HERNDON TOWN COUNCIL
Regular Meeting Minutes
Tuesday, July 15, 2025

1. Call to Order

Mayor LeBlanc called the July 15, 2025, Town Council meeting to order at 7:00 p.m. in the Herndon Council Chambers Building, 765 Lynn Street, Herndon, Virginia. In attendance were: Mayor Keven LeBlanc; Vice Mayor Clark Hedrick; and Councilmembers Naila Alam, Cesar del Aguila, Kelvin Garcia, Michael T. Lloyd, and Alex Reyes.

Staff present during the meeting: Kirstyn Barr Jovanovich, Interim Town Manager; Lesa Yeatts, Town Attorney; Scott Robinson, Acting Deputy Town Manager; Chief Steven Pihonak, Herndon Police Department; Brent Heavner, Chief Communications Officer; Lisa Gilleran, Director of Community Development; Marjorie Sloan, Director of Finance; Maria Lee, Budget Manager; and Margie Tacci, Deputy Town Clerk.

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

Mayor LeBlanc recognized student athletes from the Herndon High School Boys' Soccer Team and the Herndon High School Track Team to lead the audience in the Pledge of Allegiance.

Determination of a Quorum

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

Mayor Announcements

Mayor LeBlanc stated the Town of Herndon issued legal pleadings in the Fairfax County Court over the Comstock development, and he provided comments on the matter.

Mayor LeBlanc congratulated the student athletes from Herndon High School, who were attending the meeting to be recognized for their recent achievements at the state and national levels. He noted that the boys' soccer team won the first Virginia state soccer championship since 1986, and there were several track athletes in attendance who competed in the 2025 Outdoor National competition.

Mayor LeBlanc provided updates and comments on the following: (1) National Night Out (NNO), on Tuesday, August 5 at locations throughout the Town; and (2) outlined the upcoming meeting schedule, which includes the next work session

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meeting on Wednesday, August 6 (due to NNO); and the next regular Meeting on Tuesday, August 12.

Amend the Agenda

Mayor LeBlanc was advised that a closed meeting subject needed to be added to tonight's meeting agenda.

Councilmember del Aguila made a motion to amend the agenda to add a closed meeting under the Code of Virginia Code of Virginia Section 2.2-3711(A)(7), for consultation with legal counsel regarding actual litigation where such consultation in an open meeting would adversely affect the litigating posture of the town, identified as item 8(b), and that the agenda be so amended.

The motion was seconded by Councilmember Reyes.

The question was called on the motion, which was carried by unanimous roll call vote, as presented, without comment. The vote was: Councilmembers Alam, del Aguila, Garcia, Lloyd, Reyes, Vice Mayor Hedrick and Mayor LeBlanc voting "Aye."

3. Presentations/Reports/Comments

a. Proclamation, to recognize Disability Pride Month, July 2025

Mayor LeBlanc recognized Councilmember Lloyd to read the proclamation 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.

b. Town Manager Report

Kirstyn Barr Jovanovich, Interim Town Manager, provided an update on the Tree Donation Program, noting that staff will provide a briefing at the September work session.

c. Councilmember Comments

Councilmember del Aguila: congratulated the Herndon High School (HHS) teams on all of their achievements. He provided comments on the legal pleadings between the Town of Herndon and Comstock, urging residents to review the pleadings for information on this issue. He emphasized how seriously the Town takes this issue and that the Council will continue to work on this matter.

Councilmember Reyes: echoed the congratulations to the HHS soccer and track teams. He provided comments on the proclamation to recognize "Disability Pride Month," noting that it has been 34 years since the Americans with Disabilities Act

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was passed. He emphasized Herndon's ongoing commitment to increasing accessibility.

Councilmember Alam: echoed the congratulations to the HHS teams. She stated her sentiments on the recent flooding in Texas and in New Jersey. She thanked the Department of Works for keeping the Town safe during recent rainstorms.

Councilmember Garcia: echoed the congratulations to the HHS teams and thanked them for their hard work and dedication. He emphasized their positions as positive role models to younger students. He encouraged the student athletes to continue their hard work and to remember their roots in Herndon.

Councilmember Lloyd: provided comments on the request to consider a donation to Arts Herndon, stating that he has not served on the Arts Herndon Board since June 2020, when his resignation was accepted. Despite this, the organization continues to list him as a board member on IRS Form 990 and its website, which is incorrect. He did not file a formal disclosure on the item, because he has no current affiliation and remains objective in discussing the matter. He noted that he posted a public statement on his Facebook page regarding this issue.

Vice Mayor Hedrick: echoed the congratulations to the HHS teams. He praised their achievements and acknowledged the parents and community members for their support.

Mayor LeBlanc: echoed the congratulations to the HHS teams and thanked the coaches, athletes, boosters, and parents. He emphasized that the student athletes are part of a supportive Herndon community.

Mayor LeBlanc provided comments on the proclamation to recognize Disability Pride Month, indicating that the body will continue to acknowledge and act with accessibility in mind.

Mayor LeBlanc reported that he attended the following events: (1) INOVA Cares Clinic & Juniper Program Grand Opening; (2) 40th Anniversary Montessori School of Herndon: Friday, June 13; (3) Brick and Minifigs ribbon cutting: Saturday, June 14; (4) Buffalo Wild Wings GO! Grand Opening: Thursday, June 19; (5) Dunkin' at Dulles Landing grand re-opening: Saturday, June 28; (6) Jets Pizza grand opening: Wednesday, July 2; (7) Rotary Club of Herndon-Reston Citizen of the Year Award, June 18; presented a mayoral proclamation recognizing former Councilmember Signe Friedrichs for being named Citizen of the Year; (8) Fourth of July: Old Dranesville Hunt Fourth of July Parade; and Town's July Fourth Fireworks at Bready Park; thanked staff at Parks and Recreation, Herndon Police Department, and Department of Public Works, (9) Herndon Olympics: Tuesday, July 8: helped to open the event; and (10) opened the 107th Virginia American Legion Convention: Saturday, July 12.

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4. Comments from the Audience

Mayor LeBlanc reviewed the process and asked those who wanted to provide Comments from the Audience to come forward.

The following individuals provided comments:

- Dylan Ellis, 1303 Grant Street, Herndon: (1) congratulated the HHS teams; (2) stated that he was attacked near the Herndon Fortnightly Library yesterday; and (3) inquired about whether he could assist the town in any health and wellness services.

  Mayor LeBlanc stated that staff would follow up with Mr. Ellis.

- Alexander Burke, 910 Jorss Place Apt 304, Herndon: voiced his support for the Mayor and Town Council's decision to initiate legal proceedings over the downtown land.

- Steven Mitchell, 1291 Monroe Street, Herndon: (1) congratulated the HHS athletes; (2) requested five minutes to speak as president of the Herndon Downtown Business Group and, which Mayor LeBlanc granted. He stated that the Town needs to work more with businesses to advance downtown redevelopment and to improve community events. (3) he provided follow-up on a cycling event with the Green Lizard and inquired about the next steps in planning it.

- Patrice Humphries, 1301 Rock Chapel Road, Herndon: coach of the HHS track team and a teacher at HHS in her 27th year; congratulated and recognized the positive behavior and inclusion exhibited by HHS student-athletes.

- Bessie Denton, 496 Virginia Avenue, Herndon: (1) congratulated the HHS athletes; (2) thanked the Council for engaging with the community during a recent meeting; (3) requested increased enforcement on Center Street for vehicles blocking the accessibility ramp; and (4) requested that the Town look into an anti-dumping ordinance, citing concerns about dumping at Bruin Park.

- Cynthia Ferraro Vice President, and Erin Ritter, President. Herndon High School Boosters: requested assistance in funding a new scoreboard at the high school, noting the current one is deteriorating. They stated $100,000 has been raised toward the $200,000 cost, with funding from the Fairfax County School Board not anticipated until FY 2030. They emphasized the need to address the issue sooner.

5. Public Hearings

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a. FY 2026 Budget Amendment 1

i. Resolution 25-G-35 to authorize the Reserve of Fiscal Year (FY) 2025 funding for ongoing operations and maintenance, capital projects, and for outstanding encumbrances on June 30, 2025 for the FY 2026 Adopted Budget

ii. Ordinance 25-O-12 to amend the Fiscal Year (FY) 2026 Adopted Budget for the General Fund, Water and Sewer Fund, Chestnut Grove Cemetery Fund, Herndon Centennial Golf Fund, Capital Projects Fund, Stormwater Management Fund, and American Rescue Plan Act (ARPA) Fund

Certificates of Publication were filed from the Editor of the Fairfax County Times Newspapers, showing that notice of said public hearing items had been duly advertised in the Friday, June 27 and July 4, 2025, issues.

Mayor LeBlanc stated there would be a joint staff report with concurrent public hearings on the two budget amendments. He opened the public hearings and recognized Marjorie Sloan, Director of Finance, for the staff report.

Ms. Sloan provided an overview of the reserves and encumbrances. There are three schedules, which include: (1) Operations and maintenance section: $5.3 million; (2) Capital reserves: $13.2 million; and (3) estimated encumbrances as of June 30, 2025: $5.9 million. She stated that staff recommends approval of the proposed resolution and ordinance as presented.

There was discussion among Council and staff on this item.

Responding to questions from Councilmember del Aguila, Kirstyn Barr Jovanovich, Interim Town Manager, clarified that the funding for an arts center project related to Schedule 2 was set aside to be determined at a future date.

The public hearing was held, and the following individuals provided testimony:

- Dylan Ellis, 1303 Grant Street, Herndon: provided comments about the gravel portion of the W&OD Trail near Arts Herndon, as well as a proposal he submitted to pave part of the Trail. Responding Mayor LeBlanc stated that the land near the Arts Herndon is owned by Comstock; and Ms. Jovanovich indicated Mr. Ellis should share his proposal and direct his concerns to NOVA Parks.

- Alex Burke, 910 Jorss Place, Apt 304, Herndon: stated that the ADA sidewalk replacements have greatly benefited the Town; he would like more of these improvements to be considered.

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- Steven Mitchell, 1291 Monroe Street, Herndon: inquired about the total value of the Arts Center project money put in the reserve. Responding, Ms. Sloan clarified that the arts center money is not in a reserve account, but rather has been appropriated and carried over.

Seeing no further comments, Mayor LeBlanc closed the public hearing and moved to Council level for discussion and action.

Vote on Budget Resolution 25-G-35

Vice Mayor Hedrick moved to Approve Resolution 25-G-35 to authorize the Reserve of Fiscal Year (FY) 2025 funding for ongoing operations and maintenance, capital projects, and for outstanding encumbrances on June 30, 2025 for the FY 2026 Adopted Budget, as presented.

Motion seconded by Councilmember Alam.

There were brief comments from Council.

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

Vote on Budget Ordinance 28-O-12

Vice Mayor Hedrick moved to Approve Ordinance 25-O-12 to amend the Fiscal Year (FY) 2026 Adopted Budget for the General Fund, Water and Sewer Fund, Chestnut Grove Cemetery Fund, Herndon Centennial Golf Fund, Capital Projects Fund, Stormwater Management Fund, and American Rescue Plan Act (ARPA) Fund, as presented.

Motion seconded by Councilmember del Aguila.

There were brief comments from Council.

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

6. General

a. Resolution 25-G-36 to amend the Community Cultural Festivals Donation Policy Statement

Mayor LeBlanc recognized Marjorie Sloan, Director of Finance, for the staff report. Ms. Sloan stated that in response to the Council's discussion at the July 8 work

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session, staff prepared proposed amendments to the existing Community Cultural Festivals Donation Policy. The changes reflect Council's direction to allow organizations hosting the same event to be eligible for donations beyond the first year, define conditions for subsequent donations within the same fiscal year, require submission of post-event statistics, and clarify the use of Town services for events.

Ms. Sloan stated that the draft policy amendment introduces a tiered approach designed to support the growth and sustainability of returning events while reducing their reliance on public funding. The proposed tiers are as follows:

- Year 1- Up to 50% of the event budget, capped at $50,000.
- Year 2- Up to 25% of the event budget, capped at $7,500.
- Year 3- Up to 12% of the event budget, capped at $3,750.

Funds appropriated will be distributed on a first-come, first-served basis.

There was brief discussion among Council and staff on the proposed amendments.

Councilmember del Aguila moved to Approve Resolution 25-G-36 to amend the Community Cultural Festivals Donation Policy Statement, as presented.

Motion seconded by Councilmember Reyes.

There were brief comments from Council.

Responding to a question from Councilmember Reyes, Ms. Sloan stated that donations are awarded on a first-come, first-served basis. She understood that the purpose of the amendment is to support a successful event in its first year and provide limited funding in subsequent years to encourage self-sufficiency.

Mayor LeBlanc clarified that this policy applies only to cultural events. Ms. Sloan noted that there was a work session discussion on creating a separate policy for other types of events.

In response to a question from Mayor LeBlanc, Ms. Sloan confirmed that the Town did not use all of the appropriated funding in FY 2025. Mayor LeBlanc stated that the Town has not yet been in a position to deny donations due to insufficient funds.

In response to Councilmember Garcia, Mayor LeBlanc confirmed that the motion pertained to community cultural events only, and that a separate work session discussion would address other types of events.

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

b. Request to consider Resolution 25-G-37 to award a donation to Arts Herndon in support of the Juneteenth event held June 21, 2025

Mayor LeBlanc stated that he did not need to provide a formal disclosure on this item, noting that he was never sworn in as a member of the Arts Herndon Board.

Mayor LeBlanc stated that he has several questions about this item. This request is outside the established community events budget policy, and as such, it is at the discretion of the Town Council. He asked the Council to consider rescheduling this item to the next work session, and inviting the applicant to attend to answer questions.

There was brief discussion among Council and staff about Mayor LeBlanc's request.

Councilmember del Aguila moved to reschedule the Request to consider Resolution 25-G-37 to award a donation to Arts Herndon in support of the Juneteenth event held June 21, 2025, to the next scheduled Town Council work session meeting agenda.

Motion seconded by Councilmember Garcia.

In response to questions from Vice Mayor Hedrick, Mayor LeBlanc clarified that the motion was to hold the discussion at the Town Council work session to allow the applicant to provide more information.

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

7. <u>Consent</u>

a. FY29-FY30 VDOT Revenue Sharing Program Transportation Funding Resolutions

i. Resolution 25-G-38 to approve and authorize the submission of an application to the Virginia Department of Transportation (VDOT) for the Allocation of FY2029 and FY2030 Revenue Sharing Funds for the ‘South Elden Street Corridor Improvements’ project

ii. Resolution 25-G-39 to approve and authorize the submission of an application to the Virginia Department of Transportation (VDOT) for the

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Allocation of FY2029 and FY2030 Revenue Sharing Funds for the 'Herndon Parkway at Sunset Park Drive Intersection Improvements' project

iii. Resolution 25-G-40 to approve and authorize the submission of an application to the Virginia Department of Transportation (VDOT) for the Allocation of FY2029 and FY2030 Revenue Sharing Funds for the 'Locust Street ADA Sidewalk Improvements' project.

b. Approval of Minutes

i. April 8, 2025, Town Council Regular Meeting Minutes

ii. April 15, 2025, Town Council Work Session Minutes

iii. April 22, 2025, Town Council Regular Meeting Minutes

iv. April 23, 2025, Town Council Special Meeting – Closed Meeting Minutes

v. May 13, 2025, Town Council Work Session Minutes

vi. May 27, 2025, Town Council Regular Meeting Minutes

On motion of Vice Mayor Hedrick, seconded by Councilmember Alam, the Consent Agenda items were approved and carried by a 7-0 roll call vote, as presented, without comment. The vote was: Councilmembers Alam, del Aguila, Garcia, Lloyd, Reyes, Vice Mayor Hedrick and Mayor LeBlanc voting "Aye."

8. <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, relating to real estate in the downtown

b. A Closed Meeting pursuant to the Code of Virginia Section 2.2-3711(A)(7), for consultation with legal counsel regarding actual litigation where such consultation in an open meeting would adversely affect the litigating posture of the town (item added during the Regular Meeting)

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 under the Code of Virginia to discuss the following:

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- 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; and

- Section 2.2-3711(A)(7), for consultation with legal counsel regarding actual litigation where such consultation in an open meeting would adversely affect the litigating posture of the town.

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

Recess

At 8:06 p.m. Mayor LeBlanc called a brief recess, and at 8:16 p.m., the closed meeting reconvened in the Hoover Conference Room, all members present, with Mayor LeBlanc presiding.

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

The Council came out of closed meeting at 8:57 PM.

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

Aye: 7
Nay: 0
Absent: 0

9. Adjournment

There being no further business, Mayor LeBlanc adjourned the July 15, 2025 Town Council regular meeting at 8:58 p.m.

Amanda E.M. Kertz
Town Clerk

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Minutes approved by Town Council : _____

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

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