



TOWN COUNCIL REGULAR MEETING AGENDA

Town Council Chambers
765 Lynn Street, Herndon, VA 20170

Tuesday, April 8, 2025 | 6:30 PM

1. Call to Order

2. Closed Meeting (6:30 PM)

- a. A closed meeting pursuant to the Code of Virginia Section 2.2-3711(A)(7) for consultation with legal counsel pertaining to probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body

3. Pledge of Allegiance to the Flag of the United States of America (7:00 PM)

4. Presentations/Reports/Comments

- a. Proclamation to recognize Autism Acceptance Month
- b. Proclamation to recognize Arab American Heritage Month
- c. Town Manager Report
- d. Councilmember Comments

5. 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.

6. Public Hearings

- a. Fiscal Year (FY) 2026 Proposed Budget
 - i. Ordinance to Levy Taxes on Real Estate and Manufactured Homes, and Other Subjects for the Fiscal Year 2026 Budget

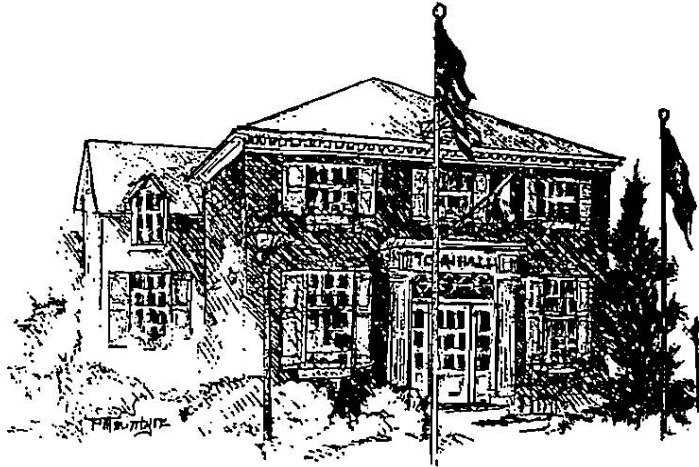
- ii. Ordinance to amend Chapter 30 (FINANCE AND TAXATION), Article IX (Meals Tax), Section 30-401 (Levy) to increase meals tax rate
- iii. Ordinance to amend Chapter 30 (FINANCE AND TAXATION), Article VII (Business, Professional, Occupancy License), Division 2 (Fees and Taxes), Section 30-246 (Enumeration), and Section 30-263 (Repair Service) to increase fees for retail merchants and repair services
- iv. 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
- v. Ordinance to amend Chapter 63 (SOLID WASTE), Section 63-8 (Schedule of fees) to recategorize type of fee and to increase rate
- vi. Resolution to adopt a Fiscal Planning Resolution for the Fiscal Year 2026 Budget for the Town of Herndon
- vii. Ordinance to appropriate funds to implement the Fiscal Year 2026 Budget for the Town of Herndon, establishing the Pay Plan, and reserving on-going and Capital Funding for this Fiscal Year
- b. Ordinance 25-O-04 to approve Zoning Ordinance Text Amendment ZOTA #25-03, to amend Chapter 78 (ZONING); to update standards in the Warehousing use category; and other articles and sections as deemed necessary and appropriate to update regulations related to the Electronic Warehousing use type and to make housekeeping amendments

7. Consent

- a. Resolution 25-G-23 in support of protecting the natural environment along the W&OD Trail
- b. Resolution 25-G-24 to appoint a member to the Planning Commission
- c. Resolution 25-G-25 to appoint a member to the Board of Zoning Appeals
- d. January 7, 2025, Town Council Organizational Meeting and Work Session Minutes

8. Adjournment

Interpretación en Español está disponible en esta sesión.



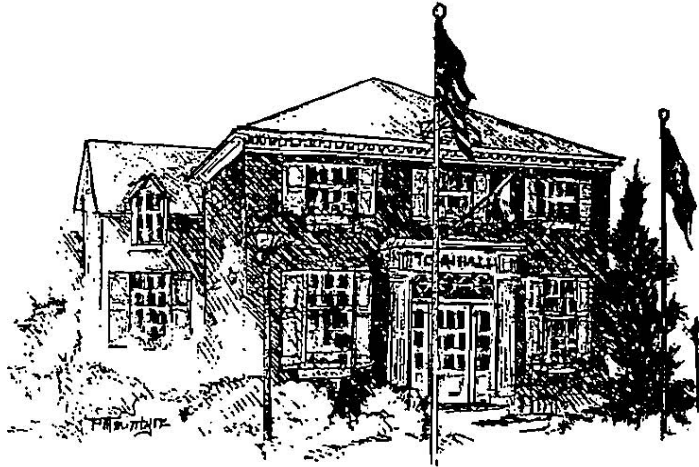
TOWN OF HERNDON, VIRGINIA PROCLAMATION AUTISM ACCEPTANCE MONTH APRIL 2025

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 18th 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 2025 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.



TOWN OF HERNDON, VIRGINIA PROCLAMATION ARAB AMERICAN HERITAGE MONTH April 2025

The Town of Herndon is home to a diverse and vibrant community that includes individuals of Arab American heritage, who have made significant cultural, economic, and social contributions to our town, our Commonwealth, and our nation. For generations, Arab Americans have enriched the fabric of American society through their achievements in business, education, science, technology, medicine, government, military service, and the arts. Arab Americans have played vital roles in advocating for justice, equality, and civil rights ~ exemplifying determination, resilience, and a commitment to community engagement.

More than 3.7 million Americans trace their heritage to Arab nations, representing a wide range of religious, linguistic, and cultural backgrounds that enhance the diversity of our communities. Arab Americans contribute over \$7.5 billion to the U.S. economy annually through entrepreneurship and small businesses, and Arab American physicians and medical professionals provide essential healthcare services to millions of Americans.

The celebration of **Arab American Heritage Month** in April offers an opportunity to recognize, appreciate, and honor the traditions, heritage, and contributions of Arab Americans to our town and nation. By fostering greater awareness and understanding of the rich history and cultural diversity of Arab Americans, we strengthen the bonds of unity, inclusivity, and respect within our community.

Therefore, the Mayor of the Town of Herndon, together with the Herndon Town Council, hereby proclaims the month of April 2025 **Arab American Heritage Month** in the Town of Herndon; and encourages all residents to learn more about and celebrate the invaluable contributions of Arab Americans.

Agenda Item: Fiscal Year (FY) 2026 Proposed Budget

Meeting Date: April 8, 2025

Category: Public Hearings

Prepared by: Christopher E. Martino, Interim Town Manager,
Marjorie Sloan, Finance Director,
Maria Lee, Budget Manager,
John Irish, Acting Director of Public Works - Engineering

Description:

Agenda Item 6a includes the resolution and ordinances related to the Fiscal Year (FY) 2026 Budget. Adoption includes: updated tax levies for Real Estate Tax, Meals Tax, two categories of Business, Professional, Occupational License Tax (BPOL), Collection Fee, updated rates for Water and Sewer Services, as well as the FY 2026 portion of the Capital Improvement Program.

Background:

In accordance with Section 4.2 of the Town Code, the Interim Town Manager has submitted a proposed FY 2026 Budget. Public Hearings are scheduled for April 8 and April 22, 2025 for the following Ordinances and Resolutions:

Item 6a-i: Proposed Ordinance, in accordance with Section 30-36 of the Town Code, fixes and orders the levy for real estate and manufactured homes at \$0.27 per \$100 of assessed value for FY 2026. This is a \$0.01 increase over the previous rate of FY 2025. The notice for public hearing on the property tax levy was duly advertised in the Fairfax County Times Newspapers in the March 14, 2025 edition.

Real estate assessed values increased 4.38% (6.63% Residential, 0.62% Commercial). Including the impact of the increased assessed value, the incremental impact of the average residential property (assessed at \$560,939) is \$133 annually. The effective date for this ordinance is July 1, 2025.

Item 6a-ii: Proposed Ordinance to amend the Meals tax levied per Article IX (MEALS TAX), Section 30-401.

The Meals Tax is an excise tax assessed as a percentage of the price of a meal or prepared food, with some exceptions. The consumer pays the tax at purchase, and it is remitted by the seller to the town monthly. Currently, the Meals Tax levy is 3.75% applied to purchased meals, as defined. The tax rate was last updated effective July 1,

2019, increasing the rate from 2.5% to 3.75%. The FY 2026 Budget proposes to raise the tax rate from 3.75% to 4.00% effective July 1, 2025. The proposed rate is comparable to all localities in the region.

Item 6a-iii: Proposed Ordinance to amend Chapter 30 (FINANCE AND TAXATION), Article VII (Business, Professional, Occupational License), Section 30-246 (b)(2) - Retailers and Section 30-263 (Repair Service).

For FY 2026, the proposed budget includes BPOL rate increases for two categories: Retail Merchants and Repair Services. The rate increase will align the Town of Herndon rates for these categories with the rates of Fairfax County and would go into effect January 1, 2026 applied to gross receipts beginning January 1, 2025. The ordinance proposes:

Retail Merchants	\$0.13 to \$0.17 per \$100 of gross receipts.
Repair Services	\$0.13 to \$0.19 per \$100 of gross receipts

Item 6a-iv: Proposed 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, 2025.

As part of the FY 2026 Budget process, the Water and Sewer Rates model was updated, resulting in the proposed Water and Sewer rates for FY 2026. Increased rates are critical to meet the operating and investment needs of the Water and Sewer System over the next six years. The FY 2026 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 12,000 gal/Qtr.) would be impacted \$100.52 annually (\$54 Water and \$47 Sewer Services). The Water and Sewer rates remain the lowest in the region.

The notices for public hearing were duly advertised in the Fairfax County Times Newspapers in the March 21 and March 28, 2025 editions, with a courtesy copy published in the April 4, 2025 edition.

Item 6a-v: Ordinance to amend Chapter 63 (SOLID WASTE), Section 63-8 (Schedule of fees) to recategorize type of fee and to increase the quarterly rate.

A Miscellaneous-Recyclables Fee is currently charged to resident/occupant each quarter with the water and sewer bill. The Department of Public Works has proposed renaming the current Recycling Fee to Collection Fee and raising the current rate. The fee will increase from \$16.00 per quarter to \$21.00 per quarter, effective July 1, 2025. Annual revenue will increase from \$392,000 to \$514,500. The last adjustment occurred in 2020 when the fee was increased from \$8.00 to \$16.00 per quarter. Prior to that, the fee increased in 2018 from \$4.00 to \$8.00 per quarter, and in 2010 from \$2.50 to \$4.00 per quarter.

Since the last increase in 2020, the recycling industry has undergone significant changes. Commodity prices continue to decline along with rising processing costs, and the volume of recyclable materials has either remained steady or increased. As a result, the town no longer receives rebates sufficient to fully cover recycling costs and now incurs monthly expenses for recycling processing. The town has also seen higher rates of contamination in the recycling items collected, which are then processed as trash and a fee is paid for that contamination. The cost to collect and process trash, either in the county's landfill or in the Waste to Energy facility, has also increased annually. For FY 2026, Fairfax County is proposing to increase the trash charges from \$79/ton to \$90/ton. On average, the town collects approximately 445 tons of trash per month from town residents. The proposed change will address some of the costs incurred due to increased costs to recycle proper materials at the Material Recovery Facility.

Item 6a-vi: Resolution to adopt a Fiscal Planning Resolution for the Fiscal Year 2026 Budget for the Town of Herndon.

This resolution is to adopt the proposed budget and the FY 2026 portion of the Capital Improvement Program for fiscal planning purposes during the Fiscal Year 2025 for the Town of Herndon. In accordance with the requirements outlined in the Code of Virginia § 15.2-2503, 15.2-2506, and 58.1-3321, the Interim Town Manager has submitted the proposed budget for FY 2026 to the Town Council by April 1 and properly advertised the public hearings on the proposed budget.

The notices for the public hearing were duly advertised in the Fairfax County Times Newspapers in the March 21 and March 28, 2025 editions, with a courtesy copy published in the April 4, 2025 edition.

Item 6a-vii: Ordinance to appropriate Funds to implement the Fiscal Year 2026 Budget for the Town of Herndon, establishing the Pay Plan, and reserving on-going and Capital Funding for this Fiscal Year.

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 2026 was submitted by the Interim Town Manager, advertised as required, published on the website, and public hearings conducted.

Timing Impact:

Impacts of the adopted budget begin with the start of the next fiscal year: July 1, 2025. In addition, per the agreement with Fairfax County for Real Estate Tax bill processing, tax rates must be communicated to them no later than May 1, 2025.

[FY 2026 Proposed Budget](#) (link)

[FY 2026 - 2031 Capital Improvement Program](#) (link)

Strategic Focus Area:

Strong Fiscal Stewardship

Fiscal Impact:

The increase in tax and fee rates for FY 2026 are expected to result in \$1.08M incremental General Fund revenue (real estate tax \$562K, meals tax \$300K, BPOL \$100K, Collection Fee \$122K). The Water and Sewer rate increases are expected to result in incremental revenue of \$1.3M for the Water and Sewer Fund. The Capital Improvement Program includes \$28.6M capital spending for FY 2026 across all funds.

Legal Impact:

Section 4.2 of the Town Code requires submission of the Budget, Town Code Sec. 30-36 pertains to the levy for real estate. Changes to Meals Tax, BPOL, Water and Sewer Services and Collection Rates require Ordinances updating the specific rates defined in the Town Code.

Staff Recommendation/Next Steps:

Staff recommends continuing the public hearings on the proposed ordinances and resolution presented at the April 8, 2025 Town Council regular meeting to the April 22, 2025, Town Council regular meeting.

Attachments:

1. FY26 Property Tax Equalization, Legal Ad
2. FY26 Budget, Legal Ad
3. FY26 Budget, Water & Sewer, Legal Ad



NOTICE OF PROPOSED REAL PROPERTY TAX INCREASE

The Town of Herndon, Virginia, proposes to increase property tax levies.

1. Assessment Increase: Total assessed value of real property, excluding additional assessments due to new construction or improvements to property, exceeds last year's total assessed value of real property by 1.83 percent.

2. Lowered Rate Necessary to Offset Increased Assessment: The tax rate which would levy the same amount of real estate tax as last year, when multiplied by the new total assessed value of real estate with the exclusions mentioned in Section 58.1-3321(A), Code of Virginia, would be \$0.2553 per \$100 of assessed value. This rate will be known as the "lowered tax rate."

3. Effective Rate Increase: The Town of Herndon, Virginia proposes to adopt a tax rate of \$0.2700 per \$100 of assessed value. The difference between the lowered tax rate (as described in paragraph 2 above) and the proposed tax rate would be \$0.0147 per \$100 of assessed value, or 5.74 percent. This difference will be known as the "effective tax rate increase."

Individual property taxes may, however, increase at a percentage greater than or less than the above percentage.

4. Proposed Total Budget Increase: Based on the proposed real property tax rate and changes in other revenues, the total budget of the Town of Herndon, Virginia, will exceed the FY 2025 total adopted budget by 28.1 percent.

The Town Council of the Town of Herndon, Virginia, will hold public hearings on Tuesday, April 8, and Tuesday, April 22, 2025 at 7:00 p.m. in the Herndon Council Chambers Building, located at 765 Lynn Street, Herndon.

The public is encouraged to participate in the town's public hearing process. Individuals having an interest in the above item are invited to attend the public hearings and state their opinions and may also submit comments to town.clerk@herndon-va.gov.

The Town of Herndon supports the Americans with Disabilities Act by making reasonable accommodations for persons with disabilities, so that they may participate in services, programs, or activities, offered by the Town. Please call (703) 435-6804 to arrange for any accommodation that may be necessary to allow for participation. Interpretación en Español está disponible en esta sesión.

Amanda Morrow Kertz, Acting Town Clerk

Note to Publisher:

Publish on March 14, 2025

Town of Herndon, Virginia Notice of Public Hearing

Notice is hereby given that the **Town Council** of the Town of Herndon, Virginia will hold public hearings on Tuesday, April 8, and Tuesday, April 22, 2025 at 7:00 p.m. in the Herndon Council Chambers Building, located at 765 Lynn Street, Herndon, to receive public comment on the proposed Fiscal Year (FY) 2026 Budget.

The proposed total FY 2026 budget as submitted to the Town Council is \$95,628,447. The budget includes the FY 2026 portion of the Capital Improvement Program (CIP). A brief synopsis of the proposed budget follows:

BUDGET SUMMARY			
	FY 2025 Adopted	FY 2026 Proposed	Increase/ (Decrease)
General Fund	\$44,669,023	\$50,328,225	12.7%
Water and Sewer Fund	\$21,680,183	\$27,681,005	27.7%
Capital Projects Fund	\$2,500,000	\$5,940,627	137.6%
Golf Course Fund	\$3,383,848	\$5,112,528	51.1%
Stormwater Management Fund	\$1,348,824	\$4,261,811	216.0%
Chestnut Grove Cemetery Fund	\$1,050,306	\$2,304,251	119.4%
Total Expenditures – All Funds	\$74,632,184	\$95,628,447	28.1%

As part of the budget adoption process, the Town of Herndon is considering the following tax and fee rates:

Category	FY 2025 Adopted	FY 2026 Proposed
Real Estate Tax	\$.260 per \$100 of assessed value	\$.270 per \$100 of assessed value
Meals Tax	3.75%	4.0%
Transient Occupancy Tax	6%	6%
Business, Professional, Occupational Tax (BPOL)	Retail Merchants \$0.13 Repair Services \$0.13	Retail Merchants \$0.17 Repair Services \$0.19
Solid Waste Fee (formerly Recycling Fee)	\$16 per quarter	\$21 per quarter

All other taxes and licenses previously enacted and imposed by the town are proposed to be levied at the same rate, except as provided by other ordinances adopted by the town council in this budget cycle, or to make such levies at such rate as the town council may determine at such hearing.

The public is encouraged to participate in the town's public hearing process. Individuals having an interest in the above item are invited to attend the public hearing and state their opinions and may also submit comments to town.clerk@herndon-va.gov; or by visiting www.herndon-va.gov/budget.

The full budget document is available for public inspection in the Town Manager's office located at 777 Lynn Street, Herndon, Virginia, during normal business hours (Monday – Friday, 8:00 a.m. – 5:00 p.m.) and on the town's website, www.herndon-va.gov.

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Amanda Morrow Kertz, Acting Town Clerk

Note to Publisher:

Publish on March 21/March 28, 2025

Courtesy copy published on April 4

Town of Herndon, Virginia
Notice of Public Hearing

Notice is hereby given that the **Town Council** of the Town of Herndon, Virginia, will hold public hearings on Tuesday, April 8 and Tuesday, April 22, 2025, at 7:00 p.m. in the Herndon Council Chambers Building, located at 765 Lynn Street, Herndon on the following item.

Ordinance, to amend Chapter 74 (UTILITIES), Article II (Sewers & 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, 2025.

The dollar amount of the proposed changes are as follows:

Sanitary Sewer Usage Charges:

The rate schedule for sanitary sewer service shall be determined on the basis of water consumed and shall be charged at the rate of ~~\$8.93~~ **\$9.64** per 1,000 gallons of water used, except as otherwise provided in this division.

Quarterly Sewer Charges:

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

<i>Quarterly Billing</i>	
<i>Meter Size (inches)</i>	<i>Charge</i>
5/8	\$12.76 \$15.95
3/4	\$17.63 \$22.04
1	\$27.36 \$34.20
1 1/2	\$51.70 \$64.62
2	\$80.90 \$101.12
3	\$158.78 \$198.47
4	\$246.39 \$307.99
6	\$489.75 \$612.19

Water Usage Charges:

The water usage charge shall be ~~\$4.08~~ **\$4.79** per 1,000 gallons, based on the consumption of water as measured by readings of the water meter serving the property.

Quarterly Water Charges:

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

<i>Quarterly Billing</i>	
<i>Meter Size (inches)</i>	<i>Charge</i>
5/8	\$16.34 \$21.24
3/4	\$24.51 \$31.86
1	\$40.82 \$53.06
1 1/2	\$81.67 \$106.17
2	\$130.65 \$169.84
3	\$261.33 \$339.73
4	\$408.33 \$530.83
6	\$816.65 \$1061.64

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 ~~\$6.94~~ **\$8.15** per 1,000 gallons. This peak use period charge shall be applied in addition to the base water usage charge in subsection (a) above.

Sections 15.2-2122 and 15.2-2143, Code of Virginia (1950), as amended, grant to the Town the legal authority for enactment of such proposed levy, fee or increase.

The public is encouraged to participate in the town's public hearing process. Individuals having an interest in the above item are invited to attend the public hearing and state their opinions and may also submit comments to town.clerk@herndon-va.gov. Information on this item is available for review by the public on the town's website at www.herndon-va.gov.

The Town of Herndon supports the Americans with Disabilities Act by making reasonable accommodations for persons with disabilities, so that they may participate in services, programs, or activities, offered by the Town. Please call (703) 435-6804 to arrange for any accommodation that may be necessary to allow for participation. Interpretación en Español está disponible en esta sesión.

Amanda Morrow Kertz, Acting Town Clerk

Note to Publisher:

Publish on March 21/March 28, 2025

Courtesy copy published on April 4, 2025

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

ORDINANCE

APRIL 22, 2025

**Ordinance- to Levy Taxes on Real Estate and Manufactured Homes, and Other
Subjects for the Fiscal Year 2026 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, 2025, and ending June 30, 2026, as follows:

1. Real Estate: **\$.2700** 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 Section 58.1-3503 and 58.1-3510 of the Code of Virginia.
3. Vehicles Used as Manufactured Homes and Offices: **\$.2700** 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 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 2025.

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

ORDINANCE

APRIL 22, 2025

Ordinance- **to amend Chapter 30 (FINANCE AND TAXATION), Article IX (Meals Tax), Section 30-401(Levy) to increase meals tax rate.**

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

1. The following section or provision of the Herndon Town Code (2000), as amended, is amended and re-ordained as follows:

CHAPTER 30 (FINANCE AND TAXATION)

Article IX. Meals Tax

Sec. 30-401 - Levy

There is hereby imposed and levied on each person purchasing a meal or meals from any food establishment, a tax at the rate of ~~three and three-quarters~~ **four** percent on the amount such person paid for the meal or meals, whether prepared in such food establishment or not, and whether consumed on the premises or not.

2. This ordinance shall be effective on and after July 1, 2025

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

ORDINANCE

APRIL 22, 2025

Ordinance- **to amend Chapter 30 (FINANCE AND TAXATION), Article VII (Business, Professional, Occupancy License), Division 2 (Fees and Taxes), Section 30-246 (Enumeration), and Section 30-263 (Repair Service) to increase fees for retail merchants and repair services.**

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 amended and re-ordained as follows:

CHAPTER 30 (FINANCE AND TAXATION)

Article VII. Business, Professional, Occupancy License

Division 2. Fees and Taxation

Sec. 30-246 – Enumeration

- (b) There is no fee for the issuance of such license. In addition to the license tax specified in subsection (a) of this section, and except as may be otherwise provided in this article or in Code of Virginia, §§ 58.1-3712, 58.1-3712.1 and 58.1-3713, every such person or business with annual gross receipts, purchases, or retail or wholesale sales, as appropriate, of more than \$100,000.00 shall be assessed and required to pay annually a license tax on all the gross receipts, purchases, or retail or wholesale sales, as appropriate, of such persons includable as provided in this article at a rate set forth in this subsection (b) for the class of enterprise listed:

- (2) For retailers, including those engaged in the short-term rental business as defined in Code of Virginia, § 58.1-3510.4(B) (however defined), (but excluding those engaged in commercial leasing covered by section 30-265) ~~\$0.43~~ **0.17** per \$100.00 of gross receipts (Code of Virginia, § 58.1-3706 A.2);

Sec. 30-263 – Repair service

Every person conducting or engaging in repair service occupations, businesses or trades shall pay an annual license tax of \$~~0.13~~ **0.19** for each \$100.00 of gross receipts of the base year.

2. This ordinance shall be effective on and after January 1, 2026 for license years beginning on and after January 1, 2026. It is the Town Council's intention that business, professional, or occupational license taxes computed using the base year, calendar year 2025, shall be governed by this ordinance.

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

ORDINANCE

APRIL 22, 2025

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.

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 amended 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 ~~\$8.93~~ **\$9.64** 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	\$12.76 \$15.95
3/4	\$17.63 \$22.04
1	\$27.36 \$34.20
1 1/2	\$51.70 \$64.62

2	\$80.90 \$101.12
3	\$158.78 \$198.47
4	\$246.39 \$307.99
6	\$489.75 \$612.19

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 ~~\$4.08~~ **\$4.79** 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	\$16.34 \$21.24
3/4	\$24.51 \$31.86
1	\$40.82 \$53.06
1 1/2	\$81.67 \$106.17
2	\$130.65 \$169.84
3	\$261.33 \$339.73
4	\$408.33 \$530.83
6	\$816.65 \$1,061.64

- (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 ~~\$6.94~~ **\$8.15** 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, 2025.

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

ORDINANCE

APRIL 22, 2025

Ordinance- **to amend Chapter 63 (SOLID WASTE), Section 63-8 (Schedule of fees) to recategorize type of fee and to increase rate.**

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 amended and re-ordained as follows:

CHAPTER 63 (SOLID WASTE)

Sec. 63-8 – Schedule of fees.

- (b) *Miscellaneous fees.* The town council establishes and imposes the following fees:

- (1) ~~Recyclables~~ **Collection** (per quarter)~~\$16.00~~ **21.00**

This fee **includes collection of both MSW and recyclables and** shall not be prorated or refundable and shall be payable with and under the same terms as water bill payments.

2. This ordinance shall be effective on and after July 1, 2025.

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

RESOLUTION

APRIL 22, 2025

**Resolution- to adopt a Fiscal Planning Resolution for the Fiscal Year 2026
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 Interim 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 8, and April 22, 2025 public hearings on the proposed budget.

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

1. For the purposes of fiscal planning during the Fiscal Year 2026 for the Town of Herndon, Virginia, the budget prepared by the Town Manager, sent out in the "Proposed FY 2026 Budget," on file in the office of the Town Manager, is adopted.

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

ORDINANCE

APRIL 22, 2025

Ordinance- **to appropriate funds to implement the Fiscal Year 2026 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 2026 such sums as appear in the Fiscal Planning Budget for the Fiscal Year 2026 as set out in "Proposed Fiscal Year 2026 Annual Budget" dated March 7, 2025, 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 2026 proposed schedule of salaries, set out in the Fiscal Planning Budget, are adopted effective July 1, 2025.
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 2026 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 2025 funding for capital and on-going projects, for which funds were previously appropriated. The Town Manager as of July 1, 2025, shall take the appropriate accounting steps to reserve and encumber these funds as of that date for Fiscal Year 2026 and to report to the Mayor and Town Council in this regard.

Agenda Item: Ordinance 25-O-04 to approve Zoning Ordinance Text Amendment ZOTA #25-03, to amend Chapter 78 (ZONING); to update standards in the Warehousing use category; and other articles and sections as deemed necessary and appropriate to update regulations related to the Electronic Warehousing use type and to make housekeeping amendments

Meeting Date: April 8, 2025

Category: Public Hearings

Prepared by: David Stromberg, Zoning Administrator

Description:

This is one of a series of zoning ordinance text amendments to implement the recommendations of the Transit Related Growth (TRG) Small Area Plan. This zoning ordinance text amendment will update the specific use provisions in the Warehousing use category and modify permitted principal and allowed uses in the zoning ordinance to be consistent with the Comprehensive Plan, consistent across zoning districts, and consistent with surrounding localities. Specific updates include adding a maximum gross floor area for electronic warehousing for new construction, adding a maximum gross floor area for repurposing an existing building, and adding special exception review for electronic warehousing in the O&LI, Office and Light Industrial district, and PD-B, Planned Development - Business district, as is already the existing requirement for electronic warehousing in the CS, Commercial Services district.

Background:

The use type of electronic warehousing was established during the rewrite of the zoning ordinance effective July 1, 2007 (ZOTA #06-03). The current use standards no longer align with the Transit Related Growth Small Area Plan, adopted April 23, 2024 (CPA #23-01). This zoning ordinance text amendment was recommended for approval by the Planning Commission at their March 24, 2025 meeting.

Timing Impact

Approval of this zoning ordinance text amendment will result in it being effective on and after the date of adoption.

Strategic Focus Area:

Environmental and Economic Sustainability

Fiscal Impact:

The TRG fiscal impact analysis estimates an increase in assessed value from \$215 million to \$1.77 billion at full plan build-out (FY 2023 dollars).

Legal Impact:

This zoning ordinance text amendment has followed the processes required by Zoning Ordinance Section 78-155.2(c) and Section 15.2-2286(A)(7) of the Code of Virginia.

Staff Recommendation/Next Steps:

Adopt the zoning ordinance text amendment.

Attachments:

1. Ordinance (Proposed)

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

ORDINANCE

APRIL 8, 2025

Ordinance - to amend Chapter 78 (ZONING), Article IV (Business Districts), by amending Section 78-40.4, O&LI - Office and light industrial district; and Article V (Planned Development Districts), by amending Section 78-50.5, PD-B – Planned Development – Business; and Article VII (Use Regulations), by amending Section 78-70.2, Table of permitted and allowed uses, and Section 78-71.18, Warehousing use category, to update regulations related to the Electronic Warehousing use type.

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 amended and re-ordained as follows:

CHAPTER 78 (ZONING)

ARTICLE IV. – BUSINESS DISTRICTS

Section 78-40.4. - O&LI - Office and light industrial district.

(c) *Principal uses.* Table 78-40.4(c)(3), lists uses permitted and allowed in the O&LI district as principal uses. There may be additional regulations in this chapter and in the Herndon Town Code that apply to specific principal uses in the O&LI district. It is the applicant's responsibility to ensure that all published rules, regulations and standards have been addressed in any application submitted development approval. Definitions for uses and terms in this section may be found in Article XVIII, Other uses not listed on the following table are not allowed in the O&LI district unless determined by the zoning administrator to be similar to a permitted use in accordance with provisions for unlisted uses, section 78-70.1(f).

(3) *Table of principal permitted and allowed uses in the O&LI district.*

Table 78-40.4(c)(3): Principal Permitted and Allowed Uses O&LI KEY: P = Use Permitted By Right; S=Use Allowed Subject to Special Exception Approval; Uses may be subject to use specific standards as noted in the last column			
USE CATEGORY	USE TYPE	R-10 O&LI	Supplemental Use Regulations

Warehousing	Electronic Warehousing	P S	§78-71.18
	Warehouse (storage)	S	§78-71.18

ARTICLE V. – PLANNED DEVELOPMENT DISTRICTS

Section 78-50.5. – PD-B – Planned development business district.

(c) *Principal uses.* Table 78-50.5(c)(4) lists uses permitted and allowed in the PD-B district as principal uses. There may be additional regulations in this chapter and in the Herndon Town Code that apply to specific principal uses in the PD-B district. It is the applicant's responsibility to ensure that all published rules, regulations and standards have been addressed in any application submitted for development approval. Definitions for uses and terms in this section may be found in Article XVIII. Other uses not listed on the following table are not allowed in the PD-B district unless determined by the zoning administrator to be similar to a permitted use in accordance with provisions for unlisted uses, section 78-70.1(f).

Table 78-50.5(c)(4): Principal Permitted and Allowed Uses PD-B

KEY: P = Use Permitted By Right; S=Use Allowed Subject to Special Exception Approval; Z = Use Allowed Subject to Zoning Map Amendment Approval

Uses may be subject to use specific standards as noted in the last column

USE CATEGORY	USE TYPE	PD-B	See Supplemental Regulations

Warehousing	Electronic Warehouse	Z , S	§78-71.18

* See also section XVIII, Definitions. Drive-in (not drive-through) window service is a term used to describe an establishment designed to be operated to serve a patron while seated in an automobile parked in an off-street parking space.

ARTICLE VII. - USE REGULATIONS

Section 78-70.2. - Table of permitted and allowed uses.

(d) *Table of permitted and allowed uses.* Table 78-70.2(d), Table of Principal Permitted and Allowed Uses, sets forth the uses permitted within the base zoning districts. See also Table 78-80.2, Accessory Use Table and Table 78-90.1(b) Temporary Uses and Structures.

Table 78-70.2(d): TABLE OF PERMITTED AND ALLOWED USES

KEY: P=Use Permitted By Right; S=Use Allowed Subject to Special Exception Approval;

Z=Use Allowed Subject to Zoning Map Amendment Approval

General Notes:

- 1. A blank cell means the use is prohibited in the district.**
- 2. Uses may be subject to use specific standards as noted in the last column.**

3. Any principal use allowed or permitted by right in this table is permitted by special exception in the Floodplain Overlay District, subject to section 78-60.2

District Specific Notes:

* Uses in the PD-TD and PD-D districts are subject to specific comprehensive plan policies, design objectives and/or site standards. See additional regulations in section 78-50.5 for the PD-D District and section 78-50.6 for the PD-TD District.

** For Permitted Uses in PD-TOC see section 78-50.7; For Permitted and Allowed Uses in PD-W see section 78-50.8

		Residential Districts				Business Districts				Planned Development District				Suppl Reqs.	
USE CATEGORY	USE TYPE	R15	R10	R TC	RM	CC	CS	CO	O& LI	PD-R	PD-B	PD-TD PD-D	PD-UR	PD-TOC PD-W	See Section
***	***														
Warehousing	Electronic Warehousing						S		P S		Z, S			**	\$78-71.18
	Warehouse (storage)								S					**	\$78-71.18

Section 78-71.18 – Warehousing use category.

(d) Warehousing category specific use standards. All uses shall comply with all applicable standards in this chapter. In addition, the following standards shall apply.

(1) Electronic warehousing. For all electronic warehousing uses, exterior areas devoted to auxiliary generators shall be screened on all sides by a brick or block enclosure that matches the exterior color of the principal building. Telecommunications uses and related electronic and mechanical equipment are subject to the following standards:

(a) Equipment area. The area for equipment shall be designated on a site plan and shall occupy at least 2,000 square feet **and no more than 40,000 gross square feet** of floor area ~~within a single building~~. **A maximum of 55,000 gross square feet may be permitted for adaptive reuse of a principle structure existing on April 8, 2025.**

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

Agenda Item: Resolution 25-G-23 in support of protecting the natural environment along the W&OD Trail

Meeting Date: April 8, 2025

Category: Consent

Prepared by: Christopher E. Martino, Interim Town Manager

Description:

The Washington & Old Dominion (W&OD) Trail is a vital recreational and environmental asset, spanning Northern Virginia and serving as a focal point for the Town of Herndon. Recently, Dominion Energy cleared nearly all trees along a four-mile section of the trail in the Vienna and Dunn Loring area as part of its vegetation management under power transmission lines. The Town of Vienna's Town Council approved a resolution, similar to what is proposed, requesting Dominion Energy to end further large-scale tree removal along the trail.

Background:

Following the tree trimming near the Town of Vienna, Dominion expressed their intent to apply this same practice - to extend this practice along 33 miles of the W&OD Trail corridor, from Shirlington to west of Leesburg - including the section passing through the Town of Herndon. Under this approach, Dominion intends to remove all vegetation taller than 10 feet and prohibit any future growth of trees or plants with the potential to exceed this height.

In response, the proposed resolution asks Dominion Energy to:

1. Halt large-scale tree removal along the W&OD Trail.
2. Adopt a formal policy on vegetation management that balances infrastructure reliability with environmental preservation.
3. Replant cleared areas where tree removal is necessary with a mix of native species that support pollinators and wildlife.
4. Actively manage invasive species in areas where replanting occurs until newly planted vegetation and habitat are fully established.

While Dominion Energy has temporarily paused its work on the remaining 29 miles of the W&OD Trail, it is imperative that steps are taken to address this type of work that may be occurring in the future.

Strategic Focus Area:



Environmental and Economic Sustainability

Fiscal Impact:

N/A

Legal Impact:

N/A

Staff Recommendation/Next Steps:

Recommend approval as presented.

Attachments:

1. Resolution (Proposed)

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

RESOLUTION

APRIL 8, 2025

Resolution- in support of protecting the natural environment along the W&OD Trail.

The Washington & Old Dominion (W&OD) Trail is one of the most popular parks in Virginia with nearly 3 million annual users. Within the Town of Herndon, the trail is an integral part of the town's character, providing a scenic, shaded, and accessible corridor that enhances public health and fosters a sense of community. The 45-mile long, 100-foot wide park is owned and operated by NOVA Parks, with Dominion Energy transmissions lines on 33 of the 45 miles.

Dominion Energy recently removed nearly all trees along a four-mile section of the W&OD Trail in the Vienna and Dunn Loring area as part of vegetation management under its power transmission lines. Dominion expressed their intent to apply this same practice—removing nearly all vegetation taller than 10 feet—along 33 miles of the trail corridor, from Shirlington to west of Leesburg. Dominion has stated that no vegetation, including trees that have a potential to grow over 10 feet, will be allowed on these 33 miles of the W&OD Trail. In addition, it appears that Dominion has no established policy for preserving trees and vegetation that would not pose a hazard to its transmission lines along the trail. While Dominion Energy has temporarily paused its work on the remaining 29 miles of the W&OD Trail, it is imperative that steps are taken to address this type of work that may be occurring in the future.

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

1. The Town of Herndon, Virginia, requests the following:
 - a. That Dominion Energy end its plans for large-scale tree removal along the 33-mile section of the W&OD Trail located beneath its transmission lines.
 - b. That Dominion Energy adopt a formal and written policy of the long-standing practice of selective pruning - removing only those trees that pose a direct and immediate threat to transmission lines.
 - c. As part of this formal policy, Dominion Energy adopt vegetation management standards that allow for a greater diversity of native trees and shrubs, including species that enhance the trail experience and provide

critical environmental benefits while maintaining appropriate clearance for transmission safety.

d. That, where tree cutting is necessary to ensure the reliability of the electrical grid, Dominion Energy replant those areas with a mix of native species designed to support pollinators and wildlife, and manage those and other areas of the park for invasive species until the newly planted vegetation and related habitat is fully established.

e. That, in instances where tree removal is necessary to maintain the reliability of the electrical grid, Dominion Energy submit a site plan detailing the project's impact on the Town of Herndon, to include the scope of work, defined clearing and grading limits, an inventory of affected trees, and a list of proposed tree species for replanting.

2. The Town Clerk is directed to forward a copy of this resolution to NOVA Parks and Dominion Energy to formally communicate the Town of Herndon's position and its commitment to the responsible stewardship of the W&OD Trail and its natural environment.

Agenda Item: Resolution 25-G-24 to appoint a member to the Planning Commission

Meeting Date: April 8, 2025

Category: Consent

Prepared by: Margie Tacci, Acting Chief Deputy Town Clerk

Description:

This is a request to appoint Stephen Mundt as a member of the Planning Commission (PC) to fill an unexpired term ending July 31, 2025, with appointment to a subsequent four-year term ending July 31, 2029.

Background:

N/A

Strategic Focus Area:



Good Governance

Fiscal Impact:

N/A

Legal Impact:

N/A

Staff Recommendation/Next Steps:

Recommend approval of the resolution, as presented.

Attachments:

1. Resolution (Proposed)

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

RESOLUTION

APRIL 8, 2025

Resolution- to appoint a member to the Planning Commission.

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

1. Stephen Mundt is appointed as a of the Planning Commission to fill an unexpired term ending July 31, 2025, with a subsequent four-year term ending July 31, 2029.

Agenda Item: Resolution 25-G-25 to appoint a member to the Board of Zoning Appeals

Meeting Date: April 8, 2025

Category: Consent

Prepared by: Margie Tacci, Acting Chief Deputy Town Clerk

Description:

This is a request to appoint Barry Clendenin as a member of the Board of Zoning Appeals (BZA) to fill an unexpired term ending December 31, 2025.

Background:

Town Council appointed Mr. Mundt to the Planning Commission; therefore leaving a vacancy on the Board of Zoning Appeals.

Strategic Focus Area:



Good Governance

Fiscal Impact:

N/A

Legal Impact:

N/A

Staff Recommendation/Next Steps:

Recommend approval of the resolution, as presented.

Attachments:

1. Resolution (Proposed)

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

RESOLUTION

APRIL 8, 2025

Resolution- to appoint a member to the Board of Zoning Appeals.

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

1. **Barry Clendenin** is appointed as a member of the Board of Zoning Appeals to fill an unexpired five-year term ending December 31, 2025.

Agenda Item: January 7, 2025, Town Council Organizational Meeting and Work Session Minutes

Meeting Date: April 8, 2025

Category: Consent

Prepared by: Amanda Kertz, Acting Town Clerk

Description:

This is a request to approve the January 7, 2025, Town Council Organizational Meeting and Work Session Minutes.

Background:

N/A

Timing Impact:

Town Council minutes are typically presented for approval in chronological order. Action on the minutes is an important function of the Town Council.

Strategic Focus Area:



Good Governance

Fiscal Impact:

N/A

Legal Impact:

N/A

Staff Recommendation/Next Steps:

Recommend approval as presented.

Attachments:

1. January 7, 2025, Draft Organizational Meeting and Work Session Minutes

**HERNDON TOWN COUNCIL
Organizational Meeting and
Work Session Minutes
Tuesday, January 7, 2025**

1. Call to Order

Mayor LeBlanc called the January 7, 2025, Town Council meeting to order at 7:00 p.m. in the Herndon Council Chambers Building, 765 Lynn Street, Herndon, Virginia. In attendance were: Mayor Keven LeBlanc; Vice Mayor Clark Hedrick; and Councilmembers Naila Alam, Cesar del Aguila, Kelvin Garcia, Michael T. Lloyd, and Alex Reyes.

Staff present during the meeting: Christopher Martino, Interim Town Manager; Kirstyn Barr Jovanovich and Scott Robinson, Acting Deputy Town Managers; Chief Maggie DeBoard, Herndon Police Department; Lisa Gilleran, Director of Community Development; Marjorie Sloan, Director of Finance; Page Kalapasev, Director of Information Technology; Bryce Perry, Deputy Director of Community Development; Mike Mueller, Golf Course General Manager; Bob Williams, Director of Parks and Recreation; Tammy Chastain and John Irish, Acting Directors of Public Works; David Stromberg, Zoning Administrator; Maria Lee, Budget Manager; Margie Tacci, Acting Chief Deputy Town Clerk; and Amanda Kertz, Acting Town Clerk.

Determination of a Quorum

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

Mayor Announcements

Mayor LeBlanc wished those present a Happy New Year and welcomed everyone back after the holidays. He stated that the Town Council held a swearing-in ceremony earlier that evening and that their oaths would be filed with the Clerk of the Fairfax Circuit Court. He stated he looks forward to working with the Town Council over the next two years.

2. Organizational Meeting

- a. Resolution 25-G-01 to adopt Town Council *Rules of Procedures* and designate the Town Attorney as the Parliamentarian**

Mayor LeBlanc recognized Lesa Yeatts, Town Attorney, for comments on this item. Ms. Yeatts stated that the previous Council requested the Town Attorney draft Rules of Procedures for Town Council operations. She stated that the proposed Rules of Procedures were designed to be efficient and easy to follow, with Roberts Rules of Order only applicable to things used by the Town on a regular basis. She stated that the proposed Rules of Procedures were modeled off of the City of Lynchburg, which she stated is similar to the Town of Herndon, and is recognized in the Commonwealth as having best practices.

There was discussion among the Council and staff on this item.

Councilmember del Aguila motioned to approve Resolution 25-G-01 to adopt Town Council *Rules of Procedures* and designate the Town Attorney as the Parliamentarian, as presented.

Motion seconded by Councilmember Hedrick.

The question was called on the motion, which carried by unanimous roll call vote. The vote was: Councilmembers Alam, del Aguila, Garcia, Hedrick, Lloyd, Reyes, and Mayor LeBlanc voting "Aye."

b. Resolution 25-G-02 to elect a Vice Mayor

Mayor LeBlanc called for nominations for Vice Mayor for the term of January 1, 2025 through December 31, 2026.

Councilmember Hedrick nominated Councilmember Lloyd for Vice Mayor. Nomination seconded by Councilmember Reyes.

Councilmember Garcia nominated himself for Vice Mayor. Nomination seconded by Councilmember del Aguila.

Councilmember Hedrick moved to approve Resolution 25-G-02 to elect Councilmember Lloyd as Vice Mayor of the Town of Herndon for the term of January 1, 2025, through December 31, 2026. Councilmember Reyes seconded the motion.

The question was called on the motion, which failed by a 3-3 roll call vote. The vote was: Councilmembers Hedrick, Reyes, and Mayor LeBlanc voting "Aye," and Councilmembers Alam, del Aguila, and Garcia voting "No." Councilmember Lloyd abstained from the vote.

Councilmember Garcia moved to approve Resolution 25-G-02 to elect Councilmember Garcia as Vice Mayor of the Town of Herndon for the term of January 1, 2025, through December 31, 2026. Councilmember del Aguila seconded the motion.

The question was called on the motion, which failed by a 2-4 roll call vote. The vote was: Councilmembers Alam and del Aguila voting "Aye," and Councilmembers Hedrick, Lloyd, Reyes, and Mayor LeBlanc voting "No." Councilmember Garcia abstained from the vote.

Councilmember del Aguila nominated Councilmember Hedrick for Vice Mayor, and moved to approve Resolution 25-G-02 to elect Councilmember Hedrick as Vice Mayor of the Town of Herndon for the term of January 1, 2025, through December 31, 2026. Councilmember Reyes seconded the motion.

The question was called on the motion, which was approved by a 6-0 roll call vote. The vote was: Councilmembers Alam, del Aguila, Garcia, Lloyd, Reyes, and Mayor LeBlanc voting "Aye." Councilmember Hedrick abstained from the vote.

Mayor LeBlanc congratulated Councilmember Hedrick on being elected Vice Mayor.

c. Resolution 25-G-03 to establish the Herndon Town Council meeting schedule through December 31, 2025

Mayor LeBlanc recognized Kirstyn Barr Jovanovich, Acting Deputy Town Manager, who stated that at the organizational meeting held each January, the Town Council considers its schedule for the upcoming calendar year. She stated that the schedule being presented follows what was adopted by the previous Town Council, which included two work sessions and two regular meetings each month, except for June, July, August, November, and December, which would each only have one work session and one regular meeting. She stated that the Council could choose to adopt the schedule as presented, or make changes.

There was discussion among the Council and the staff on this item.

Mayor LeBlanc asked Ms. Jovanovich to distribute and discuss a proposed amended schedule with the Council. Ms. Jovanovich stated that a proposed amended schedule could have two work sessions and two regular meetings each month in January through April, and one work session and one regular meeting each month in May through December. She noted that the months being changed by the proposed amended schedule were May, September, and October, which would now only have one work session and one regular session instead of two respectively each month.

There was discussion among the Council and the staff on this item.

Vice Mayor Hedrick moved to approve Resolution 25-G-03, as amended, to establish the Herndon Town Council schedule through December 31, 2025. Councilmember Alam seconded the motion.

The question was called on the motion, which was approved by a unanimous roll call vote. The vote was: Councilmembers Alam, del Aguila, Garcia, Lloyd, Reyes, Vice Mayor Hedrick and Mayor LeBlanc voting "Aye."

d. Resolution 25-G-04 to appoint the Town of Herndon's members to regional boards, committees, commissions, and associations

Mayor LeBlanc recognized Amanda Kertz, Acting Town Clerk, who stated that during the start of the new Town Council, the body considers the appointments of elected officials to the Town's regional boards, committees, commissions, and associations. She asked the Council to make their selections by filling in the blanks in the attachment provided in the agenda packet. She stated that this item is especially timely due to several regional board meetings taking place later that month.

Mayor LeBlanc clarified with the new Council that this resolution was only for the committees and boards that are regionally focused, and did not pertain to the various committees and boards within Town of Herndon itself.

There was discussion among the Council and staff on this item, including a brief overview of the following regional committees and boards: (1) Committee for Dulles; (2) Dulles Area Transportation Association; and (3) Inter-Jurisdictional Committee; (4) Northern Virginia Regional Commission; (5) Northern Virginia Transportation Authority's Planning Coordination Advisory Committee, and (6) Dulles Rail Transportation Improvement District Commission Board.

Councilmember del Aguila moved to approve Resolution 25-G-04 to appoint the following Town Council members to serve as the Town's representatives to regional boards, committees, commissions, and associations for the 2025-2026 term. Councilmember Garcia seconded the motion, as follows:

- a. Mayor LeBlanc as the "Principal" and Councilmember Alam as the "Alternate" Advisory Directors to the Committee for Dulles Board of Directors;
- b. Councilmember Reyes as the "Principal" member and the Town Manager as the "Alternate" member to the Dulles Area Transportation Association;
- c. Mayor LeBlanc as the Town's Chief Elected Official, and Councilmembers del Aguila and Garcia as representatives from the Town Council; and the Town Manager and Town Attorney as members to the Inter-Jurisdictional Committee, and reinstates the Inter-Jurisdictional Committee;

- d. Mayor LeBlanc as the Town's "Principal" member, Councilmember Lloyd as the Town's "Alternate" member, and Councilmember Alam as the Town's "Second Alternate" member to the Northern Virginia Regional Commission;
- e. Vice Mayor Hedrick as the Town's elected official representative to the Northern Virginia Transportation Authority's Planning Coordination Advisory Committee (NVT-PCAC); and
- f. Councilmember Reyes as the Town's "Principal" member and Councilmember Lloyd as the Town's "Alternate" member to the Phase 2 Dulles Rail Transportation Improvement District Commission Board.

There were brief comments from Council.

The question was called on the motion, which was approved by a unanimous roll call vote. The vote was: Councilmembers Alam, del Aguila, Garcia, Lloyd, Reyes, Vice Mayor Hedrick and Mayor LeBlanc voting "Aye."

3. Discussion

a. Town Manager Recruitment Process

Mayor LeBlanc recognized Tanya Kendrick, Director of Human Resources, who provided an overview of the events following the former Town Manager's departure, including (1) the appointment of Christopher Martino as Interim Town Manager; (2) the decision to defer the appointment of a new Town Manager until the new Town Council was seated; and (3) and the selection of the firm Baker Tilly to assist with the recruitment process. Ms. Kendrick introduced Anne Lewis and Yolanda Howze (joined via Zoom), members of the Baker Tilly Public Sector Executive Recruitment Team, to provide an update on the recruitment process.

[Note: Councilmember Garcia left the work session at 7:37 p.m. and returned at 7:45 p.m.]

Ms. Lewis provided an overview of Baker Tilly, and stated that she would be leaving the firm, but that Ms. Howze would be taking over in her place. Ms. Lewis discussed the recruitment process for the new Town Manager, including: (1) the recruitment brochure; (2) the anticipated length of time for the search; (3) the expected number of applicants; (4) the documentation that will be required by each applicant; (5) the preliminary interview process to be conducted by Baker Tilly; (6) the follow-up interview process to be conducted by Town Council and other staff; and (7) and the reference and background checks that will be conducted once a candidate is selected.

There was discussion among Council and staff about the Town Manager recruitment process, including: (1) optimizing the organizational structure of Town

staff; (2) approving the upcoming fiscal year budget timely; (3) shifting the priorities of the Town Manager from operational to strategic initiatives; and (4) selecting a candidate who ideally is already familiar with and connected to the Town.

Mayor LeBlanc requested that, as part of the selection process, the Councilmembers convene in a closed meeting to watch the recorded interviews with candidates.

Mayor LeBlanc requested that Baker Tilly add another interview panel as part of the recruitment process, made up of community representatives from the Town. He requested Town staff to identify which representatives from the community will make up this selection panel.

There was additional discussion among Council and staff about the timeline of the Town Manager recruitment process.

4. Roundtable

Councilmember Alam: thanked the Department of Public Works for clearing the roads efficiently during the recent snowstorm. She stated that the HOA where she lives had not cleared the snow in a timely manner, and asked if there was anything the Town could do.

Councilmember del Aguila: stated that he is looking forward to the upcoming Town Council retreat, including discussions on: (1) revenue generation in the Town; (2) the Town's new branding; (3) downtown redevelopment project; (4) Strategic Plan; and (5) other ideas suggested by the new Council.

Councilmember Garcia: echoed Councilmember del Aguila's comments on revenue generation in the Town and the Strategic Plan. He also emphasized the importance of prioritizing affordable housing in the Town.

Councilmember Lloyd: thanked the staff for all of their help during the Town Council orientation. He stated that, as a finance professional, he is especially interested in the Town's finances, and he is looking forward to providing creative ideas related to financial topics like affordable housing. He is looking forward to working with everyone on the Council.

Vice Mayor Hedrick: stated that he is looking forward to working with everyone on the Council, and thanked the Department of Public Works for working hard to clear the recent snowstorm.

Councilmember Reyes: echoed colleagues' comments, and stated that he would like to prioritize infrastructure in general in the Town, including: (1) walkability and crosswalks; (2) accessibility; (3) safety; and (4) noise.

Mayor LeBlanc: encouraged his colleagues' comments and encouraged that Council to work with each other to be innovative, effective, and efficient in meetings.

Mayor LeBlanc thanked the Town Clerk's office for their hard work during the swearing-in ceremony, and also thanked Human Resources and other staff for their involvement in the Town Manager recruitment process.

Mayor LeBlanc requested that Christopher Martino, Interim Town Manager, provide updates on progress at 641 Nash Street, Herndon, as well as the Herndon Elementary School project, at the next Town Council meeting.

Mayor LeBlanc echoed his colleagues' comments on the Department of Public Works' efforts during the recent snowstorm. He stated that due to the snow, recyclables will be collected townwide on Wednesday, January 8, and that trash normally collected on Wednesday will be collected on Thursday, January 9. He stated that there was no yard waste pick-up that week.

Christopher Martino, Interim Town Manager: wished everyone a Happy New Year. He stated that he is looking forward to working with the staff and Council to move forward with the Strategic Plan.

Mr. Martino thanked the Department of Public Works for their work to clear the recent snowstorm, highlighting the schedules they followed to clear the snow. He emphasized that public works employees are first responders, and they are often first on the scene of disasters. He thanked them for their work and efforts as first responders to the Town.

5. Closed Meeting

- a. A closed meeting pursuant to the 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 LeBlanc 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.

Vice Mayor Hedrick moved that the Council convene in a closed meeting to discuss the following as permitted by 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 Lloyd seconded the motion, which carried by

unanimous roll call vote. The vote was: Councilmembers Alam, del Aguila, Garcia, Lloyd, Reyes, Vice Mayor Hedrick and Mayor LeBlanc voting "Aye."

At 8:22 p.m., Mayor LeBlanc called a brief recess, and at 8:28 p.m., the closed meeting reconvened in the Hoover Conference Room, all members present, with Mayor LeBlanc presiding.

Vice Mayor Hedrick moved to come out of the closed meeting. Motion seconded by Councilmember Alam and carried by unanimous roll call vote. The vote was: Councilmembers Alam, del Aguila, Garcia, Lloyd, Reyes, Vice Mayor Hedrick and Mayor LeBlanc voting "Aye."

The Council came out of closed meeting at 9:28 p.m.

Councilmember del Aguila 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 Vice Mayor Hedrick and carried by unanimous roll call vote. The vote was: Councilmembers Alam, del Aguila, Garcia, Lloyd, Reyes, Vice Mayor Hedrick and Mayor LeBlanc voting "Aye"

Aye: 7
Nay: 0
Absent: 0

6. Adjournment

There being no further business, Mayor LeBlanc adjourned the January 7, 2025 Town Council Organizational Meeting and Work Session at 9:30 p.m.

Amanda E.M. Kertz
Acting Town Clerk

Minutes approved by Town Council : _____

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