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**HERNDON TOWN COUNCIL  
Work Session  
Tuesday, February 1, 2022**

At a regular meeting of the Town Council of the Town of Herndon, Virginia, held in the Herndon Police Department Community Room, 397 Herndon Parkway, Herndon, Virginia, on Tuesday, February 1, at 7:00 p.m., there were present:

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

Staff present during the meeting: William H. Ashton II, Town Manager; Lesa Yeatts, Town Attorney; Chief Maggie DeBoard, Herndon Police; Viki Wellershaus, Town Clerk; Anne Curtis, Chief Communications Officer; Robert Tang, Director of Finance; Elizabeth Gilleran, Director of Community Development; Cindy Roeder, Director of Parks and Recreation; Scott Robinson, Director of Public Works; 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

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indicate they were present. Following the roll call for attendance, Mayor Olem confirmed there was a quorum present, with Councilmember Alam absent.

Mayor Olem asked Council to observe meeting decorum by showing their hand to be recognized by the chair for comments. 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 & DISCLOSURES**

Mayor Olem asked the Deputy Town Clerk if there were any comments or disclosures for the record that evening. The Deputy Clerk stated that the Clerk did not receive comments for the record or disclosures from Council on any item listed on the agenda that evening.

### **GENERAL**

**2. Resolution 22-G-12, award of Contract, Carnival Operations, RFP 22-06.**

Mayor Olem recognized the Director of Parks and Recreation, who presented the staff report dated February 1, 2022, which is on file in the Town Clerk's office. The proposed resolution would award the contract for carnival operations for the Herndon Carnival from June 2 through 5, 2022. The event that weekend would not be called the Herndon Festival, because it would be significantly modified from the event the town held in the past.

Staff issued a Request for Proposal (RFP) for a base year and to provide for four, one-year, renewable options. A single proposal was received from Frank Joseph and Sons, Inc., dba Jolly Shows. Jolly Shows has been the Herndon Festival carnival provider for nearly 20 years. Following evaluation and based on negotiations, staff proposed an agreement for revenue sharing with the responsive vendor. The contract with the carnival operation contractor was similar to what staff had planned for calendar year 2020 before the pandemic. Staff recommends that the proposal be awarded to Frank Joseph and Sons, Inc, dba Jolly Shows, Inc., and that the Town Manager be authorized to enter into an annual contract to implement the carnival operation.

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

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In response to queries from Councilmember Friedrichs, the Director of Parks and Recreation stated that the safety aspects of the event went through the Building Official and were part of the contract.

In response to queries from Councilmember Singh, the Director of Parks and Recreation stated that the event would be modified this year and it would include the carnival and several food booths. There would not be stages of entertainment, the craft show, or hands-on art area.

In response to queries from Vice Mayor del Aguila about revenue, the Director of Parks and Recreation stated the share to the town was based on a split of the gross revenue with the vendor. With decent weather, approximately \$150,000 to \$200,000 share goes to the town. Responding to further queries, she stated that she could provide a table with information on revenue data from the last four or five years for next week's meeting.

Responding to Mayor Olem's comments, the Director of Parks and Recreation briefly reviewed the food vendors that would be at the carnival.

In response to queries from Councilmember Singh, the Director of Parks and Recreation stated that the town does not pay the carnival vendor, and the costs related to staff.

The Town Manager stated that staff had a breakdown of accounting for the carnival that he could provide to Council.

Following brief discussion and with the concurrence of Council, Mayor Olem asked staff to place this item on the Consent agenda for next week's public meeting. The Town Manager stated staff could send the information requested during tonight's discussion to Council.

**3. Resolution 22-G-13, to approve and authorize the Town Manager and Director of Finance to sign a Memorandum of Understanding between the Fairfax County Board of Supervisors and the Town of Herndon to permit the County to collect non-delinquent and delinquent Real Property Taxes for the Town.**

Mayor Olem recognized the Director of Finance, who presented the staff report dated February 1, 2022, which is on file in the Town Clerk's office. The proposed Memorandum of Understanding (MOU) between Fairfax County and the town would allow the county to bill and collect for current and delinquent real property taxes. The MOU, which would begin on June 1, 2022, was permitted under the state code. The proposed resolution would allow the town to enter into an agreement whereby the Fairfax County Department of Tax Administration (DTA) would collect current and delinquent real property taxes owed to the town.

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As part of the MOU, the Director of Finance stated that the DTA would retain a quarter of a percent of what was collected for the town (not billed). The fee would be less than what the town was currently paying in expenditures for the real estate billing and collection process. This agreement would give citizens one bill for their real property taxes and allow the DTA to provide more efficient and better customer service. Staff recommends approval of the proposed resolution, as presented.

There was a brief question and answer session between Councilmember Singh, the Town Manager, and the Director of Finance on this item.

In response to queries from Councilmember Singh, the Town Manager stated that around 2017, Loudoun County worked to get a bill passed in the General Assembly to allow counties to collect taxes on behalf of towns located there. The town then went to Fairfax County and pursued similar legislation for the county to collect the town's taxes. The Town Manager thought this change was less about the town's sovereignty and more about outsourcing tax collection to the county since they already billed the same thing to the same customers.

In response to queries from Councilmember Singh, the Director of Finance explained how the county would retain a quarter of a percent of what was collected for the town (not billed).

In response to queries from Councilmember Friedrichs, the Director of Finance confirmed the county's tax collection would begin on June 1, 2022. Citizens would begin receiving a consolidated bill for the month of July.

In response to queries from Mayor Olem, the Director of Finance stated that Herndon was the first town to take advantage of this legislation in Fairfax County.

Following brief discussion and with the concurrence of Council, Mayor Olem asked staff to place this item on the Consent agenda for next week's meeting.

**4. Resolution 22-G-14, to award Contract #B-22-07, Van Buren Street Multi-Modal Improvements Phase I and Phase II.**

Mayor Olem recognized the Director of Public Works, who presented the staff report dated February 2, 2022, which is on file in the Town Clerk's office. The proposed resolution would award a contract for the Van Buren Street Multi-Modal Improvements Phase I and II, which is in the Capital Improvements Program (CIP). The two phases of this project would happen simultaneously. He briefly outlined the project, which would improve pedestrian and bicycle connectivity between the downtown, regional trails, and future Metrorail Station. Improvements would include curb and gutter, wide travel lanes, bike lanes, sidewalks, ADA compliant crosswalks and curb ramps, traffic signalization at Alabama Drive, street lighting,

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closed stormwater system, stormwater management facilities, and water utility relocation. Phase I of this project was primarily federally funded, while Phase II was regionally and locally funded.

Staff advertised the project for bid on November 23, 2021 and on December 28, 2021, the town received three bids. The apparent lowest bidder, A&M Construction Corporation, was found to be responsive and responsible. Reimbursements for the funds were available through a combination of agreements with the Virginia Department of Transportation (VDOT), Northern Virginia Transportation Authority (NVTA), Herndon Metrorail Station Access Management Study (HMSAMS), and some general obligation bonds. Staff recommends approval of the proposed resolution, as presented, awarding the contract to A&M Construction Corporation. Staff also recommends authorizing a \$800,000 contingency.

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

In response to queries from Councilmember Friedrichs, the Director of Public Works stated that the town had collaborated with the recommended vendor in the past on streetscape and bus bay projects.

The Town Manager indicated that they were the same contractor as the town used for the Herndon Parkway/Van Buren Street intersection improvements.

In response to queries from Councilmember Regan, the Director of Public Works stated he could look at the vendor's bonding capacity, annual revenue, and how much of that was allocated to the town's projects.

In response to queries from Councilmember Singh about the project's length, the Director of Public Works stated he would have to check the project's schedule. The Town Manager stated it should be approximately one year, keeping in mind that there were some supply chain issues, especially related to signalization.

In response to queries from Mayor Olem about how this project would impact the other side of the toll road, the Director of Public Works stated it would not cross the toll road and it would provide better transportation to the Metrorail Station.

Following brief discussion and with the concurrence of Council, Mayor Olem asked staff to place this item on the Consent agenda for next week's meeting.

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5. **Resolution 22-G-15, to approve the donation of the former Darrell Trust Funds in the amount of approximately \$101,761.37 to Educate Fairfax to be used solely for education assistance to Herndon Students residing in the Town of Herndon and enrolled in the Fairfax County Schools in the Town of Herndon.**

Mayor Olem recognized the Director of Finance, who presented the staff report dated February 1, 2022, which is on file in the Town Clerk's office. On January 7, 1935, a private town citizen created the Darrell Trust Fund, which was intended to help town residents with educational assistance. The fund was administered and passed on to the town's school board, which currently does not exist. The town's school system is administered and operated by Fairfax County Public School (FCPS), and the town holds the funds.

The proposed resolution would provide the transfer of approximately \$101,761.37 to Educate Fairfax, a 501(c)3 foundation of FCPS that accepts monetary gifts from the community. The Director of Finance stated that 100 percent of the funds raised would go directly to support students, schools, and programs in FCPS. Educate Fairfax has agreed to use the funds solely for the education assistance and benefit of students residing in the town and enrolled in the FCPS. This action would not affect the town's General Operating Budget because the funds are separate. Staff recommends approval of the proposed resolution, as presented.

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

In response to queries about the fund from Councilmember Dhakal, the Director of Finance indicated it had been used scholarships. The trust gave loans to students, who would pay it back at a low interest rate. For some time, it had not been used in that capacity. When the last member of the Town School Board passed away, the account was signed over to the town. Staff reached out to FCPS, and they directed them to Educate Fairfax.

In response to queries from Councilmember Dhakal, the Town Manager stated he was able to secure the fund's records after the last person who oversaw it passed away. The program was very informal and relied on the honor system for the students to pay it back. Staff held the funds until they found a way to help Herndon-based children get higher education.

Councilmember Friedrichs said she was familiar with this, and she commended staff for finding a solution that would benefit town students. She asked if this was tied to high school students, and the Director of Finance stated that since the account was under the town's purview, there were not restrictions like that.

Responding to queries from Vice Mayor del Aguila, the Director of Finance stated the remaining balance of the funds was signed over to the town. Following

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approval, he stated that there would likely be an MOU between the town and Educate Fairfax to make sure the money went to Herndon students. That MOU would have to be approved by the Council.

Responding to the discussion, the Town Manager stated staff had worked with the Herndon High School principal and FCPS, who were aware of this fund and its intended use for town students.

Vice Mayor del Aguila stated his question was more of a concern, which was that the town would lose control of the money once it went to another entity. The Town Manager stated his concern was well-placed, which was why the town would work out an agreement with the county.

In response to queries from Councilmember Singh about contributions to the fund, the Director of Finance stated anyone could contribute to Educate Fairfax. He could follow up on the process as he was not sure how it was done.

Following brief discussion and with the concurrence of Council, Mayor Olem asked staff to place this item on the Consent agenda for next week's meeting.

Mayor Olem stated that next week, as with each public meeting, she would list the Consent agenda items and she would encourage individuals to come forward to address them during Comments from the Audience.

## **DISCUSSION**

### **6. Town of Herndon Diversity, Equity, and Inclusion Committee.**

Mayor Olem recognized the Town Manager to begin the discussion on the Herndon Diversity, Equity, and Inclusion Committee (HDEIC).

Council had decided to move the HDEIC forward at the May 2021 Town Council Strategic Planning Initiatives Meeting. The Manager presented this as a discussion item in August 2021, after staff and Councilmember Dhakal worked together to lay out some of the issues that needed to be worked on. The Town Clerk then worked with Councilmember Dhakal on forming the HDEIC, which was what staff included in the agenda. Once Council reviewed the proposed documents, the matter would come back to Council for approval, and then they would make appointments to the committee.

The Town Manager stated the committee's proposed purpose would be to listen, discuss, and respond to community concerns about diversity, equity, and inclusion, and to use the information gathered from these discussions to make recommendations to the Council. They would also recommend policies and activities to help foster diversity and inclusion in the community. There would be

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11 members, presumably from diverse backgrounds, but the members would be Council's decision. There would be seven town residents, two representing town businesses; one non-resident member; and one Councilmember, who would serve as Chair. The terms would coincide with Council's terms. If Council supported this, staff would begin to solicit applications for individuals to serve on it, which would be reviewed by the interview committee. The Town Manager recognized Councilmember Dhakal for comments.

Councilmember Dhakal stated that he did not have anything to add to the Town Manager's comments. He indicated he would like to hear the Council's thoughts.

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

Councilmember Singh referred to the Town Council Strategic Planning Initiatives process and asked if a statement on this item was available. He thought including one was part of the process. He thought that 11 members was too many, and he suggested that they should start off with five to six people instead.

The Town Manager responded to Councilmember Singh and stated Council could make any changes they like to the committee and the number of members.

Vice Mayor del Aguila supported the committee, stating that the Council had agreed to move it forward as a priority. He thought this spoke to a larger initiative, which was to acknowledge and implement things that represent the town's diversity. He did not think there was enough diversity in town leadership, and he thought that should be represented at every level. He thought this was a great start and the number of members was less important. He thought there would be more ideas with more members. He hoped the Chair would foster a forum where it was safe to bring in new ideas.

Councilmember Regan supported the proposed committee. He thought the Council should be thinking about what its obligation was to the committee and he wondered if there should be wording added to that effect. He asked if they should send the Planning Commission and Town Council agendas to this committee before the meetings. He stated it was a two-way street and he wanted to set the group up for success.

Councilmember Friedrichs supported moving this forward. She had concerns about the content, and she asked the Town Manager about what staff was looking for that evening from the Council.

Responding to Councilmember Friedrichs, the Town Manager stated he had expected this item would be moving forward. That night, he was looking for any

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changes to the details in the committee, like how Councilmember Singh asked about the number of members. Staff could refine the proposal before it came back to the Council.

Councilmember Friedrichs thought 11 members might be too many, but she would yield to Councilmember Dhakal on his vision for this committee. She did not understand why a non-resident member was needed and expressed concern that a Councilmember as Chair would take away from the committee being a safe place to share ideas. However, she did not have that concern about Councilmember Dhakal. She suggested that after the first term, maybe the chair could move around the committee.

Mayor Olem stated there were many other similar ad-hoc advisory boards. She asked if there was always a Councilmember that served as Chair, and how many members were typically on each board. She recognized the Town Clerk for comments.

In response to queries from Mayor Olem, the Town Clerk stated that 11 members was actually on the lower end of members for Council committees, such as the Pedestrian and Bicycle Advisory Committee (PBAC), which has a Councilmember as Chair, and the Economic Development Advisory Committee (EDAC). She explained how she and Councilmember Dhakal got to the number and composition of members.

The Town Clerk discussed the process of forming the committee and drafting the mission. Addressing some of the Council's suggestions, the Town Clerk stated that they had actually removed some of the broader language from the resolution, since they wanted to really define its mission. However, she emphasized that this was the Council's committee, and staff could add back some of the items that were discussed at previous meetings.

In response to queries from Mayor Olem regarding the Herndon Youth Advisory Council (HYAC), the Town Clerk stated that committee was similar to this one. There was a Councilmember who served as Chair, and it had slightly more members.

Vice Mayor del Aguila agreed that this was the Council's advisory committee and he stated that they could always make changes. He suggested adding something like a report from the Chair to Council, similar to what PBAC does. Then, Council could review the Chair's report and suggestions. He thought that 11 members might be too low, stating that PBAC and HYAC had more members.

Councilmember Singh liked the idea, but he thought the committee should start with a smaller number of members. He discussed what he thought the committee should do while it was getting started.

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Councilmember Friedrichs thought this was more of a group where the Council could ask questions, rather than them functioning as their own council. She offered a few suggestions of topics the committee could review and report on.

Councilmember Dhakal stated this was why he wanted to hear from the Council. It was important to him that the HDEIC represents different groups throughout the town. Bringing the group together was the first task, and he thought ideas could be discussed after that. He suggested adding a line to the proposed material regarding how the Council would collaborate with this group. Having said that, he did not want to derail the group and the Council could come back and amend this as needed. He mentioned his discussions with staff about the committee, who advised him to increase the number to 11 so there would be a good representation of the community. He was open to changing the number of members if the Council wanted to do that.

Councilmember Dhakal stated this initiative was brought up before the Town Council Strategic Planning Initiatives process required a Councilmember to present a statement, but he indicated there was a statement that he could forward to Council. He thanked each member of Council for helping with this item. Regarding the Chair, the idea was the committee could elect the Chair. He was advised that since this was a Council advisory group, it would be a good idea to have Council representation.

Councilmember Regan understood that with the committee terms ending with the Council terms, appointing members to this committee would be one of the first things a new Council would do. He stated that could be overwhelming and questioned if the HDEIC member terms should start in March instead of January. He wondered if it would be beneficial to be a little flexible on the numbers, or perhaps to give a range for the number of members.

Responding to Councilmember Regan, the Town Attorney stated the committee description could be worded something similar to "no more than 11 members" to make Councilmember Regan's suggestions possible. Regarding the reconstitution of the Council's ad hoc committees, she stated that the terms all run with the Council's terms. Changing that might require some retooling of language.

Vice Mayor del Aguila stated he was almost certain that the Council could not "carry over" the ad hoc committees after the new Council took office. He liked the idea of having more members and would be comfortable moving this forward.

Councilmember Singh provided comments about the number of people on the committee and wanted to know what its goals were, for example he wondered what the committee would accomplish in the next three months. He supported the idea, but he wanted them to be successful.

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Councilmember Friedrichs suggested one of the first tasks might be to send the committee the meeting agendas and see if they raise any concerns. It may also help for the Council to run their policies and plans by them. She wanted to move it forward as soon as possible to get started before the end of this Council's term.

Councilmember Dhakal discussed the terms for the committee, and he thought the incoming Council should decide on committee members. Responding to Councilmember Singh's question about the goals, he understood the goal to be celebrating diversity and giving ideas to the Council on how the town could better promote diversity. He hoped to get started.

The Town Manager stated, in conclusion, that staff would draft the final resolution and touch base with the Council on it. It should be ready by the end of the month. If adopted, staff would start soliciting applications from candidates and start the process of forming the committee.

**7. Town Wide Parking Issues.**

Mayor Olem recognized the Town Manager to begin the discussion on town wide parking issues. The Town Manager stated that at the Council meeting two weeks ago, Councilmember Regan mentioned being proactive and looking into parking issues throughout town. The Town Manager stated the parking issues fell into two categories ~ emerging issues and long-range issues.

With the forthcoming Herndon Metrorail Station, parking was something the Council needed to consider in the surrounding neighborhoods. The Town Manager stated that the Residential Parking Program was established to address some of these concerns, however, as they saw with the Madison Zone, there was a time lag between discovering the problem and establishing the zone. Once it was established, the Town Manager had more latitude to manage the zone.

Regarding long-term issues, the Town Manager stated that nearby jurisdictions were looking at zoning changes and other ways to deal with high density parking issues. One of the things he noticed about the recent parking ordinance discussion was that the jurisdictions surrounding the town updated parking regulations, and the town had to play catch-up to address them. Staff would like to study this issue and get in front of parking issues that would affect the town. The Town Manager recognized Councilmember Regan, who had suggested the idea.

Councilmember Regan agreed with the Town Manager's comments on addressing emerging parking problems and long-term parking. He thought the Council needed to urgently look at the areas by the Metrorail Station and consider the zoning code and parking maximums.

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Mayor Olem stated that it seemed like Council and the public were interested in this issue. She had received a lot of feedback from the last meeting to share with the Town Manager.

Councilmember Singh highlighted the area that he said he knew would be impacted, which was the extension of Alabama Drive. He said there was a similar situation with the Town of Vienna, and it might be worth talking to them and other jurisdictions that have dealt with the impact of Metro. He asked who on staff would be managing this.

Responding to Councilmember Singh, Councilmember Regan thought in its early stages, ideas or initiatives should be Council driven. If an idea gets support from the Council, he thought that was the time to allocate staff resources.

Councilmember Singh thought that Councilmembers should spend time on this issue, gathering research and articles, instead of staff. He discussed the Town Council Strategic Planning Initiatives process.

Vice Mayor del Aguila stated that the Town Council Strategic Planning Initiatives were prioritized by four votes, and he thought it was imperative of staff to work on the parking issues. He indicated it was not in the Council's realm because they were "executives", and they were "the ones charged with directing staff what the priorities are." He suggested that staff start by taking inventory of every potential parking area in town and what the impact of Metro would be. After that, he thought they should consider changing some traffic patterns. If staff did not have the expertise or the time to do all this, he wanted staff to come back to Council to consider approving more staff. This was the point of the "minimum viable product" and then see what further resources were needed.

Councilmember Dhakal echoed Vice Mayor del Aguila's comments. It was also his understanding of the Strategic Planning Initiatives that a Councilmember would first produce an idea and explain why something needed to be done. How that would get done was up to staff.

## **ROUNDTABLE**

1. **Councilmember Dhakal:** Stated he had observed some positive changes with parking in town. He had already noticed fewer commercial vehicles and more parking spaces on Ferndale Avenue.
2. **Councilmember Regan:** Shared an update from two meetings that he attended about the airport, which were the Committee for Dulles meeting and the Dulles Regional Chamber of Commerce's Metro Monday. He conveyed that the

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number of travelers going through Dulles Airport had gone back down again after going up slightly. The airport was optimistic about long-term trends for air travel. Dulles Airport also hoped to be able to host the plane pull in later this year in the fall.

3. **Councilmember Friedrichs**: Wished all those who celebrate a Happy Lunar New Year. She highlighted that this was the beginning of African American History Month, which she thought should be year-round. She hoped everyone would take the opportunity to celebrate African American achievements.

Councilmember Friedrichs stated that she and her family were bereaved, and she apologized for leaving last week's meeting early. She had wanted to vote on the parking item, and she received many comments from residents who wanted to continue moving forward on other parking issues. She thanked the Chief of Police and Parking Enforcement Official (current and former) for their excellent presentation and for their hard work at last week's public hearing.

4. **Councilmember Singh**: Stated that his main concern about changing the parking regulations was how it would affect the residents. He said that he had not seen many violations, and in their discussions last week, it sounded like there were a lot of them. He did not think that was true. He wanted to know what problem they were trying to address. Councilmember Singh said he met with the Town Attorney on Friday, and it was his understanding that under the regulation, parking was limited to two hours. He discussed parking on Cavalier Drive and the restrictions on commercial vehicles, like ladders. He wondered what the specific public safety issue was addressed by limiting the size of commercial vehicles.

5. **Vice Mayor del Aguila**: Stated that Councilmember Alam wanted him to pass along her thanks for the well wishes she received for her sister and family.

Vice Mayor del Aguila asked when the next Town Council Strategic Planning Initiative Meeting was, and the Town Manager stated that staff was working on it.

Vice Mayor del Aguila asked about the progress for dealing with business license fees for massage therapists, which was brought up at last week's meeting during Comments from the Audience.

The Town Manager replied that staff would propose a change to that portion of the code as part of the proposed budget package, so it would not be an issue moving forward. This year, the best way to address the fees was to file an appeal with the Director of Finance. The process would pause the collections, look at their business categorization, and go from there.

Vice Mayor del Aguila asked if the town had communicated the options to the massage therapists, and the Town Manager stated that the Economic

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Development Manager, the Director of Finance, and he had worked to communicate with the massage therapists who were at last week's public hearing.

Responding to Vice Mayor del Aguila, the Director of Finance stated that he was waiting for Meg Donnelly to get back to him with some questions, and then he planned to post the appeals options on the website.

Vice Mayor del Aguila asked about Councilmember Singh's request to hold an "executive session," and the Town Manager stated he reached out to Councilmember Singh and tasked staff to work on the legal exception he requested. Staff was writing the language and it should be coming up in two weeks. He stated that Councilmember Singh was aware of this update.

Vice Mayor del Aguila asked staff to remind them about the agenda process and referred to an email the Town Manager sent to Council.

The Town Manager asked the Council not to "reply to all" when they receive an email with all of Council copied, because that would start a meeting. He had tried to stop that process. Regarding the agenda process, staff needed to know about any items for the agenda the week prior to the meeting.

Vice Mayor del Aguila asked for an update on speeding buses on behalf of a citizen, and the Town Manager replied that he would like to get the citizen the contact information for the county. When staff contacted the county, the county told them that their GPS data did not support the citizen's observations. It would be better for the individual to work directly with the county to straighten it out rather than going through the town.

Vice Mayor del Aguila stated that he understood the citizen's point of view, because the perception was that buses were speeding on town streets.

Vice Mayor del Aguila asked if a permit was issued on a building next to where the fire had occurred in Fortnightly, and he asked staff to update the owners on what was happening there. The Town Manager indicated he would ask the Director of Public Works to look into it. The Director of Public Works replied, stating he was not sure which building had a permit, but he saw a permit request come in last week.

Vice Mayor del Aguila asked about outdoor dining and how to get that started. The Town Manager stated that staff was working on the issue. They needed to work with Virginia ABC, because the regulations they used last year for outdoor dining in the pandemic were no longer valid. Staff was looking at how to make the sidewalk available for several downtown businesses.

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Vice Mayor del Aguila understood the complexities. He thought that the downtown businesses loved outdoor dining.

6. **Mayor Olem:** Stated that she had also attended the Chamber's Metro Monday and echoed Councilmember Regan's comments. She enjoyed hearing about the history of Dulles Airport and the Metro updates. The event was televised by TV 10 for those that were interested in watching it.

Mayor Olem echoed Councilmember Friedrich's comments on thanking the Chief of Police and the Parking Enforcement Official for their presentation last week.

The Chief of Police stated she would pass the comments along to the Parking Enforcement Official, who she agreed did a wonderful job.

Mayor Olem was glad to have a Parking Enforcement Official on staff, as the town had tried to get one for many years.

Mayor Olem shared that she had a neighbor who watched last week's public hearing because of the massage therapist question. She gave that neighbor an outline of her comments from last week's meeting, which went over the BPOL appeals process and how the matter would be addressed moving forward. She had also sent a copy of those remarks to everyone that provided comments on the matter last week.

### **COMMENTS FROM THE TOWN MANAGER**

The Town Manager gave kudos to the previous Parking Enforcement Official, who had received customer service awards from outside the town organization.

The Town Manager stated that COVID case positivity rate in Fairfax County was trending down, but the region remained at high transmission. Staff continued to realize weekly shortages on this, however the numbers were starting to taper. He hoped they would be able to get beyond this in the next several weeks.

The Town Manager stated that last week, several citizens had commented on a traffic study that was done during COVID on Worchester Street. He was not sure if there was a miscommunication, but approximately 85 percent of the cars that traveled through the area during the study period were going 31 miles per hour or less on a 25 miles per hour street. Only two vehicles were traveling over 41 miles per hour. He stated they used speed and count strips and not cameras. Often, cars look faster when you are standing still versus when you are in them, and the speed can be illusionary. Additionally, VDOT has a method for measuring cut through traffic, which the Town Manager briefly reviewed. This area did not meet

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the VDOT standard for having a cut through traffic problem. However; HPD and staff were still looking at the area.

Councilmember Friedrichs thought that the report the Town Manager shared about Worchester Street was difficult to understand.

The Town Manager shared that staff was also looking at traffic in other areas in town. Right now, the Traffic Engineering Improvements Committee (TEIC) was looking at Alabama Drive, where there was an area of no parking. Staff was not sure why that no parking area was there, and they were going to see if that could be opened up for parking.

The Town Manager was glad to hear that Ferndale Avenue looked less congested, and he thought they should now look at the site lines and what was necessary for safety on that street.

Councilmember Dhakal, who had mentioned parking on Ferndale Avenue earlier that evening, stated he did not want to be tied to his comment because he might have been looking at the street at the wrong time. The Town Manager replied that staff would also take a look at it.

Vice Mayor del Aguila suggested painting or repainting parking spaces would be a helpful tool. The Town Manager stated he would discuss that with operations.

The Town Manager reviewed some project delays that occurred on Center and Elden Streets and the Bus Bays due to supply chain issues. He would keep Council informed of these projects moving forward.

Regarding the downtown, staff and Comstock were working on temporarily moving the Arts Herndon from the downtown to 397 Herndon Parkway. He stated that half of the transitional parking was under lease, and they were looking to finalize the other half in the next couple of months. A site plan amendment approval was just completed and sent back to Comstock.

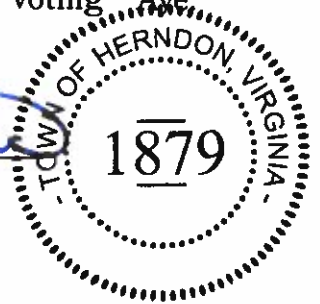
The Town Manager stated he was working with facilitators for the next Town Council Strategic Planning Initiatives Meeting and the contract was under review. He reached out to the facilitators about scheduling, who would talk with each Councilmember to help lead the conversation toward consensus. He did not have a specific date yet, but the meeting was moving forward.

**February 1, 2022  
(work session)**

**ADJOURNMENT**

On motion of Councilmember Friedrichs, seconded by Councilmember Dhakal, and carried by a 6-0 vote, the meeting of the February 1, 2022, work session was adjourned at 8:57 p.m. The vote was: Councilmembers Dhakal, Friedrichs, Regan, Singh, and Vice Mayor del Aguila and Mayor Olem voting "Aye." Councilmember Alam was absent.

  
Sheila A. Olem  
Mayor



  
Amanda M. Kertz  
Chief Deputy Town Clerk

**Minutes approved by Town Council: May 10, 2022.**

**February 1, 2022  
(work session)**

***NOTE:***

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