



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

1. Call to Order

Mayor Olem called the Tuesday, January 16, 2024, Town Council work session meeting to order at 7:00 p.m. in the Herndon Council Chambers Building, 765 Lynn Street, Herndon, Virginia. In attendance were: Mayor Sheila Olem, Vice Mayor Clark Hedrick, and Councilmembers Naila Alam, Cesar del Aguila, Pradip Dhakal, and Keven LeBlanc.

Councilmember Donielle M. Scherff was absent.

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

Determination of a Quorum

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

Mayor Announcements

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

Comments and Disclosures for the Record

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

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

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

2. Public Hearings

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

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

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

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

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

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

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

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

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

3. General

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

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

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

There was brief discussion among Council and staff on the Budget Guidance Resolution, including: (1) year-to-year revenue comparison, (2) revenue trends, (3) water and sewer regulations and rates, (4) looking at how to increase revenue or reduce expenses, (5) pressures on the budget and Enterprise Funds, including

inflation, and (6) level of services being provided.

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

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

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

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

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

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

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

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

Jaleh Moslehi, Capital Projects Planner/Engineer, presented the staff report and reviewed the proposed resolution, which authorizes an increase in the Town's

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

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

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

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

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

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

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

4. Consent

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

There was no discussion on the Consent Agenda item.

5. Discussion

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

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

There was no discussion from Council on this item.

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

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

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

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

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

February.

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

Recess

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

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

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

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

6. Roundtable

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

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

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

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

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

Councilmember Dhakal: no comments.

Vice Mayor Hedrick: no comments.

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

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

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

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

7. Closed Meeting

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

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

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

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

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

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

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

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

Ayes: 6
Nays: 0
Absent: 1

8. Adjournment

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



Amanda E.M. Kertz
Chief Deputy Town Clerk



Minutes approved by Town Council: March 12, 2024