



**HERNDON TOWN COUNCIL
Regular Meeting Minutes
Tuesday, September 12, 2023**

The Town Council met in a regular meeting on Tuesday, September 12, 2023, at 7:00 p.m. in the Herndon Council Chambers Building, 765 Lynn Street, Herndon, Virginia. In attendance were: Vice Mayor Clark Hedrick and Councilmembers Naila Alam, Cesar del Aguila, Pradip Dhakal, Keven LeBlanc, and Donielle M. Scherff.

Mayor Sheila Olem was absent.

Staff present during the meeting: William H. Ashton II, Town Manager; Lesa Yeatts, Town Attorney; Kirstyn Barr Jovanovich, Town Clerk; Anne Curtis, Chief Communications Officer; Marjorie Sloan, Director of Finance; Cindy Roeder, Director of Parks and Recreation; Scott Robinson, Director of Public Works; Officer Gabe Miranda and Captain Justin Dyer, Herndon Police; and Dave Bracamonte, Systems Manager.

1. CALL TO ORDER

Vice Mayor Hedrick called the September 12, 2023, Town Council meeting to order at 7:00 p.m. As Vice Mayor, he is chairing the meeting on behalf of Mayor Olem, who cannot attend the meeting that evening.

2. PLEDGE OF ALLEGIANCE

Vice Mayor Hedrick led the Pledge of Allegiance to the Flag of the United States of America.

Determination of a Quorum

Vice Mayor Hedrick determined there was a quorum of six Councilmembers present, with Mayor Olem absent. Vice Mayor Hedrick reminded those participating in tonight's meeting to follow the Town's meeting guidelines that are displayed in the Council Chambers.

Announcements

Vice Mayor Hedrick announced that starting that evening, Spanish interpretation is available to those attending the Town Council regular meetings. He stated that headsets to listen to the interpreter and instructions for use are available on a table in the back of the Chambers.

Vice Mayor Hedrick stated that he wanted to take a moment to recognize the 22nd anniversary of September 11, 2001. He remembered the families and loved ones of those who were killed or injured on September 11th, and asked everyone to keep the

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firefighters, police officers, and public safety personnel who risk their lives daily to ensure the safety of our community, in their thoughts.

Vice Mayor Hedrick stated that day, September 12, 2023, marks the 166th anniversary of the sinking of the S.S. Central America. The ship was captained by Commander William Lewis Herndon, which led to the naming of the Town.

3. PRESENTATIONS/REPORTS/COMMENTS

a. Proclamation in Recognition of National Hispanic American Heritage Month

Vice Mayor Hedrick recognized Councilmember del Aguila to read the Proclamation to Recognize September 15 through October 15, 2023, as National Hispanic American Heritage Month in the Town of Herndon.

Councilmember del Aguila gave brief remarks on the proclamation both in English and Spanish.

Vice Mayor Hedrick stated that members of the audience are invited to comment on the proclamation during the “Comments from the Audience” portion of the agenda.

b. Town Manager Report

William H. Ashton II, Town Manager, provided an update on the Comstock redevelopment site. He stated Comstock’s updated site plan was received and there has been movement on their building permits. Staff will complete and submit engineering comments on the site plan back to Comstock, and they are seeking more information on the building permits.

c. Councilmember Comments

Councilmember Alam: provided comments on the proclamation to recognize National Hispanic American Heritage Month and stated that she was glad to see many people in the audience that evening.

Councilmember Alam stated that she is leading a Pakistani Heritage Event planned for Sunday, September 24, 2023. She will share more details at a later date since planning is ongoing.

Councilmember Alam shared that there is a Community Health and Wellness Fair on Saturday, September 16, from 10:00 a.m. to 1:00 p.m. at the Herndon Neighborhood Resource Center, 1086 Elden Street.

Councilmember del Aguila: no comments.

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Councilmember Dhakal: commented on the proclamation to recognize National Hispanic American Heritage Month and discussed the rich cultural heritage, contributions, and impact that the Hispanic and Latino communities have on both the Town and the United States. He emphasized the importance of celebrating diversity, encouraging inclusion, and fostering unity, understanding, and mutual respect. He thanked the organizations and volunteers in attendance for coming to the meeting that evening.

Councilmember Dhakal commented on the 22nd anniversary of September 11, 2001, reflecting on the lives lost and the heroes that emerged that day. He said that this day also serves as a reminder of the shared commitment to freedom, democracy, and enduring values that define the United States as a nation.

Councilmember LeBlanc: thanked those in the audience for attending the meeting that evening. He provided comments on community resilience and the importance of working together, while reflecting on the anniversary of September 11, 2001 and celebrating National Hispanic American Heritage Month.

Councilmember LeBlanc stated that he enjoyed attending several ribbon cuttings recently. The first was the Van Buren Street and Herndon Parkway intersection, which required cooperation among different agencies and levels of government to come to fruition. The other two were grand openings for new businesses: Crème de la Crop and Chiboo Bakery, which he thought demonstrated the Town's vibrant business community.

Councilmember Scherff: thanked staff, especially Cindy Roeder, Director of Parks and Recreation for their work on the reduced rate program at the Herndon Community Center. She thanked the Town's community partners and leaders, including Cornerstones and Opportunity Neighborhood, for their grassroots efforts on starting this program, and expressed appreciation to the community members who attended the meeting that evening.

Councilmember Scherff provided comments on the interpretation services that are now available at all Town Council regular meetings. She thanked Anne Curtis, Chief Communications Officer, for her work on this endeavor, and stated that she is glad that this will provide the opportunity for everyone to participate.

Vice Mayor Hedrick: commented on the 22nd anniversary of September 11, 2001, reflecting on the impact the event had on those who were alive at that time. He echoed Councilmember LeBlanc's comments on community resiliency and togetherness that occurred after the September 11th attacks and stated that everyone who is at the meeting that evening is participating in public service. He stated that the legacy of the police, firefighters, first responders, and public safety personnel from September 11, 2001, is that they ran toward the emergency when it was required.

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Vice Mayor Hedrick provided comments on the proclamation recognizing National Hispanic American Heritage Month and remarked on the vibrant Hispanic community in Herndon. He stated that he looked forward to celebrating the occasion throughout the month.

Vice Mayor Hedrick stated that there is a Town Council Special Meeting for Council Initiatives on Monday, September 18, at 7:00 p.m., in the Herndon Police Department Community Room. The meeting recording will be posted on Granicus once it is processed and available.

Vice Mayor Hedrick reminded those in attendance that NatureFest is on Sunday, September 24, 1:00 to 5:00 p.m., at Runnymede Park. NatureFest is a hands-on nature event that spotlights the animals, plants, and insects that live in Runnymede Park, and there are activities for all ages at the event.

4. COMMENTS FROM THE AUDIENCE

Vice Mayor Hedrick reviewed the process and asked those who wanted to provide Comments from the Audience to come forward.

The following individuals provided comments:

- Carla Bustillos, 6171 McLendon Court, Alexandria, commented on the proclamation to recognize National Hispanic American Heritage Month and on the anniversary of September 11, 2001.
- Alex Rodriguez, 400 Spruce Court, expressed appreciation to the Council for supporting Herndon's diverse community. He addressed and thanked the community members that were in attendance with him that evening.
- Alexandra Stewart, 11150 Sunset Hills Road, Reston, representing Cornerstones, commented on Consent Agenda item 6(a), Resolution 23-G-61, to amend the Parks and Recreation Fees - Special Facilities Use and Facility Rental Fees. She recognized the members of the Opportunity Neighborhood committee and the other community members who attended with her that evening.
- Sean Reagan, 1000 Monroe Street, commented on the downtown redevelopment project and the status of the project with Comstock. He asked the Council to work diligently on moving the project forward, while preparing for what would happen if it did not go forward.
- Jay Hadlock, 515 Alabama Drive, representing Friends of Runnymede Park, invited the community to and provided activity information on NatureFest, which is on Sunday, September 24, 2023, at Runnymede Park.

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Mr. Hadlock acknowledged the Town's partnership with the Northern Virginia Regional Park Authority (NVRPA) and expressed his thanks for the signage that was installed at the Washington and Old Dominion (W&OD) Trail crossing at Van Buren Street, reminding trail users to stop at the intersection. He asked if the Town could install additional signs at other intersections with the trail.

Mr. Hadlock commented on the Council's discussion at its work session last week on moving the Herndon Farmers' Market to Saturday. He stated that he enjoys the variety of vendors that participate in the Thursday market, and he did not want to lose any of them by moving it to another day.

- Bill Threlkeld, 1612 Sadlers Wells Court, Herndon, following on the previous speaker's remarks on the W&OD Trail, suggested that the Town add lights near the trail crossing at Crestview Drive, so that pedestrians and cyclists are more visible to vehicles.
- Fanny Salazar, 654 Calhoon Court, Herndon, provided comments on the proclamation to recognize National Hispanic American Heritage Month and about the anniversary of September 11, 2001. She expressed thanks to the community who attended the meeting with her that evening.
- Javier Menjivar, 460 Virginia Avenue, Herndon, provided comments in Spanish through Carla Falconi, Falconi Interpreting. Mr. Menjivar thanked the community present with him that evening, Opportunity Neighborhood, and Ms. Roeder with the Town staff, for all their work in finalizing the reduced fees for the Herndon Community Center. He thanked the Town Council for listening to them so that everyone in the community can use the resources at the Herndon Community Center.

5. GENERAL

a. **Resolution 23-G-60 to approve a contract modification for IFB Contract #23-05, Swimming Pool Whitecoat project**

Marjorie Sloan, Director of Finance, presented the staff report dated September 12, 2023. The proposed resolution approves a contract modification with Millenium Pools and Spas LLC for the whitecoat project at the Herndon Community Center pool. Ms. Sloan stated that when Millenium Pools and Spas LLC started the project in August, they found that substantially more work was needed to prepare and repair the pool before the new white coat could be applied. She stated that the contractor provided an initial cost estimate and a work adjustment of an additional two to three weeks. On September 5, the contractor recommended that the entire pool needed a second layer of plaster removed and submitted an additional quote. Staff reviewed the request and agreed with the contractor's assessments.

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The Town Council is being asked to approve this modification, plus a 20 percent contingency, for a total of \$78,662, because the magnitude of the request exceeds the intent of the approved contract. Ms. Sloan stated that the contingency request will allow the Town Manager to address any other issues that arise so the work can be completed as quickly as possible. Staff recommends approval of the proposed resolution, as presented.

Councilmember Scherff moved to approve Resolution 23-G-60 to approve a contract modification for IFB Contract #23-05, Swimming Pool Whitecoat project, as presented.

Motion seconded by Councilmember del Aguila.

The question was called on the motion, which carried by a 6-0 roll call vote. The vote was: Councilmembers Alam, del Aguila, Dhakal, LeBlanc, Scherff, and Vice Mayor Hedrick voting "Aye." Mayor Olem was absent.

6. CONSENT

- d. Resolution 23-G-61 to amend the Parks and Recreation Fees - Special Facilities Use and Facility Rental Fees**
- e. Resolution 23-G-62 to approve and adopt the amendment and restatement of the Town of Herndon Cafeteria Plan**
- f. Resolution 23-G-63 to approve the adoption of the 2022 Northern Virginia Regional Hazard Mitigation Plan**
- g. Resolution 23-G-64 to establish the Herndon Town Council meeting schedule for January 1, 2024 to December 31, 2024**
- h. Resolution 23-G-65 to award Contract #D-23-04, Geotechnical Engineering and Construction Materials Testing and Inspection Services**
- i. July 11, 2023 Town Council Work Session Minutes**
- j. July 13, 2023 Town Council Special Meeting Strategic Planning Minutes**
- k. July 18, 2023 Town Council Meeting Minutes**
- l. August 2, 2023 Town Council Work Session Minutes**
- m. August 8, 2023 Town Council Meeting Minutes**

On motion of Councilmember LeBlanc, seconded by Councilmember Alam, the Consent Agenda items were approved and carried by a 6-0 roll call vote. The vote was:

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

7. ADJOURNMENT

There being no further business, Vice Mayor Hedrick adjourned the September 12, 2023 Town Council Regular Meeting at 7:48 p.m.



Amanda E.M. Kertz
Chief Deputy Town Clerk



Minutes approved by Town Council: October 10, 2023

[Note: Approved resolutions and ordinances are on file in the Town Clerk's office.]