

**TOWN OF HERNDON, VIRGINIA
WORK SESSION AGENDA
HERNDON COUNCIL CHAMBERS BUILDING
765 LYNN STREET
JANUARY 22, 2019
7:00 P.M.**

DISCUSSION

1. Fairfax Connector Bus Service re Service to Metrorail Silver Line Phase 2 Stations
(Discussion by the Fairfax County Department of Transportation)

PRESENTATIONS

2. Proclamation, to recognize "African American History Month," February 2019

PUBLIC HEARINGS

3. Ordinance 18-O-35, to authorize the encroachment of the front stoops of 701, 703, 705, 707, 709 and 711 Monroe Street, identified as Fairfax County Tax Map numbers: 0162 51 0007 through 0012, into the Monroe Street public access easement located directly adjacent thereto within the Town of Herndon. **(this item was continued from December 11, 2018 and January 15, 2019)**
4. Ordinance, to approve and to authorize the Mayor to sign a second lease amendment to T-Mobile Northeast, LLC to revise the approved equipment list and increase the rent at the Town's Spring Knoll Drive Water Tower
5. Ordinance, to approve and to authorize the Mayor to sign a second lease amendment to T-Mobile Northeast, LLC for additional ground space, to revise the approved equipment list, and increase the rent at the Town's Alabama Drive Water Tower

GENERAL

6. Resolution, to provide the Town Manager with Town Council Guidance on the FY 2020 Budget
7. Resolution, to consider amending the existing Tyler Technologies contract, #13-04, to add the EnerGov module

CONSENT AGENDA

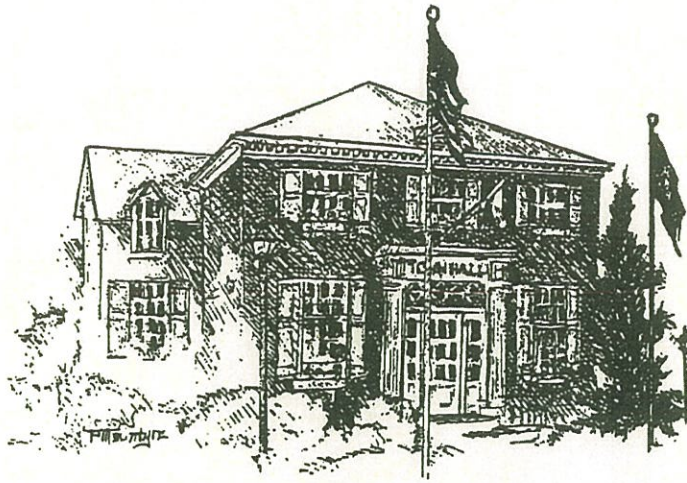
8. Resolution, to reappoint Raymond Geier as a Member of the Building Board of Appeals
9. Resolution, to reappoint Jay Donahue as a Member of the Board of Zoning Appeals

10. Resolution, to appoint the Town of Herndon's "Principal" and "Alternate" members as Advisory Directors to the Committee for Dulles Board of Directors
11. Resolution, to appoint the Town of Herndon's "Principal" and "Alternate" members to the Dulles Area Transportation Association Board of Directors
12. Resolution, to reinstate the Herndon Town Council's Economic Development Advisory Committee
13. Resolution, to reinstate and to reappoint members to the Herndon Town Council's Grant Oversight Committee
14. Resolution, to reinstate the Herndon Town Council's Herndon Youth Advisory Council
15. Resolution, to appoint members of the Herndon Town Council to the Inter-Jurisdictional Committee
16. Resolution, to reinstate the Herndon Town Council's Interview Subcommittee
17. Resolution, to reinstate and to appoint members to the Herndon Town Council's Investment and Auditing Advisory Committee
18. Resolution, to appoint Town of Herndon Elected Officials to serve on the Northern Virginia Regional Commission
19. Resolution, to appoint the Town of Herndon's 'Principal' member to the Northern Virginia Transportation Authority's Planning Coordination Advisory Committee (NVTAPCAC)
20. Resolution, to reinstate the Herndon Town Council's Pedestrian and Bicycle Advisory Committee
21. Resolution, to appoint the Town of Herndon's representative to the Phase II District Commission

ROUNDTABLE

CLOSED MEETING

A closed meeting as provided under Section 2.2-3711(A)(1) of the Code of Virginia for discussion of prospective candidates relative to appointments to boards & commissions.



TOWN OF HERNDON, VIRGINIA
PROCLAMATION
AFRICAN AMERICAN HISTORY MONTH
FEBRUARY 2019

Each year throughout the month of February, events are planned nationwide honoring the history and impact of African Americans. **African American History Month** began as part of an initiative by writer and educator Dr. Carter G. Woodson, to raise awareness of African American's contributions to civilization. The event was first celebrated in 1926, during a week in February that included the birthdays of Abraham Lincoln and Frederick Douglass. Since 1976, every American president has proclaimed February as **African American History Month**. Today, other countries such as Canada and the United Kingdom also devote an entire month to celebrating black history.

As the Town of Herndon celebrates **African American History Month**, we honor those who have played a critical role in the creation of our nation through their labor, leadership, patriotism, intellect, and artistic endeavors; and we acclaim the sacrifice, strength, accomplishments, and unyielding spirit of our nation's great civil rights leaders. These heroes, who fought for and protected equal rights, include Frederick Douglass, W.E.B. Du Bois, Martin Luther King, Jr. and Fanny Lou Hamer.

Therefore, the Mayor and Town Council of the Town of Herndon, Virginia, hereby proclaim the month of February 2019 as **African American History Month** in the Town of Herndon, to emphasize the importance of remembering the contributions and accomplishments of African Americans throughout the history of our nation.

Further, the Mayor and Town Council of the Town of Herndon, Virginia, hereby remember the strength, courage, and resulting struggles of African Americans, who helped build our nation, and furthered the cause of social justice.



Lisa C. Merkel, Mayor
January 29, 2019

MEMORANDUM

To: Honorable Mayor and Members of Town Council

From: Lesa J. Yeatts, Town Attorney LJY

Date: January 18, 2019

Subject: A18-0191, Ordinance, Encroachment, Junction Square/Tradition Homes, Front Stoop

This matter was continued from the January 15, 2019 Public Hearing agenda by agreement of the Town and counsel for the parties to permit amendments to the Ordinance requested by Tradition Homes, LLC and Junction Square, LLC. The amendments are reflected on the Ordinance that is attached hereto and shown in “red”.

Please let me know if you have any questions.

TOWN OF HERNDON, VIRGINIA

ORDINANCE

January 29, 2019

Ordinance- to authorize the encroachment of the front stoops of 701, 703, 705, 707, 709 and 711 Monroe Street, identified as Fairfax County Tax Map numbers: 0162 51 0007 through 0012, into the Monroe Street public access easement located directly adjacent thereto within the Town of Herndon.

BE IT ORDAINED by the Council for the Town of Herndon that:

Pursuant to §15.2-2009, Code of Virginia (1950), as amended, Town Council authorizes Tradition Homes, LLC on behalf of Junction Square, LLC (JSLLC), developer of the project known as “(Junction Square),” the encroachment of the front stoops of the structures located at 701, 703, 705, 707, 709 and 711 Monroe Street, identified as Fairfax County Tax Map numbers: 0162 51 0007 through 0012, into the Monroe Street public access easement located directly adjacent thereto within the Town of Herndon, ~~-. Junction Square has been subjected to that certain Declaration for Junction Square recorded among the land records of Fairfax County in Deed Book 24942 at Page 807 (the Declaration) and is subject to the jurisdiction of the Junction Square Property Owners Association (the Association). The encroachment hereby is authorized~~ subject to the following conditions.

1. This ordinance shall constitute a license and shall be revocable at the pleasure of the Town of Herndon or of the General Assembly.
2. ~~Junction Square~~ JSLLC until the end of the Declarant Control Period (as defined in the Declaration) and the Association thereafter shall maintain at its expense, in effect throughout the term of this license, general liability insurance covering the licensed improvements in the amount agreed upon by the parties. Such insurance shall be with a company satisfactory to the Town. Any deductible provision of said insurance shall be subject to the approval of the Town. Such insurance shall specifically insure ~~Junction Square~~ JSLLC or the Association, as applicable, against all liability assumed by it under the terms of this license granted hereunder as well as any liability imposed by law and shall insure both the Town and ~~Junction Square~~ JSLLC or the Association, as applicable, but shall be so endorsed as to create the same liability on the part of the insurer as if separate policies had been written for ~~Junction Square~~ JSLLC or the Association, as applicable, and the Town. Licensee shall provide the Town's Finance Director with a Certificate of Insurance naming the Town as an additional insured, which shall be in a form satisfactory to the Town and the Town Attorney upon effective date of this ordinance and annually

thereafter without demand. Each insurer mentioned in this section shall agree by endorsement on the policy or policies issued by it or by independent instrument furnished to the Town that it will give the Town at least thirty (30) days' written notice before the policy or policies in question shall be altered or cancelled.

3. Nothing contained in this ordinance, the Herndon Town Code or in the Code of Virginia provision referred to above shall be construed to relieve ~~Junction Square~~ its **JSLLC or the Association, as applicable, or the Association's** successors and assigns from liability for negligence on their part because of any such encroachment. ~~Junction Square, its~~ **JSLLC or the Association, as applicable, or the Association's** successors and assigns shall be liable for negligence because of such encroachment.
4. This ordinance shall be effective on and after January ~~15~~**29**, 2019.

TOWN OF HERNDON, VIRGINIA

ORDINANCE

JANUARY 29, 2019

Ordinance- to authorize the encroachment of the front stoops of 701, 703, 705, 707, 709 and 711 Monroe Street, identified as Fairfax County Tax Map numbers: 0162 51 0007 through 0012, into the Monroe Street public access easement located directly adjacent thereto within the Town of Herndon.

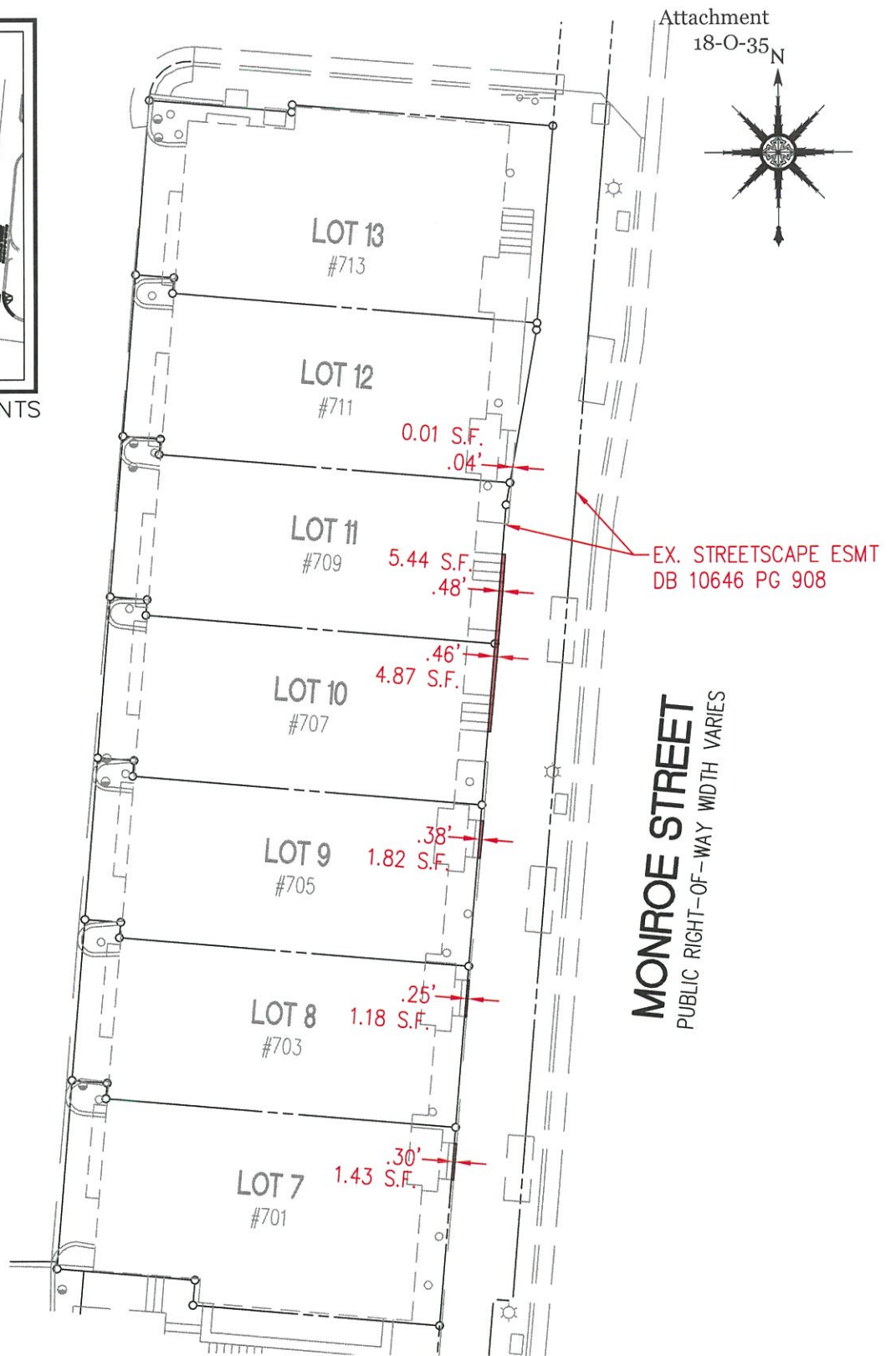
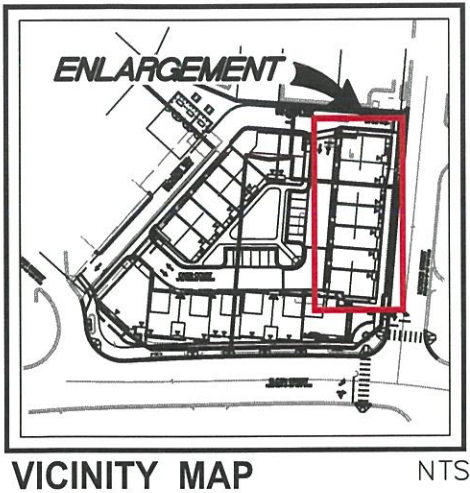
BE IT ORDAINED by the Town Council of the Town of Herndon, Virginia, that:

Pursuant to §15.2-2009, Code of Virginia (1950), as amended, Town Council authorizes Tradition Homes, LLC on behalf of Junction Square, LLC (JSLLC), developer of the project known as “Junction Square,” the encroachment of the front stoops of the structures located at 701, 703, 705, 707, 709 and 711 Monroe Street, identified as Fairfax County Tax Map numbers: 0162 51 0007 through 0012, into the Monroe Street public access easement located directly adjacent thereto within the Town of Herndon. Junction Square has been subjected to that certain Declaration for Junction Square recorded among the land records of Fairfax County in Deed Book 24942 at Page 807 (the Declaration) and is subject to the jurisdiction of the Junction Square Property Owners Association (the Association). The encroachment hereby is authorized subject to the following conditions.

1. This ordinance shall constitute a license and shall be revocable at the pleasure of the Town of Herndon or of the General Assembly.
2. JSLLC until the end of the Declarant Control Period (as defined in the Declaration) and the Association thereafter shall maintain at its expense, in effect throughout the term of this license, general liability insurance covering the licensed improvements in the amount agreed upon by the parties. Such insurance shall be with a company satisfactory to the Town. Any deductible provision of said insurance shall be subject to the approval of the Town. Such insurance shall specifically insure JSLLC or the Association, as applicable, against all liability assumed by it under the terms of this license granted hereunder as well as any liability imposed by law and shall insure both the Town and JSLLC or the Association, as applicable, but shall be so endorsed as to create the same liability on the part of the insurer as if separate policies had been written for JSLLC or the Association, as applicable, and the Town. Licensee shall provide the Town's Finance Director with a Certificate of Insurance naming the Town as an additional insured, which shall be in a form satisfactory to the Town and the Town Attorney upon effective date of this ordinance and annually thereafter without

demand. Each insurer mentioned in this section shall agree by endorsement on the policy or policies issued by it or by independent instrument furnished to the Town that it will give the Town at least thirty (30) days' written notice before the policy or policies in question shall be altered or cancelled.

3. Nothing contained in this ordinance, the Herndon Town Code or in the Code of Virginia provision referred to above shall be construed to relieve JSLLC or the Association, as applicable, or the Association's successors and assigns from liability for negligence on their part because of any such encroachment. JSLLC or the Association, as applicable, or the Association's successors and assigns shall be liable for negligence because of such encroachment.
4. This ordinance shall be effective on and after January 29, 2019.



LEGEND



AREA OF STOOP ENCROACHMENT
INTO STREETScape EASEMENT

STOOP ENCROACHMENT EXHIBIT JUNCTION SQUARE

SCALE: 1" = 20'
DATE: 11/28/2018

STAFF REPORT

Town Council
January 22, 2019

Title:

Ordinance - Approving and authorizing the Mayor to sign second lease amendment to T-Mobile Northeast, LLC to revise the approved equipment list and increase the rent at the Town's Spring Knoll Drive Water Tower.

Staff Contact:

Tammy Chastain
(703) 435-6860
tammy.chastain@herndon-va.gov

Description:

The original lease agreement at the Spring Knoll Drive Water Tower by and between the Town of Herndon, Virginia and T-Mobile Northeast, LLC, a Delaware limited liability company, was dated December 22, 2008 and first amended on June 9, 2015. The lease will expire July 1, 2024.

This Second Amendment to the Deed of Lease provides for an updated equipment list to include the removal of three tower mounted amplifiers (TMA's) and 12 coax cables; the addition of three 6 x 12 hybrid cables and an 83" x 38" x 72" 25 KW diesel generator. In addition, this amendment approves revising the upper size limit of panel antennas from up to 96".4" x 11.9" x 7.1" to 96.4" x 24" x 9.4", remote radio units (RRU's) from up to 17" x 19.7" x 7.2" to 13.2" x 14.9" x 10", and 6 x 12 hybrid cables from up to 1 5/8" diameter, approximately 180' to 1 5/8" diameter, approximately 235'. Both the TMA's and RRU's are ancillary pieces of hardware necessary for the antenna's operation.

Monthly rent will be increased by \$400.00.

Fiscal Impact:

This lease amendment will provide for a monthly increase of \$400.00 in revenue for the Town, which is subject to a 3% yearly escalation as per the original Deed of Lease.

January 22, 2019

Ordinance - Approving and authorizing the Mayor to sign second lease amendment to T-Mobile Northeast, LLC to revise the approved equipment list and increase the rent at the Town's Spring Knoll Drive Water Tower

Page 2 of 2

Staff Recommendation:

That the Mayor and Town Council adopt the attached ordinance approving and authorizing the Mayor to sign the second lease amendment.

Attachments:

Ordinance
Draft Second Amendment to Deed of Lease

Staff:

A handwritten signature in black ink, appearing to read "Tammy Chastain", written over a horizontal line.

Tammy Chastain
Deputy Director of Public Works

TOWN OF HERNDON, VIRGINIA

ORDINANCE

JANUARY 29, 2019

Ordinance- to approve and authorize the Mayor to sign a second lease amendment to T-Mobile Northeast, LLC to revise the approved equipment list and increase the rent at the Town's Spring Knoll Drive Water Tower.

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

1. The Town Council approves this Second Amendment to Deed of Lease dated January 29, 2018. This instrument amends the original Deed of Lease dated December 22, 2008 and the First Amendment to Deed of Lease dated June 9, 2015.
2. This instrument updates the approved equipment list. Equipment changes include the removal of three tower mounted amplifiers (TMA's) and 12 coax cables; the addition of three 6 x 12 hybrid cables and an 83" x 38" x 72" 25 KW diesel generator.
3. This instrument approves revising the upper size limit of panel antennas from up to 96".4" x 11.9" x 7.1" to 96.4" x 24" x 9.4", remote radio units (RRU's) from up to 17" x 19.7" x 7.2" to 13.2" x 14.9" x 10", and 6 x 12 hybrid cables from up to 1 5/8" diameter , approximately 180' to 1 5/8" diameter, approximately 235'.
4. The monthly rent will increase by \$400.
5. In all other respects the original lease remains in effect.
6. The Mayor is authorized to sign and deliver the lease amendment and any ancillary instruments necessary to evidence or effectuate the lease amendment, provided they are consistent with this ordinance and on such form approved by the Town Attorney.
7. This ordinance shall be in effect on and after the date of its adoption.

SECOND AMENDMENT TO DEED OF LEASE

This Second Amendment to Deed of Lease ("Second Amendment") is made this 29th day of January 2019 by and between **Town of Herndon, Virginia**, a municipal corporation, ("Town") and **T-Mobile Northeast LLC**, a Delaware limited liability company ("Lessee").

WHEREAS, Town and Lessee entered into that certain Deed of Lease dated December 22, 2008 as amended by the First Amendment to Deed of Lease dated June 9, 2015 (collectively referred to herein as the "Lease") whereby Town leased to Lessee a portion of the Town's property and space on the Spring Knoll Water Tower located at 828 Spring Knoll Drive, Herndon, Fairfax County, Virginia 20170 (the "Property"); and known as Site Number 7WAC201A to Lessee; and

WHEREAS, Town and Lessee desire to amend the Lease as follows;

WHEREAS, Town and Lessee hereby affirm that, as of the date hereof: (i) no breach or default by Town or Lessee occurred; and (ii) the Lease, and all the terms, covenants, conditions, provisions and agreements thereof, except as expressly modified by this Second Amendment are in full force and effect, with no defenses or offsets thereto; and

NOW THEREFORE, in consideration of the mutual covenants contained in the Lease and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Town and Lessee hereby agree as follows:

1. All capitalized terms shall have the meaning ascribed to them in the Lease unless otherwise defined in this Second Amendment.
2. In consideration of the modifications of the Premises and equipment list as noted below, Lessee shall pay Town an additional monthly rental for the Premises in the amount of Four Hundred Dollars (\$400.00). Such rent increase shall commence on the first day of the month following full execution of this Second Amendment.
3. Exhibit B is deleted in its entirety and replaced with Exhibit B-1, Exhibit C-1, is deleted in its entirety and replaced with Exhibit C-2, both are attached hereto and incorporated herein.
4. Lessee shall have the right to modify its premises description as described in Exhibit B-1 and its equipment list as described in Exhibit C-2, both attached hereto and incorporated herein.
5. Each of the parties represent and warrant that they have the right, power, legal capacity and authority to enter into and perform their respective obligations under this Second Amendment.
6. This Second Amendment will be binding on and inure to the benefit of the parties herein, their heirs, executors, administrators, successors-in-interest and assigns.

7. Town represents and warrants to Lessee that the consent or approval of a third party has either been obtained or is not required with respect to the execution of this Amendment.
8. Except as specifically amended herein, the remaining terms of the Lease shall remain in full force and effect. To the extent any provision contained in this Second Amendment conflicts with the terms of the Lease, the terms and provisions of this Second Amendment shall prevail.
9. This Second Amendment may be executed in duplicate counterparts, each of which will be deemed an original.

TOWN:

TOWN OF HERNDON, VIRGINIA

BY: _____
Lisa C. Merkel
Mayor
DATE: _____

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Lesa J. Yeatts
Town Attorney

Additional Signatures on Following Page

LESSEE:

T-MOBILE NORTHEAST LLC

BY: _____

Kevin Forshee

Area Director

DATE: _____

1-9-19

Exhibit B-1

The premises shall consist of the following:

1. The Ground Space, consisting of approximately 264 square feet for placement of equipment cabinets and a generator.
2. Space on the Tower sufficient to accommodate the placement, installation, operation and maintenance of the equipment (listed on Exhibit "C-2").
3. The Access easement.
4. The Utility Easements.
5. The premises are depicted on the attached drawings

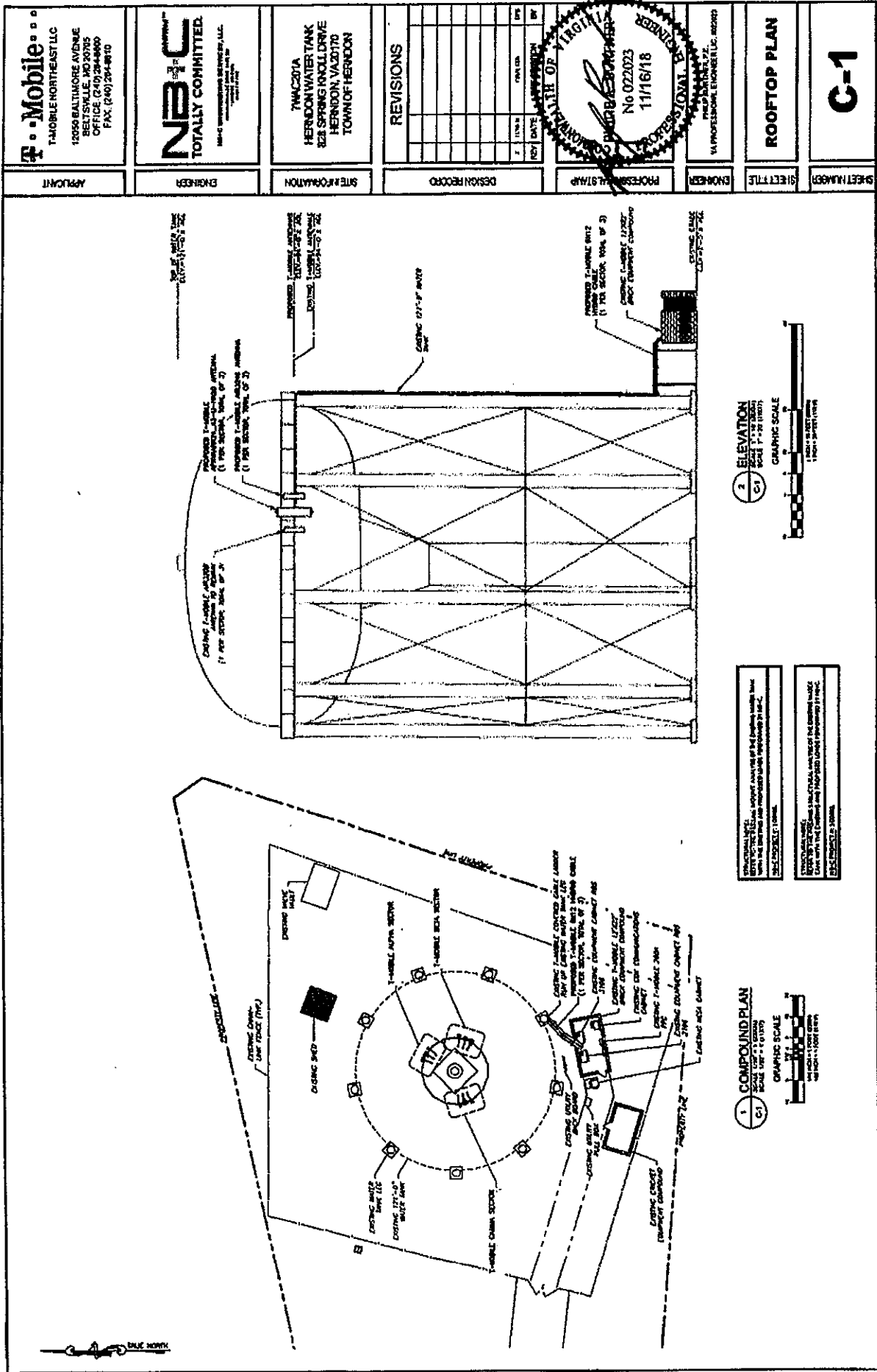


Exhibit B-1

Exhibit C-2

The following equipment together with any associated wires, cables, pipes, conduits and supporting structures associated with the equipment shall be located on the Spring Knoll Tank as generally shown on the attached drawings

<u>Quantity</u>	<u>Type</u>	<u>Approximate Size</u>
One	Equipment Shelter	12' X 22'
One	25 KW Diesel Generator	83" X 38" X 72"
9	Antennas	Up to 96.4" x 24.0" x 9.4"
3	Remote Radio Units (RRU's)	Up to 13.2" x 14.9" 10.
3	6 x12 Hybrid Cable	1 5/8" diameter, approx 235'
1	Microwave	1' Diameter



STAFF REPORT

Town Council
January 22, 2019

Title:

Ordinance - Approving and authorizing the Mayor to sign second lease amendment to T-Mobile Northeast, LLC for additional ground space, to revise the approved equipment list, and increase the rent at the Town's Alabama Drive Water Tower.

Staff Contact:

Tammy Chastain
(703) 435-6860
tammy.chastain@herndon-va.gov

Description:

The original lease agreement at the Alabama Drive Water Tower by and between the Town of Herndon, Virginia and T-Mobile Northeast, LLC, a Delaware limited liability company, was dated May 5, 2009 and first amended on June 9, 2015. The lease will expire October 1, 2024.

This Second Amendment to the Deed of Lease approves the increase in the ground space of approximately 150 square feet for the placement of a back-up generator and associated concrete pad and enclosure. In addition, this lease amendment updates the approved equipment list. Equipment changes include the addition of an 83" x 38" x 72" 25 KW diesel generator and a 10' x 15' generator enclosure.

Monthly rent will be increased by \$400.00.

Fiscal Impact:

This lease amendment will provide for a monthly increase of \$400.00 in revenue for the Town, which is subject to a 3% yearly escalation as per the original Deed of Lease.

Staff Recommendation:

That the Mayor and Town Council adopt the attached ordinance approving and authorizing the Mayor to sign the second lease amendment.

January 22, 2019

Ordinance - Approving and authorizing the Mayor to sign second lease amendment to T-Mobile Northeast, LLC to revise the approved equipment list and increase the rent at the Town's Alabama Drive Water Tower

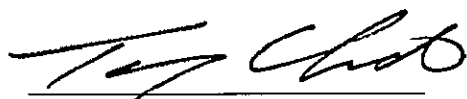
Page 2 of 2

Attachments:

Ordinance

Draft Second Amendment to Deed of Lease

Staff:

A handwritten signature in black ink, appearing to read "Tammy Chastain", written over a horizontal line.

Tammy Chastain

Deputy Director of Public Works

TOWN OF HERNDON, VIRGINIA

ORDINANCE

JANUARY 29, 2019

Ordinance- to approve and authorize the Mayor to sign a second lease amendment to T-Mobile Northeast, LLC for additional ground space, to revise the approved equipment list, and increase the rent at the Town's Alabama Drive Water Tower.

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

1. The Town Council approves this Second Amendment to Deed of Lease dated January 29, 2019. This instrument amends the original Deed of Lease dated May 5, 2009 and the First Amendment to Deed of Lease dated June 9, 2015.
2. This instrument approves the increase in the ground space of approximately 150 square feet for the placement of a back-up generator and associated concrete pad and enclosure.
3. This instrument updates the approved equipment list. Equipment changes include the addition of an 83" x 38" x 72" 25 KW diesel generator and a 10' x 15' generator enclosure.
4. The monthly rent will increase by \$400.
5. In all other respects the original lease remains in effect.
6. The Mayor is authorized to sign and deliver the lease amendment and any ancillary instruments necessary to evidence or effectuate the lease amendment, provided they are consistent with this ordinance and on such form approved by the Town Attorney.
7. This ordinance shall be in effect on and after the date of its adoption.

SECOND AMENDMENT TO DEED OF LEASE

This Second Amendment to Deed of Lease ("Second Amendment"), is made this 29th day of January 2019 by and between the **TOWN OF HERNDON, VIRGINIA**, a municipal corporation, ("Town") and **T-MOBILE NORTHEAST, LLC**, a Delaware limited liability company ("Lessee").

WHEREAS, Town and Lessee entered into that certain Deed of Lease dated May 5, 2009, as amended by the First Amendment to Deed of Lease dated June 9, 2015 (collectively referred to herein as the "Lease") whereby the Town leased to Lessee a portion of the Town's property and space on the Alabama Drive Water Tower located at 624 Alabama Drive, Herndon, Fairfax County, Virginia 20170 (the "Premises"); and known as Site Number 7WAC315N to Lessee; and

WHEREAS, Town and Lessee desire to amend the Lease as follows;

WHEREAS, Town and Lessee hereby affirm that, as of the date hereof: (i) no breach or default by Town or Lessee occurred; and (ii) the Lease, and all the terms, covenants, conditions, provisions and agreements thereof, except as expressly modified by this Amendment are in full force and effect, with no defenses or offsets thereto; and

NOW THEREFORE, in consideration of the mutual covenants contained in the Lease and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Town and Lessee hereby agree as follows:

1. All capitalized terms shall have the meaning ascribed to them in the Lease unless otherwise defined in this Second Amendment.
2. In consideration of the modifications of the Premises and equipment list as noted below, Lessee shall pay Town an additional monthly rental for the Premises in the amount of Four Hundred Dollars (\$400.00) for the installation of the back-up generator and the associated concrete pad and enclosure. Such rent increase shall commence on the first day of the month following full execution of this Second Amendment.
3. Exhibit B is deleted in its entirety and replaced with Exhibit B-1, Exhibit C-1, is deleted in its entirety and replaced with Exhibit C-2, both are attached hereto and incorporated herein.
4. Lessee shall have the right to modify its premises description as described in Exhibit B-1 and its equipment list as described in Exhibit C-2, both attached hereto and incorporated herein.
5. Each of the parties represent and warrant that they have the right, power, legal capacity and authority to enter into and perform their respective obligations under this Amendment.
6. This Second Amendment to Deed of Lease will be binding on and inure to the benefit of the parties herein, their heirs, executors, administrators, successors-in-interest and assigns.
7. Town represents and warrants to Lessee that the consent or approval of a third party has either been obtained or is not required with respect to the execution of this Amendment.

8. Except as specifically amended herein, the remaining terms of the Lease shall remain in full force and effect. To the extent any provision contained in this Second Amendment conflicts with the terms of the Lease, the terms and provisions of this Amendment shall prevail.
9. This Amendment may be executed in duplicate counterparts, each of which will be deemed an original.

TOWN:

TOWN OF HERNDON, VIRGINIA

BY: _____
Lisa C. Merkel
Mayor
DATE: _____

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Lesa J. Yeatts
Town Attorney



Additional Signatures on Following Page

LESSEE:

T-MOBILE NORTHEAST LLC

BY: _____

Kevin Forshoe

Area Director

DATE: _____

1-14-19

Exhibit B-1

The premises shall consist of the following:

1. The Ground Space, consisting of approximately 200 square feet for placement of equipment cabinets.
2. The Ground Space, consisting of approximately 150 square feet for the placement of a back-up generator and associated concrete pad and enclosure.
3. Space on the Tower sufficient to accommodate the placement, installation, operation and maintenance of the equipment (listed on Exhibit "C-2").
4. The Access easement.
5. The Utility Easements.
6. The premises are depicted on the attached drawings.
7. The property is described in a deed dated May 9, 1956 by and among Maxwell Hurston, Esther O. Hurston, E. Maurice Kupersmidt, Irving S. Lichtman, Irene K. Lichtman, Albert W. Lewitt and Monte Maton, as grantors, and the Town of Herndon, as grantee, which deed is recorded in the Fairfax County Court land records in Deed Book 1453, Page 582.

Nothing in this legal description shall convey to Lessee any rights in the Property other than what are specifically described in this Deed of Lease as to the Premises.

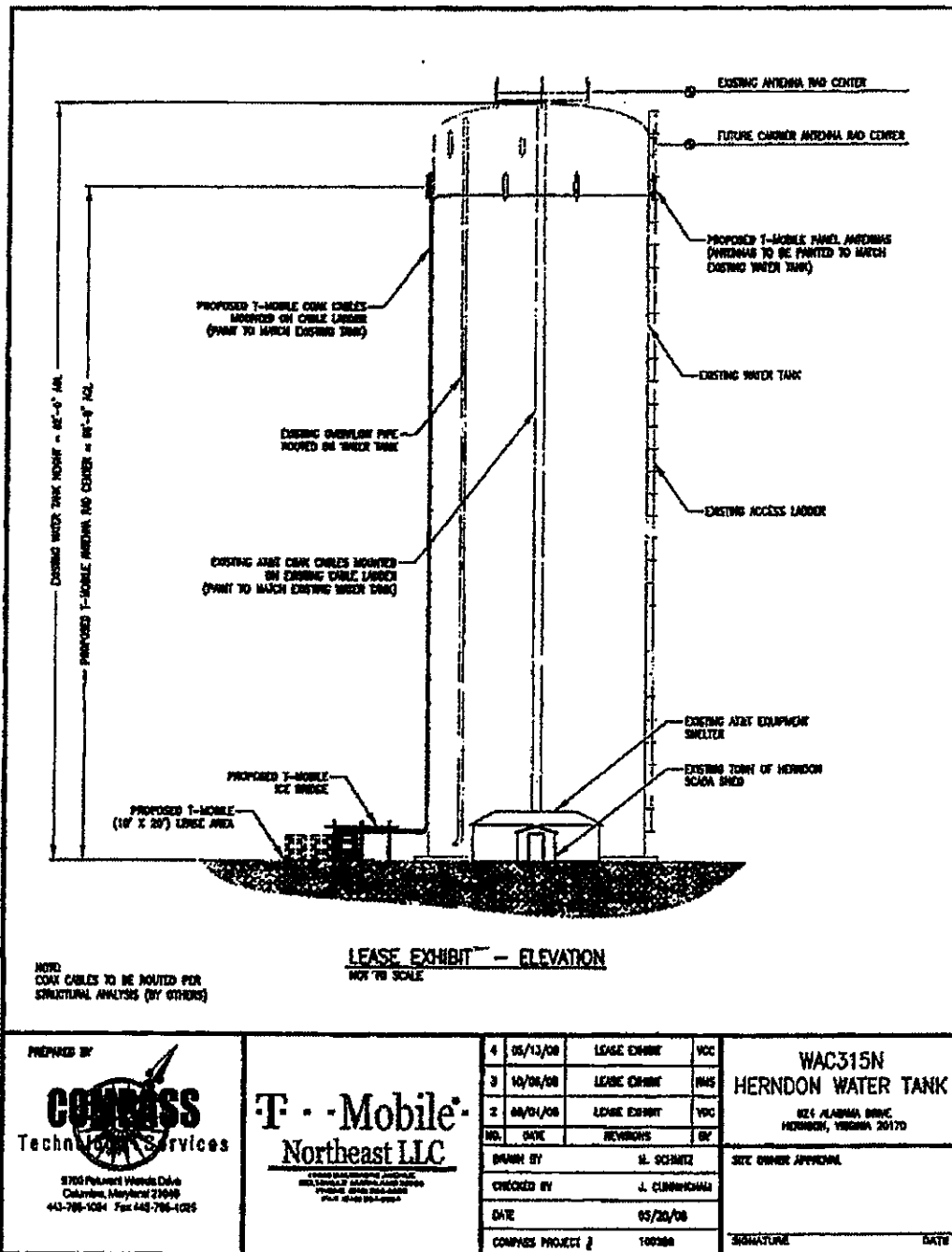


Exhibit B-1

Exhibit C-2

The following equipment together with any associated wires, cables, pipes, conduits and supporting structures associated with the equipment shall be located on the Alabama Drive Water Tank as generally shown on the attached drawings.

<u>Quantity</u>	<u>Type</u>	<u>Approximate Size</u>
1	Equipment Shelter	10' X 20'
1	Generator Enclosure	10' X 15'
3	Equipment Cabinets	63" X 51" X 37"
1	25 K'W Diesel Generator	83" X 38" X 72"
9	Antennas	56.6" x 12.9" x 8.7"
9	Tower Mount Amplifiers (TMA's)	12.5" x 5.9" x 3.5"
3	Remote Radio Units (RRU's)	17" x 7.2" x 19.7"
18	Coax and/or Fiber Hybrid Cables	7/8" diameter

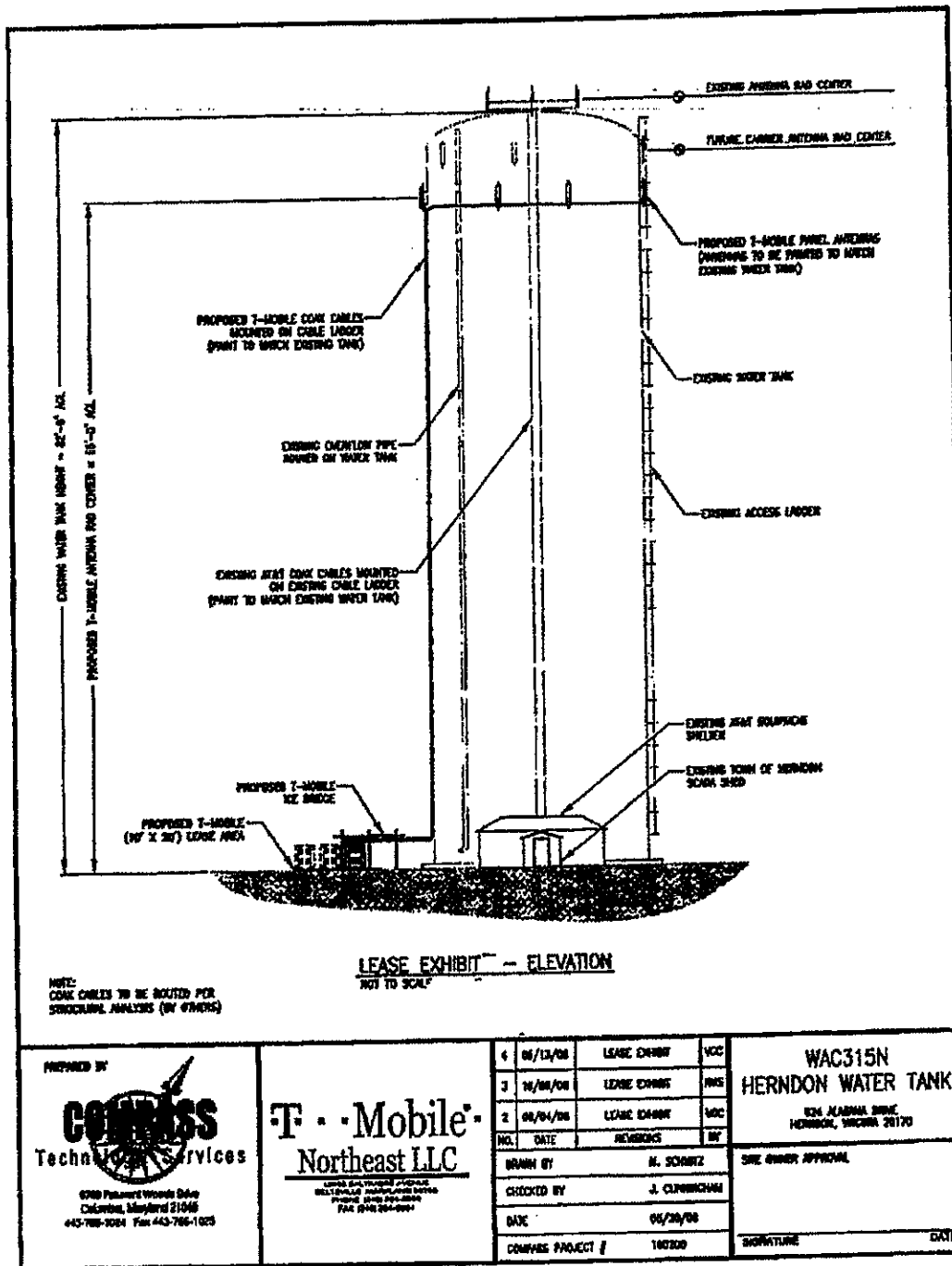
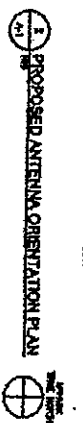


Exhibit C-2

ANTENNA INFORMATION									
SECTION	STATUS	ANTENNA IDENTIFIER	ANTENNA MODEL	ANTENNA DIMENSIONS (FEET)	POD CENTER	HEIGHT	THRU-HOLE QUANTITY & MODEL	CABLE QUANTITY & TYPE	CABLE LENGTH
A1	ACTIVE	RECEIVER	ANT-100-001	10.0x10.0x10.0	50'	50'	10 THRU-HOLE 100-001	10' COAXIAL CABLE 100-001	100'
A2	ACTIVE	RECEIVER	ANT-100-002	10.0x10.0x10.0	50'	50'	10 THRU-HOLE 100-002	10' COAXIAL CABLE 100-002	100'
A3	INACTIVE	TRANSMITTER	ANT-100-003	10.0x10.0x10.0	50'	50'	10 THRU-HOLE 100-003	10' COAXIAL CABLE 100-003	100'
A4	ACTIVE	RECEIVER	ANT-100-004	10.0x10.0x10.0	50'	50'	10 THRU-HOLE 100-004	10' COAXIAL CABLE 100-004	100'
A5	ACTIVE	RECEIVER	ANT-100-005	10.0x10.0x10.0	50'	50'	10 THRU-HOLE 100-005	10' COAXIAL CABLE 100-005	100'
A6	ACTIVE	RECEIVER	ANT-100-006	10.0x10.0x10.0	50'	50'	10 THRU-HOLE 100-006	10' COAXIAL CABLE 100-006	100'
A7	ACTIVE	RECEIVER	ANT-100-007	10.0x10.0x10.0	50'	50'	10 THRU-HOLE 100-007	10' COAXIAL CABLE 100-007	100'
A8	ACTIVE	RECEIVER	ANT-100-008	10.0x10.0x10.0	50'	50'	10 THRU-HOLE 100-008	10' COAXIAL CABLE 100-008	100'
A9	ACTIVE	RECEIVER	ANT-100-009	10.0x10.0x10.0	50'	50'	10 THRU-HOLE 100-009	10' COAXIAL CABLE 100-009	100'
A10	ACTIVE	RECEIVER	ANT-100-010	10.0x10.0x10.0	50'	50'	10 THRU-HOLE 100-010	10' COAXIAL CABLE 100-010	100'



 TOTALLY COMMITTED. PROFESSIONAL SERVICE, INC. 10000 W. 10th Ave., Suite 100 Denver, CO 80202 (303) 751-1111	 TAJONE E. MOCHANEK, LLC 14000 E. MOCHANEK, LLC DENVER, CO 80202 P.O. Box 14000 DENVER, CO 80202	TRANSFORM TRANSFORM 14000 E. MOCHANEK, LLC DENVER, CO 80202 P.O. Box 14000 DENVER, CO 80202	DESIGN RECORD <table border="1"> <tr> <th colspan="2">REVISIONS</th> </tr> <tr> <th>NO.</th> <th>DESCRIPTION</th> </tr> <tr> <td>1</td> <td>ISSUED</td> </tr> <tr> <td>2</td> <td>REVISED</td> </tr> <tr> <td>3</td> <td>REVISED</td> </tr> <tr> <td>4</td> <td>REVISED</td> </tr> <tr> <td>5</td> <td>REVISED</td> </tr> <tr> <td>6</td> <td>REVISED</td> </tr> <tr> <td>7</td> <td>REVISED</td> </tr> <tr> <td>8</td> <td>REVISED</td> </tr> <tr> <td>9</td> <td>REVISED</td> </tr> <tr> <td>10</td> <td>REVISED</td> </tr> </table>	REVISIONS		NO.	DESCRIPTION	1	ISSUED	2	REVISED	3	REVISED	4	REVISED	5	REVISED	6	REVISED	7	REVISED	8	REVISED	9	REVISED	10	REVISED	PROFESSIONAL STAMP 	ENGINEER T. E. MOCHANEK, LLC 14000 E. MOCHANEK, LLC DENVER, CO 80202	SHEET TITLE ANTENNA PLANS & ANTENNA SCHEDULE	SHEET NUMBER A-1
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STAFF REPORT

Town Council
January 22, 2019

Title: Resolution, to adopt Town Council Guidance on the FY 2020 Budget to the Town Manager.

Staff Contact:

William H. Ashton II
(703) 787 7368
Bill.ashton@herndon-va.gov

Description:

This resolution provides policy guidance parameters, as decided upon by the Town Council, to guide staff in their preparation of the FY 2020 Budget. It represents the starting point for the annual budget process.

Recommendation:

Staff recommends the Mayor and Town Council adopt the attached resolution.

Attachments:

- FY 2020 Budget Guidance Resolution

Prepared and Approved by:



William H. Ashton, Town Manager



John J. Cassella, Budget Manager

TOWN OF HERNDON, VIRGINIA

RESOLUTION

JANUARY 29, 2019

Resolution- to provide to the Town Manager Town Council Guidance on the FY 2020 Budget.

WHEREAS, the Town Council is committed to providing the core services expected of a municipal government, providing quality services and facilities for residents and businesses of the town and continuously improving town government effectiveness and efficiency; and

WHEREAS, the Town Council is committed to advancing the 2035 Vision Plan and Goals for the Town of Herndon as embodied in its principles, goals and objectives; and

WHEREAS, the Town Council is committed to maintaining the town's fiscal integrity; and

WHEREAS, the Town Council recognizes the FY 2020 budget priorities for funding must be set.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby directs the Town Manager to use the following guidance in preparing the FY 2020 budget:

Fund activities that will advance the 2035 Vision, to include:

- Advancing implementation of Council's sustainability plan
- Advancing implementation of town's downtown redevelopment plan
- Providing for development and operation of an arts center facility
- Maintaining the town's focus on the use of technology to support administration and service provision

Fund activities that will demonstrate a commitment to, and investment in the town's employees, to include:

- Continuing employee skills development and education, with an emphasis on succession planning and leadership development
- Continuing emphasis on maintaining a competitive employment position in local market

Continue efforts to develop and maintain a strong fiscal position, to include:

- At Council's direction, preparing an annual budget that addresses the rising costs associated with program and service delivery, along with the additional revenue appropriations needed to meet them
- At Council's direction, beginning with the FY 2020 budget cycle, the policy of linking the 1 percent increase in Meals Tax, initiated July 1, 2011, to address downtown development and various economic development initiatives, shall no longer be in effect
- Continuing forward looking at budget preparation in anticipation of impacts associated with the Metrorail and downtown redevelopment projects
- Emphasizing the funding of life cycle maintenance that provides a comprehensive assessment of the town's overall exposure along with the revenue stream needed to properly maintain town assets



STAFF REPORT

Town Council
January 22, 2019

Title:

Resolution – to consider amending the existing Tyler Technologies contract, #13-04, to add the EnerGov module.

Staff Contact:

Page Kalapasev, Director of IT
(703) 435-6800 ext. 2001
Page.Kalapasev@herndon-va.gov

Background:

In early 2018, the Information Technology (IT) department together with Public Works, identified the need to replace its existing building inspections and permitting system. The current HTE Naviline system is end of support and does not provide any of the web-enabled functionalities that are offered in other applications available in the marketplace.

Staff is recommending new software to assist with streamlining of internal staff and external customer processes to improve the overall efficiency of our development services related work.

During 2018, IT organized a group of key staff members to obtain input and serve as the review panel to recommend a new permitting software package. IT met with the group and developed a high-level list of business requirements and reached out to numerous software companies to discuss the town's requirements. Staff narrowed the search down to three (3) possible software solutions that would meet requirements (EnerGov, TRAKiT, Cityworks) and participated in software demonstrations from each vendor. After each demonstration, the group discussed the software application's functionality and usability based on the following criteria: automation of workflow, mobile device capability for field workers, existing data conversion and migration, electronic submission and review of documents, online payments with Tyler cashing, integration with Munis financials, flexibility to adapt to changing business processes, vendor consulting services related to best practices, and a robust website portal to improve online customer interaction.

Staff also visited Prince William County to review their implementation of the EnerGov solution.

Town Council Staff Report

January 22, 2019

Resolution – to amend existing contract #13-04, with EnerGov module

As the EnerGov system is capable of complete integration with the town's Munis ERP system, the Public Works Department, in conjunction with the IT and Finance Departments, recommends amending the current agreement with Tyler Technologies to include the EnerGov permit suite and cancel the HTE Naviline permitting license with Central Square systems (formerly Superion).

Goals:

- Implement a reliable, transparent and efficient system to make it easier for the town's customers to do business;
- Improve communication throughout the development process for internal and external stakeholders;
- Provide intuitive online services that utilize mobile technology to provide the community with access to services and important information; and
- Enable staff to work smarter while investing valuable time into providing excellent customer service to citizens and commercial partners.

Fiscal Impact:

The anticipated amounts needed per fiscal year are as follows:

FY 2019 - 2020 (data conversion and 1 st year subscription)	\$68,321.00
CIP 2019 (implementation cost)	\$110,890.00
FY 2021 and forward (departmental operating budget)	\$68,321.00

The initial software licensing cost will be funded through requested IT FY 2020 budget (\$68,321). Once the system is fully operational, the annual subscription cost will be funded via departmental operating budget (\$68,321 annually) replacing current annual subscription cost of Naviline (\$96,000). Implementation cost is to be funded with remaining IT CIP budget account 016 (\$110,890).

Town Council Staff Report

January 22, 2019

Resolution – to amend existing contract #13-04, with EnerGov module

SaaS			One Time Fees		
Description	# Years	Annual Fee	Impl. Hours	Impl. Cost	Data Conversion
Additional:					
EnerGovAdv Server Extensions Bundle	5.0	\$5,681.00	16	\$2,560.00	\$0.00
EnerGov Citizen Self Service - Community Development	5.0	\$5,681.00	16	\$2,560.00	\$0.00
EnerGov Community Development Suite (25)	5.0	\$26,625.00	176	\$28,160.00	\$31,725.00
EnerGov e-Reviews	5.0	\$10,652.00	56	\$8,960.00	\$0.00
EnerGov iG Workforce Apps (8)	5.0	\$2,840.00	16	\$2,560.00	\$0.00
Bluebeam Studio Prime Level 1 eReview	5.0	\$2,340.00	0	\$0.00	\$0.00
EnerGov Request & Enforcement Management SDK	5.0	\$4,143.00	40	\$6,400.00	\$0.00
Tyler 311/Incident Management	5.0	\$2,959.00	40	\$6,400.00	\$0.00
Tyler GIS (25)	5.0	\$7,400.00	0	\$0.00	\$0.00
TOTAL:		\$68,321.00	360	\$57,600.00	\$31,750.00

Description	Quantity	Unit Price	Unit Discount	Extended Price
EnerGov Community Development Forms Library (5 Forms)	1	\$3,825.00	\$0.00	\$3,825.00
EnerGov Project Manager Services	1	\$7,500.00	\$0.00	\$7,500.00
EnerGov Intelligent Objects Automation	64	\$160.00	\$0.00	\$10,240.00
TOTAL:				\$21,565.00

Summary	One Time Fees	Recurring Fees
Total SaaS	\$0.00	\$68,321.00
Total Tyler Software	\$0.00	\$0.00
Total Tyler Services	\$110,890.00	\$0.00
Total 3rd Party Hardware, Software and Services	\$0.00	\$0.00
Summary Total	\$110,890.00	\$68,321.00

Staff Recommendation:

Staff recommends amending existing contract #13-04, with EnerGov module.

Attachments:

Draft resolution

Staff:

Page Kalapasev

Page Kalapasev, Director of IT

TOWN OF HERNDON, VIRGINIA

RESOLUTION

JANUARY 29, 2019

Resolution- to consider amending the existing Tyler Technologies contract, #13-04, to add the EnerGov module.

WHEREAS, the Town of Herndon requires a software system for Public Works permitting and building inspections; and

WHEREAS, the previous software will be unsupported therefore mandating the need for a new software system; and

WHEREAS, staff evaluated three (3) possible software solutions (EnerGov, TRAKiT, Cityworks) and EnerGov scored the highest on the software evaluation; and

WHEREAS, staff determined that EnerGov is the best suited to meet the requirements for automation of workflow, mobile device capability for field workers, existing data conversion and migration, electronic submission and review of documents, online payments with Tyler cashing and integration with Munis financials; and

WHEREAS, the initial software licensing cost will be funded through the requested IT FY 2020 budget; and

WHEREAS, once the system is fully operational the annual subscription cost will be allocated via the departmental operating budget (\$68,321 annually) replacing the current annual subscription cost of HTE Navline (\$96,000); and

WHEREAS, implementation (\$110,890) is to be funded with the remaining IT CIP budget account 016; and

WHEREAS, the existing Tyler Technologies contract, #13-04, will be amended to add the EnerGov module.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby amends Tyler Technologies contract, #13-04, by an amount of \$68,321.

TOWN OF HERNDON, VIRGINIA

RESOLUTION

JANUARY 29, 2019

Resolution- to reappoint Raymond Geier as a Member of the Building Board of Appeals.

BE IT RESOLVED BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby reappoints **Raymond Geier** as the “experienced builder” member to the Building Board of Appeals for a five-year term ending December 31, 2023.

TOWN OF HERNDON, VIRGINIA

RESOLUTION

JANUARY 29, 2019

Resolution- to reappoint Jay Donahue as a Member of the Board of Zoning Appeals.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby reappoints **Jay Donahue** as a member of the Board of Zoning Appeals for a five-year term ending December 31, 2023.

TOWN OF HERNDON, VIRGINIA

RESOLUTION

JANUARY 29, 2019

Resolution- to appoint the Town of Herndon's "Principal" and "Alternate" members as Advisory Directors to the Committee for Dulles Board of Directors.

WHEREAS, founded in 1966, the Committee for Dulles, a non-profit organization, is the oldest member-sponsored organization dedicated to achieving the full potential of the Washington Dulles International Airport and its immediate market area; and

WHEREAS, the committee provides the only significant opportunity for businesses, organizations and concerned individuals who depend on the Dulles Economic Corridor to stay current with up-to-the-minute, first-hand knowledge about the issues affecting the airport's daily operation and future prospects, and to play a vital role in the outcomes; and

WHEREAS, the Town of Herndon pays annual membership dues to the committee and appoints one elected official to serve as the Advisory Director on the Board of Directors as the town's official representative, although all members of council and town staff may attend monthly luncheons and events.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby appoints the following members to serve as the town's representatives to the Committee for Dulles for the 2019-2020 term:

- **Vice Mayor Sheila Olem**, as the town's "principal" advisory director; and
- **Councilmember Signe Friedrichs**, as the town's "alternate" advisory director.

TOWN OF HERNDON, VIRGINIA

RESOLUTION

JANUARY 29, 2019

Resolution- to appoint the Town of Herndon's "Principal" and "Alternate" members to the Dulles Area Transportation Association Board of Directors.

WHEREAS, the Dulles Area Transportation Association (DATA), a nonprofit, public-private, 501(c)3 non-stock corporation, is dedicated to enhancing transportation mobility and fostering economic vitality and provides a visionary voice for building a transportation network that will accommodate the current and future growth planned for the area, with particular emphasis directed toward transportation issues in the Greater Dulles Area of Northern Virginia (Western Fairfax, Eastern Loudoun, and Northern Prince William Counties); and

WHEREAS, the Town of Herndon has been a member of DATA since its creation in 1988, and in November 1989, by Resolution 89-G-205, the Herndon Town Council approved support of DATA and its efforts; and

WHEREAS, the town pays annual membership dues to the association and appoints an elected official as the town's 'principal' representative and the town manager to serve as an 'alternate' representative, although all members of council and staff may attend Board of Directors/Member meetings, events and seminars.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby appoints the following members to serve as the town's representatives to the Dulles Area Transportation Association for the 2019-2020 term.

- **Councilmember Cesar del Aguila**, as the town's "principal" member;
- **Councilmember Jen Baker**, as the town's "alternate" member; and
- **William H. Ashton II, Town Manager**, to serve as the town's CAO "second alternate" member.

TOWN OF HERNDON, VIRGINIA

RESOLUTION

JANUARY 29, 2019

Resolution- to reinstate the Herndon Town Council's Economic Development Advisory Committee.

WHEREAS, the Herndon Town Council, as part of organizational housekeeping matters at the onset of each term, reviews council advisory committees to determine whether to reinstate or disband existing committees; and

WHEREAS, throughout the term, the Council may change representation and/or create additional advisory committees.

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

- reinstates the Economic Development Advisory Committee for the 2019-2020 term; and
- reappoints the following members to the advisory committee:
 - **Jeff Bentley**, as the "Large Employer Member";
 - **David Birtwistle**, as the "General Member";
 - **Shelley Grandy**, as the "Technology Sector Member";
 - **Arthur Nachman**, as the "Real Estate Sector Member";
 - **Peggy O'Reilly**, as the "Arts Community Member";
 - **Vinay Patel**, as the "Hotel/Hospitality Sector Member";
 - **Dave Richardson**, as the "Financial Sector Member";
 - **Mauricio Velásquez**, as the "Downtown/Small Business Owner";
 - the town's Economic Development Manager, to serve as the staff liaison/ex-officio member;
 - a representative of the Herndon Chamber of Commerce, to serve as an ex-officio member; and
- requests the town clerk to work with the Economic Development Manager to fill the remaining vacancies for the "General Member" and "Restaurant Sector" representatives and to bring forward recommendations for consideration by the council at a future meeting.

TOWN OF HERNDON, VIRGINIA

RESOLUTION

JANUARY 29, 2019

Resolution- to reinstate and to reappoint members to the Herndon Town Council's Grant Oversight Committee.

WHEREAS, the Herndon Town Council, as part of organizational housekeeping matters at the onset of each term, reviews council committees to determine whether to reinstate or disband existing committees; and

WHEREAS, throughout the term, council may change representation and/or create additional committees.

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

- reinstates the Town Council's **Grant Oversight Committee** for the 2019-2020 term; and
- reappoints:
 - **Councilmember Signe Friedrichs** to serve as the member of the Herndon Town Council;
 - **Commissioner Michael Romeo** to serve as the member of the Herndon Planning Commissioner; and
- confirms the appointment of **Michael Wallick** to serve as the member of staff.

TOWN OF HERNDON, VIRGINIA

RESOLUTION

JANUARY 29, 2019

Resolution- to reinstate the Herndon Town Council's Herndon Youth Advisory Council.

WHEREAS, the Herndon Town Council, as part of organizational housekeeping matters at the onset of each term, reviews council subcommittees to determine whether to reinstate or disband existing committees; and

WHEREAS, throughout the term, council may change representation and/or create additional subcommittees.

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

- reinstates the Town Council's Herndon Youth Advisory Council for the 2019-2020 term;
- appoints **Councilmember Bill McKenna**, to serve as the Herndon Town Council Liaison; and
- reappoints the following members:
 - **Lucy Brown**;
 - **Kade Cralle**;
 - **Katie Evans**;
 - **Laura Evans**;
 - **Andrew Freeman**;
 - **Tea Geary**;
 - **Kathleen Grover**;
 - **Claire Jones**;
 - **Piper Luczak**;
 - **Ian Nordling**, Growing Kids Therapy Center;
 - **Ankit Poudel**; and
 - **Zachary Skalaban**.

It is noted that at its meeting on January 10, 2019, the HYAC decided to rotate the leadership role among the members, giving all members an opportunity to serve as chair.

TOWN OF HERNDON, VIRGINIA

RESOLUTION

JANUARY 29, 2019

Resolution- to appoint members of the Herndon Town Council to the Inter-Jurisdictional Committee.

WHEREAS, the inter-jurisdictional committee was originally formed in January 2008; and reinstated in July 2008, July 2010, July 2012 and July 2014, to meet with similar committees formed by Fairfax and Loudoun Counties; and

WHEREAS, the town's inter-jurisdictional committee meets jointly with Fairfax and Loudoun Counties as needed on inter-jurisdictional matters.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby appoints the following members of the Herndon Town Council to the inter-jurisdictional committee for the 2019-2020 term:

- **Mayor Lisa C. Merkel**, as the town's chief elected official;
- **Vice Mayor Sheila Olem**;
- **Councilmember Pradip Dhakal**; and
- **Councilmember Jen Baker**, as an "alternate" member.

TOWN OF HERNDON, VIRGINIA

RESOLUTION

JANUARY 29, 2019

Resolution- to reinstate the Herndon Town Council's Interview Subcommittee.

WHEREAS, the Herndon Town Council, as part of organizational housekeeping matters at the onset of each term, reviews council subcommittees to determine whether to reinstate or disband existing committees; and

WHEREAS, throughout the term, council may change representation and/or create additional subcommittees.

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

- reinstates the Town Council's Interview Committee for the 2019-2020 term; and
- appoints the following members:
 - **Councilmember Jen Baker**, to serve as chair;
 - **Councilmember Cesar Aguila**;
 - **Councilmember Pradip Dhakal**; and
 - **Councilmember Signe Friedrichs**, to serve as an alternate member.

TOWN OF HERNDON, VIRGINIA

RESOLUTION

JANUARY 29, 2019

Resolution- to reinstate and to appoint members to the Herndon Town Council's Investment and Auditing Advisory Committee.

WHEREAS, the Herndon Town Council, as part of organizational housekeeping matters at the onset of each term, reviews council advisory committees to determine whether to reinstate or disband existing committees; and

WHEREAS, throughout the term, the Council may change representation and/or create additional advisory committees.

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

- reinstates the Investment and Auditing Advisory Committee for the 2019-2020 term.
- appoints the following members of town council to serve:
 - **Councilmember Jen Baker**; and
 - **Councilmember Pradip Dhakal**.

TOWN OF HERNDON, VIRGINIA

RESOLUTION

JANUARY 29, 2019

Resolution- to appoint Town of Herndon Elected Officials to serve on the Northern Virginia Regional Commission.

WHEREAS, the Northern Virginia Regional Commission (NVRC) is a regional council of 14 local governments in Northern Virginia and recognized by the Commonwealth of Virginia as a political subdivision — a government agency; and

WHEREAS, NVRC's programs and policies are established by a 25-member Board of Commissioners composed of elected officials appointed by the governing bodies of NVRC's 14 member localities, which include the Counties of Arlington, Fairfax, Loudoun and Prince William; the Cities of Alexandria, Fairfax, Falls Church, Manassas and Manassas Park; and the towns of Dumfries, Herndon, Leesburg, Purcellville and Vienna; and

WHEREAS, the NVRC's basic roles and functions have focused on providing information, professional and technical services, and a mechanism for regional coordination; and

WHEREAS, the Town of Herndon pays annual membership dues to the commission and appoints one elected official to serve as the town's representative.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby appoints the following members of the Herndon Town Council to the Northern Virginia Regional Commission for the 2019-2020 term.

- **Mayor Lisa Merkel**, as the town's "Principal" member;
- **Councilmember Jen Baker**, as the town's "alternate" member;
and
- **Councilmember Bill McKenna**, as the town's "second alternate" member.

TOWN OF HERNDON, VIRGINIA

RESOLUTION

JANUARY 29, 2019

Resolution- to appoint the Town of Herndon's 'Principal' member to the Northern Virginia Transportation Authority's Planning Coordination Advisory Committee (NVTAC).

WHEREAS, General Assembly legislation creating the Northern Virginia Transportation Authority (NVTAC) calls for the establishment of the Planning Coordination Advisory Committee (PCAC); and

WHEREAS, legislation mandates that the PCAC, 'shall include, but not be limited to, at least one elected official from each town that is located in any county embraced by the Authority and receives street maintenance payments under § 33.1-41.1'; and

WHEREAS, membership of the PCAC is comprised of elected officials who are not members of the NVTAC, including one member from the towns of Dumfries, Herndon, Leesburg, Purcellville, Vienna and any town that receives the specified street payment in the future; one member each from the Cities of Fairfax, Falls Church, Manassas and Manassas Park; two members each from the City of Alexandria and Arlington County; three members each from the Counties of Loudoun and Prince William; and four members from Fairfax County; and

WHEREAS, members are appointed annually by their local governing bodies.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby appoints **Councilmember Signe Friedrichs**, as the town's elected official to the Northern Virginia Transportation Authority's Planning Coordination Advisory Committee (NVTAC) for the 2019-2020 term.

TOWN OF HERNDON, VIRGINIA

RESOLUTION

JANUARY 29, 2019

Resolution- to reinstate the Herndon Town Council's Pedestrian and Bicycle Advisory Committee.

WHEREAS, the Herndon Town Council, as part of organizational housekeeping matters at the onset of each term, reviews council advisory committees to determine whether to reinstate or disband existing committees; and

WHEREAS, throughout the term, the Council may change representation and/or create additional advisory committees.

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

- reinstates the Pedestrian and Bicycle Advisory Committee (PBAC) for the 2019-2020 term;
- appoints **Councilmember Cesar del Aguila**, to serve as chair; and
- requests the town clerk to:
 - contact current members of PBAC to see their desire to continue to serve and to bring forward those names for appointment by the council at a future meeting; and
 - contact the Heritage Preservation Review Board and Planning Commission chairs to confirm the names of members to represent those bodies on PBAC.

TOWN OF HERNDON, VIRGINIA

RESOLUTION

JANUARY 29, 2019

Resolution- to appoint the Town of Herndon's representative to the Phase II District Commission.

WHEREAS, on November 10, 2009, the Herndon Town Council adopted Resolution 09-G-130 determining that the Town Council wishes commercial, industrial and multi-unit residential property in the town to be included within the proposed Phase II Dulles Rail Transportation Improvement District; and

WHEREAS, Virginia Code Section 33.1-432 authorizes the creation of a Phase II District Commission consisting of four members of the Fairfax County Board of Supervisors (appointed by the Fairfax Board); one member of the Herndon Town Council (appointed by the Council); and the Chairman of the Commonwealth Transportation Board or his designee; and

WHEREAS, the Phase II District Commission would take action as permitted by the Virginia Code Act to provide for the funding, acquisition, construction and equipping of the Phase II Transportation Improvements including, but not limited to entering in agreements requiring the payment of proceeds from an annual special improvement tax levied and collected as authorized by the Act.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby appoints the following members of the Herndon Town Council to the Phase II District Commission for the 2019-2020 term.

- **Councilmember Bill McKenna**, as the town's "principal" member; and
- **Councilmember Cesar del Aguila**, as the town's "alternate" member.