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**HERNDON TOWN COUNCIL
Strategic Planning Meeting
Thursday, May 6, 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during Pandemic Disaster (COVID-19), as amended and readopted by the Herndon Town Council on September 8, 2020, which superseded previously adopted amendments, Mayor Olem has stated that the Town Council meeting on May 6, 2021 will be by electronic means.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 Friday April 30, 2021. In attendance electronically were:

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

Staff present during the meeting: William H. Ashton II, Town Manager; Lesa Yeatts, Town Attorney; Chief Maggie DeBoard, Herndon Police; Elizabeth Gilleran, Director of Community Development; Page Kalapasev, Director of Information Technology; Tanya Kendrick, Director of Human Resources; Scott Robinson, Director of Public Works; Cindy Roeder, Director of Parks and Recreation; Viki Wellershaus, Town Clerk; Anne Curtis, Director of Communications; Mike Mueller, Acting Director of Golf; Bryce Perry, Deputy

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Director of Community Development; David Stromberg, Zoning Administrator; Jodi Florentine, Revenue Supervisor; and Amanda M. Kertz, Chief Deputy Town Clerk.

ANNOUNCEMENTS

Amanda M. Kertz, Chief Deputy Clerk, welcomed those listening to the May 6, 2021 meeting 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during Pandemic Disaster (COVID-19), as amended and readopted by the Herndon Town Council on September 8, 2020, which superseded previously adopted amendments.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 May 6, 2021 Town Council meeting to order at 7:00 p.m. and asked Chief Deputy Clerk, Ms. Kertz, 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. All members were present electronically, except for Councilmember Alam, who was absent, with Mayor Olem presiding. As Ms. Kertz 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 names before providing comments and when making or seconding motions. She reminded those participating to follow the town's Meeting Guidelines that were used for all government meetings to maintain good order, which included: refraining from participation unless and until recognized by the chair; being respectful in comments; refraining from threatening or intimidating language; profane, vulgar, obscene, or threatening remarks were not permitted; and attacks on the character, motive, or other harmful remarks against individual members of Council, town staff, or the public would not be tolerated.

COMMENTS FOR THE RECORD

Mayor Olem asked Ms. Kertz whether she had received comments for the record on the item listed on that evening's agenda, and Ms. Kertz stated that the Town Clerk's office received comments which were entered into the record and provided to Council.

ANNOUNCEMENT

Mayor Olem thanked IT staff and reminded everyone of how hard they had been working. She also indicated they would move the Chief of Police's remarks to the beginning of the meeting.

TOWN MANAGER PRESENTATION

2. Strategic Initiatives Submitted by Council Members

Mayor Olem recognized William H. Ashton II, Town Manager, to begin the Strategic Planning Meeting.

Point of Order

Vice Mayor del Aguila called for point of order, and Mayor Olem asked what Vice Mayor del Aguila's point of order was.

Vice Mayor del Aguila recommended that Council have a flow to the night's discussion. He stated, with all due respect to everyone's time, Council should probably go around and ask each councilmember which initiatives they thought were most important. He did not think Council would want to go through the entire list that evening and that some could be left for the next discussion. He thought it best that the Council select maybe the top two, three, four, or five, or whatever Council thought appropriate, from each member to discuss.

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Mayor Olem stated that was not a point of order.

Vice Mayor del Aguila stated that it was a point of order, with all due respect. He stated it spoke to the flow of the meeting.

Mayor Olem disagreed with Vice Mayor del Aguila and called for the Parliamentarian to comment and clarify what a point of order was.

The Town Attorney, Lesa Yeatts opined that Vice Mayor del Aguila's statement was technically not a point of order. She stated that there was not a particular order to the agenda and, if the chair felt it appropriate, they could certainly discuss having some sort of order to the meeting.

Vice Mayor del Aguila stated that, call it as you will, that was his point.

Mayor Olem stated that Vice Mayor del Aguila's point of order was not a point of order.

Following brief discussion, Mayor Olem called on Councilmember Friedrichs.

Vice Mayor del Aguila responded stating that the point of order was in context.

Point of Order

Mayor Olem called a point of order on Vice Mayor del Aguila and stated that he had not been called on. She again called on Councilmember Friedrichs.

Discussion on the Process

Councilmember Friedrichs asked if the organizers of that night's meeting, including the Town Attorney, Town Manager, and Mayor Olem already had a flow in mind.

Mayor Olem affirmed Councilmember Friedrichs' inquiry. Mayor Olem asked Mr. Ashton to call on Chief DeBoard to begin her items. Following her presentation, the Council could discuss deciding on at least two items that they would all agree on to "move forward" and other items, up to five, that they could "park" for future reference. She stated that she did not see how staff could physically do all the items at one time. Council needed to prioritize the items that night and currently, there was no priority.

Mayor Olem recognized Mr. Ashton to call on Chief DeBoard for her remarks. Mayor Olem also clarified that they should identify items they wanted to move forward with and prioritize the initiatives.

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Mr. Ashton reiterated that he sent Council a spreadsheet with 12 items including staff reports, which he was hopeful they looked at. They hoped to get prioritization and guidance out of the meeting.

Councilmember Singh asked that the “sponsor” of the item identify the problem and the “why” of the item to facilitate discussion and staff could then assist in the discussion.

Mr. Ashton recognized Chief DeBoard to discuss Police Data.

Strategic Initiative #29, Police Data

Chief DeBoard reiterated the information outlined in the report memorandum sent to Council and highlighted certain items. She stated that HPD submits data to the public through the Annual Report every year and then discussed the July 1, 2020 Virginia Community Policing Act. She indicated it was the first-time collecting data on traffic stops on a consistent, statewide level, and there was no delayed enactment. Due to that, many jurisdictions did not have the infrastructure in place to collect that data starting July 1, 2021. HPD worked with their technology vendor to have it in place quickly, by late July 2020, but still had to test it. On October 1, 2020 HPD began complying with the new code. For the first time, they could separate data on traffic stops and ethnicity. The Virginia Community Policing Act does have a module with the differentiation, so that was being captured. She clarified there were three months of Virginia Community Policing Act data for 2020. They would have all of the data for the following year and moving forward. Warnings would also be captured, and the data would show warnings versus summons.

In July 2021, additional data points were added, and HPD was working with the vendor to get those updates. They must capture race, ethnicity, age, gender, reason for the stop, location of the stop, ticket or warning, arrest, and vehicle or person searched. In July 2021, the Virginia Community Policing Act also added whether they spoke English and use of force by officers or against officers by people involved in the stop. That also now extended beyond traffic stops to any time someone is detained.

Chief DeBoard mentioned a councilmember’s desire to look at the ethnicity, and she clarified they can do that with traffic stop data but not with arrest data because arrest documents did not differentiate. She added there was General Assembly discussion for more consistency and including Hispanic data, but they were not in the position to capture that currently.

She shared that use of force data was also included in the Annual Report, but it was dangerous to compare use of force data with other jurisdictions because it was captured differently. Chief DeBoard indicated that firearm discharge is

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captured the same, but some jurisdictions included pulling a gun out of a holster as use of force while others consider it a display of force. She reiterated differences between lethal and non-lethal weapons and stated it was important to capture if a non-lethal weapon deescalates a situation. For further clarification, she added that some jurisdictions include spit masks as use of force in their data.

Chief DeBoard discussed the differences, some subtle, in how force is reported by different jurisdictions and clarified there is no standard criteria. There was discussion about standardizing at the state and national level. She also clarified that police reform continued, there were productive discussions, and they were staying involved.

Responding to queries from Councilmember Friedrichs about HPD being beholden to the county and state for reporting, Chief DeBoard clarified they could capture any data they want but are required to report certain data. She indicated having the right technology and limits on information allowed were part of it. She also said that for arrest data for certain ethnicities, they must follow the state.

Councilmember Friedrichs clarified her question was why and asked specifically if it was because the computer could not capture the data. She also asked why they could not have leeway, since they have a small force.

Chief DeBoard clarified that HPD is a mid-size agency and automation was for consistency. There were state forms they have to report all arrests on and different reporting mechanisms that feed into state and national forms. She said they had seen progress on traffic stop data. Chief DeBoard said they could not manually include one-off data. The module was for consistent, automated data.

Councilmember Friedrichs felt in some cases that was not serving them.

Councilmember Regan hoped that once they used the Chief's time efficiently, they could go back and order the broader conversation. He asked whether HPD thought about how they wanted to analyze the data and what conclusions they hoped to mine. Councilmember Regan indicated he was as curious about what would be done with the new information as what that new data would be.

Chief DeBoard clarified there would not be a lot of new information. The ethnicity and the warnings have new information, but they look at the data every year for use of force, crime statistics, race, and residency. This just adds additional items. When HPD reports, the intention is to take the Community Policing Data and have it separate and clear for citizens. She indicated they could take a cursory look, but the data was during COVID and may be an outlier.

Chief DeBoard also shared that, preliminarily, the numbers were 60/40 comparing summons to warnings. She found it encouraging that HPD officers

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were committed to education as much as enforcement. Additionally, Chief DeBoard reiterated that data from the time of COVID peaking was not good for long-term projections.

Councilmember Singh said he wanted to mention a specific case involving a Hispanic person. He said he could not use his name and that he was “sitting in his car in front of his office and policemen walked up and asked him to show him his papers.”

Chief DeBoard said, with all due respect, that it was difficult to sit there with an allegation thrown out and no way to follow up. She said that was not the way officers do business, and she would like an opportunity to follow up on those types of allegations.

Councilmember Singh said to take it as a “made-up example” and asked how they would record that.

Chief DeBoard stated all interactions with HPD officers are recorded with body-worn cameras. If they find out an officer approaches a citizen without their camera on that is a policy violation, and they deal with those internal discipline issues. She also stated there were routine audits on body cameras, and it was important she be told about those incidents to follow up on them.

Following discussion on this item, Mayor Olem asked Council if there was a reason to continue this initiative. She stated that Council might say that they were going to work on this or “park it” for future discussion.

Mr. Ashton stated there were several initiatives presented to him that staff was already processing. He considered these to be “operationalized.” With the concurrence of Council, he asked to “operationalize” this initiative, since staff was in the process of doing precisely what the initiative was trying to achieve.

Vice Mayor del Aguila stated that staff was collecting the data and that sounded like part of the process. He asked to move on.

Mayor Olem asked if the Council wanted to put this down as “in process” and off their list for the time being.

Mr. Ashton stated that he would move this to the “operationalized” list that Council would have access to.

Chief DeBoard stated that the information would be provided in the Annual Report and the Council would have access to it in the next one month and a half to two months.

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Strategic Initiative #35, Gun Safety

Mr. Ashton asked to promote Scott Robinson, Director of Public Works for this item.

Mr. Ashton said the analysis that Mr. Robinson and Chief DeBoard worked on included the costs, should they enact any gun restriction legislation which included signs and safety mechanisms to effectuate safety for Council in-person and staff in public-facing work. Staff broke cost estimates out into modular formats, like an a la carte menu, to show overall project costs depending on chosen elements. He encouraged Council to look at the spreadsheets and indicated staff were available for any questions.

Prioritizing Initiatives

Following Mr. Ashton's comments on this item, Councilmember Singh moved to set the process for prioritizing initiatives.

Vice Mayor del Aguila seconded the motion.

Mayor Olem stated that Councilmember Singh had "not made anything yet" and recognized Councilmember Singh to proceed.

Councilmember Singh stated that there were too many initiatives that have engaged a large part of town staff. He thought it was difficult to focus on one or two issues. He had written up four points he felt the Council should vote on, which were as follows:

General Process for Prioritizing Initiatives

1. "Every Initiative must provide a brief written narrative that describes the problem(s). It is up to the person who is making it to provide that narrative. One may discuss the anecdotal problems that have been observed, encountered or stated by our residents or provide the results of a more detailed analysis that articulate the problems.

The narrative should indicate whether the problem at hand must be addressed or should be addressed in the short-run. For example, issues affecting the integrity of the administrative processes must be addressed first. If there is no narrative, the initiative will not be discussed by the council.

2. The sponsor(s) should present the narrative to the Council and allow all councilmembers to ask questions.

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3. The Town Manager and staff should make comments from the administrative and fiscal feasibility of the initiatives, some of which we are now developing, but for the first time, if something is in fact presented, they may be “seat of pants” estimates, if you would say, or comments in that way.
4. The Council as a whole should vote on the initiative. Give it a priority, whether it is low, medium, or high priority. If the vote is yes, the initiative moves forward for further discussion. If it is a low priority, it stays in the back.

It is anticipated that those initiatives that would (1) address problems that do not yet exist in the town or (2) create new programs that need an in-depth understanding of the associated economic, legal, and administrative issues, and would require a significant commitment of staff time and monetary resources in this prioritizing process would necessarily receive a low priority than other initiatives. Initiatives requiring incremental changes requiring little to no money should probably require receive a much higher priority.”

Councilmember Singh stated that was his motion. Additionally, he thought they should look at how to consider these initiatives, and how they were classified: whether they were classified as strong choices, as departments, or as incremental initiatives. He wanted the Council to vote on this motion.

Discussion on the Process

Councilmember Friedrichs thought this was brilliant and began to ask a question.

Ms. Yeatts stated that a second was needed on the motion, even to discuss it.

Councilmember Friedrichs questioned if Council could do that since this was not a public hearing.

Ms. Yeatts opined that the Council was following parliamentary procedure.

Councilmember Friedrichs thought that Vice Mayor del Aguila wanted to second this motion.

Mayor Olem called on Councilmember Dhakal. Councilmember Dhakal stated that he had intended to second the motion but deferred to Vice Mayor del Aguila.

Vice Mayor del Aguila indicated that it was 7:36 p.m., and he would like to proceed.

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Mayor Olem asked if, since this was not a public hearing, the motion could be written up for action at a public hearing. She concurred that this would be a welcome way to put things on the agenda. She asked if Councilmember Singh would agree and if that would be appropriate.

Councilmember Singh said that would be okay, but the Council would be spending the next three hours discussing priorities. He suggested that Council, as Mayor Olem had stated earlier, select their top two choices. He discussed how certain items might be selected because they were important. He thought one of the top choices could be the Multicultural Advisory Board, because they wanted to integrate immigrants into society more than they were. They could also focus on open government, or the integrity of the administrative system, which were some of the many issues he had. Council could pick one of them to discuss for the next six months, have another big item in the next six months after, and so forth.

Mayor Olem agreed with Councilmember Singh; however, she asked if Chief DeBoard could finish the current initiative, and then Council could move on to his item. They could put some things in priority so Chief DeBoard could at least be there for the next item.

Councilmember Singh apologized for the interruption and stated he thought the Chief DeBoard finished her items.

Mayor Olem clarified that Chief DeBoard had one more item, then they could let her leave, and Council could prioritize things. Mayor Olem indicated that she observed the concurrence of the majority of Council on this point.

Councilmember Dhakal asked, since Council was talking about priorities and the next one was the gun law, if Council could determine if this was a "top priority," since the motion had been made by Councilmember Singh. He asked if this was something to discuss now or later. He thought the whole purpose of that motion was to prioritize discussion.

Mayor Olem stated that Council was going to pass Councilmember Singh's motion over, because the Council adopted those matters at a public hearing.

Point of Order

Vice Mayor del Aguila called for point of order.

Mayor Olem stated a point of order was called and requested that Ms. Yeatts clarify.

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Ms. Yeatts stated that she did not know the point of order that Councilmember Dhakal had, and Mayor Olem clarified that Vice Mayor del Aguila had called the point of order.

Vice Mayor del Aguila stated that the Chair's ruling was that the Council should not discuss and prioritize because it should be a public hearing item. He disagreed and thought it would be appropriate to discuss it that evening, specifically since Chief DeBoard was there. He believed it was appropriate to have that discussion and prioritize.

Amendment to the Motion ~ Process for Prioritizing Initiatives

Ms. Yeatts opined that what she thought she heard between Councilmember Dhakal and Vice Mayor del Aguila was an amendment to Councilmember Singh's motion to at least prioritize.

Mayor Olem stated that she did not hear an amendment, Ms. Yeatts stated that she was suggesting it, and Mayor Olem stated that someone would need to make the amendment.

Ms. Yeatts started to recognize Councilmember Dhakal. Vice Mayor del Aguila then stated, "so moved" and Mayor Olem asked Vice Mayor del Aguila what he moved.

Vice Mayor del Aguila moved to "amend the prioritization, starting right now" and Councilmember Dhakal seconded.

Mayor Olem asked for some verbiage, and Vice Mayor del Aguila said "let's prioritize our strategic initiatives starting now."

Ms. Yeatts stated that Councilmember Singh had three components to his motion. She believed she was hearing, with the Vice Mayor's clarification at least for this one, the Council was "prioritizing only." She asked Vice Mayor del Aguila to clarify.

Vice Mayor del Aguila stated that, starting then, the Council would prioritize since they had Chief DeBoard there and the topic was gun safety. He asked that they discuss it as a strategic initiative priority. After this, he thought everyone would agree on going around and asking which initiatives they wanted to prioritize. He stated there was no sense in having Chief DeBoard there and not actually discussing it in detail as a priority. He wanted to discuss it and then move on to another initiative.

Mayor Olem stated the question was if they were prioritizing this. They would have to ask all Councilmembers if this was their priority.

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Clarification

Mr. Ashton stated, as a point of clarification, that Chief DeBoard was involved in two more initiatives after that one, which were FOIA Reform and Housing Allowances for First Responders.

Mayor Olem asked that, as a courtesy to Chief DeBoard who would be leaving early the next morning, they proceed with her items. She indicated this was not the end of discussion.

Discussion on the Process

Vice Mayor del Aguila thought Council wanted to discuss these items and asked to discuss gun safety. He stated that it was 7:43 p.m. and emphasized that they were just getting to the first initiative.

Councilmember Singh stated that in his motion, Council could discuss anecdotal problems that were observed, or preferably, they should be written narratives. He stated that, for example, if Vice Mayor del Aguila had suggested this, he should write the written narrative so they could all see it. He stated his motion would set in motion the writing process, so the next time they discussed these items, they could see for themselves what had been written.

Mayor Olem asked Councilmember Singh, if they passed his motion, would they not discuss anything until Council brought back written documents.

Councilmember Singh confirmed and stated that was good because he thought that would address the problem.

Mayor Olem stated that the Council would proceed with making this a priority, and before they discussed any items after they made that decision, the individuals that brought the item forward would write up the narrative to present to the Council, which would not be that night, since no one had written anything up.

Councilmember Singh agreed with Mayor Olem, and she stated that this was what was on the table.

Councilmember Regan asked Councilmember Singh for clarification. He asked if Councilmember Singh wanted Council to vote and agree to the process, use the rest of the time that evening, and perhaps excuse Chief DeBoard given her time restraints. He asked if the Council should spend the rest of their time that evening sharing the items that were most important to them and assigning Councilmembers to the items.

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Councilmember Singh was not sure about assigning, or how it should be done. He thought the Council could discuss their top choices, which were things that people felt that they must do over the next six months or even in the next year.

Amendment to the Motion ~ Process for Prioritizing Initiatives

Mayor Olem requested that the motion maker restate the amendment on the floor, so the Council could proceed.

Councilmember Singh asked if he could restate his motion.

Mayor Olem stated that it was the individual who made the amendment not Councilmember Singh. She believed that was Vice Mayor del Aguila.

Vice Mayor del Aguila stated that he did not make an amendment to put off discussion decisions that evening.

Ms. Yeatts stated that Mayor Olem was asking Vice Mayor del Aguila to restate his motion, because that was the motion on the floor.

Vice Mayor del Aguila withdrew his amendment.

Discussion on the Motion ~ Process for Prioritizing Initiatives

Mayor Olem stated that the Council was back to acting on Councilmember Singh's motion. She asked if they knew what they were voting on, and restated the motion for prioritizing initiatives as follows:

General Process for Prioritizing Initiatives

1. Initiatives must have a brief narrative;
2. The sponsor(s) would present the narrative;
3. The Town Manager and staff could make comments on the administrative comments; and
4. The Council as a whole would vote on the initiative.

Councilmember Dhakal asked for clarification on Councilmember Singh's motion and about moving forward on the gun safety initiative.

Councilmember Singh stated that, in deference to Chief DeBoard, he would like to proceed on the gun safety item.

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Tabling the Motion ~ Process for Prioritizing Initiatives

Councilmember Regan stated that he might have a solution, if he understood Councilmember Singh's comments. He moved that the Council table Councilmember Singh's motion, finish the overview of the points Chief DeBoard was involved in, let her get on the road, and then come back to the idea of how to structure these conversations.

Mayor Olem stated she would "second her original recommendation." She asked if that was okay with Councilmember Singh, the motion maker.

Councilmember Singh accepted Councilmember Regan's motion.

Councilmember Regan moved to table Councilmember Singh's motion until the Chief of Police spoke on the points she was involved with.

Mayor Olem seconded the motion and then asked Ms. Yeatts if a vote was needed.

Councilmember Regan stated that it would be a two-thirds vote.

Ms. Yeatts stated that she was not hearing any objections and that it was fine to proceed.

Strategic Initiative #35, Gun Safety – Resumed

Mayor Olem asked Chief DeBoard to continue. Mr. Ashton clarified that Chief DeBoard was available for questions, but the report would be presented by the Director of Public Works, Scott Robinson.

Mr. Ashton said they compartmentalized based on assumptions for Council, staff, and visitor safety. They also worked on how to effectuate and enforce.

Mayor Olem asked Mr. Robinson for his report.

Vice Mayor del Aguila said this was what he was talking about and they should go back to the MVP. He thought they should be spending time on what it would cost, at \$6000, to put it in line with a future initiative. He said they were not debating if it was expensive and reiterated it was 8:00 p.m. He stated he thought asking Council what they wanted to hear was more important than the report. Vice Mayor del Aguila stated no one had asked him what he wanted to get out of it.

Mayor Olem reminded Vice Mayor del Aguila they tasked staff with creating these reports. Vice Mayor del Aguila said he understood. Mayor Olem and Vice Mayor del Aguila were both speaking.

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Vice Mayor del Aguila said he read the report, got it, and had questions and that was how he thought they should start. He did not think they needed to sit through presentations.

Mayor Olem stated staff was there to give the information and asked Mr. Robinson to proceed.

Mr. Robinson quickly reviewed the approach of looking at buildings the public could visit. He indicated hardening information came from recommendations from a security assessment done before COVID. All elements for each building, except for magnetometers, came from information from Chief DeBoard on a Fairfax County contract. He said they used estimates of hours for staff and projected two staff members would be needed for each magnetometer. He indicated there would be one point of entry at the HMC and the Herndon Community Center. HPD would be hardened so there would not be a magnetometer there.

Councilmember Friedrichs asked why they needed magnetometers and other measures and could not just put up signs. She indicated it was a question she got from people, and she felt they were all curious. She asked if it was enough to say, "please don't bring these items in here." She referenced that was what Fairfax County was doing, and reiterated she wanted to know why they needed security guards, magnetometers, and wands. She asked for clarification.

Ms. Yeatts indicated enforcement of the gun prohibition would be better addressed by Chief DeBoard. She further clarified there were levels they could take, but if their objective was human safety in the buildings, she opined signs would not do that and she thought experience bore that out. She asked Chief DeBoard for her insight.

Chief DeBoard clarified that passing the ordinance was Council's prerogative if they wanted, but signs would not deter criminal behavior. If someone was going to carry a gun into the HMC or the Community Center and do harm, the signs would not stop them. She reiterated signs would not stop someone "intent to do harm" and criminals do not look at signs. She felt it depended on whether Council wanted to make the people in that building feel safe as to what steps they take. Chief DeBoard also provided information regarding Fairfax County. She stated she was working there when they first upgraded and that there were magnetometers in the building for board meetings. She also stated the police headquarters had magnetometers and an x-ray machine, and the police lobbies are hardened. She further clarified those other security measures were already in place when Fairfax County added its gun ordinance. They use both signs and other security measures to protect employees in many buildings.

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Councilmember Friedrichs then said, "Someone mentioned to me that the during the January 6th insurrection some of the 'Proud Boys' were quoted as having said that 'they had left their weapons in Arlington because DC regulated open carry.'" She indicated her surprise that someone "determined to carry out a violent act" would leave weapons in Virginia knowing that DC banned open carry. She asked Chief DeBoard if she had any insight on that.

Chief DeBoard said, "it's very clear that a lot of times when there's a group that's being watched, and certainly everybody in that...demonstration, it started as a demonstration that turned into a riot. They were being watched and when people are watched they tend to put things aside so that are not interrupted with their behavior. It's also common for people who are involved in those types of incidents to stash weapons in different places so that they can go back and get them. Their purpose was to get in there and it is not uncommon for them to put those aside so they can continue to be involved in that event and not be stopped. So, that that would not be unusual at all to see something like that." Councilmember Friedrichs thanked her for the insight.

Vice Mayor del Aguila said he only saw signs in the Fairfax County Government Center and asked Chief DeBoard if that was her understanding. Chief DeBoard stated they have security to the right and use magnetometers for meetings. Vice Mayor del Aguila interjected and disagreed.

Chief DeBoard indicated she had stopped going there, and Vice Mayor del Aguila asserted that he went twice in the past week. He said people just walked in and out, and they have the signs up. He said, "And the other thing I'll take issue with, is signs do work, in my opinion. Look around town we have speed limit signs, for a purpose, they are a reminder. Subconsciously, it triggers something, 'hey slow down,' 'hey if you've got a gun put it in the car.' So I do think they do work and all due respect, we appreciate your input, but I think if we start small, because we don't have three million to invest, six grand is a pretty good minimal viable product to start with to build on safety." Vice Mayor del Aguila continued.

Mayor Olem stated Vice Mayor del Aguila's statement was argumentative and that he was not asking a question. He stated that was her opinion. Vice Mayor del Aguila and Mayor Olem spoke over each other.

Mayor Olem indicated Chief DeBoard could continue, and Chief DeBoard began to say she was not arguing when Vice Mayor del Aguila interjected. He said, "my question is do you think small is a good thing or bad thing to initiate this long-term safety?"

Chief DeBoard clarified that she was asked whether signs deterred criminal activity. She restated she did not believe signs would stop anyone intending to do harm. She thought it would remind honest people to leave their weapons outside.

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She referenced people who speed and take the chance of being pulled over saying they speed without regard to signs out. She felt there was nothing wrong with putting signs up, but they would not stop someone who intended to do harm and that was her only point. She was not telling Council whether to put signs up. She reiterated she did not think they would stop criminal behavior.

Mayor Olem stated Chief DeBoard was right about the Fairfax County Board of Supervisors using magnetometers during meetings, but when she went over during the day it was open.

Councilmember Regan thought it might be helpful to look at the proposal in two parts. One about limiting the possession of firearms in buildings and parks. The second about installing magnetometers. He indicated he understood they went hand in hand, but he thought it would be better to discuss them separately. He also stated he had another comment, but the Mayor made it. He indicated his other questions were whether a taser was a gun and about individuals authorized to carry concealed weapons under the Law Enforcement Officers Safety Act.

Chief DeBoard clarified that retired law enforcement officers who retired in good standing could qualify annually to carry state-to-state under the Law Enforcement Officers Safety Act. In response to further queries from Councilmember Regan, Chief DeBoard further clarified that regular citizens with concealed carry permits did not fall under that bucket.

Councilmember Regan asked how often concealed weapon permits had to be reauthorized, and Chief DeBoard indicated she did not know but could look at that. Councilmember Regan indicated Mayor Olem was saying five years. He also asked if a taser was a gun, and Chief DeBoard stated it was not.

Mayor Olem stated they may have changed that since she got hers, and she had a permit but no weapon.

Councilmember Singh asked Chief DeBoard to articulate the level of threat from gun violence in Herndon, where that threat was, and how it was categorized.

Chief DeBoard expressed that she may think differently than many due to what she was exposed to. She reiterated passing the ordinance was a Council decision. She stated there was increased mental illness and workplace violence which were of great concern. She mentioned the Virginia Beach shooting as an example of a place with very few issues who then had a mass shooting inside city buildings. Chief DeBoard then shared there was a situation with a Herndon resident a few years prior where HPD intervened and locked someone up who was heavily armed and en route to do a workplace violence situation to Reston. She said those people do exist, and they had located them in the community. She also stated they were fortunate in Herndon to have extremely low gun violence. However, it

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was really what they do not know. She reiterated that Council enacting something to reduce risk was their decision. Chief DeBoard summarized that the potential for gun violence around the country was “extremely elevated” at that time in just about every jurisdiction. She restated that they were fortunate in Herndon that it was still low.

Councilmember Singh opined that the ordinance was addressing gun violence to government buildings and people inside as well as at public events like Friday Night Live! and the threat was different. He was asking if the threat was less than “at large.”

Chief DeBoard stated that public events had greater concern for the ability of someone to take an opportunity at a large event and turn it into an active shooter situation. She indicated those had always concerned her and was why she worked hard with Mr. Ashton and DPW on things like perimeter hardening for those events. She said it was easy for Herndon to feel lucky, but she clarified they were no less of a target than other places. She stated it depended how Council wanted to approach it, and she reiterated that outdoor public events were always a very high concern for her as well as the employees working in town buildings.

Councilmember Singh thanked Chief DeBoard but indicated he was not satisfied because they were trying to decide about putting signs up and charging people with a crime if they brought their weapons.

Chief DeBoard provided information about additional things she knew. She indicated the current conversation was about signage and magnetometers, but prior to COVID they were in the process of making physical changes to many town buildings beginning with securing doors in the HMC and at Town Hall as well as barriers between staff and the public. Some of those things were never completed. She thought that also needed to be looked at for how they could harden buildings without things like magnetometers to provide a level of protection. She reiterated those things were aborted with the pandemic. Chief DeBoard felt those were reasonable steps to take to make employees safer without adding the magnetometers. She expressed things had changed in the nation and these were still viable steps to look at.

Mayor Olem inquired about the charges for violation, if signs were up. Chief DeBoard said it was a misdemeanor and asked Ms. Yeatts to further clarify. Ms. Yeatts indicated that was something Council would decide. She explained that in the ordinance she presented for discussion it was a Class I misdemeanor, which was up to 12 months in jail, or up to \$2500 fine, or both.

Councilmember Friedrichs asked Chief DeBoard if hardening the buildings would achieve the same goal as the magnetometer. She asked if they just need one or both.

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Chief DeBoard indicated the more they did the more secure they would be. She felt the hardening of the buildings was an important piece. She indicated some of the projects were large, expensive, and got slowed, so the hardening should really be looked at. Hardening barriers would give employees time to move away from the threat and notify HPD. Those pieces, including panic buttons and other things, were things they looked at extending to other buildings and putting more barriers up. She reiterated that was all interrupted. Chief DeBoard further stated that magnetometers generally prevent guns from coming in. If someone was attacked and got through, then employees were exposed. She said hardening workspaces would give better protection and more security until authorities got to the scene.

Councilmember Friedrichs inquired about an employee going rogue. Chief DeBoard stated that was always the danger and with workplace violence, employees could walk through barriers and have access. She stated that was where magnetometers and things like that would work. She clarified they were really talking about three groups of people: visitors, employees, and Council. There were different layers to decide on and figure out. Chief DeBoard stated places like the Herndon Community Center could not be fully hardened because it was an open environment where people could come and go. She said they would need to decide where they would get the most value and stated there were no complete solutions to fully protect people from violence and that was the difficulty with the world.

Mayor Olem asked if Council knew where they were going with this and whether it was high priority, low priority, or “park it in the parking lot.”

Vice Mayor del Aguila recommended making this “a priority” and focusing on the MVP, which he thought were the signs and a plan to study and allocate funding for a safe environment. He reiterated that was his suggestion for that item.

Councilmember Singh had a question for Vice Mayor del Aguila about the “minimum viable product,” and Vice Mayor del Aguila interjected that it was a best practice.

Councilmember Singh did not know what that meant or in what context it was used. He asked what it implied in public policy. Vice Mayor del Aguila and Councilmember Singh spoke over one another. Councilmember Singh wanted to know more about that.

Vice Mayor del Aguila indicated he wanted to answer.

Mayor Olem asked Vice Mayor del Aguila to let Councilmember Singh finish his statement so she could hear what he said.

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Councilmember Singh said they used terms to make arguments without defining them. He stated that they needed to take time and have a person write those things up, give references, and come back and ask questions. He thought they should read on their own so they could discuss and rate the initiatives properly with full understanding. He said they could make decisions “as politicians” but they were in a small town where “the rubber meets the road” and means “actually dealing with the real issue.” He indicated they must understand them to an extent and that was his question.

Councilmember Regan indicated he did not know if they were doing formal votes that night but said that the “Vice Mayor ‘suggested, or moved,’ that this move forward as a priority.” He further clarified he took that to mean “it would be further developed within the parameters we’re talking about, and it appears as an agenda item, and there would have public input and Council input, and there’d be a vote.” Given that assumption, he indicated his support for moving it forward.

Councilmember Friedrichs agreed.

Councilmember Singh indicated he wanted to clarify and said they needed to assign high, medium, or low priority to the items.

Mayor Olem asked how many were saying it was a high priority, medium priority, or low priority and asked them to indicate. She clarified four members of Council indicated it was high priority and that it would be a “high item.”

Strategic Initiative #16, Dedicated FOIA Resources

Mr. Ashton said they needed to promote Director of Communications and Economic Development, Anne Curtis for the FOIA report which was put together by her department and HPD. Mr. Ashton indicated that they would presume the reports were read and staff could take questions at that time.

Councilmember Friedrichs asked if it was accurate that ten percent of Ms. Curtis’ time and 80 percent of the HPD Public Information Officer’s time were spent on FOIA requests. Chief DeBoard said that was correct for HPD. Councilmember Friedrichs then clarified with Chief DeBoard that they were trying to fill a dedicated FOIA position at HPD. Councilmember Friedrichs explained her impression was that if they did not charge for complex FOIA reports, staff time would be much higher.

Chief DeBoard clarified that not only would that be much higher, but they anticipated they may not be able to meet the demands. She said HPD had a different challenge with FOIA because with any type of camera footage, they must redact every piece of personally identifying information, legally. She indicated costs make the requests more reasonable.

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Ms. Curtis said HPD had different challenges. Ms. Curtis provided information about the FOIA policy which was created due to a lot of requests and having no way to encourage people to narrow or specify requests which they were required, by law, to fulfill. It had become a problem which was why Council created a policy in 2007. Ms. Curtis stated they did research other jurisdictions and she found no example of a Virginia jurisdiction that did not charge. There were mechanisms to charge for staff time and requests.

Chief DeBoard mentioned having a dedicated FOIA person. She also stated a General Assembly bill from July 1 would require certain pieces of criminal information from files. HPD would also have the right to refuse to release and challenge if they felt it would compromise an investigation. They would need to decide what they needed to protect or if they need to go to court to suppress the request. They needed to protect victims and those working with HPD to prosecute and provide testimony for criminal information files. They would need to be diligent about that instead of just opening files which would take significant staff time. Without charging, it may make them unable to operate.

Councilmember Friedrichs accepted it would be detrimental to make FOIA requests free and indicated she was okay with taking this off as a strategic initiative.

Mayor Olem asked for further input from Council. She recognized Councilmember Singh.

Councilmember Singh asked if there was data readily available that public interest groups want. Of overall requests, he asked how many were like that compared to the expensive requests.

Chief DeBoard stated any police report had to be redacted and go to the FOIA official. Walk-in requests for criminal background checks and report verifications still took staff time. She also informed them that HPD not charging for certain things made everyone come to HPD, which increased the burden.

Responding to Councilmember Singh's queries about the types of requests HPD receives, she clarified information about types of background checks, report verifications, accident reports, and video footage were all outlined and could be found in the report. She stated they had the ability to charge for some of these things, but do not have that implemented.

Councilmember Singh apologized saying he had not read all of the report.

Vice Mayor del Aguila expressed concerns about saying you must be able to afford FOIA requests. He thought there was something innately wrong with that and referenced requests over \$200 being a problem for some people. He thought

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one that he did was around \$1400 and opined if Council wanted to be open and friendly to everyone, they might need to "eat the cost." He did not like the notion of putting a burden on people, and people abusing the system would always be the case but not a reason for him not to support. He indicated they could try it for a year and reiterated he did not like the idea of making it a burden on citizens.

Mayor Olem opined that they were not holding information back and much of it was available online. She referenced Granicus, meeting minutes, and more and expressed that if people wanted to call for a lot of information, they would be opening the doors to that and all taxpayers would pay.

Chief DeBoard reiterated that if they received massive requests for video, they would not be able to meet that demand, even with a dedicated official. She also clarified that those involved with incidents with HPD who could not afford FOIA were given access to police reports and video through the discovery process with the court.

Councilmember Dhakal inquired about the estimated \$34 per hours of staff time for non-HPD FOIA claims, and Ms. Curtis indicated she used that estimate based on a bill that was tabled by General Assembly which would create a standard. In the FOIA Council recommendation, they use \$33 an hour. In the town, they charge the actual rate of the individual fulfilling the request.

Councilmember Dhakal inquired about the number of FOIA requests and the average time spent on requests. Ms. Curtis said they looked at the past three years of total staff hours spent. She clarified the majority of requests over \$200 for the town come from companies. Ms. Curtis stated that staff time in 2020 was about 80 hours, in 2019 about 70 hours, and in 2018 about 258 hours.

Councilmember Dhakal asked about the average. Ms. Curtis indicated it was difficult to average. Councilmember Dhakal indicated he was trying to find out how much a person normally pays for reports. Responding to Councilmember Dhakal's queries concerning HPD, Chief DeBoard clarified they were not charging under \$200 requests. She also indicated they moved to a dedicated FOIA position due to growing requests and trends. Chief DeBoard further clarified that complex FOIAs were still cleared by Town Attorney's office and not just the FOIA official.

Ms. Curtis also clarified that in the town they do not charge for the individuals time who is fulfilling the request and do not charge the requester for the Town Attorney or town official's time. She said this was different from HPD.

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Councilmember Dhakal agreed information should be free to the public, but he was concerned with misuse and abuse. He indicated he was thinking they should keep it the way it was and suggested the possibility of adopting how some jurisdictions charge the minimum rate of the lowest paid staff.

Mayor Olem asked Ms. Yeatts to comment on what happens if they do not meet FOIA timing requirements.

Ms. Yeatts clarified that individuals who were FOIA officials are charged with complying with time periods within which to provide records. A real danger of not charging or just having an increased workload that they could not address, was that their FOIA individuals would not be able to meet those deadlines which have danger of personal penalties attached for staff members. Regarding HPD, the town would ask employees to operate at a rate that would set them up to be personally liable and the town would be responsible as well. They try to talk to people and help them home in on what information they are trying to get. Most cases are minimal, if any cost. She indicated that specific subjects help narrow down searches. She also said it would be dangerous to put employees in a situation where they could not meet deadlines.

Discussion on the Process

Following discussion between Council and staff, Vice Mayor del Aguila asked the Council if they should decide to leave this item "as is," and move on.

Mr. Ashton thought the term they were using was a "parking lot" in that instance. He thought it was an excellent idea, especially since the General Assembly had a bill to try and standardize all FOIA charges statewide. The bill was tabled, moved to the FOIA Council for review, and would be back before the 2022 General Assembly. He stated that if the Council made changes now, there was a chance that in two months, they would have to reenact them to be consistent with state law.

Mayor Olem asked how many would like to "park" this item, and Councilmember Singh stated he was not clear, because he thought the Council was just discussing the Herndon Police Department (HPD) portion of the item.

Mayor Olem replied that they were discussing all FOIA requests.

Councilmember Singh asked if the motion was to stop the discussion, and Mayor Olem clarified that they were discussing whether to move the FOIA issue to the priority list, not add it to the priority list, or "park it" until a time in the future, because there were changes coming from the General Assembly.

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Councilmember Singh described his personal experience with FOIA and believed that in his instance, his only option had been to sue the town, which he said was an issue all the time. This was the reason he put the FOIA “stuff in there.” For him, the second part was data he thought was incomplete that could be scanned, and he believed the cost of each FOIA request should be nothing. He wanted to discuss ways to make these costs very low.

Discussion on Strategic Initiative #16, Dedicated FOIA Resources

Mayor Olem said she was asking about “parking” and indicated she saw Councilmembers Dhakal, Friedrichs, Regan, and the Chair agreeing to “park” this item.

Mayor Olem asked who would like to move the item forward, and stated she saw Councilmember Singh.

Mayor Olem asked if anyone would like to say “no, don’t do anything with it” and saw Councilmembers Dhakal and Friedrichs, to which she said they could either vote “no” or “park it.”

Point of Clarification

Vice Mayor del Aguila called a “point of clarification” and asked if the Council said, “don’t do anything with it,” were they saying, “leave it as is,” and “wait until.”

Mayor Olem indicated that was “park it,” which meant “park it in the parking lot until they wanted to bring it back.”

“Park it” For 12 months Action on Strategic Initiative #16, Dedicated FOIA Resources

Councilmember Regan suggested that the Council “park it” for 12 months.

Mayor Olem asked who would like to “park it” for 12 months and stated that she was seeing Councilmembers Dhakal, Regan, and the Chair. She stated that she saw four of Council saying to “park it” for 12 months.

Vice Mayor del Aguila stated that he did not count four.

Mayor Olem stated that she saw Councilmembers Dhakal, Friedrichs, Regan, and the Chair saying “park it” for 12 months, and then realized that Councilmember Friedrichs had not agreed to do so.

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“Move as a priority” Action on Strategic Initiative #16, Dedicated FOIA Resources

Mayor Olem asked for those that wanted to move this item as a priority to raise their hands and stated she did not see any.

Vice Mayor del Aguila stated this was a priority but suggested that they “kick it” to the next strategic session discussion. He thought it might stay the same, but that it should be a priority item, maybe a medium priority according to the “Singh Scale.”

Mayor Olem asked Councilmember Dhakal whether he was “priority” or “park it.”

Councilmember Dhakal stated he was trying to clarify when he raised his hand, and he thought Mayor Olem counted that as a vote. He thought moving the item to the “parking lot,” moving it for 12 months, or making it a low priority and taking it back when time comes, were all the same thing.

“Park it” Action on Strategic Initiative #16, Dedicated FOIA Resources

Mayor Olem stated that she would call the roll and ask who wanted to “park” this item until they asked to bring it back.

The vote was 5-1: Councilmembers Dhakal, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting “yes.” Councilmember Friedrichs voted “no.” Councilmember Alam was absent.

Strategic Initiative #25.4, Housing Allowances for First Responders and Teachers

Mr. Ashton asked IT to promote Tanya Kendrick, Director of Human Resources to provide information along with Chief DeBoard for this item. Mr. Ashton stated he sent Council a separate memorandum with some questions. He indicated at Tuesday night’s meeting it seemed the sponsor of the initiative was targeting a smaller, HPD-focused approach. Staff could answer any questions Council might have about this initiative and then take next steps of information gathering.

Councilmember Friedrichs asked Chief DeBoard about members of HPD wanting to live in town because of privacy issues.

Chief DeBoard said, not being dismissive of any benefit Council would try to provide staff, the larger amount of staff could not afford to live in town and even with the stipend could not afford desired housing for their families. She indicated there was a growing crisis with law enforcement officers and what they need most was downtime and time out of the environment where they are always seen as a police officer. Numbers from mental health surveys across the profession were

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devastating from an anxiety and depression standpoint, and the more staff can decompress and refuel to come back healthy is important. She indicated the majority of HPD officers do not want to live in the environment where everyone knows who they are. Affordability of the type of homes desired for their families was another issue in the area. Chief DeBoard provided a personal anecdote about her own home. She said they need to respect that HPD officers truly do want time away from the work environment. Chief DeBoard felt those who would take advantage of a stipend would be young officers without families.

Councilmember Friedrichs thought those would be great people to use the stipend. She asked Ms. Kendrick if such a stipend for HPD would cause a rift with other staff, and Ms. Kendrick opined that could happen. Ms. Kendrick further explained that, based on researching other programs in the area, most were for first time home buyers for lower income employees based on general guidelines. She further clarified that HPD officers could not be eligible based on their income. Ms. Kendrick concurred that they found people did want to decompress and potentially desired more land or bigger homes. She also stated DPW was at more of an economic disadvantage and typically made less than sworn officers. She said many DPW staff were driving in to work and it could cause issues with those staff members.

Vice Mayor del Aguila asked if Ms. Kendrick was advising they do nothing with this item. Ms. Kendrick indicated that in her research she found no jurisdictions that had programs specifically for first responders. What she did find were alliances with housing authorities for low-income housing. Those who had done them or were doing them were substantially larger and had departments. Her opinion was that unless it was for all employees, it would cause an inequity of benefits among employees. Her opinion would be not to do it.

Vice Mayor del Aguila opined that they would be setting the bar if they were the first to do this as a town. He liked the idea of opening it up to everyone. He said first responders was the idea so they could start small. He thought what he was hearing was making it available to all employees was the way to go. Vice Mayor del Aguila said he disagreed with Chief DeBoard about people not using it, and he did not know the costs, but they were trying to foster more inclusion and community. Vice Mayor del Aguila thought this was still a priority and a good initiative to take forward.

Councilmember Regan said he had done work on this in Florida and provided brief information about single family homes there on school grounds. Councilmember Regan appreciated the concern about people not wanting to live there. He wondered if there was a way to learn more about starting with a certain criterion of who this would apply to. He suggested a lottery type situation and said he did not want the fear of it getting to big to keep it from happening on a small scale. He indicated the reason to advance would be to figure it out.

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Councilmember Dhakal liked the idea of starting small with certain limitations or a pilot project to see how it went. He suggested a survey for HPD and staff to gauge interest and how many it applied to for cost estimates. Councilmember Dhakal thought the reason to do it was to benefit by investing. He thought there were subjective ways to implement a pilot project. He suggested they monitor success and expand or discontinue based on the results. He thought it was a great idea and they should get more information from staff about financial impact and what they can afford. Councilmember Dhakal summarized that it should be a priority to further discuss and make decisions about.

Councilmember Singh said anytime you give government subsidy you have to see if it works. He suggested there are articles about whether these things work, and he thought they should reference those instead of going out and seeing. He thought they could ask those who stayed with HPD why they stayed and the benefits. From that, he thought they could see if it was worth it to move forward. He suggested Vice Mayor del Aguila could look for articles supporting and reiterated they needed background information and informed decisions. He said he personally did not agree with government subsidies.

Mayor Olem was not sure why they would do this. She said there were numerous companies in the area who would rent to police and teachers and echoed Ms. Kendrick's comments about how this would look between departments.

Discussion on the Process

Following discussion between the Council and staff, Mayor Olem stated the Council needed to discuss if they wanted to "park" this item or "move it on."

Vice Mayor del Aguila stated that he would gladly do more research, work with staff, or do a survey as Councilmember Dhakal had suggested, but he thought this was a priority. He explained he thought this was a way to build the future community and stated it was not mandatory. He understood that staff did not have the costs yet and he thought it was a way to address the concern in the majority-minority community where he said there was tension with the police. He wanted to keep this on priority to discuss more and gather feedback from staff.

Councilmember Dhakal stated he would vote to make this a priority as well to gather more information.

Mayor Olem stated that if the Council put everything on the priority list to go back and research, they would not get anything done that night. She indicated that if this needed more research, it would be more appropriate to "park it" and after information was found, they could bring it back.

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Councilmember Regan stated that it made sense to have items on the Council's list that were different and new, which this would be. He described items like this as a "moon shot" and he thought they owed the town a few of these types of issues. He would offer to drop the issue of cut-through commuter traffic from the list so this item could remain on the list. He was not concerned if they picked this up in two weeks or two months, because it was a long-term thing. He thought it would be worth the effort if it helped.

Mayor Olem stated that if things were long-term and the Council wanted to keep talking about it, that was a "parking lot." If there was something that would move forward soon, that was a priority. She said that if Council wanted this to be a priority, they would have to limit the number of priorities.

Councilmember Singh stated that was exactly his point and asked what the level of priority was. He went back to his motion, which was to write a narrative and discuss in greater detail. He would go so far as to say the Council should meet again in another month, after they give time for people to write their narratives and discuss more information. That night, he thought they could say, what were the broad items that were important, whether it was open government, or whatever, at that level. He stated that a lot of things could end up as high priority items which would not comply with his motion.

Mayor Olem stated that Mr. Ashton could excuse Chief DeBoard from the meeting, as this had been her last item.

Councilmember Regan appreciated everyone's patience to slog through these items and stated it was probably smart to move forward to make good use of the Chief of Police's time. He thought once the Council discussed the process for the meeting, it would get a lot easier. He thought the word "priority" was a good word, but it was not necessarily helpful. Something could be a "high priority" and still be a long-term thing. They needed to distinguish between the two. He suggested muddling through this and stated he would then move to put Councilmember Singh's motion back on the table.

Mayor Olem stated that the "parking lot" did not mean the item went away, rather it was "parked" there until more information came along. The priorities were things that they were ready to get going and have staff work on. They also had to be ready for presentations and public hearings.

Councilmember Friedrichs stated there was earlier discussion about identifying two projects that evening, and letting the others go to the "parking lot," or to Councilmember Singh's point, they would all research their own projects and create proposals. She stated that depended on how big those items were and if Council could agree on things that were "high priority."

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Mayor Olem stated that if there was no information to move on this, it seemed difficult to her to have it as a priority. She asked again if this was a priority or "parking lot."

Councilmember Singh thought all they could do that evening was to give the top choices that everyone had. He gave the example of "open government" and stated there were several things under that topic. That would set things in motion to go to the public and let them know what the Council was focusing on for the next six months. The Council could then advise and help move this forward. He stated there were too many items, and the Town Manager did not select his items on this list. He said he was not complaining, but there were many other items, and that was why the broad level was important.

Point of Order

Councilmember Dhakal called for a point of order.

Mayor Olem recognized Councilmember Regan and he yielded to Councilmember Dhakal.

Mayor Olem asked what Councilmember Dhakal's point of order was.

Councilmember Dhakal started by asking to discourage the way they were...

Mayor Olem stated that was not a point of order.

Ms. Yeatts suggested that Councilmember Dhakal might be requesting a "point of information," to which Councilmember Dhakal responded by saying his humble request was that as this was a Council meeting, using the words "the Town Manager did not put my agenda on the list," would not go well to the public. He asked the Council to refrain from using that language, even if they were kidding or not complaining. He stated that showed the Council was not respecting the staff and was accusing them in the public forum, which concerned him.

Point of Order

Councilmember Singh called for a point of order on Councilmember Dhakal, saying that the information he said was incorrect. He said Mr. Ashton stated that at another session, they could "come back and put them on this list."

Responding to Councilmember Singh, Mr. Ashton reviewed the process established by this Council, which was to send to him three to five items that they wanted to discuss. Every one of the three to five items Councilmember Singh sent to him in a bulleted list ~ like everyone else had sent ~ went onto the initial discussion. Councilmember Singh had sent him another long piece of work with a

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lot of information in it that could not be unpacked, but the three to five bullets that he sent made the discussion the same as everyone else. Mr. Ashton assured Councilmember Singh that he was treated the same as everyone else on this body.

Discussion on the Process

Regarding the initiative being discussed, Mr. Ashton stated that he had a solution so they could move on to other things. He explained that the memo he sent Council had questions to have a conversation. Now that they had narrowed the scope, he asked Council to allow him to go back and create a budget for developing a model. He would still need tax experts, how they would “means test,” and he wanted talk to housing experts about implementing this. He asked Council to go back, and while he was developing a budget, staff could garner interest. He would report back to Council in approximately three months on this topic with the budget and level of interest to see if that was how they would still like to proceed.

Vice Mayor del Aguila echoed that he would not like to see Councilmembers call anyone out. Regarding this item, he understood that it needed more time, effort, and study, and agreed with Mr. Ashton’s suggestion. He asked that they agree to this and then keep going.

“Park it” Action on Strategic Initiative #25.4 Housing Allowances for First Responders and Teachers

Mayor Olem stated that she would call the roll and ask who wanted to “park” this item.

Vice Mayor del Aguila stated he would “park” this item until the next meeting when they had more information.

Councilmember Dhakal stated he would “park,” until the next meeting where they would discuss strategic planning.

Mayor Olem stated that Council was not really doing anything then and was keeping it a priority.

Councilmember Dhakal thought priority meant it had all the information and it was ready to be pulled for a work session. “Park” meant that it needed more information, so it would come back to the next planning session.

Mayor Olem stated that “parking” meant the item would come back when they had more information, so the people that were “driving” had time to get the information.

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Councilmember Regan would be comfortable following Mr. Ashton's recommendation on this item. In terms of a councilmember taking a lead on this, he would be willing to do so, and he asked Vice Mayor del Aguila to join him in that effort.

Mayor Olem stated that was what they called "parking," to which Councilmember Regan responded that was what he was doing, and he would put his name on it.

Vice Mayor del Aguila agreed to co-sponsor this item with Councilmember Regan.

Mayor Olem asked Councilmember Friedrichs if she was "parking" or prioritizing, to which she responded "yes."

Mayor Olem asked Councilmember Singh if he was "parking" or prioritizing, to which he responded "parking."

Mayor Olem indicated she was "parking" as well.

The vote was 6-0: Councilmembers Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye." Councilmember Alam was absent.

Mayor Olem asked Mr. Ashton what the next item was, and Mr. Ashton suggested it would be valuable to have a conversation about prioritization and processes.

Discussion on the Process for Prioritizing Initiatives

Councilmember Regan moved to bring Councilmember Singh's motion back on the table to try and get better clarity on the process.

Mayor Olem stated that it was discussed, and they had agreed they were going to bring it to a public hearing after the motion was written up and reviewed with Ms. Yeatts. She asked if that was correct. She stated they had all agreed they wanted to do that, but they were going to get it on an agenda in the future, with which Councilmember Singh would assist.

Councilmember Regan said that was fine with him, but he thought he had moved to table the motion and that it was passed. He asked Ms. Yeatts if that was correct. He stated that maybe the motion never was, or maybe he moved it and it got no support.

Ms. Yeatts stated she thought it would be worth clarifying what everyone thought. She saw Councilmember Singh and Vice Mayor del Aguila's hands raised and encouraged further discussion.

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Councilmember Singh stated he did not know what the objective of the meeting would be and reiterated priority levels and the difficulty without narratives which would be developed by the person who “owned” them. He thought this was just for broad level items.

Vice Mayor del Aguila thanked staff for their work. He said he read everything and there was a lot of information. If it was okay with Council, he said the next item was the historic district overlay review if they wanted to discuss that.

Mayor Olem indicated she would not go for that.

Following discussion, Ms. Yeatts looked back at her notes and stated that Council had tabled Councilmember Singh’s motion earlier in the meeting so it would follow the Chief of Police’s items. Council could continue to table it, or take it on now, but she opined it should be resolved or left tabled.

Mayor Olem thanked Ms. Yeatts for the clarification and stated if that was what they were going to do, she would like to move forward with Councilmember Singh’s recommendation and come back to a meeting in the future.

Councilmember Dhakal thought they were all confused by terminology and not having anything written. They all perceived things differently. He recommended that going forward they could define acceptance criteria or definition of “ready”. He liked seeing the impacts. Definition of ready. Then they could vote on level of priority. Items missing impact information or needing further research goes to “parking lot.” Then staff would bring more “meat” into the discussion. Meeting definitions that are written and agreed on.

Motion ~ Action on Process for Prioritizing Initiatives

Councilmember Singh stated that his first item was a statement of a problem and if so, what should they do. The person who “owned an issue” would have to tell Council that there was a particular problem. This was why he wrote the motion, because until they discuss a problem, they could not prioritize it.

Mayor Olem asked Councilmember Singh if that was a motion to put his recommendation back on the table.

Councilmember Singh confirmed and stated that his motion was to see whether they wanted to adopt this and then follow through with anything else in the future that would make them prepared. It would be on the person proposing something to articulate the problem.

Mayor Olem stated that Councilmember Singh made a motion to move that forward and asked Vice Mayor del Aguila if he was making a second.

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Vice Mayor del Aguila seconded the motion for the purpose of discussing it, because he thought it needed more clarity.

Mayor Olem stated there was a motion and a second. She stated the Council was discussing the general process for prioritizing the initiatives:

1. "That the person making the suggestion will provide a brief narrative and would indicate what the problem is;
2. The sponsor would present the narrative to the Councilmembers, Town Manager, and staff;
3. If it has not been included, would work on the feasibility of that issue; and
4. The Council would vote on it as was discussed earlier."

The vote was 6-0: Councilmembers Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "yes."

Mayor Olem stated that they were accepting Councilmember Singh's general process for prioritizing the initiatives and thanked Councilmember Singh.

Following the vote, several Councilmembers made brief comments on the motion.

Vice Mayor del Aguila mentioned he thought it was a good process and important. He apologized for not "owning" some of the initiatives. He thought Council could have done better in that sense and they were not prepared for that evening's meeting. Identifying owners and co-sponsors was something he supported going forward. Items without owners would no longer be initiatives. He thought they should have done that for the meeting to go differently.

Councilmember Regan indicated he would send an email about the items he wanted to sponsor to Mr. Ashton. He thought they needed more specific wording and vocabulary moving forward and that staff would appreciate if Council said things like "table until next planning meeting" either for more research or doing nothing. He indicated he liked having quarterly meetings as markers and thought pacing work was helpful for all of them.

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Clarification

Councilmember Singh wanted to offer a clarification. He stated that he wrote another page or page and a half about how to set the priorities beyond his motion and he would be happy to send that to everyone for review. He thought this would provide a framework for where the Council wanted to go and what they wanted to take up. He said what they were proposing as changes and did not blame staff. He mentioned broad issues like integration with the multicultural board, open government, and their experiences. He suggested major topics for the next number of months and frameworks for thinking about where they want to go and what they want to take up.

Councilmember Friedrichs suggested that, if the Council wanted to accomplish something that night, they could go down the list, go through Councilmember Singh's methodology, and if someone came back with that proposal and added it to a work session agenda, she stated that would be a priority.

Councilmember Dhakal agreed with his colleagues. He felt no matter how hard the process, they were doing it for the good. He thanked staff for information and indicated his perspective had changed based on real information and deciding what is valuable. He also thanked Councilmember Singh for his way of prioritizing. Councilmember Dhakal thought the end product would be awesome and thanked Council and staff for being proactive. He thought they could organize the next meeting based on what they learned at this meeting and move forward being more efficient.

Mayor Olem stated that as someone who was not privy to a lot of the things before they were presented to Council, which she indicated she asked for numerous times, she thought it would be helpful to know what Council was talking about.

Mayor Olem asked Councilmember Singh if he could send his information to the Town Clerk to distribute it to the Council, so they do not have a meeting and start going back and forth over email.

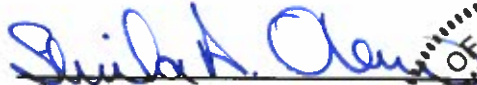
Councilmember Singh stated he would be happy to do that the next morning and provided additional comments on the initiatives process about what councilmembers would own. He would work on "open government" items.

Following Council comments, Mayor Olem asked if everyone on Council could claim their initiatives via an email to herself and Mr. Ashton, so that it would not constitute a meeting, and so it could be put together. She wanted to operate under FOIA and transparency.

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3. ADJOURNMENT

On motion of Councilmember Regan, seconded by Councilmember Friedrichs, and carried by a 6-0 roll call vote by electronic means, the meeting of the May 6, 2021, Town Council Meeting was adjourned at 9:57 p.m. The vote was: Councilmembers Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye." Councilmember Alam was absent.


Sheila A. Olem
Mayor




Jessica Sizemore
Legislative Assistant

Minutes approved by Town Council: August 10, 2021.

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NOTE:

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