



TOWN COUNCIL MEETING AGENDA

Town Council Chambers
765 Lynn Street, Herndon, VA 20170
Tuesday, February 14, 2023 | 7:00 p.m.

1. Call to Order

2. Pledge of Allegiance to the Flag of the United States of America

3. Presentations/Reports/Comments

- a. Town Manager Report
- b. Councilmember Comments

4. Comments from the Audience

Members of the public may, for one 3-minute period, provide public comments, requests, consent or general item comments, and comments on matters not included on the agenda.

5. Consent

- a. Ordinance 23-O-03 to amend and reenact Chapter 54 (PERSONNEL), Article IV (Grievance Procedure), Article V (Conflict of Interest)
- b. Resolution 23-G-16 to award Contract #D-23-01 General Water and Sanitary Sewer Engineering Services
- c. Resolution 23-G-17 to award Contract IFB #23-03 Traffic Marking
- d. Resolution 23-G-18 to award Contract IFB #B-23-01 Bready Park Tennis Court Renovation
- e. Resolution 23-G-19 to initiate consideration of a Zoning Ordinance Text Amendment ZOTA #23-01 to amend Chapter 78 (ZONING), Article XIV (Signs), Section 78-141.6 (Sign Standards for Downtown Mixed-use Districts), to grant authority to the Historic District Review Board to allow wall signs in additional locations under certain circumstances
- f. Resolution 23-G-20 to endorse and approve the submission of an application to the Department of Transportation, Office of the Secretary, for funding under the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) program, to be directed towards development and adoption of the Town's 2050 Comprehensive Plan
- g. Resolution 23-G-21 to appoint members to the Architectural Review Board and the Historic District Review Board

- h. January 10, 2023 Town Council Meeting Minutes
- i. January 17, 2023 Town Council Work Session Minutes
- j. January 24, 2023 Town Council Meeting Minutes

6. Adjournment

TOWN OF HERNDON, VIRGINIA

ORDINANCE

FEBRUARY 14, 2023

Ordinance - to amend and reenact Chapter 54 (PERSONNEL), Article IV (Grievance Procedure), Article V (Conflict of Interest)

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

1. The following sections or provision of the Herndon Town Code (2000), as amended, are amended and re-ordained as follows:

CHAPTER 54 (PERSONNEL)

Article IV. Grievance Procedure

Sec. 54-82. - Grievance defined.

A grievance shall be a complaint or dispute by an employee relating to his **their** employment including, but not necessarily limited to:

- (3) Discrimination on the basis of race, color, creed, religion, political affiliation, age, disability, national origin, ~~or~~ sex, **marital status, pregnancy, childbirth or related medical conditions, sexual orientation, sexual preference, gender identity, military status and all other areas covered under federal and state law**; and

Sec. 54-84. - Coverage of personnel.

- (a) Unless otherwise provided by law, all nonprobationary town regular full-time and part-time employees are eligible to file grievances with the following exceptions:

- (6) Temporary, limited term, **part-time flexible** and seasonal employees;

Sec. 54-85. - Grievance filing procedure.

All grievable employment complaints and disputes will be administered in the manner here specified and processed within the stated time limits. Personal face-to-face meetings are required at all of these steps. With the exception of the final management step, the only persons who may normally be present in the management step meetings are the grievant, the appropriate town official at the level at which the grievance is being heard, and appropriate witnesses for each side. Witnesses shall be present only while actually providing testimony. At the final management step, the grievant, at ~~his~~ **their** option, may have present a representative of ~~his or her~~ **their** choice. If the grievant is represented by legal counsel, local government likewise has the option of being represented by counsel.

Step 1. An employee who has a grievance shall ~~discuss the complaint with the employee's~~ **personally present the basis for their grievance to their** immediate supervisor. ~~Employees must present this initial statement of grievance within 20 calendar days of the complaint occurrence or knowledge of such occurrence, whichever is later.~~ **action precipitating the grievance.** The immediate supervisor will hear the grievance and respond to the employee **in writing** within five ~~working~~ **calendar** days after this initial ~~discussion.~~ **hearing.**

Step 2. If the response from Step 1 is not acceptable to the grievant, the grievant may file, within ten calendar days from ~~his or her~~ **their** receipt of the supervisor's Step 1 response, a **their** written grievance. **The grievance must be filed on a completed grievance form and must specify the relief sought.** The grievant must present this written grievance to the department head and forward a copy to the director of human resources. ~~The grievance must be filed on a completed grievance form and must specify the relief sought.~~

The department head will meet the grievant within ten calendar days after receipt of the written grievance to discuss the grievance and to hear the grievance. Within ten calendar days after this meeting, the department head will respond to the grievance in writing.

Step 3. If the department head's written reply from Step 2 is not acceptable to the grievant, the grievant may request, in writing, within ten calendar days from receipt of the reply, a meeting with the town manager for further consideration of the grievance. **The grievance must be filed on a completed grievance form and must specify the relief sought.**

This meeting shall be scheduled within ten calendar days from receipt of the request.

The town manager will hear ~~both sides of~~ the grievance and provide a written reply to the grievant within ten calendar days of the meeting.

Step 4. If the town manager's reply from Step 3 is not acceptable to the grievant, **the grievant may request** the grievance ~~may be submitted to~~ **for a panel hearing before an administrative hearing officer.** The request for a ~~panel~~ **an administrative** hearing must be made on the

grievance hearing request form. Request for a ~~panel~~ **an administrative** hearing must be received by the town manager within ten calendar days after the receipt of the Step 3 reply.

Within ten calendar days of receipt of the employee's Step 4 request, the town manager must, if they have not already done so, determine whether the grievance qualifies for a hearing. If the town manager does not qualify the grievance for a hearing, the employee may appeal that decision directly to the Circuit Court as outlined in § 54-87.

If the town manager determines the issue is grievable, has already determined the issue is grievable or if the town manager fails to respond within ten calendar days as required, the grievance shall be heard by an Administrative Hearing Officer no later than 30 calendar days following the appointment of a Hearing Officer as set out in § 54-88(a)(1) of the procedure.

Sec. 54-86. - Compliance.

- (a) After the initial filing of a written grievance, failure of either party to comply with all substantial procedural requirements of the grievance procedure, including the panel hearing, without just cause shall result in a decision in favor of the other party on any grievable issue, provided that the party not in compliance fails to correct the noncompliance within five ~~workdays~~ **calendar days** of receipt of written notification by the other party of the compliance violation. Such written notification by the grievant shall be made to the ~~chief administrative officer~~ **town manager**, or his **their** designee.
- (b) The town manager or his designee, at his **their** option, may require a clear written explanation of the basis for just cause extensions or exceptions. The town manager or his **their** designee, shall determine compliance issues. Compliance determinations made by the town manager shall be subject to judicial review by filing a petition with the county circuit court within 30 calendar days of the compliance determination.
- (c) **For purposes of this grievance procedure “calendar day” means any day shown on the calendar beginning at midnight and ending at midnight the following day; provided that whenever the last day for performing an act required by this procedure falls on a Saturday, Sunday, or any holiday on which the town’s administrative offices are closed, the act must be performed on the next day that is not a Saturday, Sunday, or such holiday.**

Sec. 54-87. - Qualification for ~~panel~~ administrative hearing.

- (a) Decisions regarding grievability and access to the procedure shall be made by the town manager or ~~his~~ **their** designee, at any time prior to the ~~panel~~ **fourth step administrative** hearing, at the request of the town or grievant, within ten calendar days of the request. The town attorney shall not be authorized to decide the question of grievability. A copy of this ruling shall be sent to the grievant. Decisions of the town manager or ~~his or her~~ **their** designee may be appealed to the county circuit court for a hearing on the issue of whether the grievance qualifies for a ~~panel~~ **fourth step administrative** hearing. Proceedings for the review of the decision of the town manager or ~~his~~ **their** designee shall be instituted by the grievant by filing a notice of appeal with the town manager within ten calendar days from the date of receipt of the decision and giving a copy thereof to all other parties. Within ten calendar days thereafter, the town manager or ~~his~~ **their** designee shall transmit to the clerk of the court to which the appeal is taken: a copy of the decision of the town manager, a copy of the notice of appeal, and the exhibits. A list of the evidence furnished to the court shall also be furnished to the grievant. The failure of the town manager or ~~his~~ **their** designee to transmit the record shall not prejudice the rights of the grievant. The court, on motion of the grievant, may issue a writ of certiorari requiring the town manager to transmit the record on or before a certain date.
- (b) Within 30 **calendar** days of receipt of such records by the clerk, the court, without a jury, shall hear the appeal on the record transmitted by the town manager or ~~his~~ **their** designee and such additional evidence as may be necessary to resolve any controversy as to the correctness of the record. The court, in its discretion, may receive such other evidence as the ends of justice require. The court may affirm the decision of the town manager or ~~his~~ **their** designee, or may reverse or modify the decision. The decision of the court shall be rendered no later than the ~~15th~~ **fifteenth** day from the date of the conclusion of the hearing. The decision of the court is final and is not appealable.

Sec. 54-88. - Panel **Administrative hearings.**

- (a) Qualifying grievances shall advance to ~~the final step~~ **a hearing before an administrative hearing officer** as described as follows:
- (1) ~~The final step shall provide for a hearing before an impartial panel, consisting of one member appointed by the grievant, one member appointed by the town manager and a third member selected by the first two. If agreement cannot be reached as to the final panel member, the chief judge of the county circuit court shall select the third panel member. The panel shall not be composed of any persons having direct involvement with the grievance being heard by the panel, or with the complaint or dispute giving rise to the grievance. Managers who are in a direct line of supervision of a grievant, persons residing in the same~~

~~household as the grievant and the following relatives of a participant in the grievance process or a participant's spouse are prohibited from serving as panel members: spouse, parent, child, descendants of a child, sibling, niece, nephew and first cousin. No attorney having direct involvement with the subject matter of the grievance, nor a partner, associate, employee or co-employee of the attorney shall serve as a panel member.~~ **administrative hearing officer, who shall be appointed by the Executive Secretary of the Supreme Court of Virginia. The appointment shall be made from the list of administrative hearing officers maintained by the Executive Secretary pursuant to Code of Virginia § 2.2-4024, as amended, and shall be made from the appropriate geographical region on a rotating basis. In the alternative, the town may request the appointment of an administrative hearing officer from the Department of Human Resource Management. The town shall bear the expense of such officer's services.**

- ~~(2)~~ In all cases there shall be a chairperson of the panel. Panels shall be composed of three persons (one each selected by the respective parties and the third selected by the first two panel members). The third member shall be the chairperson.
 - ~~(3)~~**(2)** Both the grievant and the town may call upon appropriate witnesses and be represented by legal counsel or other representatives at the panel hearing at their respective expense. Such representatives may examine, cross examine, question and present evidence on behalf of the grievant or respondent before the **panel hearing officer** without being in violation of the provisions of Code of Virginia, § 54.1-3904.
 - ~~(4)~~**(3)** The decision of the **panel hearing officer** shall be final and binding and shall be consistent with the provisions of law and written policy.
 - ~~(5)~~**(4)** The question of whether the relief granted by a **panel hearing officer** is consistent with written policy shall be determined by the town manager or his **their** designee, unless such person has a direct personal involvement with the events giving rise to the grievance, in which case the decision shall be made by the county commonwealth's attorney.
- (b) These rules shall govern ~~panel~~ **administrative** hearings:
- (1) ~~Panels~~ **Hearing officers** do not have authority to formulate policies or procedures or alter existing policies or procedures.
 - (2) ~~Panels~~ **Hearing officers** have the discretion to determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing, and, at the request of either party, the hearing shall be private.

- (3) The town shall provide the ~~panel~~ **hearing officer** with copies of the grievance record **at least ten calendar days** prior to the hearing, and provide the grievant with a list of the documents furnished to the ~~panel~~ **hearing officer**. The grievant and ~~his~~ **their** attorney (**if any**), at least ten **calendar** days prior to the scheduled ~~panel~~ **administrative** hearing, shall be allowed access to and copies of all relevant files intended to be used in the ~~grievance proceedings~~. **hearing. At least ten calendar days prior to the hearing, the grievant or their attorney (if any) shall provide the Town and the Administrative Hearing Officer with the documents, exhibits, and lists of witnesses he intends to use at the hearing.**
- (4) ~~Panels~~ **Hearing officers** have the authority to determine the admissibility of evidence without regard to the burden of proof, or the order of presentation of evidence, so long as a full and equal opportunity is afforded to all parties for the presentation of their evidence.
- (5) All evidence shall be presented in the presence of the ~~panel~~ **hearing officer** and the parties, except by mutual consent of the parties.
- (6) Documents, exhibits ~~and~~, lists of witnesses, **and applicable workplace policies and procedures** shall be exchanged between the parties **no later than ten calendar days** in advance of the hearing. **Witnesses or exhibits not so identified and exchanged will not be allowed at the hearing unless the hearing officer finds good cause exists to permit the same.**
- (7) All parties to the grievance will be notified by the ~~panel~~ **hearing officer**, in writing, as to the **date**, time, and place of the hearing. The hearing shall be held at a date, time and place convenient to the parties, **ideally** not more than ~~90~~ **30** calendar days after the ~~selection of the panel.~~ **appointment of the administrative hearing officer or as soon as practicable thereafter.**
- (8) The ~~panel~~ **hearing officer** may, at the beginning of the hearing, ask for **oral or written** statements clarifying the issues involved.
- (9) Exhibits, when offered by the grievant or the town, may be received in evidence by the ~~panel~~ **hearing officer**. When so received, they will be marked and made a part of the record. Hearing proceedings will be recorded **on equipment provided by the town**. If any parties wish to have present a certified court reporter at their expense, they may do so **with each party bearing the cost of any transcripts they wish to obtain.**
- (10) The ~~grievant~~ **moving party (i.e., the grievant except in the case of formal disciplinary action involving a formal written reprimand, disciplinary probation, disciplinary demotion, suspension, or termination, in which case the**

moving party is the town) will present claims and evidence. Witnesses will submit to direct and cross examination. When the ~~grievant~~ **moving party** has finished ~~his~~ **its** case, the ~~town~~ **responding party** will present its evidence. After the ~~town~~ **responding party** has finished its case, the ~~grievant~~ **moving party** will have an opportunity to present rebuttal evidence. The ~~panel~~ **hearing officer** may, at ~~its~~ **their** discretion, vary the procedure, **limit the time allotted for each witness and the number of witnesses**, but ~~it~~ **the hearing officer** shall afford equal opportunity to all parties for presentation of any relevant proof. The ~~chairman~~ **hearing officer** will be the judge of relevancy of the evidence offered. Hearings are not intended to be conducted like proceedings in court, and the rules of evidence do not necessarily apply.

- (11) After both sides have rested, the ~~chairman~~ **hearing officer** shall declare the hearing closed. **If requested by the hearing officer, the parties will provide closing arguments orally or in writing.**
- (12) Failure to comply with a ~~panel~~ **hearing officer's** decision, or reprisals taken as a result of a ~~panel~~ **hearing officer's** decision, shall be considered to be a separate grievance.
- (13) The hearing may be reopened by the ~~panel~~ **hearing officer** on ~~its~~ **their** own motion or upon application of a party for good cause shown at any time before the decision is rendered.
- (14) The ~~majority~~ decision of the ~~panel~~ **hearing officer**, acting within the scope of ~~its~~ **their** authority, shall be final, subject to existing policies, procedures and law.
- (15) The ~~panel~~ **hearing officer's** decision shall be provided within 15 calendar days after the panel hearing to all parties.

Sec. 54-89. - Implementation of ~~panel~~ administrative hearing decisions.

Either party may petition the county circuit court for an order requiring implementation of the panel decision.

Article V. Conflict of Interest

Sec. 54-111. - Disclosure ~~by town officers and employees~~ of personal and real estate interests.

~~As a condition to assuming office or employment, the town manager, the town attorney, the director of finance, the director of parks and recreation, the director of public works, the director of community development, the chief of police, the~~

~~director of information technology, the director of human resources, the director of golf, the deputy town attorney, the deputy director of finance and the purchasing agent shall each file, under oath or affirmation, a disclosure statement of personal interests and other information as required on the form or forms identified in Code of Virginia, §§ 2.2-2115 and 2.2-3117 at such times and for such periods as required by state law. The town clerk shall distribute the statement of economic interest form to the designated individuals at least 20 days prior to the filing deadline.~~

(a) In accordance with Code of Virginia § 2.2-3115(A) the following individuals are required to file the appropriate disclosure statements with the Town Clerk:

- (1) The mayor and members of the town council;**
- (2) The town manager;**
- (3) The town attorney;**
- (4) The deputy town attorney; and**
- (5) The finance director.**

(b) In accordance with Code of Virginia § 2.2-3115(G) the following individuals are required to file the appropriate disclosure statements with the Town Clerk:

- (1) The town manager**
- (2) Members of the town planning commission; and**
- (3) Members of the town board of zoning appeals.**

(c) All persons required under this section to file disclosure statements shall complete the form and file with the town clerk. Such forms will be retained by the town clerk for five years and be available for public inspection upon request under the provisions of the Virginia Freedom of Information Act (Code of Virginia § 2.2-3700 et seq.).

(d) Nothing contained within this section shall be deemed to relieve any person subject to State and Local Government Conflict of Interests Act (Code of Virginia § 2.2-3100 et seq.) or any other law from any requirements of disclosure of their personal interest in a transaction of specific application, not otherwise identified in the forms required thereby, or from the additional

disclosure required by such act or by Code of Virginia § 2.2-3115(F), pertaining to boards of zoning appeals, planning commissions, and the town manager, in their estate interests in real estate located within the town, and they shall make such additional disclosures as required thereby on forms provided for that purpose.

(e) Penalties for violation of this section are in accordance with Code of Virginia §§ 2.2-3120 – 2.2-3127.

2. This ordinance shall be effective on and after the date of its adoption.

TOWN OF HERNDON, VIRGINIA

RESOLUTION

FEBRUARY 14, 2023

Resolution- Award of Contract #D-23-01, General Water and Sanitary Sewer Engineering Services.

WHEREAS, design and maintenance projects for the Town's water and sewer systems are in the Capital Improvement Program (CIP) that require design and engineering services; and

WHEREAS, general services task order consultants have been determined to be a cost effective and efficient means of completing task requirements in support of the execution of CIP and other Town Council approved efforts; and

WHEREAS, RFP #D-23-01 was advertised on October 21, 2022, and clearly identified the nature of the intended services; and

WHEREAS, on November 17, 2022, the Town received four proposals from architectural and engineering firms; and

WHEREAS, an evaluation committee reviewed the proposals and selected two of the applicants to interview, and interviews took place on January 6, 2023; and

WHEREAS, the selection committee selected Whitman Requardt & Associates, LLP and CDM Smith Inc., as the best qualified to provide architectural and engineering services for the Town's water and sanitary sewer system projects; and

WHEREAS, negotiations with Whitman Requardt & Associates, LLP and CDM Smith Inc. have resulted in favorable hourly rates and unit costs for the variety of professional and non-professional disciplines and supporting tasks that will be required for the assigned work; and

WHEREAS, funds to support individual Task Orders will be provided from the appropriate Capital Improvement Program and professional services accounts.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia hereby awards Contract #D-23-01, General Water and Sanitary Sewer Engineering Services, to Whitman Requardt & Associates, LLP and CDM Smith Inc. at the negotiated hourly rates.

TOWN OF HERNDON, VIRGINIA

RESOLUTION

FEBRUARY 14, 2023

Resolution- Award of Contract IFB #23-03, Traffic Marking.

WHEREAS, the Invitation for Bid process was used to solicit offers for traffic marking services; and

WHEREAS, the Invitation for Bid was posted on January 4, 2023 on the eVA Commonwealth of Virginia procurement website and the Town of Herndon website to maximize fullest competition; and

WHEREAS, the following bids were received and opened on January 26, 2023 at a public bid opening:

<u>Contractor</u>	<u>Bid</u>
Midlantic Marking, Inc.	\$43,320.00
Mullen's Markings, Inc.	\$51,524.10
Jen Spy, Inc	\$66,925.00; and

WHEREAS, to ensure availability of equipment and staff to perform contract tasks, staff recommends awarding the contract to two of the bidders, primary and alternate, which will be done on a priority basis: first, by low bid for each line item, and second, by availability; and

WHEREAS, the advertised solicitation establishes an award criteria that states the Town's right to award multiple contracts for all of the specified item(s) or service(s) to more than a single responsive and responsible Bidder, or to award multiple contracts to the lowest responsive and responsible Bidder for each required good, service or equipment; and

WHEREAS, in accordance with the specifications, the contract may be extended by the Town for four successive one-year periods; and

WHEREAS, it is the staff's recommendation to award the contract to the two lowest responsive and responsible bidders, Midlantic Marking, Inc. and Mullen's Markings, Inc.; and

WHEREAS, funds to support this contract are available in Contract Services account number 001-0893-42610.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby authorizes award of Contract IFB #23-03, Traffic Marking to Midlantic Marking, Inc. and Mullen's Markings, Inc.

TOWN OF HERNDON, VIRGINIA

RESOLUTION

FEBRUARY 14, 2023

Resolution- to award contract IFB #B-23-01, Bready Park Tennis Court Renovation

WHEREAS, the Bready Park Tennis Court Renovation is in the Capital Improvement Program; and

WHEREAS, Contract #B-23-01, Bready Park Tennis Court Renovation, was advertised on November 11, 2022; and

WHEREAS, One (1) bid was received and opened on December 19, 2022; and

WHEREAS, the bid submitted by A.P. Construction, LLC in the amount of \$1,500,000.00 was the only bid received and was found to be a responsive and responsible bid; and

WHEREAS, it is staff's recommendation to award the contract to the responsive and responsible bidder, A.P. Construction, LLC; and

WHEREAS, staff recommends in addition to the contract that a contingency of \$200,000.00, which is approximately 13 percent of the bid, be authorized; and

WHEREAS, funds to support this contract are available through funds received from the American Rescue Plan (ARPA); and

NOW, THEREFORE BE IT RESOLVED the Town Council of the Town of Herndon, Virginia, hereby awards Contract #B-23-01, Bready Park Tennis Court Renovation, to **A.P. Construction, LLC**, in the amount of **\$1,500,000.00**, and hereby authorizes the Mayor to sign the contract.

BE IT FURTHER RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby authorizes a contingency of **\$200,000.00**.

BE IT FURTHER RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby authorizes the Town Manager or his designee to approve and effectuate contract modifications (change orders) that increase project scope and costs, utilizing the project contingency.

TOWN OF HERNDON, VIRGINIA

RESOLUTION

FEBRUARY 14, 2023

Resolution - to initiate consideration of a Zoning Ordinance Text Amendment ZOTA #23-01 to amend Chapter 78 (ZONING), Article XIV (Signs), Section 78-141.6 (Sign Standards for Downtown Mixed-Use Districts), to revise the regulations governing the location of wall mounted signs.

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

1. Initiates consideration of an amendment to Chapter 78 (ZONING) of the Herndon Town Code to revise the regulations governing the location of wall mounted signs in the Downtown Mixed-Use zoning districts.
2. Out of public necessity, convenience, general welfare, or good zoning practice, requires the Town Council's consideration of this proposed amendment.

TOWN OF HERNDON, VIRGINIA

ORDINANCE

_____, 2023

Ordinance - to amend Chapter 78 (ZONING), Article XIV (Signs), Section 78-141.6 (Sign Standards for Downtown Mixed-Use Districts), to revise the regulations governing the location of wall mounted signs.

Sec. 78-141.6. – Sign standards for downtown mixed-use districts.

(a) *Freestanding, wall, and temporary signs.* Except as otherwise prohibited in this article, the following signs are permitted as accessory to any properties within the central commercial (CC), planned development-downtown (PD-D), *and* planned development-traditional downtown (PD-TD) zoning districts, the following standards apply:

TABLE 78-141.6(a):

STANDARDS FOR FREESTANDING, WALL AND TEMPORARY SIGNS IN CC, PD-D, and PD-TD DOWNTOWN MIXED-USE DISTRICTS

Type	Freestanding	Wall	Temporary
Number	1 per street frontage when there's more than 150' of street frontage	Up to 2 per establishment	Up to 1 per property
Size	24 SF Max.	24 SF Max. per sign	12 SF max.
Height	8' Max.	N/A	If freestanding: 6' max.
Location	5' Min. from ROW	Limited to ground floor, <i>except when authorized to be in an alternate location through an approved Certificate of Appropriateness</i>	N/A
Illumination	Halo-lit or Indirect Lit	Halo-lit or Indirect Lit	None

Duration	Unlimited	Unlimited	60 Days per calendar year
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TOWN OF HERNDON, VIRGINIA

RESOLUTION

FEBRUARY 14, 2023

Resolution - To endorse the submission of an application to the Department of Transportation, Office of the Secretary, for funding under the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) program, to be directed towards the development and adoption of the Town's 2050 Comprehensive Plan; and

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

1. The Town Council endorses an application for funding assistance under the (RAISE) program to be directed towards the development and adoption of the Town's 2050 Comprehensive Plan, a transformative plan developing guiding policy for the future. The 2050 Comprehensive Plan will require consultant services in the range of \$900,000 and the Town seeks \$720,000 through the RAISE program, while dedicating \$180,000 through its own resources.
2. These funds will ensure that the 2050 Comprehensive Plan creates a future that acknowledges and celebrates the diversity of Herndon, a majority minority community, approximately one-quarter of which is an Historically Disadvantaged Community (Tract 4809). Furthermore, the Town intends to build the 2050 Comprehensive Plan upon a foundation of public input from all stakeholders, including those who are traditionally under-represented in public dialogue.
3. The 2050 Comprehensive Plan will be a roadmap for the Town's future Capital Improvements Program. The 2050 Comprehensive Plan will address the issues of safety, environmental sustainability, quality of life, improved mobility and community connectivity, economic competitiveness and opportunity, state of good repair, partnership and collaboration and innovation, not because they are the criteria for the grant opportunity, but because they address the central needs of this community as we move through the next 25 years.
4. Towards ensuring that the Town has the resources to pursue a process incorporating expansive public engagement, innovative critical thinking, and sound technical knowledge, the Town Council of the Town of Herndon fully supports this application for funding in the amount of \$720,000 for reimbursement through the RAISE Program.

TOWN OF HERNDON, VIRGINIA

RESOLUTION

FEBRUARY 14, 2023

Resolution- to appoint members to the Architectural Review Board and the Historic District Review Board

BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby appoints **Anna Orlando** as the 'Architect/Architectural Historian' member to the Historic District Review Board for a three-year term [resident] effective March 1, 2023 through February 28, 2026.

BE IT FURTHER RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby appoints **Matthew Ossolinski** as the 'Architect' member to the Architectural Review and Historic District Review Boards for a one-year term [non-resident] effective March 1, 2023 through February 28, 2024.