



TOWN COUNCIL REGULAR MEETING AGENDA

Town Council Chambers
765 Lynn Street, Herndon, VA 20170

Tuesday, March 12, 2024 | 7:00 PM

1. Call to Order

2. Pledge of Allegiance to the Flag of the United States of America

3. Presentations/Reports/Comments

- a. Town Manager Report
- b. Councilmember Comments

4. Comments from the Audience

Members of the public may, for one 3-minute period, provide public comments, requests, consent or general item comments, and comments on matters not included on the agenda.

5. Consent

- a. January 16, 2024 Town Council Work Session Minutes
- b. January 18, 2024 Town Council Special Meeting - Council Initiatives Minutes
- c. January 23, 2024 Town Council Meeting Minutes
- d. February 6, 2024 Town Council Work Session Minutes

6. Closed Meeting

- a. A Closed Meeting pursuant to:
 - Code of Virginia Section 2.2-3711 (A)(3), a matter involving a discussion or consideration of the acquisition of real property for a public purpose in the downtown because discussion in an open meeting would adversely affect the town's bargaining position or negotiating strategy; and

- Code of Virginia Section 2.2-3711 (A)(7), consultation with legal counsel pertaining to actual and probable litigation, where such consultation in open meeting would adversely affect the negotiating or litigating posture of the public body; and
- Code of Virginia Section 2.2-3711 (A)(8), consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, relating to real estate in the downtown.

7. Adjournment

Interpretación en Español está disponible en esta sesión.



**Town Council
Regular Meeting
Agenda Item 5.a.**

Agenda Item: January 16, 2024 Town Council Work Session Minutes

Meeting Date: March 12, 2024

Category: Consent

Prepared by: Kirstyn Jovanovich, Town Clerk

Description:

This is a request to approve the January 16, 2024 Town Council Work Session minutes.

Background:

N/A

Budget Impact:

N/A

Recommendation:

Recommend approval as presented.

Attachments:

1. January 16, 2024, Draft Work Session Minutes

**HERNDON TOWN COUNCIL
Work Session Minutes
Tuesday, January 16, 2024**

1. Call to Order

Mayor Olem called the Tuesday, January 16, 2024, Town Council work session meeting to order 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, and Keven LeBlanc.

Councilmember Donielle M. Scherff was absent.

Staff present during the meeting: William H. Ashton II, Town Manager; Lesa Yeatts, Town Attorney; Kirstyn Barr Jovanovich, Town Clerk; Chief Maggie DeBoard, Herndon Police Department; Lisa Gilleran, Director of Community Development; Marjorie Sloan, Director of Finance; Scott Robinson, Director of Public Works; Cynthia Hoftiezer, Deputy Director of Parks and Recreation; David Roscoe, Cemetery Manager; David Stromberg, Zoning Administrator; Maria Lee, Budget Manager; Randy Schell, Chief Program and Project Manager; Ben Schitter, Development Program Manager; Dave Bracamonte, Systems Manager; and Margie Tacci, Deputy Town Clerk.

Determination of a Quorum

Mayor Olem determined there was a quorum of six Councilmembers present, with Councilmember Scherff absent. Mayor Olem reminded the Council of the meeting decorum.

Mayor Announcements

Mayor Olem stated that the Council is holding a Town Council Special Meeting for Council Initiatives this Thursday, January 18, at 7:00 p.m., in the Herndon Police Department Community Room. The meeting recording will be posted on the website once it is processed and available.

Comments and Disclosures for the Record

Mayor Olem asked Margie Tacci, Deputy Town Clerk, if she received comments for the record or signed disclosure declarations from Council.

Ms. Tacci stated that comments were provided to the Council and entered into the record on Public Hearing item 2(a), Resolution to approve special exception SE #23-01, Herndon Elementary School Renovation and Addition; and General Item 3(d), Resolution to approve a revision to the approved master plan for the Chestnut Grove Cemetery.

Ms. Tacci stated that Councilmember Dhakal entered a Signed Transactional Disclosure Declaration into the record on Public Hearing Item 2(a), Resolution to approve Special Exception SE #23-01, Herndon Elementary School Renovation and Addition, indicating that he is able to participate in the discussion and action on the item fairly, objectively, and in the public interest.

2. Public Hearings

a. Resolution to approve Special Exception SE #23-01, 630 Dranesville Road, Herndon Elementary School Renovation & Addition, to allow an addition to the existing public school building

Ben Schitter, Development Program Planner, presented the staff report for the special exception at Herndon Elementary School, located at 630 Dranesville Road. He reviewed the history of the property, existing conditions, and outlined the proposed addition and renovations. The proposed project includes capacity for 1,050 students, with an additional 44,000 square feet, 63 additional parking spaces, and 32 more stacking spaces than on the existing site. Mr. Schitter also discussed the land use study and traffic impact analysis, which he stated are in compliance with the Town's zoning requirements. Staff and the Planning Commission recommend approval of the proposed resolution, which includes the conditions listed in the staff report and proposed resolution.

There was discussion among Council and staff about the applicant's outreach and notification to the public about the project.

In response to Councilmember Dhakal's questions about community outreach, Mayor Olem recognized the applicant's agent, Maureen Wiechert with Cooper Carry, to come forward and answer questions from the Council.

There was brief discussion between Council and Ms. Wiechert about: (1) the special exception application, (2) the applicant's outreach to the community, and (3) feedback that was received on the project.

There was further discussion among Council and staff on the application, focusing on: (1) proposed conditions, (2) parking spaces, (3) landscaping and buffering, (4) site plan process, and (5) funding for the project.

b. Resolution to approve an amendment to Special Exception SE #21-03, 1315 and 1317 Monroe Street, to allow the placement of fill in order to construct two new single-family dwellings on two existing lots within the Floodplain Overlay District

David Stromberg, Zoning Administrator, presented the staff report and reviewed the background on the property located at 1315 and 1317 Monroe Street. Mr. Stromberg discussed the requested amendments to the previously approved Special Exception in the Floodplain Overlay District, and he outlined the next steps in the planning process. Staff and the Planning Commission recommend approval of the proposed resolution, which includes the conditions listed in the staff report and proposed resolution.

There was brief discussion among Council and staff on the amendment to the special exception, including: (1) proposed conditions and (2) floodplain impacts.

3. General

a. Resolution to provide Town Council Guidance on the development of the Town Manager's Proposed FY 2025 Budget

Marjorie Sloan, Director of Finance, presented the staff report, and stated that the purpose of the proposed resolution is to convey guidance from the Town Council on the development of the Town Manager's proposed FY 2025 Budget. The budget was first discussed at the January 2, 2024 Town Council work session. Following that meeting, staff compiled a list of items to form the proposed resolution she is presenting that evening.

Ms. Sloan reviewed the proposed resolution and attached guidance, which references the following: (1) continue efforts to develop and maintain a strong fiscal position, (2) develop a revenue plan to meet the various challenges associated with maintaining current levels of service, (3) continue to adequately invest in the town's capital assets, (4) address problems with recruiting and retaining employees in a highly competitive labor market, (5) continue focus on strategic planning, (6) develop a plan for adverse changes to the economic climate, and (7) propose balanced enterprise fund budgets that limit the use of retained earnings. Staff recommends approval of the proposed resolution, as presented.

There was brief discussion among Council and staff on the Budget Guidance Resolution, including: (1) year-to-year revenue comparison, (2) revenue trends, (3)

water and sewer regulations and rates, (4) looking at how to increase revenue or reduce expenses, (5) pressures on the budget and Enterprise Funds, including inflation, and (6) level of services being provided.

Responding to Councilmember del Aguila's request, William H. Ashton II, Town Manager, stated that he can provide information comparing annual revenue data. He indicated that the Town's financial consultants at Davenport will be attending an upcoming work session to update the Council on the water and sewer rate model and to discuss pressures on the Water and Sewer Fund.

b. Resolution to approve a revision to the approved Master Plan, for the Chestnut Grove Cemetery, an element within the Comprehensive Plan of the Town of Herndon

Randy Schell, Chief Program and Project Manager, presented the staff report and reviewed the proposed revision to the Chestnut Grove Cemetery Master Plan. The master plan was first approved in 1999 as an addendum to the Town's Comprehensive Plan. In 2023, due to changing burial customs, staff started looking at revising the master plan to meet increased demand and changing preferences. The Tribute Company was contracted to draft a revision to the master plan for the last undeveloped section in the northwest corner of the cemetery. Mr. Schell provided a visual representation of both the current and revised master plan and briefly discussed the changes, including updated stormwater management practices. He recognized David Roscoe, Cemetery Manager, to continue the staff report.

Mr. Roscoe continued the presentation and provided further information on the proposed revisions to the master plan.

Mr. Schell reviewed the proposed schedule for the project, stating that staff hopes construction will begin in fall 2024 and that it will last through fall 2025. Staff recommends approval of the proposed resolution, as presented.

There was brief discussion among Council and staff on the Cemetery Master Plan revision, including: (1) landscape and buffering, (2) funding for the project, (3) undeveloped part of the cemetery and availability of spaces, and (4) stormwater management and drainage at the site.

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

c. Resolution to repeal Resolution 23-G-52 and to endorse and authorize a substitute funding amount on VDOT FY2027 and FY2028 Revenue Sharing Program funding application towards the VDOT-administered 'East Elden Street Widening and Improvements (UPC 50100)'

Jaleh Moslehi, Capital Projects Planner/Engineer, presented the staff report and reviewed the proposed resolution, which authorizes an increase in the Town's local matching toward the Virginia Department of Transportation's (VDOT) revenue sharing grant program for the East Elden Street project. The total project funding request will be increased to \$10.8 million, of which 50 percent, or \$5.4 million, is the matching amount from the Town. Accordingly, staff wants to continue processing this year's revenue sharing application of up to \$10.8 million, with a 50 percent local matching amount from the Town. Staff recommends approval of the proposed resolution, as presented.

There was brief discussion among Council and staff on the VDOT application, including: (1) funding for the project, (2) VDOT application process, and (3) project timeline.

Responding to Councilmember Dhakal, William H. Ashton II, Town Manager, stated that staff is in regular conversations with VDOT about this project, who advised that the costs have increased significantly. VDOT is working closely with the Town to close any budget shortfalls to help move this project forward.

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

d. Ordinance to amend the Herndon Town Code, Chapter 2 (ADMINISTRATION), Article I (In General), Section 2.1 to clarify the rescheduling of meetings

Lesa Yeatts, Town Attorney, presented the staff report, and stated that this is a new agenda item to address a necessary housekeeping amendment to Section 2-1 of the Town Code regarding the rescheduling of meetings due to unforeseen circumstances, like weather. The language of this amendment was recently included in a more comprehensive amendment to Chapter 2 (24-O-01), that was tabled to allow further review of the attendance language in Section 2-5. However, this change still needs to be addressed.

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.

4. Consent

a. Ordinance to approve and authorize the mayor to sign a lease agreement between the Town and Board of Supervisors of Fairfax County, Virginia, for office space at 397 Herndon Parkway

There was no discussion on the Consent Agenda item.

5. Discussion

a. Ad Hoc Committees - Review Establishing Guidelines for PBAC and HDEIC

Kirstyn Barr Jovanovich, Town Clerk, presented the staff report and stated that during the November 8, 2023 work session, the Council discussed a memorandum prepared by Councilmember Scherff regarding the Town Council's ad hoc committees' processes. At the Town Council's December 5, 2023 work session, staff reviewed the Town Clerk's Office's Standard Operating Procedure (SOP) for Boards, Commissions, and ad hoc committee logistics. The SOP indicates that the Council will review the guidelines and objectives of the Town's ad hoc committees in the first quarter of the Council's term after an election. As the formalization of this SOP occurred after the first quarter of the current Council term, staff is providing the Herndon Diversity, Equity, and Inclusion Committee (HDEIC) and the Pedestrian and Bicycle Advisory Committee (PBAC) guidelines to the Council at this time for their review and feedback.

There was no discussion from Council on this item.

b. Chapter 2 Amendment, Attendance Process - Define and Record "Good Cause" - Vice Mayor Hedrick

Mayor Olem recognized Vice Mayor Clerk Hedrick to begin the discussion of defining and recording "good cause."

Vice Mayor Hedrick stated that he brought this forward to discuss and address concerns that the Council raised at their meeting on January 9, 2023. To address the definition of "good cause" and who decides it, Vice Mayor Hedrick read draft language into the record that incorporated the following: (1) "good cause" will be defined according to the term's application in the Commonwealth of Virginia, (2) absences from meetings shall be presumed to be for "good cause" if the member: (a) notifies the Mayor, Town Manager, or the Town Clerk, or (b) identifies the reason for which prior notification was not possible, and (3) any action taken by the Council shall provide reason for finding that the absence lacked good cause. He stated that he would like this amendment to move forward.

There was discussion among Council and staff about considering a proposed ordinance on attendance, including: (1) definition of "good cause," (2) absence notification process, (3) addressing absenteeism, (4) virtual attendance options, (5) State Code and Town Code provisions governing virtual meeting attendance, (6) procedure taking an item off the table, (7) drafting a new ordinance and adding a new code section that addresses attendance, (8) including language on the notification process in the amendment, and (9) addressing this matter via ordinance (codification) and/or resolution.

Councilmember Dhakal stated that he would like to include an ordinance addressing Council's attendance as part of the first set of Council meetings in February.

Ms. Yeatts stated that the deadline to add items to the February 6, 2024, agenda is January 28, 2024.

Recess

At 9:12 p.m. Mayor Olem called a brief recess, and at 9:19 p.m., the Town Council Work Session meeting reconvened, with six members present and Mayor Olem presiding. Councilmember Scherff was absent.

There was further discussion among Council and staff about considering an amendment to Chapter 2 of the Town Code regarding attendance.

Mayor Olem stated, with the concurrence of Council, that the aim is for the item to be submitted to staff prior to January 28, 2024, so it can be part of the February 6, 2024, work session agenda.

Vice Mayor Hedrick asked for the Town Attorney's technical assistance with language related to this ordinance, to which she agreed.

6. Roundtable

Councilmember Alam: stated that she attended her first Virginia Municipal League (VML) Conference in Richmond ten years ago.

Councilmember Alam cautioned residents to be careful in the snow and thanked the Department of Public Works (DPW) staff for all their efforts in clearing the roads.

Councilmember del Aguila: shared that Councilmember Alam was featured in an article in the November issue of the Virginia Town and City Magazine.

Councilmember Le Blanc: stated that the organization Stars and Stripes Northern Virginia contacted him to request his guidance on planning an event at the Herndon Centennial Golf Course. He asked the Town Manager if that group is planning an event at the Herndon Centennial Golf Course.

William H. Ashton II, Town Manager, stated he understood the group is holding a golf event in May and may be planning an August event. He stated that events that are held at the Golf Course follow a different process than other Town events.

Councilmember Dhakal: no comments.

Vice Mayor Hedrick: no comments.

Mayor Olem: offered kudos to DPW staff for all their hard work on snow removal this week. She stated that her neighbors also observed the amount of work that DPW did and were thankful. Mayor Olem asked that her appreciation be conveyed to the crews.

William H. Ashton II, Town Manager: provided comments expressing his appreciation to DPW staff for their hard work in clearing the streets during the recent snow events. He stated that there were several factors that made their work even more impressive, including that: (1) it had not snowed more than an inch in a long time, (2) there were several new staff members on the crews who were in training, and (3) staff had not anticipated the snow to arrive on Sunday night, as they were preparing for a Monday snow event. He stated that he was proud of the way that staff handled a dynamic situation.

Mr. Ashton stated that he resent a survey that he initially sent to the Council on January 5, which included additional information for the Council.

Mr. Ashton advised that the International City/County Management Association (ICMA) is very clear that managers need to treat every candidate running for office in their locality equally. He stated that he and the Town Attorney will not be signing any petitions for those running for Town office, in order to ensure all candidates are treated equally. He asked the Council not to take this decision personally.

7. Closed Meeting

a. A closed meeting pursuant to the Code of Virginia Section 2.2-3711(A)(1) of the Code of Virginia for discussion of prospective candidates relative to appointments to boards and commissions

Mayor Olem stated that the Council needed to go into a closed meeting and that the appropriate meeting notices were provided in accordance with state law. The closed meeting was held in the Hoover Conference Room in the Herndon Council Chambers Building, 765 Lynn Street, Herndon, Virginia.

Councilmember LeBlanc moved that the Council convene in a closed meeting to discuss the following as permitted by Code of Virginia Section 2.2-3711(A)(1) for discussion of prospective candidates relative to appointments to boards and commissions. Councilmember Dhakal seconded the motion, which carried by a 6-0 roll call vote. The vote was: Councilmembers Alam, del Aguila, Dhakal, LeBlanc, and Vice Mayor Hedrick, and Mayor Olem voting "Aye." Councilmember Scherff was absent.

The Council went into closed meeting at 9:26 p.m.

At 9:26 p.m. Mayor Olem called a brief recess, and at 9:32 p.m., the closed meeting reconvened in the Hoover Conference Room, all members present, with Mayor Olem presiding.

Vice Mayor Hedrick moved to come out of the closed meeting. Motion seconded by Councilmember Dhakal and carried by a 6-0 roll call vote. The vote was: Councilmembers Alam, del Aguila, Dhakal, LeBlanc, and Vice Mayor Hedrick, and Mayor Olem voting "Aye." Councilmember Scherff was absent.

The Council came out of closed meeting at 9:37 p.m.

Councilmember LeBlanc moved to certify that, to the best of each member's knowledge, in the closed meeting just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed meeting and (2) lawfully permitted to be discussed in a closed meeting under the provisions of the Virginia Freedom of Information Act as cited in that motion. Motion seconded by Councilmember del Aguila and carried by a 6-0 roll call vote. The vote was: Councilmembers Alam, del Aguila, Dhakal, LeBlanc, and Vice Mayor Hedrick, and Mayor Olem voting "Aye." Councilmember Scherff was absent.

Ayes: 6
Nays: 0
Absent: 1

8. **Adjournment**

There being no further business, Mayor Olem adjourned the January 16, 2024, Town Council work session 9:38 p.m.

Amanda E.M. Kertz
Chief Deputy Town Clerk

Minutes approved by Town Council:

Agenda Item: January 18, 2024 Town Council Special Meeting - Council Initiatives Minutes

Meeting Date: March 12, 2024

Category: Consent

Prepared by: Kirstyn Jovanovich, Town Clerk

Description:

This is a request to approve the January 18, 2024, Town Council Special Meeting - Council Initiatives Minutes.

Background:

N/A

Budget Impact:

N/A

Recommendation:

Recommend approval as presented.

Attachments:

1. January 18, 2024, Draft Special Meeting Minutes

HERNDON TOWN COUNCIL
Special Meeting Minutes – Council Initiatives
Thursday, January 18, 2024

1. Call to Order

Mayor Olem called the Thursday, January 18, 2024, Town Council Initiatives Meeting to order at 7:00 p.m. in the Herndon Police Department Community Room, 397 Herndon Parkway, Herndon, Virginia. In attendance were: Mayor Sheila Olem, Vice Mayor Clark Hedrick; and Councilmembers Naila Alam, Cesar del Aguila, Pradip Dhakal, and Keven LeBlanc.

Participating remotely: Councilmember Donielle M. Scherff.

Staff present during the meeting: William H. Ashton II, Town Manager; Lesa Yeatts, Town Attorney; Kirstyn Barr Jovanovich, Town Clerk; Page Kalapasev, Director of Information Technology; and Amanda Kertz, Chief Deputy Town Clerk.

Mayor Olem stated, for the record, under Section 2.2-3708.3, Subsection D, of the Code of Virginia, and in accordance with Section 2-4 of the Town Code, the Chair received a request from Councilmember Scherff to participate through electronic communication means in tonight's special meeting from her home, due to a medical condition that prevents her physical attendance.

Mayor Olem stated that there is a quorum of the public body physically assembled at the meeting location, with six Councilmembers present in the Herndon Police Department Community Room that evening. With the concurrence of Council, Mayor Olem stated that Councilmember Scherff will join the meeting remotely to participate in the special meeting.

Determination of Quorum

Mayor Olem determined there was a quorum of six Councilmembers present, with Councilmember Scherff participating remotely by telephone.

2. Discussion

a. Council Initiatives and Strategic Plan - Moderated by Julie Rouge and Kristi Dooley, True Purpose Leadership

1. Welcome, Overview, Check in, Agreements

Mayor Olem recognized the facilitators: Julie Rouge and Kristi Dooley, True Purpose Leadership, to begin the meeting that evening.

Ms. Dooley and Ms. Rouge provided an overview of the meeting, reviewed the Town Council Operating Agreement, and provided a check-in. Ms. Dooley stated that the bulk of the meeting agenda would be discussing the initiatives going forward.

The Council briefly discussed goals and shared their intentions for the coming year, both personally and with the Town Council. Several members of Council emphasized completing items that had been promised to citizens already in their term.

2. Update on Draft Strategic Plan and Process from Here

Kirstyn Barr Jovanovich, Town Clerk, provided an update on the Strategic Plan. She stated that staff is working on the Plan, and she has incorporated the edits Council submitted during their last review into the draft. She stated that staff is working on the action steps, with the aim of having a rough draft of the Plan ready for the Council's review in February.

There were brief comments from Council on the Strategic Plan.

3. Re-evaluating Quarterly Council Initiative Meetings

Ms. Rouge stated that she and Ms. Dooley started working with the Council on the initiatives meetings approximately two years ago. She asked the Council to consider the purpose of these meetings going forward, recognizing that several members mentioned that they wanted to close out items versus starting new ones.

The discussion between the Council, staff, and facilitators focused on the purpose, process, value, and scheduling of the initiative meetings. Council discussed having standing dates for initiative meetings on the fifth Tuesday of the month throughout the calendar year and focusing on one main topic per initiative meeting. Consideration was also given to how initiatives tied into other Town documents, like the Strategic and Comprehensive Plans, Annual Budget, and Vision.

Responding to the discussion, Ms. Rouge stated that no new initiatives had been submitted in time to be included on this meeting's agenda. She suggested taking some time at that night's meeting to discuss and identify key themes and topics for the Council to consider at future meetings.

Responding to the discussion, Ms. Dooley and Ms. Rouge suggested incorporating a meeting format that includes both a main topic for discussion and allowing time to discuss new initiatives.

Following discussion among the Council and facilitators, the Council decided to take a vote on the meeting scheduling process. Ms. Rouge identified that a 'yes' vote will establish a process for quarterly Town Council Initiative Meetings, which includes: (1) a content area focus, and (2) allocating time for new initiatives that arise.

Amanda Kertz, Chief Deputy Town Clerk, called the roll to follow the proposed meeting process, which passed by unanimous roll call vote. The vote was: Councilmembers Alam, del Aguila, Dhakal, LeBlanc and Scherff (remotely, by phone), Vice Mayor Hedrick and Mayor Olem voting "Aye."

4. Update on Council Initiatives Previously Raised

Ms. Rouge recognized William H. Ashton II, Town Manager, to provide the update on initiatives that had been previously submitted by the Council.

Mr. Ashton updated Council on what had occurred and what is planned to address each initiative, which are:

1. Historic District Inventory Survey
2. Town events, with a focus on smaller events in the future
3. Historic District and Greater Sense of Place
4. Combat invasive Plants
5. Uniform Zoning Setbacks
6. Affordable Dwelling Units
7. Mini-Festivals
8. Town Branding and Vision
9. Green Initiatives/Electric Vehicles (EV)
10. Stormwater Management Improvements
11. Regional Cut-Through Traffic
12. Traffic calming

During his update, Mr. Ashton identified the following items that Council could anticipate in the near future: (1) information from staff on housing stock in Herndon compared to the rest of Fairfax County, and inviting County housing staff to present an update at an upcoming work session, (2) scheduling of the Request for Proposals (RFP) for the Town brand after the

strategic visioning process is complete, (3) EV program as part of the upcoming Capital Improvement Program (CIP), (4) use of Fairfax County stormwater tax remittance funds toward stormwater improvements, to include staff that are dedicated to stormwater management, and (5) origin-destination study will be presented at the Council's first Regular Meeting in February.

There was discussion among Council and staff regarding Mr. Ashton's updates, focusing on: (1) Town branding and vision, (2) Regional cut-through traffic and data collection, and (3) future Town events and mini festivals.

Responding to Councilmember Dhakal, Mr. Ashton stated that the RFP for Town branding has been issued and is available on eVA.

5. Identifying Current Initiatives for Additional Discussion

Ms. Dooley and Ms. Rouge suggested that the Council talk about the topics they want to focus on for the next three Town Council Initiative Meetings. During their discussion on upcoming initiatives, it was the consensus of Council to tie topics to Strategic Focus Areas in the Strategic Plan.

Following discussion among the Council, staff, and facilitators, the following topics were slated for the next three Town Council Initiative Meetings: (1) economic and environmental sustainability (April), (2) secure and interconnected community (tentatively July), and (3) thriving community (tentatively October). That evening, the Council decided to discuss traffic calming at the end of the meeting.

There was discussion among the Council, staff, and facilitators about the data the Council would like to have for their meeting on economic and environmental sustainability, which included: (1) tree inventory study, (2) data on past or requested Town events or mini-festivals, (3) update on the brand RFP process, (4) gathering information on small business associations, and (5) impact of planned developments near the Town borders (which could be also be a work session discussion item). The Council requested the Economic Development Manager to attend the April Town Council Initiatives Meeting, if they are hired by that time.

Councilmember Scherff asked if Council can have data related to critical items expedited, giving the examples of the traffic study and inventory of Historic District properties. She expressed concern about responsiveness to citizens.

(Note: Councilmember Scherff left the meeting remotely at 9:06 p.m. and returned remotely at 9:14 p.m.)

Recess

At 9:04 p.m. Mayor Olem called a brief recess, and at 9:12 p.m., the Town Council Initiatives Meeting reconvened, with four members present and Mayor Olem presiding. Councilmembers Alam and del Aguila returned to the meeting at 9:13 p.m. and Councilmember Scherff rejoined the meeting remotely at 9:14 p.m.

6. Implementing Process for Ranking, Prioritizing, and Future Review of Council Initiatives

Traffic Calming

Ms. Dooley stated that, as discussed earlier, it was Council's consensus to have a focused conversation on traffic calming that evening. The main topics of discussion among the Council, staff, and facilitators included: (1) defining the scope and identifying current problem areas, (2) Town's current process for processing traffic calming requests, and (3) finding solutions that will work throughout the Town.

Responding to the discussion, Mr. Ashton outlined how the Town analyzes traffic calming requests through the Traffic Engineering Improvement Committee (TEIC). The committee includes staff from Public Works, Community Development, and the Herndon Police Department, who follow a process to recommend solutions to address traffic problems.

There was further discussion among the Council, staff, and facilitators on defining traffic problems and addressing potential solutions, specifically: (1) current and expected staffing levels at the Herndon Police Department, (2) relationship between the Fairfax County and Town of Herndon police departments, (3) proposed General Assembly bill allowing traffic cameras, (4) gathering traffic safety data from other jurisdictions to understand regional problems, (5) a 'safe neighborhoods' campaign, (6) ways for residents to report traffic safety issues, and (7) promoting multi-modal transportation.

(Note: Councilmember Scherff left the meeting remotely at 9:39 p.m.)

Responding to Councilmember Dhakal, Mr. Ashton confirmed that traffic safety concerns should go to him, Herndon Police non-emergency call center, or to the Department of Public Works, to be submitted to the TEIC group.

Kirstyn Jovanovich, Town Clerk, confirmed citizens can submit complaints related to traffic through the "Herndon on the Go" app on the Town's website.

Wrapping up the discussion, Ms. Rouge stated that she understood the next steps on the traffic calming initiative to be: (1) staff providing the requested data to the Council, (2) Councilmembers to connect with their State Legislators regarding the speeding cameras, and (3) Councilmembers to discuss successful traffic safety solutions with their counterparts in other jurisdictions.

7. Wrapping up and Next Steps

Ms. Rouge stated that the next Town Council Initiatives Meeting is tentatively scheduled for the fifth Tuesday in April – April 30, 2024 – with the topic of economic and environmental sustainability. She stated that in the future, the Council can consider swapping out a scheduled work session meeting to have a Town Council Initiatives Meeting, but with the budget being reviewed in April, she thought it made sense to have a standalone session.

3. Adjournment

There being no further business, Mayor Olem adjourned the January 18, 2024, Town Council Initiatives Meeting at 10:03 p.m.

Amanda E.M. Kertz
Chief Deputy Town Clerk

Minutes approved by Town Council:

Agenda Item: January 23, 2024 Town Council Meeting Minutes

Meeting Date: March 12, 2024

Category: Consent

Prepared by: Kirstyn Jovanovich, Town Clerk

Description:

This is a request to approve the January 23, 2024, Town Council meeting minutes.

Background:

N/A

Budget Impact:

N/A

Recommendation:

Recommend approval as presented.

Attachments:

1. January 23, 2024, Draft Meeting Minutes

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Regular Meeting Minutes
Tuesday, January 23, 2024**

1. Call to Order

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Staff present during the meeting: William H. Ashton II, Town Manager; Lesa Yeatts, Town Attorney; Chief Maggie DeBoard, Herndon Police Department; Lisa Gilleran, Director of Community Development; Marjorie Sloan, Director of Finance; Bob Williams, Director of Parks and Recreation; Scott Robinson, Director of Public Works; David Stromberg, Zoning Administrator; Maria Lee, Budget Manager; Randy Schell, Chief Program and Project Manager, Ben Schitter, Development Program Manager; Dave Bracamonte, Systems Manager; Amanda Kertz, Chief Deputy Town Clerk; and Margie Tacci, Deputy Town Clerk.

2. Pledge of Allegiance to the Flag of the United States of America

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

Amend the Agenda

Councilmember LeBlanc moved to remove Resolution 24-G-09 to approve a revision to the approved Master Plan, for the Chestnut Grove Cemetery, an element within the Comprehensive Plan of the Town of Herndon, from the Consent Agenda, and add it to the General section as item 6(b) on the meeting agenda. Motion seconded by Councilmember Dhakal.

Lesa Yeatts, Town Attorney, opined that no motion is needed to remove an item from the Consent Agenda. Therefore, the item was removed, and the agenda was amended.

Determination of a Quorum

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

Mayor Announcements

Mayor Olem stated that on Tuesday, January 30, 2024, from noon to 2:00 p.m. at the George Mason Enterprise Center, Herndon is hosting an event to learn about small business franchising. She encouraged those interested to contact the Town Clerk or her for more information.

Mayor Olem stated that since next Tuesday is the fifth Tuesday of the month there is no Town Council meeting next week. The next Town Council meeting is a work session on Tuesday, February 6, 2024.

3. Presentations/Reports/Comments

a. Town Manager Report

William H. Ashton II, Town Manager, stated that the intersection of Station and Pine Street is closed outside of Zeffirelli's restaurant due to a broken sewer lateral. He stated that staff hoped the work in the road would be finished that evening.

Mr. Ashton introduced Bob Williams, the Town's new Director of Parks and Recreation. He briefly reviewed his record of public service and encouraged everyone to welcome him to the Town.

Mayor Olem welcomed Mr. Williams as the Town's third Parks and Recreation Director.

b. Councilmember Comments

Councilmember Dhakal: stated that the Council is working to bring back the attendance policy item for the Council's consideration at a work session in February. He stated that he is also reviewing the Town versus State Code regulations on remote attendance at meetings. While the State Code allows up to two or 25 percent of meetings, whichever is higher, to be attended remotely, the Town Code provides for the lesser of two or 25 percent of meetings. He hopes to bring some changes forward that will allow more flexibility for virtual participation.

Councilmember del Aguila: wished those present a Happy New Year. He congratulated Councilmember Alam on being featured in an article in last month's Virginia City and Town Magazine, which is published by the Virginia Municipal League (VML).

Councilmember del Aguila thanked the majority of Council for supporting the Town Council Initiatives Meetings, which he said is something he brought forward and thinks is important. As part of the initiatives, he would like to consider more ways to bring in revenue to the Town, such as a pickleball tournament and Saturday mini-festivals.

Councilmember Scherff: stated that this past week, she introduced the Town Manager to the Old Town Fairfax Business Association Executive Director, who she thought is carrying out unique projects in the City of Fairfax.

Councilmember Alam: stated that she enjoyed attending the recent VML Newly-Elected Officials Conference where she met and exchanged ideas with other local representatives from around the Commonwealth. She shared with them that she wants to bring more Electric Vehicle (EV) charging stations to the Town.

Councilmember Alam thanked the Department of Public Works staff for their hard work treating the roads in the cold weather.

Councilmember LeBlanc: stated that he was honored to serve another year on the Committee for Dulles board.

Councilmember LeBlanc provided comments about legislation before the General Assembly. He stated that Senator Boysko recently sponsored a bill that passed the Senate of Virginia providing more opportunity for posting public notices online versus in the printed newspaper, which could help save the Town money. He hopes that this bill will pass in the House of Delegates. He stated that the Town also asked Senator Boysko and Delegate Shin to support legislation allowing traffic cameras for localities.

Councilmember LeBlanc provided comments on the arts organizations Arts Herndon and NextStop Theatre. He stated that NextStop Theatre received a record number of award nominations for their 2023 season. He congratulated the group and stressed the importance of the arts in representing all groups in the community.

Vice Mayor Hedrick: expressed concern about human trafficking, stating that the Fairfax County Board of Supervisors is recognizing National Human Trafficking Month. He provided personal comments on the issue, stating that he wanted to bring awareness to the topic. Following his comments, he asked for a brief moment of silence to remember the victims of human trafficking.

Vice Mayor Hedrick provided comments on the threats he saw to democracy both in the United States and around the world. He observed that faith and trust in governmental institutions are quite low in this country. He thought that, as a local body, the Council should look at ways to foster trust among the community. He

indicated that this is why he raised the attendance issue, which he views as a challenge to the body. He provided his thoughts on how missing meetings undermines the body's integrity and the trust the community has placed in the Council. A few weeks ago, the Council voted to table an amendment he made on this topic, but conversations on it have continued. He thought that attendance is a high priority matter that he hopes can be addressed at an upcoming meeting.

Mayor Olem: stated that on Thursday, January 11, 2024, the Herndon Police Department held a promotional ceremony, where one Lieutenant, two Sergeants, three Corporals, and one Records Supervisor were promoted. She offered congratulations to those that were promoted.

Mayor Olem shared that she is attending the upcoming VML Legislative Day with several Council colleagues, and she emphasized the importance of dialogue with the state legislature. One of the matters before the General Assembly that the Town is supporting is traffic cameras for localities, and she encouraged those interested to send an email supporting the legislation.

Mayor Olem thanked the Town Attorney for resending the Town's policy on remote attendance and the Councilmember Handbook to Council.

Comments and Disclosures for the Record

Mayor Olem asked Margie Tacci, Deputy Town Clerk, if she received comments for the record or signed disclosure declarations from Council.

Ms. Tacci stated that comments were entered into the record on Public Hearing item 5(a), Resolution 24-G-06 to approve special exception SE #23-01, Herndon Elementary School Renovation and Addition; and Consent Agenda Item, which has now been moved to the General portion of the agenda, 6(b), Resolution 24-G-09 to approve a revision to the approved master plan, for the Chestnut Grove Cemetery.

Ms. Tacci stated that Councilmember Dhakal entered a Signed Transactional Disclosure Declaration into the record on Public Hearing Item 5(a), Resolution 24-G-06 to approve Special Exception SE #23-01, Herndon Elementary School Renovation and Addition, indicating that he is able to participate in the discussion and action on the item fairly, objectively, and in the public interest. The signed disclosure statement has been entered into the record with the Town Clerk and Town Attorney.

4. Comments from the Audience

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

The following individuals provided comments:

- Francine Kemp, 1554 Dranesville Road Herndon, on Resolution 24-G-09, revision to the Chestnut Grove Cemetery Master Plan. She expressed concern about drainage at the site, tree removal, and setbacks. She stated that her house is located next to the cemetery in Fairfax County.
- Barbara Glakas, 935 Barton Oaks Place, Herndon, followed up on comments she provided to the Council in November on the Stars and Stripes NOVA Committee, where she questioned a potential Town donation to that organization.
- Michelle Garrison, 1328 Grant Street, Herndon, on Resolution 24-G-09, revision to the Chestnut Grove Cemetery Master Plan. She submitted photographs for the record and expressed concern about drainage at the cemetery.
- Andrew Scotto, 1332 Grant Street, Herndon, on Resolution 24-G-09, revision to the Chestnut Grove Cemetery Master Plan, expressing concerns about the buffer zone, tree removal, animal habitats, construction, and stormwater management.
- Glen Godden, 1330 Grant Street, Herndon, on Resolution 24-G-09, revision to the Chestnut Grove Cemetery Master Plan, expressing concerns about the buffer zone, tree removal/landscaping, setback, and construction.
- Ann Goden, 1330 Grant Street, Herndon, on Resolution 24-G-09, revision to the Chestnut Grove Cemetery Master Plan, expressing concerns with the buffer zone, drainage, and tree removal. She asked the Council to research and provide more information on the plan before acting on it.

5. Public Hearings

b. Resolution 24-G-07 to approve an amendment to Special Exception SE #21-03, 1315 and 1317 Monroe Street, to allow the placement of fill in order to construct two new single-family dwellings on two existing lots within the Floodplain Overlay District

Certificates of Publication were filed from the Editor of the Fairfax County Times Newspapers, showing that notice of said public hearing items had been duly advertised in the Friday, January 12, and January 19, 2024, issues.

Mayor Olem opened the public hearing and recognized David Stromberg, Zoning Administrator, who presented the staff report. He reviewed the background on the property located at 1315 and 1317 Monroe Street and discussed the requested amendments to the Special Exception, which was originally approved in 2022. He stated that all applications in the floodplain are required to undergo and submit a

flood study, which did not show any increased capacity for the Follylick Branch Stream. Staff and the Planning Commission recommend approval of the proposed resolution, which includes the proposed conditions listed in the staff report and resolution.

There was brief discussion among Council and staff on this item, including: (1) monitoring the site for special exception violations, and (2) stormwater management.

Mayor Olem asked if the applicant or applicant's agent would like to address the Council on this item and the applicant did not have any comments.

Mayor Olem called for comments from the audience. Seeing no comments, Mayor Olem closed the public hearing and moved to Council level for discussion and action.

Councilmember LeBlanc moved to approve Resolution 24-G-07 to approve an amendment to Special Exception SE #21-03, 1315 and 1317 Monroe Street, to allow the placement of fill in order to construct two new single-family dwellings on two existing lots within the Floodplain Overlay District, as presented.

Motion seconded by Councilmember Alam.

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, del Aguila, Dhakal, LeBlanc, and Scherff, Vice Mayor Hedrick and Mayor Olem voting "Aye."

6. General

a. Resolution 24-G-08 to provide Town Council Guidance on the development of the Town Manager's Proposed FY 2025 Budget

Marjorie Sloan, Director of Finance, presented the staff report for the proposed resolution to provide the Town Manager with Town Council guidance during the development of the Town Manager's proposed FY 2025 Budget. This item was first discussed at the January 2, 2024, Town Council work session, along with a mid-year budget update.

Ms. Sloan reviewed the proposed budget guidance resolution which incorporates the following: (1) continue efforts to develop and maintain a strong fiscal position, (2) develop a revenue plan to meet the various challenges associated with maintaining current levels of service, (3) continue to adequately invest in the Town's capital assets, (4) address problems with recruiting and retaining employees, (5) continued focus on strategic planning, which includes a fiscal plan

that aligns with the Strategic Plan, (6) develop a plan for adverse changes to the economic climate, and (7) balanced Enterprise Funds that limit the use of retained earnings. Staff recommends approval of the proposed resolution, as presented.

There was discussion among Council and staff about the estimated real estate tax assessments that are expected from Fairfax County soon.

Councilmember del Aguila moved to approve Resolution 24-G-08 to provide Town Council Guidance on the development of the Town Manager's Proposed FY 2025 Budget, as presented.

Motion seconded by Councilmember Dhakal.

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, del Aguila, Dhakal, LeBlanc, and Scherff, Vice Mayor Hedrick and Mayor Olem voting "Aye."

b. Resolution 24-G-09 to approve a revision to the approved Master Plan, for the Chestnut Grove Cemetery, an element within the Comprehensive Plan of the Town of Herndon

[Note: earlier in the meeting, this item was moved from the Consent agenda to the General portion of the agenda.]

Randy Schell, Chief Program Project Manager, presented the staff report and provided background on the proposed revision to the Chestnut Grove Cemetery Master Plan. The proposed changes aim to address recent changes in the market, changes that have occurred with burial customs, and to adapt to decreasing space in the cemetery. If this item is approved, staff will submit the site plan for approval next, which will lay out the infrastructure changes. Staff recommends approval of the proposed resolution, as presented.

There was discussion among Council and staff on the proposed revisions to the plan, including: (1) site plan process, (2) communication and community outreach, (3) trees, vegetation, setback, and buffer zone, (4) updates to stormwater management and environmental regulations as part of the master plan, and how that relates to the Town's MS4 permit process, and (5) incorporating residents' feedback and communicating the plan's status as it moves forward.

Responding to Councilmember Dhakal, William H. Ashton II, Town Manager, stated that staff plans to post an FAQ section on the Town's website that will outline the Cemetery Master Plan process. He emphasized that the proposed changes tie into updating the Town's stormwater management plans and maintaining the Town's MS4 permit. He encouraged citizens to send in comments

to the Town through the channel that is easiest for them.

Councilmember del Aguila stated, for the record, that he is not comfortable supporting the item at this time. He expressed concern over communication with residents and asked that the Council delay this to allow time to distribute the FAQs and gather feedback from the residents who are affected.

Responding to Councilmember del Aguila, Mr. Ashton indicated that he owns the process for communicating with residents about the project.

Councilmember Scherff asked that staff incorporate the residents' feedback and communicate what is going on with the process as it continues.

Responding to Mayor Olem, Scott Robinson, Director of Public Works discussed the major changes to stormwater requirements that have occurred since the master plan was originally adopted. He stated that the plan will have to comply with the Town, State, and Chesapeake Bay regulations, which should provide improvements for the neighbors who have experienced flooding adjacent to the cemetery.

Councilmember LeBlanc moved to approve Resolution 24-G-09 to approve a revision to the approved Master Plan, for the Chestnut Grove Cemetery, an element within the Comprehensive Plan of the Town of Herndon, as presented.

Motion seconded by Councilmember Alam.

There were brief comments from Council.

Vice Mayor Hedrick asked that staff reach out to those that live adjacent to the cemetery, which includes properties inside and outside the Town's border, during the project. He asked that the concerns they raise be considered and addressed as much as possible.

The question was called on the motion, which carried by a 6-1 roll call vote. The vote was: Councilmembers Alam, Dhakal, LeBlanc, Scherff, Vice Mayor Hedrick and Mayor Olem voting "Aye." Councilmember del Aguila voting "No."

7. Consent

- a. Resolution 24-G-10 to repeal Resolution 23-G-52 and to endorse and authorize a substitute funding amount on VDOT FY2027 and FY2028 Revenue Sharing Program funding application towards the VDOT-administered 'East Elden Street Widening and Improvements (UPC 50100)'**

- b. **Ordinance 24-O-02 to amend the Herndon Town Code, Chapter 2 (ADMINISTRATION), Article I (In General), Section 2.1 to clarify the rescheduling of meetings**
- c. **Ordinance 24-O-03 to approve and authorize the mayor to sign a lease agreement between the Town and Board of Supervisors of Fairfax County, Virginia, for office space at 397 Herndon Parkway**
- d. **Resolution 24-G-11 to appoint a member to the Herndon Youth Advisory Committee**
- e. **Resolution 24-G-12 to appoint the Town of Herndon's elected official representative to the Northern Virginia Transportation Authority's Planning Coordination Advisory Committee (NVTAPCAC)**
- f. **December 5, 2023 Town Council Work Session Minutes**
- g. **December 12, 2023 Town Council Regular Meeting Minutes**

On motion of Councilmember Dhakal, seconded by Councilmember del Aguila, the Consent Agenda items were approved and carried by unanimous roll call vote. The vote was: Councilmembers Alam, del Aguila, Dhakal, LeBlanc, and Scherff, Vice Mayor Hedrick and Mayor Olem voting "Aye."

8. **Adjournment**

There being no further business, Mayor Olem adjourned the January 23, 2024, Town Council Regular Meeting at 9:25 p.m.

Amanda E.M. Kertz
Chief Deputy Town Clerk

Minutes approved by Town Council:

Agenda Item: February 6, 2024 Town Council Work Session Minutes

Meeting Date: March 12, 2024

Category: Consent

Prepared by: Kirstyn Jovanovich, Town Clerk

Description:

This is a request to approve the February 6, 2024, Work Session Minutes.

Background:

N/A

Budget Impact:

N/A

Recommendation:

Recommend approval as presented.

Attachments:

1. February 6, 2024, Draft Work Session Minutes

**HERNDON TOWN COUNCIL
Work Session Minutes
Tuesday, February 6, 2024**

1. Call to Order

Mayor Olem called the February 6, 2024, Town Council meeting to order at 7:00 p.m. in the Town Council Chambers 765 Lynn Street, Herndon. 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; Kirstyn Barr Jovanovich, Town Clerk; Chief Maggie DeBoard, Herndon Police Department; Lisa Gilleran, Director of Community Development; Marjorie Sloan, Director of Finance; Scott Robinson, Director of Public Works; Tammy Chastain, Deputy Director of Public Works; Mike Mueller, Golf Course General Manager; David Stromberg, Zoning Administrator; Maria Lee, Budget Manager; Fadrique Iglesias, Community Planner; Amanda Kertz, Chief Deputy Town Clerk; and Dave Bracamonte, Systems Manager.

Determination of a Quorum

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

2. Presentations

a. Presentation on the Origin/Destination Study (To be presented at the February 13, 2024 Town Council Meeting)

Mayor Olem stated that the Council will receive the presentation of the Origin/Destination Study at the February 13, 2024, Regular Meeting.

William H. Ashton II, Town Manager, stated that the study relates to the regional cut through traffic discussion.

Responding to Councilmember Dhakal, Lisa Gilleran, Director of Community Development, stated that staff will ask the traffic consultant to provide the PowerPoint in advance of the regular meeting.

3. Public Hearings

a. Ordinance to amend the Fiscal Year (FY) 2024 Adopted Budget for the General Fund, Golf Fund, and American Rescue Plan (ARPA) Fund

Marjorie Sloan, Director of Finance, presented the staff report and reviewed the proposed amendments to the General Fund, which included: (1) \$40,000 to the Herndon Police Department, (2) \$125,000 for Community Development, contingent on receiving a grant to purchase trees, (3) \$24,387 to Public Works for fire and litter programs, (4) \$30,000 for the Golf Fund to purchase materials and supplies, to be funded by increased driving range fees, and (5) a reclassification of \$50,000 in the ARPA fund. She stated that the total fiscal impact is neutral for the Town. Staff recommends approval of the proposed ordinance, as presented.

There was discussion among Council and staff on the proposed budget amendment, including: (1) paving project included in the reclassification of ARPA funds, (2) funds allocated to purchase trees, and (3) tree inventory.

Responding to Councilmember Scherff, Lisa Gilleran, Director of Community Development, provided an update on the public tree inventory staff is compiling. She explained how the Arborist/Landscape Architect uses a tree equity score to determine the distribution of trees throughout the Town. She did not know at that time, but she would find out from staff when the survey will be finished.

b. Resolution to approve Special Exception SE #23-03, to permit a personal service use consisting of cosmetics and aesthetic services within the multi-tenant commercial office building in a Commercial Office, CO, zoning district

Fadrique Iglesias, Community Planner, presented the staff report. He provided an overview of the special exception application, including the: (1) location, (2) existing zoning and land use designation, (3) existing (granted in 2021 and amended in 2023) and proposed special exception use, (4) impact of the special exception on the property, (5) number of parking spaces, and (6) staff analysis. Staff recommends approval of the proposed resolution as presented, which includes staff's recommended conditions.

There was brief discussion among Council and staff on the proposed special exception, including: (1) impact on adjacent property owners, (2) total square footage, (3) number of parking spaces, (4) proposed conditions, and (5) enforcement mechanisms.

4. **General**

- a. **Ordinance to amend the Herndon Town Code, Chapter 2 (ADMINISTRATION), Article I (In General), Section 2-4 to increase the number of times participation can occur electronically per year, Section 2-5 to reference the ethical duty to attend meetings and to add thereto a new Section 2-6 specifying attendance responsibility and process**

Lesa Yeatts, Town Attorney, presented the staff report and stated that following the Council's review of a similar item on January 16, 2024, Councilmember Dhakal researched electronic meeting regulations and attendance policies among other jurisdictions and in the State Code. Councilmember Dhakal submitted that research along with draft language for a proposed amendment to Chapter 2 of the Town Code. Ms. Yeatts used that language to draft the proposed ordinance.

Ms. Yeatts stated that the first portion of the proposed ordinance amends the electronic attendance section. The Town Code currently allows for Council or board and commission members to attend two or 25 percent of meetings, whichever is lower, electronically. The proposed language would increase that number to the greater of two or 25 percent of meetings, which is the number permitted under the State Code.

Ms. Yeatts stated that the second portion of the ordinance: (1) amends Section 2-5, adding language identifying the responsibility for Council and board and commission members to attend meetings, and (2) adds Section 2-6, which: (a) assumes good cause, (b) sets the process of how a Councilmember will notify and record their absence, (c) specifies that a Councilmember cannot miss more than four meetings in a row, or 25 percent of all Town Council meetings in a year, without notification, (d) members may be subject to censure for exceeding the number of unexcused absences, and (e) states that board and commission members are accountable to their bylaws. She deferred to Councilmember Dhakal for his comments on this item.

Councilmember Dhakal stated that the language he provided is transparent, exhaustive, and detailed. He thought it was important to include the process for notifying and recording an absence, and he believed that the proposed language addresses the root causes of absenteeism. He stated that the change in the electronic participation language provides greater flexibility by increasing the number of electronic participation meetings that are allowed in the State Code.

There was discussion among Council and staff on the proposed amendment, including: (1) remote participation language and number of meetings that can be attended electronically, (2) technical and equipment updates needed for remote participation in the Council Chambers, (3) what constitutes a quorum with members participating electronically, (4) absence notification process, (5) State Code electronic participation language, and (6) application of the proposed

ordinance to the Town's boards and commissions.

Ms. Yeatts clarified that the language concerning two or 25 percent of meetings for electronic participation relates to personal reasons. Remote participation for reasons related to disability or illness is unlimited under the State Code.

b. Resolution to award contract RFP #24-01, Custodial Services

Tammy Chastain, Deputy Director of Public Works, presented the staff report. The proposed resolution is to award a contract for custodial services to several Town buildings, including the Herndon Municipal Center, Herndon Community Center, Herndon Police Department, and Council Chambers. Following the Request for Proposals (RFP) process, staff recommended awarding the contract to two companies, with the Herndon Community Center having its own contract. Staff recommends approval of the proposed resolution, as presented.

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

5. Discussion

a. Budget Process Update

Mayor Olem recognized William H. Ashton II, Town Manager, who provided an update on the FY 2025 budget process. He outlined what staff would discuss with the Council during their individual budget meetings scheduled for the coming week and indicated that the numbers should be balanced by the end of February. In March, staff will put the budget together and will keep the Council updated, including a "Budget Q&A" process to ensure the answers to budget questions are tracked and provided to everyone. He stated that in two weeks, the Town's financial consultant, Davenport, will present the water and sewer rate study to the Town Council and staff will provide the PowerPoint in advance of the meeting. He recognized Councilmember del Aguila, who had requested this item on the agenda.

Councilmember del Aguila asked Mr. Ashton about his top concerns for this budget, to which Mr. Ashton responded that, similar to the previous year, he is concerned about the impact of inflation throughout the budget. Other areas of concern he identified included: (1) imposed costs on the Town, e.g., the Virginia Retirement System and health care costs, (2) water and sewer treatment commodity costs, and (3) higher costs for Federal and State regulations and requirements. He indicated that the external uncontrolled costs are his biggest concerns.

There were comments from the Council.

Councilmember del Aguila stated that he would like to prepare the public for rising costs sooner rather than later and asked staff to project increased operating costs trends in the out years.

6. Roundtable

Councilmember del Aguila: stated that he brought forward the traffic calming initiative for discussion at a recent Pedestrian and Bicycle Advisory Committee (PBAC) meeting. He stated that PBAC discussed the issue, and he shared that they are in favor of: (1) an educational awareness campaign about slowing down vehicle speeds, (2) installing red light or traffic speed cameras, (3) increased enforcement, to include violations by pedestrians and cyclists, (4) adding stop signs and/or more 'no turn on red' signs to intersections, and (5) looking at ways to limit speeding on the Herndon Parkway.

Councilmember Scherff: stated that the Opportunity Neighborhood group is working with the Jefferson Mews Homeowners Association and law enforcement to create a safety planning model. She indicated that the group may be asking for coordination with the Town and asked that the Town prioritize any action items that come out of that effort.

Councilmember Scherff thanked Anne Papa, Chief Communications Officer, and her staff for sending out the press release about community festivals.

Councilmember Scherff asked the Town Manager for an update on the site plan for the Herndon Elementary School project.

Mr. Ashton stated that he plans to send a rebuttal to the allegations that were made in an email from the consultant for the Herndon Elementary School project. He stated that it is important that the Town took their time and vetted the plans through the process to ensure safety for the students and considered the impact to the adjacent residents. He stated that typically, the special exception that the Council recently approved had to occur before the site plan process. The applicant opted to run the special exception and site plan process simultaneously and following the special exception approval, the applicant has to make several changes to the site plan, which was the subject of the recent email to the Council.

Councilmember Scherff stated that she understands the Town is not trying to be difficult, but she observes that she continually hears that projects in the Town are taking a lot longer than applicants expect.

Mr. Ashton explained that the typical special exception process, like changing use of a business in a zoning district, takes approximately 14 weeks. The Herndon Elementary School project has taken longer because it was a major construction project, included public information sessions, and had several changes in the plans that have gone back and forth between the applicant and the Town.

Councilmember Scherff stated that she recalled having a similar conversation about Aslin Brewery. She asked if there are any resources the Town can provide to assist the applicants in the process. She encouraged the Town Manager to talk with his counterpart in the Town of Vienna, who she said is facing similar issues with the schools.

Mr. Ashton stated that the applicant had to change their site plan. He explained how the Town had to repeatedly go to Fairfax County to push for renovations at Herndon Elementary School.

Councilmember Scherff stated that a petition is circulating from parents complaining about the condition of Herndon Middle School. She thought that the Town could push for renovations there like they did for Herndon Elementary School. She expressed concern for the children at the schools that are not operating in the best conditions.

Councilmember Scherff asked the Town Manager for any updates on the Comstock project.

Mr. Ashton stated there will be a meeting next week between all parties to the agreement on the legal process. He stated that Comstock is working on some changes to their site plan that were provided by the Town.

Councilmember Alam: stated that residents have contacted her about the ongoing war in Gaza and have asked her to request that the Council pass a proclamation to end the war in Gaza.

Councilmember Alam stated that during the recent Virginia Municipal League (VML) Legislative Day, she attended a subcommittee session on a potential casino in Northern Virginia, where she voiced her opinions. She said she was aligned with other officials, including Senator Boysko, Delegate Shin, Mayor of the Town of Vienna, and Chairman McKay and Dranesville District Supervisor Bierman of the Fairfax County Board of Supervisors. She is happy to report the casino bill is on hold until 2025.

Councilmember Alam stated that she was glad to see Councilmember LeBlanc and Mayor Olem in attendance at the VML Legislative Day.

Councilmember LeBlanc: provided comments on his experience at VML Legislative Day and about legislation before the General Assembly. He stated that the municipalities at VML Legislative Day supported red light and speed cameras, and he shared that he spoke with other legislators about his personal objection to a casino in Northern Virginia. He also attended a town hall meeting that past Saturday about the casino.

Councilmember LeBlanc stated that he presumes good intent, but he wanted to mention that while he was in a meeting with the Town's state representatives, he received calls from residents advising him that Councilmember Alam was giving testimony about a casino in Northern Virginia on behalf of the Town. Mayor Olem also received a call about this matter from the media. Councilmember LeBlanc stated that unless the body has voted on an issue, it is important not to provide comments that represent the public body. He stated that he was concerned about the legal ramifications of the comments, because the developer of the casino is the same entity that is in a contract with the Town. He reminded everyone that they individually cannot represent the body without the body making a decision.

Councilmember Dhakal: stated that for the past six months, he has been working with a nonprofit group, the Harraseeket Foundation, and Fairfax County Public Schools, to provide mentoring resources to students at Herndon High School. He stated that the plan for this group is to connect students with mentors and to engage local employers to offer more internships. Councilmember Dhakal serves as Chair of the Herndon Diversity, Equity, and Inclusion Committee (HDEIC), and he shared that he and the Vice Chair of HDEIC, Soma Ramesh, want to form a "Herndon Advisory Committee," to bring teachers, parents, and others together to expand this program. He asked anyone interested in helping with this effort to contact him.

Vice Mayor Hedrick: no comments.

Mayor Olem: shared that she also attended VML Legislative Day. Unfortunately, she stated that she just saw an email that one of the speed camera bills had died in the House of Delegates.

Mayor Olem expressed her surprise at receiving a call from the media asking her when the Council met on supporting casinos or not. She stated that she also received a letter from a resident earlier that day on this topic, and she asked her colleagues to be careful of their comments expressed on behalf of the Council.

Mayor Olem stated that she enjoyed attending an Opportunity Neighborhood meeting with the Town Manager, which she said was informative and productive. She was glad to see Dranesville District School Board Representative and Town resident Robyn Lady at the meeting.

Mayor Olem stated that in her experience, having more parent and corporate volunteers in the schools has a big impact on student performance. She stated that the Rotary Club of Herndon-Reston has a robust presence at Herndon High School, and she thought that might be resource for Councilmember Dhakal.

William H. Ashton II, Town Manager: no comments.

7. Adjournment

There being no further business, Mayor Olem adjourned the February 6, 2024, Town Council Work Session at 8:22 p.m.

Amanda E.M. Kertz
Chief Deputy Town Clerk

Minutes approved by Town Council:

DRAFT