

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **January 8, 2013**

AGENDA ITEM NO: 1

CONSENT: REGULAR: WORK SESSION: **X**

ACTION: INFORMATION: **X**

ITEM TITLE: **Desman Associates; Presentation of the Downtown Parking Deck Feasibility Study**

RECOMMENDATION: No action required at this time. The report should be reviewed by the Parking Authority which can then make recommendations to Council.

SUMMARY: The City of Lynchburg has conducted three parking studies over the last 18 years. All of the studies identified the need for an additional downtown parking deck. On October 13, 1995, Wilbur Smith Associates prepared and presented a downtown parking study to the Lynchburg Parking Authority. Sasaki Associates, Inc. presented the Lynchburg Downtown & Riverfront Plan in February 2001. On September 14, 2007, Carl Walker, Inc. presented the Lynchburg Strategic Parking Plan. Council endorsed the Strategic Parking Plan on December 11, 2007.

During the City of Lynchburg Parking Authority meeting on October 11, 2011, the Central Virginia Criminal Justice Academy requested that the Parking Authority consider sharing the cost to build a downtown parking deck. The Parking Authority agreed to explore the matter and Desman Associates was selected to conduct a feasibility study. Desman reviewed the prior studies, met with downtown stakeholders, and examined documentation regarding the operation of the city's parking program. The results of their analysis of the feasibility of constructing a new parking deck downtown are in the attached report.

Desman Associates representatives will make a presentation to a joint meeting of the Parking Authority and City Council at 3:00 p.m., Tuesday, January 8, 2013.

PRIOR ACTION(S): December 11, 2007 – Endorsement of Strategic Parking Plan presented by Carl Walker, Inc.

BUDGET IMPACT: Undetermined at this time, however, the Desman report suggests that a new parking deck could be financed with parking program revenues.

CONTACT(S): Norman Hale, 434-455-3997; Lee Newland, 434-455-3947

ATTACHMENT(S): Downtown Parking Deck Feasibility Presentation by Desman Associates

REVIEWED BY: lkp

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MEMORANDUM

TO: Norman Hale City of Lynchburg
Lee Newland City of Lynchburg

FROM: Michael Connor DESMAN Associates
John Judge DESMAN Associates

DATE: December 6, 2012

RE: Downtown Parking Deck Feasibility Consulting and Development
City of Lynchburg, Virginia
Project 30-12110-3

In accordance with our contracted scope of services (ref. DESMAN memorandum dated July 20, 2012), DESMAN submits this technical memorandum summarizing all tasks completed to date.

I. Review of Information Provided

Included among the provided master plans and current design projects were the 2012 Lower Bluff Walk 2 master plan prepared by Nelson Byrd Woltz and the 2000 Downtown and Riverfront Master Plan by Sasaki. Based on our review of the provided master plans, current design and construction projects, and our walking tour, we concluded that the Bluff Walk project (located midblock between Commerce Street and Jefferson Street between 10th Street and Washington Street) will eventually serve as a second pedestrian traffic artery complementing the existing pedestrian traffic artery along Main Street. Secondary pedestrian traffic arteries will naturally occur along 9th Street, 11th Street, 12th Street, and 13th Street as the Downtown reconnects with the James River.

The major vehicular traffic streets are Church Street for eastbound traffic and Main Street for westbound traffic. 5th Street and the Lynchburg Expressway serve as bypass routes for northbound and southbound traffic to skirt the edge of Downtown on its perimeter.

Any subject site studied for parking development must consider the site's proximity and ease of access to the vehicular and pedestrian traffic spines.

A number of potential parking development locations had been previously identified by Others. Those locations as well as development challenges are noted below.

- Jefferson and 8th Street (Existing City Parking Lot N). Development at this location would require temporary reassignment of permit parkers in City Lot N.
- Commerce and 10th Street (Existing parking deck behind Sun Trust Building). Development at this location would require property acquisition and demolition of the existing parking structure.
- Commerce and 7th Street (Existing Genworth Parking lot). Development at this location would require protection of existing utility equipment may require demolition of the existing parking structure.
- Main and 5th Street (Existing Holiday Inn Parking Deck). Development assumes existing Holiday

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Inn structure may be expanded vertically. Upper floors of the structure would require closure during the construction period.

- Commerce and 11th/12th Street (Existing Parking Lots controlled by Innovative Wireless Technologies and Central Virginia Criminal Justice Academy). Development at this location would require temporary reassignment of permit parkers in private surface lots.
- Commerce at 12th/13th Street (Miscellaneous properties currently developed). Development at this location would require property acquisition and demolition of existing buildings.

With regards to parking operations and management, the City's Parking Management Department provided the following material.

- 2007 Strategic Parking Plan
- 2010 City of Lynchburg General Obligation Public Improvement Refunding Bond document
- Lynchburg Downtown & Riverfront Master Plan 2000
- FY 2011 Permits Issued Report
- FY 2011 (actual) through FY2013 (adopted) Parking Management Operating Budget
- July 1, 2011 through June 30, 2012 Parking Management Permit, Transient, and Fine Revenue
- Lease agreements with various private property owners regarding public management of private parking lots
- Copies of various Parking Manager's Reports and memorandum to the City Council (2009-2011)

It would appear that with the creation of the Parking Manager position the City of Lynchburg has been working diligently to centralize and formalize the administration of the City's public parking assets and its continues to work toward that end. However, the goal of a single-source responsibility center has not yet been achieved, particularly as it relates the parking department's ability to access and interpolate parking related financial data. The role and responsibility of the Lynchburg Parking Authority in the day to day administration of the system or in long-range planning and finance is, to this consultant, unclear.

II. City Stakeholder Interviews

DESMAN Associates met with interested parties August 28-29 for the purpose of discussing current parking conditions in the Downtown, focusing on the need and the potential location for a new parking structure. There is significant local interest in the project represented by the strong turnout in stakeholders and meeting coverage provided by print and television media. Among the highlights learned during our sessions:

- o **Land Use.** There is strong demand for Downtown residential units. The warehouse conversions to loft apartments trend is expected to continue and there are a number of planned residential development projects in the Downtown.
- o **Existing Parking Rate Structure.** In general, existing parking rates are thought to be extremely fair. There is a general feeling that many parking users expect parking to be free. Increases in rates, if accompanied by public education and improvements in quality, could be tolerated by the public at large.

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- o **Missing Downtown Components.** The Downtown currently offers neither a grocery store nor a drug store.
- o **Changes Since 2007 Study.** Stakeholders report significant increases in parking utilization compared with the statistics reported in the 2007 study, especially on Friday and Saturday night during restaurant peak hours. Most stakeholders seem to believe the restaurant parking has not yet become a problem. Shortly after the 2007 study was completed, the largest employer, Genworth, laid off a significant number of employees. Recently, Genworth has added employees.
- o **Eastern Downtown Changes.** The Craddock Terry hotel would like to increase its parking by 60-80 spaces. A number of building conversions and residential developments will not provide on-site parking.
- o **Outlook.** There is significant excitement currently regarding Downtown growth. Most stakeholders seem to understand that change in Lynchburg happens slowly. Parking in the Downtown is an emotional issue. Regional perception is that parking in Downtown is difficult; but the reality does not support this view.
- o **Western Downtown Changes.** The Academy of Fine Arts is attempting to raise \$16 million to restore its building. The Center expects to utilize the Holiday Inn parking deck for its event parking. The area south of Main Street between 5th Street and 9th Street appears neglected. There is a desire to convert the low-rent residential units in the old hotel at Church & 8th into a higher use.
- o **Available Private Sector Parking.** There are a significant number of parking areas controlled by the private sector in the Downtown. The customer expectation appears to be that a parking permit for these areas equates to a reserved parking space. There are a significant number of permits available at locations such as the SunTrust deck on Commerce & 10th Streets.
- o **View of Existing City Parking System.** Parking management appears to be in a transitional phase with the hiring of a parking director and installation of pay-by-space meter technology. The City should more consistently enforce the on street parking regulations, especially in the City Hall and Court House neighborhoods. The City could use its hand held technologies to implement a forgiveness program for first-time violators. Need more designated on-street loading zones. Need for staffed parking lots. Employees seem to know when on-street parking restrictions are being enforced. The installed central parking meters at three locations are confusing. Some property owners complain that City enforcement of on-street parking is forcing them to enforce their private off-street lots. Residential property developers would like to see the residential parking program expanded to allow for on-street parking. Lighting in garage needs considerable improvement. The parking decks are not in good condition and some employees use that as an excuse to park on-street.

Through our discussions with the varied Downtown stakeholders, an additional 8 potential parking development sites were brought to our attention by way of offered development partnerships with the City, or previously studied structured parking opportunities. Those additional sites along with their development challenges are listed below.

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- Main and Commerce Streets South (Existing Parking Lot adjacent to residential conversion building). Development at this site would require property acquisition and potential alterations to an existing structure.
- Commerce at 9th Street (Existing private Parking Lot). Development at this site would require property acquisition.
- Main and Commerce Streets North (Existing City Lot E). Development at this location would require temporary reassignment of permit parkers in City Lot E.
- Church and 9th Streets. (Existing City-leased Lot J). Development at this location would require property acquisition, temporary reassignment of permit parkers in City Lot E, and potential alterations to existing structures.
- Church Street between 10th & 11th Streets (Existing condemned parking deck). Development at this location would require property acquisition and demolition of the existing parking structure.
- Church Street between 7th & 8th Streets (Existing private parking deck). Development at this location would require property acquisition and demolition of the existing parking structure.
- Main & 8th Streets. Development at this site would require property acquisition.
- City Marketplace Expansion (Existing City Lots H1 and H2). Development at this site would require strengthening and/or reconstruction of existing structure. Permit parkers and marketplace activities would need to be temporarily relocated.

III. Review of Existing Parking System

Based on the most recent survey of the parking inventory in downtown Lynchburg there are some 5,970 off-street parking spaces and 1,036 on-street spaces. Of the off-street spaces, only 1,407 are owned or operated (leased) by the City. Parking in Lynchburg, like most municipalities, is dominated numerically by the private sector yet it's the public sector that determines the market value. Facility (aka employee) monthly rates range from \$30 to \$60, resident permits cost \$25 month, and parking for most City and Courts employees is subsidized (free). Off-street transient (hourly) parking is managed through pay-by-space stations located at the Mid-Town Deck, Clay Street Deck, and Lot G with rates varying between \$1/hour (Clay Street) and \$0.25/hour. On-street parking is free of charge but is posted with 1-hour and 2-hour duration limits.

The Parking Management Department administers the public parking system; issuing parking permits, collecting permit and hourly revenue, enforcing rules and regulations, and working with City staff and downtown stakeholders in addressing need. Until recently these functions were performed by separate City departments. Parking management appears to be in a transitional phase with the hiring of a parking director and installation of pay-by-space meter technology. A large percentage of on-street parkers are in fact long-term parkers (employees/residents) who chose not to utilize the existing and available off-street spaces. This misuse of on-street parking by long-term users gives the impression to visitors and other downtown patrons that there is not enough parking in Lynchburg. System wide, peak hour parking occupancy is not, at present, exceeding 60% of the system capacity.

IV. Site Criteria and Weights

The sites initially considered by this studied for parking development are shown on the graphic that follows.



In order to reduce the number of sites under consideration, the project team developed an evaluation matrix. Criteria used for evaluation were ease of vehicular access, pedestrian impacts, ease of property acquisition, and potential for net parking increase. As relative weights were considered, it was determined that ease of property acquisition and potential for net parking increase were twice as important as ease of vehicular access and pedestrian impacts.

The developed site evaluation matrix is presented below.

		Criterion and Scoring Range				
Sites		Ease of Vehicular Access	Pedestrian Impacts	Ease of Property Development	Potential for Net Parking	TOTAL SCORE
Designation	Description	1-5	1-5	2-10	2-10	
A	Holiday Inn Deck Expansion	5	4	8	6	23
B	7th & Main	5	5	2	8	20
C	Church between 7th & 8th	3	5	4	6	18
D	8th & Main	4	5	8	4	21
E	9th & Church (Lot J)	4	4	6	4	18
F	9th & Jefferson (Lot N)	3	4	10	10	27
G	9th & Commerce	4	4	8	6	22
H	Church between 10th & 11th	3	4	4	4	15
J	10th & Commerce	3	4	4	6	17
K	12th & Commerce	4	5	8	8	25
L	12th & Main	4	5	6	4	19
M	13th & Commerce	4	4	2	10	20
N	Main & Commerce	5	4	4	6	19
P	Lot E Expansion	5	4	10	2	21

V. Conceptual Scale and Massing Diagrams

In accordance with the results of the sites evaluation matrix, a more in-depth evaluation was performed for the following potential parking development sites:

- Vertical Expansion of the Holiday Inn Parking Deck at 5th & Main (Parking Development Site A). Provide an additional 200 stalls.
- 9th & Jefferson (currently a City-owned surface lot) (Parking Development Site F). Provide the capacity of the existing surface lot plus an additional 150-200 stalls.
- 9th & Commerce (currently a privately-owned surface lot) (Parking Development Site G) Provide the capacity of the existing surface lot plus an additional 300-350 stalls.
- 12th & Commerce (currently a surface lot owned by the Central Virginia Criminal Justice Academy) (Parking Development Site K). Provide the capacity of the existing surface lot plus an additional 300-350 stalls.

Utilizing site dimensions and topographic information available from the City GIS, DESMAN was able to determine the approximate volume of each development site in order to achieve the desired parking expansion. Suggested final building heights range from a 3-level parking structure for the 9th & Jefferson site to a 6-level parking structure for the 9th & Commerce site. For each site, a building mass, represented by the solid yellow lines has been superimposed on photographs of the existing site.

Vertical Expansion of the Holiday Inn Parking Deck

This property is located on the west edge of downtown at the intersection of 5th and Main Street. The City is expending much effort to revitalize Fifth Street and parking at this location would be advantageous to this as well as the ongoing restoration of the Academy of Fine Arts directly across Main Street.

The existing deck occupies a footprint having approximate dimensions of 186 feet by 275 feet. 146 parking spaces are provided on a typical level. In order to achieve the desired additional capacity, an additional 2 levels could be provided along the Main Street and 6th Street elevations, and an additional single level could be provided along Church Street and along the hotel. Due to the setback of the garage from the curb line, the additional height should not affect the current scale of Church Street. The new

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garage height could be above the 3rd Floor windows of the hotel.

The vertical expansion of this deck might make it more visible on all its elevations; however with setbacks of 30 to 40 on the Church and 5th street sides, a strip of commercial space could easily be constructed in these areas that would conceal the deck as well as create a much more active street life. Such structures could be 3 to 4 stories in height and complete the design of the row houses along Church Street. The façade of the parking deck addition could complement the Academy of Music facility with brick or a stucco finish.



Main Street at Deck Entry/Exit

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5th Street Elevation



Looking East from 5th & Church

9th & Jefferson Parking Development Site

The existing property contains an overall dimension of 132 feet by 330 feet. The site currently is mostly occupied by City Parking Lot N. There is a single story small framed building at the northeast corner of the property which appears to be storage space for adjacent activities. Much of the southeast corner of the

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property has been given to support functions (loading dock access, emergency generator, etc.) for the adjacent Health and Human Services Building which occupies the corner of 9th & Commerce. Directly across Jefferson Street is the children's museum, Amazement Square, which is housed in a restored building, constructed in the early 1800's. Across Ninth Street is the Riverviews Art Space building, an old shoe factory dating by to the early 1900's that rises six floors above the street. This building was renovated in the early 2000's for office and loft apartments and is one of the first examples of downtown revitalization.

Both 8th Street and 9th Street dramatically slope up from Jefferson Street across this parcel. The result is that Lot N is actually two separate surface lots. The upper lot is retained by a 10'-12' high retaining wall. There has been a multi-year community-based effort to beautify this wall and it now contains a tile mural depicting scenes of early Lynchburg life. This mural runs the full length and height of the wall and is nearing completion.

Construction of a parking deck on this development site could require demolition of the site retaining walls and the existing building at the corner of 9th & Jefferson. The site could require significant excavation and the support activities for the Health and Human Services Building could require shoring during construction.

The resulting potential parking deck consists of a grade level plus two elevated levels. The deck occupies the full Jefferson Street elevation between 8th Street and 9th Street with a building height varying between 25 feet and 30 feet. The resulting approximate deck height likely approximates the 3rd Floor windows of existing buildings that are adjacent to the site on the southwest corner of 8th & Jefferson and the northwest corner of 9th & Jefferson.



Looking West from 9th

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9th Street View



8th & Jefferson

9th & Commerce Parking Development Site

The existing property contains an overall dimension of 130 feet by 215 feet. There is an appendix at the northeast corner of the property with dimensions unsuitable for parking development. The site currently is occupied by a private surface parking lot, which has been created by retaining wall construction along both 9th Street and Commerce Street. The elevation change from the northeast corner of the site to the southwest corner is 24 feet.

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9th Street was the original corridor leading from the first bridge across the James River and property along it had some of the highest values in the city. For this reason, the buildings along 9th Street tend to be taller and more ornate than the buildings along Commerce.

Directly across Commerce Street is a city owned parking garage dating back to the 1960s or 1970's. It is a very utilitarian concrete structure devoid of any architectural features. Within the last five years the egress stair on located right on the corner has been replaced which has added some architectural interest. This structure represents everything that is bad about urban development in the late 20th century.

Across Ninth Street is the City's Human Services Building. The building is an adaptive reuse of an early 20th century building. The building rises four stories above the street, is in the classic revival style, and has highly detailed brick work and cornice. A semicircular metal and glass entry was added during the renovation to enhance the appearance from Ninth Street.

Construction of a parking deck on this development site may require monitoring of two adjacent buildings during the construction period.

The resulting potential parking deck consists of a grade level plus five elevated levels. Site topography allows for the provision of a main Commerce Street vehicular access point and a lower 9th Street access point.

A building on this site presents a great opportunity to continue the revitalization effort started across 9th Street. The resulting approximate deck heights: 50 feet deck at the high point of Commerce Street (approximately the same height as the N.B. Handy building that shares the east property line); 50 feet at the intersection of 9th & Commerce; and 65 feet at the low point of Commerce Street: approximately 40 feet taller than the building that shares the north property line. The style of the building should complement the Human Services building and the adjacent Housing and Development building with masonry skin and punched windows.



9th & Commerce



9th Street View

12th & Commerce Parking Development Site

When consolidated, the two properties contain an overall dimension of 125 feet by 307 feet. The site is currently occupied by three surface parking lots: two that serve the property at 1100 Main Street, and one that is owned by the Central Virginia Criminal Justice Academy. While Commerce Street is relatively flat across the property, 11th Street and 12th Street both slope in excess of 10 feet across the site.

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This site is located in the heart of downtown and fronts primarily on Commerce Street. This area was once full of midrise (2-5 stories) masonry building most dating back the late 1800s and early 1900s. Directly across the Commerce Street are several good examples. They are all constructed of load bearing red brick with heavy timber floors and roof systems. Most have stone foundations and punched window openings. Originally these building where constructed for industrial or commercial use. Many been converted to offices or loft apartments. A number of these buildings have been demolished and replaced with surface level parking. This has resulted in many gaps in the street edge thereby diminishing the urban feel of the space. In-filling these empty spaces with new construction would do much to enhance the streetscape particularly if there could be street level commercial/retail space that would induce more pedestrian activity.

Development of a parking deck at this site may require property subdivision and consolidation or a condominium ground lease arrangement with the existing property owners.

The resulting potential parking deck consists of a grade level plus three elevated levels. Site topography allows for the provision of an access points from 11th Street and 12th Street at different levels. The resulting building height could be 40 feet above the existing intersection of 12th and Commerce. This height would complement the scale of the area. The top of the deck could be approximately one floor below the roofs of the adjacent buildings that front on Main Street between 11th Street and 12th Street. The street façade would work best with red brick cladding and punched openings of similar size and spacing as the surrounding buildings.



12th & Commerce Looking West



12th Street View



11th & Commerce Looking East

VI. Development Costs

For each of the parking development sites considered, DESMAN estimated construction costs associated with each site achieving the desired parking program. Tabulations were performed based on lot and topographic information available from the City's GIS. Assumptions made regarding the parking

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structure included a quality parking structure conforming to the American Concrete Institute's recommendations for durable parking structures, consistent foundations system, immediately available utilities, architectural scale and exterior finishes appropriate for the building type and neighborhood under consideration, and parking as the sole component of the final site development. Note that soft costs such as permits, inspections, and professional fees are not included in the comparative cost table below. In addition, the table below makes no attempt to quantify lost parking revenues while the proposed parking additions are under construction.

Parking Development Site	Estimated Construction Cost	Final Parking Capacity	Current Parking Provided	Net Parking	Net Parking Unit Cost
A. Holiday Inn Deck Expansion	\$5.5 million	540	300	240	\$22,900
F. 9 th & Jefferson	\$4.7 million	260	80	180	\$26,100
G. 9 th & Commerce	\$6.5 million	430	90	340	\$19,100
K. 12 th & Commerce	\$6.0 million	465	125	340	\$17,600

Some discussion should be held regarding the ability of the existing Holiday Inn Parking Deck to support a vertical expansion. Details used on the project, as well as project verbal history, suggest that the deck has indeed been designed for future vertical expansion. Costs noted for the Holiday Inn Deck Expansion presume that the existing structure will support that suggestion without significant alteration to the existing structure. However, be advised that neither the as-built structural drawings nor the precast concrete manufacturer's shop tickets contain notes and details commonly found with precast structures designed for future expansion. An engineering study of the existing structure should be performed before any further discussion of vertical expansion is done.

VII. Operational Improvements

While the following discussion on parking management and operational improvements was initially spurred by the need to fund the development of a new downtown parking structure, the improvements that are presented have significant value in themselves. That is to say that changes to the current parking rate structure, strengthening the role and responsibility of the existing Parking Authority, and the initiation of a fee-based program to improve the utilization and turnover of on-street parking spaces would greatly improve the efficiency of the downtown parking system regardless of the value and importance of a new structure. Note that as the focus of this study is not on the operational efficiency of the current parking program but on the feasibility of different sites to support structured parking, the recommendations presented here are based on a cursory review of current parking policies, procedures, rates, revenues, and expenses.

Recommendation #1: Reorganize the Parking Management Department under the Parking Authority

Recommendation #2: Strengthen the Parking Authority through the creation of a parking enterprise fund where all parking related revenues and expenses fall under its purview.

Recommendation #3: Terminate Holiday Inn Deck lease and take operational responsibility.

Recommendation #4: Increase employee and residential monthly parking rates by \$10.

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Recommendation #5: Increase hourly parking rates from \$0.25 to \$0.50 in the Mid-Town Deck.

Recommendation #6: Test the operational requirements and merits of an on-street fee-based parking management strategy (multi-space or single-space meters) in selected areas through a pilot program.

Recommendation #7: Presuming successful testing of pilot program, commit to and expand the fee-based management program to other areas downtown.

Recommendation #8: Enterprise fund to retain all revenues after operating expenses to fund parking and access related improvements in the downtown, including but not limited to a new parking structure

VIII. Financial Ramifications

The table below suggests the impact that such changes would have on the parking program's operating revenues if the above recommendations are implemented.

	Current FY2011 Operations	Under Recommendations	Net Change
Holiday Inn Lease Revenue	\$99,060	\$0	(\$99,060)
Off-St Permit Revenue	\$180,470	\$331,000	\$150,530
Off-St Transient Revenue	\$26,210	\$103,925	\$77,715
On-Street Revenue	\$0	\$579,600	\$579,600
Fine Revenue	\$133,250	\$133,250	\$0
Total Parking Division Revenue	\$438,990	\$1,147,775	\$708,785

By retaining operational control of the Holiday Inn Deck the City, through the Parking Authority, would realize a net increase as current monthly and transient revenue would go directly to the Parking Authority. The hotel would be permitted to receive revenue from hotel guest activity. The modest (\$10) increase in monthly rates would reflect a correction in the market value for parking and, by default, would generate a modest increase in annual permit revenue. The on-street parking program, quite obviously, would see the greatest revenue increase with the introduction of a fee-based management strategy. Presuming that the average vehicle remains parked for less than two hours (which is the recommended permitted length of stay), the on-street rate would be \$1.00 per hour, the average number of vehicles which utilizes each on-street space per day equals 2, and on-street parking was free of charge on weekends and after 6 PM, then the system could generate an additional \$579,600. These are considered conservative estimates as an on-street space in a vibrant downtown market could generate a turnover rate of 4 to 6 vehicles per space per day. However, as many current on-street parking uses are, in fact, long-term parkers the revenue to be generated by on-street metered spaces would be less than expected as those current parkers would relocate to the City's/Parking Authority's off-street lots. Therefore, the hourly and monthly off-street parking revenue presented here may be under reported and the on-street meter revenue over reported.

At the direction of City staff, the revenue numbers presented here assumed that the current parking subsidy for City Hall and Court employees would remain. On principle DESMAN does not support this policy as City personnel must take a leadership role when introducing change. It is unlikely that the general public will support the introduction of on-street meters or increases in monthly rates if the individuals who work for the public good do not pay the same fees as the citizens they serve. Furthermore, the parking revenue that would be generated if City/Courts employees pay half the market value of parking is significant and is estimated at \$49,600 annually.

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Note that the cost to acquire and install a fee-based on-street management system is significant. The traditional single space meter, albeit with up-to-day digital technology, would cost the City/Parking Authority approximately \$1.2 million to acquire and install throughout the downtown. Multi-space meters, where a single pay station could cover as many as 8 to 10 individual parking spaces, would cost the City/Parking Authority as much as \$1.8 million. For purpose of this study, and given the topographical challenges in Lynchburg where a pay station patron would be required to walk a much greater distance to complete the parking transaction, the following financial analysis presumes that single-space meters have been installed.

Also note that the financial analysis includes funding of a new parking structure at \$6.0 million, capital infusions of \$1.2 million from a third party, and the restoration and repair of the Mid Town and Clay Street Deck which are estimated to cost \$790,000. Cost estimates for Mid-Town and Clay Street improvements were provided by the City.

It would appear that if the City/Parking Authority implemented the broad range of changes recommended in this report then by the fourth year of operation the parking system would yield an operating surplus of \$120,580. By the fifth year the parking system would have eliminated the cumulative operating loss from the previous four years and would have generated a cumulative surplus of \$247,373. Without the nearly \$580,000 that the on-street metered parking system would generate annually the City/Parking Authority would be unable to fund necessary improvements to the Mid-Town and Clay Street or develop a new parking structure.

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Downtown Public Parking System Operating Proforma with Management
and Rate Recommendations

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Dedicated Revenues ⁽¹⁾										
Holiday Inn Lease Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Permit Parking Revenue	\$331,000	\$331,000	\$331,000	\$331,000	\$397,200	\$397,200	\$397,200	\$397,200	\$397,200	\$476,640
Meter Paystation Revenue	\$103,925	\$103,925	\$103,925	\$103,925	\$124,710	\$124,710	\$124,710	\$124,710	\$124,710	\$149,650
On-Street Revenue	\$579,600	\$579,600	\$579,600	\$579,600	\$695,520	\$695,520	\$695,520	\$695,520	\$695,520	\$834,620
New 12th/Commerce Parking Structure ⁽²⁾	\$134,292	\$134,292	\$134,292	\$134,292	\$161,150	\$161,150	\$161,150	\$161,150	\$161,150	\$193,380
Fines	\$133,250	\$133,250	\$133,250	\$133,250	\$133,250	\$133,250	\$133,250	\$133,250	\$133,250	\$133,250
Total Dedicated Revenues	\$1,282,067	\$1,282,067	\$1,282,067	\$1,282,067	\$1,511,830	\$1,511,830	\$1,511,830	\$1,511,830	\$1,511,830	\$1,787,540
Dedicated Expenditures ⁽³⁾										
Personal Services ⁽⁴⁾										
Salaries	(\$168,626)	(\$173,680)	(\$178,890)	(\$184,260)	(\$189,790)	(\$195,480)	(\$201,340)	(\$207,380)	(\$213,600)	(\$220,010)
Benefits	(\$46,575)	(\$47,970)	(\$49,410)	(\$50,890)	(\$52,420)	(\$53,990)	(\$55,610)	(\$57,280)	(\$59,000)	(\$60,770)
Operating										
Contractual Services	(\$45,784)	(\$47,160)	(\$48,570)	(\$50,030)	(\$51,530)	(\$53,080)	(\$54,670)	(\$56,310)	(\$58,000)	(\$59,740)
Internal Charges	(\$4,908)	(\$5,060)	(\$5,210)	(\$5,370)	(\$5,530)	(\$5,700)	(\$5,870)	(\$6,050)	(\$6,230)	(\$6,420)
Other Charges	(\$44,047)	(\$45,370)	(\$46,730)	(\$48,130)	(\$49,570)	(\$51,060)	(\$52,590)	(\$54,170)	(\$55,800)	(\$57,470)
Rentals & Leases	(\$71,550)	(\$73,700)	(\$75,910)	(\$78,190)	(\$80,540)	(\$82,960)	(\$85,450)	(\$88,010)	(\$90,650)	(\$93,370)
Maintenance & Repair ⁽⁵⁾										
Existing Structures	(\$119,200)	(\$122,780)	(\$126,460)	(\$130,250)	(\$134,160)	(\$138,180)	(\$142,330)	(\$146,600)	(\$151,000)	(\$155,530)
Existing Surface Lots	(\$5,575)	(\$5,740)	(\$5,910)	(\$6,090)	(\$6,270)	(\$6,460)	(\$6,650)	(\$6,850)	(\$7,060)	(\$7,270)
Future Structure	(\$46,500)	(\$47,900)	(\$49,340)	(\$50,820)	(\$52,340)	(\$53,910)	(\$55,530)	(\$57,200)	(\$58,920)	(\$60,690)
Debt Service Payments ⁽⁶⁾										
12th/Commerce Parking Structure	(\$385,200)	(\$385,200)	(\$385,200)	(\$385,200)	(\$385,200)	(\$385,200)	(\$385,200)	(\$385,200)	(\$385,200)	(\$385,200)
On-Street PARCS Equipment	(\$277,200)	(\$277,200)	(\$277,200)	(\$277,200)	(\$277,200)	\$0	\$0	\$0	\$0	\$0
Mid Town Deck Repairs ⁽⁷⁾	(\$98,300)	(\$98,300)	(\$98,300)	(\$98,300)	(\$98,300)	(\$98,300)	(\$98,300)	(\$98,300)	(\$98,300)	(\$98,300)
Clay Street Deck Repairs ⁽⁷⁾	(\$8,400)	(\$8,400)	(\$8,400)	(\$8,400)	(\$8,400)	\$0	\$0	\$0	\$0	\$0
Total Dedicated Expenditures	(\$1,321,865)	(\$1,338,460)	(\$1,355,530)	(\$1,373,130)	(\$1,391,250)	(\$1,424,320)	(\$1,443,540)	(\$1,463,350)	(\$1,483,760)	(\$1,504,770)
Operating/Maintenance Profit or Loss	(\$39,798)	(\$56,393)	(\$73,463)	(\$91,063)	\$120,580	\$387,510	\$368,290	\$348,480	\$328,070	\$582,770
Cumulative Operating Profit or Loss	(\$39,798)	(\$96,191)	(\$169,654)	(\$260,717)	(\$140,137)	\$247,373	\$615,663	\$964,143	\$1,292,213	\$1,874,983

Notes:

- (1) Revenue from parking permits and transient spaces will increase by 20% every 5 years due to rate increases
- (2) Revenue from new structure assumes 20% of spaces used for transient parking (2 hour duration, 2 vehicles per space turnover rate). 40% of the spaces used for monthly parkers, 30% are used by current property owners and no revenue is generated, and a 10% stabilized space vacancy rate.
- (3) Dedicated expenditures to grow by 3% per year (COLA)
- (4) Salaries and benefits based on FY2011 costs plus additional staff (and benefits) associated with expanded on-street management responsibilities.
- (5) Maintenance and repair costs based on \$100 per space per year for parking structures and \$25 per space per year for surface parking. Costs grow by 3% per year (COLA).
- (6) Debt Service Payment based on structure cost of \$6.0 million and PARCS equipment cost of \$1.2 million. Structure amortized using interest rate of 5% and 20 year term. PARCS cost based on interest rate of 5% and 5 year term. Note that the amount funded to support the parking structure includes a capital contribution of \$1.2 million from the CVCIA (\$4.8 million to be financed).
- (7) Mid Town and Clay Street deck repair costs provide by the City. Mid Town debt services based on 5%/20-year term while Clay Street is based on 5%/5-year term.

Mr. Norman Hale / Lee Newland
December 6, 2012
30-12110-3

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IX. Recommended Site

Often times, parking consultants find themselves proving a previously held belief in the municipality in which they are contracted. This is one of those instances. Given its proximity to the Bluffwalk and Main Street, its ease of access to the Lynchburg Expressway via Commerce Street and Main Street, the willingness of the existing Owners to work with the City on expanding parking in the Downtown, and its relative least expensive parking development cost, DESMAN recommends further study be conducted on the 12th & Commerce site.

Prior to conducting detailed physical study of the preferred site, the City has determined it must first properly position its finances in the manner described above.

When the City determines the time appropriate, parking functional floor plans of the potential parking structure's street level, typical level, and roof level should be developed to identify the access/egress points, control equipment requirements, internal ramping and circulation, and parking capacity. The site's potential to also support other uses such as retail shell space or residential development space along with their impacts on the cost of parking development should be studied and discussed. An isometric diagram of the proposed ramping system, and conceptual elevations presenting proposed building materials and relationship with existing adjacent buildings and streetscapes should also be presented.

Downtown Parking Deck Feasibility Consulting and Development

January 8, 2013

City Council Presentation



DESMAN
A S S O C I A T E S

Today's Agenda



- Stakeholders Interviews
- Review of Existing Parking System
- Potential Development Sites
- Recommended Site
- Operation Improvements
- Financial Ramifications

August 28-29 Stakeholder Interviews



- Growing Residential Market
- Very Fair City Parking Rate Structure
- Parking Shortage Perception During Weekend Nights
- Significant Private Sector Parking Holdings
- Inconsistent Enforcement

Review of Existing Parking System



- City controls approx. 25% of Total Capacity
- Transitional Phase in Parking Management
- Mis-Use of On-street Parking

Potential Parking Development Sites



Holiday Inn Parking Deck Vertical Expansion



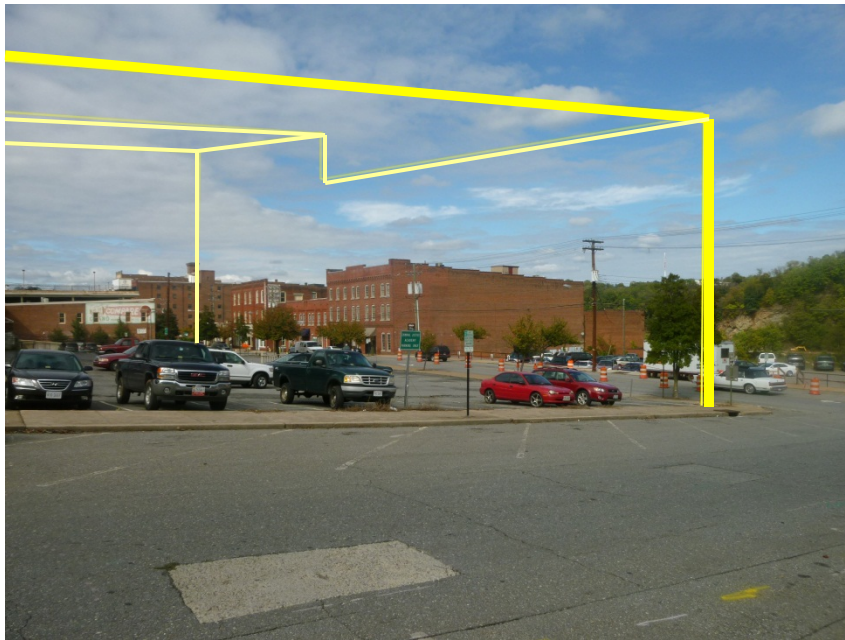
9th & Jefferson Development Site



9th & Commerce Development Site



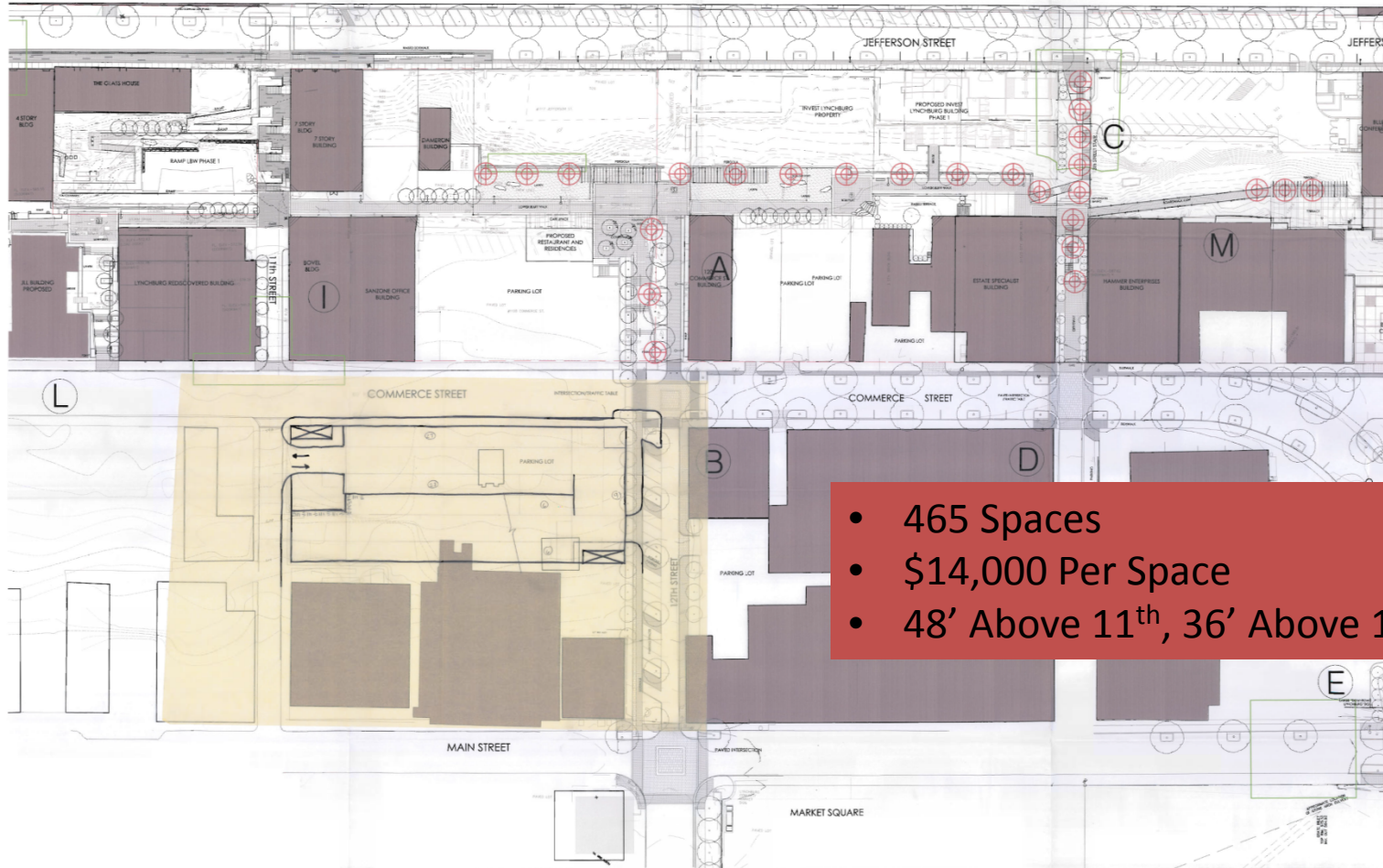
12th & Commerce Development Site



Development Sites Comparison

Parking Development Site	Estimated Construction Cost	Final Parking Capacity	Current Parking Provided	Net Parking	Net Parking Unit Cost
A. Holiday Inn Deck Expansion	\$5.5 million	540	300	240	\$22,900
F. 9 th & Jefferson	\$4.7 million	260	80	180	\$26,100
G. 9 th & Commerce	\$6.5 million	430	90	340	\$19,100
K. 12 th & Commerce	\$6.0 million	465	125	340	\$17,600

12th & Commerce Development Site



Operational Improvements



- Recommendation #1:** Reorganize the Parking Management Department under the Parking Authority
- Recommendation #2:** Strengthen the Parking Authority through the creation of a parking enterprise fund where all parking related revenues and expenses fall under their purview.
- Recommendation #3:** Terminate Holiday Inn Deck lease and take operational responsibility.
- Recommendation #4:** Increase monthly permit holder rates by \$10 in Mid-Town and Clay Street decks and \$5 in City surface lots and increase all resident monthly permits by \$5 per month.
- Recommendation #5:** Increase hourly parking rates from \$0.25 to \$0.50 in the Mid-Town Deck.
- Recommendation #6:** Test the operational requirements and merits of an on-street fee-based parking management strategy (multi-space or single-space meters) in selected areas through a pilot program.
- Recommendation #7:** Presuming successful testing of pilot program, commit to and expand the fee-based management program to other areas downtown.
- Recommendation #8:** Enterprise fund to retain all revenues after operating expenses to fund parking and access related improvements in the downtown, including but not limited to a new parking structure

Financial Implications

	Current FY2011 Operations	Under Recommendations	Net Change
Holiday Inn Lease Revenue	\$99,060	\$0	(\$99,060)
Off-St Permit Revenue	\$180,470	\$331,000	\$150,530
Off-St Transient Revenue	\$26,210	\$103,925	\$77,715
On-Street Revenue	\$0	\$579,600	\$579,600
Fine Revenue	\$133,250	\$133,250	\$0
Total Parking Division Revenue	\$438,990	\$1,147,775	\$708,785

System-wide Financial Proforma of Parking System

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Dedicated Revenues ⁽¹⁾										
Holiday Inn Lease Revenue ⁽²⁾	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Permit Parking Revenue	\$331,000	\$331,000	\$331,000	\$331,000	\$397,200	\$397,200	\$397,200	\$397,200	\$397,200	\$476,640
Meter Paystation Revenue	\$103,925	\$103,925	\$103,925	\$103,925	\$124,710	\$124,710	\$124,710	\$124,710	\$124,710	\$149,650
On-Street Revenue	\$579,600	\$579,600	\$579,600	\$579,600	\$695,520	\$695,520	\$695,520	\$695,520	\$695,520	\$834,620
New 12th/Commerce Parking Structure ⁽³⁾	\$134,292	\$134,292	\$134,292	\$134,292	\$161,150	\$161,150	\$161,150	\$161,150	\$161,150	\$193,380
Fines/Violations ⁽⁴⁾	\$133,250	\$133,250	\$133,250	\$133,250	\$133,250	\$133,250	\$133,250	\$133,250	\$133,250	\$133,250
Total Dedicated Revenues	\$1,282,067	\$1,282,067	\$1,282,067	\$1,282,067	\$1,511,830	\$1,511,830	\$1,511,830	\$1,511,830	\$1,511,830	\$1,787,540
Total Dedicated Expenditures ⁽⁵⁾										
Personel Services ⁽⁶⁾										
Salaries	(\$168,626)	(\$173,680)	(\$178,890)	(\$184,260)	(\$189,790)	(\$195,480)	(\$201,340)	(\$207,380)	(\$213,600)	(\$220,010)
Benefits	(\$46,575)	(\$47,970)	(\$49,410)	(\$50,890)	(\$52,420)	(\$53,990)	(\$55,610)	(\$57,280)	(\$59,000)	(\$60,770)
Operating										
Contractual Services	(\$45,784)	(\$47,160)	(\$48,570)	(\$50,030)	(\$51,530)	(\$53,080)	(\$54,670)	(\$56,310)	(\$58,000)	(\$59,740)
Internal Charges	(\$4,908)	(\$5,060)	(\$5,210)	(\$5,370)	(\$5,530)	(\$5,700)	(\$5,870)	(\$6,050)	(\$6,230)	(\$6,420)
Other Charges	(\$44,047)	(\$45,370)	(\$46,730)	(\$48,130)	(\$49,570)	(\$51,060)	(\$52,590)	(\$54,170)	(\$55,800)	(\$57,470)
Rentals & Leases	(\$71,550)	(\$73,700)	(\$75,910)	(\$78,190)	(\$80,540)	(\$82,960)	(\$85,450)	(\$88,010)	(\$90,650)	(\$93,370)
Maintenance & Repair ⁽⁷⁾										
Existing Structures	(\$119,200)	(\$122,780)	(\$126,460)	(\$130,250)	(\$134,160)	(\$138,180)	(\$142,330)	(\$146,600)	(\$151,000)	(\$155,530)
Existing Surface Lots	(\$5,575)	(\$5,740)	(\$5,910)	(\$6,090)	(\$6,270)	(\$6,460)	(\$6,650)	(\$6,850)	(\$7,060)	(\$7,270)
Future Structure (Sinking Fund)	(\$46,500)	(\$47,900)	(\$49,340)	(\$50,820)	(\$52,340)	(\$53,910)	(\$55,530)	(\$57,200)	(\$58,920)	(\$60,690)
Debt Service Payments ⁽⁸⁾										
12th/Commerce Parking Structure	(\$385,200)	(\$385,200)	(\$385,200)	(\$385,200)	(\$385,200)	(\$385,200)	(\$385,200)	(\$385,200)	(\$385,200)	(\$385,200)
On-Street PARCS Equipment	(\$277,200)	(\$277,200)	(\$277,200)	(\$277,200)	(\$277,200)	\$0	\$0	\$0	\$0	\$0
Mid Town Deck Repairs ⁽⁹⁾	(\$98,300)	(\$98,300)	(\$98,300)	(\$98,300)	(\$98,300)	(\$98,300)	(\$98,300)	(\$98,300)	(\$98,300)	(\$98,300)
Clay Street Deck Repairs ⁽⁹⁾	(\$8,400)	(\$8,400)	(\$8,400)	(\$8,400)	(\$8,400)	\$0	\$0	\$0	\$0	\$0
Total Dedicated Expenditures	(\$1,321,865)	(\$1,338,460)	(\$1,355,530)	(\$1,373,130)	(\$1,391,250)	(\$1,124,320)	(\$1,143,540)	(\$1,163,350)	(\$1,183,760)	(\$1,204,770)
Operating/Maintenance Profit or Loss	(\$39,798)	(\$56,393)	(\$73,463)	(\$91,063)	\$120,580	\$387,510	\$368,290	\$348,480	\$328,070	\$582,770
Cumulative Operating Profit or Loss	(\$39,798)	(\$96,191)	(\$169,654)	(\$260,717)	(\$140,137)	\$247,374	\$615,664	\$964,145	\$1,292,215	\$1,874,985

Notes:

(1) Revenue from parking permits and transient spaces will increase by 20% every 5 years due to periodic/cost of living rate increases.

(2) Parking revenue from Holiday Inn would be lost but City would increase permit and transient revenue through self-operation of that facility.

(3) Revenue from the new structure assumes 20% of spaces will be used for transient parking, 40% of the spaces will be used for monthly/permit parking, 30% are presumed to be used by the current property owner at no cost, and 10% of the spaces will be vacant.

(4) Ideally, the volume of vehicles parked in violation would decrease over time. For purposes of this analysis the fine revenue remains unchanged.

(5) Dedicated expenditures to grow by 3% per year (COLA).

(6) Salaries and benefits based on FY2011 costs plus additional staff and benefits associated with expanded on-street management responsibilities.

(7) Maintenance and repair costs based on \$100 per space per year for parking structures and \$25 per space per year for surface parking. Costs grow by 3% per year.

(8) Debt Service Payment baseed on a development cost of \$6.0 million less a \$1.2 million capital contribution and on-street parking equipment cost of \$1.2 million. Financing cost assumes 20 year term and 5% interest rate.

(9) Mid Town and Clay Street deck repair costs provided by the City. Mid Town debt service based on 5%/20-year term while Clay Street is based on 5%/5-year term.

Questions and Discussion



LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **January 8, 2012**

AGENDA ITEM NO.: 2

CONSENT:

REGULAR:

WORK SESSION: **X**

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Resolution to Endorse Safe Routes to School Travel Plan**

RECOMMENDATION: Adopt a resolution endorsing the Safe Routes to School travel plan for Linkhorne Elementary/Middle School complex, Bass Elementary School and Perrymont Elementary School.

SUMMARY: Safe Routes to School (SRTS) is a transportation program created through Section 1404 of the 2005 Safe, Accountable, Flexible and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) Act and administered by the Virginia Department of Transportation (VDOT) to encourage children in grades K-8 to walk or bicycle to school. The City of Lynchburg, in partnership with Lynchburg City Schools and Region 2000, was awarded \$376,796 for physical improvements around Dearington Elementary, Perrymont Elementary and T. C. Miller Elementary schools in 2011.

To be eligible for SRTS funding, a locality must first submit a SRTS travel plan for each school. The plan outlines the goals, barriers and opportunities to establish safe pedestrian access, as well as a summary of programmatic and infrastructure activities necessary to meet the goal of safe pedestrian access for students. The travel plan must be endorsed by both City Council and the School Board.

This year City of Lynchburg, Lynchburg City Schools, and Region 2000 Local Government Council staff have prepared plans for infrastructure improvements around the Linkhorne Elementary/Middle School complex, Bass Elementary School and for the continuation of improvements around Perrymont Elementary School. If the plans are approved, the City of Lynchburg can then submit grant applications to implement improvements around those schools.

Kelly Hitchcock with Region 2000 Local Government Council will make a brief presentation about the current SRTS proposal, as well as other SRTS activities.

PRIOR ACTION(S): As noted above.

FISCAL IMPACT: Although the cost estimates for the improvements are approximately \$575,000, the maximum that may be awarded through the grant is \$500,000. Fiscal impacts in addition to the actual pedestrian improvement costs include City staff time to manage the project.

CONTACT(S): Anne Nygaard, Engineering & Planning Project Coordinator – 455-3893
Seth Campbell, Engineering & Planning Project Coordinator – 455-3095
Kent White, Director of Community Development – 455-3900 David
Owen, Director of Public Works – 455-3960

ATTACHMENTS:

- ☐ Resolution
- ☐ Travel Plan Maps
- ☐ Combined Improvements Detail

REVIEWED BY: lkp

RESOLUTION:

A RESOLUTION ENDORSING THE SAFE ROUTES TO SCHOOL TRAVEL PLAN AND GRANT APPLICATION FOR LINKHORNE ELEMENTARY/MIDDLE SCHOOL COMPLEX, W. M. BASS ELEMENTARY SCHOOL, AND PERRYMONT ELEMENTARY SCHOOL.

BE IT RESOLVED that the Council of City of Lynchburg endorses the Safe Routes to School Travel Plan and Grant Application for Linkhorne Elementary/Middle School Complex, W. M. Bass Elementary School, and Perrymont Elementary School to support the programmatic and infrastructure activities necessary to meet the goal of safe pedestrian access for students.

BE IT FURTHER RESOLVED THAT L. Kimball Payne, III, City Manager, is authorized to execute the necessary documents for this project.

Adopted:

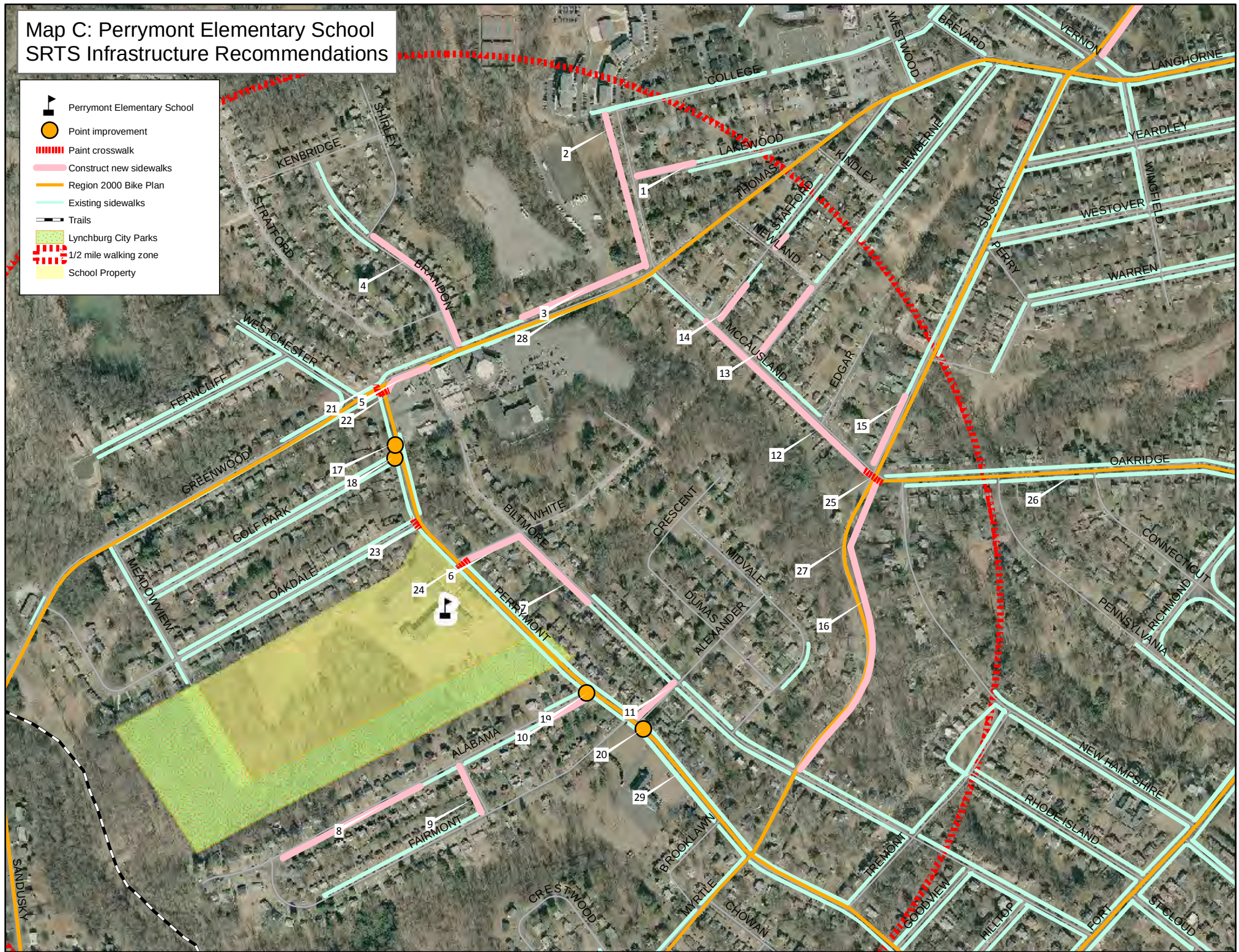
Certified:

Clerk of Council

009K

Map C: Perrymont Elementary School SRTS Infrastructure Recommendations

-  Perrymont Elementary School
-  Point improvement
-  Paint crosswalk
-  Construct new sidewalks
-  Region 2000 Bike Plan
-  Existing sidewalks
-  Trails
-  Lynchburg City Parks
-  1/2 mile walking zone
-  School Property





Legend

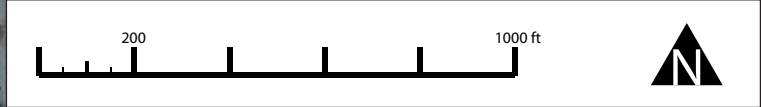
Sidewalks
 Existing
 Proposed, High Priority

Crosswalks
 Existing
 Proposed

Trails
 Existing
 Proposed
 Region 2000 Bike Plan

Point Improvement

Existing Conditions
 School Property
 Budgeted Improvement, see attached



Perrymont (continuation of previous application)

Perrymont_Labels		
Id Improve		Descriptio
1	sidewalk	277 feet of sidewalk along Lakewood from Thomas and McCausland
2	sidewalk	748 feet of sidewalk along McCausland from College to Thomas
3	sidewalk	635 feet of sidewalk along Thomas between McCausland and Brandon
4	sidewalk	677 feet of sidewalk along Brandon from Shirley to Thomas
5	sidewalk	277 feet of sidewalk along Thomas between Brandon and Perrymont
6	sidewalk	288 feet of sidewalk along White between Perrymont and Biltmore
7	sidewalk	456 feet of sidewalk along Biltmore between White and Alexander
8	sidewalk	740 feet of sidewalk along Alabama from Almont to Fairmont
9	sidewalk	245 feet of sidewalk along Almont from Alabama to Fairmont
10	sidewalk	225 feet of sidewalk along Alabama between Perrymont and Almont
11	sidewalk	240 feet of sidewalk along Alexander between Biltmore and Perrymont
12	sidewalk	1054 feet of sidewalk along McCausland from Stafford to Sussex
13	sidewalk	408 feet of sidewalk along Newberne from Newland to McCausland
14	sidewalk	202 feet of sidewalk along Stafford between McCausland and Newland
15	sidewalk	353 feet of sidewalk along Sussex between Warren and Oakridge
16	sidewalk	1508 feet of sidewalk along Sussex between Oakridge and Biltmore
17	pavement m	Paint School marking on Perrymont between Greenwood and Golf Park
18	pavement m	Curb cut improvements at Golf Park and Perrymont
19	pavement m	Curb cut improvements at Alabama and Perrymont
20	pavement m	Paint School marking on Perrymont south of intersection of Alexander and Perrymont
21	crosswalk	Crosswalk across Thomas connecting sidewalks on Thomas and Perrymont
22	crosswalk	Crosswalk across perrymont connecting sidewalk along Thomas
23	crosswalk	Crosswalk across Oakdale connecting sidewalk on Perrymont
24	crosswalk	Crosswalk across Perrymont connecting sidewalks on White and Perrymont
25	crosswalk	Crosswalk across Sussex connecting sidewalks on Sussex and McCausland
26	bike plan	Region 2000 bike plan recommendations along Oakridge
27	bike plan	Region 2000 bike plan recommendations along Sussex
28	bike plan	Region 2000 bike plan recommendations along Thomas
29	bike plan	Region 2000 bike plan recommendations along Perrymont

= in previous SRTS application, RFP for design is underway

Bass Elementary Improvement Descriptions

#	Description
1	Install new crosswalks across Campbell and Fairview Avenues with pedestrian signals, including ADA ramps
2	Improve crosswalk paint across Campbell Avenue, install new crosswalk across Seabury with pedestrian signal, improve ADA ramps where necessary
3	Install new crosswalk across Hughes Avenue, including ADA ramps
4	Improve existing sidewalk along Campbell Ave. (approx. 300') by widening and/or upgrading damaged sections
5	Improve existing sidewalk along Campbell Ave. (approx. 320') by widening and/or upgrading damaged sections
6	Install new crosswalk across Pocahontas Street, including ADA ramps
7	Install new crosswalk across Light Street, including ADA ramps
8	Install new sidewalk along Light Street (approx. 330'), including ADA ramps
9	Install new sidewalk along Light Street (approx. 200'), including ADA ramp
10	Install new crosswalk across Nelson Street
11	Improve existing sidewalk along Campbell Ave. (approx. 350') by widening and/or upgrading damaged sections
12	Improve existing sidewalk along Campbell Ave. (approx. 300') by widening and/or upgrading damaged sections
13	Install new crosswalk across Sabine Avenue, including ADA ramps
14	Improve existing sidewalk along Seabury Ave. (approx. 450') by widening and/or upgrading damaged sections
15	Improve existing sidewalk along Seabury Ave. (approx. 350') by widening and/or upgrading damaged sections
16	Improve existing sidewalk along Seabury Ave. (approx. 550') by widening and/or upgrading damaged sections
17	Install new crosswalk across Seabury Avenue, including ADA ramps
18	Install new crosswalk across Hughes Avenue, including ADA ramps
19	Improve existing sidewalk along Campbell Ave. (approx. 250') by widening and/or upgrading damaged sections
20	Install new crosswalk across Easeley Avenue, including ADA ramps
21	Install new crosswalk across Easeley Avenue, including ADA ramps
22	Improve existing sidewalk along Campbell Ave. (approx. 250') by widening and/or upgrading damaged sections
23	Install new crosswalk across Sackett Street , including ADA ramps
24	Improve existing sidewalk along Campbell Ave. (approx. 360') by widening and/or upgrading damaged sections
25	Improve existing sidewalk along Campbell Ave. (approx. 300') by widening and/or upgrading damaged sections
26	Install new crosswalk across Kent Street, including ADA ramps
27	Improve existing sidewalk along Campbell Ave. (approx. 350') by widening and/or upgrading damaged sections
28	Install new crosswalk across Idaho Avenue, including ADA ramps
29	Improve existing sidewalk along Campbell Ave. (approx. 700') by widening and/or upgrading damaged sections
30	Improve existing sidewalk along Campbell Ave. (approx. 750') by widening and/or upgrading damaged sections
31	Install new sidewalk along Campbell Ave. (approx. 100') , including ADA ramp
32	Install new crosswalk across Ridge Avenue, including ADA ramps
33	Improve existing sidewalk along Campbell Ave. (approx. 300') by widening and/or upgrading damaged sections
34	Install new crosswalk across Maryland Avenue, including ADA ramps
35	Install new sidewalk along Maryland Avenue (approx. 1,750'), including ADA ramps

36	Install new crosswalk across Craig Street
37	Improve existing sidewalk along Campbell Ave. (approx. 260') by widening and/or upgrading damaged sections
38	Install new crosswalk across Georgia Avenue, including ADA ramps
39	Install new crosswalk across Hanover Street, including ADA ramps
40	Connect existing sidewalks along Georgia Avenue (approx 115'), including ADA ramp
41	Install new ADA ramps at intersection of Sackett and Leyburn Street
42	Install new ADA ramps at intersection of Morson Street and Mosby Avenue
43	Install new ADA ramps at intersection of Morson and Sackett Street
44	Install new ADA ramps at intersection of Mackel Street and Fairview Avenue
45	Connect existing sidewalks along Fairview Avenue (approx. 175') and install ADA ramps at intersection of Leyburn Street and Fairview Avenue
46	Connect existing sidewalks along Light, Gills, and Carter Streets (approx. 700') and install ADA ramps where necessary
47	Install new sidewalk along Nelson Street (approx. 1,000'), including ADA ramps where necessary
48	Install new crosswalk across Maryland Avenue, including ADA ramps
49	Install new sidewalk along Craig Street (approx. 700'), including ADA ramps where necessary
50	Install new sidewalk along Hanover Street (approx. 750'), including ADA ramps where necessary
51	Connect existing sidewalks along Powhatan Street (approx. 250') and install ADA ramps where necessary
52	Install new sidewalk along Pocahontas Street (approx. 800'), including ADA ramps where necessary
53	Install new sidewalk along Utah Street (approx. 300'), including ADA ramps where necessary
54	Connect existing sidewalks along Hughs Avenue (approx. 550') and install ADA ramps where necessary
55	Connect existing sidewalks along Triangle Place (approx. 300') and install ADA ramps where necessary
56	Connect existing sidewalks along Sabine Avenue (approx. 150') and install ADA ramps where necessary
57	Install new sidewalks along Easley Avenue (approx. 450') and install ADA ramps where necessary
58	Connect existing sidewalks along Triangle Place (approx. 300') and install ADA ramps where necessary
59	Install new sidewalks along Mackel Street (approx. 350') and install ADA ramps where necessary
60	Connect existing sidewalks along Sackett Street (approx. 150') and install ADA ramps where necessary
61	Connect existing sidewalks along Leyburn Street (approx. 125') and install ADA ramps where necessary
62	Connect existing sidewalks along Cobbs Street (approx. 225') and install ADA ramps where necessary
63	Connect existing sidewalks along Morson Street (approx. 245') and install ADA ramps where necessary
64	Connect existing sidewalks along Otey Street (approx. 400') and install ADA ramps where necessary
65	(blue lines on map) Region2000 Bike Plan Improvements

Linkhorne Elementary/Middle School Improvement Descriptions

#	Description
1	New crosswalk with flashing signage
2	New sidewalk (approx. 240') along Linkhorne Drive including ADA ramp; retaining wall needed on west side of Linkhorne Drive
3	Improve existing crosswalk
4	Install new crosswalk and adjust existing handicap ramp alignment
5	New sidewalk (approx. 940') along Linkhorne Drive (possible knee wall needed on South side of sidewalk) including ADA ramp
6	New crosswalk across Linkhorne Drive including ADA ramps
7	Install new and relocated school pavement markings
8	New crosswalk across Circle Road
9	Add handicap ramps to existing crosswalk
10	New sidewalk (approx. 320') along Linkhorne Drive including ADA ramps
11	New crosswalk across Westhaven Place
12	Add handicap ramps to existing crosswalk
13	New sidewalk (approx. 700') along Linkhorne Drive including ADA ramps
14	New crosswalk across Old Forest Road with Pedestrian Signal
15	New crosswalks across Ravenwood Drive including ADA ramps
16	New sidewalk (approx. 660') along Ravenwood Drive including ADA ramp
17	New crosswalk across Interlink Road
18	New sidewalk (approx. 560') along Interlink Road including ADA ramps
19	New crosswalk across Cranehill Drive
20	New crosswalk located in school parking lot connecting Elementary and Middle Schools near Elementary bus drop-off and pick-up
21	**Install trail from the adjacent subdivision to school property; may possibly include minor tree removal
22	New sidewalk on Village Park Court (approx. 1,120') including ADA ramps
23	New sidewalk (approx. 1,170') on Circle Road including ADA ramps
24	New sidewalk (approx. 1,380') along Westhaven Place including ADA ramps
25	New crosswalk across Westhaven Place at Windemere Place
26	New sidewalk (approx. 570') along Windemere Place including ADA ramps
27	New sidewalk (approx. 785') along Ravenwood Drive including ADA ramps
28	New sidewalk (approx. 2,015') along Cranehill Drive including ADA ramps
29	New sidewalk (approx. 800') along Sedgewick Drive including ADA ramps
30	New sidewalk (approx. 1,840') along Sedgewick Drive including ADA ramps
31	New sidewalk (approx. 360') along Interlink Road including ADA ramps
32	Improve school pavement markings

33	Improve school pavement markings
34	New crosswalk across Langhorne Road at Cranehill, connecting existing pedestrian signals
35	New pedestrian connection to existing Blackwater Creek Trail entrance
36	(blue lines on map) Region2000 Bike Plan Improvements
37	Extended Blackwater Creek recreation trail and connection to Linkhorne Middle School parking lot
38	New sidewalk (approx. 27') in island at intersection of Ravenwood Drive and Linkhorne Drive
39	ADA Ramps (29 total)
40	Truncated domes
41	**Retaining Wall
42	Excavation
43	Base stone (4" layer, 21A)
44	Pedestrian signal



**SUSTAINABLE LYNCHBURG
PROGRESS SURVEY REPORT
JANUARY 2013
(Revised)**

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BACKGROUND

In February 2008, staff began working on a Sustainable City Initiative with the purpose of providing a framework by which the principles of sustainability are utilized in developing policy and in the City's day to day practices. The Sustainable City Initiative fosters improved communication and leads to effectiveness and efficiencies in planning and day to day operations. The work to date has served to strengthen working relationships among departments, encourage collective ownership for problem solving and will improve long term planning and maximization of resources.

Staff identified eleven (11) Elements of Sustainability: Arts and Culture, Citizen Engagement and Social Capital, Economic Development, Healthy and Active Living, Infrastructure, Land Use, Lifelong Learning, Natural and Environmental Resources, Neighborhoods, Safe Community and Transportation. In August 2008, Deputy City Manager Bonnie Svrcek presented the Sustainable City Initiative to Lynchburg City Council at which time City Council adopted a resolution supporting the initiative including the Statement of Purpose, Vision, Definitions, Guiding Principles, Goals and Objectives. City Council also appointed Councilmember Michael Gillette to serve as Council's liaison to the Sustainable City Initiative committee to serve as the formal point of communication between staff and Council on sustainable issues, to work continually with staff to advance sustainable issues consistent with the Council's priorities, and to report periodically to Council on how its decisions impact the sustainability efforts.

Staff has provided annual reports to City Council since 2008 and has continued working on the effort by strengthening the goals and identifying initiatives for each of those goals. The committee solicited input on the initiatives from the organization's Leadership Team and key leaders. The initiative was also renamed **Sustainable Lynchburg**.

This report is a broad summary of Accomplishments, Works in Progress and Critical Issues/Concerns for the Future and documents work done internally by staff to support the vision of *a diverse community working together to promote a healthy and sustainable city with social, cultural, economic and environmental vitality, now and for future generations*. This report is not intended to be inclusive of all activities in each of the elements.

SUSTAINABLE LYNCHBURG VISION

Lynchburg is a diverse community working together to promote a healthy and sustainable City with social, cultural, economic and environmental vitality, now and for future generations.

GUIDING PRINCIPLES

- ⚙ The City recognizes that financial responsibility, environmental stewardship, economic development, and social and racial equity are integrated elements of sustainability.
- ⚙ Sound financial management and the appropriate use of taxpayers' dollars are critical foundations to attaining the foals of sustainability.
- ⚙ Sustainability serves as a filter for City decision making and development of policy.
- ⚙ Engaging the community, building social capital and encouraging citizen leadership are fundamental elements to working towards a sustainable City.
- ⚙ A sustainable City is achieved through partnerships with the business community, citizens and local government.
- ⚙ All local government functions will work in support of a sustainable City.
- ⚙ The City works to protect, preserve, and restore the natural environment.
- ⚙ The City promotes active living, advances safe communities, and works to improve the social and physical environment.
- ⚙ The City works towards a sustainable infrastructure.
- ⚙ A sustainable City set priorities and evaluates progress through performance indicators and outcomes.



Arts and Culture



City Council Assessment • September 2011 • Significant



Staff Assessment • December 2012 • Significant

Staff Assessment: With the success of the Arts and Cultural District Grants Program, the continued success of the City's Museum System programs, and a renewed focus and expansion of First Fridays, staff believes that progress has increased in the area of sustainable arts and culture. Conversations are continuing with the James River Council on the Arts and Humanities in creating a partnership where the City will assist in the facilitation of placing art in public places.



City Council Assessment of Progress • December 2012 • Significant

Survey Analysis: City Council (6.9) and staff (7.0) rated FY 2012 progress on Arts and Culture similarly. Council rated this element 5.0 in September 2011. Three Council members rated this element 6.0 while two rated it 7 and two rated the element at 8.

City Council comments:

- "...will probably be a ten (10) when the Academy is completed."
- "...other than designating an arts zone, little has changed."
- "...we do need to attract some interesting shows, but without the Academy complete, I don't know how to do this."

Arts and Culture

Major Accomplishments

- ⚙ Despite budget challenges, Library leadership developed a staffing plan to keep the Branch library open with reduced hours in FY 2012 and funding was restored to keep the Branch open in FY 2013 with unreduced hours.
- ⚙ Sculpture created by children in Lynchburg City Schools has been showcased in the Fifth Street Roundabout.
- ⚙ Grant funding from the Arts and Cultural District in the amount of \$29,975 coupled with \$5,000 from the Virginia Commission for the Arts has been awarded to 13 entities. These grants leveraged over \$200,000 in private direct investment with an estimated economic impact of more than \$600,000, resulting in 10 new events and attractions in the District including the return of Lynchburg touchstone community experiences like the Batteau Festival and Riverflick Film Series. The Arts and Cultural Project Grants have attracted new visitors to the District and broadened the individuals and organizations engaging arts and cultural activities in Lynchburg. Grant recipients include: Amazement Square, Academy of Fine Arts, Virginia University of Lynchburg, Military Order of the Purple Heart, Opera on the James, 5th Street Community Development Corporation, Lynch's Landing, James River Council for the Arts and Humanities, Young Entrepreneurial Spirits Program, Dance Theater of Lynchburg and more.
- ⚙ City staff and partners have continued to promote the Get! Downtown event that is wildly successful.
- ⚙ In FY 2012, 5,767 persons visited the Lynchburg Museum at the Old Court House compared to 6,187 in FY 2011, a decrease of 6% from the prior year. In FY 2012, 9,967 persons visited Point of Honor compared to 9,100 in FY 2011, an increase of 9%. Outreach programs (taken to schools, similar sites) increased 56% serving 938 persons in FY 2011 and 1,472 in FY 2012. *Approximately 40% of Point of Honor visitation is from free outdoor public events.*

Major Works in Progress

- ⚙ Conversations have begun with the James River Arts Council on developing a partnership to create an "Art in Public Places" program.
- ⚙ Final design for the Children's Reading Room (funded by St. John's Episcopal Church) and the Friends of the Library (with seed money from the City) is nearly complete. Midtown Connector, GLTC Transfer Center, Campbell Avenue/Odd Fellows Road Master Plan and Lower Bluffwalk all proceeding.

Critical Issues/Concerns for the Future

- ⚙ Viability of maintaining the Museum system at its current level of operation.
- ⚙ The contract with the Lynchburg Regional Chamber of Commerce expires in December 2013. Discussions will need to begin regarding the future of tourism service delivery.



Citizen Engagement and Social Capital



City Council Assessment • September 2011 • Moderate



Staff Assessment • December 2012 • Significant

Staff Assessment: Staff assessment is that there has been significant progress in the area of Citizen Engagement and Social Capital. The City is continuing to improve its use of technology in order to engage citizens. Since this report was first written, the number of Facebook followers has increased from approximately 250 to 840, and there has been a substantial increase in the number of First to Know subscribers as well as an increase in Twitter followers. Significant progress has been made on the development of a new website with an estimated launch in early 2013. The new website will allow access by mobile devices.

Communications and Marketing collaborates with Lynchburg City Schools (LCS) Public Information Office in jointly publishing the City Source and airs cross channel programming on LTV - 15 and LCS - Channel 17. A successful effort was made to engage the public in an after-action review of the derecho and the City has increased efforts to educate the public concerning emergency preparedness.



City Council Assessment of Progress • December 2012 • Significant

Survey Analysis: City Council rated Citizen Engagement and Social Capital progress at 6.6 during FY 2012 compared to a staff rating of 7.0. In September 2011, Council rated this element 5.0. Council member ratings were quite dispersed with two Council members giving this element a 5.0, two Council members giving it a 6.0 and one Council member each rating Citizen Engagement and Social Capital a 7.0, 8.0, and 9.0. This element was rated 5.0 by Council in September 2011.

City Council comments:

- "... when the new website is completed and access by mobile phone is available this element will increase to significant progress."
- "Again, some progress which is good but not an increase of 2 points."
- "I think that we have done an excellent job soliciting citizen input. We probably can do more with volunteerism."

Citizens Engagement and Social Capital

Major Accomplishments

- ⚙ Successfully conducted citizen engagement process on the FY2013 budget.
- ⚙ Improved and increased utilization of social media including Facebook, Twitter, YouTube, etc.
- ⚙ Citizen Academy and Police Academy continue to be successful in attracting students.
- ⚙ Town/Gown Meetings continue to be productive avenue to communicate with local colleges and universities.
- ⚙ Get!Downtown attendance increased and included a Stay!Downtown feature in 2012.
- ⚙ Continued to conduct citizen surveys to gather input concerning targeted issues (i.e. City's response to windstorm, etc.)

Major Works in Progress

- ⚙ The City's new website will be launched in December 2012 with improved access for mobile devices.
- ⚙ Celebration of the 10th Anniversary of the Lynchburg Citizens Academy with establishment of an alumni organization.
- ⚙ Second annual *Lights! Camera! Lynchburg* video Contest

Critical Issues/Concerns for the Future

- ⚙ Development of a process that would serve to guide the community through a collaborative and creative process that would lead to a shared community vision and common values. This vision would act as one filter in making long range plans and critical budget decisions.
- ⚙ Investigating possibility of obtaining funding for Reverse 911 and/or low frequency radio station to improve communication efforts with citizens.



Economic Development



City Council Assessment of Progress • September 2011 • Significant



Staff Assessment • December 2012 • Significant

Staff Assessment: The City is continuing to make significant progress in accomplishing Sustainable Economic Development goals and objectives. City Staff and the Lynchburg Economic Development Authority, in collaboration with numerous partner organizations, have worked to inform, engage and support the City's business community. The City received several grants to leverage resources; a new OED website has been launched to provide information to attract, grow and retain business in the City; the City's two Enterprise Zones were amended to maximize eligibility; and the Office of Economic Development executed an application for a Foreign Trade Zone.



City Council Assessment of Progress • December 2012 • Significant

Survey Analysis: City Council (7.3) and staff (7.5) rated Economic Development similarly and consistent with Council's September 2011 assessment of 7.5. Again, Council was quite divergent in their ratings on this element: Two Council members each rated progress in FY 2012 at 6.0, 7.0, and 8.0 and one Council member rated progress in Economic Development at 9.0.

City Council comments:

- ...a reflection on the sale of the Fresh Market property at Lakeside Drive and 501 tarnished the "otherwise excellent job" performed by the Director of Economic Development.
- "We need to divert some of the funds we are using for tourism toward more straightforward economic development."

Economic Development

Major Accomplishments

- ⚙ Office of Economic Development was awarded a Brownfields Grant from the Virginia Economic Development Partnership for \$41,000 to assist with assessment, remediation and stabilization on the 700 block of 5th Street. OED provided funding for the application for 5th Street to be designated a State & Federal Historic District to encourage development.
- ⚙ Office of Economic Development received a grant of \$5000 from the Virginia Commission for the Arts for the James River Arts & Cultural District. Awarded 12 Arts & Cultural District Grants totaling \$29,925 to produce a total estimated economic impact of \$613,072 in the Arts & Cultural District.
- ⚙ Lynchburg's Enterprise Zones administered by the Office of Economic Development awarded over \$375,000 in grants to commercial property owners for over \$47 million in capital investment and the creation of 107 new jobs.
- ⚙ Launched the Economic Development Authority "OpportunityLynchburg.com" website to provide 24/7 access to information and services to retain, grow and attract business in the City of Lynchburg.
- ⚙ Governor announces VDOT funding for Odd Fellows Road-460 Interchange - \$30 million project. Based on feedback from the new neighborhood economic development pilot, the Office of Economic Development seized the opportunity to fund the current Campbell Avenue and Odd Fellows Road Corridors Land Use & Master Plan Study when the above Interchange was announced to maximize economic development and community livability.

Major Works in Progress

- ⚙ Local Enterprise Zone Redevelopment Grant approved to support redevelopment and increase revenues.
- ⚙ Establishing a Defense Zone.
- ⚙ Partnership with the New River Valley to become a Foreign Trade Zone.
- ⚙ Workforce Development Initiatives.
- ⚙ Enterprise Zone Amendment 2012.
- ⚙ Business Development Strategic Plan.

Critical Issues/Concerns for the Future

- ⚙ Resources available to support activity.



Healthy and Active Living



City Council Assessment • September 2011 • Moderate



Staff Assessment of Progress: Significant

Staff Assessment: Staff assessment of City-wide progress toward accomplishing the Healthy and Active Living goals and objectives is significant. The Action Community for Health and Environmental (ACHIEVE) Action and Response Team and former Mayor Joan Foster's endorsement and leadership of the Live Healthy Lynchburg initiative resulted in major accomplishments. Community assessments were completed, awareness campaigns developed and implemented, all leading to numerous policy discussions and delivery of programs. Multi-modal transportation options expanded; new partnerships and expanded funding sources allowed the "Safe Routes to School" program to move forward; progress was made to improve access to healthy foods; park improvements increased opportunity for physical activity; and the City continued to model best management practices in organizational wellness and health programs.



City Council Assessment of Progress • December 2012 • Significant

Survey Analysis: City Council rated Healthy and Active Living 6.9 while staff rated the FY 2012 progress 8.0. In September 2011, City Council rated this element at 4.0. Two Council members each rated progress on this element at 6.0 and 8.0 while one Council member each rated FY 2012 progress at 4.0, 7.0, and 9.0.

City Council comments:

- "This seems to be in line with accomplishments."
- "This has been a tremendous team effort and has resulted in much progress being made because of everyone working together in a very strategic manner."

Healthy and Active Living

Major Accomplishments

- ⚙ City actively participated on the Action Community for Health, Innovation and Environmental (ACHIEVE) Action and Response Team. Team created a Community Action Plan, conducted community assessments, and spearheaded community projects, including the Live Healthy Lynchburg Initiative, Work Healthy Coalition, formation of the Lynchburg Area Food Council, and projects funded through the Virginia Department of Health and the Virginia Foundation for Healthy Youth.
- ⚙ Improved multi-modal transportation options, including completing Phase I and IIA of the Wards Road Pedestrian/Bicycle Plan. In addition Region 2000 Local Government Council partnered with the City and Lynchburg City Schools to initiate a Safe Routes to School Program. The partnership received two Prevention Connection Mini-Grants, completed Travel Plans for three elementary schools and received over \$375,000 in grant funds to improve infrastructure to improve walking conditions around Perrymont, TC Miller and Dearington elementary schools.
- ⚙ City modeled a work healthy environment by encouraging employee participation in the Live Healthy Lynchburg initiative, Lynchburg Ten Miler/ Four Miler, 100 Mile Challenge, workplace Weight Watchers program, Health On the Go programs, the Health Management Program and exercise and fitness programs.
- ⚙ Improved recreation facilities, including completing Phase I of the Lynchburg Dog Park; constructing a universally accessible playground in Riverside Park; and substantially completing Allen-Morrison Demolition.

Major Works in Progress

- ⚙ Improve infrastructure to increase active living and transportation options. Improvements include the renovation and extension of the Creekside Trail, and construction of the Lower Bluff Walk, Mid-town Connector, Wards Road Pedestrian improvements and SRTS sidewalk improvements.
- ⚙ Renovation of the Miller Center, increasing opportunities to participate in wellness and fitness recreation programs.
- ⚙ Improvements to recreation infrastructure, including the athletic field at Blackwater Creek Athletic Area, exercise circuit equipment at Peaksview Park, and improving trails, basketball and tennis courts in Riverside Park.
- ⚙ Continued City staff participation on the ACHIEVE Action and Response Team.

Critical Issues/Concerns for the Future

- ⚙ Inability to fund trail, park, recreation facility, school ground and multimodal infrastructure improvements.
- ⚙ Negative economic impact on businesses and the City from rising healthcare costs, loss of productivity and loss of quality of life, related to the obesity epidemic.
- ⚙ Potential positive and negative impacts and uncertainty (costs) of the Affordable Care Act.
- ⚙ Citizens' inability to access healthy and affordable food.



Infrastructure



City Council Assessment • September 2011 • Moderate



Staff Assessment • December 2012 • Moderate

Staff Assessment: Staff Assessment is that City-wide progress toward accomplishing Infrastructure goals and objectives has been moderate. There have been significant accomplishments in implementing a stormwater utility, the CSO program, and various transportation projects. However, it is important to note that adequate investment in aging infrastructure is critical. At current investment levels, we risk compromising cost effectiveness and service delivery. Areas where progress continues to be made include: CSO where a new direction will potentially save millions, Juvenile Detention Home, Heritage High School, Midtown Connector, 5th Street, and various bridges.



City Council Assessment of Progress • December 2012 • Moderate

Survey Analysis: City Council rated Infrastructure 4.7 while staff rated it 3.7. One Council member rated this element 3.0 while two Council members each rated progress in FY 2012 on Infrastructure 4.0, 5.0, and 6.0. Council's September 2011 rating for Infrastructure was 4.0.

City Council comments:

- "It looks like staff dropped it because of future challenges-rank needs to be based on progress-to-date."
- "Our new approach to CSO looks promising."

Infrastructure

Major Accomplishments

- ⚙ James River Interceptor Divisions 4 & 5 nearly complete.
- ⚙ Continued progress on the CSO Program— we have eliminated 108 of 132 overflow points.
- ⚙ Implemented a stormwater utility and now will have a dedicated source of funding for stormwater infrastructure needs.
- ⚙ Pedestrian Bridge and Trails – Pedestrian access to shopping from Liberty and reducing the number of vehicle trips.
- ⚙ Rivermont Bridge – Upgrades to enhance the community and maintenance work to extend the serviceable life.

Major Works in Progress

- ⚙ CSO Long Term Control Plan Update – may result in a significant change in direction for the CSO Program with a possibility of completing the program within the next decade.
- ⚙ James River Interceptor Division 3A – work just started on this critical component of the CSO Program. This project will significantly reduce the frequency of CSO overflows at one of the most active overflow points.
- ⚙ Midtown Connector – Replacing underground infrastructure while construction takes place, improving pedestrian access and community pride.
- ⚙ Juvenile Detention Home – Additional facility to improve continuum of care, streamline services and realize efficiencies.
- ⚙ Kemper Street Bridge – Replacing deficient bridge to improve lifespan while enhancing safety, pedestrian access and creating gateway to Midtown.

Critical Issues/Concerns for the Future

- ⚙ Adequate funding for the Central Business District Water Line Replacement Program.
- ⚙ Sewer system issues including: capacity issues in Burton Creek may require the replacement of this interceptor, providing sewer service to unsewered areas and ongoing sewer system maintenance needs.
- ⚙ Adequate CSO funding.
- ⚙ Stormwater Infrastructure – as we complete more storm system evaluations, more replacement and renewal needs are discovered.
- ⚙ College Lake Dam Upgrades – Costly improvements are required within the next 3 years to bring structure up to current State Dam Safety Regulations.



Land Use

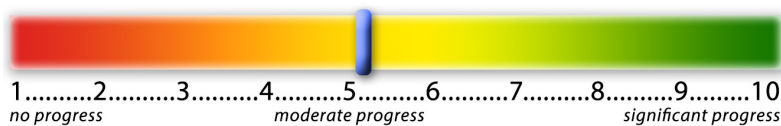


City Council Assessment • September 2011 • Moderate



Staff Assessment • December 2012 • Moderate

Staff Assessment: Staff assessment is that City-wide progress toward accomplishing Land Use goals and objectives is continuing with some improvement. The City completed its Zoning Diagnostic review based on significant community input and City Council endorsed the findings of the study, as well as the need to revise the Zoning Ordinance. Progress continues on key transportation and infrastructure initiatives.



City Council Assessment of Progress • December 2012 • Moderate

Survey Analysis: City Council (5.1) and staff (5.0) rated progress on this element similarly. In September 2011, City Council rated progress on Land Use at 4.0. One Council member maintained the 4.0 rating while four Council members rated progress at 5.0 and two Council members provided a rating of 6.0.

City Council comments:

- “The new 460/Odd Fellows Road interchange will open the Tyreeanna area up for development.”
- “Lynchburg needs to be ready to take advantage of that opportunity” and “We still need the zoning rewrite.”

Land Use

Major Accomplishments

- ⚙ Planning Commission submitted its ninth annual report detailing the ongoing implementation of the City's Comprehensive Plan 2002-2020.
- ⚙ Completed diagnostic review of City's Zoning Ordinance.
- ⚙ Implemented software upgrades to improve efficiency and internal communication in plan review, project management, permitting and licensing, and project management.
- ⚙ Significant progress on a variety of connectivity/infrastructure efforts, including Wards Road Pedestrian Improvements phase IIA, 5th Street phase II and Jefferson Street.

Major Works in Progress

- ⚙ The Planning Commission initiated the 10-year review of the City of Lynchburg Comprehensive Plan 2002-2020. Review will highlight issues identified during the zoning diagnostic review to determine what, if any, revisions are required to Comprehensive Plan.
- ⚙ City Council approved funding to revise the ordinance in September 2012. Revision process will consist of community engagement, indexing and text amendments necessary to revise the ordinance and official zoning map.
- ⚙ Improve access to plan, inspection and infrastructure data to provide more options for the public to review and submit development projects.
- ⚙ Midtown Connector, GLTC Transfer Center, Campbell Avenue/Odd Fellows Road Master Plan and Lower Bluffwalk all proceeding.

Critical Issues/Concerns for the Future

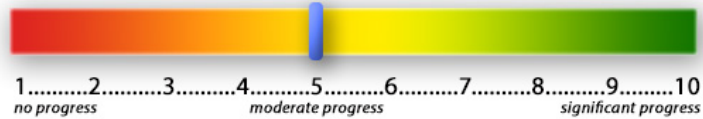
- ⚙ Review City Council vision, Sustainable Lynchburg report card and Annual Report on the Activities on Planning Commission and identify opportunities to assess progress relative to one another.
- ⚙ Discussion of role of density, use and public facilities on the growth of the City.
- ⚙ Revise City Code governing Map Room policies to streamline procedures for connecting to public infrastructure and data management.
- ⚙ Long term funding of infrastructure maintenance and reimbursements as they relate to development within the City.



Lifelong Learning



City Council Assessment of Progress • September 2011 • Significant



Staff Assessment • December 2012 • Moderate

Staff Assessment: Staff assessment is that while there has been some progress in this area there has not been enough movement towards meeting the goals. The Young Entrepreneurs Academy continues to recruit participants. The program has been endorsed by Governor McDonnell. Progress continues to be made regarding the implementation of the new truancy policy and the second truancy (Learnfare) position has been filled. A diverse group of professionals meets quarterly with the local J&DR Court judges to have on-going dialogue about truancy.



City Council Assessment of Progress • December 2012 • Moderate

Survey Analysis: City Council rated progress on Lifelong Learning in FY 2012 at 5.6 while staff rated this element at 5.0. Council rated this element 7.0 in September 2011. Four Council members provided an FY 2012 rating of 5.0, two Council members rated Lifelong Learning 6.0, and one Council member rated this element 7.0.

City Council comments:

- "This is what the private sector is for. Why is this here?"
- "I agree with staff on this. I probably need to understand this element better to assess correctly."
- "I agree with staff comments."

Lifelong Learning

Major Accomplishments

- ⚙ The “Keep Them Home” Committee partnered with the Dearington community and numerous businesses to sponsor the first back to school event. Service providers provided information about their services and backpacks with school supplies were given to every student who attends Dearington Elementary School.
- ⚙ New Lynchburg City Schools’ Truancy Policy.
- ⚙ The Lynchburg Beacon of Hope program (to provide LCS students with the tools and resources to attain a post-secondary education) is now operating in both high schools.
- ⚙ The development of the VA Region 2000 Career and Technical STEM (Science, Technology, Engineering and Math) Academy.
- ⚙ Parenting classes now offered by Central VA Community Services Board and Presbyterian Homes and Family Services.

Major Works in Progress

- ⚙ The Young Entrepreneurs Academy (YEA).
- ⚙ City Employee Workforce Development System – Engaging and Developing Great Employees (EDGE) staff development program continuing to evolve to meet employees' and organization's needs.

Critical Issues/Concerns for the Future

- ⚙ The new LCS truancy policy and the high number of truant students.
- ⚙ The further eroding of all funding sources.



Natural & Environmental Resources

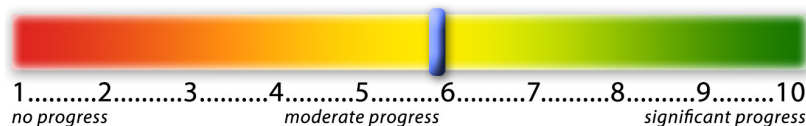


City Council Assessment • September 2011 • Moderate



Staff Assessment • December 2012 • Moderate

Staff Assessment: Staff assessment indicates moderate success has been made towards meeting the goals set forth within the Natural and Environmental Resources element. Improving the stormwater program through implementation of a stormwater utility has been a key focus of many departments over the last year and, with additional impacts expected from more stringent federal and state regulations, an even greater emphasis will need to be placed on this program moving forward. While improvements in the stormwater arena are noticeable, reaching goals in air quality, ecological footprint reduction and resource preservation have been more elusive.



City Council Assessment of Progress • December 2012 • Moderate

Survey Analysis: City Council rated FY 2012 progress on Natural and Environmental Resources at 5.9 while staff provided a 4.0 rating which was the same rating City Council assigned to the progress on this element in September 2011. Council member ratings were quite dispersed: two Council members each rated progress in FY 2012 at 4.0 and 5.0 while one Council member each rated progress at 6.0, 7.0, and 10.0.

City Council comments:

- "Way too much progress from more government requirements from the EPA and DEQ. The fees that our citizens have to pay are unsustainable."
- "The result is unmeasurable."
- "Staff analysis is on target."

Natural & Environmental Resources

Major Accomplishments

- ⚙ Reorganized and implemented a stormwater utility that will provide dedicated funding for stormwater and allow for the more efficient and effective management of the City's Stormwater Program.
- ⚙ Partially as a result of our stormwater utility, we have received grants from: (1) National Fish and Wildlife Foundation through the Center for Watershed Protection to enhance our illicit discharge detection and elimination program and (2) University of Maryland's Environmental Finance Center to help us develop creative financing for the stormwater program and assist with the selection of the most cost effective stormwater best management practices.
- ⚙ Work with James River Association on River Hero Homes to recognize property owners for their efforts to reduce stormwater and pollution leaving their property.

Major Works in Progress

- ⚙ Working on various State Stormwater advisory panels to help develop policy that is affordable and achievable while accomplishing the goals of the Chesapeake Bay Watershed Implementation Plan.
- ⚙ Wastewater Plant Secondary Clarifier upgrades – this is a significant project that will enable higher sustained flows through the wastewater treatment plant with an improved level of treatment which will reduce the volume of CSO overflows and improve effluent quality.
- ⚙ Development of a complex water quality model of the streams and James River in Lynchburg to provide a tool to make effective decisions about the CSO and Stormwater Programs.
- ⚙ Continued development of the stormwater program to meet regulatory requirements, improve water quality, and address stormwater infrastructure needs.
- ⚙ Pursuing a grant through USEPA to identify and eventually evaluate potential brownfield sites through the City's Midtown area.

Critical Issues/Concerns for the Future

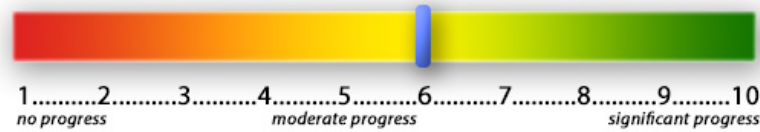
- ⚙ Adequate resources for Stormwater regulations, new stormwater permit and Chesapeake Bay and other TMDL's.
- ⚙ Keeping stormwater rates as low as possible.
- ⚙ Balancing the need to create new resource protection ordinances with the desire to maintain a business friendly atmosphere.
- ⚙ Maintain existing mutually beneficial community environmental partnerships while cultivating new ones that expand our audience in increasingly difficult economic times.



Neighborhoods

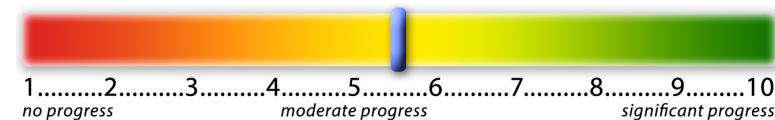


City Council Assessment of Progress • September 2011 • Significant



Staff Assessment • December 2012 • Moderate

Staff Assessment: City staff is continuing to work with the Friends of Tinbridge Hill on neighborhood improvements. Fifth Street and Downtown revitalization also continues. Once the public sector construction is complete, it is hoped that private sector development will be activated. No new initiatives have begun with other neighborhoods.



City Council Assessment of Progress • December 2012 • Moderate

Survey Analysis: Progress on Neighborhoods during FY 2012 was rated 5.6 by City Council and 6.0 by staff. In September 2011, Council rated progress on this element at 7.0. One Council member provided a progress rating of 1.0, one Council member provided a rating of 5.0, while two Council members provided a progress rating of 6.0, and three Council members provided a rating of 7.0.

City Council comments:

- "This (Tinbridge Hill neighborhood improvements) was all done with public funds, which is unsustainable to perform in every neighborhood of the City."
- "I have not heard much about this lately and do not know why, perhaps it is due to lack of marketing of what is going on or perhaps some of the neighborhoods' movers and shakers are getting older and no new generation has come forth to continue."
- "Fifth Street construction put a damper on this one."

Neighborhoods

Major Accomplishments

- ⚙ Community Development Block Grant (CDBG) funds allocated to Tinbridge Hill for a pilot sustainable neighborhood.
- ⚙ Successfully executed the annual National Night Out with 16 groups hosting events.
- ⚙ Parks and Recreation continued to operate seven neighborhood centers.

Major Works in Progress

- ⚙ Construction continues on Jefferson Street South sidewalk and pedestrian access improvements; Bluffwalk design is complete and bids will be received in October.
- ⚙ Fifth Street Revitalization (Phase II) is under construction.
- ⚙ Development of a sustainable neighborhood plan for Tinbridge Hill in partnership with the Friends of Tinbridge Hill.
- ⚙ Implementation of Safe Routes to School grant.
- ⚙ Development of a trail entrance to Blackwater Creek Trail in the Tinbridge Hill neighborhood and extend the trail (Creekside Trail) to Lynchburg College.

Critical Issues/Concerns for the Future

- ⚙ Provide safe and affordable housing choices; form a housing coalition that will develop methods to implement the housing strategy that was approved by City Council.
- ⚙ Improve neighborhood connectivity; improve pedestrian and bicycle connections between neighborhoods and other destinations.



Safe Community



Staff Assessment: Staff assessment is that City-wide progress toward accomplishing Safe Community goals and objectives is continuing. City staff and diverse community partners have worked together successfully during this period in managing emergency situations, expanding public safety initiatives, and taking initial action to stabilize our public safety workforce. Continuing progress is ongoing in the areas of housing and neighborhood revitalization, social media outreach, and expanding City government's emergency management functional capacity.



Survey Analysis: City Council (7.0) and staff (7.0) were in alignment on the progress in FY 2012 on the Safe Community element. One Council member rated FY 2012 progress at 4.0 while three Council members each rated progress at 8.0 and 9.0. Council rated this element at 7.0 in September 2011.

City Council comments:

- "I think we have demonstrated great community strength regarding emergency response and safety."
- "Being safely sustainable means that we should push for citizens to be able to protect themselves. It is not sustainable to have a cop at everyone's corner, or in every school. We need to allow our citizens and employees to be able to defend themselves. The sentence that describes this has a poor premise that is unsustainable. You can't just have the local government do more."

Safe Community

Major Accomplishments

- ⚙ City government and other service providers worked collaboratively with community members to meet the challenges posed by the June 29, 2012 derecho windstorm. This event provided valuable lessons in community preparedness and disaster response that will enhance future emergency management effectiveness.
- ⚙ The number of functional Neighborhood Watch groups has expanded from 40 to 55 City-wide since July 1, 2011.
- ⚙ The City and the Police Department-sponsored "Citizens Academy" educational programs are ongoing and well-attended mechanisms for fostering citizen education and engagement.
- ⚙ Public safety salary adjustments approved during FY13 City budget development have served to enhance recruitment and retention of public safety employees – our most critical community safety "infrastructure."

Major Works in Progress

- ⚙ City and City Department websites are in the process of being updated to provide more convenient public access and a broader range of public service and public safety information.
- ⚙ Renovation of the vacant Armstrong School property into neighborhood housing and green space is planned as a collaboration among Rush Homes, City Departments and other partner groups.
- ⚙ Housing improvement projects and neighborhood plan updates are ongoing within City neighborhoods, in conjunction with a Community Code Compliance Team public education campaign.
- ⚙ City employees are continuing to train in National Incident Management System procedures as means of enhancing the City's emergency management capabilities. City staff will participate in an emergency management practical exercise during October, 2012.
- ⚙ Installation of emergency call stations along the Wards Road Pedestrian Trail is in progress. Installation of call stations along the Bluff Walk Trail is planned.

Critical Issues/Concerns for the Future

- ⚙ Maintaining an adequately competitive public safety pay structure and rebuilding a more experienced police force remain ongoing challenges.
- ⚙ Based on our experience in managing the long-term effects of the June 29, 2012 derecho windstorm, City staff are exploring means of implementing some form of "reverse 911" public notification system.
- ⚙ Maintaining a safe and vibrant community environment demands ongoing focus and commitment in the areas of neighborhood development and community member engagement.



Transportation

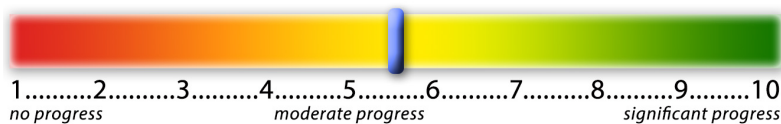


City Council Assessment • September 2011 • Moderate



Staff Assessment • December 2012 • Moderate

Staff Assessment: Staff assessment is that City-wide progress toward accomplishing Transportation goals and objectives is continuing. City staff, VDOT, GLTC and various private partners have worked together successfully during this period in expanding public transportation facilities. Continuing progress is ongoing in the areas of multi-modal facilities, major road improvements, traffic signal enhancements, and lobbying for additional funding.



City Council Assessment of Progress • December 2012 • Moderate

Survey Analysis: City Council (5.6) and staff (6.0) rated progress on Transportation similarly. In September 2011, City Council rated progress on this element at 5.0. Four Council members rated progress on Transportation in FY 2012 at 5.0, two rated progress at 6.0 and 1 rated progress at 7.0.

City Council comment:

- "GLTC problem resolution was a big plus in this area."

Transportation

Major Accomplishments

- ⚙ Traffic Signal Conversions – LED bulbs installed throughout City to reduce energy usage and maintenance.
- ⚙ Pedestrian Bridge and Trails – Pedestrian access to shopping from Liberty and reducing the number of vehicle trips.

Major Works in Progress

- ⚙ GLTC Transfer Center – New center to consolidate multi-modal transportation in one area including extra parking and pedestrian facilities.
- ⚙ Wards Road Traffic Adaptive Signalization – An optimization of signal timings through Locally Intelligent Actuation for better traffic flows and less delays.
- ⚙ Lakeside/Memorial/Park – Replacement of traffic signal to include missing turn lanes and pedestrian features at intersection supporting a school, library and park.
- ⚙ LRTAG – Lynchburg Regional Transportation Action Group continuing to gain support and meeting with State Senators and Representatives to increase local funding.

Critical Issues/Concerns for the Future

- ⚙ Odd Fellows Road – With VDOT moving forward with the interchange, there could be a missing link of improvements for pedestrian and vehicular users between Lynchburg Expressway and 460 Bypass.
- ⚙ Adaptive Signalization for Timberlake, Candler's Mountain and Rivermont – Areas to plan to install intelligent system for coordinated traffic flows.
- ⚙ Lakeside Drive at College Street – Possible improvements for pedestrian movements around college, improvements to intersection with roundabout and the extension of Creekside Trail.

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **January 8, 2103**

AGENDA ITEM NO.: 4

CONSENT:

REGULAR:

WORK SESSION: **X**

CLOSED SESSION:

(Confidential)

ACTION:

INFORMATION: **X**

ITEM TITLE: **Stormwater Program Update**

RECOMMENDATION: No action required.

SUMMARY: Six months into the new stormwater program, Water Resources staff has been asked to report to Council on our experience to date and the current status of the program. Water Resources Director Tim Mitchell and Water Quality Manager Erin Hawkins will provide an update to the stormwater program including the stormwater enterprise fund, pending permitting requirements and next steps. The Environmental Finance Center with the University of Maryland will also provide an overview of a grant funded project that is exploring expanding the ability and capacity of local governments to achieve water quality goals and priorities through more efficient stormwater financing.

PRIOR ACTION(S): April 24, 2012, Council approved \$4/SFU rate to fund the stormwater utility.
December 13, 2011, Council approved an ordinance creating a stormwater utility.

FISCAL IMPACT: To be discussed.

CONTACT(S): Tim Mitchell, 455-4252; Erin Hawkins, 455-3869

ATTACHMENT(S): Stormwater Presentation
MS4 General Permit Fact Sheet

REVIEWED BY: lkp

010K



Stormwater Update

Department of Water Resources

Council Work Session

January 8, 2013

Agenda

- Stormwater Utility update
- Regulatory Update
- Stormwater Management Regulations
- Recommendations
- Environmental Finance Center

Stormwater Utility

- Implemented utility July 1, 2012.
- Projected FY 2013 revenue to be \$3.1M.
- Billings and collections higher than budgeted:
 - Actual non-residential impervious area was higher than projected.
 - Budgeted uncollected rate was 5%, anticipated is 1.9%.
 - To date 9 credits approved.
- Now that regulatory requirements are better understood, staff is recommending to maintain a \$4 rate for FY 2014.

Current Permit Update

- In Permit Year 5 that will close June 30, 2013.
 - On track to meeting permitting requirements.
- Permit Year 4 Annual report was submitted Oct 1st to DCR.
 - Available for viewing at www.lynchburgva.gov/stormwater.
- Have yet to receive a response to the EPA Inspection.

General Permit for small MS4

- Effective date of new permit July 1, 2013.
 - Focus on numeric requirements rather than broad concepts.
 - Participated in state committee to review the regulations.
 - Internal stakeholder meetings with City Departments and Schools.
- Permit requirements include:
 - Chesapeake Bay Special Conditions
 - TMDLs other than Bay
 - Meeting 6 Minimum Control Measure requirements.
 - Public Education and Outreach
 - Public Involvement and Participation
 - Illicit Discharge Detection and Elimination
 - Construction site stormwater runoff control
 - Post-Construction stormwater management
 - Pollution Prevention and good housekeeping for municipal operations

Lynchburg City Water Resources

Stormwater MS4 Plan

	Program Update Requirement	PY 2013	PY 2014	PY 2015	PY 2016	PY 2017	PY 2018
			Permit Year 1	Permit Year 2	Permit Year 3	Permit Year 4	Permit Year 5
	Stormwater Management Regulations (MCM 5)						
	Program Plan to DCR	▲	April 1, 2013				
	Program Implementation			▲ July 1, 2014			
TMDL	Updated TMDL Action Plans (TMDLs approved before July of 2008)						
TMDL	Other TMDL Action Plans for applicable TMDLs approved between July 2008 and June 2013						
TMDL	TMDL Action Plans for applicable TMDLs approved after June of 2013						
TMDL	Chesapeake Bay TMDL Action Plan						
MCM 1	Public Education Outreach Plan						
MCM 2							
MCM 3	Outfall Map Completed						
MCM 3	Illicit Discharge Procedures						
MCM 4	Stormwater Management Progressive Compliance and Enforcement						
MCM 5	Single Family SWM Special Criteria						
MCM 5	Operator-Owned Stormwater Management Inspection Procedures						
MCM 6	Daily Good Housekeeping Procedures						
MCM 6	SWPPP Locations						
MCM 6	SWPPP Implementation						
MCM 6	Nutrient Management Plan (NMP) Locations						
MCM 6	NMP Implementation						
MCM 6	Training Schedule and Program						

Comprehensive Water Quality Plan

Chesapeake Bay TMDL

Est. cost \$110 M

- Development of watershed master plans
- Implementation of plan, meet 5% of goal in next 5 years
- Capital needs

James River (Bacteria) TMDL

Est. cost \$20 M

- Program plan to execute the Implementation Plan
- Possible plan revision

Other issues

Costs TBD

- Full impact of Bay TMDL will not be known until ongoing Chlorophyll-a study is complete
- Required to include future TMDLs in program plan once approved

Comprehensive Water Quality Plan

- Holistic approach to meeting water quality standards.
- Incorporates benefits from CSO LTCP revisions.
- Long-term management plans for improving local environment.

Other activities currently underway:

- Comprehensive Plan updates
- Zoning ordinance updates
- Incentives for Low Impact Design strategies
- Two Grant Projects
 - Environmental Finance Center financing strategies
 - Illicit Discharge program review and training

Minimum Control Measures

- Public Education/Involvement (MCM 1 and MCM 2)
 - Targeted messages to promote public awareness
 - Coordination of public participation events
 - Public meetings and updating website
- Increase awareness & elimination of Illicit Discharges (MCM 3)
 - Stormwater System mapping update
 - Increased water quality monitoring
 - Increase of outfall inspections (from 140 annually to over 600)

Stormwater Management Regulations (MCM 5)

- Required to implement a Virginia Stormwater Management Program [VSMP] that addresses the revised criteria for Quality, Quantity and receiving channel requirements for new development and re-development projects.
 - Program adoption required by July 1, 2013 if no extension requested.
 - Delayed implementation date of July 1, 2014.
 - Requires Ordinance Update, Procedural Review, Increased Staff Training and Review Fees.
- VSMP Implementation Extension due April 1, 2013 to DCR.
 - Extension requires Includes Checklist, Draft Ordinance and Funding plan.
- Participation on state committee to review regulations.

Minimum Control Measures

- Pollution Prevention and Good Housekeeping for Municipal Operations (MCM 6)
 - Develop individual facility pollution prevention plans.
 - Nutrient management plans for all public lands.
 - Greatly increase training for City employees to increase expectations that interact with stormwater programs.

Anticipated Costs

WQ Master Planning Efforts

Est. cost \$1.5M

- Develop and strategize watershed management plan
- Assists in developing capital plan for implementation

Storm System Mapping and Condition

Est. cost \$500,000

- Update and data management
- Field survey and inspection of system
- Better understand existing infrastructure capital needs

Operations

Est. cost TBD

- Education Campaign
- Facility Pollution Prevention and Nutrient Management plans
- 2 FTE positions, Outreach Coordinator, restore Environmental Reviewer

Cost Mitigation Strategies

- Nutrient Trading Program
 - Participation in Nutrient Trading Regulatory Process
- Environmental Finance Center, University of Maryland
- College Lake Water Quality Study
 - Evaluate effectiveness of the lake as a water quality improvement project.
 - Plan does not address mandated dam improvement requirements.

Recommendations

- Previous projections for FY 2014 included a 6% rate increase; however, due to increased number of billable SFUs we anticipate maintaining the \$4 stormwater fee for FY 2014.
- Proceed with master planning efforts for Water Quality Compliance Plan and Storm System mapping update.
- Continue working with City Departments and Lynchburg City Schools to better understand roles and responsibilities in meeting permitting requirements.
- Provide sufficient funding to adequately meet permitting requirements.

Environmental Finance Center

Grant project is being funded by a grant from the National Fish and Wildlife Foundation [NFWF]

EFC



The Impact of Local Stormwater Investments

Dan Nees

Environmental Finance Center

University of Maryland

January 8, 2013



Economic Impact Assessments

Why do we care?

- Enables decision-makers to consider stormwater financing within the framework of broader community priorities:
 - Economic development
 - Job training
 - Infrastructure financing



Economic Impact Assessments

- Economic impact analysis (EIA) examines the effect of a policy or activity — such as the Watershed Implementation Plans — on the economy of a given area
- Our assessments were conducted at the county and/or municipal level
- Our partners: BEACON at Salisbury University
- EIA tools: IMPLAN, iDecide

Economic Impact Summary

Estimated impact per \$100 million invested in stormwater construction:

Lynchburg, VA:	\$321.2 million
Anne Arundel County, MD:	\$223.0 million
Baltimore, MD:	\$ 58.7 million

Economic Impact Summary

Estimated jobs *supported* per \$100 million invested in stormwater construction:

Lynchburg, VA:	1,430
Anne Arundel County, MD:	993
Baltimore, MD:	133



Economic Impact Summary

Estimated impact per \$10 million invested in stormwater operations and maintenance:

Lynchburg, VA:	\$ 32.3 million
Anne Arundel County, MD:	\$ 33.6 million
Baltimore, MD:	\$ 22.3 million

Economic Impact Summary

Estimated jobs *supported* per \$10 million invested in stormwater operations and maintenance:

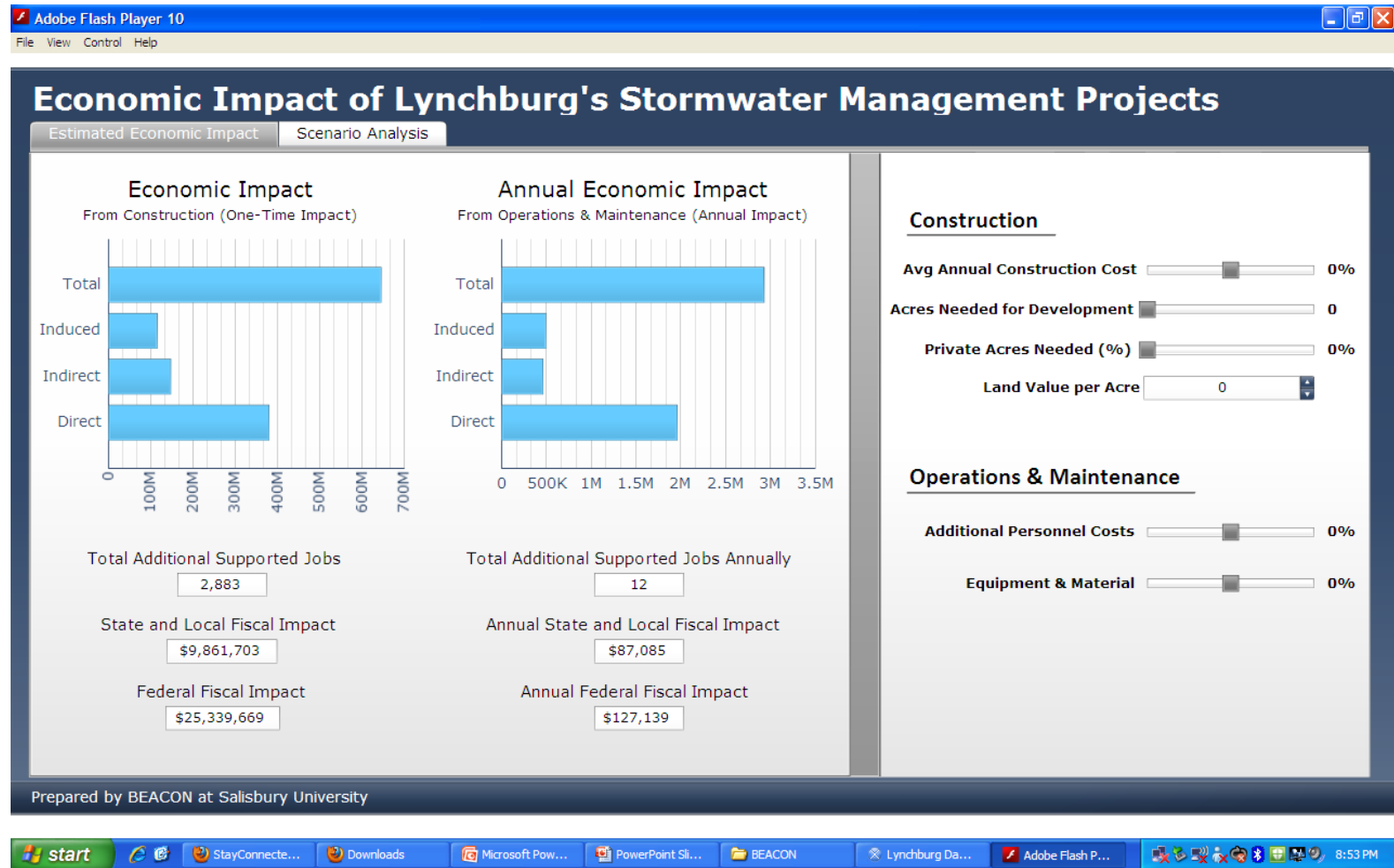
Lynchburg, VA: 133

Anne Arundel County, MD: 137

Baltimore, MD: 73



The Dashboard



Phase 2

Cost effectiveness and program capacity:

- Did the project reach its target, at the projected costs? In other words, was the project as efficient as expected and projected?
- Could the project have achieved its target at *lower* costs? In other words, could the project have been *more* efficient?

Economic development:

- Strategies for maximizing impact and coupling stormwater with other community priorities

Phase 3

Recommendations for improving efficiency and maximizing benefit:

- Establishing sufficient, sustainable, equitable revenue streams
- Co-financing with other community programs and priorities
- Leveraging performance and market-based systems and forces
- Effective engagement and leveraging of private sector, including private capital

Conclusion



FACT SHEET
GENERAL PERMIT FOR DISCHARGES OF STORMWATER FROM SMALL MUNICIPAL
SEPARATE STORM SEWER SYSTEMS
Prepared pursuant to 4VAC50-60-520

The Virginia Soil and Water Conservation Board (Board) is considering the reissuance of a General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) to the surface waters of the Commonwealth of Virginia. Regulations developed under the federal Clean Water Act (CWA), 33 USC §1251 et seq., and the Virginia Stormwater Management Act, §10.1-603.2 et seq. of the Code of Virginia, require that state permits be effective for a fixed term not to exceed five years §10.1-603.2.2 (B). The Board issued the existing general permit effective July 9, 2008 and it will expire on July 8, 2013, thus necessitating the promulgation of a new general permit at this time. The effective date of the draft general permit will be July 1, 2013. Operators covered under the expiring general permit that wish to continue to discharge under a general permit must file a registration statement and have paid all applicable maintenance fees for under the current general permit for coverage under the new general permit prior to April 2, 2013. Coverage under the expiring general permit will end on midnight, June 30, 2013. Operators of small MS4s who are seeking new permit coverage under this general permit during its term are required to register with the Department by filing a complete registration statement and paying the applicable permit fee.

Permit Number: VAR04

Name of Permittee: Any operator of a qualifying small MS4 who discharges to the surface waters of the Commonwealth of Virginia.

Facility Location: Commonwealth of Virginia

Receiving Waters: Surface waters within the boundaries of the Commonwealth of Virginia, except those specifically named in the Virginia State Water Control Board or Board regulations, which prohibit such discharges.

Discharge Type: Stormwater discharged from regulated small MS4s

On the basis of preliminary review and application of lawful standards and regulations, the Board proposes to reissue this general permit subject to certain conditions. The Board has determined that this category of discharges is appropriately controlled under a general permit. The category of discharges to be included involves facilities with the same or similar types of operations that discharge the same or similar types of stormwater. The draft general permit requires that all covered facilities meet standardized effluent limitations and monitoring requirements.

I. Facilities and Activities Subject to this General Permit

This general permit will cover stormwater discharges from small MS4s to surface waters of the Commonwealth. Generally, unless the MS4 qualifies for a waiver, a small MS4 is regulated if it is operated by a federal, state, tribal, or local government entity and is located in an urbanized area as determined by the latest Decennial Census by the Bureau of the Census. If the small MS4 is not located entirely within an urbanized area, only the portion that is within the urbanized area is regulated.

An MS4 may additionally become regulated if it is the subject of a petition to the Board to require a state permit for its discharge of stormwater. If the Board determines that an MS4 needs a state permit and the MS4 operator applies for coverage under this general permit, the operator is required to comply with the state permit requirements. The operator may alternatively choose to apply for and obtain coverage under an individual permit as allowed by 4VAC50-60-400.

Additional designations based on subsequent census years will be governed by the Census Bureau's definition of an urbanized area in effect for that year. MS4 operators identified as being located in an urbanized area as a result of the 2010 Census will be required to obtain permit coverage under this general permit. These operators will be required to submit a complete registration statement within 180-days after official notification by the Department.

II. Type and Quantity of Discharge Authorized

This general permit authorizes discharges of stormwater from small MS4s to surface waters within the boundaries of the Commonwealth of Virginia, except those specifically named in Board regulations or policies that prohibit such discharges. The Board has determined that this category of discharges is appropriately controlled under a general permit, as the category of discharges to be included involves facilities with the same or similar types of operations that discharge the same or similar types of stormwater.

III. Legal Basis for Draft Permit Conditions

The General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems is a state permit issued through regulation by the Board pursuant to the federal Clean Water Act and the Virginia Stormwater Management Law.

Requirements set forth in the federal Clean Water Act (33 USC §1251 et seq.), formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972, Public Law 92-500, as amended by Public Law 95-217, Public Law 95-576, Public Law 96-483, and Public Law 97-117, or any subsequent revisions thereto, and its attendant regulations set forth in 40 CFR Parts 122, 123, 124 and 125, require states to establish a permitting program for the management of stormwater from municipal separate storm sewer systems (MS4s).

The basis for this general permit under state law is the Virginia Stormwater Management Law, §10.1-603.2 et seq. of the Code of Virginia, and the Virginia Stormwater Management Program (VSMP) Permit regulations, 4VAC50-60-10 et seq. Specifically, §10.1-603.2:1 requires the Board to permit, regulate, and control stormwater runoff in the Commonwealth. In carrying out its responsibilities, the Board may issue, deny, revoke, terminate, amend and enforce state permits for the control of stormwater discharges from Municipal Separate Storm Sewer Systems (subsection 1), adopt regulations (subsection 2), and otherwise act to ensure the general health, safety and welfare of the citizens of the Commonwealth as well as protect the quality and quantity of state waters from the potential harm of unmanaged stormwater. Additionally, §10.1-603.2:2(A) states that it is unlawful to cause a stormwater discharge from an MS4 except in compliance with a state permit.

IV. Alternatives to Required Standards

Discussion of alternatives to the required standards of the draft general permit is contained in Section VI below.

V. Public Comment and Procedures for General Permit Adoption by the Board

Persons may comment in writing on the proposed issuance of the general permit during the public comment period, which will commence on November 4, 2012 and end at 5:00 p.m. on January 4, 2013. The Board will consider only those comments received within this period. Comments shall include the name, address, and telephone number of the writer, and shall contain a complete, concise statement of the factual basis for comments. Comments should be addressed to the contact person listed below:

The Regulatory Coordinator
Virginia Department of Conservation and Recreation
203 Governor Street, Suite 302
Richmond, Virginia 23219

Comments may also be faxed to the Regulatory Coordinator at (804) 786-6141 or be e-mailed to regcord@dcv.virginia.gov. Electronic comments may be submitted on the Virginia Regulatory Town Hall by clicking on the “proposed” stage and selecting “comment period” at: <http://www.townhall.virginia.gov/L/viewaction.cfm?actionid=3634>. All written comments must include the name and address of the commenter (e-mail addresses would be appreciated also). In order to be considered, comments must be received by 5:00 PM on January 4, 2013.

All pertinent information regarding this proposed regulation can be obtained at <http://www.dcr.virginia.gov/lr3e.shtml>. Hard copies are on file and may be inspected. To make arrangements for inspection and copying, or for additional information, contact Mr. David Dowling at (804) 786-2291.

Public hearings to receive comments on the proposed general permit regulations will be held:

- At 1:30 p.m. on December 3, 2012 at the Virginia Department of Alcoholic Beverage Control Hearing Room, 2901 Hermitage Road, Richmond, Virginia 23320;
- At 10:00 a.m. on December 5, 2012 at the Roanoke City Council Chambers, Noel C. Taylor Municipal Building, 215 Church Avenue Southwest, Roanoke, Virginia 24011; and
- At 1:30 p.m. on December 7, 2012 at the Spotsylvania County Public Schools’ Administration Board Room, 8020 River Stone Drive, Fredericksburg, Virginia 22407

Notice of the public hearings will be published in newspapers and in the Virginia Register. Following the public hearing comment period, the Board will make its determination regarding adoption of a final general permit regulation.

VI. Explanation of Conditions and Limitations

A. Utilization of Narrative Effluent Limitations

The Board considers narrative effluent limitations requiring implementation of Best Management Practices (BMPs), rather than water quality based standards, to be the appropriate form of effluent limitations for MS4s. CWA section 402(p)(3)(b)(iii) establishes a process for narrative rather than numeric effluent limits for MS4s, for example, by reference to "management practices, control techniques and system, design and engineering methods, and such other provisions as the Administrator or the State determines appropriate for the control of such pollutants." 33 U.S.C. 1342(p)(3)(B)(iii). Additionally, it is not technically feasible to establish numeric effluent limits for MS4 stormwater discharges. The variability in the system and minimal data generally available make it difficult to determine with precision or certainty actual and projected loadings for individual dischargers or groups of dischargers. This could lead to overly stringent general permit requirements, and excessive and expensive controls on stormwater discharges that are not necessary to provide for attainment of WQS. Conversely, an inadequate effluent characterization could lead to water quality-based effluent limitations that are not stringent enough to provide for attainment of Water Quality Standards (WQS).

Water quality based effluent limits are based on low flow conditions for end-of-pipe discharges. MS4 discharges are not end-of-pipe and are highly variable. For example, the highest concentrations are often found in the first flush, which are not low flow conditions. Low flow condition assessments are not applicable to stormwater discharges from an MS4. Stormwater discharges are also variable based on the storm event itself, with varying flow conditions on a two-year, ten-year, or 100-year event.

B. MS4 Programs and Iterative Process

The CWA specifies that National Pollutant Discharge Elimination System (NPDES) permits for discharges from MS4s "shall require controls to reduce the discharge of pollutants to the maximum extent practicable, including management practices, control techniques and system, design and engineering methods." CWA Section 402(p)(3)(B)(iii).

MS4 operators need flexibility to optimize reductions in stormwater pollutants on a location-by-location basis given the unique local hydrologic and geologic concerns that may exist and the differing possible pollutant control strategies.

Continued implementation of MS4 Programs through an iterative process will lead to protecting water quality and protection of water quality standards. The MS4 Program should continually adapt to current conditions and BMP effectiveness and should be protective of WQS. Therefore, each operator will determine appropriate BMPs to satisfy each of the six minimum control measures through an evaluative process. This evaluative process will consider such factors as conditions of receiving surface waters, specific local concerns, and other aspects included in a comprehensive watershed plan. Other factors may include MS4 size, climate, implementation schedules, beneficial uses of receiving surface water, hydrology, geology, and capacity to perform operation and maintenance. In cases where

adequate information exists to develop more specific conditions or limitations to meet WQS, these conditions or limitations are to be incorporated, as necessary and appropriate. Successive iterations of the mix of BMPs and measurable goals will be driven by the objective of assuring maintenance of WQS; this proposed permitting approach anticipates expanded or better-tailored BMPs in subsequent general permits, where necessary, to provide for the attainment of WQS. The Board presumes, absent evidence to the contrary identified as an approved Total Maximum Daily Load (TMDL) wasteload allocation prior to the effectiveness date of this general permit, that a small MS4 program that implements the six minimum measures in this general permit does not require more stringent limitations to meet WQS.

An operator of small MS4 is required to develop, implement, and enforce a stormwater management program, referred to as an “MS4 Program.” The MS4 Program must include an MS4 Program Plan that includes the six minimum control measures and special conditions for waters where the MS4 discharges were identified as causing or contributing to an impairment as a result of being allocated a wasteload in an approved TMDL. The operator will be required to develop and implement appropriate BMPs to satisfy each of these required measures, which are described as follows:

1. Public education and outreach on stormwater impacts.

This general permit defines the expectations of public education and outreach programs for MS4 operators. In order to ensure development of clear and concise messages to the public, this general permit requires selection of three priority issues by the MS4 operator. This general permit provides flexibility in selecting the priority issues so that the MS4 operator can identify those most appropriate for the MS4. The general permit requires that the MS4 operator design and implement outreach issues aimed at reaching 20% of the estimated target audience for each message annually. The general permit allows for coordination between MS4 operators and requires evaluation of the delivery methods to ensure that the target audiences are adequately reached.

2. Public involvement/participation.

Given the ever increasing expectations of MS4 programs, public involvement and participation is a major component in program implementation. The public must be made aware of and participate in the MS4 operator’s program implementation. As a result, this general permit requires that an updated MS4 Program Plan and associated annual reports are maintained on-line for public access. In addition, MS4 operators will be required to notify the public of the ability to comment on their MS4 Program Plan that will be submitted as part of the reapplication process. This will begin with the reapplication for coverage under the next general permit cycle as these regulations will not be effective at the time in which reapplications for coverage are due to be submitted for coverage under this general permit cycle.

This general permit dictates that each MS4 operator will annually select a minimum of four local activities in which to participate through promotion, sponsorship or other involvement. These activities are to be aimed at increasing public participation to reduce stormwater loads and improve water quality. “Local activities” does not restrict the geographical or jurisdictional locations available to the MS4 operator to participate. “Local activities” should be considered to be activities that are aimed at addressing impacts to surface waters to which the MS4 contributes, both immediately or farther downstream.

3. Illicit discharge detection and elimination.

This general permit revises the descriptive approach taken in previous general permit cycles in illicit discharge detection and elimination to a prescriptive approach that details the expectations and requirements, including the minimum number of sites for screening, for each MS4 program. As a result of the implementation of this prescriptive approach in the body of the general permit, the TMDL special condition for outfall reconnaissance in the expiring general permit has not been included in this general permit cycle.

This general permit requires the completion of all outfall maps within 48-months of issuance of coverage under this general permit. This general permit condition includes completion of the mapping of outfalls in any urbanized areas newly designated as a result of the 2010 U.S. Census.

4. Construction site stormwater runoff control.

This general permit establishes the minimum standards for erosion and sediment control programs established under Minimum Control Measure 4 as consistent with state statute and regulations. The Virginia Erosion and Sediment Control Law (§10.1-560 et. seq.) and attendant regulations address plans review, site inspection, and program administration including enforcement for land-disturbing activities equal to or greater than 10,000 square feet. These requirements also establish minimum training and certification for staff in the areas of plans review, administration, and inspection.

The Chesapeake Bay Preservation Act reduces the regulatory size threshold to equal to or greater than 2,500 square feet in areas designated by the locality as regulated under the Chesapeake Bay Preservation Act.

This general permit also requires that the MS4 operator continue implementation of a more restrictive program that requires erosion and sediment controls on land-disturbing activities greater than 2,500 square feet where the MS4 operator has determined additional water quality protection is warranted. The MS4 operator also authorizes the ability for the MS4 operator to require more stringent erosion and sediment controls where it finds it necessary, provided the requirements are consistent with the authorizing statute.

This general permit also requires that MS4 operator's large and small construction activities obtain separate general permit coverage and requires the MS4 operator to ensure that all large and small construction activities have obtained such coverage.

Finally, this general permit requires that the MS4 operator address discharges from unpermitted on-going large and small construction activities and non-sediment discharges from large and small construction activities as illicit discharges.

5. Post-construction stormwater management in new development and development on prior developed lands.

This general permit continues to implement the Commonwealth's iterative strategy to address the impacts of stormwater runoff from urbanization. Since 1988, total phosphorus has been Virginia's keystone pollutant used to determine water quality design requirements as a result of new and redevelopment. Phosphorus was chosen by Virginia to allow consistent application of performance based water quality criteria. It was also selected because it exhibits some of the characteristics of particulate pollutants, as well as those of soluble pollutants, making it a good indicator of urban pollutants in general.

In 1988, the Commonwealth passed the Chesapeake Bay Preservation Act (CBPA) requiring localities in Tidewater Virginia to implement water quality protection programs for new development and redevelopment on certain lands designated by localities. Regulations under the CBPA statute established an average land cover condition equivalent to 16% impervious cover with corresponding phosphorus loading rates of 0.45 lbs./ac/yr for new impervious acres and a 10% reduction in the existing load for prior developed lands. The 0.45 lbs./ac/yr design criteria was developed as a relative phosphorus rate equivalent to the discharge from forest cover, pasture land, conservation tillage, and conventional tillage for lands in the Chesapeake Bay watershed as published in Virginia's Chesapeake Bay Initiatives: First Annual Progress report (September 1985).

The average land cover condition determined the regulatory level of stormwater control implementation. As a result, post-construction runoff from lands designated in the Chesapeake Bay Preservation Area Designation and Management Regulations under the CPBA statute were designed to ensure no increase in the phosphorus load as developed equivalent to 1985 average land use from undeveloped lands.

In 1998, the separate Virginia Stormwater Management Regulations were amended to reflect the continued evolution in the definition and role of stormwater. The technical criteria established as part of the amendment addressed, not only water quality but stream channel erosion and flooding, as well, in order to address the hydrologic stability of downstream receiving water based on peak discharge rate. The 1998 regulatory modifications applied not only to localities in Tidewater Virginia, such as the MS4 operator, but also to voluntary stormwater programs adopted throughout the state.

In 2004, the Virginia General Assembly transferred the NPDES municipal and construction stormwater permitting authority to the Virginia Soil and Water Conservation Board and mandated that the Board develop minimum post-construction stormwater management regulations for localities that, among other conditions, require that the regulations (1) maintain an after-development runoff rate of flow and characteristics that replicate, as nearly as practicable, the existing predevelopment runoff characteristics and site hydrology, or (2) improve upon the contributing share of the existing predevelopment runoff characteristics and site hydrology if stream channel erosion or localized flooding is an existing predevelopment condition. As well, the regulations encourage low impact development designs, regional and watershed approaches, and nonstructural means for controlling stormwater. In addition, as a result of legislative action, post-development design criteria became mandatory for all regulated land-disturbing activities under state regulation. The design criteria were

implemented in conjunction with the General Permit for Stormwater Discharges from Construction Activities (CGP). However, regulations that detailed the requirements for MS4s did not become final until September 2011 after significant public participation and comment.

This general permit requires the MS4 operator to consistently implement the 2011 stormwater management regulations. In order to coordinate implementation efforts between MS4s and the regulatory authority, the regulation designates a start date consistent with reissuance of the CGP, expected to be July 1, 2014. Under this general permit, the MS4 operator is required to update its ordinances and procedures to be consistent with the regulations. Local plan review, inspection and enforcement is mandated through these regulations and will ensure that erosion and sediment control plans and post development stormwater management plans are reviewed and approved by the MS4 operator prior to CGP coverage being issued by the Commonwealth. Additionally, as a result of implementation of these regulations through ordinance, the MS4 operator will have the responsibility to ensure implementation of construction activities' stormwater pollution prevention plans and the federal Effluent Limitation Guidelines for construction activities. Before the MS4 operator implements its program, it must submit its implementation plan to the Board for approval as specified by the regulations.

Effective with the MS4 operator's implementation of the 2011 stormwater management regulations, the mechanism by which it determines post-development runoff compliance will completely change. Water quality design calculations will no longer be based simply upon pre- and post-development pollutant loads from the first ½-inch of runoff from impervious surfaces and the reductions based on an average cover land condition. Instead, post-development water quality design will be based on the concept of runoff volume reduction from the first 1-inch of rainfall on the entire site. The new Virginia Runoff Reduction Method compliance calculation procedure categorizes site land covers as either: (1) forest and open space, (2) managed turf and disturbed areas, or (3) impervious surfaces. The new phosphorus load threshold is 0.41 lb/ac/yr, corresponding to an average watershed imperviousness of 10% (based on the Center for Watershed protection's Modified Impervious Cover Model). The equivalent phosphorus load was based on discussion regarding the impact of impervious cover on and required protections for local receiving waters. The water quality design criteria is based on the 60% forest cover, 30% managed turf, and 10% impervious cover, incorporating all three land cover conditions now being addressed in the new methodology.

In addition, the water quality protection requirements for redevelopment have been modified. The previous regulations required that the phosphorus load from the site as previously developed must be reduced by 10% after redevelopment. The modified regulations include two different requirements, depending on the amount of land disturbance. If the area of disturbance is greater than or equal to one acre, the original phosphorus load must be reduced 20%. If the disturbed area is less than one acre, the original load must be reduced 10%.

It is not appropriate to compare the water quality design criteria based on average land cover and the runoff reduction design criteria because the method of calculation, the design event, and the method of compliance are different. One does not equate to the other.

The 2011 regulation modifications also change the methodology that the MS4 operator uses to determine required runoff quantity control. Effective with implementation under this permit, the MS4 operator will review quantity control based on volume-based hydrology or “energy balance” rather than just peak discharge rates. The principal of energy balance is that the product of the pre-development peak flow rate and runoff volume should be proportional to the same product for the post-development condition. For natural channels, the regulations also call for an improvement factor. As a result, the discharge hydrographs from the water quantity designs approved by the MS4 operator

will resemble those found in Figure 1 for Post-development Energy Balance and will not just be based on peak rate discharges.

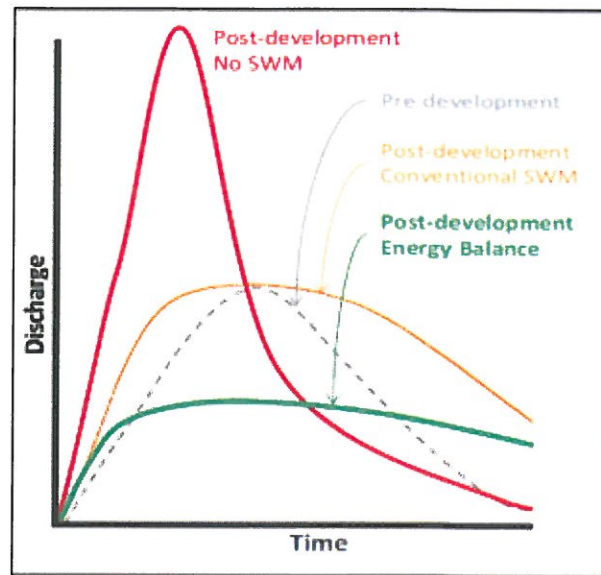


Figure 1: Varying hydrographs based on level of stormwater quantity controls

The 2011 modified stormwater management regulations also address grandfathering of future projects that have already initiated preliminary designs and/or have received local zoning or other approvals based on the older design criteria. Projects that have a currently valid proffered conditional zoning plan, preliminary or final subdivision plat, preliminary or final site plan or zoning with a plan of development, or any document determined by the locality as equivalent thereto and approved by a locality prior to July 1, 2012 but that does not obtain a CGP by July 1, 2014 may complete design and construction using the previous design criteria, provided the construction is completed by July 1, 2019. As a condition of this general permit, the MS4 operator must identify those projects that are authorized by the regulation to use the older design criteria.

6. Pollution prevention/good housekeeping for municipal operations.

Minimum Control Measure 6 has been modified significantly in this general permit. Conditions in previous general permits have been descriptive in nature, which led to unclear expectations for both the regulated communities and regulators. It has also led to inconsistent program implementation across the MS4 universe. This general permit takes a more prescriptive approach to pollution prevention and good housekeeping. As a result during this permit cycle, MS4 operators will

- Develop and implement written guidelines for daily operations and maintenance.
- Develop and implement individual stormwater pollution prevention plans on composting facilities; (ii) equipment storage and maintenance facilities; (iii) materials storage yards; (iv) pesticide storage facilities; (v) public works yards; (vi) recycling facilities; (vii) salt storage

facilities; (viii) solid waste handling and transfer facilities; and (viii) vehicle storage and maintenance yards.

- Develop and implement nutrient management plans on all MS4 operated lands where nutrients are applied to a contiguous area greater than one acre.
- Greatly upgrade the municipal training program to increase staff awareness and expectations. The permit lists specific training forums (e.g., emergency response to spills); however, if the MS4 operator does not have staff that implements that particular requirement, training is not required.

C. Special Conditions: TMDL Wasteload Allocations

Special Conditions for an approved TMDL other than the Chesapeake Bay TMDL

This general permit requires that pollutants identified in TMDL wasteload allocations be addressed through the development and implementation of TMDL Action Plans. This permit also requires that MS4s develop TMDL Action Plans for pollutants identified in TMDLs approved after permit issuance if the impairment was included in the 2012 303(d)/(305(b) Integrated Report and the report identified that the TMDL would be developed during this permit cycle. With this general permit taking a much more prescriptive approach in the minimum control measures (e.g., numeric screening requirements in minimum control measure 3), the requirements for the TMDL Action Plans have been simplified in order to maximize flexibility in their development and implementation. However, the ultimate endpoint that MS4 discharges do not cause or contribute to violations of WQS and that MS4 discharges are consistent with the assumptions and requirements of the TMDL wasteloads has not changed. MS4 operators must consider these ultimate endpoints in the development, implementation, updating, and evaluation of their TMDL Action Plans.

Given the complexity in TMDL Action Plan development and the relationship between stormwater and TMDLs, this general permit provides sufficient time to update or develop TMDL Action Plans. Adequate time is a concept consistent with the regulatory idea of using iterative strategies for MS4s over a period of permit cycles for the MS4 to meet the wasteload allocation.

A list of TMDLs in which MS4s have been assigned wasteload allocations as of October 31, 2012 is found in Table 1. The TMDL reports can be found at:
<http://www.deq.virginia.gov/Programs/Water/WaterQualityInformationTMDLs/TMDL/TMDLDevelopment/ApprovedTMDLReports.aspx>.

Table 1: Watersheds Other Than The Chesapeake Bay with Approved TMDL Wasteload Allocations for MS4s				
Lower James River Basin	Bleakhorn Creek, Bennett Creek, Knotts Creek		Approved	6/3/2010
	Knotts Creek	Total Fecal Coliform		
	Bennett Creek	Total Fecal Coliform		
	Bleakhorn Creek	Total Fecal Coliform		
Potomac River Basin	Bull Run		Approved	9/26/2006
	Bull Run	Benthic-Macroinvertebrate Bioassessments (Streams)		
Potomac River Basin	Catoctin Creek Watershed		Approved	5/31/2002
	Catoctin Creek	Total Fecal Coliform		
Potomac River Basin	Cedar Run and Licking Run Watersheds		Approved	7/6/2004
	Cedar Run	Total Fecal Coliform		
New River Basin	Chestnut Creek Watershed		Approved	6/7/2006
	Chestnut Creek	Benthic-Macroinvertebrate Bioassessments (Streams)		
Lower James River Basin	Chickahominy River and Tributaries		Approved	9/19/2012
	Chickahominy River and Tributaries	Escherichia coli		
Chowan River Basin	Chowan River Watershed - Tidal		Approved	9/27/2005
	London Bridge Creek and Canal #2	Total Fecal Coliform		
	West Neck Creek, Upper	Enterococcus		
Lower James River Basin	Chuckatuck Creek and Brewers Creek		Approved	7/9/2010
	Chuckatuck Creek and Brewers Creek	Total Fecal Coliform		

Table 1: Watersheds Other Than The Chesapeake Bay with Approved TMDL Wasteload Allocations for MS4s				
Clinch-Powell River Basin	Clinch River Watershed		Approved	4/26/2004
	Clinch River	Benthic-Macroinvertebrate Bioassessments (Streams)		
New River Basin	Crab Creek Watershed		Approved	8/10/2004
	Crab Creek	Benthic-Macroinvertebrate Bioassessments (Streams)		
Potomac River Basin	Difficult Run		Approved	11/7/2008
	Difficult Run	Benthic-Macroinvertebrate Bioassessments (Streams)		
Potomac River Basin	Difficult Run		Approved	11/7/2008
	Difficult Run	Escherichia coli		
Lower James River Basin	Elizabeth River Watershed		Approved	7/20/2010
	Paradise Creek	Enterococcus		
	Lafayette River, Upper	Enterococcus		
	Lower and Upper Western Branch, Elizabeth River	Enterococcus		
	Upper Mainstem, Lower Southern Branch, Lower Eastern Branch Elizabeth River, Broad Creek, Indian River	Enterococcus		
Potomac River Basin	Goose Creek and Little River Watersheds		Approved	4/26/2004
	Goose Creek	Benthic-Macroinvertebrate Bioassessments (Streams)		

Table 1: Watersheds Other Than The Chesapeake Bay with Approved TMDL Wasteload Allocations for MS4s				
Lower James River Basin	Hoffler Creek, Cities of Portsmouth and Suffolk		Approved	12/14/2011
	Hoffler Creek	Enterococcus		
Potomac River Basin	Hunting Creek, Cameron Run, Holmes Run		Approved	11/10/2010
	Holmes Run	Total Fecal Coliform		
	Hunting Creek	Total Fecal Coliform		
	Cameron Run	Total Fecal Coliform		
Lower James River Basin	James River - Hopewell to Westover		Approved	7/10/2008
	Bailey Bay, Bailey Creek, Cattail Creek	Escherichia coli		
	Bailey Creek	Escherichia coli		
	James River	Escherichia coli		
Lower James River Basin	James River and Tributaries		Approved	11/4/2010
	Almond Creek	Total Fecal Coliform		
	Tidal James River	Escherichia coli		
	Lower James River	Total Fecal Coliform		
	Falling Creek	Total Fecal Coliform		
	No Name Creek	Total Fecal Coliform		
	Gillies Creek	Total Fecal Coliform		
	Goode Creek	Total Fecal Coliform		
	Reedy Creek	Total Fecal Coliform		
Lower James River Basin	James River and Tributaries - Lower Piedmont Region		Approved	6/11/2008
	Fine Creek	Total Fecal Coliform		

Table 1: Watersheds Other Than The Chesapeake Bay with Approved TMDL Wasteload Allocations for MS4s				
Middle James River Basin	James River Watershed (Lynchburg)		Approved	12/4/2007
	Blackwater Creek	Escherichia coli		
	Fishing Creek	Escherichia coli		
	Ivy Creek	Escherichia coli		
	James River	Escherichia coli		
	Burton Creek	Escherichia coli		
	Judith Creek	Escherichia coli		
	Tomahawk Creek	Escherichia coli		
Lower James River Basin	James River, Warwick River		Approved	2/29/2008
	Deep Creek	Total Fecal Coliform		
	Baptist Run	Total Fecal Coliform		
	James River, Warwick River	Total Fecal Coliform		
	Skiffes Creek	Total Fecal Coliform		
Shenandoah River Basin	Lewis Creek Watershed		Approved	8/2/2006
	Lewis Creek	Benthic-Macroinvertebrate Bioassessments (Streams)		
Clinch-Powell River Basin	Lick Creek, Laurel Branch, Cigarette Hollow		Approved	4/10/2008
	Lick Creek	Benthic-Macroinvertebrate Bioassessments (Streams)		
New River Basin	Little River Watershed		Approved	3/14/2012
	Little River and Tributaries	Benthic-Macroinvertebrate Bioassessments (Streams)		
York River Basin	Mechumps Creek		Approved	10/21/2004
	Mechumps Creek	Total Fecal Coliform		

Table 1: Watersheds Other Than The Chesapeake Bay with Approved TMDL Wasteload Allocations for MS4s				
Holston River Basin	Middle Fork Holston River Watershed		Approved	4/12/2010
	Middle Fork Holston River	Benthic-Macroinvertebrate Bioassessments (Streams)		
Shenandoah River Basin	Middle River and Upper South River Watersheds		Approved	8/10/2004
	Christians Creek	Benthic-Macroinvertebrate Bioassessments (Streams)		
Shenandoah River Basin	Mill Creek Watershed		Approved	6/5/2006
	Mill Creek	Benthic-Macroinvertebrate Bioassessments (Streams)		
Lower James River Basin	Mill Creek, Powhatan Creek Watersheds		Approved	4/28/2009
	Mill Creek	Enterococcus		
	Powhatan Creek	Enterococcus		
	Powhatan Creek	Total Fecal Coliform		
Potomac River Basin	Neabsco Creek Watershed		Approved	7/10/2008
	Neabsco Creek	Total Fecal Coliform		
Chowan River Basin	Northwest River Watershed		Approved	4/26/2011
	Northwest River	Oxygen, Dissolved		
Potomac River Basin	Occoquan River watershed		Approved	11/15/2006
	Broad Run (1)	Total Fecal Coliform		
	Occoquan River	Total Fecal Coliform		
	Bull Run	Total Fecal Coliform		
	Popes Head Creek	Total Fecal Coliform		

Table 1: Watersheds Other Than The Chesapeake Bay with Approved TMDL Wasteload Allocations for MS4s				
Shenandoah River Basin	Opequon and Abrams Creek Watersheds, Aquatic Life		Approved	2/18/2004
	Abrams Creek	Benthic-Macroinvertebrate Bioassessments (Streams)		
	Lower Opequon Creek Watershed and Tributaries	Benthic-Macroinvertebrate Bioassessments (Streams)		
Shenandoah River Basin	Opequon and Abrams Creek Watersheds, Bacteria		Approved	2/18/2004
	Abrams Creek	Total Fecal Coliform		
Lower James River Basin	Pagan River and Jones Creek		Approved	2/12/2008
	Pagan River	Total Fecal Coliform		
	Pagan River and Jones Creek	Total Fecal Coliform		
New River Basin	Peak Creek Watershed		Approved	8/30/2004
	Peak Creek	Benthic-Macroinvertebrate Bioassessments (Streams)		
Potomac River Basin	Popes Head Creek		Approved	9/26/2006
	Popes Head Creek	Benthic-Macroinvertebrate Bioassessments (Streams)		
York River Basin	Queen Creek, King Creek, Felgates Creek		Approved	4/17/2008
	Queen Creek	Total Fecal Coliform		
	King Creek	Total Fecal Coliform		
	Felgates Creek	Total Fecal Coliform		

Table 1: Watersheds Other Than The Chesapeake Bay with Approved TMDL Wasteload Allocations for MS4s				
Middle James River Basin	Rivanna River Watershed		Approved	6/11/2008
	Rivanna River	Benthic-Macroinvertebrate Bioassessments (Streams)		
Middle James River Basin	Rivanna River Watershed		Approved	1/5/2009
	Beaver Creek	Total Fecal Coliform		
	Meadow Creek	Total Fecal Coliform		
	Rivanna River, North Fork	Total Fecal Coliform		
	Rivanna River	Total Fecal Coliform		
Roanoke River Basin	Roanoke (Staunton) River Watershed		Approved	4/9/2010
	Roanoke River	Polychlorinated biphenyls		
	Peters Creek	Polychlorinated biphenyls		
	Tinker Creek	Polychlorinated biphenyls		
	Masons Creek	Polychlorinated biphenyls		
	North Fork Roanoke River	Polychlorinated biphenyls		
	South Fork Roanoke River	Polychlorinated biphenyls		
	Wolf Creek	Polychlorinated biphenyls		
	Roanoke River, UT (Upper)	Polychlorinated biphenyls		
	Goose Creek	Polychlorinated biphenyls		

Table 1: Watersheds Other Than The Chesapeake Bay with Approved TMDL Wasteload Allocations for MS4s				
Shenandoah River Basin	Smith Creek Watershed		Approved	6/29/2004
	Smith Creek	Benthic-Macroinvertebrate Bioassessments (Streams)		
	Smith Creek	Total Fecal Coliform		
Shenandoah River Basin	South River Watershed		Approved	12/3/2009
	South River	Benthic-Macroinvertebrate Bioassessments (Streams)		
Shenandoah River Basin	Spout Run and Tributaries		Approved	6/3/2010
	Spout Run	Benthic-Macroinvertebrate Bioassessments (Streams)		
Clinch-Powell River Basin	Straight Creek, Stone Creek and Tributaries		Approved	6/8/2006
	Straight Creek, Stone Creek and Tributaries	Benthic-Macroinvertebrate Bioassessments (Streams)		
New River Basin	Stroubles Creek Watershed		Approved	1/28/2004
	Stroubles Creek	Benthic-Macroinvertebrate Bioassessments (Streams)		
Potomac River Basin	Tidal Four Mile Run Watershed		Approved	6/14/2010
	Tidal Four Mile Run	Escherichia coli		
Rappahannock River Basin	Tidal Freshwater Rappahannock River Watershed		Approved	5/5/2008
	Rappahannock River, Tidal Fresh	Total Fecal Coliform		

Table 1: Watersheds Other Than The Chesapeake Bay with Approved TMDL Wasteload Allocations for MS4s				
Roanoke River Basin	Tinker Creek Watershed		Approved	8/5/2004
	Carvin Creek	Total Fecal Coliform		
	Glade Creek	Escherichia coli		
	Laymantown Creek	Total Fecal Coliform		
	Lick Run	Escherichia coli		
	Tinker Creek	Escherichia coli		
Roanoke River Basin	Upper Roanoke River Watershed		Approved	8/2/2006
	Roanoke River	Total Fecal Coliform		
	Ore Branch	Total Fecal Coliform		
	Wilson Creek	Escherichia coli		
Roanoke River Basin	Upper Roanoke River Watershed		Approved	5/10/2006
	Roanoke River	Benthic-Macroinvertebrate Bioassessments (Streams)		
Holston River Basin	Wolf Creek Watershed		Approved	4/8/2010
	Wolf Creek	Benthic-Macroinvertebrate Bioassessments (Streams)		
	Wolf Creek	Total Fecal Coliform		
Potomac River Basin	Tidal Portions of the Potomac River		Approved	4/11/2008
	Tidal Portions of the Potomac River	Polychlorinated biphenyls		
Potomac River Basin	Accotink Creek	Benthic-Macroinvertebrate Bioassessments (Streams)		
	Accotink Creek	Flow		

Chesapeake Bay TMDL

This general permit is designed to strengthen the MS4 operator's MS4 program in order to protect all surface waters. As a result, by implementing the main body of the general permit, the MS4 operator will provide increased protection to the Chesapeake Bay in a manner consistent with Virginia's Phase I Watershed Implementation Plan commitments accepted by EPA.

Control of Transitional Loads and Accounting for Growth from New Development

Implementation of the Erosion and Sediment Control (ESC) Law, the Stormwater Management Act, and the Chesapeake Bay Preservation Act and their attendant regulations are three key vehicles that the permit uses to address nutrient and sediment loadings during construction and post-construction. Further, these regulatory programs represent a framework that will provide the State and EPA with reasonable assurance that the pollutant reductions necessary to address the Chesapeake Bay TMDL will be met.

The general permit requires that the erosion and sediment control plans be consistent and compliant with the Virginia Erosion and Sediment Control Law and its attendant regulations. Doing so ensures appropriate plan review by certified plan reviewers and implementation of a set inspection schedule consistent with State regulation for all regulated land disturbing activities regulated under the Law.

By implementing the requirements for the control of post-construction runoff from new and redevelopment, this general permit implements the Commonwealth's strategies for growth.

The new statewide DCR stormwater management regulations will address the sediment and nutrient loads and stormwater quantity issues with new development and redevelopment over the entire bay watershed as described in this fact sheet regarding Post Construction Runoff from Areas of New Development and Significant Redevelopment. Some MS4 operators adopted average land cover conditions greater than 16% as allowed by past regulation. This general permit requires that the MS4 operator offset the difference between the pollutant load generated for a 16% average land cover condition and the alternate adopted land cover condition for new loads.

Pollutant of Concern Loadings from Existing Sources

This general permit requires the MS4 operator to reduce the pollutant loadings for the pollutants of concern from existing sources as part of its Chesapeake Bay TMDL Action Plan in a manner consistent with Virginia's Chesapeake Bay Watershed Implementation Plan (WIP). Existing sources are defined as pervious and impervious urban lands developed prior to July 1, 2009. Calculations are based on an average tributary loading rate. MS4 operators are required to select the appropriate table in the general permit to generate their required load reductions. Figure 2 shows the boundary for each individual basin. Table 2 identifies the specific 6th order hydrologic unit codes that are to be included with each basin. Watersheds with discharge directly to the western shore of the Chesapeake Bay were placed with the most appropriate basin for calculation.

In summary, Virginia committed in the WIP to require MS4 operators to:

- 1) Implement sufficient BMPs on existing developed lands to achieve nutrient and sediment reductions equivalent to Level 2 (L2) scoping run reductions. The L2 scoping run is reductions beyond the 2009 progress loads and beyond nutrient urban management reductions.
 - a. Level 2 implementation equates to the following average load reduction from impervious regulated acres:
 - i. 9 percent of nitrogen loads;
 - ii. 16 percent of phosphorus loads; and
 - iii. 20 percent of sediment loads from impervious regulated acres.
 - b. Level 2 implementation equates to the following average load reduction from pervious regulated acres:
 - i. 6 percent of nitrogen loads;
 - ii. 7.25 percent of phosphorus loads; and
 - iii. 8.75 percent sediment loads.
- 2) Implement the necessary reductions to meet the L2 implementation levels within three full permit cycles (15 years).
- 3) Implement sufficient practices during the first permit cycle so as achieve a reduction in the loading rate equivalent to 5% of the difference between the 2009 progress load and the L2 implementation levels. The MS4 operator shall also review its authorities and adopt and modify the necessary ordinances as well as develop its resources in order to implement the necessary reductions, e.g., develop design protocols, operation and maintenance programs, site plan review criteria, inspection standards, and tracking systems during this first permit cycle.
- 4) Implementation of the remaining necessary reductions over the remaining two permit cycles.

The MS4 operator is required by this general permit to identify the acreages for both the pervious and impervious urban land uses as of July 1, 2009 and, then, utilize the table identified in the general permit to determine the total load reduction required and this permit cycle's required 5% reduction.

This insures accuracy of the number of acres serviced by the MS4 and allows for the calculation of reduction targets.

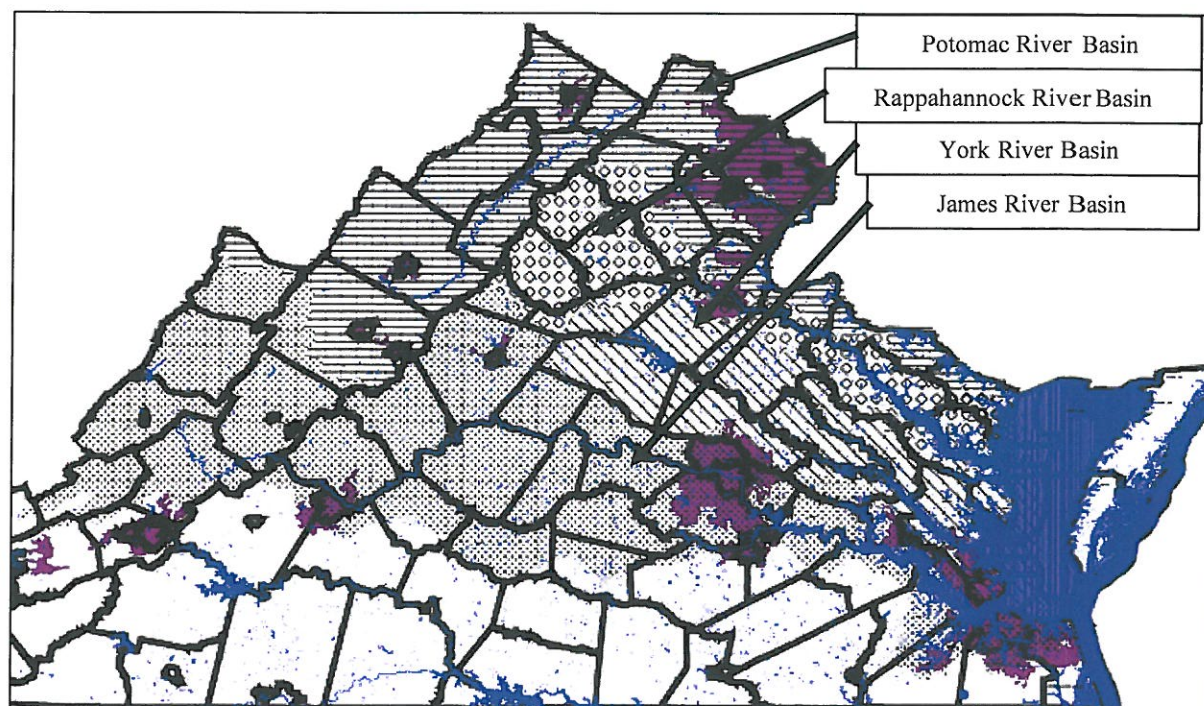


Figure 2: Chesapeake Bay River Basins applicable to this general permit. Areas in solid purple are included in a 2010 U.S. Census Urbanized Area.

Table 2: Classification of 6th Order Hydrologic Units (HUCs) by River Basin for use in calculation of existing load reductions in the Chesapeake Bay TMDL Action Plan

River Basin	6th Order Hydrologic Units (HUCs)
James River Basin	All James River HUCs and CB25-CB26
Potomac River Basin	All Potomac River HUCs and CB01-CB03
Rappahannock River Basin	All Rappahannock River HUCs and CB04-CB12
York River Basin	All York River HUCs and CB13-CB24

The MS4 operator is allowed to adjust the levels of reduction between pervious and impervious land uses within their service area and Chesapeake Bay segment level, provided the total pollutant load reduction is met. For example, the MS4 operator could implement a 5% nitrogen load reduction on impervious land uses by implementing a reduction strategy sufficiently greater than a 6% nitrogen load reduction on pervious land uses provided the total loads from both land uses are met. This general permit also authorizes the MS4 operator to participate in the Nutrient Credit Exchange Program as provided by state law.

Compliance with reduction in loading rate will be measured based on the total reductions required as determined by calculations defined by the general permit and the reported implementation of BMPs.

// A regular meeting of the Council of the City of Lynchburg was held on the 11th day of December, 2012, at 4:00 P.M. in the Council Chamber, City Hall, Michael Gillette, President, presiding. The following Members were present:

Present: Cary, Foster, Helgeson, Nelson, Perrow, Gillette 6

Absent: Johnson 1

// Mr. Norman Yoder with Brown Edwards, LLC, the City's external auditor, presented a brief overview of the City's Comprehensive Annual Financial Report (CAFR) and related reports for fiscal year ending June 30, 2012. Mr. Yoder's presentation highlighted that the audit did not contain any significant deficiencies or material weaknesses and it was a "clean" audit. He also mentioned that there have been significant improvements to the Lynchburg City Schools internal controls.

// Vice Mayor Johnson arrived at 4:23 P.M.

// Ms. Anna Bentson, Lynch's Landing Executive Director, provided an overview of Lynch's Landing Annual Report regarding the organization's goals and accomplishments. Ms. Bentson stated that Lynch's Landing continues to support the national Main Street Program strategies of striving to preserve downtown as the heart of the community, to save historic buildings, to strengthen the commercial core, and to promote a sense of community life in Lynchburg. The organization's 2013 work plan is centered on five strategies:

- Sustaining a Healthy Non-Profit Organization
- Marketing Downtown as an Arts & Entertainment District
- Creating a Successful Environment for Businesses and Events
- Ensuring Safe, Attractive and Inviting Public Spaces
- Serving as a Source of Information and Communication for and about Downtown

Ms. Bentson also shared copies of the Lynch's Landing Annual Report with the members of City Council and introduced the members of the organization's board of directors who were in attendance.

// Council Member Perrow left the meeting at 4:29 P.M.

// City Planner Tom Martin presented the Zoning Ordinance Amendments relating to Institutional Districts IN-1 and IN-2. Mr. Martin explained that the Zoning Ordinance amendments were drafted to address common themes that resulted from early discussion with stakeholders. They were:

- Improvements that do not cause off-site impacts should be allowed by right.
- Primary concern should be related to expansions or incremental growth that results in off-site impacts.
- A definition of what a substantial impact requiring a more in-depth review should be developed.
- There should be flexibility in requirements for master plans. Planning beyond two (2) years is speculative for institutions at best.
- An ongoing dialogue between Institutions and the City should be developed.

Mr. Martin also provided an overview of the substantive changes resulting from the work with Liberty University addressing Council's concerns from the original IN-2 District zoning ordinance draft. A

comparison chart was presented detailing the difference between IN-1 and IN-2 districts. It was the consensus of Council to send the item back to the Planning Commission for review and to encourage continued input from stakeholders.

// Deputy City Manager Bonnie Svrcek distributed copies of the Sustainable City Progress Survey to City Council. Ms. Svrcek stated that the Sustainable City Committee presented the assessed progress made in each of the Sustainable City elements during FY 2012 at the Council's retreat. Council had requested some type of rubric be created to assess current progress and the direction headed for each element. The survey is in response to this request. Council was asked to complete the survey either online or on paper by December 21, 2012 and the results would be reported on January 8, 2013.

// During Roll Call Council Member Cary stated that the fence on Wards Road was a good addition to the area. He also requested the percentage of organizations exempt from paying property tax based on the legislative category. Greg Daniels, City Assessor, is to provide a list to Council of all tax exempt property by designation of category. This will be sent to Council by way of memo.

// Council Member Foster stated that Linkhorne Elementary School has applied for a \$50,000 grant from Clorox for the community playground. Council Member Foster asked that each Council Member cast a vote and recruit others to vote for the school as well as to receive the grant.

// Vice Mayor Johnson recognized Brookville High School for winning the State Championship in Football and mentioned that Heritage High School also came in 2nd in the State Championships. Also recognized were Liberty Christian Academy - Division I State Champions and Virginia Episcopal School - Division III State Champions.

// On motion of Council Member Foster, seconded by Vice Mayor Johnson, Council by the following recorded vote elected to hold a closed meeting to consider appointments to Council-appointed Boards and Commissions, i.e., Social Services Advisory Board, Community Development Advisory Committee, Planning Commission, Lynchburg Business Development Centre, Horizon Behavioral Health, Lynchburg Regional Airport Commission, Towing Advisory Board, Region 2000 Greenways Alliance and Design Review Board; to appoint Deputy Clerk of Council; and for discussion and consideration of the disposition of a City owned lot located at the intersection of 5th and Polk Streets because discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711(A)(1) & (3), respectively, Code of Virginia (1950), as amended:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Gillette	6
Noes:	0
Absent: Perrow	1

// Council Member Perrow returned to the meeting during the closed session.

// The meeting was re-opened to the public.

// Council Member Foster made the following motion:

WHEREAS, the Council of the City of Lynchburg has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lynchburg certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by Council.

The Motion was seconded by Council Member Nelson, and Council by the following recorded vote adopted the motion:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// In the matter of Appointments, and on nomination of Vice Mayor Johnson, seconded by Council Member Cary, Council by the following recorded vote re-appointed Michael Bedsworth, Mary S. Culpepper, Jeffrey S. Helgeson, Ceasor T. Johnson, Vicky Paige and Jeffery W. Schneider to serve another term on the Community Development Advisory Committee for terms to expire December 31, 2013:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

On nomination of Vice Mayor Johnson, seconded by Council Member Cary, Council by the following recorded vote appointed Valerie Duncan to serve a term on the Community Development Advisory Committee for a term to expire December 31, 2013:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

On nomination of Vice Mayor Johnson, seconded by Council Member Cary, Council by the following recorded vote re-appointed Kevin D. Hooper to serve another term on the Planning Commission for a term to expire December 31, 2015:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

On nomination of Vice Mayor Johnson, seconded by Council Member Cary, Council by the following recorded vote appointed Karen Kennedy to serve on the Planning Commission for a term to expire December 31, 2015:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

On nomination of Vice Mayor Johnson, seconded by Council Member Cary, Council by the following recorded vote re-appointed Clyde T. Clark, Sr. to serve another term on the Horizon Behavioral Health Board for a term to expire December 31, 2015:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

On nomination of Vice Mayor Johnson, seconded by Council Member Cary, Council by the following recorded vote re-appointed Donald A. Brown to serve another term on the Lynchburg Regional Airport Commission for a term to expire December 31, 2015:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

On nomination of Vice Mayor Johnson, seconded by Council Member Cary, Council by the following recorded vote appointed Robert Day to serve on the Lynchburg Regional Airport Commission for a term to expire December 31, 2015:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

On nomination of Vice Mayor Johnson, seconded by Council Member Cary, Council by the following recorded vote re-appointed William Aldrich to serve another term on the Towing Advisory Board for a term to expire December 31, 2015:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

On nomination of Vice Mayor Johnson, seconded by Council Member Cary, Council by the following recorded vote re-appointed Steve Arnold to serve another term on the Region 2000 Greenways Alliance for a term to expire December 31, 2014:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

On nomination of Vice Mayor Johnson, seconded by Council Member Cary, Council by the following recorded vote re-appointed Thomas L. Fitzgerald to serve another term on the Design Review Board for a term to expire December 31, 2015:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// City Council recessed the meeting at 6:30 P.M.

// City Council reconvened the meeting at 7:30 P.M.

The following Members were present:

Present: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Absent: 0

Council Member Nelson gave the Invocation, followed by the Pledge of Allegiance.

// Mayor Gillette recognized Lynchburg as a Digital City for the ninth consecutive year and congratulated Mike Goetz, Director of Information Technology, for his leadership in helping Lynchburg remain a "Digital City".

// Mayor Gillette congratulated the Budget Division of the Department of Financial Services for receiving the Distinguished Budget Award from the Government Finance Officers Association (GFOA) and thanked Donna Witt and the Budget staff for meeting the highest principles of governmental budgeting.

// Mayor Gillette presented certificates of recognition for the Live Healthy Lynchburg initiative to Council Member Joan Foster.

// Mayor Gillette recognized City Manager Kimball Payne for receiving the Margaret Burnette Award from Lynch's Landing.

// Copies of the minutes of the November 27, 2012 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Perrow, seconded by Council Member Cary, Council by the following recorded vote approved the minutes as presented:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// In the matter of Community Planning – General, a public hearing was held regarding City Council Report #7 regarding the consideration of amending Section 35.1-38, General Business District (B-5), Section 35.1-26.13, Billboards, Section 35.1-40, Light Industrial Districts (I-2) and Section 35.1-41, Heavy Industrial Districts (I-3) of the Zoning Ordinance to allow Commercial Electronic Variable Message Signs (Digital Billboards) on properties zoned I-2, Light Industrial District, I-3, Heavy Industrial District and to allow existing billboards in B-5, General Business Districts to be converted to digital billboards upon approval of a conditional use permit. City Planner Tom Martin gave a brief summary of the request. There were two speakers who spoke in favor of this item. One speaker, Chip Dix with Lamar Advertising suggested additional clarifying amendments including allowing digital billboards in I-2 and I-3 industrial districts as a matter of right instead of requiring a Conditional Use Permit. Council accepted the amendment. There was no one else present who wished to speak to this item and the public hearing was closed. During Council discussion, Council Member Nelson stated he would only support the item if it was limited to the limited access highways: 460/29 by-pass, northwest 501 by-pass and Lynchburg expressway. On motion of Council Member Helgeson, seconded by Council Member Perrow, Council by the following recorded vote adopted Ordinance #O-12-138, as amended, to allow Commercial Electronic Variable Message Signs (Digital Billboards):

Ayes: Cary, Foster, Helgeson, Johnson, Perrow, Gillette 6

Noes: Nelson 1

// In the matter of Community Planning – General, a public hearing was held regarding City Council Report #8 regarding a request to vacate right-of-way and create a separate parcel of approximately four hundred twelve thousandths (0.412) of an acre between Lakeside Drive and Whitehall Road. City Planner Tom Martin gave a summary of the request. There was no one else present who wished to speak to this item, and the public hearing was closed. Council Member Perrow, Chair of the Physical Development Committee (PDC) stated that this matter came before the PDC which recommended approval. This motion does not require a second, and Council by the following recorded vote adopted Ordinance #O-12-139, as presented, to vacate right-of-way between Lakeside Drive and Whitehall Road:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

A motion was made by Council Member Perrow, seconded by Council Member Cary, to consider rezoning the parcel of land between Lakeside Drive and Whitehall Road and send back to the Planning

Commission to start the rezoning process:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// Mr. Joe Eskridge spoke before Council regarding a budget request for Lynchburg Area Center for Independent Living (LACIL).

// In the matter of City Council, City Council Report #10 was considered. On motion of Council Member Foster, seconded by Vice Mayor Johnson, Council by the following recorded vote received a list of candidates interested in serving on the Horizon Behavioral Health Board:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

On motion of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote approved the appointment of Clyde T. Clark, Sr. to serve another term on the Horizon Behavioral Health Board:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// In the matter of Courts – General, City Council Report #11 was considered. Council Member Nelson, Chair of the Finance Committee (FC) stated that this matter came before the FC which recommended approval. This motion does not require a second, and Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-12-140, as presented, amending the FY 2013 General Fund budget and appropriating \$40,755, with resources from the State Compensation Board, Technology Trust Fund fees, to support Information Technology needs in the Office of the Circuit Court Clerk:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// In the matter of Public Work – General, City Council Report #12 was considered. Council Member Perrow, Chair of the Physical Development Committee (PDC) stated that this matter came before PDC which recommended approval. This motion does not require a second, and Council by the following recorded vote adopted Resolution #R-12-141, as presented, to approve a Change Order up to the amount of \$344,404.34 to complete the Northwest Expressway Drainage Project:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// In the matter of City Attorney – Risk Management, City Council Report #13 was considered. On motion of Council Member Helgeson, seconded by Council Member Cary, Council by the following recorded vote adopted Resolution #R-12-142, as presented, amending Section 1.7 of the City's Self-Insurance Plan Document to provide liability coverage for individuals hired by the City through temporary employment agencies:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// In the matter of Fire – General, City Council Report #14 was considered. Council Member Nelson, Chair of the Finance Committee (FC) stated that this matter came before the FC which recommended approval. This motion does not require a second, and Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-12-143, as presented, amending the FY 2013 City/Federal/State Aid Fund budget and appropriating \$140,144, to fund a Paramedic training project for the Fire Department:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// In the matter of Finance – Bonds, City Council Report #15 was considered. On motion of Council Member Foster, seconded by Vice Mayor Johnson, Council by the following recorded vote adopted Resolution #R-12-144, as presented, authorizing the reimbursement for Debt Financing of Capital Improvement Project Expenditures:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// In the matter of Finance – Bonds, City Council Report #16 was considered. Council Member Nelson, Chair of the Finance Committee (FC) stated that this matter came before the FC which recommended approval. This motion does not require a second, and Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-12-145, as presented, amending the FY 2013 General Fund Budget and appropriating \$42,000 with resources from the General Fund Reserve for Contingencies for issuance costs related to the FY 2013 General Obligation Public Improvement Bank Qualified Refunding Bond to refinance the Capital Lease for the J. W. Ould Building:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

On motion of Council Member Nelson, Chair of the Finance Committee (FC) who stated that this matter came before the FC which recommended approval. This motion does not require a second, and Council by the following recorded vote adopted Resolution #R-12-146, as presented, authorizing the issuance of not to exceed \$4,200,000 for General Obligation Refunding Bond, Series 2012, for the purpose of refunding on a current basis the Lynchburg Redevelopment and Housing Authority Lease Revenue Bond:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// In the matter of Community Planning – General, City Council Report #17 was considered. On motion of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote adopted Resolution #R-12-147, as presented, initiating an Amendment to Section 35.1-11.8 of the Zoning Ordinance to replace the terms “retarded or mentally handicapped” and “mentally ill, mentally retarded” with the terms “mental illness, intellectual disability or developmental disabilities”:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// The meeting was adjourned at 9:03 P.M.

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **January 8, 2013**

AGENDA ITEM NO.: **11**

CONSENT: **X**

REGULAR:

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **2012 State Homeland Security Program (SHSP) Grant**

RECOMMENDATION:

Adopt a resolution to amend the FY 2013 City/Federal/State Aid Fund budget and appropriate \$16,555 with resources from the 2012 State Homeland Security Program (SHSP) Grant to purchase one license plate reader (LPR) for criminal law enforcement use only.

SUMMARY:

The Lynchburg Police Department is eligible to receive \$16,555 in State Homeland Security Program (SHSP) Grant funding. This funding will be utilized to purchase a license plate reader for criminal law enforcement use only, in accordance with State law. Total equipment cost is \$16,555 which is fully reimbursable by the grant; no local matching funds are required.

PRIOR ACTION(S):

Finance Committee December 11, 2012

FISCAL IMPACT:

None, no local match is required.

CONTACT(S):

Police Chief Parks Snead, 455-6104; Captain R.M. Zuidema, 455-6052

ATTACHMENT(S):

Resolution

REVIEWED BY: lkp

RESOLUTION:

BE IT RESOLVED That the FY 2013 City/Federal/State Aid Fund budget is amended and \$16,555 is appropriated with resources from the 2012 State Homeland Security Program (SHSP) Grant funding to purchase one license plate reader (LPR) for criminal law enforcement use only.

Introduced:

Adopted:

Certified:

Clerk of Council

004K

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **January 8, 2013**

AGENDA ITEM NO.: **12**

CONSENT: **X**

REGULAR:

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Police Bulletproof Vest Partnership 2012 Grant Funding**

RECOMMENDATION:

Adopt a resolution to amend the FY 2013 City/Federal/State Aid Fund budget and appropriate \$40,560 with resources of \$20,280 from the Bulletproof Vest Partnership 2012 Grant Program and \$20,280 of match transferred from the General Fund Police Department (\$18,720) and Sheriff's Office (\$1,560) budgets to purchase 52 replacement bulletproof vests for law enforcement officers.

SUMMARY:

The Police Department and Sheriff's Office have been awarded a grant under the Bulletproof Vest Partnership. Funding will be used to purchase 52 replacement bullet proof vests for law enforcement officers.

Total vest replacement costs are \$40,560. The grant requires a 50% local match; these funds are available in the FY 2013 General Fund Police Department's and Sheriff's Office's operating budgets.

PRIOR ACTION(S):

Finance Committee December 11, 2012

FISCAL IMPACT:

None, the required local match is budgeted in the FY 2013 General Fund Police Department and Sheriff's Office operating budgets.

CONTACT(S):

Police Chief Parks Snead, 455-6104; Captain R.M. Zuidema, 455-6052
Sheriff Ron Gillispie, 847-1301; Chief Deputy D.T. Sloan, 847-1301

ATTACHMENT(S):

Resolution

REVIEWED BY: lkp

RESOLUTION:

BE IT RESOLVED That the FY 2013 City/Federal/State Aid Fund budget is amended and \$40,560 is appropriated with resources of \$20,280 from the Bulletproof Vest Partnership 2012 Grant Program and \$20,280 of match transferred from the General Fund Police Department (\$18,720) and Sheriff's Office (\$1,560) budgets to purchase 52 replacement bulletproof vests for law enforcement officers.

Introduced:

Adopted:

Certified:

Clerk of Council

003K

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **January 8, 2013**

AGENDA ITEM NO.: 13

CONSENT: **X**

REGULAR:

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **2012 State Homeland Security Program (SHSP) grant: \$25,000 for Lynchburg Fire Department's Technical Rescue Team's Equipment, Training, and Exercise Project**

RECOMMENDATION:

Adopt a resolution to amend the FY 2013 City/Federal/State Aid Fund budget and appropriate \$25,000 with resources from the 2012 State Homeland Security Program (SHSP) grant from the National Preparedness Directorate, U.S. Department of Homeland Security (DHS) for the Lynchburg Fire Department's Technical Rescue Team's Equipment, Training, and Exercise Project.

SUMMARY:

The Virginia Department of Emergency Management is administering this grant from the Department of Homeland Security (DHS) through the State Homeland Security Program (SHSP) grant. The Fire Department was awarded \$25,000 to be utilized by the Technical Rescue Team. The funds will be used for equipment to provide Technical Rescue responses in a safe and timely manner. This grant is 100% reimbursable; no local match is required.

PRIOR ACTION(S):

Finance Committee December 11, 2012

FISCAL IMPACT:

No local match is required. Future funds may be needed for periodic maintenance of the equipment purchased.

CONTACT(S):

Fire Chief S. Brad Ferguson, 455-6340

Battalion Chief Greg Wormser, 455-6340

Ellen Davidson-Martin, Fire Administrative Manager, 455-6368

ATTACHMENT(S):

Resolution

REVIEWED BY: lkp

RESOLUTION:

BE IT RESOLVED That the FY 2013 City/Federal/State Aid Fund budget is amended and \$25,000 is appropriated with resources from the FY 2012 State Homeland Security Program (SHSP) grant from the National Preparedness Directorate, U.S. Department of Homeland Security (DHS), to be utilized for equipment for the Fire Department's Technical Rescue Team's Equipment, Training, and Exercise Project.

Introduced:

Adopted:

Certified:

Clerk of Council

005K

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **January 8, 2013**

AGENDA ITEM NO.: **14**

CONSENT: **X**

REGULAR:

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Strategic Prevention Framework State Incentive Grant (SPF-SIG)**

RECOMMENDATION:

Adopt a resolution to amend the FY 2013 City/Federal/State Aid Fund budget and appropriate \$139,332 with resources from the Virginia Commonwealth University (VCU) Strategic Prevention Framework State Incentive Grant (SPF-SIG) to help reduce the number of alcohol-related vehicle crashes involving drivers who are between 15 and 24 years of age.

SUMMARY:

Due to the number of motor vehicle crashes involving alcohol-impaired drivers between the ages of 15 and 24, the City of Lynchburg, along with 12 other Virginia localities, received the SPF-SIG. In 2011, within the City of Lynchburg, there were 28 motor vehicle crashes with young alcohol-impaired drivers. This grant will provide funding for a full-time Prevention Specialist/Grant Coordinator who will coordinate and/or provide programs, services, and activities to: 1) prevent the onset and reduce the progression of substance abuse, including childhood and underage drinking; 2) reduce substance-related problems in communities; and 3) build prevention capacity and infrastructure at the community level.

The grant is eligible for renewal annually for three years and runs from February to January; this request is to appropriate the second year of funding.

The grant is fully reimbursable; no local match is required.

PRIOR ACTION(S):

Finance Committee December 11, 2012

FISCAL IMPACT:

None, no local match is required

CONTACT(S):

Tamara Rosser, Director of Juvenile Services, 455-5794
Dana Wright, Program Planner, 455-5795

ATTACHMENT(S):

Resolution

REVIEWED BY: lkp

RESOLUTION:

BE IT RESOLVED that the FY 2013 City/Federal/State Aid Fund budget is amended and \$139,332 is appropriated with resources from the Virginia Commonwealth University (VCU) Strategic Prevention Framework State Incentive Grant (SPF-SIG) to help reduce the number of alcohol-related vehicle crashes involving drivers who are between 15 and 24 years of age.

Introduced:

Adopted:

Certified:

Clerk of Council

006K

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **January 8, 2013**

AGENDA ITEM NO.: 15

CONSENT: REGULAR: **X**

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: Public Hearing to Authorize the Lynchburg Redevelopment and Housing Authority (LRHA) to Pursue Acquisition of Blighted Property at 1722 Fillmore Street .

RECOMMENDATION:

After a public hearing, adopt a resolution authorizing the LRHA to pursue acquisition of blighted property at 1722 Fillmore Street under Section 36-19.5 of the Code of Virginia.

SUMMARY:

Please see attached information from LRHA including notification to the property owner.

PRIOR ACTION(S):

N/A

FISCAL IMPACT:

N/A

CONTACT(S):

Debra Guyot – 485-7200

ATTACHMENT(S):

- Resolution
- Letter from LRHA

REVIEWED BY: lkp

RESOLUTION AUTHORIZING THE ACQUISITION OF REAL PROPERTY

WHEREAS, it appearing to City Council from the evidence presented at the public hearing that the structure located at 1722 Fillmore Street, parcel 026-37-010, (i) has deteriorated to such an extent as to constitute an immediate, serious and growing menace to the public health, safety and welfare; (ii) that such structures are likely to continue to deteriorate unless corrected; (iii) that the continued deterioration of such structures will contribute to the blighting or deterioration of the area immediately surrounding 1722 Fillmore Street; (iv) that such structures are blighted properties in accordance with §1-219.1 of the Code of Virginia in that their condition endangers the public health or safety, and the structures are a public nuisance or are beyond repair or unfit for human occupancy or use; (v) that the owner of 1722 Fillmore Street was given 60 days notice by certified mail of the condition of the structures and has failed to correct the deterioration; and (vi) that 1722 Fillmore Street lies within the Lynchburg Redevelopment and Housing Authority's area of operation; and

WHEREAS, it further appearing to City Council from the evidence presented at the public hearing that the acquisition of 1722 Fillmore Street by the Lynchburg Redevelopment and Housing Authority is to serve a public purpose and not for private benefit or gain; and

WHEREAS, it further appearing to City Council from the evidence presented at the public hearing that the primary purpose for acquiring 1722 Fillmore Street by the Lynchburg Redevelopment and Housing Authority is not to increase any tax base or taxable revenues, or to increase employment;

NOW, THEREFORE BE IT RESOLVED, that as provided by Section 36-19.5 of the Code of Virginia the Lynchburg City Council does hereby designate, authorize, and direct the Lynchburg Redevelopment and Housing Authority to acquire the properties located at 1722 Fillmore Street by purchase, lease, gift or through the exercise of eminent domain for the purposes set forth in subsection A of Section 36-19.5 of the Code of Virginia, including, but not limited to, the renovation, rehabilitation and disposition of the structure at 1722 Fillmore Street;

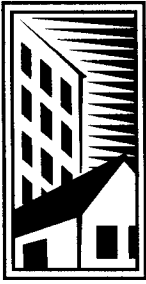
BE IT FURTHER RESOLVED, that the Lynchburg Redevelopment and Housing Authority is hereby designated, authorized, and directed to act on the City's behalf in the acquisition of the property at 1722 Fillmore Street, and in the event the Lynchburg Redevelopment and Housing Authority files a petition in the Lynchburg Circuit Court to acquire the property located at 1722 Fillmore Street through the use of the power of eminent domain, the Lynchburg Redevelopment and Housing Authority shall be deemed to be acting as, and on behalf of, the City of the Lynchburg for the purposes of such petition.

Adopted:

Certified:

Clerk of Council

002K



LYNCHBURG
REDEVELOPMENT AND
HOUSING AUTHORITY

DEBRA GUYOT
Executive Director

RECEIVED
DEC - 7 2012

Council/Manager
Offices

December 6, 2012

Mrs. Valeria P. Chambers
Clerk of City Council
900 Church Street
Lynchburg, Virginia 24504

Re: Spot Blight Property

Dear Ms. Chambers,

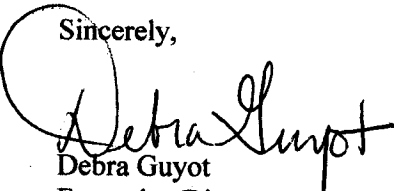
Please accept this letter as the Lynchburg Redevelopment and Housing Authority's request that City Council hold a public hearing to consider the acquisition of property located at 808 Dinwiddie Street and 1722 Fillmore Street. Section 36-19.5 of the Code of Virginia provides that an Authority may acquire any single-family or multi-family dwelling unit in the City after a public hearing by the governing body of the City wherein the property to be acquired is located. Please be advised that both properties listed above are located within the City of Lynchburg and are in accordance with the provisions of Section 36-19.5 of the Code of Virginia.

Both properties listed have been inspected by Authority staff. Deficiencies have been delivered to the owners with a request to either submit a plan of corrections within 30 days or correct the noted deficiencies within 60 days. It has been verified by certified mail that both property owners have received such notice. As of the date of this writing, neither property owner has responded to the Authority's request.

Enclosed, please find a Report to City Council with description in regard to the properties, copy of the resolution by the Authority's Commissioners to seek acquisition approval, copy of notice sent to owners, description of deficiencies with pictures and a proposed resolution for council's consideration.

Thank you for your consideration on this matter and feel free to contact me should you be in need of further information.

Sincerely,


Debra Guyot
Executive Director



phone: 434.485.7200 • fax: 434.845.9144 • TTY: 800.828.1120 VA 711
918 Commerce Street • P.O. Box 1298
Lynchburg, VA 24505

We Do Business In Accordance With the Federal Fair Housing Law

Report to City Council

November 29, 2012

As part of the collaborative effort between the City of Lynchburg and The Lynchburg Redevelopment and Housing Authority to address blighted residential properties in our City, The Authority brings to Council the property located at 1722 Fillmore Street. This property was first identified as a blighted property by Authority staff in March 2009. The City's Inspections Department had cited the property with numerous violations from May 2005 through May 2006 at which time the property was condemned. On April 10, 2012, the owner was notified by the Authority of the deficiencies and asked to submit a plan of correction within 30 days or to undertake and complete the repairs within 60 days. There has been no response from the owner as of the date of this writing.

The Authority has continued to monitor the property from March of 2012 to the date of this report. On October 3, 2012, the Authority Commissioners adopted Resolution No. 1087 requesting that City Council hold a public hearing to consider the request of the Authority to acquire the property. The Authority wishes to acquire this property for renovation, rehabilitation and disposition. Attached is a copy of the Authority's Resolution, copy of the deficiency report accepted by the Commissioners, copy of the notice and a proposed resolution for City Council's consideration.

Members of the Authority's staff will be in attendance at the public hearing.

Resolution Authorizing the Executive Director to seek approval of City Council for the acquisition of the property at 1722 Fillmore Street, Parcel 026-37-010, Lynchburg, Virginia pursuant to Code section 36-19.5

WHEREAS, the Commissioners of the Lynchburg Redevelopment and Housing Authority (the Authority) have undertaken the exercise of additional powers granted to the Authority pursuant to section 36-19.5 of the Code of Virginia, as amended; and

WHEREAS, one of the major objectives to be achieved in exercising powers granted to the Authority under Code section 36-19.5 is to prevent single-family or multi-family dwelling units within the Authority's area of operation from contributing to the blighting or deterioration of the area immediately surrounding such dwelling unit as a result of the continued deterioration of such dwelling unit and further, to prevent the deterioration of such dwelling unit to such an extent as to constitute an immediate, serious and growing menace to the public health, safety and welfare; and

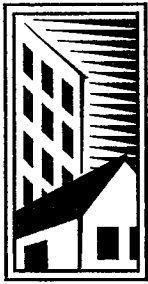
WHEREAS, the Commissioners of the Authority have made a finding that the dwelling unit located at 1722 Fillmore Street, Lynchburg, Virginia (the property), (i) has deteriorated to such an extent as to constitute an immediate, serious and growing menace to the public health, safety and welfare; (ii) that the property is likely to continue to deteriorate unless corrected; and (iii) that the continued deterioration of the property may contribute to the blighting or deterioration of the area immediately surrounding the dwelling unit; and

WHEREAS, the Commissioners of the Authority have made a further finding that unless the property is brought into full compliance with the applicable building codes of the City of Lynchburg, Virginia, the acquisition of the property pursuant to Code section 36-19.5(B), will further the objectives of, and is necessary for the purposes of the Authority; and

WHEREAS, as a prerequisite to the acquisition of the property by the City of Lynchburg, on behalf of the Authority, in accordance with Code section 36-19.5(B), the required notice has been given to the landowner to correct the deterioration of the dwelling unit; and

WHEREAS, the owner has failed to correct the deteriorated condition of the dwelling unit

THEREFORE, BE IT RESOLVED, by the Commissioners of the Authority that the Executive Director of the Authority, in consultation with the Authority's legal counsel, is hereby authorized and directed to request that the City Council of the City of Lynchburg hold a public hearing to consider the Authority's request to acquire the property at 1722 Fillmore Street, Lynchburg, Virginia in accordance with the provisions of Virginia Code, section 36-19.5, for the purpose of development and redevelopment, including, but not limited to, renovation, rehabilitation and disposition of the property.



LYNCHBURG
REDEVELOPMENT AND
HOUSING AUTHORITY

DEBRA GUYOT
Executive Director

April 10, 2012

Equity Trust Company Custodian FBO
Faye C B Bennett IRA
225 Burns Road
Elyria, OH 44035-1512

Re: Parcel 026-37-010
1722 Fillmore Street
Lynchburg, Virginia

To Whom It May Concern:

In a cooperative effort with the City of Lynchburg, the Board of Commissioners of the Lynchburg Redevelopment and Housing Authority has directed our staff to identify residential properties that are deteriorated to such an extent as to constitute a serious and growing menace to the public health, safety and welfare. These properties are likely to continue to deteriorate and unless corrected, will contribute to the blighting of the surrounding area. We have been made aware of the above property which records show to be owned by you. We observed the dwelling on March 19, 2012, and found the following conditions:

- Condemned by City of Lynchburg May 8, 2006
- Deteriorated soffits, fascia and siding
- Portions of siding missing
- Severe peeling paint throughout entire structure (possible lead based)
- Gutters and downspouts detached and missing
- Front porch with severe deterioration.
- Porch columns unstable close to collapse, floor boards warped
- Handrails missing on front steps. Guard rails missing on porch
- Broken windows
- Foundation with peeling paint
- Construction debris in yard and on porch



phone: 434.485.7200 • fax: 434.845.9144 • TTY: 800.828.1120 VA 711
918 Commerce Street • P.O. Box 1298
Lynchburg, VA 24505

We Do Business In Accordance With the Federal Fair Housing Law

Spot Blight

Property Address: **1722 Fillmore Street**
Parcel No: **026-37-010**
Date Entered: **1/24/2012**

Owner's Name: **Equity Trust Company Custodian FBO
Faye C B Bennett IRA**

Owner's Address: **225 Burns Road, Elyria, OH 44035-1512**

Assessed Value Land: \$2,000 Improvement: \$13,700 TOTAL: \$15,700



Date of Pictures: March 19, 2012

DEFICIENCIES:

- Date condemned May 8, 2006
- Sections of missing, detached downspouts ✓
- Front Porch, severe deterioration
- Front Porch, missing railing
- Front Porch, buckling and missing section of ceiling
- Front Porch, decking warped boards
- Broken windows
- Missing hand railing on front steps
- Deteriorated fascia
- Deteriorated soffits
- Deteriorated siding
- Severe peeling paint throughout structure

1722 Fillmore Street / 026-37-010



April 10, 2012
1722 Fillmore Street, Lynchburg, VA
page two

We are requesting at this time that you:

1. Present a written plan within thirty (30) calendar days of receipt of this notice for consideration and approval by the Commissioners which would address the correction of the listed deficiencies. This plan should include a timetable, financial arrangements and identification of contractors who will be involved in completing the work.

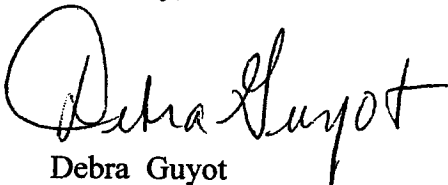
Or

2. Correct the deficiencies including any other non-compliance items with local building code within sixty (60) days of receipt of this notice.

Should the above written plan not be received within thirty (30) days and subsequently the deficiencies are not corrected within the 60 day period, the Authority pursuant to 36-19.5 Code of Virginia, may request Lynchburg City Council to conduct a public hearing to authorize the Authority to acquire the above mentioned property. Should Council determine it appropriate, the Authority may acquire the property for the purpose of development or redevelopment, including but not limited to renovation, rehabilitation and disposition of the property.

Should you have any questions in regard to this matter please do not hesitate to call.

Sincerely,

A handwritten signature in black ink, appearing to read "Debra Guyot". The signature is fluid and cursive, with a large initial "D" and "G".

Debra Guyot
Certified Mail Return Receipt Requested

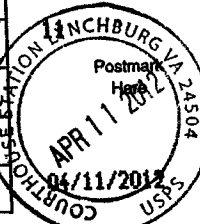
7009 2820 0002 2221 1857

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 0.45
Certified Fee	\$ 2.95
Return Receipt Fee (Endorsement Required)	\$ 2.35
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 5.75



Sent To
EQUITY TRUST CO. CUSTODIAN FAYE BENNETT
 Street, Apt. No.,
 or PO Box No. **225 BURNS RD**
 City, State, ZIP+4
ELYRIA, OH 44035-1512

PS Form 3800, August 2006

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

EQUITY TRUST CO.
Custodian FBO
Faye CB BENNETT TRA
225 BURNS RD
ELYRIA OH 44035-1512

2. Article Number

(Transfer from service)

7009 2820 0002 2221 1857

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X M Hartenfeld

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

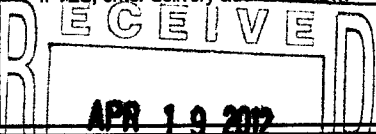
M HARTENFELD

C. Date of Delivery

04-13-2012

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No



3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

- ☐ Yes

RESOLUTION AUTHORIZING THE ACQUISITION OF REAL PROPERTY

WHEREAS, it appearing to City Council from the evidence presented at the public hearing that the structure located at 1722 Fillmore Street, parcel 026-37-010, (i) has deteriorated to such an extent as to constitute an immediate, serious and growing menace to the public health, safety and welfare; (ii) that such structures are likely to continue to deteriorate unless corrected; (iii) that the continued deterioration of such structures will contribute to the blighting or deterioration of the area immediately surrounding 1722 Fillmore Street; (iv) that such structures are blighted properties in accordance with §1-219.1 of the Code of Virginia in that their condition endangers the public health or safety, and the structures are a public nuisance or are beyond repair or unfit for human occupancy or use; (v) that the owner of 1722 Fillmore Street was given 60 days notice by certified mail of the condition of the structures and has failed to correct the deterioration; and (vi) that 1722 Fillmore Street lies within the Lynchburg Redevelopment and Housing Authority's area of operation; and

WHEREAS, it further appearing to City Council from the evidence presented at the public hearing that the acquisition of 1722 Fillmore Street by the Lynchburg Redevelopment and Housing Authority is to serve a public purpose and not for private benefit or gain; and

WHEREAS, it further appearing to City Council from the evidence presented at the public hearing that the primary purpose for acquiring 1722 Fillmore Street by the Lynchburg Redevelopment and Housing Authority is not to increase any tax base or taxable revenues, or to increase employment;

NOW, THEREFORE BE IT RESOLVED, that as provided by Section 36-19.5 of the Code of Virginia the Lynchburg City Council does hereby designate, authorize, and direct the Lynchburg Redevelopment and Housing Authority to acquire the properties located at 1722 Fillmore Street by purchase, lease, gift or through the exercise of eminent domain for the purposes set forth in subsection A of Section 36-19.5 of the Code of Virginia, including, but not limited to, the renovation, rehabilitation and disposition of the structure at 1722 Fillmore Street;

BE IT FURTHER RESOLVED, that the Lynchburg Redevelopment and Housing Authority is hereby designated, authorized, and directed to act on the City's behalf in the acquisition of the property at 1722 Fillmore Street, and in the event the Lynchburg Redevelopment and Housing Authority files a petition in the Lynchburg Circuit Court to acquire the property located at 1722 Fillmore Street through the use of the power of eminent domain, the Lynchburg Redevelopment and Housing Authority shall be deemed to be acting as, and on behalf of, the City of the Lynchburg for the purposes of such petition.

Adopted:

Certified:

Clerk of Council

029P

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **January 8, 2013**

AGENDA ITEM NO.: 16

CONSENT: REGULAR: **X**

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Public Hearing to Authorize the Lynchburg Redevelopment and Housing Authority (LRHA) to Pursue Acquisition of Blighted Property at 808 Dinwiddie Street .**

RECOMMENDATION:

After a public hearing, adopt a resolution authorizing the LRHA to pursue acquisition of blighted property at 808 Dinwiddie Street under Section 36-19.5 of the Code of Virginia.

SUMMARY:

Please see attached information from LRHA including notification to the property owner.

PRIOR ACTION(S):

N/A

FISCAL IMPACT:

N/A

CONTACT(S):

Debra Guyot – 485-7200

ATTACHMENT(S):

- Resolution
- Letter from LRHA

REVIEWED BY: lkp

RESOLUTION AUTHORIZING THE ACQUISITION OF REAL PROPERTY

WHEREAS, it appearing to City Council from the evidence presented at the public hearing that the structure located at 808 Dinwiddie Street, parcel 008-11-003, (i) has deteriorated to such an extent as to constitute an immediate, serious and growing menace to the public health, safety and welfare; (ii) that such structures are likely to continue to deteriorate unless corrected; (iii) that the continued deterioration of such structures will contribute to the blighting or deterioration of the area immediately surrounding 808 Dinwiddie Street; (iv) that such structures are blighted properties in accordance with §1-219.1 of the Code of Virginia in that their condition endangers the public health or safety, and the structures are a public nuisance or are beyond repair or unfit for human occupancy or use; (v) that the owner of 808 Dinwiddie Street was given 60 days notice by certified mail of the condition of the structures and has failed to correct the deterioration; and (vi) that 808 Dinwiddie Street lies within the Lynchburg Redevelopment and Housing Authority's area of operation; and

WHEREAS, it further appearing to City Council from the evidence presented at the public hearing that the acquisition of 808 Dinwiddie Street by the Lynchburg Redevelopment and Housing Authority is to serve a public purpose and not for private benefit or gain; and

WHEREAS, it further appearing to City Council from the evidence presented at the public hearing that the primary purpose for acquiring 808 Dinwiddie Street by the Lynchburg Redevelopment and Housing Authority is not to increase any tax base or taxable revenues, or to increase employment;

NOW, THEREFORE BE IT RESOLVED, that as provided by Section 36-19.5 of the Code of Virginia the Lynchburg City Council does hereby designate, authorize, and direct the Lynchburg Redevelopment and Housing Authority to acquire the properties located at 808 Dinwiddie Street by purchase, lease, gift or through the exercise of eminent domain for the purposes set forth in subsection A of Section 36-19.5 of the Code of Virginia, including, but not limited to, the renovation, rehabilitation and disposition of the structure at 808 Dinwiddie Street;

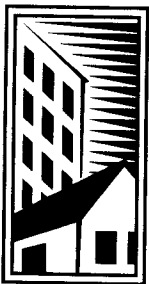
BE IT FURTHER RESOLVED, that the Lynchburg Redevelopment and Housing Authority is hereby designated, authorized, and directed to act on the City's behalf in the acquisition of the property at 808 Dinwiddie Street, and in the event the Lynchburg Redevelopment and Housing Authority files a petition in the Lynchburg Circuit Court to acquire the property located at 808 Dinwiddie Street through the use of the power of eminent domain, the Lynchburg Redevelopment and Housing Authority shall be deemed to be acting as, and on behalf of, the City of the Lynchburg for the purposes of such petition.

Adopted:

Certified:

Clerk of Council

001K



LYNCHBURG
REDEVELOPMENT AND
HOUSING AUTHORITY

DEBRA GUYOT
Executive Director

RECEIVED
DEC - 7 2012

Council/Manager
Offices

December 6, 2012

Mrs. Valeria P. Chambers
Clerk of City Council
900 Church Street
Lynchburg, Virginia 24504

Re: Spot Blight Property

Dear Ms. Chambers,

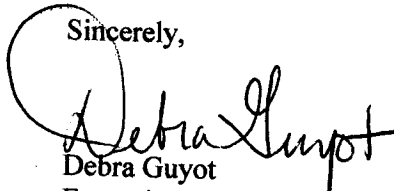
Please accept this letter as the Lynchburg Redevelopment and Housing Authority's request that City Council hold a public hearing to consider the acquisition of property located at 808 Dinwiddie Street and 1722 Fillmore Street. Section 36-19.5 of the Code of Virginia provides that an Authority may acquire any single-family or multi-family dwelling unit in the City after a public hearing by the governing body of the City wherein the property to be acquired is located. Please be advised that both properties listed above are located within the City of Lynchburg and are in accordance with the provisions of Section 36-19.5 of the Code of Virginia.

Both properties listed have been inspected by Authority staff. Deficiencies have been delivered to the owners with a request to either submit a plan of corrections within 30 days or correct the noted deficiencies within 60 days. It has been verified by certified mail that both property owners have received such notice. As of the date of this writing, neither property owner has responded to the Authority's request.

Enclosed, please find a Report to City Council with description in regard to the properties, copy of the resolution by the Authority's Commissioners to seek acquisition approval, copy of notice sent to owners, description of deficiencies with pictures and a proposed resolution for council's consideration.

Thank you for your consideration on this matter and feel free to contact me should you be in need of further information.

Sincerely,


Debra Guyot
Executive Director



phone: 434.485.7200 • fax: 434.845.9144 • TTY: 800.828.1120 VA 711
918 Commerce Street • P.O. Box 1298
Lynchburg, VA 24505

We Do Business In Accordance With the Federal Fair Housing Law

Report to City Council

November 29, 2012

As part of the collaborative effort between the City of Lynchburg and The Lynchburg Redevelopment and Housing Authority to address blighted residential properties in our City, The Authority brings to Council the property located at 808 Dinwiddie Street. This property was first identified as a blighted property by Authority staff in April 2011. The City's Inspections Department had cited the property with numerous violations from June 2006 through June 2007 at which time the property was condemned. On May 7, 2012, the owner was notified by the Authority of the deficiencies and asked to submit a plan of correction within 30 days or to undertake and complete the repairs within 60 days. There has been no response from the owner as of the date of this writing.

The Authority has continued to monitor the property from May of 2012 to the date of this report. On October 3, 2012, the Authority Commissioners adopted Resolution No. 1086 requesting that City Council hold a public hearing to consider the request of the Authority to acquire the property. The Authority wishes to acquire this property for renovation, rehabilitation and disposition. Attached is a copy of the Authority's Resolution, copy of the deficiency report accepted by the Commissioners, copy of the notice and a proposed resolution for City Council's consideration.

Members of the Authority's staff will be in attendance at the public hearing.

Resolution Authorizing the Executive Director to seek approval of City Council for the acquisition of the property at 808 Dinwiddie Street, Parcel 008-11-003, Lynchburg, Virginia pursuant to Code section 36-19.5

WHEREAS, the Commissioners of the Lynchburg Redevelopment and Housing Authority (the Authority) have undertaken the exercise of additional powers granted to the Authority pursuant to section 36-19.5 of the Code of Virginia, as amended; and

WHEREAS, one of the major objectives to be achieved in exercising powers granted to the Authority under Code section 36-19.5 is to prevent single-family or multi-family dwelling units within the Authority's area of operation from contributing to the blighting or deterioration of the area immediately surrounding such dwelling unit as a result of the continued deterioration of such dwelling unit and further, to prevent the deterioration of such dwelling unit to such an extent as to constitute an immediate, serious and growing menace to the public health, safety and welfare; and

WHEREAS, the Commissioners of the Authority have made a finding that the dwelling unit located at 808 Dinwiddie Street, Lynchburg, Virginia (the property), (i) has deteriorated to such an extent as to constitute an immediate, serious and growing menace to the public health, safety and welfare; (ii) that the property is likely to continue to deteriorate unless corrected; and (iii) that the continued deterioration of the property may contribute to the blighting or deterioration of the area immediately surrounding the dwelling unit; and

WHEREAS, the Commissioners of the Authority have made a further finding that unless the property is brought into full compliance with the applicable building codes of the City of Lynchburg, Virginia, the acquisition of the property pursuant to Code section 36-19.5(B), will further the objectives of, and is necessary for the purposes of the Authority; and

WHEREAS, as a prerequisite to the acquisition of the property by the City of Lynchburg, on behalf of the Authority, in accordance with Code section 36-19.5(B), the required notice has been given to the landowner to correct the deterioration of the dwelling unit; and

WHEREAS, the owner has failed to correct the deteriorated condition of the dwelling unit

THEREFORE, BE IT RESOLVED, by the Commissioners of the Authority that the Executive Director of the Authority, in consultation with the Authority's legal counsel, is hereby authorized and directed to request that the City Council of the City of Lynchburg hold a public hearing to consider the Authority's request to acquire the property at 808 Dinwiddie Street, Lynchburg, Virginia in accordance with the provisions of Virginia Code, section 36-19.5, for the purpose of development and redevelopment, including, but not limited to, renovation, rehabilitation and disposition of the property.

Property Address: **808 Dinwiddie Street**
Parcel No: **008-11-003**
Date Entered: **4/25/2012**

Owner's Name: **Dakota Financial, LLC**
Owner's Address: 10100 Santa Monica Blvd. Suite 300, Los Angeles, CA
Assessed Value Land: \$4,000 Improvement: \$36,000 **TOTAL: \$40,000**

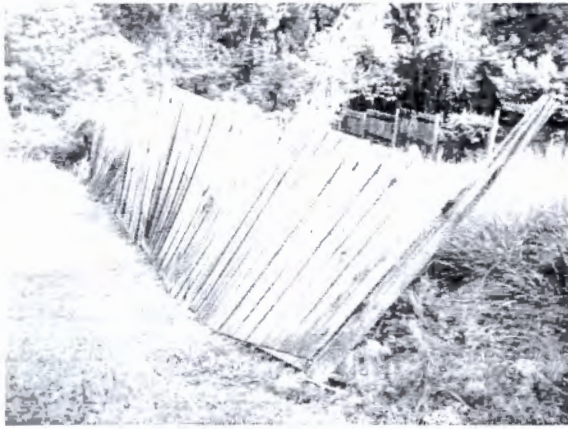
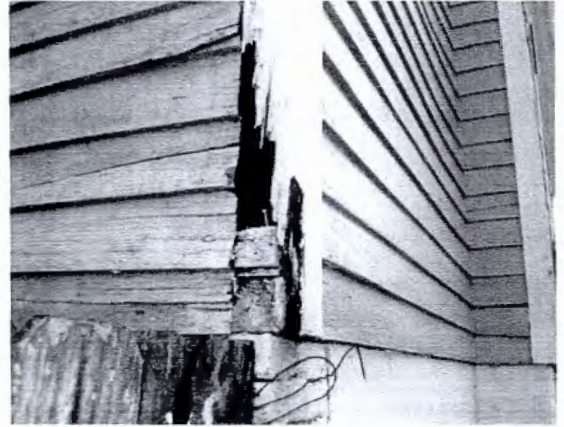
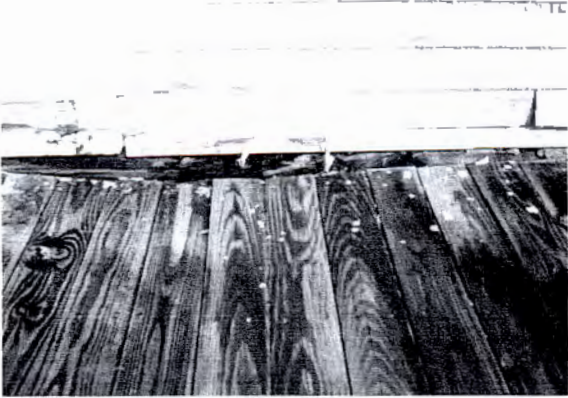


Date of Pictures: April 27, 2012

DEFICIENCIES:

- **Condemned by City on June 6, 2007**
- **Sections of missing, detached gutters and downspouts**
- **Front Porch, severe deterioration, ,decking collapsing**
- **Broken & missing windows**
- **Foundation deteriorated and failing**
- **Interior floor system at rear of structure failing**
- **Trash and debris in back yard area**
- **Building unsecure, creating severe public safety threat**
- **Deteriorated fascia's and soffits**
- **Severe peeling paint**
- **Missing siding allowing outside elements to enter**
- **Fence in backyard deteriorated and falling**
- **Deteriorated back porch**
- **Missing railings on front and back porch**
- **Vegetation overgrowth**

808 Dinwiddie Street / 008-11-003





LYNCHBURG
REDEVELOPMENT AND
HOUSING AUTHORITY

DEBRA GUYOT
Executive Director

May 7, 2012

Dakota Financial, LLC
10100 Santa Monica Blvd. Suite 300
Los Angeles, CA 90067-4107

Re: Parcel 008-11-003
808 Dinwiddie Street
Lynchburg, Virginia

To Whom It May Concern:

In a cooperative effort with the City of Lynchburg, the Board of Commissioners of the Lynchburg Redevelopment and Housing Authority has directed our staff to identify residential properties that are deteriorated to such an extent as to constitute a serious and growing menace to the public health, safety and welfare. These properties are likely to continue to deteriorate and unless corrected, will contribute to the blighting of the surrounding area. We have been made aware of the above property which records show to be owned by you. We observed the dwelling on May 2, 2012, and found the following conditions:

- **Condemned by City on June 6, 2007**
- **Sections of missing, detached gutters and downspouts**
- **Front Porch, severe deterioration, ,decking collapsing**
- **Broken & missing windows**
- **Foundation deteriorated and failing**
- **Interior floor system at rear of structure failing**
- **Trash and debris in back yard area**
- **Building unsecure, creating severe public safety threat**
- **Deteriorated fascia's and soffits**
- **Severe peeling paint**
- **Missing siding allowing outside elements to enter**
- **Fence in backyard deteriorated and falling**
- **Deteriorated back porch**
- **Missing railings on front and back porch**
- **Vegetation overgrowth**



phone: 434.485.7200 • fax: 434.845.9144 • TTY: 800.828.1120 VA 711
918 Commerce Street • P.O. Box 1293
Lynchburg, VA 24505

We Do Business In Accordance With the Federal Fair Housing Law

May 7, 2012
808 Dinwiddie Street, Lynchburg, VA
page two

We are requesting at this time that you:

1. Present a written plan within thirty (30) calendar days of receipt of this notice for consideration and approval by the Commissioners which would address the correction of the listed deficiencies. This plan should include a timetable, financial arrangements and identification of contractors who will be involved in completing the work.

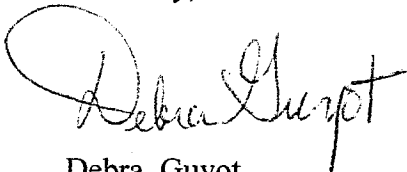
Or

2. Correct the deficiencies including any other non-compliance items with local building code within sixty (60) days of receipt of this notice.

Should the above written plan not be received within thirty (30) days and subsequently the deficiencies are not corrected within the 60 day period, the Authority pursuant to 36-19.5 Code of Virginia, may request Lynchburg City Council to conduct a public hearing to authorize the Authority to acquire the above mentioned property. Should Council determine it appropriate, the Authority may acquire the property for the purpose of development or redevelopment, including but not limited to renovation, rehabilitation and disposition of the property.

Should you have any questions in regard to this matter please do not hesitate to call.

Sincerely,

A handwritten signature in cursive script, appearing to read "Debra Guyot".

Debra Guyot
Executive Director
Certified Mail Return Receipt Requested

7009 2820 0002 2221 1864

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
LOS ANGELES, CA 90067 OFFICIAL USE	
Postage	\$ 0.45
Certified Fee	\$2.95
Return Receipt Fee (Endorsement Required)	\$2.35
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 5.75

0343
 COURTHOUSE STATION LYNCHBURG VA 24504
 Postmark
 MAY 18 2012
 MAY 18 2012

Sent To	
DAKOTA FINANCIAL, LLC	
Street, Apt. No.:	
PO Box No. 10100 SANTA MONICA BLVD STE 300	
City, State, ZIP+4	
LOS ANGELES, CA 90067-4107	

PS Form 3800, August 2005 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. - Print your name and address on the reverse so that we can return the card to you. - Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature ☐ Agent ☒ Addressee B. Received by (Printed Name) R. THOMAS C. Date of Delivery 5/18/12 D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No MAY 18 2012 3. Service Type: REDEVELOPMENT ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D. 4. Restricted Delivery? (Extra Fee) ☐ Yes
1. Article Addressed to: DAKOTA FINANCIAL, LLC 10100 SANTA MONICA BLVD STE. 300 LOS ANGELES, CA 90067-4107	
2. Article Number (Transfer from service label)	7009 2820 0002 2221 1864

RESOLUTION AUTHORIZING THE ACQUISITION OF REAL PROPERTY

WHEREAS, it appearing to City Council from the evidence presented at the public hearing that the structure located at 808 Dinwiddie Street, parcel 008-11-003, (i) has deteriorated to such an extent as to constitute an immediate, serious and growing menace to the public health, safety and welfare; (ii) that such structures are likely to continue to deteriorate unless corrected; (iii) that the continued deterioration of such structures will contribute to the blighting or deterioration of the area immediately surrounding 808 Dinwiddie Street; (iv) that such structures are blighted properties in accordance with §1-219.1 of the Code of Virginia in that their condition endangers the public health or safety, and the structures are a public nuisance or are beyond repair or unfit for human occupancy or use; (v) that the owner of 808 Dinwiddie Street was given 60 days notice by certified mail of the condition of the structures and has failed to correct the deterioration; and (vi) that 808 Dinwiddie Street lies within the Lynchburg Redevelopment and Housing Authority's area of operation; and

WHEREAS, it further appearing to City Council from the evidence presented at the public hearing that the acquisition of 808 Dinwiddie Street by the Lynchburg Redevelopment and Housing Authority is to serve a public purpose and not for private benefit or gain; and

WHEREAS, it further appearing to City Council from the evidence presented at the public hearing that the primary purpose for acquiring 808 Dinwiddie Street by the Lynchburg Redevelopment and Housing Authority is not to increase any tax base or taxable revenues, or to increase employment;

NOW, THEREFORE BE IT RESOLVED, that as provided by Section 36-19.5 of the Code of Virginia the Lynchburg City Council does hereby designate, authorize, and direct the Lynchburg Redevelopment and Housing Authority to acquire the properties located at 808 Dinwiddie Street by purchase, lease, gift or through the exercise of eminent domain for the purposes set forth in subsection A of Section 36-19.5 of the Code of Virginia, including, but not limited to, the renovation, rehabilitation and disposition of the structure at 808 Dinwiddie Street;

BE IT FURTHER RESOLVED, that the Lynchburg Redevelopment and Housing Authority is hereby designated, authorized, and directed to act on the City's behalf in the acquisition of the property at 808 Dinwiddie Street, and in the event the Lynchburg Redevelopment and Housing Authority files a petition in the Lynchburg Circuit Court to acquire the property located at 808 Dinwiddie Street through the use of the power of eminent domain, the Lynchburg Redevelopment and Housing Authority shall be deemed to be acting as, and on behalf of, the City of the Lynchburg for the purposes of such petition.

Adopted:

Certified:

Clerk of Council

029P

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **January 8, 2013**

AGENDA ITEM NO.: 17

CONSENT: REGULAR: **X**

WORK SESSION:

CLOSED SESSION:
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: Community Development Block Grant (CDBG) and HOME Programs – Public Hearing Regarding Housing and Non-Housing Goals for 2013-2014 Annual Action Plan and Adopt a Resolution Approving the Annual Action Plan Goals for 2013-2014

RECOMMENDATION: Conduct a public hearing to receive citizen comments regarding the goals for the development of the 2013-2014 Annual Action Plan and adopt a resolution approving the goals.

SUMMARY: The U. S. Department of Housing and Urban Development (HUD) requires state and local governments, which receive federal community development funds, to prepare a Consolidated Plan. The Consolidated Plan for Lynchburg was approved in October 2010 and covers the period from July 1, 2010 through June 30, 2015. This plan outlines the City's needs, goals, and objectives for community development (both housing and non-housing areas). HUD requires CDBG and HOME entitlement communities to review these goals on an annual basis. City Council is seeking the input of citizens and other interested parties regarding the approved goals. A 15-day public comment period to receive citizen input regarding these goals was initiated on December 22, 2012 through a legal notice published in *The News and Advance*.

Specifically at this public hearing, the public is invited to comment on the approved goals regarding the City's housing and non-housing community development needs common to low- and moderate-income households and neighborhoods in Lynchburg. The Consolidated Plan goals for 2011-2015 are attached to this report.

PRIOR ACTION(S): January 10, 2012 – City Council approval of the revised 2011-2015 Consolidated Plan Goals for the 2012-2013 Annual Action Plan

FISCAL IMPACT: None

CONTACT(S): Bonnie Svrcek, Deputy City Manager - 455-3987
Melva Walker, Grants Manager – 455-3916

ATTACHMENT(S): 2011-2015 Consolidated Plan Goals as approved by City Council Resolution

REVIEWED BY: lkp

2011-2015 CONSOLIDATED PLAN GOALS

The goals listed below are intended to provide broad guidance in the allocation of Community Development Block Grant (CDBG) funds granted to the City by the United States Department of Housing and Urban Development for the five years beginning July 1, 2010 and ending June 30, 2015. The Community Development Advisory Committee (CDAC) supports the allocation of funds to achieve measurable results for both public and non-public services.

The primary objective of the CDBG program is to continue to develop viable urban communities through decent housing, suitable living environments and expanded economic opportunities for low- and moderate-income persons; the City of Lynchburg supports assisting individuals with disabilities, substance abuse or addiction, persons with AIDS, persons that are homeless, and elderly persons.

Housing Goals

1. Increase the number of owner-occupied units.
2. Rehabilitate substandard housing units. Emphasis is to be placed on programs that require an investment of funds and/or labor on the part of the owner commensurate with the owner's resources.
3. Support initiatives to increase permanent affordable rental and housing ownership opportunities.
4. Promote programs that assist eligible individuals in retaining their homes.

Non-Housing Goals

1. Eliminate neighborhood deterioration, blight and blighting influences.
2. Support the organized efforts in neighborhoods to leverage their resources to improve and sustain community livability and services.
3. Support economic development efforts which will expand job opportunities and retention.
4. Promote activities which support the healthy development of the City's at-risk youth, adults and families.

Prepared by the Community Development Advisory Committee, November 6, 2009

Revised by the Community Development Advisory Committee, January 7, 2010

Revised and adopted by City Council, January 26, 2010

Revised and adopted by City Council, January 25, 2011

Revised and adopted by City Council, January 10, 2012

RESOLUTION:

BE IT RESOLVED that City Council approves the Community Development Block Grant (CDBG) 2011-2015 goals for the 2013-2014 Annual Action Plan.

Adopted:

Certified:

Clerk of Council

007K

RESOLUTION:

BE IT RESOLVED that The City Manager is authorized to accept, on behalf of the City of Lynchburg, the FY 2012 Staffing for Adequate Fire and Emergency Response (SAFER) grant that has been offered by the Federal Emergency Management Agency (FEMA).

Adopted:

Certified:

Clerk of Council

012K

Fire Department - SAFER Grant (Summary) January 2013

Amount of award - \$979,497 with no local match.

Period of Performance - March 3, 2013 until March 2, 2015 for the current award. If accepted, the Fire Department would apply for an additional two years of the SAFER grant before the Period of Performance expires.

Intent of Grant - The Fire Department intends to hire nine (9) additional entry level firefighters to supplement our staffing and improve the relief factor. The grant stipulates that no firefighters can be laid-off during the period of performance unless said lay-offs effect all of Public Safety. (The department would have to apply for a wavier in this case.)

Use of Personnel - The additional personnel would be used to improve the current relief factor and help keep emergency equipment in service. These individuals would be staffing units responding to emergency calls for service and also be used to maintain staffing when other members of the department are on vacation, out sick or attending training. (Currently, the department places units out of service on a regular basis due to a shortage of manpower.)

Exit Strategy - The City and the Fire Department would be under no obligation to retain these employees at the end of the performance period. However, it would be the department's desire to absorb the individuals through normal attrition and/or retirements at that time, if the budget does not allow them to be "picked-up". (The department would have approx. 20 members eligible to retire at that time.)

Benefits - Improve relief factor, increase staffing, improved response time by keeping all units in service. These additional employees would allow the Fire Department to "pilot" the improved relief factor without cost. These members would also allow additional training to occur without placing units out of service or paying overtime. Overall reduction in overtime costs. These individuals would help the department meet the increasing demand for service we are experiencing.

Military Benefit - If the department hires military veterans these individuals will receive an additional year of funding automatically. (We would have to apply for this in April of 2013.)

U.S. Department of Homeland Security
Washington, D.C. 20472



FEMA

Ms. Ellen Davidson-Martin
Lynchburg Fire and EMS Department
800 Madison St.
Lynchburg, Virginia 24504-2545

Re: Grant No.EMW-2012-FH-00513

Dear Ms. Davidson-Martin:

On behalf of the Federal Emergency Management Agency (FEMA) and the Department of Homeland Security (DHS), I am pleased to inform you that your grant application submitted under the FY 2012 Staffing for Adequate Fire and Emergency Response (SAFER) grants has been approved. FEMA's Grant Programs Directorate (GPD), in consultation with the U.S. Fire Administration (USFA), carries out the Federal responsibilities of administering your grant. The approved project costs total to \$979,497.00. The Federal share is \$979,497.00 of the approved amount and your share of the costs is \$0.00.

As part of your award package, you will find Grant Agreement Articles. Please make sure you read and understand the articles as they outline the terms and conditions of your grant award. Maintain a copy of these documents for your official file. **You establish acceptance of the grant and Grant Agreement Articles when you formally receive the award through the AFG online system.** By accepting the grant, you agree not to deviate from the approved scope of work without prior written approval, via an amendment request, from FEMA.

Once your period of performance has begun, and if your SF 1199A has been reviewed and approved, you will be able to request payments online. Remember, you should request funds when you have an immediate cash need.

If you have any questions or concerns regarding the process to request your grant funds, please call 1-866-274-0960.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy W. Manning".

Timothy W. Manning
Deputy Administrator for National Preparedness and Protection