TOWN OF Herndon VIRGINIA

HERNDON TOWN COUNCIL
Work Session Minutes
Wednesday, November 6, 2024

1. Call to Order

Mayor Olem called the November 6, 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 Cesar del Aguila, Pradip Dhakal, Keven LeBlanc, and Donielle M. Scherff.

Councilmember Naila Alam was absent.

Determination of a Quorum

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

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, relating to real estate in the downtown

Mayor Olem stated that the Council had a need 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, relating to real estate in the downtown. Councilmember Dhakal seconded the motion, which carried by a 6-0 roll call vote. The vote was: Councilmembers del Aguila, Dhakal, LeBlanc, and Scherff, Vice Mayor Hedrick and Mayor Olem voting “Aye.” Councilmember Alam was absent.

The Council went into closed meeting at 7:01 p.m.

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At 7:01 p.m. Mayor Olem called a brief recess, and at 7:06 p.m., the closed meeting resumed in the Hoover Conference Room, six members present, with Mayor Olem presiding.

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

The Council came out of closed meeting at 7:54 p.m.

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

Aye: 6
Nay: 0
Absent: 1

Recess

At 7:55 p.m. Mayor Olem called a brief recess, and at 8:00 p.m. the Town Council work session meeting reconvened in the Herndon Council Chambers, with six Councilmembers present, and Mayor Olem presiding.

Work Session

Staff present during the meeting: Christopher Martino, Interim Town Manager; Lesa Yeatts, Town Attorney; Kirstyn Barr Jovanovich, Acting Deputy Town Manager; Chief Maggie DeBoard, Herndon Police Department; Lisa Gilleran, Director of Community Development; Tammy Chastain, Acting Director of Public Works, Dave Stromberg, Zoning Administrator; Mike Farr, Utility Manager; Charles Bednarek, Project Engineer, Public Works; and Amanda Kertz, Acting Town Clerk.

Mayor Announcements

Mayor Olem stated that Council met in a closed meeting, with all members present, pursuant to State Code requirements and that no action was taken.

Mayor Olem provided information on upcoming events, including: (1) Thursday,

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November 7, is the last day of the 2024 Herndon Farmers Market; (2) Saturday, November 9, is the Herndon High School Homecoming; road closures will begin at 6:30 a.m. and last through 1:00 p.m.; (3) Monday, November 11 is Veterans Day; Town offices are closed, and the American Legion Post 184 is sponsoring the observance on the Town Green at 11:00 am. Mayor Olem stated that additional details on these and other events are listed on the town's website.

3. Discussion

a. Water and Wastewater System Overview

Mayor Olem recognized Tammy Chastain, Acting Director of Public Works, to begin the discussion item. She provided an overview of the water lines and water systems, including: (1) town, county, and state initiatives; and state and federal regulations; (2) utility master plan, which is usually revisited every few years; (3) upcoming, completed, and ongoing water projects; (4) Environmental Protection Agency (EPA) required lead and copper survey; and (5) impacts of anticipated population growth on the water system.

Ms. Chastain paused the presentation for Council questions about the Town's water systems. There was discussion between the Council and staff about the water system and ongoing and upcoming projects, including: (1) status of the water lines and water treatment; and (2) testing and flushing of the water lines.

Ms. Chastain continued her presentation and provided an overview of the wastewater lines and systems, and highlighted: (1) planned wastewater system improvements; (2) the impacts of anticipated population growth and needed improvements to aging infrastructure; (3) wastewater operations and maintenance programs; and (4) wastewater system projects; including work with Fairfax County to ensure that the systems are aligned. Ms. Chastain stated that the projects outlined that evening had been included in the utility master plan, however, an expected sewer capacity purchase had not yet been added to that plan.

There was discussion among the Council and staff about the wastewater system and ongoing and upcoming projects, including how to obtain information about upcoming projects on the Town's website.

Responding to Councilmember LeBlanc, Ms. Chastain stated that the Town does not have a gray water policy at this time. Councilmember LeBlanc suggested the Town consider implementing such a policy.

b. Affordable Housing - Councilmember Scherff

Mayor Olem recognized Councilmember Scherff to begin the discussion item. Councilmember Scherff reviewed the previous discussions the Council had about affordable housing, including the special work session with Tom Fleetwood of the Fairfax County Housing Authority and Fairfax County Dranesville District

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Supervisor Jimmy Bierman on September 19, and the work session on October 15. She thought there was a disconnect between the information provided at the two meetings related to proffers and affordable housing. Councilmember Scherff stated that she wanted to support the Town and the County in working together toward providing affordable housing in Herndon.

There was discussion among the Council and staff about affordable housing, including: (1) collaboration with Fairfax County; (2) Council's direction to move forward with a consultant to research possible avenues for affordable housing; (3) request to have the Council review the requirements included in the request for proposals (RFP); (4) using Fairfax City's process as a model for the Town's RFP; (5) potential obstacles presented by pursuing proffers; and (6) paths forward in pursuing affordable housing options.

Christopher Martino, Interim Town Manager, stated that staff are working to hire a consultant as recommended by Fairfax City and the Fairfax County Housing Authority and will be bringing forward a budget request for this item soon. Staff will continue to work with both Fairfax County and Fairfax City to move this process forward.

Lisa Gilleran, Director of Community Development, stated that staff is looking to see if there are any existing contracts the Town can ride related to affordable housing and, if not, staff will go forward with an Invitation for Bid (IFB) or RFP. She will confirm the appropriate format for purchasing the type of services being requested and discussed the options that may be available to the Town.

c. Town-owned property leased or given for below market value - Councilmember Scherff

Mayor Olem recognized Councilmember Scherff for the discussion. She reviewed recent discussions related to Arts Herndon and the need for the organization to move from their current building at 750 Center Street, highlighting Town funds used for the following: (1) relocation of Arts Herndon to the Town's space at 397 Herndon Parkway; (2) community donations provided to Arts Herndon and NextStop Theatre; and (3) the difference between the value of real estate and the leases of Town-owned space being provided to nonprofits at $1.00.

Councilmember Scherff also emphasized that the building at 750 Center Street was left in disrepair. She suggested that the Council look at ways to include other nonprofit groups in the conversation and establish criteria to help determine which groups receive funding and/or access to leasing Town-owned spaces.

There was discussion between the Council and staff about the following: (1) historical funding provided to arts groups from the Town; (2) nonprofit groups that have received funding or access to leasing Town space for $1.00; (3) ways to involve other nonprofit groups that are interested in receiving Town funding; and

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(4) working with nonprofit groups as related to the goals outlined in the strategic plan.

4. Roundtable

Councilmember Scherff: stated that she was looking forward to the Herndon High School Homecoming Parade that Saturday.

Councilmember del Aguila: conveyed a concern from a resident who saw someone smoking a substance near 7-11 located on Crestview Drive. He wanted to express concerns residents have shared with him regarding safety and security.

Councilmember del Aguila stated that he received a complaint that there are greens on the Golf Course that are not level.

Councilmember LeBlanc stated that the tee boxes on the Golf Course are being evaluated to be fixed once the weather permits.

Councilmember Dhakal: echoed Councilmember Scherff's comments about the Herndon Homecoming Parade.

Councilmember Dhakal also stated that he received a complaint about the Golf Course, to whom he advised that the tee boxes will be renovated.

Councilmember Le Blanc: asked the Interim Town Manager about holiday decorations downtown this year, specifically the wreaths.

Christopher Martino, Interim Town Manager, stated that staff would follow up with the Council regarding wreath placement for the holiday season. He was aware that the wreaths cannot be attached to utility poles due to safety concerns for the staff who are putting the wreaths in place.

Mayor Olem recalled that staff was not certified to be putting decorations on utility poles.

Lesa Yeatts, Town Attorney, stated that there was a contract under review with a contractor to place holiday decorations. She stated staff could research this and answer Councilmember's LeBlanc's questions.

Councilmembers Dhakal and LeBlanc recalled that the decorations could not be installed last year, due to safety concerns, and that they had been advised the decorations would be put up this year.

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Vice Mayor Hedrick: thanked staff for striping the no-parking spaces on Ferndale Avenue, and for beginning to implement the safety changes that the Council has discussed on this street.

Vice Mayor Hedrick stated that he heard there were safety concerns related to street parking and sight distance on Jeff Ryan Drive and Cavalier Drive. He asked if staff could follow a similar process as they did for Ferndale Avenue to address safety concerns on these roads.

Mayor Olem: congratulated Mayor-Elect LeBlanc, Councilmember del Aguila and Vice Mayor Hedrick, on their reelection to the Town Council. She thanked all those that ran in the Town Council election and stated that she looked forward to the next few meetings of this Council before their terms expire.

Christopher Martino, Interim Town Manager: stated that October 28 was National First Responder's Day. He stated that while police, fire, and rescue may be what come to mind - public works crews are also first responders. He stated that these individuals back up the police and fire departments and are critical in operations, especially during times of disaster and emergency.

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 Olem stated that the Council had a need to go into a second closed meeting that evening, 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 Scherff 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. Vice Mayor Hedrick seconded the motion, which carried by a 6-0 roll call vote. The vote was: Councilmembers del Aguila, Dhakal, LeBlanc, and Scherff, Vice Mayor Hedrick and Mayor Olem voting “Aye.” Councilmember Alam was absent.

At 9:32 p.m., Mayor Olem called a brief recess, and at 9:36 p.m., the closed meeting reconvened in the Hoover Conference Room, six members present, with Mayor Olem presiding. Councilmember Alam was absent.

Councilmember LeBlanc moved to come out of the closed meeting. Motion seconded by Councilmember Dhakal and carried by a 6-0 roll call vote. The vote

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

The Council came out of closed meeting at 9:48 p.m.

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

Aye: 6
Nay: 0
Absent: 1

6. Adjournment

There being no further business, Mayor Olem adjourned the November 6, 2024, Town Council work session at 9:49 p.m.

Amanda E.M. Kertz
Acting Town Clerk

Minutes approved by Town Council : _____

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