



TOWN COUNCIL WORK SESSION AGENDA

Town Council Chambers
765 Lynn Street, Herndon, VA 20170

Tuesday, April 2, 2024 | 7:00 PM

1. Call to Order

2. Public Hearings

- a. Fiscal Year (FY) 2025 Proposed Budget
 - i. Ordinance to amend Chapter 74 (UTILITIES), Article II (Sewers and Sewage Disposal), Division 5 (Sanitary Sewer System Rates and Charges), Section 74-262 (Schedule of Rates); and Article III (Water), Division 2 (Service), Subdivision II (In-Town Service Charges), Section 74-326 (Schedule of Charges), to increase the service and usage charges for sanitary sewer and water, effective for meter readings taken on or after July 1, 2024
 - ii. Ordinance to Levy Taxes on Real Estate and Manufactured Homes, and Other Subjects for the Fiscal Year 2025 Budget
 - iii. Resolution to adopt a Fiscal Planning Resolution for the Fiscal Year 2025 Budget for the Town of Herndon
 - iv. Ordinance to appropriate funds to implement the Fiscal Year 2025 Budget for the Town of Herndon, establishing the Pay Plan, and reserving on-going and Capital Funding for this Fiscal Year

3. General

- a. Resolution to amend the Herndon Centennial Golf Course Fee Schedule
- b. Ordinance to amend the Herndon Town Code, Chapter 26 (ENVIRONMENT), Article VI (Noise), Section 26-221 (Loud noises prohibited), to further clarify language relating to animal noises
- c. Resolution to award Contract RFP# 24-02, Marketing and Branding Consultant

4. Consent

- a. Resolution to award Contract IFB# 24-04, Asphalt Concrete Milling and Paving

5. Discussion

- a. Discussion of Town of Herndon, Dulles Chamber Event Partnership Modernization - Councilmember Scherff
- b. Outdoor Seating Request at Green Lizard, Ordinance Modification - Councilmember del Aguila

6. Roundtable

7. Closed Meeting

- a. A closed meeting pursuant to the:
 - Code of Virginia Section 2.2-3711 (A)(3), a matter involving a discussion or consideration of the acquisition of real property for a public purpose in the downtown because discussion in an open meeting would adversely affect the town's bargaining position or negotiating strategy; and
 - Code of Virginia Section 2.2-3711(A)(8), consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, relating to real estate in the downtown.

8. Adjournment

Agenda Item: Ordinance to amend Chapter 74 (UTILITIES), Article II (Sewers and Sewage Disposal), Division 5 (Sanitary Sewer System Rates and Charges), Section 74-262 (Schedule of Rates); and Article III (Water), Division 2 (Service), Subdivision II (In-Town Service Charges), Section 74-326 (Schedule of Charges), to increase the service and usage charges for sanitary sewer and water, effective for meter readings taken on or after July 1, 2024

Meeting Date: April 2, 2024

Category: Public Hearings

Prepared by: Bill Ashton , Town Manager, Marjorie Sloan, Finance Director

Description:

Staff submits a proposed ordinance to implement Water-Sewer rates for fiscal year 2025.

Background:

As part of the Fiscal Year (FY) 2025 Budget process, the Water-Sewer Rates model was updated, resulting in proposed Water-Sewer rates for FY 2025. The FY 2025 proposed rates are increased from the current rates as follows:

Water Quarterly Service Charge	30%
Water volumetric rates, Base and Peak	17.5%
Sewer Quarterly Service Charge	25%
Sewer Volumetric rates	8%

With adoption of the new rates, the average household (based on a 12,000 gal/Qtr.) would be impacted \$86.24 annually.

Budget Impact:

The rate increases for FY 2025 are expected to result in incremental revenue of \$1.2M.

Recommendation:

Staff recommends adoption of the proposed ordinance.

Attachments:

1. Ordinance (Proposed)

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

ORDINANCE

APRIL 23, 2024

Ordinance- to amend Chapter 74 (UTILITIES), Article II (Sewers and Sewage Disposal), Division 5 (Sanitary Sewer System Rates & Charges), Section 74-262 (Schedule of Rates); and Article III (Water), Division 2 (Service), Subdivision II (In-Town Service Charges), Section 74-326 (Schedule of Charges), to increase the service and usage charges for sanitary sewer and water, effective for meter readings taken on or after July 1, 2024.

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

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

CHAPTER 74 (UTILITIES)

Article II. Sewers and Sewage Disposal.

Division 5. Sanitary Sewer System Rates and Charges.

Sec. 74-262. – Schedule of Rates.

- (a) The rate schedule for sanitary sewer service shall be determined on the basis of water consumed and shall be charged at the rate of ~~\$8.27~~ **\$8.93** per 1,000 gallons of water used, except as otherwise provided in this division.

- (f) A service charge per bill rendered shall be assessed for all metered water service as follows:

Quarterly Billing

Meter Size (inches)	Charge
5/8	\$10.21 \$12.76
3/4	\$14.10 \$17.63
1	\$21.89 \$27.36
1 1/2	\$41.36 \$51.70
2	\$64.72 \$80.90
3	\$127.02 \$158.78
4	\$197.11 \$246.39
6	\$391.80 \$489.75

Article III. Water.

Division 2. Service.

Subdivision II. In-Town Service Charges

Sec. 74-326. – Schedule of Charges.

- (a) The water usage charge shall be ~~\$3.47~~ **\$4.08** per 1,000 gallons, based on the consumption of water as measured by readings of the water meter serving the property.
- (b) A service charge per bill rendered shall be assessed for all metered water service as follows:

Quarterly Billing

Meter Size (inches)	Charge
5/8	\$12.57 \$16.34
3/4	\$18.85 \$24.51
1	\$31.40 \$40.82
1 1/2	\$62.82 \$81.67
2	\$100.50 \$130.65
3	\$201.02 \$261.33
4	\$314.10 \$408.33
6	\$628.19 \$816.65

- (c) All water consumed during the peak use periods in excess of the average consumption of the preceding two winter quarter billing periods shall be charged an additional amount of ~~\$5.91~~ **\$6.94** per 1,000 gallons. This peak use period charge shall be applied in addition to the base water usage charge in subsection (a) above.

2. This ordinance shall be effective for all meter readings taken on or after July 1, 2024.

Agenda Item: Ordinance to Levy Taxes on Real Estate and Manufactured Homes, and Other Subjects for the Fiscal Year 2025 Budget

Meeting Date: April 2, 2024

Category: Public Hearings

Prepared by: Bill Ashton , Town Manager, Marjorie Sloan, Finance Director

Description:

The proposed ordinance approves the levy of taxes for Fiscal Year (FY) 2025 related to real estate, manufactured homes and other subjects.

Background:

The proposed ordinance fixes and orders the tax levy for real estate and manufactured homes at \$0.2600 per \$100 of assessed value for FY 2025. The rate remains unchanged from FY 2024, and down \$0.0050 from FY 2023.

Budget Impact:

N/A

Recommendation:

Staff recommends approval of the proposed ordinance.

Attachments:

1. Ordinance (Proposed)

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

ORDINANCE

APRIL 23, 2024

**Ordinance- to Levy Taxes on Real Estate and Manufactured Homes, and Other
Subjects for the Fiscal Year 2025 Budget.**

BE IT ORDAINED by the Town Council of the Town of Herndon, Virginia, that the Town Council fixes and orders the tax levies for the fiscal year beginning July 1, 2024, and ending June 30, 2025, as follows:

1. Real Estate: **\$.2600** on each \$100.00 of the valuation of real estate and improvements to the Town.
2. Personal Property and Merchants' Capital: **\$.00** on each \$100.00 of the valuation of tangible personal property classified by Sections 58.1-3503 and 58.1-3510 of the Code of Virginia.
3. Vehicles Used as Manufactured Homes and Offices: **\$.2600** on each \$100.00 of the valuation of vehicles without motive power, used or designed to be used as manufactured homes as classified by Section 58.1-3506(A), paragraph 10, of the Code of Virginia.
4. Farm Machinery, Farm Tools, and Farm Livestock: **\$.00** on each \$100.00 of the valuation of farm machinery, farm tools and farm livestock as classified by Section 58.1-3505 of the Code of Virginia.
5. Machinery and Tools: **\$.00** on each \$100.00 of the valuation of machinery and tools classified by Section 58.1-3507 of the Code of Virginia.
6. Other Classifications of Tangible Personal Property: **\$.00** on each \$100.00 of the valuation of tangible personal property as classified by Section 58.1-3506 [except for Section 58.1-3506(A), paragraph 10] of the Code of Virginia.
7. Miscellaneous Levies: Except as provided above and by other ordinances adopted by the Town Council in this budget cycle, all other taxes and licenses previously enacted by the town are imposed and levy made to the same extent and at the same rate as during the Fiscal Year 2024.

Agenda Item: Resolution to adopt a Fiscal Planning Resolution for the Fiscal Year 2025 Budget for the Town of Herndon

Meeting Date: April 2, 2024

Category: Public Hearings

Prepared by: Bill Ashton , Town Manager, Marjorie Sloan, Finance Director

Description:

This resolution is to adopt the proposed budget for fiscal planning purposes during the Fiscal Year (FY) 2025 for the Town of Herndon.

Background:

In accordance with the requirements outlined in the Code of Virginia § 15.2-2503, 15.2-2506, and 58.1-3321, the Town Manager has submitted the proposed budget for FY 2025 to the Town Council by April 1, and properly advertised the public hearings on the proposed budget.

Budget Impact:

N/A

Recommendation:

Staff recommends adoption of the resolution.

Attachments:

1. Resolution (Proposed)

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

RESOLUTION

APRIL 23, 2024

**Resolution- to adopt a Fiscal Planning Resolution for the Fiscal Year 2025
Budget for the Town of Herndon.**

Pursuant to the requirements outlined by Code of Virginia § 15.2-2503, 15.2-2506, and 58.1-3321, the Town Manager of the Town of Herndon, Virginia has submitted to the Town Council of the Town of Herndon, a proposed budget by April 1, and the town properly advertised the April 9, and April 23, 2024 public hearings on the proposed budget.

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

1. For the purposes of fiscal planning during the fiscal year 2025 for the Town of Herndon, Virginia, the budget prepared by the Town Manager, sent out in "Proposed FY 2025 Budget", on file in the office of the Town Manager, is adopted.

Agenda Item: Ordinance to appropriate funds to implement the Fiscal Year 2025 Budget for the Town of Herndon, establishing the Pay Plan, and reserving on-going and Capital Funding for this Fiscal Year

Meeting Date: April 2, 2024

Category: Public Hearings

Prepared by: Bill Ashton , Town Manager, Marjorie Sloan, Finance Director

Description:

The ordinance is to appropriate funds to implement the Fiscal Year (FY) 2025 budget.

Background:

All town expenditures are subject to the appropriation of funds by the Town Council. The town must adopt a structurally balanced annual budget by July 1 of each fiscal year. A structurally balanced budget is defined as one in which total recurring revenues and other financing sources are equal to total anticipated recurring expenditures. The proposed Budget for FY 2025 was submitted by the Town Manager, advertised as required, published on the website, and public hearings were conducted.

Budget Impact:

N/A

Recommendation:

Staff recommends adoption of the ordinance.

Attachments:

1. Ordinance (Proposed)

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

ORDINANCE

APRIL 23, 2024

Ordinance- **to appropriate funds to implement the Fiscal Year 2025 Budget for the Town of Herndon, establishing the Pay Plan, and reserving on-going and Capital Funding for this Fiscal Year.**

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

1. There is appropriated and authorized for expenditure during the Fiscal Year (FY) 2025 such sums as appear in the Fiscal Planning Budget for the Fiscal Year 2025 as set out in "Proposed FY 2025 Budget", on file in the office of the Town Manager, and as may be subsequently modified by the Town Council.
2. No money shall be withdrawn from the treasury of the town and no obligation for expenditure of money can be incurred, except in accordance with the Fiscal Planning Budget, or with supplemental appropriations as may be made by the Town Council.
3. The town advertised the public hearing at least once in The Fairfax County Times newspaper and held a public hearing on the proposed budget at least seven days prior to approval of the proposed budget.
4. The Fiscal Year 2025 proposed schedule of salaries, set out in the Fiscal Planning Budget, are adopted effective July 1, 2024.
5. The Town Council may award to the Town Manager and the Town Attorney bonuses as provided for in the Fiscal Planning Budget for Fiscal Year 2025 for exceptional services rendered. Any such bonuses shall not become a part of these officers' annual salary.
6. The Town Council reserves, encumbers, and appropriates for Fiscal Year 2024 funding for capital and on-going projects, for which funds were previously appropriated. The Town Manager as of July 1, 2024, shall take the appropriate accounting steps to reserve and encumber these funds as of that date for Fiscal Year 2025 and to report to the Mayor and Town Council in this regard.

Agenda Item: Resolution to amend the Herndon Centennial Golf Course Fee Schedule

Meeting Date: April 2, 2024

Category: General

Prepared by: Mike Mueller, Golf Course General Manager

Description:

This is a request to amend the Herndon Centennial Golf Course Fee Schedule. It is the intent of the town to remain competitively priced relative to other area public golf courses. The proposed amendment continues to provide town residents with a twenty five percent (25%) discount on greens fees, rounded to the nearest dollar, and includes a ten percent (10%) resident discount on annual passes.

Background:

The Herndon Centennial Golf Course is an enterprise fund operation and must generate sufficient revenues to meet all personnel, operating, capital and debt service expenses. The last amendment to fees occurred in April 2022.

Budget Impact:

The FY 2025 Golf Course proposed budget is based on the recommended fee schedule to cover personnel, operating, capital and debt service expenses.

Recommendation:

Recommend approval of the Resolution as presented.

Attachments:

1. Resolution (Proposed)

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

RESOLUTION

APRIL 9, 2024

Resolution- to amend the Herndon Centennial Golf Course Fee Schedule.

It is the intent of the Town Council to remain competitively priced relative to other area public golf courses.

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

1. The amended fees proposed below to the Herndon Centennial Golf Course fee schedule are adopted.

<u>Greens Fees</u>	<u>Current</u>	<u>Proposed</u>
Weekday (18 holes)	\$38.00	\$41.00
Weekday (9 holes)	\$27.00	\$32.00
Weekend (18 holes)	\$54.00	\$57.00
Weekend (9 holes)	\$34.00	\$37.00
Weekday Sr./Jr. (18 holes)	\$32.00	\$35.00
Weekday Sr./Jr. (9 holes)	\$22.00	\$25.00
Resident Discount (Greens Fees)*	25%	25%
*Resident discount on the green fees rounded to the nearest dollar.		
<u>Cart Fees</u> [^]	<u>Current</u>	<u>Proposed</u>
18 holes per person	\$18.87	\$19.81
9 holes per person	\$13.21	\$15.09
[^] Cart fees are before tax amounts. Six percent (6%) sales tax will be charged on cart fees.		

<u>Annual Passes</u>	<u>Current</u>	<u>Proposed</u>
Mon.-Fri. Annual Pass Five Day	\$1,450.00	\$1,750.00
Seven Day Annual Pass	\$2,200.00	\$2,500.00
Senior Mon.-Fri. Annual Pass	\$1,300.00	\$1,600.00
Junior Mon.-Fri. Annual Pass	\$900.00	\$900.00
Resident Discount (Annual Passes)	N/A	10%
• Twilight Rates are discounted by \$6.00 after 3 p.m. and \$15.00 after 6 p.m. • Weekend Rates start on Fridays at 11:00 a.m.		

2. The town manager or the town manager's designee may increase or decrease rates during peak or non-peak times or during various weather conditions to not exceed more than ten percent (10%) of the rate.
3. Discounts for seniors will start at age 65.
4. This resolution shall be effective upon May 1, 2024.

Agenda Item: Ordinance to amend the Herndon Town Code, Chapter 26 (ENVIRONMENT), Article VI (Noise), Section 26-221 (Loud noises prohibited), to further clarify language relating to animal noises

Meeting Date: April 2, 2024

Category: General

Prepared by: Lauri Sigler, Deputy Town Attorney

Description:

The Town of Herndon's noise ordinance was last amended in response to a landmark decision by the Virginia Supreme Court in April of 2009, in Tanner v. City of Virginia Beach, where the Court found that the "reasonable person" standard in most noise ordinances at the time, including the Town of Herndon, was vague, subjective and could lead to arbitrary enforcement. The town, like many other localities, amended their noise ordinances to replace the "reasonable person standards" with more objective standards that prohibit noise in specific circumstances and during specific times. On December 8, 2009, the Town Council amended Chapter 26 of the Town Code regarding noise, to conform with the new legal standards.

Violations of the Noise Ordinance are enforced by the Herndon Police Department and constitute a class 3 misdemeanor punishable by a fine of not less than \$100.00 or more than \$500.00. Although Sec. 26-221 prohibiting specific loud noises, was amended in 2009, Sec. 26-221(b) that regulates animal or bird noises does not contain the same specific time prohibitions and limitations as do other related noises in the Town. As an example Sec. 26-221(a) states it shall be unlawful for any person to use or play any radio "or other machine or device capable of producing or reproducing sound in such a manner or with such volume or duration that it is plainly audible (i) between 10:00 p.m. and 7:00 a.m., inside the confines of the dwelling unit, house, apartment, or condominium of another person or (ii) at any time 50 or more feet from the device, except in any case of use of permitted sound amplifying equipment."

The Town Attorney's office has recommended, and the Herndon Police Department has requested amendments to Sec. 26-221(b) to be more consistent with standards applicable to other types of prohibited loud noises in the Town to allow for more uniform enforcement.

Background:

N/A

Budget Impact:

None.

Recommendation:

Recommend adoption of the Ordinance as proposed.

Attachments:

1. Ordinance (Proposed)

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

ORDINANCE

APRIL 9, 2024

Ordinance- to amend the Herndon Town Code, Chapter 26 (ENVIRONMENT), Article VI (Noise), Section 26-221 (Loud noises prohibited), to further clarify language relating to animal noises.

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

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

CHAPTER 26 (ENVIRONMENT)

Article VI. Noise

Sec. 26-221 – Loud noises prohibited.

It shall be unlawful for any person:

- (b) ~~To allow an animal or bird to emit continued or repeated howling, barking, whining, meowing, squawking and so produce noise which is plainly audible inside the confines of the dwelling unit, house, apartment, or condominium of another person, or which is plainly audible across a residential property boundary.~~ **or otherwise permit an animal or bird under their control to bark, whine, howl, bay, meow, squawk, quack, crow or make such other sound:**
- (1) **Between 10:00 p.m. and 7:00 a.m. that is plainly audible inside the confines of the dwelling unit, house, apartment, or condominium of another person with doors and windows closed and the source of sound generation shall be discernible regardless of whether such doors or windows are closed; or**
- (2) **Between 7:00 a.m. and 10:00 p.m. when the animal or bird sound is plainly audible and discernible across real property boundaries or through partitions common to the dwelling unit, house, apartment, or condominium of another and such sound can be heard for more than five consecutive or non-consecutive minutes in any ten-minute period of time. Animal**

or bird sounds that can be heard for less than five consecutive or non-consecutive minutes in any ten-minute period shall not be subject to this Article.

The provisions of this subsection shall not apply to any animal or bird that, at the time of the sound or sound generation, was responding to pain or injury or was protecting itself, its kennel, its offspring, or a person from an actual threat; when the animal is a police dog that is engaged in the performance of its duties at the time of making the sound; or when part of a bona fide agricultural operation. This provision shall apply to all animal or bird sounds emanating from the same property. Notwithstanding the provisions of this subsection, animals located in a dog park shall be subject to the provisions of subsection (h) of this section.

- (g) To generate and emit sound that becomes noise from equipment or operation of any business or nonresidential establishment in such a manner or with such volume or duration that the noise is plainly audible (i) between 10:00 p.m. and 7:00 a.m., inside the confines of the dwelling unit, house, apartment, or condominium of another or (ii) at any time 50 feet or more from the source of the noise, except in case of emergency or in conformity with the zoning ordinance which in case of conflict with this article shall predominate as to the application of this subsection.
- (h) **The use of dog parks between dusk and 7:00 a.m. Sunday through Thursday, or between dusk and 8:00 a.m. on Friday, Saturday and the day before a Federal holiday.**

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

Agenda Item: Resolution to award Contract RFP# 24-02, Marketing and Branding Consultant

Meeting Date: April 2, 2024

Category: General

Prepared by: Anne Papa, Chief Communications Officer

Description:

This is a request to award a contract for RFP #24-02, Marketing and Branding Consultant.

Background:

An initiative of the Herndon Town Council is to undertake a rebranding exercise, with the objective to: 1) update the messaging and positioning represented by the town's brand; and 2) effectively employ the brand to market Herndon as a desirable location in which to live, work and visit.

On January 4, 2024, the town issued a Request for Proposals (RFP) for a marketing and branding consultant to facilitate the rebranding process through research, development of brand positioning and concept, and development of a marketing plan. RFP #24-02 was posted on the eVA Commonwealth of Virginia procurement website and the Town of Herndon website to maximize competition. The town received 32 proposals for evaluation by the RFP due date of February 14, 2024.

Staff familiar with the town's marketing and branding requirements served on the committee that evaluated the proposals. The top-ranked offeror recommended by the committee is Chandlerthinks LLC.

Budget Impact:

The cost is \$84,000; funds to support the work established by the contract are available in the FY 2024 Budget.

Recommendation:

Staff recommends award of Contract RFP #24-02 to Chandlerthinks, LLC

Attachments:

1. Resolution (Proposed)

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

RESOLUTION

APRIL 9, 2024

Resolution- to award Contract RFP #24-02, Marketing and Branding Consultant.

An initiative of the Herndon Town Council is to undertake a rebranding exercise, with the objective to 1) update the messaging and positioning represented by the town's brand; and 2) effectively employ the brand to market Herndon as a desirable location in which to live, work and visit.

On January 4, 2024, the town issued a Request for Proposals (RFP) for a marketing and branding consultant to facilitate the rebranding process through research, development of brand positioning and concept, and development of a marketing plan. RFP #24-02 was posted on the eVA Commonwealth of Virginia procurement website and the Town of Herndon website to maximize competition. The town received 32 proposals for evaluation by the RFP due date of February 14, 2024.

Staff familiar with the town's marketing and branding requirements served on the committee that evaluated the proposals. The top-ranked offeror recommended by the committee is Chandlerthinks LLC. The cost is \$85,500; funds to support the work established by the contract are available in the FY 2024 Budget.

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

1. The Town Council awards Contract RFP #24-02 to Chandlerthinks, LLC.

Agenda Item: Resolution to award Contract IFB# 24-04, Asphalt Concrete Milling and Paving

Meeting Date: April 2, 2024

Category: Consent

Prepared by: Tammy Chastain, Deputy Director of Public Works, Scott E Robinson, Public Works Director

Description:

Resolution to award a contract for asphalt concrete milling and paving services.

Background:

The intent of this procurement is to establish a term contract with a qualified contractor for asphalt concrete milling and paving at various locations throughout the Town of Herndon. The Contractor shall provide all necessary labor, materials (unless provided by the Town), installation, equipment, troubleshooting, supervision, and related work as required or directed per Virginia Department of Transportation (VDOT) standards.

Contract #24-04, Asphalt Concrete Milling and Paving was advertised on February 15, 2024. A mandatory pre-bid conference was held on February 29, 2024, with five contracting firms in attendance. On March 18, 2024, the following bids were received:

Contractor	Bid Amount
Arthur Construction Co., Inc.	\$876,325.50
Finley Asphalt & Sealing LLC	\$1,103,785.12
Virginia Paving Company	\$1,174,970.15

The advertised solicitation establishes an award criterion that states the Town's right to award multiple contracts to more than a single responsive and responsible bidder. All bidders were found to be responsive and responsible, and the town intends to award the contract to the two lowest bidders.

Budget Impact:

Funds to support this contract are available in the Fiscal Year (FY) 2024 Street Maintenance & Construction, Repaving Program and the Major Road Repaving Projects Capital Improvement Program account.

Recommendation:

Staff recommends that contract IFB# 24-04, Asphalt Concrete Milling and Paving be awarded to multiple contractors for each item on a priority basis; first by cost; and second by availability.

Attachments:

1. Resolution (Proposed)

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

RESOLUTION

APRIL 9, 2024

Resolution- to award Contract IFB# 24-04, Asphalt Concrete Milling and Paving.

The town has solicited by posting the Invitation for Bid (IFB) for a qualified contractor for asphalt concrete milling and paving at various locations throughout the Town of Herndon. The Contractor(s) shall provide all necessary labor, materials (unless provided by the Town), installation, equipment, troubleshooting, supervision, and related work as required or directed per Virginia Department of Transportation (VDOT) standards.

The advertised solicitation establishes an award criterion that states the Town's right to award multiple contracts to more than a single responsive and responsible bidder. All bidders were found to be responsive and responsible, and the Town intends to award the contract to the two lowest bidders.

The two lowest bidders are:

Contractor	Bid Amount
Arthur Construction Co., Inc.	\$876,325.50
Finley Asphalt & Sealing LLC	\$1,103,785.12

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

1. The Town Council awards Contract IFB #24-04 to Arthur Construction Co., Inc., first and Finley Asphalt & Sealing, LLC., second.

Agenda Item: Discussion of Town of Herndon, Dulles Chamber Event Partnership Modernization - Councilmember Scherff

Meeting Date: April 2, 2024

Category: Discussion

Prepared by: Councilmember Scherff

Description:

For consideration as provided by Councilmember Scherff:

1. Staff Event Support - Staff
2. Goal of modernization - Donielle Scherff
 - Interorganizational agreement
 - Cadence of communication
 - Working towards equity, either in concert or in parallel.

The goal of this item is to brief the Council on Councilmembers Scherff and del Aguila's meeting with the Chamber of Commerce regarding our Friday Night Live (FNL) partnership and beyond; and maintain open transparent communication with the public on this issue so there is no misunderstanding of our intent.

After this session, we will be inviting the Chamber of Commerce to a subsequent work session to be in conversation, publicly with the entire council.

Background:

N/A

Budget Impact:

N/A

Recommendation:

N/A

Attachments:

None

Agenda Item: Outdoor Seating Request at Green Lizard, Ordinance Modification - Councilmember del Aguila

Meeting Date: April 2, 2024

Category: Discussion

Prepared by: Councilmember del Aguila

Description:

For consideration as provided by Councilmember del Aguila:

Discussion to modify/justify the cost to promote usage and increase adoption of outdoor seating.

Background:

N/A

Budget Impact:

N/A

Recommendation:

N/A

Attachments:

None