



TOWN COUNCIL REGULAR MEETING AGENDA

Town Council Chambers
765 Lynn Street, Herndon, VA 20170

This meeting was canceled due to a power outage. Items will be rescheduled for a future meeting agenda.

Tuesday, April 9, 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. Proclamation to Recognize Autism Acceptance Month
- b. Town Manager Report
- c. 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. Public Hearings

- a. [FY 2025 Proposed Budget](#)
- i. Ordinance to amend Chapter 74 (UTILITIES), Article II (Sewers and Sewage Disposal), Division 5 (Sanitary Sewer System Rates and Charges), Section 74-262 (Schedule of Rates); and Article III (Water), Division 2 (Service), Subdivision II (In-Town Service Charges), 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, 2024
- ii. Ordinance to Levy Taxes on Real Estate and Manufactured Homes, and Other Subjects for the Fiscal Year 2025 Budget

- iii. Resolution to adopt a Fiscal Planning Resolution for the Fiscal Year 2025 Budget for the Town of Herndon
- iv. Ordinance to appropriate funds to implement the Fiscal Year 2025 Budget for the Town of Herndon, establishing the Pay Plan, and reserving on-going and Capital Funding for this Fiscal Year

6. General

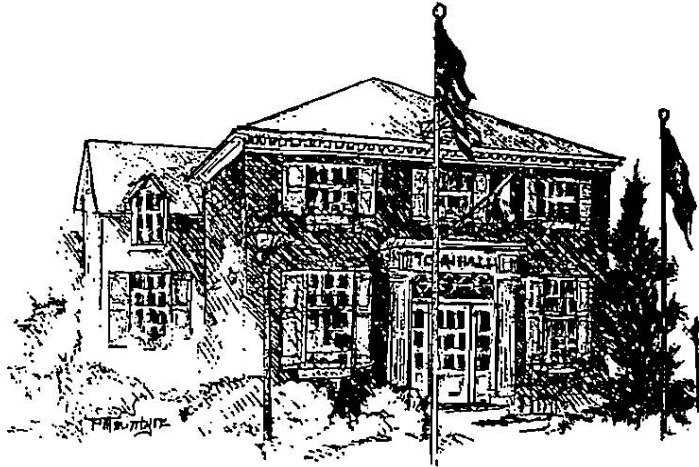
- a. Ordinance 24-O-09 to amend the Herndon Town Code, Chapter 26 (ENVIRONMENT), Article VI (Noise), Section 26-221 (Loud noises prohibited), to further clarify language relating to animal noises

7. Consent

- a. Resolution 24-G-20 to award Contract IFB# 24-04, Asphalt Concrete Milling and Paving
- b. Resolution 24-G-21 to amend the Herndon Centennial Golf Course Fee Schedule
- c. Resolution 24-G-22 to award Contract RFP# 24-02, Marketing and Branding Consultant
- d. February 13, 2024 Town Council Meeting Minutes
- e. February 20, 2024 Town Council Work Session Minutes
- f. March 5, 2024 Town Council Work Session Minutes
- g. March 12, 2024 Town Council Meeting Minutes

8. Adjournment

Interpretación en Español está disponible en esta sesión.



TOWN OF HERNDON, VIRGINIA PROCLAMATION AUTISM ACCEPTANCE MONTH APRIL 2024

Autism Acceptance Month is celebrated every April, starting out with the United Nations-sanctioned *World Autism Awareness Day* on April 2. This year marks the 17th annual recognition of *World Autism Awareness Day*. To help create a world in which autistic individuals are fully supported, championed, and celebrated, we must all work together to achieve true acceptance.

Autism is a motor sensory difference experienced by children and adults. Some individuals are able to speak, and others are not. Speech is not an indicator of intelligence. Autism is a lifelong condition, and skills and quality of life are improved by intervention, education, and support services.

People should presume competence in autistic individuals. Autistic individuals are your community members, your neighbors, friends, and family, and they can and want to learn. The Town of Herndon welcomes autistic individuals and promotes access and acceptance throughout the community.

Therefore, the Mayor of the Town of Herndon, together with the Herndon Town Council, hereby proclaims the month of April 2024 as **Autism Acceptance Month** in the Town of Herndon, and urges all employees and residents to participate in **Autism Acceptance Month** activities, to become better educated about autism, and to create a better community for individuals with autism.

Agenda Item: Ordinance to amend Chapter 74 (UTILITIES), Article II (Sewers and Sewage Disposal), Division 5 (Sanitary Sewer System Rates and Charges), Section 74-262 (Schedule of Rates); and Article III (Water), Division 2 (Service), Subdivision II (In-Town Service Charges), 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, 2024

Meeting Date: April 9, 2024

Category: Public Hearings

Prepared by: Bill Ashton , Town Manager, Marjorie Sloan, Finance Director

Description:

Staff submits a proposed ordinance to implement Water-Sewer rates for fiscal year 2025.

Background:

As part of the Fiscal Year (FY) 2025 Budget process, the Water-Sewer Rates model was updated, resulting in proposed Water-Sewer rates for FY 2025. The FY 2025 proposed rates are increased from the current rates as follows:

Water Quarterly Service Charge	30%
Water volumetric rates, Base and Peak	17.5%
Sewer Quarterly Service Charge	25%
Sewer Volumetric rates	8%

With adoption of the new rates, the average household (based on a 12,000 gal/Qtr.) would be impacted \$86.24 annually.

Budget Impact:

The rate increases for FY 2025 are expected to result in incremental revenue of \$1.2M.

Recommendation:

Staff recommends adoption of the proposed ordinance.

Attachments:

1. Ordinance (Proposed)
2. FY2025 Budget Presentation

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

ORDINANCE

APRIL 23, 2024

Ordinance- to amend Chapter 74 (UTILITIES), Article II (Sewers and Sewage Disposal), Division 5 (Sanitary Sewer System Rates & Charges), Section 74-262 (Schedule of Rates); and Article III (Water), Division 2 (Service), Subdivision II (In-Town Service Charges), 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, 2024.

BE IT ORDAINED by the Town Council of the Town of Herndon, Virginia that:

1. The following sections or provisions of the Herndon Town Code (2000), as amended, are repealed, replaced and re-ordained as follows:

CHAPTER 74 (UTILITIES)

Article II. Sewers and Sewage Disposal.

Division 5. Sanitary Sewer System Rates and Charges.

Sec. 74-262. – Schedule of Rates.

- (a) The rate schedule for sanitary sewer service shall be determined on the basis of water consumed and shall be charged at the rate of ~~\$8.27~~ **\$8.93** per 1,000 gallons of water used, except as otherwise provided in this division.

- (f) A service charge per bill rendered shall be assessed for all metered water service as follows:

Quarterly Billing

Meter Size (inches)	Charge
5/8	\$10.21 \$12.76
3/4	\$14.10 \$17.63
1	\$21.89 \$27.36
1 1/2	\$41.36 \$51.70
2	\$64.72 \$80.90
3	\$127.02 \$158.78
4	\$197.11 \$246.39
6	\$391.80 \$489.75

Article III. Water.

Division 2. Service.

Subdivision II. In-Town Service Charges

Sec. 74-326. – Schedule of Charges.

- (a) The water usage charge shall be ~~\$3.47~~ **\$4.08** per 1,000 gallons, based on the consumption of water as measured by readings of the water meter serving the property.
- (b) A service charge per bill rendered shall be assessed for all metered water service as follows:

Quarterly Billing

Meter Size (inches)	Charge
5/8	\$12.57 \$16.34
3/4	\$18.85 \$24.51
1	\$31.40 \$40.82
1 1/2	\$62.82 \$81.67
2	\$100.50 \$130.65
3	\$201.02 \$261.33
4	\$314.10 \$408.33
6	\$628.19 \$816.65

- (c) All water consumed during the peak use periods in excess of the average consumption of the preceding two winter quarter billing periods shall be charged an additional amount of ~~\$5.91~~ **\$6.94** per 1,000 gallons. This peak use period charge shall be applied in addition to the base water usage charge in subsection (a) above.

2. This ordinance shall be effective for all meter readings taken on or after July 1, 2024.

Agenda Item: Ordinance to Levy Taxes on Real Estate and Manufactured Homes, and Other Subjects for the Fiscal Year 2025 Budget

Meeting Date: April 9, 2024

Category: Public Hearings

Prepared by: Bill Ashton , Town Manager, Marjorie Sloan, Finance Director

Description:

The proposed ordinance approves the levy of taxes for Fiscal Year (FY) 2025 related to real estate, manufactured homes and other subjects.

Background:

The proposed ordinance fixes and orders the tax levy for real estate and manufactured homes at \$0.2600 per \$100 of assessed value for FY 2025. The rate remains unchanged from FY 2024, and down \$0.0050 from FY 2023.

Budget Impact:

N/A

Recommendation:

Staff recommends approval of the proposed ordinance.

Attachments:

1. Ordinance (Proposed)

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

ORDINANCE

APRIL 23, 2024

**Ordinance- to Levy Taxes on Real Estate and Manufactured Homes, and Other
Subjects for the Fiscal Year 2025 Budget.**

BE IT ORDAINED by the Town Council of the Town of Herndon, Virginia, that the Town Council fixes and orders the tax levies for the fiscal year beginning July 1, 2024, and ending June 30, 2025, as follows:

1. Real Estate: **\$.2600** on each \$100.00 of the valuation of real estate and improvements to the Town.
2. Personal Property and Merchants' Capital: **\$.00** on each \$100.00 of the valuation of tangible personal property classified by Sections 58.1-3503 and 58.1-3510 of the Code of Virginia.
3. Vehicles Used as Manufactured Homes and Offices: **\$.2600** on each \$100.00 of the valuation of vehicles without motive power, used or designed to be used as manufactured homes as classified by Section 58.1-3506(A), paragraph 10, of the Code of Virginia.
4. Farm Machinery, Farm Tools, and Farm Livestock: **\$.00** on each \$100.00 of the valuation of farm machinery, farm tools and farm livestock as classified by Section 58.1-3505 of the Code of Virginia.
5. Machinery and Tools: **\$.00** on each \$100.00 of the valuation of machinery and tools classified by Section 58.1-3507 of the Code of Virginia.
6. Other Classifications of Tangible Personal Property: **\$.00** on each \$100.00 of the valuation of tangible personal property as classified by Section 58.1-3506 [except for Section 58.1-3506(A), paragraph 10] of the Code of Virginia.
7. Miscellaneous Levies: Except as provided above and by other ordinances adopted by the Town Council in this budget cycle, all other taxes and licenses previously enacted by the town are imposed and levy made to the same extent and at the same rate as during the Fiscal Year 2024.

Agenda Item: Resolution to adopt a Fiscal Planning Resolution for the Fiscal Year 2025 Budget for the Town of Herndon

Meeting Date: April 9, 2024

Category: Public Hearings

Prepared by: Bill Ashton , Town Manager, Marjorie Sloan, Finance Director

Description:

This resolution is to adopt the proposed budget for fiscal planning purposes during the Fiscal Year (FY) 2025 for the Town of Herndon.

Background:

In accordance with the requirements outlined in the Code of Virginia § 15.2-2503, 15.2-2506, and 58.1-3321, the Town Manager has submitted the proposed budget for FY 2025 to the Town Council by April 1, and properly advertised the public hearings on the proposed budget.

Budget Impact:

N/A

Recommendation:

Staff recommends adoption of the resolution.

Attachments:

1. Resolution (Proposed)

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

RESOLUTION

APRIL 23, 2024

**Resolution- to adopt a Fiscal Planning Resolution for the Fiscal Year 2025
Budget for the Town of Herndon**

Pursuant to the requirements outlined by Code of Virginia § 15.2-2503, 15.2-2506, and 58.1-3321, the Town Manager of the Town of Herndon, Virginia has submitted to the Town Council of the Town of Herndon, a proposed budget by April 1, and the town properly advertised the April 9, and April 23, 2024 public hearings on the proposed budget.

THEREFORE, BE IT RESOLVED, by the Town Council for the Town of Herndon, Virginia that:

1. for the purposes of fiscal planning during the fiscal year 2025 for the Town of Herndon, Virginia, the budget prepared by the Town Manager, sent out in "Proposed FY 2025 Budget", on file in the office of the Town Manager, is adopted.

Agenda Item: Ordinance to appropriate funds to implement the Fiscal Year 2025 Budget for the Town of Herndon, establishing the Pay Plan, and reserving on-going and Capital Funding for this Fiscal Year

Meeting Date: April 9, 2024

Category: Public Hearings

Prepared by: Bill Ashton , Town Manager, Marjorie Sloan, Finance Director

Description:

The ordinance is to appropriate funds to implement the Fiscal Year (FY) 2025 budget.

Background:

All town expenditures are subject to the appropriation of funds by the Town Council. The town must adopt a structurally balanced annual budget by July 1 of each fiscal year. A structurally balanced budget is defined as one in which total recurring revenues and other financing sources are equal to total anticipated recurring expenditures. The proposed Budget for FY 2025 was submitted by the Town Manager, advertised as required, published on the website, and public hearings were conducted.

Budget Impact:

N/A

Recommendation:

Staff recommends adoption of the ordinance.

Attachments:

1. Ordinance (Proposed)

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

ORDINANCE

APRIL 23, 2024

Ordinance- **to appropriate funds to implement the Fiscal Year 2025 Budget for the Town of Herndon, establishing the Pay Plan, and reserving on-going and Capital Funding for this Fiscal Year**

BE IT ORDAINED by the Town Council of the Town of Herndon, Virginia, that:

1. There is appropriated and authorized for expenditure during the Fiscal Year 2025 such sums as appear in the Fiscal Planning Budget for the Fiscal Year 2025 as set out in "Proposed Fiscal Year 2025 Annual Budget" dated April 1, 2024, on file in the office of the Town Manager, and as may be subsequently modified by the Town Council.
2. No money shall be withdrawn from the treasury of the town and no obligation for expenditure of money can be incurred, except in accordance with the Fiscal Planning Budget, or with supplemental appropriations as may be made by the Town Council.
3. The town advertised the public hearing at least once in The Fairfax County Times newspaper and held a public hearing on the proposed budget at least seven days prior to approval of the proposed budget.
4. The Fiscal Year 2025 proposed schedule of salaries, set out in the Fiscal Planning Budget, are adopted effective July 1, 2024.
5. The Town Council may award to the Town Manager and the Town Attorney bonuses as provided for in the Fiscal Planning Budget for Fiscal Year 2025 for exceptional services rendered. Any such bonuses shall not become a part of these officers' annual salary.
6. The Town Council reserves, encumbers, and appropriates for Fiscal Year 2024 funding for capital and on-going projects, for which funds were previously appropriated. The Town Manager as of July 1, 2024, shall take the appropriate accounting steps to reserve and encumber these funds as of that date for Fiscal Year 2025 and to report to the Mayor and Town Council in this regard.

Agenda Item: Ordinance 24-O-09 to amend the Herndon Town Code, Chapter 26 (ENVIRONMENT), Article VI (Noise), Section 26-221 (Loud noises prohibited), to further clarify language relating to animal noises

Meeting Date: April 9, 2024

Category: General

Prepared by: Lauri Sigler, Deputy Town Attorney

Description:

The Town of Herndon's noise ordinance was last amended in response to a landmark decision by the Virginia Supreme Court in April of 2009, in Tanner v. City of Virginia Beach, where the Court found that the "reasonable person" standard in most noise ordinances at the time, including the Town of Herndon, was vague, subjective and could lead to arbitrary enforcement. The town, like many other localities, amended their noise ordinances to replace the "reasonable person standards" with more objective standards that prohibit noise in specific circumstances and during specific times. On December 8, 2009, the Town Council amended Chapter 26 of the Town Code regarding noise, to conform with the new legal standards.

Violations of the Noise Ordinance are enforced by the Herndon Police Department and constitute a class 3 misdemeanor punishable by a fine of not less than \$100.00 or more than \$500.00. Although Sec. 26-221 prohibiting specific loud noises, was amended in 2009, Sec. 26-221(b) that regulates animal or bird noises does not contain the same specific time prohibitions and limitations as do other related noises in the Town. As an example Sec. 26-221(a) states it shall be unlawful for any person to use or play any radio "or other machine or device capable of producing or reproducing sound in such a manner or with such volume or duration that it is plainly audible (i) between 10:00 p.m. and 7:00 a.m., inside the confines of the dwelling unit, house, apartment, or condominium of another person or (ii) at any time 50 or more feet from the device, except in any case of use of permitted sound amplifying equipment."

The Town Attorney's office has recommended, and the Herndon Police Department has requested amendments to Sec. 26-221(b) to be more consistent with standards applicable to other types of prohibited loud noises in the Town to allow for more uniform enforcement.

Background:

N/A

Budget Impact:

None.

Recommendation:

Recommend adoption of the Ordinance as proposed.

Attachments:

1. Ordinance (Proposed)

MEETING CANCELED

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

ORDINANCE

APRIL 9, 2024

Ordinance- to amend the Herndon Town Code, Chapter 26 (ENVIRONMENT), Article VI (Noise), Section 26-221 (Loud noises prohibited), to further clarify language relating to animal noises.

BE IT ORDAINED by the Town Council of the Town of Herndon, Virginia that:

1. The following sections or provisions of the Herndon Town Code (2000), as amended, are repealed, replaced and re-ordained as follows:

CHAPTER 26 (ENVIRONMENT)

Article VI. Noise

Sec. 26-221 – Loud noises prohibited.

It shall be unlawful for any person:

- (b) ~~To allow an animal or bird to emit continued or repeated howling, barking, whining, meowing, squawking and so produce noise which is plainly audible inside the confines of the dwelling unit, house, apartment, or condominium of another person, or which is plainly audible across a residential property boundary.~~ **or otherwise permit an animal or bird under their control to bark, whine, howl, bay, meow, squawk, quack, crow or make such other sound:**
- (1) **Between 10:00 p.m. and 7:00 a.m. that is plainly audible inside the confines of the dwelling unit, house, apartment, or condominium of another person with doors and windows closed and the source of sound generation shall be discernible regardless of whether such doors or windows are closed; or**
- (2) **Between 7:00 a.m. and 10:00 p.m. when the animal or bird sound is plainly audible and discernible across real property boundaries or through partitions common to the dwelling unit, house, apartment, or condominium of another and such sound can be heard for more than five consecutive or non-consecutive minutes in any ten-minute period of time. Animal**

24-O-09

or bird sounds that can be heard for less than five consecutive or non-consecutive minutes in any ten-minute period shall not be subject to this Article.

The provisions of this subsection shall not apply to any animal or bird that, at the time of the sound or sound generation, was responding to pain or injury or was protecting itself, its kennel, its offspring, or a person from an actual threat; when the animal is a police dog that is engaged in the performance of its duties at the time of making the sound; or when part of a bona fide agricultural operation. This provision shall apply to all animal or bird sounds emanating from the same property. Notwithstanding the provisions of this subsection, animals located in a dog park shall be subject to the provisions of subsection (h) of this section.

- (g) To generate and emit sound that becomes noise from equipment or operation of any business or nonresidential establishment in such a manner or with such volume or duration that the noise is plainly audible (i) between 10:00 p.m. and 7:00 a.m., inside the confines of the dwelling unit, house, apartment, or condominium of another or (ii) at any time 50 feet or more from the source of the noise, except in case of emergency or in conformity with the zoning ordinance which in case of conflict with this article shall predominate as to the application of this subsection.
- (h) **To use dog parks between dusk and 7:00 a.m. Sunday through Thursday, or between dusk and 8:00 a.m. on Friday, Saturday and the day before a Federal holiday.**

- 2. This ordinance shall be effective on and after the date of its adoption.

Agenda Item: Resolution 24-G-20 to award Contract IFB# 24-04, Asphalt Concrete Milling and Paving

Meeting Date: April 9, 2024

Category: Consent

Prepared by: Tammy Chastain, Deputy Director of Public Works, Scott E Robinson, Public Works Director

Description:

Resolution to award a contract for asphalt concrete milling and paving services.

Background:

The intent of this procurement is to establish a term contract with a qualified contractor for asphalt concrete milling and paving at various locations throughout the Town of Herndon. The Contractor shall provide all necessary labor, materials (unless provided by the Town), installation, equipment, troubleshooting, supervision, and related work as required or directed per Virginia Department of Transportation (VDOT) standards.

Contract #24-04, Asphalt Concrete Milling and Paving was advertised on February 15, 2024. A mandatory pre-bid conference was held on February 29, 2024, with five contracting firms in attendance. On March 18, 2024, the following bids were received:

Contractor	Bid Amount
Arthur Construction Co., Inc.	\$876,325.50
Finley Asphalt & Sealing LLC	\$1,103,785.12
Virginia Paving Company	\$1,174,970.15

The advertised solicitation establishes an award criterion that states the Town's right to award multiple contracts to more than a single responsive and responsible bidder. All bidders were found to be responsive and responsible, and the town intends to award the contract to the two lowest bidders.

Budget Impact:

Funds to support this contract are available in the Fiscal Year (FY) 2024 Street Maintenance & Construction, Repaving Program and the Major Road Repaving Projects Capital Improvement Program account.

Recommendation:

Staff recommends that contract IFB# 24-04, Asphalt Concrete Milling and Paving be awarded to multiple contractors for each item on a priority basis; first by cost; and second by availability.

Attachments:

1. Resolution (Proposed)

MEETING CANCELED

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

RESOLUTION

APRIL 9, 2024

Resolution- to award Contract IFB# 24-04, Asphalt Concrete Milling and Paving.

The town has solicited by posting the Invitation for Bid (IFB) for a qualified contractor for asphalt concrete milling and paving at various locations throughout the Town of Herndon. The Contractor(s) shall provide all necessary labor, materials (unless provided by the Town), installation, equipment, troubleshooting, supervision, and related work as required or directed per Virginia Department of Transportation (VDOT) standards.

The advertised solicitation establishes an award criterion that states the Town's right to award multiple contracts to more than a single responsive and responsible bidder. All bidders were found to be responsive and responsible, and the Town intends to award the contract to the two lowest bidders.

The two lowest bidders are:

Contractor	Bid Amount
Arthur Construction Co., Inc.	\$876,325.50
Finley Asphalt & Sealing LLC	\$1,103,785.12

THEREFORE, BE IT RESOLVED by the Town Council of the Town of Herndon, Virginia that:

1. The Town Council awards Contract IFB #24-04 to Arthur Construction Co., Inc., first and Finley Asphalt & Sealing, LLC., second.

Agenda Item: Resolution 24-G-21 to amend the Herndon Centennial Golf Course Fee Schedule

Meeting Date: April 9, 2024

Category: Consent

Prepared by: Mike Mueller, Golf Course General Manager

Description:

This is a request to amend the Herndon Centennial Golf Course Fee Schedule. It is the intent of the town to remain competitively priced relative to other area public golf courses. The proposed amendment continues to provide town residents with a twenty five percent (25%) discount on greens fees, rounded to the nearest dollar, and includes a ten percent (10%) resident discount on annual passes.

Background:

The Herndon Centennial Golf Course is an enterprise fund operation and must generate sufficient revenues to meet all personnel, operating, capital and debt service expenses. The last amendment to fees occurred in April 2022.

Budget Impact:

The FY 2025 Golf Course proposed budget is based on the recommended fee schedule to cover personnel, operating, capital and debt service expenses.

Recommendation:

Recommend approval of the Resolution as presented.

Attachments:

1. Resolution (Proposed)

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

RESOLUTION

APRIL 9, 2024

Resolution- to amend the Herndon Centennial Golf Course Fee Schedule.

It is the intent of the Town Council to remain competitively priced relative to other area public golf courses.

THEREFORE, BE IT RESOLVED by the Town Council of the Town of Herndon, Virginia that:

1. The amended fees proposed below to the Herndon Centennial Golf Course fee schedule are adopted.

Greens Fees	Current	Proposed
Weekday (18 holes)	\$38.00	\$41.00
Weekday (9 holes)	\$27.00	\$32.00
Weekend (18 holes)	\$54.00	\$57.00
Weekend (9 holes)	\$34.00	\$37.00
Weekday Sr./Jr. (18 holes)	\$32.00	\$35.00
Weekday Sr./Jr. (9 holes)	\$22.00	\$25.00
Resident Discount (Greens Fees)*	25%	25%

* Resident discount on the greens fees rounded to the nearest dollar.

Cart Fees[^]	Current	Proposed
18 holes per person	\$18.87	\$19.81
9 holes per person	\$13.21	\$15.09

[^]Cart fees are before tax amounts. Six percent (6%) sales tax will be charged on cart fees.

Annual Passes	Current	Proposed
Mon.-Fri. Annual Pass Five Day	\$1,450.00	\$1,750.00
Seven Day Annual Pass	\$2,200.00	\$2,500.00
Senior Mon.-Fri. Annual Pass	\$1,300.00	\$1,600.00
Junior Mon.-Fri. Annual Pass	\$900.00	\$900.00
Resident Discount (Annual Passes)	N/A	10%

- Twilight Rates are discounted by \$6.00 after 3 p.m. and \$15.00 after 6 p.m.
- Weekend Rates start on Fridays at 11:00 a.m.

24-G-21

2. The town manager or the town manager's designee may increase or decrease rates during peak or non-peak times or during various weather conditions to not exceed more than ten percent (10%) of the rate.
3. Discounts for seniors will start at age 65.
4. This resolution shall be effective upon May 1, 2024.

MEETING CANCELED

Agenda Item: Resolution 24-G-22 to award Contract RFP# 24-02, Marketing and Branding Consultant

Meeting Date: April 9, 2024

Category: Consent

Prepared by: Anne Papa, Chief Communications Officer

Description:

This is a request to award a contract for RFP #24-02, Marketing and Branding Consultant.

Background:

An initiative of the Herndon Town Council is to undertake a rebranding exercise, with the objective to: 1) update the messaging and positioning represented by the town's brand; and 2) effectively employ the brand to market Herndon as a desirable location in which to live, work and visit.

On January 4, 2024, the town issued a Request for Proposals (RFP) for a marketing and branding consultant to facilitate the rebranding process through research, development of brand positioning and concept, and development of a marketing plan. RFP #24-02 was posted on the eVA Commonwealth of Virginia procurement website and the Town of Herndon website to maximize competition. The town received 32 proposals for evaluation by the RFP due date of February 14, 2024.

Staff familiar with the town's marketing and branding requirements served on the committee that evaluated the proposals. The top-ranked offeror recommended by the committee is Chandlerthinks LLC.

Budget Impact:

The cost is \$84,000; funds to support the work established by the contract are available in the FY 2024 Budget.

Recommendation:

Staff recommends award of Contract RFP #24-02 to Chandlerthinks, LLC

Attachments:

1. Resolution (Proposed)

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

RESOLUTION

APRIL 9, 2024

**Resolution- to award Contract RFP #24-02, Marketing and Branding
Consultant.**

An initiative of the Herndon Town Council is to undertake a rebranding exercise, with the objective to 1) update the messaging and positioning represented by the town's brand; and 2) effectively employ the brand to market Herndon as a desirable location in which to live, work and visit.

On January 4, 2024, the town issued a Request for Proposals (RFP) for a marketing and branding consultant to facilitate the rebranding process through research, development of brand positioning and concept, and development of a marketing plan. RFP #24-02 was posted on the eVA Commonwealth of Virginia procurement website and the Town of Herndon website to maximize competition. The town received 32 proposals for evaluation by the RFP due date of February 14, 2024.

Staff familiar with the town's marketing and branding requirements served on the committee that evaluated the proposals. The top-ranked offeror recommended by the committee is Chandlerthinks LLC. The cost is \$85,500; funds to support the work established by the contract are available in the FY 2024 Budget.

THEREFORE, BE IT RESOLVED by the Town Council of the Town of Herndon, Virginia that:

1. The Town Council awards Contract RFP #24-02 to Chandlerthinks, LLC.

Agenda Item: February 13, 2024 Town Council Meeting Minutes

Meeting Date: April 9, 2024

Category: Consent

Prepared by: Kirstyn Jovanovich, Town Clerk

Description:

This is a request to approve the February 13, 2024 Town Council meeting minutes.

Background:

N/A

Budget Impact:

N/A

Recommendation:

Recommend approval as presented.

Attachments:

1. February 13, 2024, Draft Meeting Minutes

MEETING CANCELED

HERNDON TOWN COUNCIL
Regular Meeting Minutes
Tuesday, February 13, 2024

1. Call to Order

Mayor Olem called the February 13, 2024, Town Council regular 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, Pradip Dhakal, Keven LeBlanc, and Donielle M. Scherff.

Councilmember Cesar del Aguila 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 and Lieutenant Chad Finley, Herndon Police Department; Lisa Gilleran, Director of Community Development; Marjorie Sloan, Director of Finance; Scott Robinson, Director of Public Works; Mike Mueller, Golf Course General Manager; Fadrique Iglesias, Community Planner; and Dave Bracamonte, Systems Manager.

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

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

Determination of a Quorum

Mayor Olem determined there was a quorum of six Councilmembers present. Councilmember del Aguila was absent. Mayor Olem reminded the Council of the meeting decorum.

Announcements

Mayor Olem stated that continuing with last year's tradition, the Parks and Recreation Department is hosting the "Very Important Person" kids dance on Saturday, February 17, 6:30 p.m. at the Herndon Community Center. The event is for kids ages four to 12 to attend with their "VIP" adult. More information and registration is posted on the Town website.

Mayor Olem congratulated Captain Pihonak, Herndon Police Department, on being awarded the VACP Certified Law Enforcement Executive designation by the Virginia Association of Chiefs of Police and Foundation (VACP). She stated that VACP strives to promote the highest standards of law enforcement agencies throughout Virginia and this designation demonstrates Captain Pihonak's leadership and dedication to the law enforcement profession and to the Herndon community.

3. Presentations/Reports/Comments

a. Presentation of the Origin and Destination Study

Mayor Olem recognized William H. Ashton II, Town Manager, who introduced the item and recognized Lisa Gilleran, Director of Community Development, to introduce the Town's consultants.

Ms. Gilleran stated that the 2023 Origin-Destination Report presentation provides information on the likelihood of cut-through traffic on the roadways to avoid tolls, which former Councilmember Sean Reagan requested in the spring of 2022. She stated that the report and its findings are complete, and introduced Kevin Sitzman, consultant with the firm Gorove Slade, to present the findings.

Mr. Sitzman presented a PowerPoint conveying the Origin-Designation report. He provided an overview of the project process and scope and reviewed the project goals including: (1) comparing primary cut-through traffic routes to help determine the likelihood of vehicles using internal Town streets to avoid toll roads, (2) defining existing traffic patterns and directional flows at key gateways, and (3) defining existing areas of congestion in the Town.

Mr. Sitzman reviewed the results of the project, noting that a relatively low amount of cut-through traffic originates directly from the Dulles Toll Road during commuter peak times (approximately six percent of total cut-through traffic in 2022). The most common origin of cut-through traffic for both the morning and evening peak hours was the Sterling/Old Ox Road intersection and the most common destination in the morning and evening peak hours was Elden Street or Sunset Hills Road. Since 2019, there was an overall reduction in cut-through traffic, from 34 percent to 26 percent.

Mr. Sitzman provided an overview of the intersection capacity for seven intersections in Town, reviewing the morning, midday, and evening peak hours. He stated that several key intersections operate below the codified level of service (LOS), which is LOS C or D, and those are: (1) Dranesville Road/Herndon Parkway, LOS F, (2) Herndon Parkway/Spring Street, LOS E, and (3) Van Buren Street and Herndon Parkway, LOS C. He stated that while the Sterling Road and Crestview Drive intersection has a LOS A, there is a lengthy delay in the Southbound lanes during the evening rush. He stated that of the roadways

experiencing unacceptable congestion, Dranesville Road, Sterling Road, and Crestview Drive were also identified as primary origins of cut-through traffic.

There was discussion between the Council, staff, and consultants on the results of the traffic study, including: (1) impact on traffic of future development near the Town's western border, (2) traffic engineering plans related to future development, (3) how the data determines origin points for cut-through traffic, (4) cut-through traffic avoiding the Dulles Toll Road, (5) traffic levels of service (LOS) that are acceptable for Town intersections, (6) impact of the Silver Line Metro on cut-through traffic, (7) accommodating pedestrian and cyclist traffic, and (8) cut-through traffic in Herndon as compared to neighboring jurisdictions.

Councilmember Scherff asked the Town Manager to look into what improvements the Town can make to address some of the concerns raised in this study, including how to best accommodate increased bicyclist and pedestrian traffic. She would also like to continue this study for two more years to gather more data and to incorporate the opening of the Silver Line and moving past the pandemic.

Responding to Mayor Olem, Mr. Sitzman stated that he did not know at that time, but he will find out if they have access to the 2023 cut-through traffic data.

b. Town Manager Report

William H. Ashton II, Town Manager, stated that staff is working on a traffic-calming presentation, which he mentioned during the discussion of the previous agenda item on the cut-through traffic study.

c. Councilmember Comments

Councilmember Scherff: stated that she shared this at the work session, and she wanted to mention at tonight's meeting, that Opportunity Neighborhood is working with the Jefferson Mews homeowners association and the Herndon Police Department to develop a safety planning model. She indicated that this may come before the Town Council in the future as the organization has expressed interest in working with the Town Council on the safety plan.

Councilmember Scherff stated that there have been a lot of recent conversations about Herndon Elementary and Herndon Middle School and renovations that are or may be occurring at those schools. She understood that the Town Council is paying attention to this and is working toward site plan approval at Herndon Elementary School. She asked the Town Manager for an update.

William H. Ashton II, Town Manager, stated that staff had a productive meeting with the team at Herndon Elementary School and that it is moving forward. He noted that the Town has not missed any deadlines for this project.

Councilmember Alam: asked everyone to care for one another during the next day (February 14). She hoped that everyone is enjoying the spring-like weather and expressed that she is grateful to God.

Councilmember LeBlanc: stated that he, Mayor Olem, and Councilmember Alam, attended the Virginia Municipal League's (VML) Local Government Day, where one of their key roles is advocating on behalf of the Town at the State level. He and Mayor Olem met with the Town's State Delegate and Senator about traffic cameras to address speeding in Town. While the Town's two State legislators were supportive, the bill with the speed cameras died, and two similar bills were pushed until 2025.

Councilmember LeBlanc shared that he enjoyed attending a recent performance at NextStop Theatre and encouraged those interested to attend upcoming performances.

Councilmember LeBlanc wished everyone a Happy Mardi Gras.

Councilmember Dhakal: gave a "shout out" to the Herndon High School girls' basketball team for their recent victory and shared that he enjoyed attending the game.

Councilmember Dhakal stated that he shared a similar sentiment on the speed camera bill, and he is hopeful a bill on it would eventually pass.

Councilmember Dhakal stated that he has been working with a nonprofit group, the Harraseeket Foundation, and Fairfax County Public Schools, to help connect youth at Herndon High School with more internship opportunities. He stated that the group held a career fair about a month ago that was well attended by employers and students. The organization is also working to provide mentoring opportunities for students. As a part of this effort, he recently worked to form the "Herndon Advisory Committee," and he stated they are looking for more volunteers. He asked those that are interested in volunteering in this effort to reach out to him or Steve Parker with the Harraseeket Foundation.

Councilmember Dhakal stated that the Herndon Diversity, Equity, and Inclusion Committee (HDEIC), a group for which he serves as Chair, is meeting on February 15, 2024, in the Council Chambers, and he encouraged the public to attend. He asked the Town Manager to provide an update on the status of recommendations the HDEIC provided to the Town Council.

Mr. Ashton said that he did not have the update at that time. Councilmember Dhakal indicated he will reach out to the Town Manager to discuss the updates.

Vice Mayor Hedrick: shared that he recently attended an event for the Stars and Stripes NOVA Committee and stated that he is excited about several events they are planning in the Town this coming year.

Vice Mayor Hedrick stated that he wanted to be clear that he is not supporting any candidate, and he expressed congratulations to Councilmembers LeBlanc and Dhakal for announcing their candidacy for mayor in the next Town election. He provided comments about the upcoming election, along with his thoughts on public service.

Mayor Olem: stated that starting with last week's work session, the Town is using a new agenda management and meeting software system called CivicPlus. The program's public portal is linked to the agendas and minutes page on the Town's website, which also has useful information about accessing agendas, minutes, and recordings. She stated that if anyone has questions about using the CivicPlus public portal, they should contact the Town Clerk's Office.

Mayor Olem echoed Councilmember LeBlanc's comments about the VML Local Government Day in Richmond on February 1, 2024, where she said around 300 localities were represented. She discussed the traffic camera legislation and encouraged those interested to contact their state representatives on it and other issues.

Mayor Olem reminded those present that Town offices are open on President's Day, Monday, February 19, 2024.

Mayor Olem stated that after 14 years of service on the Town Council, she is going to enjoy spending time in her garden instead of knocking on doors this coming spring. She encouraged anyone with questions about the Town to reach out to her.

Comments and Disclosures for the Record

Mayor Olem asked Kirstyn Barr Jovanovich, Town Clerk, if she received comments on the record or signed disclosure declarations from the Council.

Ms. Jovanovich stated that comments were entered into the record on Public Hearing item 5(a), Ordinance 24-O-04 to amend the Fiscal Year (FY) 2024 Adopted Budget for the General Fund, Golf Fund, and American Rescue Plan (ARPA) Fund; and on General Item 6(a), Ordinance 24-O-05 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.

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:

- Shahmahmood Miakhel, 850 Colvin Court, Herndon, provided comments on a recent high water/sewer bill he received due to a leak.
- Barbara Glakas, 935 Barton Oaks Place, Herndon, provided comments on Ordinance 24-O-05, to amend the Herndon Town Code, Chapter 2, regarding remote participation and the proposed attendance policy.
- Barry Clendenin, 520 Fillmore Street, Herndon, provided comments on the upcoming FY 2025 budget regarding inflation levels and tax rates.
- Stevan Porter, 905 Vine Street, Herndon, provided comments on Ordinance 24-O-05, to amend the Herndon Town Code, Chapter 2, regarding the proposed attendance policy. He commented on attendance policies for the Town's Boards and Commissions, and stated that while he is a member of the Board of Zoning Appeals (BZA), his comments do not represent that board. Mr. Porter also commented on a Councilmember making statements on behalf of the Town Council.
- Walter Shorter, 559 Early Fall Court, Four Seasons HOA, Herndon, provided comments on Ordinance 24-O-05, to amend the Herndon Town Code, Chapter 2, regarding remote participation and the proposed attendance policy. He also encouraged citizens to reach out to the State legislators regarding traffic cameras.

5. Public Hearings

a. Ordinance 24-O-04 to amend the Fiscal Year (FY) 2024 Adopted Budget for the General Fund, Golf Fund, and American Rescue Plan (ARPA) Fund

A Certificate of Publication was 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, February 9, 2024, issue.

Mayor Olem opened the public hearing and recognized Marjorie Sloan, Director of Finance, for the staff report, who reviewed the proposed amendments to the FY 2024 General Fund, which included: (1) Herndon Police Department for \$40,000, (2) Community Development Department, \$125,000 for the purchase of trees,

contingent on award of state grant, and (3) \$24,387 to the Department of Public Works for fire and litter programs, which is made possible through a state grant. For the Golf Fund, a request was made for materials and supplies, to be funded by increased driving range fees of \$30,000, and the ARPA Fund includes a reclassification of funds for \$50,000, which will be used for paving. Staff recommends approval of the proposed ordinance, as presented.

There was no discussion among Council on this item.

Mayor Olem called for comments from the audience.

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

Councilmember LeBlanc moved to approve Ordinance 24-O-04 to amend the Fiscal Year (FY) 2024 Adopted Budget for the General Fund, Golf Fund, and American Rescue Plan (ARPA) Fund, as presented.

Motion seconded by Vice Mayor Hedrick.

There were brief comments from Council.

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

b. Resolution 24-G-13 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

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, February 2 and February 9, 2024, issues.

Mayor Olem opened the public hearing and recognized Fadrique Iglesias, Community Planner for the staff report, who provided an overview of the special exception application, including the: (1) location, (2) zoning and land use designation, (3) current and proposed special exception uses, (4) impact on the property, (5) number of parking spaces, and (6) staff analysis and recommended conditions. Staff recommends approval of the proposed resolution, as presented.

There was brief discussion among Council and staff on the proposed special exception.

Mayor Olem invited the applicant forward to provide comments on this item.

The brother of Minh Nghiem (applicant) spoke on behalf of the applicant and provided brief comments on the application.

Mayor Olem called for comments from the audience.

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

Councilmember Dhakal moved to approve Resolution 24-G-13 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, as presented.

Motion seconded by Councilmember Alam.

There were brief comments from Council.

The vote was: Councilmembers Alam, Dhakal, LeBlanc, and Scherff, Vice Mayor Hedrick and Mayor Olem voting "Aye." Councilmember del Aguila was absent.

6. General

a. Ordinance 24-O-05 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 outlined the proposed ordinance. She stated that the Council has considered the matter of attendance several times over the past few months, including an ordinance Vice Mayor Hedrick brought forward in January, which was tabled, and a discussion item the Vice Mayor brought up at the January 16, 2024, work session. Following the discussion on January 16, 2024, Councilmember Dhakal submitted research on remote participation and attendance policies in other jurisdictions and in the State Code to the Town Attorney, who in turn drafted the ordinance.

Ms. Yeatts stated that the proposed amendments to Section 2-5, the Council's Code of Ethics, identify the responsibility for members of the Town Council and Boards and Commissions to attend their meetings. It adds a new Section 2-6, which sets the process the Council members must take to provide notification of absence, the Town Clerk's process to report the absence, and includes the presumption of good cause. This section specifies that a Councilmember cannot miss four meetings in a row or 25 percent of all Town Council meetings in a year absent good cause. The amendment also specifies that the members of Town boards and commissions are accountable to the Town Code and to their bylaws.

Ms. Yeatts stated that the proposed ordinance also amends Section 2-4 of the Town Code, by increasing the number of meetings Council or board members can attend remotely for personal reasons. The State Code permits localities to decide how often they will allow members to participate electronically, so long as it does not exceed the amount set in the State Code. The proposed change will increase the number of meetings that can be attended remotely from less than two or 25 percent of meetings to the greater of those amounts. The number of remote meetings allowed for illness remains unlimited. Ms. Yeatts recognized Councilmember Dhakal to continue the presentation of the item, as he submitted the ordinance.

Councilmember Dhakal provided background on the evolution of the ordinance, and he stated that the intent is to increase participation in meetings. He thought that allowing for greater remote participation will allow for more flexibility to increase Council's participation. He stated that the amendment also includes a notification process for absences and the assumption of good cause if the Councilmember followed the process. If notification ahead of time is not possible, a member may provide the reason for the absence after the fact, along with why they could not provide advanced notification. Councilmember Dhakal stated that censure by the Town Council is an option if a member does not follow the attendance policy.

There was discussion among the Council on the proposed ordinance, including: (1) number of meetings that can be attended remotely, (2) number of absences permitted, (3) background and history of the development of the ordinance, (4) absence notification process, (5) accountability to Town voters, (6) public perception of attendance standards, and (7) how Councilmembers have acted toward one another during this term.

Councilmember Dhakal moved to approve Ordinance 24-O-05 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, as presented.

The motion died for lack of a second.

7. Consent

- a. Resolution 24-G-14 to award contract RFP #24-01, Custodial Services**
- b. January 2, 2024 Town Council Work Session Minutes**
- c. January 9, 2024 Town Council Regular Meeting Minutes**

On motion of Councilmember Scherff, seconded by Councilmember LeBlanc, the Consent Agenda items were approved and carried by a 6-0 roll call vote, without comment. The vote was: Councilmembers Alam, Dhakal, LeBlanc, and Scherff, Mayor Olem and Vice Mayor Hedrick voting "Aye." Councilmember del Aguila was absent.

8. Adjournment

There being no further business, Mayor Olem adjourned the February 13, 2024, Town Council Regular Meeting at 9:06 p.m.

Amanda E.M. Kertz
Chief Deputy Town Clerk

Minutes approved by Town Council: _____

Agenda Item: February 20, 2024 Town Council Work Session Minutes

Meeting Date: April 9, 2024

Category: Consent

Prepared by: Kirstyn Jovanovich, Town Clerk

Description:

This is a request to approve the February 20, 2024 Work Session Minutes.

Background:

N/A

Budget Impact:

N/A

Recommendation:

Recommend approval as presented.

Attachments:

1. February 20, 2024, Draft Work Session Minutes

HERNDON TOWN COUNCIL
Work Session Minutes
Tuesday, February 20, 2024

1. Call to Order

Mayor Olem called the February 20, 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; Scott Robinson, Director of Public Works; Tammy Chastain, Deputy Director of Public Works; Maria Lee, Budget Manager; Dave Bracamonte, Systems Manager; Mike Farr, Utility Manager; Charles Bednarek, Project Engineer, 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.

2. Discussion

a. Water and Sewer Fund Capital Planning and Rates Update Presentation by Davenport and Company

Mayor Olem recognized Scott Robinson, Director of Public Works, to introduce the Town's consultants for this item. Mr. Robinson provided opening remarks and introduced Kyle Laux, Senior Vice President of Davenport and Company, the firm that serves as the Town's financial consultants.

Mr. Laux reviewed the Town's water and sewer fund policies, expenditure challenges, goals, objectives, and observations. He stated that evening that he will present an update on the water and sewer rates as the Council is working on the FY 2025 proposed budget and the multiple years that feed into the rate model. He

reviewed the following: (1) background and historical financial results, (2) changes this year compared to the prior year's multi-year financial plan, (3) projections for the multi-year financial plan, (4) compliance with the Town's adopted financial policy guidelines, and (5) commitment to maintain AAA bond ratings. He stated that the multi-year model covers the predicted water and sewer rates over the next five to six years.

Mr. Laux reviewed the consultant's recommendations for the water and sewer fund and discussed next steps. He stated that the water and sewer fees are expected to increase over the next four years. Starting in 2029, less of an increase is proposed than in the years leading up to it, since at that point, the revenues should be close to the expenditures. He indicated that growth and increases in availability fees could lessen the impact of the predicted increase in user fees. Approaching this one year at a time, Mr. Laux suggested that over the next five years, where appropriate, the Town use proceeds from bonds, cash reserves, American Rescue Plan Act (ARPA) funds, and funds from availability fees to help fund necessary capital projects in the water and sewer system. By engaging these other sources of funding, the users will not be overburdened with the capital project costs.

Going forward, Mr. Laux recommends that the Town review and re-evaluate the water and sewer model annually. He stated that following the adoption of the FY 2025 Budget and Capital Improvement Plan (CIP), Davenport would like to discuss implementation of the water and sewer rate model with the Council later this year in late spring or early summer.

There was brief discussion among Council, staff, and the consultants on the water and sewer rate model, anticipated trends, and expected fees going forward. Discussion among the Council, staff, and consultants included: (1) local and national water and sewer rates, (2) concern over residents being able to pay their water and sewer bills at higher rates, (3) communication of fee changes to residents, (4) ways to reduce costs, (5) amount of reserve funds, (6) impact of new development, (7) impacts of an aging system and major repairs, (8) expected level of risk, (9) debt service coverage and depreciation costs in the model, and (10) impact of Environmental Protection Agency (EPA) and other environmental regulations on fees.

b. FY2025 General Fund Budget Discussion

Mayor Olem recognized William H. Ashton II, Town Manager, to begin the discussion. Mr. Ashton provided an overview of the General Fund, discussing: (1) strategic objectives, (2) current and projected revenues and expenditures for the General Fund, (3) real estate and other local tax rates, and (4) stormwater management fund. He stated that at the Council's second work session in March, he will discuss the Enterprise Funds, which includes Water and Sewer rates. He underscored that the budget did not project any proposed tax rate increases.

Mr. Ashton noted that residential property tax values, comprising 62.6 percent of the tax base, increased by 4.65 percent in Fiscal Year (FY) 2024, while commercial values, which comprise 37.4 percent of the tax base, decreased by 4.60 percent in FY 2024. He stated that the tax equalization rate for FY 2025 had not yet been determined at that time. Mr. Ashton noted that Fairfax County has proposed a four-cent real estate tax rate increase in the County's proposed FY 2025 budget.

Mr. Ashton discussed the General Fund expenditures and stated that personnel services make up the largest portion of the General Fund at approximately \$2.0 million, or 68 percent. This includes two proposed cost of living adjustments in July and January of the next fiscal year, and an average two percent (2%) pay for performance increases. Mr. Ashton also discussed operations and maintenance costs and capital outlays from each department, and reviewed other notable expenditures, including Council initiatives and donations. He discussed the newly established Stormwater Management Fund, which utilizes stormwater grant money from Fairfax County. He highlighted proposed stream restoration projects for this fund in FY 2025.

There was brief discussion among Council and staff about the General Fund revenues and expenditures, including: (1) current and proposed tax rates, (2) ways to decrease expenditures, (3) factors that impact the Town's tax base and tax rates, (4) sustaining and growing the tax base, and (5) engaging Fairfax County in assisting with growth opportunities in the Town.

Responding to Councilmember Dhakal, Mr. Ashton stated that staff can add a column that displays pre-pandemic revenue and expenditures compared to current levels. Councilmember Dhakal suggested using 2019 actual budget numbers for the additional column.

3. Roundtable

Councilmember Dhakal: no comments.

Councilmember del Aguila: stated that he was sorry he missed last week's meeting because he was on a business trip.

Councilmember del Aguila presented a PowerPoint about Town branding related to a recent campaign by Fairfax County that he saw at Dulles Airport. He questioned why the Town was left off the County's promotional advertising and stated that the Town was missing revenue opportunities by not encouraging travelers to visit Herndon.

Councilmember del Aguila thanked the Town Manager for including an idea he had for discussion in the closed meeting later that evening and asked the Council

to consider his idea. He asked the Council to bring forward ideas to promote the Town's long term success.

Councilmember del Aguila provided comments on last week's regular meeting and expressed that he was disappointed in some of the comments that were made. He referenced the values listed in the agreement they made at the beginning of their term. He asked Mayor Olem and Vice Mayor Hedrick to stop what he considered to be personal attacks on a single Councilmember. Councilmember del Aguila said it was his understanding that there were "political caveats" at last week's regular meeting, and he wanted to announce that he is a proud Democrat. While he understands it is a non-partisan election year, he wanted everyone to know this.

Councilmember Alam: shared that she attended the service for Firefighter Trevor Brown, who recently lost his life in the line of duty in Sterling.

Councilmember Le Blanc: echoed Councilmember Alam's comments on honoring Firefighter Trevor Brown and said the funeral was very impactful.

On a lighter note, Councilmember LeBlanc shared that it was National Pet Day. He wished a Happy National Pet Day to his two dogs, the families with pets in the community, and Officer Bragg, along with the other Herndon Police Department's K-9 officers.

Councilmember LeBlanc stated that he saw that Councilmember Dhakal attended an event that past weekend and provided letters. He asked if he could see the letters, so that he can help promote events in Town.

The Town Clerk indicated she can provide a copy of Councilmember Dhakal's letter.

Vice Mayor Hedrick: echoed his colleagues' comments on honoring Firefighter Trevor Brown and how the event impacted the community.

Vice Mayor Hedrick stated that in his comments, he had been careful not to make personal attacks, indicating he thought it is important to talk about the facts of the matter. He said he was elected to find problems and solutions, including attendance.

Speaking during Vice Mayor Hedrick's comments, Councilmember del Aguila stated that the Mayor and Vice Mayor have an issue with attendance, which has passed, and said that the majority of the body has addressed the issue.

Mayor Olem stated that Vice Mayor Hedrick had the floor.

Vice Mayor Hedrick stated that he saw a problem with attendance, which he wants

to address in the Town Code. He thinks this is a matter than can still be addressed through a code change and stated that he is not advocating to censure anyone.

Mayor Olem: offered kudos to the Department of Public Works for getting the roads ready for the predicted storm that past weekend.

Mayor Olem echoed Councilmember LeBlanc's comments on National Pet Day and wished a Happy National Pet Day to her cat Bandit.

Mayor Olem stated that she has not attacked anyone personally, stating that the Council has been discussing attendance for all the Town's boards and commissions, which should include the Town Council being held to the same standard. She stated that virtual attendance has been available for some time.

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

4. **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 pursuant to Code of Virginia Section 2.2-3711 (A)(8) for consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, relating to real estate in the downtown.**

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)(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 pursuant to Code of Virginia Section 2.2-3711 (A)(8) for consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, relating to real estate in the downtown. Councilmember del Aguila seconded the motion, which carried by a 6-0 roll call vote. The vote was: Councilmembers Alam, del Aguila, Dhakal, and LeBlanc, Mayor Olem and Vice Mayor Hedrick, voting "Aye." Councilmember Scherff was absent.

At 9:04 p.m. Mayor Olem called a brief recess, and at 9:10 p.m., the closed

meeting reconvened in the Hoover Conference Room, six members present, with Mayor Olem presiding. Councilmember Scherff was absent.

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

The Council came out of closed meeting at 10:20 p.m.

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

Aye: 6
Nay: 0
Absent: 1

5. Adjournment

There being no further business, Mayor Olem adjourned the February 20, 2024, Town Council Work Session at 10:22 p.m.

Amanda E.M. Kertz
Chief Deputy Town Clerk

Minutes approved by Town Council : _____

Agenda Item: March 5, 2024 Town Council Work Session Minutes

Meeting Date: April 9, 2024

Category: Consent

Prepared by: Kirstyn Jovanovich, Town Clerk

Description:

This is a request to approve the March 5, 2024 Work Session Minutes.

Background:

N/A

Budget Impact:

N/A

Recommendation:

Recommend approval as presented.

Attachments:

1. March 5, 2024, Draft Work Session Minutes

MEETING CANCELED

**HERNDON TOWN COUNCIL
Work Session Minutes
Tuesday, March 5, 2024**

1. Call to Order

Mayor Olem called the March 5, 2024, Town Council meeting to order at 7:00 PM in the Herndon Council Chambers Building, 765 Lynn Street, Herndon, Virginia. In attendance were: Mayor Sheila Olem; Vice Mayor Clark Hedrick; and Councilmembers Naila Alam, Cesar del Aguila, Pradip Dhakal, Keven LeBlanc, and Donielle M. Scherff.

Staff present during the meeting: Lesa Yeatts, Town Attorney; Kirstyn Barr Jovanovich, Town Clerk/Acting Town Manager; Anne Papa, Chief Communications Officer; Lisa Gilleran, Director of Community Development; Marjorie Sloan, Director of Finance; Scott Robinson, Director of Public Works; Captain Steven Pihonak, Herndon Police Department; Dave Bracamonte, Systems Manager; and Amanda Kertz, Chief Deputy Town Clerk.

Determination of a Quorum

Mayor Olem determined there was a quorum of all Councilmembers present.

Mayor Olem stated that Town Manager Bill Ashton is not able to attend the meeting that evening and recognized Kirstyn Barr Jovanovich, Town Clerk, who is serving as Acting Town Manager.

Mayor Olem reminded the Council of the meeting decorum.

Mayor Announcements

Mayor Olem encouraged those interested to attend a new event hosted by the Department of Parks and Recreation, the "Swiftie Showdown - Ultimate Taylor Swift Trivia Night" on Friday, March 8, at 6:00 p.m. at the Herndon Community Center. She stated that more information and registration is available on the Town's website.

2. Discussion

a. HDEIC Recommendation, OneHerndon - Councilmember Dhakal

Mayor Olem recognized Councilmember Dhakal, Chair of the Herndon Diversity, Equity, and Inclusion Committee (HDEIC), to begin the discussion. He stated that at its February 15, 2024, meeting, HDEIC discussed a "OneHerndon" resolution, which is modeled after Fairfax County's "OneFairfax" policy, to stress the importance of equity and diversity measures. At that meeting, the committee recommended that the Town Council review and consider adoption of the OneHerndon resolution.

Councilmember Dhakal outlined the OneHerndon resolution, stating that its intent was to help guide the Council in creating policies and establishing growth models that encourage diversity and foster equity and inclusion. He stated that the adoption of the resolution is the first step in that process. He asked for the Council's feedback on moving this item forward.

There was discussion among Council and staff on the HDEIC's OneHerndon resolution, including: (1) objectives and action steps, (2) using the OneFairfax policy as an example; staff asked to invite representatives from that group to a Council meeting, (3) looking at the related policies the Town has in place, along with its commitments under OneFairfax, (4) diversity in hiring practices, (5) how the policy relates to the Strategic Plan, (6) obtaining staff input on the resolution, and (7) adding this topic to the agenda for the next Town Council Initiatives Meeting in April.

Councilmember Scherff stated that she was part of the team that crafted the OneFairfax policy for Fairfax County, and she provided comments about how that group created and implemented the policy.

Councilmember Scherff asked staff to find out if there is a way to extrapolate the data related to Herndon from the information Fairfax County collected while developing OneFairfax to assist in developing the policy. She suggested forming a cross-sectional working group to set goals and benchmarks, and offered to help however Councilmember Dhakal sees fit.

Councilmember Dhakal asked staff to look at the resolution from a legal perspective and to provide any edits that are needed.

Following discussion, and with the consensus of Council, staff was directed to add this item to the agenda for the next Town Council Initiatives Meeting scheduled for April 30, 2024.

b. Town Council Operating Agreement Relating to Campaign and Political Statements - Councilmember Scherff

Mayor Olem recognized Councilmember Scherff to begin the discussion. Councilmember Scherff referenced the Town Council's February 13, 2024, regular meeting, where she saw a lot of discussion about election and campaigning. Following that meeting, she asked the Town Attorney to look at what Councilmembers are legally able to say on this topic at the dais. After discussing this, she would like the Council to agree on what statements they can make at the dais related to election and campaigns.

Lesa Yeatts, Town Attorney, stated that political statements are protected under the First Amendment of the Constitution and are not prohibited. As public figures, she encourages them to be mindful of overtly political speech, which can be viewed from the lens of misuse of taxpayer funds.

There was brief discussion among the Council and staff.

c. Branding Initiative, Status Update - Councilmember del Aguila

Mayor Olem recognized Anne Papa, Chief Communications Officer, to begin the discussion item requested by Councilmember del Aguila and provide an update on the branding initiative.

Ms. Papa stated that in January 2024, the Town issued a Request for Proposals (RFP) for a marketing consultant to work on the Town's brand. The deadline was February 14, 2024, and an internal committee is currently evaluating the 32 bids that were received. Ms. Papa indicated that the RFP did not include changing the brand word mark, but that the meaning, message, and how the brand is used would be refreshed. Ms. Papa stated that this past week, the Town Manager invited individuals with marketing experience who either live in, or have an interest in, the Town, to participate on an informal committee that would serve as a sounding board throughout the branding process. She indicated that the group includes Councilmembers LeBlanc and del Aguila.

Ms. Papa stated that staff expects to have a contract signed with a firm in April, and indicated that the following will be included in the branding process: (1) research to find out how Herndon is perceived and how Herndon wants to be perceived, (2) development of a brand positioning statement made up of Herndon's attributes, (3) development of a brand concept, including a tag line, and (4) development a marketing plan.

Ms. Papa stated that once finalized, the consultant will present the branding plan to the Council at a future work session. Next, it will be provided to the public in a public hearing for formal adoption by Council. The implementation of the marketing plan will happen after the brand is adopted, and the Town will likely need to use an external agency to execute the marketing plan.

Following staff's presentation, Councilmember del Aguila presented a PowerPoint about branding and messaging, which highlighted the following: (1) importance of revenue generation, (2) budgetary impacts of declining revenue, (3) importance of branding, (4) observation of lost revenue opportunities, and (5) potential events to showcase the brand.

In his presentation, Councilmember del Aguila requested: (1) meeting with Fairfax County staff to discuss why Herndon was not included in their marketing campaign featured at Dulles Airport, (2) including a branding discussion at the next Town Council Initiatives Meeting, especially as it relates to downtown redevelopment, and (3) requesting an allocation in the FY 2025 budget toward branding, and in future budget years.

There was brief discussion among Council and staff on branding, which included: (1) addressing branding in a timely manner, (2) financial impact and return on investment from the brand, (3) involving the Economic Development Director and Director of Parks and Recreation in the process, (4) encouraging other organizations to host community events in Herndon, (5) encouraging diverse types of events, (6) potential marketing strategies, and (7) providing existing Town surveys and plans to the consultants and working group, e.g. Herndon Transit Oriented Cored (HTOC) and Transit Related Growth (TRG) area documents.

d. Discussion - Town of Herndon 2024-2029 Draft Strategic Plan

Mayor Olem recognized Kirstyn Barr Jovanovich, Town Clerk/Acting Town Manager, who presented an update on the 2024-2029 Draft Strategic Plan. She reviewed the process, stating that the Town Council started the process at their March 2023 retreat by drafting a Vision Statement, Core Values, and identifying five Strategic Focus Areas. The Town Council and Leadership Team worked to further develop the Strategic Plan throughout the year. At the December 5, 2023, Town Council work session, staff presented the draft plan through the Objectives, and the feedback Council provided was incorporated into the draft plan. Since then, staff has been working to draft the Strategies and identify Success Measures for each of the Goals within the five Focus Areas. That evening, Ms. Jovanovich stated that she will review the work completed to date on the Draft Strategic Plan and obtain feedback from the Council. Once Council's feedback is received and incorporated, the next steps will include scheduling a community input session, finalizing the Plan, Council consideration and adoption at a public hearing, and scheduling future Strategic Plan progress updates.

Ms. Jovanovich reviewed each strategy for the goals listed in the Strategic Focus Areas (SFA) and the Council requested the following changes: (1) SFA 3, Goal 3/Strategy 2, remove the word "preservation," (2) consider including community safety plans as a success measure related to public safety; staff to discuss with Chief of Police, (3) SFA 5, Goal 1, strategy 3, add "and/or under-resourced" before

the word populations, and (4) SFA 5, Goals 1 and 2, add a success measure related to language services; to include languages beyond English and Spanish.

There was brief discussion among Council and staff on: (1) usage of translation services, such as through the Town's website, (2) usage of the Neighbors in Action Program, and (3) compensation for multilingual staff.

Following discussion and with the concurrence of Council, staff was asked to make those changes the Council requested that evening and prepare the Strategic Plan for review at a public hearing. Ms. Jovanovich stated that following adoption, staff will schedule quarterly updates of the Strategic Plan at Town Council work sessions.

3. **Roundtable**

Councilmember Le Blanc: stated that he enjoyed speaking with Mayor Olem on economic development at a Herndon Chamber meeting, as well as attending a joint meeting of the Dulles Regional and the Reston Chambers of Commerce.

Councilmember Scherff: stated that she is working with the Youth Services Director at the Herndon Fortnightly Library on two events: (1) outdoor story time during the Herndon Farmers Market, and (2) "Tuesday Night Live," which will be an open mic night for teens on Tuesday afternoons. Both events will be hosted on the Fortnightly Library steps.

Responding to Councilmember LeBlanc, Councilmember Scherff stated that the events are both likely to start when the farmers market begins for the season. She indicated that when she had dates, she could provide those dates to the Council.

Councilmember Scherff stated, as part of the public record, that she has been trying to schedule a meeting with the Dulles Regional Chamber of Commerce to talk about Friday Night Live for the last five months. She said that the purpose of the meeting is to talk about including some different groups in Friday Night Live, such as jazz groups, or some that were part of the Herndon Festival in the past. At this point, she thought they were past the point of making any impact on the schedule for the upcoming season. She indicated that the Town Manager's Office was assisting her and had not yet been successful.

Councilmember Scherff stated, for the record, that neither she, nor anyone at the table, is planning to cancel Friday Night Live. She wants the meeting to be an opportunity to put their thoughts together as Friday Night Live goes into its next 30 years. She said that she is disappointed that it has not happened yet, but she is hopeful they can meet and have that conversation.

Councilmember del Aguila: expressed his concern about Councilmember Scherff not receiving a response to her meeting request about Friday Night Live.

Councilmember LeBlanc stated that Mark Ingrao, Interim President and CEO of the Dulles Regional Chamber of Commerce, mentioned the meeting with Councilmember Scherff to him in December. Councilmember LeBlanc told Mr. Ingrao that he (Councilmember LeBlanc) could not attend the meeting if two other members of Council were going to be there, due to legal requirements.

Councilmember Scherff stated that she hopes the meeting will happen, and she wants to have everyone work together.

Responding to Councilmember del Aguila's question about an agenda, Councilmember Scherff said that with the change in leadership recently at the Chamber, she spoke with Mr. Ingrao, and then the Town Manager's office tried to facilitate by requesting a date, which was not confirmed. Councilmember del Aguila asked if the Town should formally request a meeting.

Kirstyn Barr Jovanovich, Town Clerk/Acting Town Manager, said she will work with staff to schedule a meeting, to include Councilmembers del Aguila and Scherff, with the Dulles Regional Chamber of Commerce leadership, to talk about Friday Night Live.

Councilmember Alam: wished everyone a Happy Women's History Month. She pointed out that there are many women in leadership positions in the Town, and there are many women-owned businesses in Herndon.

Councilmember Dhakal: shared updates from his work with Harraseeket Foundation, which is an organization he is a part of that is providing mentors to students at Herndon High School. This group reaches out particularly to the underserved and under-resourced communities. He stated the group is looking for volunteers and small group mentors for high school seniors to understand opportunities available to them after graduation. He asked for those interested to reach out to him for more information.

Councilmember Dhakal stated that he is working to coordinate a Multicultural Festival in Herndon on a Saturday in May. This event includes music, dancing, arts and crafts, and shows. He has been working with the group organizing the event and has put them in contact with Town staff.

Councilmember Dhakal shared that he attended the reopening of the Herndon Depot that past Sunday, and he enjoyed learning more about Herndon's history at the event. He stated that the Depot is open every Sunday for visitors and he encouraged those interested to visit.

Vice Mayor Hedrick: stated that he also enjoyed attending the Depot reopening and that it was a fun event for kids of all ages.

Vice Mayor Hedrick stated that he attended the Northern Virginia Transportation Authority's Planning Coordination Advisory Committee (NVTA-PCAC) meeting, where he serves as the Town's representative, that past Wednesday. He emphasized the importance of the NVTA, which is often a grant source for the Town. He noted that the Town, and he believed Fairfax County, has encouraged NVTA to smooth the connection of Old Ox Road from Loudoun County into the Town, given the expected development near the Town's border with Loudoun County.

Mayor Olem: echoed Vice Mayor Hedrick's comments on the NVTA-PCAC and the importance of the grant money the Town has received in the past on projects from the NVTA.

Mayor Olem expressed kudos to the Herndon Police Department on behalf of a local business that thanked them for their response times and assistance.

Mayor Olem echoed her colleagues' comments on the reopening of the Herndon Depot, stating that she enjoyed attending and viewing the historical items.

Mayor Olem stated that she is representing Northern Virginia towns on the NVTA, and she is looking forward to attending the next meeting of that group.

Kirstyn Barr Jovanovich, Town Clerk/Acting Town Manager: no comments.

4. **Adjournment**

There being no further business, Mayor Olem adjourned the March 5, 2024 Town Council Work Session at 9:03 p.m.

Amanda E.M. Kertz
Chief Deputy Town Clerk

Minutes approved by Town Council : _____

Agenda Item: March 12, 2024 Town Council Meeting Minutes

Meeting Date: April 9, 2024

Category: Consent

Prepared by: Kirstyn Jovanovich, Town Clerk

Description:

This is a request to approve the March 12, 2024 Town Council meeting minutes.

Background:

N/A

Budget Impact:

N/A

Recommendation:

Recommend approval as presented.

Attachments:

1. March 12, 2024, Draft Meeting Minutes

MEETING CANCELED

**HERNDON TOWN COUNCIL
Regular Meeting Minutes
Tuesday, March 12, 2024**

1. Call to Order

Mayor Olem called the Tuesday, March 12, 2024, Regular Meeting to order at 7:00 p.m. in the Town Council Chambers, 765 Lynn Street, Herndon, Virginia. In attendance were: Mayor Sheila Olem; Vice Mayor Clark Hedrick; and Councilmembers Naila Alam, Cesar del Aguila, Pradip Dhakal, Keven LeBlanc, and Donielle M. Scherff.

Staff present during the meeting: William H. Ashton II, Town Manager; Lesa Yeatts, Town Attorney; Kirstyn Barr Jovanovich, Town Clerk; Lieutenant Charles Findley, Herndon Police Department; and Dave Bracamonte, Systems Manager.

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

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

Determination of a Quorum

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

Mayor Announcements

Mayor Olem announced several upcoming events with the Department of Parks and Recreation, including: (1) the Kids' Trout Fishing Derby on Saturday, March 16, 8:00 a.m. to noon, at the back of Runnymede Park, (2) the Aqua Egg Hunt on Saturday, March 23, beginning at 1:30 p.m. at the Herndon Community Center, and (3) Mayor's Volunteer Appreciation Reception on Sunday, April 21, for which applications are due by Monday, March 18, 2024. Details for these events are found on the town's website under Parks and Recreation.

Mayor Olem stated that the annual spring clean-up will occur during the week of April 21, 2024, on each resident's regular trash collection day.

Additionally, Mayor Olem stated that Fairfax County Supervisor Bierman for the Dranesville District is holding a community meeting on Fairfax County's proposed budget at Herndon High School on Monday, March 18, 2024, at 7:00 p.m. She encouraged residents to attend and provide their comments on the County's budget.

3. Presentations/Reports/Comments

a. Town Manager Report

William H. Ashton II, Town Manager, did not have any comments.

b. Councilmember Comments

Councilmember del Aguila: thanked his colleagues for supporting his "sources of additional revenue channels" ideas and thanked them for contributing to a robust discussion at last week's work session. He also thanked his colleagues for supporting his idea that would be presented at the Council's closed session later that evening.

Councilmember del Aguila expressed appreciation to those who have provided comments on the budget and encouraged the public to continue sending in their comments. He looked forward to working on the FY 2025 budget.

Councilmember Dhakal: wished a Happy Ramadan to those in the community who observe it.

Councilmember Dhakal discussed several events he recently attended, including: (1) National Capital Area Open Tae Kwon Do Championship with Councilmember LeBlanc that past Saturday; he congratulated Grandmaster Lee and H.K. Lee Academy for 50 years of operation, (2) Himalayan clinic volunteer appreciation event, also that past Saturday, and (3) NextStop Theatre's production of "School Girls/American Mean Girls," encouraging the community to see the show.

Councilmember Dhakal stated that he will be on a family trip to Nepal over the next several weeks and will miss the next four Council meetings. He indicated that he would be back for the April 16, 2024, work session.

Councilmember Scherff: congratulated community volunteer Renee Gorman, founder of "She Believes In Me," who was named the Rotary Club of Herndon-Reston's 2024 Citizen of the Year.

Councilmember Scherff welcomed feedback on the Town's budget through the Town Clerk's office, and she encouraged citizens to attend Supervisor Bierman's

budget forum Mayor Olem referenced in her announcements.

Councilmember Scherff thanked the Town Manager's office for coordinating a meeting with her, Councilmember del Aguila, and the Dulles Regional Chamber of Commerce about Friday Night Live. She emphasized that it was not the intention of anyone to cancel Friday Night Live.

Councilmember Scherff welcomed the scouts in the audience who were attending the Town Council meeting.

Councilmember Alam: wished everyone a Happy Ramadan. She indicated that she would step away for a few minutes during meetings throughout Ramadan to break her fast.

Councilmember LeBlanc: wished peace and happiness to those who celebrate Ramadan.

Councilmember LeBlanc wished everyone a Happy Women's History Month, and he recognized his female colleagues on the Council and in staff leadership. Councilmember LeBlanc listed several events happening during Women's History Month, including: (1) event by the Herndon Historical Society focusing on prominent women in Herndon's history, (2) Arts Herndon sharing the Welsh Women's Peace Appeal, and (3) NextStop Theater's current show, "School Girls/American Mean Girls," which he found to be very impactful.

Councilmember LeBlanc encouraged those interested to attend a Holi Festival celebration in Reston on March 23, 2024, and stated he is proud to be a sponsor for the event.

Vice Mayor Hedrick: stated that he recently attended his first Northern Virginia Transportation Authority's Planning Coordination Advisory Committee (NVTAPCAC) meeting. He noted NVTAPCAC's importance in funding regional multi-modal projects, highlighting the significance of developing the area's transportation network.

Mayor Olem: shared that she and her children attended H.K. Lee's Tae Kwon Do Academy in the past.

Mayor Olem echoed congratulations to Renee Gorman of "She Believes in Me" for being named the Rotary Club's 2024 Citizen of the Year.

Mayor Olem shared that she attended the Food for Neighbors Red Bag Event on Saturday, March 9, 2024, where Colonel Dronia of the German Armed Forces Command of the United States and Canada presented a generous donation of

\$5,555.55 to the organization. At a previous event, Colonel Dronia provided a donation to Ms. Gorman's group, "She Believes in Me."

Mayor Olem stated that she recently met with two James Madison University students who graduated from Herndon High School, and she enjoyed sharing information with them about the Town and local government.

[Note: Councilmember Alam left the dais at 7:17 p.m. and returned at 7:24 p.m.]

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:

- Stevan Porter, 905 Vine Street, Herndon: provided comments on the recent fire incident in Sterling, where a firefighter lost his life in the line of duty. He shared that he passed on the expressions of sympathy and support from Herndon on to the fire and rescue community in Loudoun County. He indicated that the only recognized source of donations for the first responders is the Loudoun County First Responders Foundation.
- Betsy Denton, 496 Virginia Avenue, Herndon: provided comments on the audio at Town Council meetings and asked that the Councilmembers speak louder at the dais. She provided comments on restarting roundtables and similar events to allow the community to engage with the Council
- Radi Paskalev, 1078 Trevino Lane, Herndon: provided comments on traffic safety issues on Trevino Lane and expressed concerns about staff following up with tickets submitted to the Herndon on the Go App.
- Andrew Butsick, 1029 Boros Court, Herndon: echoed the comments of the previous speaker on traffic safety issues on Trevino Lane. He asked the Town to consider short-term solutions to address traffic on Trevino Lane and noted his observation of signal timing issues on Elden Street.

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

On motion of Councilmember LeBlanc, seconded by Councilmember Scherff, the Consent Agenda items were approved and carried by unanimous roll call vote, as presented, without comment. The vote was: Councilmembers Alam, del Aguila, Dhakal, LeBlanc, and Scherff, Vice Mayor Hedrick, and Mayor Olem voting "Aye."

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.**

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 del Aguila moved that the Council convene in a closed meeting to discuss the following as permitted by the 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;**
- **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**
- **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.**

Councilmember Scherff seconded 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."

At 7:31 p.m. Mayor Olem called a brief recess, and at 7:37 p.m., the closed meeting reconvened in the Hoover Conference Room, all members present, with Mayor Olem presiding.

Councilmember Scherff moved to come out of the closed meeting. Motion was seconded by Councilmember Dhakal 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."

The Council came out of closed meeting at 8:48 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 Dhakal 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."

Aye: 7
Nay: 0
Absent: 0

7. **Adjournment**

There being no further business, Mayor Olem adjourned the March 12, 2024 Town Council Regular Meeting at 8:49 p.m.

Amanda E.M. Kertz
Chief Deputy Town Clerk

Minutes approved by Town Council : _____