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HERNDON TOWN COUNCIL
Tuesday
April 12, 2022

The Town Council met in public session on Tuesday, April 12, 2022, at 7:00 p.m. in the Herndon Council Chambers Building, 765 Lynn Street, Herndon, Virginia. In attendance were: Mayor Sheila A. Olem; Vice Mayor Cesar del Aguila; and Councilmembers Naila Alam, Pradip Dhakal; Signe Friedrichs; Sean M. Regan; and Jasbinder Singh.

Staff present during the meeting: William H. Ashton II, Town Manager; Lesa Yeatts, Town Attorney; Chief Maggie DeBoard, Herndon Police; Lisa Gilleran, Director of Community Development; Robert Tang, Director of Finance; Page Kalapasev, Director of Information Technology; Scott Robinson, Director of Public Works; Cindy Roeder, Director of Parks and Recreation; Mike Mueller, Acting Director of Golf Course; Dave Bracamonte, IT Operations Manager; and Margie Tacci, Deputy Town Clerk.

PLEDGE & CALL TO ORDER

Mayor Olem led the Pledge of Allegiance and called the meeting to order at 7:00 p.m., all members present, and with Mayor Olem presiding.

Mayor Olem asked Council and those participating 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, 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.

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APPROVAL OF MINUTES

Vote on December 7, 2021 Town Council Work Session Minutes

On motion of Councilmember Friedrichs, seconded by Councilmember Dhakal, and carried by unanimous roll call vote, the minutes of the December 7, 2021, Town Council Work Session were approved. The vote was: Councilmembers Alam, Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye."

Vote on December 14, 2021 Town Council Public Hearing Minutes

On motion of Councilmember Friedrichs, seconded by Councilmember Dhakal, and carried by unanimous roll call vote, the minutes of the December 14, 2021, Town Council Public Hearing were approved. The vote was: Councilmembers Alam, Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye."

Vote on January 4, 2022 Town Council Work Session Minutes

On motion of Councilmember Friedrichs, seconded by Councilmember Dhakal, and carried by a 6-0 roll call vote, the minutes of the January 4, 2022 Town Council Work Session were approved. The vote was: Councilmembers Alam, Dhakal, Friedrichs, Regan, Singh, and Mayor Olem voting "Aye." Vice Mayor del Aguila abstaining.

Councilmember Friedrichs and Mayor Olem expressed their appreciation to the Town Clerk's office for their efforts in preparing these very lengthy minutes.

ANNOUNCEMENTS

Mayor Olem stated that the 36th Annual Mayor's Volunteer Appreciation Reception would be on Sunday, May 1, 2:00 p.m., at the Herndon Community Center. She asked those who planned to attend to please RSVP by April 14, so staff could plan accordingly.

Mayor Olem shared that the town would host the "Hoppy Egg Hunt" on Saturday, April 16, 9:30 a.m. The activities would be at Bready Park and each age group had a different start time. Information and registration were available on the town's website, Herndon-va.gov.

Mayor Olem stated that the town's annual Spring Clean-Up would occur on each resident's trash day from Wednesday, April 27 through Friday, April 29. This was an opportunity for residents to place large or bulky items curbside for pickup. Items should be placed curbside by 6:00 a.m., but no earlier than 24 hours prior to pick-up. Information is available on the town's website, Herndon-va.gov/MyTrashDays.

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3. COMMENTS FROM THE TOWN MANAGER

Mayor Olem recognized Town Manager William H. Ashton II for his comments.

Transportation Projects

Mr. Ashton provided updates on several major projects that were taking place in town.

Streetscape Sidewalk Improvements

The streetscape sidewalk improvements project along Elden Street, between Jimmy's Old Town Tavern and Aslin Beer Company, would be finalized that week.

Center/Elden Streets Corner Project

This project has been delayed due to various issues with utilities.

Elden/Monroe Street project

Earlier in the day, the old signalization cabinet and last pole were removed from the intersection and Junction Square was now visible. Staff should be completed with the remaining items soon.

Bus Bays

The bus bays project is along Herndon Parkway near the Herndon Metrorail Station. The bus shelters were scheduled to be put in place today and the vehicular bays would be paved when the other paving was completed. Mr. Ashton stated that this project was facing supply chain issues, especially with signalization, which included the poles and cabinets. Hopefully, these items would arrive in mid-May so the project could be completed by mid-June.

Van Buren Complete Street Improvement Projects

The two Van Buren Street projects (Spring Street/Herndon Parkway and the intersection with Herndon Parkway) have begun and would be year-long projects. The project would improve pedestrian, bicycle, and vehicular access, and clean up stormwater management issues in the area.

Outdoor Seating

Mr. Ashton stated that at next week's work session, Council would review an ordinance to add outdoor seating to the town code. He emphasized that during the pandemic and State of Emergency, the town and other localities in Virginia were given latitude to do what was needed to assist businesses so they could survive. Now that the State of Emergency was ended, all of the regular state code provisions were in effect, and the town must follow the law. Staff thought that an ordinance would be the best way to govern the approval, have standards, and to facilitate outdoor seating in a safe and

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healthy way. Council would receive the draft ordinance in their packets that week, and staff would have it ready for discussion at next week's work session for Council to consider at the next public hearing.

Comstock

Mr. Ashton stated that staff was working with Comstock on transitional parking, the Arts Center, and transitional locations. Those elements were resolved, and the contracts were in place to exercise those. Comstock was working on capitalization based on the most recent bids which have been affected by inflation. Mr. Ashton stated that he looked forward to discussing this further with the Council.

4. COMMENTS FROM THE TOWN COUNCIL

Councilmember Alam: Stated she was excited and looking forward to the Mayor's Volunteer Appreciation reception after it could not be held for the past two years.

Councilmember Dhakal: Thanked the Town Manager for his thorough email following last week's work session.

Councilmember Dhakal shared that he attended an Iftar dinner that the Ahmadiyya Muslim Community hosted. He attended this event for the past three years and this year's attendees' included Congresswoman Jennifer Wexton; Senator Jennifer Boysko; and Delegate Irene Shin. The topic of discussion was "Justice through Compassion." He enjoyed seeing how the Ahmadiyya Muslim Community was helping the community.

Councilmember Dhakal stated that the weather was wonderful, and he thanked the members of the audience for attending that night's meeting. He was looking forward to hearing their comments.

Councilmember Friedrichs: Announced that this week was "National Dispatchers Week," and expressed her appreciation to the Herndon Police Department (HPD) Dispatchers. They are the first line of communication during an emergency.

Councilmember Friedrichs was contacted by a property owner in town after the last Town Council meeting, who expressed his dissatisfaction that his wishes and activities were not being respected. She hoped that they would be able to treat both landowners and renters with kindness that evening.

Councilmember Regan: Thanked the Town Manager for announcing that the utility box at Junction Square was removed. He was glad to be able to see the mosaic now.

Councilmember Regan provided information about an upcoming book sale at the Herndon Fortnightly Library. He stated that the proceeds would benefit youth summer reading programs.

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Councilmember Singh: Stated that the U.S. Congress named April 14 as “National Sikh Day” and provided comments about the recognition.

Vice Mayor del Aguila: Thanked the Town Manager for his update on the Comstock project and he was glad to hear things were moving forward. There were a lot of rumors going around, and he stated that no one on staff or Town Council was delaying it.

Vice Mayor del Aguila thanked staff for bringing forward the outdoor seating item that was on the agenda.

Mayor Olem: Shared that she attended several events over the past few weeks. The first was the Korean American Women’s Association of the USA, Inc. 2022 National Convention and Next Generation Leadership Conference, right outside the town. She enjoyed the event, where she sat with Congresswoman Wexton and Congresswoman Kim from California.

On Friday, March 25, Mayor Olem attended the Committee for Dulles’ (CFD) Annual Gala. She enjoyed the event, where they celebrated CFD’s 55 years and honored the 2021 Tower of Dulles award recipient, Jack Potter, President and CEO of the Metropolitan Washington Airports Authority (MWAA).

On Thursday, March 31, Mayor Olem represented the town at the Washington Airports Task Force Annual General Meeting, where Robert Buchanan was honored with the 2021 Williams Trophy. Mr. Potter also attended this event and provided an update on the Washington area airports.

Also on March 31, Mayor Olem attended the Dulles Regional Chamber of Commerce’s Stars Over Dulles Awards event with Councilmember Regan. She thought it was a fantastic event, which recognized outstanding individuals who have gone above and beyond to support the Dulles region.

Mayor Olem encouraged anyone with a business in Herndon to reach out to the organizations she had mentioned to connect to the community and help their businesses grow.

COMMENTS & DISCLOSURES FOR THE RECORD

Mayor Olem asked Margie Tacci, Deputy Town Clerk, whether she had received comments for the record or Transactional Disclosure Declarations from Council on any items listed on that evening’s agenda. Ms. Tacci stated that comments were provided to Council and entered into the record on:

- Public Hearing item #6, Ordinance 22-O-06, to amend Chapter 74, Water and Sewer;

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- Public Hearing item #8, Ordinance 22-O-08, to amend Chapter 30 (FINANCE AND TAXATION), Article II (Real and Personal Property), to align the interest rate with Fairfax County;
- Public Hearing item #9, Ordinance 22-O-09, compensation for mayor and council members; and
- the proposed FY 2023 budget items.

The Clerk did not receive disclosures from Council on any item listed on the agenda that evening.

5. COMMENTS FROM THE AUDIENCE

Mayor Olem reminded those in the audience that now was the time to comment on anything that was not listed as a public hearing on that night's agenda. They could comment on the public hearing items during that portion of the meeting. Mayor Olem reviewed the process for speaking and providing comments.

The following individuals provided testimony:

- Jae Bae, 13346 Horsepen Woods Lane, Herndon: Provided information about the persecution of Falun Gong practitioners in China and asked for the Mayor and Council to issue a resolution condemning these human right violations.
- Alex Wang, 3332 Buckeye Lane, Fairfax: Echoed Ms. Bae's comments about the persecution of Falun Gong practitioners. He stated that over 24 local governments in Virginia provided resolutions to educate their localities on what was occurring in China, and he asked the town to issue a similar resolution.

Mayor Olem stated that she looked forward to meeting with Mr. Wang next week.

- Scott Schelling 501 Woodshire Lane, Herndon: Expressed his support for outdoor seating and shared how much he had enjoyed it as one of the positives that came out of the pandemic.
- Jeff Mann, 12217 Summerfield Drive, Herndon: Echoed Mr. Schelling's comments supporting outdoor seating. He also expressed support for the individuals who had spoken out about the human rights violations against the Falun Gong. He had not been aware of the issue before that night.
- Evan Vaughn, 820 Grant Street, Herndon: Discussed the FY 23 Budget and expressed concern over the amount of funding allocated to HPD. He discussed the structure of the police departments in town and in Fairfax County. He thought the money could be better spent in other areas.

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- William Campenni, 1104 Iron Ridge Court, Herndon: Expressed support for funding HPD, asserting that he thought the low level of crime in town was the result of a well-funded police department. Mr. Campenni also expressed support for the increase to the Herndon Centennial Golf Course fees, which was a General item.
- Ed Dimonda, 11910 Fieldthorn Court, Reston: Expressed his support for outdoor seating and shared that he was an avid cyclist and outdoor enthusiast.
- Jason Sickles, 205 Meeting House Station Square, Unit 202, Herndon: Expressed his support for outdoor seating and discussed its value to the town.
- Beth Myer, 720 Elden Street and 718 Elden Street, Herndon: Expressed her support for outdoor seating and discussed how it impacted her business and others. She asked the Council to consider outdoor seating without involving politics.
- Lynn Green, 216 Herndon Station Square, Herndon: Expressed her support for outdoor seating.
- Dan (last name inaudible), 815 Branch Drive, #305, Herndon: Expressed his support for outdoor seating and talked about how it would help cyclists and dog owners. He also encouraged the Council to make the town more walkable, like what was happening in the City of Alexandria and the Town of Leesburg.
- Ann Vayda, 631 Oak Street, Herndon: Expressed her support for outdoor seating and echoed the comments from the previous speakers who spoke about that specific issue. She was also moved by the testimony from the Falun Gong practitioners and urged the Council to support that issue. She then pointed out some issues that she observed on Pearl Street and in the Historic District.

PUBLIC HEARINGS

Mayor Olem opened the nine public hearings on that night's agenda.

Proposed FY 2023 Annual Budget

- 6. Ordinance 22-O-06, to amend Chapter 74 (UTILITIES), Article II (Sewers & Sewage Disposal), Division 5 (Sanitary Sewer System Rates & Charges), Section 74-262; and Article III (Water), Division 2 (Service), Section 74-326 (Schedule of Charges), to increase the service and usage charges for sanitary sewer and water, effective for meter readings taken on or after July 1, 2022;**

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Certificates of Publication were filed from the Editor of the *Fairfax County Times Newspapers*, showing that notice of said public hearing item had been duly advertised in the Friday, April 1, 2022 and Friday, April 8, 2022 issues.

7. **Ordinance 22-O-07, to amend Chapter 30 (FINANCE AND TAXATION), Article VII (Business, Professional, Occupational License), Section 30-211 (Definitions), and Section 30-246 (Enumeration), and to add Section 30-266 (Personal, Business Services, and all other business occupations not specifically listed) to recognize the massage therapist occupation as a business and to classify massage therapist for BPOL tax purposes;**

Certificates of Publication were filed from the Editor of the *Fairfax County Times Newspapers*, showing that notice of said public hearing item had been duly advertised in the Friday, April 1, 2022 and Friday, April 8, 2022 issues.

8. **Ordinance 22-O-08, to amend Chapter 30 (FINANCE AND TAXATION), Article II (Real and Personal Property), Section 30-39 (Date real property taxes due and payable; penalties and interest) to reduce the rate of interest on any unpaid tax from ten to one percent and to change the interest rate to accrue upon failure to pay any installment when due;**

Certificates of Publication were filed from the Editor of the *Fairfax County Times Newspapers*, showing that notice of said public hearing item had been duly advertised in the Friday, April 1, 2022 and Friday, April 8, 2022 issues.

9. **Ordinance 22-O-09, to establish the compensation to be paid to the Town of Herndon mayor and council members, as provided under Section § 15.2-1414.7 of the Code of Virginia. No increase in salary shall take effect during the incumbents' term in office;**

Certificates of Publication were filed from the Editor of the *Fairfax County Times Newspapers*, showing that notice of said public hearing item had been duly advertised in the Friday, March 25, 2022 and Friday, April 1, 2022 issues.

10. **Ordinance 22-O-10, to Levy Taxes on Real Estate and Manufactured Homes, and Other Subjects for the Fiscal Year 2023 Budget;**

Certificates of Publication were filed from the Editor of the *Fairfax County Times Newspapers*, showing that notice of said public hearing item had been duly advertised in the Friday, March 25, 2022 and Friday, April 1, 2022 issues.

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11. Resolution 22-G-27, to Adopt a Fiscal Planning Resolution for the Fiscal Year 2023 Budget for the Town of Herndon; and

Certificates of Publication were filed from the Editor of the *Fairfax County Times Newspapers*, showing that notice of said public hearing item had been duly advertised in the Friday, March 25, 2022 and Friday, April 1, 2022 issues.

12. Ordinance 22-O-11, to Appropriate Funds to implement the Fiscal Year 2023 Budget for the Town of Herndon, establishing the Pay Plan, and reserving on-going and Capital Funding for this Fiscal Year.

Certificates of Publication were filed from the Editor of the *Fairfax County Times Newspapers*, showing that notice of said public hearing item had been duly advertised in the Friday, March 25, 2022 and Friday, April 1, 2022 issues.

[Note: Councilmember Alam left the dais at 7:45 p.m. and returned at 7:58 p.m.]

Mayor Olem stated that night was the first of two budget public hearings, with the second on April 26. The Town Attorney would outline the voting processes on the budget items and the public hearings would be continued to April 26. The public hearings would remain open. Mayor Olem listed the items and then recognized Mr. Ashton and Robert Tang, Director of Finance, for the budget presentation.

Mr. Ashton began the presentation. The proposed FY 2023 Budget was released to the public on April 1, pursuant to state law. The budget book and an interactive budget tool were posted on the town's website. The budget items included Council proposals, code amendments, and the annual budgetary items. The code amendments included matters that the town needed to align with the state or county code. There were several actions the Council needed to take related to the proposed budget. That night, staff would present the items concurrently, and after they completed each section, staff would ask for questions from Council. Mr. Ashton recognized Mr. Tang to begin the presentation of a PowerPoint dated April 12, 2022, which is on file in the Town Clerk's office.

Water & Sewer Rates

Mr. Tang began the PowerPoint of the FY 23 budget public hearings, starting with the first item, which was a proposed increase the water and sewer fees. For water, there would be a 17.5 percent increase in quarterly service charge and 3.25 percent increase for volumetric rate. For sewer, there would be a new charge for quarterly service, which would start at \$7.40 for FY 23. The base rate for sewer would increase by approximately 14 percent. Mr. Tang outlined the code section changes for water and sewer, and he stated that the proposed rates would increase revenue for the Water and Sewer Fund by approximately \$1.58 million. If the town does not increase the rates, retained earnings would have to be used to maintain the Water and Sewer Fund. Staff recommends approval of the proposed ordinance, as presented.

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There was brief discussion amongst Council and staff on the proposed changes to the water and sewer rates.

In response to queries from Councilmember Dhakal about removing the peak rate charge, Mr. Tang explained how that would lead to higher water rates. He stated that the peak rate is charged for usage in excess of 3,000 gallons or 110 percent of the winter average, whichever is larger, from June to November. Without the peak charge, the resident would have to pay the full amount at a higher rate.

Councilmember Singh discussed the proposed peak rate changes and stated that he would submit his questions to staff.

In response to queries from Councilmember Friedrichs, Mr. Ashton discussed the peak rate, which would begin in June (as the billing cycle for April and May). This was because they assumed that residents' higher water consumption was due to watering lawns, washing cars, and similar activities, where the water would go into the stormwater system or evaporate, rather than into the sewer system. The hope was it would also entice residents to use less water in the summer months. Mr. Ashton stated that removing the peak rate would be assuming that the excess water was going into the sewer system. He agreed that the peak rate was higher than the water rate, however, it would be lower than the combined water and sewer rate if it were removed.

In response to queries from Vice Mayor del Aguila, Mr. Tang and Mr. Ashton reviewed the peak rate timing and billing cycles.

In response to queries from Mayor Olem, Mr. Tang confirmed the water and sewer bills were sent a few months after usage.

There was a brief question and answer session between Mr. Ashton, Mr. Tang, and Councilmember Singh about the peak rate.

There was a brief question and answer session between Mr. Ashton, Mr. Tang, and Councilmember Dhakal about the peak rate.

Responding to Councilmember Dhakal's comments, Mr. Tang stated staff took the Council's advice from the last work session and added more information to the customer billing statements. Staff was also working with the communications department to keep the residents informed about fee changes.

Massage Therapists, BPOL Changes

Mr. Tang continued the PowerPoint, reviewed the current language, and highlighted proposed changes to Chapter 30 (Finance and Taxation). The changes would add a category for massage therapists for Business License Tax purposes and delete old terminology and rates. The existing category for Massage Parlor and \$1,000 fee would

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be removed. He outlined the history around the item and its previous categorization in the town code. Staff recommends approving all changes in Chapter 30, to include Massage Occupation definitions, an occupation category for massage therapists, and removing references to "Massage Parlor" for FY 2023.

There were brief comments from Council.

Aligning the town's interest rate with Fairfax County

Mr. Tang continued his PowerPoint by reviewing the fourth public hearing related to the budget. The proposed changes would reduce the interest rate on any unpaid tax from 10 percent to one percent, and it would change the interest rate to accrue on failure to pay any installment when due. Earlier that year, the town and county signed a Memorandum of Understanding (MOU) so the county could assess, bill, and collect real property taxes for the town. The proposed changes would align the town's rates to match what the county charges and would take effect on June 1. Staff recommends approval of the proposed changes.

There was brief discussion amongst Council and staff.

Mr. Tang confirmed with Councilmember Friedrichs that this was a "housekeeping" item.

Vice Mayor del Aguila emphasized that this was not retroactive and would apply to charges going forward.

Councilmember Singh discussed property values, and stated that in the future, he wanted to take a closer look at how the county assessed property in town.

Council Compensation

Mr. Ashton continued the PowerPoint and stated the next item would update the code regarding compensation for the Mayor and Town Council. Any changes would not take effect until the next Council was seated in January 2023. Previously, staff provided analysis on the salaries to Council. Following that discussion, the Council asked staff to draft a proposal to increase the annual compensation for the Mayor and Town Council to \$16,000 and \$15,000, respectively. The fiscal impact would go from approximately \$30,000 per year to \$106,000 per year. Staff was available for questions.

There was brief discussion amongst Council and staff.

In response to queries from Councilmember Dhakal, Mr. Ashton confirmed that the Mayor and Council's salaries were last increased in 1986.

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Councilmember Friedrichs advised that she had spoken with a constituent, and she helped clarify how much the Council made per year, which was less than what the constituent had thought.

Vice Mayor del Aguila thanked staff for putting this together and stated that the increased salaries would total \$106,000. He indicated that number had created some confusion. The Town Manager followed up by outlining how to find this information on the website, which could help clear up some of the confusion.

Mayor Olem asked about the salaries for the town's boards and commissions (BACs) and suggested that the Council look into raising their pay as well. Their salaries also had not increased since the 1980s.

Councilmember Singh thought that the Planning Commission and Board of Zoning Appeals members would be included in the proposed salary increase, but several Councilmembers explained that was not the case. Mayor Olem indicated she had wanted to include an increase for the town's BACs, but it had not been added.

Tax Levy Ordinance;
Fiscal Planning Resolution; and
Appropriation Ordinance.

Mr. Ashton stated that he would give a concurrent staff report on the next three items because they were interrelated. Mr. Tang would then review ClearGov, which was a new budgeting tool on the town's website.

Mr. Ashton pointed out that these were the main budget items that staff presented each budget year. He reviewed the Council's budget priorities and guidance coming out of the pandemic; budget and economic pressures; and he provided a budget overview, which included changes from the prior year by fund. The funds were the General; Enterprise (Water and Sewer, Golf Course, Cemetery); Capital Project; and the Downtown Parking Fund, which had been added to the General Fund as a line item. This budget would be an approximate 5.4 percent increase in General Fund revenue over last year, which had been impacted by the pandemic. He referenced the interactive budget tool on the website and stated that it was the best way take a closer look at this information.

Answering a question from last week's work session, Mr. Ashton stated there would be an approximate \$460,000 impact if the state eliminated the grocery store tax.

Mr. Ashton went through each of the funds' recommended budgets to illustrate where the changes came from in both expenditures and revenues. He began with the General Fund and then went through the process with the other funds.

This budget year, Mr. Ashton was asking Council to authorize all 268 staff positions and a three percent average pay-for-performance increase. Mr. Ashton stated staff might

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come back to the Council and ask to authorize a Cost-of-Living Adjustment (COLA) later that year, but they were not asking for one now. He shared that health insurance costs for employees were up 9.3 percent, retirement costs had increased to slightly under nine percent, and the Police Supplemental Retirement costs had remained around a four percent increase.

Mr. Ashton briefly discussed operations and maintenance (O&M) costs, which had risen by approximately 5.5 percent. Another part of the General Fund were the community donations, which would be discussed later that year. Also included was \$100,000 for the Town Council Strategic Planning Initiatives, as shown in the PowerPoint.

Mr. Ashton reviewed the Capital Projects, including vehicle replacement; other equipment upgrades and replacements; and improvements to town buildings. He then reviewed the Enterprise Funds, including the status of the Water and Sewer; Herndon Centennial Golf Course; and Chestnut Grove Cemetery Funds.

Mr. Ashton recognized Mr. Tang to review the interactive budget tool.

ClearGov

Mr. Tang demonstrated how to use ClearGov, which was an interactive budget tool linked to the town's website. He reviewed how to navigate it and how to use the available tools. Answering questions from last week's work session, Mr. Tang confirmed the ClearGov site was "508" and ADA compliant. The website had a translation feature through Google Translate which provided options in different languages.

Budget Discussion

There was brief discussion amongst Council and staff on the budget items.

There was a brief question and answer session between Councilmember Regan and Mr. Tang, where Mr. Tang explained the changes to the downtown parking fund, which was recommended by the auditors.

Councilmember Singh thought that there might not be sufficient funds to pay for the downtown parking garage, and he agreed that it was a good idea to move it in the General Fund.

There was a brief question and answer session between Vice Mayor del Aguila and Mr. Ashton about contingency plans if the state removes the grocery store tax.

In response to queries from Vice Mayor del Aguila, the Town Manager stated there was approximately \$200,000 set aside for contingencies. If the grocery store tax were removed, as staff put together a plan on how to address the lost revenue from the

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grocery store tax, the Town Manager could draw on the contingency funds. There were additional capital reserve funds for such instances that would require Council approval. He then outlined how potential lost revenue could impact future budgets.

There was a brief question and answer session between Councilmember Singh and Mr. Ashton about the Revenue Stabilization Fund.

In response to queries from Councilmember Singh, Mr. Ashton stated that the policies for using the Revenue Stabilization Fund had changed in 2018, but Council approval was still required to access the funds. He explained why the changes were made and discussed the Undesignated Fund Balance, which had to be at least 20 percent of the town's operating revenue. Also in 2018, pockets of reserve money were added to the budget that could be used before drawing on the Revenue Stabilization Fund.

Mr. Tang began the staff reports on the two General items - Chestnut Grove Cemetery and Herndon Centennial Golf Course fees.

Ms. Yeatts stated that the Council needed to hold the public hearings and act on each one, prior to proceeding with the General portion of the agenda.

Mayor Olem indicated she would call the public hearings.

**Public Hearing on
Ordinance 22-O-06, Water & Sewer**

On motion of Councilmember Friedrichs, seconded by Councilmember Dhakal, and carried by unanimous roll call vote (there were no comments from the audience), the public hearing on Ordinance 22-O-06 was continued to the April 26, 2022 Town Council Public Hearing (TCPH). The vote was: Councilmembers Alam, Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye."

**Public Hearing on
Ordinance 22-O-07, Massage Therapists**

The public hearing was held, and the following individual provided testimony:

- Meg Donnelly, 1114 Fortnightly Square, Herndon, business address at 464 Herndon Parkway, Herndon, spoke in support of the proposed ordinance. She was also representing Kelly Rollins, who had to leave the meeting.

Councilmember Friedrichs moved to continue the public hearing on Ordinance 22-O-07 to the April 26, 2022 TCPH. Motion seconded by Councilmember Dhakal.

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There were brief comments from Council.

The question was called on the motion, which carried by unanimous roll call vote. The vote was: Councilmembers Alam, Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye."

**Public Hearing on
Ordinance 22-O-08, Town Interest Rate**

On motion of Councilmember Friedrichs, seconded by Councilmember Singh, and carried by unanimous roll call vote (there were no comments from the audience), the public hearing on Ordinance 22-O-08 was continued to the April 26, 2022 TCPH. The vote was: Councilmembers Alam, Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye."

**Public Hearing on
Ordinance 22-O-09, Compensation for Mayor and Councilmembers**

On motion of Councilmember Friedrichs, seconded by Vice Mayor del Aguila, and carried by unanimous roll call vote (there were no comments from the audience), the public hearing on Ordinance 22-O-09 was continued to the April 26, 2022 TCPH. The vote was: Councilmembers Alam, Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye."

**Public Hearing on
Ordinance 22-O-10, Tax Levy**

On motion of Councilmember Friedrichs, seconded by Councilmember Singh, and carried by unanimous roll call vote (there were no comments from the audience), the public hearing on Ordinance 22-O-10 was continued to the April 26, 2022 TCPH. The vote was: Councilmembers Alam, Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye."

**Concurrent Public Hearings on
Resolution 22-G-27, the Fiscal Planning Resolution; and
Ordinance 22-O-11, the Appropriation Ordinance.**

Mayor Olem called the concurrent public hearings and stated Council would take separate action on each. There were no comments from the audience.

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**Vote on
Resolution 22-G-27**

On motion of Councilmember Dhakal, seconded by Councilmember Alam, and carried by unanimous roll call vote, the public hearing on Resolution 22-G-27 was continued to the April 26, 2022 TCPH. The vote was: Councilmembers Alam, Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye."

**Vote on
Ordinance 22-O-11**

On motion of Councilmember Friedrichs, seconded by Vice Mayor del Aguila, and carried by unanimous roll call vote, the public hearing on Ordinance 22-O-11 was continued to the April 26, 2022 TCPH. The vote was: Councilmembers Alam, Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye."

GENERAL

13. Resolution 22-G-28, to amend the Chestnut Grove Cemetery Fee Schedule.

Mr. Tang concluded the PowerPoint by reviewing the proposed changes to the Chestnut Grove Cemetery and Herndon Centennial Golf Course fee schedules, beginning with the cemetery fees. Staff proposed increases to the fee schedule, which would help bring Herndon in line with other cemeteries in the region. It would also create more funding for necessary capital projects. Staff recommends approval of the proposed resolutions as presented.

On motion of Councilmember Dhakal, seconded by Vice Mayor del Aguila, and carried by unanimous roll call vote, action on Resolution 22-G-28 was continued to the April 26, 2022 TCPH. The vote was: Councilmembers Alam, Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye."

14. Resolution 22-G-29, to amend the Herndon Centennial Golf Course Fee Schedule.

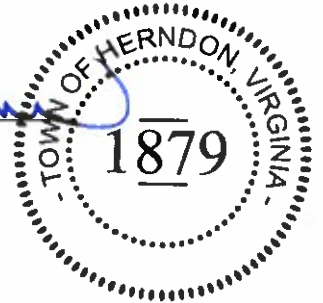
On motion of Vice Mayor del Aguila, seconded by Councilmember Alam, and carried by unanimous roll call vote, action on Resolution 22-G-29 was continued to the April 26, 2022 TCPH. The vote was: Councilmembers Alam, Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye."

**April 12, 2022
(public hearing)**

ADJOURNMENT

Councilmember Dhakal moved to adjourn the meeting of the April 12, 2022 public hearing at 9:19 p.m., and Vice Mayor del Aguila seconded the motion. The question was called on the motion which carried by unanimous roll call vote. The vote was: Councilmembers Alam, Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye."


Sheila A. Olem
Mayor




Amanda M. Kertz
Chief Deputy Town Clerk

Minutes approved by Town Council: July 12, 2022.

**April 12, 2022
(public hearing)**

NOTE:

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