic is forthcoming.

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Councilmember Dhakal offered his congratulations and welcomed the incoming Council.

Councilmember Dhakal echoed Councilmember Scherff's comments from earlier in the meeting regarding the hostage incident and offered his kudos to Chief DeBoard and HPD.

Chief DeBoard acknowledged the assistance HPD received from the Fairfax County and Virginia State Police during the hostage situation.

Councilmember Dhakal stated that he regretted missing the December Town Council meetings and was grateful to be back.

Councilmember Alam: Welcomed the incoming Town Council.

Councilmember LeBlanc: Adding to Councilmember del Aguila's earlier comments on the first strategic planning meeting, Councilmember LeBlanc asked to see the status of the past and current initiatives. He would like to have them before the Town Council retreat.

Regarding a potential economic downturn, Councilmember LeBlanc thought it was right to plan for it as a worst case scenario. He stated that he would like a better understanding of the Town's grant process and to discuss how the Council could use that process to potentially help fund capital projects.

Vice Mayor Hedrick: Thanked the Council and the citizens for placing trust in him in electing him as Vice Mayor.

Mayor Olem: Echoed her colleagues' comments expressing gratitude to HPD for resolving the hostage incident and commended HPD's work in the community. She also offered kudos to Public Works for all their work in fixing water main breaks and resolving other issues in the Town.

Mayor Olem encouraged her colleagues to look at the educational training programs offered by VML as a resource.

Mayor Olem stated that Christmas tree collection is ongoing during the first two weeks of January from Wednesday through Friday.

Mayor Olem reminded everyone to stay healthy and vigilant during the flu season.

William H. Ashton II, Town Manager: Thanked staff for their work over the holidays, during which there was a power outage at a Town facility, a frozen water meter, and a water main break on Fortnightly Boulevard. Mr. Ashton also gave kudos to HPD for their work and cooperation with County and State agencies during the hostage incident.

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Mr. Ashton advised that a pipe burst at the Herndon Municipal Center (HMC) garage and that crews worked overnight to ensure services were restored the following day. He stated that he cannot thank staff enough for their commitment and level of service.

6. 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.

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 del Aguila, seconded by Councilmember Dhakal, and carried by unanimous roll call vote, the Herndon Town Council went into Closed Meeting at 9:23 p.m., under Section 2.2-3711(A)(1) of the Code of Virginia, for discussion of prospective candidates relative to appointments to boards and commissions.

Vote: Councilmembers del Aguila, Alam, Dhakal, LeBlanc, Scherff, and Vice Mayor Hedrick, and Mayor Olem voting "Aye."

At 9:23 p.m. Mayor Olem called a brief recess, and at 9:33 p.m., the closed meeting reconvened in the Herndon Police Department Community Room, all members present, and with Mayor Olem presiding.

On motion of Councilmember Dhakal, seconded by Councilmember Scherff, and carried by unanimous roll call vote, the Herndon Town Council reconvened in public session at 10:52 p.m.

Vote: Councilmembers del Aguila, Alam, Dhakal, LeBlanc, Scherff, and Vice Mayor Hedrick, and Mayor Olem voting "Aye."

On motion of Vice Mayor Hedrick, seconded by Councilmember LeBlanc, and carried by unanimous roll call vote, the Herndon Town Council approved the following Certification of Closed Meeting at 10:54 p.m.

Vote: Councilmembers del Aguila, Alam, Dhakal, LeBlanc, Scherff, and Vice Mayor Hedrick, 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 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

7. ADJOURNMENT

There being no further business, Mayor Olem adjourned the January 3, 2023 Town Council work session at 10:54 p.m.

Amanda E. Monahan Kertz

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



Minutes approved by Town Council: January 24, 2023

[Note: Approved resolutions are on file in the Town Clerk's office]