TOWN COUNCIL
REGULAR MEETING AGENDA

Herndon Police Department — Community Room
397 Herndon Parkway, Herndon, VA 20170

Tuesday, October 27, 2026 | 7:00 PM

1. **Call to Order**

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

3. **Presentations/Reports/Comments**

   a. Town Manager Report

   b. Councilmember Comments

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

5. **Consent**

   a. Ordinance 26-O-23 to amend Chapter 30 (Finance and Taxation), Article IX (Meals Tax), Section 30-403 (Report of Collections and Remittance of Tax) and Section 30-407 (Violations; Liability of Officers; Penalties and Interest) to clarify due dates, payment deadlines and current practices for penalties and interest calculation

   b. Resolution 26-G-58 to approve and authorize the submission of an application to the Virginia Department of Housing and Community Development for Exploring Main Street status

   c. Resolution 26-G-59 to appoint a member to the Architectural and Historic District Review Boards

   d. Approval of the September 8, 2026, Town Council Work Session Minutes

   e. Approval of the September 22, 2026, Town Council Regular Meeting Minutes

   f. Approval of the September 29, 2026, Town Council Closed Meeting — Special Meeting Minutes

6. 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, regarding an employment law matter

b. 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 regarding taxation

7. Adjournment

Interpretación en Español está disponible en esta sesión.

TOWN OF Herndon VIRGINIA

Town Council Regular Meeting
Agenda Item 5.a.

Agenda Item: **Ordinance 26-O-23 to amend Chapter 30 (Finance and Taxation), Article IX (Meals Tax), Section 30-403 (Report of Collections and Remittance of Tax) and Section 30-407 (Violations; Liability of Officers; Penalties and Interest) to clarify due dates, payment deadlines and current practices for penalties and interest calculation**

Meeting Date: October 27, 2026

Category: Consent

Prepared by: Marjorie Sloan, Finance Director

Description:
Finance has proposed several administrative updates to the Town Code related to the payment of Meals Tax.

Background/Timing Impact:
Over the past two years, Finance has expanded the payment methods offered town businesses for the reporting and payment of Meals Tax. To ensure that the Town Code is fully aligned with current practices and system capabilities, Finance has reviewed the Town Code and proposed updates that will clarify due dates and payment deadlines across the offered payment and reporting options available. Technology has provided wider windows to accommodate on-time payments. In addition, the proposed edits eliminate practices that the current General Ledger cannot accommodate and clarifies the current practices for penalties and interest calculation.

Timing Impact
Clarification of reporting and remittance deadlines are effective upon adoption.

Strategic Focus Area:
Strong Fiscal Stewardship

Fiscal Impact:
The proposed ordinance provides administrative clarifications. There is no fiscal impact to the proposed updates.

Legal Impact:
The Town Council must adopt the ordinance to update the Town Code.

Staff Recommendation/Next Steps:
Staff recommends adoption of the proposed ordinance.

Attachments:
1. Ordinance (Proposed)

TOWN OF HERNDON, VIRGINIA

ORDINANCE

OCTOBER 27, 2026

Ordinance- **to amend Chapter 30 (Finance and Taxation), Article IX (Meals Tax), Section 30-403 (Report of Collections and Remittance of Tax) and Section 30-407 (Violations; Liability of Officers; Penalties and Interest) to clarify due dates, payment deadlines and current practices for penalties and interest calculation.**

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 30 (Finance and Taxation)

Article IX. Meals Tax

Sec. 30 - 403 Report of Collections and Remittance of tax

(a) The director shall prescribe a meals tax collection return form, which shall show the amount of charges collected for meals and the tax required to be collected. The form shall contain an appropriate signature block and shall call for such other information as the director may require.

(b) Every person collecting the meals tax shall complete a meals tax collection return and submit it and the ~~remittance~~ **payment** of the tax as follows: ~~to the director on or before the close of business on the twentieth day of each month or on the next business day, if the former day is not a business day. Each return shall cover the amount of tax due and collected during the preceding month.~~

1. Electronic/email filings must be completed by 3:00 pm on the 20th day of each month. Payments must be submitted by 11:59 pm on the 20th day of each month.

2. In-person filings and payments must be completed by 5:00 pm on the 20th day of each month.

3. Drop-box and mailed filings and payments must be received or post-marked by 11:59 pm on the 20th day each month.

4. If the 20th day of the month falls on a holiday, weekend or other day the town is officially closed, the due date is extended to the next business day.

(c) Every collector shall be allowed six percent of the amount of the tax due and accounted for in the form of a deduction on his or her monthly return, provided the amount due is not delinquent at the time of payment.

Sec. 30 - 407 Violations; liability of officers; penalties and interest

(a) Any corporate, partnership, or limited liability company officer, as defined in Virginia Code § 58.1-3906, or any other person required to collect, account for, or pay over the meals tax imposed under this article, who willfully fails to collect or truthfully account for or pay over such tax, or who willfully evades or attempts to evade such tax or payment thereof, shall, in addition to any other penalties imposed by law, be guilty of a Class 1 misdemeanor.

(b) The town may collect delinquent meals taxes by civil action or other authorized judicial, administrative, or statutory tax or debt collection procedure.

~~(c) If any person shall fail to file a tax return, required by this article, when due, the director shall assess a penalty of ten percent of the tax assessable on such return, or $10.00, whichever is greater; provided, however, that the penalty shall in no case exceed the amount of the tax assessable. The penalty shall be assessed on the day after such return is due. Any such penalty shall become a part of the tax.~~

~~(d)~~ **(c)** If any person shall fail to pay a tax, imposed by this article, when due, the director shall assess a penalty of ten percent of the tax past due or ten dollars, whichever is greater; provided, that the penalty shall in no case exceed the amount of the tax assessable. The penalty for failure to pay any tax shall be assessed on the day after the tax is due. Any such penalty shall become a part of the tax.

~~(e)~~ **(d)** In addition to the penalty on delinquent taxes imposed under this article, there shall be added to such tax by the director interest at the rate of ten percent per annum on the taxes and penalty. The interest shall commence on the first day following the day such taxes are due and shall continue until all such taxes and penalty are paid. The town shall pay to the taxpayer interest on overpayments due to erroneously assessed taxes imposed under this chapter at the same rate as is assessed in this section on delinquent taxes, provided that no interest shall be required to be paid on a refund of $10.00 or less.

~~(f)~~ **(e)** Penalty and interest for failure to file a return or to pay a tax imposed under this article shall not be imposed if such failure was not the fault of the taxpayer, or was the fault of the director, as the case may be. The failure to file a return or to pay a tax due to the death of the taxpayer or a medically determinable physical or mental impairment on the date the return or tax is due shall be presumptive proof of lack of fault on the taxpayer's part, provided the return is filed or the taxes are paid within thirty days of the due date; however, if there is a committee, legal guardian, conservator or other fiduciary handling the individual's affairs, such return shall be filed or such taxes paid

within 120 days after the fiduciary qualifies or begins to act on behalf of the taxpayer. Interest on such taxes shall accrue until paid in full. Any such fiduciary shall, on behalf of the taxpayer, by the due date, file any required returns and pay any taxes which come due after the 120-day period. The director shall make determinations of fault relating exclusively to failure to pay a tax, and of fault relating exclusively to failure to file a return.

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

Agenda Item: **Resolution 26-G-58 to approve and authorize the submission of an application to the Virginia Department of Housing and Community Development for Exploring Main Street status**

Meeting Date: October 27, 2026

Category: Consent

Prepared by: Collin Okoniewski, Acting Deputy Town Manager / Economic Development Manager

Description:
The proposed resolution would authorize staff to submit an application on the Town's behalf for Exploring Main Street status through the Virginia Department of Housing and Community Development (DHCD). Exploring status would provide a formal pathway for developing a community-led Main Street program to support the long-term vitality of Downtown Herndon.

Background/Timing Impact:
Virginia Main Street, administered by the DHCD, provides an economic and community development framework for the revitalization and ongoing management of downtown commercial districts. Exploring Main Street is the program's introductory level and provides participating communities with access to organizational guidance, training, grants, technical assistance, and other program resources.

At its October 6 meeting, Town Council received an overview of the Virginia Main Street program and discussed its potential application in Downtown Herndon. Based on Council direction, staff has prepared a resolution supporting and authorizing submission of the Town's application for Exploring Main Street status.

Adoption of the resolution would authorize the application only. It would not establish a local Main Street nonprofit organization, approve Town funding, or commit the Town to pursuing a higher level of Main Street designation. Those matters would be considered separately, as applicable.

Timing Impact:
An adopted local government resolution is required for the Town's Exploring Main Street application. Approval would allow staff to submit the application and begin working with Virginia Main Street on organizational development and next steps. If the resolution is not adopted, the Town would not be able to proceed with the application at this time.

Strategic Focus Area:
Environmental and Economic Sustainability
Thriving Community

Fiscal Impact:
There is no direct fiscal impact associated with adoption of the resolution or submission of the Exploring Main Street application. Neither action requires a commitment of local government funding.

Legal Impact:
Adoption of the resolution would provide the formal local government support and authorization required for the Town's Exploring Main Street application. The resolution would not establish a nonprofit organization, create a contractual obligation, or authorize a funding commitment.

Staff Recommendation/Next Steps:
Staff recommends that Town Council adopt the resolution supporting and authorizing submission of the Town's application for Exploring Main Street status.

Upon adoption, staff will submit the application to Virginia Main Street and continue coordinating with DHCD regarding organizational development and next steps.

Attachments:
1. Resolution (Proposed)

TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL

RESOLUTION

OCTOBER 27, 2026

Resolution- to approve and authorize the submission of an application to the Virginia Department of Housing and Community Development for Exploring Main Street status.

Virginia Main Street, administered by the Virginia Department of Housing and Community Development, is an economic and community development program that provides resources, training, and technical assistance to support the revitalization of downtown commercial districts.

The Town of Herndon has continued to invest in and support the vitality of Downtown Herndon through planning, business engagement, public-space improvements, programming, and other revitalization efforts. Participation as an Exploring Main Street community would provide an opportunity to build upon these efforts, further engage downtown stakeholders, and explore the development of a sustainable, community-led public-private partnership and organizational framework for ongoing downtown revitalization and place management.

The Exploring Main Street application requires an adopted resolution from the local government authorizing submission of the application.

Approval of this resolution does not establish a local Main Street organization, appropriate Town funds for its establishment or operation, or commit the Town to pursuing a higher level of Main Street designation. Any future funding or organizational actions requiring Town Council approval will be considered separately.

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

1. The Town Council supports the Town of Herndon's participation as an Exploring Main Street community and authorizes the submission of an application to the Virginia Department of Housing and Community Development for Exploring Main Street status.

2. The Town Manager or the Town Manager's designee is authorized to execute and submit the application and any documents necessary to complete the application process on behalf of the Town.

26-G-58

Town Council
Regular Meeting
Agenda Item 5.c.

Agenda Item: **Resolution 26-G-59 to appoint a member to the Architectural and Historic District Review Boards**

Meeting Date: October 27, 2026

Category: Consent

Prepared by: Amanda Kertz, Town Clerk

Description:
This is a request to appoint Annie John as a resident member to fill an unexpired Architectural and Historic District Review Board term ending November 30, 2027.

Background/Timing Impact:
Appointed by the Town Council, the Architectural Review Board (ARB) consists of five members, including at least one architect registered in Virginia and one member of the Virginia State Bar. The Historic District Review Board (HDRB) consists of five ARB members, plus two additional members with qualifications in historic preservation and architecture. Members must generally be Town residents, and a full term is three years.
Timing Impact:
This appointment will fill an unexpired term on the ARB and HDRB.

Strategic Focus Area:
Good Governance

Fiscal Impact:
N/A

Legal Impact:
The Town Council appoints members to Town boards, commissions, and committees, consistent with the Town Charter and Town Code.

Staff Recommendation/Next Steps:
Recommend approval of the resolution, as presented.

Attachments:
1. Resolution (Proposed)

TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL

RESOLUTION

OCTOBER 27, 2026

Resolution- to appoint a member to the Architectural and Historic District Review Boards.

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

1. Annie John is appointed to the Architectural Review Board and Historic District Review Board to fill an unexpired three-year resident term, ending November 30, 2027, effective October 28, 2026.

26-G-59

Town Council
Regular Meeting
Agenda Item 5.d.

Agenda Item: **Approval of the September 8, 2026, Town Council Work Session Minutes**

Meeting Date: October 27, 2026

Category: Consent

Prepared by: Amanda Kertz, Town Clerk

Description:
This is a request for the Approval of the September 8, 2026, Town Council Work Session Minutes.

Background/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:
Code of Virginia Section 2.2-3707 outlines the requirements for the recording of minutes for the governing body.

Staff Recommendation/Next Steps:
Recommend approval as presented.

Attachments:
1. Draft Minutes

HERNDON TOWN COUNCIL
Work Session Minutes
Tuesday, September 8, 2026

1. Call to Order

Mayor LeBlanc called the September 8, 2026, Town Council work session to order at 7:00 PM in the Herndon Council Chambers Building, 765 Lynn Street, Herndon, Virginia. In attendance were: Mayor Keven LeBlanc; and Councilmembers Cesar del Aguila, Kelvin Garcia, Michael T. Lloyd (participating remotely), and Alex Reyes.

Vice Mayor Clark Hedrick and Councilmember Naila Alam were absent.

Staff present during the meeting: Dan Hoffman, Town Manager; Lesa Yeatts, Town Attorney; Kirstyn Barr Jovanovich, Deputy Town Manager; Chief Steven Pihonak, Herndon Police Department; Brent Heavner, Chief Communications Officer; Mike Shindledecker, Transportation Engineer; and Amanda Kertz, Town Clerk.

Mayor LeBlanc stated, for the record, under Section 2.2-3708.3, Subsection D, of the Code of Virginia, and in accordance with Section 2-4 of the Town Code, the Chair received a request from Councilmember Lloyd to participate through electronic communication means in tonight's work session from Nags Head, North Carolina, due to scheduled personal travel.

Determination of a Quorum

Mayor LeBlanc stated that there was a quorum of the public body physically assembled at the meeting location, with four Councilmembers present in the Herndon Council Chambers Building. Vice Mayor Hedrick and Councilmember Alam were absent.

Councilmember Lloyd confirmed that the room he was in was not open to the public, and that his participation in any closed meeting would remain confidential and not be disclosed to any unauthorized persons or entities.

With the concurrence of the Council, Councilmember Lloyd joined to participate in the meeting electronically that evening.

DRAFT

Amend the Agenda

Mayor LeBlanc stated that the Council had a need to amend the agenda to go into closed meeting that evening.

Councilmember del Aguila moved to add 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 an open meeting would adversely affect the negotiating or litigating posture of the public body, and that the agenda be so amended. Motion seconded by Councilmember Reyes.

The question was called on the motion, which carried by a 5-0 roll call vote. The vote was: Councilmembers del Aguila, Garcia, Lloyd (remotely), Reyes, and Mayor LeBlanc voting "Aye." Vice Mayor Hedrick and Councilmember Alam were absent.

2. <u>Closed Meeting (agenda amended to include)</u>

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
[agenda amended during the meeting to add the closed meeting.]

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 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. Councilmember Garcia seconded the motion, which carried by a 5-0 roll call vote. The vote was: Councilmembers del Aguila, Garcia, Lloyd (remotely), Reyes, and Mayor LeBlanc voting "Aye". Vice Mayor Hedrick and Councilmember Alam were absent.

The Council went into closed meeting at 7:04 p.m.

Councilmember Garcia moved to come out of the closed meeting. Councilmember Reyes seconded the motion, which carried by a 5-0 roll call vote. The vote was: Councilmembers del Aguila, Garcia, Lloyd (remotely), Reyes, and Mayor LeBlanc voting "Aye." Councilmember Alam and Vice Mayor Hedrick were absent.

The Council came out of the closed meeting at 7:27 p.m.

DRAFT

Councilmember Cesar 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 Councilmember Alex Reyes. The question was called on the motion, which carried by a 5-0 roll call vote. The vote was: Councilmembers del Aguila, Garcia, Lloyd (remotely), Reyes, and Mayor LeBlanc voting "Aye." Vice Mayor Hedrick and Councilmember Alam were absent.

Aye: 5
Nay: 0
Absent: 2

Recess

At 7:27 p.m. Mayor LeBlanc called a brief recess, and at 7:33 p.m., the September 8, 2026, Town Council meeting reconvened in the Herndon Council Chambers, with five Councilmembers present, and Mayor LeBlanc presiding.

Mayor Announcements

Mayor LeBlanc stated that Council had previously met in a closed meeting with five members present. Four members were physically present at the meeting, with one member participating remotely. Two members were absent.

Mayor LeBlanc stated that, on behalf of the Town, he extended his deepest condolences to the people of Nepal following the catastrophic disaster that brought unimaginable loss and devastation. He mourns those who lost their lives, holds the missing and their families in his thoughts, and stands with all whose homes and communities have been forever changed. He expressed standing in solidarity with the Nepalese community here in Herndon and around the world. He offered heartfelt compassion and enduring hope to the people of Nepal and to those awaiting news of loved ones.

Mayor LeBlanc provided comments on the upcoming 25th anniversary of the September 11, 2001, terrorist attacks on the World Trade Center, Pentagon, and Shanksville, Pennsylvania. He stated that he chooses to remember this tragic event in light of how the Town of Herndon and the nation came together after the attacks.

DRAFT

Mayor LeBlanc provided information on upcoming events, including:

1. E-Bike Information Session on Wednesday, September 9, 6:00 p.m., at the Herndon Community Center hosted by the Herndon Police Department. The event is designed to help riders, parents, and community members better understand e-bike safety, classifications, and regulations.
2. Cornerstones and Fairfax County are hosting a free Community Health and Wellness Fair on Saturday, September 12, from 10:00 a.m. to 1:00 p.m. Herndon Neighborhood Resource Center. Information about community health services and programs will be available. Details are posted on Fairfax County's website.
3. Puzzle-Palooza on Sunday September 20, 2026 from 2:00 to 4:30 p.m. at the Herndon Community Center. Participants are encourages to gather a team of up to four people and work on a 500-piece puzzle.

Mayor LeBlanc indicated that registration and information on Town events are available on the Town's website.

Comments and Disclosures for the Record

Mayor LeBlanc asked Amanda Kertz, Town Clerk, if she received comments for the record or signed disclosure declarations from Council. Ms. Kertz stated that comments were entered into the record on Discussion Item 3(a), Herndon Centennial Golf Course Hole #9 Protective Netting Request: Data Review and Mitigation Options. The Town Clerk did not receive additional public comments or disclosures on any other items listed on that meeting's agenda.

3. Discussion

a. Herndon Centennial Golf Course Hole #9 Protective Netting Request: Data Review and Mitigation Options

Mayor LeBlanc recognized Kirstyn Barr Jovanovich, Deputy Town Manager, to begin discussion on the request for protective netting at hole nine of the Herndon Centennial Golf Course from residents of the Eagle Lie neighborhood. Ms. Jovanovich outlined the impacts of the golf course reported by residents and discussed staff's efforts to address their concerns. Staff held a community meeting with residents and reviewed the issue with a cross-departmental team. She stated that some of the proposed mitigation strategies may require capital investment as directed by the Council.

DRAFT

Ms. Jovanovich presented a data analysis of the various factors contributing to the golf course impacts on the neighborhood, including:

1. One claim has been submitted by the neighborhood since 2019.
2. The impact of Dominion Energy's removal of vegetation from the buffer between the golf course and the W&OD Trail.
3. A gap in the vegetation buffer near the 150-yard marker on hole nine.
4. Shot geometry analysis indicating that active play may not be the primary source of the golf balls entering the neighborhood.
5. Other contributing factors, including wildlife and mowing activities, that may move golf balls off the course.
6. No recorded personal injury incidents in the area and a low probability of injury to W&OD Trail users from active play.

Ms. Jovanovich reviewed potential mitigation strategies considered by staff, including:

1. Dominion Energy's plans to replant vegetation along the W&OD Trail to replace portions of the natural buffer removed in April 2026.
2. Enhancing Town vegetation along the W&OD Trail slope and closing the vegetation gap near hole nine.
3. Planting 10–20 trees in gaps and thinning areas along the golf course buffer adjacent to hole nine.
4. Addressing additional vegetation gaps on Town property.
5. Updating signage regarding golfers' responsibility for damage caused on the course.
6. Installing protective netting at heights of 60 or 80 feet, with 80 feet identified as the current standard. The estimated cost of 60-foot netting along the full buffer was approximately $244,500, compared with approximately $1.25 million for 80-foot netting. Ms. Jovanovich indicated that staff would need to consult with Dominion Energy regarding the feasibility of netting due to its proximity to power lines.

Staff presented two primary mitigation options for Council consideration:

1. Vegetation enhancements, additional signage, review of the Golf Course Master Plan, and follow-up with residents.
2. Installation of a netting system in combination with vegetation enhancements and signage.

There was discussion among the Council and staff regarding the proposed mitigation strategies, including:

DRAFT

1. Funding options, including bonding, which was not considered a feasible option.
2. The effectiveness of 60-foot versus 80-foot netting and the cost-benefit analysis of netting compared with other mitigation strategies.
3. Reviewing the Golf Course Master Plan, including reconsideration of the tee box locations on hole nine.
4. Golf ball damage occurring throughout the golf course.
5. Planting additional trees to increase the buffer between the W&OD Trail and the golf course.
6. The need to consult with Dominion Energy regarding the feasibility of proposed netting heights.
7. Costs associated with the proposed solutions and potential consideration during the next fiscal year's budget discussions.

Following discussion and with the concurrence of the Council, staff was directed to plant trees this fall on Town property between the W&OD Trail and the golf course and to further evaluate netting options after consulting with Dominion Energy regarding feasible heights. Staff would return to the Town Council with an update on the request and associated budget considerations.

b. Traffic Calming, Crosswalks, and E-Bike Safety Discussion

Mayor LeBlanc recognized Dan Hoffman, Town Manager, who introduced Mike Shindledecker, Transportation Engineer, to provide an update on the roadway safety action plan and an overview of upcoming transportation projects.

Mr. Shindledecker reviewed recent transportation improvements, including the Council's adoption of standards for traffic calming and sidewalk installation. He discussed the process by which residents can request improvements to the Town's transportation network. He explained that residents can submit concerns or requests for consideration by the staff-based Traffic Engineering Improvement Committee (TEIC), which reviews issues and considers potential solutions. Requests can also be submitted through the Herndon on the Go app, linked on the Town's website.

Mr. Shindledecker reviewed the recent adoption of the RSAP and stated that projects identified in the plan would be prioritized to reduce injuries associated with roadway and transportation facilities. Staff would monitor implementation and provide periodic updates to the Council on the plan's progress.

There was discussion among the Council and staff regarding transportation improvements, including:

1. Recent improvements to Bennett Street near Herndon High School, for which staff received positive feedback.

DRAFT

2. Transportation safety concerns related to the beginning of the school year.
3. Request for staff to continue providing updates on transportation projects and programs.

Chief Steven Pihonak, Herndon Police Department (HPD), provided an update on e-bike safety, noting that e-bike use had increased throughout the Town since the spring. He stated that e-bikes were frequently observed on the W&OD Trail and explained that vehicles exceeding the Class 3 e-bike standard, which allows pedal assistance up to 28 miles per hour, do not qualify as electric bicycles under Virginia law. He further explained that certain electric-powered vehicles may be classified as motorcycles rather than e-bikes.

Chief Pihonak emphasized the department's focus on educating children and parents about e-bike safety and the distinctions between e-bikes, electric dirt bikes, and motorcycles. He highlighted an upcoming e-bike informational session at the Herndon Community Center scheduled for the following day. He explained that electric dirt bikes may be classified as motorcycles under state law and are subject to different legal requirements, which purchasers may not fully understand. He also reviewed applicable laws governing e-bikes, mopeds, and motorcycles, along with HPD's enforcement efforts.

There was discussion among the Council and staff regarding e-bike safety, including:

1. Safety concerns related to e-scooters and e-bikes.
2. Education and enforcement tools available to HPD.
3. Classification of e-bikes relative to motorcycles, electric dirt bikes, and mopeds.
4. The potential request for additional police e-bikes in the next fiscal year.
5. The Two Towns Bike Rodeo with the Vienna Police Department on September 26, and the possibility of holding a bike rodeo in Herndon.

4. Roundtable

Councilmember Lloyd (remotely): no comments.

Councilmember Garcia: provided comments on a successful backpack drive he recently held with Councilmember del Aguila.

Councilmember del Aguila: Stated that the Green Lizard Foundation was targeting either April 17 or April 24, 2027, to hold a criterium bicycle race in Town. He indicated that the organization was interviewing race directors and that he looked forward to the event. He noted that the Town had awarded a grant to the Green Lizard Foundation through the Community Donations Program to assist with planning the event.

DRAFT

Councilmember del Aguila distributed a PowerPoint presentation to the Town Council, which was collected by the Town Attorney following the discussion due to legal requirements associated with the topic. He requested that Council discuss refuse collection practices at an upcoming work session and consider potential solutions.

There was discussion among the Council and staff regarding current refuse collection practices on pipestem driveways, and Council requested additional information from staff.

Councilmember Reyes: no comments.

Mayor LeBlanc: shared that he had received concerns from residents regarding tall grass in several areas of Town and a damaged gateway sign.

Mr. Hoffman stated that staff would investigate the damaged sign and review the identified locations for mowing.

Responding to Mayor LeBlanc, Lesa Yeatts, Town Attorney, provided an update on the status of Parcel H, also known as the Comstock property. She stated that the Town had filed litigation against Comstock the previous year in the Fairfax County Circuit Court seeking the return of the downtown property known as Parcel H. The Town was awaiting a decision on its motion for summary judgment. She indicated that late the previous week, the judge had advised that she would enter an order removing the September 14 trial date and would issue a ruling on the Town's motion for summary judgment, potentially eliminating the need for a trial. Ms. Yeatts noted that any decision would be subject to appeal and that staff would keep the Council and public updated.

Dan Hoffman, Town Manager: thanked staff from the Herndon Police Department, Department of Public Works, and Information Technology Department for their efforts during the recent storm.

5. Closed Meeting

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

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.

Mayor LeBlanc stated that Councilmember Lloyd is participating remotely this

DRAFT

evening, and he was previously admitted to the meeting in accordance with Virginia Code Section 2.2-3708.3, Herndon Town Code Section 2-4, and the Rules of Procedures of the Herndon Town Council. He asked Councilmember Lloyd to confirm that the room he was in was not open to the public, and that his participation in the closed meeting would remain confidential and not be disclosed to any unauthorized persons or entities. Councilmember Lloyd replied in the affirmative.

Mayor LeBlanc noted a quorum for the record of five members, with four members physically present, and one participating remotely.

Councilmember Garcia 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)(1), for discussion of prospective candidates relative to appointments to boards and commissions. Councilmember del Aguila seconded the motion, which carried by a 5-0 roll call vote. The vote was: Councilmembers del Aguila, Garcia, Lloyd, Reyes, and Mayor LeBlanc voting “Aye.” Vice Mayor Hedrick and Councilmember Alam were absent.

At 9:11 p.m., Mayor LeBlanc called a brief recess. At 9:15 p.m., the Council convened in closed meeting in the Hoover Conference Room, with five members present and Mayor LeBlanc presiding.

Councilmember Reyes moved to come out of the closed meeting. Motion seconded by Councilmember del Aguila and carried by a 5-0 roll call vote. The vote was: Councilmembers del Aguila, Garcia, Lloyd, Reyes, and Mayor LeBlanc voting “Aye.” Vice Mayor Hedrick and Councilmember Alam were absent.

The Council came out of the closed meeting at 9:21 p.m.

Councilmember Reyes 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 Garcia and carried by a 5-0 roll call vote. The vote was: Councilmembers del Aguila, Garcia, Lloyd, Reyes, and Mayor LeBlanc voting “Aye.” Vice Mayor Hedrick and Councilmember Alam were absent.

Aye: 5
Nay: 0
Absent: 2

6. Adjournment

DRAFT

There being no further business, Mayor LeBlanc adjourned the September 8, 2026 Town Council Work Session at 9:21 p.m.

Amanda E.M. Kertz
Town Clerk

Minutes approved by Town Council: _____

DRAFT

TOWN OF Herndon VIRGINIA

Town Council Regular Meeting
Agenda Item 5.e.

Agenda Item: **Approval of the September 22, 2026, Town Council Regular Meeting Minutes**

Meeting Date: October 27, 2026

Category: Consent

Prepared by: Amanda Kertz, Town Clerk

Description:
This is a request for the Approval of the September 22, 2026, Town Council Regular Meeting Minutes.

Background/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:
Code of Virginia Section 2.2-3707 outlines the requirements for the recording of minutes for the governing body.

Staff Recommendation/Next Steps:
Recommend approval as presented.

Attachments:
1. Draft Minutes

HERNDON TOWN COUNCIL
Regular Meeting Minutes
Tuesday, September 22, 2026

1. Call to Order

Mayor LeBlanc called the September 22, 2026, Town Council meeting to order at 6:08 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 Cesar del Aguila, Kelvin Garcia, Michael T. Lloyd, and Alex Reyes.

Councilmember Naila Alam was absent.

Determination of a quorum:

Mayor LeBlanc determined there was a quorum of six members present.

2. 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 and pursuant to Code of Virginia Section 2.2-3711(A)(1) for discussion and consideration of the performance of a specific appointee of the public body

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), consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel and pursuant to Code of Virginia Section 2.2-3711(A)(1) for discussion and consideration of the performance of a specific appointee of the public body.

Councilmember Reyes seconded the motion, which carried by a 6-0 roll call vote. The vote was: Councilmembers del Aguila, Garcia, Lloyd, Reyes, Vice Mayor Hedrick, and Mayor LeBlanc voting "Aye." Councilmember Alam was absent.

The Council went into closed meeting at 6:09 p.m.

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

The Council came out of a closed meeting at 6:47 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 Councilmember Garcia, which carried by a 6-0 roll call vote. The vote was: Councilmembers del Aguila, Garcia, Lloyd, Reyes, Vice Mayor Hedrick, and Mayor LeBlanc voting "Aye." Councilmember Alam was absent.

Aye: 6
Nay: 0
Absent: 1

Recess

At 6:48 p.m. Mayor LeBlanc called a brief recess, and at 7:00 p.m., the September 22, 2026, Town Council meeting reconvened in the Herndon Council Chambers, with six Councilmembers present, and Mayor LeBlanc presiding. Councilmember Alam was absent.

Regular Meeting

Staff present during the meeting: Dan Hoffman, Town Manager; Lesa Yeatts, Town Attorney; Kirstyn Barr Jovanovich, Deputy Town Manager; Lisa Gilleran, Director of Community Development; Marjorie Sloan, Director of Finance; Jaleh Moslehi, Capital Projects Planner; and Amanda Kertz, Town Clerk.

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

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

Amend the Agenda

Mayor LeBlanc stated there was a need to add a closed meeting to the end of the agenda.

Councilmember del Aguila moved that a closed meeting be added to the end of

DRAFT

the agenda under 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 and pursuant to Code of Virginia Section 2.2-3711(A)(1) for discussion and consideration of the performance of a specific appointee of the public body, and that the agenda be so amended. Motion seconded by Councilmember Reyes.

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

Mayor Announcements

Mayor LeBlanc stated that the Council met in closed session earlier this evening before the regular meeting under the appropriate sections of the Code of Virginia.

Mayor LeBlanc provided information on upcoming events, including:

1. The Town Council's October Work Session will be on Tuesday, October 6, due to the Virginia Municipal League Conference the following week. Mayor LeBlanc shared that he is attending that conference. The Regular Meeting is Tuesday, October 27. These meetings will be held in the Police Community Room at the Herndon Police Department through the end of the year.
2. The Virginia Showcase of Bands, hosted by Herndon High School, is on Saturday, September 26, from 9:00 am to 10:00 pm.
3. Provided information about the Two Towns Bike Rodeo on Saturday, September 26 from 9:00 am to Noon, in the Town of Vienna. The event is being hosted by the towns of Vienna and Herndon.
4. Fairfax County Supervisor Bierman's Town Hall on Wednesday, October 14 at 7:00 pm at Herndon Fortnightly Library.
5. Fairfax County middle and high school students can ride Fairfax Connector and Fairfax CUE buses for free, from 5:00 a.m. to 10:00 p.m., seven days a week, year-round. Further information is available at: fairfaxcounty.gov/connector/student-pass.

4. Presentations/Reports/Comments

a. Proclamation, to recognize "Dolly Parton Day," September 25, 2026

Mayor LeBlanc read the Proclamation to recognize "Dolly Parton Day," September 25, 2026, into the record.

b. Proclamation, to recognize National Hispanic American Heritage Month, September 15–October 15, 2026

DRAFT

Mayor LeBlanc recognized Councilmember Reyes to read the Proclamation to Recognize National Hispanic American Heritage Month into the record.

c. Proclamation to recognize Bicyclist and Pedestrian Awareness Month, October 2026

Mayor LeBlanc recognized Councilmember del Aguila to read the Proclamation to Recognize Bicyclist and Pedestrian Awareness into the record.

Councilmember del Aguila stated that this proclamation was especially important since the Pedestrian and Bicycle Advisory Committee (PBAC) Chair, Ian MacDonald, was involved in a cycling accident in the Town. He is glad that Mr. MacDonald is on the mend.

d. Proclamation, to recognize Indigenous Peoples' and Columbus Day, October 12, 2026

Mayor LeBlanc recognized Councilmember Garcia to read the Proclamation to Recognize Indigenous Peoples' and Columbus Day into the record.

Mayor LeBlanc stated that members of the audience are invited to comment on the proclamations during the "Comments from the Audience" portion of the agenda.

e. Presentation of the Annual Report Fiscal Year (FY) 2026

Mayor LeBlanc recognized Dan Hoffman, Town Manager, to present the Town's FY 2026 Annual Report, which was included in the meeting agenda. Mr. Hoffman provided an overview of the report, highlighting key accomplishments and initiatives across Town departments during the past fiscal year. He emphasized staff's collective efforts to enhance community outreach, modernize operations, and improve public services. The presentation highlighted the following areas:

1. Progress on the Herndon 2050 Comprehensive Plan.
2. Financial management and process improvements, including updates to the Town's financial systems and increased access to online payment systems.
3. Employee recruitment, retention, professional development, and expanded training opportunities.
4. Implementation of SharePoint, Teams, and OneDrive, along with modernization of IT infrastructure.
5. Improvements to town facilities, roadways, and infrastructure.
6. Delivery of municipal services, including public safety, refuse collection, water quality, permitting, and golf course operations.
7. Community engagement, economic development, and support for local businesses.
8. Risk management, legal and statutory compliance, legislative strategy, and support for the Town Council, boards, and commissions.

DRAFT

9. Upcoming initiatives, including Herndon Main Street, Downtown and Metro Area plans, downtown events, the Roadway Safety Action Plan, a new Project Management Office, economic development strategy, ADA Transition Plan, and IT modernization.

f. Town Manager Report

Dan Hoffman, Town Manager, announced that beginning Monday, October 5, services normally located at the Herndon Municipal Center would temporarily relocate to 397 Herndon Parkway, Suite 100, due to the HVAC replacement and energy project.

Mr. Hoffman announced that the 2050 Comprehensive Plan Open House would be held on Thursday, October 1, at the Herndon Community Center, with afternoon and evening sessions for the public to attend and provide input on Herndon's future.

Mr. Hoffman provided an update on Parcel H in the downtown, also known as the Comstock Lot. He stated that a final decision from the Fairfax County Circuit Court judge was expected by Friday, September 25. He indicated that the ruling would resolve the matter before the court and eliminate the need for a trial.

g. Councilmember Comments

Councilmember del Aguila: no comments.

Councilmember Reyes: no comments

Councilmember Garcia: no comments.

Councilmember Lloyd: no comments.

Vice Mayor Hedrick: provided comments on the Proclamation to recognize Bicyclist and Pedestrian Awareness Month, highlighting the Town's ongoing pedestrian and roadway safety efforts. He noted that Community Development staff had been working on significant improvements along South Elden Street to address safety concerns on that road.

Vice Mayor Hedrick discussed the role of the Northern Virginia Transportation Authority's Planning Coordination Advisory Committee (NVTA-PCAC) in transportation funding, a committee on which he represents the Town. He stated that approximately $4.4 million had been awarded over the summer for the South Elden Street project, providing nearly all the remaining funding needed to move forward with the improvements. He thanked Community Development staff, especially Jaleh Moslehi, Capital Projects Planner, and Mark Ducement, Transportation Program Manager, for their work on the project. Vice Mayor

DRAFT

Hedrick noted that the next round of funding discussions with NVTA-PCAC would begin the following evening.

Vice Mayor Hedrick asked staff for an update on safety concerns he has heard about at the intersections of Grant Street and Herndon Parkway and Monroe Street and Herndon Parkway.

Mayor LeBlanc: provided the following updates:

1. Recognized Dolly Parton and her contributions to children's literacy through the Imagination Library, supported by the Herndon-Reston Rotary Club. He highlighted the Herndon Woman's Club's upcoming fundraising event on Friday, September 25, at Jimmy's Old Town Tavern, which would support the Imagination Library with the Rotary Club. Mayor LeBlanc stated that he would provide a book vending machine to a local school.
2. Attended the Cornerstones' Community Health and Wellness Fair, September 12, at the Herndon Neighborhood Resource Center, which helped connect residents with health and community resources.
3. Cornerstones' Abundant Harvest Season Food Security Forum on September 15 at the Reston Community Center, which addressed food insecurity in the region.
4. Spoke at an event in the George Mason Small Business Development Center at Office Evolution on September 15, highlighting the importance of providing resources to support local businesses.
5. Participated in the "How Local Government Works" discussion with Dranesville District Supervisor Jimmy Bierman at the Herndon Fortnightly Library as part of the America 250 Democracy in Action celebration. He appreciated the opportunity to discuss local government and civic participation with residents.

Mayor LeBlanc reflected on the common themes of the evening's proclamations. He emphasized the importance of recognizing Herndon's diverse history, promoting shared responsibility for safety, supporting neighbors in need, investing in children and small businesses, and encouraging civic participation. He encouraged residents to attend the Herndon Woman's Club fundraiser on Dolly Parton Day, September 25, at Jimmy's Old Town Tavern.

5. Comments from the Audience

Mayor LeBlanc reviewed the process and asked those who wanted to provide Comments from the Audience to come forward. He stated that since there were many individuals present that evening, he would like to have speakers for the presentations make comments first, followed by any other topics, followed by speakers on refuse collection.

The following individuals provided comments:

DRAFT

- Laura Poindexter, representing the Dulles Regional Chamber of Commerce, 205 Van Buren Street, Herndon: expressed appreciation for the proclamation recognizing "Dolly Parton Day." She expressed gratitude to the late Richard Downer and Kurt Rose for establishing the Dolly Parton Imagination Library in Herndon, highlighting the importance of the program to children in Herndon. She invited those present to attend the Herndon Woman's Club event at Jimmy's Old Town Tavern on September 25, 5:00 to 9:00 p.m. She noted that donations could also be made through the event's Facebook page.

- Fanny Salazer-Laske 654 Calhoun Court, Herndon: commented on the proclamation to recognize Hispanic Heritage Month, along with the importance of experiencing and appreciating different cultures. She emphasized the importance of acknowledging Hispanic Heritage Month throughout the year.

- Jonathan Franco, 1405 W Street, NW Washington: introduced himself as a race director for the forthcoming criterium bicycle race in Herndon. He discussed the opportunities the race could provide by bringing the community together, promoting bicycle awareness, and supporting local restaurants and businesses. He highlighted the Town's accessibility for cyclists and recognized the efforts of the Green Lizard Cycling Foundation.

- Walter Shroter, 559 Early Fall Court, Herndon: expressed appreciation for the FY 2026 Annual Report and thanked the Mayor, Town Council, Town Manager, and staff for their work on behalf of the community.

- Nicole Wickenhauser, 1109 Burwick Drive, Herndon: commented on the "Dolly Parton Day" Proclamation and the Imagination Library. She also urged the Town to install protective netting at the Herndon Centennial Golf Course near hole nine to protect nearby homes and W&OD Trail users from errant golf balls. She requested extended evening lighting hours at Trailside Skate Park during the winter months. Additionally, she expressed concerns regarding the response to a reported lockdown at Herndon High School on the afternoon of September 14, stating that she was referred back and forth between the Town and Fairfax County when seeking information about this potential safety threat.

- Owais [last name not provided], 406 Sugarland Meadow Drive, Herndon: identified himself as a high school student learning about local government and discussed the Town's use of FLOCK license plate reader cameras. He shared his concerns about privacy and how this data is stored and accessed. He asked the Town to discontinue using these cameras.

DRAFT

The following individuals provided comments on refuse collection in the Herndon Park Station neighborhood and asked the Town to collect refuse directly on the pipestem:

- Dianne Mayfield, 819 Monroe Street, Herndon: questioned the reason for the change in refuse collection location and requested that the Town review the policy and restore the previous collection practices.

- Jim Seavers, 805 Park Avenue, Herndon: thanked the Town Council for its efforts related to taxpayer representation, traffic safety, and community engagement. He cited safety concerns involving traffic, snow removal, and public works staff, and expressed a willingness to work with Town officials toward a compromise.

- Qunfen Yan, 801 Park Avenue, Herndon: thanked Town staff and the Department of Public Works for providing essential services. She emphasized her concerns about the proposed location for trash and waste collection, potential conflicts with snow and yard waste removal, and challenges faced by older residents and individuals with disabilities. She requested that the Town maintain refuse collection at the end of residents' driveways.

- Denise Booth, 892 Station Street, Herndon: discussed the quality-of-life impact she has observed from the trash collection policy. She referenced photographs and videos that were submitted to the Town Council illustrating the issues.

- Julie Evans, 821 Monroe Street, Herndon: discussed the original neighborhood design, which placed garages behind homes, which she understood led to the prior trash collection practices. She asked the Council to consider the collection changes in the context of the Town's Strategic Plan in the area of "Good Governance," and relative to the Comprehensive Plan.

- Following the refuse collection comments, Jay Hadlock, 515 Alabama Drive, Herndon, on behalf of the Friends of Runnymede Park, announced details for NatureFest, a free, family-friendly event scheduled for September 27. He reviewed the planned activities and provided information regarding access from 417 Queens Row Street, along with parking information.

6. Consent

DRAFT

a. Ordinance 26-O-22 to amend Chapter 42 (MOTOR VEHICLES AND TRAFFIC), Article VI (Vehicle Licenses), Section 42-327 (Town Vehicle License Amounts) to increase vehicle license rates

b. Resolution 26-G-52 to establish the Herndon Town Council meeting schedule for January 1, 2027, to December 31, 2027

c. Resolution 26-G-53 to approve a Temporary License Agreement between the Town and JOTT, INC., to use a designated public space in the alley adjacent to Jimmy's Old Town Tavern for outdoor seating during an event

d. Resolution 26-G-54 to amend Resolution 25-G-39 to increase the funding request for the application submitted to the Virginia Department of Transportation (VDOT) for the Allocation of FY2029 and FY2030 Revenue Sharing funds for the 'Herndon Parkway at Sunset Park Drive Intersection Improvements' project (UPC 125769) and increase the amount of the Town's local match

e. Resolution 26-G-55 to reappoint a member to the Planning Commission

f. Resolution 26-G-56 to reappoint a member to the Board of Building Code Appeals

g. Approval of the August 11, 2026, Town Council Special Meeting Minutes

h. Approval of the August 25, 2026, Town Council Regular Meeting Minutes

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

7. <u>Closed Meeting</u>

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 and pursuant to Code of Virginia Section 2.2-3711(A)(1) for discussion and consideration of the performance of a specific appointee of the public body

Mayor LeBlanc stated that in accordance with the amended agenda, the Council needed to go into a closed meeting 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)(8),

DRAFT

consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel and pursuant to Code of Virginia Section 2.2-3711(A)(1) for discussion and consideration of the performance of a specific appointee of the public body. Vice Mayor Hedrick seconded the motion, which carried by a 6-0 roll call vote. The vote was: Councilmembers del Aguila, Garcia, Lloyd, Reyes, Vice Mayor Hedrick, Mayor LeBlanc voting "Aye." Councilmember Alam was absent.

At 8:16 p.m., Mayor LeBlanc called a brief recess, and at 8:29 p.m. the Council reconvened and entered closed meeting at that time in the Hoover Conference Room; six members were present, with Mayor LeBlanc presiding.

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

The Council came out of a closed meeting at 9:24 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 Councilmember Garcia, which carried by a 6-0 roll call vote. The vote was: Councilmembers del Aguila, Garcia, Lloyd, Reyes, Vice Mayor Hedrick, Mayor LeBlanc voting "Aye." Councilmember Alam was absent.

Aye: 6
Nay: 0
Absent: 1

8. Adjournment

There being no further business, Mayor LeBlanc adjourned the September 22, 2026, Town Council Regular Meeting at 9:25 p.m.

Amanda E.M. Kertz
Town Clerk

Minutes approved by Town Council: _____

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

DRAFT

TOWN OF Herndon VIRGINIA

Town Council Regular Meeting
Agenda Item 5.f.

Agenda Item: **Approval of the September 29, 2026, Town Council Closed Meeting — Special Meeting Minutes**

Meeting Date: October 27, 2026

Category: Consent

Prepared by: Amanda Kertz, Town Clerk

Description:
This is a request for the Approval of the September 29, 2026, Town Council Closed Meeting — Special Meeting Minutes.

Background/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:
Code of Virginia Section 2.2-3707 outlines the requirements for the recording of minutes for the governing body.

Staff Recommendation/Next Steps:
Recommend approval as presented.

Attachments:
1. Draft Minutes

TOWN OF Herndon VIRGINIA

HERNDON TOWN COUNCIL
Special Meeting - Closed Meeting Minutes
Tuesday, September 29, 2026

1. Call to Order

Mayor LeBlanc called the September 29, 2026, Town Council meeting to order at 5:34 p.m. in the Herndon Council Chambers Building, 765 Lynn Street, Herndon, Virginia. In attendance were: Mayor Keven LeBlanc; Vice Mayor Clark Hedrick (arrived at 5:48 p.m.); and Councilmembers Cesar del Aguila, Kelvin Garcia, Michael T. Lloyd, and Alex Reyes.

Councilmember Naila Alam was absent.

Mayor LeBlanc determined there was a quorum of five Councilmembers present, with Vice Mayor Hedrick having not yet arrived.

2. 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 and pursuant to Code of Virginia Section 2.2-3711(A)(1) for discussion and consideration of the performance of a specific appointee of the public body

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.

Councilmember del Aguila 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), consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel and pursuant to Code of Virginia Section 2.2-3711(A)(1) for discussion and consideration of the performance of a specific appointee of the public body. Councilmember Reyes seconded the motion, which carried by a 5-0 roll call vote. The vote was: Councilmembers del Aguila, Garcia, Lloyd, Reyes, and Mayor LeBlanc voting "Aye." Vice Mayor Hedrick had not yet arrived. Councilmember Alam was absent.

The Council went into closed meeting at 5:34 p.m.

Vice Mayor Hedrick arrived during the closed meeting at 5:48 p.m.

DRAFT

Recess

At 6:38 p.m. Mayor LeBlanc called a brief recess, and at 6:46 p.m., the Town Council Special Meeting - Closed Meeting reconvened, with six members present and Mayor LeBlanc presiding.

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

The Council came out of a closed meeting at 6:54 p.m.

Councilmember Garcia 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. Councilmember Reyes seconded the motion, which carried by a 6-0 roll call vote. The vote was: Councilmembers del Aguila, Garcia, Lloyd, Reyes, Vice Mayor Hedrick and Mayor LeBlanc voting "Aye." Councilmember Alam was absent.

Aye: 6
Nay: 0
Absent: 1

Votes Following
Closed Meeting:

Councilmember del Aguila moved to terminate the employment of Daniel C. Hoffman as Town Manager of the Town of Herndon, Virginia, without cause, pursuant to his Employment Agreement dated September 17, 2025, effective as of September 29, 2026, with severance equivalent to 45 days' wages.

Councilmember Reyes seconded the motion, which carried by a 6-0 roll call vote. The vote was: Councilmembers del Aguila, Garcia, Lloyd, Reyes, Vice Mayor Hedrick and Mayor LeBlanc voting "Aye." Councilmember Alam was absent.

Councilmember del Aguila moved to appoint Kirstyn Jovanovich as Interim Town Manager, effective September 29, 2026, and authorize the Mayor to take any necessary further action to effectuate this decision. Vice Mayor Hedrick seconded the motion, which carried by a 6-0 roll call vote. The vote was: Councilmembers del Aguila, Garcia, Lloyd, Reyes, Vice Mayor Hedrick and Mayor LeBlanc voting "Aye." Councilmember Alam was absent.

3. Adjournment

DRAFT

There being no further business, Mayor LeBlanc adjourned the September 29, 2026, Town Council Special Meeting - Closed Meeting at 6:54 p.m.

Amanda E.M. Kertz
Town Clerk

Minutes approved by Town Council: _____

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

DRAFT