HERNDON TOWN COUNCIL
Special Meeting – Closed Meeting Minutes
Wednesday, November 20, 2024

1. Call to Order

Mayor Olem called the November 20, 2024, Town Council special closed meeting to order at 5:30 p.m. in the Herndon Council Chambers Building, 765 Lynn Street, Herndon, Virginia. In attendance were: Mayor Sheila Olem; and Councilmembers Naila Alam (arrived at 5:46 p.m.), Cesar del Aguila, Pradip Dhakal, Keven LeBlanc, and Donielle M. Scherff (arrived at 5:36 p.m.).

Participating remotely: Vice Mayor Clerk Hedrick.

Staff present during the meeting: Christopher Martino, Interim Town Manager; Lesa Yeatts, Town Attorney; and Kirstyn Barr Jovanovich and Scott Robinson, Acting Deputy Town Managers.

Determination of a Quorum

Mayor Olem 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 Vice Mayor Hedrick to participate through electronic communication means in tonight's special closed meeting, due to work commitments. She 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. With the concurrence of Council, Vice Mayor Hedrick joined the meeting virtually to participate in the closed meeting that evening.

Mayor Olem determined there was a quorum of five members participating, four located in the Herndon Council Chambers Building, and one participating remotely in accordance with Herndon Town Code Section 2-4. Councilmembers Alam and Scherff had not yet arrived. Mayor Olem reminded the Council of the meeting decorum.

Lesa Yeatts, Town Attorney, verified with Vice Mayor Hedrick that he was not using his camera and that he was in a location where the discussion to be held in closed session could not be heard by others. Vice Mayor Hedrick indicated that it was correct, and stated that he had started the meeting from his office location and was driving home from Washington, DC, to Herndon, Virginia.

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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 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, relating to real estate in the downtown. Councilmember LeBlanc seconded the motion, which carried by 5-0 roll call vote. The vote was: Councilmembers del Aguila, Dhakal, LeBlanc, Vice Mayor Hedrick (participating remotely) and Mayor Olem voting “Aye.” Councilmembers Alam and Scherff having not yet arrived.

The Council went into closed meeting at 5:35 p.m.

[Note: during the closed meeting, Councilmember Scherff arrived at 5:36 p.m.; and Councilmember Alam arrived at 5:46 p.m.]

Councilmember Scherff moved to come out of the closed meeting. Councilmember Dhakal seconded the motion, which carried by unanimous roll call vote. The vote was: Councilmembers Alam, del Aguila, Dhakal, LeBlanc, Scherff, Vice Mayor Hedrick (participating remotely), and Mayor Olem voting “Aye.”

The Council came out of the closed meeting at 6:44 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 Councilmember Alam seconded the motion, which carried by unanimous roll call vote. The vote was: Councilmembers Alam, del Aguila, Dhakal, LeBlanc, Scherff, Vice Mayor Hedrick (participating remotely), and Mayor Olem voting “Aye.”

Aye: 7
Nay: 0
Absent: 0

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3. Adjournment

There being no further business, Mayor Olem adjourned the November 20, 2024, Town Council special meeting - closed meeting at 6:45 p.m.

Amanda E.M. Kertz, Acting Town Clerk

Minutes Approved by Town Council: _____

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