

NO 4:00 P.M. MEETING

A G E N D A

City Council Meeting of June 23, 2020

7:30 P.M.

City Council Agenda Items

COUNCILMEMBER NELSON WILL GIVE THE INVOCATION

GENERAL POLICY REGARDING PUBLIC PARTICIPATION AT CITY COUNCIL MEETINGS

Each speaker shall clearly state his or her name and locality of residence.

The City Council agenda is divided into four sections.

CONSENT AGENDA: This section includes routine items. All items may be approved by one vote.

PUBLIC HEARINGS: This section includes all public hearings as required by law or as Council may direct.

Procedure:

- Staff will make a presentation.
- For zoning petitions, the applicant or his or her representative shall have ten (10) minutes to make a presentation.
- Comments will then be solicited from those in favor.
- Comments will then be solicited from those in opposition.

During the public hearing, there shall be a time limit of three (3) minutes for each individual speaker. If the speaker represents a group, there shall be a time limit of five (5) minutes. A speaker representing a group shall identify that group at the beginning of his or her remarks. A group may have only one spokesperson. After public comments have been received, for zoning petitions, the applicant or the representative of the applicant, at his or her discretion, may respond with a rebuttal. There shall be a five (5)-minute time limit for rebuttal. Upon the conclusion of public comments or the applicant's rebuttal, the public hearing will be closed and the matter referred to Council for deliberation.

PUBLIC COMMENT: Public comment shall be for the purpose of allowing members of the public to present any matter, which, in their opinion, deserves the attention of the Council. They shall not serve as a forum for debate with the Council. Individuals may speak up to three (3) minutes; or group spokesperson up to five (5) minutes. Once Council has heard a presentation from a citizen or organization on a particular subject, the citizen or organization may not make another presentation on the same subject within three (3) months of the first presentation, except by a majority vote of the members of Council present and voting.

GENERAL BUSINESS: This section includes items of a general nature to be considered by Council.

City Council may make exceptions to these rules at its discretion. Prior to a meeting, any questions which citizens may have regarding any item on the agenda may be addressed to City Council or the City Administration. The following numbers are provided for the convenience of the citizens:

CITY COUNCIL 455-3995

MAYOR 455-3995

CITY MANAGER 455-3990

A reasonable charge may be made for copying and other activities related to responding to long and involved inquiries.

CITIZENS OFTEN EXPRESS CONFLICTING AND DIVERSE POSITIONS REGARDING SPECIFIC ISSUES UNDER CONSIDERATION. TO ENCOURAGE CITIZEN PARTICIPATION AND TO AVOID INTIMIDATION TO PERSONS WHO MAY EXPRESS SOMETIMES UNPOPULAR OPINIONS, APPLAUSE, CHEERS, OR JEERS FROM THE AUDIENCE ARE NOT PERMITTED. WHEN APPEARING BEFORE CITY COUNCIL, CITIZENS MAY NOT ENGAGE IN BEHAVIOR THAT INTIMIDATES OR INSULTS OTHERS, ENGAGE IN DISRUPTIVE BEHAVIOR, USE PROFANITY OR VULGAR LANGUAGE, PROMOTE PRIVATE BUSINESS VENTURES OR CAMPAIGN FOR PUBLIC OFFICE.

* **PREVIOUSLY DISCUSSED AND/OR CONSIDERED BY CITY COUNCIL**

Recognitions:

- ❖ Recognize Councilmember Edgar J. T. Perrow, Jr., for 12 years of service to City Council

C O N S E N T A G E N D A

- #1. Consideration of approving the minutes of the June 1, 2020 meeting
- #2. Consideration of approving the minutes of the June 3, 2020 meeting
- #3. Consideration of approving the minutes of the June 9, 2020 meeting

- #4.* Consideration of adopting Resolution #R-20-043 adopting the FY2021 Mandated and Contractual External Service Providers Budget and appropriating \$8,192,056 for this budget.
- #5.* Consideration of adopting Resolution #R-20-044 to adopt the FY2021 Discretionary External Service Providers Budget for Amazement Square, Central Virginia Alliance for Community Living and Central Virginia Community College Board and appropriating \$17,234 for this budget
- #6.* Consideration of adopting Resolution #R-20-045 adopting FY2021 Operating Fund Budgets for other funds and appropriating the sums of each fund
- #7.* Consideration of adopting Resolution #R-20-047 adopting the FY 2021 Capital Budget and appropriating \$15,169,570 for the City Capital Projects Fund, \$3,053,086 for the Schools Capital Projects Fund, \$1,400,000 for the Airport Capital Projects Fund, \$3,560,000 for the Water Capital Projects Fund, \$8,030,000 for the Sewer Capital Projects Fund, and \$880,000 for the Stormwater Capital Projects Fund
- #8.* Consideration of adopting Resolution #R-20-048 appropriating \$50,000 of the FY 2021 Reserve for Contingencies funding for use by the City Manager for the fiscal year beginning July 1, 2020 through June 30, 2021
- #8a.*Consideration of adopting Resolution #R-20-040 amending the FY2020 General, Water, Sewer and Stormwater Funds' Adopted Budgets and appropriating \$105,500, \$51,088, \$25,424 and \$17,988 respectively with resources from the Line of Credit Proceeds for a total of \$200,000 for estimated issuance costs.
- #8b.*Consideration of adopting Resolution #R-20-036 to amend the FY 2020 Water Operating Fund Budget and appropriate \$57,561 with resources from the Liquid Aluminum Sulfate Class Action Settlement to support the operations of the Water Operating Fund.
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PUBLIC HEARINGS

- #9. An updated Analysis of Impediments to Fair Housing Choice (AI) to satisfy requirements of the Housing and Community Development Act of 1974, as amended. As a recipient of HUD funding, the City is charged with the responsibility of conducting its CDBG and HOME programs in compliance with the federal Fair Housing Act identifying public policies and programs that may create barriers to housing choice for members of the protected classes and implementing strategies to eliminate these barriers. #R-20-050
- #10. To receive comments on the Consolidated Plan (CP) for HUD and Urban Development (HUD) Community Planning and Development Programs. This document is a requirement for direct financial assistance under certain HUD funding programs including the CDBG and HOME Investment Partnerships programs. The CP covers the five-year period beginning July 1, 2020 through June 30, 2025. The City has also prepared the Annual Action Plan for the Program Year 2020 FY 2021 #R-20-051
- #11. Proposed Adoption of a Resolution Amending the Fiscal Year 2020 Budget for the Twelve Month Period Beginning July 1, 2019 and ending June 30, 2020 and Appropriating Supplemental Funds from the Coronavirus Aid, Relief and Economic Security (CARES) Act for City of Lynchburg to cover expenditures related to the City's coronavirus (COVID-19) response beginning March 1, 2020 and ending December 30, 2020. #R-20-052
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PUBLIC COMMENT

- #12. ~~Hear from a citizen (Taylor Robertson)~~ (has since asked to be removed from the agenda)
- #13. Hear from a citizen (Dr. Keith Anderson)

GENERAL BUSINESS

- #14. Consideration of authorizing the City Manager to accept and execute a \$6,647,475 federal CARES Act Airport Grant Agreement on behalf of the City of Lynchburg (Lynchburg Regional Airport sponsor) and adopt the following Resolutions: #R-20-053
- a. A resolution to amend the FY 2020 Airport Fund budget and appropriate \$700,000 with resources from the Department of Transportation Federal Aviation Administration Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 grant to replace potential revenues lost related to the Coronavirus Disease 2019. #R-20-054
 - b. A resolution to amend the FY 2021 Airport Fund budget and appropriate \$1,800,000 with resources from the Department of Transportation Federal Aviation Administration Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 grant to replace potential revenues lost related to the Coronavirus Disease 2019 #R-20-055
- #15. Hear a report from the Chief of Police regarding an overview of how the Lynchburg Police Department is addressing community concerns and feedback
- #16. Consideration of approving recommended revisions to City Code 7-42 (Tethering restrictions) #O-20-016
- #17. Consideration of adopting Resolution #R-20-042 adopting the FY 2021 General Fund Operating Budget (excluding External Service Providers) and appropriating \$194,398,344 for this budget (second reading)
- #18. Consideration of adopting Resolution #R-20-044 adopting the FY 2021 Discretionary External Service Providers Budget for Virginia Legal Aid Society and appropriating \$12,167 for this budget.
- #19. Consideration of adopting an Ordinance to amend and reenact Section 2-363.2 of the Code of the City of Lynchburg, 1981, relating to the assessment of courthouse security fees #O-20-017
- #20. Consideration of amending Section 27-5 of the City Code so it will be consistent with the State Code #O-20-018
- #21. Make reappointments to vacancies that will exist June 30, 2020, in School Board districts I, II and III.
- #22. Consideration of adopting a Resolution approving the deferral of the City Manager's retirement date from July 1, 2020 to September 1, 2020 #R-20-056
- #23. a. Consideration of a closed meeting to consider appointments and scheduling of prospective candidates for the position of City Manager pursuant to Section 2.2-3711(A.)(1) of the Code of Virginia and
- b. Consideration of a closed meeting to discuss appointment to the following boards, commissions or committees: Youth Services Citizens Board pursuant to Section 2.2-3711(A.)(1) of the Code of Virginia and
 - c. Consideration of a closed meeting for consultation with legal counsel and briefings by staff members regarding a legal matter requiring the provision of legal advice, specifically legal matters relating to the Region 2000 Services Authority Member Use Agreement for the disposal of solid waste and the distribution of excess revenue, pursuant to Section 2.2-3711(A.)(7) of the Code of Virginia, 1950."

// A special meeting of the Council of the City of Lynchburg was held on the 1st day of June, 2020 at 4:00 p.m. in the Council Chamber, City Hall, Treney Tweedy, President, presiding. The following members were present:

Present: Mary Jane Dolan, J. Randy Nelson, E. J. Turner Perrow, Sterling A. Wilder, Beau Wright (by telephone), Treney Tweedy	6
Absent: Jeff Helgeson	1

// The special meeting was called to order. Councilmember Perrow noted that Councilmember Helgeson expressed that this meeting is in violation of our rules of procedure. Councilmember Perrow made a motion to suspend the rules of procedure, specifically 2.2b which regards the 12-hour notification. His motion is to temporarily suspend those rules until this meeting is adjourned. Councilmember Nelson seconded the motion. Councilmember Perrow noted that Councilmember Helgeson is right in that we need to follow our rules of procedure. Council's rules of procedure allow them to suspend them. He thinks this is obviously a case when that should be done. Councilmember Nelson commented that due to expediency, advance notice that is normally required cannot be complied with and for the sake of the City, he thinks they need to move forward. The motion passed by the following vote:

Ayes: Dolan, Nelson, Perrow, Tweedy, Wilder	5
Noes:	0
Absent: Helgeson, Wright (joined later by telephone)	2

Mayor Tweedy noted that according to a recently adopted ordinance, Council needs to vote for Councilmember Wright to be included in the meeting via phone call. Councilmember Wilder made a motion to include him, which was seconded by Councilmember Perrow. Mr. Walter Erwin noted that Council amended its rules of procedure recently with the adoption of an ordinance to allow members to participate electronically, if the other councilmembers feel it is appropriate. The motion passed by the following vote:

Ayes: Dolan, Nelson, Perrow, Tweedy, Wilder	5
Noes:	0
Absent: Helgeson, Wright (joined later by telephone)	2

Councilmember Nelson noted that if Councilmember Helgeson contacted the clerk by phone, he would move that he also be included. The motion was seconded by Councilmember Perrow and passed by the following vote:

Ayes: Dolan, Nelson, Perrow, Tweedy, Wilder	5
Noes:	0
Absent: Helgeson, Wright (joined later by telephone)	2

The Clerk of Council reached Councilmember Wright by telephone and he was added to the meeting. Ms. Svrcek noted these are indeed extraordinary times and she thanked them for juggling their schedules to deal with this emergency measure. They are being asked to amend and reenact the Code of the City of Lynchburg, 1981, by adding thereto a new section, 27-29 relating to the declaration of curfews in times of emergency. She would also like Council to approve and affirm a local declaration of emergency.

Mr. Erwin explained the state code gives the City Manager the authority to take certain actions during the declaration of an emergency. The section of the state code dealing with a local emergency does not provide for any

penalties for violating those directives. That is unlike the directives the governor can issue during a state of emergency where they can be made a misdemeanor offense. The local ordinance they are being asked to adopt today would allow for a citizen to be charged with a misdemeanor offense in the event that the City Manager enacts a curfew. There have been concerns over the past few days that there might be activity that gets out of hand. For the protection of the City, the Police Department has recommended that we impose a curfew. There needs to be an ordinance on the books in order to be able to do so.

Councilmember Perrow asked for the ordinance to be amended to allow for gender neutral references (the City Manager, or their designee, as opposed to his designee). Councilmember Perrow has a concern with the increase of executive authority across the Commonwealth and across the nation. In this case, it is an appointed official and not an elected official. We need to be careful about the significant authority this gives the City Manager. He thinks this ordinance is important and would move to adopt the ordinance with the provision of a sunset clause of August 31, 2020. He would like Council to discuss it again at a regular meeting and understand the implications and make an informed decision. At this point though, it is important to put it in place.

Councilmember Nelson would second the motion to have a sunset clause, as this is a heavy responsibility. In any way it can, it should rest on the shoulders of the elected officials. He feels the reasons given at the press conference today compel this ordinance to move forward. Councilmember Wilder and Vice Mayor Dolan were in agreement with the sunset clause. Councilmember Wright noted that he had not had a chance to read the ordinance and did not think it was appropriate for him to vote on it. Councilmembers were in consensus to allow Councilmember Wright to vote in abstention for the reason he stated. Councilmember Wright noted he would abstain and expressed that he trusts them all very much.

Councilmember Wilder is glad they are taking some action and being cautious ahead of anything that might happen in our community. The motion to pass the curfew ordinance passed by the following vote:

Ayes:	Dolan, Nelson, Perrow, Tweedy, Wilder	5
Noes:		0
Absent:	Helgeson	1
Abstentions:	Wright	1

Ms. Svrcek explained that she signed a declaration of emergency on June 1, 2020 and needs to add to it: "I request Council confirm this action June 1, 2020."

Councilmember Perrow made a motion to adopt the declaration of a local emergency ordinance as amended. It was seconded by Councilmember Wilder. Councilmember Perrow thanked the City Manager for her diligence and work. He thinks this is the right thing to do. He hopes people can have a calming presence. He hopes the Mayor's words at the press conference today were inspirational to many. He hopes this emergency will cease very shortly. Councilmember Wilder thanked all the City staff that had to work through all hours of the night. We will be stronger as a community because of these situations and we will rise above this. We need to know that we are better than this and we need to do our part to protect our citizens. We need to move the dialogue forward to make sure all voices are heard and there is some action taken following it. Councilmember Wright noted that he would abstain, as he has not seen the ordinance, but is grateful for all of them being there and affording him the opportunity to join by

telephone.

The motion passed by the following vote:

Ayes:	Dolan, Nelson, Perrow, Tweedy, Wilder	5
Noes:		0
Absent:	Helgeson	1
Abstentions:	Wright	1

Ms. Svrcek noted that this will be communicated to the public as soon as possible after consultation with the Public Information Officer at the Police Department. Councilmember Nelson noted that at the press conference it was stated that tonight's curfew would be voluntary. He asked the City Attorney if this can be imposed on our citizens with such short notice. Mr. Erwin thinks that legally it can be imposed but citizens could be confused because they thought it was voluntary. It might be difficult to make any conviction of violating the ordinance stick because people could legitimately claim that they were given inconsistent information. Ms. Svrcek said it would be her recommendation to make tonight's curfew voluntary and each day is going to stand on its own. Councilmember Nelson noted he appreciates the integrity of all our first responders and if there is a difficult situation tonight, he believes it will be very well handled.

// The meeting was adjourned at 4:30 p.m.

Clerk of Council

// A special meeting of the Council of the City of Lynchburg was held on the 3rd day of June, 2020 at 10:00 a.m. in the Council Chamber, City Hall, Treney Tweedy, President, presiding. The following members were present:

Present: Mary Jane Dolan, Jeff Helgeson, J. Randy Nelson, E. J. Turner Perrow (by telephone), Sterling A. Wilder, Beau Wright (by telephone), Treney Tweedy 7
Absent: 0

// The special meeting was called to order at 10:10 a.m. Mayor Tweedy noted this is to reconsider two items brought to Council on June 1, 2020. Today's meeting has been called due to Councilmember Helgeson's allegation that the specially called meeting on June 1, 2020 was not a legally called meeting under Council's Rules of Procedure. She requested the City Attorney address them on this matter. First, Councilmember Nelson made a motion to allow Councilmembers Perrow and Wright to participate in the meeting by phone. The motion was seconded by Councilmember Wilder and passed by the following vote:

Ayes: Dolan, Helgeson, Nelson, Tweedy, Wilder 5
Noes: 0

The Clerk of Council indicated they are on the phone and Councilmembers Perrow and Wright indicated they were present by phone. Mr. Erwin stated that he does not believe the meeting on Monday was an unlawful meeting. The Virginia Freedom of Information Act does not require any type of special notice for a special meeting. It says notice of the meeting shall be reasonable under the circumstances. City Council's Rules of Procedure do state that Councilmembers will be given 12 hours' written notice prior to the meeting, but City Council's Rules of Procedures are not laws. They have been adopted to promote the efficient operation of City Council business. The Virginia Supreme Court has said that failure to conform to parliamentary procedure will not invalidate an action if the requisite number of the public body is present and vote. We had a majority present and a majority voted on June 1, 2020. In addition, the Rules of Procedure allow City Council to amend or suspend the Rules of Procedure whenever a majority of Council decides to do so. That is exactly what the majority of Council did at its special meeting. Given the issues that came up, he thinks it is prudent for Council to reconvene today and to readopt this ordinance to put that issue to rest so there will be no confusion among our citizens.

Mayor Tweedy asked for a motion to reconsider the ordinance to amend and reenact the Code of the City of Lynchburg, 1981 by adding thereto a new Section Number 27-29 relating to the declaration of curfews in times of emergency and reaffirm the June 1, 2020 declaration of a local emergency. Councilmember Nelson made that as a motion, which was seconded by Councilmember Helgeson. Councilmember Helgeson appreciated a lengthy discussion with Councilmember Nelson where they discussed the problems of having a meeting where the governing body set law for 82,000 people in the City. He stated that we do not just meet ad hoc or "willy-nilly." Council duly adopted Rules of Procedure and it was done intentionally and unanimously several years ago. He got an email with an hour and twenty minutes' notice of a meeting on something that is pretty important for the citizens of the City. He assumed the meeting would be done according to our Rules of Procedure and he was really disappointed that it was not. He thanked Councilmember Nelson for having the courage and conviction to understand that this is uncharted territory and we do not take it lightly. Council should follow its Rules of Procedure before convening a meeting and before suspending its Rules of Procedure. He is happy to support this motion so we

can rescind the vote that was cast on June 1 and debate the issue of the curfew going forward.

Councilmember Wilder is thankful for the City Attorney who gives them the guidance and the wisdom they need to navigate this situation. He appreciates the forty years of service the attorney has given to this City.

Councilmember Nelson also has great confidence and faith in the City Attorney's opinion. There is one Virginia Supreme Court case that articulates his rationale and there are cases in other states that do the same. However, a crafty defense attorney could find an arguable basis to challenge any arrests that may arise from a detention that was prompted by a curfew violation. Rather than take the chance of protracted litigation, he would rather push the "pause button" and have a redo as to what we intend to do today.

Councilmember Perrow said he agrees with Mr. Erwin and Councilmember Nelson and feels that everything done on June 1 was proper. The notice they were given of today's meeting was in violation of Council's Rules of Procedure because it was a motion to reconsider without having a motion to reconsider on the table. He is happy to support the motion and noted it was exactly the procedure Council followed at its meeting on June 1, 2020. Following the logic that Monday's meeting was outside the Rules of Procedure, today's meeting would be as well. It is not accurate that Monday's meeting was illegal because we were within our rules and within the law of the Commonwealth. We need to move forward. He indicated he was not able to stay for the rest of the meeting because he had a prior scheduled meeting. The motion to reconsider passed by the following vote:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Noes:		0

The second item on the agenda is a motion to amend and reenact the Code of the City of Lynchburg, 1981 by adding thereto a new Section Number 27-29 relating to the declaration of curfews in times of emergency. The City Attorney indicated this would allow the City Manager to implement a curfew and add any additional exemptions that might not be set forth in the ordinance. It has a sunset provision for August 31, 2020, but does not mean that the declaration of a curfew will stay in effect until then. The City Manager can end it at any time by a declaration and will be evaluating it daily. The sunset clause is to take it off the books until Council can discuss it length and decide if they would like to keep it on a permanent basis. Ms. Svrcek clarified that the ordinance will be in effect until the curfew is either reconsidered or expires.

Councilmember Wright indicated he understands the decision as to whether or not to enact the curfew would be considered on a daily basis by the City Manager and the Chief of Police. Councilmember Wright noted that the unknown of the sunset date of August 31, 2020 is disconcerting for people. He would suggest they have the sunset date of this upcoming Tuesday, June 9, 2020, when they can revisit it at their normal City Council meeting and made that as a motion. Councilmember Helgeson seconded the motion. Councilmember Wright noted he wants the community to know they are listening and will consider this as a body at their regular meeting on June 9. Councilmember Helgeson noted he seconded the motion because it is more of a reasonable conversation than having it not sunset for months. He thinks there are lots of things in the ordinance that they need to discuss and they should think collectively about the whole ordinance. Giving unfettered executive power allows for more. It is their responsibility to put in place good policy and not policy that is crafted quickly. The restaurants have been waiting to

open for month as well as gyms and the hours of the gym will not meet the curfew. They all want their citizens to be safe. The shorter we have this curfew the better because these things are hurtful for our community.

Councilmember Helgeson noted one of the exemptions is for City employees. Lots of times government makes laws and for some reason, it is exempt. He does not like that at all. Restaurants are at a 50 percent capacity per the governor's order and now we are saying they have to close at 8:00 p.m. He thinks they can all agree because we all want what is best for our City. He understands how they want to protect but let us do it wisely and use judicious prudence and ask for wisdom. Obviously no one likes this violence but let us not hurt the law abiding because of the bad.

Councilmember Nelson noted that he heard in law school that "hard cases make bad law." When you are reacting to something this is revulsive and overwhelming, you are not able to so carefully think through all the secondary consequences. Council passed an ordinance in about 14 hours. In the luxury of reflection and deeper concentration, he thinks changes to the ordinance are appropriate. A curfew restricts some fundamental constitutional rights, the freedom of movement and the freedom of assembly. The remedy in an emergency situation needs to be narrowly constructed and very restrictively applied. He would suggest the time of the curfew be restricted to hours of darkness and would suggest the curfew start at 9:00 p.m. The Clerk of Council clarified for Councilmember Wright that Councilmember Nelson would like him to consider a friendly amendment to narrow the span to 9:00 p.m. to 6:00 a.m. Mr. Erwin indicated the ordinance does not contain a time limit but they can certainly add it. The City Manager has the authority to amend the time limits. Councilmember Nelson would the ordinance to narrow the burden as much as possible and it should be related to the cover of darkness. Councilmember Wright agreed with Councilmember Nelson that the authority to set the time limit of the curfew should not be up to the City Manager.

Councilmember Wilder noted that it might not have been clear to persons that the curfew would be evaluated daily and did not have to last until August 31, 2020. He appreciates they can look at it again at their June 9, 2020 meeting. Chief Zuidema indicated that the curfew did help them manage some of the challenges they experienced last night and he does think it is necessary. They are constantly monitoring intelligence and also in contact with law enforcement in other communities. He is not advocating a curfew indefinitely and does not take lightly the impact this has on the community. He was comfortable with changing the beginning time of the curfew to 9:00 p.m. because most of the nefarious activity they have been seeing has been happening after dark. The police are not doing stop checks and are giving a warning first. They want to educate first and foremost. The curfew serves as a tool and helps the public understand the gravity of the situation. Councilmember Wilder commented that he relies on the judgment of the police department. He is thankful for those putting their lives on the line in order to maintain calm.

Vice Mayor Dolan indicated she would support the 9:00 p.m. start time and the June 9 date to reconsider the curfew ordinance. This is all about the safety of our citizens and we need to do whatever we need to do.

Ms. Svrcek noted there is a list of frequently asked questions regarding the curfew on the City's website. At the end of the day, they want people to exercise common sense and good judgment.

Councilmember Helgeson said their job is not to just acquiesce their elected responsibility to experts. He

appreciates their advice and they take their guidance coupled with the citizens they represent. He would suggest they change the end time to 4:30 a.m. because some of the gym classes start at 5:00 a.m. Leaving decisions to control people up to experts or nonelected people can cause trouble. Councilmember Wright indicated he would accept the end time of 4:30 a.m. as a friendly amendment. He would like them to move to a vote as his phone is losing power.

Mayor Tweedy noted Lynchburg is not immune to unrest or injustice. We want to save lives of our citizens who are also customers. We want to save the lives of our officers. We want to save our businesses, which are the investment of people in our town. She noted that none of them as elected officials were out there on Sunday night standing with the officers. We want to use our power to speak for our citizens but we also have to use common sense in a time of crisis. She would defer to the police chief and is not for changing the time so people can go to the gym at 5:00 a.m. Protesting is not isolated to a few blocks. There is a whole communication network out here that we do not know about as good law abiding citizens. If we are going to second guess the police chief, she needs some applications for what they do and that includes councilmembers and those they represent. We are either in this together or divided we fall. This is about life and the blood, sweat and tears people have poured into their businesses and they want to save and secure both. She would call for a vote on the motion of a 9:00 p.m. start time and 6:00 a.m. end time. She made that as a friendly amendment and Councilmember Wright said he is not as concerned about the end time.

Mr. Erwin said the Rules of Procedure do not address friendly amendments and Robert's Rules of Order do not accept friendly amendments. Once a motion is on the table, it cannot be tweaked unless there is consensus to do so. Once a motion is made, it belongs to the entire body and the entire body votes. Council's Rules of Procedure allow for a member to make one substitute motion. Mayor Tweedy made a substitute motion for the hours to be 9:00 p.m. to 6:00 a.m. Vice Mayor Dolan seconded the motion. Councilmember Wilder asked Mayor Tweedy if she would accept 5:00 a.m. and she did not wish to do so. Councilmember Nelson wants the time tied to when it becomes dark and when it becomes light. Tomorrow's sunrise is 5:56 a.m. He would not object to 5:30 a.m. Mayor Tweedy said she is erring on the side of public safety. Councilmember Helgeson does not think the people that want to destroy property are going to set their alarm to get up and do so. He would like to think about some of the gyms that have classes that start at 5:00 a.m. He would like to make some other tweaks to the ordinance and Mayor Tweedy clarified they are voting on the entire ordinance as written with the exception of adding a start time of 9:00 p.m. and end time of 6:00 a.m. and the sunset date of June 9, 2020. Mr. Erwin clarified that the first motion they need to vote on is to replace the original motion, which would have had the hours being 9:00 p.m. to 4:30 a.m. The motion passed by the following vote:

Ayes:	Dolan, Tweedy, Wilder, Wright	4
Noes:	Helgeson, Nelson	2
Absent:	Perrow	1

Mr. Erwin clarified that they are now voting on the motion made by Mayor Tweedy and seconded by Vice Mayor Dolan to approve the entire ordinance with a sunset date of June 9, 2020 and the hours being 9:00 p.m. to 6:00 a.m. Councilmember Helgeson wanted to discuss this motion some more and Mr. Erwin clarified that Council

has discussed this for more than thirty minutes and a motion to call to question is in order without further discussion. Councilmember Nelson deferred to Councilmember Helgeson. Councilmember Helgeson wanted child custody transfers to be added to the list of exceptions. Councilmember Nelson indicated that writing into the ordinance all sorts of detailed exceptions opens it up for abuse and would make it very difficult for the police to enforce. Generally, you are not transferring children during these hours. We can discuss this in more detail next week. The motion passed by the following vote:

Ayes:	Dolan, Nelson, Tweedy, Wilder, Wright	5
Noes:	Helgeson	1
Absent:	Perrow	1

Mr. Erwin explained that the Virginia Supreme Court has said that it is appropriate for a governing body to give local officials the authority to administer ordinances. The court has said it is not possible for a governing body to spell out every detail in an ordinance. It is appropriate to give considerable discretion to the officials that are charged with administering ordinances as long as there are reasonable guidelines in place to guide those officials. He thinks this ordinance does that and we have to simply trust our City officials.

Council then considered the reaffirmation of the June 1, 2020 declaration of local emergency. Ms. Svrcek wants to be clear that bringing the curfew ordinance to Council was not taken lightly or “willy-nilly.” It was brought to them after consultation with the City Attorney and the Chief of Police after a very serious incident of civil unrest. She cannot have police officers injured and the allegation that she is making decisions lightly is unfair and unfounded and very difficult to sit here and take. She appreciates their tweaking of the ordinance as this is unprecedented times with no play book. She certainly understands the impact of the curfew on so many individuals. It is her responsibility to protect the citizens, employees and law enforcement officials. Her heart is very heavy with each difficult decision brought before her, particularly when our public safety personnel are being injured and attacked. That is the reason she declared a local emergency on June 1, 2020.

Councilmember Nelson made a motion to reaffirm this declaration, which was seconded by Councilmember Wilder. Councilmember Helgeson asked for clarification that this is another declaration of emergency on top of the one declared in March 2020 for the coronavirus. Ms. Svrcek said he is correct that they are under two declarations of emergency. We are in an unprecedented time when we have not experienced a declaration of local emergency for two local emergencies. Councilmember Helgeson noted that we have an ordinance that requires citizens to be penalized for a false alarm. We penalize them and charge them when they pull the alarm when there was no fire. He is wondering if the local emergency declared for the pandemic is going away before this new one is enacted. It takes the power from them having open meetings with transparency. It turns it from the legislative branch that discusses it to the executive branch that acts. He thinks they have had more than six people in the hospital with other illnesses in the past. He wants to give public safety all the tools that he can give them while representing our citizens’ constitutional rights. We had an isolated instance of a protest that turned into a riot. He hopes this will be rescinded quickly so we can allow our citizens to get back to freedom.

Councilmember Nelson expressed his appreciation to all of City staff that directed its time and effort toward what is certainly a unique time and circumstance. There is a rule book and it is the U.S. Constitution. Any

restriction has to be narrowly drawn and allows the least restrictive imposition on those fundamental liberties. He thinks what they are doing here by putting the times into the ordinance allows them to do that. The motion passed by the following vote:

Ayes:	Dolan, Nelson, Tweedy, Wilder	4
Noes:	Helgeson	1
Absent:	Perrow, Wright (was no longer able to participate by phone)	2

Chief Zuidema said last night there was a peaceful protect, which may speak to the fact that some of the actions Council and staff have been taking are helping. They have continued to make arrests stemming from criminal actions on Sunday and Monday night. Councilmember Helgeson noted he appreciates the arrests that are being made and he hopes for the protection of our citizens and personal property that the criminals are arrested. The Chief and City Manager believe the curfew needs to remain in effect tonight with the hours of 9:00 p.m. and 6:00 a.m.
// The meeting was adjourned at 11:50 a.m.

Clerk of Council

// A regular meeting of the Council of the City of Lynchburg was held on the 9th day of June, 2020 at 4:00 p.m. in the Council Chamber, City Hall, Treney Tweedy, President, presiding. The following members were present:

Present: Mary Jane Dolan, Jeff Helgeson, J. Randy Nelson, E. J. Turner Perrow, Treney Tweedy,

Sterling A. Wilder, Beau Wright

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Absent:

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// In the matter of Community Development, Council reviewed and discussed the draft Analysis of Impediments (AI) to Fair Housing Choice. Ms. Melva Walker explained that the City, as a recipient of CDBG funds, must certify to HUD that its housing programs are implemented in a non-discriminatory manner. The AI contains an analysis of public and private sector policies, programs and statutes which impact the development, financing, regulation and siting of housing in the City. Staff developed the AI with the help of the consulting firm of Mullin & Lonergan Associates. Among other items, the consulting group conducted interviews and focus groups with agencies and organizations that provide housing and housing related services to members of the protected classes. Ms. Marjorie Willow was present to give them an overview and the public hearing will be held on June 23.

Ms. Willow explained that fair housing is the right to choose housing free from unlawful discrimination. Federal, state and local laws protect people from discrimination in housing transactions such as rentals, sales, mortgage lending and insurance. Protected class is a group of people with a common characteristic who are legally protected from discrimination on the basis of that characteristic. Federal laws protect people from discrimination based on race, color, religion, national origin, sex, disability and familial status. Virginia laws protect people from elderliness discrimination (those over 55 years of age.)

The AI is an analysis of fair housing data, fair housing issues, identification of impediments to fair housing choice and development of an action plan to overcome impediments. The only way a City can demonstrate to HUD that it is fulfilling certain requirements of for the certification is by completing the AI and going through the prescribed process.

One of the findings of the AI is that there is a lot of disparity in median household incomes for certain races and ethnicities. The median household income is also significantly lower in the City as compared to Virginia as a whole. Using 30 percent as the recommended percentage for housing, it is going to be more difficult to find if you median household income is approximately \$27,000, the average for black households in the City. The average for white households is almost double at approximately \$52,000. The AI focuses on areas of the City where there are high concentrations of racial and ethnic areas of poverty.

Ms. Willow went over the impediments identified in the plan. Impediment #1: The City should specify procedures, training and monitoring process for implementing the Language Access Plan (LAP) to streamline services and better accommodate persons with limited English proficiency (LEP). This is especially important for when the LEP Spanish-speaking population reaches the safe harbor threshold. Impediment #2: LRHA should expand Section 8 HCV Program to higher opportunity areas. The City and other local organizations should address the diverse housing need for the City's various subpopulation, including students, low- and moderate-income households, persons with disabilities and elderly persons. The City should collaborate with local universities to ensure students are not competing with low- and moderate-income. Impediment #3: The City should collaborate

with GLTC to improve access to GLTC routes in higher opportunity areas and employment centers in the City and for individuals working unconventional hours. The City and local service providers should centralize public services in locations with good transit access and high concentration of members of protected classes. Impediment #4: The City should continue supporting fair housing services, such as housing counseling from LYN-CAG and legal counseling from VLAS, to reduce rates of eviction, mortgage application denials, high-cost lending and other discriminatory practices. The last one is one of the most important actions that the City could be taking by educating landlords and tenants, realtors, elected and appointed officials on their rights and responsibilities.

Ms. Willow explained this document will be submitted to HUD by June 30. The recommendations from the AI will be implemented through the City's annual action plan every year.

Councilmember Helgeson noted that it seems like discrimination against college students when they are supposed to work colleges so students are not competing for the affordable housing. He does not think that is the intent and commented that a lot of students are paying their own way through school. Ms. Willow said that if the way he interpreted, maybe they need to wordsmith that recommendation better.

With regard to lending discrimination existing, all that he has ever seen is based on credit scores and the ability to pay. He asked Ms. Willow if lending discrimination is really a fact in Lynchburg. Ms. Willow noted that if bad credit scores were the only reason that banks make a decision, but it is not. The rates and denials are higher for minorities than they are for non-minorities. Unnecessarily higher interest loans are also higher for minorities than they are among white applicants. In the Home Mortgage Disclosure Act data that they look at to identify these trends, a lot of the data that identifies race, ethnicity and gender of the applicant have not been completed by the bank. Councilmember Helgeson suggested the data should not be on the application so it is based solely on credit score and ability to repay. Ms. Willow said she did not think that everyone looking at a mortgage loan application would have that type of perspective. The City does provide housing counseling for individuals that are looking to buy a home. There is nothing the City can do beyond that because it is a private sector policy.

Councilmember Helgeson noted that it is better for people to own their homes, if they can afford to do so, so they are not at the mercy of a landlord not fixing something or raising the rent. Council can make policies that keep taxes as low as possible for its property owners. He noted that Lynchburg's median household income is 60 percent of the state average. He also noted that the report shows that people who graduate from high school have double the income of someone that did not. The correlation is there as well between single parents and poverty. He liked the part about education and opportunities for those less fortunate to be able to move up.

Councilmember Wright asked if the discrimination data takes into account variables such as income and credit score. Ms. Willow said credit score is not provided. Ms. Willow said there has been paired testing done in the lending industry. Councilmember Wright said we can feel reasonably sure that it does occur and Ms. Willow nodded affirmatively. Councilmember Wright asked if the *FLUM* takes this document into account and housing impediments. Ms. Kevin Henry indicated that it does and there are several factors go into the *FLUM*. They look for areas for higher density and where there are opportunities to grow the City. Councilmember Wright noted they get many applications for townhomes and apartments but they are not in areas of the City with high opportunity for affordable housing. He asked what tools they should be using for leveraging to guide its decision making.

Mr. Henry pointed out that when development comes to them, that is the private sector. But the *FLUM* does project how the City wants to grow. It is up to Council when it wants to follow the map because it is a guidance document.

Councilmember Wright wanted to know what they can do to encourage development of affordable housing in the census tracts identified in this report. Ms. Willow said the City still has an obligation to invest in those areas and improve the quality of life for the people who live there. There also need to be housing opportunities outside of those areas should people choose to move. The City can incentivize the private sector market to provide affordable housing for the sixty to eighty percent of median household income. There are other examples of how communities work to do that. Councilmember Wright asked that the report be shared with the members of the GLTC board.

Councilmember Perrow noted that it is really, really hard to incentivize private sector development. Any developer is going to make the decision to build housing where he or she can sell it for more money unless there is some sort of government influence or incentive. The Housing Authority is an effective arm to do this and is actively working to promote the ACV program. It is a very tough sell.

Councilmember Perrow said he could tell her without any doubt that the Housing Authority has a blind eye when it comes to helping anyone that is needy. They have a program called the Home Ownership Program and they cannot get people to qualify. That is a failed application but it failed for another reason than a protected class. He is concerned with how the data is monitored. They have trouble finding applicants that can afford to repay a \$40,000 note over 30 years. He is sure protected class discrimination happens but it certainly should not happen in the major financial institutions and he hopes there would not be in the mortgage brokers.

He agreed with the need to reword Impediment #2 regarding college students so we are not pitting one group against another.

Ms. Willow commented that some communities allow a developer to build more units if they will set aside so many at an affordable housing rate. This usually involves a collaborative or a task force to help facilitate discussions with developers to find the “sweet spot” where they can still make the numbers work if they are allowed to build “x” number of units at the market rate. Mr. Henry said this is referred to as inclusionary zoning. It was included as one of ten recommendations in the white paper that was presented to Council in January. It can be done but will take some work and some collaboration with the private development community. Mr. Henry also pointed out that there is a monitoring component to it to make sure the units continue to be offered as affordable housing. Ms. Willow pointed out that Housing Authority knows how to income quality tenants and can be the oversight component.

Councilmember Perrow also thought it was an important note that investment needs to be made in census tracts in the core of the City. It is in those kinds of emerging areas that Council should make investment with CDBG funds in infrastructure improvements. They need to be worried about gentrification and the balance between such.

Vice Mayor Dolan asked Ms. Willow how the City compares to other cities its size in terms of disability percentages and poverty percentages. Is there a recommendation in the report about providing more housing for persons with disabilities? Ms. Willow said that in every City in which they work, the trend is the same that persons with disabilities have a higher rate of living in poverty. As far as providing more housing, it is very expensive. Rush Homes is an excellent community partner. Some communities use funds for ramps and bathroom upfits, so

people can stay in their homes. Ms. Walker said they have done things like this in the past to help people with disabilities.

Councilmember Wilder asked for her recommendations for ways to address gentrification. She said it is the private market reacting to where it is most profitable and then there is displacement of long-term residents. Some communities offer tax abatement to long-term homeowners. For renters, nonprofits or a tenant coop can acquire structures and keep the rental rates affordable. It does require a very specific and committed strategy from a community in order to enjoy the benefits of gentrification while protecting existing residents and existing small businesses. With a good strategy, you can eliminate some of the displacement that would occur.

Mayor Tweedy asked if the concentrated pockets of poverty in certain census tracts possibly alludes to some systemic racism. Also, did some of them potentially have the historical look of a lot of nonprofit agencies and those supportive services for people all being concentrated in those areas? Ms. Willow said they included a copy of the historic redlining map. Some were identified as “D,” which were hazardous areas in terms mortgage companies and appraisers redlining them out of mortgages from 1937 on. For many cities, the redlining areas remain the low to moderate income areas that have been heavily disinvested since that time. Mayor Tweedy asked what happens if we do not comply with what we are talking about now. Ms. Willow said she can think of a particular instance where HUD after several years with the grantee community, HUD took away its funding for a year or more. That is typically what happens.

Mayor Tweedy noted there are some HUD programs that we do not have here but we are hopefully going to have them in the future. She wondered if that is something that HUD looks at. Ms. Willow said the maps for Lynchburg do show some dissemination of housing choice vouchers across the City and there is assisted housing outside of the census tracts. Lynchburg is doing a good job in that area. She also asserted that no community can build its way out of an affordable housing problem. To have a strategy that involves workforce development, training, education, small business development, any of those that help improve the economic stability of individual households and small businesses, is good. Mayor Tweedy noted that nowadays a high school diploma is not enough. The income level needs to be so high with a high school diploma that it allows the affordability of housing that we are discussing. Ms. Willow said that is true and Lynchburg is not unique with the trends and impediments that they have identified.

// In the matter of Public Works, Ms. Gaynelle Hart gave Council an update on bulk and brush pickup.

Councilmember Perrow noted he had seen the trucks running on the weekends. Ms. Hart showed Council a video prepared by Communications and Public Engagement updating citizens on bulk and brush pickup. Public Works has reassigned full-time Public Works employees and trained all of them on the operation of trash trucks and knuckle boom trucks. They have temporarily reassigned a Buildings employee to collect brush and bulk and other Public Works employees work in the Refuse Division as needed to cover for illnesses and vacations. There have been schedule changes to reallocate resources and to allow for social distancing as well. She wanted to clarify for the public that the workers are not working overtime because she has received calls from the public. The shifts have been rearranged but it is still straight time pay. Recently though, they have had to go back to some overtime status to try and catch up, and it was approved by the City Manager. She also authorized Ms. Hart to fill a refuse position

despite the hiring freeze. She mentioned they are not recording their brush tonnage at this time because there is a broken scale and in order not to waste time waiting in line.

Ms. Hart said they plan to purchase two more knuckle boom trucks with CARES funding. They are contracting with Asplundh for two to three chipper crews to chip brush. They are also looking into contracting with small hauling businesses to provide additional collection capacity.

Ms. Joann Martin gave Council an overview of what her department is doing to get the word out to citizens. They have increased communications through video, targeted social media, the website, radio, The City Source, Citizens First. She encourages all of them to upload the City app, which contains a spot to report a pile of brush or bulk. You can use it to help educate citizens as well.

Councilmember Helgeson thanked Ms. Hart and her staff for all the hard work. This is really critical and it sets a bad example for the City. It can be a little embarrassing when you have guests coming in. Hopefully, we can get to this quickly. Ms. Hart said they could get the trucks within a month. The contract with Asplundh could be done fairly quickly. The small hauling contractors can be a little trickier and she will have to work with Procurement on that aspect. Any leads on possible contractors should be given to Ms. Hart. Mayor Tweedy pointed she hopes they can use some small businesses. They know the neighborhoods and she hopes they do not just go to the large corporations because the small businesses have been suffering.

Councilmember Perrow asked if CARES money could be used for brush collection. Ms. Hart did not think so. The bulk trash has the potential to expose someone to COVID-19. The brush does not really. They have looked at grinding the brush on site but it will take longer and be less efficient than using the contractor they have now. Councilmember Perrow suggested they do a study and see if they can get more brush in a truck after it is chipped, which would be more efficient. Mayor Tweedy asked if they have ever considered selling mulch to citizens. Ms. Hart said there would be some logistics they would have to work through to make it a good program. She mentioned that Asplundh will bring you green mulch while they are working on City trees.

Councilmember Nelson thanked Ms. Hart and her staff for the innovative approach. He asked Ms. Witt if something is already budgeted, then it is not eligible for CARES funding. Ms. Witt said that is correct but correct for a locality's current adopted budget. The knuckle boom truck was budgeted for FY2021 making it eligible to be purchased with CARES funding. Ms. Witt assured them that they are working very closely with their external auditors to review all their purchases.

// In the matter of Budget, Ms. Witt gave Council an update on key revenue sources. The numbers are very encouraging at this time. Businesses are doing okay because they are able to pay their taxes. Councilmember Perrow suggested she change her third column to "Variance to Budget." Ms. Witt agreed that made sense. Councilmember Wright commended Ms. Witt for her and her staff taking a conservative approach when doing its projections. It is better to be surprised than scared.

// In the matter of Council, Dr. Reid Wodicka gave them an update on the City's action regarding COVID-19. An ESF5 action is a community testing event at the Community Access Network on Friday, June 12 from 11:00 a.m. to 3:00 p.m. on a first come, first serve basis. ESF14, the long-term recovery group is working very diligently to outline recommendations on how that money should be allocated. ESF15, external affairs group, is working on the

implementation of the departmental items that need to be done so we can reopen City buildings. Dr. Wodicka also provided Council in the unemployment claims for the City. Councilmember Perrow asked if we know what the base number is for unemployment claims in the City pre-COVID. Dr. Wodicka said he does not want know what that number will be, but he thinks it will be in the low 100s. Councilmember Perrow noted that the fact that the number of continued unemployment claims is flattening and then declining is optimistic.

// In the matter of Roll Call, Councilmember Nelson had no items. Councilmember Wilder thanked staff for working so diligently during the COVID situation. He also commended the fire department for their recent graduates. Councilmember Wright wished to commend Lynchburg Rise and Lynchburg Students Rise, Unity in the Community and the police department for coordinating the safe and really powerful protest this past Saturday. Councilmember Perrow had no items. Councilmember Helgeson would like to know when the basketball goals will be opened up again. Councilmember Helgeson also wanted to know how an employee files a HR complaint. Ms. Svrcek said they need to talk with their supervisor and there is a very formal grievance process. They try to mediate things at the department level. Councilmember Helgeson asked if attorneys are involved are behalf of the employee. Dr. Wodicka said not normally but it would depend on the situation. There might be a time when an attorney is needed for the integrity of the conversation. Vice Mayor Dolan was excited to see all the graduates the other night at the stadium. It was nice to see five women graduates. She thanked Chief Wormser.

Mayor Tweedy noted she has been attending several events. She wanted to thank all the organizations that are talking and listening and working together. There needs to be continued dialogue toward action and healing.

// The meeting was recessed at 5:55 p.m.

// City Council reconvened the meeting at 7:30 p.m. The following members were present:

Present: Mary Jane Dolan, Jeff Helgeson, J. Randy Nelson, E. J. Turner Perrow, Treney Tweedy,
Sterling A. Wilder, Beau Wright

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Absent:

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// Councilmember Perrow gave the Invocation, followed by the Pledge of Allegiance.

// Copies of the minutes of the May 26, 2020 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Councilmember Helgeson, seconded by Councilmember Wilder, by the following recorded vote approved the minutes as presented:

Ayes: Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright

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Noes:

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// The following three items were passed with one vote on the motion of Councilmember Helgeson, seconded by Councilmember Wilder, by the following recorded vote approved the minutes as presented:

Ayes: Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright

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Noes:

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// In the matter of Budget, Council adopted Resolution #R-20-033 approving the submission of Substantial Amendment #2 to the Fiscal Year (FY) 2020 (Program Year [PY] 2019) Annual Action Plan for the Community Development Block Grant (CDBG) and HOME Program to the U. S. Department of Housing and Urban Development (HUD); and amend the FY 2020 Community Development Block Grant budget with resources of

\$420,487 from the Community Development Block Grant *Coronavirus Aid, Relief and Economic Security Act (CARES ACT)* (CDBG-CV) Program Funds

// In the matter of Budget, Council adopted Resolution #R-20-034 and amended the FY 2020 General Fund Ambulance Service Fees budget and appropriated \$116,677 with resources from the 2020 Coronavirus Aid, Relief, and Economic Security Act (CARES) Stimulus Act Provider Relief Fund to offset loss of revenue related to COVID-19 transports.

// In the matter of Budget, Council adopted Resolution #R-20-035 and amended the FY 2020 Stormwater Operating Fund budget and appropriated up to \$59,755 with resources from the North American Association for Environmental Educators (NAAEE) – National Oceanic and Atmospheric Administration (NOAA) 21st Century Community Learning Center Watershed STEM Education Partnership Grant.

// In the matter of Public Hearings, City Council conducted a public hearing regarding the Petition of RNR of Virginia (Jonathan Rose) for a Conditional Use Permit in a B-3, Community Business District to operate a tire store in an existing building at 3139 Old Forest Road. Mr. Tom Martin gave a summary of the report to Council. Mr. Will Sigler on behalf of Cardinal Surveying spoke on behalf of the petitioner. The two major elements are the closing of the Confederate Avenue entrance closest to Old Forest Road and the addition of landscaping. It is good to have someone take over an existing building so it does not become a blighted property. There was no one to speak either in favor or opposition of the petition. There were no emails or phone calls from citizens and Mayor Tweedy closed the public hearing. Councilmember Wright moved the resolution, which was seconded by Councilmember Helgeson. Councilmember Wright noted it is a good use of the property. Councilmember congratulated the petitioner and thanked him. Councilmember Perrow spoke to Mr. Martin and noted that he thinks they need to formulate a plan for the entire Old Forest Road corridor to make sure it is being developed in a way that is consistent with the City's expectations. Councilmember Helgeson noted this is a conditional use permit for a business allowed in a B-3 district by a CUP. It would be different, in his opinion, if were a rezoning. The motion passed by the following vote:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Noes:		0

// In the matter of #10. Petition of Centra Health (Joe Archambeault) for a Conditional Use Permit in an R-C, Conservation District and R-4, High Density Residential District to allow fill within the 100 Year Floodplain to facilitate improvements to the Summit Lake Spillway at 1400 and 1700 Enterprise Drive. Councilmember Helgeson made a statement that his wife works for Centra Health. He can still participate fairly, objectively and in the public interest. Mr. Tom Martin gave a summary of the report to Council. Mr. Mike Wilson with Hurt & Proffitt spoke on behalf of the petitioner. They have been working with Centra for years keeping the dam in compliance with DCR dam safety. They did a PER for Centra and options were evaluated. The spillway needs to be widened to pass a DCR storm standard. There was no one to speak either in favor or opposition of the petition. There were no emails or phone calls from citizens and Mayor Tweedy closed the public hearing. Councilmember Perrow moved the resolution, which was seconded by Councilmember Wilder.

Councilmember Perrow thanked Mr. Martin for his explanation as he is very conscientious about filling a floodway or other areas. This will also protect the safety of people downstream. Councilmember Helgeson noted he does not like to see fill in the floodplain but this sound very palatable. The motion passed by the following vote:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Noes:		0

// In the matter of Budget, Council conducted a Public Hearing in accordance with Section 15.2-2606.A of the *Code of Virginia*, 1950, for the issuance of up to \$42,000,000 of Tax Exempt General Obligation Public Improvement Bond Anticipation Notes (BANS). Ms. Witt explained this is a continuation of the City's on-time strategy for funding. Mr. Courtney Rogers with Davenport and Company was available to give Council a presentation. He said they took out about \$16 million of the previous line back in January, along with \$37 million in new money at an interest rate of about 2.27 percent. This will set the line for the next two years. They ended up with three bidders and it was their recommendation to go with JP Morgan Chase. They recommend a variable rate because it allows them to take out a portion and have the remaining line available. Mr. Rogers outlined for them all the other reasons they are making the recommendation that is in the report.

There was no one to speak either in favor or opposition of the petition. There were no emails or phone calls from citizens and Mayor Tweedy closed the public hearing. Councilmember Perrow noted that several years ago everyone was going with LIBOR notes. Mr. Rogers commented that by the end of 2022, it is supposed to go away, but there are trillions of dollars tied to LIBOR. Banks are trying to work out what that new replacement is going to be and there will be some very detailed language about it. He explained that LIBOR is basically supposed to be how banks lend to each other. The language for its replacement has to be tied to something akin to the bank's borrowing rate. They will make sure that the language in the documents protects the City.

Councilmember Perrow noted the City looked at this process a couple of years ago. It has saved the City hundreds of thousands of dollars. It is an effective way to save the taxpayers a lot of money. The Finance staff, along with Davenport and Company, have really structured a good debt plan for the City. Councilmember Perrow made a motion, which was seconded by Councilmember Wilder to adopt a resolution authorizing the issuance of up to \$42,000,000 General Obligation Public Improvement Bond Anticipation Notes and authorizing the City Manager, Deputy City Manager or the Chief Financial Officer to execute appropriate documents to establish a \$42,000,000 line of credit with JP Morgan Chase Bank. The motion passed by the following vote:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Noes:		0

Councilmember Wright made the following motion, which was seconded by Councilmember Perrow to adopt a resolution amending the FY2020 General, Water, Sewer and Stormwater Funds' adopted budgets and appropriate \$105,500, \$51,088, \$25,424 and \$17,988 respectively with resource from the line of credit proceeds for a total of \$200,000 for estimated issuance costs. There was some discussion about the resolutions being numbered incorrectly; the Clerk of Council said she will make sure the resolutions are numbered correctly when she finalizes them. The motion passed by the following vote:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Noes:		0

// In the matter of Budget, Council held a public regarding the consideration of adopting a resolution to authorize the City to contract a debt and issue sewer revenue bonds of the City in the principal amount not to exceed \$1,500,000 to finance the costs of reconstruction of a permitted Combined Sewer Overflow (CSO) regulator structure within the City's combined sewer system, a revenue producing undertaking of the City, such capital improvements constituting wastewater treatment facilities within the meaning of Title 62.1 224 of the Code of Virginia, 1950. Mr. Mitchell explained this is a 0 percent interest rate loan and it will be paid for by sewer revenues.

Councilmember Perrow moved the resolution, which was seconded by Councilmember Wright. Councilmember Perrow said this has been an ongoing problem and he is glad to see it in the pipeline. This is a good thing and will protect structures in the down area in the future. Councilmember Wright would be excited to see more details of the engineering. The motion passed by the following vote:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Noes:		0

// In the matter of Council, Council conducted a continuation of the public hearing to receive input from citizens regarding appointments (or reappointments) to vacancies that will exist June 30, 2020, in School Districts I, II, and III. The Mayor reported that the Clerk of Council did not receive any more applications. The Mayor asked if there was anyone present who wished to speak to this item. There was no one present who wished to speak.

Councilmember Helgeson made a motion to close the public hearing, which was seconded by Councilmember Perrow. The motion passed by the following vote:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Noes:		0

// In the matter of Public Comment, Council heard from Dr. Rosie Spann-Johnson, President of The Lynchburg Chapter of The Links, Inc. She read a statement acknowledging and applauding the outstanding leadership of Mayor Treney Tweedy.

// In the matter of FY2021 Budget/CIP/City Code, City Council considered adopting the FY2021 General Fund Operating Budget (excluding External Service Providers) and appropriating \$194,643,036 for this budget. Councilmember Wilder, seconded by Vice Mayor Dolan, made a motion to introduce and lay over to a later meeting for final action Resolution #R-20-042, as presented, adopting the FY 2021 General Fund Operating Budget (excluding External Service Providers and Component Units expenditures) and appropriating \$194,398,344 for this budget. Ms. Witt noted that normally we would have a separate vote for the Component Units of Schools and GLTC. She researched it and their budgets do not have to be adopted by City Council, only the General Fund.

Councilmember Helgeson appreciates where we have come with this budget but he still thinks there are lots of things that are fundamental such as raising trash collection fees on our citizens. We also have major issues with making sure public safety is fully staffed. Over the last few months, we have seen essential versus nonessential employees. He would like to have seen some of the pressure taken off our taxpayers by having a reduction in taxes but he does appreciate all the hard work on this budget.

Councilmember Perrow noted this is an unusual budget without the component units and wondered how that gets resolved. Ms. Witt said they are just not going to see the full Schools funding. GLTC removed all but \$500,000 of the local contribution. Council does not really have the authority to tell them how to spend their money but only what the local contribution is, it is not required to be part of the resolution. She said their “all funds” will look different and that number will be less. Councilmember Perrow still thinks it will be challenging to understand and analyze it next year. Ms. Witt noted the full budget for Schools and GLTC was not included until 2005. Councilmember Helgeson thinks that if we look in a vacuum at just what our local taxpayers funded, he does not think that tells the true story. Ms. Witt offered to bring the Schools adopted budget back to them in the first quarter so Council can vote on it.

Councilmember Wright noted that with the exception of how much GLTC received there is not a lot to be pleased about with this overall amount. His priorities are education and the medical unit that is desperately needed by the fire department and the wage increases that we had to forego. There is a lot of pain in this budget but hopefully we can restore some of those things in the coming months. The motion passed by the following vote:

Ayes:	Dolan, Nelson, Perrow, Tweedy, Wilder, Wright	6
Noes:	Helgeson	1

// In the matter of FY2021 Budget/CIP/City Code, City Council considered adopting the FY2021 Mandated and Contractual External Service Providers Budget and appropriating \$8,192,056 for this budget. Councilmember Wright, seconded by Councilmember Wilder, made a motion to introduce and lay over to a later meeting for final action Resolution #R-20-043, as presented, adopting the FY2021 Mandated and Contractual External Service Providers Budget and appropriating \$8,192,056 for this budget. The motion passed by the following vote:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Noes:		0

// In the matter of FY2021 Budget/CIP/City Code, City Council considered adopting the FY2021 Discretionary External Service Providers Budget and appropriating \$29,401 for this budget. Councilmember Wright, seconded by Vice Mayor Dolan, made a motion to introduce and lay over to a later meeting for final action Resolution #R-20-044, as presented, adopting the FY2021 Discretionary External Service Providers Budget and appropriating \$29,401 for this budget. Councilmember Wright thinks these are important partnership organizations for the community and he is looking forward to supporting them. Vice Mayor Dolan agreed. Councilmember Helgeson would like him to remove the Virginia Legal Aid Society item (\$12,167) and vote on it separately. That amendment was accepted and the motion passed by the following vote:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Noes:		0

Councilmember Wright made a motion to approve the amount for the Virginia Legal Aid Society (\$12,167), which was seconded by Vice Mayor Dolan. Councilmember Wright thinks it is still an important partnership, now more than ever. Vice Mayor Dolan agrees. Councilmember Helgeson thinks donations can be kept to private citizens who choose to donate. Councilmember Perrow said he is voting against based on principle. He supported

them until they sued the City. He thinks they take some unnecessary legal risk to prove points. The motion passed by the following vote:

Ayes:	Dolan, Nelson, Tweedy, Wilder, Wright	5
Noes:	Helgeson, Perrow	2

// In the matter of FY2020 Budget/CIP/City Code, City Council considered adopting the FY2021 Operating Funds Budgets for other funds and appropriating the sums of each fund. Councilmember Wilder, seconded by Councilmember Wright, made a motion to introduce and lay over to a later meeting for final action Resolution #R-20-045, as presented, adopting the FY2021 Operating Funds Budgets for other funds and appropriating the sums of each fund. The motion passed by the following vote:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Noes:		0

// In the matter of FY2021 Budget/CIP/City Code, City Council considered adopting the FY2021-2025 Capital Improvement Program Budget. Councilmember Perrow, seconded by Councilmember Wilder, made a motion to adopt and lay over to a later meeting for final action Resolution #R-20-046, as presented, amending the FY2021-2025 Capital Improvement Program. The motion passed by the following vote:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Noes:		0

// In the matter of FY2021 Budget/CIP/City Code, City Council considered a Resolution adopting the FY2021 Capital Budget and appropriating \$15,169,570 for the City Capital Projects Fund, \$3,053,086 for the Schools Capital Projects Fund, \$1,400,000 for the Airport Capital Projects Funds, \$3,560,000 for the Water Capital Projects Fund, \$8,030,000 for the Sewer Capital Projects Fund, and \$880,000 for the Stormwater Capital Projects Fund. Councilmember Perrow, seconded by Councilmember Wilder, made a motion to adopt and lay over to a later meeting for final action Resolution #R-20-047, as presented and appropriating the above fund amounts. The motion passed by the following vote:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Noes:		0

// In the matter of FY2021 Budget/CIP/City Code, City Council considered a Resolution appropriating \$50,000 of the FY2021 Reserve for Contingencies funding for use by the City Manager for the fiscal year beginning July 1, 2020 through June 30, 2021. Councilmember Wilder, seconded by Vice Mayor Dolan, made a motion to adopt and lay over to a later meeting for final action Resolution #R-20-048, as presented and appropriating the above amount. The motion passed by the following vote:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Noes:		0

// In the matter of FY2021 Budget/CIP/City Code, City Council considered a Resolution in accordance with Section 58.1-3524 of the Code of Virginia, 1950, as amended, to set the personal property tax relief rate for the fiscal year beginning July 1, 2020 through June 30, 2021 at 41.98%. Vice Mayor Dolan made the motion for approval of Resolution #R-20-049, which was seconded by Councilmember Perrow and passed by the following vote:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Noes:		0

// In the matter of City Code, Council considered adopting an ordinance to amend and reenact Sections 34-12.1 of the Code of the City of Lynchburg, 1981, as amended, the amended sections relating to sewer rates. The motion was made by Vice Mayor Dolan and seconded by Councilmember Wilder, to approve Ordinance #R-20-013. Councilmember Helgeson noted the rate increase is very minor but in this time, he would have hoped they could have avoided a rate increase. Mr. Tim Mitchell explained they do not what the median household income will be a year from now when they have to do the compliance issue. The sewer rates have to be at least 1.25% of the household median income. He said they could look at the rates again for the following year. Councilmember Wright clarified for the viewing public that we are doing this rate increase because it is a requirement of the consent order. The motion passed by the following vote:

Ayes:	Dolan, Nelson, Perrow, Tweedy, Wilder, Wright	6
Noes:	Helgeson	1

// In the matter of City Code, Council discussed the matter of curfews. Ms. Svrcek noted no action is needed by Council as the order does expire this evening, June 9. Councilmember Perrow noted everyone hated to do this but it was necessary to achieve peace. They have achieved that peace and he would recommend they let it expire this evening. Councilmember Wright agreed they should let it expire and move along.

// In the matter of City Code, Ms. Svrcek noted this affirms the declaration of curfew she had the authority to institute last Tuesday, Wednesday and Thursday. Councilmember Wright noted he abstained from the June 1 ordinance. Council consented to Councilmembers Wright and Helgeson abstaining from the vote. Councilmember Perrow moved the ordinance confirming the declaration of a curfew on June 1. He stands by the fact that they held a legal meeting. In hindsight, he wishes they would have made it a mandatory curfew that night. The motion was seconded by Councilmember Wilder and it passed by the following vote:

Ayes:	Dolan, Nelson, Perrow, Tweedy, Wilder	5
Noes:		0
Abstentions:	Helgeson, Wright	2

Councilmember Wilder made a motion to affirm the declaration of a curfew on June 2, 3 and 4. The motion was seconded by Vice Mayor Dolan. Councilmember Perrow noted this was an agonizing decision for Council and the Manager and it was not done light heartedly. We can hopefully implement the dialogue going forward and implement the real change that is needed. Mr. Erwin clarified for Council that the curfew ordinance calls for Council to affirm the City Manager's decision at its next regularly scheduled meeting. Councilmember Perrow noted this is an example of one of the checks and balances in the ordinance. Councilmember Helgeson said he will be voting against it because he does not think it is appropriate and prudent because he thinks it punishes the innocent. Councilmember Wilder said he supported this because we have a City Manager to make decisions. We are a community and sometimes communities have to come together and make sacrifices for each other. If we do not support our leader in times of crisis, we will be divided. The motion passed by the following vote:

Ayes:	Dolan, Nelson, Perrow, Tweedy, Wilder, Wright	6
Noes:	Helgeson	1

// In the matter of Council, Council selected July 1, 2020 at 10:00 a.m. for its organizational meeting.

// On motion of Councilmember Wilder, seconded by Councilmember Perrow, Council by the following recorded vote elected to hold a closed meeting to discuss appointment of Steering Committee members to consider prospective candidates for the position of City Manager pursuant to Section 2.2-3711(A.) (1) of the Code of Virginia and to discuss appointments to the following boards, commissions or committees: City Employee Appeals Board, Economic Development Authority, Historic Preservation Commission, Martin Luther King/Lynchburg Community Council, Local Emergency Planning Committee, Metropolitan Planning Organization, Museum Advisory Board, Virginia First Cities Policy Committee and Youth Services Citizens Board.

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Noes:		0

On nomination of Councilmember Helgeson, seconded by Councilmember Wilder, Council by the following recorded vote reappointed Gerard Swinton and Georgeann Snead to serve on the Economic Development Authority with terms to expire June 30, 2024.

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Noes:		0

On nomination of Councilmember Helgeson, seconded by Councilmember Wilder, Council by the following recorded vote appointed Councilmember Chris Faraldi to serve on the Local Emergency Planning Committee for an indefinite term.

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Noes:		0

On nomination of Councilmember Helgeson, seconded by Councilmember Wilder, Council by the following recorded vote reappointed Chris McSwain to serve as a member of the Historic Preservation Commission with a term to end June 30, 2023:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Noes:		0

On nomination of Councilmember Helgeson, seconded by Councilmember Wilder, Council by the following recorded vote appointed Lois Blair to serve as a member of the Martin Luther King/Lynchburg Community Council with a term to end June 30, 2023:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Noes:		0

On nomination of Councilmember Helgeson, seconded by Councilmember Wilder, Council by the following recorded vote appointed Councilmember Beau Wright to serve as a member of the Metropolitan Planning Organization with an indefinite term:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Noes:		0

On nomination of Councilmember Helgeson, seconded by Councilmember Wilder, Council by the following recorded vote reappointed Langhorne McCarthy and appointed Charlotte Fischer, Robert Bradley, Patricia Meyer, Marvin Tinsley and Michelline Hall to serve as members of the Museum Advisory Board with terms to end June 30, 2023:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Noes:		0

On nomination of Councilmember Helgeson, seconded by Councilmember Wilder, Council by the following recorded vote appointed Councilmember Beau Wright to serve on Virginia First Cities Policy Group with an indefinite term.

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Noes:		0

On nomination of Councilmember Helgeson, seconded by Councilmember Wilder, Council by the following recorded vote appointed Renee Tinsley and James Davis to serve as members of the Youth Services Citizens Board with terms ending June 30, 2023:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Noes:		0

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

Councilmember Helgeson 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 Councilmember Wright, and Council by the following recorded vote adopted the motion:

Ayes:	Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Wright	7
Noes:		0
Noes:		0

// The meeting was adjourned at 9:30 p.m.

Clerk of Council

LYNCHBURG CITY COUNCIL

Agenda Item Summary

For reference for
items #004, 005,
006, 007, 008, 017 and 018

MEETING DATE: **June 9, 2020**

AGENDA ITEM #: **14**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: 1) Adopt and Appropriate the FY 2021 Operating Budget; 2) Adopt the FY 2021-2025 Capital Improvement Program; 3) Adopt and Appropriate the FY 2021 Capital Budget; 4) Adopt and Appropriate \$50,000 of the FY 2021 Reserve for Contingencies for use by the City Manager; and 5) Adopt a Resolution to set the Personal Property Tax Relief Rate.

KEY ELEMENTS:

X Economic Development X Excellent Government X Natural and Built Environment X Safe Community X Vibrant Community

RECOMMENDATION: Adopt and appropriate the FY 2021 Operating Budget; adopt the FY 2021-2025 Capital Improvement Program; adopt and appropriate the FY 2021 Capital Budget; adopt and appropriate \$50,000 of the FY 2021 Reserve for Contingencies for use by the City Manager; and adopt a resolution to set the Personal Property Tax Relief Rate.

SUMMARY: Following the March 31, 2020 Public Hearing, COVID-19 economic impact adjustments, and further discussion and deliberation on the FY 2021 Budget, Council balanced the Proposed FY 2021 General Fund Budget as follows:

General Fund

	FY 2021 Proposed Budget	Adjustments	FY 2021 Adopted Budget
Revenues and Use of Fund Balance			
Revenues	\$194,122,593	(\$6,494,725)	\$187,627,868
Use of (Additions to) Committed/Assigned Fund Balance Reserves	1,996,807	0	1,996,807
Reserve: Task Force on the Future of PreK-12 Education and Beyond	0	700,000	700,000
Reserve: Greater Lynchburg Transit Company (GLTC)	319,957	(319,957)	0
Use of Fund Balance	4,073,669	0	4,073,669
Total Revenues and Use of Fund Balance	\$200,513,026	(\$6,114,682)	\$194,398,344
Expenditures, Reserves, and Transfers			
Operations	\$131,194,538	(\$3,646,315)	\$127,548,223
Debt Service	18,082,977	0	18,082,977
Schools Operations	40,528,498	(700,000)	39,828,498
Greater Lynchburg Transit Company (GLTC) - City Operating	1,642,346	(1,142,346)	500,000
Greater Lynchburg Transit Company (GLTC) - Return of Fund Balance	319,957	(319,957)	0
Transfers to Other Funds	1,130,522	0	1,130,522
Addition to Reserve: General Fund Reserve for Contingencies	1,200,000	0	1,200,000
Addition to Reserve: Law Library	6,800	0	6,800
Addition to Reserve: Task Force on the Future of PreK-12 Education and Beyond	500,000	(500,000)	0
Addition to Reserve: Firefighters	0	193,936	193,936
Capital Improvements	5,907,388	0	5,907,388
Total Expenditures, Reserves, and Transfers	\$200,513,026	(\$6,114,682)	\$194,398,344

Based on City Council's Work Session discussions and decisions regarding the FY 2021 budget, as well as staff adjustments, the following changes have been made to the Proposed FY 2021 Budget:

BALANCING THE FY 2021 GENERAL FUND BUDGET

Revenues and Use of Fund Balance
\$194,122,593 Proposed Revenues (from the FY 2021 Proposed Operating Budget)
6,390,433 Use of Fund Balance, Committed/Assigned Fund Balance, and Other
\$200,513,026 Total Proposed Revenues and Use of Fund Balance

Increase/(Decrease) Adjustments: Revenue Summary (primarily related to COVID-19)

Non-dedicated Revenue Adjustments
(\$1,569,286) Increased Allowance for Uncollectible Real Property
(700,000) Reduced Delinquent Real Property
(975,000) Reduced Personal Property
45,749 Reduced Allowance for Uncollectible Personal Property
(140,000) Reduced Delinquent Personal Property
(745,421) Reduced Local Sales and Use Tax
(874,547) Reduced Business License Tax
17,491 Reduced Allowance for Uncollectible Business License Tax
(50,000) Reduced Bank Stock Tax
(104,810) Reduced Amusement Tax
(324,364) Reduced Lodging Tax
(567,401) Reduced Meals Tax
(1,500) Reduced Permits, Fees, and Regulatory Licenses
(62,500) Reduced Fines and Forfeitures
(238,797) Reduced Charges for Services
Dedicated Revenue Adjustments (based on department projections and trends)
(88,318) Reduced Charges for Services
(45,237) Reduced Parking Revenue
(17,000) Reduced Swimming Pool Fees
(22,197) Reduced Miscellaneous Revenue
(31,587) Reduced Intergovernmental: Federal Direct/Categorical Aid - Social Services Administration for delaying the start of three (3) new full-time positions until January 1, 2021 - Social Services (Federal revenue loss)
(\$6,494,725) **Total Adjustments: Non-dedicated and Dedicated Revenues**

Reserves
\$700,000 Use of Task Force on the Future of PreK-12 Education and Beyond
(319,957) Addition to the Greater Lynchburg Transit Company (GLTC) Reserve
\$380,043 Total Adjustments: Reserves

(6,114,682) **Total Adjustments: Revenue Summary (primarily related to COVID-19)**

\$194,398,344 Revenues and Use of Fund Balance

Expenditures, Reserves, and Transfers
\$200,513,026 Proposed Expenditures, Reserves, and Transfers (from the FY 2021 Proposed Operating Budget)

Increase/(Decrease) Adjustments: Expenditures, Reserves, and Transfers (primarily related to COVID-19)
(\$2,015,952) Eliminated 3% General Wage Increase
(946,481) Delayed Phase II of the Korn-Ferry Market Adjustments
(1,142,346) One-time GLTC - City Operating savings due to additional federal funds available through the CARES Act
(319,957) One-time GLTC - Return of Fund Balance savings due to additional federal funds available through the CARES Act
(30,142) Eliminate Council salary increases
(125,000) Eliminate funding for implementing Safety and Security Task Force recommendations
(50,000) Eliminate Health Insurance Consultant for Employees
(75,000) Economic Development eliminate funding for 2040 Master Plan
(60,000) Public Works mini sweeper
(2,760) Reduced hours for part-time Volunteer Coordinator position - Library
(34,986) Eliminate new part-time accreditation position - Police
(39,773) Eliminate new hourly accreditation position - Fire
(12,383) Delay start of new part-time positions for a neighborhood center until October 1, 2020 - Parks and Recreation
(92,902) Delay start of three (3) new full-time positions until January 1, 2021 - Social Services local savings (\$61,315) and federal savings (\$31,587)
(500,000) Eliminate addition to Task Force on the Future of PreK-12 Education and Beyond Reserve
(700,000) Reduced School Operating - Local funding
(95,000) Reduced fuel costs for projected General Fund savings
(45,793) Reduced Swimming Pool expenditures (July - August 2020) closure due to COVID-19
67,000 Increase in banking services fees; earnings allowance continues to decrease, less and less to offset fees
193,936 Addition of Firefighters reserve
(12,435) Reduced the Public Works - Refuse Brush/Bulk Enforcement full-time position to begin 10/01/2020
(6,000) Eliminated the Parks and Recreation - increase in Miller Pool staff pay (May 2021) to help attract and retain staff
(4,600) Eliminated the Parks and Recreation - annual maintenance contract for RecPro software for program registration
Funded in FY 2020 with Manager's Discretionary funding
(1,000) Eliminated Parks and Recreation - increased chemical costs (May 2021) for Miller Park Pool
(3,900) Eliminated Parks and Recreation - rentals of portable toilets in the park and trail system
Funded in FY 2020 with Manager's Discretionary funding
(7,000) Eliminated Community Development - estimated costs of hiring a monitoring service to implement the Short Term Rental Registration program
(14,001) Eliminated Virginia Municipal League (VML) Conference and Miscellaneous Travel (National League of Cities)
(38,207) Use of Managed Vacancy Savings

(6,114,682) **Total Adjustments: Expenditures, Reserves, and Transfers (primarily related to COVID-19)**

\$194,398,344 Expenditures

\$0 Balance of Revised Revenues, Use of Fund Balance, and Expenditures

Also, State code requires the Personal Property Tax Relief Rate be set at the time the budget is adopted.

Adopting all Resolutions except Resolution C, Discretionary External Service Providers, require a majority vote of all of the members of City Council in attendance, said vote to be taken by ayes and noes.

Adopting Resolution C requires a two – thirds majority vote (i.e. five of seven) among the members elected to City Council, said vote to be taken by ayes and noes.

Adopting Ordinance I requires a majority vote of all of the members of City Council in attendance, said vote to be taken by ayes and noes.

Fund Balance

With the adjustments noted above, the General Fund undesignated fund balance as of June 30, 2021 is projected to be \$22,101,557 or 11.8% of revenues. Council's target for undesignated fund balance is a minimum of 10% of General Fund revenues with a goal of 15% as the City strives to grow incrementally each year subject to revenues available.

PRIOR ACTION(S): March 10, 17, 24; April 7, 14, 28; May 5, 12, and 26, 2020 – City Council Work Sessions
March 31, 2020 – Public Hearing on the Proposed FY 2021 Budgets for General, Schools, Water, Sewer, Stormwater, Airport, Fleet, and Other Funds, and the FY 2021 - 2025 Capital Improvement Program
March 31, 2020 – Public Hearing on the Proposed Sewer Rate Increase

FISCAL IMPACT: See attached budget resolutions and ordinance

CONTACT(S): Donna Witt, Chief Financial Officer, 455-3968
Bonnie Svrcek, City Manager, 455-3990

ATTACHMENT(S): Resolutions to:
Adopt and Appropriation the FY 2021 Operating Budget (A-D)
Adopt the FY 2021-2025 Capital Improvement Program (E)
Adopt and Appropriation the FY 2021 Capital Budget (F)
Adopt and Appropriation \$50,000 of the FY 2020 Reserve for Contingencies for use by the City Manager (G)
Adopt a Resolution to set the Personal Property Tax Relief Rate (H)
Adopt an Ordinance to set the Sewer Rates (I)

REVIEWED BY: bms

- A. BE IT RESOLVED that by majority vote the FY 2021 General Fund Operating Budget (excluding External Service Providers and Component Units expenditures) including the revenues and expenditures proposed by the City Manager and revised by City Council be adopted as the annual operating budget of the City of Lynchburg for the fiscal year beginning July 1, 2020 and ending June 30, 2021 and said funds be appropriated:

GENERAL FUND INCOME		GENERAL FUND EXPENDITURES	
<u>Non-Dedicated Revenues</u>			
General Property Taxes	\$81,482,704	General Government	\$13,360,843
Other Local Taxes	53,146,430	Judicial Administration	5,365,328
Permits, Fees, and Regulatory Licenses	817,500	Public Safety	38,778,472
Fines and Forfeitures	190,000	Public Works	20,389,613
Use of Money and Property	1,035,819	Health and Welfare	22,244,372
Charges for Services	3,208,545	Parks, Recreation and Cultural	5,650,115
Miscellaneous	239,100	Community Development	5,627,276
Revenue from the Commonwealth	6,270,984	Non-Departmental	7,910,747
<u>Dedicated Revenues</u>		Transfer to Other Funds	1,130,522
Revenue from Use of Money & Property		General Fund - Debt Service	8,842,966
Charges for Services	4,855,004	Schools - Debt Service	9,240,011
Recreation Revenue	435,300	Reserves	1,400,736
Parking	515,000	Transfer to Capital - City	4,634,302
Miscellaneous	3,063,183	Transfer to Capital - Schools	1,273,086
Revenue from the Commonwealth		Subtotal	\$145,848,389
Categorical Aid - State Shared Expenditures	3,183,222		
Categorical Aid	20,543,117	Component Units	
Revenue from the Federal Government	8,641,960	Lynchburg City Schools - Local Operating	39,828,498
Use of Committed/Assigned Fund Balance and Other	2,696,807	Greater Lynchburg Transit Company - Local Operating	500,000
Use of (Additions to) Unassigned Fund Balance	4,073,669	External Service Providers ¹	8,221,457
Total	<u>\$194,398,344</u>	Total	<u>\$194,398,344</u>

¹To be considered separately

Introduced: June 9, 2020

Adopted: June 23, 2020

Certified: _____

Clerk of Council

- B. BE IT RESOLVED that by majority vote the FY 2021 Mandated and Contractual External Service Providers Budget of \$8,192,056 proposed by the City Manager be adopted as part of the operating budget of the City of Lynchburg for the fiscal year beginning July 1, 2020 and ending June 30, 2021 and said funds be appropriated:

<u>MANDATED</u>	
Blue Ridge Regional Jail Authority	\$5,543,931
Central Virginia Planning District Commission (CVPDC)	46,770
Horizon Behavioral Health	574,512
Lynchburg Health Department	747,685
TOTAL MANDATED	<u>\$6,912,898</u>

CONTRACTUAL

Central Virginia Regional Radio Board (CVRRB).....	\$684,741
Elizabeth's Early Learning Center	15,854
Lynchburg Humane Society	405,440
Southern Memorial Association (Old City Cemetery)	132,438
Virginia Cooperative Extension Service	40,685
TOTAL CONTRACTUAL	<u>\$1,279,158</u>

Introduced: June 9, 2020

Adopted: June 23, 2020

Certified:

Clerk of Council

#R-20-044

- C. BE IT RESOLVED that by two – thirds majority vote (five of seven) the FY 2021 Discretionary External Service Providers Budget of \$29,401 proposed by the City Manager be adopted as part of the operating budget of the City of Lynchburg for the fiscal year beginning July 1, 2020 and ending June 30, 2021 and said funds be appropriated:

DISCRETIONARY

Amazement Square - Signal and Rail Car	\$267
Central Virginia Alliance for Community Living	15,000
Central Virginia Community College Board (CVCC)	1,967
Virginia Legal Aid Society	12,167
TOTAL DISCRETIONARY	<u>\$29,401</u>

Introduced: June 9, 2020

Adopted: June 23, 2020

Certified:

Clerk of Council

- D. BE IT RESOLVED that by majority vote the FY 2021 budgets of the funds mentioned herein be adopted for the purposes herein mentioned and said funds be appropriated from the funds and resources of the City of Lynchburg for the fiscal year beginning July 1, 2020 and ending June 30, 2021:

FLEET SERVICES FUND INCOME

Revenues	\$8,100,043
Use of (Additions to) Unassigned Fund Balance	0
Total	<u>\$8,100,043</u>

AIRPORT FUND INCOME

Revenue from Cost Centers	\$2,949,333
Interest and Other	36,000
Use of (Additions to) Unassigned Fund Balance	(162,349)
Total	<u>\$2,822,984</u>

WATER FUND INCOME

Charges for Service	\$13,276,755
Water Contracts (Amherst/Bedford/Campbell/Industrial)	2,122,368
Interest and Other	166,600
Use of (Additions to) Unassigned Fund Balance	2,702,433
Total	<u>\$18,268,156</u>

SEWER FUND INCOME

Charges for Services	\$19,532,756
Sewer Contracts (Amherst/Bedford/Campbell/Industrial)	3,667,500
Interest and Other	211,867
Use of (Additions to) Unassigned Fund Balance	800,161
Total	<u>\$24,212,284</u>

STORMWATER FUND INCOME

Charges for Services	\$3,155,200
State Categorical Aid	275,000
Interest and Other	28,900
Use of (Additions to) Unassigned Fund Balance	545,333
Total	<u>\$4,004,433</u>

CITY/FEDERAL/STATE AID FUND INCOME

Revenue from the Federal Government	\$2,075,464
Revenue from the Commonwealth	1,018,811
Other	678,520
In-Kind	59,248
Transfer from General Fund	147,978
Total	<u>\$3,980,021</u>

FLEET SERVICES FUND EXPENDITURES

Operations	\$7,607,302
Debt Service	492,741
Total	<u>\$8,100,043</u>

AIRPORT FUND EXPENDITURES

Operations	\$2,719,505
Debt Service	103,479
Total	<u>\$2,822,984</u>

WATER FUND EXPENDITURES

Operations	\$11,241,468
Debt Service	3,526,688
Transfer to Water Capital Fund	3,500,000
Total	<u>\$18,268,156</u>

SEWER FUND EXPENDITURES

Operations	\$13,655,827
Debt Service	8,556,457
Transfer to Sewer Capital Fund	2,000,000
Total	<u>\$24,212,284</u>

STORMWATER FUND EXPENDITURES

Operations	\$3,346,005
Debt Service	158,428
Transfer to Stormwater Capital Fund	500,000
Total	<u>\$4,004,433</u>

CITY/FEDERAL/STATE AID FUND EXPENDITURES

Operations	\$3,980,021
Total	<u>\$3,980,021</u>

COMMUNITY DEVELOPMENT BLOCK GRANT INCOME

Federal Entitlement	\$714,865
Program Income	0
Total	<u>\$714,865</u>

CHILDREN'S SERVICES ACT FUND INCOME

Miscellaneous	\$48,600
Transfer from General Fund	1,843,647
Lynchburg City School Transfer	196,541
Revenue from the Commonwealth	3,910,234
Total	<u>\$5,999,022</u>

HOME INVESTMENT TRUST FUND INCOME

Federal Entitlement	\$424,288
Total	<u>\$424,288</u>

LYNCHBURG EXPRESSWAY APPEARANCE FUND (LEAF) INCOME

Pledges/Donations	\$0
Use of (Additions to) Unassigned Fund Balance	75,000
Total	<u>\$75,000</u>

REGIONAL JUVENILE DETENTION CENTER FUND INCOME

Charges for Services	\$1,105,125
Intergovernmental	1,965,936
Total	<u>\$3,071,061</u>

RISK MANAGEMENT FUND INCOME

Charges for Services	\$1,048,562
Use of (Additions to) Unassigned Fund Balance	0
Total	<u>\$1,048,562</u>

SPECIAL WELFARE FUND INCOME

Donations and Restitutions	\$123,300
Interest	1,200
Revenue from the Commonwealth	5,000
Use of (Additions to) Unassigned Fund Balance	0
Total	<u>\$129,500</u>

TECHNOLOGY FUND INCOME

Use of Money and Property	\$30,000
Transfer from General Fund	489,803
Use of (Additions to) Unassigned Fund Balance	717,781
Total	<u>\$1,237,584</u>

COMMUNITY DEVELOPMENT BLOCK GRANT EXPENDITURES

Operations	\$714,865
Total	<u>\$714,865</u>

CHILDREN'S SERVICES ACT FUND EXPENDITURES

Operations	\$5,999,022
Total	<u>\$5,999,022</u>

HOME INVESTMENT TRUST FUND EXPENDITURES

Operations	\$424,288
Total	<u>\$424,288</u>

LYNCHBURG EXPRESSWAY APPEARANCE FUND (LEAF) EXPENDITURES

Operations	\$75,000
Total	<u>\$75,000</u>

REGIONAL JUVENILE DETENTION CENTER FUND EXPENDITURES

Operations	\$3,060,254
Debt Service	10,807
Total	<u>\$3,071,061</u>

RISK MANAGEMENT FUND EXPENDITURES

Operations	\$313,622
Insurance and Claims	734,940
Total	<u>\$1,048,562</u>

SPECIAL WELFARE FUND EXPENDITURES

Operations	\$129,500
Total	<u>\$129,500</u>

TECHNOLOGY FUND EXPENDITURES

Operations	\$1,130,784
Capital Outlay	106,800
Total	<u>\$1,237,584</u>

Introduced: June 9, 2020

Adopted: June 23, 2020

Certified:

 Clerk of Council

#R-20-046

E. BE IT RESOLVED that by majority vote the FY 2021 - 2025 Capital Improvement Program is hereby adopted.

Adopted: June 9, 2020

Certified: _____
Clerk of Council

#R-20-047

F. BE IT RESOLVED that by majority vote the FY 2021 Capital Budget proposed by the City Manager is hereby adopted and said funds be appropriated from the funds and resources of the City of Lynchburg for the fiscal year beginning July 1, 2020 and ending June 30, 2021 in the total amount of \$15,169,570 for the City Capital Projects Fund, \$3,053,086 for the Schools Capital Projects Fund, \$1,400,000 for the Airport Capital Projects Fund, \$3,560,000 for the Water Capital Projects Fund, \$8,030,000 for the Sewer Capital Projects Fund, and \$880,000 for the Stormwater Capital Projects Fund.

Introduced: June 9, 2020

Adopted: June 23, 2020

Certified: _____
Clerk of Council

#R-20-048

G. BE IT RESOLVED that by majority vote \$50,000 of the FY 2021 Reserve for Contingencies funding is appropriated for use by the City Manager for the fiscal year beginning July 1, 2020 through June 30, 2021.

Introduced: June 9, 2020

Adopted: June 23, 2020

Certified: _____
Clerk of Council

#R-20-049

H. BE IT RESOLVED that by majority vote in accordance with Section 58.1-3524 of the Code of Virginia, 1950, as amended, the personal property tax relief rate for the fiscal year beginning July 1, 2020 through June 30, 2021 shall be set at 41.98%.

Adopted: June 9, 2020

Certified: _____
Clerk of Council

I. AN ORDINANCE TO AMEND AND REENACT SECTIONS 34-12.1 OF THE CODE OF THE CITY OF LYNCHBURG, 1981, AS AMENDED, THE AMENDED SECTIONS RELATING TO SEWER RATES

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That sections 34-12.1 of the Code of the City of Lynchburg, 1981 are hereby amended and reenacted as follows:

Sec. 34-12.1. - Schedule of sewer rates.

- (a) The monthly sewer rates for all consumers within the city shall be ~~\$6.02~~ six dollars and fourteen cents (\$6.14) per h.c.f. of water used provided, however, that the rate of any party discharging industrial waste or processed water into the city system pursuant to an individual contract shall be as provided in such contract.
- (b) The monthly sewer rate for customer accounts deemed "sewer only" (customers within the city without a water service connection) shall be ~~\$48.51~~ forty-nine dollars and thirty-five cents (\$49.35). This rate is derived as follows: (monthly volume charge of ~~\$6.02~~ six dollars and fourteen cents (\$6.14) per h.c.f. by 7 h.c.f. + a monthly service charge of \$6.37).
- (c) In addition to the sewer rates provided in this section, a high strength waste surcharge is established for all customers with discharges in excess of 25,000 gallons per day and having biological oxygen demand and/or suspended solids concentrations in excess of normal wastewater.

The surcharge shall be as follows:

- (1) For BOD concentrations in excess of 300 milligrams per liter (MG/l), ~~\$24.46~~ twenty- six dollars and thirty cents (\$26.30) per 100 pounds.
- (2) For suspended solids concentrations in excess of 400 milligrams per liter (MG/l), ~~\$27.66~~ twenty-eight dollars and fifty cents (\$28.50) per 100 pounds.
- (3) Truck hauled wastes disposal charges for residential and restaurant wastes as defined in section 34-13 will be assessed at the following rates: \$204.90 up to a limit of 2,500 gallons of capacity and \$34.74 for each 500 gallons of capacity over 2,500 gallons. Truck hauled wastes for special contract holders shall be charged in accordance to the terms of the contracting agreement.
- (d) Annually, the director of financial services shall compute the average of each residential customer's level of monthly water consumption in hundred cubic feet (h.c.f.) for the most recent period beginning with the first billing in November and ending with the second billing in April. By multiplying this monthly average by 1.25, a seasonal consumption limit for sewer billing shall be derived for each residential account. This limit will apply during the period for the first billing in May through the second billing in October. This adjustment shall apply only to residential bills and shall not apply to any customers using water for the purpose of manufacturing or for commercial or multifamily dwellings.

2. That this ordinance shall become effective July 1, 2020.

Adopted: June 9, 2020

Certified: _____
Clerk of Council

LYNCHBURG CITY COUNCIL Agenda Item Summary

MEETING DATE: **June 9, 2020**

AGENDA ITEM #: **11**

CONSENT:

REGULAR: **X**

WORK SESSION:

CLOSED SESSION:

ACTION: **X**

INFORMATION:

(Confidential)

ITEM TITLE: Establish Up To a \$42,000,000 Line of Credit for Interim Capital Financing

KEY ELEMENTS:

X Economic Development X Excellent Government X Natural and Built Environment X Safe Community Xm Vibrant Community

RECOMMENDATION: City Council is requested to take the following actions to establish interim financing for up to \$42,000,000 via a Tax-Exempt, General Obligation Bond Anticipation Note Draw Down Line of Credit for capital projects.

- (a) Conduct a Public Hearing in accordance with Section 15.2-2606.A of the *Code of Virginia*, 1950, for the issuance of up to \$42,000,000 of Tax Exempt General Obligation Public Improvement Bond Anticipation Notes (BANS)
- (b) Adopt a Resolution authorizing the issuance of up to \$42,000,000 General Obligation Public Improvement Bond Anticipation Notes and authorizing the City Manager, Deputy City Manager or the Chief Financial Officer to execute appropriate documents to establish a \$42,000,000 Line of Credit with JP Morgan Chase Bank, N.A. ("JP Morgan")
- (c) Adopt a resolution amending the FY 2020 General, Water, Sewer, and Stormwater Funds' Adopted Budgets and appropriate \$105,500, \$51,088, \$25,424, and \$17,988 respectively with resources from the Line of Credit Proceeds for a total of \$200,000 for estimated issuance costs.

SUMMARY: During the FY 2018 Proposed Budget discussions, City Council was presented information regarding what came to be known as "on-time" financing. This financing strategy was recommended to provide the flexibility to fund capital projects as the funds are needed. In June 2018, the City established the first iteration of the on-time financing strategy and this is the continuation of that strategy. The recommended Bond Anticipation Note Draw Down Line of Credit will prevent paying interest on unspent bond proceeds and only the drawn proceeds as they are required. No operating costs will be funded with this Bond Anticipation Note. The plan is to permanently finance the Bond Anticipation Note in two or three years, depending on the market, and establish the next Bond Anticipation Note.

On April 29, 2020 the City's financial advisors, Davenport and Company LLC, distributed a Request for Proposals to over 25 local, regional and national lending institutions. Proposals from three institutions were received on May 27, 2020 and evaluated by Davenport and City staff. JP Morgan is recommended based on the following: provides the City with the full \$42 million requested, the lowest variable interest rate, does not have any unused facility fees (i.e. payments on undrawn amounts); the proposal provides the City with complete flexibility on future draws (i.e. certain amount drawn by certain dates); allows for prepayment in whole and in part without penalty; and minimal Bank Counsel fees.

The following is a summary of the proposed cost of issuance:

Issuance Cost Components:	FY 2020 Estimates
Financial Advisor*	\$110,000
Bond Counsel	40,000
Bank Counsel	25,000
Miscellaneous	25,000
Total	\$200,000

*Inclusive of estimated indirect and direct expenses

PRIOR ACTION(S): Adoption of the FY 2020 Capital Improvement Program Budget on May 28, 2019.

FISCAL IMPACT: Line of Credit principal debt retirement will be reflected in the future operating budget's annual debt service payments when permanent bond financing occurs. The utilization of interim financing through the Line of Credit with its related permanent financing will be in accordance with the City's Financial Management Policies.

CONTACT(S): Donna Witt, Chief Financial Officer, 455-3968

ATTACHMENT(S):

- (1) Appropriation Resolution for Issuance Costs
- (2) BAN Resolution for Line of Credit and authorization for City Manager to execute the appropriate documents
- (3) City of Lynchburg VA- Line of Credit 6.9.20 presentation from Davenport & Company LLC.

REVIEWED BY: bms

RESOLUTION:

#R-20-040

BE IT RESOLVED THAT the FY 2020 General, Water, Sewer and Stormwater Funds' Adopted Budgets are amended; and appropriate \$105,500, \$51,088, \$25,424, and \$17,988 respectively with resources from the Line of Credit Proceeds for a total of \$200,000 for estimated issuance costs.

Introduced:

Adopted:

Certified:

Clerk of Council

070R

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **May 26, 2020**

AGENDA ITEM #: **13**

CONSENT:

REGULAR: **X**

WORK SESSION:

CLOSED SESSION:

ACTION: **X**

INFORMATION:

(Confidential)

ITEM TITLE: Water Fund Budget Amendment – Alum Litigation

KEY ELEMENTS:

___ Economic Development **X** Excellent Government ___ Natural and Built Environment ___ Safe Community ___ Vibrant Community

RECOMMENDATION: Adopt a resolution amending the FY 2020 Water Fund Operating Budget to increase revenues by \$57,561 with resources from the Liquid Aluminum Sulfate Class Action Settlement.

SUMMARY: In 2018, the Department of Water Resources received notice of a class action lawsuit from its legal firm, AquaLaw, with the opportunity to join a case pursuing litigation against businesses involved with rigging bids and price fixing. These companies engaged in illegal activity designed to maintain a higher price of liquid aluminum sulfate, or “Alum”, from January 1, 1997 to February 28, 2011. Alum is a chemical utilized by the College Hill and Abert Water Plants to treat drinking water.

Since the beginning of these class action lawsuits, businesses have separately agreed to settlements that have resulted in several separate receipts of monies to City of Lynchburg. All monies received from these settlements starting in 2019 have been previously appropriated. Recently, the City received notice from AquaLaw that additional settlements have been reached. Between April 1, 2020 and June 30, 2020 additional receipt of monies totaling \$57,561 will be received by City of Lynchburg.

The Water Fund Operating Budget in both FY 2019 and FY 2020 were amended for previous class action settlement payments received totaling \$170,937.

PRIOR ACTION(S): May 26, 2020: Finance Committee will review this request

FISCAL IMPACT: Increased revenues in FY 2020 Water Fund Operating Budget by \$57,561 to support operations within the fund.

CONTACT(S): Timothy Mitchell, Director of Water Resources – 455-4252

ATTACHMENT(S): Resolution

REVIEWED BY: raw

RESOLUTION:

#R-20-036

BE IT RESOLVED that the FY 2020 Water Operating Fund Budget is amended and \$57,561 is appropriated with resources from the Liquid Aluminum Sulfate Class Action Settlement to support the operations of the Water Operating Fund.

Introduced:

Adopted:

Certified:

Clerk of Council

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **June 23, 2020**

AGENDA ITEM #: **9**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Public Hearing regarding the Draft Analysis of Impediments to Fair Housing Choice (AI) and Adoption of a Resolution Endorsing the AI for Submittal to the U. S. Department of Housing and Urban Development (HUD)

KEY ELEMENTS:

☒ Economic Development ☐ Excellent Government ☒ Natural and Built Environment ☒ Safe Community ☒ Vibrant Community

RECOMMENDATION: Conduct a public hearing and adopt a resolution endorsing the Analysis of Impediments to Fair Housing Choice (AI) report to be submitted to the U. S. Department of Housing and Urban Development (HUD).

SUMMARY: As a recipient of Community Development Block Grant (CDBG) and HOME Investment Partnerships Program funds, the City must certify to the U. S. Department of Housing and Urban Development (HUD) that its housing programs are implemented in a non-discriminatory manner. The AI includes an analysis of public and private sector policies, programs and statutes which impact the development, financing, regulation and siting of housing in the City. The City has identified within the AI: (a) impediments to fair housing choice; and (b) recommended strategies that would eliminate the impediments to housing choice.

The previous AI was prepared in January 2014. It is required by HUD that the City perform an AI typically once every five (5) years in conjunction with the Five-Year Consolidated Plan. A draft AI has been prepared for the City by the professional consulting team at Mullin & Lonergan Associates (M&L). M&L followed a comprehensive approach to complete the AI utilizing many different data sources, City documents, and specifically conducted interviews and focus group sessions with agencies and organizations that provide housing and housing related services to members of the protected classes.

On December 17 and 18, 2019 M&L conducted several Stakeholder Workshops at The Miller Center with key community stakeholders to hear their thoughts and observations on fair housing in our community. These public meetings encompassed workshops on affordable housing, workforce development, housing for individuals and families in crisis, asset building in low-to-moderate income neighborhoods, and healthy housing and healthy neighborhoods as they related to not only the development of the AI but also the 2020-2024 Five-Year Consolidated Plan for the CDBG and HOME Program.

At the work session on June 9th Marjorie Willow, Principal Partner at M&L, provided a presentation summarizing the AI. Ms. Willow will be present at the public hearing to provide an updated presentation of the AI. At the conclusion of the public hearing, City Council is asked to adopt a resolution endorsing the AI and approving the submittal of the final document, with any recommended changes from the public and/or City Council, to HUD.

PRIOR ACTION(S): June 9, 2020 – City Council Work Session
December 17 and 18, 2019 – Stakeholder Public Meetings

FISCAL IMPACT: None

CONTACT(S): Melva Walker, Grants Manager, 455-3916; Bonnie Svrcek, City Manager, 455-3987;
Kevin Henry, Zoning Administrator, 455-3915

ATTACHMENT(S): Resolution

Draft Analysis of Impediments to Fair Housing Choice (AI) – Attachment A
PowerPoint Presentation - Mullin & Lonergan Associates – Attachment B

REVIEWED BY: bms

064R

RESOLUTION:

#R-20-050

BE IT RESOLVED that the Lynchburg City Council hereby endorses the Analysis of Impediments to Fair Housing Choice prepared by Mullin & Lonegran Associates and approves the submittal of this document to the U. S. Department of Housing and Urban Development.

Adopted:

Certified: _____
Clerk of Council



2020 ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

Lynchburg, Virginia
Draft for Public Display
May 2020

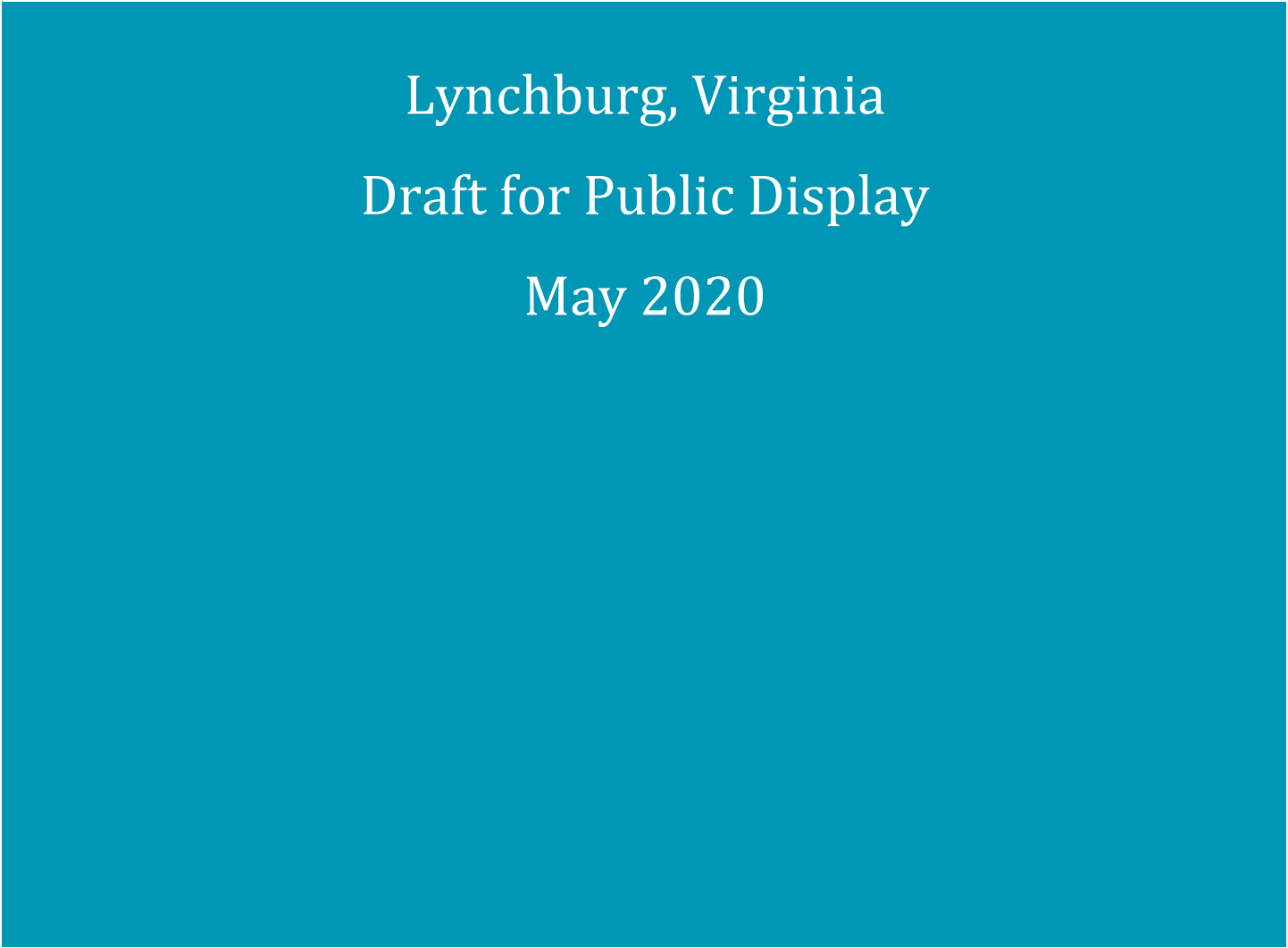


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Executive Summary

The City of Lynchburg has prepared an Analysis of Impediments to Fair Housing Choice to satisfy requirements of the Housing and Community Development Act of 1974, as amended. This act requires that any community receiving Community Development Block Grant (CDBG) and Home Investment Partnership Program (HOME) funds affirmatively further fair housing. Additionally, HUD entitlement communities must comply directly with HUD rules and regulations designed to uphold the Housing and Community Development Act of 1974, as amended. The responsibility of compliance with the federal Fair Housing Act extends to nonprofit organizations and other entities, including units of local government, which receive federal funds through the City.

Entitlement communities that receive CDBG and HOME funds are required to:

- Examine and attempt to alleviate housing discrimination within their jurisdiction
- Promote fair housing choice for all persons
- Provide opportunities for all persons to reside in any given housing development, regardless of race, color, religion, sex, disability, familial status, or national origin
- Promote housing that is accessible to and usable by persons with disabilities, and
- Comply with the non-discrimination requirements of the Fair Housing Act.

These requirements can be achieved through the preparation of an Analysis of Impediments to Fair Housing Choice (AI). The AI is a review of a jurisdiction's laws, regulations, and administrative policies, procedures, and practices affecting the location, availability, and accessibility of housing, as well as an assessment of conditions, both public and private, affecting fair housing choice.

Entitlement communities have specific fair housing planning responsibilities. These include:

- Conducting an Analysis of Impediments to Fair Housing Choice
- Developing actions to overcome the effects of identified impediments to fair housing, and
- Maintaining records to support the jurisdictions' initiatives to affirmatively further fair housing.

The following observations were noted throughout the AI. These issues are based on the primary research collected and analyzed and the numerous interviews and focus group sessions conducted for this report. They help to establish context for the impediments to fair housing choice.

- *Between 2000 and 2017 Lynchburg grew by 21.4%, adding 13,968 new residents.* This is slightly faster than the State of Virginia, which grew by 18.2% during the same time period. Relative comparisons between Lynchburg and Virginia are provided to potentially highlight features unique to Lynchburg.
- *As a city that hosts several colleges and universities, college-aged students comprise a substantial portion of the city's population.* Approximately 22.2% of the city's total population consists of undergraduate and graduate students and will likely have a strong impact on the City's rental market.
- *However, population growth appears to be decentralized in Lynchburg in areas further away from downtown.* These areas tend to have higher levels of opportunity for residents in terms of jobs, quality schools, and environmental health.
- *Racially and ethnically concentrated areas are concentrated around the downtown area.* These areas have a population that consists of 50% or more minorities.
- *There exists a gap in income and wealth between White and minority households* that is exacerbated by the concentration of minority neighborhoods that have lower levels of opportunity. This gap is especially prominent in between White and Black households.
- *In Lynchburg, 14.2% of the population over the age of 18 years old had at least one disability.* Of individuals with a disability, 33.5% were living in poverty compared to 21.7% without a disability. Additionally, most individuals with a disability do not participate in the labor force (64.9%), reducing their ability to afford housing.
- *Family households comprise 58.3% of all households in Lynchburg in 2017. This is lower than that of the State of Virginia, in which family households consist of 66.9% of all households.* This is likely a result of the high student population in Lynchburg.
- *The majority of Lynchburg's housing stock in 2017 was single-family housing units which comprised 65.6% of all housing units, but only 49.7% of these units were owner-occupied.* Multi-family housing can be a more affordable housing option that provides members of the protected classes access to other parts of the City that are otherwise unaffordable.

- *Lynchburg has a slightly higher vacancy rate than the State with the highest rental vacancy rates is concentrated around the University of Lynchburg and Liberty University.* Vacancy is determined if no one is living in a specific unit at the time of the interview, indicating that the student population may play a contributing factor to this.
- *While home values in Lynchburg decreased by 3.8% after adjusting for inflation, gross rent increased by 11.5% during the same time period.*
- *In Lynchburg, 35.5% of all households are cost-burdened, and renters (49.4%) are more disproportionately cost-burdened than homeowners (19.8%).* Areas with a high proportion of cost-burdened homeowners also tend to have cost-burdened renters as well. These areas are centered around the University of Lynchburg
- *The highest opportunity areas in Lynchburg are concentrated in the western parts of the City and the lowest opportunity areas are found around the HUD-defined R/ECAP and the modified R/ECAPs west of Downtown Lynchburg.*
- *Under HUD's definition of racially/ethnically concentrated areas of poverty, only one census tract meets this definition: Census Tract 7.* HUD defines concentrations of racial and ethnic minorities as a census tract with a non-White population of 50% or more. A concentrated area of poverty is defined as a census tract with 40% or more individuals living at or below the poverty line.
- *There is one less census tract that no longer meets both HUD's R/ECAP definition and the modified R/ECAP definition: Census Tract 19.* The poverty rate in this census tract decreased from 37.5% in 2013 to 28.8% in 2017, indicating that opportunities for residents in this area have improved since the previous AI.
- *Two census tracts meet the definition for modified R/ECAP: Census Tracts 6 and 11.* While these areas do not meet the 40% poverty threshold defined by HUD these census tracts show disproportionate poverty rates compared to Lynchburg as a whole and may require attention for improving opportunity. The modified R/ECAPS are located adjacent to the HUD R/ECAP.

A summary of the impediments to fair housing choice that emerged from the data analysis, public engagement initiatives, and policy review were identified. They are the results of primary and secondary research that define the underlying conditions, trends, and context for fair housing planning in Lynchburg. The impediments were assigned three priority levels based on the amount and strength of the supporting evidence that initially identified the factor:

- High – factors that limit or deny fair housing choice or access to opportunity, as well as other factors that are urgent or establish a foundation for future actions
- Medium – moderately urgent or building on prior actions
- Low – limited impact on fair housing issue

Figure 1 Contributing Factors Impeding Housing Choice in Lynchburg, VA

Factor	Priority	Responsible Parties	Discussion
Access to community assets and opportunities	High	City	Community assets such as public transit and jobs can improve access to opportunities, especially for lower income households and persons with disabilities. While the City has good coverage regarding public transit in R/ECAPs, these areas have poor access to the City's employment centers and higher performing schools. Expanding the public transit system to higher opportunity areas could increase opportunities for low- and moderate-income residents.
Location and type of affordable housing	High	City, LRHA, Private Sector	Providing more housing choices in more areas across the City could increase the accessibility and affordability of housing in Lynchburg. While households in Lynchburg are almost evenly split between renters and homeowners, most of the housing stock consists of single-family homes at 65.6% of all housing stock. Multifamily housing is typically more affordable than single-family housing in the same area as a result of increased housing supply and efficient land use. However, multifamily housing options are limited in both the highest opportunity areas and lowest opportunity areas. Additionally, areas with a high concentration of multifamily units are in close proximity to the universities, creating high competition for housing. While the City has shown to be investing funds, such as CDBG and HOME, in higher opportunity areas, the lack of public transit access and landlords to accept HCVs are barriers in locating affordable housing options in higher opportunity areas.

Factor	Priority	Responsible Parties	Discussion
Discriminatory behavior toward members of the protected class	Low	Private Sector	Lending discrimination exists within the City of Lynchburg. Because this lending primarily occurs in the private sector, the City has little direct control. However, the City could continue to provide education and outreach to lenders and borrowers regarding fair housing and lending discrimination, in addition to the organizations advocating for fair housing. Black and Hispanic households are more likely to have their mortgage application denied than White households. Black households were also more likely to receive high-cost loans compared to other races/ethnicities. High cost loans have higher interest rates, making housing less affordable and contributes to both segregation and cost burden. Households receiving high cost loans will seek more affordable housing in lower quality housing stock and be more cost-burdened due to high interest rates.

The Fair Housing Action Plan included below contains recommendations based on the identified factors impeding, or restricting, fair housing choice for Lynchburg residents:

Impediment	Action	Measurable Benchmarks	Timeframe
Barriers to housing choices for members of the protected class	The City should specify procedures, training, and monitoring process for implementing the Language Access Plan (LAP) to streamline services and better accommodate persons with limited English proficiency (LEP). This is especially important for when the LEP Spanish-speaking population reaches the safe harbor threshold.	Percent of current and number of new staff members trained in accordance with LAP procedures	2020-2024
Location and type of affordable housing	LRHA should expand Section 8 HCV Program to higher opportunity areas.	Number of landlords recruited to participate in Section 8 program, especially in higher opportunity areas	Ongoing
	The City and other local organizations should address the diverse housing needs for the City's various subpopulation, including students, low- and moderate-income households, persons with disabilities, and elderly persons.	Continue investing in housing in a wide geographic area throughout the City. Number of accessible units created/rehabilitated.	Ongoing
	The City should collaborate with local universities to ensure students are not competing with low- and moderate-income households for housing.	Number on-campus housing units created.	Ongoing

Impediment	Action	Measurable Benchmarks	Timeframe
Location of community assets	The City should collaborate with GLTC to improve access to GLTC routes in higher opportunity areas and employment centers in the City and for individuals working unconventional hours.	Number of transit stops added	Ongoing
	The City and local service providers should centralize public services in locations with good transit access and high concentration of members of protected classes	Increase in number of service users	Ongoing
Discriminatory behavior toward members of the protected class	The City should continue supporting fair housing services, such as housing counseling from Lyn-CAG and legal counseling from VLAS, to reduce rates of eviction, mortgage application denials, high-cost lending, and other discriminatory practices.	Number of program participants	Ongoing

Introduction

Background

Equal and unimpeded access to residential housing is a fundamental civil right that enables members of protected classes, as defined in the federal Fair Housing Act, to pursue personal, educational, employment, or other goals. Because housing choice is so critical to personal development, fair housing is a goal that government, public officials, and private citizens must embrace if social equity is to become a reality.

The federal Fair Housing Act prohibits discrimination in housing based on a person's race, color, religion, gender, disability, familial status, or national origin. In addition, the U.S. Department of Housing and Urban Development (HUD) issued a Final Rule on February 3, 2012 that prohibits entitlement communities, public housing authorities, and other recipients of federal housing resources from discriminating on the basis of actual or perceived sexual orientation, gender identity, or marital status. Persons who are protected from discrimination by fair housing laws are referred to as members of the protected classes.

HUD awards funds from the Community Development Block Grant (CDBG), HOME Investment Partnership, Housing Opportunities for Persons with AIDS (HOPWA), and Emergency Solutions Grant (ESG) programs directly to eligible municipalities of a certain size. As a grantee of HUD funding, the City of Lynchburg has specific fair housing planning responsibilities including:

- Conducting an Analysis of Impediments to Fair Housing Choice
- Developing actions to overcome the effects of identified impediments to fair housing, and
- Maintaining records to support initiatives to affirmatively further fair housing

HUD interprets these three certifying elements to include:

- Analyzing housing discrimination in a jurisdiction and working toward its elimination
- Promoting fair housing choice for all people
- Providing racially and ethnically inclusive patterns of housing occupancy
- Promoting housing that is physically accessible to and usable by all people, particularly individuals with disabilities

- Fostering compliance with the nondiscrimination provisions of the Fair Housing Act

Purpose of the Analysis of Impediments

The Housing and Community Development Act of 1974 requires that any community receiving HUD funds affirmatively further fair housing. Communities receiving HUD entitlement funds are required to:

- Examine and attempt to alleviate housing discrimination within their jurisdiction
- Promote fair housing choice for all persons
- Provide opportunities for all persons to reside in any given housing development, regardless of race, color, religion, gender, disability, familial status, or national origin
- Promote housing that is accessible to and usable by persons with disabilities, and
- Comply with the non-discrimination requirements of the Fair Housing Act.

These requirements can be achieved through the preparation of an Analysis of Impediments to Fair Housing Choice (AI). An AI is a review of a jurisdiction's laws, regulations, and administrative policies, procedures, and practices affecting the location, availability, and accessibility of housing. It is also an assessment of conditions, both public and private, affecting fair housing choice.

This AI will:

- Evaluate population, household, income, and housing characteristics by protected classes
- Evaluate public and private sector policies that impact fair housing choice
- Identify blatant or de facto impediments to fair housing choice where any may exist, and
- Recommend specific strategies to overcome the effects of any identified impediments.

An impediment to fair housing choice is defined as any action, omission, or decision that restricts or has the effect of restricting the availability of housing choices of members of the protected classes.

This AI serves as the basis for fair housing planning; provides essential information to policy makers, administrative staff, housing providers, lenders, and fair housing advocates; and assists in building public support for fair housing efforts. The City is expected to review and approve the AI and use it for direction, leadership, and resources for future fair housing planning. The AI will serve as a point-in-time baseline against which future progress in implementing fair housing initiatives will be evaluated and recorded.

The Relationship between Fair Housing and Affordable Housing

To the extent that members of the protected classes tend to have lower incomes, then access to fair housing is related to affordable housing. In many areas across the U.S., a primary impediment to fair housing is a relative absence of affordable housing. Often, the public policies implemented in towns and cities can contribute to the lack of affordable housing in these communities, thereby disproportionately affecting housing choice for members of the protected classes.

The Federal Fair Housing Act

The Federal Fair Housing Act covers most housing. In some circumstances, the Act exempts owner-occupied buildings with no more than four units, single family housing sold or rented without the use of a broker, and housing operated by organizations and private clubs that limit occupancy to members.

In the sale and rental of housing, no one may take any of the following actions based on race, color, religion, gender, disability, familial status, or national origin:

- Refuse to rent or sell housing
- Refuse to negotiate for housing
- Make housing unavailable
- Deny a dwelling
- Set different terms, conditions, or privileges for the sale or rental of a dwelling
- Provide different housing services or facilities
- Falsely deny that housing is available for inspection, sale, or rental
- Persuade owners to sell or rent at a loss ("blockbusting")
- Deny anyone access to or membership in a facility or service (such as a multiple listing service) related to the sale or rental of housing

Recent Changes to HUD Program Regulations

On March 5, 2012, HUD implemented policies to ensure that its core programs are open to all eligible individuals and families regardless of sexual orientation, gender identity, or marital status. In response to evidence suggesting that lesbian, gay, bisexual, and transgender individuals and families were being arbitrarily excluded from housing opportunities in the private sector, HUD's aim was to ensure

that its own programs do not allow for discrimination against any eligible person or household, and that HUD's own programs serve as models for equal housing opportunity.

This change to HUD program regulations does not amend the Fair Housing Act to prohibit all discrimination in the private market on the basis of sexual orientation, gender identity, or marital status. However, it prohibits discrimination of those types by any housing provider who receives HUD funding, including public housing agencies, those who are insured by the Federal Housing Administration (including lenders), and those who participate in federal entitlement grant programs through HUD.

Methodology used for the AI

A comprehensive approach was used to complete the Analysis of Impediments to Fair Housing Choice for the City of Lynchburg. The following sources were utilized:

- The most recently available demographic data regarding population, household, housing, income, and employment at the census tract and municipal level
- Public policies affecting the siting and development of housing
- Administrative policies concerning housing and community development
- Financial lending institution data from the Home Mortgage Disclosure Act (HMDA) database
- Agencies that provide housing and housing related services to members of the protected classes
- Fair housing complaints filed with HUD
- Interviews and workshop sessions conducted with agencies and organizations that provide housing and housing related services to members of the protected classes

Public Engagement

An extensive Outreach Plan was carried out jointly for the City's Analysis of Impediments to Fair Housing Choice, the 2020-2024 Consolidated Plan and the 2020 Annual Action Plan. Across all outreach initiatives, the most frequently cited needs include the following:

- Affordable housing
 - Adequate funding at federal and state levels to develop more affordable housing and provide more rental assistance
 - Adequate supply of affordable housing to meet the demand in urban and rural areas
 - Support for affordable housing from local, regional and state officials

- Affordable housing accessible to people with disabilities
- Fair housing
 - Support from local officials for all types of affordable housing, including emergency housing and permanent housing
 - Education for landlords
 - Education for tenants on rights and responsibilities
 - Education for the public
 - Fair housing enforcement
- Community development
 - Affordable transportation, including public transit with frequent service and service for second and third shift workers
 - Workforce development
 - Other supportive services to keep individuals and families housed—substance abuse treatment, case management, childcare

Progress Achieved since 2015 AI

Lynchburg's last Analysis of Impediments was completed in 2015. The 2015 document identified a total of 14 impediments to fair housing choice. Each impediment and associated recommendations from the 2015 AI are listed below, along with a summary of the progress the City has made. Progress on goals was provided by the City and based on the City's annual Consolidated Annual Performance Evaluation Reports (CAPER).

Impediment (City)	Status
<i>The City's subsidized housing units and affordable HOME housing activities are located primarily in older neighborhoods near the Central Business District that are more likely to be impacted areas (i.e. Black concentrated areas of poverty and low-moderate-income areas).</i>	
Action Step 1: The City should seek to strike a balance between revitalizing RCAPs and LMI areas and creating new affordable housing opportunities in other City neighborhoods. Specifically, the City should update its HOME policies and procedures to incentivize the creation of affordable housing opportunities in higher opportunity neighborhoods. COMPLETE & CONTINUING	PY2015: \$350,000 of the \$686,040 (51%) of CDBG funds were allocated to the City's Downtown infrastructure project located in Census Tract 5 in which approximately 65% of the residents are LMI persons. All HOME Program funds (\$305,985) were allocated for affordable housing projects within the targeted Census Tracts and city-wide based on eligibility criteria.
	PY2016: \$413,867 of the \$662,772 (63%) of CDBG funds were allocated to the City's Downtown infrastructure project and rehabilitation of a public housing complex, located in Census Tracts 5 and 7 in which approximately 83% and 69%, respectively, of the residents are LMI persons. All HOME Program funds (\$317,893) were allocated for affordable housing projects within the targeted Census Tracts and city-wide based on eligibility criteria.
	PY2017: \$201,948 of the \$300,951 (68%) of HOME Program funds were allocated to the following projects: Vacant Housing Revitalization and Rehabilitation; First-time Homebuyer, and Homeownership development. All projects have provided or will continue to provide affordable housing opportunities in the targeted Census Tracts and city-wide based on eligibility criteria. Lynchburg Regional Housing Collaborative engaged Enterprise Community Partners to conduct a housing stability and economic security study through a

	Community Impact Grant from VHDA to determine the actual state of housing in Lynchburg. PY2018: \$450,412 of the \$474,412 (95%) of HOME Program funds were allocated to the following projects: Homeowner rehabilitation; First-time Homebuyer, and Homeownership development. All projects have provided or will continue to provide affordable housing opportunities in the targeted Census Tracts and city-wide based on eligibility criteria. There was \$283,548 HOME funds expended for these affordable housing projects. There were four minority-owned business contracts issued for the homeowner rehabilitation projects. Lynchburg Regional Housing Collaborative completed and distributed to the public through the Lynchburg City Council a study "Opportunity Profile: Housing Stability in Lynchburg, VA" through a Community Impact Grant from VHDA. The study stated that there is a need for additional affordable housing units and the relation of these housing needs to LMI persons/households. As a result, City Council is focused on addressing affordable housing and is beginning to discuss with the LRHA what an affordable housing policy would be and resources and options to create and further encourage the development of affordable housing in Lynchburg. The City has also engaged in a variety of initiatives designed to improve the quality of the housing stock while still ensuring attainability and affordably, such as the Real Estate Rehabilitation Program and the Rental Inspection Program. Additionally, the City partnered with a variety of public, private, and non-profit organizations that are dedicated to improving housing opportunities for people who live in Lynchburg.
<i>Members of the protected classes tend to experience higher rates of unemployment and have lower incomes, thereby encountering greater difficulty in securing affordable housing in Lynchburg.</i>	
Action Step 1: Continue to use HOME dollars to fund homebuyer assistance programs.	PY2015: \$75,000 was provided to Greater Lynchburg Habitat for Humanity (GLHFH) to provide homebuyer assistance to eligible persons to write down their mortgage so that the housing units assisted would be affordable. GLHFH provided down payment assistance

COMPLETED & CONTINUING	to five families.
	PY2016: GLHFH provided down payment assistance to four families and Lyn-CAG provided down payment assistance to two families.
	PY2017: \$143,890 was provided to Greater Lynchburg Habitat for Humanity (GLHFH) and Lynchburg Community Action Group (Lyn-CAG). GLHFH provided down payment assistance to three families and Lyn-CAG provided down payment assistance to three families.
	PY2018: \$208,890 provided to Greater Lynchburg Habitat for Humanity (GLHFH) and Lynchburg Community Action Group (Lyn-CAG) to provide homebuyer assistance. GLHFH provided down payment assistance to three persons and Lyn-CAG provided down payment assistance to three persons. Of these six persons, household incomes consisted of: one within 50-60% of the Area Median Income (AMI); three within 30-50% of the AMI; and two within 60-80% of the AMI. The racial breakdown included all Black households.
Action Step 2: Fund homebuyer counseling for lower income households, particularly minority households. COMPLETED & CONTINUING	PY2015: The agencies listed below conducted the following classes: Greater Lynchburg Habitat for Humanity: Orientation Classes (2-hour acclimation class) - August 24 and 27, 2015 (80 persons) May 10, 2016 (8 people) June 21, 2016 (40 persons) For the following seven sessions, there were 10 participants with 7 graduates (8 Blacks, 2 NH Whites) Personal Finance – September 28, 2015 Spanish-Speaking Orientation Class in October 2016 (15 persons) Credit and Credit Reporting – October 5, 2015 Developing a Savings and Spending Plan - October 19, 2015 Virginia Fair Housing and Fringe Banking - October 26, 2015 Insurance and Warranties - November 2, 2015 Loan Closing - November 9, 2015 Life as a Homeowner - November 16, 2015 Lynchburg Community Action Group (Lyn-CAG) staff

	conducted 12 homebuyer education classes with 11 participants: 9 Blacks (82%) and 2 Whites (18%). There were an additional 112 participants who attended pre-purchase classes that met monthly over the last year to receive homebuying counseling. PY2016: The agencies listed below conducted the following classes: Greater Lynchburg Habitat for Humanity Introduction and Class Creed -September 12, 2016 & April 3, 2017 Personal Finance - September 19, 2016 & April 10, 2017 Credit and Credit Reporting - September 26, 2016 & April 24, 2017 Developing a Savings and Spending Plan - October 3, 2016 & May 8, 2017 Virginia Fair Housing and Fringe banking - October 17, 2016 & May 15, 2017 Insurance and Warranties - October 24, 2016 & May 22, 2017 Loan Closing - November 7, 2016 & May 28, 2017 Life as a Homeowner - November 14, 2016 & June 12, 2017 There were 10 participants in these classes, all Black. PY2017: The agencies listed below conducted the following classes: Greater Lynchburg Habitat for Humanity Homebuyers' Club Fall 2017 – November 12, 2017 through December 4, 2017 (12 hours) Homebuyers' Club Spring 2018 – May 17, 2018 through June 25, 2018 (12 hours) There were eight participants, all Black. Lynchburg Community Action Group (Lyn-CAG)'s Housing Counseling Services Department assisted individuals with their housing and rental counseling; foreclosure prevention; first-time homebuyer; and fair housing. There were 203 clients served throughout the program year. These clients included 143 Blacks and 60 Whites. Income levels included: <30% of the Area Median Income (AMI)-134; 30-40% of AMI-35; 50-79%-20; and 80-100% of AMI-14. PY2018: Agencies listed below conducted the following
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	classes and the recipients of the HOME Program funds for homebuyer purchases were provided with home buyer counseling: GLHFH conducted one Homebuyer Class with five Black participants. GLHFH conducted two Warranties, Maintenance, and Closing Counseling Classes with two Black participants. GLHFL conducted an Application Orientation Class with 50 participants including 43 Blacks, two Hispanics and five Whites. Lyn-CAG's First Time Home Buyers Club had 15 individuals completed the 12-month program. All graduated, six pre-qualified to purchase homes and three purchased homes in Lynchburg. Two are currently looking at real estate purchase options and one purchased in the surrounding county. The three first-time homebuyers were Black and within the 60-80% of the Area Median Income (AMI). Two of the individuals who have prequalified are White and within less than 50% of the AMI and one individual is Black and within 50-80% of the AMI. In addition, Lyn-CAG's Housing Counseling Services Department assisted individuals with their housing needs; foreclosure prevention; first-time homebuyer; and fair housing. There were 147 clients served throughout the program year. These clients included 89 Black and 57 White and one Asian. The Income levels included: <30% of the Area Median Income (AMI) - 65 persons; 30-40% of AMI - 40 persons; 50-79%-36 persons; and 80-100% of AMI six persons.
<i>The City's supply of decent and affordable housing remains inadequate, and there is a growing mismatch between incomes and housing costs.</i>	
Action Step 1: Continue the City's Rental Inspection Program, which is focused in 11 older LMI neighborhoods to improve and preserve the existing affordable housing stock. COMPLETED & CONTINUING	PY2015: During this program year within the Rental Inspection Program there were 423 cases (homeowner, rental and neighborhood services) brought up to Code compliance. PY2016: There were 413 cases (homeowner and neighborhood services) brought up to code. There were 110 one-year and 847 four-year Certificate of Compliance (COC) waivers issued for rental housing

	inspections that were conducted and the properties were in compliance with the <u>Virginia Maintenance Code</u> .
	PY2017: Residential rental properties are located in six rental inspection districts and are inspected periodically to determine if they are being maintained with the City's minimum building code standards. There were 492 existing residential rental inspections completed and 408 rental inspections completed on new apartment units.
	PY2018: Residential rental properties are located in six rental inspection districts (Census Tracts 4, 5, 6, 7, 11, and 19) and are inspected periodically to determine if they are being maintained with the City's minimum building code standards. 1,500 rental inspections completed.
Action Step 2: Continue to use HOME dollars to fund homebuyer assistance programs. COMPLETED & CONTINUING	PY2015: \$75,000 provided to Greater Lynchburg Habitat for Humanity (GLHFH) to provide homebuyer assistance. Lyn-CAG assisted one homebuyer and included the required homebuyer counseling for the purchase of the housing unit. GLHFH provided down payment assistance to five families.
	PY2016: GLHFH provided down payment assistance to four families and Lyn-CAG provided down payment assistance to two families.
	PY2017: \$143,890 was provided to Greater Lynchburg Habitat for Humanity (GLHFH) and Lynchburg Community Action Group (Lyn-CAG) to provide homebuyer assistance. GLHFH provided down payment assistance to three families and Lyn-CAG provided down payment assistance to three families.
	PY2018: \$208,890 was provided to Greater Lynchburg Habitat for Humanity (GLHFH) and Lynchburg Community Action Group (Lyn-CAG) to provide homebuyer assistance. GLHFH provided down payment assistance to three persons and Lyn-CAG provided down payment assistance to three persons. Of these six persons, the household incomes consisted of: one within 50-60% of the Area Median Income (AMI); three within 30-50% of the AMI; and two within 60-80% of the AMI, all Black households.

Although there was an insufficient number of housing discrimination complaints filed in the City to identify significant trends, it was possible to identify a pattern of discriminatory behavior on the basis of disability and race.

Action Step 1: Contract with an experienced HUD-certified fair housing organization to perform paired testing for race and disability in rental housing. Utilize the results to file housing discrimination complaints; publicize results to deter future discriminatory behavior.	PY2015-PY2017: As of this date, the City has not begun this process. City staff is aware of the requirements and will pursue contacting an agency to conduct this testing. PY2018: City staff requested Lynchburg Community Action Group (Lyn-CAG), a HUD-certified fair housing organization, to provide a cost estimate and timeline for completion of this parity testing.
Action Step 2: Contract with an experienced HUD-certified fair housing organization to provide education and outreach on fair housing laws, rights and responsibilities. COMPLETED & CONTINUING	PY2015: The City provided one percent of its CDBG allocation (\$6,800) in Program Year 2014 to Lynchburg Community Action Group (Lyn-CAG) to provide education and outreach on fair housing laws, rights, and responsibilities. The following fair housing workshops were conducted by Lyn-CAG staff: May 26, 2016 – Conducted two Workshops: Fair Housing – There were 30 in attendance Lyn-CAG staff provided educational materials regarding fair housing rights/laws Hoarding Workshop: There were 20 persons in attendance and materials provided regarding hoarding and the rights of a hoarder. PY2016: The following fair housing and housing counseling workshops were conducted by Lyn-CAG staff: April 18, 2017 - Fair Housing Certification and Hoarding Workshop – Lead by Mahalia “Mally” Dryden-Mason, Fair Housing Training Specialist, Virginia Department of Professional and Occupational Regulations – 65 participants May 6, 2017 – Women’s Empowerment – Jubilee Family Development Center (Homeownership and Budgeting Session) January 26, 2017 – Community Resource Fair – Point in Time (PIT) Count for Central Virginia Continuum of Care (CVCOC) – Approximately 50 persons attended the event. PY2017: The following fair housing and housing counseling workshops were conducted by Lyn-CAG:

	April 24, 2018 – In recognition of “April is Fair Housing Month” – Lyn-CAG staff scheduled a “Tenants’ Rights and Responsibilities” Workshop at the Lynchburg Public Library. Advertisements were placed on five billboards throughout the City of Lynchburg regarding “Fair Housing Month” and citizens’ rights to Fair Housing. PY2018: The following fair housing and housing counseling workshops were conducted by Lyn-CAG: Staff conducted weekly seminars at local rental properties on tenants’ rights and responsibilities. These seminars were conducted at four rental property complexes located in the City. Staff conducted a Landlord Tenant Workshop held at Lyn-CAG in which 15 landlords/tenants attended. In recognition of “April is Fair Housing Month”, Lyn-CAG staff scheduled a “Communicating Fair Housing” Workshop at the Miller Center. Ms. Mahalia Dryden-Mason, Fair Housing Training Specialist, from the Virginia Department of Professional and Occupational Regulation, was the guest speaker. There were 25 individuals in attendance. Lyn-CAG staff partnered with Virginia Legal Aid and conducted a workshop on the new housing related laws being implemented on July 1, 2019. There were 20 people in attendance at this workshop. Lyn-CAG staff had a booth promoting Fair Housing and Rental Counseling at the City’s Day in the Park in June 2019. All five staff members who are housing counselors were recertified in Fair Housing and provide this service to all citizens of Lynchburg. In addition, the City and Lyn-CAG partnered and a Fair Housing Flyer was developed and provided to the City of Lynchburg Utilities Department to be inserted into the April 2019 water utility bills. There were 24,000 Flyers provided and inserted into the water bills.
<i>There is a need for improved fair housing services across Lynchburg.</i>	
Action Step 1: Delegate the City’s Housing Collaborative as the centralized fair housing organization for Lynchburg.	PY2015-2016: As recommended in the AI, the Housing Collaborative is the centralized fair housing organization for the City. This Collaborative consist of: City staff

<i>COMPLETED & CONTINUING</i>	(Grants Manager and Zoning Administrator); Lynchburg Redevelopment and Housing Authority (LRHA); Lynchburg Community Action Group (Lyn-CAG); Greater Lynchburg Habitat for Humanity (GLHFH); Rush Homes; Lynchburg Covenant Fellowship (LCF); and Continuum of Care (CoC) Lead and Co-Leader. During this program year, the Collaborative has met and discussed proposed housing projects related to new construction, redevelopment, and rehabilitation, and the CoC activities for the homeless (permanent supportive housing programs, emergency shelters, and transitional housing). These meetings included conversations to ensure that all affordable housing projects were offered to all persons and that no discriminatory action would be taken against any applicant. See below for the specific planned project to create a “one- stop” shop for all persons seeking housing assistance whether permanent or temporary. PY2017-2018: The Collaborative met and discussed proposed housing projects related to new construction, redevelopment, and rehabilitation, and the CVCoC activities for the homeless (permanent supportive housing programs and emergency shelters). These meetings included conversations to ensure that all affordable housing projects were offered to all persons and that no discriminatory action would be taken against any applicant.
Action Step 2: The Housing Collaborative should partner with LRHA to pool fair housing resources, run fair housing training and educational meetings, and improve fair housing compliance citywide. <i>COMPLETED & CONTINUING</i>	PY2015: There was a project to establish a Housing Resource Center at LRHA. The concept of an Affordable Housing Resource Center is a solution that would bring all housing related resources under one roof to provide citizens of Lynchburg a “one stop shop” for accessing resources to address and solve their housing questions and needs. The Lynchburg Housing Collaborative and Central Virginia Continuum of Care would be partners in this endeavor. LRHA is in the process of developing a job description to staff the Housing Resource Center. PY2016: A Fair Housing Seminar was conducted on April 29, 2017 at the Lynchburg Public Library. There were 13 persons who attended along with staff from the City of

	Lynchburg, Lynchburg Community Action Group and Virginia Legal Aid. Mr. Jeremy White an attorney with Virginia Legal Aid provided a PowerPoint presentation regarding fair housing rights and responsibilities. Mr. White concluded with providing resources for information regarding the Virginia laws and regulations for Fair Housing. Ms. Denise Crews from Lynchburg Community Action Group provided a presentation on Tenants Rights and Responsibilities. Ms. Crews provided pamphlets and handouts regarding Fair Housing and tenants' rights and responsibilities. City staff has Fair Housing links on its web page to the HUD Fair Housing Office, Virginia Fair Housing Office, Lyn-CAG Housing Counseling Services, and Virginia Legal Aid Office for housing resources. Go to: www.lynchburgva.gov/grants-administration
	PY2017: LRHA hired a Housing Navigator staff person for the Housing Resource Center. The Housing Navigator has met with some of the people and organizations concerned about housing in Lynchburg to discuss challenges of housing quality standards. A recent meeting included representatives from Virginia Legal Aid, Lynchburg Community Action Group, Miriam's House, Central Virginia Continuum of Care and the City of Lynchburg's Community Development Department. Lynchburg Community Action Group (Lyn-CAG) placed advertisements on five billboards throughout the City of Lynchburg regarding "Fair Housing Month" and citizens' rights to Fair Housing. The Housing Counseling Services Department assisted individuals with housing and rental counseling; foreclosure prevention; first-time homebuyer; and fair housing. There were 206 clients served throughout the program year. City staff has Fair Housing links on its web page to the HUD Fair Housing Office, Virginia Fair Housing Office, Lyn-CAG Housing Counseling Services, and Virginia Legal Aid Office for housing resources. Go to: www.lynchburgva.gov/grants-administration
	PY2018: AHRC staff continued to provide housing and supportive services referrals to the respective agencies

	that could assist the citizens. The LRHA Housing Navigator assists citizens in navigating the vast sea of affordable housing challenges and opportunities in the City. Information, fair housing education and training programs are offered to provide a number of learning tools to assist citizens to be successful obtaining and maintaining stable housing. These programs include: Renter counseling; Homebuyer Counseling; Landlord/Tenant Law training; Energy-Saving Education; Avoiding Eviction guidance; Home Maintenance tips, etc. The Center works with citizens to understand their need, whether immediate or future, and assist them in determining what program/resource best meets their need. The Center is an "information hub" in which all housing providers can report the status of their existing program information and openings. The Center tracks data related to citizens assisted the needs, the income level and the results. The Center plans to provide a computer resource for access to on-line training opportunities, housing location, and a variety of other resources that would assist citizens in obtaining and retaining stable housing. LRHA, the Housing Collaborative and the CVCoC have established a "Housing First" model program within the City of Lynchburg to provide permanent, affordable housing as quickly as possible to persons facing homelessness or assist them in solving challenges they face in their housing status. Diversion programs can prevent eviction and foreclosure when citizens have a central resource that will guide them through the hardships they are facing. The Housing Navigator provided the public, and local organizations, with information regarding housing, local resources for housing, how to apply for numerous services and programs. The AHRC is a "one-stop" shop for housing resources. The AHRC will debut a new web-based software program that will simplify the affordable housing world. LRHA has partnered with UpTop to bring the Authority up to current technology in searching, applying, managing and reporting on
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	available housing in the Lynchburg area. Staff has assisted approximately 415 persons through visits to the AHRC, telephone calls and email. City staff has Fair Housing links on its web page to the HUD Fair Housing Office, Virginia Fair Housing Office, Lyn-CAG Housing Counseling Services, and Virginia Legal Aid Office for housing resources. Go to: www.lynchburgva.gov/grants-administration
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Action Step 3: The City should allocate at least 1% of its annual CDBG entitlement grant exclusively to fair housing activities, such as education, outreach, training, and enforcement. <i>COMPLETED & CONTINUING</i>	PY2015: The City provided one percent of its CDBG allocation (\$6,800) in Program Year 2014 to Lynchburg Community Action Group (Lyn-CAG) to provide education and outreach on fair housing laws, rights, and responsibilities. This project continued in Program Year 2015. In Program Year 2016 there has been \$10,000 allocated to Lyn-CAG to provide fair housing events and housing counseling to prospective homebuyers.
	PY2016: The City allocated \$10,000 of CDBG funds to Lynchburg Community Action Group (Lyn-CAG) to provide housing counseling, education and outreach on fair housing laws, rights, and responsibilities. During Program Year 2016 the following fair housing and housing counseling workshops were conducted by Lyn-CAG staff. April 18, 2017 - Fair Housing Certification and Hoarding Workshop – Lead by Mahalia “Mally” Dryden-Mason, Fair Housing Training Specialist, Virginia Department of Professional and Occupational Regulations – 65 participants May 6, 2017 – Women’s Empowerment – Jubilee Family Development Center (Homeownership and Budgeting Session) January 26, 2017 – Community Resource Fair – Point in Time (PIT) Count for Central Virginia Continuum of Care (CVCoC) – Approximately 50 persons attended the event.
	PY2017: Five billboards throughout the City regarding “Fair Housing Month” and citizens’ rights to Fair Housing. The Housing Counseling Services Department assisted individuals with housing and rental counseling; foreclosure prevention; first-time homebuyer; and fair housing. There were 206 clients served throughout the program year.
	PY2018: Lynchburg Community Action Group (Lyn-CAG) continued to provide housing counseling, education and outreach on fair housing laws, rights, and responsibilities. The following fair housing and housing counseling workshops were conducted by Lyn-CAG and City staff: Staff conducted weekly seminars at local rental

	properties on tenants' rights and responsibilities. These seminars were conducted at four rental property complexes located in the City. Staff conducted a Landlord Tenant Workshop held at Lyn-CAG in which 15 landlords/tenants attended this workshop. In recognition of "April is Fair Housing Month" – Lyn-CAG staff scheduled a "Communicating Fair Housing" Workshop at the Miller Center. This session was well attended and Ms. Mahalia Dryden-Mason, Fair Housing Training Specialist, from the Virginia Department of Professional and Occupational Regulation, was the guest speaker. There were 25 individuals in attendance. On April 27, 2019 Mayor Treney Tweedy had "Storytime with the Mayor" at the Lynchburg Public Library. Children of all ages and families attended this event. Lyn-CAG staff partnered with Virginia Legal Aid and conducted a workshop on the new laws being implemented on July 1, 2019. There were 20 people in attendance at this workshop. Lyn-CAG staff had a booth promoting Fair Housing and Rental Counseling at the city's Day in the Park in June 2019. All five staff members who are housing counselors were recertified in Fair Housing and provide this service to all citizens of Lynchburg. In addition, the City and Lyn-CAG partnered and a Fair Housing Flyer was developed and provided to the City of Lynchburg Utilities Department to be inserted into the April 2019 water utility bills. There were 24,000 Flyers provided and inserted into the water bills. The Grants Manager placed two advertisements in <i>The News and Advance</i> during April 2019 noting the designation of "April is Fair Housing Month". The National Fair Housing Alliance developed a social media campaign to assist communities in promoting the 50th Anniversary of the Fair Housing Act, housing discrimination, and general fair housing information. City staff used this campaign information and developed a social media campaign for Lynchburg on fair housing. The postings on the City's website,
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	Facebook, and Twitter occurred on December 3, 5, 12, 17, 19, and 26, 2018.
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Action Step 4: The City should formally designate a current employee as the Fair Housing Officer within the Community Development Department to ensure that the HUD entitlement programs are implemented in a non-discriminatory manner. This designee should serve as staff to the Housing Collaborative to advise the Collaborative on fair housing issues. COMPLETED & CONTINUING	PY2015: The Grants Manager was appointed to serve as the Fair Housing Officer. During Program Year 2015 the Grants Manager did not receive any fair housing complaints. Through the Fair Housing project funded with CDBG funds, workshops were conducted and information was distributed (i.e. posters, brochures, flyers, etc.) to inform the citizens of the opportunities for everyone to have the right to live where they so choose and that no one should be denied "fair housing choice." The Grants Manager placed two advertisements in <i>The News and Advance</i> during April 2016 noting the designation of "April is Fair Housing Month". In addition, posters were posted at various agencies and locations throughout the City. Posters were placed at the following locations: Lyn-CAG, Lynchburg Redevelopment and Housing Authority (LRHA) (Public Housing Agency), Rush Homes (Serves persons with disabilities), City Hall. PY2016: The Grants Manager did not receive any fair housing complaints. Through the Fair Housing project funded with CDBG funds, workshops were conducted and information was distributed (i.e. posters, brochures, flyers, etc.) to inform the citizens of the opportunities for everyone to have the right to live where they so choose and that no one should be denied "fair housing choice." The Grants Manager placed two advertisements in <i>The News and Advance</i> during April 2017 noting the designation of "April is Fair Housing Month". In addition, posters were posted at various agencies and locations throughout the City. Posters were placed at the following locations: Lyn-CAG, Lynchburg Redevelopment and Housing Authority (LRHA) (Public Housing Agency), Rush Homes (Serves persons with disabilities), City Hall. PY2017: The Grants Manager did not receive any fair housing complaints. Through the Fair Housing project funded with CDBG funds, workshops were conducted and information was distributed (i.e. posters, brochures, flyers, etc.) to inform the citizens of the opportunities for everyone to have the right to live where they so choose and that no one should be denied "fair housing choice."
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	The Grants Manager placed two advertisements in <i>The News and Advance</i> during April 2018 noting the designation of "April is Fair Housing Month". In addition, posters were posted at various agencies and locations throughout the City. Posters were placed at the following locations: Lyn-CAG, Lynchburg Redevelopment and Housing Authority (LRHA) (Public Housing Agency), Rush Homes (serves persons with disabilities), and City Hall.
	PY2018: The Grants Manager did not receive any fair housing complaints.
Action Step 5: The City should revise its Affirmative Marketing Plan to clarify how developments will be monitored, evaluate tenant data, and require fair housing training where needed. COMPLETED	PY2015: Each subrecipient that receives HOME Program funds and is completing a development or redevelopment project with 5 or more units does have an Affirmative Marketing Plan. City staff is in the process of updating the Affirmative Marketing Plan for the HOME Program to include the referenced items.
	PY2016: City staff has updated its Affirmative Fair Housing Marketing Plan for the HOME Program to include the referenced items.
Action Step 6: The City should revise its Section 3 policy to list specific ways in which policy will be advertised to eligible residents and businesses. COMPLETED & CONTINUING	PY2015: City staff reviewed this Policy for an update.
	PY2016: City staff updated its Section 3 Policy stating the specific requirements for advertisements to eligible residents and businesses.
	PY2018: The Section 3 Report for Program Year 2018 was submitted through the HUD Section 3 - Performance Evaluation and Registry System (SPEARS) data system.
Action Step 7: The Housing Collaborative and the City should promote fair housing education to the general public, especially to renters, in addition to developers and landlords. COMPLETED & CONTINUING	PY2015: City staff has Fair Housing links on its web page to the HUD Fair Housing Office, Virginia Fair Housing Office, Lyn-CAG Housing Counseling Services, and Virginia Legal Aid Office for housing resources. Go to: www.lynchburgva.gov/grants-administration
	PY2016: During this program year a Fair Housing Seminar was conducted on April 29, 2017 at the Lynchburg Public Library. There were 13 persons who attended along with staff from the City of Lynchburg, Lynchburg Community Action Group and Virginia Legal Aid. Mr. Jeremy White an attorney with Virginia Legal Aid provided a PowerPoint presentation regarding fair

	housing rights and responsibilities. Mr. White concluded with providing resources for information regarding the Virginia laws and regulations for Fair Housing. Ms. Denise Crews from Lynchburg Community Action Group provided a presentation on Tenants Rights and Responsibilities. Ms. Crews provided pamphlets and handouts regarding Fair Housing and tenants' rights and responsibilities. City staff has Fair Housing links on its web page to the HUD Fair Housing Office, Virginia Fair Housing Office, Lyn-CAG Housing Counseling Services, and Virginia Legal Aid Office for housing resources. Go to: www.lynchburgva.gov/grants-administration
	PY2017: The Grants Manager placed two advertisements in <i>The News and Advance</i> during April 2018 noting the designation of "April is Fair Housing Month". Posters were posted at various agencies and locations throughout the City: Lyn-CAG, Lynchburg Redevelopment and Housing Authority (LRHA) (Public Housing Agency), Rush Homes (serves persons with disabilities), City Hall. Lynchburg Community Action Group (Lyn-CAG) placed advertisements on five billboards throughout the City of Lynchburg regarding "Fair Housing Month" and citizens' rights to Fair Housing. The Housing Counseling Services Department assisted individuals with their housing and rental counseling; foreclosure prevention; first-time homebuyer; and fair housing. There were 206 clients served throughout the program year. City staff has Fair Housing links on its web page to the HUD Fair Housing Office, Virginia Fair Housing Office, Lyn-CAG Housing Counseling Services, and Virginia Legal Aid Office for housing resources. Go to: www.lynchburgva.gov/grants-administration
	PY2018: The Grants Manager placed two advertisements in <i>The News and Advance</i> during April 2019 noting the designation of "April is Fair Housing Month". As a participant of the Housing Collaborative, the Lynchburg Community Action Group (Lyn-CAG) Housing Counseling Services Department assisted individuals with their housing and rental counseling;

	foreclosure prevention; first-time homebuyer; and fair housing. There were 147 persons served during this program year. These clients included 89 Blacks and 57 Whites and one Asian. The Income levels included: <30% of the Area Median Income (AMI) - 65 persons; 30-40% of AMI - 40 persons; 50-79%-36 persons; and 80-100% of AMI six persons. As a participant of the Housing Collaborative and as recipient of the CDBG and HOME entitlement funds, City staff has Fair Housing links on its web page to the HUD Fair Housing Office, Virginia Fair Housing Office, Lyn-CAG Housing Counseling Services, and Virginia Legal Aid Office for housing resources. Go to: www.lynchburgva.gov/grants-administration In addition, the National Fair Housing Alliance developed a social media campaign to assist communities in promoting the 50th Anniversary of the Fair Housing Act, housing discrimination, and general fair housing information. City staff used this campaign information and developed a social media campaign for Lynchburg on fair housing. The postings on the City's website, Facebook, and Twitter occurred on December 3, 5, 12, 17, 19, and 26, 2018.
<i>Members of the protected classes are under-represented on City boards and commissions that address housing issues.</i>	
Action Step 1: Annually, the City should schedule a recruitment period for new board and commission applicants with an emphasis on recruiting members of the protected classes.	PY2015: The City Clerk placed public notices for boards and commission applicants on a regular basis on the City's web page and the Newsletter "City Source". During Program Year 2015 the public notices were placed in August 2015, April 2016, and May 2016.
	PY2016: The City Clerk placed public notices for boards and commission applicants on a regular basis on the City's web page and the Newsletter "City Source". During Program Year 2016 the public notices were placed in August 2016, September 2016, November 2016, and May 2017.
	PY2017: The City Clerk places public notices for boards and commission applicants on a regular basis on the City's web page (Board and Commissions) and the Newsletter "City Source". The public notices were placed in September 2017, May 2018, and June 2018

	PY2018: The City’s recruitment process for boards and commissions was conducted on a continuous basis and is advertised through the local newspaper, City website, and local media. The City Clerk placed public notices for boards and commission applicants on a regular basis on the City’s web page (Board and Commissions) and in the Newsletter “City Source”. The “City Source” is published in the local newspaper <i>The News and Advance</i> each time it is placed on the City’s website and distributed to the public. Public notices were placed in August 2018, October 2018, and June 2019. The City Source was published in <i>The News and Advance</i> on August 14, 2018; October 16, 2018; and June 18, 2019. In addition, the City’s website provides a link specifically describing the various Board and Commissions that the public may serve as a volunteer. Press releases are also disseminated to recruit Boards and Commissions applicants. The dates of these releases were October 3, 2018; November 12, 2018; and August 1, 2018. These press releases are posted on the City’s website (under “News Items”) until the deadline for applications ended. Through the Bridges to Progress initiative citizens are provided with information on the Boards and Commissions and encouraged to participate. The Bridges to Progress group engages the public; enhance support for ongoing programs and flushes out definitive community concerns. Citizens of all ages, creeds, ethnicities, and incomes (many of whom may have not been at the same table otherwise) were now a part of a long-term collective effort to reduce poverty in Lynchburg. This event began the process of developing action items focused on eliminating barriers for our low-income citizens. It was also a catalyst for the civic engagement of faith-based organizations, non-profits, individuals, businesses, schools, and others to rally around the cause of community uplift to get involved not only on a community level but with the local government through the various City boards and commissions.
<i>There is an inadequate supply of affordable and accessible housing for persons with disabilities.</i>	

Action Step 1: The Housing Collaborative should incorporate a disability element into its fair housing training. <i>COMPLETED & CONTINUING</i>	PY2015-2016: No accomplishments.
	PY2017: Lynchburg Regional Housing Collaborative engaged Enterprise Community Partners to conduct a housing stability and economic security study through a Community Impact Grant from VHDA to determine the actual state of housing in Lynchburg.
	PY2018: The Collaborative continued its efforts through meetings and discussed proposed housing projects related to new construction, redevelopment, and rehabilitation, and the CVCoC activities for the homeless (permanent supportive housing programs and emergency shelters). These meetings included conversations to ensure that all affordable housing projects were offered to all persons and that no discriminatory action would be taken against any applicant.
Action Step 2: The City should continue using HOME funds to support housing and supportive services for persons with disabilities. <i>COMPLETED & CONTINUING</i>	PY2015: The City allocated \$150,000 of HOME Program funds to Rush Homes for the development of a 28-unit Old Forest Village Apartment project. Rush Homes provides housing and supportive services to persons with disabilities.
	PY2016: The City allocated \$150,000 of HOME Program funds to Rush Homes for the development of a 28-unit Old Forest Village Apartment project. Project development was completed in Program Year 2016 and construction will begin in Program year 2017.
	PY2017: Construction began on Rush Homes, a 28-unit Old Forest Village Apartment project providing housing and supportive services to persons with disabilities. HOME funds in the amount of \$150,000 was provided for the project.
	PY2018: Rush Homes was completed in January 2019 and all housing units are occupied by persons with disabilities.
<i>The City's zoning ordinance could be improved from a fair housing perspective.</i>	
Action Step 1: The City should amend its zoning ordinance to remove restrictions on group living facilities for persons with disabilities.	PY2015: The Lynchburg Zoning Ordinance was adopted in February 2016. The new zoning ordinance promotes higher density development, more flexibility in the development of smaller urban lots and reduced setbacks in higher density residential zoning districts.

COMPLETED	The ordinance also allows for more opportunities for mixed-use development, helping promote transit-oriented development in lower income neighborhoods. Finally, one major principle carried on throughout the ordinance is greater connectivity amongst neighborhoods, especially through the requirement of sidewalks in all high-density residential zoning and commercial districts.
<i>Public transit is limited to the City's most densely developed areas and is unavailable to second and third shift workers, and those working on weekends and holidays.</i>	
Action Step 1: The City should continue collaborating with Greater Lynchburg Transit Company (GLTC) as it updates its Comprehensive Plan to promote the expansion of public transit service in non-impacted, high growth areas of the City.	PY2015-2017: City staff continues to collaborate with Greater Lynchburg Transit Company (GLTC) in the updates related to the Comprehensive Plan. PY2018: GLTC conducted a study which gathered feedback on the needs of riders. Out of this survey, proposed route changes were recommended which took effect in December 2018. These changes worked to extend weekend service to 10:15 pm, create more direct service (reducing travel times), and create more frequent service. The Bridges to Progress initiative which is focused on trying to reduce poverty within Lynchburg has a transportation focus group. This group meets regularly and is exploring alternatives to fill the gaps for transportation needs not met by GLTC. Ride Solutions is a program that promotes alternative transportation and housed at the Central Virginia Planning District Commission. This program provides ride-matching for carpool options and has recently released new software called Agile Mile which will facilitate ride matching options.
Action Step 2: As part of its zoning ordinance update in 2014, the City should identify opportunities around existing areas of public transit for the development of medium-density and higher-density affordable multi-family residential uses. COMPLETED	PY2015: The Lynchburg zoning ordinance was adopted in February 2016. The ordinance also allows for more opportunities for mixed-use development, helping promote transit-oriented development in lower income neighborhoods.

Impediment (LRHA)	Status
<i>Housing Choice Voucher Units are concentrated in RCAPs and LMI areas near the Central Business District.</i>	
Action Step 1: LRHA should continue to actively recruit landlords in lower poverty/high opportunity neighborhoods to participate in the Housing Choice Voucher (HCV) Program. COMPLETED & CONTINUING	PY2015: LRHA continued to hold quarterly Landlord meetings to educate and recruit new landlords to participate in the HCV program. LRHA staff is working with the City Inspections Division to obtain a listing of landlords that are not current HCV landlords, so that they can be invited to the Landlord meetings.
	PY2016: LRHA continued to hold quarterly Landlord meetings to educate and recruit new landlords to participate in the HCV program. LRHA staff continues to partner with the City Inspections Division to obtain a listing of landlords that are not current HCV landlords, so that they can be invited to the Landlord meetings. The Central Virginia Continuum of Care (CVCoC) has prepared and provides to the CVCoC a listing of available landlords to serve the homeless and persons within the CVCoC diversion program.
	PY2017: LRHA continued to hold quarterly Landlord meetings to educate and recruit new landlords to participate in the HCV program. LRHA staff continues to partner with the City Inspections Division to obtain a listing of landlords that are not current HCV landlords, so that they can be invited to the Landlord meetings. The Central Virginia Continuum of Care (CVCoC) has prepared and provides to the CVCoC a listing of available landlords to serve the homeless and persons within the CVCoC diversion program. LRHA hired a Housing Navigator to staff the Housing Resource Center. One of the goals is to contact landlord to develop a robust pool of potential rental housing options. As a part of that process the Housing Navigator will work to address concerns from landlords and potential landlords about renting to people with

	subsidies. This will provide an opportunity to get concrete data on why some providers are reluctant to rent to this population and address actual concern and overcome issues that are more anecdotal than fact. PY2018: LRHA continued to hold quarterly Landlord meetings to educate and recruit new landlords to participate in the HCV program. LRHA staff continues to partner with the City Inspections Division to obtain a listing of landlords that are not current HCV landlords, so that they can be invited to the Landlord meetings. The Central Virginia Continuum of Care (CVCoC) has prepared and provides to the CVCoC a listing of available landlords to serve the homeless and persons within the CVCoC diversion program. In addition, LRHA hired a Housing Navigator to staff the Housing Resource Center. One of the goals is to contact landlords to develop a robust pool of potential rental housing options. As a part of that process the Housing Navigator will work to address concerns from landlords and potential landlords about renting to people with subsidies. This will provide an opportunity to get concrete data on why some providers are reluctant to rent to this population and address actual concern and overcome issues that are more anecdotal than fact.
<i>Due to limited resources and hilly topography throughout Lynchburg, handicapped accessible units are limited within LRHA's public housing inventory.</i>	
Action Step 1: LRHA should continue to use all available resources to retrofit public housing units to meet its minimum requirements, at the least, for handicapped accessible units and in compliance with Section 504/UFAS requirements. COMPLETED & CONTINUING	PY2015: LRHA completed renovations of two housing units to bring them into Section 504/UFAS compliance. The total is now six public housing units that are compliant. LRHA plans to contract for the seventh unit by September 2016. The Dearington Community Room was rehabilitated and is now Section 504/UFAS compliant. The two community rooms within

	LRHA's public housing complexes are now Section 504 compliant.
	PY2016: LRHA completed renovations of one housing unit to bring it into Section 504/UFAS compliance. The total is now seven public housing units that are compliant. LRHA plans to contract for the eighth unit by January 2018.
	PY2017: LRHA completed renovations of one housing unit to bring it into Section 504/UFAS compliance.
	PY2018: LRHA completed renovations of one public housing unit to bring it into Section 504/UFAS compliance. LRHA continues to review and access the public housing units to meet the Section 504 requirements.
<i>LRHA could improve its Admissions and Continued Occupancy Policy from a fair housing perspective.</i>	
Action Step 1: LRHA should amend its Admissions and Continued Occupancy Policy (ACOP) to allow applicants to refuse a unit at least once before they are removed from the waiting list. COMPLETED	LRHA amended the ACOP in October 2013. The policy was updated as follows: The LRHA has adopted a "two-to-three offer plan" for offering units to applicants. Under this plan, the LRHA will determine how many locations within its jurisdiction have available units of suitable size and type in the appropriate type of project. The number of unit offers will be based on the distribution of vacancies. If a suitable unit is available in: <u>Three (3) or more locations:</u> The applicant will be offered a unit in the location with the highest number of vacancies. If the offer is rejected, the applicant will be offered a suitable unit in the location with the second highest number of vacancies. If that unit is rejected, a final offer will be made in the location with the third highest number of vacancies. The offers will be made in sequence and the applicant must refuse an offer before another is made. <u>Two (2) locations:</u> The applicant will be offered a suitable unit in the location with the higher number of vacancies. If the offer is rejected, a final offer will be made at the other location.

	The offers will be made in sequence and the applicant must refuse the first offer before a second offer is made. <u>One (1) location:</u> The applicant will be offered a suitable unit in that location. If the offer is rejected, the applicant will be offered the next suitable unit that becomes available, whether it is at the same location as the first offer or at another location. The second unit offer will be the final offer, unless there is good cause for refusing the offer. If more than one unit of the appropriate type and size is available, the first unit to be offered will be the first unit that is ready for occupancy. Applicants may refuse to accept a unit offer for "good cause." Good cause includes situations in which an applicant is willing to move but is unable to do so at the time of the unit offer, or the applicant demonstrates that acceptance of the offer would cause undue hardship not related to considerations of the applicant's race, color, national origin, etc. [PH Occ GB, p. 104]. Examples of good cause for refusal of a unit offer include, but are not limited to, the following: The family demonstrates to the LRHA's satisfaction that accepting the unit offer will require an adult household member to quit a job, drop out of an educational institution or job training program, or take a child out of day care or an educational program for children with disabilities. The family demonstrates to the LRHA's satisfaction that accepting the offer will place a family member's life, health, or safety in jeopardy. The family should offer specific and compelling documentation such as restraining orders, other court orders, risk assessments related to witness protection from a law enforcement agency, or documentation of domestic violence, dating violence, or stalking in
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	accordance with section 16-VII.D of this ACOP. Reasons offered must be specific to the family. Refusals due to location alone do not qualify for this good cause exemption. A health professional verifies temporary hospitalization or recovery from illness of the principal household member, other household members (as listed on final application) or live-in aide necessary to the care of the principal household member. The unit is inappropriate for the applicant's disabilities, or the family does not need the accessible features in the unit offered and does not want to be subject to a 30-day notice to move. The unit has lead-based paint and the family includes children under the age of six. In the case of a unit refusal for good cause the applicant will not be removed from the waiting list as described later in this section. The applicant will remain at the top of the waiting list until the family receives an offer for which they do not have good cause to refuse. LRHA will require documentation of good cause for unit refusals. When an applicant rejects the final unit offer without good cause, the LRHA will remove the applicant's name from the waiting list and send notice to the family of such removal. The notice will inform the family of their right to request an informal hearing and the process for doing so (see Chapter 14). The applicant may reapply for assistance if the waiting list is open. If the waiting list is not open, the applicant must wait to reapply until the LRHA opens the waiting list.
Impediment (Private Sector)	Status
<i>Mortgage loan denials and high-cost lending disproportionately affect minority applicants in Lynchburg similar to national trends.</i>	
Action Step 1: Fund homebuyer counseling for lower income households, particularly minority	PY2015: \$75,000 provided to Greater Lynchburg Habitat for Humanity to provide homebuyer

households. COMPLETED & CONTINUING	assistance to eligible persons to write down their mortgage so that the housing units assisted would be affordable. During this program year Lyn-CAG assisted one homebuyer and included the required homebuyer counseling for the purchase of the housing unit. Habitat for Humanity provided down payment assistance to five families. During the year prior to purchase the qualified applicant is required to participate in home buyer counseling and financial planning classes for the planned purchase. While HOME Program funds were not directly provided for homebuyer counseling, the agencies listed below conducted the following classes: Greater Lynchburg Habitat for Humanity: Orientation Classes (2-hour acclimation class) - August 24 and 27, 2015 (80 persons) May 10, 2016 (8 people) June 21, 2016 (40 persons) For the following seven sessions, there were 10 participants with 7 graduates (8 Blacks, 2 NH Whites) Personal Finance – September 28, 2015 Spanish-Speaking Orientation Class in October 2016 (15 persons) Credit and Credit Reporting – October 5, 2015 Developing a Savings and Spending Plan - October 19, 2015 Virginia Fair Housing and Fringe Banking - October 26, 2015 Insurance and Warranties - November 2, 2015 Loan Closing - November 9, 2015 Life as a Homeowner - November 16, 2015 Lynchburg Community Action Group (Lyn-CAG) Lyn-CAG staff conducted 12 homebuyer education classes with 11 participants: 9 Blacks (82%), 2 Whites (18%). There were an additional 112 participants who attended pre-purchase classes that met monthly over the last year to
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	receive homebuying counseling. PY2016: the City provided HOME Program funds in the amount of \$75,000 to Greater Lynchburg Habitat for Humanity to provide homebuyer assistance to eligible persons to write down their mortgage so that the housing units assisted would be affordable. During this program year, Habitat for Humanity provided down payment assistance to four families. During the year prior to purchase the qualified applicant is required to participate in home buyer counseling and financial planning classes for the planned purchase. In Program Year 2014 Lyn-CAG received \$60,000 in HOME Program funds for homebuyer assistance. During this program year Lyn-CAG assisted two (2) homebuyers and included the required homebuyer counseling for the purchase of the housing unit. In addition, while HOME Program funds were not directly provided to Habitat for Humanity for home buyer counseling, the agency did conduct the following classes: <u>Greater Lynchburg Habitat for Humanity</u> 1. Introduction and Class Creed - September 12, 2016 & April 3, 2017 2. Personal Finance - September 19, 2016 & April 10, 2017 3. Credit and Credit Reporting - September 26, 2016 & April 24, 2017 4. Developing a Savings and Spending Plan - October 3, 2016 & May 8, 2017 5. Virginia Fair Housing and Fringe banking - October 17, 2016 & May 15, 2017 6. Insurance and Warranties - October 24, 2016 & May 22, 2017 7. Loan Closing - November 7, 2016 & May 28, 2017 8. Life as a Homeowner - November 14, 2016 & June 12, 2017 There were 10 participants in these classes. All
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	10 participants were Black. PY2017: The City provided HOME Program funds in the amount of \$96,163 to Greater Lynchburg Habitat for Humanity to provide homebuyer assistance to eligible persons to write down their mortgage so that the housing units assisted would be affordable. Habitat for Humanity provided down payment assistance to three families. During the year prior to purchase the qualified applicant is required to participate in homebuyer counseling and financial planning classes for the planned purchase. In addition, while HOME Program funds were not directly provided to Habitat for Humanity for home buyer counseling, the agency did conduct the following classes: <u>Greater Lynchburg Habitat for Humanity</u> Homebuyers' Club Fall 2017 – November 12, 2017 through December 4, 2017 (12 hours) Homebuyers' Club Spring 2018 – May 17, 2018 through June 25, 2018 (12 hours) There were eight participants in these classes, all Black. PY2018: The following classes and the recipients of the HOME Program funds for homebuyer purchases were provided with home buyer counseling. <u>Greater Lynchburg Habitat for Humanity (GLHFH)</u> GLHFH conducted one Homebuyer Class with five Black participants. GLHFH conducted two Warranties, Maintenance, and Closing Counseling Classes with two Black participants. GLHFL conducted an Application Orientation Class and there were 50 participants who attended the class: 43 Blacks, two Hispanics, and five Whites.
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	<u>Lynchburg Community Action Group (Lyn-CAG)</u> There were 15 individuals who completed the 12-month program: 15 graduated from the First-time Home Buyers Club and six pre-qualified to purchase a home. Three of the six purchased homes in Lynchburg. Two are currently looking at real estate purchase options and one purchased in the surrounding county. The three first-time homebuyers were Black and within the 60-80% of the Area Median Income (AMI). Two of the individuals who pre-qualified were White and within less than 50% of the AMI and one individual is Black and within 50-80% of the AMI. In addition, Lyn-CAG's Housing Counseling Services Department assisted individuals with their housing and rental counseling; foreclosure prevention; first-time homebuyer; and fair housing. There were 147 clients served throughout the program year. These clients included 89 Blacks and 57 Whites and one Asian. The income levels included: <30% of the Area Median Income (AMI) - 65 persons; 30-40% of AMI - 40 persons; 50-79%-36 persons; and 80-100% of AMI six persons.
<i>The advertising policies of the News and Advance could be improved from a fair housing perspective.</i>	
Action Step 1: The City should inform the editors of the News and Advance that it is responsible for displaying the publisher's policy in all sections of the paper, which list rental and sales housing. COMPLETED & CONTINUING	PY2015: City staff contacted <i>The News and Advance</i> on July 17, 2014 regarding the publication of the publisher's policy for all real estate advertisements. Since that time <i>The News and Advance</i> has been publishing the advertisement below daily. During Program Year 2015 <i>The News and Advance</i> continued to publish this advertisement. In addition, the <i>News and Advance</i> publishes in the <u>Real Estate Home This Week</u> publication, on a weekly basis, the following advertisement regarding Equal Housing Opportunity. PY2016: City staff contacted <i>The News and Advance</i> on August 21, 2017 regarding the publication of the publisher's policy for all real estate advertisements. City staff received a

	response that the public notice would continue to be published.
	PY2018: <i>The News and Advance</i> continued to publish its policy for all real estate advertisements.

Data Analysis

This section of the AI analyzes the demographic and housing characteristics of the City of Lynchburg, focusing on members of the protected classes. The federal Fair Housing Act protects the following characteristics: race, color, religion, sex, national origin, familial status and disability status. Virginia's Fair Housing Law also adds elderliness and disability status as protected classes. Elderliness is defined as an individual who has attained their 55th birthday.

Demographic Profile

Population Trends

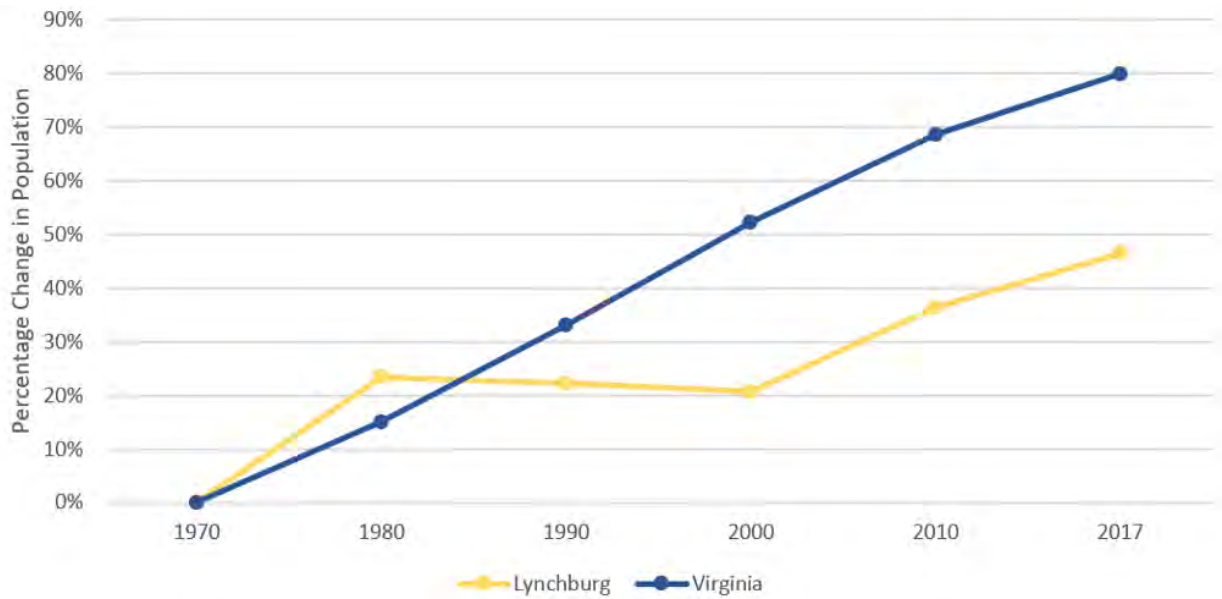
Between 2000 and 2017 Lynchburg grew by 21.4%, adding 13,968 new residents. This is slightly higher than Virginia's population growth rate of 18.2% during the same time period. The Lynchburg metropolitan statistical area (MSA) increased by 13.3% (228,616 to 265,405) between 2000 and 2017, and includes Amherst County, Appomattox County, Bedford County, Campbell County, the Town of Bedford, and the City of Lynchburg.

Figure 2 Change in Population, 2000 – 2017

	2000	2010	2017	% Change 2000-2017
Virginia	7,078,515	7,841,754	8,365,952	18.2%
Lynchburg	65,269	73,726	79,237	21.4%

Source: American Community Survey, 2013 – 2017: B01003

Figure 3 Change in Population since 1970 in Lynchburg and the State of Virginia

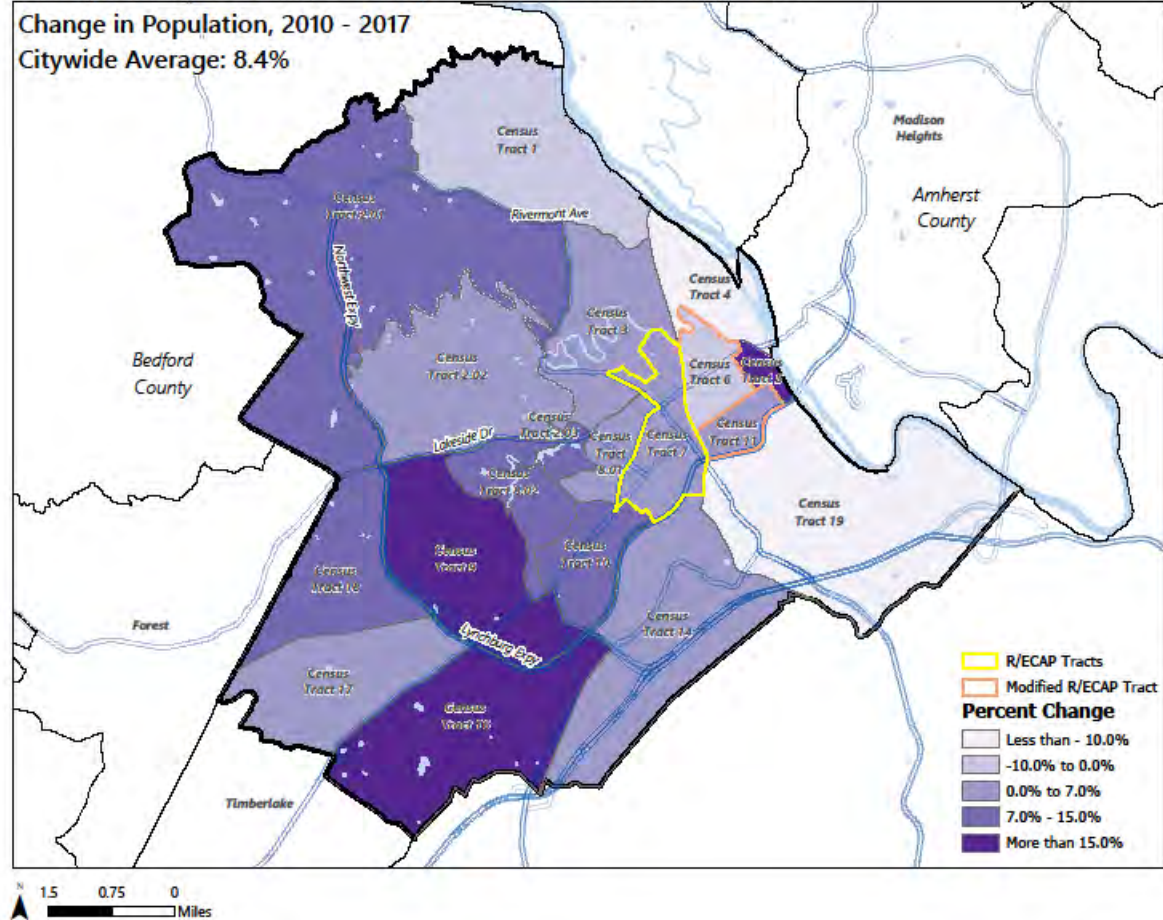


Population growth appears to be decentralized in Lynchburg in areas further away from downtown.

Growth was especially high along the Lynchburg Expressway near the cloverleaf interchanges. These areas are in close proximity to commercial areas. Downtown Lynchburg itself also experienced high rates of growth; this is likely due to its already small population relative to the rest of the City.

Map 1 Population Change, 2010-2017¹

2020 Lynchburg, VA. Analysis of Impediments to Fair Housing Choice



Concentrations of Persons Ages 18 – 24

As a city that hosts several colleges and universities, college-aged students comprise a substantial portion of the city's population. According to the 2013-2017 ACS, a total of 17,557 undergraduate and graduate students resided in Lynchburg, comprising approximately 22.2% of the city's total population. This high concentration of students is especially important as it relates to the rental

¹ HUD defines racially and ethnically concentrated areas of poverty as a census tract with a non-White population of 50% or more and with 40% or more individuals living at or below the poverty line. It is important to look at disparities between groups in relation to disproportionate poverty and access to community assets to assess fair housing needs. However, there were other census tracts that fell just short of the 40% poverty threshold. A modified definition to loosen the threshold to be ten percentage points above the City's poverty rate of 22.3%, added two additional census meeting the requirements for the modified R/ECAP.

market. There may be increased competition for rental housing between students and low- and moderate-income households, with the caveat that students are better able to meet rent payments with access to loans and generally stronger support systems, which could include financial support from family members.

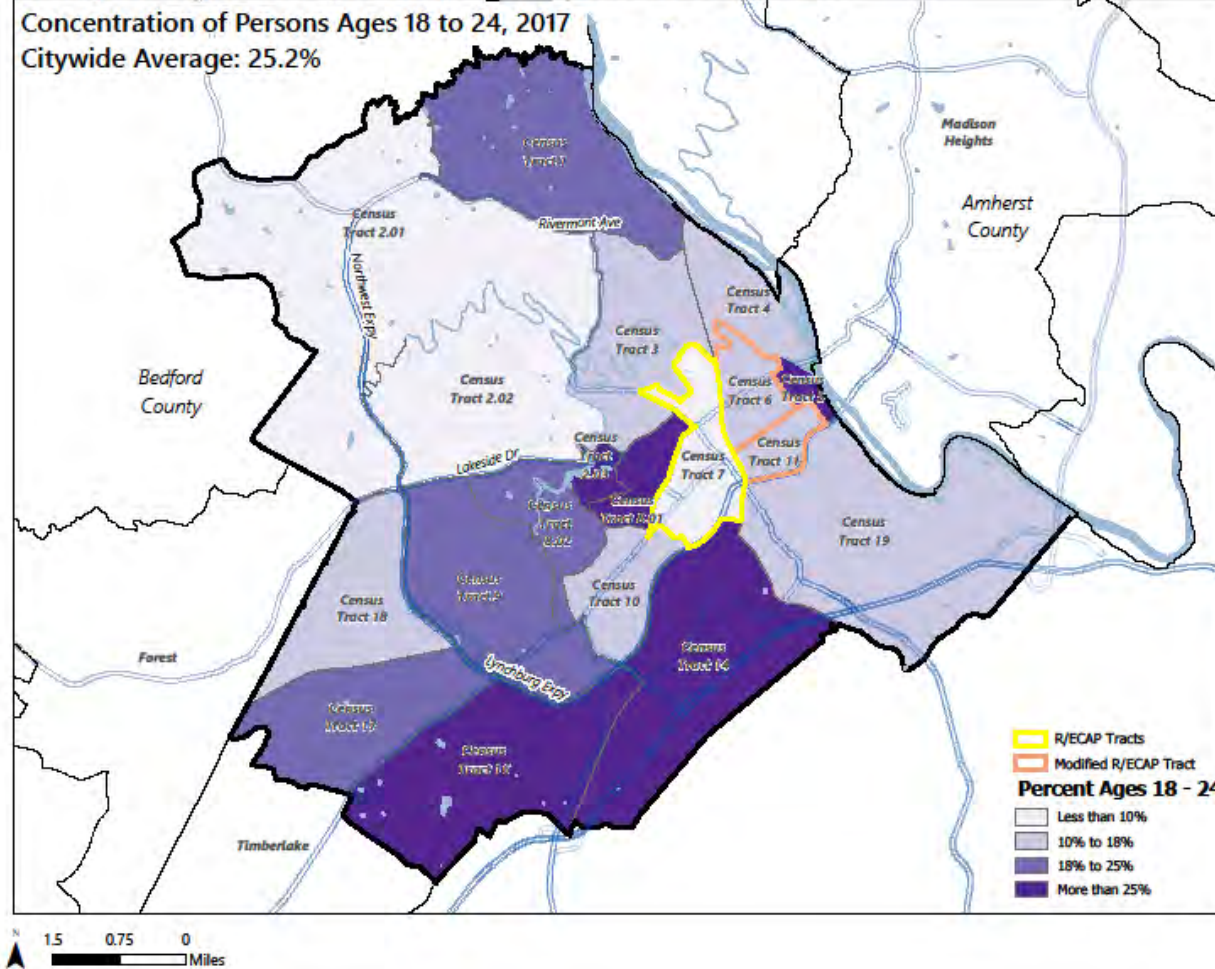
Figure 3 Lynchburg Age Breakdown

Age Category	Number	Percentage
Under 18	15,330	19.3%
18 - 24	19,952	25.2%
15 - 44	39,613	50.0%
65 years and older	11,016	13.9%
Total	79,237	

Source: Census Bureau, American Community Survey, 2013 – 2017: S0101

Map 2 Concentration of persons ages 18 to 24 years-old, 2017

2020 Lynchburg, VA. Analysis of Impediments to Fair Housing Choice



Source: 2013-2017 American Community Survey

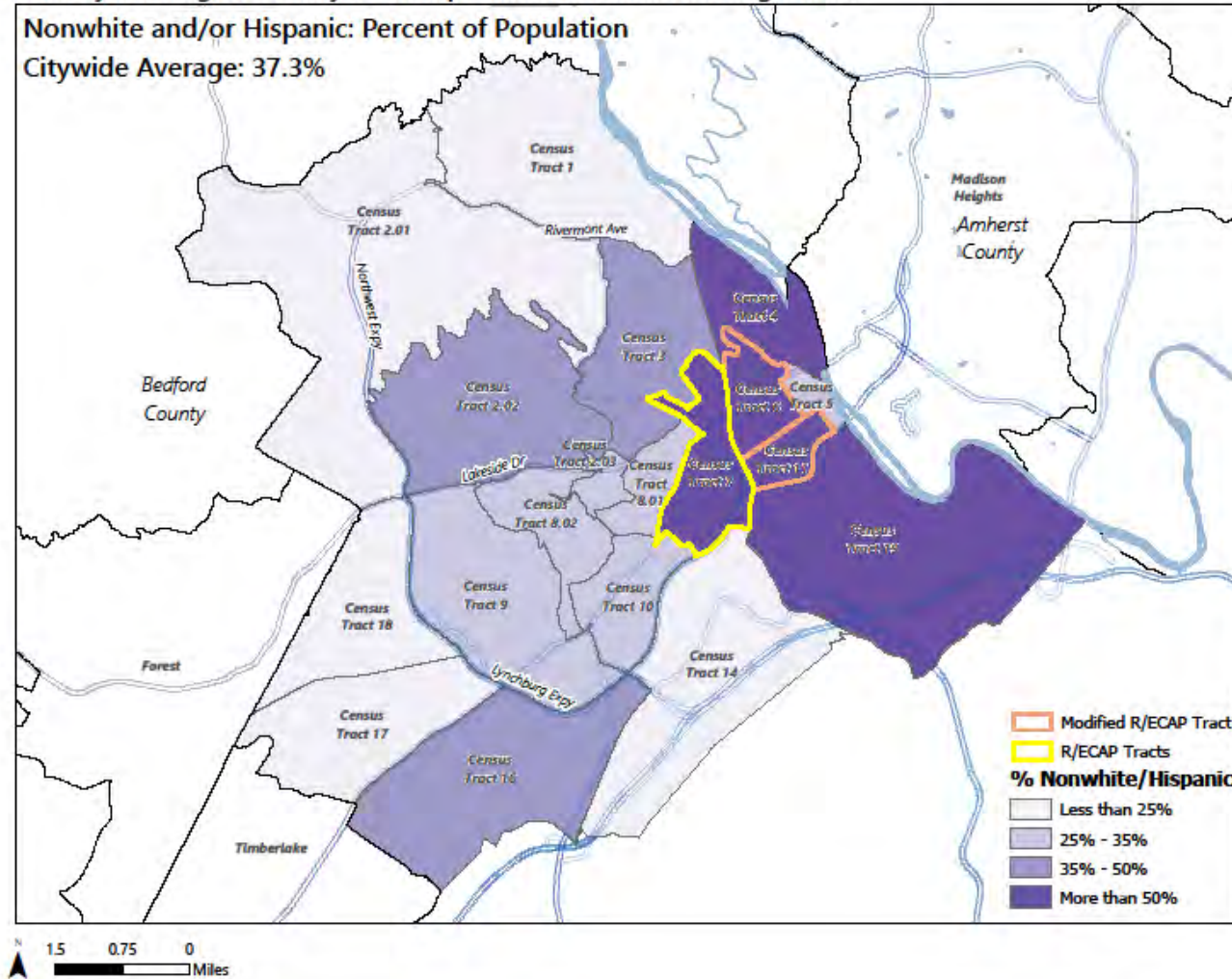
Race and Ethnicity

As defined by HUD, a racially and ethnically concentrated area is defined by a census tract where the non-White population is at least 50% of the population. Minorities include Black, Asian, and Hispanic populations, representing 28.5%, 2.8%, and 3.7% of the population, respectively. In Lynchburg, three census tracts meet this criterion, as illustrated in the map below. These census tracts are concentrated near downtown Lynchburg and includes the following neighborhoods:

- Tate Springs
- Dearington
- Miller Park
- Garland Hill
- College Hill
- Diamond Hill
- Fairview Heights
- Winston Ridge
- Tyreanna

Map 3 Nonwhite and/or Hispanic Population

2020 Lynchburg, VA. Analysis of Impediments to Fair Housing Choice



Source: 2013-2017 American Community Survey

Figure 4 Racial and Ethnic Composition, 2010 - 2017

Lynchburg, VA	2010		2017		Percentage Change Since 2010
Race/Ethnicity	Total	Percent	Total	Percent	
White	48,674	64.4%	51,573	65.1%	6.0%
Non-White	26,894	35.6%	27,664	34.9%	2.9%
Black	22,140	29.3%	22,555	28.5%	1.9%
American Indian	107	0.1%	175	0.2%	63.6%
Asian/Pacific Islander	1,905	2.5%	2,224	2.8%	16.7%
Some Other Race	950	1.3%	658	0.8%	-30.7%
Two or More Races	1,662	2.2%	2,052	2.6%	23.5%
Hispanic*	2,300	3.0%	2,901	3.7%	26.1%
Total	75,568		79,237		4.9%

Virginia	2010		2017		Percentage Change Since 2010
Race/Ethnicity:	Total	Percent	Total	Percent	
White	5,486,852	68.6%	5,720,209	68.4%	4.3%
Non-White	2,514,172	31.4%	2,645,743	31.6%	5.2%
Black	1,551,399	19.4%	1,605,447	19.2%	3.5%
American Indian	24,941	0.3%	22,499	0.3%	-9.8%
Asian/Pacific Islander	445,870	5.6%	525,588	6.3%	17.9%
Some Other Race	254,278	3.2%	200,265	2.4%	-21.2%
Two or More Races	233,400	2.9%	291,944	3.5%	25.1%
Hispanic*	631,825	7.9%	749,458	9.0%	18.6%
Total	8,001,024		8,365,952		4.6%

*Hispanic ethnicity is counted independently of race

Source: 2010 Census QT-P3; 2013 - 2017 ACS (B02001 & B02005 & B03003)

Racial Segregation Patterns

Residential segregation is a measure of the degree of separation of racial or ethnic groups living in a neighborhood or community. Latent factors, such as attitudes, or overt factors, such as real estate practices, can limit the range of housing opportunities for minorities. A lack of racial or ethnic integration in a community creates other problems, such as reinforcing prejudicial attitudes and behaviors, narrowing opportunities for interaction, and reducing the degree to which community life is considered harmonious. Areas of extreme minority isolation often experience poverty and social problems at rates that are disproportionately high. Racial segregation has been linked to diminished employment prospects, poor educational attainment, increased infant and adult mortality rates and increased homicide rates.

The distribution of racial or ethnic groups across a geographic area can be analyzed using an index of dissimilarity. This method allows for comparisons between subpopulations, indicating how much one group is spatially separated from another within a community. The index of dissimilarity is rated on a scale from 0 to 100, in which a score of 0 corresponds to perfect integration and a score of 100 represents total segregation.² The index is typically interpreted as the percentage of the minority population (in this instance, the Black population) that would have to move in order for a community or neighborhood to achieve full integration.

Segregation in Lynchburg across most minority groups is moderate but the magnitude of segregation is increasing among Hispanic and Asian populations. Values ranging between 40 and 50 are considered moderate levels of segregation. American Indian and Other populations show high levels of segregation, but this is likely a result of their relatively small population size. Since 2010, segregation has increased, especially among the Hispanic population. Similar to trends between 2000 and 2010, the high magnitude of increasing segregation is a result of relatively high population growth of Asian

² The index of dissimilarity is a commonly used demographic tool for measuring inequality. For a given geographic area, the index is equal to $\frac{1}{2} \sum \text{ABS} [(b/B) - (a/A)]$, where b is the subgroup population of a census tract, B is the total subgroup population in a city, a is the majority population of a census tract, and A is the total majority population in the city. ABS refers to the absolute value of the calculation that follows.

and Hispanic populations. On the same note, segregation among the Black population only marginally increased by 1.2 points; population growth of the Black population also marginally increased by 1.9%

Figure 5 Dissimilarity Index, Lynchburg 2017

	Dissimilarity Index	Subpopulation Total	Share of Total Population
Black / White	47.9	22,449	28.3%
American Indian** / White	69.3	175	0.2%
Asian / White	42.8	2,202	2.8%
Other** / White	85.9	122	0.2%
Two or More Races / White	40.8	1,735	2.2%
Hispanic * / Non-Hispanic	43.8	2,901	3.7%
Total		79,237	

**Hispanic ethnicity is counted independently of race*

*** The DI score for American Indian /Alaska Native and Other is not statistically reliable due to small sample size*

Source: Census Bureau, American Community Survey: 2013 - 2017 B03002

Figure 6 Dissimilarity Index, Lynchburg 2010

	Dissimilarity Index	Subpopulation Total	Share of Total Population
Black / White	46.5	21,984	27.7%
American Indian** / White	34.7	200	0.3%
Asian / White	35.9	1,879	2.4%
Other** / White	36.1	184	0.2%
Two or More Races / White	30.7	1,447	1.8%
Hispanic * / Non-Hispanic	17.8	2,300	2.9%
Total		75,568	

**Hispanic ethnicity is counted independently of race*

*** The DI score for American Indian /Alaska Native and Other is not statistically reliable due to small sample size*

Source: Census Bureau, Decennial Census Count: 2010, SF1 P5

Figure 7 Change in Dissimilarity Index, 2010-2017

Race / Ethnicity	2010		2017		Dissimilarity Index Percentage Change
	Population	Dissimilarity Index	Population	Dissimilarity Index	
Black	21,984	46.5	22,449	47.9	+ 3.0%
Asian / Pacific Islander	1,879	35.9	2,202	42.8	+ 19.2%
Hispanic/Non-Hispanic	2,300	17.8	2,901	43.8	+ 146.0%

Race/Ethnicity and Income

Household income is one of the most significant determining factors impacting where one lives. It is one of the factors considered in determining eligibility for a home mortgage or rental lease. Median Household Income (MHI) in Lynchburg in 2018 was \$43,374. The city's median income is significantly lower than Virginia's median household income of \$71,564. The discrepancy is partially attributed to the relatively high proportion of college-students who reside within Lynchburg, making up 25.5% of the city's population.

There exists a gap in income and wealth between White and minority households that is exacerbated by the concentration of minorities in particular neighborhoods that often have far less opportunity for minority children to access the tools associated with social mobility. Understanding where these concentrations exist is the first step to alleviating the disparity. Compared to the State, Lynchburg has a slightly larger minority population, with its Black population almost ten percentage points higher than that of the State.

Minority households had lower household incomes than White households, especially Black households.

Black and White households had the largest income gap, with median household incomes of \$27,366 and \$52,421, respectively. Along the same lines, the Black and Asian households also showed greater

levels of poverty than White households. Hispanic households, however, showed relatively low poverty rates when compared to the City. When looking at household incomes across income brackets, Black and Asian households were more concentrated in the bottom two income brackets while White and Hispanic households had more even distribution.

Figure 8 Median Income and Rates of Poverty by Race and Ethnicity, Lynchburg 2017

	Median Household Income	Poverty Rate
Virginia	\$ 68,766	11.2%
Lynchburg	\$ 41,971	22.3%
White	\$ 52,421	17.3%
Black/African American	\$ 27,366	31.9%
Asian	\$ 39,187	37.3%
Hispanic/Latino	\$ 42,024	18.2%

Source: 2013 – 2017 ACS (B1703; B19013)

Racial and Ethnic Minority Concentration Areas of Poverty

Under HUD's definition of racially/ethnically concentrated areas of poverty, only one census tract meets this definition: Census Tract 7. HUD defines concentrations of racial and ethnic minorities as a census tract with a non-White population of 50% or more. A concentrated area of poverty is defined as a census tract with 40% or more individuals living at or below the poverty line. It is important to look at disparities between groups in relation to disproportionate poverty and access to community assets to assess fair housing needs.

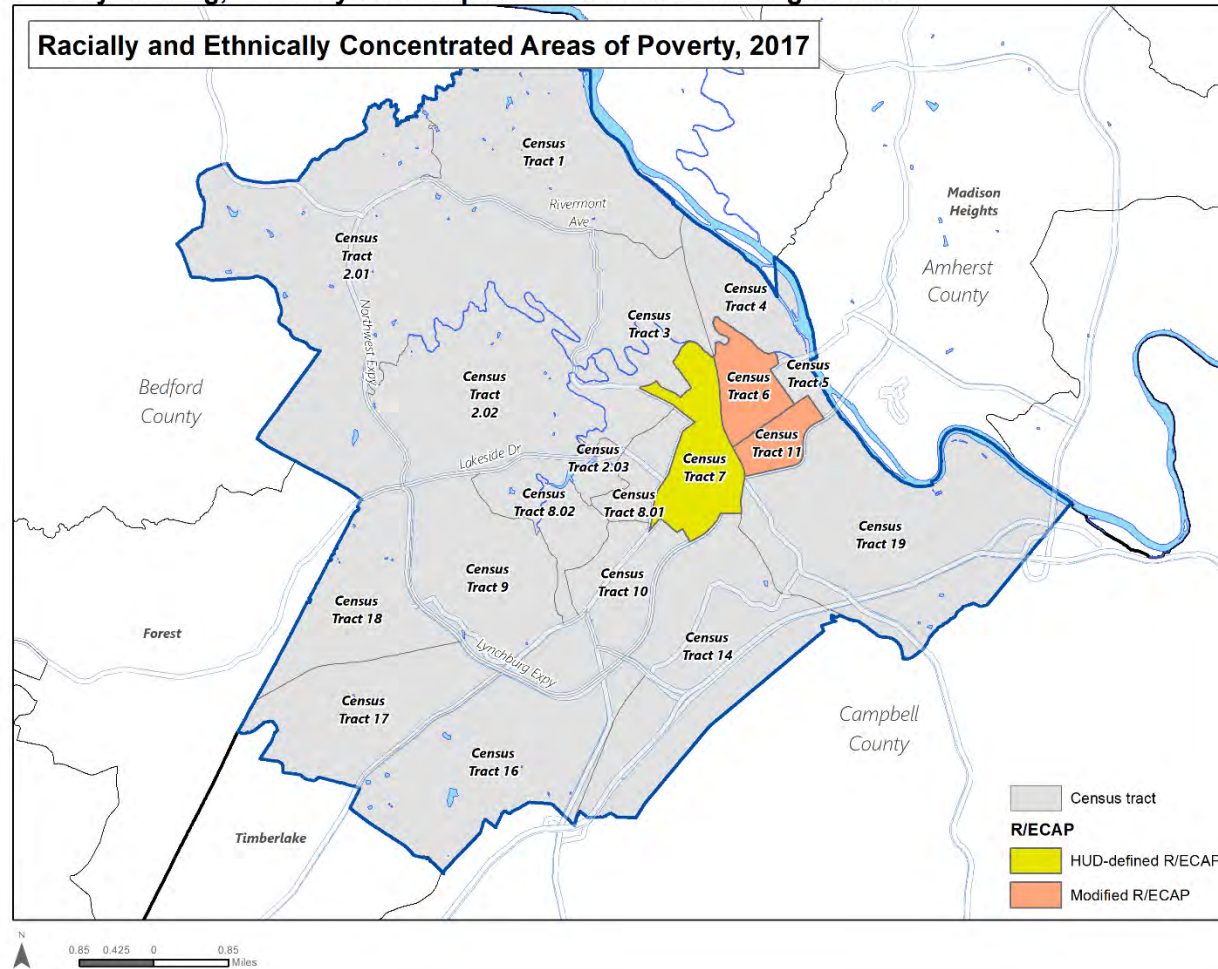
However, there were other census tracts that fell just short of the 40% poverty threshold. By modifying the threshold to be ten percentage points above the City's poverty rate of 22.3%, two additional census meet the definition for the modified R/ECAP: Census Tracts 6 and 11. The HUD R/ECAP and the modified R/ECAPS are located west of Downtown Lynchburg and include the following neighborhoods:

- Tate Springs
- Dearington

- Miller Park
- Garland Hill
- College Hill
- Diamond Hill

Compared to the previous AI, there is one less census tract that no longer meets both HUD's R/ECAP definition and the modified R/ECAP definition: Census Tract 19. The poverty rate in this census tract decreased from 37.5% in 2013 to 28.8% in 2017.

2020 Lynchburg, VA Analysis of Impediments to Fair Housing Choice



Source: 2013-2017 American Community Survey

In the previous map, Census Tract 7 is identified as a racially concentrated area of poverty and Census Tracts 6 and 11 are identified as modified racially concentrated areas of poverty based on recent Census data. These areas of Lynchburg are the same areas identified in a historical map created in 1937 by the federal Home Owners' Loan Corporation in designating the quality level of neighborhoods where local lending institutions were directed to approve or deny mortgages to homebuyers. Highest quality neighborhoods, which were predominantly or exclusively White neighborhoods, were categorized as "A – First Grade" as shown on the following map. The area encompassed by Census Tract 7 today is found in the center of the HOLC map (still colored yellow coincidentally) and was designed as "C – Third Grade" indicating neighborhoods that were declining; the lowest grade of D indicated "hazardous areas" and encompasses parts of Census Tracts 6 and 11 as well. These designations were used by lenders, appraisers and insurance agents to determine the terms of mortgage and insurance products to be made available to residents. Buying a home in a D – Fourth Grade neighborhood would mean higher interest rates, for example, along with a higher downpayment, up to 50% in many cases. These terms effectively shut out minority families from becoming homeowners and acquiring wealth. It also sealed the fate of many lower income minority neighborhoods through disinvestment and neglect. As stated in a 2019 Bridges to Progress report, Redlining in Lynchburg, "The real estate redlining of the 1930s offers a lens through which we might make a connection between the racism of the past and the poverty of the present."

CITY OF
LYNCHBURG, VIRGINIA

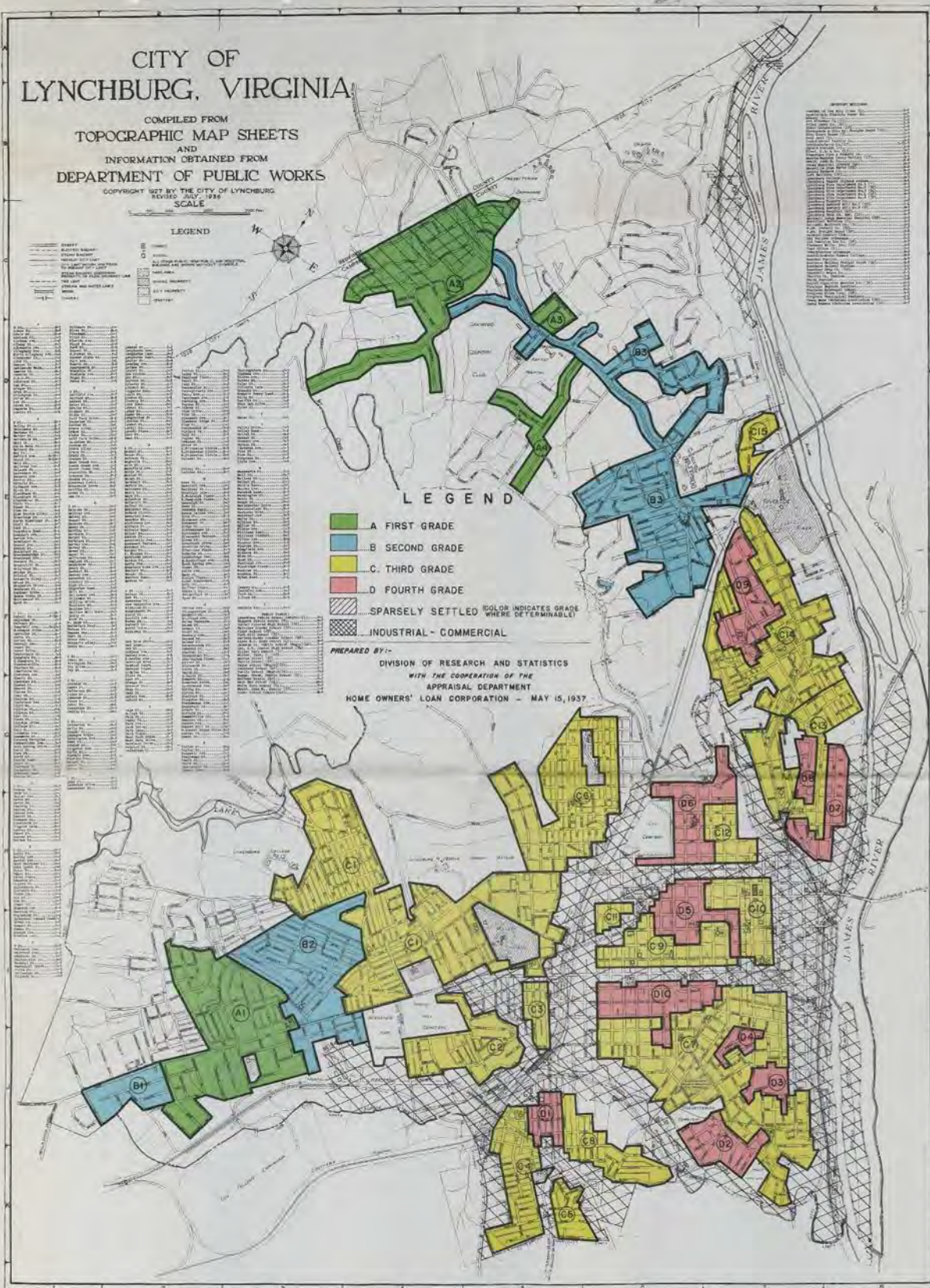
COMPILED FROM
TOPOGRAPHIC MAP SHEETS
AND
INFORMATION OBTAINED FROM
DEPARTMENT OF PUBLIC WORKS
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REVISED JULY, 1934
SCALE

LEGEND

LEGEND

-  A FIRST GRADE
 B SECOND GRADE
 C. THIRD GRADE
 D FOURTH GRADE
 SPARSELY SETTLED (COLOR INDICATES GRADE WHERE DETERMINABLE)
 INDUSTRIAL - COMMERCIAL

PREPARED BY:-
DIVISION OF RESEARCH AND STATISTICS
WITH THE COOPERATION OF THE
APPRAISAL DEPARTMENT
HOME OWNERS' LOAN CORPORATION - MAY 15, 1937



Educational Attainment and Income

Persons with a high school diploma earn, on average, \$23,907 per year compared to persons with a Bachelor's degree earning \$38,121, on average. In Lynchburg there exists a strong correlation between lower educational levels and lower income/increased poverty. Persons with lower education tend to experience higher levels of unemployment and lower wages.

Figure 9 Educational Attainment and Income (Age 25 or Older), Lynchburg 2017

Educational Attainment	Median Income	Percentage	Poverty Rate
Less than High School Graduate	\$ 24,107	12.0%	33.9%
High School Graduate	\$ 23,907	24.8%	16.6%
Some College or Associate's Degree	\$ 27,849	29.6%	13.9%
Bachelor's Degree	\$ 38,121	20.1%	6.9%*
Graduate or Professional Degree	\$ 47,931	13.5%	
Population (Age 25 or Older with earnings)	\$ 30,587	100%	-

* ACS provides poverty rate for bachelor and graduate/professional degree holders together
source: Census Bureau, American Community Survey, 2013 - 2017: S1501

Disability and Income

The Census Bureau reports disability status for non-institutionalized disabled persons age 5 and over. As defined by the Census Bureau, a disability is a long-lasting physical, mental, or emotional condition that can make it difficult for a person to do activities such as walking, climbing stairs, dressing, bathing, learning, or remembering. This condition can also impede a person from being able to go outside the home alone or to work at a job or business.

The Fair Housing Act prohibits discrimination based on physical, mental, or emotional handicap, provided “reasonable accommodation” can be made. Reasonable accommodation may include changes to address the needs of disabled persons, including adaptive structural (e.g., constructing an entrance ramp) or administrative changes (e.g., permitting the use of a service animal).

In Lynchburg, 14.2% of the population over the age of 18 years old had at least one disability. Of individuals with a disability, 33.5% were living in poverty compared to 21.7% without a disability. Additionally, most individuals with a disability do not participate in the labor force (64.9%), reducing their ability to afford housing. Finally, the elderly are more likely to have a disability than the general population, especially as it relates to hearing, ambulatory, self-care, and independent living difficulties. While this outcome is expected, age is a protected class under the Virginia Human Rights Act and may play a role when furthering fair housing in Lynchburg as it relates to reasonable accommodation and aging-in-place.

Figure 10 Disability Type in Population Over Age 18, Lynchburg 2017

Population Type	Total	Percent
Individuals Over Age 18 Years Old	62,541	-
With a Disability	8,874	14.2%
Hearing Difficulty	1,903	3.0%
Vision Difficulty	1,976	3.2%
Cognitive Difficulty	3,433	5.5%
Ambulatory Difficulty	2,525	7.9%
Self-Care Difficulty	887	2.9%
Independent Living Difficulty	2,364	6.6%

Source: Census Bureau, American Community Survey, 2013 – 20117: S1810

Figure 11 Elderly Population (Age 65 or Older) Disability Type, Lynchburg 2017

Population Type	Total	Percent
Elderly (Age 65 or Older)	10,317	-
With a Disability	3,525	34.2%
Hearing Difficulty	1,336	12.9%
Vision Difficulty	712	6.9%
Cognitive Difficulty	928	9.0%
Ambulatory Difficulty	2,427	23.5%
Self-Care Difficulty	939	9.1%
Independent Living Difficulty	1,747	16.9%

Source: Census Bureau, American Community Survey, 2013 – 20117: S1810

Figure 12 Employment Status for Individuals by Disability Status, Lynchburg 2017

Employment Status	With a disability		Without a disability	
	Subtotal	Percent	Subtotal	Percent
Employed	1,819	28.7%	32,569	70.0%
Unemployed	404	6.4%	2,210	4.7%
Not in Labor Force	4,118	64.9%	11,767	25.3%
Total	6,341		46,546	

Source: Census Bureau, American Community Survey, 2013 - 2017: B18120

Figure 13 Median Income and Poverty Rates by Disability Status, Lynchburg 2017

Population	Median Annual Income	Poverty Rate
Total Population	\$ 18,282	23.0%
with a disability	\$ 12,279	33.5%
without a disability	\$ 18,677	21.7%

Source: ACS 2013-2017 B23024

Family Status and Income

The Census Bureau divides households into family and non-family households. Family households are married couples with or without children, single-parent families, and other families comprised of related persons. Non-family households are either single persons living alone, or two or more non-related persons living together.

Title VIII of the Civil Rights Act of 1968 protects against sex discrimination in housing. Protection for families with children was added in the 1988 amendments to Title VIII. Except in limited circumstances involving elderly housing and owner-occupied buildings of one to four units, it is unlawful to refuse to rent or sell to families with children.

Family households comprise of 58.3% of all households in Lynchburg in 2017. This is lower than that of the State of Virginia, in which family households consist of 66.9% of all households. This is likely a result of the high student population in Lynchburg. The household type composition in Lynchburg has remained stable.

In 2017, 37.5% of female-headed households with children were living in poverty compared to 16.3% among all family households. Female-headed households with children often experience difficulty in obtaining housing as a result of lower incomes and higher expenses.

Figure 14 Household Type and Presence of Children, Lynchburg 2010 – 2017

Household Type	2010		2017	
	Total	Percent	Total	Percent
Family Households	16,368	57.5%	16,422	58.3%
Married Couples	10,598	37.2%	10,392	36.9%
with children	3,862	13.6%	3,860	13.7%
without children	6,736	23.7%	6,532	23.2%
Female-headed Household	4,637	16.3%	4,759	16.9%
with children	2,626	9.2%	2,831	10.1%
without children	2,011	7.1%	1,928	6.8%
Male-headed Households	1,133	4.0%	1,271	4.5%
with children	485	1.7%	589	2.1%
without children	648	2.3%	682	2.4%
Nonfamily Households*	12,108	42.5%	11,728	41.7%
Total Households	28,476	-	28,150	-

*Nonfamily households include individuals living alone and unrelated persons, including students

Source: Census 2010 SF1-P19; 2013 - 2017 American Community Survey B11003, B11001

Ancestry and Income

In Lynchburg, 7.1% of the population is foreign-born. It is illegal to refuse the right to housing based on place of birth or ancestry. Additionally, children living in homes where at least one parent is foreign-born were more likely to be living in poverty. While important to consider when furthering fair housing, Lynchburg does not have a large number of families with children with at least one foreign-born parent. Data from the American Community Survey was not available as a result.

Persons with limited English proficiency (LEP) are defined as persons who have a limited ability to read, write, speak or understand English. HUD uses the prevalence of persons with LEP to identify the potential for impediments to fair housing choice due to their inability to comprehend English. Persons with LEP may encounter obstacles to fair housing by virtue of language and cultural barriers within their new environment. To assist these individuals, it is important that a community recognizes their presence and the potential for discrimination, whether intentional or inadvertent, and establishes policies to eliminate barriers. It is also incumbent upon HUD entitlement communities to determine the need for language assistance and comply with Title VI of the Civil Rights Act of 1964.

HUD has adopted a “safe harbor” threshold for the translation of written materials to make public services accessible to persons with limited English proficiency (LEP), as outlined in Title VI of the Civil Rights Act of 1964. The safe harbor threshold is defined as having 1,000 or more LEP individuals of a certain language or more than 5% of the population being LEP. Failure to provide written translations under these services under these circumstances may place the City at-risk of noncompliance.

Figure 15 Most Common Languages Spoken Among Individuals with LEP, Lynchburg 2015

	Language	Total Speakers	Total Limited-English Proficiency Speakers	Percent of Total Population with LEP (Age 5+)
1	Spanish or Spanish Creole	1,832	687	0.93%
2	Korean	351	206	0.28%
3	Chinese	286	165	0.22%
4	Gujarati	308	113	0.15%
5	Vietnamese	192	71	0.10%
6	Other Asian Languages	263	46	0.06%
7	Italian	154	31	0.04%
8	German	152	27	0.04%
9	Tagalog	85	24	0.03%
10	French (incl. Patois & Cajun)	228	21	0.03%
11	African Languages	512	17	0.02%
12	Thai	33	18	0.02%
13	Urdu	13	13	0.02%
14	Japanese	51	15	0.02%
15	Portuguese or Portuguese Creole	59	10	0.01%
	Total Population	73,529		

Source: Census Bureau, American Community Survey, 2010 – 2015: B16001

Protected Class Status and Unemployment

At 7.4%, Lynchburg's unemployment rate was higher than that of the State in 2017. Female members of the labor force showed similar unemployment rates compared to their male counterparts, 5.0% unemployment versus 5.1%, respectively. However, the Black population is more likely to be unemployed than Whites; Blacks had an unemployment rate of 9.0% while Whites had a rate of 5.1%. Asians and Hispanics had similar or lower rates at 4.2% and 5.4%, respectively. Higher unemployment rates and lower incomes among minorities will make it more difficult for these populations to obtain housing, especially outside of traditionally low-income neighborhoods where minorities already live.

Figure 16 Civilian Labor Force (CLF), 2017

	Lynchburg, VA		Virginia	
	Total	%	Total	%
Total CLF	65,731		6,708,391	
Employed	60,867	92.6%	6,339,429	94.5%
Unemployed	4,864	7.4%	368,962	5.5%
Male CLF	22,249		2,519,027	
Employed	20,914	94.0%	2,390,557	94.9%
Unemployed	1,335	6.0%	128,470	5.1%
Female CLF	24,436		2,559,750	
Employed	22,725	93.0%	2,431,763	95.0%
Unemployed	1,711	7.0%	127,988	5.0%
White CLF	43,124		4,342,655	
Employed	40,795	94.6%	4,147,236	95.5%
Unemployed	2,329	5.4%	195,419	4.5%
Black CLF	17,259		1,269,048	
Employed	15,222	88.2%	1,154,834	91.0%
Unemployed	2,037	11.8%	114,214	9.0%
Asian CLF	1,748		420,320	
Employed	1,626	93.0%	402,667	95.8%
Unemployed	122	7.0%	17,653	4.2%
Hispanic CLF	2,217		529,633	
Employed	2,062	93.0%	501,033	94.6%
Unemployed	155	7.0%	28,600	5.4%

Source: American Community Survey, 2013 – 2017

Housing Market

Housing Inventory

According to 2013-2017 ACS data, Lynchburg's housing inventory consisted of 32,309 dwelling units in 2017. The housing stock grew by only 317 housing units, representing a 1.0% increase since 2010. However, it should be noted that 543 new multi-family units were created between 2014 and 2017 according to records from the City of Lynchburg's Community Development Department. Discrepancies between the 2017 ACS and local data are likely due to the Census Bureau estimating housing units through sampling, resulting in a degree of uncertainty in the data compared to actual counts.

Figure 17 Total Housing Units, Lynchburg 2010 – 2017

Location	Total Housing Units (2010)	Total Housing Units (2017)	Percentage Change
Lynchburg	31,992	32,309	1.0%

Source: Census Bureau, Decennial Census, 2010: H1; American Community Survey, 2013 - 2017: B25001

Types of Housing Units

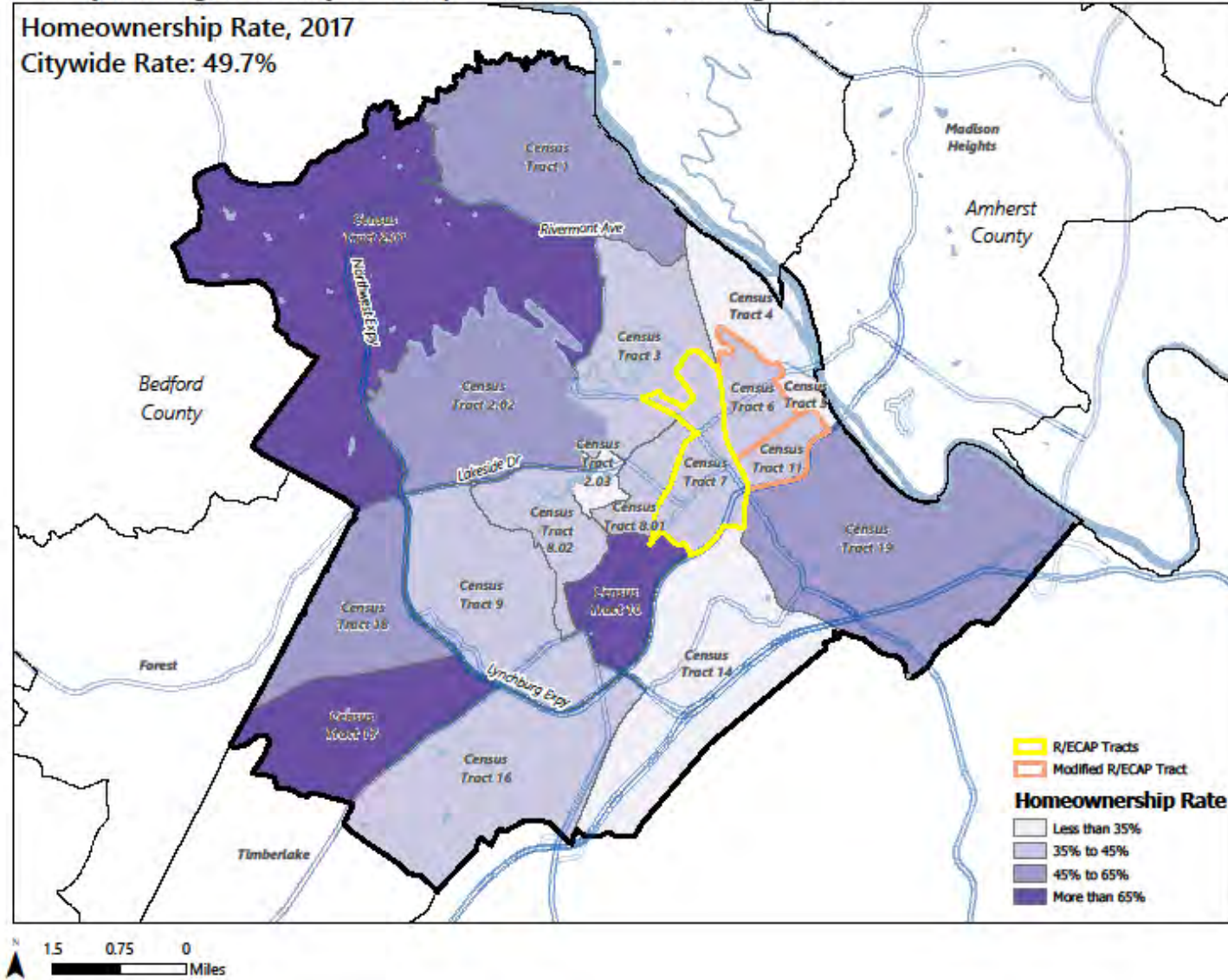
The majority of Lynchburg's housing stock in 2017 was single-family housing units which comprised 65.6% of all housing units. Conversely, multi-family units comprised 33.81% of the total housing stock in Lynchburg. Multi-family housing can be a more affordable housing option that provides members of the protected classes access to other parts of the City that are otherwise unaffordable.

The City's 28,513 occupied units were 49.7% owner-occupied and 50.3% renter-occupied. Single-family housing made up almost all owner-occupied housing units, at 96.6%. Multifamily housing composed 64.6% of all renter-occupied units and 35.0% single-family housing. Building more multi-family affordable housing outside of these areas will provide greater housing choice for residents in need of opportunities, such as better schools, jobs, or safe neighborhoods that lie outside of the traditional affordable housing locations. Areas with the highest percentages of multifamily rental units are

concentrated around Liberty University and the University of Lynchburg. The City's largest employer, Centra Health, is also in an area with a high concentration of multifamily units. Areas further away from these institutions have higher concentrations of single family housing.

Map 5 Homeownership Rate, 2017

2020 Lynchburg, VA. Analysis of Impediments to Fair Housing Choice



Source: 2013-2017 American Community Survey

Map 6 Percentage of housing units as multifamily rental units, 2017

2020 Lynchburg, VA. Analysis of Impediments to Fair Housing Choice

Percent Multi-Family Rental Units, 2017
Citywide Average: 32.5%

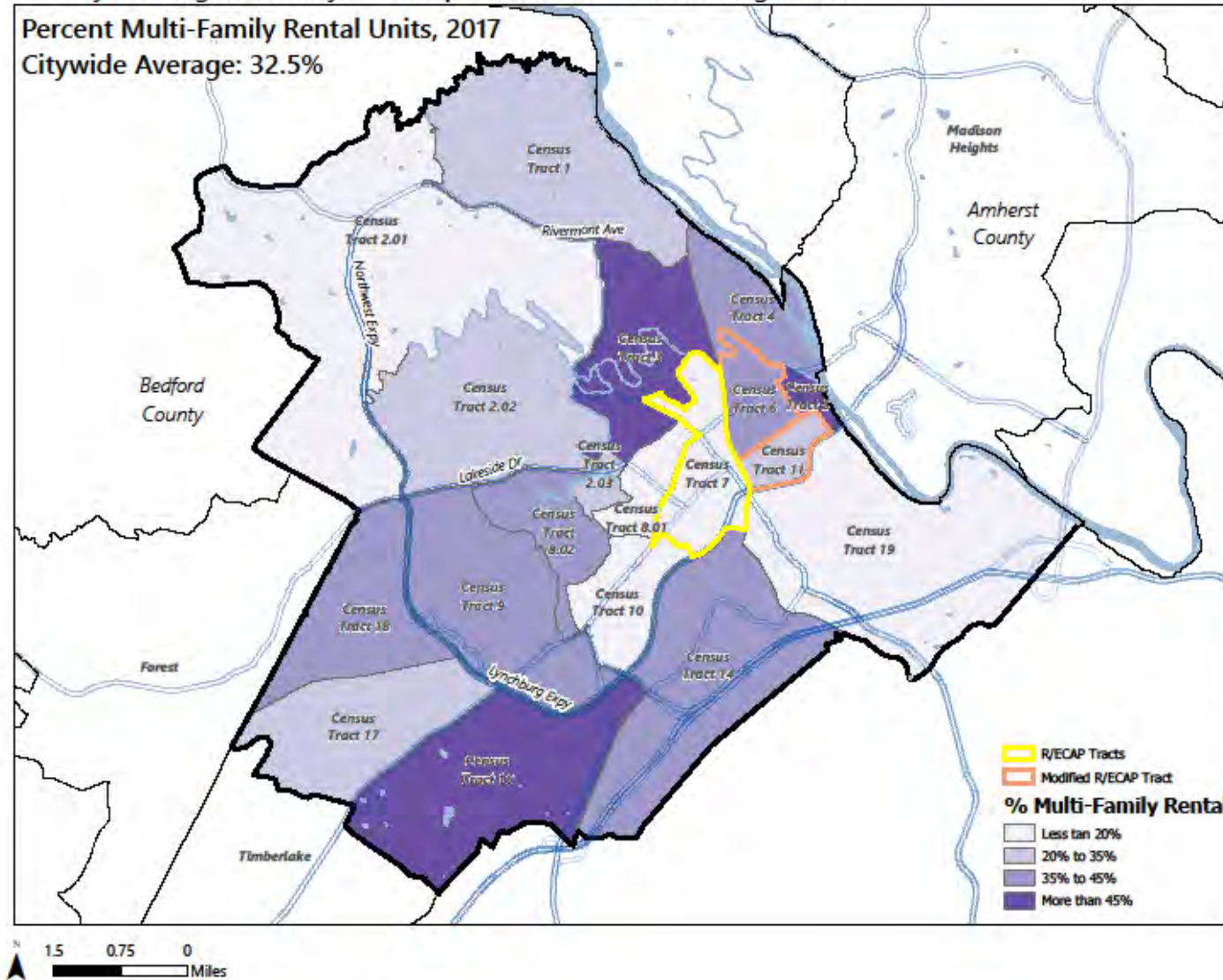


Figure 18 Trends in Housing units in Structures, Lynchburg 2017

Type of Housing	Total	Percent of Total Housing
Single Family Housing	18,457	65.6%
Multi-Family Housing	9,528	33.8%
2 - 4 Units	2,981	10.6%
5 - 9 Units	2,079	7.4%
10 - 19 Units	2,078	7.4%
20 or More Units	2,390	8.5%
Mobile Homes	165	0.6%
Total Housing Units	28,150	

Source: Census Bureau, American Community Survey, 2013 - 2017, B25032

Figure 19 Housing Units by Structures and Housing Type, Lynchburg 2017

Type of Housing	Total	Percent of Total Housing
Owner-Occupied Housing	13,978	49.7%
Single-Family Units	13,501	48.0%
Multi-Family Units	376	1.3%
Renter-Occupied Housing	14,172	50.3%
Single-Family Units	4,956	17.6%
Multi-Family Units	9,152	32.5%
total housing units	28,150	

Source: Census Bureau, American Community Survey, 2013 - 2017, B25032

Vacancy Status

Lynchburg has a slightly higher vacancy rate than the State at 12.9% compared to 10.4%. Rental vacancy rates in Lynchburg (5.4%) are higher than homeowner vacancy rates (3.1%) Relative to the State, rental vacancies in Lynchburg are lower (5.8% for all of Virginia) while homeowner vacancies are higher (1.6% for all of Virginia). Vacancy rates data come from the American Community Survey, which defines vacancy rate as the ratio of vacant available units to total units. The lower rental vacancy rate is expected due to Lynchburg's large student population. Given that Lynchburg has a relatively even split between owners and renters, the relatively high homeowner vacancy rates may indicate a need for more multifamily housing units, or the quality of homes for-sale are lacking.

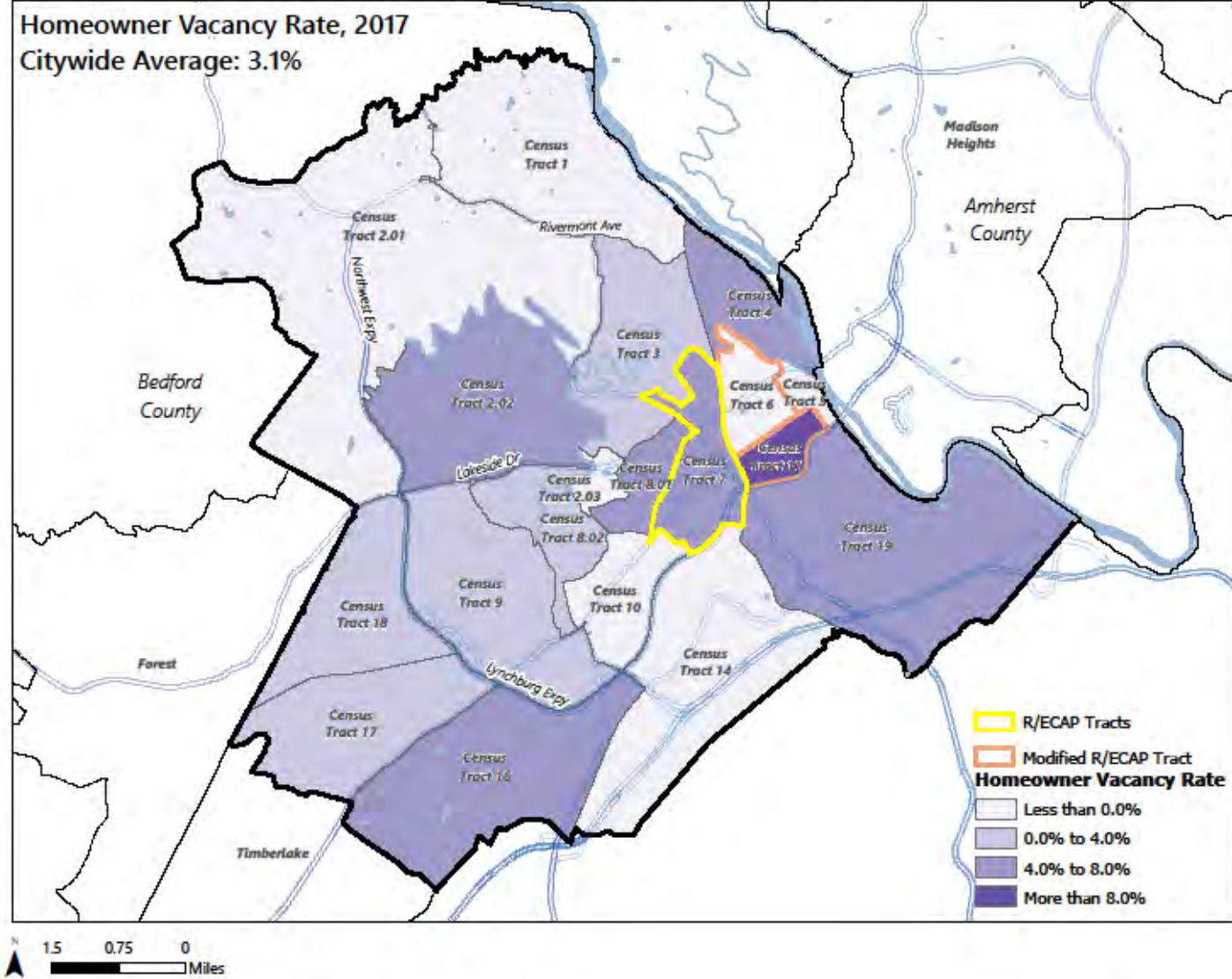
The highest rental vacancy rates are concentrated around the University of Lynchburg and Liberty University. While dormitories are excluded from the Census' housing unit count, vacancy is determined if no one is living in a specific unit at the time of the interview. This includes vacant units that are currently for rent or those have been rented but the new renters have not yet moved in. As a result, student populations may inflate vacancy rates when taking into consideration off-campus housing.

Figure 20 Change in Vacancy Status, Lynchburg 2010 – 2017

Vacancy Status	2017	% Vacant
Total Vacant Housing Units	4,159	12.9%
Vacant for Rent	846	2.6%
Vacant Rented Units	606	1.9%
Vacant for Sale	456	1.4%
Vacant Sold (not occupied)	58	0.1%
Vacant (seasonal, recreational or occasional use)	568	1.8%
Vacant (other)	1,625	5.0%
Total Housing Units	32,309	1.0%

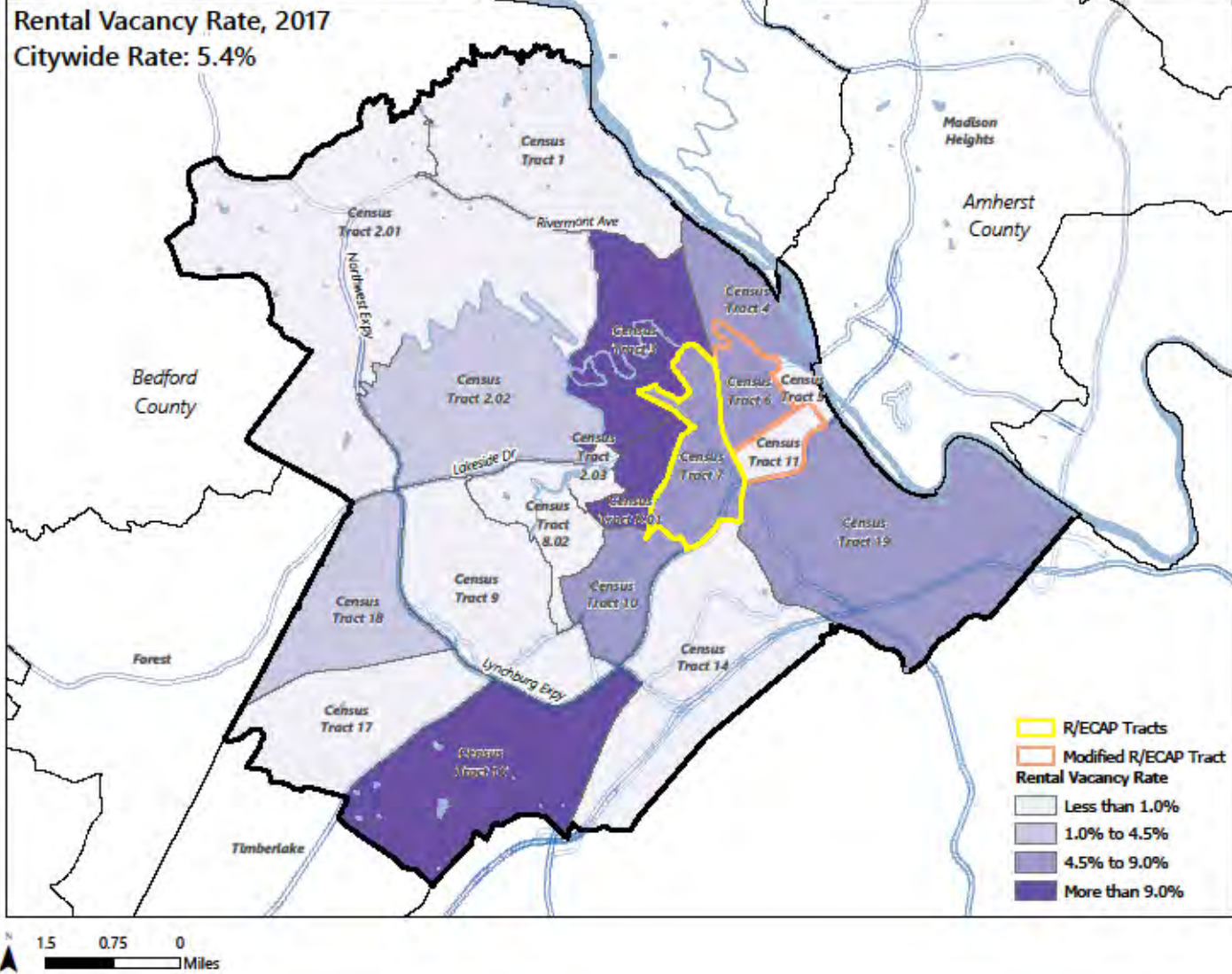
Source: Census Bureau, Decennial Census, 2010: QT-H1; American Community Survey, 2013 -2017: B25004

2020 Lynchburg, VA. Analysis of Impediments to Fair Housing Choice



Source: 2013-2017 ACS

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Source: 2013-2017 ACS

Protected Class Status and Homeownership

The value in homeownership lies in the accumulation of wealth as the owner's share of equity increases with the property's value. Paying a monthly mortgage instead of rent is an investment in an asset that is likely to appreciate.

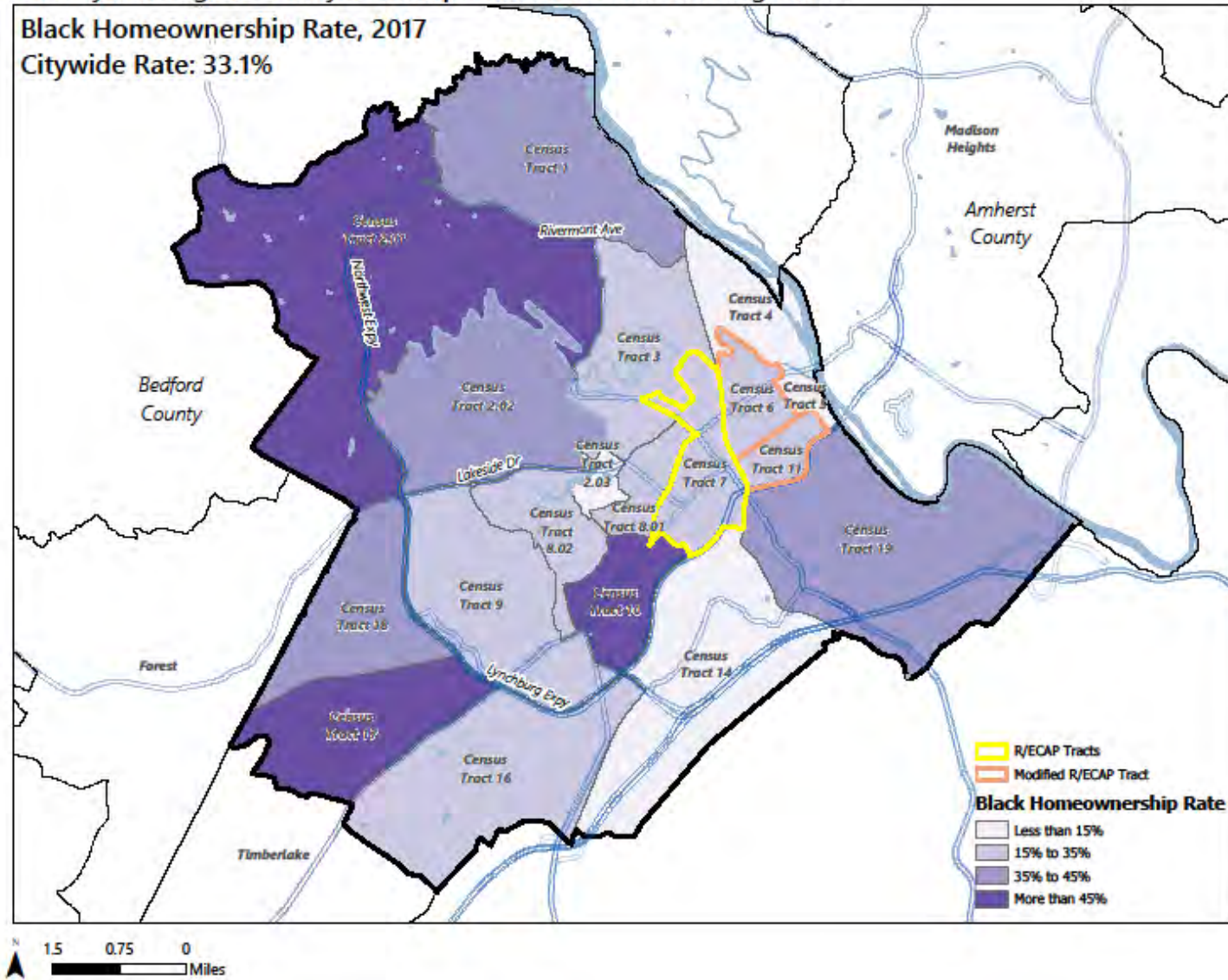
Minority households tended to have lower rates of homeownership. Historically, minorities tend to have lower homeownership rates than Whites due in large part to housing discrimination and redlining. As previously noted, Lynchburg's median incomes for minority households are lower than those of White households. This is one among several factors that contributed to the lower rates of homeownership among minority households across Lynchburg. In 2017, White households had a homeownership rate of 58.6%. This was significantly higher than minority homeownership rates. Black households had the second highest homeownership rate at 33.1%, followed by Asians at 27.8%, and Hispanics at 20.5%. Black homeownership was highest in the Fort Hill neighborhood and the western outskirts of Lynchburg.

Figure 21 Housing Tenure by Race and Ethnicity, Lynchburg 2017

Race Ethnicity	Total Households	Homeowners	Homeownership Rate
White	18,698	10,959	58.6%
Black / African American	8,299	2,750	33.1%
Asian	561	156	27.8%
Hispanic / Latino	561	115	20.5%

Source: Census Bureau, American Community Survey, 2013 - 2017, B25003, B25003A, B25003B, B25003D, B25003I

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Source: 2013.-2017 American Community Survey

The Tendency of Protected Classes to Live in Larger Households

Larger households may be at risk for housing discrimination on the basis of race and the presence of children (familial status). A larger household, whether or not children are present, can raise fair housing concerns. If there are policies or programs that restrict the number of persons that can live together in a single housing unit, and members of the protected classes need more bedrooms to accommodate their larger household, there is a fair housing concern because the restriction on the size of the unit will have a negative impact on members of the protected classes.

Minority households were more likely than White households to live in households with four or more people. In 2011, 25.5% of White households had four or more persons. By comparison, Black, Asian, and Hispanic households had higher rates of larger households.

Figure 22 Large-Family Households (4 persons or more) by Race / Ethnicity, Lynchburg 2010

Race / Ethnicity	Total	Percent
White	2,666	25.5%
Black	1,766	34.4%
Asian	155	44.7%
Hispanic	160	44.7%
All Households	4,760	29.1%

Source: Census Bureau, Census 2010, SF-1 P28, P28A, P28B, P28D, P28H

In order to house larger families, a sufficient supply of larger dwelling units consisting of three or more bedrooms is necessary. Since minority households are more likely to have larger families and be renters, there needs to be a sufficient supply of larger rental units to meet the needs of their families. While 56.0% of housing units in Lynchburg have at least three bedrooms, rental units only made up 29.7% of these larger bedroom units. This could potentially constrain the housing choice for lower income families that cannot afford to purchase a home.

Figure 23 Housing Units by Number of Bedrooms and Tenure, Lynchburg 2017

Number of bedrooms	Renter-Occupied		Owner-Occupied	
	Total	Percent	Total	Percent
0 - 1 bedrooms	2,641	18.6%	133	1.0%
2 bedrooms	6,843	48.3%	2,766	19.8%
3 bedrooms	3,822	27.0%	6,186	44.3%
4 bedrooms or more	866	6.1%	4,893	35.0%
Total	14,172	100%	13,978	100%

Source: Census Bureau, American Community Survey 2013 - 2017: B25042

Cost of Housing

While home values decreased by 3.8% after adjusting for inflation, gross rent increased by 11.5% during the same time period after adjusting for inflation. The inflation adjusted median income slightly increase in Lynchburg by 1.1% between 2010 and 2017. Increasing housing costs are not a direct form of housing discrimination. However, a lack of affordable housing does constrain housing choice. Residents may be limited to a smaller selection of neighborhoods or communities because of a lack of affordable housing in those areas. Lower income residents will have severely limited housing options if rent continues to outpace income growth at this rate. Conversely, decreasing home values may allow for low-income households to transition to homeownership.

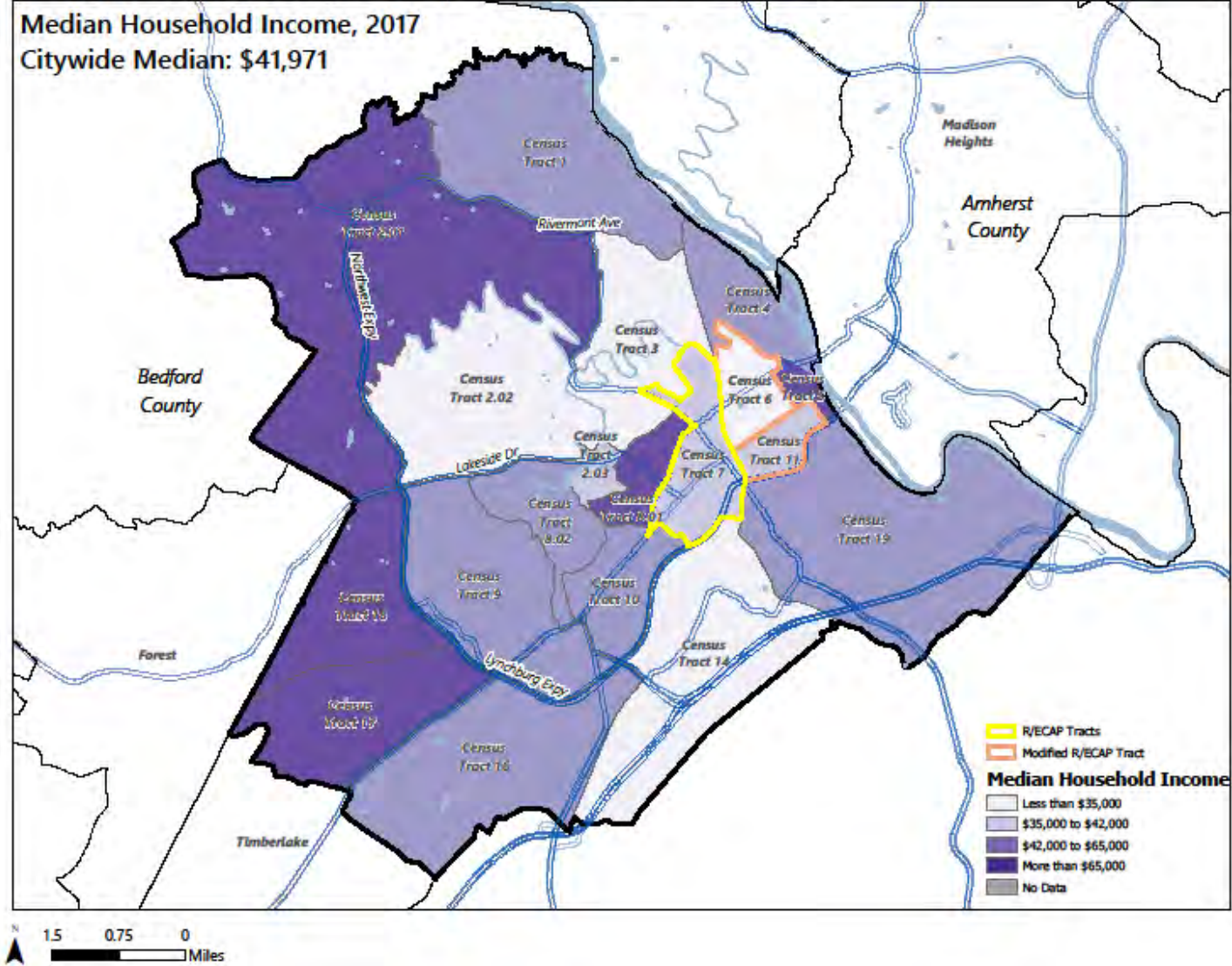
Figure 24 Trends in Median Home Value, Rent, and Household Income, Lynchburg 2010-2017

	2010 (adj. to 2017 dollars)	2017	Percent Change
Median Home Value	\$159,888	\$153,800	-3.8%
Median Gross Rent	\$749	\$835	11.5%
Median Household Income	\$41,531	\$41,971	1.1%

Source: Census Bureau, American Community Survey, 2006 – 2010: B19013; B25064; B25077
American Community Survey, 2013 - 2017: B19013; B25064; B25077

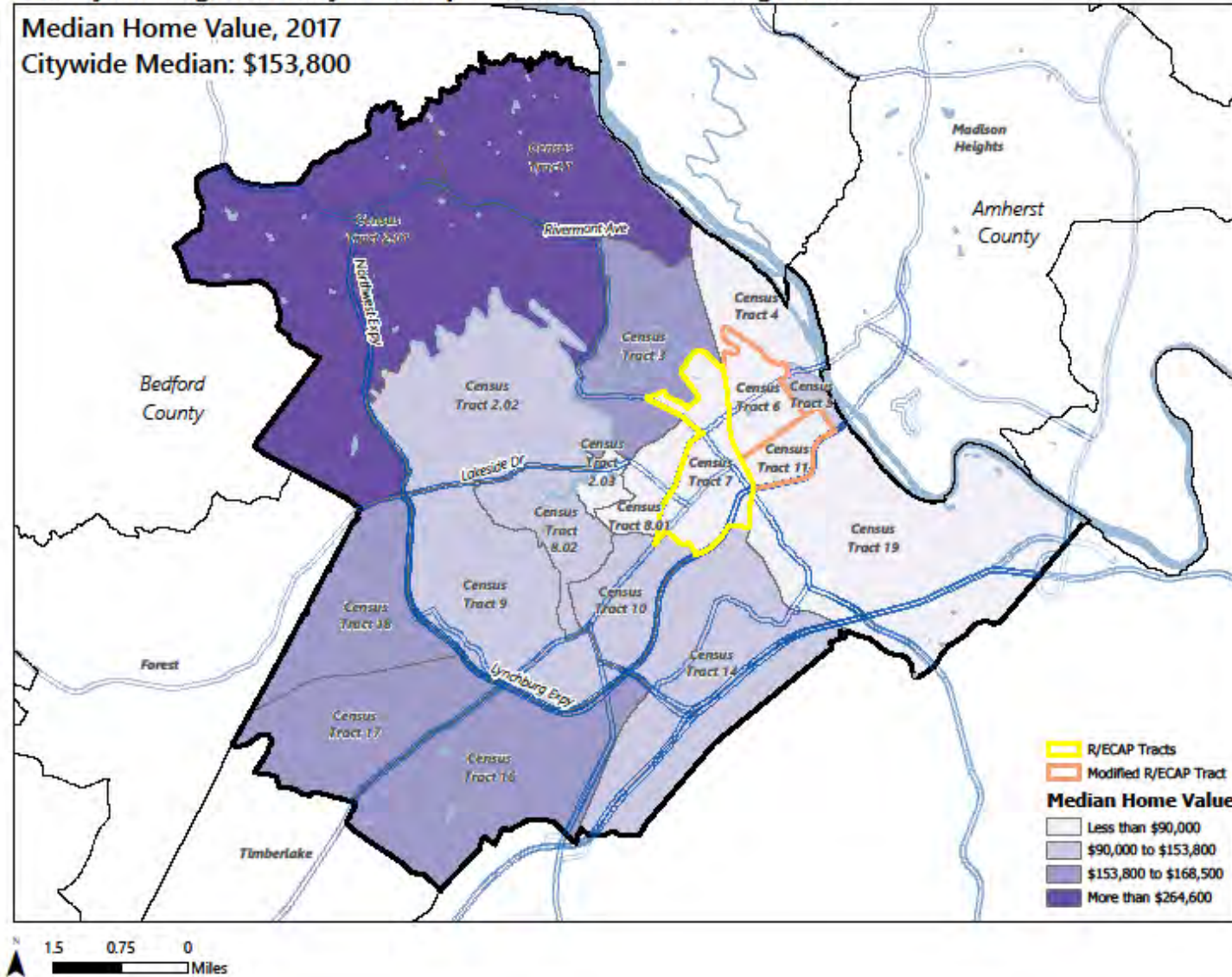
Map 10 Median Household Income, 2017

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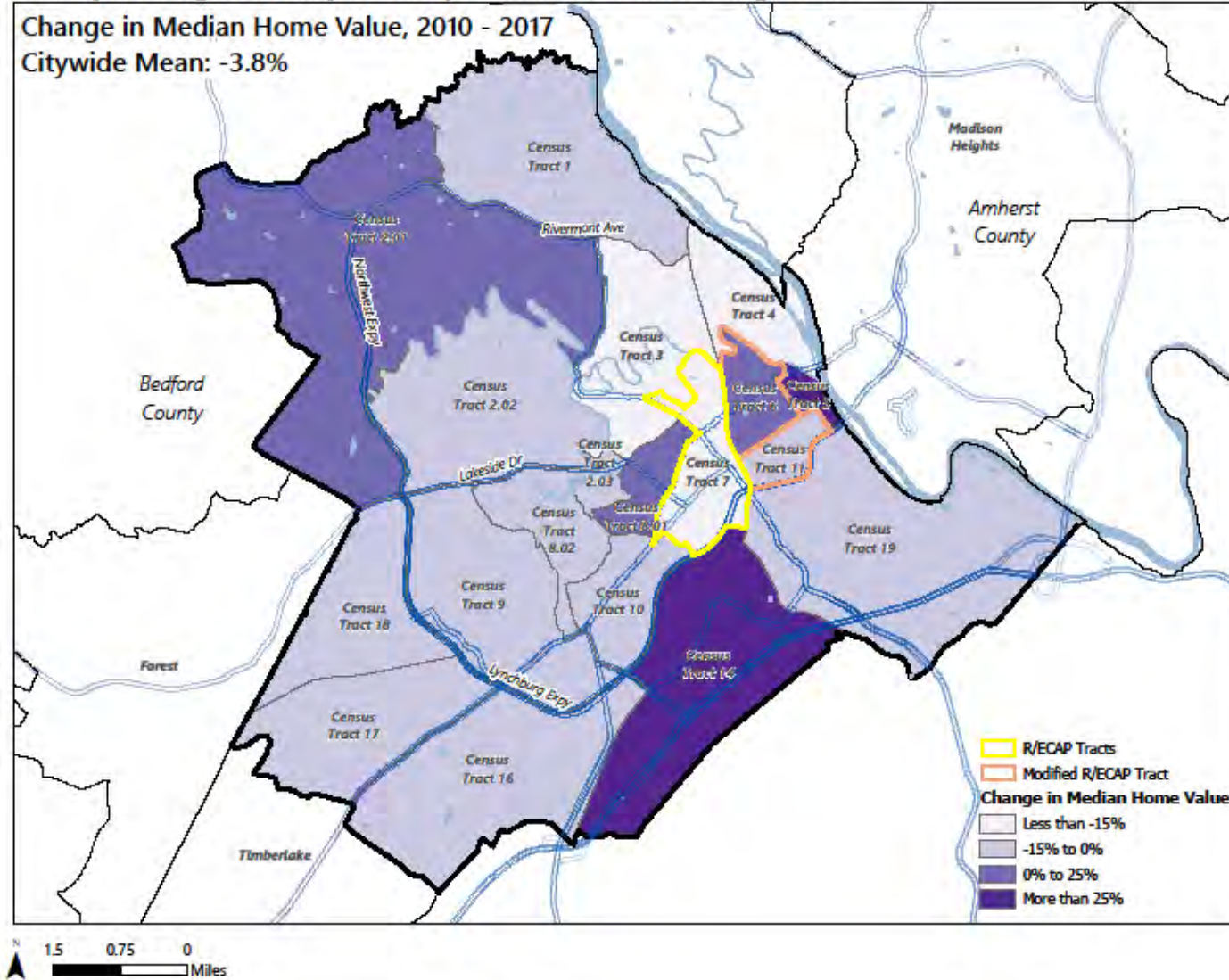
Source: 2013-2017 American Community Survey

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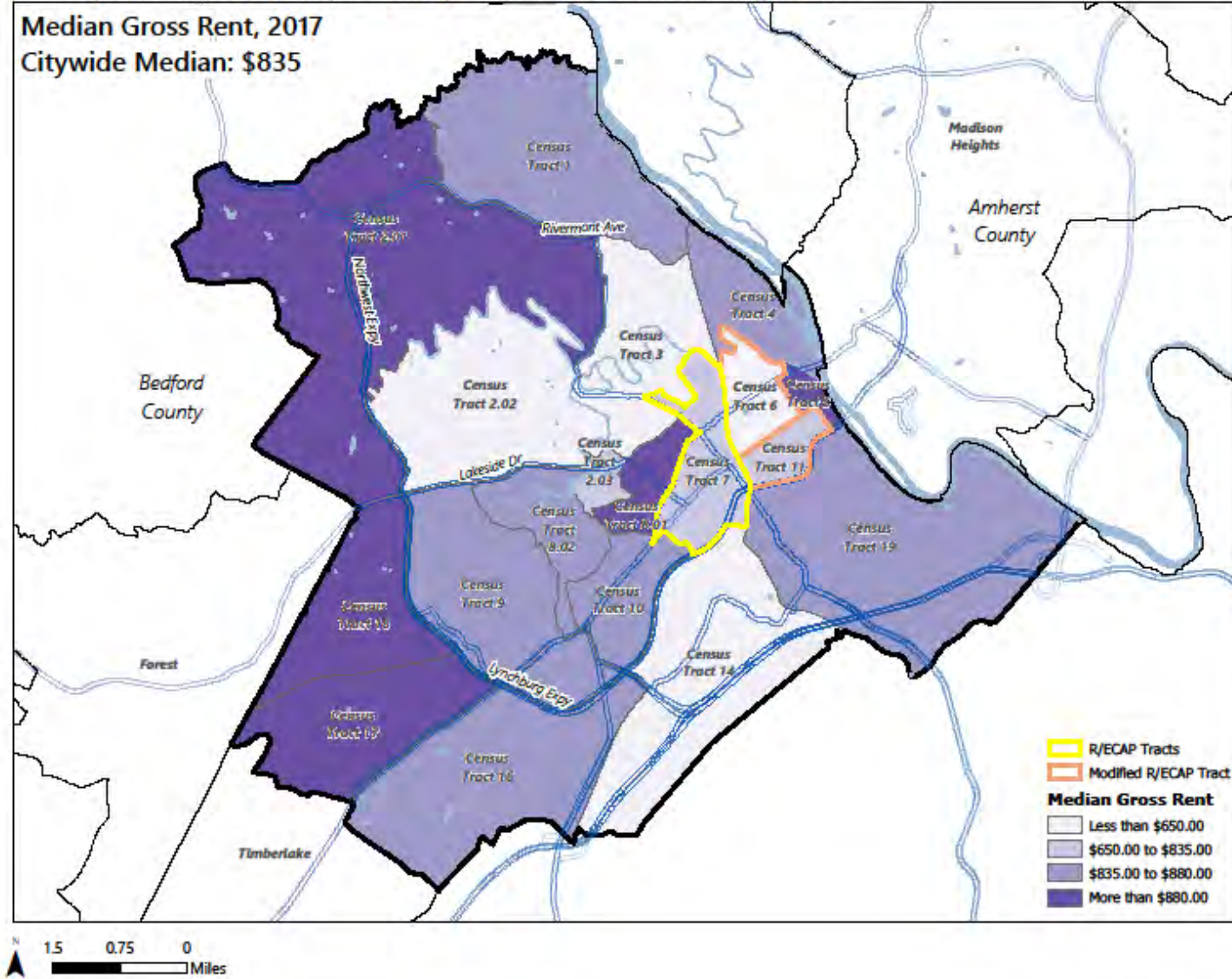
Source: 2013-2017 American Community Survey

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Source: 2013-2017 American Community Survey

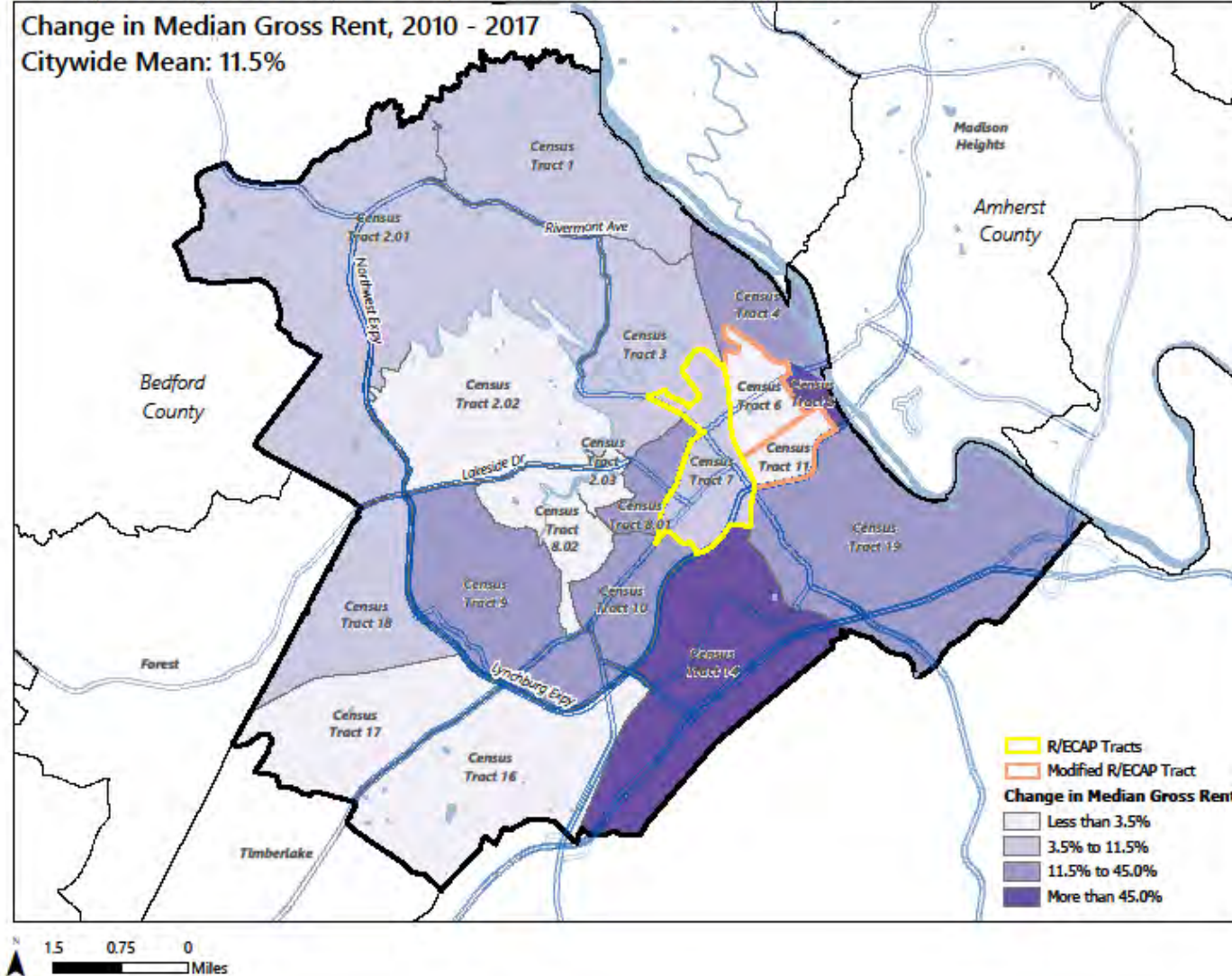
2020 Lynchburg, VA. Analysis of Impediments to Fair Housing Choice



Source: American Community Survey, 2013-2017

Map 14 Change in Median Gross Rent, 2010-2017

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Source: American Community Survey, 2013-2017

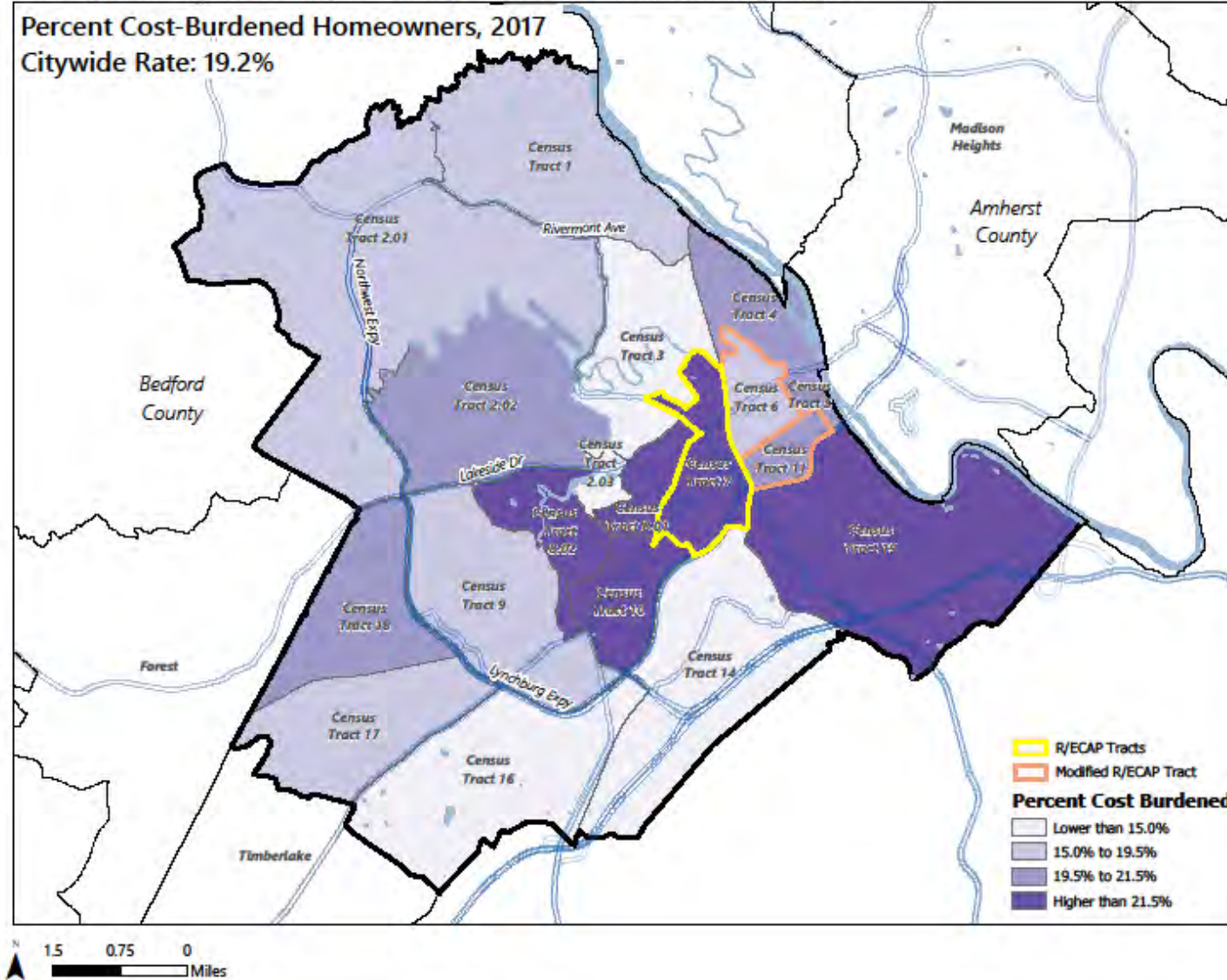
Cost-Burden

In Lynchburg, 35.5% of all households are cost-burdened, and renters (49.4%) are more disproportionately cost-burdened than homeowners (19.8%). Cost burdened households are defined by HUD as households spending more than 30% of their annual income on housing costs. Severely cost burdened households spend more than 50% of their income. Independent from median income, cost burden serves as an indicator of a homeowner's ability to afford property maintenance and improvements. Additionally, according to 2011-2015 CHAS data, elderly households are nearly disproportionately cost-burdened (44.9%).

Areas with a high proportion of cost-burdened homeowners also tend to have cost-burdened renters as well. These areas are centered around the University of Lynchburg, which itself is located in a census tract that is not cost-burdened. The HUD-defined R/ECAP is also part of these highly cost-burdened areas. However, the modified R/ECAPs do not have nearly have as high of rates of cost-burden.

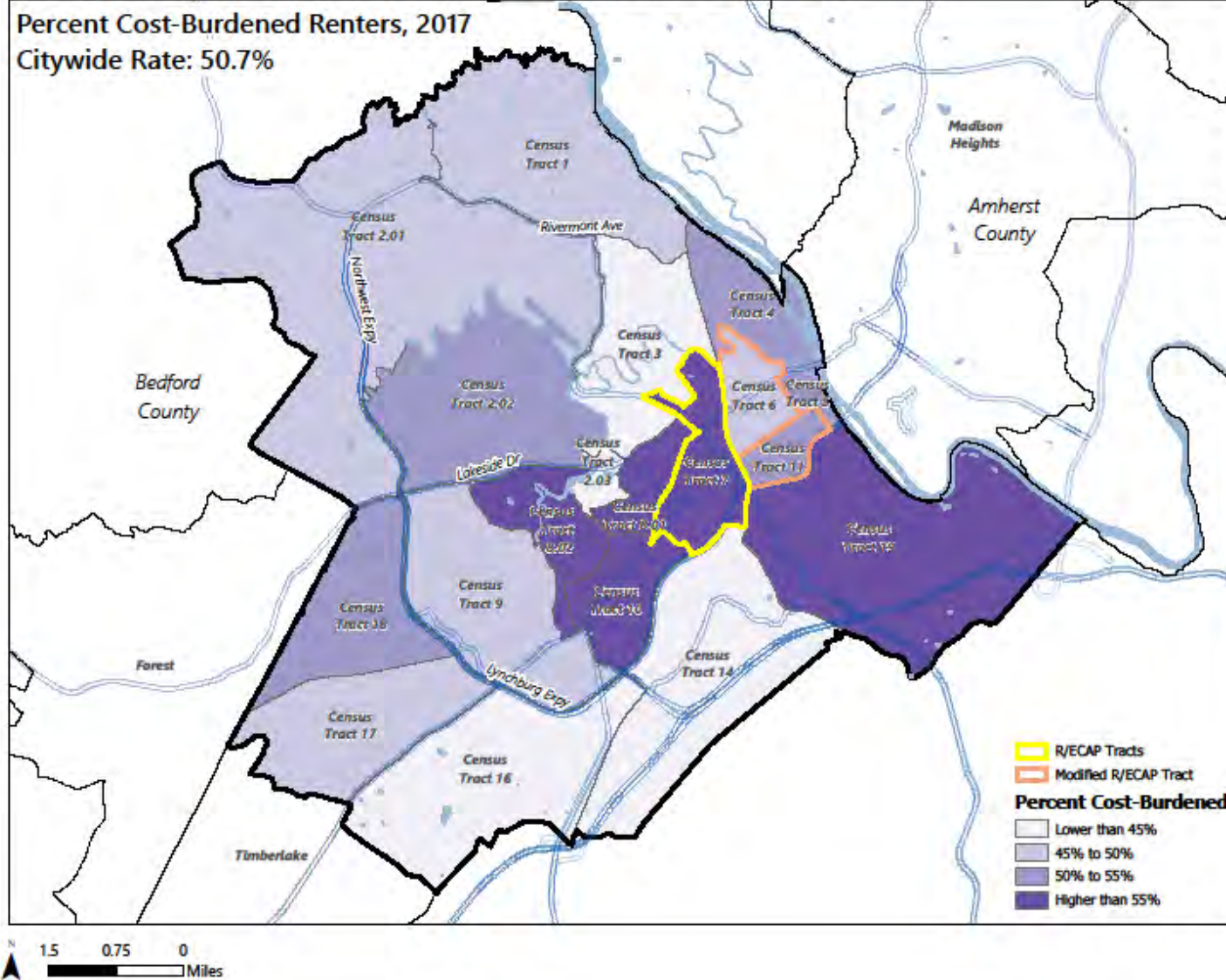
According to the 2019 Bridges to Progress report, Redlining in Lynchburg, housing insecurity is associated with evictions, a higher cost of living, hypermobility (move from one home to another frequently), mental health problems, physical health problems, crime, poor educational outcomes, increased chances of employment layoffs and detachment from the labor force.

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Source: 2013-2017 American Community Survey

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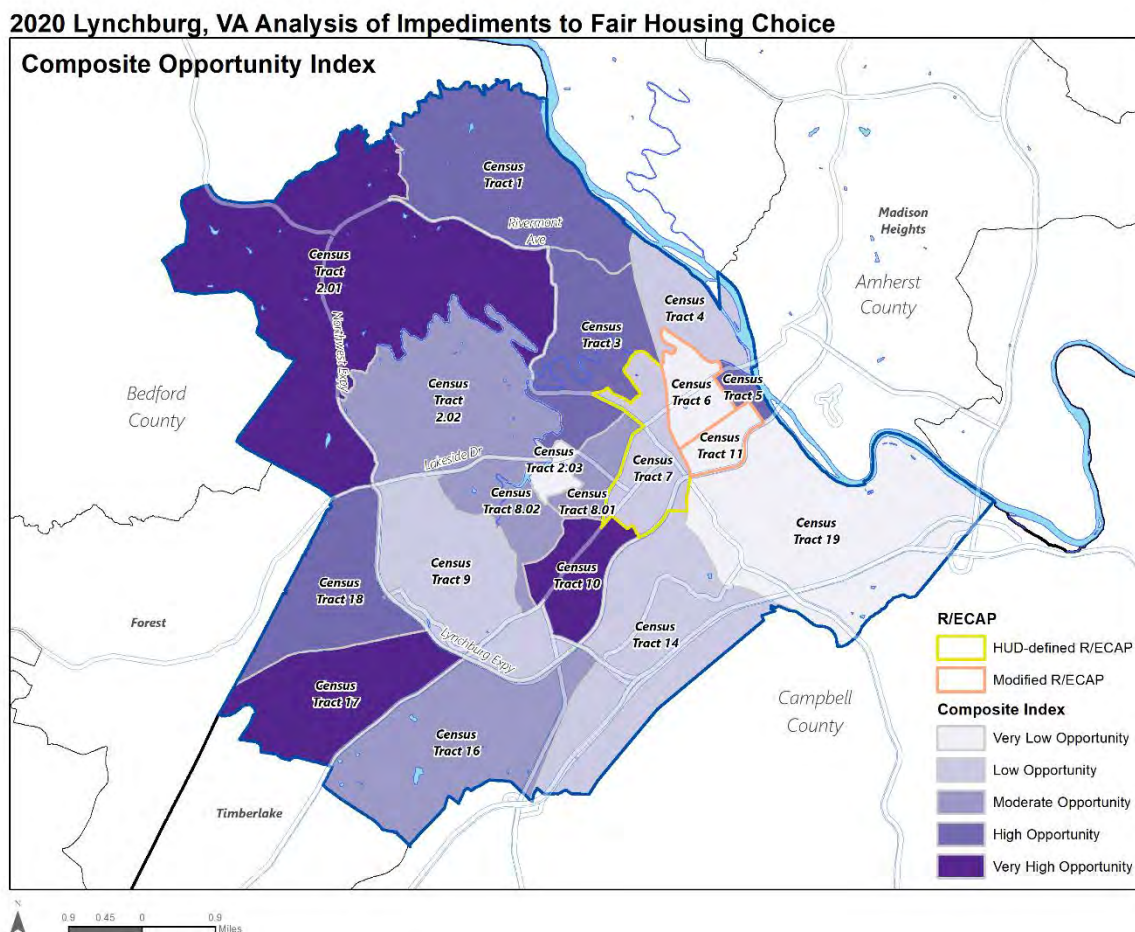


Source: 2013-2017 American Community Survey

Communities of Opportunity

An Opportunity Index was developed to classify and visualize areas of opportunity for Lynchburg residents. The Opportunity Index identifies areas in which new developments may be more financially feasible in the long-term due to proximity to factors that allow residents to have successful access to employment, quality education, and a healthy environment. The data is linearly normalized to values between 0 and 1, after which census tracts are classified into quintiles ranging from Very Low Opportunity to Very High Opportunity. The Composite Opportunity Index averages six indices that measure different areas of opportunity: prosperity, labor market engagement, job access, transit access, community health, and school proficiency. Overall, the highest opportunity areas are found in the western portions of Lynchburg away from Downtown and the Fort Hill neighborhood south of the University of Lynchburg. Further detail into each component index is included below.

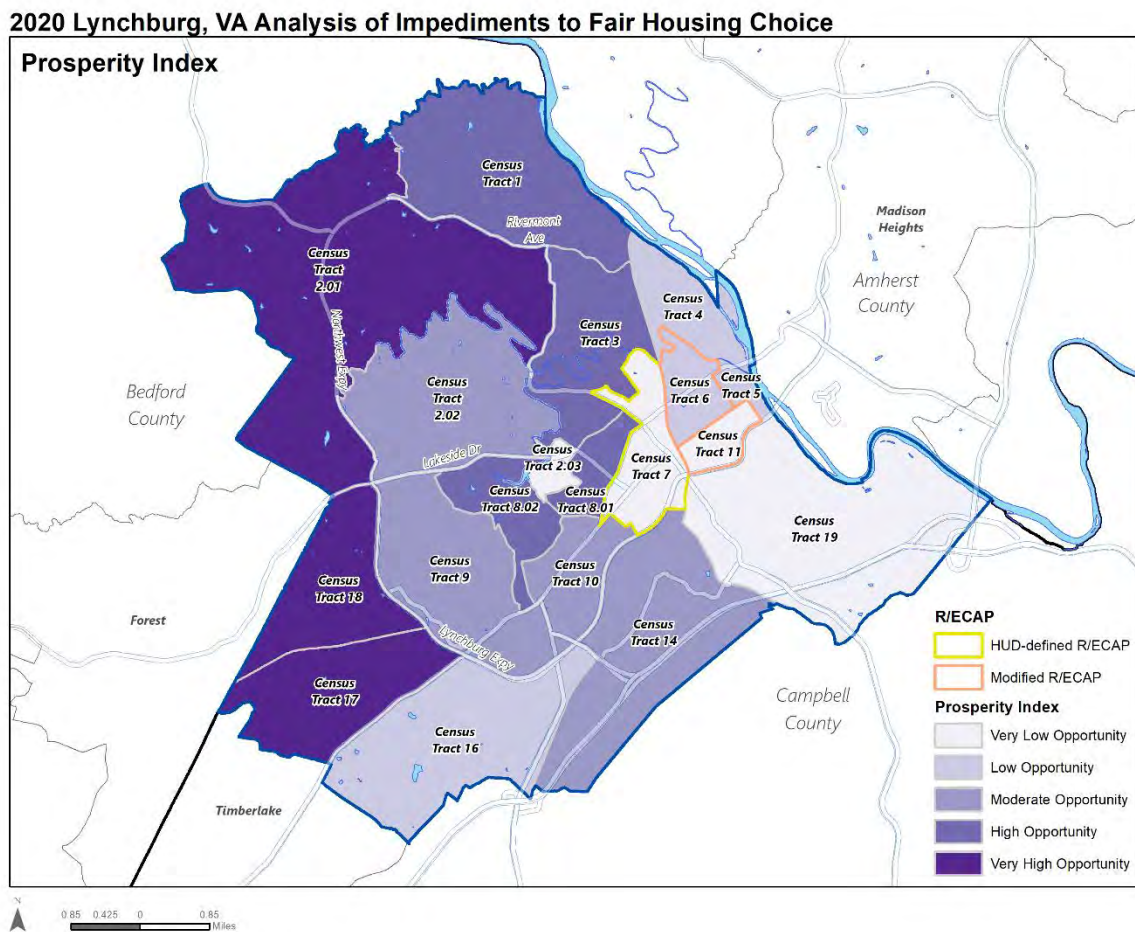
Map 17 Composite Opportunity Index



Prosperity Index

This index is a combination of poverty rate and the percentage of households with children receiving public assistance. Public assistance includes Supplemental Security Income (SSI), cash public assistance income, or Food Stamps/SNAP. Poverty has lasting effects that can impact a wide range of factors, including public education primarily funded by the local community, job opportunities, and the ability to afford quality housing. Prosperity scores were highest on the western side of Lynchburg while lowest near Downtown.

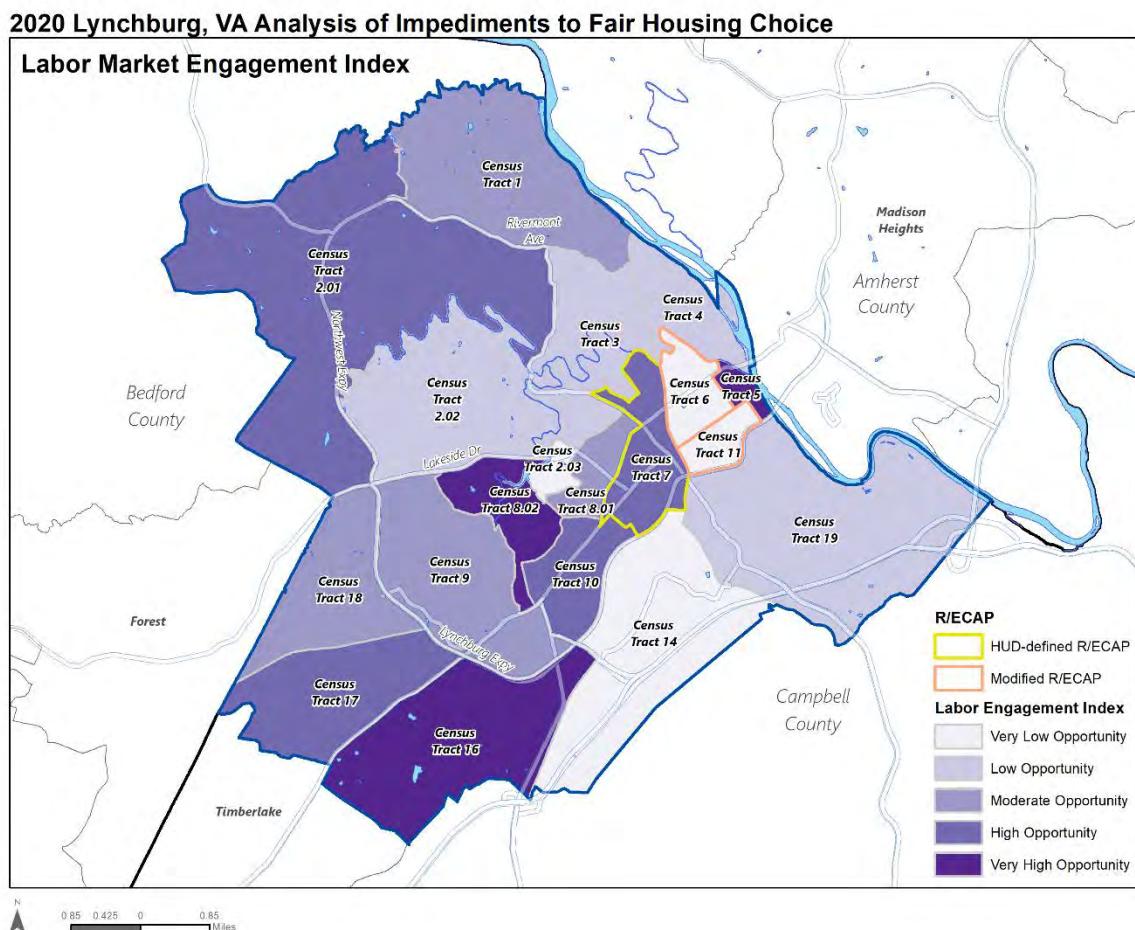
Map 18 Prosperity Index



Labor Market Engagement Index

The Labor Force Engagement Index is a measure of the relative intensity of labor market engagement and human capital. As defined by HUD, the index is a combination of unemployment rates, labor force participation rates, and percent of the population with at least a bachelor's degree within a census tract. Employment opportunities are necessary for individuals to afford stable housing. Labor force participation represents the amount of labor resources available for the production for goods and services. The percent of the population with at least a bachelor's degree is used to estimate the availability of skilled labor. The three variables were averaged to produce the Labor Market Engagement Index. Areas outside of Liberty University and the University of Lynchburg along with Downtown Lynchburg had the highest scores. Lowest scores are in the modified R/ECAPs and the site of the universities themselves, likely a result of high student populations.

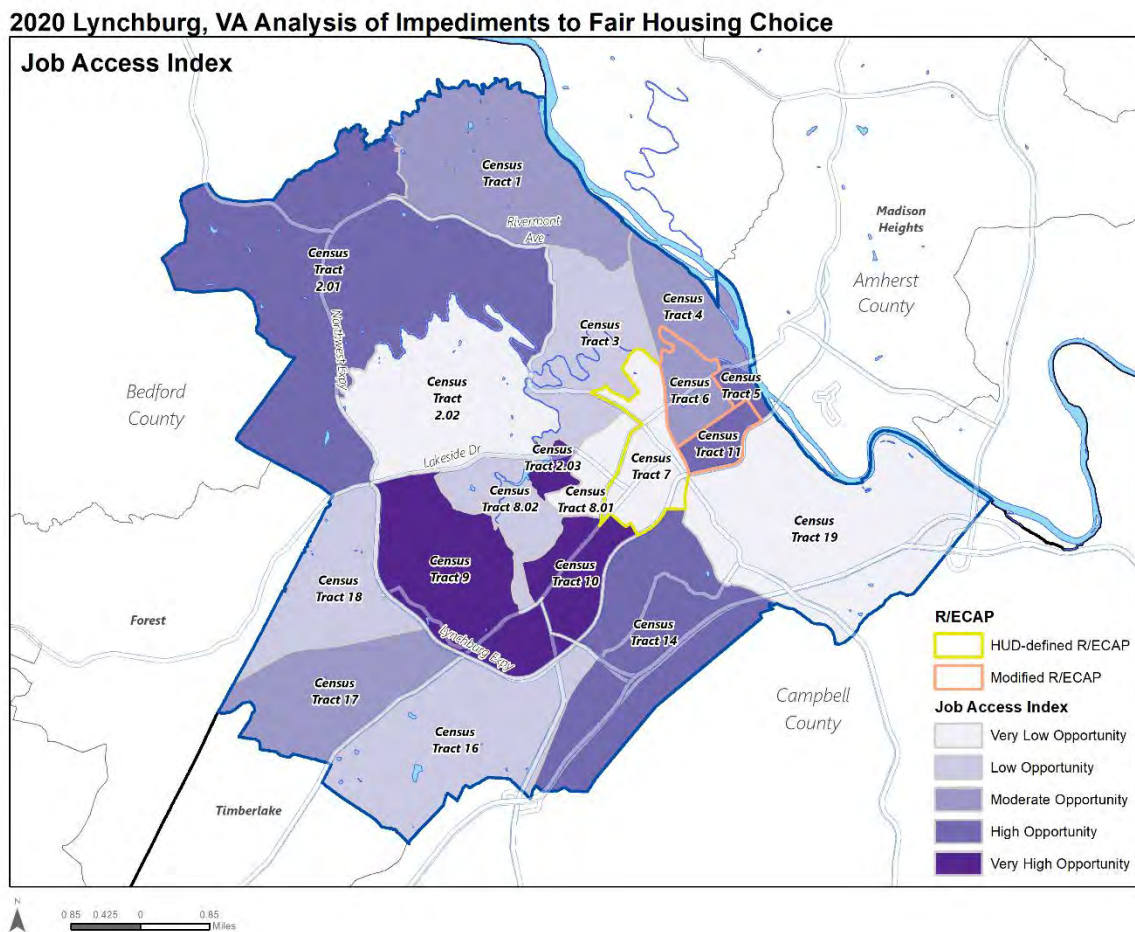
Map 19 Labor Market Engagement Index



Job Access Index

Job Access was calculated based on the “as the crow flies” distance or straight-line distance from the center of a census tract from population and job centers. Areas with many jobs were positively weighted and areas with a high labor supply were inversely weighted due to increased competition. The highest scores were found near the universities and along the Lynchburg Expressway. Areas with low job access had low densities or met the definition of an R/ECAP.

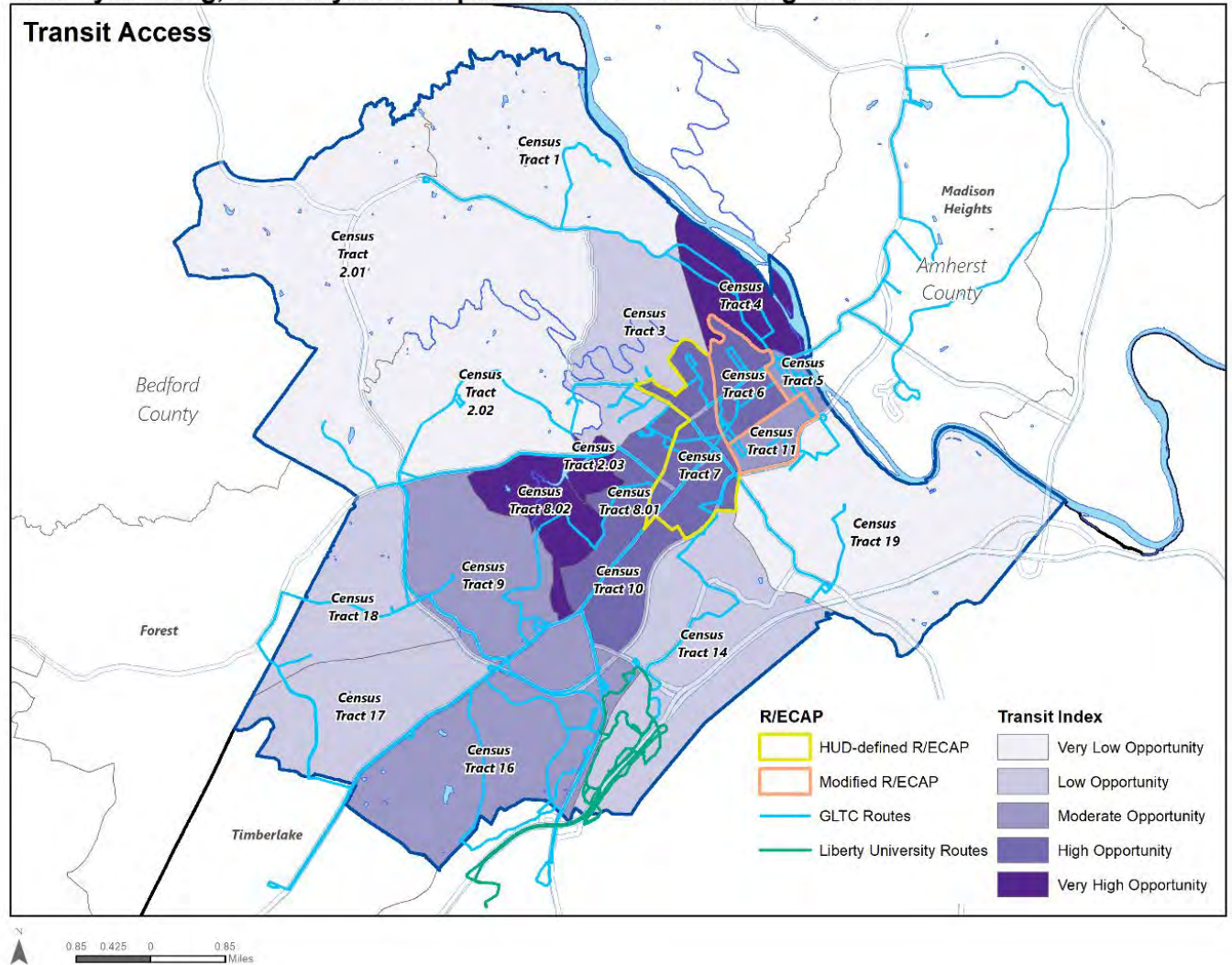
Map 20 Job Access Index



Transit Access Index

Transit Access represents the ease with which people can access public transportation. The Federal Highway Administration (FHWA) under the US Department of Transportation, most people are willing to walk for five to ten minutes to a transit stop. FHWA uses these walking times as a proxy for distance, estimating accessible transit stops being $\frac{1}{4}$ to $\frac{1}{2}$ mile away from a pedestrian's starting point, typically their place of residence. To calculate accessibility, $\frac{1}{4}$ mile and $\frac{1}{2}$ buffers were placed around each transit stop to find the percentage of a census tract that is within walking distance to a transit stop. This percentage was averaged to produce the Transit Access Index. Transit stop data was supplied by the Greater Lynchburg Transit Company. The areas just outside of Downtown Lynchburg had the best transit access score, which includes all R/ECAPs. Areas in the northwest and southeast had the poorest access, with one area being the location of Liberty University. The areas around Lynchburg College and just outside of Downtown Lynchburg had the best transit access score, which includes all R/ECAPs. Areas in the northwest and east had the poorest access. Although Census Tract 14, which contains Liberty University, has a Low Opportunity score in transit access, this is primarily due to the census tract being large and relatively undeveloped outside of Liberty University. Liberty University operates its own transit service clustered around its campus.

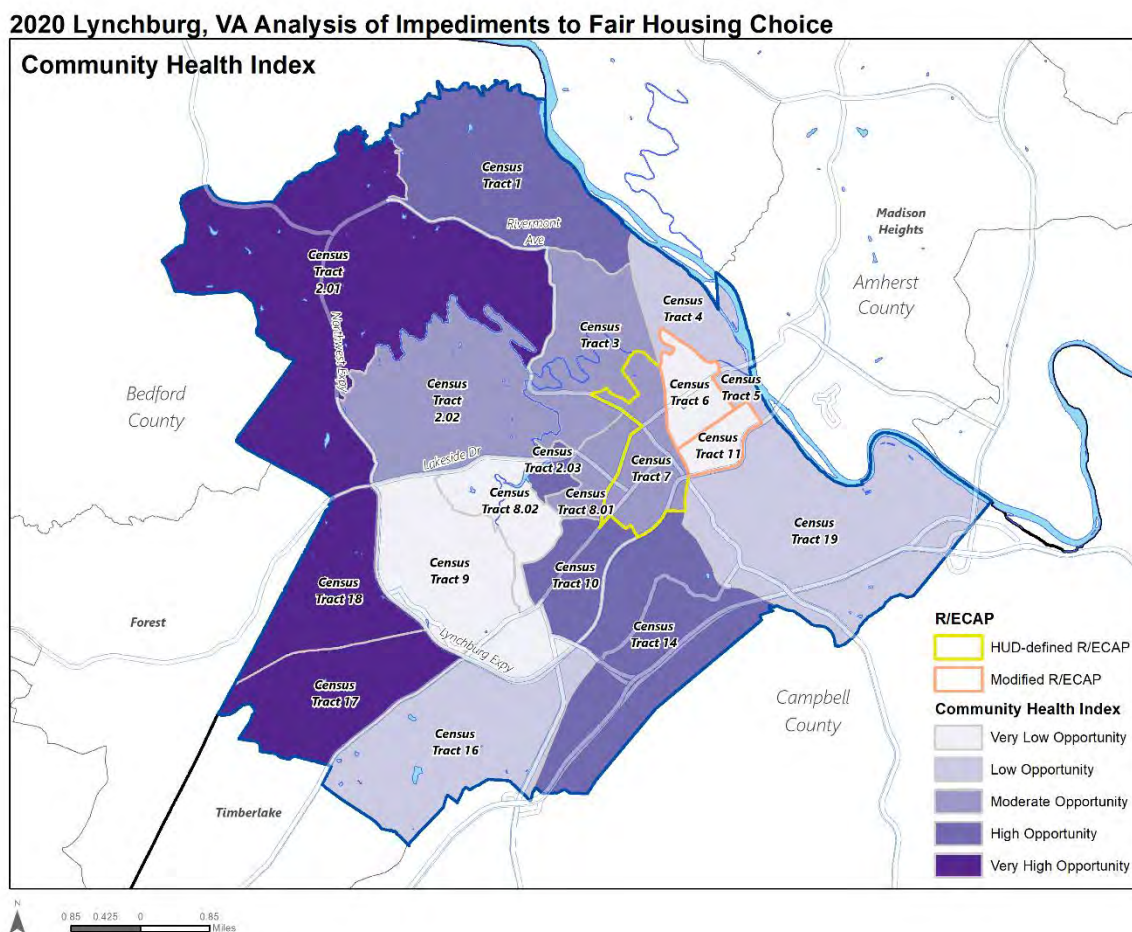
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Community Health Index

The Community Health Index is a function of the percentage of residents in a census tract without health insurance and low food access as ranked by the USDA. Low food access is defined by the USDSA as where at least one-third of a census tract's population is more than a half-mile from the nearest grocery store. Health hazards have an adverse effect on children's growth and development and can limit one's ability to work. Low-income and minority individuals are also found to be disproportionately affected by health hazards, perpetuating the lack of opportunity for vulnerable populations. Areas with the lowest community health scores are largely residential and include the modified R/ECAPs.

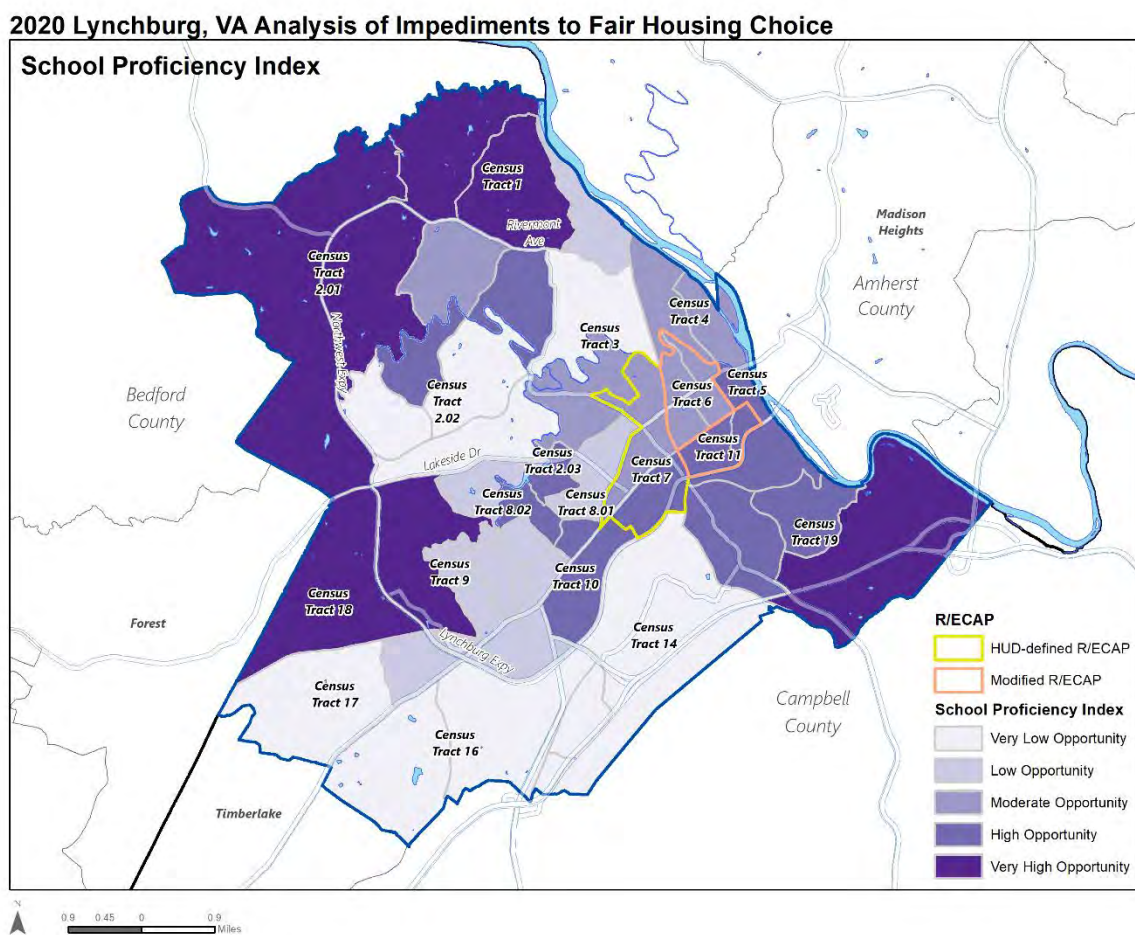
Map 22 Community Health Index



School Proficiency Index

The School Proficiency Index uses school-level data on the performance of 4th grade students on state exams to describe which neighborhoods have high-performing elementary schools nearby and which are near lower performing elementary schools. Values are percentile ranked and range from 0 to 100. The higher the school proficiency index score, the higher the school system proficiency. The school proficiency index is a function of the percent of 4th grade students proficient in reading and math on state test scores for up to three schools within 1.5 miles of the block-group. Scores are assigned to a census tract by taking the average of the block groups. Quality education is critical for the growth and development of children and enhancing their future opportunities. The most proficient schools are found in the western and eastern extremities of Lynchburg. The least proficient schools are found along the southern border of Lynchburg and just north of Lakeside Drive.

Map 23 School Proficiency Index



Public Sector Policy Analysis

The analysis of impediments is a review of impediments to fair housing choice in the public and private sector. Impediments to fair housing choice are any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status or national origin that restrict housing choices or the availability of housing choices, or any actions, omissions or decisions that have the effect of restricting housing choices or the availability of housing choices on the basis of race, color, religion, sex, disability, familial status or national origin. Policies, practices or procedures that appear neutral on their face but which operate to deny or adversely affect the provision of housing to persons of a particular race, color, religion, sex, disability, familial status or national origin may constitute such impediments. In Virginia, the additional protected class of elderliness (55 and older) is also included along with the seven from the Fair Housing Act.

An important element of the AI includes an examination of public policy in terms of its impact on housing choice. This section evaluates public policies in order to determine opportunities for affirmatively furthering fair housing.

City of Lynchburg 2013-2030 Comprehensive Plan

This section will review local planning initiatives outlined in Lynchburg's 2013-2030 Comprehensive Plan as it relates to affordable housing, desegregation, elimination of poverty, and fair housing policies. Overall, the Comprehensive Plan advocates for expanding housing choices and improving conditions for LMI and special needs residents through renovation, rehabilitation, and multimodal transition, but falls short in terms of de-segregating racially and ethnically concentrated areas of poverty (R/ECAPs).

The Comprehensive Plan was adopted on September 27, 2013 and has a chapter dedicated to neighborhoods and housing. Housing goals identified in the plan include:

- Providing diverse housing choices
- Increasing the number of owner-occupied units
- Rehabilitating substandard housing with an emphasis requiring an investment of funds and/or labor on the part of the owner commensurate with the owner's resources
- Supporting initiatives to increase permanent affordable rental and housing ownership opportunities
- Supporting programs that assist individuals in retaining their homes in challenging economic times

Lynchburg identifies three types of neighborhoods in the City, each with unique housing needs: traditional neighborhoods, suburban neighborhoods, and mixed-use neighborhoods. Traditional neighborhoods provide convenient access to goods and services due to their proximity to downtown and smaller units of naturally affordable housing. The plan identifies a need to provide flexible zoning and policies along with active code enforcement to keep properties maintained and updated while preserving neighborhood character. Mixed-use neighborhoods see similar development patterns and needs as traditional neighborhoods. Suburban neighborhoods are identified as areas predominantly consisting of low-density, single family homes further away from the downtown core. The City emphasizes improving access and infrastructure, such as sidewalks and bikeways and implementing small-scale neighborhood retail and services at key intersections in suburban areas.

Age and affordability of housing are areas of major concern for the City's overall housing stock, especial for lower income residents. Lynchburg homes are generally older than that of the State of Virginia, with a median year built of 1969 for Lynchburg versus 1981 in Virginia, according the 2013-2017 ACS. The primary method of improving housing conditions if the City's aging housing stock will be through renovations and rehabilitation. Funding will be conducted through loans, tax abatements, and/or tax credits. A program to encouraging renovation, reviewing loan programs, and working with builders and financial institutions to develop guides on renovation and rehabilitation are being explored. While housing costs are generally lower compared to the State, the plan makes apparent the disproportionate rates of cost-burden on lower income households. The needs of Lynchburg's lower income households are primarily addressed through the City's Consolidated Plan and CDBG funds.

Figure 25 Housing Costs in the City of Lynchburg and State of Virginia,

	Virginia	Lynchburg
Median Home Value	\$ 255,800	\$ 153,800
Median Gross Rent	\$ 1,166	\$ 835
Median Contract Rent	\$ 981	\$ 665

Source: 2013-2017 American Community Survey

The City also determined its large student population creates housing concerns in terms of competition with LMI households for affordable units and the ability to maintain upkeep of these properties. Collaboration with schools and landlords along with rental housing registration and inspection is planned to expand citywide. LMI households interested in homeownership will be addressed by coordinating with lenders and housing providers to implement programs that reduce barriers to homeownership.

In terms of furthering fair housing policies, the plan emphasizes the role and proximity of public transit and social services for special needs populations. This population includes aging residents, individuals with physical and mental disabilities, and lower income residents. The primary avenue for improving special needs housing through promoting rehabilitation of housing units using a mix of funding possibilities. The City found that having access to goods and services needed on a regular basis (food, parks, schools, etc.) plays a large role in all their residents' quality of life.

Finally, the plan has a dedicated chapter on transportation, outlining initiatives to implement the Better Streets Policy and Multimodal System Design Guidelines. These initiatives serve as guiding principles for planning for all modes of transportation to support the delivery and access of goods and services. The Better Streets Policy prioritizes the needs of pedestrians, bicyclists, transit, street trees, stormwater, utilities, and livability to improve citizens' quality of life. Similarly, Multimodal System Guidelines were created by the Virginia Department of Rail and Public Transportation (DRPT) to accommodate for all modes of transportation and be adapted to local needs. Adoption of these guidelines also improves implementation by creating consistency between local planning efforts and the Virginia Department of Transportation.

There is no clear mention, however, of de-segregating areas of concentrated poverty and/or minorities.

Almost one-third of the city is Black, and R/ECAPs in Lynchburg were defined and identified in the Data Analysis section of the AI. The City should make more apparent the parallels between de-concentration of LMI minorities and the goals and initiatives identified in the plan for improving access and opportunity for residents. More transparent connections to anti-poverty strategies, such as Bridge to Progress, and its links to housing could also be made, such as those included in the Consolidated Plan.

Zoning Risk Assessment

The City of Lynchburg adopted its current zoning ordinance on February 23, 2016 and it was evaluated based on the following criteria on how the ordinance:

- Defines “family” inclusively, without a cap on the number of unrelated persons and with a focus on functioning as a single housekeeping unit
- Defines “group home” for persons with disabilities or similarly named land use compared to single family dwellings
- Allows up to 6 unrelated people with disabilities to reside in a group home without requiring a special use/conditional use permit or public hearing
- Regulates the siting of group homes as single family dwelling units without an additional regulatory provision
- Has a “Reasonable Accommodation” provision or allows for persons with disabilities to request reasonable accommodation/modification to regulatory provisions
- Permits multi-family housing of more than 4 units per structure in one or more residential zoning districts by-right
- Does not distinguish between “affordable housing/multi-family housing” (i.e. financed with public funds) and “multi-family housing” (i.e. financed with private funds)
- Does not restrict residential uses such as emergency housing/homeless shelters, transitional housing, or permanent supportive housing facilities exclusively to non-residential zoning districts
- Permits manufactured and modular housing on single lots like single family dwelling units
- Provides residential zoning districts with minimum lot sizes of ¼ acre or less
- Does not include exterior design/aesthetic standards for all single-family dwelling units regardless of size, location, or zoning district

Overall, the zoning ordinance of the City of Lynchburg is at a low risk relative to discriminatory provisions for housing members of protected classes. Although the definition of “family” is limited to no more than three unrelated persons living together as a household, the number is expanded to four to eight for residents of group homes. Small group homes, defined as fewer than four aged or infirmed individuals or fewer than eight individuals with mental, intellectual or developmental disabilities, are permitted by right in all residential districts. Additionally, no conditions more restrictive than those imposed on residences occupied by persons related by blood, marriage, or adoption can be imposed on group homes. This is consistent with fair housing law. While larger group homes need a conditional use permit in all residential districts, group homes do not typically exceed six people.

The following table summarizes the zoning risk assessment for Lynchburg. A score of 12 places the ordinance at low risk relative to discriminatory provisions for housing members of protected classes. A score of 13-14 places a zoning ordinance at moderate risk, while any higher score indicates a potentially high risk. Lynchburg's score of 12 equates to a low risk factor.



Figure 26 City of Lynchburg, VA Assessment of Fair Housing

Scoring: 1 – low risk for discrimination 2 – high risk for discrimination

Zoning Ordinance Regulatory Provision			Score
1.	Ordinance defines "family" inclusively, without cap on number of unrelated persons, with focus on functioning as a single housekeeping unit <i>Ex: Two or more persons who live in the same dwelling unit and function as a single housekeeping unit</i>	Yes (1)	No (2) 2
2.	Ordinance defines "group home" or similarly named land use as "a single family dwelling unit"	Yes (1)	No (2) 2
3.	Ordinance allows up to 6 unrelated people with disabilities to reside in a group home without requiring a special use / conditional use permit or public hearing	Yes (1)	No (2) 1
4.	Ordinance regulates group homes as single family dwelling units without any additional regulatory provisions	Yes (1)	No (2) 1
5.	Ordinance has a Reasonable Accommodation provision or allows for persons with disabilities to request reasonable accommodation / modification to regulatory provisions	Yes (1)	No (2) 1
6.	Ordinance permits multi-family housing of more than 4 units/structure in one or more residential zoning districts by-right	Yes (1)	No (2) 1
7.	Ordinance does not distinguish between "affordable housing / multi-family housing" (i.e., financed with public funds) and "multi-family housing" (i.e., financed without any public funds)	Yes (1)	No (2) 1
8.	Ordinance does not restrict residential uses such as emergency housing/homeless shelters, transitional housing or permanent supportive housing facilities exclusively to non-residential zoning districts	Yes (1)	No (2) 1
9.	Ordinance permits manufactured and modular housing on single lots like single family dwelling units	Yes (1)	No (2) 1
10.	Ordinance provides residential zoning districts with minimum lot sizes of ¼ acre or less	Yes (1)	No (2) 1
TOTAL SCORE			12

11-12: Ordinance is at LOW risk relative to discriminatory provisions for housing and members of the protected classes.

13-14: Ordinance is at MODERATE risk relative to discriminatory provisions for housing and members of the protected classes.

15 and higher: Ordinance is at HIGH risk relative to discriminatory provisions for housing and members of the protected classes.

Local Building Codes

Accessible design and construction requirements are necessary to make public and common use spaces and facilities accessible to everyone. This gives people with disabilities greater freedom of choice to choose where they live. The Fair Housing Act requires all “covered multifamily dwellings” to be accessible to and usable by people with disabilities. Here, covered multifamily dwellings are defined as buildings containing four or more units, either with all ground floor units or at least one elevator. The following seven accessibility standards are required by the Fair Housing Act for these dwelling units:

1. An accessible building entrance on an accessible route.
2. Accessible common and public use areas
3. Usable doors (usable by a person in a wheelchair)
4. Accessible route into and through the dwelling unit
5. Light switches, electrical outlets, thermostats, and other environmental controls in accessible locations
6. Reinforced walls in bathrooms for later installation of grab bars
7. Usable kitchens and bathrooms

Additionally, it is unlawful to refuse to make reasonable accommodations that allow for a person with a disability equal opportunity and use and enjoy their home.

Building design and construction standards in Lynchburg more than adequately implements accessible measures for people with disabilities by utilizing state building codes. The City incorporates three parts of the Virginia Uniform Statewide Building Code (USBC) for their construction, rehabilitation and maintenance regulations. These regulations were last updated in 2018. Two sections, the Virginia Construction Code and the Virginia Existing Building Code, each dedicate a chapter to accessibility, meeting the accessibility requirements outlined by the Fair Housing Act along with providing additional protections.

The Virginia Construction Code (VCC) deems a structure as being constructed in accordance with universal design features for accessibility, dwellings must comply with Section 1005 of ICC

(International Code Council) A117.1 Accessible and Usable Buildings and Facilities. All seven requirements of the Fair Housing Act's accessibility standards are covered under this code. The Virginia Construction Code also requires that at least one bedroom, one bathroom regardless of size, food preparation areas, and thermostats must be available on the entrance level of a dwelling. All bathrooms must include a shower or bathtub with reinforcement for future installation of grab bars.

For existing structures, the Virginia Existing Building Code abides by 2015 International Existing Building Code (IEBC) standards. Existing buildings or structures that undergo a complete change of occupancy or use must implement all accessibility features mentioned in the Fair Housing Act. Existing buildings observing only a partial change in occupancy are not required to implement these features. Alterations must comply with the requirements of the VCC to the maximum extent technically feasible. Toilet rooms that cannot be feasibly modified to be accessible allows for the construction of new toilet rooms on the same floor and areas as the existing toilet rooms along with appropriate signage. Accessible dwelling units in historic buildings are not required to comply with VCC standards; however, the public spaces of historic buildings must provide accessible arrival points and entrances.

Anti-Displacement Plan and Relocation Plan

Anti-displacement and Relocation Plans serve to advance the interests of lower-income individuals and households at risk of displacement due to neighborhood changes in various sectors, such as housing, businesses, and infrastructure. The replacement plan is compliant with HUD regulation 24 CFR § 42 and 24 CFR § 570 outlining plans and strategies for addressing displacement.

The City requires that all occupied and vacant LMI dwelling units expected to undergo demolition, rehabilitation, and conversion activities assisted with funds provided through CDBG or HOME programs will be replaced within three years. A replacement plan submitted to HUD will include in writing:

- A description of the proposed activity
- A map providing the location and number units described by number of bedrooms that will be demolished or converted and the replacement units that will be provided
- A time schedule for commencement and completion of the demolition or conversion
- The source of funding and a time schedule for provision of replacement units
- The basis for concluding that each replacement unit will remain a LMI dwelling unit for ten years from the date of initial occupancy.

The City will utilize the following displacement strategy to minimize or prevent displacement, keep residents in their present neighborhoods, or otherwise mitigate adverse effects of displacement:

- Plan, organize, and stage the rehabilitation of assisted housing to allow tenants to remain during and after rehabilitation to provide the most convenient, safe, and economically sound rehabilitation effort possible
- Assist in the identification of temporary relocation facilities to house families whose displacement will be of short duration so that they can move back to their neighborhood after completion of rehabilitation or new construction
- Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent the placing of undue financial burdens on long-established homeowners or tenants of multifamily buildings

- Counsel and advise homeowners and renters to understand the range of assistance that may be available to meet and protect their housing rights and interests.
- In cooperation with neighborhood organizations, continuously review neighborhood development trends, identify displacement problems, and identify individuals facing displacement who need assistance.
- Provide lower-income housing in the neighborhood through HUD housing programs; purchase units as-is; rehabilitate vacant units; or construct housing units.
- Give priority in assisted housing units in the neighborhood to area residents facing displacement.
- Target Section 8 existing programs and certificates to households being displaced, and recruit area landlords to participate in the program.
- Provide counseling and referral services to assist persons displaced in finding alternate housing in the neighborhood.
- Work with area landlords and real estate brokers to locate vacancies or households facing displacement.
- Use public funds, such as CDBG and/or HOME, to pay moving costs and provide relocation payments, or, to the extent permissible by local or state law, require private developers to provide compensation to persons displaced by development activities.
- Give persons displaced priority in obtaining subsidized housing.
- Provide counseling and referral services to assist persons displaced to locate elsewhere in the community.

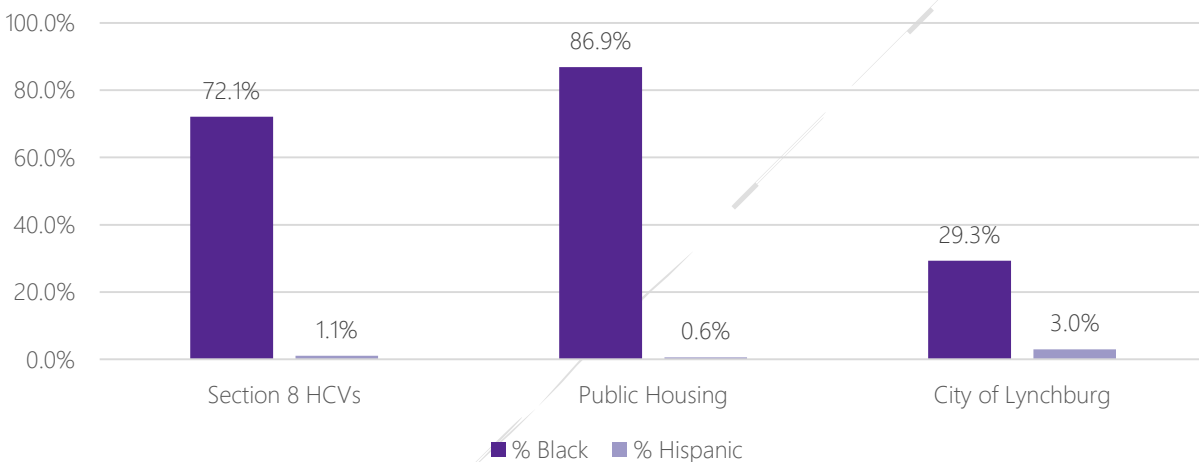
In carrying out this strategy, Lynchburg ensures all displaced residents are provided housing that is decent, safe, and sanitary, adequate in size, functionally equivalent to their previous residence, and in an area not subject to adverse environmental conditions.

LRHA Tenant/ Applicant Demographics

Historically, assisted housing had been highly segregated and concentrated in areas of poverty through ineffective management, redlining, and other discriminatory practices. However, public housing authorities, such as LRHA, are attempting to take appropriate actions to overcome the effects of these impediments.

Members of the protected class are disproportionately represented in public housing, particularly Black households. Conversely, Hispanic households are underrepresented. However, it should be noted that Lynchburg's Hispanic population is small, consisting of only 3% of the total population.

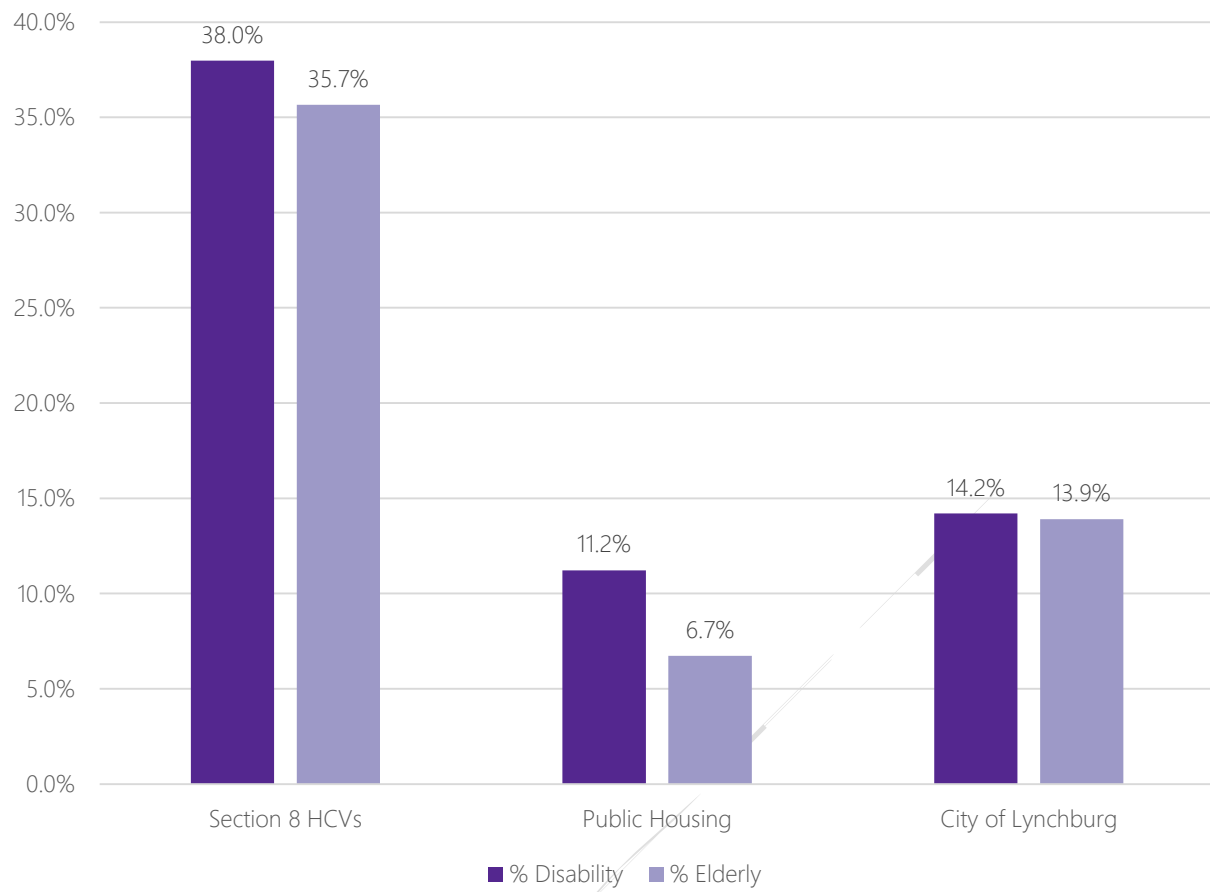
Figure 27 Tenant Demographics – Black and Hispanic Households



Source: Lynchburg Redevelopment and Housing Authority

The elderly and persons with disabilities show relatively high representation in Section 8 housing but underrepresentation in public housing. Persons with disabilities represent 38.0% of Section 8 HCV holders but are only 11.2% of public housing tenants. Similarly, 35.7% of Section 8 HCV holders are elderly compared to 13.9% of all Lynchburg residents and 6.7% of public housing tenants. As defined in LRHA's Admissions and Continued Occupancy Policy (last updated in 2018), local preferences include victims of domestic violence, homeless individuals and their families, veterans, working families, the elderly, and the disabled. Victims of domestic violence, homeless persons, and veterans have a higher level of preference than the elderly and persons with disabilities.

Figure 28 Tenant Demographics – Disability and Elderly Status



Source: Lynchburg Redevelopment and Housing Authority

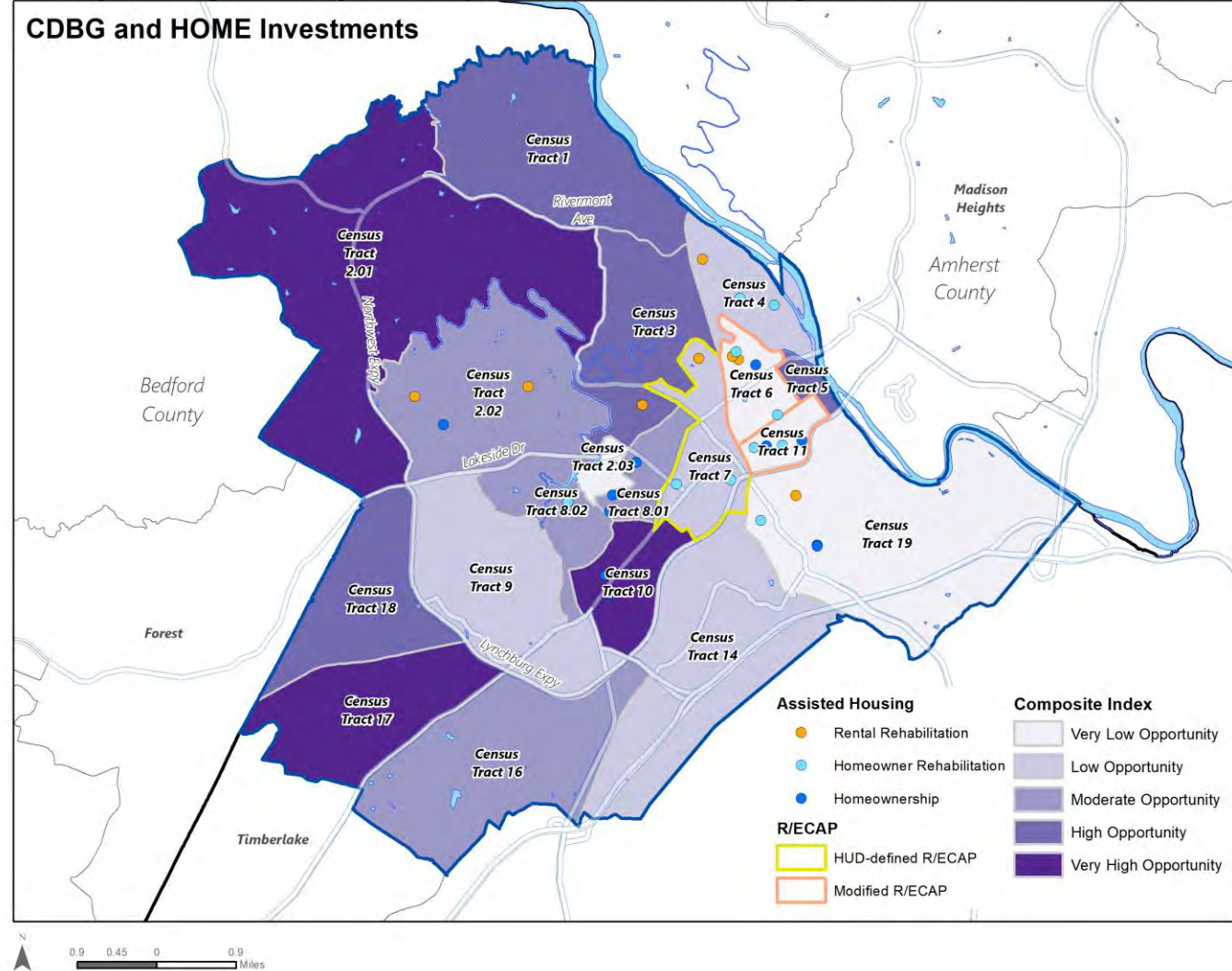
CDBG/HOME Investments

The Community Development Block Grant (CDBG) Program provides annual grants on a formula basis to states, cities, and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons.

Similarly, the HOME Investment Partnerships Program (HOME) provides formula grants to States and localities that communities use - often in partnership with local nonprofit groups - to fund a wide range of activities including building, buying, and/or rehabilitating affordable housing for rent or homeownership or providing direct rental assistance to low-income people. HOME is the largest federal block grant to state and local governments designed exclusively to create affordable housing opportunities for low-income households.

During PY 2015-2019, 92 housing units received some form of housing assistance using CDBG or HOME funds. Rental rehabilitation was the most common form of investment, consisting of 69 units or 75% of all assisted housing units using CDBG or HOME funds. The remaining investments include eleven homeowner rehabilitations and twelve homeownership assistances. Less than half (45) of all assisted units are in R/ECAPs, indicating an effort to deconcentrate poverty in Lynchburg.

2020 Lynchburg, VA Analysis of Impediments to Fair Housing Choice



Source: City of Lynchburg

Assisted Housing Location Patterns

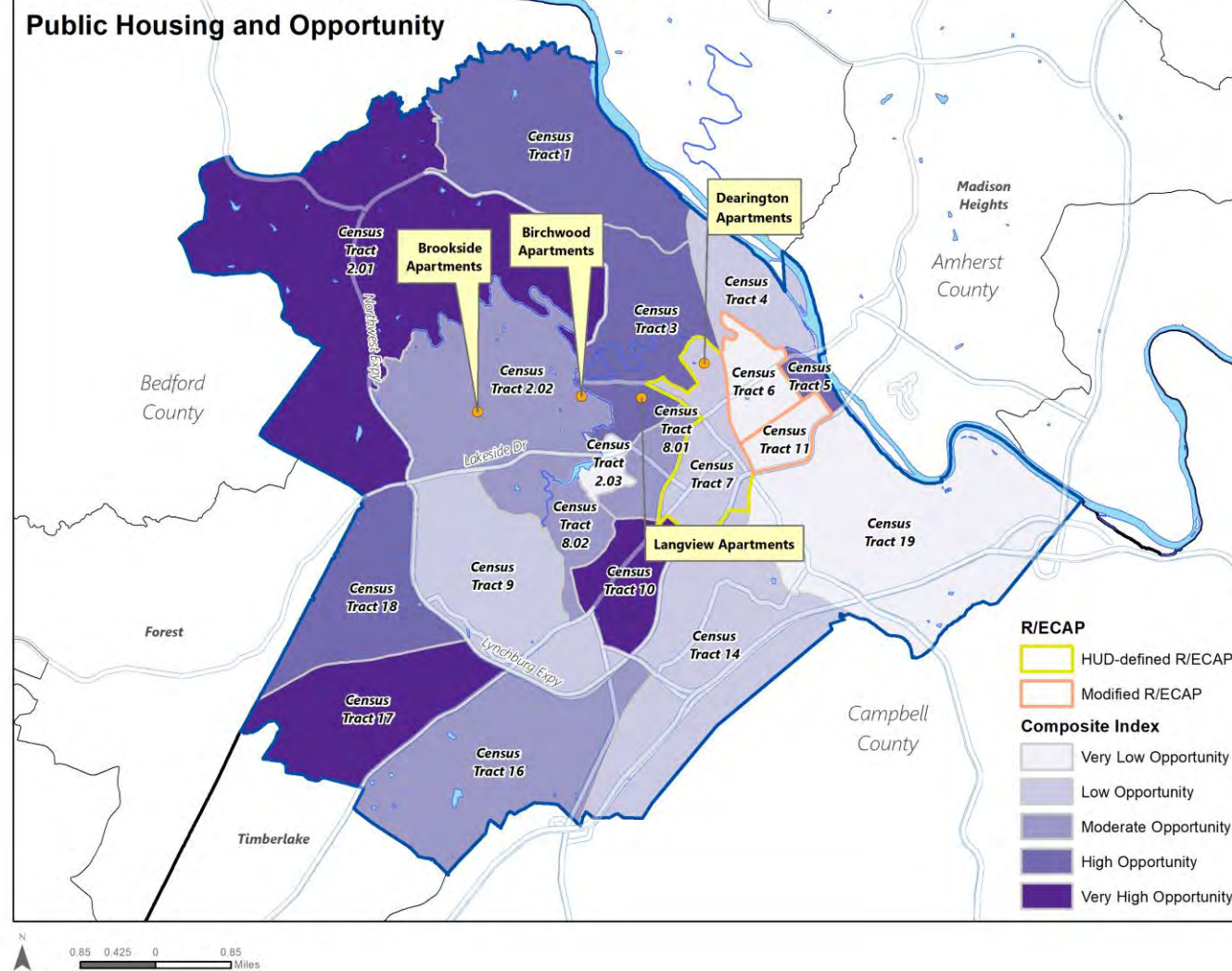
Housing programs serving very-low- and low-income households have historically exacerbated problems of concentrated poverty. However, modern agencies are attempting to administer programs and housing to provide better opportunities for their clients. *While most of Lynchburg's assisted housing is located in lower opportunity areas, these areas have better access to public transit that serve important roles for assisted housing tenants and facilitate the use of vital goods and services.*

The Lynchburg Redevelopment and Housing Authority (LRHA) provides affordable housing through public housing and Section 8 Housing Choice Vouchers (HCVs). As of 2019, LRHA owns and operates 328 units of public housing at four locations within the City. Only one public housing property, the 100-unit Dearington Apartments, is located in an R/ECAP. Other public housing developments are located in census tracts with overall moderate (Brookside and Birchwood Apartments) or high levels (Langview Apartments) of opportunity relative to the rest of the City. These areas can be characterized as having moderate levels of prosperity, moderate health outcomes, and good access to public transit while have poor access to job opportunities and quality schools.

According to PolicyMap, Lynchburg has 1,318 Section 8 HCV holders and showed similar distribution patterns as public housing. Most HCV holders resided in or around the R/ECAPs while no HCV holders could be found in any of the highest opportunity areas in the western and northern parts of the City.

Properties receiving Low Income Housing Tax Credits numbered at 26 properties, with a total of 1,621 housing units. Housing units set aside for low-income Lynchburg residents made up 89.9% of housing units, or 1,458 units. Of these units, 23.9% or 349 low-income units are located in either the HUD-defined R/ECAP or the modified R/ECAPs. Compared to Section 8 housing, LIHTC recipients have a more diverse geographic distribution and can be found in more high opportunity areas such as Census Tract 1, which includes the neighborhoods of Boonsboro, Peakland, and Riverside. However, there are still no LIHTC units located in the highest opportunity areas.

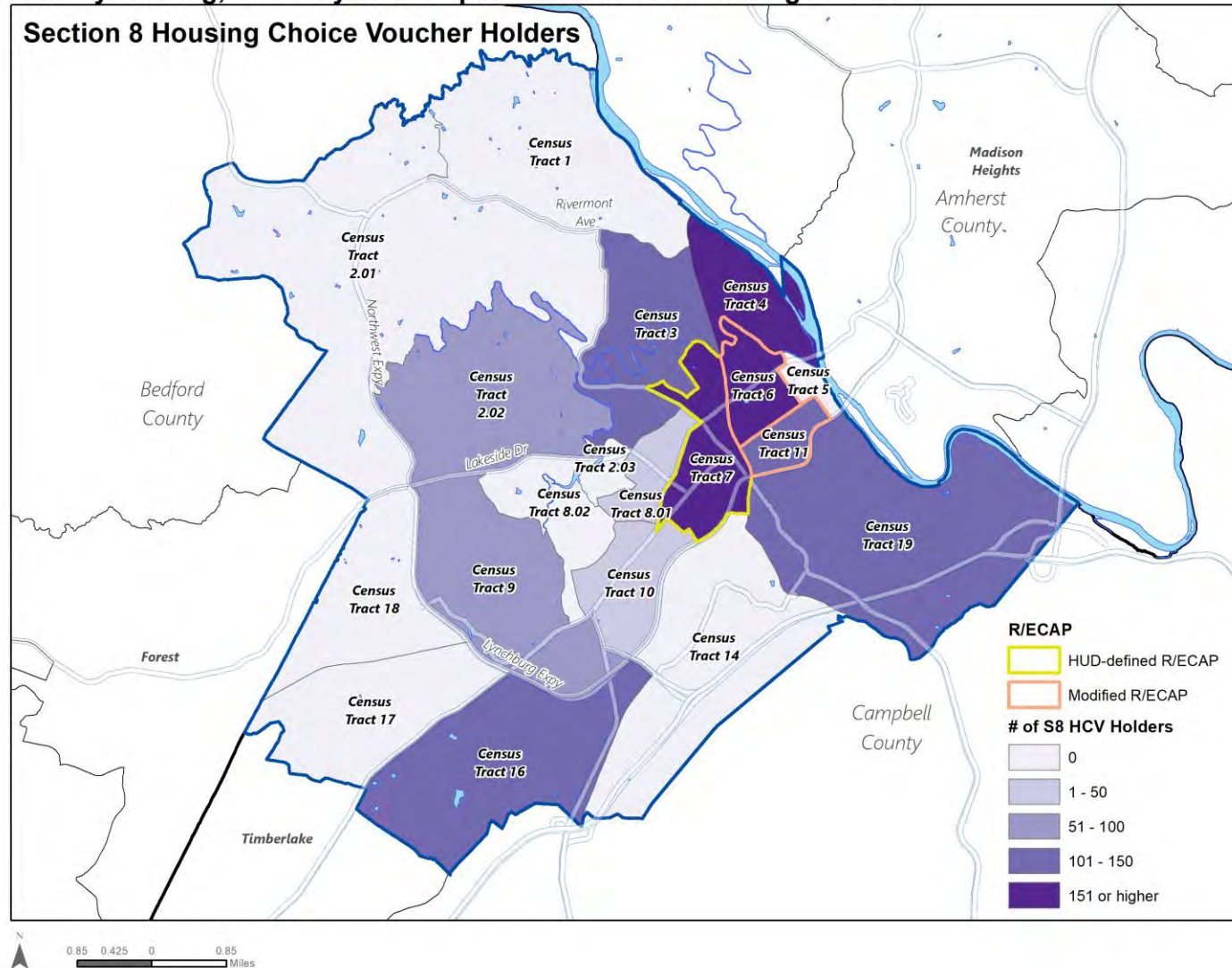
2020 Lynchburg, VA Analysis of Impediments to Fair Housing Choice



Source: Lynchburg Redevelopment and Housing Authority

2020 Lynchburg, VA Analysis of Impediments to Fair Housing Choice

Section 8 Housing Choice Voucher Holders



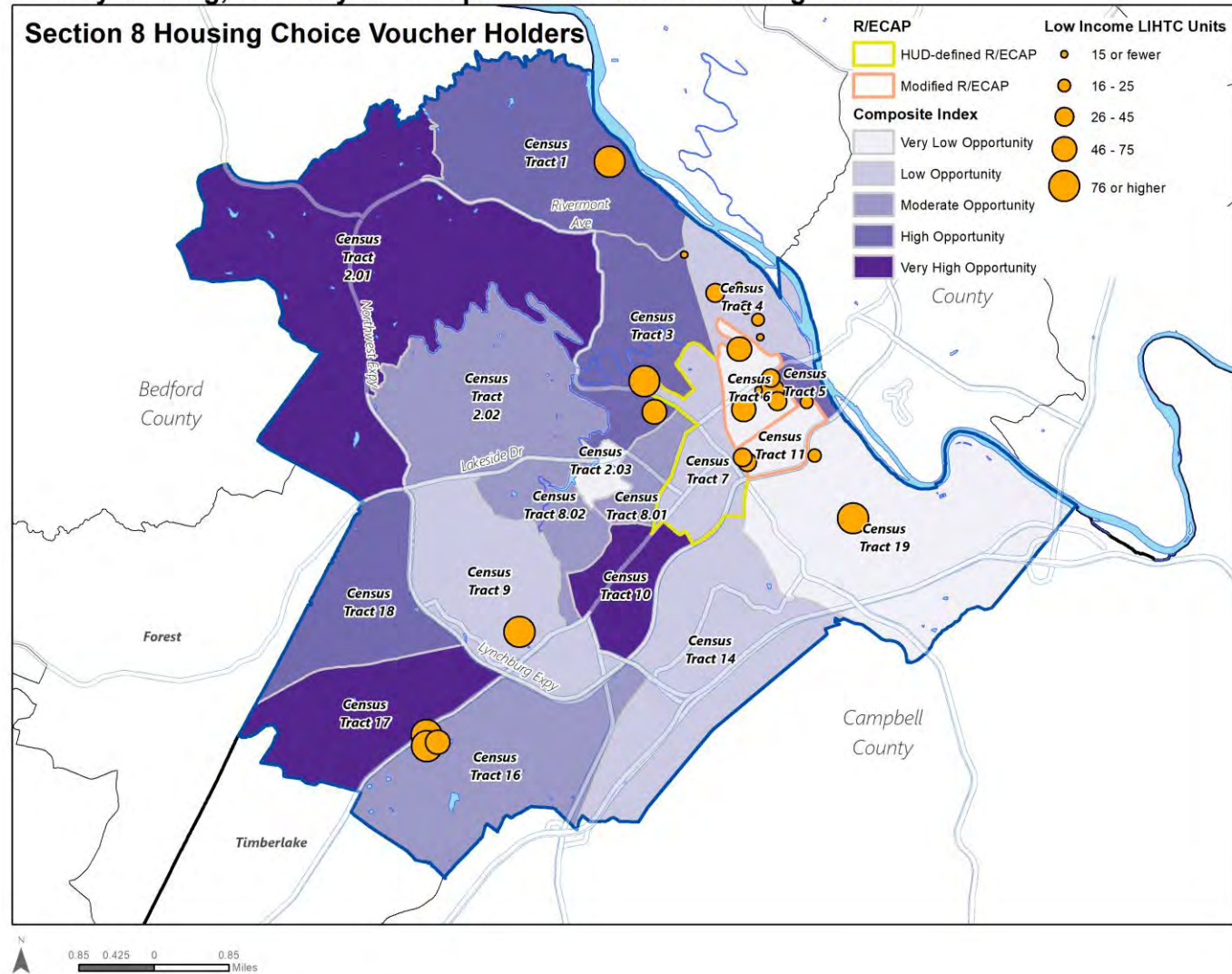
Source: Lynchburg Redevelopment and Housing Authority

Map 27 City of Lynchburg LIHTC Properties, 2018



2020 Lynchburg, VA Analysis of Impediments to Fair Housing Choice

Section 8 Housing Choice Voucher Holders



Source: PolicyMap; HUD

Location of Major Employers and Employment Opportunities

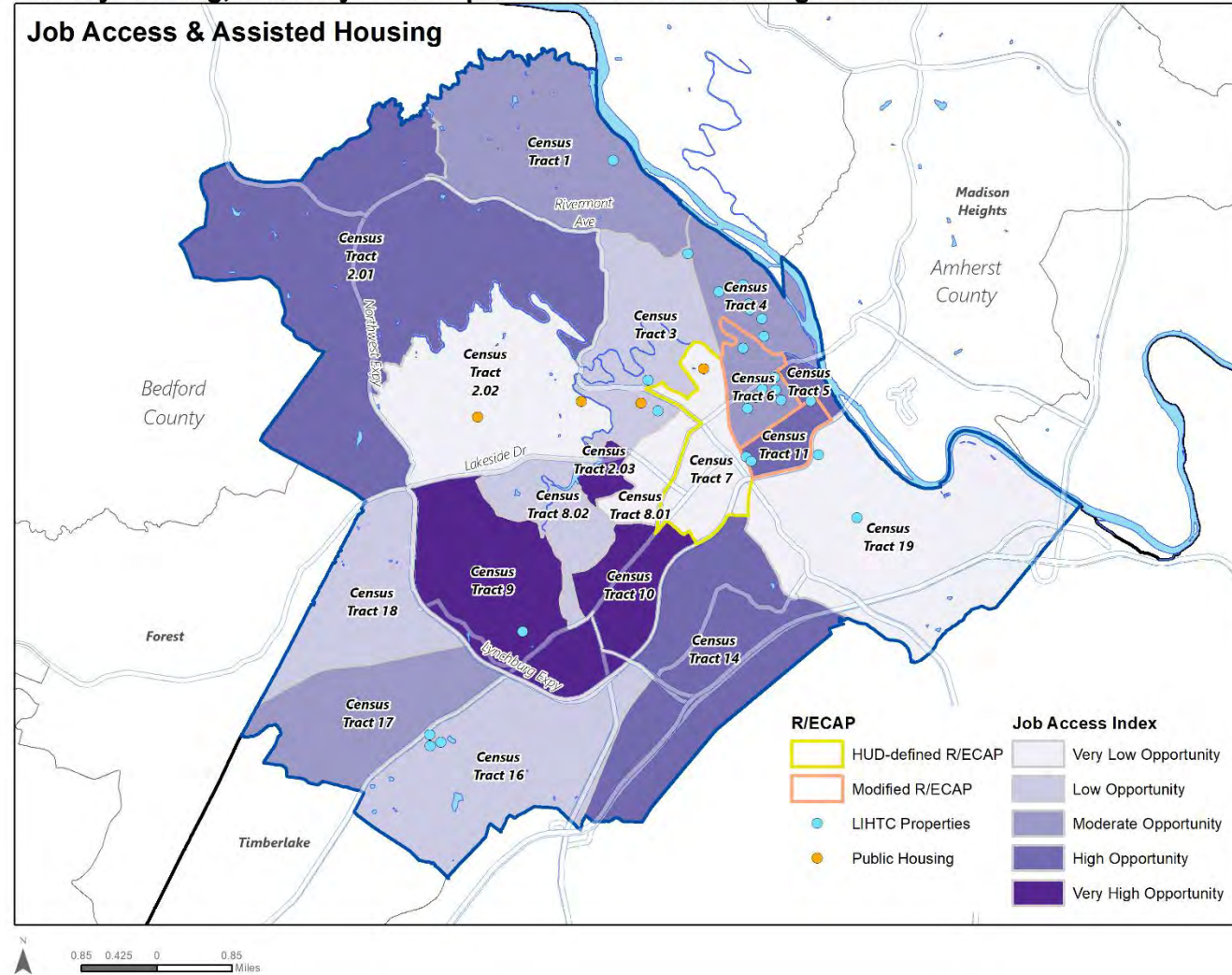
The United States Office of Management and Budget delineates metropolitan statistical areas as a core area containing a substantial population of at least one urbanized area of 50,000 or more inhabitants and having high levels of economic and social integration. As a result, commuting and employment opportunities are best observed at the regional level. The City of Lynchburg serves as the core of the Lynchburg Metropolitan Statistical Area, which also includes the neighboring counties of Amherst, Appomattox, Bedford, and Campbell.

Accessibility to jobs from a given residential neighborhood is a function of a block group's distance to all job locations and labor supply (competition). Block groups close to job opportunities and with less competition tend to receive higher scores. Job opportunities are defined here as the number of jobs within a block group and labor supply the number of workers within in a block group. Distance is measured as the most direct path between the centers of block groups.

Areas with the highest levels of job access are located along the Lynchburg Expressway, especially in areas close to Liberty University and the University of Lynchburg. R/ECAPs have the lowest levels of job access. Additionally, very few assisted housing units are located in these areas, potentially impeding employment opportunities for low- and moderate-income households.

It is important to note that job quality is not measured; this index only captures the quantity of jobs and workers. Job quality is a complex and multifaceted concept that can include a variety of factors weighted differently by individual preferences, including pay and benefits, job security, health and safety, work-life balance, and more. The high concentration of universities in the area may show a demand and need for highly skilled workers not typically found in low- and moderate-income households. Additionally, the areas with high job access have large commercial areas. While these jobs are accessible, they may not provide adequate career progression to lift low- and moderate-income families out of poverty.

2020 Lynchburg, VA Analysis of Impediments to Fair Housing Choice



Source: LEHD; Lynchburg Redevelopment and Housing Authority; HUD

Public Transit

Public transit provides additional mobility options for individuals with limited choices due to financial and/or physical barriers or lifestyle choices. Half fares are offered for individuals 65 years of age or older, Medicare Card holders, or persons with disabilities. Persons with disabilities must provide a letter from a physician stating they have a permanent disability.

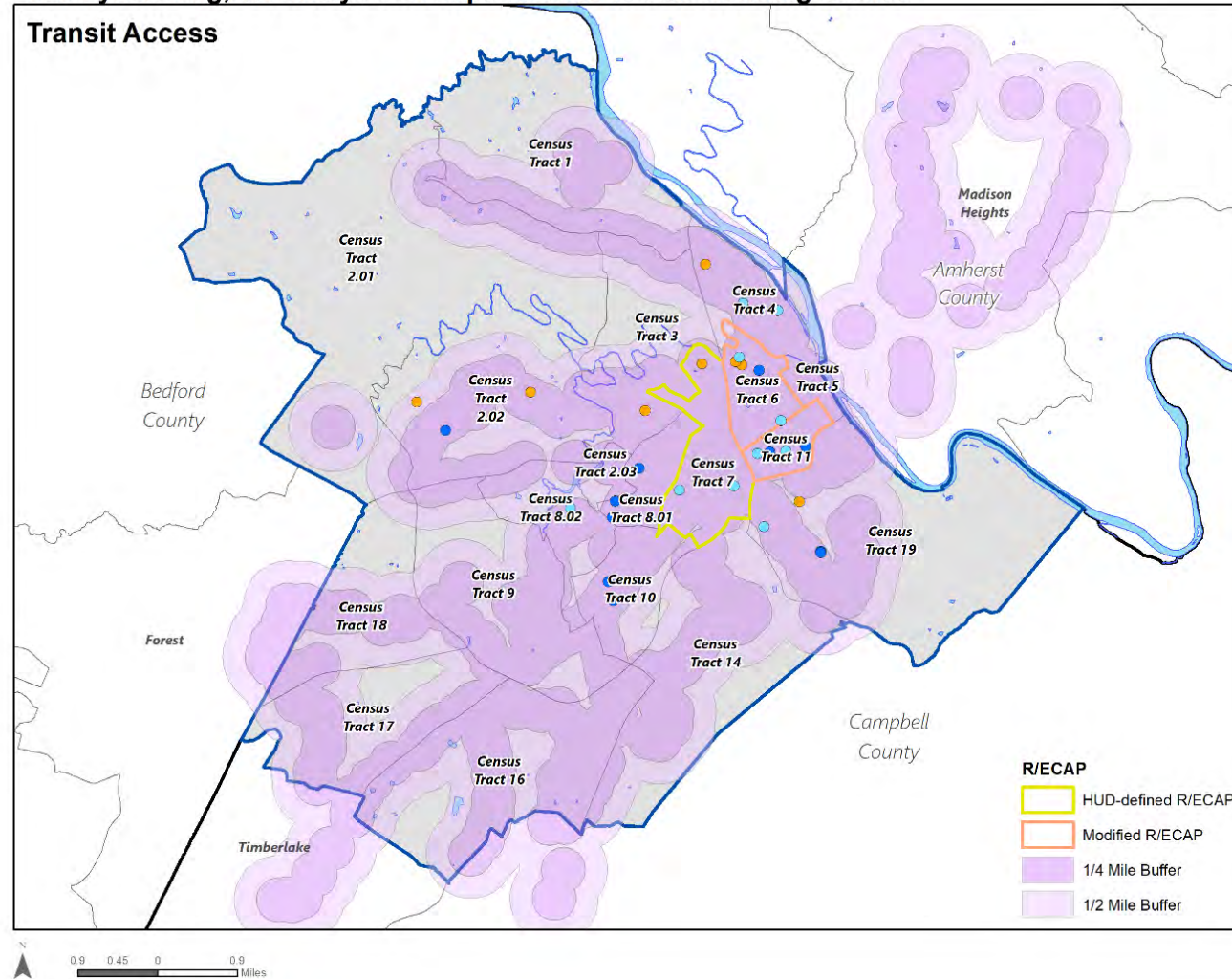
For individuals without a personal vehicle, proximity to transit stops is important to accessing services and amenities. According to the Pedestrian Safety Guide for Transit Agencies by the Federal Highway Administration (FHWA) under the US Department of Transportation, most people are willing to walk for five to ten minutes to a transit stop. FHWA uses these walking times as a proxy for distance, estimating accessible transit stops being $\frac{1}{4}$ to $\frac{1}{2}$ mile away from a pedestrian's starting point, typically their place of residence.

The following map displays two buffers with $\frac{1}{4}$ mile and $\frac{1}{2}$ mile radii to determine transit accessibility. Transit stop data was provided by the Greater Lynchburg Transit Company (GLTC) for fixed bus routes. R/ECAPs are also shown to ensure that areas where poverty and race intersect have adequate access to vital public services such as transit.

All R/ECAPs are located within walkable distance to public transit stops. The areas with the poorest transit access can be found in the northwestern and eastern portions of the City. Additionally, all assisted housing properties are within accessible walking distance to transit stops in Lynchburg. Further consideration should be made based on available pedestrian infrastructure (e.g. sidewalks, crosswalks, curb extensions, etc.) and pedestrian characteristics such as age, physical disabilities, and English proficiency.

Higher opportunity areas within walking distance to public transit stops are located in the southwestern portion of the City, specifically Census Tract 18 along Graves Mill Road. Landlord participation in these areas should be considered to deconcentrate poverty and improve opportunities for voucher holders.

2020 Lynchburg, VA Analysis of Impediments to Fair Housing Choice



Source: Greater Lynchburg Transit Company

Language Access Plan

To improve public safety, health, convenience, comfort, and general welfare of all residents, a language access plan is necessary for individuals who are non-English speaking or have limited English proficiency (LEP) to access available services. While Lynchburg does not meet the safe harbor threshold requirement for a Language Access Plan, the City has 896 Spanish-speakers with LEP. The safe harbor threshold is met when a language group with LEP exceeds the lesser of 5% of the population or 1,000 persons.

The City has a brief Language Assistance Plan in place in case an LEP group meets the threshold. The purpose of the plan is to ensure “meaningful access to housing and community development program information and services” for the City’s LEP population. Interpretation and translation services are offered free of charge. Contact information for further clarification on offered services is also provided.

While a language access plan is currently not required for the City, there is room for improvement to provide more specific guidelines when providing language assistance. This includes written guidelines for staff training on policies and procedures for providing language assistance, provision of notices of language assistance services, and the monitoring and updating the language access plan.

Lending Discrimination

In addition to the public sector policies that influence fair housing choice, there are private sector policies that can influence the development, financing, and advertising of real estate. In this section of the AI, mortgage lending practices and high-cost lending are analyzed.

There is evidence of lending discrimination in the private market. Any lender that meets an asset threshold and makes a minimum number of mortgages is required to report mortgage data according to the Home Mortgage Disclosure Act of 1975. The following three tables were generated using mortgage data for 2015-2017 for the City of Lynchburg. Figure 28 indicates that Black and Hispanic applicants faced higher denial rates and lower origination rates (approvals) than White applicants; denial rates for Blacks and Whites were 38.1% and 16.7%, respectively. Hispanic applicants also have a slightly higher denial rate of 26.4% compared to White applicants.

Figure 29 shows that there are differences by race and ethnicity for originations of high cost loans. As of 2014, a high cost loan was defined as a loan with an interest rate more than 6.5 percentage points higher than the average prime rate. The overall rate of high cost loan originations was low in Lynchburg; only 4.3% of originated loans were high cost loans. Black applicants were slightly more likely to have a high cost loan at 7.0%.

Figure 30 compares the rates of high cost loan origination by whether the applicant's income was above or below the HUD area median family income (HAMFI) of the area in which the purchased home is located. Among all high cost loans, 37.0% of recipients had incomes above HAMFI; White and Race Unknown recipients had a higher rate at 40.2% and 83.3%, respectively. However, high cost loans make up only 4.3% of all originated mortgage applications in Lynchburg.

Figure 29 Mortgage application outcomes by race/ethnicity, 2015-2017

	White		Black		Asian		Other		Race Unknown		Hispanic		Total	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Approved	3,095	83.3%	532	61.9%	74	79.6%	20	69.0%	475	73.0%	81	73.6%	4,196	78.5%
Denied	619	16.7%	327	38.1%	19	20.4%	9	31.0%	176	27.0%	29	26.4%	1,150	21.5%
Total	3,714	69.5%	859	16.1%	93	1.7%	29	0.5%	651	12.2%	110	2.1%	5,346	100.0%

Source: HMDA

Figure 30 Rate of high cost loan originations by race/ethnicity, 2015-2017

	White		Black		Asian		Other		Race Unknown		Hispanic		Total	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Not high cost	3095	83.3%	532	61.9%	74	79.6%	20	69.0%	475	73.0%	81	73.6%	4,196	95.7%
High cost	112	3.0%	60	7.0%	4	4.3%	1	3.4%	12	1.8%	3	2.7%	189	4.3%
Total	3,207	73.1%	592	13.5%	78	1.8%	21	0.5%	487	11.1%	84	1.9%	4,385	82.0%

Source: HMDA

Figure 31 High cost loan originations by income level by race, 2015-2017

	White		Black		Asian		Other		Race Unknown		Hispanic		Total	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
High Cost Loans Originated	112	59.3%	60	31.7%	4	2.1%	1	0.5%	12	6.3%	3	1.6%	189	100.0%
Applicant Income Above AMI	45	40.2%	14	23.3%	1	25.0%	0	0.0%	10	83.3%	0	0.0%	70	37.0%
Applicant Income Below AMI	67	59.8%	46	76.7%	3	75.0%	1	100.0%	2	16.7%	3	100.0%	119	63.0%

Source: HMDA

Fair Housing Profile

Fair Housing Laws

The Fair Housing Act defines seven protect classes: race, color, religion, national origin, sex, disability, and familial status. Virginia's Fair Housing Law also adds elderliness as protected classes. Elderliness is defined as an individual who has attained their 55th birthday. As a result, Lynchburg residents have more protections under the State's fair housing law.

The Virginia Fair Housing Office explicitly mentions groups not protected under state or federal fair housing law. Examples given include students, smokers, income status, sexual orientation, and marital status. Should the City of Lynchburg determine a need for additional classes to be protected, a local fair housing ordinance can be passed.

Fair Housing Complaints

Lynchburg residents can receive fair housing services from a variety of agencies such as: the Virginia Fair Housing Office, Virginia Legal Aid Society, and Lynchburg Community Action Group. These groups provide education and outreach, sponsor community events, process fair housing complaints, and in some cases investigate complaints through testing, and /or work to promote a mutual understanding of diversity among residents.

A lack of filed complaints does not necessarily indicate a lack of housing discrimination. Some persons may not file complaints because they are not aware of how to go about filing a complaint or where to go to file a complaint. In a tight rental market, tenants may want to avoid confrontations with prospective landlords. Discriminatory practices can be subtle and may not be detected by someone who does not have the benefit of comparing his treatment with that of another home seeker. Other times, persons may be aware that they are being discriminated against, but they may not be aware that the discrimination is against the law and that there are legal remedies to address the discrimination. Finally, households may be more interested in achieving their priority of finding decent housing and may prefer to avoid going through the process of filing a complaint and

following through with it. Therefore, education, information, and referral regarding fair housing issues remain critical to equip persons with the ability to reduce impediments.

Office of Fair Housing & Equal Opportunity

The Office of Fair Housing & Equal Opportunity (FHEO) at HUD receives complaints from persons regarding alleged violations of the federal Fair Housing Act. Fair housing complaints originating in Lynchburg were requested for this AI and were received April 20, 2020.

Between January 1, 2014 and January 30, 2020, only two fair housing complaints were filed for the Lynchburg metropolitan area in 2018. One originated in nearby Brookneal while the other originated within Lynchburg. The basis of the complaint within Lynchburg was refusal to rent due to disability, but no cause was found for fair housing violation was determined.

Virginia Department of Professional and Occupational Regulation

The Fair Housing Office at the State of Virginia's Department of Professional and Occupational Regulation (DPOR) receives complaints from persons regarding alleged violations of Virginia's Fair Housing Law. DPOR estimates receiving an average of 180 complaints each year for the State of Virginia. Fair housing complaints originating in Lynchburg between the beginning of 2014 to the end of 2019 were requested on January 22, 2020 and received January 30, 2020. During this period, fifteen (15) cases were processed and closed. Please note that many cases have multiple bases for alleged discrimination or split rulings; the sum of all bases will be larger than the number of processed cases.

Figure 32 DPOR Complaints by Basis of Alleged Discrimination, 2014-2019

Basis of Discrimination	Count	Percent
Total	15	100.0%
Sex	4	26.7%
Disability	10	66.7%
<i>Physical</i>	9	60.0%
<i>Mental</i>	1	6.7%
Race	3	20.0%
Age	1	6.7%

Source: Fair Housing Office, Virginia Department of Professional and Occupational Regulation

Of the fifteen cases, most cases were filed based on discrimination against persons with disabilities (66.7%) with nine out of ten of these cases relating to physical disability. Discrimination on the basis of sex was the second most frequent complaint followed by race and then age.

However, only one case resulted in conciliation, which was filed based on race and disability status. The remaining cases were closed due to no jurisdiction, no violation or reasonable cause found, or the case was closed administratively, which includes withdrawn complaints and uncooperative complainants.

Figure 33 DPOR Complaint Investigation Findings, 2014-2019

Findings	Count	Percent
Total	15	100.0%
Closed administrative	5	33.3%
No jurisdiction	4	26.7%
No reasonable cause found	2	13.3%
Complaint withdrawn	1	6.7%
Conciliation	1	6.7%
No violation	1	6.7%
Uncooperative complainant	1	6.7%

Source: Fair Housing Office, Virginia Department of Professional and Occupational Regulation

Summary of Impediments

This section describes the impediments to fair housing choice that emerged from the data analysis, public engagement initiatives, and policy review discussed throughout the AI. They are the results of primary and secondary research that define the underlying conditions, trends, and context for fair housing planning in Lynchburg. The impediments were assigned three priority levels based on the amount and strength of the supporting evidence that initially identified the factor:

- High – factors that limit or deny fair housing choice or access to opportunity, as well as other factors that are urgent or establish a foundation for future actions
- Medium – moderately urgent or building on prior actions
- Low – limited impact on fair housing issue



Figure 34 Contributing Factors Impeding Housing Choice in Lynchburg, VA

Factor	Priority	Responsible Parties	Discussion
Access to community assets and opportunities	High	City	Community assets such as public transit and jobs can improve access to opportunities, especially for lower income households and persons with disabilities. While the City has good coverage regarding public transit in R/ECAPs, these areas have poor access to the City's employment centers and higher performing schools. Expanding the public transit system to higher opportunity areas could increase opportunities for low- and moderate-income residents.
Location and type of affordable housing	High	City, LRHA, Private Sector	Providing more housing choices in more areas across the City could increase the accessibility and affordability of housing in Lynchburg. While households in Lynchburg are almost evenly split between renters and homeowners, most of the housing stock consists of single-family homes at 65.6% of all housing stock. Multifamily housing is typically more affordable than single-family housing in the same area as a result of increased housing supply and efficient land use. However, multifamily housing options are limited in both the highest opportunity areas and lowest opportunity areas. Additionally, areas with a high concentration of multifamily units are in close proximity to the universities, creating high competition for housing. While the City has shown to be investing funds, such as CDBG and HOME, in higher opportunity areas, the lack of public transit access and landlords to accept HCVs are barriers in locating affordable housing options in higher opportunity areas.
Discriminatory behavior toward members of the protected class	Low	Private Sector	Lending discrimination exists within the City of Lynchburg. Because this lending primarily occurs in the private sector, the City has little direct control. However, the City could continue to provide education and outreach to lenders and borrowers regarding fair housing and lending discrimination, in addition to the organizations advocating for fair housing. Black and Hispanic households are more likely to have their mortgage application denied than White households. Black households were also more likely to receive high-cost loans compared to other races/ethnicities. High cost loans have higher interest rates, making housing less affordable and contributes to both segregation and cost burden. Households receiving high cost loans will seek more affordable housing in lower quality housing stock and be more cost-burdened due to high interest rates.

Fair Housing Action Plan

The following chart includes recommendations based on the identified factors impeding fair housing choice:

Impediment	Action	Measurable Benchmarks	Timeframe
Barriers to housing choices for members of the protected class	The City should specify procedures, training, and monitoring process for implementing the Language Access Plan (LAP) to streamline services and better accommodate persons with limited English proficiency (LEP). This is especially important for when the LEP Spanish-speaking population reaches the safe harbor threshold.	Percent of current and number of new staff members trained in accordance with LAP procedures	2020-2024
Location and type of affordable housing	LRHA should expand Section 8 HCV Program to higher opportunity areas.	Number of landlords recruited to participate in Section 8 program, especially in higher opportunity areas	Ongoing
	The City and other local organizations should address the diverse housing needs for the City's various subpopulation, including students, low- and moderate-income households, persons with disabilities, and elderly persons.	Continue investing in housing in a wide geographic area throughout the City. Number of accessible units created/rehabilitated.	Ongoing
	The City should collaborate with local universities to ensure students are not competing with low- and moderate-income households for housing.	Number on-campus housing units created.	Ongoing

Impediment	Action	Measurable Benchmarks	Timeframe
Location of community assets	The City should collaborate with GLTC to improve access to GLTC routes in higher opportunity areas and employment centers in the City and for individuals working unconventional hours.	Number of transit stops added	Ongoing
	The City and local service providers should centralize public services in locations with good transit access and high concentration of members of protected classes	Increase in number of service users	Ongoing
Discriminatory behavior toward members of the protected class	The City should continue supporting fair housing services, such as housing counseling from Lyn-CAG and legal counseling from VLAS, to reduce rates of eviction, mortgage application denials, high-cost lending, and other discriminatory practices.	Number of program participants	Ongoing

ATTACHMENT B

CITY OF LYNCHBURG ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

PUBLIC HEARING

JUNE 23, 2020

MULLIN & LONERGAN ASSOCIATES

BACKGROUND

Fair Housing is the right to choose housing free from unlawful discrimination

- Federal, state, and local laws protect people from discrimination in housing transactions such as rentals, sales, mortgage lending, and insurance

Protected Class: Group of people with a common characteristic who are legally protected from discrimination on the basis of that characteristic

- **Federal:** race, color, religion, national origin, sex, disability, familial status
- **Virginia:** elderliness (55+)

FAIR HOUSING PROTECTED CLASSES



Race



Color



Religion



Disability



Sex



Familial
Status



National
Origin



Age (55+)
in VA

BACKGROUND

An **Analysis of Impediments to Fair Housing Choice** is:

- an analysis of data
- an assessment of fair housing issues
- identification of barriers to fair housing choice
- development of an action plan to overcome barriers

AI PROCESS



Community Outreach in November

- Met with staff and community stakeholders
- Facilitated two public meetings



Drafted the AI Document

- Reviewed goals in previous AI, assessed progress
- Analyzed demographic, economic, housing market trends
- Reviewed public and private policies impacting housing choice
- Identified barriers to housing choice
- Developed action plan to overcome barriers



Public Comment Period

May 19 through June 23



Public Hearing

Tonight



Submission to HUD

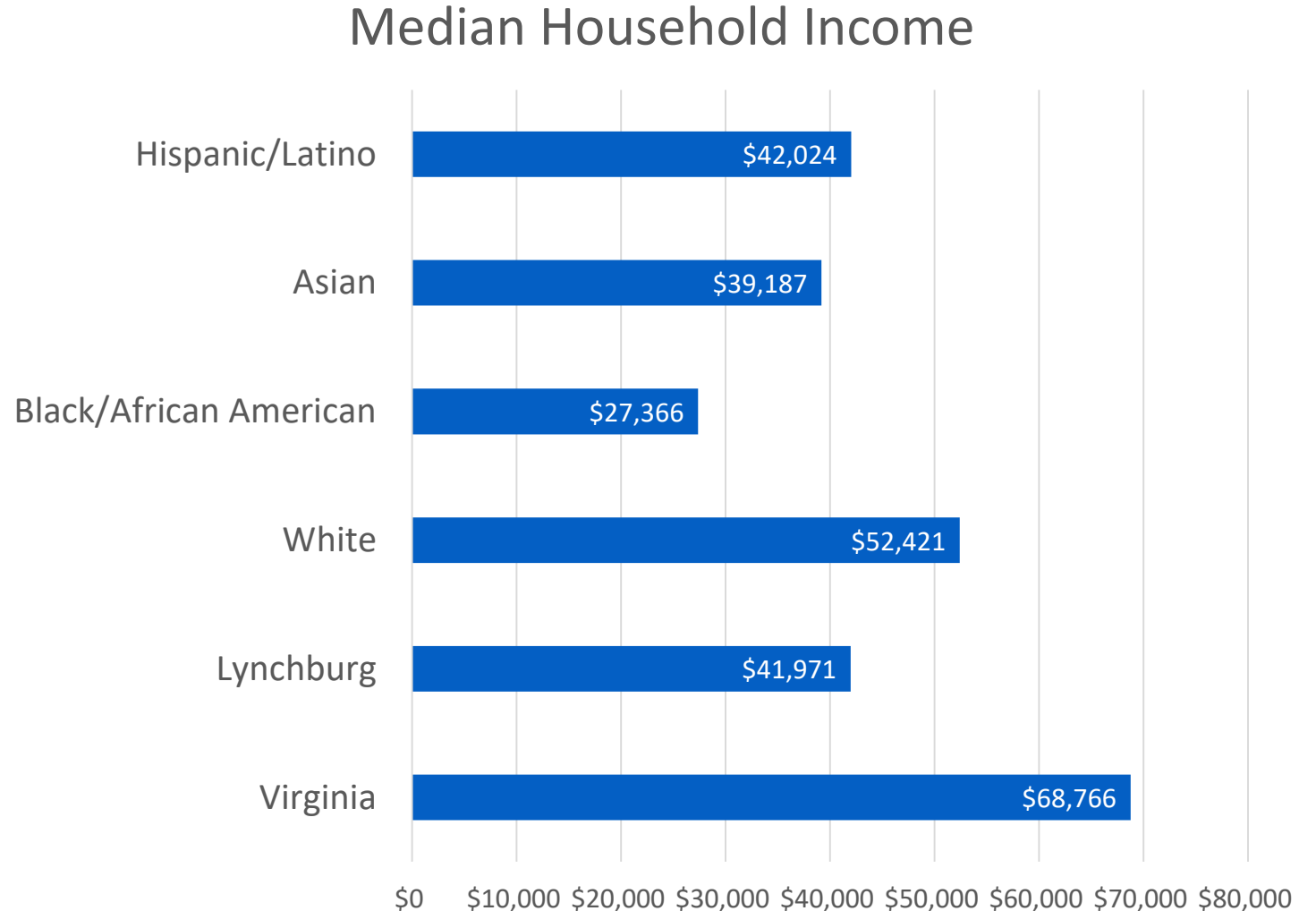
June 30, 2020



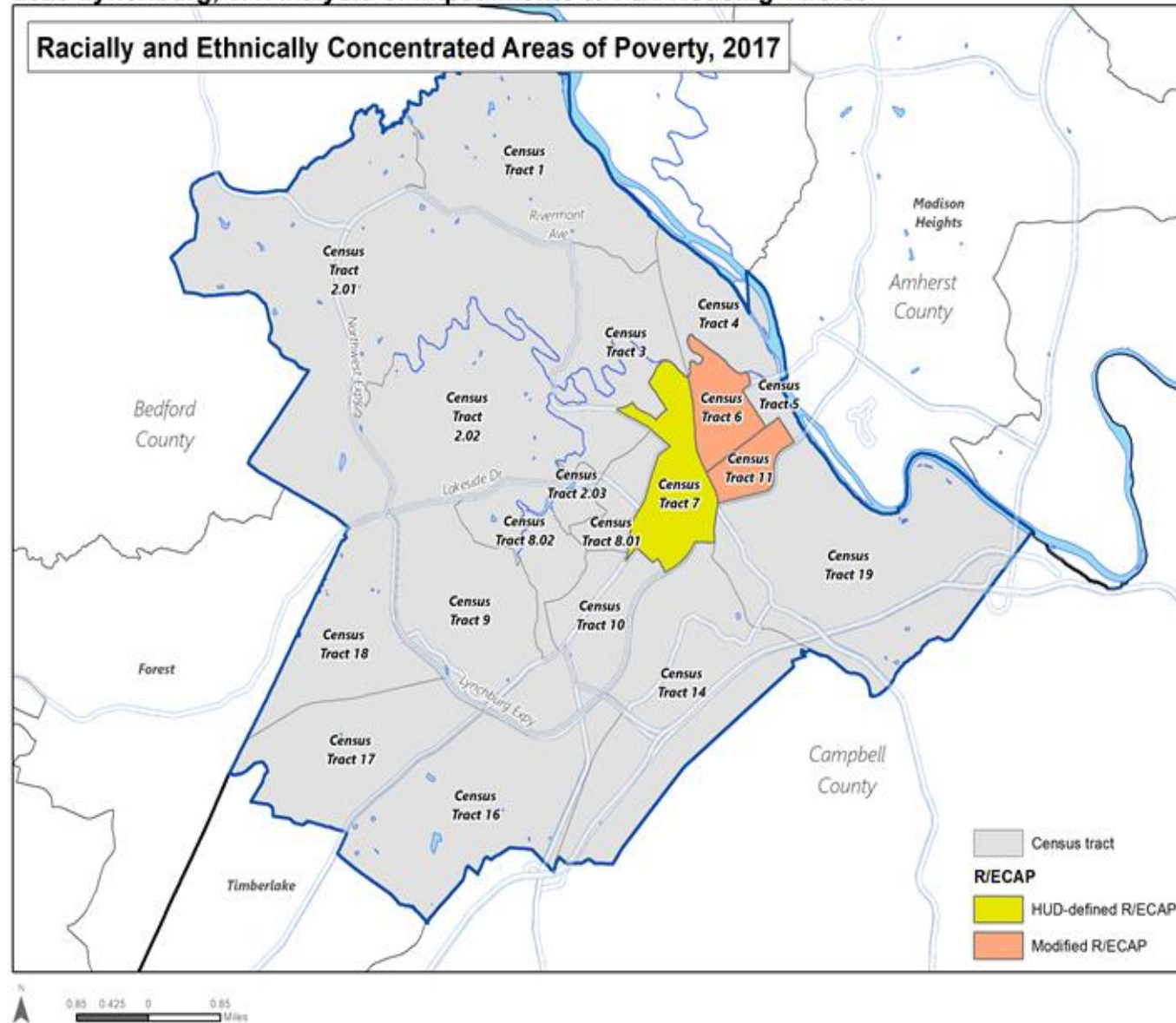
SUMMARY OF FINDINGS

MEDIAN HOUSEHOLD INCOME (MHI)

- MHI for Black/African American households is only 52% of Whites'
- Asian households fared slightly better at 75% of Whites'
- MHI for Hispanic households is 80% of Whites'
- MHIs for White households and Hispanic households exceeded the City's overall MHI



2020 Lynchburg, VA Analysis of Impediments to Fair Housing Choice

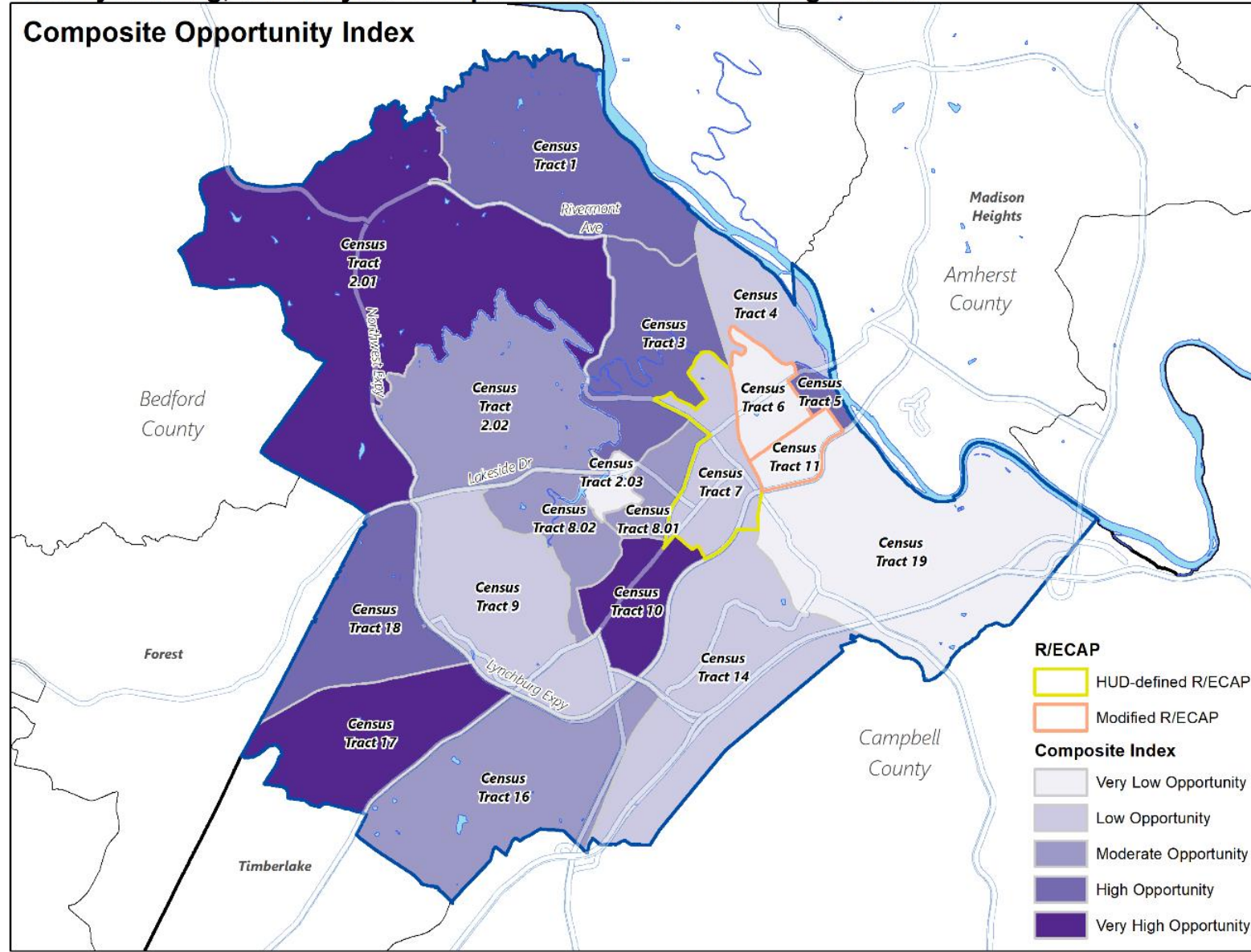


R/ECAPS

- Racially or Ethnically Concentrated Areas of Poverty:
 - A census tract with a non-White population of 50% or more, AND
 - A census tract with 40% or more poverty.
 - CT 7
- Two census tracts fell just short of the 40% poverty threshold: census tracts 6 and 11
 - Tate Springs, Dearington, Miller Park, Garland Hill, College Hill, Diamond Hill

2020 Lynchburg, VA Analysis of Impediments to Fair Housing Choice

Composite Opportunity Index



OPPORTUNITY AREAS

- Prosperity
- Labor market engagement
- Job access
- Transit access
- Community health
- School proficiency



FAIR HOUSING ACTION PLAN

IMPEDIMENT #1

Barriers to
housing choices
for members of
the protected
classes



Strengthen its outreach process to **ensure access to services and programs** for persons with limited English proficiency (LEP).

IMPEDIMENT #2

Location and
type of
affordable
housing



LRHA should **expand Section 8 HCV Program to higher opportunity areas.**



Address the diverse housing needs for the City's various subpopulation, including low- and moderate-income households, persons with disabilities, and elderly persons.



Collaborate with local universities to ensure students are not competing with affordable housing for LMI families

IMPEDIMENT #3

Location of
community
assets



Collaborate with GLTC to **improve access to GLTC routes in higher opportunity areas** and employment centers in the City and for individuals working unconventional hours.



Centralize public services in locations with good transit access and high concentration of members of protected classes

IMPEDIMENT #4

Discriminatory
behavior
toward
members of the
protected class



Continue supporting **fair housing services**, such as housing counseling from Lyn-CAG and legal counseling from VLAS, to reduce rates of eviction, mortgage application denials, high-cost lending, and other discriminatory practices.

NEXT STEPS

- Council to consider AI along with Consolidated Plan and Annual Action Plan
- AI will be submitted to HUD no later than June 30
- Implementation of AI occurs through the Annual Action Plan and is reported in the Consolidated Annual Performance & Evaluation Report (CAPER)

COMMENTS TO:

Melva Walker
Grants Manager

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Email: melva.walker@lynchburgva.gov

Website: www.lynchburgva.gov

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **June 23, 2020**

AGENDA ITEM #: **10**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Public Hearing and Adoption of the 2020-2024 Community Development Block Grant (CDBG) and HOME Program Consolidated Plan and 2020 Annual Action Plan (Fiscal Year [FY] 2021)

KEY ELEMENTS:

☒ Economic Development ☐ Excellent Government ☒ Natural and Built Environment ☒ Safe Community ☒ Vibrant Community

RECOMMENDATION: Conduct a public hearing to receive comments on the 2020-2024 (FYs 2021-2025) Community Development Block Grant (CDBG) and HOME Program Consolidated Plan and Program Year 2020 (FY 2021) Annual Action Plan and adopt a resolution approving the Plans.

SUMMARY: The Department of Housing and Urban Development (HUD) requires local governments, which receive federal community development funds, to prepare a five-year Consolidated Plan and an Annual Action Plan. The plans outline the City's needs, goals, and objectives for community development (both housing and non-housing areas). The City's 2020-2024 CDBG and HOME Program Consolidated Plan and program Year 2020 Annual Action Plan have been prepared and consist of the following:

1. A housing and homeless needs assessment that describes the affordable housing needs of very low-income and low-income households, homeless families and individuals, and others with special needs.
2. A housing market analysis which profiles existing housing options and facilities to assist the homeless, identifies barriers to affordable housing, and reviews institutional and governmental capacities to develop and implement the Plan.
3. A Strategic Plan for addressing priority needs including the priority non-housing community development needs eligible for assistance under the Community Development Block Grant (CDBG) Program.
4. An Annual Plan which identifies the activities that will be undertaken to address priority needs and local objectives. The City of Lynchburg will receive \$714,865 in CDBG entitlement funds and \$424,288 in HOME entitlement funds for the program year beginning on July 1, 2020.

A public notice was placed in *The News and Advance* on Tuesday, May 19, 2020 and through social media. In accordance with the Council-adopted Citizen Participation Plan, the Community Development Advisory Committee (CDAC) conducted a virtual public meeting on June 3, 2020 to review and discuss these two Plans. CDAC recommended that the documents be approved by City Council.

In consultation with City staff, these documents have been prepared for the City by the professional consulting team at Mullin & Lonergan Associates (M&L). M&L staff will be present at the public hearing and will provide a presentation summarizing the contents of the documents.

City staff did not receive any public comments prior to, or after, the CDAC meeting. City Council and citizen comments received at the public hearing regarding the contents of the Consolidated Plan and Annual Action Plan will be incorporated into the final document and submitted to HUD for approval.

PRIOR ACTION(S): June 3, 2020 - Community Development Advisory Committee Meeting

FISCAL IMPACT: None

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

ATTACHMENT(S): Resolution
CDAC Meeting Notes – June 3, 2020 – Attachment A
2020-2024 Draft Consolidated Plan and FY 2021 Annual Action Plan – Attachment B

REVIEWED BY: bms

076R

RESOLUTION:

#R-20-051

BE IT RESOLVED that the Community Development Block Grant (CDBG) and HOME Program 2020-2024 Consolidated Plan and Program Year 2020 (FY 2021) Annual Action Plan are hereby approved for submittal to the Department of Housing and Urban Development (HUD).

Adopted:

Certified: _____
Clerk of Council

Community Development Advisory Committee (CDAC) Meeting

June 3, 2020

City Hall, Council Chambers

Virtual meeting by Webex

7:00 p.m.

Meeting Notes

***Note: CDAC members have reviewed and approved these notes**

Attendance included:

CDAC Members: Council Member, Sterling Wilder, Vice Chair; Mr. John H. Hughes, III (College Hill Representative); Ms. Susan E. Murray (Garland Hill Representative); Ms. Valerie Harris (Tinbridge Hill Representative)

Note: Council Member Beau Wright was unable to attend due to traveling; Mr. Leonard “Rad” Briley (Diamond Hill-Historic District) was unable to attend but responded by email later that he did not have any additional comments; Ms. Mandze Dyke (Daniel's Hill Representative) had connectivity issues.

City Staff:

Melva Walker (Grants Manager); Angie Shepard (Community Development Program Coordinator)- in Council Chambers
Kent White, (Community Development Director) -WebEx

Council Member Wilder began the meeting at 7:00 p.m. and welcomed everyone to the Video conference to review the draft of the Consolidated Plan/Annual Action Plan. Council Member Wilder explained he was chairing the meeting tonight as Council Member Wright was traveling. Council Member Wilder turned the meeting over to Ms. Walker. She welcomed everyone to the video conference. She explained the Analysis to Fair Housing Impediments (AI) is one of the documents being worked on. She will not present the document tonight. Next Tuesday, June 9, 2020, the consultant from Mullin & Lonergan will present the document during work session to Council. She invited and encouraged all CDAC members to come to work session or watch on public television(<http://www.lynchburgva.gov/ltv>(click on “Watch LTV Live”), www.facebook.com/lynchburgva, or Comcast Cable Channel 15. The 2020-2024 Five Year Consolidated Plan and 2020 Annual Action Plan will be presented to City Council during a public hearing on June 23, 2020.

Ms. Walker explained there are three primary components to the Consolidated Plan and Annual

Action Plan to include the Housing and Community Development Needs Assessment; the Housing Market Analysis; and the Strategic Plan which identifies the needs and strategies the City plans to address over the next five years. The data for the plan has been taken from HUD's Comprehensive Housing and Affordability Strategy (CHAS). This is a tabulation of American Community Survey (ACS) and data from the Census Bureau.

Ms. Walker went on to explain the purpose of the Consolidated Plan is to identify and prioritize affordable housing and community development needs; to establish goals and objectives to address the prioritized needs; to create a plan for implementing eligible activities; and is required by HUD in order to receive funding annually. The structure of the plan includes an Executive Summary, Public Participation Process (which included stakeholder meeting in December and CDAC has been a part of this process), a Needs Assessment, Market Analysis, Strategic Plan for 2020-2024, and an Annual Action Plan for the Program Year 2020 (Fiscal Year 2021).

The time frame for the Five-Year Consolidate Plan covers the period beginning July 1, 2020 through June 30, 2025. Year 1 of the Annual Action Plan begins on July 1, 2020 and runs through June 30, 2021.

The Citizen Participation process began back in December 2019 with focus group sessions with staff from City governments, non-profit organizations, and other service providers. There were additional meetings and interviews with department staff and other provider agencies to understand the planning process and scope of programs, issues and concerns. The meetings, interviews, and information included Central Virginia Continuum of Care (CVCOC), Community Development Advisory Committee (CDAC) public meetings, public hearings at City Council, One-on-One interviews, telephone interviews, and social media.

Ms. Walker explained that the Needs Assessment for Housing shows that 17.9% of households are paying more than 30% of the household income on housing costs. One-person households are impacted the greatest among renters and elderly households are impacted the greatest among homeowners. Housing Rehabilitation is primarily home repairs for elderly households and there has been a shortage of qualified contractors to complete small home repairs. The Non-Homeless Special Needs section can include persons that are elderly and frail elderly; persons with severe mental illness; persons with developmental disabilities; persons with physical disabilities; and persons with alcohol/other drug addictions. Many of these persons are very low-income.

The Public Service Needs in the community show a strong need for supportive services and affordable housing for persons experiencing homelessness; a continued support for the Coordinated homeless Intake and Access (CHIA) program; a need for services and emergency shelter for domestic violence survivors; increased transit services throughout the City, and increased affordable childcare options. The public service needs continue to show an increased need for food services, to include a grocery store in parts of the City; services to address elements that contribute to poverty; workforce programs for youth ages 14 to 24; soft skills training for employment

opportunities; and a need for programming to prevent evictions.

The Public Facilities Needs are code enforcement; having infrastructure available on a lot for development; the expansion of the City's Rental Inspection program; having improved sidewalks and bus stop shelters; and an overall improvement of City streets. The public facilities needs also included a continued support of programs and services in community centers that are considered effective; a need for mixed income, mixed use development across the City; and additional parks and green space.

As part of the Consolidated Plan, a Housing Market Analysis was done. The general conclusions from the analysis show that housing stock is principally single-family (50.5%) and owner-occupied (49.3%). The median rent amount has increased by nearly 14%, making it very difficult for low income households. There are 1,070 rental units in the City identified as affordable to those below 30% of the HUD-adjusted Median Family Income. This represents only 7% of the inventory of rental housing in the City. Minimum wage workers in Lynchburg earning \$7.25 per hour would need to work in excess of 84 hours per week to afford a two-bedroom unit at the Fair Market Rent.

There are priority needs that have been identified from the Consolidated Plan. These include:

- Increased access to and quality of affordable housing;
- Housing rehabilitation;
- Affordable housing for special needs populations;
- Infrastructure improvements;
- Public facility improvements;
- Homeless housing and services;
- Public services; and
- Planning and administration to operate CDBG and HOME Programs.

The Strategic Plan outlines key objectives for the City to include: Increasing homeownership opportunities; the rehabilitation of substandard housing units; creating new affordable rental units; carrying out public facility improvements; carry out public infrastructure improvements; providing homeless assistance thru housing and supportive services; and an increase in the affordable housing opportunities for persons with special needs

The goals set forth for the 2020-2024 Five-Year Consolidated Plan come from the overarching guidelines for the Strategic Plan. CDAC met in January 2020 to create the goals. The Housing goals for the Consolidated Plan focus on:

- Support initiatives to increase permanent affordable housing in the rental market. Increase the number of owner-occupied units. Emphasis to be placed on mixed income and inclusive communities.
- Support the preservation of affordable housing in both the rental and sales markets, including the rehabilitation of substandard housing.
- Support the improvements to public facilities and infrastructure.

Non-Housing Goals focus:

- Support efforts for the removal and redevelopment of dilapidated and condemned structures to eliminate neighborhood deterioration, blight and blighting influences.
- Support efforts for the identifications and remediation of rental housing in substandard conditions.
- Support neighborhood partnerships that facilitate self-sufficiency and enable families and individuals to maintain their housing, remain in their neighborhoods, and age in place.
- Support efforts that align with the goals of the City's Blueprint for Opportunity to improve the economic base, job skills, and the health of the community.
- Promote public service activities which support the healthy development of the City's at-risk youth, adults, and families.
- Support efforts to develop, sustain, and coordinate a comprehensive, seamless system of services for homeless citizens in order to move the homeless population toward obtaining permanent housing.
- Support efforts to remove barriers to escape poverty and strengthen low-income households and families.

Strategic Plan Priority Need	Annual Action Plan Activity
Increase homeownership opportunities	Homebuyer assistance for 15 households; 11 new affordable homeowner housing units
Create new affordable rental units	New affordable housing units for 48 renter households
Carry out public facility improvements	Park improvements and accessible trail connection to Blackwater Creek; 120 low-to-moderate income persons
Carry out public infrastructure improvements	New/improved public infrastructure for 535 persons
Homeless assistance thru housing and supportive services	Homeless prevention for 900 persons
Promote public services	Services for 50 youth and 1,000 households for affordable housing resources
Planning & Administration	Oversight and administration of federal programs

Each project selected for funding in the Program Year 2020 (Fiscal Year 2021) Annual Action Plan relates to one of these goals. The Annual Action Plan implements Year 1 of the Consolidated Plan. The activities chosen must be consistent with the Consolidated Plan. Over the course of five annual plans, the City will strive to address the strategies of the Consolidated Plan. The anticipated resources in 2020 (Fiscal Year 2021) total \$1,603,325, to be used in the first year of the Consolidated Plan. CDBG funds total \$734,865 (Entitlement amount of \$714, 865 and reprogrammed funds of \$30) and HOME funds totaling \$868,460 (Entitlement amount of \$424,288 and reprogrammed funds of \$444,172). The \$444,172 in reprogrammed funds is from the Housing Rehabilitation Program from Lynchburg Community Action Group (Lyn-CAG). They have been unable to find contractors to carry out projects and had two and a half years of funds to return to the City.

The projects for Year 1 (Program Year 2020 Fiscal Year 2021) consist of the following and were Recommended by CDAC and approved by City Council:

- Grants Administration (CDBG and HOME)- \$122,000
- Tinbridge Hill Neighborhood Pedestrian Improvements- Phase 2-\$417,665 (City-Community Development)- Sidewalks segments within/adjacent to the waterline replacement to be focused in the areas of Fourth, Monroe, and Polk Street areas.
- Biggers Park Improvements and Blackwater Creek Trail- \$110,000 (City-Parks and Recreation)-outdoor fitness center; park benches; wayfinding signs on 5th Street; and handicap access off Clay Street.
- Centralized Homeless Intake Coordinator (CHIA)- Central Virginia Continuum of Care (CVCoc)- \$65,000) (housed at the Lynchburg Redevelopment and Housing Authority (LRHA)- continued funding to support the position of the CHIA.
- Affordable Housing Resource Center (AHRC)- \$16,290- housed at LRHA- continued funding to support the AHRC which has been created and managed by LRHA. The AHRC is led by a full-time Navigator. This provides centralized access to affordable housing resources. This center should hopefully be up and running by July 1st.
- Scoutreach (Boy Scouts of America)- \$25,940- The CDBG funds will be used for membership registration, staff costs for a coordinator, handbooks, travel and supplies to providing programming at the neighborhood centers.
- Florida Terrace Rental Housing Development-\$413,140-Rush Homes-Florida Terrace is a forty-eight (48) unit apartment development, which includes 32 one-bedroom apartments and 16 two-bedroom apartments. HOME funds will be used to assist with development costs.
- Homeownership Program- \$143,140-Greater Lynchburg Habitat for Humanity (GLHFH)- will use the HOME funds to pay for down-payment assistance which will reduce the principal balance so that a family can afford the monthly mortgage payments. The program has operated for many years.
- Knott Street Development-\$270,000-GLHFH-GLHFH owns four tax parcels on Knott Street. These lots will be developed into 11 separate lots. HOME funding for the road and

infrastructure improvements will enable GLHFH to put specific sponsorship funds toward the construction costs of eleven homes.

Ms. Walker explained the next steps for the Consolidated Plan/Annual Action Plan process:

- 30-days public display and comment period end on June 23, 2020. All comments will be considered.

- City Council Public Hearing and approval- June 23, 2020 @ 7:30 p.m.

- Submission to HUD before June 30, 2020

- Funds are anticipated to be available to the City by August 15, 2020

Ms. Walker asked CDAC for any questions or comments.

Council Member Wilder inquired about Lyn-CAG's return of the Substantial Rehabilitation funds and if they were talking with anyone else about doing projects. Ms. Walker stated Lyn-CAG was still in the process of trying to recruit qualified contractors. The Substantial Rehabilitation program can become more detailed because homes have to be brought up to code when any rehabilitation begins. The only other possibility of an organization taking on this type of program would be the Housing Authority. Right now, they are focused on getting an Executive Director on board.

Council Member Wilder asked CDAC member if there were any other comments. There were no additional comments from the members. Council Member Wilder asked for a motion to approve and in agreement with the Consolidated Plan/Annual Action Plan to present to City Council. Ms. Murray made a motion, seconded by Mr. Hughes. The Consolidated Plan/Annual Action Plan were unanimously approved by CDAC to move forward to the public hearing at Council on June 23, 2020.

With there being no other items, Council Member Wilder thanked the members for their time and service. He noted he had worked with CDBG through Jubilee Family Center about 20 years ago. He expressed the importance of having input and a voice at the table. He lives in community impacted by these funds.

Ms. Walker reminded CDAC the Analysis of Impediments to Fair Housing Choice (AI) would go to work session on Tuesday, June 9, 2020 and the public hearing for the Consolidated Plan/Annual Action Plan/AI would go before Council on June 23, 2020. She encouraged members to participate in the meeting. The meeting was adjourned at 7:32 p.m.



COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) HOME PROGRAM APPLICATION

Program Year 2020 • Fiscal Year 2021
Annual Action Plan • July 1, 2020 - June 30, 2021



2020-2024 Five Year Consolidated Plan

July 1, 2020- June 30, 2025

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EXECUTIVE SUMMARY

ES-05 EXECUTIVE SUMMARY - 24 CFR 91.200(C), 91.220(B)

1. Introduction

In January 2020, Lynchburg City Council adopted a resolution endorsing the draft vision statement and guiding principles for affordable housing policies in the City of Lynchburg and expanding the Housing Collaborative to include representation from stakeholder organizations that have effects on affordable housing, such as private developers, real estate attorneys, legal aid, realtors, banks and lending institutions, employers investing in workforce housing, the faith-based community and other charitable organizations.

The City's vision for housing affordability in the City reads: "The City of Lynchburg envisions a place where all residents have access to stable, decent, and affordable homes in vibrant and sustainable neighborhoods. The City recognizes that the diverse nature of our community requires we address the specific needs found in our community. The City supports a variety of community programs that ensure long-term pathways to housing security for all."

The guiding principles for future policy related to housing-associated issues is as follows:

- Matters of housing affordability require a variety of programs that seek to increase employment and income, the availability of a variety of reasonably affordable housing options including in the rental and homeownership markets, wrap-around support for those who need it, and improvements to public facilities and infrastructure.
- Partners are vital to the success of the City's housing vision; the City needs partners in order to achieve success.
- Existing available housing and non-housing programs, if effective, should be supported and coordinated.
- Wrap-around services that help youth, adults, and families with various phases of housing and economic opportunity are vital to the long-term success of the housing journey.
- Different populations in our community often have a variety of hurdles to housing security. As a result, programs and opportunities need to be tailored to community needs with a specific focus on mixed income and inclusive communities.

The City of Lynchburg developed an outreach effort to maximize input from a large cross-section of stakeholders for both the Consolidated Plan and the Analysis of Impediments to Fair Housing Choice. This combined outreach effort included Community Development Advisory Committee (CDAC) meetings, public meetings, published meeting notices, stakeholder meetings, and in-person interviews.

The City of Lynchburg, as an entitlement jurisdiction in the Community Development Block Grant (CDBG) and HOME Programs, is required by HUD to submit a consolidated plan every five years. The Consolidated Plan identifies the priority community development and housing needs for the citizens of Lynchburg.

This Consolidated Plan corresponds to the City's next five fiscal years, which begins July 1, 2020 and ends June 30, 2025. Each year, the City will prepare an Annual Action Plan outlining specific projects and the amount of funding that will go towards the goals outlined in the Consolidated Plan. At the conclusion of each fiscal year, City staff will prepare the Consolidated Annual Performance and Evaluation Report (CAPER) to report the progress towards the Consolidated Plan goals and accomplishments by project.

Structure of the Plan

The Consolidated Plan consists of three major sections: a housing and community development needs assessment, a housing market analysis, and a strategic plan which identifies those priority housing and community development needs and strategies that the City plans to address with the available HUD resources over the next five years. This plan was formulated using HUD's eConPlan tool, which dictates the plan's structure and provides a series of pre-populated tables.

Data in the three major sections was drawn primarily from HUD's Comprehensive Housing Affordability Strategy (CHAS) data set, which is a special tabulation of 2011-2015 American Community Survey (ACS) data from the Census Bureau. The CHAS data is a fixed set of data in pre-populated tables. The CHAS data describes housing problems, such as overcrowding or incomplete kitchen and/or plumbing facilities, as well as cost burden, which occurs when a household pays more than 30% of its gross income on housing costs. Extreme cost burden occurs when a household pays more than 50% of its gross income on housing costs.

2. Summary of the objectives and outcomes identified in the Plan Needs Assessment Overview

The Strategic Plan provides a framework to address the needs of the City for the next five years using Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME).

The primary objective of the CDBG and HOME 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.

All future activities funded in the next five years will support at least one objective and one outcome. The City's framework for realizing the objectives and outcomes include the following goals

Housing Goals

- Support initiatives to increase permanent affordable housing in the rental market. Increase the number of owner-occupied units. Emphasis to be placed on mixed income and inclusive communities.
- Support the preservation of affordable housing in both the rental and sales markets, including the rehabilitation of substandard housing.
- Support the improvements to public facilities and infrastructure.

Non-Housing Goals

- Support efforts for the removal and redevelopment of dilapidated and condemned structures to eliminate neighborhood deterioration, blight and blighting influences.
- Support efforts for the identification and remediation of rental housing in substandard conditions.
- Support neighborhood partnerships that facilitate self-sufficiency and enable families and individuals to maintain their housing, remain in their neighborhoods, and age in place.
- Support efforts that align with the goals of the City's Blueprint for Opportunity to improve the economic base, job skills, and health of the community.
- Promote public service activities which support the healthy development of the City's at-risk youth, adults, and families.
- Support efforts to develop, sustain, and coordinate a comprehensive, seamless system of services for homeless citizens in order to move the homeless population toward obtaining permanent housing.
- Support efforts to remove barriers to escape poverty and strengthen low-income households and families.

3. Evaluation of past performance

The following evaluation of past performance is from the Program Year 2018 (July 1, 2018 – June 30, 2019) Consolidated Annual Performance and Evaluation (CAPER) Report (CAPER). The accomplishments that follow are those achieved through the expenditure of CDBG and HOME funds.

The City completed the replacement of deteriorating streetscape elements in conjunction with planned water/sewer/storm line upgrades for the Fifth Street Improvements project. The CDBG funds from the Downtown Street Improvements project were redirected to the Downtown Infrastructure Improvements-Fifth Street Phase III project. The project benefits the area of Census Tracts 5 and 6 with a population of approximately 3,125 people with 75.68% in the low to moderate income range. This project was completed in July 2019.

The City's Department of Parks and Recreation completed the rehabilitation of two (2) neighborhood centers, namely: College Hill Neighborhood Center and Daniel's Hill Neighborhood Center. The College Hill Neighborhood Center is located at 811 Jackson Street and Daniel's Hill Neighborhood Center is located at 314 Norwood Street.

HOME Program funds allocated and expensed to the Old Forest Village Apartments project for the new construction of 28 housing units of which 11 units were completed with the use of the HOME Program funds. These units are accessible units for persons with disabilities and have been leased. The project was completed January 2019.

The City increased the number of owner-occupied units by six (6) during PY 2018. The City's partnership with Greater Lynchburg Habitat for Humanity (GLHFH) provided Homebuyer

Homeownership for three (3) units through its Down Payment Assistance project to eligible clients for the purchase of homes.

Two Community Housing Development Organization (CHDO) projects were allocated funding for the acquisition, rehabilitation or construction of new affordable housing.

Lyn-CAG received CDBG funds to the purchase EmpowOR Software and for the salaries and benefits for the data entry support staff. 1,626 persons have been served to date. The activity is planned to be completed in Program Year 2019.

The Affordable Housing Resource Center (AHRC) is staffed with a Housing Navigator to provide a centralized access point to all affordable housing resources and programs available in the City. The Housing Navigator has provided the public, and local organizations, with information regarding housing, local resources for housing, how to apply for numerous services and programs. The AHRC will debut a new web-based software program that will simplify the affordable housing world.

The City supports efforts to develop, sustain, and coordinate a comprehensive, seamless system of services for homeless citizens in order to move the homeless population toward obtaining permanent housing, through the Coordinated Homeless Intake and Assessment (CHIA) Coordinator. CHIA assisted 517 people during Program Year 2018 to include 222 families (households) and 197 children.

In PY 2018 four (4) homeowner units were rehabilitated by Lynchburg Community Action Group (Lyn-CAG) through its HOME Program Homeowner Substantial Rehabilitation project.

During this reporting period, three (3) rental units were rehabilitated. Lynchburg Redevelopment and Housing Authority (LRHA) completed the rehabilitation of a public housing unit at Langview Apartments in order to meet Section 504 of the Rehabilitation Act of 1973/Americans with Disabilities Act (ADA) accessible compliance and in PY 2018 two (2) private landlord rental rehabilitations were completed.

4. Summary of citizen participation process and consultation process

The City of Lynchburg's goal for citizen participation is to ensure a broad participation of City residents, and housing, economic, and service providers in the planning and implementation of community development and housing programming. Citizen participation takes the form of advertised community meetings and public hearings in addition to the Community Development Advisory Committee (CDAC).

The planning process for the preparation of the Five-Year Consolidated Plan and the FY 2020 Annual Action Plan included the following distinct elements:

- Focus group sessions with representatives from City government (staff), non-profit organizations, and other service providers (public and private) to gain stakeholder input on the identification of City needs.

- Additional meetings and interviews with City departmental staff and other provider agencies and stakeholders throughout the planning process to understand the current scope of programs, issues, and concerns. The one-on-one conversations helped to develop strategies to address the community needs that were identified in the focus group sessions.
- Review of existing community development-related planning documents, including the City of Lynchburg's 2030 Comprehensive Plan.

5. Summary of public comments

For the development of the Program Years (PYs) 2020-2024 Fiscal Years (FYs) 2021-2025 Consolidated Plan and Program Year (PY) 2020 (Fiscal Year [FY] 2021 Annual Action Plan, CDAC and City Council conducted several public meetings and/or public hearings to receive input from community stakeholders and to develop their recommendations for the goals and PY 2020 projects to be funded with the CDBG and HOME Program funds.

On December 17, 2019 two stakeholder meetings were held on topics addressing Affordable Housing and Workforce Development. During the meeting discussing Affordable Housing 28 attendees were present. Major topics discussed during this session included a shortage in the supply of affordable and accessible housing. Participants discussed substandard conditions of existing units and a shortage of qualified contractors in the region available to work on rehabilitation and home repairs. Participants also noted a lack of landlords participating in the Housing Choice Voucher program and predatory landlord practices for low income households. Many stakeholders identified inadequate public transportation and high utility costs as concerns for low income residents. Virginia has one of the highest rates of evictions in the country and this is also true for Lynchburg. During the Workforce Development session, 18 participants attended. Topics discussed included a lack of adequate transportation, high rates of substance use, low soft skills, and a lack of affordable childcare as major barriers to employment.

On December 18, 2019 three stakeholder meetings were held on topics addressing Housing Individuals in Crisis, Asset Building in Low-to-Moderate (LMI) Neighborhoods, and Healthy Housing and Healthy Neighborhoods. There were 13, 10, 17 attendees present, respectively. Major topics discussed during the session on housing for people in crisis included high rates of formal and informal evictions in the community and households face higher barriers when they have multiple evictions on their record. Some stakeholders noted their clients often have unstable sources of income such as temporary jobs. It was noted there is a lack of affordable housing for persons with disabilities and the homeless system already faces pressure and would not be able to meet all the needs for homeless prevention in the community. During the asset building workshop, stakeholders discussed a desire for diversified neighborhoods. Stakeholders discussed Lynchburg's food desert in the downtown area. Other topics included a lack of convenient public transportation, a limited number of childcare providers, a lack of affordable housing and the barriers faced by developers to build on land. During the final stakeholder meeting, attendees noted major issues with housing conditions including illegal rental housing and extremely poor condition of older homes in the area. Stakeholders noted several predatory

landlord practices faced by low income renters and a lack of public transportation. Some stakeholders noted substance abuse having an impact on child protective services.

In the evening of December 17 and 18, 2019, public meetings were held at the Miller Center. There were 9 participants on the 17th and 4 on the 18th. Attendees discussed many of the same issues addressed in stakeholder meetings. Attendees stated they felt the amount of the City's budget allocated to affordable housing is low and should be increased and suggested the budget should be reviewed. Many discussed a lack of affordable housing inventory and a lack of coordination to address the needs. Stakeholders discussed barriers to building affordable housing in Lynchburg and issues finding qualified contractors to complete needed home repairs for low income home owners.

The City conducted a web-based survey for the general public from October 14, 2019 to December 31, 2019 which generated 17 responses in total. Questions focused on housing and community development needs. Of those who answered (12) the following priorities were identified:

Housing Activities:

- assistance for homebuyers,
- rental assistance and
- homebuyer/homeowner counseling

Economic Development:

- job creation/retention
- workforce development programs.

Special needs services:

- youth transitioning out of foster care,
- domestic violence services and

Neighborhood/commercial district revitalization:

- demolition of blighted structures
- sidewalk improvements

Public Infrastructure

- transportation
- sidewalk reconstruction

Community Facilities

- childcare centers
- mental health facilities

6. Summary of comments or views not accepted and the reasons for not accepting them

[complete after 30-day display period]

7. Summary

The public comments submitted both in writing and verbally at the public meetings and hearings were incorporated into the Consolidated Plan and Annual Action Plan. These comments carried general themes of the need for goals that would provide for programs and activities that serve the homeless and persons in poverty; provide education awareness activities to guide persons in securing homeownership through pre- and post-counseling and maintaining/retaining their homes; and provide affordable rental housing and homeownership for low-to moderate-income persons and persons with disabilities.

THE PROCESS

PR-05 LEAD & RESPONSIBLE AGENCIES 24 CFR 91.200(B)

1. Describe agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source

The following are the agencies/entities responsible for preparing the Consolidated Plan and responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
Lead Agency	LYNCHBURG	Community Development-Grants Administration Office

Table 1 – Responsible Agencies

Narrative

The City of Lynchburg's Community Development Grants Administration Office is the lead agency for the preparation of the Consolidated Plan.

Consolidated Plan Public Contact Information

City of Lynchburg Department of Community Development Grants Administration Office
900 Church Street
Lynchburg, VA 24504
Contact: Melva C. Walker, Grants Manager
Phone: 434.455.3916
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Website: www.lynchburgva.gov

1. Introduction

The City of Lynchburg developed an outreach effort to maximize input from a large cross-section of stakeholders for both the Consolidated Plan and the Analysis of Impediments to Fair Housing Choice (AI). This combined outreach effort included Community Development Advisory Committee (CDAC) meetings, public meetings, published meeting notices, stakeholder meetings, in-person interviews, and telephone interviews.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(I)).

To ensure the participation of and coordination between public and private agencies, the Grants Administration staff sent informational material and written communication to community organizations for preliminary discussions on the Plan and the needs of the citizens of Lynchburg. Flyers containing the schedule of outreach activities was distributed along with FAQ Sheets—one for the Consolidated Plan and one for the AI. These were distributed to the City's list of housing providers, social service organizations, homeless assistance providers and other entities involved in housing and community development work in Lynchburg.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness

The City of Lynchburg is a member of the Central Virginia Continuum of Care (CVCoc), which is a regional Continuum of Care group of agencies that focuses on issues pertaining to homelessness.

Through the participation of the members of the CVCoc the agency can more effectively address the needs of homeless individuals and families, including the following: homelessness prevention; outreach/assessment (i.e. case management); emergency services; transitional housing; and permanent supportive housing. In addition, the City will be working with the CVCoc in partnership with Lynchburg Redevelopment and Housing Authority (LRHA) to continue to fund a Homeless Intake Coordinator position to provide a coordinated intake process for homeless persons.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards and evaluate outcomes, and develop funding, policies and procedures for the administration of HMIS

The City of Lynchburg does not receive Emergency Solutions (ESG) funds. The City works with the CVCoC to allocate funds provided to the local non-profit by the Virginia Department of Housing and Community Development (DHCD) for an ESG grant.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdictions consultations with housing, social service agencies and other entities

The following chart includes a listing of the public and private entities that participated in the outreach process for both the Consolidated Plan and the AI.

1	Agency/Group/Organization	City of Lynchburg
	Agency/Group/Organization Type	Other government-local
	What section of the Plan was addressed by Consultation?	Housing Needs Assessment Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	This agency was consulted via multiple in-person group interviews. The goal of the interview was to obtain information on the affordable housing needs of the City.
2	Agency/Group/Organization	Lynchburg Parks and Recreation
	Agency/Group/Organization Type	Other government - Local
	What section of the Plan was addressed by Consultation?	Anti-poverty Strategy Recreational Activities

	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	This agency was consulted via multiple in-person group interviews The goal for the interview was to obtain information on access to recreational activities for youth and adults in the low-moderate income population. Public facility improvements for the Neighborhood Centers.
3	Agency/Group/Organization	CENTRA
	Agency/Group/Organization Type	Health Agency
	What section of the Plan was addressed by Consultation?	Housing Needs Assessment
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	The agency was consulted via an in-person interview. The goal of the interview was to obtain information on the City's efforts to provide health services to Low Income residents.
4	Agency/Group/Organization	Central Virginia Health Department
	Agency/Group/Organization Type	Health Agency Other government-local
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Lead-Based Paint Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	The agency was consulted via an in-person interview. The goal of the interview was to obtain information on the City's efforts to educate residents on the dangers of lead-based paint and strategy to abate lead hazards.
5	Agency/Group/Organization	Rush Homes

	Agency/Group/Organization Type	Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	The agency was consulted via an in-person group interview. The goal of the interview was to obtain information on the affordable housing needs of the clients served by the agency.
6	Agency/Group/Organization	Lynchburg Community Action Group
	Agency/Group/Organization Type	Services-Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Anti-poverty Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	The agency was consulted via an in-person group interview. The goal of the interview was to obtain information on the affordable housing needs of the clients served by the agency.
7	Agency/Group/Organization	Lynchburg Covenant Fellowship
	Agency/Group/Organization Type	Housing Services-Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	The agency was consulted via an in-person group interview. The goal of the interview was to obtain information on the affordable housing needs of the clients served by the agency.
8	Agency/Group/Organization	Lighthouse Community Center
	Agency/Group/Organization Type	Housing Services- Housing

	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	The agency was consulted via an in-person group interview. The goal of the interview was to obtain information on the affordable housing needs of the clients served by the agency.
9	Agency/Group/Organization	Greater Lynchburg Habitat for Humanity
	Agency/Group/Organization Type	Housing Services-Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	The agency was consulted via an in-person group interview. The goal of the interview was to obtain information on the affordable housing needs of the clients served by the agency.
10	Agency/Group/Organization	Virginia Legal Aid Society
	Agency/Group/Organization Type	Services-Fair Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	The agency was consulted via an in-person group interview. The goal of the interview was to obtain information on the affordable housing needs of the clients served by the agency.
11	Agency/Group/Organization	Virginia Career Works Central Region
	Agency/Group/Organization Type	Workforce Center
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Economic Development

	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	The agency was consulted via an in-person group interview. The goal of the interview was to obtain information on the employment needs of the clients served by the agency.
12	Agency/Group/Organization	Lynchburg Redevelopment and Housing Authority
	Agency/Group/Organization Type	PHA
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Market Analysis Anti-Poverty Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	This agency was consulted via an in-person group interview. The goal of the interview was to obtain information on the needs of the Public Housing residents served by the agency.
13	Agency/Group/Organization	Lynchburg Social Services
	Agency/Group/Organization Type	Other government-local
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Anti-Poverty Strategy Homeless Needs - Chronically homeless Homelessness Needs – Veterans Homeless Needs—Families with Children Homelessness Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	This agency was consulted via an in-person group interview. The goal of the interview was to obtain information on the nature of homelessness in the City and the specific needs of certain homeless populations and other special needs populations.
14	Agency/Group/Organization	Miriam's House

	Agency/Group/Organization Type	Services-Housing Services- Homelessness
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homelessness Needs – Veterans Homeless Needs—Families with Children Homelessness Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	This agency was consulted via an in-person group interview. The goal of the interview was to obtain information on the nature of homelessness in the City and the specific needs of certain homeless populations.
15	Agency/Group/Organization	City of Lynchburg--Various Elected Officials
	Agency/Group/Organization Type	Other government-local
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Market Analysis Economic Development Anti-Poverty Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	A group of elected officials from the City's various municipalities were consulted via an in-person group interview. The goal of the interview was to obtain information on the needs of the City's constituents.

Identify any Agency Types not consulted and provide rationale for not consulting

City staff is not aware of any agencies that were not identified and contacted to participate in this process.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
The City of Lynchburg Comprehensive Plan 2013-2030	City of Lynchburg	The Comprehensive Plan was reviewed to match the CP/AP goals.
A Place to Live, A Place to Thrive: A Report on Housing Attainability and Affordability Leading Practices Recommendation for Lynchburg	Reid Wodicka, PhD, Deputy City Manager	The whitepaper was reviewed to align goals for affordable housing.
The Impacts of Affordable Housing	Lynchburg Housing Collaborative	Document was reviewed to align goals for affordable housing.
Opportunity Profile: Housing Stability in Lynchburg, VA	Lynchburg Housing Collaborative	Document was reviewed to align goals for affordable housing.
Strategic Plan to Prevent and End Homelessness: 2016	Central Virginia Continuum of Care	Provided framework for homelessness sections.

Table 2 – Other local / regional / federal planning efforts

Describe cooperation and coordination with other public entities, including the State and any adjacent units of general local government, in the implementation of the Consolidated Plan (91.215(l))

In accordance with 24 CFR 91.100(4), the City of Lynchburg will notify, to the extent possible, adjacent units of local government of the non-housing community development needs included in its Consolidated Plan. The City will continue to interact with public entities at all levels to ensure coordination and cooperation in the implementation of the Consolidated Plan and thereby maximize the benefits of the City's housing and community development activities for the residents being served.

1. Summary of citizen participation process/Efforts made to broaden citizen participation

Summarize citizen participation process and how it impacted goal-setting

The goals listed below are intended to provide broad guidance in the allocation of Community Development Block Grant (CDBG) and HOME Program funds for the five years beginning July 1, 2020 and ending June 30, 2025. The Community Development Advisory Committee (CDAC) supports the allocation of funds to achieve measurable results for both housing and non-housing goals.

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.

Housing Goals

- Support initiatives to increase permanent affordable housing in the rental market. Increase the number of owner-occupied units. Emphasis to be placed on mixed income and inclusive communities.
- Support the preservation of affordable housing in both the rental and sales markets, including the rehabilitation of substandard housing.
- Support the improvements to public facilities and infrastructure.

Non-Housing Goals

- Support efforts for the removal and redevelopment of dilapidated and condemned structures to eliminate neighborhood deterioration, blight and blighting influences.
- Support efforts for the identification and remediation of rental housing in substandard conditions.
- Support neighborhood partnerships that facilitate self-sufficiency and enable families and individuals to maintain their housing, remain in their neighborhoods, and age in place.
- Support efforts that align with the goals of the City's Blueprint for Opportunity to improve the economic base, job skills, and health of the community.
- Promote public service activities which support the healthy development of the City's at-risk youth, adults, and families.
- Support efforts to develop, sustain, and coordinate a comprehensive, seamless system of services for homeless citizens in order to move the homeless population toward obtaining permanent housing.
- Support efforts to remove barriers to escape poverty and strengthen low-income households and families.

On January 15, 2020 CDAC conducted a public meeting to receive comments on the housing and non-housing community development needs common to low- and moderate-income persons and individuals with mental illness, intellectual and physical disabilities, substance abuse or addiction, persons with HIV-AIDs, persons that are homeless, and elderly persons. Individuals were asked to suggest priorities among these needs, as well as reasonable goals and objectives for addressing priority needs over the next five years.

At the conclusion of the public comment period the members of the CDAC discussed the comments presented to them in relation to the proposed goals. The Committee's discussion included minor changes to non-housing goals to include that efforts be aligned with the City's Blueprint for Opportunity. At the end of the discussion the Committee members unanimously agreed to recommend to City Council that the proposed goals be approved as amended.

On Tuesday, February 11, 2020¹ City Council held a public hearing on to accept comments on the proposed housing and non-housing goals for the Program Years 2020-2024 (FY 2021-2025) Consolidated Plan and 2020-2021 Annual Action Plan. City staff went through each goal and asked if there were any edits or additions that the public, none were identified. City Council discussed the goals and suggested one amendment to include "Increase the number of owner-occupied units." City Council members unanimously adopted the proposed goals be approved as amended.

In accordance with the process outlined in the City's Citizen Participation Plan, a notice was published on February 12, 2020 stating application process for CDBG and HOME funds for FY 2021 were being accepted through March 4, 2020. The notice also stated the Community Development Advisory Committee (CDAC) would have a public meeting scheduled to be held on Wednesday, March 18, 2020 to review the applications. On March 23, 2020 a second notice was published informing the community the CDAC's meeting was reschedule for April 8, 2020 due to the COVID-19 pandemic. CDAC's recommendations and public comment on applications will be received during a City Council public hearing tentatively scheduled for April 14, 2020, at 7:30 p.m. in the Council Chamber, City Hall.

On April 8, 2020 CDAC reviewed the applications, summary allocation worksheet, and the various requirements/regulations for the allocation of the CDBG and HOME Program funds. CDAC members discussed and developed their recommendations for CDBG and HOME Program projects for Program Year 2020 (FY 2021). These recommendations were presented to City Council at a public hearing on May 12, 2020. City Council unanimously approved the CDAC's recommendations.

Citizen Participation Outreach

DRAFT

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Public Meeting	All community residents	13 participants	See details in Citizen Participation Comments	All were accepted	n/a
2	Stakeholder interviews and meetings	Housing and Community development stakeholders	76 participants	See Survey Results in Citizen Participation Comments	All were accepted	n/a
3	Online survey	All community residents	17 responses	See Survey Results in Citizen Participation Comments	All were accepted	https://www.surveymonkey.com/r/CP-Al-Lynchburg https://www.surveymonkey.com/r/CP-Al-Lynchburg/Sp
4	Newspaper Ads	All community residents	Notice of availability of the PY 2020-PY 2024 Consolidated Plan and the PY 2020 Annual Action Plan for public review and comment was published in the XXX and on (date)	n/a	n/a	n/a
5	Public Hearing	All community residents	[Not yet completed]	[Not yet completed]	[Not yet completed]	n/a

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
6	Internet	All community residents	Information about the Consolidated Plan and Annual Action Plan were posted on the City's website. This included a schedule and application process.	n/a	n/a	http://www.lynchburgva.gov/grants-administration

Table 3 – Citizen Participation Outreach

NEEDS ASSESSMENT

NA-05 OVERVIEW

Needs Assessment Overview

The needs assessment is based on an analysis of housing problems in Lynchburg, Virginia by income level among renters, owners, and households with special needs. Needs were also identified through a comprehensive public outreach process that included stakeholder consultation, public hearings, an online resident survey, and a review process designed to meaningfully engage citizens.

Data in this section was drawn primarily from HUD's Comprehensive Housing Affordability Strategy (CHAS) data set, which is a special tabulation of 2011-2015 American Community Survey (ACS) data from the Census Bureau. The CHAS data describes housing problems, such as overcrowding or incomplete kitchen and/or plumbing facilities, as well as cost burden, which occurs when a household pays more than 30% of its gross income on housing costs. Severe cost burden occurs when a household pays more than 50% of its gross income on housing costs.

Supplemental data were drawn from the 2011-2015 ACS 5-Year Estimates and other more current sources to provide additional context when needed.

Based on the data and analysis included within this section of the Strategic Plan, the following conclusions relative to housing needs in the City of Lynchburg for all household types, income groups and racial/ethnic groups can be made:

- More than 1 in every 3 households (36.10%) are cost burdened and severely cost burden combined.
- Among renter households, Other* households had the highest level of cost burden and severe cost burden; among for owner households, Elderly households had the highest level of severe cost burden (i.e., housing costs greater than 50% of household income).
**Other households are generally defined as all other households (other than small related, large related, or elderly, and are predominately single person households).*
- Racial/ethnic groups with disproportionate housing problems include the following:

Housing Problems

- Asian households between 50-80% Area Median Income (AMI) experience one or more housing problems at a disproportionate level.
- Hispanic households above 80% AMI experience one or more housing problems at a disproportionate level.
- Asian households above 80% AMI experience one or more housing problems at a disproportionate level.

Severe Housing Problems

- Hispanic households at less than 30% AMI experiences one or more severe housing problems at a disproportionate level.
- Hispanic households at 80-100% AMI experiences one or more severe housing problems at a disproportionate level.
- Asian households at 80-100% AMI experiences one or more severe housing problems at a disproportionate level.
- Racial/ethnic groups with disproportionate housing cost burden include the following:
 - No racial/ethnic groups have disproportionate housing need, however, 1 in every 4 (26%) Black/African American households pay more than 50% of their income on housing.

Summary of Housing Needs

High housing costs reduce economic opportunities and access to prosperity, especially among lower-income households in Lynchburg. Real incomes in the area have declined while housing costs have risen, resulting in an increase in the need for affordable housing options. Between 2009 and 2015, the median income for City residents *declined* by 4.06% after adjusting for inflation, while median rent *increased* by 13.53% and median home values *increased* by 2.9%. This means that housing costs are outpacing incomes and taking up a relatively larger share of income for households in Lynchburg compared to 2009. The combination of falling inflation-adjusted income and rising housing costs translates to diminished buying power for households. Given a lack of decent, affordable housing options, the City's lower-income households often face a choice between deficient housing and cost burden.

As the data below shows, the most significant housing issue identified is cost burden, defined as spending over 30% of household income on housing costs, such as mortgage and rent payments. In the chart income is noted as HUD Adjusted Median Family Income (HAMFI). According to CHAS data, 17.9% of City households are cost burdened. Similarly, severe cost burden is defined as spending over 50% of household income on housing. In Lynchburg, 19% of households are severely cost burdened. More than 1 in every 3 households (36.10%) are cost burdened and severely cost burden combined.

Demographics	Base Year: 2009	Most Recent Year: 2015	% Change
Population	75,568	78,160	3%
Households	26,617	28,530	7%
Median Income	\$37,281.00	\$39,589.00	6%
	\$41,265.07 adjusted income*	\$39,589.00	-4.06%

Table 4 - Housing Needs Assessment Demographics

Data Source: 2005-2009 ACS (Base Year), 2011-2015 ACS (Most Recent Year)

Housing Costs Table

	Base Year: 2009	Most Recent Year: 2015	% Change
Median Home Value	\$130,900 (\$144,888.75 in 2015 dollars)	\$149,200	14% (2.9% adjusted)
Median Contract Rent	\$491 (\$543.47 in 2015 dollars)	\$617	26% (13.53% adjusted)

Number of Households Table

	0-30% HAMFI	>30-50% HAMFI	>50-80% HAMFI	>80- 100% HAMFI	>100% HAMFI
Total Households	5,165	3,955	5,185	2,685	11,535
Small Family Households	1,860	1,195	1,880	850	5,290
Large Family Households	200	255	195	130	815
Household contains at least one person 62-74 years of age	610	855	905	530	2,445
Household contains at least one- person age 75 or older	625	640	740	330	1,435
Households with one or more children 6 years old or younger	1,019	500	735	320	1,129

Table 5 - Total Households Table

Data Source: 2011-2015 CHAS

Housing Needs Summary Tables

1. Housing Problems (Households with one of the listed needs)

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
NUMBER OF HOUSEHOLDS										
Substandard Housing - Lacking complete plumbing or kitchen facilities	70	30	40	35	175	0	0	0	0	0
Severely Overcrowded - With >1.51 people per room (and complete kitchen and plumbing)	4	0	0	0	4	0	0	0	0	0
Overcrowded - With 1.01-1.5 people per room (and none of the above problems)	85	55	85	20	245	0	30	25	0	55
Housing cost burden greater than 50% of income (and none of the above problems)	2,780	935	110	15	3,840	515	425	205	65	1,210

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
Housing cost burden greater than 30% of income (and none of the above problems)	335	1,005	1,515	105	2,960	130	265	580	240	1,215
Zero/negative Income (and none of the above problems)	540	0	0	0	540	90	0	0	0	90

Table 6 – Housing Problems Table

Data Source: 2011-2015 CHAS

2. Housing Problems 2 (Households with one or more Severe Housing Problems: Lacks kitchen or complete plumbing, severe overcrowding, severe cost burden)

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
NUMBER OF HOUSEHOLDS										
Having 1 or more of four housing problems	2,940	1,020	235	70	4,265	515	455	230	65	1,265
Having none of four housing problems	845	1,595	2,905	1,090	6,435	230	890	1,810	1,460	4,390
Household has negative income, but none of the other housing problems	540	0	0	0	540	90	0	0	0	90

Table 7 – Housing Problems 2

Data
Source: 2011-2015 CHAS

3. Cost Burden > 30%

	Renter				Owner			
	0-30% AMI	>30- 50% AMI	>50- 80% AMI	Total	0-30% AMI	>30- 50% AMI	>50- 80% AMI	Total
NUMBER OF HOUSEHOLDS								
Small Related	1,265	680	460	2,405	195	230	410	835
Large Related	120	150	85	355	25	65	20	110
Elderly	565	420	285	1,270	325	335	240	900
Other	1,265	705	815	2,785	99	94	115	308
Total need by income	3,215	1,955	1,645	6,815	644	724	785	2,153

Table 8 – Cost Burden > 30%

Data
Source: 2011-2015 CHAS

4. Cost Burden > 50%

	Renter				Owner			
	0-30% AMI	>30- 50% AMI	>50- 80% AMI	Total	0-30% AMI	>30- 50% AMI	>50- 80% AMI	Total
NUMBER OF HOUSEHOLDS								
Small Related	1,140	300	45	1,485	150	150	65	365
Large Related	120	0	0	120	25	20	0	45
Elderly	520	200	65	785	245	165	95	505
Other	1,100	440	0	1,540	95	90	45	230
Total need by income	2,880	940	110	3,930	515	425	205	1,145

Table 9 – Cost Burden > 50%

Data
Source: 2011-2015 CHAS

5. Crowding (More than one person per room)

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
NUMBER OF HOUSEHOLDS										
Single family households	79	55	85	20	239	0	30	4	0	34
Multiple, unrelated family households	0	0	0	0	0	0	0	20	0	20
Other, non-family households	10	0	25	35	70	0	0	0	0	0
Total need by income	89	55	110	55	309	0	30	24	0	54

Table 10 – Crowding Information – 1/2

Data Source: 2011-2015 CHAS

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
Households with Children Present								

Table 11 – Crowding Information – 2/2

The above chart prepopulated with no data. The City does not have a method to measure this information.

Describe the number and type of single person households in need of housing assistance.

According to ACS data, a single female household earns a median income of \$22,113, which is between 40-50% of Area Median Income (AMI) and a single male household earns a median income of \$27,864, which is between 60-80% of AMI for Lynchburg. This would indicate that single female households are more likely to be severely cost burden compared to single male households.

ACS data shows that 35% of the housing units in Lynchburg are occupied by single households with 30.2% in owner-occupied units and 42.1% in renter occupied.

Estimate the number and type of families in need of housing assistance who are disabled or victims of domestic violence, dating violence, sexual assault and stalking.

ACS data shows 13.3% of Lynchburg's population has a reported disability. This rate increases for persons over the age of 65 to 35.5%. The majority of disabled households over the age of 65 are living in poverty (85.7%).

The YWCA of Central Virginia provides supportive services for women, children and families of Lynchburg experiencing domestic violence and sexual assault. The YWCA operates several programs including a domestic violence prevention program and the Sadler House Emergency Shelter in Lynchburg. Sadler House is a 30-day, 25-bed facility to house women and children in crisis. Within the Central Virginia Continuum of Care (CVCoC), there are three domestic violence shelters – Sadler's House in Lynchburg, Frannie's House in Campbell County and Bedford Domestic Violence Services in Bedford. According to 2019 CVCoC data, there were 103 households with children in emergency and domestic violence shelters combined.

What are the most common housing problems?

As mentioned in the summary, the most significant housing issue identified is cost burden defined as spending over 30% of household income on housing costs, such as mortgage and rent payments. Renters have a higher rate of being cost burden than homeowners. 22.53% of renter households are cost burden and 28.75% are severely cost burden. 29% of small related families, 29% of large related families and 24% of elderly households are cost burden in Lynchburg.

Are any populations/household types more affected than others by these problems?

The following groups are paying more than 30% of their gross income on housing costs:

Renter households:

- Small related households between 0-30% of AMI
- Other households between 0-30% of AMI

Owner households:

- Small related households between 50-80% of AMI
- Elderly households between 0-30% AMI and 30-50% of AMI
- Other households between 50-80% of AMI

Paying more than 50% of their gross income on housing costs:

Renter households:

- Other households between 0-30% of AMI
- Small related households between 0-30% of AMI
- Elderly renter households between 0-30% of AMI

Owner households:

- Small related households between 0-30% of AMI and 30-50% of AMI
- Other households between 0-30% of AMI

Households by Household Type: Housing Problems

Renter households:

- Higher rates of overcrowded with 1.01-1.5 people per room
- Households making 0-30% of AMI paying more than 50% of their gross income on housing costs

Owner households:

- Between 0-30% of AMI with housing problems paying more than 50% of their gross income on housing costs

Describe the characteristics and needs of Low-income individuals and families with children (especially extremely low-income) who are currently housed but are at imminent risk of either residing in shelters or becoming unsheltered 91.205(c)/91.305(c)). Also discuss the needs of formerly homeless families and individuals who are receiving rapid re-housing assistance and are nearing the termination of that assistance

In June 2018 the Lynchburg Housing Collaborative invested in a study, *Opportunity Profile for Lynchburg*, conducted by Enterprise Community Partners. In this study, researchers estimated the number of households with housing instability. It was noted that low-income households were more likely to be vulnerable to hypermobility or moving from home to home more frequently. Approximately 7,900 households changed residents in 2016. Of those, 70% had incomes below \$25,000. This group is seen as a high-risk group for housing instability.

During stakeholder meetings, it was noted that Lynchburg has several rooming houses that rent to low income individuals and families. These rooming houses are often in substandard conditions and the only option for low income households with high barriers. Landlords of these units often threaten tenants with informal evictions for reporting conditions, making households in these units at greater risk of homelessness. In the Enterprise Community study, researchers noted 12% of households were living in doubled-up housing situations.

Homeless service providers in Lynchburg report a shortage of available units to move households who are receiving Rapid Rehousing assistance. Providers report having to move households out of the City of Lynchburg into surrounding counties, which have more available and affordable units. Rapid Rehousing providers stated that households often struggle with finding stable and consistent employment. Many households work in industries that have varying hours and unpredictable pay, such as food service industries, home health aides, and construction. Households struggle to develop budgets due to the unpredictability of monthly income. These households often need continued supportive services or shallow rental subsidies.

If a jurisdiction provides estimates of the at-risk population(s), it should also include a description of the operational definition of the at-risk group and the methodology used to generate the estimates:

In the Enterprise Community study, researchers estimated the number of households with housing instability. Housing stability is defined as “the ability of residents to live in their home as long as they choose, without being forced to move due to cost.” It was noted that many households in Lynchburg face extreme conditions of housing instability, including severe cost burden. Housing instability effected renters, racial minorities and households with lower educational attainment more frequently. Using ACS 2016 5-year data, researchers calculated a shortage of 2,340 affordable housing units in Lynchburg for households earning less than 30% AMI.

Specify particular housing characteristics that have been linked with instability and an increased risk of homelessness

As noted earlier, households in rooming houses have a higher risk of instability. These households are often extremely low income, are vulnerable to hypermobility, have unpredictable employment, and high barriers to housing such as poor credit, prior evictions, and criminal histories.

Discussion

There are several factors that can be contributing to the housing instability in the City of Lynchburg, such as high rates of cost burden and high rates of formal and informal evictions. Stakeholders not many low-to-moderate income households are forced to move into unregulated rooming houses due to the lack of safe affordable housing in the community.

NA-15 DISPROPORTIONATELY GREATER NEED: HOUSING PROBLEMS – 91.205 (B)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction

HUD defines a disproportionately greater housing need when a racial or ethnic group experiences housing problems at a rate over 10 percentage points than that of the corresponding income level as a whole. The data table below summarizes the percentage of each racial/ethnic group experiencing housing problems by HUD Adjusted Median Family Income (HAMFI) levels. Where the HUD tables below report AMI, they refer to HAMFI. Housing problems include:

- Housing units lacking complete kitchen facilities and/or complete plumbing facilities
- Overcrowding (more than one person per room)
- Housing costs greater than 30% of income (i.e., cost burden)

In general, the percentage of households with a housing problem is highest for the lowest income brackets (0-50% AMI) and decreases as income increases. According to the above definitions, Asian households between 50-80% AMI, Hispanic households and Asian households above 80% AMI in Lynchburg experience one or more housing problems at a disproportionate level. It should be noted these racial and ethnic groups have small sample sizes relative to the whole.

Supplemental Chart: Housing Problems by Income Range and Race, 2009-2013

	0-30% AMI	30-50% AMI	50-80% AMI	80-100% AMI
Racial/ Ethnic Group	% with one or more housing problems			
White	90.0%	68.8%	49.6%	13.7%
Black/ African American	82.2%	73.3%	50.0%	17.1%
Asian	88.2%	25.0%	83.3%	30.0%
Hispanic	88.2%	25.0%	13.0%	80.0%
Jurisdiction as a Whole	86.5%	69.4%	49.4%	17.7%
Source: CHAS 2011-2015				

0%-30% of Area Median Income

Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	3,920	610	630
White	1,985	220	255
Black / African American	1,640	355	360
Asian	75	10	0
American Indian, Alaska Native	0	0	0
Pacific Islander	0	0	0
Hispanic	75	10	15

Table 12 - Disproportionally Greater Need 0 - 30% AMI

Data Source: 2011-2015 CHAS

*The four housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%

30%-50% of Area Median Income

Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	2,745	1,210	0
White	1,455	660	0
Black / African American	1,260	460	0
Asian	10	30	0
American Indian, Alaska Native	0	0	0
Pacific Islander	0	0	0
Hispanic	20	60	0

Table 13 - Disproportionally Greater Need 30 - 50% AMI

Data Source: 2011-2015 CHAS

*The four housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%

50%-80% of Area Median Income

Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	2,560	2,625	0
White	1,485	1,510	0
Black / African American	955	955	0
Asian	50	10	0
American Indian, Alaska Native	0	15	0
Pacific Islander	0	0	0
Hispanic	15	100	0

Table 14 - Disproportionally Greater Need 50 - 80% AMI

Data Source: 2011-2015 CHAS

*The four housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%

80%-100% of Area Median Income

Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	475	2,210	0
White	255	1,610	0
Black / African American	105	510	0
Asian	15	35	0
American Indian, Alaska Native	0	0	0
Pacific Islander	0	0	0

Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Hispanic	80	20	0

Table 15 - Disproportionally Greater Need 80 - 100% AMI

Data Source: 2011-2015 CHAS

*The four housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%

NA-20 DISPROPORTIONATELY GREATER NEED: SEVERE HOUSING PROBLEMS – 91.205 (B)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction

HUD defines a disproportionately greater housing need when a racial or ethnic group experiences housing problems at a rate over 10 percentage points than that of the corresponding income level as a whole. The data table below summarizes the percentage of each racial/ethnic group experiencing severe housing problems by HUD Adjusted Median Family Income (HAMFI) levels. Where the HUD tables below report AMI, they refer to HAMFI. Severe housing problems include:

- Housing units lacking complete kitchen facilities and/or complete plumbing facilities
- Overcrowding (more than 1.5 persons per room)
- Housing costs greater than 50% of income (i.e., cost burden)

In general, the percentage of households with a severe housing problem is high for the lowest income brackets (0-50% AMI) and decreases as income increases. According to the above definitions, the following racial/ethnic group experiences one or more severe housing problems at a disproportionate level:

- Hispanic households at less than 30% AMI (small sample size)
- Hispanic households at 80-100% AMI
- Asian households at 80-100% AMI (small sample size)

Supplemental Chart: Severe Housing Problem by Income Range and Race, 2009-2013

	0-30% AMI	30-50% AMI	50-80% AMI	80-100% AMI
Racial/ Ethnic Group	% with one or more severe housing problems			
White	80.8%	42.6%	6.0%	2.7%
Black/ African American	70.5%	32.7%	14.9%	8.1%
Asian	70.6%	25.0%	0.0%	30.0%
American Indian, Alaska Native	0.0%	0.0%	0.0%	0.0%
Pacific Islander	0.0%	0.0%	0.0%	0.0%
Hispanic	88.2%	0.0%	0.0%	20.0%
Jurisdiction as a Whole	76.3%	37.2%	9.0%	5.0%
Source: CHAS 2009-2013				

0%-30% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	3,455	1,075	630
White	1,785	425	255
Black / African American	1,410	590	360
Asian	60	25	0
American Indian, Alaska Native	0	0	0
Pacific Islander	0	0	0
Hispanic	75	10	15

Table 16 – Severe Housing Problems 0 - 30% AMI

Data Source: 2011-2015 CHAS

*The four severe housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%

30%-50% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	1,475	2,485	0
White	905	1,220	0
Black / African American	560	1,150	0
Asian	10	30	0
American Indian, Alaska Native	0	0	0
Pacific Islander	0	0	0
Hispanic	0	80	0

Table 17 – Severe Housing Problems 30 - 50% AMI

Data Source: 2011-2015 CHAS

*The four severe housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%

50%-80% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	465	4,715	0
White	180	2,815	0
Black / African American	285	1,625	0
Asian	0	60	0
American Indian, Alaska Native	0	15	0
Pacific Islander	0	0	0
Hispanic	0	115	0

Table 18 – Severe Housing Problems 50 - 80% AMI

Data Source: 2011-2015 CHAS

*The four severe housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%

80%-100% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	135	2,550	0
White	50	1,810	0

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Black / African American	50	565	0
Asian	15	35	0
American Indian, Alaska Native	0	0	0
Pacific Islander	0	0	0
Hispanic	20	80	0

Table 19 – Severe Housing Problems 80 - 100% AMI

Data Source: 2011-2015 CHAS

*The four severe housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%

NA-25 DISPROPORTIONATELY GREATER NEED: HOUSING COST BURDENS – 91.205 (B)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction:

HUD defines a disproportionately greater housing need when a racial or ethnic group experiences housing problems at a rate over 10 percentage points than that of the corresponding income level as a whole. Cost-burdened is defined as paying more than 30% of household income on housing, and severely cost burdened is defined as paying greater than 50% of household income on housing.

The data table below summarizes the percentage of each racial/ethnic group experiencing cost burden at various levels. Based on these definitions, no racial/ethnic groups have disproportionate housing need; however, it is noteworthy that 26% of Black/African American households pay more than 50% of their income on housing costs—the highest rate among any group.

Supplemental Chart: Cost Burden By Income Range And Race, 2009-2013

Racial/ Ethnic Group	Less than 30% (No Cost Burden)	30-50%	More than 50%	No/ negative income (not computed)
		% with housing cost burden		%
White	68.2%	15.9%	15.8%	1.5%
Black/ African American	51.1%	22.3%	26.6%	4.5%
Asian	73.5%	13.7%	12.8%	2.6%
Hispanic	62.5%	23.1%	14.4%	2.9%
Jurisdiction as a Whole	63.0%	17.9%	19.0%	2.4%
Source: CHAS 2009-2013				

Housing Cost Burden

Housing Cost Burden	<=30%	30-50%	>50%	No / negative income (not computed)
Jurisdiction as a whole	17,555	5,000	5,305	665
White	12,530	2,930	2,910	275
Black / African American	4,075	1,780	2,120	360
Asian	430	80	75	15

Housing Cost Burden	<=30%	30-50%	>50%	No / negative income (not computed)
American Indian, Alaska Native	45	0	0	0
Pacific Islander	0	0	0	0
Hispanic	325	120	75	15

Table 20 – Greater Need: Housing Cost Burdens AMI

Data Source: 2011-2015 CHAS

Are there any Income categories in which a racial or ethnic group has disproportionately greater need than the needs of that income category as a whole?

The impact of housing problems in Lynchburg varies primarily by income level. However, the following income tiers experienced problems at a rate of at least ten percentage points higher than the City as a whole: (It should be noted these racial and ethnic groups have small sample sizes.)

Housing Problems

- Asian households between 50-80% AMI
- Hispanic households above 80% AMI
- Asian households above 80% AMI

Severe Housing Problems

- Hispanic households at less than 30% AMI
- Hispanic households at 80-100%
- Asian households at 80-100% AMI

Cost Burden

- No racial/ethnic groups have disproportionate housing need, however, 26% of Black/African American households pay more than 50% of their income toward housing—the highest rate among all groups.

If they have needs not identified above, what are those needs?

The needs among race/ethnicities are indicated above. Income categories have more general needs as described in NA-10 and the Housing Market Analysis.

During stakeholder meetings it was noted that communities which were redlined in the 1930s continue to have high concentrations of minority households. A report conducted by Dr. John Abell, Professor of Economics at Randolph College in July 2019 points out that these redlined neighborhoods have higher concentrations of older homes (built prior to 1960), little new development taking place, higher rates of poverty, and lower home values.

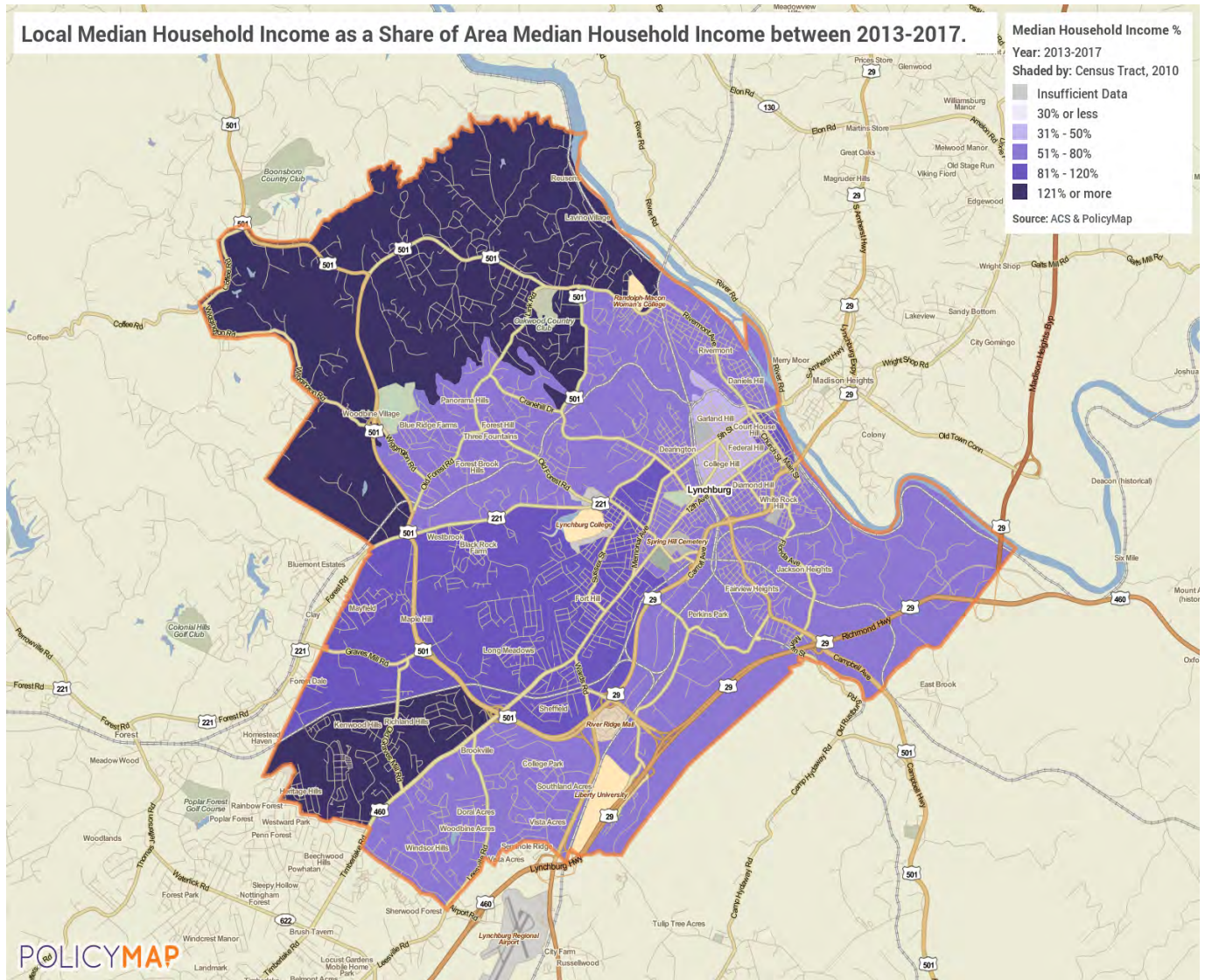
Are any of those racial or ethnic groups located in specific areas or neighborhoods in your community?

Areas of racial/ ethnic concentration are defined as census block groups where the percentage of a minority group is 10 percentage points above the citywide average.

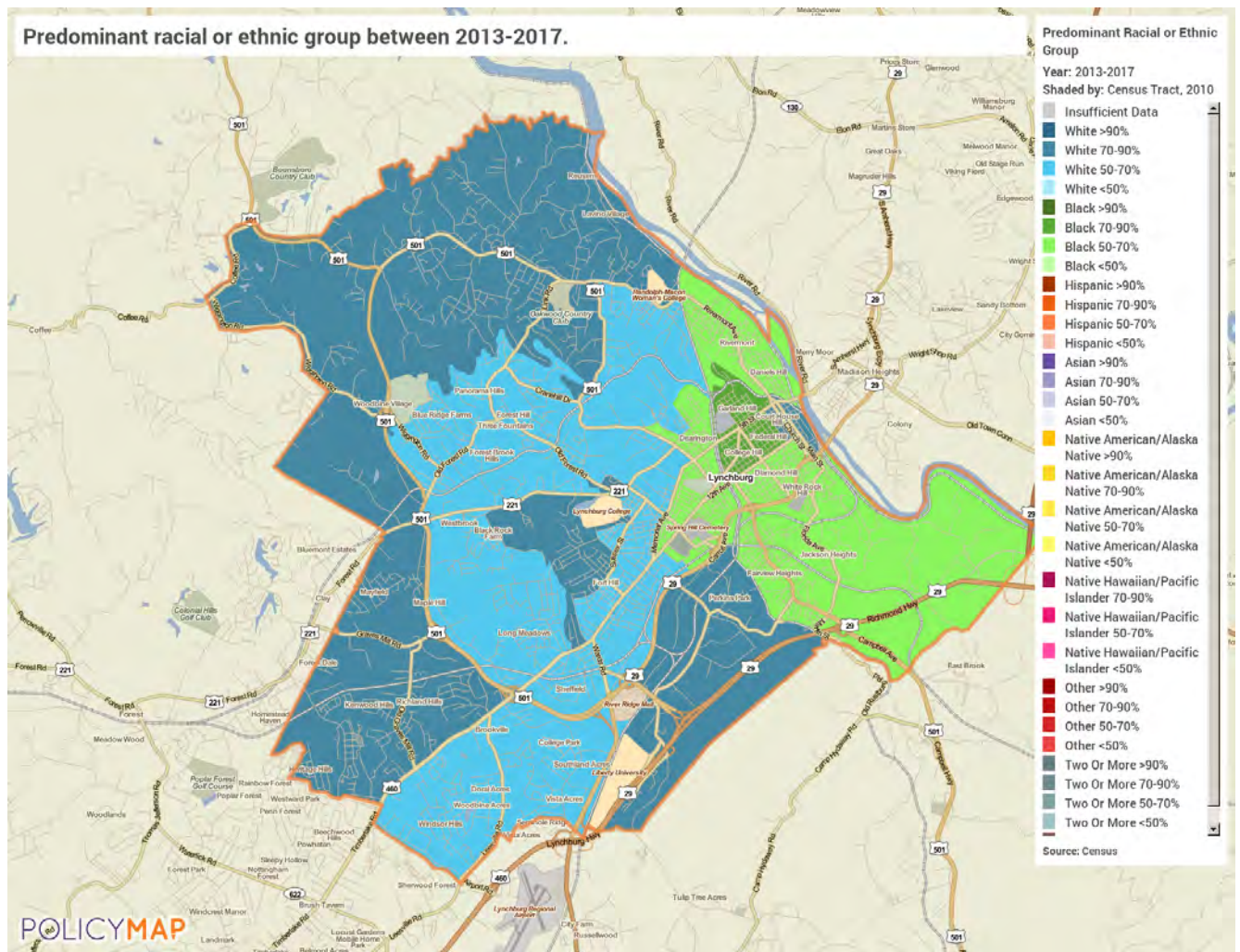
Across Lynchburg in 2017, Blacks comprised 28.5% of the population, Hispanics 3.7%, and Asians 2.7%. Therefore, an area of Black concentration would include any block group where the percentage of Black residents is 38.5% or higher, a Hispanic concentration would include a

block group percentage of 13.7% or higher, and an Asian concentration would include a block group percentage of 12.7% or higher. Areas of concentration are identified on the following maps. There are a higher percentage of Black residents in the downtown area of Lynchburg, Dearington, College Hill, White Rock Hill, Winston Ridge and Tyreeanna.

Map 1 Local Median Household Income, 2013-2017



Map 2 Racial/Ethnic groups, 2013-2017



Introduction

Lynchburg Redevelopment and Housing Authority (LRHA) owns and manages 312 public housing units located throughout the City. In addition to public housing, LRHA also administers the Housing Choice Voucher (HCV) Program.

The following charts are generated by the eCon tool in IDIS and have been reviewed by the Lynchburg Redevelopment and Housing Authority for accuracy.

The average income for households living in public housing units and in the HCV program is \$10,691, nearly a third of the median income for Lynchburg in 2015. 29% of households are White and 71% of households are Black/African American.

Totals in Use

Program Type									
	Certificate	Mod-Rehab	Public Housing	Vouchers					
				Total	Project-based	Tenant-based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
# of units vouchers in use	0	87	315	769	0	768	0	0	1

Table 21 - Public Housing by Program Type

*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition

Data Source: PIC (PIH Information Center)

Characteristics of Residents

	Program Type							
	Certificate	Mod-Rehab	Public Housing	Vouchers				
				Total	Project - based	Tenant - based	Special Purpose Voucher	
							Veterans Affairs Supportive Housing	Family Unification Program
Average Annual Income	0	9,020	10,574	10,805	0	10,808	0	0
Average length of stay	0	3	5	5	0	5	0	0
Average Household size	0	1	2	1	0	1	0	0
# Homeless at admission	0	0	0	0	0	0	0	0
# of Elderly Program Participants (>62)	0	19	21	261	0	261	0	0
# of Disabled Families	0	68	35	279	0	278	0	0
# of Families requesting accessibility features	0	87	315	769	0	768	0	0
# of HIV/AIDS program participants	0	0	0	0	0	0	0	0
# of DV victims	0	0	0	0	0	0	0	0

Table 22 – Characteristics of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

Race of Residents

Program Type									
Race	Certificate	Mod-Rehab	Public Housing	Vouchers					
				Total	Project - based	Tenant - based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
White	0	33	37	271	0	271	0	0	0
Black/African American	0	54	275	498	0	497	0	0	1
Asian	0	0	3	0	0	0	0	0	0
American Indian/Alaska Native	0	0	0	0	0	0	0	0	0
Pacific Islander	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0

*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition

Table 23 – Race of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

Ethnicity of Residents

Program Type									
Ethnicity	Certificate	Mod-Rehab	Public Housing	Vouchers					
				Total	Project - based	Tenant - based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
Hispanic	0	0	2	5	0	5	0	0	0
Not Hispanic	0	87	313	764	0	763	0	0	1

*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition

Table 24 – Ethnicity of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

Section 504 Needs Assessment: Describe the needs of public housing tenants and applicants on the waiting list for accessible units:

Section 504 of the Rehabilitation Act of 1973 and 24 CFR Part 8 requires that 5% of all public housing units be accessible to persons with mobility impairments. Another 2% of public housing units must be accessible to persons with sensory impairments. The Uniform Federal Accessibility Standards (UFAS) is the standard against which residential and non-residential spaces are judged to be accessible.

Currently twelve units are accessible. Lynchburg Redevelopment and Housing Authority will continue to renovate identified units as funding is available.

Most immediate needs of residents of Public Housing and Housing Choice voucher holders

LRHA reports that public housing and housing choice voucher holders' most immediate needs are safe, clean and stable housing within a system that provides the opportunity to advance.

How do these needs compare to the housing needs of the population at large

These needs are similar to those faced by low income residents in Lynchburg.

Discussion

Lynchburg Redevelopment and Housing Authority (LRHA) owns and manages 312 public housing units located throughout the City. In addition to public housing, LRHA also administers the Housing Choice Voucher (HCV) Program. The average income for households living in public housing units and in the HCV, program is \$10,691, nearly a third of the median income for Lynchburg in 2015. The majority of households served by LRHA are Black/African American.

Introduction:

To help identify the nature and extent of the needs of the homeless, this section contains data on the current homeless population, and estimates the number entering and exiting that population at any given time. In addition, factors such as family composition, veteran status, and race/ethnicity of homeless populations are presented.

Most homelessness initiatives in the City are coordinated through the Central Virginia Continuum of Care (CVCoc), a recipient of funding through the U. S. Department of Housing and Urban Development's (HUD) Continuum of Care Program. Also participating in the CVCoc are the counties of Amherst, Appomattox, Bedford, and Campbell.

The CVCoc is a regional organization comprised of agencies that serve as the lead entity for Continuum of Care Programs. The CVCoc currently has 32 member agencies.

The CVCoc has created a 24-hour coordinated assessment process, Coordinated Homeless Intake and Access (CHIA), and is working with current providers to divert individuals from homelessness. The coordinator of CHIA is trained to divert households who seek assistance in an effort to decrease homelessness. Since 2015, the CVCoc has added four additional programs: a new Permanent Supportive Housing program, a Rapid Rehousing program for Veteran families, Veterans Affairs Supportive Housing (VASH), and a street homeless outreach program. During the last five years, the CVCoc has converted all transitional housing beds to rapid rehousing, increasing their rapid rehousing capacity by 107%.

If data is not available for the categories "number of persons becoming and exiting homelessness each year," and "number of days that persons experience homelessness," describe these categories for each homeless population type (including chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth):

Population	Estimate the # of persons experiencing homelessness on a given night		Estimate the # experiencing homelessness each year	Estimate the # becoming homeless each year	Estimate the # exiting homelessness each year	Estimate the # of days persons experience homelessness
	Sheltered	Unsheltered				
Persons in Households with Adult(s) and Child(ren)	28	0	115		109 leavers in CY 18; 78 to positive housing destinations	

Persons in Households with Only Children	0	0	0	0	0	
Persons in Households with Only Adults	64	17	565		506 leavers in CY 18; 115 to positive housing destinations	
Chronically Homeless Individuals	2	6	35			
Chronically Homeless Families	0	0	0	0	0	
Veterans	8	2	59		16	
Unaccompanied Child	0	0	0	0	0	
Persons with HIV	0	1	1			
Severely Mentally Ill	5	12	160			
Chronic Substance Abuse	2	5	60			
Victims of Domestic Violence	12	0	92	28		

Data for the above chart was provided by the Central Virginia Continuum of Care's Homeless Management Information System (HMIS) using calendar year 2018 data.

Households with children generally experience homelessness for shorter periods of time than households with adults only. During 2018, 58% of households with children were homeless for 7 days or less, 7% were homeless for 8 to 14 days, 21% were homeless for 15 to 21 days, 7% were homeless for 31 to 60 days, and 7% were homeless for 61 to 180 days.

In 2018, there were two (2) Veteran households with children in emergency shelter. There were 59 homeless Veterans total, mostly single adults. According to HMIS, 24% of veterans exited homelessness to a permanent destination, 8% exited to a temporary destination, 4% exited to an institutional setting such as a hospital, and 64% disappeared or exited to an unknown destination.

During 2018, 63% of unaccompanied youth participated in an emergency shelter and/or were unsheltered for 30 days or less, 23% experienced homelessness for 31 to 60 days, 12% for 61 to 90 days, and 1% for 91 to 180 days. This data is provided by program enrollments in HMIS. It is suspected that youth do not access homeless services as frequently as other populations; therefore, it is believed that the length of time they are homeless is underreported. According to HMIS, 23% of youth exiting the programs left to a permanent housing destination in 2018, 18% exited to a temporary destination, and 59% disappeared or exited to an unknown destination.

Nature and Extent of Homelessness: (Optional)

Race:	Sheltered:	Unsheltered
White	59	14
Black or African American	25	5
Asian	0	0
American Indian or Alaska Native	1	1
Pacific Islander	0	0
Multiple Races	7	0
Ethnicity:	Sheltered:	Unsheltered
Hispanic	6	3
Not Hispanic	86	17

Table 25 HMIS data, calendar year 2018

Estimate the number and type of families in need of housing assistance for families with children and the families of veterans.

During 2018, a total of 35 households with children used emergency shelter. These households represented 45 adults and 70 children.

- 76% of the adults were female, indicating mostly female heads of household.
- 33% of the adults reported at least one disabling condition.
- 13% reported a history of domestic violence.
- 47% were in a friend or family member's home prior to entry in shelter.
- 72% exited to permanent housing

During this same timeframe, 68 households with children needed rapid re-housing assistance in order to resolve their homelessness. This indicates that the need exceeded the families in emergency shelter and included those families in domestic violence shelters. These households were comprised of 79 adults and 141 children.

- 3 households contained veterans.
- 6 households were headed by parenting youth (18-24)
- 86% of adults were female
- 19% of adults reported a disabling condition
- 60% of RRH families reported a history of domestic violence
- Households with children were housed in an average of 26 days
- 98% of households with children exited to permanent housing

When also factoring in homeless prevention and permanent supportive housing, 120 households with children accessed an intervention in the homeless response system in 2018. These households were comprised of 144 adults and 264 children.

Because the three domestic violence shelters do not enter data into HMIS, the family homelessness estimates do not include domestic violence data. Domestic Violence shelter data is reported in the annual Homeless Outcomes Community Report which is submitted to the Virginia Department of Housing and Community Development. In 2019 this report indicated that there were 103 households with children in emergency and domestic violence shelters combined.

Describe the Nature and Extent of Homelessness by Racial and Ethnic Group.

Lynchburg's CVCoc found an over-representation of Black or African Americans and people of multiple races in the homeless response system compared to the CVCoc's general population census. Forty-Five percent (45%) of the homeless population in Lynchburg were Black or African American. The CVCoc also saw 14% of people accessing services identified as multiple race. The CVCoc noted Black or African Americans have higher exit to permanent housing rates, consistent with Hispanic/Latino persons in the homeless response system.

Describe the Nature and Extent of Unsheltered and Sheltered Homelessness.

Prior to July 2018, Lynchburg's CVCoc did not have a street outreach program. Unsheltered homeless data was only collected during PIT counts and anecdotally if an unsheltered person made contact with an access point.

In July 2018, Lynchburg received funding to hire a street outreach worker to begin identifying and building rapport with unsheltered persons and conduct regular outreach with this hard to serve population. This has increased awareness and understanding of the needs of street homeless. During fiscal year 2019, Homeless Outreach and Mobile Engagement (HOME) outreached to 60 unsheltered persons.

- Nine individuals qualified as chronically homeless, three were veterans, and nine were unaccompanied youth
- 27% were aged 55+
- 62% were white, 27% were African American, 8% were multiple race, 2% Asian, 1% data not collected
- 64% reported or were observed to have a disabling condition, the highest proportion being serious mental illness
- 49% reported having no form of income at intake
- 32 outreach clients exited services during the grant year, 28 of them to positive housing destinations (90%)

Most of the homeless population in the CVCoC is sheltered. During the same timeframe, 651 persons accessed the two emergency shelters in the community.

- Of these, 21 were chronically homeless, 55 were Veterans, 61 were youth, and 46 were in families
- 45% reported a disabling condition
- 14% reported a domestic violence history
- 57% reported no form of income at intake
- 614 persons exited shelter, 185 of them to a positive housing destination (30%)

Introduction:

Persons with special needs include the elderly and frail elderly, persons with severe mental illness, persons with developmental disabilities, persons with physical disabilities, persons with alcohol/other drug addictions. In addition, many persons with such special needs also have very low incomes.

The City is fortunate to have several resources through which services are delivered to the community to address non-homeless special needs. Some of these receive funding from public sources, such as federal and state grants. Others are private activities operating solely with donated funds from the private sector. In all cases, the City encourages this work and relies on it to complement its social service functions to City residents. The following describes a few programs and lists others that are active in the City.

Numerous civic groups provide gifts of volunteer time and money to assist low-income persons. The YWCA's Sadler House provides emergency shelter to women and children escaping domestic violence along with safe, affordable rental housing for low-income single women. The ARC of Central Virginia provides day support, residential support, supported employment and enrichment opportunities for individuals with intellectual and developmental disabilities. The Lynchburg Area Center for Independent Living, Inc. (LACIL) is a private non-profit, non-residential consumer driven organization that promotes the efforts of persons with disabilities to live independently in the community and supports the efforts of the community to be open and accessible to all citizens. The Central Virginia Area Agency on Aging (CVAAA) provides services such as meals, care coordination, homemaker, and assisted transportation for seniors in the greater Lynchburg area, in order to keep seniors independent in their own homes.

For health and human services, "2-1-1 Virginia" provides access to one of the largest databases of health and human services in the State of Virginia. United Way of Central Virginia is a sponsor service provider for the Lynchburg area. Nonprofit organizations and federal, state and local government agencies are included in the database and access to services in Lynchburg and statewide are available. Referrals for health and human services include:

- Basic human needs: food banks, shelters, rent or utility assistance;
- Physical and mental health resources: Medicaid, Medicare, pre-natal care, children's health insurance programs, crisis intervention, support groups, counseling, alcohol and drug rehabilitation;
- Work initiatives: educational and vocational training programs, English as a second language classes, job training, General Educational Development (GED) preparation, financial and transportation assistance;
- Support for seniors and those with medical, respite care, home health care, transportation and recreation disabilities: Area Agencies on Aging, independent living centers, adult day

care, meals at home, respite care, home health care, transportation and recreation; and

- Support for children, youth and families: After-school programs, tutoring, mentorship programs, family resource centers, protective services, counseling, early childhood learning programs, childcare referral centers, and recreation.

In addition to the multiple public and private agencies providing supportive services to low-income citizens, the City currently operates a Citizens First Information Center phone hotline, online chat feature and cell phone app that coordinates with the United Way-sponsored Information and Referral Hot Line to inform citizens of available services.

Describe the characteristics of special needs populations in your community:

Elderly

Elderly persons are more likely to live on fixed, very low incomes or require special supportive service to complete their daily routines. This means elderly residents especially need affordable housing options and easy access to service providers.

According to ACS 2013-2017 estimates, 15% of households consist of at least one person aged 65 or over. In addition, the Census reported that 35.5% of persons 65 years and over had at least one disability in 2017, 19.8% of whom experienced an independent living difficulty and 10.3% of whom experienced a self-care disability.

Persons with Disabilities

In 2017, 12.5% of the population had a disability. Individuals with ambulatory disabilities generally require accessible housing units and individuals with independent living disabilities may require assisted living facilities. Data from the 2017 ACS indicates that 9.3% indicated an ambulatory difficulty while 6.8% reported a cognitive difficulty.

In the City, 23.1% of all adults aged 18-64 live below the poverty line. However, there are differences in the incidence of poverty by disability status. For those with a disability, 33% live below the poverty line as compared to 21% of those without a disability.

During stakeholder meetings it was noted that the U.S. Department of Justice (DOJ) is closing the Central Virginia Training Center by June 2020. Forty-five (45) residents living in this facility will need to be rehoused in less restrictive housing. The Central Virginia Training Center provided housing and services to patients with intellectual and physical disabilities. As a result of a DOJ investigation, all training centers in Virginia were ordered to close due to violations of civil rights. The Central Virginia Training Center is one of the last centers to close in 2020.

Not all persons with disabilities require supportive housing; however, those that cannot live with supportive family or need help in basic life activities do require supportive housing and/or services. Individuals with physical disabilities usually require modifications to their living space, including the removal of physical barriers.

Substance Abuse and Addiction

Stakeholders reported increases in the number of children entering foster care due to methamphetamine. While Lynchburg's exact numbers are not reported, as of December 1, 2019, Virginia's Department of Social Services reported in the *Snapshot Children In Foster Care* report that 28.22% of children in care had "parent's drug abuse" as the conditions of last removal, the second highest condition.

Sexual Assault

The YWCA Sexual Assault Response Program (SARP) exists to ensure that victims of sexual violence have the means in which to recover from physical and psychological trauma. SARP services the Counties of Amherst, Appomattox, Bedford, Campbell, Halifax and Pittsylvania and the Cities of Danville and Lynchburg. As in cases of domestic violence, victims of sexual violence can be displaced from their home due to the relationship with the perpetrator. Victims may seek emergency housing for safety precautions; however, victims may also need long term housing access beyond what an emergency shelter can provide. It is essential that victims of sexual and domestic violence have an affordable place in which they can turn to escape further sexual, physical, and emotional abuse.

Domestic Violence

The YWCA Domestic Violence Prevention Center exists to offer safe refuge to victims of domestic violence and their children. The program opens its door to victims in their time of crisis 24/7. The YWCA provides safe shelter, crisis counseling, support groups, safety planning, and court advocacy.

What are the housing and supportive service needs of these populations and how are these needs determined?

Each of the different needs for these populations is unique. When a household is identified as needing housing and supportive services, community workers determine the level of need and availability of services. As noted in above section this could include home modifications, senior living facilities, domestic violence emergency shelter, rapid rehousing services, supportive housing, or substance abuse treatment.

Discuss the size and characteristics of the population with HIV/AIDS and their families within the Eligible Metropolitan Statistical Area:

The Virginia Department of Health maintains a registry of reported cases by city and county of residence. In the 2018 Annual Report, the Department of Health estimates that there are 226 persons living with HIV/AIDS in Lynchburg.

Describe the jurisdiction's need for Public Facilities:

Through Community Development Block Grant funds, Lynchburg can fund the construction, rehabilitation, or installation of public facilities. Eligible public facilities include neighborhood facilities (such as educational centers, parks, recreation centers, and libraries) and facilities for special needs populations (such as homeless shelters, elderly facilities, or centers for people with disabilities).

How were these needs determined?

Public facility needs were determined through public meetings, consultation with various community stakeholders, including city government departments and staff, neighborhood groups and human service providers, and through an online survey.

Describe the jurisdiction's need for Public Improvements:

Through CDBG funds, the Lynchburg can also fund the construction, rehabilitation, or installation of public improvements. Public improvements include, but are not limited to, street and sidewalk improvements, water and sewer installation, and maintenance and ADA compliance construction and rehabilitation.

The following goals were prepared by the Community Development Advisory Committee (CDAC) and adopted by City Council on February 11, 2020.

Non-Housing Goals

- Support efforts for the removal and redevelopment of dilapidated and condemned structures to eliminate neighborhood deterioration, blight and blighting influences.
- Support efforts for the identification and remediation of rental housing in substandard conditions.
- Support neighborhood partnerships that facilitate self-sufficiency and enable families and individuals to maintain their housing, remain in their neighborhoods, and age in place.
- Support efforts that align with the goals of the City's Blueprint for Opportunity to improve the economic base, job skills, and health of the community.
- Promote public service activities which support the healthy development of the City's at-risk youth, adults, and families.
- Support efforts to develop, sustain, and coordinate a comprehensive, seamless system of services for homeless citizens in order to move the homeless population toward obtaining permanent housing.
- Support efforts to remove barriers to escape poverty and strengthen low-income households and families.

Public improvement needs identified within the City's FY2020-2024 Capital Improvement Plan (CIP) include a variety of transportation, water/sewer and connectivity initiatives such as school facility needs, Library renovations, public transit improvements and bus replacement a new

Police Headquarters, Lakeside Drive Bridge/College Lake Lakebed Improvements/Dam Removal, Downtown Water Main Replacements and Streetscape Improvements, Implementation of the Downtown 2040 Master Plan and ongoing building maintenance. The City is also currently working with the Tyreeanna/Pleasant Valley and Dearington neighborhoods to develop specific area plans.

How were these needs determined?

Improvements identified in the CIP are part of the City's annual budget process. A draft budget is placed for public comment and feedback prior to being voted on by City Council. The City is also working directly with neighbors in the Tyreeanna/Pleasant Valley and Dearington through community outreach efforts to determine needs.

Describe the jurisdiction's need for Public Services:

Through CDBG funds, Lynchburg can fund an array of public services. Eligible public services include, but are not limited to, homeless services, education and workforce development programs, homebuyer counseling, elderly care and programs, and childcare and health services for low- and moderate-income households.

How were these needs determined?

The goals were identified through the outreach process conducted for the Consolidated Plan, approved by CDAC and adopted by City Council, as stated above.

HOUSING MARKET ANALYSIS

MA-05 OVERVIEW

Housing Market Analysis Overview:

This market analysis identifies the need to preserve existing affordable housing opportunities while advancing efforts to create a diverse supply of additional affordable units. Ideally, the City of Lynchburg will have a mix of housing types to accommodate households of all types and income levels. The City's housing strategies will be especially guided by the increasing mismatch between incomes and housing costs and the specific accommodations necessary to ensure that special needs populations have adequate affordable housing options with appropriate supportive services where needed.

General conclusions about the market, as described in the following pages, include:

- The housing stock in the City of Lynchburg is principally single-family (50.7%) and owner-occupied (49.3%).
- Median rents have increased nearly 14% (adjusted for inflation) in Lynchburg, putting pressure on low income rental households.
- The 1,070 rental units identified as affordable to households below 30% of the HUD-adjusted Median Family Income (HAMFI) represent only 7% of the rental housing inventory in the City.
- A minimum wage worker in Lynchburg earning \$7.25 per hour needs to work in excess of 84 hours per week to afford a two-bedroom unit at Fair Market Rent (FMR).

Introduction

The housing stock in the City of Lynchburg is principally single-family (50.7%) and owner-occupied (49.3%). Data from the 2017 ACS indicates that 23.1 % of all adults aged 18-64 live below the poverty line. Among the entire population, 22.3% live below the poverty line. Among children under the age of 18 and seniors over the age of 65, approximately 29.3% and 9.1%, respectively, live below the poverty line. The high incidence of poverty among households with children and persons with disabilities points to the need for affordable housing, particularly within the renter-occupied market.

Of the nearly 14,500 owner-occupied units in the City 79% consist of three or more bedrooms. Among renter-occupied units, nearly half are two bedrooms. In Lynchburg single family detached units – which tend to be larger than multi-family units – comprise over 56% of the housing stock. There is a need for more multi-family housing units which tend to be more affordable, particularly for small families with children and single person households, demographic groups particularly prone to cost burden and severe cost burden.

The vacancy rate remained similar from 11% in 2010 to 11.5% in 2017, according to ACS data.

All residential properties by number of units

Property Type	Number	%
1-unit detached structure	18,025	56%
1-unit, attached structure	2,520	8%
2-4 units	3,545	11%
5-19 units	4,565	14%
20 or more units	3,150	10%
Mobile Home, boat, RV, van, etc	450	1%
Total	32,255	100%

Table 26 – Residential Properties by Unit Number

Data Source: 2011-2015 ACS

Unit Size by Tenure

	Owners		Renters	
	Number	%	Number	%
No bedroom	15	0%	390	3%
1 bedroom	150	1%	2,650	19%

	Owners		Renters	
	Number	%	Number	%
2 bedrooms	2,820	20%	6,565	47%
3 or more bedrooms	11,470	79%	4,460	32%
<i>Total</i>	<i>14,455</i>	<i>100 %</i>	<i>14,065</i>	<i>101 %</i>

Table 27 – Unit Size by Tenure

Data 2011-2015 ACS
Source:

Describe the number and targeting (income level/type of family served) of units assisted with federal, state, and local programs.

The Housing Choice Voucher Program provides housing assistance resources to 893 families that live in privately-owned scattered site housing throughout the community.

Provide an assessment of units expected to be lost from the affordable housing inventory for any reason, such as expiration of Section 8 contracts.

One HUD Multifamily property is slated to expire within the next five years. The 103-unit Hillcrest Elderly will expire in 2021.

Does the availability of housing units meet the needs of the population?

The limited number of affordable units for low- and moderate-income households continues to be a large gap in the housing market. In June 2018 the Lynchburg Housing Collaborative invested in a study, *Opportunity Profile for Lynchburg*, conducted by Enterprise Community Partners. Using ACS 2016 5-year data, researchers calculated a shortage of 2,340 affordable housing units in Lynchburg for households earning less than 30% AMI.

Median rents have increased nearly 14% in Lynchburg (adjusted for inflation), putting pressure on low income rental households. 36% of City households are cost burdened, paying more than 30% of their income toward housing.

Describe the need for specific types of housing:

Stakeholders identified a need for additional affordable housing units for extremely low-income and low-income households in both the rental and owner markets. Lynchburg's housing market is almost evenly split between rental and owner-occupied units.

The need for more affordable housing, and in particular rental housing, is strong in the City. The large number of students living in the greater Lynchburg area results in demand for rental housing. There are four, four-year universities in Lynchburg and four community colleges. From 2010 to 2019, Liberty University alone has had a 23.5% increase in Fall enrollment (State Council

of Higher Education for Virginia). This demand combined with lower wages and a reduced supply of affordable housing creates price pressures in the rental housing market.

Discussion

Introduction

The HUD-provided table below indicates the number of affordable units available to households with various income levels. The 1,070 rental units identified as affordable to households below 30% of the HUD-adjusted Median Family Income (HAMFI) represent only 7% of the rental housing inventory in the City. Given that CHAS data indicates there are 4,330 renter households with incomes below 30% of HAMFI, there are nearly 4 households that need affordable housing at this income level for each affordable unit available, representing a clear and demanding need for additional affordable housing units.

The Fair Market Rent (FMR) for a two-bedroom unit in the City of Lynchburg is \$790 per month. To avoid being cost burdened, a household needs to earn \$2,633 per month, or roughly \$16.45 per hour. A minimum wage worker in Lynchburg earning \$7.25 per hour needs to work in excess of 84 hours per week to afford a two-bedroom unit. The monthly Supplemental Security Income (SSI) payment is \$771. Households for which this is the sole source of income can spend \$231 monthly on housing, which is less than a half of the cost of renting an efficiency unit.

Cost of Housing

	Base Year: 2009	Most Recent Year: 2015	% Change
Median Home Value	130,900 (\$144,888.75 in 2015 dollars)	149,200	14%
Median Contract Rent	491 (\$543.47 in 2015 dollars)	617	26%

Table 28 – Cost of Housing

Data Source: 2005-2009 ACS (Base Year), 2011-2015 ACS (Most Recent Year)

Rent Paid	Number	%
Less than \$500	4,965	35.3%
\$500-999	7,775	55.3%
\$1,000-1,499	855	6.1%
\$1,500-1,999	65	0.5%
\$2,000 or more	415	3.0%
<i>Total</i>	<i>14,075</i>	<i>100.0 %</i>

Table 29 - Rent Paid

Data Source: 2011-2015 ACS

Housing Affordability

% Units affordable to Households earning	Renter	Owner
30% HAMFI	1,070	No Data
50% HAMFI	4,010	1,195
80% HAMFI	9,940	3,575
100% HAMFI	No Data	5,290
<i>Total</i>	<i>15,020</i>	<i>10,060</i>

Table 30 – Housing Affordability

Data Source: 2011-2015 CHAS

Monthly Rent

Monthly Rent (\$)	Efficiency (no bedroom)	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
Fair Market Rent	579	637	790	1,071	1,300
High HOME Rent	579	637	790	1,071	1,243
Low HOME Rent	579	637	776	896	1,000

Table 31 – Monthly Rent

Data Source: HUD FMR and HOME Rents

Is there sufficient housing for households at all income levels?

There is a lack of rental housing for households making 30% or less of AML.

How is affordability of housing likely to change considering changes to home values and/or rents?

The continued high price of both owner-occupied and rental housing reduces the ability of low-income households to find affordable housing. Rental prices have increased as incomes have decreased in Lynchburg. This along with the high rates of students living in the area is having a significant impact on the affordable housing in Lynchburg.

From 2014-2018, Census Tract 5 has experienced a 63.57% increase in median gross rent. This is the downtown area of Lynchburg where new loft style housing has been built over the last 5 years. As the revitalization of neighborhoods continues, this will continue to have an impact on affordable housing.

How do HOME rents / Fair Market Rent compare to Area Median Rent? How might this impact your strategy to produce or preserve affordable housing?

The fair market rent (FMR) is higher than the HOME Rents/FMR for two, three- and four-bedroom units. This reflects the need for more affordable housing units.

Between 2009 and 2015, median income (adjusted for inflation) decreased as median rent and median housing values both increased with the largest increase in rental values. To further demonstrate that increases in median housing value exceeded the median household income, the City's median household income was insufficient to purchase a home selling for the median sales price. The maximum affordable home purchase price (\$131,963) for residents earning the citywide median household income was below the 2015 median sales price (\$149,200).

Lynchburg lost more than 21% of its units renting for less than \$500 between 2011 and 2015. By comparison, the number of units renting for more than \$2,000 doubled. Over the same time frame, Lynchburg had a 38% increase in units renting for \$1,000 or more.

In the case of Lynchburg, a shortage of rentals was increased by the City's large student population. For low-income residents, these trends translate into less affordable housing options. Minimum-wage and single-income households cannot afford a housing unit renting for the HUD fair market rent for a two-bedroom unit in Lynchburg.

Discussion

The Fair Market Rent (FMR) for a two-bedroom unit in the City of Lynchburg is \$790 per month. To avoid being cost burdened, a household needs to earn \$2,633 per month, or roughly \$16.45 per hour. A minimum wage worker in Lynchburg earning \$7.25 per hour needs to work in excess of 84 hours per week to afford a two-bedroom unit.

Introduction

Definitions

Standard Condition: No major structural defects; adequate plumbing and kitchen facilities; appearance which does not create a blighting influence; and the house meets additional, more stringent, local standards and building codes, including lead-based paint clearance.

Substandard Condition but Suitable for Rehabilitation: The nature of the substandard condition makes rehabilitation both financially and structurally feasible.

Housing Conditions: Condition of units is assessed using the same criteria as in the Needs Assessment. This includes: 1) lacks complete plumbing facilities, 2) lacks complete kitchen facilities, 3) more than one person per room, 4) cost burden (amount of income allocated to housing) is greater than 30%, and 5) complies with applicable building code standards.

Condition of Units

Condition of Units	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
With one selected Condition	3,095	21%	7,260	52%
With two selected Conditions	35	0%	225	2%
With three selected Conditions	0	0%	60	0%
With four selected Conditions	0	0%	0	0%
No selected Conditions	11,330	78%	6,525	46%
<i>Total</i>	<i>14,460</i>	<i>99 %</i>	<i>14,070</i>	<i>100 %</i>

Table 32 - Condition of Units

Data Source: 2011-2015 ACS

Year Unit Built

Year Unit Built	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
2000 or later	1,600	11%	2,785	20%
1980-1999	2,205	15%	2,920	21%
1950-1979	6,905	48%	5,340	38%
Before 1950	3,750	26%	3,025	22%
<i>Total</i>	<i>14,460</i>	<i>100 %</i>	<i>14,070</i>	<i>101 %</i>

Table 33 – Year Unit Built

Data 2011-2015 CHAS
Source:

Risk of Lead-Based Paint Hazard

Risk of Lead-Based Paint Hazard	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
Total Number of Units Built Before 1980	10,655	74%	8,365	59%
Housing Units built before 1980 with children present	1,625	11%	615	4%

Table 34 – Risk of Lead-Based Paint

Data 2011-2015 ACS (Total Units) 2011-2015 CHAS (Units with Children present)
Source:

The below HUD-generated table (Vacant Units) contains no data because no ACS data is available for these fields.

Vacant Units

	Suitable for Rehabilitation	Not Suitable for Rehabilitation	Total
Vacant Units			
Abandoned Vacant Units			
REO Properties			
Abandoned REO Properties			

Table 35 - Vacant Units

According to the American Community Survey (ACS), 4,159 housing units throughout the City were vacant in 2017. No ACS data is available on Real Estate Owned (REO) properties, the condition of vacancies, whether they are abandoned and whether they might be suitable for rehabilitation.

Need for Owner and Rental Rehabilitation

Older housing typically requires more continual maintenance. In the absence of routine maintenance, older housing can quickly become substandard. A common age threshold used to signal a potential deficiency is approximately 50 years or more. 23% of the housing units in the City were built prior to 1950. Another 42% of all units were built between 1950 and 1979.

Owner- and renter-occupied housing units have different percentages of units built in the four time periods presented in the table above. Although both owner and rental units likely require

rehabilitation from normal wear and tear, the need is slightly greater for owner units – 26% were built prior to 1950 compared to 22% for owner-occupied units. However, the market has slightly more owner units than rental units.

Renter-occupied units have a much higher prevalence (52%) of having at least one selected condition than owner-occupied units (21%). This may indicate that more renter-occupied units than owner-occupied units require rehabilitation, although “selected condition” includes cost burden and overcrowding, which are not reflections of the physical state of the unit. It is uncommon for both owner- and renter-occupied units to have more than one selected condition.

During stakeholder meetings, the condition of rental properties, specifically rooming houses, is a major concern for Lynchburg. The data above supports this as a large portion of the housing inventory was built prior to 1950 to 1979. Stakeholders also reported owner-occupied units having major rehabilitation needs, however due to limited incomes, particularly for elderly households, these are not always affordable. Lynchburg is also having issues finding qualified contractors to complete home repairs despite having available funds for low income homeowners.

Estimated Number of Housing Units Occupied by Low or Moderate Income Families with LBP Hazards

Lead-based paint was banned from residential uses in 1978. All houses constructed before 1978 are therefore considered at risk for containing lead-based paint. HUD has made the elimination of housing units containing lead-based paint a priority. The poisoning of children from contact with lead-based paint has been recognized as a major public health problem by the Center for Disease Control (CDC). According to the CDC, lead is the number one environmental health hazard to American children. It is estimated that 10%-15% of all preschoolers in the United States are affected. Lead poisoning causes IQ reductions, reading and learning disabilities, decreased attention span, hyperactivity, and aggressive behavior.

Lead-based paint hazards pose the greatest risk for children, especially those under seven years of age. The HUD IDIS-generated table above provides data on owner-occupied and renter-occupied units built before 1980 with children present. As Table 35 indicates, children in the City’s owner-occupied units are much more likely to be impacted by lead-based paint hazards than children in renter-occupied units.

Discussion

Introduction

Lynchburg Redevelopment and Housing Authority (LRHA) owns and manages 328 public housing units located throughout the City. The publicly owned rental housing units are in four different locations: Dearington, Langview, Birchwood, and Brookside.

In addition, the Housing Choice Voucher Program provides housing assistance resources to 893 families that live in privately-owned scattered site housing throughout the community.

Totals Number of Units

	Program Type								
	Certificate	Mod-Rehab	Public Housing	Vouchers					
				Total	Project-based	Tenant-based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
# of units vouchers available	0	84	328	893	0	893	0	0	0
# of accessible units									
*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition									

Table 36 – Total Number of Units by Program Type

Data Source: PIC (PIH Information Center)

Describe the supply of public housing developments:

Dearington Apartments has 100 units: 12% are one-bedrooms; 52% are two-bedrooms and 36% are three-bedrooms. Birchwood Apartments has 103 units: 11% are one-bedrooms; 32% are two-bedrooms; 57% are three-bedrooms and 15 are four-bedrooms. Langview/Brookside Apartments has 125 units: 5% are one-bedrooms; 54% are two-bedrooms and 41% are three-bedrooms.

Describe the number and physical condition of public housing units in the jurisdiction, including those that are participating in an approved Public Housing Agency Plan:

The LRHA notes that the Dearington Apartments (100 units) are all in good condition. All units (103 units) at Birchwood Apartments are in fair condition and all units (125 units) in Langview/Brookside are in good condition.

Public Housing Condition

Public Housing Development	Average Inspection Score
Dearington	88
Birchwood	79.5
Brookside/Langview	84

Table 37 - Public Housing Condition

Describe the restoration and revitalization needs of public housing units in the jurisdiction:

In an effort to keep the housing stock in good condition ongoing revitalization efforts will continue in both the interior and exterior of the apartments. Past efforts have included replacement windows and doors, exterior improvements, and interior flooring.

Describe the public housing agency's strategy for improving the living environment of low- and moderate-income families residing in public housing:

Routine maintenance performed efficiently, preventative maintenance performed on schedule and an aggressive inspection schedule that gets LRHA staff in the units multiple times a year allowing issues within the unit to be addressed efficiently and effectively.

Discussion:

Introduction

Facilities and Housing Targeted to Homeless Households

	Emergency Shelter Beds		Transitional Housing Beds	Permanent Supportive Housing Beds	
	Year Round Beds (Current & New)	Voucher / Seasonal / Overflow Beds	Current & New	Current & New	Under Development
Households with Adult(s) and Child(ren)	14 units	0	0	7 units	0
Households with Only Adults	87	0	0	42	0
Chronically Homeless Households	0*	0	0	11	0
Veterans	0*	0	0	4	0
Unaccompanied Youth	0*	0	0	0	0

Table 38 - Facilities and Housing Targeted to Homeless Households

**There are no dedicated beds for these populations but Chronically Homeless (CH) and veterans are served in the beds for households with children or those without based on familial status*

The above chart does not request information regarding Rapid Rehousing (RRH) bed capacity. This is the largest program type within the homeless inventory count. The 2019 Housing Inventory Count recorded 93 beds for RRH.

Describe mainstream services, such as health, mental health, and employment services to the extent those services are used to complement services targeted to homeless persons

The Central Virginia Continuum of Care (CVCoc) leverages mainstream resources on both a program and a community level. The CVCoc's written standards require all projects to coordinate with mainstream resources including housing, social services, employment and youth programs and support enrollment through transportation and follow-up. Project staff receive trainings on mainstream benefits and application and eligibility processes through the CVCoc's Homeless and Housing Services Committee and Training Committee. Projects leverage private and local government funds to increase supportive services such as benefit agency staff assist CVCoc program participants with mainstream benefit enrollment, identification obtainment, and gathering necessary paperwork for service applications.

The YWCA of Central Virginia has a partnership with the Lynchburg Police Department which ensures that victims of domestic violence receive a lethality assessment and safety planning. These tools allow the YWCA to evaluate opportunities for diversion rather than an automatic shelter placement, which leverages the diversion screening their staff does when a victim contacts the hotline.

This past year the local Community Service Board, Horizon Behavioral Health, was awarded a 3-year Substance Abuse and Mental Health Services Administration (SAMSHA) Cooperative Agreements to Benefit Homeless Individuals (CABHI) grant for \$2.2 million to serve homeless youth. This program provides intensive case management, mental health services, employment services, peer support, housing specialists and therapists to ensure wrap around services for this vulnerable population.

The CVCoc Board has representatives from mainstream benefit agencies including Lynchburg Department of Social Services, Lynchburg Redevelopment and Housing Authority, a federally qualified health center, and the Community Service Board to increase access to mainstream benefits for clients served within the CVCoc.

List and describe services and facilities that meet the needs of homeless persons, particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth. If the services and facilities are listed on screen SP-40 Institutional Delivery Structure or screen MA-35 Special Needs Facilities and Services, describe how these facilities and services specifically address the needs of these populations.

The CVCoc operates a coordinated entry system (CES) that provides triaged access to the array of homeless response services and interventions that are offered in the region. The primary access point for the CES is Coordinated Homeless Intake and Access (CHIA). CHIA provides both in-person and phone-based assessment and referral to diversion, prevention, shelter and appropriate housing interventions. Coordinated entry staff are trained on diversion strategies, addressing the needs of domestic violence victims and the coordinated entry process. Housing-focused conversations aimed at self-resolution will be attempted first, with an emergency shelter

bed offered if necessary and available. There are two emergency shelters serving the CVCoC – Salvation Army and Hand Up Lodge.

The YWCA of Central Virginia also operates an access point for domestic violence victims through the 24/7 hotline. Victims who seek services through the domestic violence hotline have access to the full range of housing and service intervention options available through the CVCoC's CES, including prevention, diversion, rapid re-housing, permanent supportive housing and other mainstream housing resources. There are three domestic violence shelters in the CVCoC – Sadler's House in Lynchburg, Frannie's House in Campbell County and Bedford Domestic Violence Services in Bedford.

Finally, street outreach operates as an access point for unsheltered persons. The CVCoC's street outreach program Homeless Outreach and Mobile Engagement (HOME) identifies and builds rapport with unsheltered persons across the geographic region and conduct the CVCoC's standard assessments in order to ensure unsheltered clients receive the same access to the CES and are quickly placed on the by-name list in order to be permanently housed.

The CVCoC has implemented a standard, phased assessment of all persons presenting for services that collects sufficient information to make prioritization decisions consistently and facilitate access to housing and supportive services across the CVCoC's geographic area.

After the initial assessment, there is a prioritization assessment which uses the Vulnerability Index - Service Prioritization Decision Assistance Tool (VI-SPDAT) as the common assessment tool for individuals experiencing literal homelessness, who have been unable to be prevented or diverted from shelter or a place not meant for human habitation. A Priority Subpopulation Checklist is also used to identify whether the household belongs to one (or more) of the four subpopulations prioritized by the CVCoC: Veterans, chronically homeless, households with children and unaccompanied youth (24 and under).

All households belonging to a priority subpopulation are placed on the By-Name List, maintained through the Community Case Review team, for prioritization and referral to rapid re-housing and permanent supportive housing. The CVCoC Lead maintains the By-Name List and through Community Case Review each household is matched with the appropriate housing and service intervention. Generally, Supportive Services for Veteran Families (SSVF) rapid re-housing is matched with homeless Veterans, other RRH funds are prioritized for families and youth, HUD-VASH is matched with high need homeless veterans and CVCoC-funded Permanent Supportive Housing (PSH) is dedicated to chronically homeless households.

Introduction

Special needs populations include, but are not limited to, persons who are mentally ill, mentally disabled, physically disabled, are substance abusers/addicts, have AIDS, are homeless, and are elderly and in need of supportive housing. This population is spread throughout the region, but many of the supportive resources are located in the City of Lynchburg.

Including the elderly, frail elderly, persons with disabilities (mental, physical, developmental), persons with alcohol or other drug addictions, persons with HIV/AIDS and their families, public housing residents and any other categories the jurisdiction may specify, and describe their supportive housing needs

Elderly and Frail Elderly

For seniors, housing maintenance was identified as a key issue. The housing stock in Lynchburg is old and deteriorating. Many of the City's elderly residents are on fixed income and are unable to afford repairs to keep their home in good condition.

Persons with Mental, Physical, and/or Other Developmental Disabilities

A lack of supported or supervised housing options can often be one of the reasons that individuals with mental health or developmental health disabilities experience high rates of accessing various social service systems.

Mental health issues were identified as a large concern, particularly for the homeless population. Severe mental illness includes the diagnoses of psychoses and major affective disorders such as bipolar and major depression. The condition must be chronic, meaning it has existed for at least one year, to meet the HUD definition for a disability. Wraparound services are necessary to ensure stability in housing is achieved. Mental health diagnoses often present barriers to affordable housing for many, given the associated stigmas.

Victims of Domestic Violence, Dating Violence, Sexual Assault and Stalking

No specific data on the housing needs of non-homeless victims of domestic violence, sexual assault and stalking is available for the City of Lynchburg.

Describe programs for ensuring that persons returning from mental and physical health institutions receive appropriate supportive housing

The Central Virginia Continuum of Care (CVCoC) has guidelines in place in which it coordinates with CENTRA, the primary health care provider in the CVCoC area, adequate housing placement of those being released from the hospital system. This process strives to ensure that discharged persons are not released directly to the streets, emergency shelters, or other homeless assistance programs in the Region 2000 area.

CENTRA's staff works closely with area housing agencies, providers, and organizations in the CVCoC to ensure safe and adequate placement of those being released from the hospital system. CENTRA coordinates with these agencies the appropriate release planning back to family, friends, or to private rental housing and service providers.

The Commonwealth of Virginia mandates that persons discharged from State institutions or systems of care have a plan for discharge that prevents the occurrence of homelessness. The policy states that patients cannot be discharged into homelessness including the streets, shelters, or other HUD McKinney-Vento funded programs. Horizon Behavioral Health is an active member of the CVCoC in this region. The CVCoC has provided ongoing training to its members with regards to accessing services from Horizon Behavioral Health.

Specify the activities that the jurisdiction plans to undertake during the next year to address the housing and supportive services needs identified in accordance with 91.215(e) with respect to persons who are not homeless but have other special needs. Link to one-year goals. 91.315(e)

Florida Terrace is a new construction project with 48 units that will provide cost effective, affordable homes for tenant families with and without disabilities who are low income. Twenty-five (25%) of the tenants will have a disability, seven (7) will be set aside for Permanent Supportive Housing for persons exiting homelessness.

For entitlement/consortia grantees: Specify the activities that the jurisdiction plans to undertake during the next year to address the housing and supportive services needs identified in accordance with 91.215(e) with respect to persons who are not homeless but have other special needs. Link to one-year goals. (91.220(2))

N/A

Negative Effects of Public Policies on Affordable Housing and Residential Investment

According to the Analysis of Impediments to Fair Housing Choice under review in 2020, providing more housing choices in more areas across the City could increase the accessibility and affordability of housing in Lynchburg. While households of Lynchburg are almost evenly split between renters and homeowners, most of the housing stock consists of single-family homes at 65.6% of all housing stock. Multifamily housing is typically more affordable than single-family housing, but multifamily housing options are limited in both the highest opportunity areas and lowest opportunity areas. Additionally, areas with a high concentration of multifamily units are in close proximity to the universities, creating high competition for housing. While the City has shown to be investing funds, such as CDBG and HOME, in higher opportunity areas, the lack of public transit access and landlords will to accept Housing Choice Vouchers are barriers in locating affordable housing options in higher opportunity areas.

Lynchburg is a city of relatively low housing costs. However, average income and cost-of-living also reflect these somewhat lower housing costs. In recent years there has been a resurgence of housing development, primarily in the City Center. Development in the CDBG area remains limited to non-profit and subsidized activity. This is due to the low property values in these census tracts and a greater value placed on improvements to property than to the land itself. In the target area, this high value on improvements, or buildings, had the effect of costing more than clearing land and, thereby, negating the opportunities of redevelopment. This was also a large disincentive to development through renovation because the cost of repair typically exceeds the value of the renovated property. Therefore, subsidized development has been the primary construction tool in the CDBG neighborhoods to offset the resistance of these neighborhoods to general real-estate market forces.

Introduction

The largest number of workers who live in the City, according to the Business Activity table below, are employed in the Education and Health Care Services sector. This sector alone represents almost one quarter of the employment for City residents.

According to the data by occupation, the Sales and Office sector is the largest, with 35% of City residents working in this sector. This is consistent with the types of employment opportunities available for City residents. Education and Health Care Services continue to be the main drivers of the area's economy.

Economic Development Market Analysis

The following HUD-generated tables contain data pertinent to economic development in the City of Lynchburg. Discussion and analysis of the data follows the Educational Attainment table.

Business Activity

Business by Sector	Number of Workers	Number of Jobs	Share of Workers %	Share of Jobs %	Jobs less workers %
Agriculture, Mining, Oil & Gas Extraction	83	0	0	0	0
Arts, Entertainment, Accommodations	3,221	5,691	13	12	-1
Construction	1,066	1,484	4	3	-1
Education and Health Care Services	5,499	11,267	22	25	2
Finance, Insurance, and Real Estate	1,480	3,198	6	7	1
Information	265	364	1	1	0
Manufacturing	2,854	6,300	11	14	2
Other Services	906	1,588	4	3	0
Professional, Scientific, Management Services	2,047	4,122	8	9	1
Public Administration	0	0	0	0	0
Retail Trade	3,658	6,605	15	14	0
Transportation and Warehousing	688	875	3	2	-1
Wholesale Trade	991	1,541	4	3	-1
Total	22,758	43,035	--	--	--

Table 39 - Business Activity

Data 2011-2015 ACS (Workers), 2015 Longitudinal Employer-Household Dynamics (Jobs)
Source:

Labor Force

Total Population in the Civilian Labor Force	37,385
Civilian Employed Population 16 years and over	34,405
Unemployment Rate	7.96
Unemployment Rate for Ages 16-24	20.54
Unemployment Rate for Ages 25-65	3.93

Table 40 - Labor Force

Data 2011-2015 ACS
Source:

Occupations by Sector	Number of People
Management, business and financial	8,355
Farming, fisheries and forestry occupations	1,215
Service	4,730
Sales and office	7,940
Construction, extraction, maintenance and repair	1,950
Production, transportation and material moving	1,685

Table 41 – Occupations by Sector

Data 2011-2015 ACS
Source:

Travel Time

Travel Time	Number	Percentage
< 30 Minutes	28,080	86%
30-59 Minutes	3,135	10%
60 or More Minutes	1,350	4%
Total	32,565	100 %

Table 42 - Travel Time

Data 2011-2015 ACS
Source:

Education:

Educational Attainment by Employment Status (Population 16 and Older)

Educational Attainment	In Labor Force		Not in Labor Force
	Civilian Employed	Unemployed	
Less than high school graduate	1,345	235	1,435
High school graduate (includes equivalency)	5,025	485	2,325
Some college or Associate's degree	8,015	415	2,275
Bachelor's degree or higher	9,595	155	1,425

Table 43 - Educational Attainment by Employment Status

Data 2011-2015 ACS
Source:

Educational Attainment by Age

	Age				
	18-24 yrs	25-34 yrs	35-44 yrs	45-65 yrs	65+ yrs
Less than 9th grade	175	130	90	605	1,070
9th to 12th grade, no diploma	875	500	455	1,240	1,030
High school graduate, GED, or alternative	4,225	2,200	1,640	4,000	3,105
Some college, no degree	11,295	2,440	1,660	3,755	1,890
Associate's degree	690	670	825	1,410	485
Bachelor's degree	1,920	2,745	1,465	2,815	1,645
Graduate or professional degree	144	1,330	750	2,125	1,565

Table 44 - Educational Attainment by Age

Data 2011-2015 ACS
Source:

Educational Attainment – Median Earnings in the Past 12 Months

Educational Attainment	Median Earnings in the Past 12 Months
Less than high school graduate	18,256
High school graduate (includes equivalency)	22,436
Some college or Associate's degree	26,608
Bachelor's degree	36,195
Graduate or professional degree	52,500

Table 45 – Median Earnings in the Past 12 Months

Data 2011-2015 ACS
Source:

Based on the Business Activity table above, what are the major employment sectors within your jurisdiction?

The major employment sectors within the City and their shares of the jurisdiction's jobs (Table 45, Number of Jobs column) are Education and Health Care Services (11,267), Retail Trade (6,605), and Manufacturing (6,300).

Describe the workforce and infrastructure needs of the business community:

Lynchburg's business community must have access to a workforce that is prepared for 21st century jobs. Outlined in *Blueprint for Opportunity City of Lynchburg, Virginia*, the Office of Economic Development's strategic plan identified the following key industry clusters that help drive the City of Lynchburg's economy: Metals and Machinery Manufacturing and Conveyor Systems, Moving Equipment Wireless Communication and Electronic Components, Nuclear Technology Advertising, Marketing, and Design Services and Architecture and Engineering Services. Lynchburg's unique infrastructure, assets and companies help to support the above industries. The plan also identifies how the City of Lynchburg can partner with local businesses, universities and other anchor institutions to create talent and workforce development pipelines for residents.

Describe any major changes that may have an economic impact, such as planned local or regional public or private sector investments or initiatives that have affected or may affect job and business growth opportunities during the planning period. Describe any needs for workforce development, business support or infrastructure these changes may create.

Liberty University has been growing at a very fast pace. The school has been adding new facilities and improving infrastructure over the past five years. A study conducted by Liberty University's Office of Outreach and Business Engagement (OBE) looked at the economic impact during the 2016-17 academic year. The report claims, "In the Lynchburg MSA, Liberty's regional spending was responsible for supporting nearly 12,000 jobs, with an estimated \$434.3 million in labor income."

According to the Virginia Workforce Center Central Region the closure of the Central Virginia Training Center, with over 1,000 employees and two large businesses (over 700 employees combined), will have a large impact on jobs in Lynchburg.

How do the skills and education of the current workforce correspond to employment opportunities in the jurisdiction?

During stakeholder meetings, attendees stated there is a mismatch with the current employer needs and the soft skills of the workforce. Virginia Career Works Central Region identified having available jobs for participants, yet not having enough people who have the necessary skills to become employed. Career Works will be working with the community college and other partners to develop a 60-hour career readiness training specific to high demand career sectors. The Career Works Board will also be working closely with Central Virginia Community Colleges and all school systems with significant input from businesses to develop employment sector strategies and career pathways that meet the need of the region's employers.

Describe any current workforce training initiatives, including those supported by Workforce Investment Boards, community colleges and other organizations. Describe how these efforts will support the jurisdiction's Consolidated Plan.

Virginia's Region 2000 Comprehensive Economic Development Strategy (CEDS) was updated in 2016 and outlines the following goals:

1. Projecting a positive image and cultivating our distinct identity;
2. Facilitating the growth and expansion of our business community;
3. Educating and developing a sustainable workforce;
4. Investing in the connectivity of our region, and
5. Supporting the vitality of our diverse communities and downtowns

Does your jurisdiction participate in a Comprehensive Economic Development Strategy (CEDS)?

The Lynchburg CEDS is a leading regional economic development tool to diversify and strengthen the region's economic vitality. CEDS is a program of the U.S. Economic Development

Administration (EDA) and is a required document for a region to qualify for certain EDA funding programs. The five-year plan is executed in partnership by the Alliance, the Central Virginia Planning District Commission, and the Central Virginia Workforce Development Board.

If so, what economic development initiatives are you undertaking that may be coordinated with the Consolidated Plan? If not, describe other local/regional plans or initiatives that impact economic growth.

In 2018 the Office of Economic Development and Tourism released a new strategic plan, “A Blue Print for Opportunity,” to guide economic development in the City of Lynchburg. This plan outlines five priorities:

1. Expand and support Lynchburg’s existing company foundation. As part of this priority, the plan outlines investing in brownfield remediation and infrastructure development and greenfield construction to support the expansion of its business sector.
2. Engage and collaborate with City anchor institutions. The City of Lynchburg is partnering with several of their academic institutions and healthcare institutions. These institutions are some of the area’s largest employers and provide workforce pipelines for low-income residents.
3. Support talent development for Lynchburg’s target industry clusters. The plan outlines the need to provide skills training and pathways to job opportunities within the City’s target industry clusters. Beginning in the spring of 2019, all graduates of the two local high schools were eligible for scholarships to attend local colleges, universities or accredited technical certification programs.
4. Create, embrace and promote community. The City identified the need to improve the community’s connectivity. This includes advocating for increased rail, passenger rail and public transportation options.
5. Tell the City of Lynchburg’s story. Telling the story about the community’s local assets can set the community apart and attract new talent and companies.

Lynchburg’s Consolidated Plan has outlined the following priorities related to economic development:

1. Provide decent, affordable housing. Support efforts for the removal and redevelopment of dilapidated and condemned structures to eliminate neighborhood deterioration, blight, and blighting influences.
2. Create economic opportunities by supporting initiatives that improve the economic base, job skills, and overall health of the community.
3. Support efforts to remove barriers to rising out of poverty and strengthen low-income households and families.

Are there areas where households with multiple housing problems are concentrated? (include a definition of "concentration")

Housing problems are defined as having one or more of the following conditions, housing units lacking complete kitchen facilities and/or complete plumbing facilities, overcrowding (more than one person per room) or housing costs greater than 30% of income (i.e., cost burden).

The most common housing problem faced in Lynchburg is cost burden. According to the 2020 Analysis of Impediments to Fair Housing Choice, in Lynchburg, 35.5% of all households are cost-burdened, and renters (49.4%) are more disproportionately cost-burdened than homeowners (19.8%). Cost burdened households are defined by HUD as households spending more than 30% of their annual income on housing costs. Severely cost burdened households spend more than 50% of their income. Independent from median income, cost burden serves as an indicator of a homeowner's ability to afford property maintenance and improvements. Additionally, according to 2011-2015 CHAS data, elderly households are nearly disproportionately cost-burdened (44.9%).

Areas where at least 50% or more renter households have at least one housing problem are considered areas of concentration. These are located in Census Tracts 1, 4, 3, 9, 17, 16, and 19. There are no areas in Lynchburg where at least 50% or more homeowners have at least one housing problem.

Are there any areas in the jurisdiction where racial or ethnic minorities or low-income families are concentrated? (include a definition of "concentration")

Under HUD's definition of racially/ethnically concentrated areas of poverty, only one census tract meets this definition: census tract 7. HUD defines concentrations of racial and ethnic minorities as a census tract with a non-White population of 50% or more. A concentrated area of poverty is defined as a census tract with 40% or more individuals living at or below the poverty line. It is important to look at disparities between groups in relation to disproportionate poverty and access to community assets to assess fair housing needs.

However, there were other census tracts that fell just short of the 40% poverty threshold. By modifying the threshold to be ten percentage points above the City's poverty rate of 22.3%, two additional census meet the definition for the modified R/ECAP: Census Tracts 6 and 11. The HUD R/ECAP and the modified R/ECAPS are located west of Downtown Lynchburg and include the following neighborhoods:

- Tate Springs
- Dearington
- Miller Park
- Garland Hill
- College Hill
- Diamond Hill

What are the characteristics of the market in these areas/neighborhoods?

Lynchburg's low-to-moderate (LMI) areas are heavily concentrated in the areas adjacent to the Downtown Central Business District, and the neighborhoods of College Hill, Diamond Hill, and West End/Lynchburg College.

Are there any community assets in these areas/neighborhoods?

According to the City's Comprehensive Plan, many residential neighborhoods are also home to local institutions, places of worship, schools, and other facilities. The City's neighborhoods offer a variety of housing types in a mix of suburban, traditional and newer mixed-use neighborhoods, each with separate needs and opportunities. A common factor in the quality of life for all neighborhoods is residents' access to goods and services needed on a regular basis, such as food, parks, schools and many commercial services. Stakeholders also identified the City-operated Community Centers being assets in several LMI areas.

Are there other strategic opportunities in any of these areas?

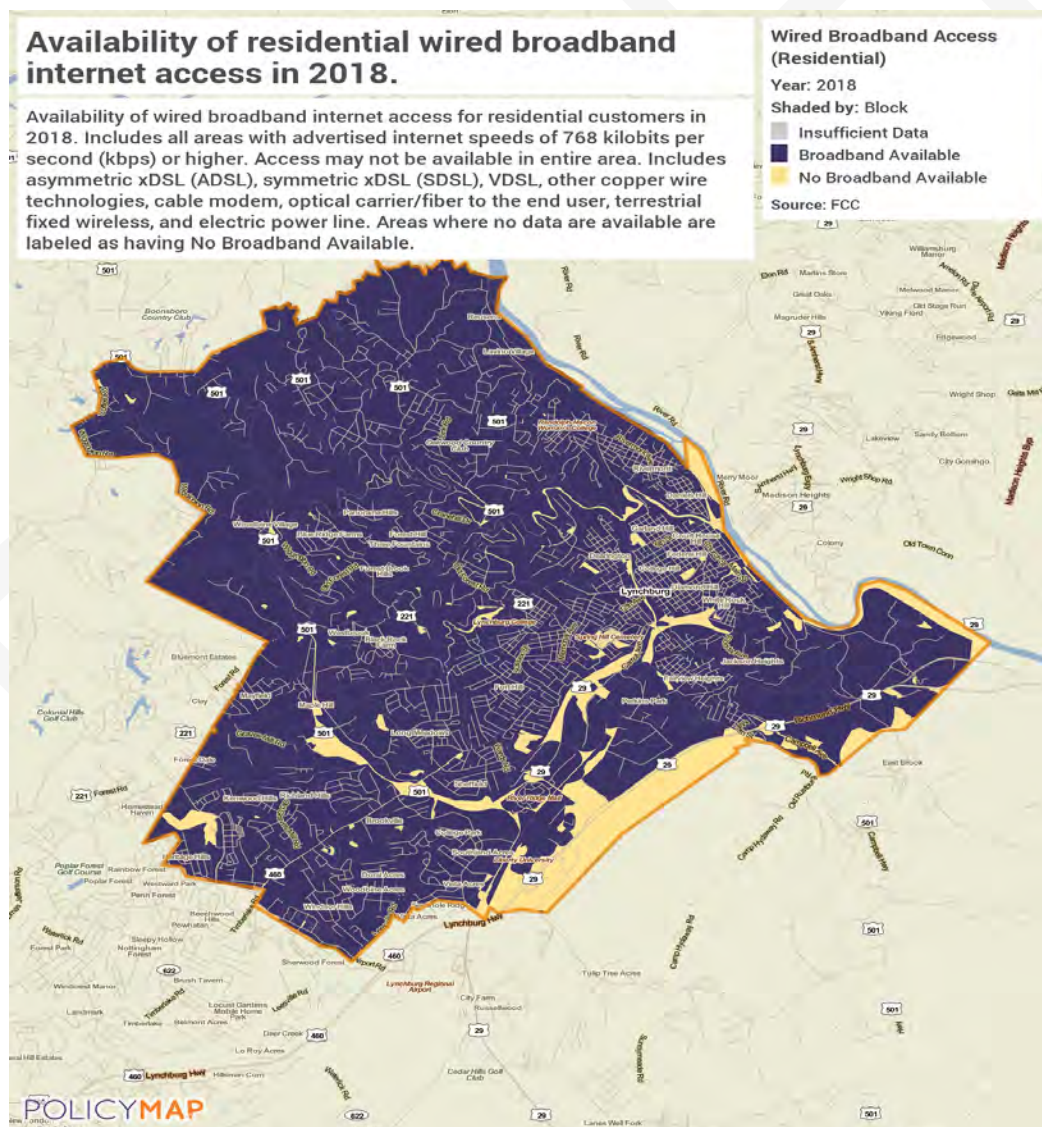
The City of Lynchburg is undergoing a strategic planning process with the Dearington neighborhood. The Dearington Neighborhood Plan will be a collaborative effort between the Dearington Neighborhood and the City of Lynchburg to identify a shared vision for the neighborhood's future and then plan to achieve it. The momentum and the need for a neighborhood plan in Dearington is built on a number factors—2019 neighborhood center renovations, 2016 drainage improvements in Jefferson Park, existing aging public housing, potential to use the City's Brownfields grant, city-wide housing needs, and aging utility lines due for replacement, which all amount to an enormous opportunity to plan for Dearington's future.

MA-60 BROADBAND NEEDS OF HOUSING OCCUPIED BY LOW- AND MODERATE-INCOME HOUSEHOLDS - 91.210(A)(4), 91.310(A)(2)

Describe the need for broadband wiring and connections for households, including low- and moderate-income households and neighborhoods.

As shown on the following map generated by PolicyMap, the vast majority of Lynchburg has access to broadband service indicating that there is not a digital divide among lower- and higher- income neighborhoods. Stakeholder interviews noted limited broadband providers in parts of the City of Lynchburg. It was also noted that prices for service are expensive and can vary depending where in the City you live.

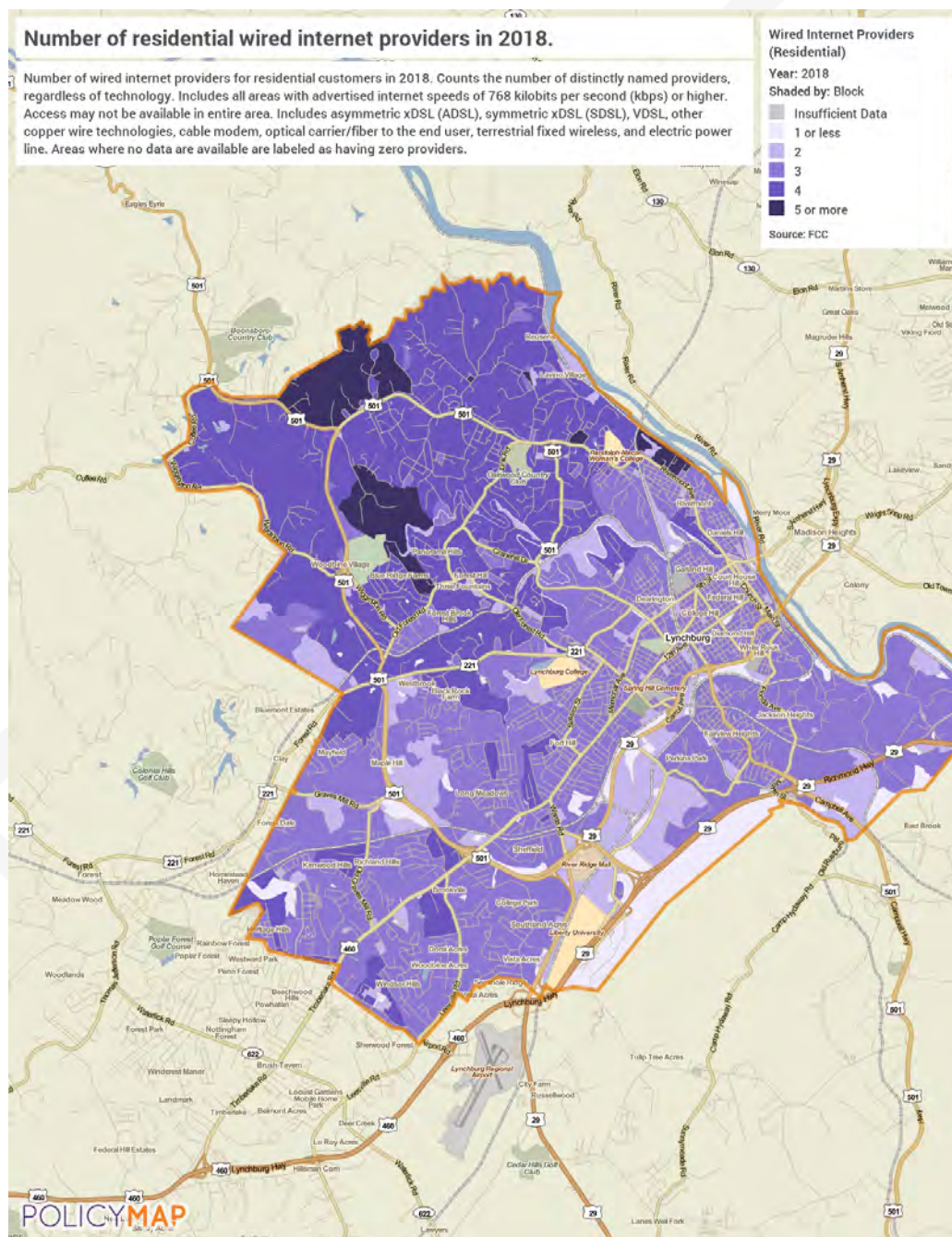
Map 3 Access to Broadband Networks



Describe the need for increased competition by having more than one broadband Internet service provider serve the jurisdiction.

As indicated in the map below, the majority of the City has multiple providers for broadband internet service.

Map 4 Number of Wired Internet Providers



Describe the jurisdiction's increased natural hazard risks associated with climate change.

The Region 2000 Hazard Mitigation Plan is multi-jurisdictional in scope, covering Amherst County, Town of Altavista, Appomattox County, Town of Appomattox, Bedford County, Town of Amherst, Campbell County, Town of Brookneal, Town of Pamplin City, City of Bedford and City of Lynchburg. The Plan and its 2013 update fulfills the requirements of the Sections 201.6(a)(3) and 201.6(c)(5) of the Disaster Mitigation Act of 2000 as administered by the Virginia Department of Emergency Management (VDEM) and FEMA, for multi-jurisdictional planning participation and adoption.

While nearly all disasters are possible for any given area in the United States, the most likely hazards to potentially affect the communities in Region 2000 generally include:

- Droughts
- Earthquakes
- Flooding (Hurricanes)
- Hurricanes
- Landslides and Land Subsidence
- Terrorism
- Wildfires
- Wind (Hurricane/Tornado)
- Winter Storms (Ice/Snow)
- Public Health/Pandemic

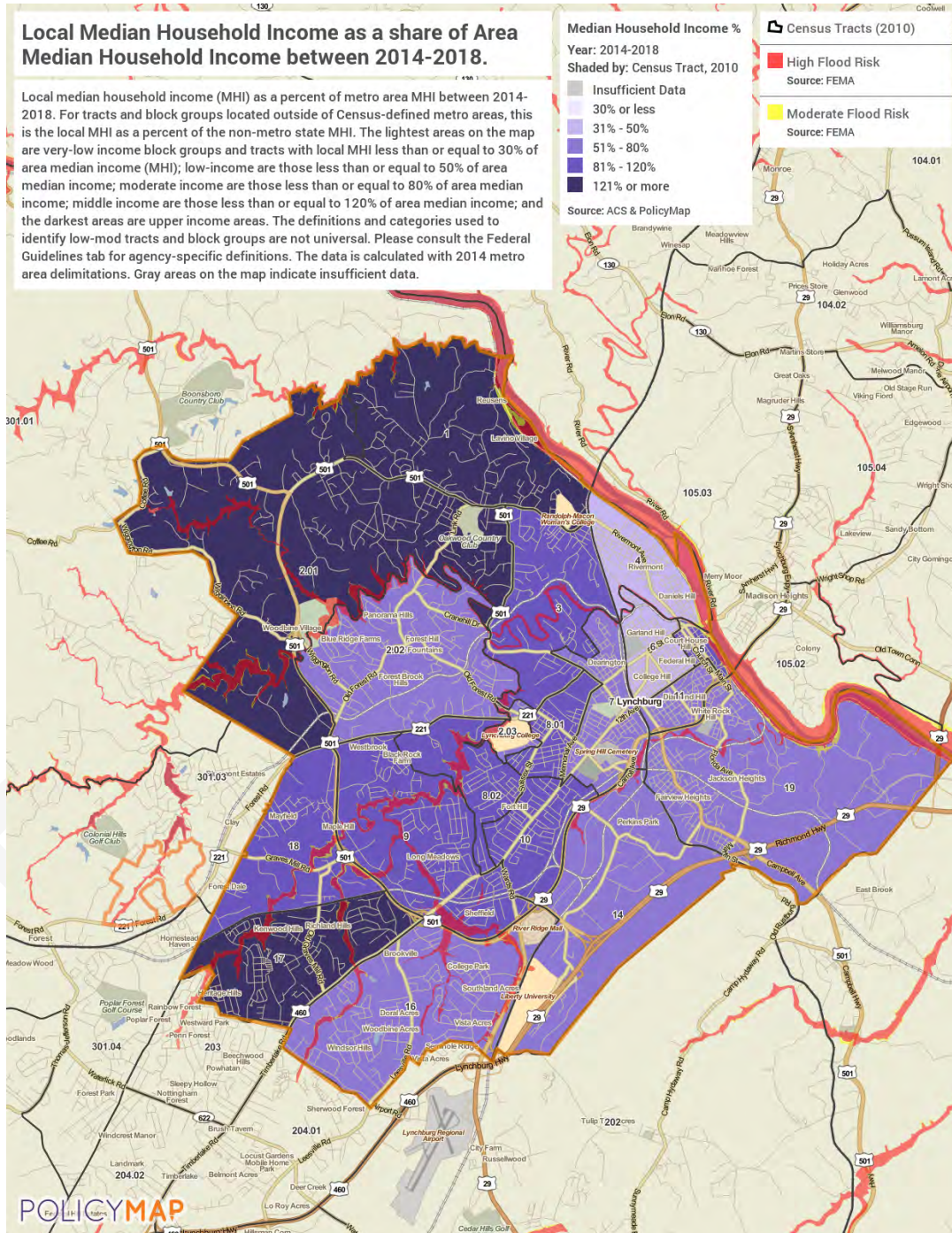
Lynchburg is located near the James River and is likely to be impacted by flooding. Floods pick up chemicals, sewage, and toxins from roads, factories and farms. Therefore, any property affected by the flood may be contaminated with hazardous materials. Debris from vegetation and man-made structures may also be hazardous following the occurrence of a flood. In addition, floods may threaten water supplies and water quality, as well as initiate power outages. Flooding can pose some significant secondary impacts to the area where the event has taken place. Some of the impacts to consider include infrastructure and utility failure, impacts to roadways, water service and wastewater treatment. These impacts can affect the entire planning district, making the area vulnerable to limited emergency services.

Describe the vulnerability to these risks of housing occupied by low- and moderate-income households based on an analysis of data, findings, and methods.

According to multiple studies, there are several pre-existing socio-economic conditions that have disproportionate climate change impacts. This aspect of vulnerability to climate change is based on measures of relative poverty, deprivation, education, health, access to resources, and other individual and household level characteristics that undermine an individual's ability to withstand changes in economic and environmental conditions. The following map shows the

low- moderate- income areas in Lynchburg compared to the high and medium flood risks. The majority of areas with high flood risks impact households earning between 50-80% AMI. The downtown area has a high risk and incomes between 0-30% AMI.

Map 5 Flood Planes and LMI Areas



STRATEGIC PLAN

SP-05 OVERVIEW

Strategic Plan Overview

The purpose of the Strategic Plan is to guide the use of Community Development Block Grant (CDBG) and HOME funds in the City of Lynchburg over the next five years. The plan is guided by three overarching goals that are applied according to Lynchburg's needs. The goals are:

- To provide decent housing by preserving the affordable housing stock, increasing the availability of affordable housing through rental and sales markets, reducing discriminatory barriers, increasing the supply of supportive housing for those with special needs, and assisting homeless persons and families into permanent housing.
- To provide a suitable living environment through safer, more livable neighborhoods, greater integration of low- and moderate-income residents throughout the City, increased housing opportunities, and reinvestment in deteriorating neighborhoods.
- To expand economic opportunities through more jobs paying self-sufficient wages, homeownership opportunities, development activities that promote long-term community viability, and the empowerment of low- and moderate-income persons to achieve self-sufficiency.

Geographic Area

Target Area Name:	Community Wide (City of Lynchburg)
Target Area Type:	Local Target area (Census Tracts 4, 5, 6, 7, 11, and 19)
Other Target Area Description:	
Revital Type:	Comprehensive
Other Revital Description:	
Target Area Name:	CDBG Eligible Areas
Target Area Type:	Local Target area (Census Tracts 4, 5, 6, 7, 11, and 19)
Other Target Area Description:	
Revital Type:	Comprehensive
Other Revital Description:	

Table 46 - Geographic Priority Areas

General Allocation Priorities

Describe the basis for allocating investments geographically within the jurisdiction (or within the EMSA for HOPWA)

Federal CDBG funds are intended to provide low and moderate income (LMI) households with viable communities, including decent housing, a suitable living environment, and expanded economic opportunities. The system for establishing the geographic priority for the selection of these projects in City of Lynchburg is predicated upon the following criteria:

- Meeting the statutory requirements of the CDBG program
- Meeting the needs of LMI residents
- Affirmatively furthering fair housing
- Coordination and leveraging of resources
- Sustainability and/or long-term impact
- The ability to demonstrate measurable progress and success

Priority CDBG funding areas include areas where the percentage of LMI persons is 51% or higher, which include 51680001900, 51680000500, 51680000203, 5160000900, 51680001100, 51680000202, 51680000700, 51680000400, 51680000600.

Priority Needs

The following is a framework for priorities, needs and goals to address the City's identified needs during the next five years. The final determination on funded activities will occur during the review process for the prioritization of projects.

The priorities presented were developed by:

- Weighing the severity of the need among all groups and sub-groups
- Analyzing current social, housing, and economic conditions
- Analyzing the relative needs of low- and moderate-income families
- Assessing the resources likely to be available over the next five years, and
- Evaluating input from stakeholder sessions, interviews, service provider surveys, City department staff and public hearings.

Priorities were established using the following definitions:

- High priorities are those activities that will be considered first for funding with CDBG resources.
- Low priorities are those activities that will be considered after high-priority projects if CDBG resources are available.

Low priority activities are still important and are not meant to be understood as being unnecessary in the City. The City has identified a limited number of priorities to provide a focus for activities that will be funded in the next five years. If additional funding becomes available, low priority activities will be considered.

For projects that address a high priority need, the City will base funding decisions on the capacity and past-performance of the sub-recipient, the type of project, the potential to leverage federal funds with other resources, the anticipated impact of the project and the reasonableness of the proposed budget and timeline for completion. Once projects that address high priorities are acted upon, the City will then review projects and activities to meet low priorities.

1	Priority Need Name	Increase access to and quality of affordable housing
	Priority Level	High
	Population	Extremely Low Low Moderate Large Families Families with Children Elderly Public Housing Residents Persons with Disabilities
	Associated Goals	Increase permanent affordable housing in the rental market Increase the Number of Owner-Occupied Units Rehabilitation of Substandard Housing Units Blight Removal Property Inspections and Code Enforcement
	Description	There is a high level of demand and support for the creation of new affordable units within the City, as well as to preserve the City's existing, aging housing stock, emphasis to be placed on mixed income and inclusive communities. Affordable rental units are in short supply in the City; coupled with the aged housing stock, improvements can be made to existing units or new units created to relieve cost burden faced by so many families in the City.
	Basis for Relative Priority	Providing quality affordable housing remains a high priority for the City and is a demonstrated need based on feedback received during stakeholder outreach, as well as the Needs Assessment and Market Analysis sections of this document.
2	Priority Need Name	Housing Rehabilitation
	Priority Level	High
	Population	Extremely Low Low Moderate Large Families Families with Children Elderly
	Associated Goals	Increase permanent affordable housing in the rental market Increase the Number of Owner-Occupied Units Rehabilitation of Substandard Housing Units Blight Removal Property Inspections and Code Enforcement

	Description	The City of Lynchburg will rehabilitate substandard housing units to improve the housing stock. 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. The rental rehabilitation program will also continue to be a high priority. The City continues to administer the Residential Rental Property Inspection and Property Maintenance Programs.
	Basis for Relative Priority	Housing rehabilitation continues to be a high priority for the City.
3	Priority Need Name	Affordable Housing for Special Needs Populations
	Priority Level	High
	Population	Extremely Low Low Large Families Families with Children Elderly
	Associated Goals	Increase permanent affordable housing in the rental market Increase the Number of Owner-Occupied Units
	Description	Support initiatives to increase permanent affordable rental and housing ownership opportunities. This could include rental housing for people with disabilities and low incomes and development of new housing construction for homeownership.
	Basis for Relative Priority	Increasing the number of affordable units continues to be a high priority for the City.
4	Priority Need Name	Infrastructure Improvements
	Priority Level	High
	Population	Non-housing Community Development
	Associated Goals	Improve the City's Infrastructure
	Description	Infrastructure improvements, including street improvements, continue to be a high priority for the City.
	Basis for Relative Priority	Lynchburg is an older City with ongoing infrastructure improvement needs.

5	Priority Need Name	Public Facility Improvements
	Priority Level	High
	Population	Non-Housing Community Development
	Associated Goals	Improve the City's public facilities.
	Description	There is a high level of support to replace antiquated infrastructure, public streets and sidewalks. In addition, many communities require upgrades to public facilities, including ADA improvements and the installation/rehabilitation of community amenities.
	Basis for Relative Priority	Maintaining and improving the aging infrastructure, including water, sewer, streets, sidewalks, and storm water, and making handicap accessibility improvements at curb intersections and other locations as needed continues to be a high priority. In addition, improvements to parks and recreation facilities will also continue to be a high priority.
6	Priority Need Name	Homeless Housing and Services
	Priority Level	High
	Population	Rural Chronic Homelessness Individuals Families with Children Mentally Ill Chronic Substance Abuse Veterans Persons with HIV/AIDS Victims of Domestic Violence Unaccompanied Youth
	Associated Goals	Provide Homeless Services Increase permanent affordable housing in the rental market
	Description	Addressing homelessness through housing and services, including the centralized homeless intake coordinator and the Affordable Housing Resource Center (AHRC), will assist the City of Lynchburg to address homelessness in the community.

	Basis for Relative Priority	Addressing the issue of homelessness continues to be a high priority for the City.
7	Priority Need Name	Public Services
	Priority Level	High
	Population	Extremely Low Low
	Associated Goals	Promote Public Service Activities
	Description	The City will continue to promote public service activities which support the healthy development of the City's at-risk youth, adults, and families.
	Basis for Relative Priority	The City supports public services which support the healthy development of the City's at-risk youth, adults, and families.
8	Priority Need Name	Planning/Administration
	Priority Level	High
	Population	Other
	Associated Goals	Planning/Administration
	Description	Administrative and planning costs to operate the CDBG and HOME Programs.
	Basis for Relative Priority	Continued need to properly administer and operate the CDBG and HOME Programs.

Table 47 – Priority Needs Summary

Narrative (Optional)

Influence of Market Conditions

Affordable Housing Type	Market Characteristics that will influence the use of funds available for housing type
Tenant Based Rental Assistance (TBRA)	N/A. The City of Lynchburg does not use HOME funds for TBRA.
TBRA for Non-Homeless Special Needs	N/A. The City of Lynchburg does not use TBRA for non-homeless special needs.
New Unit Production	There is a substantial need for affordable housing in Lynchburg. The housing stock is old and there are few new developments in general and specifically that can meet the needs of low- and moderate-income households and households with a person with a disability. The City will continue to support efforts to increase the supply of single family and multi-family affordable housing units by both private sector and public sector entities.
Rehabilitation	Housing rehabilitation continues to be a high priority for the City. The City's older housing stock requires ongoing maintenance and upkeep. Housing rehabilitation programs include the LHRA-Rental Rehabilitation Program, the Lynchburg Community Action Group (Lyn-CAG) Homeownership Substantial Rehabilitation program, and the Greater Lynchburg Habitat for Humanity (GLHFH) Homeownership Program. Lyn-CAG's program is temporarily suspended.
Acquisition, including preservation	N/A

Table 48 – Influence of Market Conditions

Introduction

The City of Lynchburg receives Federal Community Development Block Grant and HOME Investment Partnerships Program funds from the US Department of Housing and Urban Development (HUD) on an annual basis. For the purpose of this Strategic Plan, the City assumes its allocations each year over the five-year period will remain approximately the same and in line with the Program Year 2019 allocation. The Annual Action Plans submitted in each of the subsequent years will reflect actual allocation amounts received.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation : \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	Public-federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	\$714,865		\$30.00	\$734,865	\$2,859,460	CDBG funds will support housing and non-housing community development in the City of Lynchburg.
HOME	Public-federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	\$424,288		\$444,172.22	\$868,460.22	\$1,697,152	HOME funds will continue to support housing rehabilitation and development in the City of Lynchburg.

Table 49 - Anticipated Resources

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The City of Lynchburg will continue to partner with other public agencies and nonprofit organizations, when feasible, to leverage resources and maximize outcomes in housing and community development to meet the match requirements. In addition to the funding above, such funding may also include:

- Continuum of Care funds under the HEARTH Act
- Low-Income Housing Tax Credits
- State and Local Government Funds
- Private Donations;
- Other Federal Funding

The City follows the HOME Match Contribution Requirement outlined in 24 CFR 92-218 - 92.200, and provides a detailed HOME Match Report during CAPER submission using the HUD 40107-A.

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

N/A

Discussion

SP-40 INSTITUTIONAL DELIVERY STRUCTURE – 91.215(K)

Explain the institutional structure through which the jurisdiction will carry out its consolidated plan including private industry, non-profit organizations, and public institutions.

Responsible Entity	Responsible Entity Type	Role	Geographic Area Served
Lynchburg Redevelopment and Housing Authority	PHA	Public housing and affordable housing	Citywide
Lynchburg Community Action Agency	Non-profit organization	Affordable Housing	Citywide
Rush Homes	Developer	Affordable Housing	Citywide
Greater Lynchburg Habitat for Humanity	Developer	Affordable Housing	Citywide
Lynchburg City Schools	Education	Education	Citywide
Office of Economic Development and Region 2000	Economic Development	Economic Development	Citywide and Region
Central Virginia Continuum of Care (CVCOC)	Homeless Housing and Services	Homeless Housing and Services	Central Virginia

Table 50 - Institutional Delivery Structure

Assess of Strengths and Gaps in the Institutional Delivery System

The City's Grants Administration Office is responsible for carrying out the provisions of this Consolidated Plan. Working in conjunction with its public and private partners, City staff distributes, monitors, and executes the functions of the plan and reports on its progress. Coordination with other departments within City administration is essential to smooth delivery of services, and the achievement of desired outcomes.

Primarily, the City's strategies will be conducted in the various partnerships the City such has public and private housing developers and service providers operating in the City and in the region. These include public partners, such as the Lynchburg Redevelopment and Housing Authority, and several private non-profits such as Lyn-CAG, Rush Homes, and Miriam's House. These and others work separately and collectively, along with City staff, on projects that achieve the goals stated by City Council.

The following non-profit organizations are currently receiving financial assistance from the City of Lynchburg, State and Federal resources in order to carry out housing/community development projects: Lyn-CAG specializes in minor to moderate rehabilitation of low-income, owner-occupied housing, emergency repair, retrofit for the disabled, and indoor plumbing/rehab and also provides a homeless shelter, other forms of emergency assistance, and acquires vacant substandard houses for substantial rehabilitation and sale to low- and moderate-income buyers; Rush Homes provides housing for persons with disabilities; Habitat for Humanity specializes in the construction of new owner-occupied housing for low- to moderate-income families; and the YWCA Family Violence Prevention and Miriam's House and The Gateway, Inc. Programs provide emergency shelter and transitional housing for men, women and children who are victims of domestic violence, homelessness and substance abuse.

There are many organizations involved in non-housing community development. These organizations include public agencies, churches, United Way agencies, community service groups, neighborhood associations, non-profit and for-profit corporations, and private citizens. We view this as strength to build on as our community continues to develop.

Availability of services targeted to homeless persons and persons with HIV and mainstream services

Homelessness Prevention Services	Available in the Community	Targeted to Homeless	Targeted to People with HIV
Homelessness Prevention Services			
Counseling/Advocacy		X	X
Legal Assistance	X		X
Mortgage Assistance			X
Rental Assistance		X	X
Utilities Assistance		X	X
Street Outreach Services			
Law Enforcement	X		
Mobile Clinics	X		
Other Street Outreach Services		X	

Supportive Services			
Alcohol & Drug Abuse	X	X	X
Child Care	X		X
Education	X	X	X
Employment and Employment Training	X	X	X
Healthcare	X		X
HIV/AIDS	X		X
Life Skills		X	X
Mental Health Counseling	X		X
Transportation			X
Other			
Other			

Table 51 - Homeless Prevention Services Summary

Describe how the service delivery system including, but not limited to, the services listed above meet the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth)

The delivery of listed services meets the needs of homeless persons and additional populations mentioned above through the network of agencies within the CVCoc. The CVCoc consists of several local service provider organizations that serve homeless populations with housing or supportive services. The CVCoc exists to help homeless populations receive basic needs, conduct point-in-time counts, and ensure effective collaboration between agencies to reduce service gaps.

Describe the strengths and gaps of the service delivery system for special needs population and persons experiencing homelessness, including, but not limited to, the services listed above

The CVCoc places high priority on the creation of permanent housing beds for the homeless, job training, and employment programs, and the journey from transitional to permanent housing for both families and individuals. In addition, with the Coordinated Homeless Intake Assessment (CHIA) process the agencies can provide homeless prevention services to those at risk of becoming homeless.

The strengths of the CVCoc's current delivery structure are that gaps are minimized due to collaborative CVCoc meetings held quarterly, the initiation of the Coordinated Housing Intake

Assessment (CHIA), and the day-to-day communication of the Board of the CVCoC and the partner agencies.

There is a need for continued support of services for people experiencing homelessness. The CVCoC looks to increase their homeless prevention and diversion services over the next five years to help reduce the number of households needing homeless services.

Provide a summary of the strategy for overcoming gaps in the institutional structure and service delivery system for carrying out a strategy to address priority needs

The City will continue to support homeless agencies and service providers to leverage federal and non-federal funding sources to expand services. The City will also continue to support and encourage the development of new affordable housing units.

Goals Summary Information

DRAFT

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Increase permanent affordable housing in the rental market	2020	2024	Affordable Housing	Citywide	Increase Access to and Quality of Affordable Housing Affordable Housing for Special Needs Populations Housing Rehabilitation	HOME: \$413,140.11	Rental Units Constructed: 48 housing units
2	Increase the Number of Owner-Occupied Units	2020	2024	Affordable Housing	Citywide	Increase Access to and Quality of Affordable Housing Affordable Housing for Special Needs Populations Housing Rehabilitation	HOME: \$413,140.11	Homeowner Housing Added: 11 housing units Direct Financial Assistance to Homebuyers: 15 households
3	Rehabilitation of substandard Housing Units	2020	2024	Affordable Housing	Citywide	Increase Access to and Quality of Affordable Housing Housing Rehabilitation	n/a	n/a
4	Improve the City's Public Facilities	2020	2024	Non-Housing Community Development	Targeted CTs/LMI	Public Facilities Improvement	CDBG: \$110000	Public Facility or Infrastructure for Low/Moderate Income Other than Housing Benefit: 120 households
5	Improve City's Infrastructure	2020	2024	Non-Housing Community Development	Targeted CTs/LMI	Infrastructure Improvement	CDBG: \$417,665.25	Public Facility or Infrastructure other than Low/Moderate Income Housing Benefit: 535 persons
6	Blight Removal	2020	2024	Affordable Housing	Targeted CTs/LMI	Increase Access to and Quality of Affordable Housing Housing Rehabilitation	n/a	n/a

7	Property Inspection/Code Enforcement	2020	2024	Other	Targeted CTs/LMI	Increase Access to and Quality of Affordable Housing Housing Rehabilitation	n/a	n/a
8	Economic Development	2020	2024	Non-homeless special needs	Citywide	Public Services	n/a	n/a
9	Promote Public Service Activities	2020	2024	Non-homeless special needs	Citywide	Public Services	CDBG: \$42,229.75	Public Service activities other than Low/Moderate Income Housing Benefit: 50 persons Public Services activities for Low/Moderate Income Housing Benefit: 1000 households
10	Provide Homeless Services	2020	2024	Homeless	Citywide	Homeless Housing and Services	CDBG: \$65000	Homeless Person Overnight Shelter: 900 persons
11	Provide quality oversight and administration of federal programs.	2020	2024	Other-Admin	Citywide	Planning/ Administration	CDBG: \$80000 HOME: \$42000	n/a

Table 52 – Goals Summary

1	Goal Name	Increase permanent affordable housing in the rental market
	Goal Description	Fund activities that expand the supply and improve the condition of housing affordable to lower income households. Fund activities that leverage other public and private resources such as Low-Income Housing Tax Credit Projects. Support incentives to increase permanent affordable multifamily rental housing as well as direct assistance to low-income households. Emphasis to be placed on mixed income and inclusive communities. Fund activities that provide Tenant Based Rental Assistance to low income household. Lynchburg does not currently fund Tenant Based Rental Assistance.
2	Goal Name	Increase the Number of Owner-Occupied Units
	Goal Description	Increasing the number of owner-occupied units through programs such as the Greater Lynchburg Habitat for Humanity program to provide down payment assistance, and housing development and the Community Housing Development Organization (CHDO) will stabilize the City's housing stock through new construction, acquisition, and rehabilitation. Emphasis to be placed on mixed income and inclusive communities.
3	Goal Name	Rehabilitation of Substandard Housing
	Goal Description	Rehabilitate substandard housing units, with an 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 (HOME funds). In addition, the Lynchburg Redevelopment and Housing Authority (LRHA) proposes to continue its Rental Rehabilitation Grant Program that issues grants to owners/landlords of rental properties that are located within the City's Rental Inspection Area (CDBG funds).
4	Goal Name	Improve public facilities
	Goal Description	Fund non-housing community development proposals that eliminate a threat to public health and safety and/or expand affordable housing development to include water/sewer projects, drainage projects, sidewalks, street improvements, and solid waste disposal projects.
5	Goal Name	Improve the City's Infrastructure
	Goal Description	Fund non-housing community development proposals that eliminate a threat to public health and safety and/or expand affordable housing development to include water/sewer projects, drainage projects, sidewalks, street

		improvements, and solid waste disposal projects.
6	Goal Name	Blight Removal
	Goal Description	Fund proposals for the removal and redevelopment of dilapidated and condemned structures to eliminate neighborhood deterioration, blight and blighting influences.
7	Goal Name	Property Inspections and Code Enforcement
	Goal Description	Provide activities for the identification and remediation of rental housing in substandard conditions.
8	Goal Name	Economic Development
	Goal Description	Promote efforts that align with the goals of the City's Blueprint for Opportunity to improve the economic base, job skills, and health of the community.
9	Goal Name	Promote Public Service Activities
	Goal Description	Promote public service activities which support the healthy development of the City's at-risk youth, adults, and families. Promote efforts to remove barriers to escape poverty and strengthen low-income households and families. Promote neighborhood partnerships that facilitate self-sufficiency and enable families and individuals to maintain their housing, remain in their neighborhoods, and age in place.
10	Goal Name	Provide Homeless Services
	Goal Description	Support efforts to develop, sustain, and coordinate a comprehensive, seamless system of services for homeless citizens in order to move the homeless population toward obtaining permanent housing.

11	Goal Name	Provide quality oversight and administration of federal programs.
	Goal Description	Provide administrative and oversight of CDBG and HOME programs.

Goal Descriptions

Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.315(b)(2)

Approximately 2,500 LMI persons will be provided affordable housing during the program year July 1, 2020 - June 30, 2021.

Need to Increase the Number of Accessible Units (if Required by a Section 504 Voluntary Compliance Agreement)

The Lynchburg Redevelopment and Housing Authority is not currently required to increase the number of accessible units by a Section 504 Voluntary Compliance Agreement.

Activities to Increase Resident Involvements

The Lynchburg Redevelopment and Housing Authority has an active Resident Advisory Boards (RABs). Participation in the RAB gives residents the opportunity to provide input on management, operations and modernization needs, as well as make recommendations in the development of the Annual and Five-Year Plans. The Housing Authority in the City will work to encourage more Section 8 voucher holders to participate in the RAB to diversify the input received so that those residents' needs are also adequately represented and incorporated to the Plans.

The Authority encourages and supports programs and activities to improve the quality of life for public housing residents.

Is the public housing agency designated as troubled under 24 CFR part 902?

No. The PHA is not designated as troubled under 24 CFR 902.

Plan to remove the 'troubled' designation

N/A

Barriers to Affordable Housing

Lynchburg recognizes there are several barriers relating to affordable housing in the City. According to the most recent Analysis of Impediments to Fair Housing Choice, the following impediments were identified.

Factor	Responsible Parties	Discussion
Access to community assets and opportunities	City	Community assets such as public transit and jobs can improve access to opportunities, especially for lower income households and persons with disabilities. While the City has good coverage regarding public transit in R/ECAPs, these areas have poor access to the City's employment centers and higher performing schools. Expanding the public transit system to higher opportunity areas could increase opportunities for low- and moderate-income residents.
Location and type of affordable housing	City, LRHA, Private Sector	Providing more housing choices in more areas across the City could increase the accessibility and affordability of housing in Lynchburg. While households in Lynchburg are almost evenly split between renters and homeowners, most of the housing stock consists of single-family homes at 65.6% of all housing stock. Multifamily housing is typically more affordable than single-family housing in the same area as a result of increased housing supply and efficient land use. However, multifamily housing options are limited in both the highest opportunity areas and lowest opportunity areas. Additionally, areas with a high concentration of multifamily units are in close proximity to the universities, creating high competition for housing. While the City has shown to be investing funds, such as CDBG and HOME, in higher opportunity areas, the lack of public transit access and landlords to accept HCVs are barriers in locating affordable housing options in higher opportunity areas.
Discriminatory behavior toward members of the protected class	Private Sector	Lending discrimination exists within the City of Lynchburg. Because this lending primarily occurs in the private sector, the City has little direct control. However, the City could continue to provide education and outreach to lenders and borrowers regarding fair housing and lending discrimination, in addition to the organizations advocating for fair housing. Black and Hispanic households are more likely to have their mortgage application denied than White households. Black households were also more likely to receive high-cost loans compared to other races/ethnicities. High cost loans have higher interest rates, making housing less affordable and contributes to both segregation and cost burden. Households receiving high cost loans will seek more affordable housing in lower quality housing stock and be more cost-burdened due to high interest rates.

Strategy to Remove or Ameliorate the Barriers to Affordable Housing

The City of Lynchburg will follow the Fair Housing Action Plan over the next five years to include:

Impediment	Action	Measurable Benchmarks	Timeframe
Barriers to housing choices for members of the protected class	The City should specify procedures, training, and monitoring process for implementing the Language Access Plan (LAP) to streamline services and better accommodate persons with limited English proficiency (LEP). This is especially important for when the LEP Spanish-speaking population reaches the safe harbor threshold.	Percent of current and number of new staff members trained in accordance with LAP procedures	2020-2024
Location and type of affordable housing	LRHA should expand Section 8 HCV Program to higher opportunity areas.	Number of landlords recruited to participate in Section 8 program, especially in higher opportunity areas	Ongoing
	The City and other local organizations should address the diverse housing needs for the City's various subpopulation, including students, low- and moderate-income households, persons with disabilities, and elderly persons.	Continue investing in housing in a wide geographic area throughout the City. Number of accessible units created/rehabilitated.	Ongoing
	The City should collaborate with local universities to ensure students are not competing with low- and moderate-income households for housing.	Number on-campus housing units created.	Ongoing
Location of community assets	The City should collaborate with GLTC to improve access to GLTC routes in higher opportunity areas and employment centers in the City and for individuals working unconventional hours.	Number of transit stops added	Ongoing
	The City and local service providers should centralize public services in locations with good transit access and high concentration of members of protected classes	Increase in number of service users	Ongoing

Discriminatory behavior toward members of the protected class	The City should continue supporting fair housing services, such as housing counseling from Lyn-CAG and legal counseling from VLAS, to reduce rates of eviction, mortgage application denials, high-cost lending, and other discriminatory practices.	Number of program participants	Ongoing
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Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

As part of the Central Virginia Continuum of Care (CVCoC), the City of Lynchburg operates all efforts to prevent and end homelessness; and to comply with the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009 requirement to engage in thoughtful systems-level planning.

In 2015, the CVCoC fully staffed the Coordinated Homeless Intake and Access (CHIA) program. CHIA is the centralized entry and diversion point for all households facing homelessness. CHIA assesses all households and refers to other components within the system to ensure homelessness is rare, brief and non-recurring. A standardized assessment tool is used to understand each person's individual needs and connect them to the most appropriate solution. The street outreach operates as an access point for unsheltered persons. The City's street outreach program Homeless Outreach and Mobile Engagement (HOME) identifies and builds rapport with unsheltered persons across the geographic region and conduct the standard assessments in order to ensure unsheltered clients receive the same access to the CES and are quickly placed on the by-name list in order to be permanently housed.

Addressing the emergency and transitional housing needs of homeless persons

CVCoC utilizes Point-in-Time (PIT) data, System Performance Measures, and Coordinated Entry data to evaluate and understand the emergency needs of homeless persons so that they can be addressed adequately and efficiently. The City will use the information generated by the PIT and other data collected by the CVCoC to inform its CDBG budget and planning process.

Transitional housing has been decreasing to align with federal priorities and best practices. This has created a need to increase the level of Rapid Rehousing (RRH) funding in order to move households out of homelessness. This approach requires enhanced and robust case management services. Homeless providers in Lynchburg will continue to apply for state ESG funds for RRH under the Virginia Homeless Solutions Program.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.

As the CVCoC homelessness response system's "Front Door", CHIA streamlines access and referral to the other components of the system to shorten the amount of time and number of referrals standing between homeless households and housing assistance.

According to the 2016 Central Virginia Continuum of Care Strategic Plan to Prevent and End Homelessness, providers agreed that the solution to homelessness is housing and that the transition to "Housing First" meant creating rapid rehousing (RRH) programs and providing more permanent supportive housing (PSH). RRH is the newest housing model that provides move-in financial assistance, short-term rental assistance, and case management services to help homeless consumers find rental housing and work with case managers to stabilize in their new homes. PSH, similarly provides rental assistance and case management but for the most vulnerable, chronic homeless persons. Assistance, however, is not time-limited and high-need consumers can permanently remain in PSH units if they choose. Along with emergency shelter and transitional housing, RRH and PSH rounded out a suite of housing and service options to address housing crisis and instability for consumers of all needs.

The strategic plan outlines five larger subject areas including housing, data, homeless systems, advocacy/community outreach, and prevention, diversion and coordinated assessment/entry strategies which CVCoC committees and members will undertake over the next three years to significantly advance the CVCoC's vision to prevent and end homelessness for all in the region by 2024. Goals include: Increase the production and availability of affordable, permanent housing for low-to-moderate income households that are homeless or at-risk of becoming homeless and coordinate the existing homelessness response system to ensure a streamlined process for accessing services and housing supports to reduce duplication and gaps in services.

Help low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families who are likely to become homeless after being discharged from a publicly funded institution or system of care, or who are receiving assistance from public and private agencies that address housing, health, social services, employment, education or youth needs

As mentioned in NA-30 of this plan, the City of Lynchburg has a number of services to assist low income individuals and families avoid becoming homeless. Stakeholders note the need for additional homeless prevention resources and innovative solutions to the eviction crisis plagued by the state. In the CVCoC's strategic plan, committees will be working toward the goal of enabling people at greatest risk of homelessness to maintain permanent housing through targeted prevention and diversion activities. When homelessness cannot be avoided, connect people with appropriate resources to stabilize them in housing as quickly and effectively as possible

Steps committees look to accomplish by 2024 include developing a local funding campaign that highlights the need using results of outcome measures and makes the case for additional diversion and prevention service funding and funding diversion/prevention case management staff to reduce the likelihood that people become at-risk of losing their housing again.

Actions to address LBP hazards and increase access to housing without LBP hazards

Paint hazards are given high priority and addressed in all residential rehabilitation projects undertaken with federal funds as mandated by HUD and the Environmental Protection Agency (EPA). Paint hazard evaluations, testing, risk assessments, safe work practices, clearance, and resident notifications will continue to be performed as part of the housing rehabilitation programs

How are the actions listed above related to the extent of lead poisoning and hazards?

Due to the age of the housing stock, the City has been proactive in addressing lead paint hazards. All City written agreements with CDBG and/or HOME Subrecipients contain provisions requiring compliance with LBP rules, and are subject to procedures developed by the Grants Administration Office to ensure appropriate stages of due diligence are complete and of record prior to CDBG and/or HOME funds being disbursed. The Subrecipients and contract providers of housing rehabilitation program services will conduct risk assessments and clearance inspections for rehabilitation projects, as required. All properties purchased with financial assistance provided by the CDBG and HOME Program must be inspected for lead-based paint hazards prior to final approval of application for assistance. Payment of subsidies is only issued after receipt of the inspection report revealing no lead-based paint hazard present at time of purchase.

How are the actions listed above integrated into housing policies and procedures?

See above.

Jurisdiction Goals, Programs and Policies for reducing the number of Poverty-Level Families

In 2018 two groups charged with addressing poverty in Lynchburg merged efforts to create *Bridges to Progress*. Bridges to Progress encourages civic engagement through the creation of workgroups tasked to address the various aspects of poverty in the City. These workgroups include Early Childhood Care and Education, Community, Faith, Education, Food, Housing, Legal, Health/Mental Health, Transportation, and Workforce.

Each workgroup develops strategic goals and action items for their areas of expertise. According to Bridges to Progress in 2018 projects completed by the workgroups included “early education tutoring assistance, building a grocery store in an identified food desert, creating an alliance to increase affordable childcare options, improving kindergarten readiness, developing easier access to health resources, implementing a community-subsidized transportation application, and revamping local public transportation.”

The Housing Collaborative successfully applied for a grant to fund a housing study for the City of Lynchburg, *Impacts of Affordable Housing*.

How are the Jurisdiction poverty reducing goals, programs, and policies coordinated with this affordable housing plan

The Bridges to Progress taskforce and steering committee will continue to address issues of poverty in the City of Lynchburg. The City has invested in this group with general funds due to the success seen by the initiative.

Reducing poverty enables families to move towards self-sufficiency and increases their ability to afford housing. The City’s anti-poverty strategy and this Consolidated Plan both work towards a shared goal of enabling every family to afford decent housing in suitable living environments.

To the extent possible given its limited resources, the City will continue to support organizations that provide supportive services to encourage local economic development, and to preserve and improve affordable housing options as part of its strategy to prevent and alleviate poverty.

The provision of affordable housing through creation of new units and the provision of rental assistance or project-based assistance is intended to provide a decent living environment while the household is striving to achieve a generally higher standard of living. This approach includes homeless and special needs housing programs where persons are also assisted with supportive services to enable them to transition to permanent housing and a more stable environment. Housing programs for the fixed income elderly and disabled are intended to control housing costs in order to maximize the impact of a limited income on the household’s standard of living.

Describe the standards and procedures that the jurisdiction will use to monitor activities carried out in furtherance of the plan and will use to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

The Grants Administration Team includes staff from the Grants Administration Office and the Finance Department. This Team is responsible for monitoring programs that receive CDBG and HOME funds. A sub-recipient agreement is prepared for all agencies outside of the local government. This agreement contains the required HUD applicable statutory and regulatory requirements.

Monitoring of projects is done in several ways. First, sub-recipients are reimbursed for expenses, rather than provided funds up-front. The City requires receipts, time sheets, and other relevant documentation with the reimbursement request. In addition, sub-recipients are required to submit quarterly performance reports, which are reviewed for consistency with the City's program and financial records. At least five subrecipients are visited on-site at least once per year by the Grants Administration Team for monitoring. At the on-site monitoring visits for the housing and acquisition projects, a random selection of address files are reviewed for program compliance. For all other projects, a visual inspection is made of the various accomplishments completed with program funds and a narrative submitted on the benefits for low and low-to-moderate income persons. There is a monitoring checklist that is completed at the time of the review and then summarized. The financial reviews include a selection of reimbursements from the City. They are traced through receipt and disbursement of funds. When the Grants Administration Team staff has completed their reviews, the monitoring comments are compiled, and a letter written to the agencies advising them of the results of the monitoring reviews and if any corrective action is needed. Technical assistance is provided as needed or requested.

City staff reviews the quarterly reports for each CDBG and HOME project that is funded to ensure that the City is meeting the goals and objectives stated in the Consolidated Plan. For projects that are not meeting the goals established in the Consolidated Plan and Annual Action Plan, City staff will contact the agency to discuss the project and the necessary action that will be needed to bring the project to a current status.

The Grants Administration Team reviews each CDBG and HOME project to ensure that funds are being expended in accordance with the program regulations, and that the project funds are being expended in a timely manner. If project funds are not expended during the quarterly review, City staff will contact the agency to discuss the project status and the importance of expending the project funds in a timely manner.

For ongoing HOME rental projects, City staff requires the agency responsible for the project to submit to the City an annual HUD HOME Monitoring Checklist, Project Compliance Report for Rental Housing, and Project Compliance Checklist. This information is reviewed for HOME Program compliance.

The City's CDBG and HOME funds are audited in conjunction with the City's annual audit. City Council reviews on an annual basis the remaining project funds and determines if funds will be retrieved from agencies and reprogrammed to other projects.

ANNUAL ACTION PLAN

AP-15 EXPECTED RESOURCES – 91.220(C)(1,2)

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	\$714,865		\$30.00	\$714,895	\$2,859,460	CDBG funds will support housing and non-housing community development in the City of Lynchburg.
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership	\$424,288		\$444,172.22	\$868,460.22	\$1,697,152	HOME funds will continue to support housing rehabilitation and development in the City of Lynchburg.

Table 53 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The City of Lynchburg will continue to partner with other public agencies and nonprofit organizations, when feasible, to leverage resources and maximize outcomes in housing and community development to meet the HOME match requirements.

If appropriate, describe publicly owned land or property located within the

jurisdiction that may be used to address the needs identified in the plan

Not applicable.

Discussion

DRAFT

Goals Summary Information

Housing Goals

- Support initiatives to increase permanent affordable housing in the rental market. Increase the number of owner-occupied units. Emphasis to be placed on mixed income and inclusive communities.
- Support the preservation of affordable housing in both the rental and sales markets, including the rehabilitation of substandard housing.
- Support the improvements to public facilities and infrastructure.

Non-Housing Goals

- Support efforts for the removal and redevelopment of dilapidated and condemned structures to eliminate neighborhood deterioration, blight and blighting influences.
- Support efforts for the identification and remediation of rental housing in substandard conditions.
- Support neighborhood partnerships that facilitate self-sufficiency and enable families and individuals to maintain their housing, remain in their neighborhoods, and age in place.
- Support efforts that align with the goals of the City's Blueprint for Opportunity to improve the economic base, job skills, and health of the community.
- Promote public service activities which support the healthy development of the City's at-risk youth, adults, and families.
- Support efforts to develop, sustain, and coordinate a comprehensive, seamless system of services for homeless citizens in order to move the homeless population toward obtaining permanent housing.
- Support efforts to remove barriers to escape poverty and strengthen low-income households and families.

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Increase permanent affordable housing in the rental market	2020	2024	Affordable Housing	Citywide	Increase Access to and Quality of Affordable Housing Affordable Housing for Special Needs Populations Housing Rehabilitation	HOME: \$413,140.11	Rental Units Constructed: 48 housing units
2	Increase the Number of Owner-Occupied Units	2020	2024	Affordable Housing	Citywide	Increase Access to and Quality of Affordable Housing Affordable Housing for Special Needs Populations Housing Rehabilitation	HOME: \$413,140.11	Homeowner Housing Added: 11 housing units Direct Financial Assistance to Homebuyers: 15 households
3	Rehabilitation of substandard Housing Units	2020	2024	Affordable Housing	Citywide	Increase Access to and Quality of Affordable Housing Housing Rehabilitation	n/a	n/a
4	Improve the City's Public Facilities	2020	2024	Non-Housing Community Development	Targeted CTs/LMI	Public Facilities Improvement	CDBG: \$110000	Public Facility or Infrastructure for Low/Moderate Income Other than Housing Benefit: 120 households
5	Improve City's Infrastructure	2020	2024	Non-Housing Community Development	Targeted CTs/LMI	Infrastructure Improvement	CDBG: \$417,665.25	Public Facility or Infrastructure other than Low/Moderate Income Housing Benefit: 535 persons
6	Blight Removal	2020	2024	Affordable Housing	Targeted CTs/LMI	Increase Access to and Quality of Affordable Housing Housing Rehabilitation	n/a	n/a

7	Property Inspection/Code Enforcement	2020	2024	Other	Targeted CTs/LMI	Increase Access to and Quality of Affordable Housing Housing Rehabilitation	n/a	n/a
8	Economic Development	2020	2024	Non-homeless special needs	Citywide	Public Services	n/a	n/a
9	Promote Public Service Activities	2020	2024	Non-homeless special needs	Citywide	Public Services	CDBG: \$42,229.75	Public Service activities other than Low/Moderate Income Housing Benefit: 50 persons Public Services activities for Low/Moderate Income Housing Benefit: 1000 households
10	Provide Homeless Services	2020	2024	Homeless	Citywide	Homeless Housing and Services	CDBG: \$65000	Homeless Person Overnight Shelter: 900 persons
11	Provide quality oversight and administration of federal programs.	2020	2024	Other-Admin	Citywide	Planning/ Administration	CDBG: \$80000 HOME: \$42000	n/a

Table 54 – Goals Summary

More detail about these goals is provided in the chart below.

Goal Descriptions

1	Goal Name	Increase permanent affordable housing in the rental market
	Goal Description	Fund activities that expand the supply and improve the condition of housing affordable to lower income households. Fund activities that leverage other public and private resources such as Low-Income Housing Tax Credit Projects. Support incentives to increase permanent affordable multifamily rental housing as well as direct assistance to low-income households. Emphasis to

		be placed on mixed income and inclusive communities. Fund activities that provide Tenant Based Rental Assistance to low income household. Lynchburg does not currently fund Tenant Based Rental Assistance.
2	Goal Name	Increase the Number of Owner-Occupied Units
	Goal Description	Increasing the number of owner-occupied units through programs such as the Greater Lynchburg Habitat for Humanity program to provide down payment assistance, and housing development and the Community Housing Development Organization (CHDO) will stabilize the City's housing stock through new construction, acquisition, and rehabilitation. Emphasis to be placed on mixed income and inclusive communities.
3	Goal Name	Rehabilitation of Substandard Housing
	Goal Description	Rehabilitate substandard housing units, with an 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 (HOME funds). In addition, the Lynchburg Redevelopment and Housing Authority (LRHA) proposes to continue its Rental Rehabilitation Grant Program that issues grants to owners/landlords of rental properties that are located within the City's Rental Inspection Area (CDBG funds).
4	Goal Name	Improve public facilities
	Goal Description	Fund non-housing community development proposals that eliminate a threat to public health and safety and/or expand affordable housing development to include water/sewer projects, drainage projects, sidewalks, street improvements, and solid waste disposal projects.
5	Goal Name	Improve the City's Infrastructure
	Goal Description	Fund non-housing community development proposals that eliminate a threat to public health and safety and/or expand affordable housing development to include water/sewer projects, drainage projects, sidewalks, street improvements, and solid waste disposal projects.
6	Goal Name	Blight Removal

	Goal Description	Fund proposals for the removal and redevelopment of dilapidated and condemned structures to eliminate neighborhood deterioration, blight and blighting influences.
7	Goal Name	Property Inspections and Code Enforcement
	Goal Description	Provide activities for the identification and remediation of rental housing in substandard conditions.
8	Goal Name	Economic Development
	Goal Description	Promote efforts that align with the goals of the City's Blueprint for Opportunity to improve the economic base, job skills, and health of the community.
9	Goal Name	Promote Public Service Activities
	Goal Description	Promote public service activities which support the healthy development of the City's at-risk youth, adults, and families. Promote efforts to remove barriers to escape poverty and strengthen low-income households and families. Promote neighborhood partnerships that facilitate self-sufficiency and enable families and individuals to maintain their housing, remain in their neighborhoods, and age in place.
10	Goal Name	Provide Homeless Services
	Goal Description	Support efforts to develop, sustain, and coordinate a comprehensive, seamless system of services for homeless citizens in order to move the homeless population toward obtaining permanent housing.
11	Goal Name	Provide quality oversight and administration of federal programs.

Goal Description	Provide administrative and oversight of CSBG and HOME programs.
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Introduction

The City will invest the majority of CDBG and HOME Program funds City-wide.

Projects

#	Project Name
1	CDBG Program Administration
2	Tinbridge Hill Neighborhood Pedestrian Improvements- Phase 2
3	Public Facility: Biggers Park Improvements & Blackwater Creek Trail Connection
4	Public Services Activity: Scoutreach
5	Homeless Services: Coordinated Homeless Intake and Access
6	Public Service Activity: Affordable Housing Resource Center
7	Increase the number of affordable rental units--Florida Terrace Rental Housing
8	Greater Lynchburg Habitat for Humanity Homeownership Program
9	Increase Owner-Occupied Units--Knott Street Development
10	HOME Program Administration

Table 55 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The City will invest the majority of CDBG and HOME Program funds City-wide. Investing in affordable housing projects city-wide will also assist the City in affirmatively furthering fair housing and avoiding the concentration of low-income populations. The City will target its CDBG infrastructure and public improvement activities to census tracts with 51% of its residents at 80% or below the Area Median Income (AMI). Code enforcement efforts will also be targeted to the census tracts adjacent to the City's Central Business District, where there is a higher concentration of poverty.

Project Summary Information

1	Project Name	CDBG Program Administration
	Target Area	City Wide
	Goals Supported	Provide quality oversight and administration of federal programs
	Needs Addressed	Planning and Administration
	Funding	CDBG: \$80,000
	Description	Funding to be used for personnel, operating, and training costs associated with managing the CDBG Program.
	Target Date	06/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	n/a
	Location Description	City of Lynchburg
	Planned Activities	Program Administration
2	Project Name	Tinbridge Hill Neighborhood Pedestrian Improvements- Phase 2
	Target Area	Targeted LMI Area
	Goals Supported	Improve the City's Infrastructure
	Needs Addressed	Infrastructure Improvements
	Funding	CDBG: \$417,665.25
	Description	Construction of sidewalks, trail widening and/or trailhead enhancements in conjunction with the upcoming Tinbridge Hill waterline replacement. The waterline replacement project is slated to begin in Fall 2020
	Target Date	06/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	535 persons will benefit from the proposed activity.
	Location Description	City of Lynchburg

	Planned Activities	Sidewalk segments within and adjacent to the waterline replacement project (4th, Monroe, Polk, etc.) to better leverage engineering design and construction mobilization costs. However, costs to address drainage, topography and available right-of-way may require that project funds shift to address other sidewalk or trail needs in the neighborhood.
3	Project Name	Biggers Park Improvement & Blackwater Creek Trail Connection
	Target Area	Targeted LMI Area
	Goals Supported	Improve the City's Public Facilities
	Needs Addressed	Public Facilities Improvements
	Funding	CDBG: \$110,000
	Description	Biggers Park is located in the Garland Hill neighborhood. Improvements include the installation of an outdoor fitness center, park benches, wayfinding sign, handicapped accessible entrance off Clay Street, connection to Blackwater Creek trail.
	Target Date	06/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	120 (located in Census Tract 6 Block Group 516800006004: LMISD has 120 LMI in this area)
	Location Description	City of Lynchburg
4	Planned Activities	Installation of an outdoor fitness center, completion of the recommendations called for in the 5 th Street Corridor Master Plan: passive seating area, wayfinding sign on 5 th street, handicapped accessible entrance.
	Project Name	Scoutreach
	Target Area	Targeted LMI Areas
	Goals Supported	Promote public service activities
	Needs Addressed	Public Services
	Funding	CDBG: \$25,940

	Description	Scoutreach is the Boy Scout of America's commitment to making sure that all young people have an opportunity to join Scouting, regardless of their circumstances, neighborhood, or ethnic background. Scoutreach meets the developmental needs of youth in urban settings. Scouting, by emphasizing ethics and moral values, addresses many of the social concerns of parents and youth in our country. Scouting prepares urban and rural youth to be leaders, to accept responsibility, and to care about principles and causes beyond their own self-interest.
	Target Date	06/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	50 people will benefit from the activity.
	Location Description	City of Lynchburg
	Planned Activities	Boy Scouts of America plans to offer Scoutreach to youth in Lynchburg's central city neighborhoods, by partnering with the Lynchburg Parks and Recreation Department throughout the school year and utilizing the Neighborhood Centers as meeting locations.
5	Project Name	Coordinated Homeless Intake and Access
	Target Area	City-wide
	Goals Supported	Provide homeless services
	Needs Addressed	Homeless housing and services
	Funding	CDBG: \$65,000

	Description	This project will provide the funding for the Homeless Intake Coordinator. This staff person will assist the Continuum of Care (CVCOC) organizations by operating the Coordinated Homeless Intake and Access (CHIA) system. This centralized system provides services to households who are experiencing a housing crisis. The services include diversion, domestic violence assistance, or emergency shelter placement. HUD's Continuum of Care program regulations require a coordinated intake process in order for a community to be eligible for federal grants to assist with homeless response programs. The inaugural year was used to increase community awareness, develop policy and procedure, and gain community partner participation.
	Target Date	06/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	900 persons will benefit from the activity.
	Location Description	City of Lynchburg
	Planned Activities	Full time position of the Homeless Intake Coordinator.
6	Project Name	Affordable Housing Resource Center
	Target Area	City-wide
	Goals Supported	Promote public service activities
	Needs Addressed	Public Services
	Funding	CDBG: \$16,289.75
	Description	Lynchburg Redevelopment & Housing Authority (LRHA) is applying for funding to continue supporting the Affordable Housing Resource Center (AHRC) which has been created and is managed by LRHA. The ARHC is led by a full-time Housing Navigator and provides a centralized access point to all affordable housing resources and supportive services available in the City of Lynchburg. This project is a collaboration of LRHA, City of Lynchburg, Lynchburg Regional Housing Collaborative and the Central Virginia Continuum of Care
	Target Date	06/30/2021

	Estimate the number and type of families that will benefit from the proposed activities	1,000 households will benefit from the activity.
	Location Description	City of Lynchburg
	Planned Activities	Operate the Affordable Housing Resource Center (AHRC) which has been created and is managed by LRHA. The ARHC is led by a full-time Housing Navigator and provides a centralized access point to all affordable housing resources and supportive services available in the City of Lynchburg. This project is a collaboration of LRHA, City of Lynchburg, Lynchburg Regional Housing Collaborative and Central Virginia Continuum of Care
7	Project Name	HOME Program Administration
	Target Area	City-Wide
	Goals Supported	Provide quality oversight and administration of federal programs
	Needs Addressed	Planning and Administration
	Funding	HOME: \$42,000
	Description	Funding to be used for personnel, operating and training costs associated with managing the HOME Program.
	Target Date	06/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	n/a
	Location Description	City of Lynchburg
8	Planned Activities	Program Administration
	Project Name	Florida Terrace Rental Housing
	Target Area	Targeted LMI Area
	Goals Supported	Increase permanent affordable housing in rental market
	Needs Addressed	Increase access to and quality of affordable housing
	Funding	HOME: \$413,140.11

	Description	Florida Terrace is a forty-eight (48) apartment development, which includes 32 one-bedroom apartments and 16 two-bedroom apartments featuring Universal Design, Earth Craft energy efficiency, and Energy Star features with at least eight (8) apartments featuring Section 504 accessibility. Two building will comprise the apartment portion of the development, each with 24 apartments, two floors, and an elevator. A third building will contain a community room, rental/property management office space, and a maintenance area. Building exteriors will feature substantial brick and cement board exteriors to provide an aesthetically appealing structure. At least 50% of tenant families will have disabilities; among the 50% Florida Terrace will set aside at least eight units for tenant families requiring Permanent Supportive Housing (PSH) and five units for tenants with developmental disabilities. Rush Homes will contract with a local Permanent Supportive Housing service provider for appropriate case management services for tenants requiring PSH.
	Target Date	06/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	48 new affordable housing units will be created from the proposed activity.
	Location Description	City of Lynchburg
	Planned Activities	The 48 units will consist of 32 one-bedroom and 16 two-bedroom apartments. Two building will comprise the apartment portion of the development, each with 24 apartments, two floors, and an elevator. A third building will contain a community room, a rental/property management office space, and a maintenance area. All Florida Terrace apartments will feature EarthCraft energy efficiency, Universal Design, and Energy Star appliances with at least eight apartments featuring Section 504 accessibility.
9	Project Name	Greater Lynchburg Habitat for Humanity Homeownership Program
	Target Area	Targeted LMI Areas
	Goals Supported	Increase the number of owner-occupied units
	Needs Addressed	Increase access to and quality of affordable housing

	Funding	HOME: \$143,140.11
	Description	Greater Lynchburg Habitat for Humanity (GLHFH) develops homeownership opportunities for low-income families that would not qualify or be able to afford homeownership through conventional bank mortgages. GLHFH builds good quality, moderately appointed homes and sells them to qualified applicants. The target population for the program is families whose income falls in the range of 40% to 70% of HUD's Area Median Income (AMI), adjusted for size of family. To qualify, families must demonstrate need (residing in poor, unsafe, unhealthy, and/or unaffordable housing); they must have the ability to pay a no-interest mortgage (must have a steady income and low debt to income ratio); and must be willing to partner with GLHFH (provide sweat equity, participate in training, and prepare for the responsibilities of homeownership).
	Target Date	06/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	15 Households will benefit from the program.
	Location Description	City of Lynchburg
	Planned Activities	Funds used to pay for down-payment assistance which will reduce the principal balance so that the family can afford the monthly mortgage payments.
10	Project Name	Knott Street Development
	Target Area	Targeted LMI Area
	Goals Supported	Increase the number of owner-occupied units
	Needs Addressed	Increase access to and quality of affordable housing
	Funding	HOME: \$270,000
	Description	Funds would help subsidize the development costs for eleven parcels and homes, all of which will be sold to Habitat-qualified families
	Target Date	06/30/2021

Estimate the number and type of families that will benefit from the proposed activities	11 new homeownership units will be made available by the proposed project.
Location Description	City of Lynchburg
Planned Activities	Costs for building the streets, sidewalks, waterline, sewer connections, clearing a number of trees and other required appurtenances.

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

Geographic Distribution

Target Area	Percentage of Funds
Targeted LMI Areas	38%
City-Wide	62%

Table 56 - Geographic Distribution

Use of funds is not directed to any specific area in the City. The majority of assistance will be used in areas of the City that are defined as Low to Moderate Income (LMI).

To diversify the housing choice options in Lynchburg, HOME projects located outside areas of racial and ethnic concentration are given priority points during the funding allocation process.

Rationale for the priorities for allocating investments geographically

The City will invest the majority of CDBG and HOME Program funds City-wide. Investing in affordable housing projects City-wide will also assist the City in affirmatively furthering fair housing and avoiding the concentration of low-income populations. The City will target its CDBG infrastructure and public improvement activities to census tracts with 51% of its residents at 80% or below the Area Median Income (AMI). Code enforcement efforts will also be targeted to the census tracts adjacent to the City's Central Business District, where there is a higher concentration of poverty

Discussion

Utilizing federal funds, the City of Lynchburg will address the needs of the community in LMI Areas and City Wide.

Introduction

Lynchburg will provide decent housing by preserving affordable housing stock, increasing the availability of affordable housing, reducing discriminatory barriers, increasing the supply of supportive housing for special needs households, and transitioning homeless persons and families into housing.

Lynchburg identified (3) three separate Affordable Housing Goals. Increase Affordable Rental Housing addresses the needs of affordable housing by expanding the supply and improving the condition of housing affordable to lower income households. Increase Homeownership addresses needs by increasing the supply of decent, affordable housing and/or accessible for-sale housing opportunities available for the City's lowest -income households, providing down payment assistance, supporting households who own their own home, but not able to make repairs necessary for critical upkeep and value retention and facilitating increased homeownership opportunities for low-to-moderate (LMI) families. Housing Rehabilitation preserves affordable housing by existing assisting with accessibility, weatherization, repair, and rehabilitation programs and rehabilitating substandard housing units.

One Year Goals for the Number of Households to be Supported	
Homeless	900
Non-Homeless	1600
Special-Needs	
Total	2,500

Table 57 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	
The Production of New Units	59
Rehab of Existing Units	
Acquisition of Existing Units	
Total	59

Table 58 - One Year Goals for Affordable Housing by Support Type

Discussion

The City of Lynchburg will increase the number of rental and homeownership housing during FY 2020. Over 2,500 households will be served through the various programs outlined above.

Introduction

Lynchburg Redevelopment and Housing Authority (LRHA) owns and manages 328 public housing units located throughout the City. The publicly owned rental housing units are in four different locations: Dearington, Birchwood, Langview and Brookside.

In addition, the Housing Choice Voucher Program provides housing assistance resources to 893 families that live in privately-owned scattered site housing throughout the community.

LRHA operates the Affordable Housing Resource Center (ARHC) which brings all housing related resources under one roof to provide citizens of Lynchburg a “one stop shop” for accessing the myriad of resources to address and solve housing needs. The ARHC is led by a full-time Housing Navigator and provides a centralized access point to all affordable housing resources and supportive services available in the City of Lynchburg. This project is a collaboration of LRHA, City of Lynchburg, Lynchburg Regional Housing Collaborative and Central Virginia Continuum of Care (CVCOC).

Actions planned during the next year to address the needs to public housing

In an effort to keep the housing stock in good condition ongoing revitalization efforts will continue in both the interior and exterior of the public housing apartments. Past efforts have included replacement windows and doors, exterior improvements, and interior flooring.

According to the Annual Plan for Fiscal Year (FY19), LRHA intends on replacing site water lines at the Dearington site, replace furnace, grill, HVAC supply and return air distribution ductwork in Birchwood and replace 125 porch columns at Langview/Brookside in FY2020.

The City will utilize CDBG funds so that LRHA can continue to operate the Affordable Housing Resource Center (ARHC) projecting to serve 1,000 people with resources, housing navigation, education, and training opportunities.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

LRHA encourages and supports programs and activities to improve the quality of life for public housing residents. These programs address needs in the following areas: drug prevention, resident participation in community organizations and activities, employment resources, housing counseling classes, homeownership opportunities, economic development, and self-sufficiency. The Authority also provides security for all developments and sponsors National Night Out using LRHA’s funds to encourage residents to report crime.

If the PHA is designated as troubled, describe the manner in which financial

assistance will be provided or other assistance

LRHA is not designated as troubled.

Discussion

DRAFT

Introduction

Most homelessness initiatives in the City are coordinated through the Central Virginia Continuum of Care (CVCoc), a recipient of funding through the U. S. Department of Housing and Urban Development's (HUD) Continuum of Care Program. Also participating in the CVCoc are the counties of Amherst, Appomattox, Bedford, and Campbell.

The CVCoc is a regional organization comprised of agencies that serve as the lead entity for Continuum of Care Programs. The CVCoc currently has 32 member agencies.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

The CVCoc is currently undergoing a revision to their Strategic Plan to prevent and end Homelessness. Strategic Plan 2.0 should be released during Program Year (PY) 2020. During the last year of the current plan the CoC has identified several areas of focus. One area is to match housing and services with persons based on vulnerability and priority. They hope to accomplish this by expanding the Community Case Review (CCR) process to prioritize rapid rehousing and transitional housing resources based on sub-population status, vulnerability, and housing barriers; integrating priority sub-population by-name list into CCR that identifies homeless persons by name and vulnerability. CRR is updated regularly to track their status and progress toward permanent housing placement; and creating and regularly updating a housing and service resource list for display at CHIA, emergency shelters, etc. to help divert people away from the response system and to facilitate self-resolution. In order to address the focus area of improving access to mainstream resources, CVCoc is looking to sponsor (Social Security Income (SSI)/Social Security Disability Income (SSDI) Outreach, Access, and Recovery (SOAR) training and certification.

The CVCoc also is focused on expanding resources by educating stakeholders on affordable housing needs and benefits (funders, developers, city officials, landlords, community stakeholders). They identified action steps such as promoting a "Not In My Backyard" (NIMBY) training/awareness education in the community.

In order to accomplish the focus area of educating stakeholders, the CVCoc identified the need to develop a strategy to engage more faith-based partners and develop a response system awareness/education training package.

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

Prior to July 2018, Lynchburg's CVCoc did not have a street outreach program. Unsheltered homeless data was only collected during Point-in-Time (PIT) counts and anecdotally if an unsheltered person made contact with an access point.

In July 2018, Lynchburg received funding to hire a street outreach worker to begin identifying and building rapport with unsheltered persons and conduct regular outreach with this hard to serve population. This has increased awareness and understanding of the needs of street homeless. During Fiscal Year (FY) 2019, Homeless Outreach and Mobile Engagement (HOME) outreached to 60 unsheltered persons. This program will continue through FY 2020.

Addressing the emergency shelter and transitional housing needs of homeless persons

The CVCoc operates a coordinated entry system (CES) that provides triaged access to the array of homeless response services and interventions that are offered in the region. The primary access point for the CES is Coordinated Homeless Intake and Access (CHIA). CHIA provides both in-person and phone-based assessment and referral to diversion, prevention, shelter and appropriate housing interventions. Coordinated entry staff are trained on diversion strategies, addressing the needs of domestic violence victims and the coordinated entry process. Housing-focused conversations aimed at self-resolution will be attempted first, with an emergency shelter bed offered if necessary and available. There are two emergency shelters serving the CVCoc – Salvation Army and Hand Up Lodge. The City will continue to fund the coordinated entry program to ensure households experiencing homelessness are assessed for prevention, diversion, emergency shelter and other homeless services.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

The permanent supportive housing programs within the CVCoc presently meets HUD's goal of addressing chronic homelessness. The programs will maintain and attempt to improve performance by improving quality case management to each participant. The case managers of all permanent supportive housing programs will continue to develop a housing stability plan with each participant to ensure stability is achieved. The case manager will develop a discharge plan with each participant exiting permanent supportive housing to ensure discharge to other more appropriate permanent housing. Additionally, the case managers will continue to strengthen the network of community support and resources available to the permanent housing participants.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth

facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

The CVCoC has guidelines in place in which it coordinates with CENTRA, the primary health care provider in the CVCoC area, adequate housing placement of those being released from the hospital system. This process strives to ensure that discharged persons are not released directly to the streets, emergency shelters, or other homeless assistance programs in the Region 2000 area.

CENTRA's staff works closely with area housing agencies, providers, and organizations in the CVCoC to ensure safe and adequate placement of those being released from the hospital system. CENTRA coordinates with these agencies the appropriate release planning back to family, friends, or to private rental housing and service providers.

The Commonwealth of Virginia mandates that persons discharged from State institutions or systems of care have a plan for discharge that prevents the occurrence of homelessness. The policy states that patients cannot be discharged into homelessness including the streets, shelters, or other HUD McKinney-Vento funded programs. Horizon Behavioral Health is an active member of the CVCoC in this region. The CVCoC has provided ongoing training to its members with regards to accessing services from Horizon Behavioral Health.

Discussion

The City of Lynchburg continues to support the efforts of preventing and ending homelessness in the community through the funding of coordinated entry and development of affordable housing.

Introduction:

The City of Lynchburg is currently updating their Analysis of Impediments to Fair Housing (AI) during this fiscal year. The AI, in addition to identifying fair housing issues, also identified potential barriers to affordable housing.

Factor	Priority	Responsible Parties	Discussion
Access to community assets and opportunities	High	City	Community assets such as public transit and jobs can improve access to opportunities, especially for lower income households and persons with disabilities. While the City has good coverage regarding public transit in R/ECAPs, these areas have poor access to the City's employment centers and higher performing schools. Expanding the public transit system to higher opportunity areas could increase opportunities for low- and moderate-income residents.
Location and type of affordable housing	High	City, LRHA, Private Sector	Providing more housing choices in more areas across the City could increase the accessibility and affordability of housing in Lynchburg. While households in Lynchburg are almost evenly split between renters and homeowners, most of the housing stock consists of single-family homes at 65.6% of all housing stock. Multifamily housing is typically more affordable than single-family housing in the same area as a result of increased housing supply and efficient land use. However, multifamily housing options are limited in both the highest opportunity areas and lowest opportunity areas. Additionally, areas with a high concentration of multifamily units are in close proximity to the universities, creating high competition for housing. While the City has shown to be investing funds, such as CDBG and HOME, in higher opportunity areas, the lack of public transit access and landlords to accept HCVs are barriers in locating affordable housing options in higher opportunity areas.
Discriminatory behavior toward members of the protected class	Low	Private Sector	Lending discrimination exists with the City of Lynchburg. Because this lending primarily occurs in the private sector, the City has little direct control. However, the City could continue to provide education and outreach to lenders and borrowers regarding fair housing and lending discrimination, in addition to the organizations advocating for fair housing. Black and Hispanic households are more likely to have their mortgage application denied than White households. Black households were also more likely to receive high-cost loans compared to other races/ethnicities. High cost loans have higher interest rates, making housing less affordable and contributes to both segregation and cost burden. Households receiving high cost loans will seek more affordable housing in lower quality

			housing stock and be more cost-burdened due to high interest rates.
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Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

The City of Lynchburg will follow the Fair Housing Action Plan over the next five years to include:

Impediment	Action	Measurable Benchmarks	Timeframe
Barriers to housing choices for members of the protected class	The City should specify procedures, training, and monitoring process for implementing the Language Access Plan (LAP) to streamline services and better accommodate persons with limited English proficiency (LEP). This is especially important for when the LEP Spanish-speaking population reaches the safe harbor threshold.	Percent of current and number of new staff members trained in accordance with LAP procedures	2020-2024
Location and type of affordable housing	LRHA should expand Section 8 HCV Program to higher opportunity areas.	Number of landlords recruited to participate in Section 8 program, especially in higher opportunity areas	Ongoing
	The City and other local organizations should address the diverse housing needs for the City's various subpopulation, including students, low- and moderate-income households, persons with disabilities, and elderly persons.	Continue investing in housing in a wide geographic area throughout the City. Number of accessible units created/rehabilitated.	Ongoing

	The City should collaborate with local universities to ensure students are not competing with low- and moderate-income households for housing.	Number on-campus housing units created.	Ongoing
Location of community assets	The City should collaborate with GLTC to improve access to GLTC routes in higher opportunity areas and employment centers in the City and for individuals working unconventional hours.	Number of transit stops added	Ongoing
	The City and local service providers should centralize public services in locations with good transit access and high concentration of members of protected classes	Increase in number of service users	Ongoing
Discriminator y behavior toward members of the protected class	The City should continue supporting fair housing services, such as housing counseling from Lyn-CAG and legal counseling from VLAS, to reduce rates of eviction, mortgage application denials, high-cost lending, and other discriminatory practices.	Number of program participants	Ongoing

Introduction:

In FY 2020, the City of Lynchburg plans the following actions to help address the housing and community development needs of City residents, especially low/moderate income residents.

Actions planned to address obstacles to meeting underserved needs

Inadequate resources are the main obstacle to meeting underserved needs ---both financial and human (staffing). The City of Lynchburg will continue to collaborate with human and social service agencies and the Central Virginia Continuum of Care to identify potential resources for meeting the service needs of City residents. The City will continue to support the efforts of service agencies to maximize the use of available resources and to obtain additional resources whenever possible.

Actions planned to foster and maintain affordable housing

The City of Lynchburg will allocate FY 2020 HOME funds to create 11 homeowner-occupied units, encourage 15 more potential homeowners to purchase homes, and create 48 units of rental housing for persons with disabilities.

Actions planned to reduce lead-based paint hazards

All City written agreements with CDBG and/or HOME Subrecipients contain provisions requiring compliance with lead-based paint rules and are subject to procedures developed by the Grants Administration Office to ensure appropriate stages of due diligence are complete and of record prior to CDBG and/or HOME funds being disbursed. The Subrecipients and contract providers of housing rehabilitation program services will conduct risk assessments and clearance inspections for rehabilitation projects, as required. All properties purchased with financial assistance provided by the CDBG and HOME Program must be inspected for lead-based paint hazards prior to final approval of application for assistance. Payment of subsidies is only issued after receipt of the inspection report revealing no lead-based paint hazard present at time of purchase.

Actions planned to reduce the number of poverty-level families

As discussed in the Consolidated Plan, the City of Lynchburg has an active taskforce in the community to identify the causes and possible local solutions to addressing poverty. The Bridges to Progress taskforce and steering committee will continue to address issues of poverty in the City of Lynchburg. The City has invested in this group with general funds due to the success seen by the initiative.

Reducing poverty enables families to move towards self-sufficiency and increases their ability to afford housing. The City's anti-poverty strategy and this Consolidated Plan both work towards a shared goal of enabling every family to afford decent housing in suitable living environments.

To the extent possible given its limited resources, the City will continue to support organizations that provide supportive services to encourage local economic development, and to preserve and improve affordable housing options as part of its strategy to prevent and alleviate poverty.

Actions planned to develop institutional structure

The City's Grants Administration Office is responsible for carrying out the provisions of this Consolidated Plan. Working in conjunction with its public and private partners, City staff distributes, monitors, and executes the functions of the plan and reports on its progress. Coordination with other departments within City administration is essential to smooth delivery of services, and the achievement of desired outcomes.

Primarily, the City's strategies will be conducted in the various partnerships the City enjoys with the public and private housing developers and service providers operating in the City and in the region.

Actions planned to enhance coordination between public and private housing and social service agencies

As discussed in the Consolidated Plan, the City of Lynchburg actively works to coordinate community development efforts between public and private housing and social service agencies.

Discussion:

The City of Lynchburg continues to support efforts to improve the lives of low- and moderate- income households in the community. Through the development of affordable housing and funding for public services, the City partners with public and private housing agencies and local social service agencies to meet the needs of the community.

PROGRAM SPECIFIC REQUIREMENTS

AP-90 PROGRAM SPECIFIC REQUIREMENTS – 91.220(L)(1,2,4)

Introduction:

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	\$0.00
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan	\$1,450,693.32
3. The amount of surplus funds from urban renewal settlements	\$0.00
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan.	\$0.00
5. The amount of income from float-funded activities	\$0.00
Total Program Income	\$0.00

Other CDBG Requirements

The amount of urgent need activities	\$0.00
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income	70%

Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.

HOME Investment Partnership Program (HOME)

Reference 24 CFR 91.220(I)(2)

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:

The City does not intend on using other forms of investments to fund HOME programs that are not listed in the Annual Action Plan.

2. A description of the guidelines that will be used for resale or recapture of HOME funds when

used for homebuyer activities as required in 92.254, is as follows:

In accordance with HOME Program regulations at 24 CFR Part 92, properties assisted must remain affordable during the affordability period. Under recapture provisions, this period is based on the direct HOME subsidy to the homebuyer and includes down payment assistance, “gap” financing, and interest rate buy-downs, as available.

The HOME affordability periods are as follows:

HOME Investment Per Unit	Length of the Affordability Period
Less than \$15, 000 subsidy	5 years
\$15, 000 - \$40,000 subsidy	10 years
More than \$40,000 subsidy	15 years
New construction of rental housing	20 years

HOME-assisted units are subject to affordability for the entirety of the affordability period. These HOME-assisted units are subject to a recapture provision in order to assure that the units either remain affordable (i.e. housing eligible clients) or that the City recovers its investment based on the terms of the agreement. Funds are recaptured only from the net proceeds of the sale or foreclosure.

In accordance with HOME CPD 12-003 Notice “Guidance on Resale and Recapture Provision Requirements under the HOME Program” the City has submitted to the HUD Richmond Field Office the “Recapture Restriction Agreement” used by the City for homebuyer projects. This document includes the basic requirements for recapture provisions in HOME Investment Partnerships (HOME) program homebuyer projects. The document was reviewed by the HUD Richmond Field Office staff and was found to be acceptable for compliance with §92.254(a) (5) of the HOME Program regulations.

3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:
See above.
4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:
Not applicable. The City of Lynchburg does not anticipate using HOME funds to finance or refinance existing debt secured by multi-family housing that is being rehabilitated with HOME funds.

APPENDIX - ALTERNATE/LOCAL DATA SOURCES

DRAFT

CITY OF LYNCHBURG 2020-2024 CONSOLIDATED PLAN 2020 ANNUAL ACTION PLAN

PUBLIC HEARING

JUNE 23, 2020

MULLIN & LONERGAN ASSOCIATES

PURPOSE OF PUBLIC HEARING

- Provide an overview of the City's **priority affordable housing and community development needs** identified through:
 - Public meetings
 - Stakeholder sessions
 - Online survey
 - Census and local data
- Review the **proposed activities** to be funded in 2020
- **Accept final public comments** on the Five-Year Plan and Annual Action Plan

CP & AAP PROCESS



Public Outreach

Local government, public and private agencies, city residents, housing authority, etc.



Housing Market Analysis

Uses data to describe the rental and sales markets, including housing cost for LMI households



Housing and Homeless Needs Assessment

Uses data, stakeholder input, and citizen participation to identify needs



Five-Year Strategic Plan

Priorities for 2020 thru 2024



Annual Action Plan

Proposed activities for 2020



HOUSING AND COMMUNITY DEVELOPMENT NEEDS

Identified through Public Participation Process

HOUSING NEEDS



Cost Burden

17.9% of households are paying more than 30% on income on housing costs

19% of households are paying more than 50% of income on housing costs

One-persons households impacted the greatest among **renters**

Elderly households impacted the greatest among **homeowners**



Needs

Home repair needs for elderly households

There is a **shortage of qualified contractors** to rehabilitate housing units

Need for **mixed income, mixed use development** across the City

PUBLIC SERVICE NEEDS

- Supportive services and affordable housing for persons experiencing **homelessness**.
- Continued support of the Coordinated Homeless Intake and Access (CHIA) program
- Services and emergency shelter for **domestic violence survivors**
- Increased **transit service** throughout the City
- Increased **affordable childcare** options
- Increased need for **food services**, including a grocery store in parts of the City.
- Services to address elements that contribute to **poverty**
- **Workforce programs** for youth age 14-24
- **Soft skills training** for employment opportunities
- **Eviction prevention** program



PUBLIC FACILITIES NEEDS



- Code enforcement
- Infrastructure available on lot for development
- Expansion of Rental Inspection Program
- Improved sidewalks and bus stop shelters
- Overall improvement of City streets
- Continue to support programs and services in community centers that are considered effective
- Additional parks and green space

FIVE-YEAR HOUSING GOALS

- Support initiatives to **increase permanent affordable housing in the rental market.**
- **Increase the number of owner-occupied units.**
- Emphasis to be placed on **mixed income and inclusive communities.**
- Support the **preservation of affordable housing in both the rental and sales markets**, including the rehabilitation of substandard housing.
- Support the **improvements to public facilities and infrastructure.**

FIVE-YEAR NON-HOUSING GOALS

- Support efforts for the **removal and redevelopment of dilapidated and condemned structures** to eliminate neighborhood deterioration, blight and blighting influences.
- Support efforts for the **identification and rehabilitation of rental housing**.
- Support neighborhood partnerships that **facilitate self-sufficiency** and enable families and individuals to maintain their housing, remain in their neighborhoods, and age in place.
- Support efforts that align with the goals of the City's Blueprint for Opportunity to improve the **economic base, job skills, and health of the community**.
- Promote public service activities which support the **healthy development** of the City's at-risk youth, adults, and families.
- Support efforts to develop, sustain, and coordinate a comprehensive, seamless system of **services for homeless citizens** in order to move the homeless population toward obtaining permanent housing.
- Support efforts to **remove barriers to escape poverty** and strengthen low-income households and families.

AVAILABLE FUNDS FOR 2020

CDBG: \$714,865

HOME: \$868,280



An aerial, high-angle view of a suburban neighborhood. The houses are arranged in neat rows, with streets and lawns visible between them. The entire image is overlaid with a dark blue, semi-transparent filter. The text 'PROPOSED FUNDING FOR 2020' is written in white, sans-serif capital letters on the left side of the image.

PROPOSED FUNDING FOR 2020

PUBLIC SERVICE ACTIVITIES

Scoutreach (CDBG: \$25,940)

- Scoutreach is the Boy Scout of America's commitment to making sure that all young people have an opportunity to join Scouting, regardless of their circumstances, neighborhood, or ethnic background. Scoutreach meets the **developmental needs of youth in urban settings**.

Coordinated Homeless Intake and Access (CDBG: \$65,000)

- Funding for the Homeless Intake Coordinator staff person to assist the Continuum of Care (CVCoc) organizations by **operating the Coordinated Homeless Intake and Access (CHIA) system**. This centralized system provides services to households who are experiencing a housing crisis. The services include diversion, domestic violence assistance, or emergency shelter placement.

Affordable Housing Resource Center (CDBG: \$16,289.75)

- Lynchburg Redevelopment & Housing Authority (LRHA) will continue **supporting the Affordable Housing Resource Center (AHRC)** that includes a full-time Housing Navigator and provides a centralized access point to all affordable housing resources and supportive services available in the City of Lynchburg. This project is a collaboration of LRHA, City of Lynchburg, Lynchburg Regional Housing Collaborative and the Central Virginia Continuum of Care.

PUBLIC FACILITIES & INFRASTRUCTURE ACTIVITIES

Tinbridge Hill Neighborhood Pedestrian Improvements - Phase 2 (CDBG: \$417,665.25)

- Construction of **sidewalks, trail widening and/or trailhead enhancements** in conjunction with the upcoming Tinbridge Hill waterline replacement. The waterline replacement project is slated to begin in Fall 2020.

Biggers Park Improvement & Blackwater Creek Trail Connection (CDBG: \$110,000)

- Improvements include the **installation of an outdoor fitness center, park benches, wayfinding sign, handicapped accessible entrance off Clay Street, connection to Blackwater Creek trail.**

AFFORDABLE HOUSING ACTIVITIES

Florida Terrace Rental Housing (HOME: \$413,140.11)

- Rush Homes will develop Florida Terrace, **48-unit apartment development** with 32 one-bedroom apartments and 16 two-bedroom apartments featuring Universal Design, Earth Craft energy efficiency, and Energy Star features with at least eight (8) apartments featuring Section 504 accessibility. At least 50% of tenant families will have disabilities; among the 50% Florida Terrace will set aside at least eight units for tenant families requiring Permanent Supportive Housing (PSH) and five units for tenants with developmental disabilities.

Greater Lynchburg Habitat for Humanity Homeownership Program (HOME: \$143,140.11)

- Greater Lynchburg Habitat for Humanity develops homeownership opportunities for low-income families that would not qualify or be able to afford homeownership through conventional bank mortgages. Funding will be used to pay for **down-payment assistance** for homebuyers.

Knott Street Development (HOME: \$270,000)

- Funds will subsidize the **development costs for 11 parcels and homes**, all of which will be sold to Habitat-qualified families.

PROGRAM ADMINISTRATION

CDBG Program Administration (CDBG: \$80,000)

- Funding to be used for personnel, operating, and training costs associated with **managing the CDBG Program**

HOME Program Administration (HOME: \$42,000)

- Funding to be used for personnel, operating and training costs associated with **managing the HOME Program**

SCHEDULE FOR SUBMISSION TO HUD

- Council to consider AI along with Consolidated Plan and Annual Action Plan tonight
- CP will be submitted to HUD no later than June 30
- Program year begins on July 1, 2020

COMMENTS TO:

Melva Walker

Grants Manager

Phone: 434.455.3916

Email: melva.walker@lynchburgva.gov

Website:

www.lynchburgva.gov

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **June 23, 2020**

AGENDA ITEM #: **11**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 Funding

KEY ELEMENTS:

☐ Economic Development ☒ Excellent Government ☐ Natural and Built Environment ☒ Safe Community ☐ Vibrant Community

RECOMMENDATION: Following a public hearing, adopt a resolution to amend the FY 2020 City/Federal/State Aid Fund budget and appropriate \$7,168,841 with resources from the Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 to fund public health and safety, continuity of operations, business and community support and public education initiatives related to the Coronavirus Disease 2019 (COVID-19).

SUMMARY: The Commonwealth of Virginia has received approximately \$3.1 billion as its share of the Coronavirus Relief Fund (CRF). The City has received an allocation, based on population, in the amount of \$7,168,841.

These funds may be used for qualifying expenses of state and local governments. The CARES Act provides that payments from the CRF only may be used to cover costs that:

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019;
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the state or government; and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

The City Manager tasked the Long-Term Recovery Team (Emergency Support Function 14 [ESF 14]) to manage requests for use of these funds from departments. These requests were categorized into three priorities with a fourth priority, regarding public education, being added with general approval by City Council:

1. Public Health and Safety – consists of appropriate cleaning, personal protective equipment (PPE), and items to allow for required social distancing;
2. Continuity of Operations – consists primarily of technology related items allowing service to continue when buildings are closed;
3. Small Business Assistance – Business and Community Support offering businesses, required to close or restrict operations by Executive Order 53 and Order of Public Health 2, the opportunity to apply for a grant equal to up to 50% and 25% respectively of the 2020 business license payment made to the City. These grants will be administered by the Economic Development Authority and the Office of Economic Development and Tourism.
4. Public Education – includes technology to assist with distance learning, cleaning supplies, PPE, and food delivery items and the related transportation costs.

PRIOR ACTION(S): May 26, 2020, Council Meeting informing Council of the CARES Act funds.

FISCAL IMPACT: \$7,168,841 to address public health and safety, continuity of operations, business and community support and public education initiatives related to the Coronavirus Disease 2019 (COVID-19)

CONTACT(S): Donna Witt, Chief Financial Officer, 455-3968
Long Term Recovery Team (Kent White-Director of Community Development;
Jeff Bandy-City Assessor; Marjette Upshur-Director of Economic Development and Tourism; Mitch Nuckles, Commissioner of Revenue; Victoria Glasgow-Planner,

Department of Community Development; Terry Hutchens, Director of Information Technology)

ATTACHMENT(S): Resolution
COVID-19 – City of Lynchburg
ESF 14: Long Term Recovery Funding Recommendations: CARES Act

REVIEWED BY: bms

077R

RESOLUTION:

#R-20-052

BE IT RESOLVED that the FY 2020 City/Federal/State Aid Fund budget is amended and \$7,168,841 is appropriated with resources from the Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 to fund public health and safety, continuity of operations, business and community support and public education initiatives related to the Coronavirus Disease 2019.

Introduced:

Adopted:

Certified: _____
Clerk of Council

COVID-19 Funding – City of Lynchburg

Category	CARES ¹ Act Funding Recommendation	Additional COVID-19 Funding (Other Sources)	% of CARES Act Funding	% of Total Lynchburg COVID Funding (excludes GLTC ² and Airport operational funding, Lynchburg private school funding and GEER ³ funding)
Public Health and Safety	\$2,187,798	\$228,700	30.52%	23.42%
Continuity of Operations	\$963,599	\$0	13.44%	9.34%
Business and Community Support	\$2,010,000	\$420,000	28.04%	23.55%
Public Education	\$2,007,444	\$2,500,000 ⁴	28.00%	43.69%
Total	\$7,168,841	\$3,148,700	100%	100%

¹ Coronavirus Aid Relief and Economic Security

² Greater Lynchburg Transit Company

³ Governor's Emergency Education Relief

⁴ Excludes \$700,000 available for Lynchburg Private Schools as well as the Governor's Emergency Education Relief (GEER) Fund allocation (local allocation amount not available at time of report)

Emergency Support Function-14 Long Term Recovery Funding Recommendations: CARES¹ Act

<u>Public Health and Safety</u>	\$2,187,798
• Refuse Collection – 2 knuckle booms and garbage truck retrofits	\$840,000
• Disinfection – misters; prior cleaning costs; gear extractor	\$85,000
• Testing & Emergency Response – 3 shelters/generators; generator for station 5; Fire Department overtime	\$290,000
• Personal Protective Equipment – reusable masks, disposable masks face shields, gowns, sanitizer, etc.	\$209,862
• Facility Cleaning – bulk disinfectant/wipes; reimburse cleaning supplies/costs	\$31,428
• Parks & Trail Usage – trash cans, additional tables for distancing, portable toilets, water fountain retrofits	\$46,800
• Facility Retrofits – distancing barriers/separations; floor decals; hand sanitizer stations; water fixtures and fountains; security and access upfits	\$684,708
<u>Continuity of Operations</u>	\$963,599
• Remote Operations/Mobility – laptops/tablets, peripherals, kiosks, payment processor	\$482,645
• Virtual Meeting Technology – Council chamber and conference room upfits; software licenses	\$206,911
• IT Support – equipment/software enabling IT support associated with increased mobility	\$151,564
• Network – wireless access points and remote deployment; network software	\$97,809
• Community Support – detention and community market support; online reading program	\$12,115
• Community Outreach – COVID awareness signage and facility requirements	\$12,555
<u>Business and Community Support</u>	\$2,010,000
• Business Support – grants to businesses impacted by COVID-19 requirements; outreach	\$2,010,000
<u>Public Education</u>	\$2,007,444
• Distance Learning & Training – laptops for instructors and students, WIFI access	\$1,425,434
• Disinfection – hand sanitizer stations, disinfection spray; misters	\$82,130
• Facility Retrofits & Personal Protective Equipment – sneeze guards, masks, etc.	\$62,284
• Food Delivery – carts for food delivery in schools; food transport costs	\$437,596

¹ Coronavirus Aid, Relief, and Economic Security

From:

AGENDA ITEM #13

To: [Craig, Robin](#)

Subject: Public Comments request for City Council Meeting for June , 23

Date: Tuesday, June 16, 2020 10:03:43 AM

CAUTION: External Sender

Good morning, Robin:

My name is Dr. Keith R. Anderson and I am requesting to be listed on the agenda at the June 23rd meeting with the City Council. I am contacting you on behalf of a group of concerned citizens (Lynchburg Police Reform Taskforce) who are requesting our city leadership and Lynchburg Police Department officials to address policing practices within our community.

Thank you for your assistance in this matter,

Keith R. Anderson, D. Min.
Presiding Bishop, Hilifavrd Ministries Inc.
Lynchburg Police Reform Taskforce

079R

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **June 23, 2020**

AGENDA ITEM #: **14**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Airport CARES Act Grant Agreement 3-51-0029-045-2020

KEY ELEMENTS:

☐ Economic Development ☒ Excellent Government ☐ Natural and Built Environment ☐ Safe Community ☒ Vibrant Community

RECOMMENDATION: Authorize the City Manager to accept and execute a \$6,647,475 federal CARES Act Airport Grant Agreement on behalf of the City of Lynchburg (Lynchburg Regional Airport sponsor) and adopt the following Resolutions:

1. Adopt a resolution to amend the FY 2020 Airport Fund budget and appropriate \$700,000 with resources from the Department of Transportation Federal Aviation Administration Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 grant to replace potential revenues lost related to the Coronavirus Disease 2019.
2. Adopt a resolution to amend the FY 2021 Airport Fund budget and appropriate \$1,800,000 with resources from the Department of Transportation Federal Aviation Administration Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 grant to replace potential revenues lost related to the Coronavirus Disease 2019.

Council is asked to take the aforementioned actions either separately or together.

SUMMARY: This U.S. Department of Transportation / Federal Aviation Administration (FAA) grant was provided in accordance with the CARES Act to provide eligible Airports / Sponsors with funding to help offset a decline in revenues arising from diminished airport operations and activities as a result of the COVID-19 Public Health Emergency. CARES Act Airport Grant amounts to individual airports were derived by a federal legislative formula. The Airport may use these funds for any purpose for which Airport revenues may be lawfully used. The CARES Act states the funds may not be used for any purpose not related to the Airport.

PRIOR ACTION(S): On May 5, 2020, the City of Lynchburg / Lynchburg Regional Airport submitted a grant application for the \$6,647,475 in CARES Act funds, as calculated by a federal legislative formula, to be awarded to Lynchburg Regional Airport as a result of the COVID-19 Public Health Emergency.

FISCAL IMPACT: This \$6,647,475 grant will provide 100% funding to offset a decline in revenues arising from diminished airport operations and activities and can only be used for purposes directly related to the Airport for operational expenses incurred after January 20, 2020, and for debt service payments occurring after March 27, 2020 for a period of performance of 4 years from date of acceptance.

CONTACT(S): Andrew LaGala, Airport Director, 455-6090

ATTACHMENT(S): Resolutions
CARES Act Airport Grants Agreement 3-51-0029-045-2020 (23 pages)

REVIEWED BY: bms

RESOLUTION:

#R-20-053

BE IT RESOLVED That the Lynchburg City Council authorizes the City Manager to accept and execute a \$6,647,475 federal CARES Act Airport Grants Agreement (#3-51-0029-045-2020) with the U.S. Department of Transportation / Federal Aviation Administration (FAA) which sets forth the terms under which the grant will provide funding to help offset a decline in revenues arising from diminished airport operations and activities for a term of four (4) years as a result of the COVID-19 Public Health Emergency.

Adopted: June 23, 2020

Certified: _____
Clerk of Council

#R-20-054

BE IT RESOLVED that the FY 2020 Airport Fund budget is amended and \$700,000 is appropriated with resources from the Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 to replace potential revenues lost related to the Coronavirus Disease 2019.

Introduced: June 23, 2020

Adopted:

Certified: _____
Clerk of Council

#R-20-055

BE IT RESOLVED that the FY 2021 Airport Fund budget is amended and \$1,800,000 is appropriated with resources from the Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 to replace potential revenues lost related to the Coronavirus Disease 2019.

Introduced: June 23, 2020

Adopted:

Certified: _____
Clerk of Council

080R



U.S. Department
of Transportation
Federal Aviation
Administration

Airports Division
Eastern Region
District of Columbia, Maryland, Virginia

3-51-0029-045-2020
FAA WAS ADO
13873 Park Center Road
Suite 490S
Herndon, VA 20171

CARES Act Grant Transmittal Letter

June 2, 2020

Mr. Andrew LaGala, Airport Director
Lynchburg Regional Airport
350 Terminal Drive, Suite 100
Lynchburg, Virginia 24502-5271

Dear Mr. LaGala:

Please find the following electronic CARES Act Grant Offer, Grant No. 3-51-0029-045-2020 for the Lynchburg Regional/Preston Glenn Field Airport. This letter outlines expectations for success. Please read and follow the instructions carefully.

To properly enter into this agreement, you must do the following:

- a. The governing body must provide authority to execute the grant to the individual signing the grant; i.e. the sponsor's authorized representative.
- b. The sponsor's authorized representative must execute the grant, followed by the attorney's certification, **no later than July 2, 2020** in order for the grant to be valid.
- c. You may not make any modification to the text, terms or conditions of the grant offer.
- d. The grant offer must be electronically signed by the sponsor's legal signatory authority and then the grant offer will be routed via email to the sponsor's attorney. Once the attorney has electronically attested to the grant, an email with the executed grant will be sent to all parties.

Subject to the requirements in 2 CFR § 200.305, each payment request for reimbursement under this grant must be made electronically via the Delphi eInvoicing System. Please see the attached Grant Agreement for more information regarding the use of this System. The terms and conditions of this agreement require you drawdown and expend these funds within four years.

An airport sponsor may use these funds for any purpose for which airport revenues may be lawfully used. CARES grant recipients should follow the FAA's Policy and Procedures Concerning the Use of Airport Revenues ("Revenue Use Policy"), 64 Federal Register 7696 (64 FR 7696), as amended by 78 Federal Register 55330 (78 FR 55330). The Revenue Use Policy defines permitted uses of airport revenue. In addition to the detailed guidance in the Revenue Use Policy, the CARES Act states the funds may not be used for any purpose not related to the airport.

With each payment request you are required to upload directly to Delphi:

- An invoice summary, even if you only paid a single invoice, and
- The documentation in support of each invoice covered in the payment request.

For the final payment request, in addition to the requirement listed above for all payment requests, you are required to upload directly to Delphi:

- A final financial report summarizing all of the costs incurred and reimbursed, and
- An SF-425, and

- A narrative report.

The narrative report will summarize the expenses covered by the CARES Act funds and state that all expenses were in accordance with the FAA's Policy and Procedures Concerning the Use of Airport Revenues and incurred after January 20, 2020.

As a condition of receiving Federal assistance under this award, you must comply with audit requirements as established under 2 CFR part 200. Subpart F requires non-Federal entities that expend \$750,000 or more in Federal awards to conduct a single or program specific audit for that year. Note that this includes Federal expenditures made under other Federal-assistance programs. Please take appropriate and necessary action to assure your organization will comply with applicable audit requirements and standards.

Once you have drawn down all funds and uploaded the required documents to Delphi, notify Kyle Allison by email that the grant is administratively and financially closed. Kyle Allison is readily available to assist you and your designated representative with the requirements stated herein. We sincerely value your cooperation in these efforts.

Sincerely,



Matthew J Thys (Jun 5, 2020 2:50 EDT)

Matthew J. Thys, Manager
Washington ADO



U.S. Department
of Transportation
Federal Aviation
Administration

CARES ACT AIRPORT GRANTS AGREEMENT

Part I - Offer

Federal Award Offer Date June 2, 2020

Airport/Planning Area Lynchburg Regional/Preston Glenn Field Airport

CARES Grant Number 3-51-0029-045-2020

Unique Entity Identifier 010038073

TO: City of Lynchburg
(herein called the "Sponsor")

FROM: **The United States of America** (acting through the Federal Aviation Administration, herein called the "FAA")

WHEREAS, the Sponsor has submitted to the FAA a Coronavirus Aid, Relief, and Economic Security Act (CARES Act or "the Act") Airports Grants Application (herein called the "Grant") dated May 5, 2020, for a grant of Federal funds at or associated with the Lynchburg Regional/Preston Glenn Field Airport, which is included as part of this Grant Agreement; and

WHEREAS, the Sponsor has accepted the terms of FAA's Grant offer;

WHEREAS, in consideration of the promises, representations and assurances provided by the Sponsor, the FAA has approved the Grant Application for the Lynchburg Regional/Preston Glenn Field Airport, (herein called the "Grant") consisting of the following:

This Grant is provided in accordance with the CARES Act, as described below, to provide eligible Sponsors with funding to help offset a decline in revenues arising from diminished airport operations and activities as a result of the COVID-19 Public Health Emergency. CARES Act Airport Grants amounts to specific airports are derived by legislative formula.

The purpose of this Grant is to maintain safe and efficient airport operations. Funds provided under this Grant Agreement must only be used for purposes directly related to the airport. Such purposes can include the reimbursement of an airport's operational and maintenance expenses or debt service payments. CARES Act Airport Grants may be used to reimburse airport operational and maintenance expenses directly related to the Lynchburg Regional/Preston Glenn Field Airport incurred no earlier than January 20, 2020. CARES Act Airport Grants also may be used to reimburse a Sponsor's payment of debt service where such payments occur on or after March 27, 2020. Funds provided under the Grant will be

governed by the same principles that govern "airport revenue." New airport development projects may not be funded with this Grant unless and until the Grant Agreement is amended or superseded by a subsequent agreement that addresses and authorizes the use of funds for the airport development project.

NOW THEREFORE, in accordance with the applicable provisions of the CARES Act, Public Law 116-136, the representations contained in the Grant Application, and in consideration of, (a) the Sponsor's acceptance of this Offer; and, (b) the benefits to accrue to the United States and the public from the accomplishment of the Grant and in compliance with the conditions as herein provided,

THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay 100% percent of the allowable costs incurred as a result of and in accordance with this Grant Agreement.

Assistance Listings Number (Formerly CFDA Number): 20.106

This Offer is made on and **SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:**

CONDITIONS

1. **Maximum Obligation.** The maximum obligation of the United States payable under this Offer is \$6,647,475.
2. **Period of Performance.** The period of performance shall commence on the date the Sponsor formally accepts this agreement. The end date of the period of performance is 4 years (1,460 calendar days) from the date of acceptance.

The Sponsor may only charge allowable costs for obligations incurred prior to the end date of the period of performance (2 CFR § 200.309). Unless the FAA authorizes a written extension, the Sponsor must submit all Grant closeout documentation and liquidate (pay-off) all obligations incurred under this award no later than 90 calendar days after the end date of the period of performance (2 CFR § 200.343).

The period of performance end date shall not affect, relieve or reduce Sponsor obligations and assurances that extend beyond the closeout of this Grant Agreement.

3. **Unallowable Costs.** The Sponsor shall not seek reimbursement for any costs that the FAA has determined to be unallowable under the CARES Act.
4. **Indirect Costs - Sponsor.** The Sponsor may charge indirect costs under this award by applying the indirect cost rate identified in the Grant Application as accepted by the FAA, to allowable costs for Sponsor direct salaries and wages only.
5. **Final Federal Share of Costs.** The United States' share of allowable Grant costs will be 100%.
6. **Completing the Grant without Delay and in Conformance with Requirements.** The Sponsor must carry out and complete the Grant without undue delays and in accordance with this Grant Agreement, the CARES Act, and the regulations, policies, standards and procedures of the Secretary of Transportation ("Secretary"). Pursuant to 2 CFR § 200.308, the Sponsor agrees to report to the FAA any disengagement from funding eligible expenses under the Grant that exceeds three months and request prior approval from FAA. The report must include a reason for the stoppage. The Sponsor agrees to comply with the attached assurances, which are part of this agreement and any addendum that may be attached hereto at a later date by mutual consent.
7. **Amendments or Withdrawals before Grant Acceptance.** The FAA reserves the right to amend or withdraw this offer at any time prior to its acceptance by the Sponsor.

8. **Offer Expiration Date.** This offer will expire and the United States will not be obligated to pay any part of the costs unless this offer has been accepted by the Sponsor on or before July 2, 2020, or such subsequent date as may be prescribed in writing by the FAA.
9. **Improper Use of Federal Funds.** The Sponsor must take all steps, including litigation if necessary, to recover Federal funds spent fraudulently, wastefully, or in violation of Federal antitrust statutes, or misused in any other manner, including uses that violate this Grant Agreement, the CARES Act or other provision of applicable law. For the purposes of this Grant Agreement, the term “Federal funds” means funds however used or dispersed by the Sponsor, that were originally paid pursuant to this or any other Federal grant agreement(s). The Sponsor must return the recovered Federal share, including funds recovered by settlement, order, or judgment, to the Secretary. The Sponsor must furnish to the Secretary, upon request, all documents and records pertaining to the determination of the amount of the Federal share or to any settlement, litigation, negotiation, or other efforts taken to recover such funds. All settlements or other final positions of the Sponsor, in court or otherwise, involving the recovery of such Federal share require advance approval by the Secretary.
10. **United States Not Liable for Damage or Injury.** The United States is not responsible or liable for damage to property or injury to persons which may arise from, or relate to this Grant Agreement, including, but not limited to, any action taken by a Sponsor related to or arising from, directly or indirectly, this Grant Agreement.
11. **System for Award Management (SAM) Registration And Universal Identifier.** Unless the Sponsor is exempted from this requirement under 2 CFR § 25.110, the Sponsor must maintain the currency of its information in the SAM until the Sponsor submits the final financial report required under this Grant, or receives the final payment, whichever is later. This requires that the Sponsor review and update the information at least annually after the initial registration and more frequently if required by changes in information or another award term. Additional information about registration procedures may be found at the SAM website (currently at <http://www.sam.gov>).
12. **Electronic Grant Payment(s).** Unless otherwise directed by the FAA, the Sponsor must make each payment request under this agreement electronically via the Delphi eInvoicing System for Department of Transportation (DOT) Financial Assistance Awardees.
13. **Financial Reporting and Payment Requirements.** The Sponsor will comply with all Federal financial reporting requirements and payment requirements, including submittal of timely and accurate reports.
14. **Buy American.** Unless otherwise approved in advance by the FAA, the Sponsor will not acquire or permit any contractor or subcontractor to acquire any steel or manufactured products produced outside the United States to be used for any expense for which funds are provided under this Grant. The Sponsor will include a provision implementing applicable Buy American statutory and regulatory requirements in all contracts related to this Grant Agreement.
15. **Audits for Public Sponsors.** The Sponsor must provide for a Single Audit or program-specific audit in accordance with 2 CFR Part 200. The Sponsor must submit the audit reporting package to the Federal Audit Clearinghouse on the Federal Audit Clearinghouse’s Internet Data Entry System at <http://harvester.census.gov/facweb/>. Upon request of the FAA, the Sponsor shall provide one copy of the completed audit to the FAA.
16. **Suspension or Debarment.** When entering into a “covered transaction” as defined by 2 CFR § 180.200, the Sponsor must:
 - A. Verify the non-federal entity is eligible to participate in this Federal program by:

1. Checking the excluded parties list system (EPLS) as maintained within the System for Award Management (SAM) to determine if the non-federal entity is excluded or disqualified; or
 2. Collecting a certification statement from the non-federal entity attesting the entity is not excluded or disqualified from participating; or
 3. Adding a clause or condition to covered transactions attesting the individual or firm is not excluded or disqualified from participating.
- B. Require prime contractors to comply with 2 CFR § 180.330 when entering into lower-tier transactions (e.g. sub-contracts).
- C. Immediately disclose to the FAA whenever the Sponsor (1) learns the Sponsor has entered into a covered transaction with an ineligible entity, or (2) suspends or debars a contractor, person, or entity.

17. Ban on Texting While Driving.

- A. In accordance with Executive Order 13513, Federal Leadership on Reducing Text Messaging While Driving, October 1, 2009, and DOT Order 3902.10, Text Messaging While Driving, December 30, 2009, the Sponsor is encouraged to:
1. Adopt and enforce workplace safety policies to decrease crashes caused by distracted drivers including policies to ban text messaging while driving when performing any work for, or on behalf of, the Federal government, including work relating to this Grant or subgrant.
 2. Conduct workplace safety initiatives in a manner commensurate with the size of the business, such as:
 - a. Establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving; and
 - b. Education, awareness, and other outreach to employees about the safety risks associated with texting while driving.
- B. The Sponsor must insert the substance of this clause on banning texting while driving in all subgrants, contracts and subcontracts.

18. Trafficking in Persons.

- A. You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not –
1. Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
 2. Procure a commercial sex act during the period of time that the award is in effect; or
 3. Use forced labor in the performance of the award or subawards under the award.
- B. The FAA as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity –
1. Is determined to have violated a prohibition in paragraph A of this award term; or
 2. Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph A.1 of this award term through conduct that is either –

- a. Associated with performance under this award; or
 - b. Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR Part 180, "OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Nonprocurement)," as implemented by the FAA at 2 CFR Part 1200.
3. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph A during this award term.
 4. Our right to terminate unilaterally that is described in paragraph A of this section:
 - a. Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. § 7104(g)), and
 - b. Is in addition to all other remedies for noncompliance that are available to the FAA under this award.

19. Employee Protection from Reprisal.

A. Prohibition of Reprisals —

1. In accordance with 41 U.S.C. § 4712, an employee of a grantee or subgrantee may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to a person or body described in sub-paragraph (A)(2), information that the employee reasonably believes is evidence of:
 - a. Gross mismanagement of a Federal grant;
 - b. Gross waste of Federal funds;
 - c. An abuse of authority relating to implementation or use of Federal funds;
 - d. A substantial and specific danger to public health or safety; or
 - e. A violation of law, rule, or regulation related to a Federal grant.
2. Persons and bodies covered: The persons and bodies to which a disclosure by an employee is covered are as follows:
 - a. A member of Congress or a representative of a committee of Congress;
 - b. An Inspector General;
 - c. The Government Accountability Office;
 - d. A Federal office or employee responsible for oversight of a grant program;
 - e. A court or grand jury;
 - f. A management office of the grantee or subgrantee; or
 - g. A Federal or State regulatory enforcement agency.
3. Submission of Complaint — A person who believes that they have been subjected to a reprisal prohibited by paragraph A of this grant term may submit a complaint regarding the reprisal to the Office of Inspector General (OIG) for the U.S. Department of Transportation.
4. Time Limitation for Submittal of a Complaint — A complaint may not be brought under this subsection more than three years after the date on which the alleged reprisal took place.
5. Required Actions of the Inspector General — Actions, limitations, and exceptions of the Inspector General's office are established under 41 U.S.C. § 4712(b).
6. Assumption of Rights to Civil Remedy — Upon receipt of an explanation of a decision not to conduct or continue an investigation by the Office of Inspector General, the person submitting a complaint assumes the right to a civil remedy under 41 U.S.C. § 4712(c).

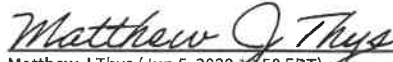
20. **Limitations.** Nothing provided herein shall be construed to limit, cancel, annul, or modify the terms of any Federal grant agreement(s), including all terms and assurances related thereto, that have been entered into by the Sponsor and the FAA prior to the date of this Grant Agreement.

SPECIAL CONDITIONS

1. **ARFF and SRE Equipment and Vehicles.** The Sponsor agrees that it will:
 - A. House and maintain the equipment in a state of operational readiness on and for the airport;
 - B. Provide the necessary staffing and training to maintain and operate the vehicle and equipment;
 - C. Restrict the vehicle to on-airport use only;
 - D. Restrict the vehicle to the use for which it was intended; and
 - E. Amend the Airport Emergency Plan and/or Snow and Ice Control Plan to reflect the acquisition of a vehicle and equipment.
2. **Equipment or Vehicle Replacement.** The Sponsor agrees that it will treat the proceeds from the trade-in or sale of equipment being replaced with these funds as airport revenue.
3. **Off-Airport Storage of ARFF Vehicle.** The Sponsor agrees that it will:
 - A. House and maintain the vehicle in a state of operational readiness for the airport;
 - B. Provide the necessary staffing and training to maintain and operate the vehicle;
 - C. Restrict the vehicle to airport use only;
 - D. Amend the Airport Emergency Plan to reflect the acquisition of the vehicle;
 - E. Within 60 days, execute an agreement with local government including the above provisions and a provision that violation of said agreement could require repayment of Grant funding; and
 - F. Submit a copy of the executed agreement to the FAA.
4. **Equipment Acquisition.** The Sponsor agrees that it will maintain Sponsor-owned and -operated equipment and use for purposes directly related to the airport.
5. **Utilities Proration.** For purposes of computing the United States' share of the allowable airport operations and maintenance costs, the allowable cost of utilities incurred by the Sponsor to operate and maintain airport(s) included in the Grant must not exceed the percent attributable to the capital or operating costs of the airport.
6. **Utility Relocation in Grant.** The Sponsor understands and agrees that:
 - A. The United States will not participate in the cost of any utility relocation unless and until the Sponsor has submitted evidence satisfactory to the FAA that the Sponsor is legally responsible for payment of such costs;
 - B. FAA participation is limited to those utilities located on-airport or off-airport only where the Sponsor has an easement for the utility; and
 - C. The utilities must serve a purpose directly related to the Airport.

The Sponsor's acceptance of this Offer and ratification and adoption of the Grant Application incorporated herein shall be evidenced by execution of this instrument by the Sponsor, as hereinafter provided, and this Offer and Acceptance shall comprise a Grant Agreement, as provided by the CARES Act, constituting the contractual obligations and rights of the United States and the Sponsor with respect to the accomplishment of the Grant and compliance with the assurances and conditions as provided herein. Such Grant Agreement shall become effective upon the Sponsor's acceptance of this Offer.

**UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION**



Matthew J Thys (Jun 5, 2020 10:50 EDT)

(Signature)

Matthew J. Thys

(Typed Name)

Manager, Washington Airports District Office

(Title of FAA Official)

Part II - Acceptance

The Sponsor does hereby ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the Grant Application and incorporated materials referred to in the foregoing Offer under Part II of this Agreement, and does hereby accept this Offer and by such acceptance agrees to comply with all of the terms and conditions in this Offer and in the Grant Application.

Please read the following information: By signing this document, you are agreeing that you have reviewed the following consumer disclosure information and consent to transact business using electronic communications, to receive notices and disclosures electronically, and to utilize electronic signatures in lieu of using paper documents. You are not required to receive notices and disclosures or sign documents electronically. If you prefer not to do so, you may request to receive paper copies and withdraw your consent at any time.

I declare under penalty of perjury that the foregoing is true and correct.

Dated Jun 8, 2020

City of Lynchburg

(Name of Sponsor)

Bonnie Svrcek

Bonnie Svrcek (Jun 8, 2020 11:00 EDT)

(Signature of Sponsor's Authorized Official)

By: Bonnie Svrcek

(Typed Name of Sponsor's Authorized Official)

Title: City Manager

(Title of Sponsor's Authorized Official)

CERTIFICATE OF SPONSOR'S ATTORNEY

I, Walter C. Erwin, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of Virginia. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the CARES Act. The Sponsor understands funding made available under this Grant Agreement may only be used to reimburse for airport operational and maintenance expenses, and debt service payments. The Sponsor further understands it may submit a separate request to use funds for new airport/project development purposes, subject to additional terms, conditions, and assurances. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Please read the following information: By signing this document, you are agreeing that you have reviewed the following consumer disclosure information and consent to transact business using electronic communications, to receive notices and disclosures electronically, and to utilize electronic signatures in lieu of using paper documents. You are not required to receive notices and disclosures or sign documents electronically. If you prefer not to do so, you may request to receive paper copies and withdraw your consent at any time.

Dated at Jun 11, 2020

By: Walter C. Erwin
Walter C. Erwin (Jun 11, 2020 09:28 EDT)
(Signature of Sponsor's Attorney)

CARES ACT ASSURANCES

AIRPORT SPONSORS

A. General.

1. These assurances are required to be submitted as part of the application by sponsors requesting funds under the provisions of the Coronavirus Aid, Relief, and Economic Security Act of 2020 (CARES Act or "the Act"), Public Law 116-136. As used herein, the term "public agency sponsor" means a public agency with control of a public-use airport; the term "private sponsor" means a private owner of a public-use airport; and the term "sponsor" includes both public agency sponsors and private sponsors.
2. Upon acceptance of this Grant offer by the sponsor, these assurances are incorporated into and become part of this Grant Agreement.

B. Sponsor Certification.

The sponsor hereby assures and certifies, with respect to this Grant that:

It will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance, and use of Federal funds for this Grant including but not limited to the following:

FEDERAL LEGISLATION

- a. Federal Fair Labor Standards Act — 29 U.S.C. 201, et seq.
- b. Hatch Act — 5 U.S.C. 1501, et seq.
- c. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 Title 42 U.S.C. 4601, et seq.
- d. National Historic Preservation Act of 1966 — Section 106 - 16 U.S.C. 470(f).
- e. Archeological and Historic Preservation Act of 1974 — 16 U.S.C. 469 through 469c.
- f. Native Americans Grave Repatriation Act — 25 U.S.C. Section 3001, et seq.
- g. Clean Air Act, P.L. 90-148, as amended.
- h. Coastal Zone Management Act, P.L. 93-205, as amended.
- i. Flood Disaster Protection Act of 1973 — Section 102(a) - 42 U.S.C. 4012a.
- j. Title 49, U.S.C., Section 303, (formerly known as Section 4(f)).
- k. Rehabilitation Act of 1973 — 29 U.S.C. 794.
- l. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252) (prohibits discrimination on the basis of race, color, national origin).
- m. Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 et seq.), prohibits discrimination on the basis of disability).
- n. Age Discrimination Act of 1975 — 42 U.S.C. 6101, et seq.
- o. American Indian Religious Freedom Act, P.L. 95-341, as amended.
- p. Architectural Barriers Act of 1968 — 42 U.S.C. 4151, et seq.
- q. Power plant and Industrial Fuel Use Act of 1978 — Section 403- 2 U.S.C. 8373.

- r. Contract Work Hours and Safety Standards Act — 40 U.S.C. 327, et seq.
- s. Copeland Anti-kickback Act — 18 U.S.C. 874.1.
- t. National Environmental Policy Act of 1969 — 42 U.S.C. 4321, et seq.
- u. Wild and Scenic Rivers Act, P.L. 90-542, as amended.
- v. Single Audit Act of 1984 — 31 U.S.C. 7501, et seq.
- w. Drug-Free Workplace Act of 1988 — 41 U.S.C. 702 through 706.
- x. The Federal Funding Accountability and Transparency Act of 2006, as amended (Pub. L. 109-282, as amended by section 6202 of Pub. L. 110-252).

EXECUTIVE ORDERS

- a. Executive Order 11246 – Equal Employment Opportunity
- b. Executive Order 11990 – Protection of Wetlands
- c. Executive Order 11998 – Flood Plain Management
- d. Executive Order 12372 – Intergovernmental Review of Federal Programs
- e. Executive Order 12699 – Seismic Safety of Federal and Federally Assisted New Building Construction
- f. Executive Order 12898 – Environmental Justice
- g. Executive Order 13788 – Buy American and Hire American
- h. Executive Order 13858 – Strengthening Buy-American Preferences for Infrastructure Projects

FEDERAL REGULATIONS

- a. 2 CFR Part 180 – OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement).
- b. 2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
- c. 2 CFR Part 1200 – Nonprocurement Suspension and Debarment.
- d. 28 CFR Part 35 – Discrimination on the Basis of Disability in State and Local Government Services.
- e. 28 CFR § 50.3 – U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964.
- f. 29 CFR Part 1 – Procedures for predetermination of wage rates.
- g. 29 CFR Part 3 – Contractors and subcontractors on public building or public work financed in whole or part by loans or grants from the United States.
- h. 29 CFR Part 5 – Labor standards provisions applicable to contracts covering Federally financed and assisted construction (also labor standards provisions applicable to non-construction contracts subject to the Contract Work Hours and Safety Standards Act).
- i. 41 CFR Part 60 – Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor (Federal and Federally assisted contracting requirements).
- j. 49 CFR Part 20 – New restrictions on lobbying.

- k. 49 CFR Part 21 – Nondiscrimination in Federally-assisted programs of the Department of Transportation - effectuation of Title VI of the Civil Rights Act of 1964.
- l. 49 CFR Part 26 – Participation by Disadvantaged Business Enterprises in Department of Transportation Program .49 CFR Part 27 — Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance.
- m. 49 CFR Part 28 – Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities conducted by the Department of Transportation.
- n. 49 CFR Part 30 – Denial of public works contracts to suppliers of goods and services of countries that deny procurement market access to U.S. contractors.
- o. 49 CFR Part 32 – Government-wide Requirements for Drug-Free Workplace (Financial Assistance).
- p. 49 CFR Part 37 – Transportation Services for Individuals with Disabilities (ADA).
- q. 49 CFR Part 41 – Seismic safety of Federal and Federally assisted or regulated new building construction.

SPECIFIC ASSURANCES

Specific assurances required to be included in grant agreements by any of the above laws, regulations, or circulars are incorporated by reference in this Grant Agreement.

1. Purpose Directly Related to the Airport

It certifies that the reimbursement sought is for a purpose directly related to the airport.

2. Responsibility and Authority of the Sponsor.

a. Public Agency Sponsor:

It has legal authority to apply for this Grant, and to finance and carry out the proposed grant; that an official decision has been made by the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

b. Private Sponsor:

It has legal authority to apply for this Grant and to finance and carry out the proposed Grant and comply with all terms, conditions, and assurances of this Grant Agreement. It shall designate an official representative and shall in writing direct and authorize that person to file this application, including all understandings and assurances contained therein; to act in connection with this application; and to provide such additional information as may be required.

3. Good Title.

It, a public agency or the Federal government, holds good title, satisfactory to the Secretary, to the landing area of the airport or site thereof, or will give assurance satisfactory to the Secretary that good title will be acquired.

4. Preserving Rights and Powers.

- a. It will not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in this Grant

Agreement without the written approval of the Secretary, and will act promptly to acquire, extinguish, or modify any outstanding rights or claims of right of others which would interfere with such performance by the sponsor. This shall be done in a manner acceptable to the Secretary.

- b. If the sponsor is a private sponsor, it will take steps satisfactory to the Secretary to ensure that the airport will continue to function as a public-use airport in accordance with this Grant Agreement.
- c. If an arrangement is made for management and operation of the airport by any agency or person other than the sponsor or an employee of the sponsor, the sponsor will reserve sufficient rights and authority to insure that the airport will be operated and maintained in accordance Title 49, United States Code, the regulations, and the terms and conditions of this Grant Agreement.

5. Accounting System, Audit, and Record Keeping Requirements.

- a. It shall keep all Grant accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of this Grant, the total cost of the Grant in connection with which this Grant is given or used, and the amount or nature of that portion of the cost of the Grant supplied by other sources, and such other financial records pertinent to the Grant. The accounts and records shall be kept in accordance with an accounting system that will facilitate an effective audit in accordance with the Single Audit Act of 1984.
- b. It shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and examination, any books, documents, papers, and records of the recipient that are pertinent to this Grant. The Secretary may require that an appropriate audit be conducted by a recipient. In any case in which an independent audit is made of the accounts of a sponsor relating to the disposition of the proceeds of a Grant or relating to the Grant in connection with which this Grant was given or used, it shall file a certified copy of such audit with the Comptroller General of the United States not later than six (6) months following the close of the fiscal year for which the audit was made.

6. Exclusive Rights.

The sponsor shall not grant an exclusive right to use an air navigation facility on which this Grant has been expended. However, providing services at an airport by only one fixed-based operator is not an exclusive right if—

- a. it is unreasonably costly, burdensome, or impractical for more than one fixed-based operator to provide the services; and
- b. allowing more than one fixed-based operator to provide the services requires a reduction in space leased under an agreement existing on September 3, 1982, between the operator and the airport.

7. Airport Revenues.

This Grant shall be available for any purpose for which airport revenues may lawfully be used. CARES Act Grant funds provided under this Grant Agreement will only be expended for the capital or operating costs of the airport; the local airport system; or other local facilities which are owned or operated by the owner or operator of the airport(s) subject to this agreement and all applicable addendums.

8. Reports and Inspections.

It will:

- a. submit to the Secretary such annual or special financial and operations reports as the Secretary may reasonably request and make such reports available to the public; make available to the public at reasonable times and places a report of the airport budget in a format prescribed by the Secretary;
- b. in a format and time prescribed by the Secretary, provide to the Secretary and make available to the public following each of its fiscal years, an annual report listing in detail:
 1. all amounts paid by the airport to any other unit of government and the purposes for which each such payment was made; and
 2. all services and property provided by the airport to other units of government and the amount of compensation received for provision of each such service and property.

9. Civil Rights.

It will promptly take any measures necessary to ensure that no person in the United States shall, on the grounds of race, creed, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any activity conducted with, or benefiting from, funds received from this Grant.

- a. Using the definitions of activity, facility, and program as found and defined in §§ 21.23 (b) and 21.23 (e) of 49 CFR Part 21, the sponsor will facilitate all programs, operate all facilities, or conduct all programs in compliance with all non-discrimination requirements imposed by or pursuant to these assurances.
- b. Applicability
 1. Programs and Activities. If the sponsor has received a grant (or other Federal assistance) for any of the sponsor's program or activities, these requirements extend to all of the sponsor's programs and activities.
 2. Facilities. Where it receives a grant or other Federal financial assistance to construct, expand, renovate, remodel, alter, or acquire a facility, or part of a facility, the assurance extends to the entire facility and facilities operated in connection therewith.
 3. Real Property. Where the sponsor receives a grant or other Federal financial assistance in the form of, or for the acquisition of, real property or an interest in real property, the assurance will extend to rights to space on, over, or under such property.

- c. Duration

The sponsor agrees that it is obligated to this assurance for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the assurance obligates the sponsor, or any transferee for the longer of the following periods:

1. So long as the airport is used as an airport, or for another purpose involving the provision of similar services or benefits; or
2. So long as the sponsor retains ownership or possession of the property.

Required Solicitation Language. It will include the following notification in all solicitations for bids, Requests for Proposals for work, or material under this Grant and in all proposals for agreements, including airport concessions, regardless of funding source:

“The City of Lynchburg, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that for any contract entered into pursuant to this advertisement, disadvantaged business enterprises and airport concession disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.”

d. Required Contract Provisions.

1. It will insert the non-discrimination contract clauses requiring compliance with the acts and regulations relative to non-discrimination in Federally-assisted programs of the DOT, and incorporating the acts and regulations into the contracts by reference in every contract or agreement subject to the non-discrimination in Federally-assisted programs of the DOT acts and regulations.
2. It will include a list of the pertinent non-discrimination authorities in every contract that is subject to the non-discrimination acts and regulations.
3. It will insert non-discrimination contract clauses as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a sponsor.
4. It will insert non-discrimination contract clauses prohibiting discrimination on the basis of race, color, national origin, creed, sex, age, or handicap as a covenant running with the land, in any future deeds, leases, license, permits, or similar instruments entered into by the sponsor with other parties:
 - A. For the subsequent transfer of real property acquired or improved under the applicable activity, grant, or program; and
 - B. For the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, grant, or program.
- e. It will provide for such methods of administration for the program as are found by the Secretary to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the acts, the regulations, and this assurance.
- f. It agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the acts, the regulations, and this assurance.

10. Foreign Market Restrictions.

It will not allow funds provided under this Grant to be used to fund any activity that uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade Representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.

11. Acquisition Thresholds.

The FAA deems equipment to mean tangible personal property having a useful life greater than one year and a per-unit acquisition cost equal to or greater than \$5,000. Procurements by micro-purchase means the acquisition of goods or services for which the aggregate dollar amount does not exceed \$10,000. Procurement by small purchase procedures means those relatively simple and informal procurement methods for securing goods or services that do not exceed the \$250,000 threshold for simplified acquisitions.

Application for Federal Assistance SF-424***1. Type of Submission:**

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

***2. Type of Application**

- ☒ New
☐ Continuation
☐ Revision

*** If Revision, select appropriate letter(s):**

NA

*** Other (Specify)**

NA

***3. Date Received:**

NA

4. Applicant Identifier:

LYH

5a. Federal Entity Identifier:

51-0029

5b. Federal Award Identifier:*State Use Only:****6. Date Received by State:****7. State Application Identifier:****8. APPLICANT INFORMATION:*****a. Legal Name:** City of Lynchburg***b. Employer/Taxpayer Identification Number (EIN/TIN):**

54-6001405

***c. Organizational DUNS:**

010038073

d. Address:***Street 1:** 350 Terminal Drive**Street 2:** Suite 100***City:** Lynchburg**County:** Campbell***State:** VA**Province:*****Country:** USA: United States***Zip / Postal Code** 24502-5271**e. Organizational Unit:****Department Name:**

Lynchburg Regional Airport

Division Name:**f. Name and contact information of person to be contacted on matters involving this application:****Prefix:** Mr. ***First Name:** Andrew**Middle Name:*****Last Name:** LaGala**Suffix:****Title:** Airport Director**Organizational Affiliation:**

Lynchburg Regional Airport

Telephone Number:** (434) 455-6089**Fax Number:** (434) 239-9027Email:** andrew.lagala@lynchburgva.gov

Application for Federal Assistance SF-424

***9. Type of Applicant 1: Select Applicant Type:**

X. Airport Sponsor

Type of Applicant 2: Select Applicant Type:

NA

Type of Applicant 3: Select Applicant Type:

NA

*Other (Specify)

NA

***10. Name of Federal Agency:**

11. Catalog of Federal Domestic Assistance Number:

20.106

CFDA Title:

Airport Improvement Program

***12. Funding Opportunity Number:**

*Title:

NA

13. Competition Identification Number:

Title:

NA

14. Areas Affected by Project (Cities, Counties, States, etc.):

***15. Descriptive Title of Applicant's Project:**

Any purpose for which airport funds may be lawfully used, as found in the Office of Airports Revenue Use Policy, except airport development or land acquisition.

Attach supporting documents as specified in agency instructions.

Application for Federal Assistance SF-424	
16. Congressional Districts Of:	
*a. Applicant: VA-006	*b. Program/Project: VA-006
Attach an additional list of Program/Project Congressional Districts if needed.	
17. Proposed Project:	
*a. Start Date: NA	*b. End Date: NA
18. Estimated Funding (\$):	
*a. Federal	\$ 6,647,475
*b. Applicant	
*c. State	
*d. Local	
*e. Other	
*f. Program Income	
*g. TOTAL	\$ 6,647,475
*19. Is Application Subject to Review By State Under Executive Order 12372 Process?	
☐ a. This application was made available to the State under the Executive Order 12372 Process for review on _____.	
☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.	
☒ c. Program is not covered by E. O. 12372	
*20. Is the Applicant Delinquent On Any Federal Debt?	
☐ Yes ☒ No	
If "Yes", explain:	
21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)	
☒ ** I AGREE	
** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.	
Authorized Representative:	
Prefix: Mr.	*First Name: Andrew
Middle Name:	
*Last Name: LaGala	
Suffix:	
*Title: Airport Dirrector	
*Telephone Number: (434) 455-6089	Fax Number: (434) 239-9027
* Email: andrew.lagala@lynchburgva.gov	
*Signature of Authorized Representative: Andrew Lagala	Digitally signed by Andrew Lagala Date: 2020.05.05 09:55:00 -04'00'
*Date Signed: 05-05-2020	

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **June 23, 2020**

AGENDA ITEM #: **15**

CONSENT: REGULAR: **X**
ACTION: INFORMATION: **X**

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Report from Lynchburg Police Department Regarding Recent Community Concerns and Feedback

KEY ELEMENTS:

☒ Economic Development ☒ Excellent Government ☐ Natural and Built Environment ☒ Safe Community ☒ Vibrant Community

RECOMMENDATION: Hear a report from the Chief of Police regarding an overview of how LPD is addressing community concerns and feedback.

SUMMARY: The Lynchburg Police Department (LPD) has served the City since 1805. Over the past 215 years, as our community has changed, we have worked with our residents to ensure that we are meeting their needs. The LPD strives to be the most well-trained, professional, and forward-thinking department in Virginia. Chief Zuidema will provide a presentation outlining the department's current policy and procedures as well as plans for future changes that will address concerns and feedback from our community.

PRIOR ACTION(S): None.

FISCAL IMPACT: None.

CONTACT(S): Ryan Zuidema, Chief of Police, 434-455-6045

ATTACHMENT(S):

LPD 21st Century Policing
LPD Police Department Accountability and Transparency
Powerpoint Presentation

REVIEWED BY: bms

081R



Recommendations of President Obama's Task Force on 21st Century Policing **Lynchburg Police Department (LPD) Response in Navy**

Pillar 1: Building Trust and Legitimacy: Procedural justice should be the guiding principle for both citizen-police interactions as well as for internal policies and practices in police agencies (e.g., involving employees in organizational change and revisions to disciplinary procedures).

- Police should focus on a number of trust-building activities, including emphasizing non-enforcement activities in communities and schools and increasing transparency through information sharing. They should also consider the potential consequences of crime fighting strategies for resident trust.
 - The LPD has been involved in dozens of community activities for many years. The list below includes some examples of activities we are currently involved in and have participated in during previous years.
 - Neighborhood Watch
 - Citizens Police Academy
 - Criminology Class at E.C Glass High School
 - One Community One Voice
 - Community Code Compliance Team
 - Lynchburg Loss Prevention Association
 - Business/Residential Security Assessments
 - College Cadet Program
 - Ride Along Program
 - South West Virginia Prevention Association
 - Presentations (Personal Safety and Know Your Rights)
 - Unity in Our Community Books and Badges – SRO
 - Salvation Army Christmas Kettle Campaign
 - Badges for Baseball and Basketball with the Boys and Girls Club
 - Badges and Barbers
 - Rape Aggression Defense
 - Car Seat Safety Checks- Traffic
 - Mental Health Association of Central Virginia
 - Commonwealth Autism Board
 - YWCA Advisory Board
 - Horizon Behavioral Health Board
 - Drug Court Advisory Board
 - The Lynchburg Optimist Club
 - Bicycle Safety Programs
 - The Exchange Club of Lynchburg
 - Virginia Alcohol Safety Action Program Board



- CASA Advisory Board
- Blue Ridge Regional Safety Board
- All Lynchburg City Schools middle and high schools have a School Resource Officer (SRO) assigned. These SROs are not just with students during the school day – they cheer them on at basketball games, graduations, and provide guidance to school administrators when needed, even if they're not working.
- The LPD is committed to transparency. When we make a mistake, we will own it and create policy and procedure to ensure it does not happen again. We have had our policies online since 2017. When residents file a complaint, they receive notification informing them of the outcome.
- Our Community Action Team is committed to building trust with our residents and addressing non-emergency needs, such as neighborhood issues with a vacant building that individuals are using for criminal activity.
- The LPD is dedicated to Intelligence-Led Policing, which is a proactive data-driven strategy for crime reduction in our community.
- Agencies should track the community's level of trust through annual community surveys.
 - This is an area in which the LPD is working to improve. We plan to conduct annual community surveys going forward.
- Agencies should strive to be as diverse as possible with respect to race, ethnicity, gender, religion, and sexual orientation.
 - This is a priority for the LPD, however, we are woefully behind in this area. Currently, the LPD is 85% white. We need the community's help so that our department better reflects the diverse fabric of our city.
 - We are instituting a diversity committee in the department to help inform decisions going forward.
- Agencies should use residency incentive programs to encourage officers to reside in public housing to improve citizen-police exchanges and public safety.
 - This topic has been discussed in the past but the City has not approved any incentives.
 - Other discussions included a take-home car incentive for those employees living in the City, however, funding is needed for both of these options.
- Agencies should work to build trust in immigrant communities and decouple immigration enforcement from local policing.
 - The LPD acknowledges this is an area we need to improve. We are working to better engage our immigrant communities and have started filming our community videos in both Spanish and English. We also are discussing this



internally to determine how we can ensure all our residents feel comfortable calling us for help when they need it.

- As a local law enforcement agency, the LPD cannot and does not enforce federal immigration laws.

Pillar 2: Policy and Oversight: Police departments should strive to reduce discrimination and disparity both within the organization as well as in the actions of officers.

- Police organizations should have clear and consistent departmental policies guiding the use of force, and those policies need to be made public. These policies should also set clear parameters for the release of information to the public on these incidents.
 - LPD policies, including Use of Force, are on our website.
 - The LPD is working toward defining the release of this information with our Community Policing Advisory Group (CPAG).
- Police officers should be encouraged to use alternative tools in lieu of use of force when possible, and use of force training should include de-escalation techniques and alternatives to arrests or summonses when appropriate.
 - The LPD has alternatives to arrest policy and train in many de-escalation procedures such as Crisis Intervention Team, tactical communications, and verbal judo.
 - However, we recognize this is an area for improvement and will have a standalone de-escalation training for all officers going forward.
- Agencies should refrain from using practices such as quotas for traffic or pedestrian stops, tickets, and summonses that are not directly related to improving public safety (such as for generating revenue).
 - The LPD does not and has never had quotas.
- Incidents involving suspect death or officer-involved shootings should be subject to both external and internal oversight. These oversight mechanisms include, but are not limited to, external review boards, serious incident review boards, and independent investigation and prosecution.
 - The Virginia State Police works every officer involved shooting/suspect death.
 - The LPD Internal Investigation team investigates every officer involved shooting/suspect death.
 - The LPD has reviewed each of these with CPAG, showed video, and provided information on where we needed to improve or we were wrong.
 - We are working with CPAG to develop an external review board that will supplement our current review process.



- Police departments should also implement non-punitive peer review in situations involving critical incidents, sometimes referred to as “near misses” or “sentinel events.” More generally, departments should include some form of civilian oversight, which should be defined both in form and structure by the needs of the community they serve.
 - Again, the LPD is working with CPAG to determine the best path forward for an external review board that will supplement our current review process.
 - We have a peer support system that officers can utilize when needed.
 - All critical incidents are debriefed with the involved officers to identify areas for improvement.
- Police departments should collect and maintain data on all incidents involving the use of force. Data like these can be analyzed and help provide context to police action.
 - The LPD collects Use of Force data and provides this information to the Virginia State Police and the Federal Bureau of Investigation. We have reported Use of Force information to the FBI since 2019, and are one of only 40% of all departments across the country that voluntarily reports this information to the FBI.
 - We are exploring how best to provide this data on regular basis to our community going forward. We are currently working on a new website that will have a page dedicated to providing this information.
- Law enforcement agencies should create policies and procedures for policing mass demonstrations that employ a continuum of managed tactical resources that are designed to minimize the appearance of a military operation and avoid using provocative tactics and equipment that undermine civilian trust.
 - It is critical to balance appearance with officer safety. During the riots the week of May 31, three officers were injured and others were shot at both in a vehicle and near Miller Park.
 - Whenever safe and practical, demonstrations are managed by uniformed patrol officers deployed in their day-to-day uniform and related equipment (as demonstrated over the past several weeks, after the first two nights of violent activity).

Pillar 3: Technology and Social Media: The federal government should develop national standards and guidance to address best practices, constitutionality, and privacy concerns surrounding police technologies. Local police agencies should consider these national standards, as well as local needs, in technology adoption.

- The federal government should specifically expand the development and evaluation of less-lethal weapons for police.



- Less lethal options that the LPD currently uses include:
 - Taser
 - Pepper Spray (OC)
 - 40mm sponge rounds
 - Long Range Acoustical Device creates distance and time to avoid using weapons
- Over the past five years, the LPD has spent an increasing amount of time negotiating with individuals and using less-lethal force. Examples include:
 - McVeigh Road: 20+ hours
 - Jefferson Ridge Parkway: 10+ hours
 - Birchwood Apartments: 4+ hours
 - Jackson Street: 5+ hours
- Police should engage the public when developing policies for new technologies and evaluate technologies using input from the community and from personnel throughout their agencies. Additionally, police should adopt model policies and best practices for community engagement using technologies like social media and the internet.
 - The LPD created its Body-Worn Camera (BWC) Policy in consultation with CPAG. The Department of Justice gave this policy a perfect score after reviewing it and other agencies have used it as a model.
 - Last year, the LPD hired a Community Relations Coordinator to tell our story through several channels, including social media.
 - We are creating a new website that will be easy to navigate and will provide additional capabilities for our residents.
 - Other technology we have implemented includes a new in-car camera system that syncs with BWCs, automatic vehicle locators, GPS, and Taser deployments that track electronically when downloaded.
 - The LPD also has new internal affairs software and an early intervention system to better track potential issues with officers.
 - The LPD has been a nationally accredited law enforcement agency through the Commission on Accreditation for Law Enforcement Agencies (CALEA) since 1989. All LPD policies are reviewed and approved through this organization on a regular basis.
- Law enforcement agencies should review and consider the Bureau of Justice Assistance's (BJA) Body Worn Camera Toolkit to assist in implementing body-worn cameras (BWCs).
 - When the LPD implemented its BWC policy, we followed these guidelines.



Pillar 4: Community Policing and Crime Reduction: Collaborating with multiple individuals and organizations to “co-produce” public safety.

- Infusing community policing throughout the police organization.
 - Community Policing has always been the backbone of our department. From bike patrols to our Community Action Team, understanding the needs of our community is what drives the LPD.
 - Our officers are encouraged to get out into the community to know the residents on their beats when they are not on calls.
 - LPD members are involved with a number of organizations in the community as board members, coaches, and mentors.
- Ensuring all members of society—particularly those who are vulnerable—are treated with dignity and respect;
 - We train and re-train our officers in Fair and Impartial Policing and expect dignity and respect in all interactions with the community.
 - Out of 300,000 documented interactions over the past five years, the LPD has just 205 complaints. Of those 205 complaints, 54 were generated internally. This means that only .05% of all interactions with our residents resulted in someone outside the LPD filing a complaint against an officer.
 - Officers use force in less than 0.1% of all interactions.
 - We currently have about 100 employees trained through our Crisis Intervention Team and will send additional staff through training when it resumes.
 - The LPD worked with Horizon Behavioral Health to apply for a federal grant that would embed a mental health professional with an officer to answer calls for service that involve an individual in mental health crisis. We will hear back about this grant in the fall.
- Reducing the marginalization of at-risk youth and ensuring youth have a voice in community processes.
 - The LPD is involved with many organizations that address this item, including:
 - Boys and Girls Club
 - Jubilee
 - Big Brothers Big Sisters
 - SRO program
 - YOVASO (Heritage High)
 - Additionally, we participated in student and community meetings at E.C. Glass earlier this year to hear from our youth.



- Reducing law enforcement involvement in school discipline and enhancing school, community, and youth-led responses.
 - The LPD instituted a Memorandum of Understanding with Lynchburg City Schools several years ago to address this need.

Pillar 5: Training and Education: Include more community input and engagement into police training and integrate leadership training throughout officers' careers.

- Integrate new training into existing curricula, including modules on crisis intervention and responding to mentally ill individuals; implicit bias and improving social interactions; addiction; policing in a democratic society; and responding to diverse communities, in particular minority, LGBTQ, Muslim, and immigrant communities.
 - Each of these topics are covered in trainings such as Crisis Intervention Team, Fair and Impartial Policing as well as during the basic academy and once every two years for the Department of Criminal Justice Services (DCJS).
 - The LPD is committed to implementing a co-responder method involving a mental health professional when appropriate funding is available.
 - We had planned to have a recruiting booth at Hill City Pride event that was cancelled.
 - We are preparing a standalone LGBTQ policy using best practices and guidance from other departments.
- Incentivize and encourage higher education for officers.
 - The City had this incentive many years ago, but discontinued it in the 1990s.
 - The LPD does allow education points for promotion to certain ranks. Higher education is required for promotion at certain ranks.
 - The City does offer tuition assistance. We have also considered a repayment program of student loans within the LPD, but funding is an issue.

Pillar 6: Officer Wellness and Safety: Law enforcement agencies should promote wellness and safety at all levels of the organization, as well as regularly collect and analyze data on officer deaths, injuries, "near misses," and other measures of health and wellness that supports this goal.

- Shift lengths should be scientifically supported to reduce fatigue and stress that can negatively impact performance.
 - Based on many years of trials in the department, 12-hour rotating shifts have proven the most desirable for work and family life.
 - Moving to 8- or 10-hour shifts requires significantly more personnel to staff.



- Law enforcement agencies should promote well-established safety measures such as wearing ballistic vests and seat belts, having easy access to tactical first aid kits and first aid training, and using vehicle collision prevention measures.
 - The LPD has these safety measures in place:
 - Mandatory vest policy based on assignment
 - Mandatory seat belt policy
 - All officers have tourniquets
 - DCJS requires all officers receive first aid training/CPR
 - A policy on vehicle pursuits that stresses both citizen and officer safety
 - The LPD has implemented a wellness program that includes physical wellness, emotional wellness, and financial wellness. Additionally, all officers are required to complete annual mental health assessments.



Lynchburg Police Department Accountability and Transparency

A. Lynchburg Police Department (LPD) Foundations

1. **Hiring Process.** Only 2-3% of applicants are hired after a thorough vetting process that includes the following:
 - (a) Personal History Statement
 - (b) Preliminary background check (DMV, Criminal History, and Credit History)
 - (c) Physical Agility Test
 - (d) Written Test
 - (e) Oral Review Board
 - (f) Polygraph Examination
 - (g) Background Investigation
 - (h) Conditional Offer of Employment
 - (i) Medical Examination
 - (j) Psychological Examination
 - (k) Command Staff Review
2. **Ongoing Review.** Throughout their careers, officers receive ongoing performance reviews and evaluations that include:
 - (a) Annual evaluations
 - (b) Review of all Uses of Force (UoF)
 - (c) Quarterly review of Body-Worn Cameras (BWCs)
 - (d) Debriefs of critical incidents
 - (e) Annual mental wellness checks
 - (f) The Virginia State Police investigate all officer-involved shootings.
 - (g) Accountability: Since 2001, the LPD has had 54 individuals fired or resign in lieu of termination.
3. **Proactive strategies.** The LPD prides itself on exceeding industry standards and providing a level of service to our community that serves as a model for other agencies.
 - (a) LPD policies have been on our website since 2017.
 - (b) We instituted a BWC program in 2016.
 - (c) We created a Community Policing Advisory Group (CPAG) in 2015 that advises on policy, procedure, and reviews critical incidents.
 - (d) The LPD collects Use of Force data and provides this information to the Virginia State Police and the Federal Bureau of Investigation. We have reported Use of Force information to the FBI since January 2019, and are one of only 40% of all departments across the country that voluntarily reports this information to the FBI.



- (e) IAPro, Blueteam, and Early Intervention System are employee management systems that the LPD uses to thoroughly track all aspects of performance and complaints.
 - (f) Increased our social media footprint and reach to share important information with the public in as many formats as possible.
 - (g) Long Range Acoustic Device provides improved communication and volume in critical incidents, which allows both a suspect and residents to hear what we need them to do so everyone remains safe.
 - (h) The LPD worked with Horizon Behavioral Health to apply for a federal grant that would embed a mental health professional with an officer to answer calls for service that involve an individual in mental health crisis. We will hear back about this grant in the fall.
4. Training. After officers complete six months of training in the basic academy, they are required to undergo a minimum of 40 hours of additional training every two years. Below are some examples of training related to understanding implicit bias and de-escalation tactics.
- (a) Fair and Impartial Policing
 - (b) Excited Delirium
 - (c) Crisis Intervention Team
 - (d) Tactical Communication
 - (e) Verbal Judo
 - (f) Cultural Diversity
 - (g) Autism Awareness
 - (h) Communicating with the Mentally Ill
 - (i) Handling Mental Illness Calls for Service
 - (j) Best Practices for Dealing with Emotionally Disturbed Persons
 - (k) Threat Assessments of the Mentally Ill
5. Certification. The LPD has been certified by the Commission on Accreditation for Law Enforcement Agencies (CALEA) since 1989. This certification requires us to meet and maintain compliance with hundreds of standards.
6. Community Policing. The LPD has incorporated Community Policing as a organizational philosophy for many years. We are dedicated to partnering with our community to ensure our residents know and trust their police officers. The items below are just some of the many way we engage with our community to build this trust.
- (a) Community Policing Advisory Group
 - (b) Neighborhood Watch
 - (c) Citizens Police Academy
 - (d) Criminology Class at E.C Glass High School
 - (e) One Community One Voice
 - (f) Community Code Compliance Team



- (g) Lynchburg Loss Prevention Association
- (h) Business/Residential Security Assessments
- (i) College Cadet Program
- (j) Ride Along Program
- (k) South West Virginia Prevention Association
- (l) Presentations (Personal Safety and Know Your Rights)
- (m) Unity in Our Community
- (n) Books and Badges
- (o) Salvation Army Christmas Kettle Campaign
- (p) Badges for Baseball and Basketball with the Boys and Girls Club
- (q) Badges and Barbers
- (r) Rape Aggression Defense
- (s) Car Seat Safety Checks
- (t) Mental Health Association of Central Virginia
- (u) Commonwealth Autism Board
- (v) YWCA Advisory Board
- (w) Horizon Behavioral Health Board
- (x) Drug Court Advisory Board
- (y) The Lynchburg Optimist Club
- (z) Bicycle Safety Programs
- (aa) The Exchange Club of Lynchburg
- (bb) Virginia Alcohol Safety Action Program Board
- (cc) CASA Advisory Board
- (dd) Blue Ridge Regional Safety Board

B. LPD Present

1. Immediately following the tragic events in Minneapolis, we took an introspective look to ensure our practices and policies were aligned to safeguard our community. We are still in the process of formally updating policy, however, the following became effective Wednesday, June 10, 2020 and serves as an operational memorandum until the appropriate written directives can be updated.
 - (a) Use of Force:
 - (1) The Lynchburg Police Department has banned the use of chokeholds for at least the last 50 years. Sworn employees are never authorized to use the chokehold technique or any type of neck restraint unless deadly force is authorized.
 - (2) Duty to Intervene: Sworn employees have an obligation to protect the public and other employees.
 - (3) It shall be the duty of every sworn employee present at any scene where physical force is being applied to either stop or attempt to stop another sworn employee when force is being inappropriately applied or is no longer required.



(4) It shall be the duty of every sworn employee who witnesses inappropriate action by another officer to report that inappropriate action as soon as possible.

(b) Body-Worn Camera Systems: All sworn employees, including specialty units such as the Tactical Unit and Crisis Negotiation Team, must wear and activate their body-worn camera (BWC) system anytime they interact with a member of the public as outlined in PD17(2)-0408 Body Worn Camera System. Prior to this, BWCs were not required for Tactical Unit and Crisis Negotiations Team members.

2. Over the past two weeks, we have met with multiple individuals and groups to listen to their feedback and understand their concerns. We are gathering all this information and will use it to help inform decisions as we move forward.
3. We are currently working on an online complaint form that will provide another avenue for residents to express concerns with officer performance.

C. Community Recommendations

1. In 2015, President Obama's Task Force on 21st Century Policing developed recommendations for law enforcement agencies based around six pillars. When these recommendations came out, the LPD reviewed and has incorporated the majority of them. Details on this are in the document titled "LPD 21st Century Policing."
2. 8 Can't Wait Policies with LPD responses.
 - (a) Ban chokeholds and strangleholds: The LPD has banned the use of chokeholds and strangleholds since at least the 1970s. All officers receive this instruction during trainings and we are working to add this to policy, as noted above.
 - (b) Require de-escalation: Our officers are required to use de-escalation techniques when interacting with our community. They are trained in these techniques through several training methods, including Fair and Impartial Policing, Crisis Intervention Team, Tactical communications and Verbal Judo.
 - (c) Require warning before shooting: Officers are trained to give verbal warnings before firing their weapons, when safe and practical to do so.
 - (d) Exhaust all other means before shooting: Officers are trained to use the minimal amount of force necessary to address the threat with which they are presented.
 - (e) Duty to intervene: Officers are trained to intervene when they see another officer acting inappropriately. We are working to add this to policy, as noted above.
 - (f) Ban shooting at moving vehicles: Officers are prohibited from shooting at a moving vehicle except in the defense of their life or another.



- (g) Require Use of Force Continuum: The LPD has a Use of Force policy and Circle of Force model that matches the level of force with the level of resistance being demonstrated.
- (h) Require Comprehensive Reporting: Officers are required to report each time they use force and these interactions are thoroughly investigated.
- 3. The LPD supports a state and/or national de-certification registry that would prevent officers who are fired or resign in lieu of termination based on inappropriate actions from serving as a law enforcement officer in another agency.

D. LPD Moving Forward

- 1. As we look to the future, we will continue to prioritize the following:
 - (a) Policies. Below are policies/directives that have been under review in the recent past or currently to assess best practices and efficacy related to community feedback. All policies are reviewed on a regular basis as part of our re-accreditation process.
 - (1) Body Worn Cameras
 - (2) Employee Rules of Conduct
 - (3) Vehicle Pursuits
 - (4) Use of Force
 - (5) Alternatives to Arrest
 - (6) Active Pointing (under consideration for development)
 - (7) LGBTQ (under development)
 - (b) CPAG. We are committed to our continued partnership with CPAG and are working with them to develop a more robust review process for complaints.
 - (c) Recruiting. We need everyone's help to better reflect the diverse fabric of our community. This is a call to action for our leaders to help shape the future of the LPD.
- 2. Additionally, we also are exploring the following:
 - (a) Listening sessions. Beginning in July, we will hold weekly community listening sessions each Wednesday from 6 to 8 p.m. at various locations around the city. Members of the LPD will attend these sessions to understand the concerns of our residents.
 - (b) Police2Citizen. We are implementing a new portal that allows for online reporting and will include a crime map.
 - (c) Axon Citizen. This feature allows residents to provide photo or video evidence related to criminal activity or complaints in a streamlined format.
 - (d) Public Critical Incident Briefings. Going forward, if we have a critical incident, such as an officer-involved shooting, Chief Zuidema will release a public video outlining the incident and LPD's response.
 - (e) Training. We will provide standalone de-escalation training, procedural justice training, as well as Integrating Communication, Assessment, and



- Tactics (ICAT) training for all officers as part of our holistic approach to interacting with our residents. This training is dependent upon funding.
- (f) Data release. We are looking into the best ways to release monthly data to our community that demonstrates an increased level of transparency.
 - (g) Internal Diversity Committee. We are investigating the implementation of an internal diversity committee to advise both internal and external process improvements.

Lynchburg Police Department: Report Regarding Recent Community Concerns and Feedback



City Council Meeting
June 23, 2020

Purpose and Outline

- Purpose: Provide information on the department's current policy and procedures as well as plans for future changes that will address concerns and feedback from our community.
- Outline :
 - Lynchburg Police Department (LPD) Foundations
 - LPD Present
 - Community Recommendations
 - LPD Moving Forward



LP D M e s s a g e

- S u s t a i n a b l e c h a n g e
- C o m m i t t e d t o
a c c o u n t a b i l i t y a n d
t r a n s p a r e n c y
- F u n d i n g



LPD Foundations

- H i r i n g P r o c e s s
- O n g o i n g R e v i e w
- P r o a c t i v e S t r a t e g i e s



LPD Foundations

- Training
- Certification
- Community Policing



LPD Present

- I n t r o s p e c t i v e
e v a l u a t i o n
- C o m m u n i t y m e e t i n g s
- O n l i n e c o m p l a i n t f o r m



Community Recommendations

- 21st Century Policing
- 8 Can't Wait Policies
- De-certification
Registry



LPD Moving Forward

We will continue to prioritize:

- Policy reviews
- Community Policing Advisory Group
- Recruiting



LP D M o v i n g F o r w a r d

W e a r e e x p l o r i n g t h e f o l l o w i n g :

- L i s t e n i n g s e s s i o n s
- P o l i c e 2 C i t i z e n
- A x o n C i t i z e n
- P u b l i c C r i t i c a l I n c i d e n t
B r i e f i n g s
- A d d i t i o n a l t r a i n i n g
- D a t a r e l e a s e



Big Picture

- Collaboration and communication
- Better educating our community
- We are human



Lynchburg Police Department

Questions, comments,
concerns?



LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **June 23, 2020**

AGENDA ITEM #: **19**

CONSENT:
ACTION: X

REGULAR: X
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Increase in Assessment of Courthouse Security Fees

KEY ELEMENTS:

___Economic Development XExcellent Government ___Natural and Built Environment ___Safe Community ___Vibrant Community

RECOMMENDATION: Adopt an Ordinance to amend and reenact Section 2-363.2 of the Code of the City of Lynchburg, 1981, relating to the assessment of courthouse security fees.

SUMMARY: Section 2-363.2 of the Code of Virginia allows a fee to be charged in each criminal or traffic case in the Circuit Court, Juvenile and Domestic Relations District Court and the General District Court in each case where the defendant is convicted of a violation of any statute or ordinance. As of July 1, 2020, this fee is increased from \$10.00 to \$20.00.

This fee is collected as part of the court costs collected by the clerks of the respective courts and is remitted to the City's Billings and Collections division of Financial Services. The fee is held until appropriated to the Sheriff's Office by City Council for funding courthouse and courtroom security.

PRIOR ACTION(S): None

FISCAL IMPACT: Projected \$60,000 in additional revenue for FY 2021.

CONTACT(S): Donna S. Witt, Chief Financial Officer, 455-3968

ATTACHMENT(S): Ordinance

REVIEWED BY: bms

ORDINANCE:

#O-20-017

AN ORDINANCE TO AMEND AND REENACT SECTION 2-363.2 OF THE CODE OF THE CITY OF LYNCHBURG, 1981, THE AMENDED SECTION RELATING TO THE ASSESSMENT OF COURTHOUSE SECURITY FEES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That Section 2-363.2 of the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted as follows:

Sec. 2-363.2. Courthouse security fees.

Beginning on July 1, 2020~~7~~, and continuing thereafter until changed by city council, there is hereby assessed pursuant to the provisions of Section 53.1-120 of the Code of Virginia, 1950, as amended, the sum of twenty~~ten~~ dollars (\$20~~10~~.00) as part of the costs taxed in each criminal or traffic case in the circuit court, juvenile and domestic relations district court and the general district court of the City of Lynchburg, Virginia, in which the defendant is convicted of a violation of any statute or ordinance, said fees to be used for the provision of courthouse and courtroom security. The fees provided for herein shall be in addition to any other fees prescribed by law.

Fees hereby levied shall be collected by the clerks of the respective courts in which the criminal and traffic cases are heard, and shall be remitted to the city's billings and collections division and shall be held by the billings and collections division until appropriated by city council to the sheriff's office for the funding of courthouse and courtroom security.

2. That this ordinance shall become effective on July 1, 2020.

Adopted:

Certified: _____
Clerk of Council

082R

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **June 23, 2020**

AGENDA ITEM #: **20**

CONSENT:

REGULAR: **X**

WORK SESSION:

CLOSED SESSION:

ACTION: **X**

INFORMATION:

(Confidential)

ITEM TITLE: Amending City Code to Prohibit the Purchase or Possession of Nicotine Vapor Products and Alternative Nicotine Products by Persons under 21 years of Age

KEY ELEMENTS:

☐ Economic Development ☐ Excellent Government ☐ Natural and Built Environment ☒ Safe Community ☐ Vibrant Community

RECOMMENDATION: Amend Section 27-5 of the City Code so it will be consistent with the State Code.

SUMMARY: In 1931 the City adopted an ordinance prohibiting the purchase or possession of tobacco products by underage persons. However, the City's ordinance must be consistent with the state laws regulating the purchase or possession of tobacco products by underage persons. In addition to tobacco products, the State Code was recently amended to not only prohibit the purchase or possession of tobacco products, but to also prohibit the purchase or possession of nicotine vapor products and alternative nicotine products by persons under 21 years of age. Therefore, it is necessary to amend the Section 27-5 of the City Code so it will be consistent with the provisions of the State Code.

PRIOR ACTION(S): Section 27-5 was last amended on July 9, 1996.

FISCAL IMPACT: The City could realize a slight increase in revenues since the fines for the purchase or possession of tobacco products, nicotine vapor products, and alternative nicotine products by persons under 21 years of age would be increased.

CONTACT(S): Walter C. Erwin, City Attorney's Office (434) 455-3973

ATTACHMENT(S): An ordinance amending Section 27-5 of the City Code.

REVIEWED BY: bms

AN ORDINANCE TO AMEND AND REENACT SECTION 27-5 OF THE CODE OF THE CITY OF LYNCHBURG, 1981, THE AMENDED SECTION RELATING TO THE POSSESSION TO TOBACCO PRODUCTS, NICOTINE VAPOR PRODUCTS, AND ALTERNATIVE NICOTINE VAPOR PRODUCTS BY PERSONS UNDER 21 YEARS OF AGE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That Section 27-5 of the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted as follows:

Sec. 27-5. – Prohibiting the purchase, possession or sale of tobacco products, ~~by minors~~ nicotine vapor products, and alternative nicotine products by a person under 21 years of age.

~~(a) No person shall sell to, distribute to, purchase for or knowing permit the purchase by any person less than 21 years of age, knowing or having reason to believe that such person is less than 21 years of age, any tobacco product, nicotine vapor product, or alternative nicotine product. 18 years of age, knowing or having reason to believe that such person is less than 18 years of age, any tobacco product, including but not limited to cigarettes and cigars. No tobacco product may be sold from a vending machine (i) except in compliance with subsection (e) and (ii) unless notice is posted on the machine in a conspicuous manner and place indicating that the purchase or possession of tobacco products by minors is unlawful.~~

Tobacco products, nicotine vapor products, and alternative nicotine products may be sold from a vending machine only if the machine is (i) posted with a notice, in a conspicuous manner and place, indicating that the purchase or possession of tobacco products by persons under 21 years of age is unlawful and (ii) located in a place that is not open to the general public and is not generally accessible to persons under 21 years of age. An establishment that prohibits the presence of persons under 21 years of age unless accompanied by a person 21 years of age or older is not open to the general public.

~~(b) No person less than 21 years of age shall attempt to purchase, purchase, or possess any tobacco product, nicotine vapor product, or alternative nicotine product. The provisions of this subsection shall not be applicable to the possession of tobacco products, nicotine vapor products, or alternative nicotine products by a person less than 21 years of age making a delivery of tobacco products, nicotine vapor products, or alternative nicotine products in pursuance of his employment. This subsection shall not apply to purchase, attempt to purchase, or possession by a law-enforcement officer or his agent when the same is necessary in the performance of his duties. 18 years of age shall purchase or possess any tobacco product including but not limited to cigarettes or cigars. The provisions of this subsection shall not be applicable to the possession of tobacco products by a person less than 18 years of age making a delivery of tobacco products in pursuit of his employment.~~

~~(c) No person shall sell a tobacco product, nicotine vapor product, or alternative nicotine product to any individual who does not demonstrate, by producing a driver's license or similar photo identification issued by a government agency, that the individual is at least 21 years of age. Such identification is not required from an individual whom the person has reason to believe is at least 21 years of age or who the person knows is at least 21 years of age. Proof that the person demanded, was shown, and reasonably relied upon a photo identification stating that the individual was at least 21 years of age shall be a defense to any action brought under this subsection. In determining whether a person had reason to believe an individual is at least 21 years of age, the trier of fact may consider, but is not limited to, proof of the general appearance, facial characteristics, behavior, and manner of the individual. sell or distribute a tobacco product to any individual who does not demonstrate by producing a driver's license or similar photo identification issued by a government agency, that the individual is at least 18 years of age. Such identification is not required from an individual whom the person has reason to believe is at least 18 years of age or whom the person knows is at least 18 years of age. This subsection shall not apply to mail order sales.~~

This subsection shall not apply to mail order or Internet sales, provided that the person offering the tobacco product, nicotine vapor product, or alternative nicotine product for sale through mail order or the Internet (i) prior to the sale of the tobacco product, nicotine vapor product, or alternative nicotine product verifies that the purchaser is at least 21 years of age through a commercially available database that is regularly used by businesses or governmental entities for the purpose of age and identity verification and (ii) uses a method of mailing, shipping, or delivery that requires the signature of a person at least 21 years of age before the tobacco product, nicotine vapor product, or alternative nicotine product will be released to the purchaser.

(d) The provisions of subsections (b) and (c) shall not apply to the sale, giving, or furnishing of any tobacco product, nicotine vapor product, or alternative nicotine product to any active duty military personnel who are 18 years of age or older. An identification card issued by the Armed Forces of the United States shall be accepted as proof of age for this purpose.

(de) A violation of subsection (a), (b), or (c) by an individual or by a separate retail establishment that involves a nicotine vapor product, alternative nicotine product, or tobacco product other than a bidi is punishable by a civil penalty in the amount of \$100 for a first violation, a civil penalty in the amount of \$200 for a second violation, and a civil penalty in the amount of \$500 for a third or subsequent violation. shall be punishable by a civil penalty not to exceed \$50.00 for a first violation and a civil penalty not to exceed \$100.00 for a second violation. However, a third or subsequent violation of subsection (a) shall be punishable by a civil penalty not to exceed \$250.00. A third or subsequent violation of subsection (b) shall be punishable by a civil penalty not to exceed \$100.00 and the judge in his discretion may enter an order pursuant to subdivision 9 of Section 16.2-278.8 of the Code of Virginia.

A violation of subsection (a) or (c) by an individual or by a separate retail establishment that involves a nicotine vapor product, alternative nicotine product, or tobacco product other than a bidi is punishable by a civil penalty in the amount of \$500 for a first violation, a civil penalty in the amount of \$1,000 for a second violation, and a civil penalty in the amount of \$2,500 for a third or subsequent violation. Where a defendant retail establishment offers proof that it has trained its employees concerning the requirements of this section, the court shall suspend all of the penalties imposed hereunder. However, where the court finds that a retail establishment has failed to so train its employees, the court may impose a civil penalty not to exceed \$1,000 in lieu of any penalties imposed hereunder for a violation of subsection (a) or (c) involving a nicotine vapor product, alternative nicotine product, or tobacco product other than a bidi.

A violation of subsection (b) is punishable by a civil penalty not to exceed \$100 for a first violation and a civil penalty not to exceed \$250 for a second or subsequent violation. A court may, as an alternative to the civil penalty, and upon motion of the defendant, prescribe the performance of up to 20 hours of community service for a first violation of subsection B and up to 40 hours of community service for a second or subsequent violation. If the defendant fails or refuses to complete the community service as prescribed, the court may impose the civil penalty. Upon a violation of subsection (b), the judge may enter a delinquency order pursuant to subdivision A 9 of Section 16.1-278.8 of the Virginia Code.

The commonwealth's attorney may bring an action to recover the civil penalty, which shall be paid into the city treasury. Any law enforcement officer may issue a summons for a violation of subsection (a), (b), or (c)

(ef) (1) Cigarettes shall only be sold in sealed packages provided by the manufacturer, with the required health warning. The proprietor of every retail establishment which offers for sale any tobacco product, nicotine vapor product, or alternative nicotine product including but not limited to cigarettes and cigars, shall post in a conspicuous manner and place a sign or signs indicating that the sale of tobacco products to any person under 21 years of age is prohibited by law. A violation of this subsection shall be punishable by a civil penalty not to exceed \$100 \$50.00. No filing fee or other fee or cost shall be charged to the city when instituting an action under this subsection.

(2) No person shall operate a vending machine which dispenses tobacco products unless such a machine is located in:

(i) A place that is not open to the general public and is not generally accessible to minors; or

~~(ii) A place that is open to the general public. Such a vending machine shall be inside the establishment and unless the vending machine is at least ten feet from any public entrance to the establishment, or the sale of a token is required to operate such a machine, it shall be placed within the normal unobstructed line of sight of the proprietor or his employees.~~

~~(3) A violation of this subsection shall be punishable by a civil penalty not to exceed \$100.00. No filing fee or other fee or cost shall be charged to the city when instituting an action under this subsection.~~

(fg) Nothing in this section shall be construed to create a private cause of action.

(h) As used in this section:

"Alternative nicotine product" means any noncombustible product containing nicotine that is intended for human consumption, whether chewed, absorbed, dissolved, or ingested by any other means. "Alternative nicotine product" does not include any nicotine vapor product, tobacco product, or product regulated as a drug or device by the U.S. Food and Drug Administration (FDA) under Chapter V (21 U.S.C. Section 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

"Bidi" means a product containing tobacco that is wrapped in temburni leaf (diospyros melanoxylon) or tendu leaf (diospyros exculpra), or any other product that is offered to, or purchased by, consumers as a bidi or beedie.

"Nicotine vapor product" means any noncombustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other form. "Nicotine vapor product" includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. "Nicotine vapor product" does not include any product regulated by the FDA under Chapter V (21 U.S.C. Section 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

"Tobacco product" means any product made of tobacco and includes cigarettes, cigars, smokeless tobacco, pipe tobacco, bidis, and wrappings. "Tobacco product" does not include any nicotine vapor product, alternative nicotine product, or product that is regulated by the FDA under Chapter V (21 U.S.C. Section 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

"Wrappings" includes papers made or sold for covering or rolling tobacco or other materials for smoking in a manner similar to a cigarette or cigar.

2. That this ordinance shall become effective upon its adoption.

Adopted:

Certified: _____
Clerk of Council

083R

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **June 23, 2020**

AGENDA ITEM #: **21**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Public Hearing – School Board Appointments

KEY ELEMENTS:

X Economic Development X Excellent Government ___ Natural and Built Environment ___ Safe Community ___ Vibrant Community

RECOMMENDATION: Make reappointments to vacancies that will exist June 30, 2020, in School Board districts I, II and III.

SUMMARY: The Code of Virginia stipulates that Council may appoint only those nominees or applicants whose names have been considered at a public hearing. Following the public hearing, City Council may either conclude the public hearing or continue to the next meeting to allow more time for citizen input. The City Code requires that these appointments be made during the month of June; therefore, final action needs to be taken on this matter at the June 23 meeting.

Council conducted a group interview with the three currently serving School Board members on June 11, 2020. It is Council's intention to reappoint Dr. Robert A. Brennan to District I; Dr. Kimberly A. Sinha to District II and Dr. James A. Coleman to District III.

There have been no additional applications received by the Clerk of Council since the meeting of May 26, 2020.

PRIOR ACTION(S):

May 15, 2020: Advertisement of the Public Hearing in *The News and Advance*
May 26, 2020: Council conducted a public hearing and continued it to June 9, 2020
June 11, 2020: Closed session conducted for the interviewing and discussion of the currently serving School Board members

FISCAL IMPACT:

None

CONTACT(S):

Robin Craig, Clerk of Council – 455-3995

ATTACHMENT(S):

None

REVIEWED BY: rec

060R

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **June 23, 2020**

AGENDA ITEM #: **22**

CONSENT:
ACTION: X

REGULAR: X
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Resolution Approving the Deferral of the City Manager's Retirement

KEY ELEMENTS:

___ Economic Development X Excellent Government ___ Natural and Built Environment ___ Safe Community ___ Vibrant Community

RECOMMENDATION: Adopt a Resolution approving the deferral of the City Manager's retirement date from July 1, 2020 to September 1, 2020.

SUMMARY: City Manager Bonnie Svrcek announced her retirement effective July 1, 2020 on February 25, 2020. Because of the challenges posed by the COVID-19 pandemic, the process to recruit and hire a new City Manager has not proceeded as quickly as originally anticipated. Ms. Svrcek offered to defer her retirement date to September 1, 2020.

Councilmember Helgeson asked that City Council consider a Resolution regarding the deferral of the City Manager's retirement.

PRIOR ACTION(S): City Council appointed the City Manager in May, 2016 with an effective date of July 1, 2016.

FISCAL IMPACT: No fiscal impact relating to the deferral of the City Manager's retirement from July 1, 2020 to September 1, 2020.

CONTACT(S): Jeff Helgeson, City Council Member – 434-610-7478
Trenay Tweedy, Mayor – 434-455-3990

ATTACHMENT(S): Resolution

REVIEWED BY: Not Applicable

RESOLUTION:

#R-20-056

A RESOLUTION APPROVING THE DEFERRAL OF THE CITY MANAGER'S RETIREMENT DATE UNTIL SEPTEMBER 1, 2020.

WHEREAS, earlier this year the City Manager announced that she would be retiring effective July 1, 2020, and upon receiving her announcement City Council immediately started the process of recruiting and hiring a new City Manager; and,

WHEREAS, as a result of the challenges posed by the COVID-19 pandemic, the process to recruit and hire a new City Manager has not proceeded as quickly as originally anticipated; and,

WHEREAS, these are unprecedented times, the City is currently dealing with a declaration of emergency related to the COVID-19 pandemic and dealing with the social unrest sweeping the country as a result of the death of George Floyd in Minnesota; and,

WHEREAS, realizing that during these unsettled times continuity of leadership is important for the City, the City Manager has offered to delay the date of her retirement until September 1, 2020, in order to give City Council additional time to recruit and hire a new City Manager.

NOW, THEREFORE, BE IT RESOLVED that the Lynchburg City Council hereby expresses its appreciation to the City Manager for her willingness to delay the effective date of her retirement until September 1, 2020, and hereby accepts her offer to continue to serve as the City Manager until September 1, 2020.

Adopted:

Certified: _____
Clerk of Council

084R

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **June 23, 2020**

AGENDA ITEM #: **16**

CONSENT:
ACTION: X

REGULAR: X
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Amend City Code Relating to the Tethering of Dogs within the City

KEY ELEMENTS:

☐ Economic Development ☐ Excellent Government ☐ Natural and Built Environment ☒ Safe Community ☒ Vibrant Community

RECOMMENDATION: Approve recommended revisions to City Code 7-42 (Tethering restrictions).

SUMMARY: As a result of section 3.2-6500 of the Code of Virginia being amended by the General Assembly of Virginia, it is necessary to amend City Code regarding tethering to be consistent with State law which will be effective July 1, 2020.

PRIOR ACTION(S): On March 26, 2019, after months of input from concerned citizens and community stakeholders, an ordinance on tethering restrictions was approved by the Lynchburg City Council. Over the past year, Lynchburg Animal Control and the Lynchburg Police Department have been working diligently with dog owners on education, striving for compliance.

After a robust educational campaign for our first City ordinance on tethering, the Animal Warden and staff were able to impact the lives of many dogs that are being tethered in the City. Staff will work with the Police Department communications team to make sure this ordinance change is brought to public attention via local news, as well as educating the public of the changes on Animal Control's calls to service.

FISCAL IMPACT: None

CONTACT(S): Ryan Zuidema, Chief of Police, 434-455-6045
Ryan Ball, Chief Animal Warden, 434-455-6105

ATTACHMENT(S): City Code, Section 7-42 Regarding Tethering of Dogs within the City

REVIEWED BY: bms

085R

AN ORDINANCE TO AMEND AND REENACT THE CODE OF THE CITY OF LYNCHBURG, 1981, BY AMENDING SECTION 7-42 RELATING TO THE TETHERING OF DOGS WITHIN THE CITY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted by amending Section 7-42 as follows:

Sec. 7-42.Tethering restrictions.

(a) Definition—For the purposes of this section, "tethering" means the use of a rope, chain, or the like, by which an animal is fastened to a fixed object so as to limit its range of movement. Tethering includes the use of a "run-line" in which a wire, or the like, is placed above ground, is tied off between two fixed points, and a lead is suspended from the run-line to the collar or the harness of a dog which allows the dog to run from point to point. The tether must be 15 feet in length or four times the length of the animal, as measured from the tip of its nose to the base of its tail, whichever is greater.

(b) It shall be unlawful for any person to knowingly allow, condone, or participate in the tethering of a dog under any of the following conditions:

(1) Between 9:00 p.m. and 6:00 a.m.

(2) If the dog is sick or injured.

(3) If the dog is "in heat."

(4) If the dog is under the age of four (4) months.

(5) if the dog is tethered in a manner that is reasonably likely to cause the dog's injury, strangulation or entanglement on fences, trees, or other physical obstacles.

(6) during the effective period for a hurricane warning tropical storm warning issued for the area by the National Weather Service.

(7) during a heat advisory issued by a local or state authority.

(8) when the actual or effective outdoor temperature is 85 degrees Fahrenheit or higher or 32 degrees Fahrenheit or lower.

(9) during the effective period for a severe weather warning issued for the area by the National Weather Service, including a winter storm, tornado, or severe thunderstorm warning.

(c) unless an animal warden, having inspected the animal's individual circumstances in sections 7-9, has determined to the animal to be safe from predators and well suited and well equipped to tolerate its environment.

(d) For the purposes of this ordinance, an animal is determined to be safe from predators when tethered during the allowed tethering hours.

(e) The city's animal warden, deputy animal wardens, and police officers shall enforce this ordinance.

(f) Any person violating the provisions of this section shall be guilty of a Class 4 misdemeanor. Any person who subsequently violates the provisions of this section for the same animal shall be guilty of a Class 2 misdemeanor and the dog may be seized pursuant to Section 3.2-6569 of Code of Virginia as an animal that has been cruelly treated and the court may order the dog forfeited to the city to be disposed of by the city pursuant to subsection D of Section 3.2-6546 of the Code of Virginia.

2. That this ordinance shall become effective upon its adoption.

Adopted:

Certified: _____
Clerk of Council