



**HERNDON TOWN COUNCIL
Work Session Meeting Minutes
Tuesday, September 5, 2023**

The Town Council held a work session meeting on Tuesday, September 5, 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 M. 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; Tanya Kendrick, Director of Human Resources; Cindy Roeder, Director of Parks and Recreation; Scott Robinson, Director of Public Works; John Irish, Deputy Director of Public Works; Dave Bracamonte, Systems Manager; and Amanda Kertz, Chief Deputy Town Clerk.

1. CALL TO ORDER

Mayor Olem called the September 5, 2023 Town Council work session to order at 7:00 p.m.

Determination of a Quorum

Mayor Olem determined there was a quorum and that all members were present. Mayor Olem reminded the Council of the meeting decorum.

Mayor Announcements

Mayor Olem invited everyone to attend the ribbon cutting for the Van Buren Street and Herndon Parkway intersection improvement project on Thursday, September 7, 2023, at 11:00 a.m. at the northeast corner of the intersection.

Mayor Olem called attention to an insert that will be included in the next water bill that highlights the new website and its features. The insert is written in English and Spanish.

Mayor Olem stated that NatureFest, which is hosted by the Friends of Runnymede Park and the Town's Departments of Public Works and Parks and Recreation, is on Sunday, September 24, 2023, from 1:00 to 5:00 p.m. in Runnymede Park. She discussed some of her favorite activities that are part of this family-friendly event.

Mayor Olem stated that this year's Fall Clean-Up is from October 18 to October 20, 2023. During this time, residents may place large or bulky items out for collection on their regular trash day for no additional charge by the Town. She stated that hazardous waste is not accepted as part of this service.

2. GENERAL

a. Resolution to amend the Parks and Recreation Fees - Special Facilities Use and Facility Rental Fees

Mayor Olem recognized Cindy Roeder, Director of Parks and Recreation, who presented the staff report dated September 5, 2023. The proposed resolution will support the Department's efforts to reduce financial barriers and encourage underserved youth and families to use the Town's recreational facilities. Ms. Roeder reviewed the process through which the Town Manager and staff worked with representatives from Cornerstones and Opportunity Neighborhoods (ON) to compose a reasonable and equitable fee schedule, as outlined in the proposed resolution.

Ms. Roeder stated that by using census data to recognize addresses that fall below the median income, staff identified the areas of the Town that could most benefit from reduced admission fees. Those residing within the designated areas are eligible to receive the discounted Resident rates with proof of address. Residents living outside the designated areas can receive the same discounted rates by presenting proof of address and documentation that demonstrates a need for reduced rates. Non-Residents living within the Herndon High School pyramid school district will also be eligible for the discounted Non-Resident rates with the necessary documentation.

Ms. Roeder discussed the proposed fee schedule and stated that in addition to having Resident and Non-Resident rates, the proposed fees are different for adults, children, and seniors. She stated that staff is looking to create cards for those individuals who use the reduced rates, so they do not have to show documentation every time they use the Herndon Community Center. Staff recommends approval of the proposed resolution, as presented.

William H. Ashton II, Town Manager, stated that the Town will not hold onto any documentation submitted by the individuals that qualify for the program.

There was discussion among the Council and staff on the proposed fee schedule, centering on: (1) proposed eligibility and fee structure, (2) promotion of the program, to include posting on the website and distributing flyers in English and Spanish, (3) number of eligible individuals who may participate in the program, (4) staffing and security needs due to the additional children expected to participate, and (5) transportation options for residents to the Herndon Community Center.

September 5, 2023 Meeting Minutes
Town Council Work Session

Councilmember del Aguila asked staff to provide an estimated number of households that are eligible for the reduced Resident rate.

Vice Mayor Hedrick asked his colleagues to consider revisiting the revenue recovery requirement for the Herndon Community Center, which was established by a previous Town Council. During his comments, Vice Mayor Hedrick asked staff for the “breakeven point” of the Herndon Community Center’s revenue relative to its costs.

There was discussion between Council and staff on the existing revenue recovery requirement for the Herndon Community Center, which included the following: (1) request for the amount of revenue currently being recovered, (2) looking at establishing a more realistic percentage, (3) considering removal of the revenue recovery requirement, (4) impacts of the pandemic on the Herndon Community Center, and how much time is needed to conduct a fee study, and (5) the important services the Herndon Community Center provides.

Mayor Olem stated that the Northern Virginia Regional Commission (NVRC) recently submitted a letter to the Virginia General Assembly about increasing the funding allocated to school districts located within the localities that are part of NVRC. She offered to provide a copy of the letter to those interested.

During the discussion, Mr. Ashton stated that for the past several years, the Department of Parks and Recreation was not held to the revenue recovery percentage. He stated that he would like to see what the revenue results are over the next several years, and after looking at that data, bring a more concrete proposal to the Council.

In response to queries from Councilmember LeBlanc, Ms. Roeder stated that the Herndon Community Center does not take personal information, including addresses, from individuals that pay a daily admission fee. She will look at how to collect the data that was requested on which areas utilize the program the most.

Responding to the discussion, Ms. Roeder shared the the attendance for classes and programs increased by approximately 42 percent from last year. She thought that while the established 75 percent was not realistic for revenue recovery, 69 percent is attainable most of the time, and 65 percent is a more comfortable number for the department.

Following 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 and adopt the amendment and restatement of the Town of Herndon Cafeteria Plan

Tanya Kendrick, Director of Human Resources, presented the staff report dated September 5, 2023. She stated that a cafeteria plan is a separate written plan maintained by an employer that meets the specific requirements and regulations of Section 125 of the Internal Revenue Code. It provides participants with an opportunity

September 5, 2023 Meeting Minutes
Town Council Work Session

to receive certain benefits on a pretax basis. To keep legally required benefit plan documents current and consistent with the Town's benefit offerings to its employees and updated regulations, the amendment and restatement of the Cafeteria Plan is necessary. The proposed resolution adopts and approves those amendments and authorizes the Town Manager to approve any future amendments or restatements. She clarified that the term "cafeteria" refers to the benefits an employer can offer employees on a pretax basis, such as health insurance and flexible spending. The staff recommends approval of the proposed resolution, as presented.

There was brief discussion among the Council and staff on the cafeteria plan, including: (1) amount of money that can be rolled over each year, (2) types of accounts included, and (3) the name "cafeteria" as it relates to the availability of benefits for Town employees.

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.

3. CONSENT

- a. Resolution to approve the adoption of the 2022 Northern Virginia Regional Hazard Mitigation Plan**
- b. Resolution to establish the Herndon Town Council meeting schedule for January 1, 2024 to December 31, 2024**
- c. Resolution to award Contract #D-23-04, Geotechnical Engineering and Construction Materials Testing and Inspection Services**

There was brief discussion among Council and staff about how the meeting schedule in Consent Agenda item 3(b) has to be approved for the dates to be included in the 2024 Herndon Town Calendar, which will be finalized soon.

4. DISCUSSION

a. Youth Advisory Committee

Mayor Olem recognized Vice Mayor Hedrick to start the discussion on this item.

Vice Mayor Hedrick stated that the Herndon Youth Advisory Committee (HYAC) was mentioned during one of the Council's Strategic Planning sessions. The Council did not think that was the appropriate venue to discuss the matter at that time, so he asked staff to add this item to a work session meeting agenda. He wanted to open the discussion to the Town Council and indicated that he would support its reinstatement.

September 5, 2023 Meeting Minutes
Town Council Work Session

There was discussion among Council and staff about reinstating the HYAC, including: (1) Council representation on the committee, (2) request for information about the previous HYAC, including its membership, purpose, meeting schedule, guidelines, and application process, (3) what support from Council is needed to reinstate the committee, (4) outreach to local schools, the interfaith community, and (5) holding HYAC meetings in environment like a school where the students are already present.

There was discussion among the Council and staff about the previous HYAC, including their work and recommendations.

Councilmember Scherff suggested involving the Herndon Diversity, Equity, and Inclusion Committee (HDEIC) in the conversation and looking at the internship the Town hosted earlier that year as an example.

Following discussion, Vice Mayor Hedrick indicated that he is willing to take the lead on resuming the HYAC.

Lesa Yeatts, Town Attorney, reviewed the considerations and protections that are necessary since the members of the committee are minors. She stated that staff is familiar with these issues, and that they worked through most of them during the previous HYAC.

Responding to Vice Mayor Hedrick, Mr. Ashton stated that he is not aware of any school credit that is available to students serving on the HYAC. Mr. Ashton said that the staff contact is Kirstyn Jovanovich, Town Clerk.

Councilmember Scherff indicated that she could work on the HYAC structure with Vice Mayor Hedrick.

b. Sidewalk and Pedestrian Safety (Center/Elden Streets)

Mayor Olem recognized Councilmember Scherff to start the discussion on this item.

Councilmember Scherff stated that she was concerned for the safety of pedestrians walking on Center Street to where it connects to Elden Street. Her concerns included a chain link fence that pushes pedestrians further into the street, graffiti, and vermin reported in the area.

William H. Ashton II, Town Manager, stated that when he received Councilmember Scherff's email about vermin, he asked Director of Public Works Scott Robinson to reach out to Comstock, who are responsible for mowing that area. Mr. Robinson reached out to them, and the area was mowed.

Councilmember Scherff stated that residents had noticed that the area was mowed and had conveyed their thanks.

September 5, 2023 Meeting Minutes
Town Council Work Session

Councilmember Scherff asked Mr. Ashton if the Town can create a safe pathway for pedestrians walking along Center to Elden Street until a more permanent solution can be installed. She also advised that several citizens reached out to her about weeds in the downtown and parking issues at Junction Square.

Responding to Councilmember Scherff, Mr. Ashton stated that he can look into parking at Junction Square and solutions to address her concerns on Center Street.

There was brief discussion among Council and staff about walkability in the downtown.

Responding to Councilmember LeBlanc, Scott Robinson, Director of Public Works stated that the staging area for water main replacement on Center Street should be cleared in the next few months. The entire project will last through January 2024. He advised that some of the boards near the site that had come out of place in the heat are being replaced.

Responding to Councilmember Scherff, Mr. Ashton stated that an inspector reviewed the water main replacement site, and they determined it was a safe construction site. He advised that there will be a discussion about the downtown at the Council's next work session meeting.

Mayor Olem reminded those interested that the water main replacement and other Town projects are posted on the Town's website.

c. Community Cultural Festivals Draft Policy Statement

Mayor Olem recognized Kirstyn Jovanovich, Town Clerk, for the presentation.

Ms. Jovanovich presented a PowerPoint dated September 5, 2023. She provided an overview of the Council's previous discussions on Community Cultural Festivals (also referred to as mini-festivals). The festivals began as a Town Council Initiative and \$70,000 was included for these events in the FY 2024 budget. The next step in the process is to establish a policy to authorize funding appropriation and disbursement.

Ms. Jovanovich reviewed the proposed objectives and parameters for a Community Cultural Festivals policy. She noted that one of the objectives is to add to the Town's robust event programming and to encourage non-profits to host Community Cultural Festivals in the Town. One of the key parameters is that the funds awarded for the festivals will be classified as donations. Ms. Jovanovich stated that the Town already has a Special Events Facility Rental (SEFR) program, and she thought that this policy could be coupled with this existing administrative process.

Ms. Jovanovich provided an overview of the draft Community Cultural Festivals program and funding guidelines, which incorporated: (1) eligibility, (2) application and approval process, (3) marketing and promotion, and (4) funding amount allowed per organization, per year. That evening, she is asking the Council to review and discuss a

September 5, 2023 Meeting Minutes
Town Council Work Session

draft policy for Community Cultural Festivals. Once the policy is created and finalized, staff can bring it forward for Council action at a future meeting.

There was discussion among the Council and staff on drafting a policy for Community Cultural Festivals, which included: (1) level of the Town's involvement, including promotion and use of the Town's logo, (2) application and approval processes, (3) SEFR process and existing Town-supported events, (4) donation amount and limit per event and/or per organization, (5) volunteer and non-profit support, (6) removing the outdoor-only component, and (7) the possibility of holding the festivals on private property.

Responding to the discussion, Ms. Jovanovich stated that the Town currently supports approximately 25 events that occur in the downtown throughout the year, and that does not include the seasonal farmers' market or other Parks and Recreation Department events. She asked the Council to clarify if they want the Town to be the lead on events classified as Community Cultural Festivals, or if they support non-profit organizations initiating and taking the lead. Additionally, if the Council wants to donate funds to support events that are held at locations that are not Town-owned facilities, staff will need to evaluate how that could occur.

Responding to Councilmember Scherff, Lesa Yeatts, Town Attorney, stated that it may be possible to donate funds for an event held on private property. Any further involvement from the Town would be difficult due to insurance liability and security concerns.

Councilmember Scherff asked for more information on how to hold the festivals on private property. She suggested creating a tiered donation process according to cost. She also asked staff to include a graphic outlining the process on the final application document.

Councilmember Scherff suggested separating the strategic and administrative aspects for the Community Cultural Festivals, and Councilmember del Aguila suggested discussing it at their upcoming Town Council Initiatives Meeting.

Councilmember Scherff asked staff to provide a list of the Town-supported events that Ms. Jovanovich referenced, so the Council could review, prioritize, and possibly streamline them. She asked Mr. Ashton to add this item to the Town Council Initiatives Meeting, and she asked Ms. Jovanovich to send Council a list of the questions she had for them related to developing this policy.

Recess

At 9:01 p.m. Mayor Olem called a brief recess, and at 9:06 p.m., the regular Town Council meeting reconvened, with six members present, and with Mayor Olem presiding.

Councilmember Scherff was absent from the dais and returned at 9:07 p.m.

Discussion Resumed – Community Cultural Festivals

There was further discussion among Council and staff about Community Cultural Festivals, including: (1) formalizing the objectives and process to set expectations for the Town and the groups, (2) application requirements, (3) number of events and staff overtime hours, (4) possibility of moving the Herndon Farmers' Market to Saturday, and holding other weekend events in the downtown, (5) outreach to groups that might be interested in holding cultural festivals, and (6) desired outcomes and potential timeline for the program.

Ms. Jovanovich asked the Council to provide a clear objective on their intent for the \$70,000 that is allocated for these festivals in the current year budget. She reviewed what had been discussed that evening and stated that she can add the private property option to the draft policy.

Councilmember Scherff stated that she would like to put together an agenda for the conversation around the Community Cultural Festivals policy and send it to Ms. Jovanovich. Following review by the staff, it could be circulated to the Council.

Ms. Jovanovich encouraged the Council to send her their comments on this topic and stated that she would compile them. Regarding when to continue this conversation, it was her understanding that the Council Initiatives meeting was about initiative prioritization. Mr. Ashton stated that after the Council's comments were received, staff would determine when to schedule the discussion.

Councilmember Alam – Event Funding Request

Councilmember Alam stated that she sent a funding request to the Town Manager for an event she is holding on September 24, 2023. She said that she submitted a Community Center rental request to Cindy Roeder, Director of Parks and Recreation, and that she provided additional information to the Town Manager.

There was discussion among Council and staff about Councilmember Alam's request.

Responding to the discussion, Ms. Yeatts advised that the event, as proposed, does not fit into the current special event process. Mr. Ashton advised that there had to be a nonprofit to which the Town could provide the funding for the event.

Councilmember Alam stated that she can find a nonprofit to accept the funding.

5. ROUNDTABLE

Councilmember Dhakal: no comments.

September 5, 2023 Meeting Minutes
Town Council Work Session

Councilmember del Aguila: stated that he has received questions about the status of the downtown redevelopment and Comstock from several residents.

William H. Ashton II, Town Manager, stated that the Council will be meeting on that subject at their next work session.

Councilmember Alam: no comments.

Councilmember Scherff: stated that residents on Alabama Drive and Old Dominion Avenue asked her if the light timing on Van Buren Street could be changed, because they are having a difficult time turning left from their neighborhoods.

Mr. Ashton stated that he thought it is harder to make left turns into the neighborhoods during peak times, and asked Scott Robinson, Director of Public Works, to see if there are tweaks that can be made.

Councilmember Scherff asked staff for an update on the construction of the secondary entrance into the Sunset Business Park. She is hoping to provide better access to the businesses by the start of the holiday season.

Mr. Ashton stated that he thought that project was mislabeled, and that the work is actually meant to start in the spring. He asked Mr. Robinson to check on the phasing dates for the project. He stated that Dennis Holste, Economic Development Manager, is reaching out to the businesses at Sunset Business Park, but Mr. Ashton did not know at that time if the businesses had responded.

Councilmember Scherff asked about the processed data from a traffic study. She said that the “Demand Safer Driving” individuals had received the traffic study data, but it was not synthesized. She recalled that Council had discussed retiming lights and changing the left turn on Spring Street relative to the speed study.

Mr. Ashton stated that he would follow-up on the status of the study Councilmember Scherff referenced.

Councilmember Scherff stated that there have been several recent calls for matters that fall under the umbrella of enforcement, and she asked staff how this can be addressed.

Mr. Ashton asked Councilmember Scherff to give him a few weeks to provide a response, stating that he is meeting with the enforcement staff in the near future to discuss how to approach these types of issues.

Councilmember LeBlanc: wished a happy birthday to Dranesville District Supervisor John Foust, Fairfax County Board of Supervisors.

September 5, 2023 Meeting Minutes
Town Council Work Session

Councilmember LeBlanc stated that he recently took a “behind the scenes” tour of Dulles Airport, where they talked about issues related to the airport’s expansion. One of the main issues he brought up during that discussion is how those that work at the airport use Metro for transportation.

Vice Mayor Hedrick: stated that at a Dulles Area Transportation Authority (DATA) meeting, he learned that there are 4,000 employees with parking passes for Dulles Airport at the four zip codes (including 20170) surrounding the airport. He suggested discussing options with the Washington Metropolitan Area Transportation Authority (WMATA) about how to better serve employees that have to be at the airport earlier or later than Metro is open.

Vice Mayor Hedrick congratulated staff from the Departments of Parks and Recreation and Public Works who worked on the new picnic pavilion at Haley Smith Park.

Mayor Olem: stated that she enjoyed attending the ribbon cutting for the new pavilion at Haley Smith Park with Councilmembers Alam, LeBlanc, and Scherff.

Mayor Olem stated that Friday Night Live ended last week and she thought it went very well this summer.

Mayor Olem stated that she recently attended the joint Dulles Regional and Reston Chamber of Commerce’s meeting at 381 Elden Street, which had been under construction. She encouraged everyone to visit the building and stated that she thought it looked great.

Mayor Olem said that on August 26, 2023, she attended the East meets West Festival at Arts Herndon. She enjoyed the event, where there was music, dance, and artwork.

Mayor Olem shared that NextStop Theatre’s upcoming production of “39 Nights” is opening on Friday, September 9, 2023.

Councilmember LeBlanc stated that NextStop Theatre selected this production because it was the first play they performed when the group became “NextStop Theatre.”

William H. Ashton II, Town Manager: provided an update on Management Team’s strategic planning work. Mr. Ashton stated that the group met twice with the moderators and worked on developing a strategic plan that goes through the next five to six years. Staff hoped to bring their plan forward to the Town Council later that year. He thanked staff for their work, especially Town Clerk, Kirstyn Jovanovich, who has been involved in the process.

Councilmember del Aguila asked for more information on the September 18, 2023, Town Council Initiatives Meeting.

September 5, 2023 Meeting Minutes
Town Council Work Session

Mr. Ashton said that the moderators are preparing for the meeting, and he will provide more information to the Council when he has it.

6. ADJOURNMENT

There being no further business, Mayor Olem adjourned the September 5, 2023 Town Council work session at 9:50 p.m.

Amanda E. Monaw Kertz

Amanda E.M. Kertz
Chief Deputy Town Clerk



Minutes approved by Town Council: October 10, 2023