

**TOWN OF HERNDON, VIRGINIA
PUBLIC HEARING AGENDA
HERNDON COUNCIL CHAMBERS BUILDING
765 LYNN STREET
MARCH 12, 2019
7:00 P.M.**

1. Call to Order
2. Pledge of Allegiance to the Flag of the United States of America

APPROVAL OF MINUTES

February 26, 2019 Town Council Public Hearing Draft Minutes

COMMENTS

3. Comments from the Town Manager
4. Comments from the Town Council
5. Comments from the Audience

PUBLIC HEARINGS

6. Ordinance 19-O-05, to grant a first franchise amendment to Fiberlight of Virginia, LLC, increasing the allowance of the number of conduit and allowing for a route adjustment

Future Town Council Meetings

March 19, 2019	Town Council Work Session	7:00 p.m.
March 26, 2019	Town Council Public Hearing	7:00 p.m.
April 2, 2019	Town Council Work Session	7:00 p.m.
April 9, 2019	Town Council Public Hearing	7:00 p.m.

TOWN OF HERNDON, VIRGINIA

ORDINANCE

MARCH 12, 2019

Ordinance- to grant a first franchise amendment to Fiberlight of Virginia, LLC, increasing the allowance of the number of conduit and allowing for a route adjustment.

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

1. The Town Council approves this First Amendment to the Franchise Agreement dated May 11, 2016.
2. This instrument increases the allowance of number of conduit from four to ten conduits on a portion of the route covering approximately 12,810 linear feet. (As reflected in "orange" on Exhibit A)
3. This instrument permits a route adjustment crossing Elden Street further north than the current crossing, as reflected on Exhibit A. The linear feet of the route is unchanged. (As reflected in Exhibit A)
4. This instrument permits a route adjustment crossing Monroe Street further south than the current crossing, as reflected on Exhibit A. The linear feet of the route is unchanged. (As reflected in Exhibit A)
4. Exhibit A dated March 12, 2019, attached hereto, replaces any previous exhibit(s).
5. In all other respects, the original franchise remains in effect.
6. The Mayor is authorized to sign and deliver the franchise and any ancillary instruments necessary to effectuate the franchise.
7. This ordinance shall be in effect on and after the date of its adoption.

FIRST FRANCHISE AMENDMENT

THIS FIRST AMENDMENT dated for identification this 12th day of March 2019 is hereby made to the Franchise Agreement (the "Agreement") dated May 11, 2016, by and between TOWN OF HERNDON, a Virginia municipal corporation (the "Town") and FIBERLIGHT OF VIRGINIA, LLC. ("Franchisee"), as follows

1. Subject to all the terms and conditions contained in the Agreement, the route covered by the Agreement is hereby amended to reflect a route adjustment. The amended route is depicted in "orange" on the attached Exhibit A.
2. Allowance of number of conduit is amended from four to ten conduits only on the portion of the route depicted in "orange" on the attached Exhibit A covering approximately 12,810 linear feet.
3. Exhibit A dated March 12, 2019, attached hereto, replaces any previous exhibit(s).
4. Except as specifically amended or modified herein, the terms and conditions of the Agreement will remain in full force and effect through the term.

FIBERLIGHT OF VIRGINIA LLC

By: 

Kevin B. Coyne
Member



TOWN OF HERNDON, VIRGINIA

By: _____

Lisa C. Merkel
Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Lesa J. Yeatts
Town Attorney

