TOWN COUNCIL
WORK SESSION AGENDA

Town Council Chambers
765 Lynn Street, Herndon, VA 20170

Tuesday, May 13, 2025 | 7:00 PM

1. **Call to Order**
2. **Discussion**
   a. 2025 Virginia General Assembly Legislative Report Briefing
   b. Work Plan Briefing
3. **Roundtable**
4. **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
   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, relating to real estate in the downtown
5. **Adjournment**

TOWN OF Herndon VIRGINIA

Town Council Work Session
Agenda Item 2.a.

Agenda Item: **2025 Virginia General Assembly Legislative Report Briefing**

Meeting Date: May 13, 2025

Category: Discussion

Prepared by: Lauri Sigler, Deputy Town Attorney

Description:
Each year the Town Council adopts the Town Legislative Program in the Fall, which includes the Town's position on items expected to come up and also presents any proposed legislation the Town wishes their legislators to carry. Following the adjournment of the General Assembly and upon conclusion of the Governor's actions, the Town Attorney's office provides Town Council with a summary of the key legislation enacted. This item is that summary.

Background:
This item provides an update regarding the items on the Town Council's 2025 requested legislative agenda and highlights one vetoed bill and eight bills passed by the Virginia General Assembly (GA) and signed into law by the Governor of Virginia during the 2025 Virginia General Assembly Session. Final action on all pending bills was taken by the Governor on May 2, 2025, bringing the total of bills approved or enacted to 727 and the total of bills vetoed by the Governor to 198.

Timing Impact:
The bills referenced in this item generally have an effective date of July 1, 2025, and some specific provisions have an effective date of January 1, 2026.

Strategic Focus Area:
Good Governance

Fiscal Impact:
While the bills don't have a direct fiscal impact on the town, some bills will require the town to modify its current procedures, which will likely impact the allocation of staff resources.

Legal Impact:
Some of the new legislation will require the Town Council to amend sections of the Herndon Code of Ordinances or the Zoning Ordinance and town internal policies.

Staff Recommendation/Next Steps:
Instruct staff to analyze the specific amendments that are necessary to the Herndon Code of Ordinances or the Zoning Ordinance and prepare a summary and timeline for the Town Council to consider.

Attachments:
1. VML Post Session Legislative Update

Post Session Legislative Update

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VML STAFF

BETTER COMMUNITIES THROUGH
SOUND GOVERNMENT

Finance and Budget

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DIRECTOR OF FISCAL POLICY

BETTER COMMUNITIES THROUGH
SOUND GOVERNMENT

Budget Update (Governor's Budget)

- Governor Youngkin introduced the last budget he'll be around to implement in December 2024.
- The Governor had significant general fund resources to work with when he pulled together his proposed changes to the current 2024-26 budget.
- But the additional funds at his disposal -- $4.7 billion in total -- were not evenly distributed across fiscal years, requiring a focus on one-time, and not ongoing, budget initiatives.

December GF Forecast	FY 2025	FY 2026	Biennium
GF Revenues	$2.3 billion	$1.0 billion	**$3.3 billion**
GF Carryforward	$1.4 billion	-	**$1.4 billion**
TOTAL, GF Resources	**$3.7 billion**	**$1.0 billion**	**$4.7 billion**

BETTER COMMUNITIES THROUGH SOUND GOVERNMENT

Budget Update (Governor's Budget)

- Changes to tax policy once again took center stage in the Governor's budget proposals.
  - Using one-third of available resources in FY 2025, the Governor proposed $1.1 billion to create an income tax credit to reimburse low-income Virginians for the cost of paying their local car taxes.
  - After three years, the cost of the car tax relief program would become a general fund obligation, competing for available resources, at an annual cost of $380 million and growing.

- The Governor's other budget amendments included:
  - $1.6 billion in required updates to forecasted programs (i.e., Medicaid, CSA, prior commitments) and previously agreed upon initiatives;
  - $1.4 billion for a variety of capital projects;
  - $212 million for K-12 and Pre-K, such as SOL testing, school accreditation funding, and opportunity scholarships;
  - $167 million for IT upgrades and operating costs;
  - $131 million for workforce and economic development as well as biotech, life sciences, and pharmaceuticals;
  - $58 million to strengthen the Commonwealth's behavioral health system and developmental disability services; and
  - $56 million for public safety and emergency response preparedness.

BETTER COMMUNITIES THROUGH SOUND GOVERNMENT

Budget Update (General Assembly Action)

- When the General Assembly rolled out their respective budgets on Sunday, February 22nd, it was clear that a protracted budget fight was not in the cards.
  - Gone was the Governor's car tax proposal, replaced with a one-time rebate of roughly $1.0 billion, including $200 for individual tax filers and $400 for couples;
  - Gone were most of the Governor's discretionary K-12 proposals, instead the General Assembly:
    - Restored funding to finally eliminate the cap on support positions in the K-12 system;
    - Added funds for special education; and
    - Provided a one-time bonus of $1,000 for SOQ-funded instructional and support positions with no local match requirement.
  - The General Assembly also added funds for Stormwater Local Assistance and Community Flood Preparedness.
- **All of these initiatives were ultimately agreed to in the final budget agreement.**

BETTER COMMUNITIES THROUGH SOUND GOVERNMENT

Budget Update (General Assembly Action)

- The final budget agreement also included language to monitor policy decisions being rolled out by the Trump Administration in the first few months of his administration.
  - Item 4-1.02 #1c (Direct Tax Dept. to Provide Estimates of Federal Tax Law Changes) requires the Department of Taxation to estimate the revenue impacts from federal income tax law changes impacting the general fund and communicate those within 30 business days to the Governor and General Assembly. Within 20 days after receiving the estimates, the Governor would be required to submit an introduced budget bill if the cumulative impact of federal amendments decreases general fund revenue by more than $100.0 million.)
  - Item 4-1.02 #2c (Process for Federal Grant Reductions) requires the Department of Planning and Budget to report to the Governor and the Chairs of the Senate Finance and Appropriations and the House Appropriations Committees if federal funding is reduced by at least $100 million. If federal grant reductions result in additional general fund expenditures being required (i.e. mandatory programs) that exceed one percent of the general fund operating budget, the Governor is required to consult with the leadership of the General Assembly regarding the need to call the General Assembly into special session for budgetary purposes to respond to the impact from reductions in federal grant revenue.
- In addition, the House and Senate both created bi-partisan legislative committee to actively monitor the potential impact of federal budget and employment decision on the state and local economy.
  - The House set up the Emergency Committee on the Impacts of Federal Workforce and Funding Reductions.
  - The Senate Finance and Appropriations Committee established the Special Subcommittee on Federal Impacts to Resources.
  - The committees are holding meetings around the Commonwealth during 2025.

VIRGINIA VML MUNICIPAL LEAGUE
BETTER COMMUNITIES THROUGH SOUND GOVERNMENT

Budget Update (Reconvened Session)

- In late March, the Governor proposed 205 amendments to the budget and eight vetoes.
- The amendments Governor Youngkin offered up included:
  - Funding for initiatives previously considered by the General Assembly;
  - Technical amendments to align with bill the Governor proposed to veto; and significantly,
  - More than $500 million in budget reductions to create an additional $300 million reserve fund deposit and pay for additional proposals the Governor was rolling out.

- Only 33 of the Governor's changes to the budget, mostly technical, were approved by the General Assembly at the Reconvened Session on April 2, 2025.
- The budget has been returned to the Governor's for his final review.

BETTER COMMUNITIES THROUGH SOUND GOVERNMENT

Finance Bills - PASSED

- HB2245 (Callsen) - Real property tax; assessment of affordable rental housing.
  - Requires that assessments for affordable housing be based on the income approach if the property is generating income, effective for assessments beginning January 1, 2026.
  - Income approach only required if adequate information is provided by the property owner to the local assessor.
  - Directs the Department of Taxation to work with stakeholders to develop a uniform income and expense reporting form for use by owners of affordable rental housing properties prior to assessment of such affordable rental housing properties.
- HB1970 (Watts)/ SB1202 (Deeds) Tax exempt property; nonprofit institutions of learning; emergency.
  - Clarifies that institutions licensed by the Department of Education that provide services pursuant to the federal Individuals with Disabilities Education Act or any school that is licensed by the Board of Education as a school for students with disabilities are institutions of learning not conducted for profit whose property is exempt from taxation pursuant to the Constitution of Virginia. The bill contains an emergency clause.

BETTER COMMUNITIES THROUGH SOUND GOVERNMENT

Finance Bills - PASSED

- HB2383 (Mundon King) SB1402 Surovell - Transient occupancy tax; administration.
  - Provides that an accommodations provider (i.e., Airbnb, Expedia, VRBO) shall not be required to transmit a transient occupancy tax return to a locality if
    - (i) all retail sales of accommodations owned by the accommodations provider are facilitated by an accommodations intermediary and
    - (ii) the accommodations provider attests to the locality that all such sales were facilitated by an accommodations intermediary.
    - The bill was a compromise between Airbnb and the Commissioners of the Revenue.

BETTER COMMUNITIES THROUGH SOUND GOVERNMENT

Finance Bills - FAILED

- SB2383 (Durant) - Income tax; car tax credit
  - Provided a refundable state-funded income tax credit of up to $150 for individuals whose federal adjusted gross income (AGI) is less than $50,000 or up to $300 for married persons whose federal AGI is less than $100,000.
  - Created a temporary, three-year program for tax years 2025, 2026, and 2027 at a cost of roughly $365 million annually.
- SB1312 (McPike) - Real property tax; high exemption locality reimbursements
  - Reimbursed certain localities for 50% of the cost of providing real property tax exemptions for disabled veterans and their spouses if the exemption exceeds 1% of property tax revenues in FY 2022.
  - Current law provides an exemption from real property tax for a qualifying dwelling or qualifying portion thereof, and up to one acre of land upon which such dwelling is situated, that are owned by either
    - (I) a veteran who has a 100 percent service-connected, permanent, and total disability, or
    - (ii) a surviving spouse of a member of the armed forces who died in the line of duty.

BETTER COMMUNITIES THROUGH SOUND GOVERNMENT

Natural Resources

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MITCHELL SMILEY (MSMILEY@VML.ORG)
TRANSPORTATION AND NATURAL RESOURCES POLICY MANAGER

BETTER COMMUNITIES THROUGH
SOUND GOVERNMENT

Natural Resource Bills - PASSED

- SB851 (Diggs) - Rainwater harvesting
  - Requires connections to a municipal water supply when the most stringent permit is issued for rainwater harvesting system issued by the state board of health.
- HB2000 (Laufer)/SB857 (French) - Local authority; dam failure
  - Allows a locality to act on behalf of the state to mitigate unsafe dams that present an imminent hazard and creates new inspection requirements.
- HB2008 (Martinez)/SB1093 (Perry) - Property access for MS4 utility
  - Allows localities operating a municipal separate storm sewer system to enter properties where a discharge enters the MS4 using properties not owned by a locality.

Natural Resource Bills - PASSED

- HB2313 (Lopez) - Animal boarding and grooming facility inspections
  - Expands authority for animal control officers to inspect animal grooming establishments based on complaints or twice per year.
  - Establishes a work group establishing regulations and licensing processes.
- HB2630 (Willett) - Tree Canopy
  - Grants authority for localities to establish a tree canopy fund using fees from developers. Funds may be used to plant and maintain trees.
- HB2749 (Levere Bolling)/SB1408 (Reeves) - Drinking water requirements
  - Reduces the window for a waterworks operator to notify VDH of critical equipment failure or a contaminant leak from six hours to two hours.

Natural Resources Bills - FAILED

- SB923 (Stuart) - Virginia water protection permit
  - Would prohibit the issuance of interbasin water transfers exceeding 5% of the non-consumptive volume for two years.
- SB930 (Stuart) - Aquatic water quality
  - Would direct the VA Institute of Marine Sciences to study the impact of surface water withdrawal intakes on aquatic flora and fauna.
- SB1190 (Deeds) - Solar photovoltaic projects
  - Would pre-empt local zoning authority for clean energy projects via review board
- SB1319 (McPike) - Industrial wastewater
  - Would require industrial customers of a publicly owned wastewater treatment facility to report the use of perfluoroalkyl and polyfluoroalkyl.
- SB1365 (Pillion) - Stormwater management regulations
  - Would repeal stormwater management regulations for localities outside the Chesapeake Bay watershed and revert regulations to those in effect prior to 2014.

Cannabis Bills - VETOED

- HB2485 (Krizek)/SB970 (Rouse) - Cannabis control; retail market
  - Would establish a recreational market regulatory framework including fines, fees, penalties, and taxes.
  - Included referendum authority for cities, **towns**, and counties to hold a referendum prior to Dec. 31, 2025, to **prohibit** cannabis retailers from operating.
  - Included local authority to levy a 2.5% tax on cannabis sales.
  - Included local authority to regulate hours.
  - Included local authority to regulate use on school grounds and public property.

Transportation

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TRANSPORTATION AND NATURAL RESOURCES POLICY MANAGER

BETTER COMMUNITIES THROUGH
SOUND GOVERNMENT

Transportation Bills - PASSED

- SB852 (Craig) - Photo speed monitoring devices
  - Expands criteria for who is allowed to swear or affirm a violation captured by photo speed enforcement camera.
  - Also permits retired sworn law enforcement officers to review footage.
- SB1332 (Marsden) - Local option towing fee increase
  - Removes the fuel surcharge for trespass towing and allows localities to increase the cost from the current $150 to $210.
- HB2718 (Leftwich) - Photo speed monitoring devices; documentation
  - Requires a photo speed enforcement camera operating in a school zone to demonstrate through images or documentation that the school zone lights were activated at the time of violation.

Transportation Bills - FAILED

- SB1233 (Williams Graves) - Photo speed enforcement (vetoed)
  - Would authorize law enforcement to use pedestrian/stop sign monitoring devices in school/work zones and restrict how civil penalties could be collected.
  - Funds would have to go into a separate fund for road/pedestrian safety improvements.
  - Expanded reporting requirements.
- HB1664 (Jones) - Photo speed devices; placement and operation
  - Would allow towns without law enforcement agencies to operate photo speed devices
- SB1445 (Diggs) - Photo speed devices; traffic signals; proof of violation
  - Would allow training for local employees certifying violations under an enforcement program and allow non-law enforcement employees to affirm violations under a photo speed enforcement program.

Transportation Bills - FAILED

- HB1801 (Cohen) - School crossing zones; boundaries
  - Would expand boundary of school crossing zones to 1,500 feet from 750 feet.
- HB2159 (Carr)/SB1491 (Bagby) - School crossing zones; higher education
  - Would allow institutions of higher education to establish crossing zones with capital costs covered by the institution.
- HB2080 (Austin)/SB1061 (Diggs) - Registration decals; discontinued
  - Would discontinue vehicle registration decals with the expiration month and year on license plates.

Health and Human Resources

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DIRECTOR OF POLICY DEVELOPMENT

BETTER COMMUNITIES THROUGH
SOUND GOVERNMENT

Health and Human Service Bills - PASSED

- SB838 (VanValkenburg) - Licensure and oversight of recovery residences.
  - The bill addresses civil penalties for violations related to operation of recovery residences; gives the Department of Behavioral Health and Developmental Services the authority to issue provisional, time-limited certification to certain recovery residences; and directs the creation of a work group to (i) make recommendations related to oversight and transparency issues for recovery residences and (ii) develop credentialing guidelines for recovery residences. VML and VACo have local representatives on the workgroup, which will report its findings and recommendations to the General Assembly by Nov. 1, 2025.

Health and Human Service Bills - PASSED

- HB1760 (Gardner) - Directing Dept. Of Health.
  - Directs the Department of Health, with the Department of Behavioral Health and Developmental Services and the Department of Education, to convene a work group to develop a plan to (i) create a mental health screening and assessment tool for children in early childhood care and (ii) provide mental health consultation resources and training to early childhood education providers, pediatric health providers, and families. Findings are due to the House and Senate budget committees by Nov. 1, 2025.

Health and Human Service Bills - PASSED

- HB 2260 (Delaney) - Juvenile domestic relations
  - Expands the definition of a "child in need of services"(CHINS) for purposes of juvenile and domestic relations districts courts to include a child who remains away from, deserts, or abandons his/her family or lawful custodian on one occasion and who is demonstratively at risk of coercion, exploitation, abuse, or manipulation or who has been lured from home by means of trickery, misrepresentation, or under false pretenses. Such children will become eligible for services under the Children's Services Act (CSA); the number of children covered by this bill and therefore fiscal impact is unknown.

Health and Human Service Bills - FAILED

- SB1432 (Marsden) - Juvenile secure detention facilities
  - Would force the closure/consolidation of eight local/regional juvenile detention facilities; it would deny state funding if a locality/region did not cooperate. Would require other facilities to take in youth from closed facilities or lose their state funding.

Public Safety

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BETTER COMMUNITIES THROUGH
SOUND GOVERNMENT

Public Safety Bills

Passed

- HB1914 (Sullivan) Wrongfully convicted persons; right to sue
  - If local government personnel intentionally, willfully, and continuously suppress or withhold evidence used in a conviction, compensation to the wrongfully incarcerated person shall be paid by the locality.

Failed

- SB1431 (Marsden) Requiring magistrates to hold extra hearings
  - Would require magistrates to hold hearings before releasing persons on bail.
  - Would require hiring additional staff in many local court systems.

Retirement, line of duty - FAILED

- HB1619 (Clark)/HB2579 (Cordoza)/SB1083 (Perry) - Retirement benefits
  - Would add emergency service dispatchers to enhanced retirement benefits.
- SB1286 (Durant) - Line of duty
  - Would provide line of duty benefits to auxiliary police officers and volunteer deputy sheriffs.
- SB1396 (Head) - Animal control
  - Would add full-time animal control officers to those eligible for enhanced retirement benefits.
- HB2495 (Askew)/SB1401 (Lucas) - Collective bargaining
  - Would authorize firefighters and EMTs to engage in collective bargaining and establish a Fire Service Cooperation Board.

K-12 Education

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POLICY COMMUNICATION COORDINATOR

BETTER COMMUNITIES THROUGH
SOUND GOVERNMENT

K-12 Bills - PASSED

- SB1413 (Surovell) and HB2618 (Helmer) - Indoor air quality
  - Establishes several requirements for local school divisions to ensure adequate indoor air quality in every two-year building.
  - Requirements include:
    - Every two-year holding an inspection and evaluation
    - Every four-years holding an inspection and evaluation that is industry-recognized

BETTER COMMUNITIES THROUGH SOUND GOVERNMENT

K-12 Priority Bills - VETOED

- SB1307 (McPike) - Sales and use tax
  - Allows for the authority to be granted to any county or city to implement a sales and use tax of up to one percent dedicated solely for school construction, modernization, and debt services if approved by ordinance and local referendum statewide.
  - SB1307 added the caveat that funds could not be supplanted.
  - The Towns of West Point and Colonial Beach own and operate their own school divisions. This version did not include the towns.
    - VML will continue to advocate for the inclusion of the two towns.

BETTER COMMUNITIES THROUGH SOUND GOVERNMENT

K-12 Bills - FAILED

- JLARC Recommendations
  - In 2023, the Joint Legislative Audit and Review Commission (JLARC) published a report on the Virginia K-12 funding formula and Standards of Quality (SOQ).
  - 12 recommendations for short- and long-term policy changes were made, including eliminating the support cap.
  - A House-Senate committee was established to address the feasibility of implementing the JLARC recommendations.
  - While this committee meets, no policy recommendations were passed.
  - However, several recommendations were introduced or included in the budget:
    - SB1954 (Rasoul), HB2032 (Reaser), SB977 (Hashmi), HB1831 (Simonds), HB1954 (Rasoul), SB1236 (Aird), and HB1594 (Clark).

K-12 Bills - FAILED

- HB2164 (Cole) and SB1149 (French) - LCI Change
  - Would require the DOE to exclude the true value of real property eligible for certain disabled veterans and surviving spouse property exemptions when calculating a locality's local composite index (LCI).
- HB2231 (Cherry) and SB1346 (Jordan) - VA Opportunity Scholarship Program
  - Would establish the Virginia Opportunity Scholarship Grant Program to provide grants of $5,000 per eligible student up to 10,000 students per year to be used for private education needs, including textbooks and uniforms.

Elections

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POLICY COMMUNICATIONS COORDINATOR

BETTER COMMUNITIES THROUGH
SOUND GOVERNMENT

Elections Bills - PASSED

- SJ253 (Surovell) and HJ443 (Simonds) - Two-year study on the feasibility of consolidating and scheduling general elections.
  - A 13-member joint subcommittee will study the effects of moving some or all of Virginia's state and local elections to even-numbered years coinciding with the federal election schedule.
  - Any proposed change would require a Constitutional amendment.

BETTER COMMUNITIES THROUGH SOUND GOVERNMENT

Elections Bills - VETOED

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- HB1794 (Helmer) and SB119 (VanValkenburg) - Primary election date change
  - Would move all primary elections to align with the presidential primary date, effectively creating a Super Tuesday. If a candidate were up for election in November during a presidential election year, the signature requirement after January 1 would be eliminated.
- HB2056 (Reaser) - Satellite voting offices
  - Would authorize a city or county governing body to establish satellite voting offices for absentee voting in person. Local ordinance would prescribe dates and hours of operation.
- SB1009 (Salim) - Ranked choice voting
  - Would expand the ability to conduct elections using rank-choice voting to any local election. The BOE would create standards for tabulation software on existing systems conducting rank-choice voting elections.
  - The BOE would also provide and create educational materials on the new voting method.

Elections Bills - FAILED

- HB1938 (Reid) would maintain the 40-foot prohibition area around polling places, electoral board meetings, and recount locations with an additional requirement of a five-foot prohibited area around vehicles.
- HB2139 (Walker) would allow candidates for local office that a political party has nominated or is participating in a primary election to be identified by a political label, at the candidate's discretion.
- HB1566 (Green) would require any ballot mailed to an absentee voter to be printed on a secure paper that includes a visible watermark that identifies the ballot as official.
- SB1175 (Sutterlein) would require any in-person absentee voting to be available from 8:00 am to 5:00 pm Monday through Friday during early voting and on the first and second Saturday and Sunday before all elections.
- SB1404 (Pekarsky) would mandate all school boards to be elected. Current law requires all school boards to be appointed with the ability to change to an elected body if approved by referendum.
- HB2478 (Zehr) would require 24-hour video surveillance of all absentee ballot drop-off locations including polling locations such as schools, government buildings, and shopping malls.

Artificial Intelligence(AI)/ Information Technology (IT)

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POLICY COMMUNICATIONS COORDINATOR

BETTER COMMUNITIES THROUGH
SOUND GOVERNMENT

AI/IT Bills - PASSED

- HB2541 (Tran) - ADA compliance
  - Align the Virginia IT Act and VA Code with federal standards.
  - All public bodies must comply with changing federal regulations by 2026 or 2027 depending on population.

BETTER COMMUNITIES THROUGH SOUND GOVERNMENT

AI/IT Bills - VETOED

- HB2094 (Maldonado) - High risk AI; vendors
  - Would create requirements for vendors to develop, deploy, and use high-risk AI systems, to be enforced by the Attorney General. Was a recommendation from JCOTS.

BETTER COMMUNITIES THROUGH SOUND GOVERNMENT

AI/IT Bills - FAILED

- SB1215 (Aird) and HB2046 (Anthony) - High risk AI; public bodies
  - Requirements for the development, deployment, and use of high-risk AI systems for STATE public bodies.
    - Would mandate the state CIO to develop, publish, and maintain policies for development, procurement, utilization, and assessments.
    - JCOTS and the patron agreed counties, cities, and towns are not yet included.
    - Create a workgroup (including VML) to determine the feasibility of extending the requirements to local governing bodies.

BETTER COMMUNITIES THROUGH SOUND GOVERNMENT

General Laws

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EXECUTIVE DIRECTOR

BETTER COMMUNITIES THROUGH
SOUND GOVERNMENT

Land Use Bills - PASSED

- HB2330 (Hodges) - Notice of certain land use actions, first-class mail to last known address.
  - Changes notice requirements for zoning map classifications to add first class mail delivery as an option if a planning commissioner certifies that it was mailed.
- HB1996 (Bennett-Parker) - Planning and zoning, second hearing public notice.
  - Changes second public hearing notice that a planning commission or governing body publishes for planning and zoning actions to be published 5 days before the date of the meeting instead of 7 days.
- SB1210/HB1706 (Pekarsky/Bulova) - VA residential property disclosure, airport.
  - Directs the Department of Aviation to create a website showing a noise exposure map plus disclosure to residential buyers.
- SB974 (VanValkenburg) - Subdivision ordinance; plan review by agent
  - Requires the review of a subdivision plan, site plan, and plan of development to be completed by a designated agent unless the population is under 5,000; then the Planning District Commission can be the agent. **HB2293** (Coyner) was identical but failed.

Land Use Bills - PASSED

- SB1263 (Bagby) - Water and sewer connection fees; new residential development
  - Allows a locality to provide full or partial reimbursement of water and sewer connection fees, capital recovery charges, and remitted residential development fees.
- SB1449 (Ebbin)/HB1601 (Thomas) - Siting of data centers; site assessment
  - Defines "high energy use facility;" allows localities to require a site assessment before approving any new high energy facilities. (*Still awaiting signature as of 4-30-25*)
- HB2660 (Simonds) - Subdivision ordinance; shortens local approval time frame
  - Shortens timeframe for various local approvals of subdivision and site plans
    - from 10 days to five days to transmit to state agencies.
    - Planning commissions now have 40 days from 60 days to review any proposed site plans.
  - Third review goes to a "boss."
  - Also convenes a work group which includes VML.

Land Use Bills - PASSED

- SB1476 (Pillion) - Vacant and blighted property; locality allowed to sell
  - A locality with a vacant property for more than five years and declared blighted or derelict and has delinquent taxes can petition the circuit court to appoint a special commissioner.
- SB992 (Williams Graves) - Civil penalties for certain repeat zoning violations in planning district 23.
  - Provides an enhanced level of civil penalties for PD23 for repeat violations involving nonpermitted commercial use.
  - Also makes changes to the Board of Zoning Appeals process which apply to all localities.
- HB2128 (Walker) - Derelict buildings; expands authority to impose civil penalties
  - Includes industrial properties as derelict buildings for the purpose of imposing a penalty.

Land Use Bills - PASSED

- SB1422 (Reeves) - Zoning violations; appeals; fines
  - Deals with the conviction of the storage or disposal of nonagricultural excavation material, waste, and debris punishable by a $2,000 fine unless not abated within a specific time then fine increases to $5,000 and $7,500.
- SB1267 (Aird) - Zoning; enhanced civil penalties.
  - Addresses repeat violations of a zoning ordinance for multifamily residential purposes of up to $1,000 for a second or more violation with a cap of $6,000 for all violations within 12 months.
- HB2533 (Sewell) - Zoning, development and use of accessory dwelling units
  - Allows a locality to consider tiny homes or accessory dwelling units in the comprehensive plan. Identical bill **SB932** (Salim/Stanley) failed.
- HB2203 (Kilgore)/SB787 (Mcdougle) - Housing and community development
  - Puts all DHCD reports on the same timeline and creates a requirement for an annual report on the outcomes associated with closed projects that have received a grant.
  - Delayed effective date until Jan. 1, 2026.

Eminent Domain - PASSED

- SB1158 (Obenshain) - Eminent domain
  - Alters provisions governing eminent domain, primarily relating to condemnation proceedings and the transfer of defeasible title.
  - Repeals the requirement that the court refer a matter initiating a condemnation proceeding.
  - The overall result is that eminent domain cases will cost the government a bit more and will require additional procedural steps.

BETTER COMMUNITIES THROUGH SOUND GOVERNMENT

Land Use Bills - FAILED

- SB985 (Williams Graves)/HB1654 (Helmer) - Short-term rental properties
  - Require an accommodations provider to complete an approved training course on recognizing and reporting instances of human trafficking.
- SB1305 (McPike) - Local taxes; zoning assessments
  - Any ordinance or amendment to zoning ordinance and map enacted after Dec. 1, 2023, would not be effective until there is a final determination or expiration of the period for an appeal.
- HB2438 (Mundon King) - Solar facilities; local regulations
  - Require that ground-mounted solar energy facilities located on property zoned agricultural, commercial, industrial, or institutional be included in a local ordinance.
- HB2641 (Helmer)/SB975 (Vanvalkenburg) - Statewide housing targets
  - Require localities to increase total housing stock every year and create a "housing approval board" with the power to overturn a local government decision on residential projects.

Land Use Bills - FAILED

- HB2577 (Leftwich) - Uniform statewide building code
  - Structures deemed unsafe under the Uniform Statewide Building Code and thus eligible for demolition can temporarily overcome the unsafe structure designation by vacating and securing the structure at all access points.
- HB1758 (Gardner) - Surplus real property
  - Would require the department of General Services and the local governing body to prepare an inventory list of all real property within its jurisdiction where the locality holds a fee simple title.
- SB839 (VanValkenburg) - Zoning; by right multifamily development
  - Required localities to allow for by-right development of multifamily residential uses on all land contained in commercial or business zoning districts.

General Laws Bills - PASSED

- HB1820 (Reid) - Public safety communications; evaluation of needs
  - Requires the Secretaries of Public Safety and Finance and the statewide interoperability executive committee to evaluate the need for public safety communications infrastructure updates and replacement.
  - The evaluation must include an infrastructure review, resiliency updates, and funding source availability.
- HB2150 (Carr) - Public procurement act; contract terms
  - No contracts for IT goods and services may contain terms in conflict with VA law if localities have adopted the policy.
- HB2152 (Carr) - FOIA; public body officer training
  - If the designated FOIA officer is the local attorney, the attorney must attend FOIA training.

General Laws Bills - PASSED

- HB2628 (Glass)/SB997 (Williams Graves) Local officers; oath of office
  - Requires local officers to take the oath of office and give bond if appropriate on or before the day on which the term of office begins.
- HB1659 (Henson) Local foundation and soil management fund
  - Authorizes localities to create a local foundation and soil management fund using local money for granting funds to citizens for foundation management.
- SB1165 (Salim)/HB2024 (Seibold) Virginia public procurement act
  - Prohibits local governments from excluding materials contained in solar products if the products meet the U.S. Environmental Protection Agency's recommendations or Standards

General Laws Bills - FAILED

- SB2175 (Clark)/SB1136 (Boysko) - Local anti-rent gouging authority
  - Localities would, by ordinance, be able to adopt anti-rent gouging measures after proper notice and public hearings.
- SB876 (Ebbin) - FOIA; public notice; agenda requirements
  - Would require public bodies subject to FOIA to include an agenda listing all items expected to be considered at the public body meeting; those items shall be sufficiently descriptive to give the public reasonable notice.
- SB1029 (Roem) - FOIA; procedure for responding to requests; charges
  - Would limit the fees that can be charged for producing public records to the median hourly rate of pay of employees or the actual hourly rate of the person completing the task, whichever is less.

Fire/Emergency Management Bills - PASSED

- HB2065 (Thomas)/SB1282 (Durant) - Fire programs fund; aid to localities
  - For localities to remain eligible for funding from the Fire Programs Fund, they must report all emergency incidents through the National Emergency Response Information System while sharing such emergency incident data with the Department of Fire Programs.
  - The bill has a delayed effective date of July 1, 2026.
- SB1248 (Hackworth) - Fire prevention code
  - Prohibits the State Fire Marshal from charging a fee for the approval and administration of a permit for explosives, blasting agents, theatrical flame effects, and fireworks issued to fire departments and emergency medical services of a locality with total population of less than 10,000.
- SB934 (Craig) - Certain unclaimed property presumed abandoned
  - Funds/property in the volunteer firefighter and rescue squad workers' service fund will be presumed abandoned if unclaimed for more than five years.

Fire/Emergency Management Bills - FAILED

- SB972 (Rouse)/HB2494 (Askew) - Emergency response exposure grant fund
  - This fund would award grants to localities to support emergency responders who were exposed during a qualifying emergency.
  - Would require funding be used for annual cancer screenings and health care expenses.
- SB1246 (Stanley) - VA emergency management preparedness and capabilities grant program and fund
  - Would establish this fund for the purpose of awarding grants to political subdivisions to assist with the cost of emergency preparedness and management.

Studies

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BETTER COMMUNITIES THROUGH
SOUND GOVERNMENT

Studies - PASSED

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- HB1743 (Watts) - License taxes; deduction for out-of-state receipts, effective date, report
  - As introduced, expanded BPOL licensing tax deductions for businesses operating in other states, resulting in an unknown but potentially significant reduction in local revenues. Because of the uncertainty, the bill was converted to a study to review the local license tax deduction in Virginia for receipts attributable to out-of-state business, including a review of (i) current policy and methodology; (ii) any legal concerns regarding the existing law; (iii) the potential fiscal impact to local government of any proposed changes, (iv) the potential administrative complexities or benefits for taxpayers; and (v) any impact to such deduction from other existing provisions of law.

BETTER COMMUNITIES THROUGH SOUND GOVERNMENT

Studies - PASSED

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- HB2396 (Simon)/SB1270 (Hackworth) Deed fraud; VHDA evaluate prevalence
  - Directs VHDA to create a technical advisory group to evaluate the prevalence of deed fraud.
  - VML is on the advisory group
- HB2153 (Carr) Faith and Housing; comprehensive plan; zoning; DHCD
  - Requires a locality to include in its comprehensive plan process to obtain input on strategies to support affordable housing on religious organizations property. **SB1178** (Hashmi) identical but failed.

BETTER COMMUNITIES THROUGH SOUND GOVERNMENT

Studies - FAILED

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- HJ64 (Webert) - Localities hosting data center infrastructure - Proposed a study to look at revenue sharing between localities for data center revenue
- HJ442 (Orrock) - Affordable housing; study on tax policies – Would direct the Virginia Housing Commission to examine/explain all available tax policies concerning affordable housing.
- HB1992 (Askew)/SB1374 (Sutterlein) - Emergency Management - Would direct the Secretary of Public Safety and Homeland Security to create a workgroup to study existing emergency management needs and sustainability of funding.
- HB2504 (Runion) - Emergency vehicles and housing –Would allow the Department of Fire Programs to establish a grant program to assist localities in providing volunteers with living quarters, free of charge.
- SB1326 (Perry) - Federal grant reliance - Would direct the Department of Emergency Management to convene a workgroup to study the reliance of localities on federal grants.

BETTER COMMUNITIES THROUGH SOUND GOVERNMENT

Questions?

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BETTER COMMUNITIES THROUGH SOUND GOVERNMENT

TOWN OF Herndon VIRGINIA

Town Council Work Session
Agenda Item 2.b.

Agenda Item: **Work Plan Briefing**

Meeting Date: May 13, 2025

Category: Discussion

Prepared by: Kirstyn Jovanovich, Interim Town Manager

Description:
This discussion item provides a briefing to the Town Council on the work plan for the coming months, with a focus on topics that will be brought forward during upcoming work sessions. The attached report follows up on the Town Council's January retreat, where the Council reviewed the Strategic Plan, identified priority initiatives, and provided guidance that informed the development of the FY 2026 budget.

Background:

The Town Council adopted a Strategic Plan in March 2024 to guide the organization's priorities and align staff efforts with the community's long-term vision. At the January 2025 retreat, the Town Council held a comprehensive discussion on the Strategic Plan and identified specific initiatives within the plan for staff to prioritize over the next two fiscal years. This discussion provided direction that informed the development of the FY 2026 budget and continues to shape the Town's operational and policy focus.

In addition to the prioritized activities, the work plan includes updates on other initiatives included in the Strategic Plan that were not considered during the prioritization process but are currently in progress. Continued advancement of these initiatives will be dependent on available resourcing and funding.

The work plan also reflects activities that were discussed during the recent budget process and are considered standard operating practices. These efforts represent established best practices and ongoing responsibilities that are essential to the effective conduct of Town operations. The Town will continue to carry out these activities as part of its normal delivery of services and programs to the community.

Timing Impact:
This item is being presented to the Town Council at this time to provide an overview of staff priorities, share progress to date on the implementation of the Strategic Plan, and preview items that will be coming before the Council in the months ahead.

The FY 2026 budget process is now complete, and work on the FY 2027 budget will begin shortly. A financial retreat is planned for Fall 2025 and will include a Strategic Plan prioritization activity to inform future budget development and policy focus.

Strategic Focus Area:
Good Governance

Fiscal Impact:
Activities and priorities outlined in the work plan are dependent on funding and staffing resources allocated through the annual budgeting process. Some initiatives are already funded in the FY 2026 budget, while others may require future budget consideration based on Council direction and resource availability. Additionally, some activities may have an impact on Town revenues, depending on program design or policy implementation.

Legal Impact:
N/A

Staff Recommendation/Next Steps:
This is a discussion item; no staff recommendation.

Attachments:
None