



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

**HERNDON TOWN COUNCIL
Work Session
Tuesday, September 21, 2021**

At a regular meeting of the Town Council of the Town of Herndon, Virginia, held in the Herndon Municipal Center, at 777 Lynn Street, Herndon, Virginia, on Tuesday, September 21, at 7:00 p.m., there were present:

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

Staff present during the meeting: William H. Ashton II, Town Manager; Lesa Yeatts, Town Attorney; Chief of Police, Maggie DeBoard; Robert Tang, Director of Finance; Page Kalapasev, Director of Information Technology; Viki Wellershaus, Town Clerk; Dave Bracamonte, Systems Manager; and Margie Tacci, Deputy Town Clerk.

CALL TO ORDER

1. Roll Call & Determination of Quorum

Mayor Olem called the public hearing to order at 7:00 p.m. and asked the Deputy Town Clerk to call the roll for attendance. She asked each member of Council to indicate they were present. Following the roll call for attendance, Mayor Olem confirmed there was a quorum present.

**September 21, 2021
(work session)**

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.

TOWN MANAGER UPDATES

2. Comments from the Town Manager

The Town Manager stated in two weeks they would begin holding work sessions in the Herndon Police Department's Community Room at 397 Herndon Parkway. That would be a temporary location until renovations were completed at another location on Herndon Parkway.

The Town Manager also shared that COVID numbers remained constant with Fairfax County seeing around 200 cases per day. The percent positivity had been on decline for the past seven days. He indicated they were still reacting, as an organization, to state mandates and had not yet heard from the federal government but would react to whatever happened.

Questions from Council

Mayor Olem inquired about masks in town buildings, and the Town Manager confirmed they were required.

COMMENTS FOR THE RECORD & DISCLOSURES

Mayor Olem asked the Deputy Town Clerk if any comments or disclosures had been received for any items on that evening's agenda. The Deputy Town Clerk stated comments had been received on Agenda Item #3 and all comments previously received and entered into the record prior to April 13, 2021 were re-entered into the record for that night's meeting. Subsequent comments were also entered into the record for that night's meeting.

The Town Clerk had not received disclosures from Council on any items listed on the agenda that evening.

**September 21, 2021
(work session)**

PUBLIC HEARINGS

3. **Ordinance 21-O-10, to amend Chapter 46 (OFFENSES), Article II (Firearms, Crossbows, and Pneumatic Guns), to amend definitions and to create a new Section 46-60 (Possession of Firearms on Town Property), to prohibit the possession, carrying, or transportation of any firearms, ammunition, or components or combination thereof on Town property, in Town buildings or on certain other areas owned by the Town.**

Prior to the staff report, Mayor Olem expressed her appreciation for staff and their work at the prior public hearing. She said they kept everyone safe, and the Town Clerk's office received positive comments. Mayor Olem shared there were around 15 speakers, and the procedure would be the same at the upcoming public hearing.

The Town Manager indicated the Chief of Police was not yet at the meeting, and he could try to answer questions on her behalf.

Mayor Olem recognized the Town Attorney for the staff report.

The Town Attorney reviewed the Council's prior discussion of this item, which included a work session and public hearing in the past two weeks; consideration of a firearm prohibition at the September 15, 2020 work session; April 6, 2021 work session; April 13, 2021 public hearing; May 6, 2021 Strategic Planning Meeting; and June 1, 2021 work session. The Town Attorney reminded Council she presented a PowerPoint, which is on file in the Town Clerk's office, the past two weeks. She said there were no changes to the ordinance and no additional information received. She indicated she could present the PowerPoint again, if Council requested.

Mayor Olem said Council had the PowerPoint and asked for comments or questions.

Councilmember Singh said he prepared an outline for everyone after discussions with members of Council and the Town Attorney. Councilmember Singh felt the basic issue was weighing an individual's right to keep and bear arms for personal safety against government's compelling interest in public safety. He proposed it was important to secure the Council Chambers, and he felt one option was to have a sign, outside of the Council Chambers or any place Council met, indicating no firearms, even with a permit. Councilmember Singh provided further comments about guns and background checks. Councilmember Singh felt all government buildings should have signs and provided comments about their choices. He also indicated parks were a big issue and referenced some articles he had read. He mentioned issues that could arise, large gatherings at parks, homes

**September 21, 2021
(work session)**

at parks, and activities at parks. He stated Council should discuss those things and provided further comments about areas in the parks and what protection they wanted to provide. He thought they should find out what attendance was like at the parks and asked staff to investigate and come back at a work session in December. He opined that they could amend what they decided now, later.

Councilmember Singh provided personal comments about the right to protest in a democracy. He expressed concern and said people could bring guns. He also referenced something he read about parties trying to create chaos. Councilmember Singh indicated he was not sure how that would be controlled and said they should "...maybe have the staff study this matter over the next three months and come back to us and see what report they have." He provided further questions about what they might want to do. Councilmember Singh felt the right to protest must be protected and safe. He also provided comments about rioting. Councilmember Singh then inquired about the signs they would use for special events. He provided additional comments about guns and events and suggested going with "number one and two and then leave the rest for later." He felt they could vote on these and move forward.

Mayor Olem asked if Councilmember Singh was suggesting replacing the current legislation with this. Councilmember Singh said he thought it limited what was on the table. Councilmember Singh said the current ordinance included parks, but he thought they should look at how the parks were used.

Mayor Olem asked again what Councilmember Singh was suggesting.

Councilmember Regan asked Councilmember Singh if he was asking them to pull what was on the table and replace it with something different.

Councilmember Singh said he wanted to revise what they had.

Mayor Olem commented on the number of meetings, emails, and phone calls related to this item they already had and briefly commented on where it could apply.

Councilmember Singh said he spoke with the Town Attorney.

The Town Attorney indicated she saw this, procedurally, as a substitute motion. At that point, it had been advertised. The original ordinance would remain, and anyone could bring forward a substitute motion the following week. The Town Attorney thought Councilmember Singh was saying "with number one and number two being something he wants to take action on now and number three through six as something to be taken action on later." She clarified that this would be a substitute piece of legislation.

**September 21, 2021
(work session)**

Councilmember Singh said it amounted to a slight modification.

Vice Mayor del Aguila thanked Councilmember Singh for owning this and asked the Town Attorney what the substitute ordinance, to support Councilmember Singh's requests, would look like.

The Town Attorney opined that it would not be too different than the original ordinance. It would say firearms were prohibited in certain areas, and she would list two specific buildings. She also believed Councilmember Singh wanted to specify "under number one" that magnetometers and other screening devices be used.

Vice Mayor del Aguila asked if metal detectors, in Council Chambers, were necessary in the ordinance.

The Town Attorney said this ordinance enabled the Town Manager to do whatever was necessary, and a fiscal request would come back to Council if needed.

Councilmember Singh said the previous ordinance steps came to millions of dollars and commented on costs and implementation.

Vice Mayor del Aguila said they would bring up a substitute motion.

The Town Attorney said there was no motion on the floor. If, coming out of the meeting, there was consensus in terms of what Council wanted for ordinance language she would try to draft that. If someone felt comfortable, they could submit a motion with that specific language during the public hearing, or Council may want to have another public hearing with that language.

Vice Mayor del Aguila asked if they were required to or if they could do what Councilmember Singh was suggesting, make modifications, and publicize them. The Town Attorney indicated they were not required to have public hearings to change the Town Code. She indicated she was directed to advertise the public hearings by Council for broader participation.

Vice Mayor del Aguila provided brief further comments about Councilmember Singh applying the concept of minimum viable product (MVP).

Councilmember Dhakal commented on some of the issues, such as litigation. He suggested working on these two items for the MVP which would allow them to see how it went. He discussed enforcement in Council Chambers and commented on the ability of future councils to change this.

**September 21, 2021
(work session)**

Councilmember Regan thought items “three through six” would not be coming back in December, they would be coming back after they implement “one and two.” He indicated doing part of it now and part of it later did not sit well with him, and he would prefer to do what they were going to do now.

Mayor Olem agreed with Councilmember Regan’s comments. She said they had received hundreds of comments and spent a lot of time on this. She indicated she was not sure she was hearing a lot of support for investing this amount of money. Mayor Olem asked the Town Manager about his responsibilities to staff.

Responding to Mayor Olem, the Town Manager indicated securing Council and Council Chambers was part of the question but what to do with town boards and commissions would drive costs. He asked if it was solely for Council. The Town Manager said he felt deep personal responsibility for staff. He indicated protecting Council and beginning to protect staff more vigorously. The Town Manager said he had approximately \$100,000 in his budgetary authority to protect staff. He specified that there was a lot they would need to do to secure buildings and a security plan was prioritized. They would reexamine the priorities based on these changes, and he would be seeking to protect the town staff.

Mayor Olem indicated they were already working toward this.

Vice Mayor del Aguila thought he heard Councilmember Singh focus on “one and two.” He appreciated comments on doing this now and mentioned making this more palatable and seeing if it was viable over time. He thought there was consensus to support Councilmember Singh’s proposed amendments.

Mayor Olem said she had not seen consensus.

Vice Mayor del Aguila said he counted them privately.

Mayor Olem stated for transparency purposes, they should disclose.

Vice Mayor del Aguila said he was under no obligation, and Mayor Olem commented on transparency.

Vice Mayor del Aguila said he was being transparent then and that he talked to enough people and there was consensus to support what Councilmember Singh was proposing.

Councilmember Regan asked for clarification on what there was consensus for.

Vice Mayor del Aguila said the consensus was for Councilmember Singh’s proposal, and they should validate the consensus.

**September 21, 2021
(work session)**

Mayor Olem asked if Vice Mayor del Aguila wanted to validate two people who commented the prior week and not the others.

Vice Mayor del Aguila said not everyone had the luxury of time to come to the public hearing, and, in his opinion, the crowd did not represent the town's demographics. He restated he did not think that was representative of the town and there were a lot of people who did not come, and they needed to represent them.

Councilmember Singh thought they would find more support in the public and that, in general, people wanted fewer guns in public. He did not think it was a debatable issue. Once this was drafted, Councilmember Singh indicated he wanted to make sure Mayor Olem's concerns were considered and provided comments about accommodating. Councilmember Singh said it was an important ordinance.

Mayor Olem commented on input from the Chief of Police and said Council did not seem to be listening to that. She indicated that, if passed, they would also have litigation and people had told her they planned to bring a suit.

Councilmember Regan reiterated Mayor Olem's comments for Councilmember Singh.

Councilmember Singh provided comments about the Chief of Police's thoughts, the Supreme Court Heller Decision, basis for filing a lawsuit, and what had already been decided by the courts.

Councilmember Friedrichs indicated she was interested in reading the articles mentioned by Councilmember Singh. She shared that, in her conversations with the Town Attorney, they discussed where litigation was already initiated. Councilmember Friedrichs felt this ordinance did not damage anyone's Second Amendment rights, but she also thought it did not provide much safety and opined they were overestimating safety as a result of this. She asked what they might spend on litigation and what Fairfax County might be expected to spend. Additionally, she asked if the concealed carry part that Fairfax County was being sued over included just parks or buildings as well.

The Town Attorney said she believed only one jurisdiction had included concealed carry as an exemption in Northern Virginia. That was Loudoun County Parks. The issue was with concealed carry and not allowing in parks, she thought it was less objectionable if it did not include parks. The Town Attorney did not think Councilmember Singh wanted to include an exemption for concealed carry if they were only talking about the Council Chambers and government buildings.

**September 21, 2021
(work session)**

To Councilmember Friedrichs' other question, the Town Attorney thought it would be difficult and reckless to opine about what litigation might cost. The Town Attorney said Fairfax County had 60 attorneys on staff, and they hired outside counsel. Herndon had two full time attorneys. Additionally, gun litigation and Constitutional law were very specific areas of the law practiced by few attorneys. She expected that Fairfax County and Winchester were looking at a year or more of time and tens of thousands of dollars in costs, if not more.

The Town Attorney then indicated one of her job's primary focuses was to give Council opinions about expectations of litigation or exposure. She thought they would decrease exposure by decreasing areas this would apply. She indicated that, as Councilmember Singh had told them, the Supreme Court Heller decision identified areas where gun prohibitions were okay under the Constitution, such as in schools and government buildings. The Town Attorney said the Heller decision did not address other "sensitive places" like parks, events, or other places. Heller was focused on the ability and right to carry a gun in your home. She hoped that gave some idea of what would drive numbers.

Councilmember Friedrichs provided further comments and questions about concealed carry in government buildings and litigation. Responding to her, the Town Attorney said more comprehensive gun prohibitions in government buildings seemed to withstand more Constitutional scrutiny than outdoor, public places.

Councilmember Singh indicated he would be happy to share information from a Congressperson.

Councilmember Friedrichs provided further comments related to concealed carry and open carry. Councilmember Friedrichs said people wrote to them saying they would be a protected class if they exclude guns from Council Chambers. She did not think that was true. Councilmember Friedrichs felt Council was the least protected class, other than staff, because they were making decisions that affected people directly or indirectly. She indicated she was happy to protect Council, and she did not feel they were a protected class at that time. She thought they were vulnerable. Councilmember Friedrichs restated she did not want to waste money on litigation.

Mayor Olem indicated she was still waiting to hear from the rest of the public, and she was hearing that most of Council wanted to hear what the rest of the public had to say. She said she had never heard what this would do except ban guns. Mayor Olem said law enforcement indicated putting a sign up would not stop criminals. She also stated as a municipality, they would be passing a law and that legislation put them in a different category than a business. She thought anyone in the building would be at risk and commented briefly on a school shooting in Newport News.

**September 21, 2021
(work session)**

Vice Mayor del Aguila said he heard that Councilmember Friedrichs was comfortable with what Councilmember Singh proposed. Councilmember Friedrichs said she would prefer it because she felt the current ordinance was too broad and unenforceable.

Vice Mayor del Aguila commented on the Council Chambers being used as a Fairfax County court room on Wednesdays where weapons could not be brought. He felt that was what they were doing and said his unofficial poll was that five people supported the ordinance.

Councilmember Friedrichs indicated she still did not believe it would have the intended effect of more safety. She also did not feel it would impinge on Second Amendment rights, but people might be affected to no particular purpose. She indicated she did not know how she would vote.

Mayor Olem provided comments about protecting staff and being more realistic than just putting signs up. She indicated that was her concern and provided comments about creating problems for staff and litigation going on. Mayor Olem asked what the rush was and said nobody would say what the reason was. She felt, if they were not ready, they needed to wait.

Councilmember Dhakal indicated was more comfortable with this and inquired about how to proceed.

Councilmember Singh thought they needed a substitute motion.

Vice Mayor del Aguila said there was no motion, and it was an ordinance.

Mayor Olem clarified there was no motion.

The Town Attorney indicated she thought they were asking her to write alternate language, and she would like Mayor Olem to direct her to do that on behalf of the Council. The following week, Council would decide what to bring forward. The Town Attorney indicated the Chief of Police came in after some Council discussion had already happened.

Mayor Olem indicated she would like to hear what the Chief of Police thought.

The Town Manager said the Chief of Police was agnostic on this and it was Council's decision.

Mayor Olem said her comments about the Chief of Police were that they did not have a gun problem.

**September 21, 2021
(work session)**

The Chief of Police said she did not know what kind of problem they did or did not have, but she could say they had a very low amount of gun violence. She indicated that she could not speak on guns out in the public, but she shared that discharges of firearms had been extremely low in her time with the town. The Chief of Police clarified that if they were asking about gun violence and shootings, they had been very low. She indicated that may or may not be relevant to what they were doing and clarified it was a fact she was answering.

The Town Attorney told the Chief of Police an alternate version of the ordinance was being considered. She stated it would prohibit guns in the Council Chambers and require the use of magnetometers for meetings there. Regarding other government buildings, which still needed to be decided on, they would have signs only. She said that did not include parks, special events, or anything else in the other ordinance. The Town Attorney added that there would also be no exemption for concealed carry in Council Chambers.

The Chief of Police inquired, for clarification, about magnetometers for Council Chambers and signs for other buildings. She asked if they were still banning weapons in town buildings and only checking people for Council meetings. The Town Attorney indicated they needed to discuss if that included meetings of all deliberative bodies and/or advisory boards that did not hold public hearings.

The Chief of Police indicated workplace violence happened where staff worked every day, and employees were at greatest risk based on statistics. She referenced the Virginia Beach shooting and said, if there was a ban on weapons, she would like to see them do everything they could to protect staff.

Councilmember Singh felt this was the first step. He reiterated securing Council Chambers and said Council should be protected. The Chief of Police said she was not arguing that. Councilmember Singh felt that was the highest in democracy so that should come first. He said he understood what the Chief of Police said, and he felt this deliberative body was the highest and they should be protected first. He said those were the priorities in his mind, and they would probably include other things later. Councilmember Singh said he was stating his priorities at that point. He reiterated experiencing installing items, costs, and how it would work.

The Chief of Police clarified that every time there was a Council meeting there were two armed HPD officers protecting them, but staff did not have that 40 hours a week. She reiterated concerns about town staff not having immediate protection. She said it was not her decision. It was Council's decision. The Chief of Police added she worries about staff every day, mentioned struggles in the past, and indicated some buildings were not easy to retrofit for security purposes.

**September 21, 2021
(work session)**

Vice Mayor del Aguila said that, as an alternate to the approximate \$3 million to harden buildings, he thought having dedicated police staff in the building was a good idea.

The Chief of Police indicated they did not have enough police staff.

Vice Mayor del Aguila said that was a budget decision they would need to look at.

The Chief of Police, the Town Manager, and Mayor Olem provided comments about it not being a budget issue.

Vice Mayor del Aguila said everyone could always say no, but his point was there were solutions and if this was a priority, they could make it happen. He thought Council was open to transforming to a different type of town staff and town. He said there were options, and the decision was on Council. He said he looked at it for a year and they were not entering into this lightly. Vice Mayor del Aguila thought Councilmember Singh made this more palatable for a lot of people.

Councilmember Friedrichs said they discussed hardening the HMC, and she thought that was already a priority. The Town Manager said pre-COVID it was, but COVID restructured finances. Responding to Councilmember Friedrichs, he said they could try to use some ARPA funding for it. Councilmember Friedrichs listed concerns at the HMC, and the Town Manager mentioned things that had already been done. He reiterated his need to protect staff and wanting to install bulletproof glass. He indicated they could move other projects downfield if this moved to the top of the list.

Mayor Olem said in other words, the MVP of signs was no longer enough, and they would need to harden buildings.

Vice Mayor del Aguila said that was not what they were talking about.

Councilmember Singh said it seemed staff felt the urgent problem was danger to the staff and asked why. The Town Manager responded saying the Virginia Beach shooting was eye opening and there were two instances at the town where someone was about to be fired and reacted negatively. The Town Manager indicated he had to fire them personally with HPD outside of his door. He said they had their share of issues, reiterated the Virginia Beach shooting, and said workplace violence happens routinely.

Councilmember Singh said there were instances not a continuum. He also mentioned protests and danger of violence.

There was further discussion between Councilmember Singh and the Town Manager about possible situations.

**September 21, 2021
(work session)**

Mayor Olem said she had the worst situation when she was on the Board of Zoning Appeals (BZA), and it did not matter whether they were on Council or staff when people got angry.

Vice Mayor del Aguila said there was consensus to support changes to the ordinance.

Mayor Olem indicated she had not heard people say there was consensus.

Vice Mayor del Aguila said they should ask.

Five members of Council then indicated support.

Mayor Olem said five members of Council were in favor but not everyone. She asked the Town Attorney to draft it, but she felt they needed to let the public know what they were talking about.

Councilmember Friedrichs provided brief comments about substitute motions.

Mayor Olem said she still wanted to hear from the public.

Responding to Councilmember Friedrichs, Mayor Olem confirmed they would hear from the public. She clarified that she was saying, if they passed this the following week and it started immediately, the buildings would not be ready. She asked when it would be effective.

Councilmember Singh felt they should do it immediately, move forward, and then come back.

Vice Mayor del Aguila said his question to the Town Attorney was about publicly publishing the proposed changes brought by Councilmember Singh. He thought they were conflating implementation with the ordinance. Vice Mayor del Aguila said that without the ordinance everything else was irrelevant. He felt it would allow them to choose implementation items, and they could at least pass what Councilmember Singh suggested.

Mayor Olem clarified that something was not necessarily effective the day they were passed.

The Town Attorney indicated Council could direct her to put an effective date in the ordinance. As she told Council and the public, this prohibition, the way it was written in the state code, could not be effective or enforced until signs were up. She said that what else was done was up to the individual jurisdiction, but that is the constitutional notice provision that is absolutely required. She opined they

**September 21, 2021
(work session)**

could probably not get signs up for a couple months, and it could not be enforced immediately.

Responding to Mayor Olem, Town Attorney restated that it could not be enforced until there were signs.

Councilmember Dhakal said he agreed with Vice Mayor del Aguila about conflating implementation and the ordinance. He said passing the ordinance was the first thing and they knew they needed signs to enforce. Councilmember Dhakal thought anyone could bring an alternate motion in any public hearing and there was a chance to continue for more public input. He said he was just mentioning scenarios and inquired about the procedure if the motion passed.

The Town Attorney stated the best practice would be to have alternates. She would draft alternate language and create a new staff report that provided Alternate A (the original) and Alternate B (the one suggested that evening). They would not need to advertise a new public hearing, it was the same subject, and when Council materials became available, they would also be available to the public.

Councilmember Dhakal provided comments about the alternate.

The Town Attorney then asked for any direction on government buildings.

Councilmember Friedrichs said all town buildings. The Town Attorney asked, for clarification, if she was saying all town buildings with signs only.

Mayor Olem said that was very vague and would be difficult to implement all at once.

The Town Attorney said she would have to list every specific building.

Mayor Olem asked Councilmember Singh to clarify the buildings of which he was thinking.

Responding to Councilmember Singh's request for input about town buildings where signs should go up, the Town Manager listed locations and stated which locations were open to the public or only open to staff. He clarified that town staff were not allowed to carry any weapons under Administrative Regulations.

Mayor Olem asked if staff was recommending the Herndon Community Center be included. The Town Attorney said she could work on it, but she wanted to make sure she knew what Council had in mind.

Councilmember Singh thought the Community Center should be covered.

**September 21, 2021
(work session)**

Vice Mayor del Aguila asked if the Town Attorney had everything that she needed for what the expectation was. The Town Attorney said she did for the purposes of an alternate draft.

There was brief discussion between the Town Manager and the Town Attorney about whether the ordinance included boards and commissions and how that would affect implementation.

Vice Mayor del Aguila said that was the information they wanted, but they did not need it to pass the ordinance. The Town Manager confirmed but indicated he would want to know and work on a plan.

Vice Mayor del Aguila said they were just talking about signs.

The Town Attorney clarified she was seeing inclusion of magnetometers.

Vice Mayor del Aguila said that was just for Council Chambers, and he thought it applied to anyone meeting in Council Chambers.

Councilmember Singh said that, at that point, they were really protecting the Council and not boards and commissions. He said they were making (inaudible) decisions, and he did not think the other boards were that political.

Councilmember Friedrichs said the other boards made important decisions.

The Town Attorney provided examples of decisions made by the boards and commissions and how those decisions could make people feel. The Board of Zoning Appeals, according to state code, was a quasi-judicial body. She added that they made significant decisions. The Town Attorney indicated another thing was if Council wanted themselves and other bodies to be protected when they met in other places.

Mayor Olem thought that was in the original ordinance. The Town Attorney provided comments on COVID and other issues that could affect their ability to meet in traditional locations.

Councilmember Dhakal asked if they had to specify which meetings the ordinance would apply to.

There was a discussion between Councilmember Dhakal and Councilmember Singh about costs, the ordinance, and implementation.

Vice Mayor del Aguila said there was no cost in the ordinance. Mayor Olem mentioned staff time.

**September 21, 2021
(work session)**

Councilmember Dhakal said he was not done with his question. He continued saying he was asking because implementation was the next step. He indicated the Town Manager needed numbers to determine costs and Council needed costs to determine which meetings they wanted to cover.

Councilmember Singh commented on meetings and covering them with staff.

The Town Manager indicated they would contract this out and commented on labor and hours.

Councilmember Dhakal commented on implementation in different phases.

Councilmember Singh said he made that comment, and he was not opposed to including other bodies. He commented on presenting "true" numbers to the public.

Responding to Mayor Olem, the Town Attorney indicated she had the information she needed.

GENERAL

4. Resolution, to accept the State of the Town Report, Fiscal Year 2021.

Mayor Olem recognized the Town Manager for the staff report. The Town Manager indicated Council had been emailed the full report which was 67 pages. He said a summary would be sent to residents immediately following the next week's meeting. The Town Manager encouraged Council to read the report and consider that it was done under COVID duress and after losing staff. He said what they did with few resources was impressive and indicated he would make remarks during the public hearing.

Councilmember Dhakal asked if there was anything alarming, and the Town Manager provided comments about challenges including police applications being down 70 percent industry wide. He also provided comments about other positions which were difficult to recruit and retain employees for, projects, and leadership changes that all stressed the organization. The Town Manager stated staff was doing phenomenal work, but they were stressed and there were staffing problems in some critical areas.

There was a brief discussion between Councilmember Dhakal and the Town Manager about Council involvement in remedying those challenges.

Councilmember Singh provided suggestions of things he would like to see in the report, and the Town Manager indicated he and the Director of Community

**September 21, 2021
(work session)**

Development were looking into ways to improve the report. The Town Manager provided further comments about improvements being made to this report and the CIP.

CONSENT

5. Resolution, to establish the Herndon Town Council meeting schedule for January 1, 2022 to December 31, 2022.

Mayor Olem stated there was one item on the Consent agenda to establish the Herndon Town Council meeting schedule for January 1, 2022 to December 31, 2022. Mayor Olem indicated the Town Attorney could answer any questions.

Vice Mayor del Aguila asked if the Herndon Community Center would be closed November 8, 2022. The Town Manager said he was pretty certain it would be, and it was a polling place. Vice Mayor del Aguila asked that they close it and for staff to look into it. He thought Council would want that. The Town Manager clarified it was administrative.

Councilmember Dhakal asked if they could also make one-way traffic at the Community Center on Election Day, and the Town Manager indicated staff looked into it. He said he could make sure the Director of Parks and Recreation was at the next meeting to talk about the issues there.

Mayor Olem said she thought it had to do with the church next door and the school there.

Councilmember Regan asked if they were talking about the Council meeting schedule and how this related.

There was brief further discussion amongst Council, the Town Manager, and the Town Attorney about Election Day in relation to Council meetings.

ROUNDTABLE

- 1. Councilmember Alam:** No comments.
- 2. Councilmember Dhakal:** No comments.
- 3. Councilmember Regan:** No comments.
- 4. Councilmember Friedrichs:** No comments.
- 5. Councilmember Singh:** No comments.

**September 21, 2021
(work session)**

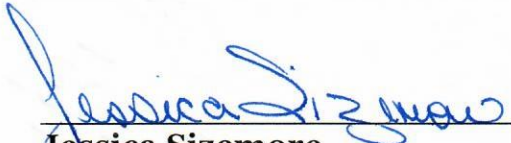
6. **Vice Mayor del Aguila:** No comments.
7. **Mayor Olem:** Mayor Olem said Herndon was back in business. She shared about ArtsSpace Herndon having a sale, caboose ornaments from the Herndon Historical Society, Friday Night Live!, and the *An Act of God* play at NextStop Theatre. Mayor Olem also shared that she and Councilmembers Regan, Singh, and Friedrichs were attending the annual VML conference.

ADJOURNMENT

On motion of Councilmember Friedrichs, seconded by Vice Mayor del Aguila, and carried by unanimous vote, the meeting of the September 21, 2021 work session was adjourned at 8:48 p.m. The vote was: Councilmembers Alam, Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye."



**Sheila A. Olem
Mayor**



**Jessica Sizemore
Legislative Assistant**



Minutes approved by Town Council: January 25, 2022.

September 21, 2021
(work session)

NOTE:

This page was intentionally left blank