

**TOWN OF HERNDON, VIRGINIA
WORK SESSION AGENDA
HERNDON POLICE DEPARTMENT – COMMUNITY ROOM
397 HERNDON PARKWAY
September 6, 2022
7:00 PM**

CALL TO ORDER

1. Roll Call & Determination of Quorum

GENERAL

2. Resolution 22-G-52, to award contract IFB #23-01, Traffic Signal Installation Maintenance & Repair
3. Resolution 22-G-53, 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.
4. Resolution 22-G-54, to establish the Herndon Town Council meeting schedule for January 1, 2023 to December 31, 2023

ROUNDTABLE



STAFF REPORT

**Town Council
September 6, 2022**

Title:

Resolution, to award contract IFB #23-01, Traffic Signal Installation, Maintenance & Repair

Staff Contact:

Tammy Chastain, Deputy Director of Public Works
(phone) 703-435-6860
(e-mail) tammy.chastain@herndon-va.gov

Background:

This proposed term contract enables a qualified contractor to provide the maintenance, repair and/or new installation of traffic control and signal equipment at various locations throughout the town. The terms include that the contractor shall provide all necessary labor, materials (unless provided by the town), installation, equipment, trouble shooting, supervision, and related work as required or directed per Virginia Department of Transportation (VDOT) standards. The contract has four (4) one-year optional renewals.

On August 3, 2022, contract IFB #23-01, Traffic Signal Installation, Maintenance & Repair was advertised on eVA, the state procurement site. On August 16, 2022, a pre-bid meeting was held, and two firms attended. On August 24, 2022, a bid opening was held, and two companies submitted bids. Due to the absence of required documents at the time of bid opening, one bid was found non-response. The remaining bid submitted by R.E. Lee Electric Company, Inc. was found to be responsive and responsible with the following favorable hourly rates and unit costs:

Item/Description	Rates	
Technician - Reg. hours (M-F 7am-4pm)	\$75.00	/hr.
Technician Helper - Reg. hours	\$48.00	/hr.
Technician – O/T Weekend & Holidays	\$105.00	/hr.
Technician Helper – O/T Weekend & Holidays	\$62.00	/hr.
Technician – Emergency	\$105.00	/hr.

Technician Helper – Emergency	\$62.00	/hr.
Service Truck	\$25.00	/hr.
Bucket Truck	\$68.00	/hr.
Pole Truck	\$90.00	/hr.
Backhoe with bucket	\$50.00	/hr.
Signs, Cones, Message & Arrow Boards	\$190.00	/hr.
Flagger (8 hrs.)	\$40.00	/hr.
Open Trench Earth & Sod	\$26.00	100 ft.
Open Trench Asphalt Roadway	\$52.00	100 ft.
Open Trench Concrete & Asphalt Overlaid Roadway	\$80.00	100 ft.
Open Trench Concrete Sidewalk	\$52.00	100 ft.
Open Trench Brick Paver Sidewalk	\$48.00	100 ft.
Open Trench in Unpaved Area	\$26.00	100 ft.
Furnish Materials & Install Loop Detector & Lead in	\$27.00	500 ft. x 8
Install Pedestrian Push Button	\$300.00	10 ea.

Fiscal Impact:

Funds to support this contract are available in the FY 2023 budget, account number 001-0893-000-420610.

Staff Recommendation:

Staff recommends that the Town Council award contract IFB #23-01, Traffic Signal Installation, Maintenance & Repair, to R.E. Lee Electric Company, Inc. at the rates listed above.

Attachment:

Draft Resolution

Staff:



Tammy Chastain
Deputy Director of Public Works

TOWN OF HERNDON, VIRGINIA

RESOLUTION

SEPTEMBER 13, 2022

Resolution- to award Contract IFB #23-01, Herndon Traffic Signal Installation, Maintenance & Repair.

WHEREAS, the Department of Public Works has engaged in an annual term contract for the services of a traffic control installation, maintenance, and repair contractor; and

WHEREAS, monies were put in the FY 2023 budget to pay for the electrical services; and

WHEREAS, the Invitation for Bid was posted on the Town of Herndon website and eVA Commonwealth of Virginia procurement website to maximize fullest competition; and

WHEREAS, a pre-bid conference was held on August 16, 2022, and was attended by two firms; and

WHEREAS, two bids were received then publicly opened and read aloud on August 24, 2022; and

WHEREAS, one bid was found to be non-responsive due to the absence of required bid documents; and

WHEREAS, the remaining bidder, R.E. Lee Electric Company, Inc., was found to be responsive and responsible with favorable hourly rates and unit costs as follows:

Item/Description	Rates	
Technician - Reg. hours (M-F 7am-4pm)	\$75.00	/hr.
Technician Helper - Reg. hours	\$48.00	/hr.
Technician – O/T Weekend & Holidays	\$105.00	/hr.
Technician Helper – O/T Weekend & Holidays	\$62.00	/hr.
Technician – Emergency	\$105.00	/hr.
Technician Helper – Emergency	\$62.00	/hr.
Service Truck	\$25.00	/hr.
Bucket Truck	\$68.00	/hr.
Pole Truck	\$90.00	/hr.
Backhoe with bucket	\$50.00	/hr.
Signs, Cones, Message & Arrow Boards	\$190.00	/hr.

Flagger (8 hrs.)	\$40.00	/hr.
Open Trench Earth & Sod	\$26.00	100 ft.
Open Trench Asphalt Roadway	\$52.00	100 ft.
Open Trench Concrete & Asphalt Overlaid Roadway	\$80.00	100 ft.
Open Trench Concrete Sidewalk	\$52.00	100 ft.
Open Trench Brick Paver Sidewalk	\$48.00	100 ft.
Open Trench in Unpaved Area	\$26.00	100 ft.
Furnish Materials & Install Loop Detector & Lead in	\$27.00	500 ft. x 8
Install Pedestrian Push Button	\$300.00	10 ea.

WHEREAS, funds to support this contract are located in the FY 2023 budget account number 0010893-420610; and

WHEREAS, other budget and reserve accounts as needed are available to fund work under this contract.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby awards contract IFB #23-01, Traffic Signal Installation, Maintenance and Repair, to R.E. Lee Electric Company, Inc.



STAFF REPORT

Town Council
September 6, 2022

Title:

Resolution 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.

Staff Contacts:

David S. Stromberg, Zoning Administrator
(703) 787-7380
david.stromberg@herndon-va.gov

Lesa J. Yeatts, Town Attorney
(703) 787-7370
lesa.yeatts@herndon-va.gov

Summary:

This Resolution approves a Temporary License Agreement which grants permission to Jimmy's Old Town Tavern to use the town alley located between 689 and 681 Spring Street for outdoor seating during a fundraiser event on September 25, 2022.

Description:

The applicant, Jimmy's Old Town Tavern, is requesting authorization to use designated alley public space located between 689 and 681 Spring Street for outdoor seating during a fundraiser event from 8:00 a.m. to 11:00 p.m. on September 25, 2022. The applicant has been approved for a Temporary Use Permit by the Zoning Administrator pursuant to Section 78-90.2 of the Town of Herndon Zoning Ordinance.

This resolution authorizes the Mayor to sign the necessary license agreement to permit Jimmy's Old Town Tavern to utilize the town's property for this 1-day event.

Recommendation:

Staff recommends the Mayor and Town Council adopt the attached resolution approving the temporary license agreement.

Attachments:

1. Resolution
2. Temporary License Agreement
3. Exhibit A: Temporary Use Permit Application w/ attachments

Prepared and Approved by:



David S. Stromberg, Zoning Administrator



Lesa J. Yeatts, Town Attorney

TOWN OF HERNDON, VIRGINIA

RESOLUTION

SEPTEMBER 13, 2022

Resolution- 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 September 13, 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 September 25, 2022. The 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.

TEMPORARY LICENSE AGREEMENT

This Agreement ("Agreement") is made this 13th day of September 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 September 25, 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 September 25, 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

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

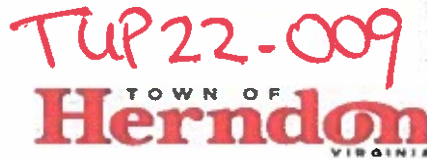
Town Clerk

By _____
Sheila A. Olem, Mayor

APPROVED AS TO FORM:

Lesa J. Yeatts
Town Attorney

July 2018



RECEIVED ON

JUL 13 2022

Department of Community Development
777 Lynn Street
Herndon, Virginia 20170-4602

DEPARTMENT OF
COMMUNITY DEVELOPMENT

**APPLICATION FOR APPROVAL OF A TEMPORARY USE SITE PLAN
AND ASSOCIATED ZONING INSPECTION PERMIT
(TEMPORARY USE PERMIT)**

(Not all temporary uses require a permit. See § 78-90.1 of the Herndon Town Code.)

Submittal of this form with **original signatures is required. PLEASE PRINT OR TYPE** (Unless otherwise indicated.)

Name of Business or Organization:

Jimmy's Old Town Tavern

Street Address of the Subject Property
(including apt/suite #):

697 Spring St. Herndon VA 20170

Please describe the requested activity, proposed
dates and daily hours of operation. Add more
sheets if necessary.

OUTDOOR DINING FUNDRAISER
Sept 25, 2022 8AM - 11PM

Lot Area (site area) Proposed for the Temporary
Use:

Alley behind Jimmy's

Are any site alterations or any alterations to the building's exterior or interior planned or underway in connection
with this use (or were any alterations done)? ☐ No ☐ Yes Please describe :

Name of Contact for the Temporary Use
(Applicant):

Jimmy Cirrile

Address of Permanent Residence:

9254 Matthew Dr. Manassas PKVA

Jimcirrile@aol.com

E-mail address

703-470-4014

Telephone # for duration of temporary use

**The undersigned hereby applies for a Temporary Use Permit under the provisions of § 78-90.3
and § 78-90.4 of the Herndon Town Code.**

I hereby affirm and certify that:

- The information provided on this form is true and correct to the best of my knowledge.
- The requirements associated with this application under § 78-90.3 and § 78-90.4 of the Herndon Town Code have been read and are understood.
- The use and occupancy of buildings and/or the use of land noted above is in conformance with all provisions of the Town of Herndon, Virginia Zoning Ordinance regulations to the best of my knowledge.
- The site shall be returned within 48 hours to its condition prior to the establishment of the temporary use.

James C Cirrile

Signature of Contact (Applicant)

6-27-2022

Date

**APPLICATION FOR APPROVAL OF A TEMPORARY USE SITE PLAN AND ASSOCIATED
ZONING INSPECTION PERMIT (TEMPORARY USE PERMIT) - continued**

Name and Title of Property Owner (Applicant): Curtis-Herndon Properties
Mailing Address: Vicki Wilhelm
Vickiegrwilhelm.com 410-404-4839
E-mail address Telephone

TO BE SUBMITTED WITH THIS APPLICATION

- ☒ A letter signed by the owner or owner's agent consenting to the application for the Temporary Use Permit;
- ☒ A Site Plan prepared in accordance with § 78-155.6(4) and showing the area of proposed activity with signage, display areas, illumination, vehicular entrances to the site (location, type and size), parking area associated with the temporary use (location, layout, and surface material);
- ☒ The detailed description of the proposed temporary activity requested above should include an analysis of any noise that may not comply with the noise provisions in the Herndon Town Code;
- ☒ Sample signage to be used;
- N/A A statement from the landowner(s) authorizing an agent to act on their behalf (if applicable);
- N/A If a pre-application conference took place, a statement indicating the date and time a pre-application conference was held with the Town, as well as a list of participants in the conference;
- N/A A list of proposed vendors to include security firms, food trucks, portable toilet providers, or any other vendors that will be onsite during the event.

AUTHORIZATION STEP ONE. SITE IMPROVEMENTS ONLY (verification of Site Plan approval)

The applicant is authorized to proceed to **make the site improvements** for the purposes of conducting the temporary use described above.



Signature and Authorization of Zoning Administrator

AUTHORIZATION STEP TWO: AUTHORIZATION TO BEGIN OPERATION OF THE TEMPORARY USE (Temporary Use Permit/Zoning Inspection Permit)

The applicant has completed the site improvements and the applicant is authorized to **begin operation of the temporary use.**

This Permit is effective beginning 09/25/2022 for 1 days.

Signature of Zoning Inspector

**APPLICATION FOR APPROVAL OF A TEMPORARY USE SITE PLAN AND ASSOCIATED
ZONING INSPECTION PERMIT (TEMPORARY USE PERMIT) - continued**

For Office Use Only:

STEP ONE (Site Plan)	Received by: <u>Wes W</u>	Fee paid for Temporary Use Site Plan* application:	Date: <u>7/14/22</u>	Case No.: <u>TUP22-009</u>
	Use permitted by Town Code Section:			
	Tax Map Reference: <u>0162 02 008A</u>		Zoning District: <u>CL</u>	
	Business and Occupational License #:		Status of Taxes: ☒ Paid ☐ Delinquent	
STEP TWO (ZIP)	Received by:	Fee paid for Zoning Inspection Permit/Temporary Use Permit:		Date:
*Note: no application fee is required for uses of less than 90 consecutive days in duration.				

**Distribution
after
approval:**

Applicant

Community
Development

Fire
Department

Finance

MAP #: 0162 02 0086A
CURTIS HERNDON PROPERTY

695 SPRING ST

Owner

Name	CURTIS HERNDON PROPERTY,
Mailing Address	PO BOX 35 WOODSTOCK MD 21163
Book	23878
Page	0127

Parcel

Property Location	695 SPRING ST HERNDON VA 20170 5125
Map #	0162 02 0086A
Tax District	HT000
District Name	DRANESVILLE TOWN OF HERNDON TRANSPORT
Land Use Code	Specialty Center
Land Area (acreage)	
Land Area (SQFT)	6,583
Zoning Description	CC(Central Comm District)
Utilities	WATER CONNECTED SEWER CONNECTED GAS NOT AVAILABLE
County Inventory of Historic Sites	YES
County Historic Overlay District	NO
	For further information about the Fairfax County Historic Overlay Districts, CLICK HERE For properties within the towns of Herndon, Vienna or Clifton please contact the town to determine if the property is within a town historic district.
Street/Road	PAVED
Site Description	COMMERCIAL RANK #1

Legal Description

Legal Description	SPRING STREET ELDEN SPRING STS LT 86A
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Last Refresh

Date	
Data last refreshed:	12/Jul/2022 DB:PORA34CUR

General Information



June 27, 2022

Town of Herndon
Dept. of Community Development
777 Lynn Street
Herndon VA 20170

Re: Temporary Use Permit for the Extension of Retail Sales for Outdoor Event, September 25, 2022.

Dear TOH:

Relative to your request, I hereby give my permission for my business neighbor, Jimmy's Old Town Tavern, to provide an outdoor event on September 25, 2022 from 8am to 11pm. The location shall be in the alleyway behind and adjoining our businesses. The purpose of this event is to provide and sell food and beverages as an extension of the existing retail business known as Jimmy's Old Town Tavern.

Sincerely,

A handwritten signature in blue ink, appearing to read "Eddie Colon".

Eddie Colon, Owner
The Upholstery Shop
757 Elden Street
Herndon, VA 20170

Date:

7/13/22



June 27, 2022

David Stromberg

Zoning Department

Town of Herndon

777 Lynn Street
Herndon VA 20170-0427

Re: Temporary Use Permit for the Extension of Retail Sales, Sunday, September 25, 2022

Dear Mr. Stromberg,

This letter serves as a Request/Application for permission for Jimmy's Old Town Tavern, 697 Spring Street, to have the Town of Herndon issue a Temporary Use Permit for the Extension of Outdoor Retail Sales per The Town of Herndon Zoning Ordinance, Division 3. Temporary Uses; Sec.78-1392 Item (3) and Sec. 78-1395 Item (3) Outdoor Retail Sales Events & Sec. 78-1395 Item (4). Additional Permits for Temporary Use inclusive of Sunday, September 25, 2022 from 8am to 11:00pm.

Enclosed please find the following:

- Drawing of the proposed area
- Letters signed by the adjacent business allowing this event (The Upholstery Shop)
- Letter to the ABC Board of Virginia requesting an extension of license privileges.

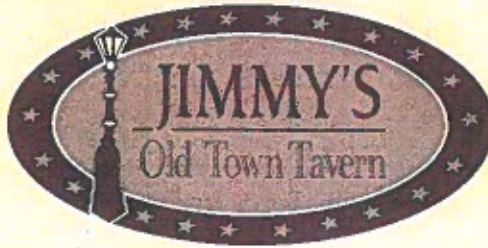
If you have any questions, please contact me at 703-470-4014.

Sincerely,

A handwritten signature in dark ink, appearing to read "James C. Cirrito". The signature is fluid and cursive, with a stylized "X" at the end.

James C. Cirrito
Owner
Jimmy's Old Town Tavern

NOTE: EXISTING ALLEYWAY FROM JOY INC. STORAGE TO SPRING ST. TO BE BLOCKED OFF.



June 27, 2022

Special Agent, Samantha Rogers
Division of Law Enforcement Operations
Commonwealth of Virginia
Department of Alcoholic Beverage Control
Alexandria Regional Office
6308 Grovedale Drive
Alexandria VA 22310

Re: Request for Extension of License Privileges for outdoor Event, Sunday, September 25, 2022.

Dear Special Agent Samantha Rogers:

This letter serves as a Request for Permission for JOTT, Inc., trading as Jimmy's Old Town Tavern, License 75822, to extend its license privileges to the alleyway, et al, shown on the enclosed sketch for the following date and time span:

Sunday, September 25, 2022, from 8:00 AM to 11:00 PM

Enclosed please find the following:

- Drawing of the proposed area.
- Application to the Town of Herndon for this event.

The license is obligated to insure full compliance with the ABC laws and all other laws and regulations and is cognizant of criminal action that could be taken toward those involves and administrative action taken toward the license held by JOTT, Inc.

If you have any questions, please contact me at 703-470-4014.

Sincerely,

A handwritten signature in dark ink, appearing to read "James Cirrito".

James Cirrito
Owner
Jimmy's Old Town Tavern

**NO
ALCOHOL
PAST THIS
POINT**

Dowdy, Sarah

From: James Cirrito <jim.cirrito@aol.com>
Sent: Wednesday, July 13, 2022 4:34 PM
To: Dowdy, Sarah
Subject: Fwd: License Extension on 9/25/2022

CAUTION: This email originated from an external source. Do not click on any links or open attachments unless you recognize the sender and know the content is safe.

Thank you,
Jimmy

Begin forwarded message:

From: "Chang, Kenneth" <kenneth.chang@virginiaabc.com>
Date: July 12, 2022 at 11:31:21 AM EDT
To: jim.cirrito@aol.com
Subject: License Extension on 9/25/2022

Mr. Cirrito,

This e-mail serves as permission for you to extend the privileges of your license to an enclosed, clearly defined area located immediately adjacent to the licensed premises on the following day and time: **September 25, 2022, from 8:00am-11:00pm.**

The area must be arranged so that direct access from the outside is possible by well-defined entrances. You are obligated to insure full compliance with ABC laws, rules and regulations. Failure to do so could result in criminal action taken against those involved. Further, any such violations may result in administrative action taken against the licensee.

Thank you,

Kenneth Chang | Special Agent
Virginia ABC Bureau of Law Enforcement, a fully accredited state law enforcement agency
6308 Grovedale Drive, Alexandria, VA 22310
Office: (703) 340-1548 | Cell: (703) 853-6168 | kenneth.chang@virginiaabc.com
www.abc.virginia.gov

[Contact a Special Agent](#) | [Report a Violation](#) | [Get a License](#) | [View Dockets](#)

The information contained in the email message and any attachments may be privileged and/or confidential, and is intended only for the use of the individual or entity named in the document. If you are not the intended recipient, you are hereby notified that you are prohibited from disseminating, distributing, or copying the information contained in this message or any attachments. If you have received an email or message in error, please notify the sender immediately and destroy all copies of the original message and any attachments.

Please Note New '@VirginiaABC.com' Email Address and update your contact information accordingly – Thank You



June 27, 2022

Judy Fry
Town Manager's Office
Town of Herndon
777 Lynn Street
Herndon VA 20170

Re: Request for Noise Permit for Outdoor Event, Sunday, September 25, 2022

Dear Ms. Fry:

This letter serves as an Application/Request for a Noise Permit for Jimmy's Old Town Tavern, 697 Spring Street, to be issued in conjunction with a Temporary Use Permit for an Outdoor Event to begin at 8:00 AM and end at 11:00 PM on Sunday, September 25, 2022. In accordance with the Town's noise ordinance, music/tv sound will be allowed to be played from 8:00 AM to 10:00 PM outside in the rear Alley on this date.

If you have any questions, please contact me at 703-470-4014

Sincerely,

A handwritten signature in dark ink, reading "James C. Cirrito". The signature is fluid and cursive, with a long horizontal stroke at the end.

James C. Cirrito
Owner
Jimmy's Old Town Tavern



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

TOWN COUNCIL
Sheila A. Olem, Mayor
Cesar del Aguila, Vice Mayor
Naila Alam
Pradip Dhakal
Signe Friedrichs
Sean M. Regan
Jasbinder Singh

July 25, 2022

Jimmy's Old Town Tavern
697 Spring Street
Herndon, VA 20170

Dear Mr. Cirrito,

This is in response to your request for a noise permit for outdoor event on Sunday, September 25, 2022, from 8 AM to 11 PM, to be held at Jimmy's Old Town Tavern, 697 Spring Street, Herndon, VA 20170. Since you will be using amplified sound, you are required to have a noise permit. Please keep in mind that the noise permit only allows amplified sound between 7 AM and 10 PM.

I am approving the noise permit and this letter will serve as such. By copy of this letter to the Herndon Police, I am advising them of your event since they enforce the noise ordinance.

Best wishes for a successful event.

Sincerely,

A handwritten signature in black ink that reads "Bill Ashton".

Bill Ashton
Town Manager

c. Maggie A. DeBoard, Chief of Police



STAFF REPORT

**Town Council
September 6, 2022**

Title:

**Resolution, to establish the Herndon Town Council meeting schedule
for January 1, 2023 to December 31, 2023**

Staff Contact:

Lesa Yeatts, Town Attorney
(phone) 703-787-7370
(email) lesa.yeatts@herndon-va.gov

Background:

The meeting schedule of Town Council is prescribed by Chapter 2 (ADMINISTRATION), Section 2.1 (Meeting Schedule), of the Herndon Town Code. This code also authorizes the town council to modify the meeting schedule by resolution.

With the development of the 2023 annual town calendar underway, there is an opportunity for the council to consider modifications to include in the annual calendar before it is printed. The council may also, at any time throughout the year, modify the schedule by resolution.

Discussion:

Typically, the meeting schedule is modified to accommodate the fourth of July holiday, participation in National Night Out, election day and Thanksgiving holiday travel. Staff proposes the following modifications for council consideration:

- Reschedule the town council work session **TO** Tuesday, July 11 in recognition of the fourth of July holiday, thereby rescheduling the town council public hearing **TO** Tuesday, July 18;
- Reschedule the town council work session **TO** Wednesday, August 2, to allow council participation in National Night Out activities on August 1st;

- Reschedule the town council work session **TO** Wednesday, November 8, to allow participation in the 2023 state and Fairfax County election;
- Forgo the second town council work session and town council public hearing in November to accommodate Thanksgiving holiday travel.

Fiscal Impact:

None

Staff Recommendation:

Staff recommends that the council consider the 2023 meeting schedule as proposed.

Attachments:

- Draft Resolution
- 2023 calendar

Prepared and Approved by:



Lesa Yeatts, Town Attorney

TOWN OF HERNDON, VIRGINIA

RESOLUTION

SEPTEMBER 13, 2022

Resolution- to establish the Herndon Town Council meeting schedule for January 1, 2023 to December 31, 2023.

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

1. Incorporates the meeting schedule set out in Section 2-1 of the Herndon Town Code (2000), as amended, and establishes the meeting schedule for January 1, 2023 to December 31, 2023, modified as follows:
 - Reschedule the town council work session on July 4 in recognition of the holiday **TO** Tuesday, July 11, thereby rescheduling the town council public hearing on Tuesday, July 11 **TO** Tuesday, July 18;
 - Reschedule the town council work session on Tuesday, August 1 **TO** Wednesday, August 2 to allow council participation in National Night Out activities; and
 - Reschedule the town council work session on Tuesday, November 7 **TO** Wednesday, November 8 to allow participation in the 2023 state and Fairfax County election;
 - Forgo the second town council work session and town council public hearing in November to accommodate Thanksgiving holiday travel.
2. Directs staff to reflect the modified meeting schedule in the 2023 annual town calendar.

◀ December January 2023 February ▶						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1 New Year's Day	2 Town Closed	3 TCWS	4	5	6	7
8	9	10 TCPH	11	12	13	14
15	16 Martin Luther King Jr./ Town Closed	17 TCWS	18	19	20	21
22	23	24 TCPH	25	26	27	28
29	30	31				

February 2023						
◀ January						March ▶
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7 TCWS	8	9	10	11
12	13	14 TCPH	15	16	17	18
19	20	21 TCWS	22	23	24	25
26	27	28 TCPH				

◀ February

March 2023

April ▶

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7 TCWS	8	9	10	11
12	13	14 TCPH	15	16	17	18
19	20	21 TCWS	22	23	24	25
26	27	28 TCPH	29	30	31	

◀ March April 2023 May ▶						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4 TCWS	5	6	7	8
9	10	11 TCPH	12	13	14	15
16	17	18 TCWS	19	20	21	22
23	24	25 TCPH	26	27	28	29
30						

May 2023

◀ April

June ▶

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2 TCWS	3	4	5	6
7	8	9 TCPH	10	11	12	13
14	15	16 TCWS	17	18	19	20
21	22	23 TCPH	24	25	26	27
28	29 Memorial Day/ Town Closed	30	31			

◀ May

June 2023

July ▶

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6 TCWS	7	8	9	10
11	12	13 TCPH	14	15	16	17
18	19 Juneteenth/ Town Closed	20	21	22	23	24
25	26	27	28	29	30	

July 2023						
◀ June						August ▶
Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4 Independence Day/ Town Closed	5	6	7	8
9	10	11 TCWS	12	13	14	15
16	17	18 TCPH	19	20	21	22
23	24	25	26	27	28	29
30	31					

In recognition of the Independence Day Holiday, reschedule the TCWS to Tuesday, July 11 and the TCPH to Tuesday, July 18.

August 2023						
◀ July						September ▶
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1 National Night Out	2 TCWS	3	4	5
6	7	8 TCPH	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

Reschedule the TCWS to Wednesday, August 2 to allow Council participation in National Night Out activities.

September 2023						
◀ August						October ▶
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4 Labor Day/ Town Closed	5 TCWS	6	7	8	9
10	11	12 TCPH	13	14	15	16
17	18	19 TCWS	20	21	22	23
24	25	26 TCPH	27	28	29	30

October 2023

◀ September

November ▶

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3 TCWS	4	5	6	7 VML Conference Norfolk, VA
8 VML Conference Norfolk, VA	9 VML Conference Norfolk, VA	10 TCPH VML Conference Norfolk, VA	11	12	13	14
15	16	17 TCWS	18	19	20	21
22	23	24 TCPH	25	26	27	28
29	30	31				

November 2023						
◀ October						December ▶
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7 Election Day State & Fairfax County Election	8 TCWS	9	10 Veterans Day/ Town closed	11
12	13	14 TCPH	15	16	17	18
19	20	21	22	23 Thanksgiving Day/ Town Closed	24 Thanksgiving Holiday Town Closed	25
26	27	28	29	30		

Reschedule the TCWS to Wednesday, November 8 to allow participation in the 2023 state & Fairfax County election.

Forgo a second TCWS and TCPH in November to accommodate Thanksgiving holiday travel.

December 2023						
◀ November						January ▶
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5 TCWS	6	7	8	9
10	11	12 TCPH	13	14	15	16
17	18	19	20	21	22 1/2 Day Town Closed	23
24	25 Christmas Town Closed	26	27	28	29	30
31						