



TOWN COUNCIL MEETING AGENDA

Town Council Chambers
765 Lynn Street, Herndon, VA 20170
Tuesday, October 24, 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. Proclamation in Recognition Muslim American Heritage Month
- b. Town Manager Report
- c. 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. Public Hearings

- a. Resolution 23-G-70 to approve Special Exception Application SE #23-02, to allow product repair services for cell phones and computers in a multi-tenant commercial office building in a Commercial Office, CO, zoning district

6. General

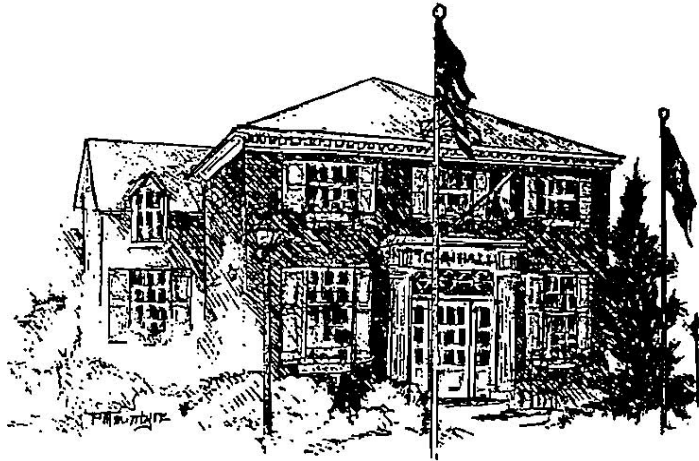
- a. Resolution 23-G-71 to identify holidays to be included in the Town Calendar and to revise the Thursday Farmers Market listing in the Town Calendar

7. Consent

- a. Ordinance 23-O-19 to amend and reenact Chapter 54 (PERSONNEL), Article I (In General), Article II (Pay)
- b. Resolution 23-G-72 to adopt the Community Cultural Festivals Policy Statement
- c. September 19, 2023 Town Council Work Session Minutes
- d. September 26, 2023 Town Council Meeting Minutes

8. Adjournment

Interpretación en Español está disponible en esta sesión.



TOWN OF HERNDON, VIRGINIA
PROCLAMATION
MUSLIM AMERICAN HERITAGE MONTH
OCTOBER 2023

Muslim American Heritage Month provides an opportunity to recognize and celebrate the invaluable contributions of Muslim Americans to the cultural, social, and economic landscape of our country. **Muslim American Heritage Month** serves as a way to educate the public about the rich history, traditions, and values of Muslim Americans ~ promoting cross-cultural understanding and appreciation.

In Herndon, we honor and recognize the rich histories, cultures, and shared principles of Muslim Americans; and we acknowledge that this is the appropriate time to promote understanding, awareness, and appreciation of the contributions of Muslim Americans across all aspects of our society.

Therefore, the Mayor of the Town of Herndon, together with the Herndon Town Council, hereby proclaims the month of October 2023 as **Muslim American Heritage Month** in the Town of Herndon; identifies and celebrates the contributions the Muslim American community has and continues to make that enrich our society; and promotes inclusion, combating discrimination and prejudice ~ working toward social justice and equity for all.

Further, the Mayor of the Town of Herndon, together with the Herndon Town Council, hereby encourages residents to observe the month with appropriate activities and educational programs to celebrate these diverse cultures.

TOWN OF HERNDON, VIRGINIA

RESOLUTION

OCTOBER 24, 2023

Resolution- to approve Special Exception Application SE #23-02, allow product repair services for cell phones and computers in a multi-tenant commercial office building in a Commercial Office, CO, zoning district.

The applicant, Yonatan Mekonnen, 911ifixit.com Phone repair, LLC, has submitted a request for a special exception amendment to permit a product service and repair of cell phones and computers within a multi-tenant commercial office building at **1020 Elden Street, Suite 206**, and identified as Fairfax County Tax Map # 0161 22 0006S.

The Town Council has reviewed this application and has held a public hearing in accordance with the provisions of §15.2-2204 of the State Code and recommended that the application be approved with conditions based upon the finding that the conditions still meet the purpose and intent of the Zoning Ordinance, in particular Section 78-155.3(f)(3) or Section 78-155.3(e)

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

1. The Town Council approves the Special Exception Application SE #23-02 that shall run with the land and not be voided or extinguished from a change in ownership of the property in accordance with the conditions set forth below to achieve compliance with the standards found in Section 78-155.3:
 - a) The personal services business space (Unit 206) shall be utilized in substantial conformance with the proposal.
 - b) The business operations shall be limited to a maximum square footage of 400 for computer repair space.
 - c) Business operations shall comply with local, state, and federal requirements for battery disposal and the space shall not be used for storage of e-waste.

TOWN OF HERNDON, VIRGINIA

RESOLUTION

OCTOBER 24, 2023

Resolution- to identify holidays to be included in the Town Calendar and to revise the Thursday Farmers Market listing in the Town Calendar.

The Town Calendar serves to communicate important annual Town and community information and events to Herndon residents and businesses.

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

1. The Town Calendar will include - in addition to important Town information and events - local, State, and Federal holidays, and the standard holidays recognized by Fairfax County Public Schools.
2. The Thursday Farmers Market listing will include a note that the event is subject to change, as the Town seeks opportunities to establish a weekend market.

TOWN OF HERNDON, VIRGINIA

ORDINANCE

OCTOBER 24, 2023

Ordinance - to amend and reenact Chapter 54 (PERSONNEL), Article I (In General), Article II (Pay)

BE IT ORDAINED by the Town Council of 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 I. In General

Sec. 54-3. – Definitions

~~*Classified employee* means any employee of the town, other than a temporary employee, who holds a position in the employment service of the town, the base salary of which is regulated by a pay plan adopted by the town council.~~

Part-time employee means an individual who is assigned regular working hours of a minimum of ~~20~~ **25** hours but less than 40 hours per workweek.

Article II. Pay

Sec. 54-26. – Holiday pay

All **regular status** personnel, required to work on town holidays, shall receive their regular hourly rate of pay as holiday **leave** pay for that day plus **holiday worked** pay at **time and a half** their regular **hourly** rate for all hours worked on the holiday. **Part-time flexible and temporary status employees working on town holidays shall receive pay at time and a half their regular hourly rate for all hours worked on the holiday.**

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

TOWN OF HERNDON, VIRGINIA

RESOLUTION

OCTOBER 24, 2023

Resolution- to adopt the Community Cultural Festivals Policy Statement.

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

1. The “Community Cultural Festivals Policy Statement” is adopted as presented.
2. The Town Manager is directed to develop and implement the administrative process to enact the policy.

Town of Herndon Community Cultural Festivals Policy Statement

Background

Town Council has expressed support in providing funding to encourage the development and hosting of Community Cultural Festivals within the Town of Herndon. Often referred to in discussions with Town Council as “mini-festivals,” the desire is to complement the town’s already robust community event opportunities, with focus placed on celebrating and sharing the cultures represented in the community.

This policy statement sets the foundation supporting donations for Community Cultural Festivals within the Town of Herndon. This policy framework will guide the staff’s development of necessary processes and procedures to fulfill the Town Council’s policy objectives as directed through this policy statement.

The objectives of this policy are to:

1. support a variety of events each year that celebrate and share the cultures represented in the community, are open and welcoming to all, and bridge parts of the Herndon community to meet and together build understanding and community;
2. serve as an economic driver to bring visitors to Herndon and support the local business community, in the downtown and in commercial centers throughout the Town; and
3. support and activate the Town of Herndon brand.

Available Funding

The Town Council may allocate funding for Community Cultural Festivals through the annual budgeting process. Funding availability and award of funds are subject to Town Council action.

Monetary Donations in Support of Community Cultural Festivals

The Town Council’s intention is to provide a monetary contribution, with limited provision of in-kind town services, in support of the establishment of Community Cultural Festivals within the town’s corporate limits. In-kind town services in support of Community Cultural Festivals are not guaranteed and are based on availability of staffing and resources.

The disbursement of funds included in the adopted budget in support of Community Cultural Festivals within the Town of Herndon are considered donations and require Town Council action.

For the purposes of this policy statement, *Community Cultural Festivals* are community-oriented events that are free and open to the public, may be held on public or private property, and celebrate and share the cultures represented in the Herndon community. For the purposes of this policy statement, Community Cultural Festivals shall not directly benefit any business or individual.

Program Qualifications and Guidelines

- Non-profit and not-for-profit organizations in good legal standing hosting or co-hosting a Community Cultural Festival may be eligible for a donation through this program. Individuals and businesses are not eligible for funding through this program; monies shall not be remitted to individuals, business entities, or announced candidates for political office. The Town does not promote or advocate political or religious events.
- To make a funding request, qualified applicants must complete an application process and provide an event description and detailed event cost estimate, and submit to the Town within the procedures' stated time frame applicable to the planned event size. Funding requests shall not exceed event cost estimates.
- Community Cultural Festival donation requests will be brought to the Town Council for consideration and action on the donation request. Community Cultural Festival donation applications will be reviewed administratively by Town staff to ensure all event requirements are met prior to Council consideration of the donation request. Approved disbursements for Community Cultural Festivals will be remitted to the non-profit or not-for-profit event host/co-host. The Town will not contract with or disburse funds directly to event vendors or contractors.
- Requests for funding for Community Cultural Festivals are open throughout the fiscal year (July 1 – June 30), subject to funding availability, and on a first come, first served basis. Once the fiscal year's allocated funding is appropriated, no additional donation requests will be considered for the fiscal year. Applications may be submitted up to one year before the event date.
- The application process is administered and maintained by the Town Manager's Office, and the Town Manager has the authority to administratively update and revise the process and set applicable administrative fees, as appropriate.

Logo Use

- Approved Community Cultural Festivals receiving funding from the Town of Herndon may use the town logo on event marketing as a donating organization.
- The Town may provide cross-marketing support for Community Cultural Festivals receiving monetary support from the Town through this program.