

// 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 LYNCAAG 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 Swienton 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