



**HERNDON TOWN COUNCIL
Work Session Meeting Minutes
Tuesday, July 11, 2023**

The Town Council held a work session meeting on Tuesday, July 11, 2023, at 7:00 p.m. in the Herndon Council Chambers Building, 765 Lynn Street, Herndon, Virginia. In attendance were: Mayor Sheila Olem, Vice Mayor Clark Hedrick, and Councilmembers Naila Alam, Cesar del Aguila, Pradip Dhakal, Keven LeBlanc, and Donielle Scherff.

Staff present during the meeting: William H. Ashton II, Town Manager; Lesa Yeatts, Town Attorney; Chief Maggie DeBoard, Herndon Police; Kirstyn Barr Jovanovich, Town Clerk; Anne Curtis, Chief Communications Officer; Lisa Gilleran, Director of Community Development; Marjorie Sloan, Director of Finance; Mike Mueller, Golf Course General Manager; Cindy Roeder, Director of Parks and Recreation; Scott Robinson, Director of Public Works; Tammy Chastain and John Irish, Deputy Directors of Public Works; Richard Smith, Civil Engineer; Jaleh Moslehi, Capital Project Planner/Engineer; Mark Duceman, Transportation Program Manager/Senior Planner; Dave Bracamonte, Systems Manager; and Margie Tacci, Deputy Town Clerk.

1. CALL TO ORDER

Mayor Olem called the work session meeting to order at 7:00 p.m.

Determination of a Quorum

Mayor Olem determined there was a quorum, with all members present. Mayor Olem reminded the Council of the meeting decorum.

Amend the Agenda

Mayor Olem stated there was a need for the Council to go into closed meeting that evening and asked for a motion to amend the agenda to add a closed meeting.

On motion of Vice Mayor Hedrick, seconded by Councilmember Dhakal, and carried by unanimous roll call vote, the agenda was amended to add a closed meeting, pursuant to the Code of Virginia Section 2.2-3711(A)(7), consultation with legal counsel pertaining to litigation resulting from the recent decision of the Town Council regarding the appeal of a Historic District Board decision, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Town, at the end of the agenda as Item #5. The vote was: Councilmembers Alam, del Aguila, Dhakal, LeBlanc, and Scherff, Vice Mayor Hedrick and Mayor Olem voting "Aye."

Mayor Announcements

Mayor Olem offered kudos to the Department of Parks and Recreation for hosting another successful Independence Day Celebration at Bready Park.

Mayor Olem stated that last month, the Town was selected as one of five localities in Virginia to receive funding from the Department of Transportation's Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant program. The Town is receiving \$720,000 to go toward updating the Comprehensive Plan. She congratulated William H. Ashton II, Town Manager; Lisa Gilleran, Director of Community Development; and the Herndon team, for this remarkable accomplishment.

2. GENERAL

a. Resolution to Award IFB Contract #23-05 Swimming Pool Whitecoat

Cindy Roeder, Director of Parks and Recreation, presented the staff report dated July 11, 2023. The intent of this Invitation for Bid (IFB) is to establish a contract to furnish labor, tools, materials, chemicals, paint, and equipment necessary to apply a whitecoat to the swimming pool at the Herndon Community Center. The pool was last coated in August 2019. Bids were opened on June 13, 2023. The low bidder, Millenium Pools and Spas, LLC, was found to be responsive and responsible. Staff recommends approval of the proposed resolution as presented.

There was no discussion and with the concurrence of Council, staff was directed to place this item as presented on the Consent Agenda for the next meeting's agenda.

b. Resolution to approve a funding agreement between the Board of Supervisors of Fairfax County and the Town of Herndon to receive funds to design and implement the Sugarland Run (North) Stream Restoration Project

John Irish, Deputy Director of Public Works, presented the staff report and PowerPoint dated July 11, 2023. The Town is part of the Fairfax County's Stormwater Service District and is a party to the "Cooperative Agreement Between the Fairfax County Board of Supervisors, the Town of Vienna, and Town of Herndon to Share Certain Stormwater Service District Fees and Responsibility for Related Services." The agreement helps the member localities meet the Chesapeake Bay TMDL and other water quality goals. The Town is seeking to utilize a portion of these special project funds to design and implement the Sugarland Run (North) Stream Restoration Project. Staff recommends approval of the proposed resolution authorizing the funding agreement, as presented.

Responding to Councilmember LeBlanc, Mr. Irish stated he did not have all the information on nutrient replacement at that time; however, one of the main goals of the project is removing harmful nutrients from the stream.

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

c. Resolution to approve and authorize the Mayor to sign a Third Sublicense Extension between Town of Herndon and The Elden Street Players d/b/a NextStop Theatre Company, to extend the expiration date to June 30, 2024, for space at 750 Center Street

Lesa Yeatts, Town Attorney, presented the staff report dated July 11, 2023. The proposed resolution authorizes Mayor Olem to sign the Third Sublicense Extension between the Town and NextStop for space at 750 Center Street. NextStop currently is sublicensee to 2,790 square feet of space in the building licensed to the Town by Comstock and is used for storage, construction, or dismantling of theater props, sets, and supplies. The current sublicense expired on June 30, 2023, and the extension allows for the sublicense to continue on a month-to-month basis until June 30, 2024. It can be cancelled with 30 days' notice. The rent for this space is \$1.00 per term, consistent with similar leases on Town property, and it is proposed to remain the same. Staff recommends approval of the proposed resolution, as presented.

There was brief discussion among the Council and staff on this item, including: (1) nonprofit organizations' use of Town space, (2) fair market value of leased Town spaces, (3) lease expiration date, and (4) maintenance of the space.

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

- d. Resolution to endorse and authorize a funding application to the Virginia Department of Transportation (VDOT) for the allocation of VDOT FY 2027 and FY 2028 Revenue Sharing Program funding towards the VDOT administered 'East Elden Street Widening and Improvements (UPC 50100)' project;**
- e. Resolution to endorse and authorize a funding application to the Virginia Department of Transportation (VDOT) for the allocation of VDOT FY 2027 and FY 2028 Revenue Sharing Program funding towards the 'Herndon Parkway at Sunset Park Drive Intersection Improvements' project; and**
- f. Resolution to endorse and authorize a funding application to the Virginia Department of Transportation (VDOT) for the allocation of VDOT FY 2027 and FY 2028 Revenue Sharing Program funding towards the 'Locust Street ADA Sidewalk Improvements' project.**

Mayor Olem stated that the last three General items will be presented concurrently and recognized Jaleh Moslehi, Capital Project Planner/Engineer, to present the concurrent staff reports and PowerPoint.

July 11, 2023 Meeting Minutes
Town Council Work Session

Ms. Moslehi presented the staff reports and a PowerPoint dated July 11, 2023. The proposed resolutions will endorse and authorize funding applications under VDOT's FY 27-FY 28 Revenue Sharing Program for the following projects: (1) East Elden Street Widening and Improvements, (2) Herndon Parkway at Sunset Park Drive Intersection, and (3) Locust Street ADA Sidewalk Improvements. Ms. Moslehi reviewed the scopes of the projects, which will include improvements such as cycle tracks and pedestrian access. She also discussed the funding allocations for each of the projects, which all require a 50 percent match requirement from the Town. The total funding requests to VDOT are as follows: (1) East Elden Street for \$10 million, (2) Herndon Parkway at Sunset Park Drive for \$4 million, and (3) Locust Street for \$10 million. Staff recommends approval of the proposed resolutions endorsing the funding requests, as presented.

There was brief discussion among the Council and staff about the projects and their funding, including: (1) project elements, (2) Town's matching amounts, (3) undergrounding utilities, (4) congestion mitigation, and (5) working with the business owners at Sunset Business Park for the project at Sunset Park Drive.

Responding to Councilmember del Aguila's questions about undergrounding utilities, William H. Ashton II, Town Manager, stated that he can verify locations of utility poles near these projects.

Vice Mayor Hedrick thought the Council should discuss undergrounding utilities, and whether widening roads helps to manage congestion as part of the Comprehensive Plan update.

Responding to Councilmember Scherff, Lisa Gilleran, Director of Community Development, discussed how staff is working with the owners of Sunset Business Park to inform them about upcoming projects impacting their businesses. She then provided an update on zoning changes that are being looked at related to signage at Sunset Business Park. She indicated that staff can look into temporary signage, and she will keep the Council updated on the process dealing with the signage.

Following brief discussion and with the concurrence of Council, staff was directed to place these items as presented on the Consent Agenda for the next meeting's agenda.

3. DISCUSSION

a. Stormwater Management and MS4 Program Update – WSP USA Environment & Infrastructure, Inc.

John Irish, Deputy Director of Public Works, introduced David Bulova, Project Manager, and Christina Davis, Environmental Planner, who are the Town's consultants from WSP.

Mr. Bulova presented a PowerPoint dated July 11, 2023. In his presentation, he reviewed: (1) highlights and projects from the current MS4 permit cycle (2018-2023),

(2) Department of Environmental Quality (DEQ) audit of the Town, of which the recommendations are expected in the next few months, (3) new permit schedule, effective for the next five years, and (4) new stormwater regulations approved by the General Assembly. Mr. Bulova emphasized the Town's partnership with Fairfax County and the Town of Vienna, which helps the Town meet its TMDL requirements. He said that the current MS4 permit expires on October 31, 2023 and that the Town Code will have to be updated by July 2024 to maintain compliance with new stormwater regulations. Mr. Bulova paused to answer any questions on his presentation up to that point.

There was brief discussion among the Council, staff, and Mr. Bulova on the first part of the presentation, including: (1) current MS4 permit program, (2) Town's stormwater management regulations and costs, (3) mitigating pollutants in the water, (4) hazardous waste disposal, and (5) public and private stormwater Best Management Practices (BMP).

Responding to Councilmember LeBlanc, Richard Smith, Senior Civil Engineer, discussed the Town's stormwater management and water treatment regulations.

Responding to Councilmember Dhakal, Scott Robinson, Director of Public Works, addressed the disposal of hazardous waste through Fairfax County and reviewed other items that should not be disposed of in storm drains.

Responding to Councilmember LeBlanc, Mike Mueller, General Manager of the Golf Course, discussed stormwater and nutrient management at the Golf Course.

Mr. Bulova continued the PowerPoint presentation and provided an overview of public BMPs in the Town. This includes maintenance, inspection, and updates to the BMP database for the Town's stormwater management facilities. He recognized Ms. Davis, who continued the presentation and ran a demonstration of the updated BMP database. The new interactive database links to GIS maps, contains digital copies of relevant documents and key features, and contains an app to conduct BMP inspections.

Mr. Bulova wrapped up the presentation and reviewed the next steps in the Town's short and long-term management of public and private BMPs.

There was a brief discussion among the Council, staff, and Mr. Bulova about the Town's BMPs and the updated BMP database.

b. Town Citizen Opinion Survey

Anne Curtis, Chief Communications Officer, introduced John Barrett, the Town's consultant with Priority Metrics, to present the update.

Mr. Barrett presented a PowerPoint dated July 11, 2023. He provided background and stated that the purpose of the project was to conduct an accurate survey of Town residents through quantitative and qualitative analysis. The consultants worked to ensure that the

July 11, 2023 Meeting Minutes
Town Council Work Session

results reflected the demographics of the Town according to U.S. census data. This included weighting the responses in order to provide accurate representation of the demographics of the community. He compared trends from this survey to the one taken in 2018, noting that there were substantial improvements, with only minor declines in the data. He said that one of the takeaways from the survey is that the Town is creating high levels of satisfaction for its residents.

Mr. Barrett paused the presentation and asked for questions on his presentation to this point. There was brief discussion among the Council and Mr. Barrett on the survey results.

Responding to Councilmember del Aguila, Mr. Barrett stated that his firm is working with Dennis Holste, Economic Development Manager, on a separate business survey for the Town.

Mr. Barrett continued the PowerPoint and went over the following: (1) demographics correlated to performance measurements, (2) word cloud results based on comments and suggestions, (3) satisfaction with Parks and Recreation programs, Town events, Herndon Police Department, staff, and other amenities, and (4) where citizens obtain information, which ranked the website as the most popular source.

Following the presentation, the Council and staff briefly discussed the following areas: (1) traffic, (2) festivals and events, (3) parks and recreation programs, (4) public safety concerns, (5) housing, and (6) survey data.

Responding to Councilmembers Alam and Scherff, Mr. Barrett stated that he did not have the specific comments made about housing at that time, but he recalled that respondents mentioned availability of housing and prices. He mentioned that the number of residents that commented on housing was relatively small compared to other subjects like traffic.

Responding to Vice Mayor Hedrick, Mr. Barrett stated that in general, the respondent had to be a Town resident to complete the survey, but it is impossible to completely screen for that characteristic. He said there were some street names mentioned in survey responses that are not located in the Town.

Responding to Councilmember Scherff, Mr. Ashton and Ms. Curtis stated that the survey results will be posted on the website following the meeting that evening.

c. Town Council Objectives for the Economic Development Committee

Dennis Holste, Economic Development Manager, presented a PowerPoint dated July 11, 2023. He provided an overview of the: (1) previous Economic Development Advisory Committee (EDAC), including its membership, mission, purpose, and accomplishments, (2) Fairfax County Economic Development Authority (FCEDA), who partners with the Town on economic development, and (3) similar advisory committees or boards in the towns of Vienna and Leesburg, and the City of Manassas.

There was discussion among the Council and staff about the potential new EDAC, centering on: (1) business survey results guiding the EDAC's formation, (2) committee's potential composition and terms, mission, goals, and objectives, (3) incorporating the micro and small business communities, (4) looking at other jurisdictions as samples, and (5) working with other entities, such as: FCEDA, Visit Fairfax, Mason Enterprise Center, and the Dulles Regional Chamber of Commerce.

d. Preliminary Engineering and Site Options for Sanitary Sewer Pump Station

Tammy Chastain, Deputy Director of Public Works, presented a PowerPoint dated July 11, 2023. She stated that in a preliminary engineering report, the Town's consultants recommended additional water and sewer capacity to accommodate future development. The increased sewer capacity is especially needed to support growth in the Herndon Transit Oriented Core (HTOC) and Transit Related Growth (TRG) areas that flow into the existing Sugarland Run sewer main. The new pump will divert flow from the Town and Fairfax County into the Norman Cole Pollution Control Plant in Lorton, Virginia. The County will maintain and operate the new pump and will share half the cost with the Town.

Ms. Chastain reviewed a timeline of the proposed project and presented two pump station site options in Runnymede Park, which are: (1) north of the Carroll Cabin, south of the Hunters Creek Racket Club, and (2) location of the existing Adkins House. She discussed the pros and cons for each option. Ms. Chastain stated that based on the preliminary engineering report, staff recommends site #2, the Adkins House, and reviewed the reasons for this recommendation. She gave three renderings the consultants provided for the site as samples, and she asked for the Council's input on the sewer pump location.

There was discussion among the Council and staff on the proposed sewer pump location and the materials for the structure's façade. Following brief discussion, it was the concurrence of Council to recommend location #2 as the preferred option. Mayor Olem and Councilmember LeBlanc indicated they like the stone façade, while Councilmember del Aguila liked the stone as well as the stucco front. Mayor Olem also favored a metal roof. Ms. Chastain emphasized that the project will go through all the Town's approval processes.

4. ROUNDTABLE

Councilmember Alam: offered kudos to staff for the 4th of July fireworks display.

Councilmember Scherff: thanked the Department of Parks and Recreation for their work on all the summer events they manage.

Juneteenth Event

Councilmember Scherff provided comments on the Juneteenth event she facilitated at Arts Herndon on Saturday, June 17, 2023. She outlined the event's planning, vendors, many attendees, and discussed its overall success.

Following her initial comments, Councilmember Scherff outlined her concerns over "when this event celebrating freedom interfaced with the Town." She stated that she wrote a timeline she can provide to staff if others want to see it.

Councilmember Scherff's statement on what occurred is summarized as follows: she believes that: (1) the purpose and intention of the mini-festivals, approved by the body, was not honored, (2) the Town did not provide the same consideration for this event as others, which she said receive preferential treatment and resources, (3) the Town "explicitly did not want to appear on materials related to the Juneteenth celebration," (4) the only resources the Town expended on this event, beyond her time, were the "co-writing of a proclamation and the cutting of the check," (5) she was treated unfairly on social media by the Town, and (6) the Town communicated poorly with her during the funding process.

Councilmember Scherff asked, before moving forward with another cultural festival, that the Council acknowledge "why is it appropriate for some events to be getting preferential treatment and resources, but not others, and who is ultimately responsible for that decision; not the person completing a task, but the ultimate decision maker." She asked what will be done in the future, "so we can acknowledge where we failed, and we don't have that happen again."

In response to Councilmember Scherff, William H. Ashton II, Town Manager, stated that he is the one who is responsible. He further stated that the mini-festival budget was not activated until July 1, 2023, (start of FY 2024) and that there are regulations on how the Town can direct funding and appear in event literature. He emphasized that staff wanted to make the funding request for the event happen. He said that the Town could not reimburse Councilmember Scherff directly, since she is a paid employee. The Town also could not pay the vendors for the event directly since they did not go through the Town's procurement process. Mr. Ashton said that there are processes regarding how the Town can appear on event literature, along with specific requirements for co-throwing an event. He gave the example of Wintermarkt, which the Town co-threw with the Dulles Regional Chamber of Commerce ("the Chamber") last year.

Councilmember Scherff stated that she understands there are provisions for how the Town appears, but that the Town "elected not to appear on this, despite the fact that the money came from the Town." She also thought that the information about the funding for the event was conveyed to others first, rather than to her.

Mr. Ashton replied that he wanted to clarify the process with Arts Herndon first to ensure they could proceed with the funding. He outlined the steps staff took in the process to provide funds for the event through Arts Herndon.

Following a dialogue with Mr. Ashton about the funding process, Councilmember Scherff said, “let’s assume everything went how it was supposed to go with the check. Why is it that the Town did not take any ownership outside of that.” She stated that “if we are going to tokenize cultural groups, if we say we are going to have these festivals...”

Mr. Ashton stated that he took offense to Councilmember Scherff’s statement about “tokenizing cultural groups,” and emphasized that was not the intent, that was not what they were trying to do, and asserted that it was not the case.

Councilmember del Aguila stated that the Town Manager does not own this, the Council owns it, and he thought the Council failed in directing staff. He said that he was surprised the Chamber is able to use the Town’s logo and this event could not use it.

Councilmember LeBlanc discussed using the Town’s logo for Wintermarkt, which he helped coordinate prior to being elected to the Town Council. He said that in a recent year, the Chamber was asked not to list the Town of Herndon as the host or a sponsor. In that instance, they could not use the Town logo or state that the Town of Herndon was a sponsor. This past year, he said there were some changes, and the Town asked to be noted as a host. In his experience, the Chamber has taken its direction from the Town on the use of the Town’s name and logo.

Councilmember del Aguila said he was concerned about the optics of what had occurred. He asked how Friday Night Live was different in being able to use the Town’s logo.

Mr. Ashton said that initially, the event was being planned by one Councilmember, and there was consideration about the Town putting its full weight behind an event that was organized by a singular politician. The Council adopted the funding for the event toward the latter part of the process on June 13, 2023. After the Council approved the contribution, staff had to run it through its processes related to events, which did not trigger the use of the Town logo at that point. He stated that this was not “an air of us trying to do anything or send any message.”

Councilmember Scherff further commented on her experience with the event, which included: (1) questioning why the event was not part of the Juneteenth schedule listed in the Town’s newsletter, (2) declaring that the notification from the Town’s post about the event was blocked from her social media account, and (3) that she “does not have a particular love of Juneteenth, I have a particular love of doing what we said we were going to do,” noting that each Councilmember has an idea for a festival to give to the community to take over.

July 11, 2023 Meeting Minutes
Town Council Work Session

Councilmember del Aguila thought that they decided to support the event as a body. Mr. Ashton replied that the body did not opine on the matter until the funding was approved later in the process.

Councilmember Scherff stated that the event was endorsed in a memo from the Herndon Diversity, Equity, and Inclusion Committee (HDEIC) to the Council on April 25, 2023.

Mayor Olem stated that the memo was a recommendation to the Council from the committee.

Responding to Councilmember LeBlanc, Mr. Ashton stated that staff is working on establishing a funding process for mini-festivals. They are considering what the Town can do versus the role of nonprofits in helping the Town with events.

Councilmember LeBlanc stated while he understood that the Town will provide some funding, he thought that other organizations would be putting on the events.

Mr. Ashton stated that staff is considering processes that will include both Town and nonprofit involvement.

Councilmember del Aguila agreed with Councilmember LeBlanc and stated it was his understanding that the Town will provide the seed money for the events that will be held by the community.

Mr. Ashton stated that he prefers providing funds directly to external nonprofits, since there are no tax implications to address, and less documentation is required.

Councilmember Dhakal stated that he understood the Town may not be able to host all events, which he said was the reason Arts Herndon had been involved.

Councilmember Dhakal believes they had envisioned providing seed money for cultural events. When the Town gives money, his understanding is that the Town “automatically becomes the sponsor of the event,” and he thought that the organization should then be able to use the Town’s logo and communication channels. Otherwise, he stated that he sees a disconnect between the events happening and not being supported by the Town. Councilmember Dhakal remarked on taking this opportunity to review lessons learned.

Vice Mayor Hedrick asked if there was a request to use the Town logo for the Juneteenth event, and Councilmember Scherff indicated that there was a request, and she said it was rejected.

Vice Mayor Hedrick commented on the length of time Wintermarkt and Friday Night Live had been occurring in the Town, and he discussed the importance of addressing the start-up process for events. Regarding when it was questioned why the Town did not “endorse”

this, he said that he did not think the first response had to be one of offense. He believed that “the Town did endorse” it.

Councilmember Scherff responded by stating that the Town did not endorse it, and she said that “optics matter.” She provided comments about the community-building aspects of the Juneteenth event.

Councilmember del Aguila said “it was optics” for him, and he did not want anyone to think the Town does not embrace them for who they are. He wanted to be clear on expectations and process leading into the next mini-festival, and he suggested having a discussion at a future work session to define, discuss, and revise the process regarding mini-festivals.

Councilmember del Aguila: no comments.

Councilmember Dhakal: echoed his colleagues’ comments on the 4th of July fireworks display.

Councilmember Dhakal stated that it was good to be back, and he thanked staff for the seating arrangements in the Council Chambers.

Councilmember Dhakal asked how to move forward with the items that the HDEIC recommended to the Town Council.

Mr. Ashton replied that staff put the HDEIC recommendations together with the Town Council Initiatives, so that the Council can prioritize and determine the best way to move forward. He indicated that the Town Clerk gave him a list of the Town Council Initiatives earlier that day, which included the HDEIC recommendations.

Councilmember Dhakal asked his colleagues how they want to move forward with the HDEIC recommendations. He stated that a Councilmember can bring forward an initiative, but these recommendations were provided by a Town Council-appointed body. He asked what the difference is between a Councilmember bringing an initiative forward and a board bringing a matter to the Council to consider.

Councilmember LeBlanc stated that he does not think the HDEIC recommendations belong with the Town Council Initiatives. He thinks that it is the Chair’s role to bring the committee’s ideas forward, as Councilmember Dhakal did, so the Council can decide whether to pursue them.

Councilmember del Aguila agreed with Councilmember LeBlanc.

Councilmember Dhakal thanked Councilmember Scherff for the discussion on the Juneteenth event, and he recognized her work in organizing and carrying out the event.

July 11, 2023 Meeting Minutes
Town Council Work Session

Councilmember LeBlanc: echoed his colleagues' comments on the 4th of July fireworks display.

Councilmember LeBlanc shared that he represented the Town at the Herndon Olympics today, where he had a great time. He provided comments about the event and his participation in it.

Councilmember LeBlanc asked who was responsible for maintaining the flower beds in front of Aslin Brewery, near the intersection of Center and Elden Street. He noticed that they are full of weeds and needed to be addressed.

Scott Robinson, Director of Public Works, stated that staff will look into the matter and advise Councilmember LeBlanc.

Councilmember LeBlanc reported that there are some very tall weeds and metal containers in the same area, behind Aslin Brewery and Roberts Carpets. He stated that he also saw vermin in that area.

Mr. Ashton replied that staff is aware, and they are working on the metal container issue.

Vice Mayor Hedrick: thanked Councilmember Scherff for spearheading the Juneteenth event, which he enjoyed attending.

At the Juneteenth event, Vice Mayor Hedrick stated that a citizen conveyed to him that: (1) the crosswalk button at the intersection of Spring Street and Herndon Parkway is not working, and (2) they asked to add a "no right turn when pedestrians are present" sign to all busy intersections in Town.

Mr. Ashton stated that staff will look into Vice Mayor Hedrick's requests and get back to him.

Mayor Olem: stated that she enjoyed attending the Juneteenth event.

Mayor Olem recognized and thanked the Herndon Police Department for directing traffic and the Department of Public Works for doing a great job cleaning up after the July 4th fireworks display.

William H. Ashton II, Town Manager: stated that he appreciated the positive feedback on the 4th of July event. He commended Cindy Roeder, Director of Parks and Recreation, along with staff at the Department of Public Works, Herndon Police Department, and the Golf Course, for all their work to make the event a success. He highlighted that July 4th happens shortly after the Herndon Festival in June, and that both events require "all hands on deck" for these departments.

5. **CLOSED MEETING**

Mayor Olem stated that the agenda had been amended the agenda that evening to include a closed meeting, which was held in the Hoover Conference Room in the Herndon Council Chambers Building, 765 Lynn Street, Herndon, Virginia.

Vice Mayor Hedrick moved that the Council convene in closed meeting to discuss the following: as permitted by Code of Virginia Section 2.2-3711(A)(7), consultation with legal counsel pertaining to litigation resulting from the recent decision of the Town Council regarding the appeal of a Historic District Board decision, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Town. Councilmember LeBlanc seconded the motion, which carried by unanimous roll call vote. The vote was: Councilmembers Alam, del Aguila, Dhakal, LeBlanc, Scherff, and Vice Mayor Hedrick, and Mayor Olem voting “Aye.”

The Council went into closed meeting at 10:22 p.m.

At 10:22 p.m. Mayor Olem called a brief recess, and at 10:28 p.m., the closed meeting reconvened in the Hoover Conference Room, all members present, with Mayor Olem presiding.

Councilmember Scherff moved to come out of the closed meeting. Motion seconded by Councilmember Dhakal and carried by unanimous roll call vote. The vote was: Councilmembers Alam, del Aguila, Dhakal, LeBlanc, Scherff, and Vice Mayor Hedrick, and Mayor Olem voting “Aye.”

The Council came out of closed meeting at 10:46 p.m.

Councilmember LeBlanc moved to certify that, to the best of each member's knowledge, in the closed meeting just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed meeting and (2) lawfully permitted to be discussed in a closed meeting under the provisions of the Virginia Freedom of Information Act as cited in that motion. Motion seconded by Vice Mayor Hedrick and carried by unanimous roll call vote.

The vote was: Councilmembers Alam, del Aguila, Dhakal, LeBlanc, Scherff, and Vice Mayor Hedrick, and Mayor Olem voting “Aye.”

Ayes: 7

Nays: 0

Absent: 0

July 11, 2023 Meeting Minutes
Town Council Work Session

6. **ADJOURNMENT**

There being no further business, Mayor Olem adjourned the July 11, 2023 Town Council work session at 10:48 p.m.

Amanda E. Monaw Kertz

Amanda E.M. Kertz
Chief Deputy Town Clerk



Minutes approved by Town Council: September 12, 2023