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HERNDON TOWN COUNCIL
Tuesday
May 24, 2022

The Town Council met in public session on Tuesday, May 24, 2022, at 7:00 p.m. in the Herndon Council Chambers Building, 765 Lynn Street, Herndon, Virginia. In attendance were: Mayor Sheila A. Olem; Vice Mayor Cesar del Aguila; and Councilmembers Naila Alam, Pradip Dhakal; Signe Friedrichs; Sean M. Regan; and Jasbinder Singh.

Staff present during the meeting: William H. Ashton II, Town Manager; Lesa Yeatts, Town Attorney; Chief Maggie DeBoard, Herndon Police; Lisa Gilleran, Director of Community Development; Page Kalapasev, Director of Information Technology; Deputy Town Attorney, Lauri Sigler; David Stromberg, Zoning Administrator; Ahmad Zaki, Lead Planner/Long Range Planning; Dave Bracamonte, IT Operations Manager; and Amanda Kertz, Chief Deputy Town Clerk.

PLEDGE & CALL TO ORDER

Mayor Olem led the Pledge of Allegiance and called the meeting to order at 7:00 p.m., all members present, and with Mayor Olem presiding.

Mayor Olem asked Council and those participating to observe meeting decorum by showing their hand to be recognized by the chair for comments. She reminded those participating to follow the town's Meeting Guidelines that were used for all government meetings to maintain good order, which included: refraining from participation unless and until recognized by the chair; being respectful in comments; refraining from threatening or intimidating language; profane, vulgar, obscene, or threatening remarks were not permitted; and attacks on the character, motive, or other harmful remarks against individual members of Council, town staff, or the public would not be tolerated.

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APPROVAL OF MINUTES

Vote on March 1, 2022

Town Council Work Session Minutes

On motion of Councilmember Friedrichs, seconded by Councilmember Singh, and carried by unanimous roll call vote, the minutes of the March 1, 2022 Town Council Work Session were approved. The vote was: Councilmembers Alam, Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye."

Vote on March 8, 2022

Town Council Public Hearing Minutes

On motion of Councilmember Dhakal, seconded by Councilmember Friedrichs, and carried by unanimous roll call vote, the minutes of the March 8, 2022 Town Council Public Hearing were approved. The vote was: Councilmembers Alam, Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye."

ANNOUNCEMENTS

Mayor Olem stated the next Town Council Strategic Planning Initiatives Meeting would be on Thursday, May 26, 6:00 p.m., in the Herndon Police Department Community Room. She stated before the meeting, dinner would be available at 5:30 p.m. The meeting would be posted on Granicus when the recording was available.

Mayor Olem reminded those attending that town offices would be closed in observance of Memorial Day on Monday, May 30. Recycling would be collected on Tuesday, May 31. She stated that the American Legion Post 184 would host the Memorial Day Observance at 10:00 a.m. at Chestnut Grove Cemetery.

Mayor Olem announced that the Herndon Carnival would be held at Northwest Federal Credit Union from Thursday, June 2 to Sunday, June 5. It would include rides, games, and carnival food. She stated that admission to the carnival was free and additional information was available at www.herndoncarnival.net. The "Run Into Summer 5K" run/walk would be held on Sunday, June 5.

AMEND THE AGENDA

Mayor Olem advised that earlier in the day, Jimmy's Old Town Tavern submitted the appropriate paperwork needed for the Temporary License Agreement with the town for use of the public space. Therefore, with the concurrence of Council, Mayor Olem asked for a motion to move item #9, Resolution 22-G-38, from the General portion to the Consent agenda, and that the agenda be so amended.

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On motion of Vice Mayor del Aguila, seconded by Councilmember Dhakal, and carried by unanimous roll call vote, the agenda was amended to move Resolution 22-G-38, to approve a Temporary License Agreement to use a designated public space in the alley adjacent to Jimmy's Old Town Tavern for outdoor seating for an event, from the General portion to the Consent agenda. The vote was: Councilmembers Alam, Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye."

3. COMMENTS FROM THE TOWN MANAGER

Mayor Olem recognized Town Manager William H. Ashton II for his comments.

Downtown Redevelopment

Mr. Ashton stated that he was aware of questions and rumors in the community about downtown redevelopment. Part of this was because individuals could be thinking this was like a standard construction contract, which it was not. This was a public-private partnership under the Virginia Public-Private Education Facilities Infrastructure Act, where the government and private company worked together to meet milestones. Staff was putting together a fact sheet on the project and process.

Mr. Ashton stated that staff met with Comstock on Thursday, and they were working to meet the milestones.

Town Council Strategic Planning Initiatives Meeting

As Mayor Olem announced, Mr. Ashton stated staff was working to prepare for the May 26 Town Council Strategic Planning Initiatives Meeting. He recently sent Council the initiatives with some abstract narratives that he had received from Council. He also met with the facilitators, and they were reviewing that meeting's agenda. He hoped to get the agenda out that following day.

4. COMMENTS FROM THE TOWN COUNCIL

Mayor Olem reminded those in attendance that if anyone wanted to make comments on the Consent agenda or the General item that was moved to Consent, to please make them during the 'Comments from the Audience' portion of the agenda.

Councilmember Alam: No comments.

Councilmember Dhakal: No comments.

Councilmember Friedrichs: Expressed her appreciation to staff for their efforts during the Herndon Rotary and Green Lizard Foundation's fundraiser for 'Kids are First.' They raised \$4,200 for the foundation.

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Councilmember Regan: Shared that he attended the Committee for Dulles' quarterly meeting that past Thursday. One of the topics discussed was updating the Dulles Airport's Master Plan. He would keep everyone updated on any changes at the airport that could impact the town. Changes at Dulles would affect Herndon, and he hoped people were paying attention.

Councilmember Singh: No comments.

Vice Mayor del Aguila: Echoed Councilmember Friedrichs' appreciation to the Herndon Rotary, Green Lizard, and to all the sponsors for the bike-a-thon fundraiser. He stated there was nothing more satisfying than seeing a child smile when they received their first bicycle. He thanked the volunteers who helped the children learn how to ride.

Mayor Olem:

Stated that past Saturday, she helped to award scholarships on behalf of the Federal Water Quality Association, and she was the keynote speaker. This group supports students in science and included awards for high school and college students.

Mayor Olem encouraged those interested to visit ArtSpace, where they still had the "Tech Arts" exhibit on display, which was created by Fairfax County high school students. She thought all the students working on science and environmental issues were very impressive.

Mayor Olem stated that she attended three ribbon cuttings that past week. On Wednesday, May 18, she welcomed Crust Pizzeria Napoletana to the town with Councilmembers Friedrichs and Alam.

That next day, Fairfax County and Arrowbrook Centre had a ribbon cutting for Innovation Arrowbrook Trail, where Mayor Olem enjoyed seeing a sign that pointed to Herndon, Metro, and the Arrowbrook area. The trail would take users from near Innovation Station on the Southside of the Dulles Toll Road to Centerville Road.

Mayor Olem stated that on Monday, May 23, she enjoyed attending the ribbon cutting for Capital Cuisine Catering with Councilmembers Friedrichs and Alam.

On Thursday, May 19, the Chamber hosted an IGNITE for Growth event, called a "Vision for Growth in a Post-COVID World ~ What's Happening in Real Estate in the Town of Herndon," where she also enjoyed seeing real estate space in the nearby area. Several staff members, including Director of Community Development Lisa Gilleran; Economic Development Manager Dennis Holste; and Zoning Administrator David Stromberg, provided information about the many things going on in the town, which included \$110 million of infrastructure improvements. Mayor Olem stated that projects had been on hold for two years due to COVID, which is why there were many projects happening now.

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Mayor Olem stated that prior to last week's Friday Night Live, Mr. Holste hosted the All-Town Business Networking Event. She thought it was a wonderful opportunity to meet and greet many of the businesses in town.

COMMENTS & DISCLOSURES FOR THE RECORD

Mayor Olem asked Amanda Kertz, Chief Deputy Town Clerk, whether she had received comments for the record or Transactional Disclosure Declarations from Council on any items listed on that evening's agenda. Ms. Kertz stated that comments were provided to Council and entered into the record on Consent agenda item #9, which was just added to the Consent agenda, Resolution 22-G-38, to approve a temporary license agreement between the town and Jimmy's Old Town Tavern for use of public space in the alley for outdoor seating for an event.

Additionally, Ms. Kertz stated that Vice Mayor del Aguila and Councilmember Regan filed Transactional Disclosure Declaration statements with the Town Clerk.

Vice Mayor del Aguila indicated that he has met with the applicants and applicants' agent representing public hearing items #6 and #7, which are ZMA #21-01 and SE #22-01, in December 2021 and in February 2022 to discuss affordable housing.

Councilmember Regan indicated that he communicated with the group that owned 315 Elden Street in December of 2021. He does not know if the owners are the same. His communication was in the hours and days after the 698 Park Avenue apartment building fire, and he connected them with Cornerstones to see if they could provide discounted hotel rooms for displaced families. He believed they set that up with Cornerstones and housed several families for several weeks after the fire. He did not profit from this arrangement in any way and feels he can evaluate the 315 Elden Street applications without bias.

Both stated they are able to participate in the discussions regarding these applications fairly, objectively, and in the public interest.

The signed statements have been entered into the record and are on file with the Town Clerk and Town Attorney. The Town Clerk received no other statements from council to enter into the record.

5. COMMENTS FROM THE AUDIENCE

Mayor Olem reviewed the process for speaking and providing comments and called on those who wanted to provide Comments from the Audience to come forward.

The following individuals provided comments:

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- William Campenni, 1104 Iron Ridge Court, Herndon: provided written comments for the record, which are on file in the Town Clerk's office. He stated that no one on Council replied to an email he had sent about vehicle tax issues, except for Councilmember Friedrichs. He was grateful for her reply. He stated that Fairfax County had incorrect exemptions and exclusions for vehicle tax listed in their code, which had also been adopted by the town. He implored the Council to fix this.
- Vida Khadem, CEO, LaVidaz, Herndon (did not provide address): stated that she had a proposal to share with the Mayor, Council, Town Manager and staff regarding an "iconic building" that she would like to build in town. She provided rough cost estimates and stated she was meeting with the Town Manager that week.
- Arthur Nachman, 866 Vine Street, Herndon: stated that listening to the Town Manager's comments and reading updates in the paper about Comstock's delay had him thinking about the asset behind the boarded fence on Elden and Center streets. He hoped the town could turn the space into a temporary lot for parking or other uses, similar to what was done around ArtSpace.

PUBLIC HEARINGS

6. **Ordinance 22-O-13, to consider Zoning Map Amendment ZMA #21-01, 315 Elden Street, from CS (Commercial Services) to PD-UR (Planned Development – Urban Residential) with proffered conditions, to allow the conversion of an existing hotel to multi-family residential with a workforce housing component; and**
7. **Resolution 22-G-34, to consider Special Exception Application SE #22-01, 315 Elden Street, to allow for development in the FPO (Floodplain Overlay District), subject to approval of Zoning Map Amendment ZMA #21-01, which is being reviewed concurrently with this case.**

Certificates of Publication were filed from the Editor of the *Fairfax County Times Newspapers*, showing that notice of said public hearing item had been duly advertised in the Friday, Publish on May 6 and May 13, 2022 issues.

Mayor Olem opened the public hearings and stated the first two items would be presented concurrently, with separate Council action on each item. She called on David Stromberg, Zoning Administrator, who presented the staff report and PowerPoint dated May 24, 2022, which are on file in the Town Clerk's office. The proposed ordinance would authorize a zoning map amendment, ZMA #21-01, at 315 Elden Street, to change zoning from Commercial Services (CS) to Planned Development – Urban Residential (PD-UR), with proffered conditions.

Mr. Stromberg indicated that prior to that night's public hearing, the applicant informed him they would request to continue the public hearing to the June 14th meeting. He

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asked Mayor Olem if he should still present the staff report in light of this information, and she asked him to present it, since there might be individuals watching that were not aware of the information.

Mr. Stromberg outlined the location, history of the property, proposed Generalized Development Plan (GDP), and provided a summary of the proposed proffers, emphasizing the applicant's commitment to work force housing. He stated that the style of the existing hotel was no longer used by the brand, and it was expected that if this stayed a hotel, it would no longer be used as a Marriott. The applicant was requesting a modification to the parking minimum, due to the limitations of the existing lot. To address this, the applicant proposed to add 72 new bicycle spaces and provide proffer money for transit and mobility improvements. He shared that the applicant did a parking study in March, which showed that the number of spaces requested would be sufficient to meet the demands of the site.

As he had mentioned, the applicant proposed to include Workforce Dwelling Units (WDU) in the proffers. WDUs would be a minimum of 50 percent of the units with a 30-year commitment. Mr. Stromberg reviewed how WDUs would operate in this proposed development, which included eligibility and the amount and types of units.

Mr. Stromberg summarized the additional proffers, including the bicycle parking previously reviewed; the applicant submitting traffic demand management plan; providing bus stop improvements; and contributions to off-site recreation facilities, schools, and emergency services. He stated that contributions were tied to the consumer price index.

Mr. Stromberg stated that the proposed rezoning was located on the flood plain established in 2011. A flood study was not required on this property because the applicant was not proposing new construction and FEMA did not have to approve it. FEMA was expected to remove this property from the flood plain in 2023, but the special exception was required since it was in the currently designated flood plain.

Mr. Stromberg briefly discussed several factors for the Council to consider and stated that staff was still recommending approval of the application. However, the applicant was requesting continuance to the June public hearings because of some notification issues.

There was brief discussion amongst Council and staff on this item.

There was a brief question and answer session between Mr. Stromberg and Councilmember Singh about the proffers, flood plain special exception process, and potential noise issues. Mr. Stromberg stated the proffers had not changed since last week's work session.

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Vice Mayor del Aguila understood that nothing had changed since the work session, and he asked about the minimum percentage for the WDUs. Mr. Stromberg confirmed that the WDU component was 50 percent with a 30-year commitment.

There was a brief question and answer session between Mr. Stromberg and Councilmember Dhakal about the WDU criteria and enforcement. Mr. Stromberg stated that following approval, the proffers would become the zoning for the property, and not complying with them would constitute a zoning violation.

There was a brief question and answer session between Mr. Stromberg and Councilmember Friedrichs about the WDUs and several of the other proffers.

Responding to queries from Mayor Olem, Mr. Stromberg stated that he was not aware of any complaints against the Outback restaurant in their previous location. He highlighted that 50 percent was the minimum amount of WDU units.

Responding to queries from Councilmember Singh, Mr. Stromberg explained how some of the requirements were tied to the applicant's loans which would provide some self-regulation.

Mayor Olem invited the applicant or applicant's agent forward to address the Council.

- Ken Wire, Partner, Wire Gill, LLP 1818 Library Street, Reston, Applicant's Agent: Provided comments on behalf of the applicant. He stated that he also represented Peter Kleeblatt, Principal with the Pinkard Group in Washington, DC. They were asking for a deferral of Council's decision that evening because they were unable to obtain all the required waivers from the adjacent property owners. Mr. Wire outlined what he and the applicant had done so far and what the plans were for the property. He looked forward to attending the June 14 public hearing.

There was brief discussion amongst Council and Mr. Wire about the project.

In response to Councilmember Regan, Mr. Wire confirmed that there would always be 80 units that were WDUs, or 50 percent, at a minimum.

In response to queries from Vice Mayor del Aguila, Mr. Wire stated that typically, if an individual started to make more money than the WDU criteria, they would be able to stay in the WDU for a year at the same rent. He stated with approximately 160 families coming and going, the units worked better as a pool and not as a dedicated building.

There was a brief question and answer session between Mr. Wire and Councilmember Singh. Mr. Wire clarified they were not planning to use any public financing and stated that the Council had to decide, as a policy question, if they wanted this proposed use in town. He stated the applicant's approach was to maximize the missing middle in the housing market.

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Mayor Olem stated that she understood the flood plain issue and appreciated Mr. Wire already answering all the questions she had.

Seeing no comments from the audience, Mayor Olem moved to Council level for discussion and action. The public hearing remained open.

**Action on
Ordinance 22-O-13 &
Resolution 22-G-34**

Councilmember Friedrichs moved concurrently to continue the public hearings on Ordinance 22-O-13, to allow conversion of an existing hotel to multi-family residential w/a workforce housing component; and Resolution 22-G-34, Special Exception Application SE #22-01, to allow development, in the floodplain overlay district, both at 315 Elden Street, until the June 14, 2022 Town Council Public Hearing meeting.

The applicant's agent requested the continuance in order for the applicant to finish contacting all the adjacent property owners.

Councilmember Regan seconded the motion.

Clarification

Ms. Kertz asked for clarification if separate action needed to be taken on these public hearing items.

Ms. Yeatts opined that for continuing the public hearings, the Council could vote on the items concurrently.

The question was called on the motion, which carried by unanimous roll call vote. The vote was: Alam, Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye."

8. Resolution 22-G-35, to consider Comprehensive Plan Amendment, CPA #22-01, Pursuant to Section 15.2-2229 of the Code of Virginia, an amendment to the Town of Herndon 2030 Comprehensive Plan, adopted August 12, 2008, as amended through November 17, 2020.

Certificates of Publication were filed from the Editor of the *Fairfax County Times Newspapers*, showing that notice of said public hearing item had been duly advertised in the Friday, Publish on May 6 and May 13, 2022 issues.

Mayor Olem opened the public hearing and recognized Ahmad Zaki, Lead Planner, who presented the staff report and PowerPoint dated May 24, 2022, which are on file in the Town Clerk's office. The proposed resolution was a Comprehensive Plan Amendment (CPA) that would support the Sterling Road Complete Street Improvement Project; add

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a town-wide Complete Streets Policy; incorporate by reference the previously adopted Herndon Bicycle Network Master Plan and the Pedestrian Plan; and include some housekeeping edits for clarity.

Mr. Zaki reviewed the background, purpose, and details of the proposal. He went over the incorporation of the Bicycle Network Master and Pedestrian Plans, both of which a former Council adopted in 2019. The addition of the Complete Streets Policy would help to align the plan to current practices. He stated that establishing a Complete Streets Policy itself would be a separate effort, which would require review by staff and the Planning Commission. At this time, the policy was only supported in the Comprehensive Plan's text to provide the necessary base to develop the policy specifics.

Staff and the Planning Commission recommend approval of the proposed resolution.

Seeing no comments from the audience, Mayor Olem closed the public hearing and moved to Council level for discussion and action.

On motion of Councilmember Dhakal, seconded by Vice Mayor del Aguila, and carried by unanimous roll call vote, Resolution 22-G-35, Comprehensive Plan Amendment, CPA #22-01, to amend the Transportation chapter of the 2030 Comprehensive Plan, adopted on August 12, 2008 and amended through November 17, 2020, inclusive of those documents incorporated by reference, was approved. The vote was: Alam, Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye."

Resolution 22-G-35, to consider Comprehensive Plan Amendment, CPA #22-01, Pursuant to Section 15.2-2229 of the Code of Virginia, an amendment to the Town of Herndon 2030 Comprehensive Plan, adopted August 12, 2008, as amended through November 17, 2020.

WHEREAS, on March 22, 2022, the Town Council held a public hearing and approved Initiating Resolution 22-G-26 to formally authorize consideration of the plan amendment and referred the amendment to the Planning Commission for study and recommendation; and

WHEREAS, on April 25, 2022, the Planning Commission held a public hearing, with due notice as required under Section 15.2-2225 of the Code of Virginia, and discussed the amendment; and

WHEREAS, the Planning Commission recommended and certified CPA #22-01 on April 25, 2022, by a resolution approved following the public hearing.

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NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Herndon, Virginia, hereby approves the Comprehensive Plan Amendment CPA #22-01, to amend the Transportation chapter of the Town of Herndon 2030 Comprehensive Plan, adopted on August 12, 2008, and amended through November 17, 2020, inclusive of those documents incorporated by reference.

[Note: Attached for reference is the CPA #22-01, Herndon 2030 Comprehensive Plan adopted August 12, 2008 and amended through November 17, 2020, and the text edits to Chapter IX, Transportation.]

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Chapter IX.

Transportation

Introduction

Transportation issues in Herndon are shaped by a location near the western end of the Dulles Technology Corridor, a concentration of high technology companies expanding westward from the Capital Beltway, and significant levels of residential growth in Loudoun County. The Town's transportation environment is characterized by direct links to major metropolitan area highway, air, and rail transportation facilities. A network of major highways and arterial streets interconnects Herndon and surrounding communities in Fairfax and Loudoun counties.

This plan element includes strategies addressing Greater Herndon area transportation links as well as strategies recommended within the Town itself. The document also sets forth a Proposed Major Street Network and recommends numerous specific facility improvement projects. The Town's annual capital improvement program (CIP) document sets forth a number of specific transportation projects.

Incorporated by reference into this chapter, the Herndon Bicycle Network Master Plan is the first long-range plan to guide the multimodal approach to transportation within the Town. This plan was developed by the Town's staff in partnership with the Pedestrian & Bicycle Advisory Committee and adopted through resolution by the Town Council on August 13, 2019. It provides clear and consistent guidelines for bicycle network improvements, promotes and encourages cycling as a viable alternative mode of travel, and improves the level of service for cyclists.

Also, incorporated by reference within this chapter, the Herndon Pedestrian Plan was

adopted by the Town Council on October 29, 2019. This document is a strategic plan which outlines ways in which the Town of Herndon can make walking to everyday destinations safer, more desirable, and more convenient. The Pedestrian Plan defines and provides clear and consistent direction for pedestrian network improvements, promotes and encourages walking as a viable alternative mode of travel, and improves the level of service for pedestrians

The Town seeks multimodal solutions within an integrated transportation system that balances the service levels of the various users and meet Complete Streets best practices and policies.

An additional component of transportation planning is the Town's sidewalk and trail system. A Master Trails Plan was first adopted by the Town Council in March of 1993. This plan was intended to address the recreational and transportation needs for trails in Herndon. In addition, it established a trail hierarchy with basic design standards. Most of the trail network has been constructed. However, important segments remain to be completed. Regional trails are included in specific capital improvement program projects. The Folly Lick/Spring Branch Regional Trail will be the focus of efforts over the next several years. The remainder of local trails and sidewalk improvements are included in the Trails and Sidewalks CIP project as well.

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Goals for Transportation

1. To provide a transportation system that safely accommodates all modes of local traffic.
2. To encourage use of major regional roads and highways outside of the Town for regional traffic.
3. To establish a Complete Streets policy that aligns the Town with the current practices in the region and national levels;
4. To plan, design, and operate needed transportation systems ~~improvements~~ consistent with the town's character and in accord with Complete Streets principles to include maintaining a peaceful and harmonious environment.
5. To use the transportation system to help guide growth and development within the town.
6. To divert through traffic away from local streets and from the downtown.
7. To facilitate ~~alternative active~~ modes of transportation ~~within the town~~ in accord to the Town's Bicycle Network Master Plan and Pedestrian Plan
8. Provide safe and convenient streets that are friendly to pedestrians and bicyclists

Objectives for Transportation

1. ~~Contain~~ To manage the great majority of through traffic movement within the Minor Arterial Street System.
2. Design and construct road improvements that preserve the small-town character and scale of Herndon, to include traffic management, landscaping and noise abatement amenities conducive to minimize disruption and maintain quiet neighborhoods.
3. Provide efficient and safe flows of traffic on major streets through careful design and use of modern traffic signal technology.
4. Identify and program sufficient resources to complete major elements or upgrades to the planned road network.
5. Continue to support the Herndon Metrorail Station of the Dulles Corridor rail system and develop plans for surrounding access to the station.
6. Continue to integrate pedestrian and bicycle facilities and connections ~~with the street and transit across the transportation network through the Multimodal Transportation Improvement Trail and Sidewalk Program~~ and other project components of the town's capital improvement program involving transportation improvements, in accordance with Complete Streets principles.

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Apply appropriate traffic calming techniques and improvements to enhance vehicular and pedestrian safety and to preserve neighborhood character. Develop a policy regarding speed bumps and seek creative solutions to calm traffic.

7. Minimize conflicting traffic movements by means of improved road design on arterial streets.
8. Identify opportunities to promote and provide safe, healthy, and convenient access and travel for all user of the transportation network while reducing crash rates and severity of crashes
9. Encourage mode shift to non-motorized transportation and transit by enhancing safety and provision and maintenance of bicycle and pedestrian facilities.

Transportation Strategies

The following strategies reflect specific courses of action in support of the goals and objectives outlined above. Transportation policies for the town are not simply based on projections of future demand and a program of improvements to meet that demand. Rather, plans and policies reflect an approach which balances mobility and

efficiency with other expressed community goals such as retaining a small-town atmosphere and quality of life. Greater Herndon Strategies focus on promotion of county, regional and state level efforts to improve the arterial network outside the Town. Town wide Strategies focus on the transportation system within the town limits.

Greater Herndon Strategies

1. Support the continued funding, ~~final~~ design and construction for transportation improvements to and from the Herndon Metrorail Station, the Dulles Rail extension to Dulles Airport and Loudoun County.
2. ~~Promote enhanced access facilities at the north side of the Herndon Metrorail Station, including the provision of a kiss and ride facilities.~~
3. Support continued funding to ensure safe and convenient operations of the completed Metrorail Silver Line and Fairfax Connector operations
4. Support the completion by Fairfax County and VDOT of the extension of Wiehle Avenue to Lincoln Avenue.
5. Promote the interconnection of arterial street systems in Loudoun and Fairfax Counties to improve the availability of truck routes without heavy dependence on Herndon Parkway.
6. Promote the connection over the Dulles Access Toll Road of Sunrise Valley Drive to Rock Hill Road. This connection is included in the Fairfax County Comprehensive Plan and physical space for this connection touchdown has been provided within new development at the south side of the Dulles Toll Road.
7. Monitor/coordinate transportation planning activities west of the town in Loudoun County (Route 606, Rock Hill Road, Shaw Road, Davis Drive. Potential connections to Innovation Drive).
8. Promote pedestrian and bicyclist safety through better diversion of through traffic and possible bike lanes integration as depicted in the Bicycle Network Master Plan

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Townwide Strategies

1. Investigate transportation system management techniques to alleviate future traffic congestion and delay, including the following:
 - a. Continue implementation and manage the automated traffic signal technology project to provide efficient flows of traffic on major streets;
 - b. Develop incentives to encourage transportation demand management by employers, property owners and developers (e.g. car pools, flex hours, membership in the Dulles Area Transportation Association, etc.);
 - c. Support independent transportation associations, such as the Dulles Area Transportation Association, which attempt to reduce commuter traffic;
 - d. Participate in planning for feeder bus service to regional commuting facilities including the Herndon and Route 28 Metrorail stations;
 - e. Support telecommuting to reduce trip generation, including telecommuting centers located within the town;
 - f. Advocate for Fairfax Connector routes and coordinate with local transit agencies in implementing the strategy to provide convenient and timely access for Town residents, (both regional commuters and residents needing to access services and employment within Fairfax County and other nearby employment areas) to transit connections and commercial, employment and recreational destinations within and outside of the Town, to include a convenient loop connecting the HTOC, Downtown and Worldgate developments. Consider the development of an internal trolley system to serve Elden Street and other locations within the town.
2. Accept high levels of congestion during peak traffic periods where additional street capacity could be provided only on widened streets that would adversely affect the town's character.
3. Implement appropriate traffic calming measures through the work of the town's Traffic Engineering Improvement Committee; a variety of appropriate measures should be considered, consistent with the Manual of Uniform Traffic Control Devices, to mitigate traffic impacts and retain small-town scale and urban character
4. Provide protected left turn and right turn lanes at major intersections as warranted with appropriate techniques to maintain safe operating conditions for active transportation modal.
5. Avoid the use of unprotected center lanes painted with left turn arrows for opposing directions of traffic (two-way left turn lanes).
6. In accord with the town's adopted Master Trails Plan, Bicycle Network Master Plan and Pedestrian Plan, provide an attractive, safe and useful, convenient pedestrian and bicycle trail network within the town which connects to the regional trail network:

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- a. Continue use of a capital improvement program to improve the pedestrian environment along major streets and complete the missing sections of trails and bicycle network as designated in the Bicycle Network Master Plan and Pedestrian Plan ~~Master Trails Plan~~;
 - b. Follow sidewalk and trail construction standards appropriate to pedestrian patterns and types of streets, as indicated by the Downtown Streetscape Overlay Policy, the Bicycle Network Master Plan, Pedestrian Plan ~~Master Trails Plan~~, the Fairfax County Public Facilities Manual, and the Virginia Department of Transportation;
 - c. Provide crosswalk striping, pedestrian signals, cyclist signals as appropriate, and corner curb cuts where sidewalks function as trails;
 - d. Continue to pursue grant funding to supplement town resources for trails and sidewalks;
 - e. Provide suitable accommodations for bicycles in accord with state and local standards and in accord with national guidance for best practices;
 - f. Use Complete Streets principles and Bicycle Network Master Plan and Pedestrian Plan Design Concept for a Cycle Track on the East Side of Herndon Parkway for 2,000 feet south of the Washington and Old Dominion Railroad Regional Park Trail, prepared by AECOM, dated September 20, 2016, revised July 14, 2017, as a general reference guide for enhancing pedestrian and bicycle connectivity between the Herndon Transit-Oriented Core and the Washington and Old Dominion Railroad Regional Park.
7. Evaluate all street, trail or sidewalk improvement projects for conformance with comprehensive plan policies for Green Streets, Downtown Streetscape, Master Trails Plan, Neighborhood Conservation applicable planning and policy documents including but not limited to the Pedestrian Plan, Bicycle Network Master Plan, Streetscape Manual, Sustainability Plan and Complete Street policies, and other relevant policies.
 8. Encourage use of the Herndon Parkway by through traffic and discourage new curb cuts and median breaks; provide signal synchronization and intersection improvements.

Major Street Network

The proposed Major Street Network depicted on MAP G is designed to achieve the town's goals. Through traffic should be encouraged to utilize Herndon Parkway and the arterial streets on the Town's periphery. Elden Street inside of the loop formed by the Herndon Parkway should be used by local traffic. Through traffic should be discouraged from using this section of Elden Street. A network of smaller streets will handle traffic in the downtown. This is consistent with the unique character of downtown Herndon, which is designed to slow traffic down and spread it on to local streets, where destination

land uses are located. This contrasts with the high-speed, limited access arterial concept which has detracted from many other older downtowns.

The projects listed below are needed to achieve the proposed Major Street Network over a planning horizon stretching to the year 2030. Projects which are included within the capital improvements program are denoted by "(CIP)" at the end of the description. In some cases, this is indicative only of funds programmed for traffic study/concept plan efforts, or of out-year funding listed as "to be determined."

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1. Dulles Corridor Rail Station: Pedestrian, bus and bicycle access to the proposed rail transit station to be located within the Dulles Airport Access Road median. Metrorail plans for the Herndon Station are to include a pedestrian bridge with escalators and elevators landing within the Town of Herndon at its southern boundary along the Dulles Toll Road. The plans provide for a sidewalk extending northward from the landing area to Herndon Parkway. In addition to projects shown in the Capital Improvement Program, use the ~~Design Concept for Cycle Track on the East Side of Herndon Parkway for 2,000 feet south of the Washington and Old Dominion Railroad Regional Park Trail, prepared by AECOM, dated September 20, 2016, revised July 14, 2017,~~ as a general reference guide for enhancing pedestrian and bicycle connectivity between the Herndon Transit-Oriented Core and the Washington and Old Dominion Railroad Regional Park. The town will seek enhanced Metrorail Station access by constructing additional bike and pedestrian links in the station vicinity where feasible in accord to the Bicycle Network Master Plan and Pedestrian Plan. The town will ~~also consider development of~~ maintain limited areas for vehicles to safely drop passengers for the Metrorail station. All of the north side access facilities shall be considered part of the Herndon Metrorail Station, a feature shown on the 2030 Land Use Plan map. (CIP) See the Herndon Transit-Oriented Core Plan, Chapter 6 of the Herndon Metro Station Area Study, for specific multimodal features to be implemented;
2. Solicit Fairfax County for an improved internal transit system to facilitate trips to Metrorail through the Fairfax Connector bus transit service ~~and/or for profit service or public/private partnership operating within the Town of Herndon.~~
3. East Elden Street: (Urban Minor Arterial) Fairfax County Parkway interchange to Herndon Parkway; ~~may include widening and turn lane extensions based on the results of preliminary planning and engineering study. May include reconstruction of the box culvert over Sugarland Run along with pedestrian/bicycle facility to bring the Sugarland Run Trail over or under Elden Street~~ The project scope is to reconstruct East Elden Street to 6 lanes with raised median between Fairfax County Parkway and Herndon Parkway as well as a bridge upgrade and flood mitigation measures. The project is also to include cycle tracks on both sides of Elden Street from Herndon Parkway to the town limits This is a Virginia Department of Transportation Six-Year Plan project and the project is also included in Metropolitan Washington Council of Government's (MWCOC) Constrained Long Range Plan. (CIP);
4. East Elden Street: (Town Minor Arterial) turning lanes and street section improvements from Monroe Street to Herndon Parkway The project scope is to construct a 4-lane section with a raised median and dedicated turning lanes between Herndon Parkway and Van Buren Street, and then transitioning to a 2-lane section with a left-turn lane when reaching Monroe Street. The project is to include bike lanes on both sides of Elden Street from Herndon Parkway to Van Buren Street. This is a Virginia Department of Transportation Six-Year Plan project and the project is also included in MWCOC's Constrained Long Range Plan. (CIP);
5. East Spring Street: (Urban Minor Arterial) widen to six lanes from Herndon Parkway to the East Town Line. The project is also to include turning lane capacity improvements and a 2-way cycle track on the south side of Herndon Parkway from the W&OD Trail towards Fairbrook Drive. See the Herndon Metro-Oriented Core Plan, Chapter 6 of the Herndon Metro Station Area Study for specific features to be implemented;

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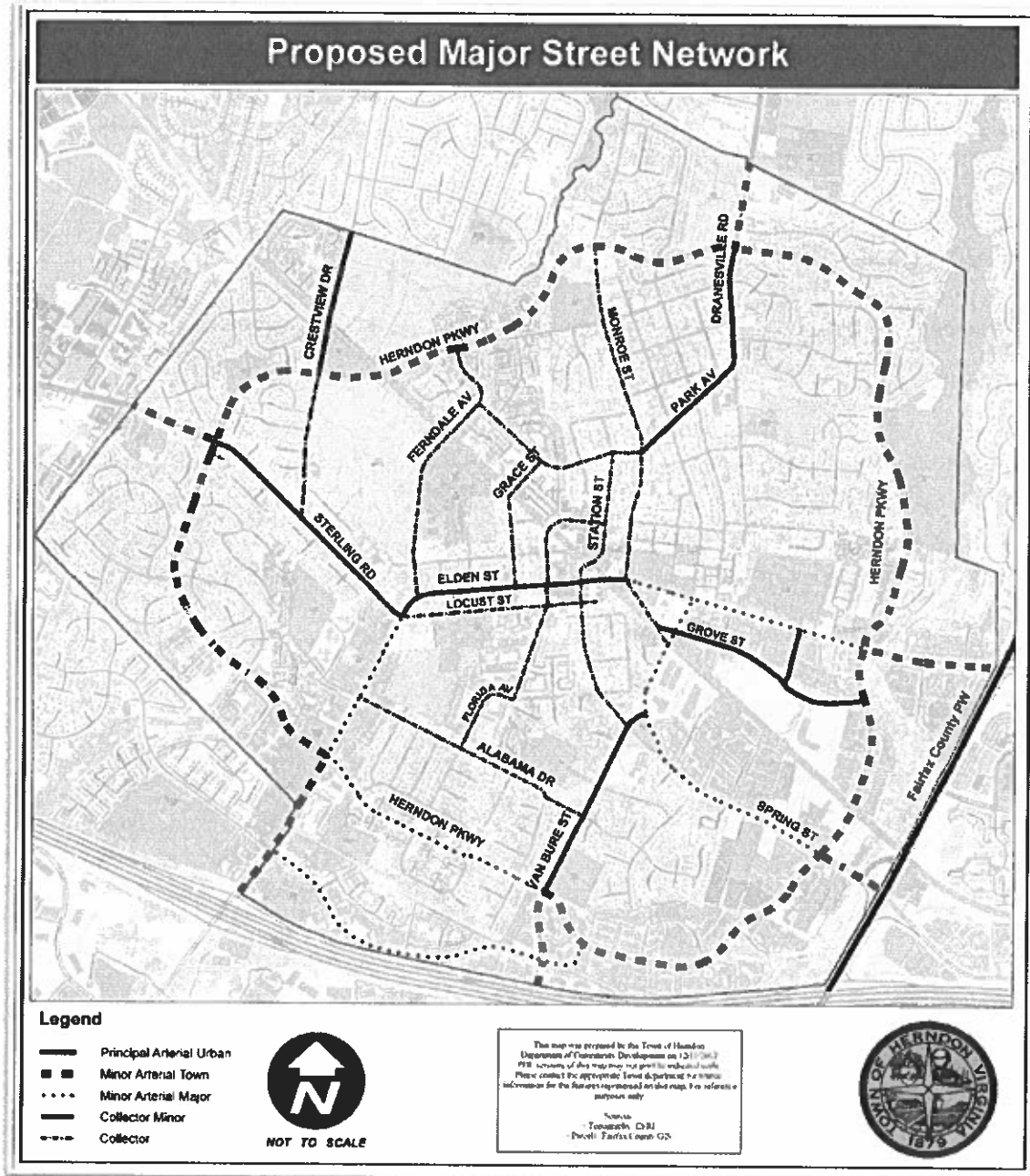
6. South Elden Street: (Town Minor Arterial) Herndon Parkway to Sterling Road, improve to divided four lane section. Project study area to encompass Elden Street/Sterling Road and Elden Street/Ferndale Avenue intersections. (CIP);
- ~~7. Park/Monroe/Station Intersection reconfiguration: (Major Collector meeting two Minor Collectors) (CIP)~~
- ~~8. Station Street Improvements: (Minor Collector) Drainage and streetscape improvements from Pine Street to Park Avenue. (CIP)~~
7. Worldgate Drive ~~Connector~~Extension: (Town Minor Arterial) construct a four-lane section from Van Buren Street to Herndon Parkway as shown on the Herndon Transit-Oriented Core Plan, Chapter 6 of the Herndon Metro Station Area Study.
8. Herndon Parkway Improvements at Worldgate Drive Extension: (Town Minor Arterial) adds dedicated turning lane and LED traffic signalizations to improve road capacity and enhance safety. The intersection improvement connects to the existing ADA sidewalks and cycle tracks on the Herndon Parkway/Van Buren intersection and the bus bay drop-off/pick-up area of Herndon's Metrorail Station by the provision of additional ADA sidewalks.
9. Sterling Road Complete Street Improvements: (Town Minor Arterial) reconfigure the road as a multimodal corridor by converting the existing, undivided, three-lane section from Elden Street to Herndon Parkway to a two-lane roadway with a middle lane for turning movements, improved pedestrian and bicycle facilities and, where appropriate, a landscaped median.

Longer term projects or projects anticipated to be financed and/or built mainly by private developers or other funding sources:

- ~~1. Van Buren Street: (Town Minor Arterial) four lanes, divided (approximately 700 feet), from Spring Street to the W&OD Regional Park.~~
- ~~2. Crestview Drive: (Major Collector) four lanes (approximately 2,100 feet), from the Town boundary to the Herndon Parkway (contingent upon consistent Fairfax County action regarding Crestview Drive.)~~
1. Fairbrook Drive: (Major Collector; approximately 1,500 feet) anticipated two travel lanes from end of the existing section of Fairbrook Drive to Spring Street, with additional turning lanes at the approach to the intersection with Spring Street.

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Map G: Town of Herndon Proposed Major Street Network (Full scale map available at www.herndon-va.gov or through the Department of Community Development)



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Master Trails Plan

The intent of the Master Trails Plan is to merge the traditional pedestrian system (sidewalks) with the off-road bicycle and pedestrian trail system. The plan also calls for the establishment of trail categories and prioritization based on anticipated trail use. It is the town's primary focus to completing missing sections of

Regional and Internodal trails and ensure safety of existing trails, with a secondary long term emphasis on enhancing any existing portions of trail which may not meet the standards set forth in the Fairfax County Public Facilities Manual section on Sidewalks and Trails. (Map H)

Trail Categories

Regional trails connect Herndon to a larger network of trails and paths in surrounding jurisdictions. They increase access to the town from adjacent communities, and provide greater opportunities for leisure and commuter trail users. Regional trails are to be constructed with an asphalt surface with a width of 8' or over.

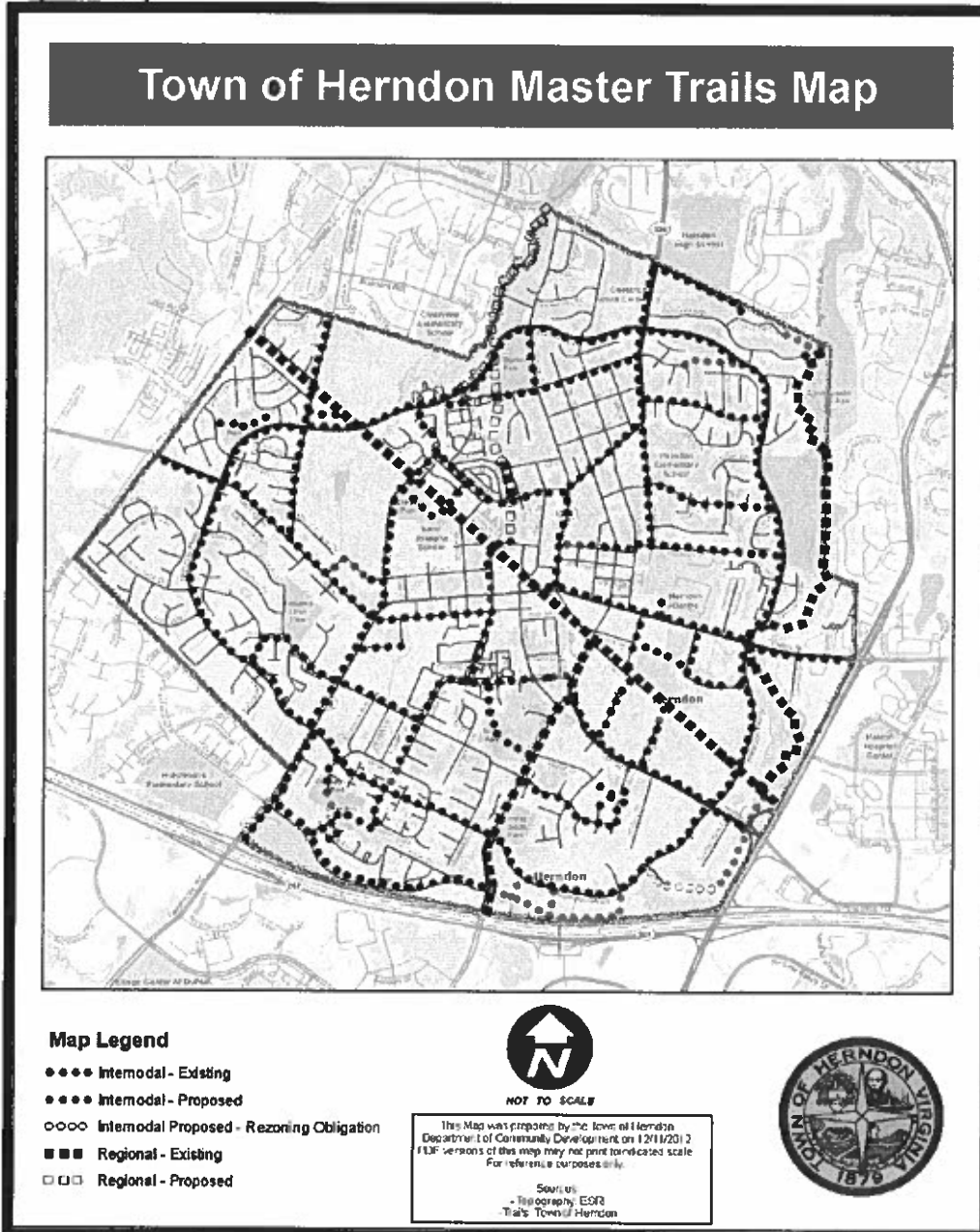
Internodal trails connect Herndon's varied activity areas to one another. They can be constructed with either asphalt or concrete and should be a width of no less than 6'.

Local trails provide a complete network within neighborhoods and activity areas and connect to Regional or Internodal trails. They are generally configured as concrete sidewalks at a width of 4' to 6'.

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Map H: Town of Herndon Master Trails Plan (Full scale map available at www.herndon-va.gov or through the Department of Community Development)

Map H: Town of Herndon Bicycle Network Master Plan (the map will be replaced)

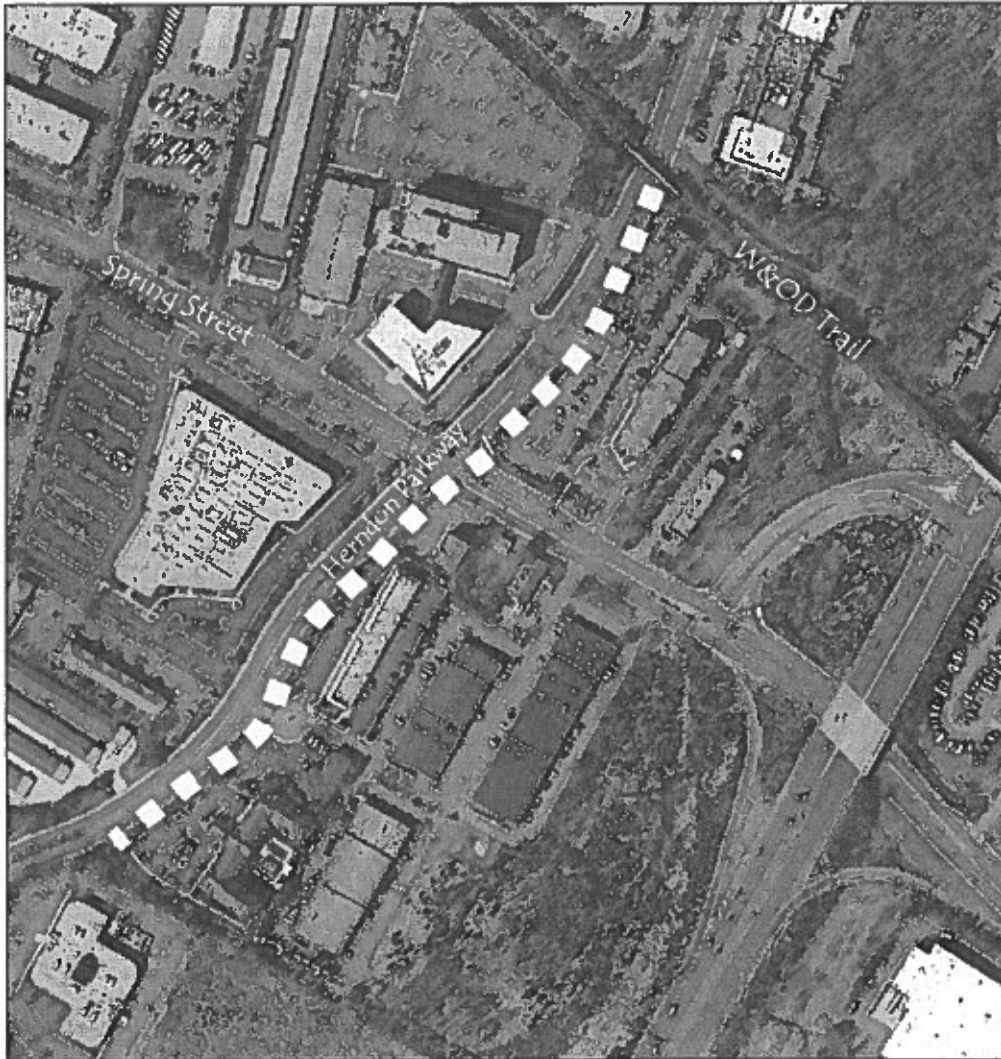


**May 24, 2022
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Attachment # 01

**Comprehensive Plan Amendment CPA #17-02: Site Location for a Cycle Track
on the East Side of Herndon Parkway for
2,000' South of the W&OD Trail**

Map will be removed



May 24, 2022
(public hearing)

CONSENT

9. **Resolution 22-G-38, to approve a temporary license agreement to use a designated public space in the alley adjacent to Jimmy's Old Town Tavern for outdoor seating for an event;**
10. **Resolution 22-G-36, to authorize a VDOT Urban Project Administration Agreement between the Town and the Commonwealth of Virginia, Department of Transportation (VDOT) and to affirm commitment to fund the locality share associated with the VDOT-administered roadway project titled *Widen East Spring Street (UPC 105521)* project;**
11. **Resolution 22-G-37, to endorse and to approve the submission of a funding application to the Virginia Department of Transportation (VDOT) for FY26-FY27 Smart Scale Funding to be directed towards the project titled *'Herndon Parkway Improvements at Worldgate Drive Extension'*;**
12. **Resolution 22-G-39, to reappoint Leslie Blaker-Glass to the Architectural Review/Historic District Review Boards;**
13. **Resolution 22-G-40, to appoint members to the Herndon Diversity, Equity, and Inclusion Committee; and**
14. **Resolution 22-G-41, to appoint members to the Pedestrian and Bicycle Advisory Committee.**

[Note: Earlier in the meeting, Council voted to amend the agenda to move Resolution 22-G-38 from the General portion to the Consent agenda.]

On motion of Councilmember Friedrichs, seconded by Vice Mayor del Aguila, the Consent agenda items were approved and carried by unanimous roll call vote, without comment. The vote was: Alam, Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye."

Resolution 22-G-38, to approve a temporary license agreement to use a designated public space in the alley adjacent to Jimmy's Old Town Tavern for outdoor seating for an event.

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

1. The Town Council approves a temporary license agreement dated May 24, 2022 between the Town of Herndon as licensor and JOTT, INC. d/b/a Jimmy's Old Town Tavern (Jimmy's) as licensee. The license allows Jimmy's to use designated public alley space adjacent to Jimmy's for outdoor seating during an event on May 29, 2022. The

**May 24, 2022
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license agreement may contain other terms agreed to by the Mayor and is on file in the office of the Town Attorney.

2. The Mayor is authorized to sign and deliver this license agreement and any other instrument to evidence or support the license agreement
3. This resolution shall be effective on and after the date of its adoption.

[Note: Attached for reference is the Temporary License Agreement b/n JOTT, INC. d/b/a Jimmy's Old Town Tavern and the town dated, May 24, 2022.]

**May 24, 2022
(public hearing)**

TEMPORARY LICENSE AGREEMENT

This Agreement ("Agreement") is made this 24th day of May 2022 by and between JOTT, INC. d/b/a Jimmy's Old Town Tavern ("Jimmy's") and the TOWN OF HERNDON, VIRGINIA, ("Town").

WHEREAS Jimmy's represents that they have a Temporary Use Permit to conduct an event in the Town of Herndon on May 29, 2022 represented in "Exhibit A" attached hereto ("Permit") and that Jimmy's would like to use the Town's property behind Jimmy's Old Town Tavern Restaurant as shown on the Permit and known as the "Alley";

WHEREAS the Town desires to permit the use of the Alley by Jimmy's on the date as described in the Permit (on May 29, 2022 only).

Now therefore the parties agree as follows:

1. The Town hereby grants Jimmy's authorization to temporarily use the Alley for purposes described in the Permit
2. Jimmy's shall comply with the terms of the Permit, this License, and all applicable town, state and federal laws and regulations obtaining and maintaining at all times any other permit(s) required under applicable law for this use.
3. The parties expressly agree and contract that there shall be no fee for the use of the Town property on this occasion only.
4. The permission to use the property granted by this agreement is nonexclusive in nature, and the Town reserves the right to make concurrent use of the Property.
5. Jimmy's hereby assumes all risk of damage by reason of its occupation of the Alley caused by any defects therein or activity occurring thereon, whether caused by the negligence of the Town, its officers, agents, or employees, or otherwise, and Jimmy's hereby agrees to hold harmless and indemnify the Town, its officers, agents and employees, from and against any such liability for such damage or injury to the extent permitted under the laws of the Commonwealth of Virginia.
6. Jimmy's shall secure, provide and maintain insurance to protect the Town of such type and in such amount as is described below naming the Town as an additional insured. This Agreement shall not take effect until evidence of insurance is provided to the Town and the Town gives Jimmy's written confirmation that the type and amount of insurance is accepted.

Insurance limits shall not be less than the following amounts:

Liability - Coverage totaling \$5,000,000.00. All policies shall be endorsed to name the Town of Herndon as an additional insured

**May 24, 2022
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The insurance required hereunder shall be maintained in effect during the duration of this Agreement. Insurance Policy(s) shall contain a valid provision or endorsement that the policy may not be canceled, terminated, changed or modified without giving thirty (30) calendar days advance written notice thereof to the Town.

7. Termination: The Town may terminate this Agreement upon 24 hours notice to Jimmy's for cause.

8. This Agreement, having been executed in the Commonwealth of Virginia, the construction and performance thereof or any dispute shall be governed by the laws of Virginia. Venue shall be proper in the County of Fairfax, Virginia.

9. This Agreement contains the entire and only agreement between the parties, and it supersedes and merges all pre-existing agreements. Any representations, understandings, promises and any conditions not expressly incorporated herein shall not be binding upon either party or their respective successors in interest.

JOTT, INC.

d/b/a Jimmy's Old Town Tavern

By James C. Cirrito
James C. Cirrito, President

ATTEST:

TOWN OF HERNDON, VIRGINIA

Town Clerk

By _____
Sheila A. Olem, Mayor

APPROVED AS TO FORM:

Iesa J. Yeatts
Town Attorney

May 24, 2022
(public hearing)

Resolution 22-G-36, to authorize a VDOT Urban Project Administration Agreement between the Town and the Commonwealth of Virginia, Department of Transportation (VDOT) and to affirm commitment to fund the locality share associated with the VDOT-administered roadway project titled *Widen East Spring Street (UPC 105521)* project.

WHEREAS, the Town of Herndon is a recipient of Virginia Department of Transportation funds under various grant programs for transportation related projects; and

WHEREAS, the Virginia Department of Transportation requires each locality, by resolution, to provide assurance of its commitment to funding its local share; and

WHEREAS, the *Widen East Spring Street* project is a long-standing Town of Herndon CIP project that is being administered by VDOT who is designing and building the improvements.

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby commits to fund its local share of preliminary engineering, right-of-way and construction, as applicable, of the *Widen East Spring Street (UPC 105521)* project under the proposed agreement with VDOT in accordance with the project financial document(s).

BE IT FURTHER RESOLVED that the Town Council of the Town of Herndon, Virginia hereby authorizes the Mayor and/or their assigned designees to execute the VDOT Urban Project Administration Agreement and/or addendums for the *Widen East Spring Street (UPC 105521)* project with VDOT, substantially in the form of that considered by the Town Council on May 24, 2022, with such changes as to form approved by the Town Attorney.

[Note: Attached for reference is the VDOT Administered Urban Project Administration Agreement and Appendix A.]

**May 24, 2022
(public hearing)**

**VDOT ADMINISTERED
URBAN PROJECT ADMINISTRATION AGREEMENT**

Project Number	UPC	Street name	Local Government
U000-235-354	105521	EAST SPRING STREET	TOWN OF HERNDON

THIS AGREEMENT, made and executed in triplicate as of this _____ day of _____, 20____, between the TOWN OF HERNDON, VIRGINIA, hereinafter referred to as the MUNICIPALITY and, the Commonwealth of Virginia, Department of Transportation, hereinafter referred to as the DEPARTMENT. The DEPARTMENT and the MUNICIPALITY are collectively referred to as the "Parties".

WHEREAS, the Commonwealth Transportation Board and MUNICIPALITY have allocated the funds as shown in Appendix A; and

WHEREAS, the funds have been allocated for the work described in Appendix B, hereinafter referred to as the "Project"; and

WHEREAS, the MUNICIPALITY has requested that the DEPARTMENT design and construct this project, and the DEPARTMENT has agreed to perform such work.

NOW THEREFORE, in consideration of the premises and mutual covenants and agreements contained herein, the parties hereto agree as follows:

A. The DEPARTMENT shall:

1. Complete the project as identified in this agreement, advancing such work diligently based upon the schedule identified in Appendix B.
2. Perform or have performed for, all preliminary engineering ("PE"), right-of-way acquisition ("Right of Way"), construction, contract administration, and inspection services activities for the project as required.
3. Provide the MUNICIPALITY a payment schedule for the municipality's share of estimated project costs for PE and Right of Way and for Construction, in accordance with the tabulation provided in Appendix A.
4. Remit invoices to the MUNICIPALITY for sums owed by MUNICIPALITY in accord with the amounts and schedule set forth in Appendix A.
5. Upon completion of the project, reconcile MUNICIPALITY payments (based on MUNICIPALITY's estimated share of costs) against actual project costs allocable to the MUNICIPALITY, and reimburse MUNICIPALITY for any overpayments by the MUNICIPALITY or remit an invoice to MUNICIPALITY for any underpayment/amount still owed by the MUNICIPALITY.

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- B. The MUNICIPALITY shall:
1. Remit payments to the DEPARTMENT, in accordance with the amounts and schedule provided in Appendix A, within 30 days of receipt of an invoice issued by the DEPARTMENT.
 2. After project completion, operate and maintain the Project, or cause it to be operated and maintained, in accord with applicable DEPARTMENT guidance and standards and in a manner satisfactory to the DEPARTMENT or its authorized representatives and make ample provision each year for such operation and maintenance.
 3. After completion of the Project or any part thereof, not permit any reduction in the number of or width of traffic lanes, or any additional median crossovers and enlargement of existing median crossovers, or any alterations to channelization islands, without the prior written approval of the DEPARTMENT.
 4. Erect informational, regulatory and warning signs, curb and pavement or other markings and traffic signals in conformance with the standards shown in the current edition of the Manual on Uniform Traffic Control Devices unless otherwise directed or approved by the DEPARTMENT, in writing.
 5. Not permit additional access points other than those access points designated on the Project plans, without prior written approval of the DEPARTMENT. MUNICIPALITY understands and agrees that Right of Way for the Project was acquired, in contemplation of rights of access being restricted to points designated on the Project plans.
- C. Nothing in this Agreement shall obligate the parties hereto to expend or provide any funds in excess of funds agreed upon in this Agreement, which are set forth as estimates in Appendix A, or as shall have been included in an annual or other lawful appropriation. In the event the cost of a Project is anticipated to exceed the allocation shown for such respective Project, both parties agree to cooperate in providing additional funding for the Project or to terminate the Project before its costs exceed the allocated amount, however the DEPARTMENT and the MUNICIPALITY shall not be obligated to provide additional funds beyond those appropriated pursuant to an annual or other lawful appropriation.
- D. Should the project be cancelled due to action or inaction by the MUNICIPALITY, the MUNICIPALITY shall be responsible for reimbursement of all funds in accordance with Section 33.2-214 of the Code. The MUNICIPALITY will also be responsible for any costs associated with claims and liabilities due to the early termination of any construction contract(s) or improvement(s) issued pursuant to this AGREEMENT.

**May 24, 2022
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IN WITNESSETH WHEREOF, the parties sign and cause this AGREEMENT to be executed by their duly authorized officers.

TOWN OF HERNDON, VIRGINIA:

Typed or printed name of signatory

Title

Date

Signature of Witness

Date

NOTE: The official signing for the MUNICIPALITY must attach a certified copy of his or her authority to execute this agreement.

COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION:

Chief of Policy
Commonwealth of Virginia
Department of Transportation

Date

Signature of Witness

Date

Attachment

Appendix A (UPC 105521)

Appendix B (UPC 105521)

**May 24, 2022
(public hearing)**

Appendix B

Project Number: U000-235-354 (UPC 105521) Locality: TOWN OF HERNDON

Project Scope	
Work Description:	#HB2.FY17 WIDEN EAST SPRING STREET - Reconstruction with added capacity and turning lanes. Herndon Parkway intersection improvements. Provide bike-lane and sidewalk accommodations along east of Herndon Parkway and sidewalk along East Spring Street.
From:	0.168 MILE WEST OF HERNDON PARKWAY
To:	0.063 MILE EAST OF FAIRFAX COUNTY PARKWAY ON-RAMP
Locality Project Manager Contact Info: Mark Ducean 703-435-6853 mark.ducean@herndon-va.gov Department Project Coordinator Contact Info: Hamid Misaghian 703-259-1795 H.Misaghian@VDOT Virginia.gov	

Detailed Scope of Services
Scope of Services by VDOT for East Spring Street Widening Project Design Phase to include: • Widen East Spring Street by one lane in each direction: ○ In the eastbound direction from approximately 830' west of the Herndon Parkway intersection to the Fairfax County Parkway on-ramp for an approximate length of 1,540 feet including the lane tapering. ○ In the westbound direction from the Fairfax County off-ramp to the northeast corner of the Herndon Parkway intersection for approximately 600 feet. • Closing off the existing median opening on East Spring Street just west of Fairfax County Parkway. • Widen East Spring Street westbound by one lane for approximately 400 feet from the Fairfax County Parkway Ramps to the point where the existing right-turn lane begins. • Reconfigure the Fairfax County Parkway off -ramp at East Spring Street to accommodate an exclusive southbound left turn lane. • Add two dedicated northbound right turn lanes on Herndon Parkway at East Spring Street. • Add a second dedicated left turn lane on southbound Herndon Parkway at East Spring Street. • Reconfigure the existing traffic signals at the Herndon Parkway/East Spring Street and East Spring Street/Fairfax County Parkway Ramps intersections to accommodate the above lane use changes. • Create a safe pedestrian crossing of the ramp to southbound Fairfax County Parkway along the southern side of East Spring Street and connect that crossing to nearby sidewalks. • Enhance safety facilities for pedestrians, cyclists and transit users (i.e. ADA accessible wide sidewalks/curb cuts, street-print crosswalks, pedestrian crossing/refuge islands, pedestrian/audio signalization, curb radius reduction).

**May 24, 2022
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- Provide site access management and median controls.
- Construct an 8' cycle track (approximately 2000' long) along east side of Herndon Parkway.
- Replace the existing sidewalk along southbound and northbound Herndon Parkway with a 6' sidewalk.
- Construct 5' sidewalk on south side of East Spring Street within the project limits.

Right of Way Phase to include:

- Acquire right of way
- Acquire easements
- Relocate utilities

Construction Phase to include:

- Compilation of final plans, specifications and estimate into a bid proposal package.
- Bid proposal bid-ability review
- Administration and advertisement of proposal
- Administration of bidder questions
- Receipt of bids
- Administration of Contract award
- Administration and oversight of construction
- Construction engineering services
- Construction project close-out

This attachment is certified and made an official attachment to this document by the parties of this agreement.

Authorized Locality Official date

VIXXX District – Authorized Official date

Typed or printed name of person signing

Typed or printed name of person signing

May 24, 2022 (public hearing)

VDOT Administered Urban Appendix A
Project Number: U000-235-354
Project Location ZIP+4: 20170-5203

UPC: 105521 CFDA# 20.205 Locality: TOWN OF HERNDON
Locality DUNS #748185535 Locality Address (incl ZIP+4):
777 Lynn Street
Herndon, Va. 20170-4802

Date: 4/5/2022

Project Narrative
Work Description: 6H02 FY17 WIDEN EAST SPRING STREET - Reconstruction with added capacity and turning lanes. Herndon Parkway intersection improvements. Provide bike-lane and sidewalk accommodations along east of Herndon Parkway and sidewalk along East Spring Street.
From: 0.100 MILE WEST OF HERNDON PARKWAY
To: 0.963 MILE EAST OF FAIRFAX COUNTY PARKWAY ON-RAMP
Locality Project Manager Contact Info: Mark Dueman 703-435-6453 mark.dueman@herndon-va.gov
Department Project Coordinator Contact Info: Meghan Hanel 703-250-1785 H.Hanel@VDOT.Virginia.gov

Project Estimates	
Phase	Estimate Project Costs
Preliminary Engineering	\$2,162,375
Right of Way & Utilities	\$6,638,008
Construction	\$9,257,937
Total Estimated Cost	\$17,058,320

Project Cost and Reimbursement				
Phase	Project Allocations	Funds type (Choose from drop down box)	Local % Participation for Funds Type	Local Share Amount
Preliminary Engineering	\$2,162,375	Smart Scale (DGP)	0%	\$0
Total PE	\$2,162,375			\$0
Right of Way & Utilities	\$1,480,819	RSTP	0%	\$0
	\$3,672,089	Smart Scale (DGP)	0%	\$0
Total ROW	\$5,152,908	Revenue Sharing	50%	\$1,802,500
	\$6,638,008			\$1,802,500
Construction	\$9,257,937	RSTP	0%	\$0
	\$3,876,171	Revenue Sharing	50%	\$1,938,085
	\$4,088,851	Local Funds	100%	\$4,088,851
Total CN	\$13,044,723	Smart Scale (DGP)	0%	\$0
	\$9,257,937			\$4,088,851
Total Estimated Cost	\$17,058,320			\$7,807,237

Total Maximum Reimbursement / Payment by Locality to VDOT	\$7,807,237
Total Maximum Reimbursement by VDOT to Locality (Less Local Share and VDOT Expenditures)	

Project Financing					
Smart Scale (DGP)	RSTP	Revenue Sharing (State Match)	Revenue Sharing (Local Match)	Local Funds	Aggregate Allocations
\$0,859,237	\$1,840,381	\$3,840,885	\$3,840,886	\$4,000,651	\$12,247,420

Payment Schedule	
FY 2022	
\$7,807,237	

Program and Project Specific Funding Requirements

- The LOCALITY will endorse to execute and maintain the facility as constructed. Should the design features of the Project be altered by the LOCALITY subsequent to project completion without approval of the DEPARTMENT, the LOCALITY inherently agrees, by execution of this agreement, to make restitution, either physically or monetarily, as required by the DEPARTMENT.

Financial Billing

- All local funds included on this appendix have been formally committed by the local government's board or council resolution subject to appropriation.
- This is a limited funds project. The LOCALITY shall be responsible for any additional funding in excess of \$12,247,420.
- Project estimate, schedule and commitment to funding are subject to the requirements established in the Comprehensive Transportation Board (CTB) Policy and Guide for Implementation of the SMART SCALE Project Prioritization Process, Code of Virginia, and VDOT's Instructional and Informational Memorandum.
- This Project shall be initiated and at least a portion of the Project's programmed funds expended within one year of the budgeted year of allocation or funding may be subject to reprogramming to other Projects selected through the prioritization process. In the event the Project is not advanced in the next phase of construction when requested by the CTB, the LOCALITY or Metropolitan Planning Organization may be required, pursuant to § 33.2-214 of the Code of Virginia, to reimburse the DEPARTMENT for all state and federal funds expended on the Project.
- This Project has been selected through the Smart Scale (RSTP) application and selection process and will remain in the RSTP as a funding priority unless certain conditions set forth in the CTB Policy and Guidelines for Implementation of a Project Prioritization Process and the SMART SCALE Reevaluation Guide. This Project will be re-scored and/or the funding decision re-evaluated if any of the following conditions apply: a change in the scope, an estimate increase, or a reduction in the locally/regionally leveraged funds. Applications may not be submitted in a subsequent SMART SCALE prioritization cycle to account for a cost increase on a previously selected Project.
- This project is funded with federal-aid Regional Surface Transportation Program (RSTP) funds. These funds must be obligated within 12 months of allocation and expended within 36 months of the obligation.
- This Project has Revenue Sharing Program allocations, per § 33.2-357 the Project must progress in order to prevent these funds from being de-allocated.
- After Agreement execution, VDOT will invoice the LOCALITY for their share of the Revenue Sharing project costs. The LOCALITY shall make one lump sum payment in the amount of \$1,840,381 to VDOT, no later than 30 days after receipt of VDOT's invoice.
- At Construction Award, VDOT will invoice the LOCALITY for their share of the project costs. The LOCALITY shall make one lump sum payment in the amount of \$4,088,851 to VDOT, no later than 30 days after receipt of VDOT's invoice, and prior to the occurrence of any Construction work.
- The LOCALITY will continue to operate and maintain the facility as constructed. Should the design features of the Project be altered by the LOCALITY subsequent to Project completion without approval of the DEPARTMENT, the LOCALITY inherently agrees, by execution of this agreement, to make restitution, either physically or monetarily, as required by the DEPARTMENT.

This attachment is certified and made an official attachment to the documents by the parties to this agreement.

Authorized Locality Official _____ Date _____

Authorized VDOT Official _____ Date _____

Type or print name here if above signature is Not Signed

Type or print name here if above signature is Not Signed

Revised: February 1, 2010

**May 24, 2022
(public hearing)**

Resolution 22-G-37, to endorse and approve the submission of a funding application to the Virginia Department of Transportation (VDOT) for FY26-FY27 Smart-Scale Funding to be directed towards the project titled *'Herndon Parkway Improvements at Worldgate Drive Extension'*.

WHEREAS, VDOT has requested that its member jurisdictions identify candidate projects for Smart-Scale funding under the VDOT FY2023-FY2028 Six-Year Improvement Program; and

WHEREAS, this project is included in the VDOT Six-Year Improvement Program and the Metropolitan Washington Council of Governments, Transportation Planning Board's Constrained Long-Range Plan as well as listed in the Northern Virginia Transportation Authority (NVTA) adopted regional TransAction Plan (identified under Herndon Metrorail Multimodal Improvements, Project 12e); and

WHEREAS, the Town of Herndon 2030 Comprehensive Plan, adopted August 12, 2008 and as amended through November 17, 2020, advises roadway capacity and multimodal improvements at the intersection of Herndon Parkway and future Worldgate Drive Extension; and

WHEREAS, on March 11, 2014, the Town Council had adopted a Resolution (14-G-22) that had authorized the mayor to sign a Memorandum of Agreement for the distribution of NVTA's Local Share funding revenues to the town for Public Works staff and the town's transportation consultant to begin right-of-way survey, concept and engineering design for the Worldgate Drive Extension project; and

WHEREAS, on December 13, 2016, the Town Council had adopted a Resolution (16-G-75) that had selected Option 5 as the preferred engineering design for this project, based on review of the traffic data analysis, safety considerations, private property owner feedback and land acquisition requirements; and

WHEREAS, the adopted Option 5 and its roadway design for Worldgate Drive Extension had also included the engineering design for the intersection with Herndon Parkway and its adjoining bus bay drop-off/pick-up facility to access the northside of the Herndon Metrorail Station; and

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(public hearing)**

WHEREAS, the total project cost to construct the '*Herndon Parkway Improvements at Worldgate Drive Extension*' project is estimated at up to \$15.0 million; and

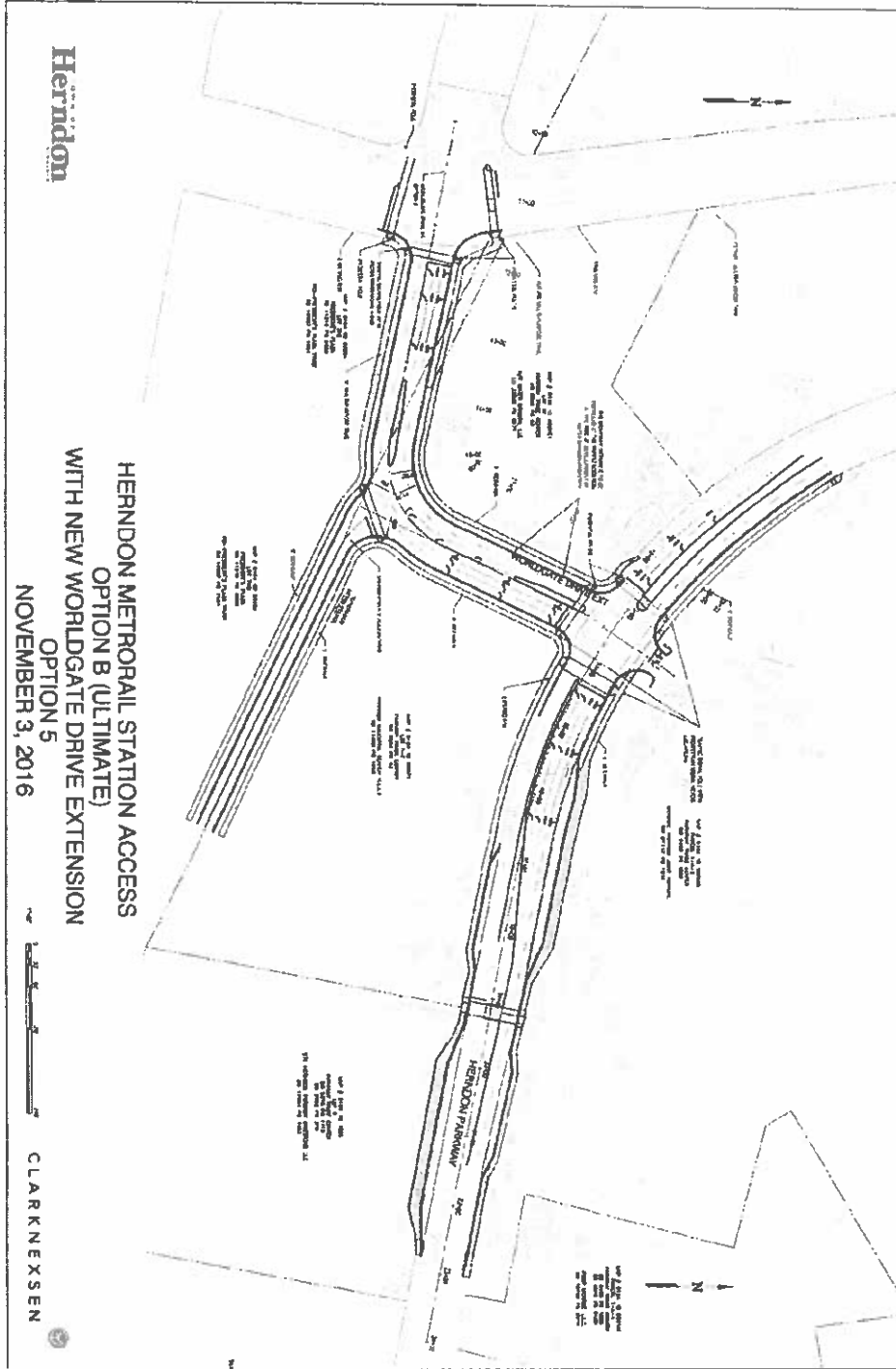
WHEREAS, the Town of Herndon has previously utilized approved NVTa Local Share revenue of \$150,000 to complete the initial engineering design phase and since 2017 the town has accumulated \$3.4 million of NVTa approved Congestion Mitigation and Air Quality (CMAQ) funding for this project; and

WHEREAS, for this year's FY26-FY27 Smart-Scale funding application, the Town of Herndon is to seek funding totaling up to \$11.6 million to be directed towards the remaining project balance.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby endorses and approves the submission of one funding application to VDOT with a funding request of up to \$11.6 million, under VDOT's FY26-FY27 Smart-Scale funding program, to be directed towards the project titled '*Herndon Parkway Improvements at Worldgate Drive Extension*'.

[Note: Attached for reference is the roadway design for the Herndon Metrorail Station Access Option B (Ultimate).]

May 24, 2022
(public hearing)



Markham
22.07.17

**May 24, 2022
(public hearing)**

Resolution 22-G-39, to reappoint Leslie Blaker-Glass to the Architectural Review/Historic District Review Boards.

BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby reappoints Leslie Blaker-Glass as a “town resident” member to the Architectural Review/Historic District Review Boards for a three-year term ending August 31, 2025.

Resolution, 22-G-40, to appoint members to the Herndon Diversity, Equity, and Inclusion Committee.

WHEREAS, on February 22, 2022, by Resolution 22-G-17, the Herndon Town Council established the Herndon Diversity, Equity, and Inclusion Committee; and

WHEREAS, the composition of the committee consists of seven town residents, two members representing town businesses who own or manage a business in the town and have expertise in the business sector, one non-resident member, and one Councilmember, who will serve as chair; and

WHEREAS, the committee shall hold meetings as requested by the Chair, and legally convened by the Town Clerk to meet town and state law requirements and operate similar to other existing advisory committees.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby appoints the following individuals to serve on the Herndon Diversity, Equity, and Inclusion Committee for a two-year term to coincide with election terms, with the first term extended to end with the subsequent Council’s term through December 31, 2024:

Chair

- Councilmember Pradip Dhakal, to serve as the Chair;

Town resident members

- Keven LeBlanc, to serve as a “town resident” member;
- Andrew Lacher, to serve as a “town resident” member;
- Arati Sigdel Parajuli , to serve as a “town resident” member;
- Soma Ramesh, to serve as a “town resident” member;
- Alex Rodriguez, to serve as a “town resident” member;

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- Donielle Scherff, to serve as a “town resident” member; and
- Eileen Villegas, to serve as a “town resident” member.

Non-resident member

- Sabrina Hossain, to serve as a “non- resident” member.

Business owner

- Rachel Eisenfeld, to serve as a “business owner” member; and
- Syed Iftikhar to serve as a “business owner” member.

Resolution, 22-G-41 to appoint members to the Pedestrian and Bicycle Advisory Committee.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby appoints the following individuals to serve as citizen representatives on the Pedestrian and Bicycle Advisory Committee for a two-year term to coincide with election terms, with the first term extended to end with the subsequent Council’s term through December 31, 2024:

- Michelle Duquette;
- Syed Iftikhar;
- Annie John; and
- James Nardei;

BE IT FURTHER RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby extends the term of the following individuals previously appointed on March 8, 2022, to also end with the subsequent Council’s term through December 31, 2024:

- Sherry Blanton;
- Darryl Branting;
- Janis Linkov-Johnson; and
- Ian MacDonald.

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ADJOURNMENT

Councilmember Regan moved to adjourn the meeting of the May 24, 2022 public hearing at 8:21 p.m., and Councilmember Friedrichs seconded the motion. The question was called on the motion which carried by unanimous roll call vote. The vote was: Councilmembers Alam, Dhakal, Friedrichs, Regan, Singh, Vice Mayor del Aguila, and Mayor Olem voting "Aye."


**Sheila A. Olem
Mayor**




**Amanda E.M. Kertz
Chief Deputy Town Clerk**

Minutes approved by Town Council: September 13, 2022.

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(public hearing)**

NOTE:

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