

AGENDA

City Council Meeting of April 28, 2020

4:00 P.M. – Work Session – Council Chamber

- #1. Presentation on Proposed Revisions to the FY2021 Proposed Operating Budget as a result of COVID-19
- #2. Begin to address Council's FY2021 Proposed Budget "List"
- #3. Update on City Actions regarding COVID-19
- #4. Roll Call

THE REGULAR MEETING WILL BEGIN IMMEDIATELY FOLLOWING THE WORK SESSION (APPROXIMATELY 6:00 P.M.) City Council Agenda Items

COUNCILMEMBER WILDER 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:

- ❖ Proclamation – Recognize National Economic Development Week, National Travel and Tourism Week and National Small Business Week
- ❖ Certificates of Valor for:
 - Battalion Chief Ricky Bomar
 - Firefighter Toby Bouyea
 - Master Firefighter Wayne Casto
 - Firefighter Darryl DuBose
 - Firefighter Timothy Greenway
 - Battalion Chief David Jackson
 - Firefighter Tammy Kelly
 - Master Firefighter Patrick Madigan
 - Master Firefighter Holly Shackelford
 - Firefighter Christopher Wilmouth

CONSENT AGENDA

- #5-#8. Consideration of approving the minutes of the March 10, March 24, March 31 and April 7, 2020 meetings.
- #9. * Consideration of adopting Resolution #R-20-029 to amend the FY2020 Budget and appropriating supplemental funds and rescinding appropriations for both the Capital and Operating Budgets for the twelve-month period beginning July 1, 2019 and ending June 30, 2020
- #9a. * Consideration of adopting Resolution #R-20-028 to amend the FY 2020 General Fund budget and appropriate \$224,965 with resources from the General Fund Reserve for Contingencies to refund overpayment of Bank Franchise Tax for tax years 2012, 2013 and 2014 by BB&T for operations in the City of Lynchburg.
- #10. Consideration of approving the minutes of the March 17, 2020 minutes (separate vote due to a Councilmember needing to abstain)

GENERAL BUSINESS

- #11. Consideration of introducing a resolution to amend the FY 2020 City/Federal/State Aid Fund budget and appropriate \$112,531 with resources from the 2020 Coronavirus Emergency Supplemental Funding Program to purchase COVID-19 related Equipment, Decontamination Services, Supplies, Overtime & Fringe Benefits expenditures.
(File: Budget) #R-20-030
- #12. Consideration of introducing an uncodified ordinance amending City Code to delay the assessment of the penalty that is normally assessed for the late payment of real estate taxes for the period of May 16, 2020, through June 30, 2020
(File: City Council) #O-20-009
- #13. Consider adopting an ordinance establishing procedures for holding electronic meetings during the COVID-19 pandemic in order to ensure the continuity of City government
(File: City Council) #O-20-010
- #14. Consideration of a closed meeting for the discussion and consideration of prospective candidates for the position of City Manager pursuant to Section 2.2-3711(A.)(1) of the Code of Virginia.



Rebalancing the Proposed FY 2021
General Fund Budget
Due to Economic Impact of COVID-19

City Council
April 28, 2020



What We Do Know

- First and foremost we still have citizens to serve and a City to maintain
 - Direct/Indirect services
- Historical trends do not apply
- Future trends...we will know when we know
 - With every passing month we know more
 - Receipt of revenue collection data lags (*i.e. March received in May*)
- Question: What do we know that we haven't considered?



We Don't Know What We Don't Know

- Anchor Institutions (i.e. Colleges/Universities, Hospital) doing things differently
 - Uncertainty regarding how many college students will return to campus
- Future Business Models
 - Uncertainty regarding working remotely vs brick and mortar
- Impacts of reductions by the State, particularly for annual police funding (\$3.1m), Personal Property Tax Reduction Subsidy (\$5.5m), Highway Maintenance (\$9.0m), and Education funding
- Impacts of changes in consumer behavior
- Potential Council action to make changes to tax rates
- Uncertainty of when a vaccine will be available and the economic impact should there be a reoccurrence
- Question: What are other things we haven't considered?

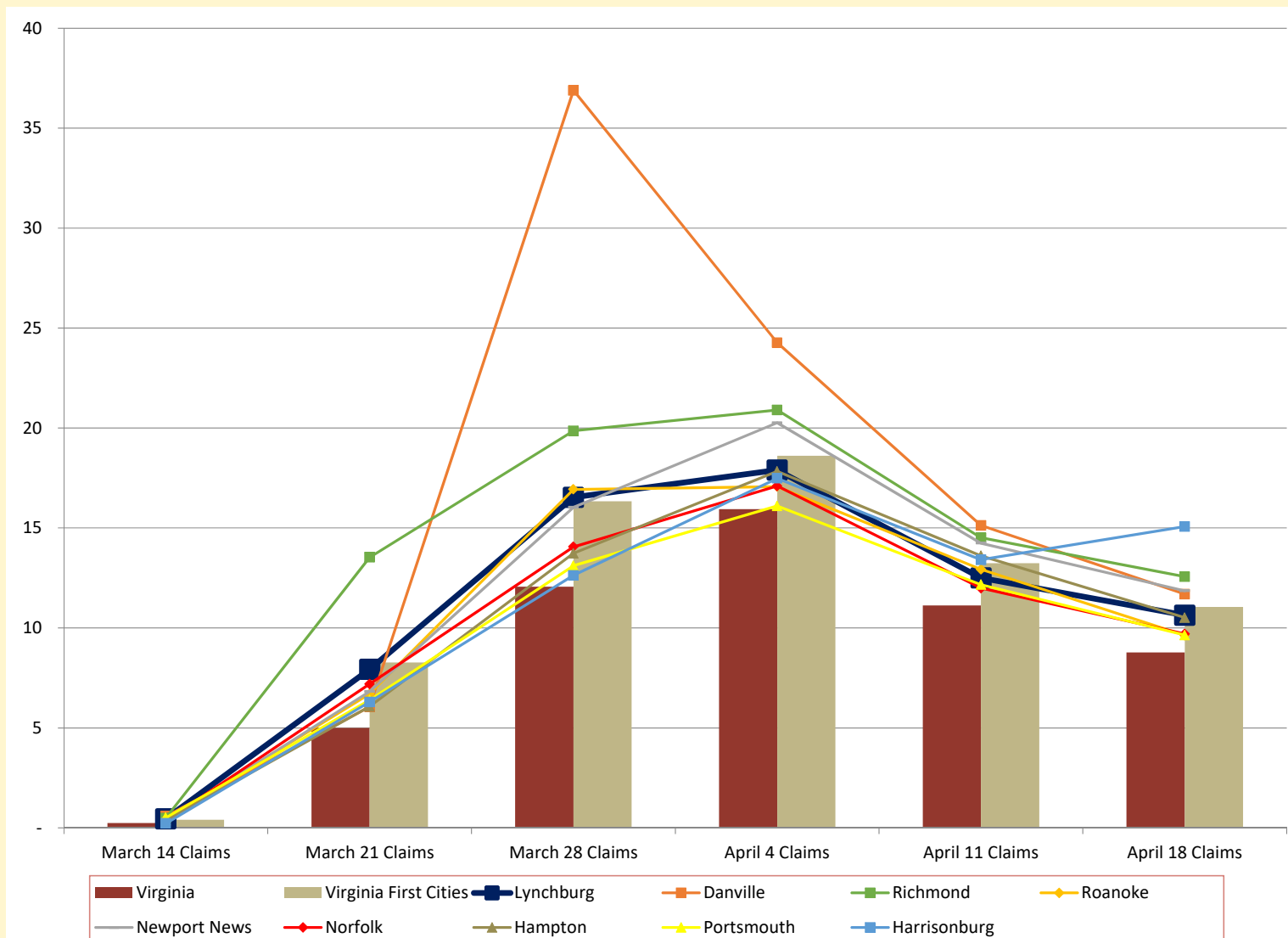


Sources of Information for Forming Projections

- Weekly discussions facilitated by Virginia Tech with finance leaders state-wide to glean understanding of how localities are handling impacts of COVID-19
- Discussions
 - Commissioner of Revenue
 - Tourism Sales Team
 - Surveyed local businesses
 - Departments regarding dedicated revenue
- Information Sources
 - Virginia First Cities
 - Fiscal Analytics, Ltd.
 - Virginia Government Finance Officers Association (VGFOA)
 - Government Finance Officers Association (GFOA)
 - Virginia Municipal League/Virginia Association of Counties (VML/VACO)
 - Virginia Employment Commission (VEC)
 - Virginia Restaurant, Lodging & Travel Association (VRLTA)



Initial Local Unemployment Claims per 1,000 population for a sampling of Virginia Cities





Guidelines

Opening Up America Again

Prior to Phase One (Downward trajectory for 14 days)	Phase One (Downward trajectory for 14 days)	Phase Two (Downward trajectory for 14 days)	Phase Three (Downward trajectory for 14 days)
INDIVIDUALS			
Vulnerable Individuals	should continue to shelter in place	should continue to shelter in place	<u>can resume public interactions, but should practice physical distancing, minimizing exposure to social settings where distancing may not be practical</u>
When In Public and Socializing (e.g., parks, outdoor recreation areas, shopping areas)	should maximize physical distance from others; avoid socializing in groups of more than 10 people	should maximize physical distance from others; avoid socializing in groups of more than 50 people	<u>Low-risk population should consider minimizing time spent in crowded environments</u>
Non-essential travel	minimize	can resume	
EMPLOYERS			
Return to Work	In phases and continue to encourage telework; special accommodations for vulnerable personnel	continue to encourage telework; special accommodations for vulnerable personnel	<u>resume unrestricted staffing of worksites</u>
Common Areas	enforce strict social distancing protocols	enforce moderate social distancing protocols	
Non-essential travel	minimize	<u>can resume</u>	
SPECIFIC TYPES OF EMPLOYERS			
Schools and Organized Youth Activities (e.g., daycare, camp)	currently closed should remain closed	<u>can reopen</u>	
Senior Living/Care Facilities and Hospitals	visits should be prohibited	visits should be prohibited	<u>can resume</u>
Elective Surgeries	can resume, as clinically appropriate, on an outpatient basis	can resume, as clinically appropriate, on an outpatient and in-patient basis	
Large Venues (e.g., sit-down dining, movies theaters, sporting venues, places of worship)	can operate under strict physical distancing protocols	can operate under moderate physical distancing protocols	can operate under limited physical distancing protocols
Gyms	can open if they adhere to strict physical distancing and sanitation protocols	can open if they adhere to strict physical distancing and sanitation protocols	<u>Can remain open if they adhere to standard sanitation protocols</u>
Bars	Should remain closed	<u>may operate with diminished standing-room occupancy</u> , where applicable and appropriate	may operate with increased standing-room occupancy, where applicable



Big Picture Revenue Assumptions

- Phased reopening dependent on downward COVID-19 trends for fourteen days consistent with Governor Northam/President Trump direction.
- 1st Quarter – assumes Virginia moves from Phase One to Phase Three by the end of the quarter which includes most businesses open with relaxed social distancing
- 2nd Quarter – Phase Three continues with social distancing and consumer behavior driven by individual health concerns; businesses open
- 3rd - 4th Quarters – anticipating more “normal” consumer spending



Revenue Assumptions

- Based on early March consumer based revenues
 - Grocery Store sales are up
 - Home Improvement Store sales are up
 - Online sales are up
 - Restaurants
 - Quick Service/Drive-thru holding steady
 - Full Service changed to curbside pick-up and/or delivery are down



Economic Impacts for COVID-19

FY 2021 Revenue Projections

	Actual FY 2019	Revised FY 2020	Proposed FY 2021	Revised FY 2021	Change	Assumptions
Local Sales and Use Tax	\$15,978,346	\$15,567,411	\$16,200,000	\$15,454,579	(\$745,421)	Projects Q1 (Jul-Sep) down 15% (\$612,193), Q2 (Oct-Dec) down 3% (\$133,228), or 5% annualized loss.
Meals Tax	\$15,111,870	\$13,253,905	\$15,500,000	\$14,932,599	(\$567,401)	Projects Q1 (Jul-Sep) down 15% (\$567,401), or 4% annualized loss.
Lodging Tax	\$2,847,497	\$2,107,532	\$3,050,000	\$2,725,636	(\$324,364)	Projects Q1 (Jul-Sep) down 38% (\$324,364), or 11% annualized loss.
Amusement Tax	\$820,805	\$626,614	\$900,000	\$795,190	(\$104,810)	Projects Q1 (Jul-Sep) down 53% (\$104,810), or 12% annualized loss.
Business License Tax	\$9,067,804	\$8,876,651	\$9,249,160	\$8,374,613	(\$874,547)	Projects decrease in tax of 10% annualized. Historically collection rates are above 100% due to conservative budgeting and excellent collections staff.
Allowance for Uncollectible Business License		(\$888,161) 10%	(\$184,983) 2%	(\$167,492) 2%	\$17,491	



Economic Impacts for COVID-19

FY 2021 Revenue Projections *(continued)*

	Actual FY 2019	Revised FY 2020	Proposed FY 2021	Revised FY 2021	Change	Assumptions
ALL OTHER - Non-dedicated Revenue						
Bank Stock Tax	\$953,307	\$753,786	\$800,000	\$750,000	(\$50,000)	Reduced to flat with Actual FY 2020
False Alarm Assessment and Permit Fees	\$124,409	\$120,500	\$120,000	\$118,500	(\$1,500)	Reduced \$1,500 for July
Fines and Forfeitures	\$261,722	\$158,875	\$252,500	\$190,000	(\$62,500)	Due to court closure
Charges for Services	\$2,813,828	\$2,405,562	\$2,758,721	\$2,519,924	(\$238,797)	Reductions for Commonwealth Attorney Fines and Fees, Jail Fee and E-Summons Fee



Economic Impacts for COVID-19

FY 2021 Revenue Projections *(continued)*

	Actual FY 2019	Revised FY 2020	Proposed FY 2021	Revised FY 2021	Change	Assumptions
ALL OTHER - Dedicated Revenue						
Charges for Services	\$1,128,246	\$1,190,688	\$1,168,500	\$1,080,182	(\$88,318)	Reductions for Police – Schools Resource Officer (SRO) Program, Off-Duty Police Fee, Library Fines and Fees, and Museums
Residential Disposal Fees	\$1,054,650	\$1,404,576	\$1,667,220	\$1,667,220	\$0	Assumes no change to proposed refuse rate structure pending Council discussion in May.
Parking Revenue	\$570,215	\$523,832	\$560,237	\$515,000	(\$45,237)	Reduced due to mostly free hourly parking.
Miscellaneous Revenue	\$63,554	\$85,783	\$94,967	\$72,770	(\$22,197)	Reductions for Museums, Library, and Community Market offset by additional funds from the Friends of the Lynchburg Library to fully fund the Volunteer Coordinator part-time position.



Economic Impacts for COVID-19

FY 2021 Revenue Projections *(continued)*

	Actual FY 2019	Revised FY 2020	Proposed FY 2021	Revised FY 2021	Change	Assumptions
Real Property	\$57,645,519	\$62,125,204	\$62,771,448	\$62,771,448	\$0	
<i>Allowance for Uncollectible Real Property</i>		(\$1,786,922) 2.5%	(\$1,569,286) 2.5%	(\$3,138,572) 5%	(\$1,569,286)	Increased uncollectible to 5%.
<i>Delinquent Real Property Taxes</i>	\$1,486,404	\$1,500,000	\$1,400,000	\$700,000	(\$700,000)	Assumes less delinquent collections.
Personal Property - local portion	\$18,850,037	\$18,625,000	\$19,500,000	\$18,525,000	(\$975,000)	Reduced growth of \$875k and an additional \$100k for a 5% reduction.
<i>Allowance for Uncollectible Personal Property</i>		(\$573,661) 3%	(\$585,000) 3%	(\$539,251) 3%	\$45,749	No change in uncollectible percent.
<i>Delinquent Personal Property Taxes</i>	\$1,518,716	\$1,200,000	\$1,400,000	\$1,260,000	(\$140,000)	Assumes less delinquent collections.
Motor Vehicle Licenses	\$1,601,711	\$1,259,385	\$1,605,000	\$1,605,000	\$0	Not due until June 5, 2021.
					(\$6,446,138)	COVID-19 FY 2021 Projected Revenue Loss



FY 2021 1st Quarter Expenditure Directives

- July 1st – September 30th
 - Extend hiring freeze (public safety exempt)
 - Extend spending freeze on all non-personnel related expenditures
 - Extend training and travel freeze



Rebalancing the FY 2021 Proposed Budget

(\$6,446,138) Revenue Loss due to COVID-19

- *\$2,015,952 - Loss of 3% general wage increase
- *\$946,481 - Delay 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
- *\$30,142 - Eliminate Council salary increases
- *\$75,000 - Reduce funding for implementing Safety and Security Task Force recommendations leaving a budget of \$50,000
- *\$50,000 - Eliminate Health Insurance Consultant for Employees
- \$700,000 - Reduce transfer to Lynchburg City Schools
- *\$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 at the Library

**Adjustments to items on "The LIST"*



Rebalancing the FY 2021 Proposed Budget (*continued*)

- \$34,986 - Police eliminate new part-time accreditation position
- \$39,773 - Fire eliminate new part-time accreditation position
- *\$12,383 - Parks and Recreation delay start of new part-time positions for a neighborhood center until October 1, 2020
- \$61,315 - Social Services (*local savings*) delay start of three (3) new full-time positions until January 1, 2021
- \$500,000 - Eliminate addition to Task Force on the Future of PreK-12 Education and Beyond Reserve
- \$700,000 - Use of Task Force on the Future of PreK-12 Education and Beyond Reserve

\$6,446,138 Expenditure Reductions and Use of Reserve

\$0 Balance

**Adjustments to items on "The LIST"*



Economic Impacts for COVID-19 Update

- Staff is constantly monitoring the impacts to revenue as a result of COVID-19.
- Following receipt of July 2020 meals, lodging and amusement taxes on September 21st and sales tax on October 5th, staff will have a better idea of how consumer driven taxes are performing.
- Staff will provide an update at the October 13, 2020 Council Worksession.
- Expenditure adjustments will be proposed to Council on October 13 if the economy is not improving.



October 13th Council Meeting:

What we will know to project revenues forward

- FY 2020 Business License Payments (due May 20th)
- FY 2020 Personal Property Tax Payments (due June 5th)
- FY 2020 Real Estate Tax Payments (due May 15th)
- July Meals, Lodging, Amusement, and Sales Tax Payments
 - September 21st - Meals, lodging, and amusement tax payments
 - October 5th - Sales tax payments
- Better idea of consumer behavior
- Impact of College enrollment/return
- College graduations (impact on lodging, etc.)
- Lynchburg City Schools – education as usual?



October 13th Council Meeting:

Actions to be Taken if Economy Not Improving

- Extend hiring freeze
- Extend spending freeze
- Extend training and travel freeze
- Use of Fund Balance above 10% (\$1,100,000)
- Possible return of additional GLTC funds if available (\$500,000)
- Reduce General Fund Pay-As-You Go Capital Improvement Program (CIP) projects
- Staff furlough days (scheduled furlough days to be determined)
- Others to be determined



January 12th Council Meeting:

Actions to be Taken if Economy Not Improving

- If things are not back to business as usual by December 31st
 - Extend hiring freeze (managed vacancy savings)
 - Extend spending freeze
 - Extend training and travel freeze
 - Eliminate any remaining General Fund Pay-As-You Go Capital Improvement Program (CIP) projects continue
 - Additional Staff furlough days (scheduled furlough days to be determined)
 - Reduction-In-Force including related service delivery impacts
 - Others to be determined



Questions, Comments, Observations



And NOW...

Balancing the FY 2021 Budget

The “LIST”

Balancing the FY 2021 General Fund Budget

Proposed FY 2021 Revenues and Use of Fund Balance **\$200,513,026**

Staff Adjustments to Revenues and Use of Fund Balance:

- | | | |
|---|---|---------------|
| 1 | Updated Revenue Projection following April 1 st review including COVID-19 residual effects | (\$6,446,138) |
| 2 | Use of Reserve Committed/Assigned Fund Balance Projection for COVID-19 residual effects | \$380,043 |

Subtotal Staff Adjustments to Revenues and Use of Fund Balance: **(\$6,066,095)**

Total Revised Revenues and Use of Fund Balance **\$194,446,931**

Proposed FY 2021 Expenditures, Reserves, and Transfers **\$200,513,026**

Staff Adjustments to Expenditures, Reserves, and Transfers:

- | | | |
|---|---|---------------|
| 1 | Expenditure Reduction Projection following April 1 st review including COVID-19 residual effects | (\$6,066,095) |
|---|---|---------------|

Subtotal Staff Adjustments to Expenditures, Reserves, and Transfers: **(\$6,066,095)**

Total Revised Expenditures, Reserves, and Transfers **\$194,446,931**

Preliminary Balance after Staff Adjustments **\$0**

Striked-out - Adjustments have been used to rebalance as noted above.

The "LIST" - Budget Adjustments for Council Discussion:

	Proposed Budget	Budget Adjustments to Discuss	Council Decision
1 Non-Departmental	2,962,433	3% General Wage Increase and Phase II Salary Study Implementation (Helgeson)	
2 Council/Manager Offices	30,142	Increase in City Councilmember salaries from \$10,000 to \$14,000 and from \$12,000 to \$16,000 for the Mayor based on Council action on December 10, 2019 (salary + benefits) (Nelson)	
3 Non-Departmental	50,000	Health Benefits Education and Advocacy (Helgeson)	
4 Economic Development and Tourism	75,000	Reallocated funds for implementing the Downtown 2040 plan due to no longer making payments to the Academy Center of the Arts (Perrow)	
5 Parks and Recreation	37,148	During Staff Rebalancing - reduced to start 10/01/2020 Two (2) new part-time positions starting 10/01/2020, a Senior Recreation Specialist and a Recreation Aide, to reopen College Hill Recreation Center (\$34,911,465,48 - salary + benefits), internet service (\$7951,060), and supplies (\$1,4421,923) (Helgeson)	
6 Non-Departmental	50,000	During Staff Rebalancing - reduced by \$75,000 \$50,000125,000 Safety and Security Task Force (Helgeson)	
7 Council/Manager Offices	\$93,789	Chief Talent Development Officer full-time position transferred to the Council/Manager Offices from Human Resources (salary + benefits) (Helgeson)	
8 Council/Manager Offices	68,074	Youth Futures Coordinator full-time position transferred to the Council/Manager Office from Human Services - Juvenile Services (salary + benefits) (Helgeson)	
9 Human Resources	0	NeoGov Onboarding software (Wright) - \$12,000	
10 Human Resources	0	NeoGov iLearn access for 200 part-time employees (Wright) - \$6,500	
11 Registrar	0	Voting Booths (\$600), Early Voting line management supplies (\$120), off-duty officer (\$360) (Wright) - \$1,080	
12 Registrar	0	Two laptops (Perrow) - \$1,563	

The "LIST" - Budget Adjustments for Council Discussion (continued):

		Proposed Budget	Budget Adjustments to Discuss	Council Decision
13	Office of the Commonwealth's Attorney	0	In-House Investigator full-time position (salary + benefits) <i>(Nelson)</i> - \$48,228	
14	Office of the Commonwealth's Attorney	0	Legal Support Receptionist position change from part-time to full-time (salary + benefits) <i>(Nelson)</i> - \$15,881	
15	Police	0	5 Sworn Officers and 3 Vehicles <i>(Wilder)</i> - \$523,000 The total cost includes salary/benefits (\$285,805) and uniforms/equipment (\$38,935) for 5 officers. It also includes the cost of 3 fully outfitted police vehicles (\$198,000).	
16	Police	0	Recruitment Advertising <i>(Perrow)</i> - \$4,800	
17	Police	0	GrayKey software <i>(Perrow)</i> - \$18,075	
18	Police	0	Quantum Tape Library Back up <i>(Perrow)</i> - \$11,685	
19	Fire	0	9 full-time Firefighters (salary + benefits) <i>(Wilder)</i> - \$529,623	
20	Public Works - Refuse REVENUE	262,644	Refuse fee revenue <i>(Perrow)</i> <i>Requires rate approval of \$15.02. If left at the current rate @\$9.17 (\$110) the actual revenue loss is \$649,350.</i>	
21	Public Works - Refuse	49,740	Refuse Enforcement full-time position (\$48,540) (salary + benefits) and uniforms (\$1,200) <i>(Perrow)</i>	
22	Parks and Recreation	6,000	Increase in Miller Pool staff pay to help attract and retain staff (salary + benefits) <i>(Helgeson)</i>	
23	Parks and Recreation	4,600	Annual maintenance contract for RecPro <i>(Helgeson)</i>	
24	Parks and Recreation	1,000	Increased chemical costs for Miller Park Pool <i>(Helgeson)</i>	
25	Parks and Recreation	50,000	Furniture and kitchen equipment for Fairview and Yoder Recreation Centers <i>(Helgeson)</i>	
26	Parks and Recreation	3,900	Rentals of portable toilets in the park and trail system <i>(Helgeson)</i>	
27	Community Development	88,194 <i>would need to remove the offsetting revenue as well</i>	One (1) new full-time Environmental Compliance Inspector position in the Zoning and Natural Resources Division (\$61,594 salary + benefits). Additional costs associated with the new position a computer, software, phone, and training (\$3,600) and a vehicle (\$23,000). The cost is 100% funded through the Stormwater Fund. <i>(Helgeson)</i>	
28	Community Development	7,000	Estimated costs of hiring a monitoring service to implement the Short-Term Rental Registration program <i>(Helgeson)</i>	
29	Economic Development and Tourism	250,000	Transfer to the Economic Development Authority (EDA) of the City of Lynchburg providing funds for implementation of business development, expansion and retention. Prior to FY 2021 these funds were budgeted in the Capital Improvement Program but are better suited in the operating budget per Finance staff. <i>(Perrow)</i>	
30	External Service Providers	12,167	Virginia Legal Aid Society <i>(Helgeson)</i>	
31	Non-Departmental	0	Poverty Initiative <i>(Wright)</i>	
Total Balancing:				\$0

Balance after Council Decisions**\$0**

// A regular meeting of the Council of the City of Lynchburg was held on the 10th day of March, 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, Sterling A. Wilder, Beau Wright, Treney Tweedy 7

Absent: 0

// In the matter of Budget, the City Manager presented Council with the FY21 operating budget and the FY21 – 25 Capital Improvement Program overview. The total operating budget is \$370.1 million, which is a decrease of \$46.6 million or 11.2% compared to FY2020. This is mainly due to reduced federal and state funding for capital projects and the bond funding that was included in FY2020 offset by a significant investment in the City’s human capital.

This budget proposal was built on the following priorities as presented at City Council’s Budget Work Session on February 11, 2020: Comply with City Council Adopted Financial Policies; implement Phase II of the Citywide Salary Study; provide a general wage increase for employees meeting and exceeding performance expectations; fund contractual and maintenance commitments; address funding associate with the reengineering of the City’s trash/bulk/brush collection; address increasing health insurance costs; maintain training and professional development at least flat with FY2020 and avoid a tax increase.

The Lynchburg Plan is incorporated into the budget and includes the priorities and collaboratives. Ms. Svrcek explained that for budget development, staff used the National Citizen Survey which contained 133 items for which comparisons were available. 115 items were rated similarly in 2017 and 2019. Nine items showed a decrease in ratings and nine showed an increase in ratings. The Balancing Act exercise will be available starting tomorrow via mobile, tablet and desktop devices. This budget has been labeled by some as a maintenance budget. She would agree with that and has labeled it a plain vanilla budget.

Budget instructions to departments were to submit a budget with non-personnel expenditures equal to or less than funds appropriated in FY2020. They were to submit separately any items that were necessary for operations in FY2021 but did not fit within the instructions to submit expenditures equal to or less than funds appropriated in FY2020; consequences of not funding these items were also requested. Lynchburg City Schools was requested to submit a budget equal to or less than Amended FY2020.

The budget maintains current services with no tax increase for services in the General Fund; however, an increase in fees for trash collection is proposed. Schools operating expenditure request of \$42.0 million is proposed to be reduced by \$1.5 million (\$40.5) due to declining Average Daily Membership, increased state revenues and a trend of increasing year-end fund balance. Total General Fund Non-dedicated and Dedicated revenues for FY2021 are projected to be \$194.1 million, an increase of approximately \$3.4 million or just under two percent (1.8%) compared to the Adopted FY2020 Budget to support ongoing operating expenditures. The General Fund Operating Budget, including Schools, is proposed to be funded with ongoing revenues except for \$319,957 of the GLTC funding.

Total proposed expenditures, reserves and transfers are \$200.5 million or an increase of \$5.9 million or 3.0% over current year. The majority of this increase is for rising health insurance costs. Phase II implementation of the

Citywide Salary Study, a 3 percent general wage increase and an increase in Virginia Retirement System (VRS) costs.

Ms. Svrcek covered some of the highlights of major items proposed for funding in FY2021 and also highlighted a list of items that were not funded and are recommended for Council's consideration.

The budget includes maintaining an unassigned general fund balance equal to a minimum of ten percent of General Fund revenues with a goal of 15 percent as the City strives to grow incrementally each year subject to revenues available. The proposed budget provides for 10.9% fund balance or an addition to the Unassigned Fund Balance of \$1.06 million over FY2020; this represents a one-half percent increase from FY 2020.

She explained that since FY2001, the City has applied a portion of undesignated fund balance above ten percent (10%) of General Fund Revenues to pay-as-you-go capital construction for smaller projects. The FY2021-2025 Proposed Capital Improvement Program continues this practice. In FY2021, the pay-as-you-go funding from undesignated fund balance is \$4.0 million, compared with \$2.3 million in FY2020.

The Airport Fund proposes total expenditures of \$2.8 million. It is its sixth year with a surplus. The projected surplus for this year is \$162,300.

There is no rate or service charge increase proposed. There are decreased sales from non-contract customers. It recognizes end of IRS interest subsidy payments and decreased debt service payments of \$300,000. The sewer fund proposes a two percent increase in sewer volume rate, reflects revenue reduction associated with one-time CCUSA payment of \$570,000 in FY2020 and includes a \$500,000 increase in operational expenses, \$200,000 increase in debt service and \$500,000 decrease in transfers to capital.

In the stormwater fund, there is no change in the monthly stormwater management fee. It complies with City Council's fund balance policy. It maintains compliance with the City's Municipal Separate Storm Sewer System permit. There is \$500,000 in capital investment proposed and it includes one new full time employee, an Environmental Compliance Inspector, which is needed to continue to comply with the stormwater permit and meet growing stormwater needs.

Revenue projections will be updated April 1. Council will meet every Tuesday in March and April to review and deliberate over this proposal. The Budget public hearing, including comments on the proposed increases to the refuse collection fees, will be held March 31 at 7:00 p.m. The public hearing on sewer rate increases will be held March 31 following the budget public hearing.

Councilmember Perrow asked if this is a balanced budget because revenues are lower than expenditures. She said they used some reserve money to fund capital. He asked if with the exception of GLTC we are consistently paying ongoing expenditures with ongoing revenues. Ms. Donna Witt indicated that is correct.

Ms. Svrcek presented an overview of the City Manager/Council Office budget. Councilmember Helgeson said he was not familiar with the Chief Talent Development Officer position and the Youth Futures Coordinator. Ms. Svrcek explained those employees were transferred to her budget from other departments. Councilmember Helgeson would like this added to "the list."

Mr. Jeff Bandy presented an overview of the Assessor's budget. Mayor Tweedy asked him to explain the consultant expense. He said this is for a consultant for the assessment valuation system to make sure it gets up and

running smoothly. In response to a question from Vice Mayor Dolan, he said he felt it was essential. In response to a question from Councilmember Helgeson, he said the other money in contractual services is for a copier and other annual renewal fees that have to be paid as part of the CAMA system.

Councilmember Nelson asked why he is projecting the assessment to sale value ratio declining by seven percent in 2020. Mr. Bandy said that is because it is not a revaluation year. So the market is moving but we are still sitting still with assessments. The market really took off after the last reassessment and that kind of left us in a bad spot. Councilmember Nelson pointed out that we are in the trough right now but as long as things remain good in the economy, we should be in good shape when it is time for revaluation again.

Councilmember Helgeson asked if they had had many appeals. Mr. Bandy said you only have appeal rights when we change the value and the last time it was changed was July 1 of 2019. No one has really complained because we are well under the market.

Councilmember Perrow noted that the salary increases seem to be spread across the whole budget. Ms. Svrcek said that is the impact of current salary adjustments. In non-departmental, you will see a line item for the Phase II wage increase and the Phase II adjustments. Ms. Witt explained we always budget in non-departmental and then once the budget is adopted, then we spread that from non-departmental to the individual departments.

Mr. Walter Erwin gave an overview of the City Attorney's budget. Councilmember Perrow asked him if he is projecting enough for personnel service for the future needs of his office. He indicated that the position of Deputy City Attorney has been filled and they can cover that within their budget.

Mr. Erwin also gave an overview of the Risk Management budget. Councilmember Helgeson asked where the reserve fund for insurance is shown. Ms. Witt said that is listed in Other Funds and Ms. Svrcek indicated it is on page 355.

Mr. Mitch Nuckles gave an overview of the Commissioner of the Revenue's budget. Councilmember Perrow asked if they have been able to get what they need to manage the revenues from short-term rentals. Mr. Nuckles said they have been trying to get the voluntary collection agreement but have hit a roadblock in their dealings with Airbnb. Mr. Nuckles said there is nothing pending at the General Assembly so there is nothing to make them want to do the voluntary collection agreement.

Ms. Donna Witt gave an overview of the Financial Services budget. Councilmember Helgeson noted the big increase in the cost of mailing. Ms. Witt explained that she had been using some money that was left on a purchase order. The increase was really only from \$345,000 to \$371,000. Councilmember Helgeson asked her if she had anything she wanted to share as far as the goals and objectives. She is ecstatic that with a group effort from her staff and the leadership team they were able to keep our credit ratings up. She is grateful for Council's support as well. The rating agencies were very complimentary of the City and she is very proud of the ratings.

Mr. James Lowe gave an overview of the Human Resources budget. Councilmember Wright asked if they are struggling to recruit employees. Mr. Lowe said it is a challenge and it is a different time than what have seen for many years. They have had to make adjustments and give concessions. Councilmember Wright asked if this budget gives him enough bandwidth to be able to recruit effectively. The software he is requesting will help them be able to recruit more effectively. It will not only help with the onboarding process but he thinks it will give a different,

more modern image to the City as an employer. An employee will be able to do many forms and start training on line on a secure platform.

Councilmember Perrow thinks they should not be printing the employee manual. Everyone should be able to access a PDF. He asked about Healthworks and was told that it is a service within Nationwide Drive. They serve us in a multiple of ways such as workers compensation claims and occupational health needs and they see patients with minor conditions. The reason for the increase is that they have been going over and they have been making up for it internally. Councilmember Perrow asked him if he thinks it adds value at that amount and Mr. Lowe indicated that he thinks it does. Councilmember Perrow asked him if he thinks Neogov is the best software. Mr. Lowe said they favor it because it will be integrated with the other modules they have and have been with Neogov for our recruitment program for many years and are very satisfied.

Mr. Terry Hutchens gave an overview of Information Technology's budget. He also had a "wish list" of items he would like if there are any funds available. Mr. Hutchens told Councilmember Wright they did not submit the list because they thought that timing wise it would be nice to do it this year but did not ask for it with the guidelines they were given. He will put it in writing and give it to them next week.

Councilmember Perrow asked with regard to the GIS flyover if the state does not supply a lot of that data. Mr. Hutchens said they provide some of it and the cost is shared between IT and other departments. Councilmember Nelson commended him and his staff for their work. He noted that in the assessment it says that having network availability during normal general government business hours, they can do that 99.95 percent of the time and their goal is the same. He asked what happens during that other time and what causes it to go down. Mr. Hutchens said that is a good question and this time only accounts for a few minutes a month. They do not have generators at some of the school sites and that is when the network can go down for a little bit. That is not something they have control over and Schools is responsible for its own reliability.

Ms. Christine Gibbons gave an overview of her department's budget for the Registrar and Electoral Board. Councilmember Perrow would like the \$2,600 for voter booths added to the list. Councilmember Wright said he is having a hard time seeing where the decrease is for her to be able to absorb these additional costs. Councilmember Perrow noted that she submitted her budget and then the City Manager upped it. Councilmember Wright said they did not receive the supplement and Ms. Svrcek said she will get that to them. In response to a question from Councilmember Helgeson, Ms. Gibbons said part of her salary is in there but it also includes the stipends for the electoral board. The State increased that by six percent. Councilmember Helgeson asked if the revenues from the Commonwealth would be up because they have been flat for about three years. Councilmember Helgeson would like this on the list.

Councilmember Nelson noted that we know that throughout the country and some parts of Virginia, we know that irregularities in voter registration and voting counts have caused some very embarrassing and tragic consequences. We do not want that for Lynchburg when they are only talking about half an employee and some voting booths and laptops. Voter registration is so important because it impacts our circuit court juries. Voting and jury duty are two civic responsibilities that cannot be ignored.

Mr. Robert Bailey gave an overview of the State Treasurer's budget. Council did not have any questions for him. Councilmember Perrow thanked Mr. Bailey for his service.

Mr. Todd Swisher gave an overview of the Judicial Administration budget. Councilmember Perrow asked if the \$36,000 not funded in the manager's letter was from a different department. Ms. Svrcek explained it is the general district court clerk and not the Clerk of Circuit Court.

Ms. Bethany Harrison, the Commonwealth Attorney presented an overview of her budget. Councilmember Nelson asked if the grant that currently funds the in-house investigator is ending. Ms. Harrison said the grant that funded him already ended and they used vacancy savings to pay him through June. She believes this position is vital. Councilmember Nelson would like these two items added to "the list." Councilmember Perrow would like her to email documentation to the City Manager to show that the number of cases they are dealing with has increased. He would like to see the data for the past five years. He mentioned putting some money in the Reserve for Contingencies and it would be there in case the department does not get another grant. Councilmember Helgeson said they have had a policy over the years not to backfill positions that were not funded. She explained that they submitted the grant application but were not awarded it so they are submitting it again. Councilmember Nelson asked Ms. Svrcek if she had heard anything about funding for general district courts clerks. Ms. Svrcek said she had not heard that and would have to look into it.

Sheriff Don Sloan gave Council an overview of the Sheriff's department. Councilmember Perrow thanked him for his service. There were no questions from Councilmembers.

Chief Ryan Zuidema gave an overview of the Police Department budget. He commented that they have done a workload assessment. Councilmember Wright had asked them if they had ever done one. At first glance, his initial estimate of 200 officers was probably low. It includes some administrative personnel as well. They are condensing all that information and will be presenting it to Council at a later date. In response to a question from Councilmember Wilder, Chief Zuidema indicated that the \$523,000 is for five new officers and all their equipment. In response to another question from Councilmember Wilder about being able to fill current positions, Chief Zuidema said they are really ramping up their recruitment efforts and they are tracking in the right direction.

Vice Mayor Dolan asked him how many vacancies they currently have. He said there are ten hard vacancies and adding in everything else such as the academy and those on sick or injury leave, it is 38 or 39. Councilmember Wilder asked for the funding for the five new positions to be added to "the list."

Councilmember Helgeson thinks that if the officers see that Council is adding new positions that it will help morale. He appreciates that Chief Zuidema has a meritorious system for pay increases and not simply a step system. Councilmember Helgeson would also like to see the additional advertising and it does not have to be billboards put on "the list."

Councilmember Perrow asked if they have the Gray Key software and was told they do not. He could get him data on how many times the software might have helped them last year. Anecdotally, there are very few cases that do not involve digital technology. He would also like the \$11,685 for the backup to be added to "the list."

Councilmember Nelson would like to see the cost of the cars outside of the five officers when he brings that back for discussion. Councilmember Nelson asked if there was any feasibility in getting Lynchburg and the four

surrounding counties together to split the cost of the Gray Key software. They could explore that but often the counties rely on state police to do their evaluations. They do not use the state police because there can be a six to nine month turnaround on getting equipment back. We can prioritize our own work and do a lot of it in house.

Vice Mayor Dolan asked what it meant to eliminate the wildlife management program. This was a program to cull deer. They are not able to quantify the benefit of the program.

Mayor Tweedy would like to see the financial cost of turnover. Chief Zuidema said he can include that in the workload assessment. Mayor Tweedy asked him if the decrease in violent crimes could be attributed to work being by other departments and other programs in the City. Chief Zuidema said there is absolutely no question. They partner with about 44 different organizations and partners. It is absolutely a community effort. Mayor Tweedy would also like to see the crime broken down by youth crime versus adult crime. He said that could be done.

// In the matter of Roll Call, Councilmember Nelson mentioned the commissioning of the new Fire Engine #3 and the decommissioning of the old one. It was a good gathering and a significant event. Councilmember Perrow has heard that business receipts for some downtown businesses could be down by as much as 30 percent. He would like to see a shift toward driving business downtown. Ms. Svrcek said that should be an effort for the Downtown Lynchburg Association and not Cella Molnar. Councilmember Helgeson noted that Liberty University won the ASUN basketball conference and then hosted the teams. It was very exciting and they went out with a bang. Councilmember Wright mentioned the breakfast with the superintendent this morning. He also participated in the Mayor's Youth Council Lighten Up Lynchburg 5K. He thanked the students and staff for helping put this together. He also attended the opening of the Sheffield Elementary Gym. He commended everyone for their efforts with it. It looks great. Councilmember Wilder attended the Daniels Hill Historic District meeting last month and they still have some concerns about the new development on Cabell Street, as well as the state of the traffic study being done by the City in this area. He also attended a memorial for Katherine Johnson (one of the women from Hidden Figures). Leland Melvin was one of the speakers and he continues to represent the City very well. The girls of Heritage's track and field team won their state championship. Vice Mayor Dolan was a judge at the News & Advance spelling bee, which she enjoyed very much.

Mayor Tweedy thanked everyone including the business sponsors that helped with the Mayor's Youth Council Lighten Up Lynchburg 5K run.

// The meeting was recessed at 6:25 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, Sterling Wilder,	
	Beau Wright, Treney Tweedy	7

Absent:		0
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// Vice Mayor Dolan gave the Invocation, followed by the Pledge of Allegiance.

// In the matter of Recognitions, the Mayor recognized this month as Makers Month with a proclamation. Ms. Elise Spontarelli from Vector Space commented that they have a social media campaign this month and the LYH Makers Week starts March 22. There will be a Maker Fair at Randolph College on March 29. She expressed appreciation for the support that Lynchburg has for its makers.

// In the matter of Recognitions, the Mayor recognized this month as Child Abuse Prevention Month. Ms. Jessica Arrington from Patrick Henry Family Services spoke and said the community cannot do it alone. It is going to take everyone and support is tremendous. All the events taking place in April will be on the website mentioned in the proclamation.

// In the matter of Recognitions, the Mayor recognized Ms. Eliana Wang from the Mayor's Youth Council in attendance at tonight's meeting.

// Copies of the minutes of the February 11, 2020 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Councilmember Perrow, seconded by Councilmember Helgeson, by the following recorded vote approved the minutes as presented:

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

// In the matter of Community Development, Renaming of Tunnel Court and naming of Tunnel Court and City View Way on the campus of Liberty University, Ms. Victoria Glasgow gave Council a summary of the request. Councilmember Helgeson noted that he teaches at Liberty University and clarified with the City Attorney that he does not have a conflict of interest in voting on this petition. Councilmember Perrow noted this was reviewed by the Physical Development Committee and was recommended for approval. He made that motion on behalf of the committee and it passed by the following vote:

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

// In the matter of City Council, Council considered adopting a resolution approving the naming of City Stadium (baseball stadium portion) to Bank of the James Stadium. Ms. Svrcek explained that Council approved a franchise agreement between Lynchburg Baseball Corporation and the City on February 23, 2016 for the lease of City Stadium Calvin Falwell Field. This agreement included a section for naming rights of the stadium. The City and the team may enter into an agreement to sell the naming rights to the baseball stadium portion subject to approval of City Council. The City and the team will share equally in any revenue resulting from the sale of such naming rights and the City's portion of that revenue will be placed in the repair, replacement and maintenance fund. Lynchburg Baseball Corporation and the Bank of the James have negotiated a sponsorship agreement with two items of note. The Bank of the James will have naming rights to the stadium entrance calling it "Bank of the James Stadium" and the sponsorship fee under the terms of the agreement is for year one beginning April 15, 2020 (\$50,000); years two through six (an additional \$50,000). The first year is separated because the cost of the sign will be share equally between the club and the City from that revenue.

Councilmember Perrow noted he is a stockholder of the Bank of the James, which is a large group. It is his understanding that he may vote on this petition. In addition, he serves on the Bank of the James Advisory Board, which does have a paid stipend; however, it is well short of the statutory limit. Having said that, he will say that he is quite biased in this matter and would like to make a motion to approve the resolution.

Councilmember Helgeson thinks it was embarrassing that in 1999 we had someone, Merritt Hutcherson, who was going to do all these things and things never really panned out. He thinks it would be good for Council to table

this and let it marinate until the next meeting. That should be plenty of time before baseball season. Unless there is a problem with that, he mentioned that this is the first that anyone has heard of this. If it is a problem, it should have come to Council a month ago. Ms. Svrcek said she gave them at the first opportunity she had based on information from the Lynchburg Baseball Corporation. She mentioned that Chris Jones from the Lynchburg Hillcats and Kevin Gail and Allen Puckett with the Bank of the James are present to answer any questions. She commented that delaying approval will delay fabrication and installation of the sign in time for opening day. Mr. Jones confirmed that is the case.

Councilmember Helgeson thinks that is kind of putting people in a box. He recognizes the importance and thinks it is a great thing. This is a deliberative body that should not just get things thrown at them and say they have to decide by the end of the day, especially when there was a previous history that was not good. He is not insinuating that the history will be replicated by any means. Mr. Jones said they made sure they vetted it very well.

Ms. Svrcek clarified that when the naming rights were sold 20 years ago to Anne Merritt Hutcherson for a period of 20 years. She suffered bankruptcy and that is why that naming rights avenue did not continue.

Councilmember Nelson seconded Councilmember Perrow's motion. Councilmember Perrow respects Councilmember Helgeson's concern but was greatly excited when he saw this on the agenda last Thursday because this is a homegrown Lynchburg corporation. He is as thrilled as he can be to have a Lynchburg corporation having a naming opportunity on our stadium. It is a source of pride and it is important. He agrees that the Merritt Hutcherson deal was an absolute disaster but he has full faith and credit in the Bank of the James and the vast majority of our Lynchburg corporations would be behind this. He hopes to see other examples like this from other of our corporate leaders. He thanked the Bank of the James and said he is so happy to be able to support this request.

Councilmember Nelson said he remembers when Merritt Hutcherson made the contribution and the terms of it. He does not think she was a resident nor had many, if any, roots in Lynchburg. The Bank of the James has demonstrated outstanding community citizenship. They are fiscally financially solid. The amount of money under this agreement would not be easily compromised based on their standing. He thinks it is exciting and he endorses thoroughly public/private partnerships, especially when the City does not give up anything. The City will gain a partner to help us with our expenses and overhead.

Councilmember Wright disclosed he is a stockholder in the Bank of the James but feels he can be fair and impartial. He noted that Economic Development has talked about anchor institutions and involving large enterprises and in our community in our civic affairs. He thinks Bank of the James is such a partner and thanked them for bringing this to them.

Councilmember Wilder said he is thankful for what Bank of the James has done for the community and noted it has been thriving for over 20 years. He is thankful for their investment in the stadium.

Vice Mayor Dolan said her husband was one of the original founders along with Bob Chapman and Todd Scruggs. She has watched the bank flourish and grow over the years and seen what they have put into the community, so she would support this project.

Mayor Tweedy said she would support this project as she supports the Lynchburg Hillcats and the Bank of the

James as a local community partner.

Councilmember Helgeson said his issue is not with the Hillcats or the bank. He has seen a lot of things that the City has pushed forward that in hindsight was something they should have thought through a little bit more. He is tentative when he sees things that are pushed quickly by the City that he thinks we could have done better. He agrees with Councilmember Perrow that it is a good homegrown bank and an anchor institution. He appreciates those comments.

Vice Mayor Dolan asked Ms. Svrcek if she thinks this decision has been thought through. She said absolutely. She brought it to them as soon as Mr. Jones was able to bring it to her. There is no intention to push anything through. That is never the intention of staff.

The motion passed by the following vote:

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

// In the matter of Public Works, Council discussed Tyreeanna/Pleasant Valley neighborhood trash service fees. Dr. Reid Wodicka reminded them that Council decided on a number of items regarding trash collection at its February 11, 2020 meeting but wanted some more information before deciding on this item. The minutes from 1999 really did not contain any useful information as to what Council's thoughts were and whether the intent was to provide this service for a short period of time or indefinitely. It does look like the decision was made to try and address a variety of concerns in the neighborhood stemming from the landfill. Council made this decision in conjunction with authorizing a neighborhood plan for that area. They received a number of other free services, such as pressure washing and pest control, which have all ultimately been eliminated over time since the landfill closure.

Councilmember Wright pointed out that the resolution from 1999 said the decals would be issued for 1999 and 2000. It would seem to him that this was a benefit that was meant to last for the remainder of 1999 and for the entire trash collection period of 2000 and that perhaps the City let the service continue until today. He wondered if there was any clarifying information in that regard. Dr. Wodicka and Ms. Gaynelle Hart both indicated they had no clarifying information. The free service has just been provided even after 2000. The City Attorney indicated there were a lot of complaints from Tyreeanna neighbors about trash, truck traffic and odor from the landfill. There was a program for a number of years that the neighbors could sell their property to the City for its assessed value in order to create a buffer zone. It was also planned that the City would be expanding the landfill. That did not happen because the City decided to join the Region 2000 authority. He would say that things have changed significantly since then due to the landfill being closed.

Councilmember Wright asked if there has been any outreach to the people affected that this is up for discussion and vote by City Council. Dr. Wodicka said they have not done that because they felt it would be a little presumptuous for staff to do that without any direction from Council. Staff had recommended they continue the service but if Council would like to change that, they can certainly do that outreach.

Councilmember Wilder would recommend they continue the service because the neighbors have not been notified, it was staff's recommendation and we do not know the long-term effects of the landfill on the surrounding

area. He thinks it shows good faith to the neighbors and shows them that the City values them. He made that as a motion and the motion was seconded by Mayor Tweedy.

Councilmember Perrow suggested a substitute motion, which was to discontinue the service when the new trash plan starts. The motion was seconded by Councilmember Nelson. The new trash plan does not go into effect until January 2021 and that will give ample time for notification. For him, it is a question of fairness. He understands Councilmember Wilder's concerns; however, the landfill is closed and inert at this point. Gas is being pulled off it and sold to RockTenn. He remembers following the discussion in the paper and the main complaint was about odor and that is no longer an issue.

Councilmember Nelson remembers the issues because he has many clients in the area. It was related to traffic, dust, trash blowing and rodents. His position is based on speculation, as it cannot be proven in the record of minutes. He speculates that the reasons Council gave this exemption were based on the conditions of the landfill and he they no longer exist. He is an advocate for equal protection and treating everyone fairly. A special exemption should not be granted to one group and not another unless you can articulate a particular justification for the distinction. He is inclined not to continue the exemption but is glad to have it delayed so there can be proper notification given to the neighbors.

Councilmember Helgeson is surprised to see small business included because they normally have to get their own trash service. Dr. Wodicka said there are small businesses that we pick up from in other parts of the City as well.

Councilmember Wright would ask them if they are going to continue this service, is it something that we are going to continue in perpetuity. Councilmember Wright noted that Dearington has a covered over landfill. If we are going to provide free service to Tyreeanna, we should provide it to Dearington as well and he does not think that is a sustainable option. Councilmember Wright said he would be comfortable supporting this motion if proper communication was done. Dr. Wodicka said they have a robust communications plan that they are building for all of the proposed changes regarding trash collection and fees.

Councilmember Nelson noted there are several closed landfills in the City. There are strict landfill closure regulations so he does not think the Concord Turnpike closure will pose any further hardship or offenses to the neighbors. He wished to point out that to continue to give this exemption to the neighborhood just because there used to be a landfill there will open up a lot of issues throughout the City.

Councilmember Helgeson noted that the area is very clean. People put out their trash and the City picks it up. That is the way it used to be before the trash tag program was started.

Mayor Tweedy noted that neighborhood has a lot of heavily engaged neighbors who take a lot of pride in their neighborhood.

Councilmember Wilder noted that he cannot support the substitute motion because we did not have agreements with the other neighborhoods where there were landfills. He also thinks the Tyreeanna neighbors have the challenge of the odor from the wastewater treatment plant.

Vice Mayor Dolan noted Councilmember Nelson and Perrow's comments as being valid as well as the change in circumstances so she will be supporting the substitute motion.

The motion to accept the substitute motion and the motion to discontinue the free trash service for the Tyreeanna neighborhood beginning January 2021 both passed by the following vote:

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

Mayor Tweedy noted that the City is redoing the master plan for the Tyreeanna/Pleasant Valley neighborhood. There are some great plans for the reuse of the landfill and she thinks there are going to be great things happening in the neighborhood.

// In the matter of Engineering, City Council discussed the Smart Scale proposed projects. Mr. Lee Newland explained that there is a pre-application process this year that ends on March 31. Staff is recommending two projects, one which has VDOT recommendation. One is the Candler's Mountain Road interchange with the Lynchburg Expressway and it is roughly a \$40 million project. The state has some state of good repair funding it can add to it as well. The second project is one we applied for previously and did not get and it is the roundabout at Wards Ferry Road and CVCC Campus Drive.

Councilmember Perrow noted that the Physical Development Committee reviewed these projects. The Candler's Mountain Road project does have a big price tag but it is six years out and there are a lot of contingencies that have to be built in and projected. He understands that the Candler's Mountain ramp transitioning to the northbound expressway has the highest number of crashes in the City. This project would have acceleration lanes and additional stoplights. It is a great opportunity to increase safety in that area. The roundabout at Wards Ferry Road and CVCC Campus Drive is in keeping with the Wards Ferry Road master plan. Purchasing the property from the state is what is running up the project cost. Because of the traffic volume, it is a fairly large roundabout that has to go there.

The committee thought these were good projects to bring forward and he noted that this is all federal and state money. He made that as a motion on behalf of the PDC.

Councilmember Helgeson noted the \$6.5 million price tag for the roundabout and wanted to know if there was any match required from the City. Mr. Newland indicated that Smart Scale is 100 percent state and federal funds. Councilmember Helgeson asked if a traffic light had been considered instead of a roundabout. Mr. Newland indicated you would still have to put in turn lanes and acquire additional right-of-way. The traffic light would be approximately \$250,000. Councilmember Helgeson noted that he would be interested in seeing an estimate for acquiring the necessary right-of-way for a traffic light scenario for comparison versus a roundabout.

The motion passed by the following vote:

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

// In the matter of Fire, Council considered adopting an ordinance amending Chapter 19 of the City Code to reflect changes associated with adoption of the Virginia Statewide Fire Prevention Code 2015 edition. Fire Chief Wormser explained that they have been using the 2012 edition up to now. The other big change is that we will no longer be providing pumping water from a basement as a service. Councilmember Wright made a motion to adopt the ordinance, which was seconded by Councilmember Perrow.

March 10, 2020

AGENDA ITEM #: 5

The motion passed by the following vote:

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

Noes: Wilder 0

Councilmember Perrow noted there is a public hearing on the proposed GLTC rate increase on April 1 at 4:00 p.m. at the Kemper Street station building.

// The meeting was adjourned at 8:25 p.m.

Clerk of Council

// A regular meeting of the Council of the City of Lynchburg was held on the 24th day of March, 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, Sterling A. Wilder,

Beau Wright, Treney Tweedy 7

Absent: 0

// In the matter of Budget, the City Manager addressed three questions raised by Council at its May 17th meeting. Council has been provided with a five-year history of fire and EMS calls and average response times to emergency instances and the per child placement cost for foster a “worst case” scenario.

// Ms. Donna Witt gave them a first look at the adjusted projected revenues for the rest of FY2020. In the next few weeks they will present them with some figures based on assumptions on both the revenue side and corresponding expenditure reductions. Ms. Witt explained that the assumptions are obviously based on a best case scenario. For each major revenue source, there are different assumptions based on what we know today. It assumes today’s City employment. The value of each payroll day is approximately \$100,000 to \$125,000, excluding the Police Department, Fire Department, Department of Social Services, Emergency Services and Refuse Collections. It assumes hiring and nonessential spending freezes implemented on Friday, March 20, 2020. It is focused only on FY2020 available resources.

Councilmember Perrow asked for clarification on the best case scenario. Ms. Witt said it is very conservative and she is erring on the side of caution. She also explained that she is only looking at FY2020 resources as possibly replacing lost funds. She projects a net loss of \$175,586 in sales tax. July through January numbers were over projections and that is helping to buffer the projected loss. Councilmember Wright asked why they are projecting March will remain the same. Ms. Witt said it is because they already had numbers for half of March and people are stocking up a lot and buying a lot on line, so they expect March will remain the same. Councilmember Perrow asked how much of sales tax is derived from meals. She said she did not know exactly but it is not as much as you would think and it has been factored in to the projections.

The projection for the loss in meals tax is approximately \$2,170,299. She has talked to several restaurant owners and they are doing a lot of carryout. Their sales are down approximately 30 percent but people are really trying to support the local restaurants. They may have to revise these numbers because they are based on things getting back to normal in June. It was also taken into consideration that the students are not here and there will be no graduations.

The loss in lodging tax is projected to be around \$812,638. Councilmember Helgeson noted that this is bad but we can spend less because we are getting less in revenues. What is devastating is the people that are losing 100 percent of their income.

The loss in amusement tax is projected to be around \$210,464. The total loss is projected to be \$3,368,987. She outlined the potential sources to replace lost FY2020 revenue. \$700,000 in the Reserve for Contingencies; \$2,200,000 in the Managed Vacancy Savings; \$800,000 in General Fund Unassigned Fund Balance above 10 percent (FY2020 only); \$1,200,000 in the Task Force on the Future of PreK-12 Education and Beyond reserve; \$400,000 in Long-Term “On-Time Debt Financing Reserve; \$1,361,182 in the Greater Lynchburg Transit Company

Reserve for a total of \$6,661,182. Councilmember Wright asked if it is known if there will be any state or federal assistance and Ms. Witt said they do not know at this time.

Councilmember Perrow asked about other sources of revenue such as the airport. Ms. Witt said the airport stands on its own but the sources she mentioned would be possible sources of revenue if the airport needs to have general funds to be made whole. Some good news is that construction work is still rolling. Councilmember Wilder asked if the City has a “rainy day” fund for emergencies. Ms. Witt said that is what the 10 percent reserve in the general fund is for, as well as the Reserve for Contingencies. Councilmember Wright asked if there is any concern for the City being able to meet its bond payments and Ms. Witt said no. We invest for upcoming bond payments and we will be able to make the upcoming \$10 million bond payment.

Councilmember Perrow asked if she is concerned with a cash flow problem. She said she is not because the Finance staff is assuring her there is not a problem. We are looking at helping citizens with their personal property taxes due on June 5th. They are looking at what they can do and still have the resources to move the City forward.

Councilmember Wilder asked if our investments are affected by what is happening in the market. Ms. Witt said no because state code only allows us to invest in very safe securities.

Ms. Witt told Councilmember Helgeson that the \$1.2 million in the Reserve for Contingencies for FY2021 does not count on any leftover from FY2020. Councilmember Helgeson commented that if this event had happened in February, he thinks a whole different budget document would have been presented to Council. Ms. Svrcek said the plan is to move forward with walking through the budget document and over the next few weeks they will refresh their revenues and expenditures. Councilmember Helgeson thinks their time would be better spent in a different facet than to try to tweak this proposed budget because there is now such a large projected gap in revenues. Ms. Witt said her potential revenue sources to replace lost funds are from FY2020 and FY2021 really stands alone. She said she needs about another month to see what is going to happen with the pandemic and its impact on the economy to see how much it is going to impact FY2021.

Councilmember Nelson believes it is realistic to expect the negative dynamics of this event are going to continue into FY2021. It will impact aspirational things we wanted to do for the employees and projects and the fire department. What we had a month ago is now not sustainable and he would suggest the City Manager ask departments what they can cut because we do not want to lay off people.

Ms. Svrcek agreed they need to be realistic. She would suggest they continue to walk through the proposed budget document because their reactions to what is in the budget can help inform their decisions as they come back a revised 2021 scenario. Councilmember Nelson suggested that City Council start by cutting the raises previously proposed for City Council as a token to let everyone know that everyone is in the same boat.

Mayor Tweedy commented that we are in unprecedented time but she would like to give department heads, some of whom have been waiting for quite a while, the opportunity to present their budgets. Councilmember Perrow also thought it would be helpful to continue going through the budget. He does not think they are talking about a whole new budget. They are talking about budget adjustments and it would be helpful to him to continue going through the budget to see how those adjustments will impact it. He would like to see from staff in the next

couple of weeks is a staff adjustment for revenues so we can put that on the list. That would adjust the lines in which we are able to make some changes.

Councilmember Wilder would like to continue going through the budget and be updated as they go along because the numbers are a moving target. The projected revenue numbers and possible sources for where the shortfall in funds can come from were very helpful.

// Ms. Jenny Jones presented an overview of the Parks & Recreation budget. Councilmember Helgeson asked about the community market because he has heard from some vendors that their sales have dropped 80 percent. He asked if the hourly employees are still getting paid. Ms. Jones said the market is still open but they are only doing pickup orders. They are still fully staffed because the market is considered an essential business. They are doing a lot of extra cleaning because people are still coming in to cook and use the restrooms.

Councilmember Helgeson thinks there needs to be a balance because the vendors are getting hit hard. Ms. Jones said the rents have been prorated for those that are not selling grocery items. She also mentioned that the farmer's markets are regulated by the Department of Agriculture and it was their ruling that farmer's markets were restaurants and had to close except for pickup or preorders.

Councilmember Helgeson would like any of the increases in the Parks and Recreation budget to be on "the list."

Councilmember Perrow would like the two new part-time positions to be on "the list" and the increase in other charges fund less the Miller Park pool chemicals. Mayor Tweedy noted that the other charges fund includes internet for the College Hill Center and she thinks that people out of a job may need to use the community center to apply for jobs. Ms. Jones noted that the center is closed right now and these funds are being requested for when the after school program is open again.

Ms. Jones also wanted to note that the centers are going to be used as pickup points for the free school lunches and they are helping to deliver some of the lunches as well. Councilmember Perrow clarified that it is a plan and Ms. Jones is not making an official announcement at this time. Councilmember Nelson thinks it is a great idea to collaborate but asked if the schools will be giving some funds to the Parks & Recreation department since it will be using fewer busses. Ms. Svrcek said all those details have not been worked out yet. She explained that Parks & Recreation helping with the lunches is a part of the Emergency Operations plan and it is considered an emergency services function.

Councilmember Wilder noted that the community centers are part of the fabric of our community. Most of them have heavily engaged neighbors and community partners. He commends Ms. Jones and her staff that are doing such great work to meet the needs of the communities.

// Mr. Kent White gave an overview of the Community Development budget. Councilmember Perrow noted that if you take out the increase for salary adjustments, the department's budget is actually below last year's by \$60,000. He noted the \$600,000 transfer from stormwater fees helps significantly. Councilmember Perrow noted that Mr. White said inspections are increasing but the number of permits issued seems to have flattened or decreased over the past eight years. Mr. White gave an example that one permit is issued for an apartment complex but that might entail 52 electrical inspections. They are seeing that the size of the jobs is changing. Councilmember Perrow commented that this tells him that we are not seeing single-family development and that development is somewhere

else, probably in the counties. A person who asked Councilmember Perrow about the decline in permits for the City is a materials provider and that is how they decide how to make investments.

Councilmember Helgeson asked that the new Environmental Inspector and its associated costs be added to “the list.” He would also like the \$8,300 for the short-term rental monitoring service to be on “the list.” Mr. White clarified that the cost of this monitoring service should be offset by the \$150 registration fee. Councilmember Helgeson commented that the voluntary agreement has not been worked out yet with Airbnb and he would like this item on “the list.”

// Ms. Marjette Upshur gave an overview of the Economic Development budget. Councilmember Nelson asked if she knew how Airbnbs fit in with the governor’s executive order and noted they may be doing a service but also might be bringing visitors into our neighborhoods that we do not necessarily want at this time. She acknowledged that but said she really did not know how they fit in at this point.

Councilmember Perrow asked about the \$350,000 that used to be in the CIP and Ms. Witt said it is actually \$250,000. Ms. Witt explained that every year they transferred that money to the EDA because they use that money and there was really no reason for it to be in the CIP. Ms. Witt thinks Councilmember Perrow might be referring to the \$200,000 that was going to the Academy to meet the City’s commitment and that is now back in the Economic Development budget. Councilmember Perrow said that when he looks at the total City cost, it is \$200,000 more than the previous year. If that \$250,000 had not been transferred, it would actually be a \$50,000 decrease in operating costs and Ms. Witt said that is correct.

Councilmember Perrow would like to put the \$50,000 in contractual services and the \$50,000 in rents and leases on “the list.” He would like to put the entire \$350,000 on “the list” and then they can look at pieces to put back. It would be high on his list to put back because economic development is an investment but he thinks they need to prepare for the decrease in revenues.

Councilmember Helgeson asked Ms. Upshur to explain the \$250,000 for the EDA. Ms. Upshur said it is for general development support and it is kept separate. She can provide them with a report on where that money goes. She said the majority of the money goes into a local grant that incentivizes investment in the City. Councilmember Helgeson would like to see the report.

Mayor Tweedy asked if any of the future events Ms. Upshur mentioned are part of this budget. She said she would need to check to see if they are already committed to any contracts.

Councilmember Wright would like to see a report on the economic impact of her department’s work because it is his understanding that it far outweighs the investment the City makes in the office. Ms. Upshur will provide that information for the past two years.

// Ms. Upshur presented an overview of the Museum budget. Councilmember Nelson thanked Mr. Ted Delany and his staff for the variety of exhibits and presentations that the museum offers. It is outstanding and we are fortunate to have this facility and the programming. Councilmember Wilder echoed those comments and said he is so impressed with the exhibits. He appreciates them very much and he has learned so many things. He particularly loves the Day at the Point.

Councilmember Perrow suggested that the museum could coordinate with schools and provide some virtual educational experiences to students. He also wished to hear from her at a later date about how Council could help local businesses in the near term.

// Mr. Dave Malewitz presented an overview of the Parking Management budget. Councilmember Wright asked if they have seen downtown fines change during Downtown renewal. Mr. Malewitz said they have not seen any change probably due to the free two-hour parking being provided in the Midtown parking deck.

Councilmember Helgeson noted that his benefits have increased more than the salaries. Ms. Witt said that is because his department is small and the increase for health care and VRS is more evident and is more than the salary increase. Councilmember Perrow agreed it seemed higher than another small department such as Communications and Public Engagement. Ms. Svrcek said they can look into it to be sure it is correct for Parking Management.

Councilmember Helgeson thought Mr. Malewitz needs to look at his expenditures because there will be less revenue because of construction and businesses closed due to the pandemic. He would like Mr. Malewitz to make some adjustments and would like this on “the list.”

// Ms. Joann Martin presented an overview of the Communications and Public Engagement budget.

Councilmember Helgeson would like to look at some of the salary increases in departments as some of them are quite significant. He understands some of it because of the Korn Ferry study. Ms. Svrcek noted they will be looking at the three percent raise proposed as they look at revenues and expenditures.

Councilmember Nelson noted that Ms. Martin’s department is certainly the face of the City and perhaps the first department a person encounters. He thanks her for what appears to be an efficiently operated department. It is streamlined in many ways and the figures show it.

Mayor Tweedy thanked her for the name change because it is a better reflection of what the department does. Councilmember Wilder thanks her for the great communication her department does to keep the citizens informed.

// In the matter of Roll Call, Councilmember Wright applauded the City for the mammoth amount of work to keep City functions responsive and doing business as usual such as refuse collection and public safety. He appreciates what they are doing to keep the City safe and healthy.

Councilmember Wilder thanks the employees as well. During budget time, he can really appreciate what our employees do for the City because he can see what each department does.

Councilmember Nelson echoes what has been said about the employees. He appreciates the citizens following what everyone knows to do in order to deal with the current crisis.

Councilmember Perrow just received an email from Virginia First Cities. They are sending a series of proposals to the governor. He will discuss that with the Mayor before the emergency meeting that has been called for on Thursday. He noted that everyone is struggling with this pandemic and how it is affecting them individually. He watches the numbers closely and he thinks there is hope because the numbers seem to indicate that the social distancing is an effective policy. He encourages the Lynchburg citizens to work hard to make this a successful cessation of the pandemic. He has enjoyed supporting local businesses and he commends business owners that are trying to figure out how to do business in a different way. He is really impressed by all of them.

Councilmember Helgeson would like to thank the citizens and businesses. It is hard to see businesses and people that have lost 100 percent of their income. He would like them to recognize their peril as they come up with a budget. He would like them to make some good strides to cut out what is not essential. It is not good message to hear from the governor that a business is non-essential because all businesses are essential. He hopes they will put their boots back on and get back to work. He wants to see us continue to thrive.

Vice Mayor Dolan wanted to thank the City leadership and the Lynchburg City Schools leadership. They deserve a big pat on the back. She hopes the citizens do not become complacent and continue to do what is recommended by the CDC and our leaders.

Mayor Tweedy read a press release that she issued earlier today regarding the return of students to the Liberty campus and how it was not supported by her or the City Manager. This ended the work session and Council moved on to the regular meeting agenda. Councilmember Perrow gave the invocation followed by the Pledge of Allegiance.

// Copies of the minutes of the February 18, 2020 and February 25, 2020 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Councilmember Perrow, seconded by Councilmember Helgeson, by the following recorded vote approved the minutes as presented:

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

// In the matter of Engineering, Council considered approving the attached resolution requesting VDOT to increase the official City Street lane mileage for reimbursement of highway maintenance funds for FY 2021. Mr. Newland explained this is a routine item. The City added a total of 2.2 lane miles making the additional funds approximately \$28,000. Councilmember Wright made a motion to approve the resolution, which was seconded by Councilmember Perrow and the motion passed by the following vote:

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

// In the matter of City Council, Council considered adopting a resolution approving an amendment to the May 1, 2017 Law Enforcement Regional Mutual Aid Agreement. The City Attorney explained that none of the terms of the agreement are changing. It is being amended to add the names of new sheriffs in various counties. Councilmember Perrow made a motion to approve the resolution, which was seconded by Councilmember Nelson and the motion passed by the following vote:

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

// In the matter of City Council, Council considered adopting an ordinance confirming the declaration of a local emergency and disaster for the City of Lynchburg and implementing certain emergency procedures for public meetings and public hearings to ensure the continuity of City government. The City Attorney stated that the pandemic is making it difficult for localities to do things according to the law because it contradicts what health officials are telling us to do. The Attorney General confirmed that there is nothing in the Freedom of Information Act that allow localities to hold electronic meetings except to discuss emergency items. The state code allows a

local government to declare a disaster and adopt a continuity of government ordinance. It may trump the FOIA for public meetings and allow Council and its boards and commissions to hold electronic meetings. No one is 100 percent this will work but it is recommended by the Attorney General and other locality attorneys to be the best option. He would like to add the Lynchburg City School as well to cover it.

Councilmember Wright made a motion to approve the resolution and seconded by Vice Mayor Dolan. Councilmember Perrow asked if this applies to the Housing Authority and Airport Commission, for example, and they do not have to a quorum physically present. Mr. Erwin said all the boards and commissions can use this ordinance for the basis for holding electronic meetings. Ms. Svrcek said it is the City's plan to continue operating in this social distancing format in person until we are no longer able to do it, if that situation should arise. Councilmember Perrow asked if the City could provide some guidance to the points of contact for the boards and commissions. Mr. Erwin said the local government attorneys formed a task force and came up with some guidance for boards and commissions. The individual entities such as the EDA and the Housing Authority will have to come with their own policy. Those entities, as well as Council, need to make other avenues available for the public to still be able to view the meetings and to be able to make comments. In the case of Council's public hearings, telephone comments and email comments will be options for the public. Some boards and commissions may want to hold off on having meetings because the City is not able to provide the resources for them to have electronic meetings.

Councilmember Nelson commented that transparency is very important to him. He has no problem approving this to have this tool in our tool belt. Before they implement it though, he would want it to be a matter of compelling public interest and not just for our convenience.

Councilmember Helgeson does not want to have this tool in our tool belt until there is a compelling reason because sometimes we like to use a tool because we have it. He does not like that one person can declare an emergency and then lots of things can happen. It does not think it is needed.

Mr. Erwin said he feels this is important and they should vote on it tonight. Usually he tries to defer to Council but there is a possibility Councilmember might have to self-quarantine and they might not be able to get together to vote on this at a later date. He thinks it is important to adopt it tonight so they have the option of electronic meetings if they need it. He does not think Council will use it to trample on people's rights. Things are changing so quickly and they need to think of giving the School Board the option of having electronic meetings.

Councilmember Wright asked if this ordinance would sunset when the crisis is over. Mr. Erwin said it will end when the governor declares it is over or if the crisis goes on for more than six months, they will have to adopt another ordinance. It cannot last any longer than six months. Councilmember Wright thinks it is reasonable and should be adopted, as long as they continue to notify the public that there are other ways to participate. Councilmember Wilder thinks it is wise because things are changing daily and we need to be prepared. Councilmember Perrow thinks Councilmember Helgeson makes a good point because you can see how this could be abused. He thinks there are safeguards built into the ordinance and it is very specific that it applies to this pandemic only. He thinks that mitigates any challenges. He would be concerned if it were more broad.

The motion passed by the following vote:

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

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Noes: Helgeson

1

// The meeting was adjourned at 6:13 p.m.

Clerk of Council

March 31, 2020

AGENDA ITEM #: 7

// An additional scheduled meeting of the Council of the City of Lynchburg was held on the 31st of March 2020, at 7:00 p.m. in the Council Chamber, City Hall, Treney Tweedy, President, presiding.

Present: MaryJane Dolan, Jeff Helgeson, J. Randy Nelson, E. J. Turner Perrow, Treney Tweedy,
Sterling A. Wilder, Beau Wright 7

Absent: 0

// In the matter of Budget, Council conducted a public hearing on the FY 2021 Proposed Operating Budget and the Proposed FY 2021-2025 Capital Improvement Program for the City of Lynchburg, which includes funding for General, Schools, Fleet, Airport, Water, Sewer, Stormwater and Other Funds. Dr. Reid Wodicka acknowledged that this budget was crafted prior to the current economic disruption. Staff will be revising the revenue projections and the budget development schedule has been revised. The policies guiding this budget were to comply with Council's financial policies, to implement Phase 2 of the Citywide salary study, to provide a general wage increase, fund maintenance commitments, address increasing health premiums, maintain training and professional development, fund the reengineering of our trash collection program and avoid a tax increase. Departments were asked to submit a budget that was equal or less to their budgets in FY2020. Schools requested funding that was equal to FY2020. The proposal is to cut that request by \$1.5 million because of declining average daily membership, increased state revenues and a trend of increasing year-end fund balance. Funding for GLTC is affected because of the loss of a contract with a local university and will require the use of some fund balance reserve funds.

Councilmember Nelson noted that Dr. Wodicka is enlightening them as to what to expect as they move the budget. He asked if there will be any notations or information that suggests how the proposed budget is likely to change due to the fluctuating fiscal landscape we are now facing. He does not want to go through this budget and then have to go through it again when the numbers are adjusted. Dr. Wodicka said they are working on new projections currently.

Mr. Jamie Maxwell, President of the Lynchburg Firefighters Association, came forward to speak regarding the budget. They are asking for appropriate pay and personnel. He mentioned that they do not know what the Korn Ferry study is recommending because it has not been released to employees despite FOIA requests. He speaks for 154 voices. They support the Fire Chief's budget proposal. They would not be giving the medic unit to the fire department. They would be giving it to the citizens of Lynchburg and they deserve it. He explained that many firefighters hired 10 years ago are making the same amount as firefighters hired in 2019. We have twenty year veterans making \$45,000 to \$46,000 a year. They will never reach the top pay advertised.

He acknowledged that Councilmember Wright has said that we need to value our employees and provide a competitive compensation package. He thanked Councilmember Nelson for his true leadership in saying that Council does not need to take their pay raises at this time.

He concluded that this is where Council needs to show that funding public safety is a priority. They need to

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prepare with a “rainy day” fund and stop funding pet projects. He does not envy them the hard decisions they have to make over the next several weeks.

Mr. Oliver Kuttner spoke on behalf of the COVID-19 Citizens Response Group. He would like them to pay attention to what Germany is saying because he left there about a month ago and watch their numbers because they are testing a lot and probably have good numbers. He said that this is an 18-month issue. The first peak will probably come around mid-May. Telling people to quarantine at home is not the best thing. He cautions them not to wait for the state and take their own action. It is absolutely essential that they take action and should call for an emergency meeting in the next couple of days. It will affect their budget more than they can imagine. If the health care system gets overrun, they run the risk of losing seven percent of their population.

Mr. Richard Loving, president of the Lynchburg Police Foundation, came forward to speak. He said that he has been pleased to see very strong and growing support of the police department from the business community and citizens. It has allowed them to offer a scholarship and other financial assistance to officers. They have also been able to enhance the recognition and award program for individual officers. He explained that staffing, technology and facilities are dependent on government support. They support maintaining the full staff of the police department but also the proposal for additional staff. He encourages them to continue updating technology and provide the training necessary for the officers to use the technology. They have received some donations earmarked for technology and they look forward to partnering with the police department. They thank Council and the City Manager for supporting the new police department building and asks them to keep it on track. He asks them to make the investment today that will make their community better prepared for the current situation and future threats.

The Clerk of Council, Robin Craig, read emails into the record sent prior to the meeting. The first one was from Carla Heath from the League of Women Voters: “In keeping with its long standing position to ‘support improving existing recreational space within the city, by preserving and acquiring natural area, and by maintaining recreational areas in high-density neighborhoods’ the League of Women Voters of Lynchburg calls upon the City Council to fully fund the Department of Parks and Recreation’s operating budget requests for FY2021 and the capital improvement request for FY2021-25

Just an hour in the Blackwater Creek recreational area any day these past weeks makes it clear that hundreds of Lynchburgers of every age, ability and background use and value the City’s natural areas to maintain their physical health and emotional well-being in these uncertain times.

Ongoing fiscal support for the City’s parks, trails, sports fields, and community centers is vital to keeping Lynchburg a ‘great place to live, work, and play.’”

// A statement from Lynchburg City Schools: “Thank you for this opportunity to share a brief statement in support of the Lynchburg City Schools’ (LCS) budget request for the March 31, 2020 Budget Hearing. At this time of

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uncertainty for the health of the members of our community and the unfathomable impact this current pandemic will likely have on our local economy, we are writing to simply ask that you preserve what you can of the LCS budget request.

On Tuesday, March 10, 2020, most of City Council joined with well over 400 other business and community leaders at the LCS Education Foundation's annual 'Breakfast with the Superintendent' to learn more about our schools, and specifically about some lesser known programs that are having significant impact on our students. At that time, we were mindful of handshaking but groups of more than 10 were an accepted norm.

Just two days later, the World Health Organization declared COVID-19 a pandemic and by Friday, March 12th Governor Northam declared a state of emergency that initially closed schools for two weeks and later closed schools for the rest of the academic year.

Within those 3 days, life across our country changed dramatically and caused many of us to begin to worry about the impact this pandemic would have on our family and friends.

Within those same 3 days, the needs of some of the most vulnerable in our community became a clear concern as LCS immediately identified the need to not only provide continued educational enrichment to the students in Lynchburg, but to continue to provide meals through the school nutrition program which is the only access some households have to nutritious food for their children.

That weekend, the LCS School Nutrition Department partnered with the LCS Transportation Department and worked tirelessly to develop and execute a plan. By that Monday, March 15th, without missing a beat, LCS school buses were already rolling, delivering breakfast and lunch each day not only to LCS students, but to all students (public schooled, private schooled, and home schooled) across the city to ensure that no child went hungry during these uncertain times. By Friday, March 27th, LCS had already delivered over 24,000 meals to children across this city and provided students with enrichment activities to ensure that continued learning opportunities were available. These recent events demonstrate that the school district is essential in protecting all children in the city of Lynchburg. The rapid response of LCS School Nutrition with the support of LCS Transportation and so many faculty and staff volunteers was nothing short of spectacular. This current crisis demonstrates the critical need for a strong public school district, with competency across all departments, and the tremendous impact a school system has on a community.

In the best of times, our public schools are charged with providing a robust education to all students to prepare them to enter the workforce and enhance the economic health for our community. In the worst of times, the public schools are a critical source of continuity and services to our children, made ever more vital when our community is stressed. And in all times, our public schools are instrumental in meeting the intellectual, physical, emotional, and nutritional needs of our children.

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We acknowledge that there will likely be tough financial times ahead. In light of all of the roles that our public schools play in our city, for those who are enrolled as well as for those who are not, we ask that you preserve what you can of the Lynchburg City Schools' budget request.

Thank you for your consideration and service, especially during these challenging times. Most Sincerely, Kevin G. Smith, President-Lynchburg City Schools Education Foundation and Chief Legal Counsel-Genworth; Steven Lobb, Chair-Lynchburg City Schools Education Foundation Advocacy Committee and Senior Counsel-Framatome and Jodi K. Gillette, Executive Director, Lynchburg City Schools Education Foundation."

// An email from Jennifer Wills: "I'm writing to support funding for Parks & Rec. While I support all of their budget requests, I'm writing to specifically ask that you provide funding for the Blackwater Creek Trail. The increase in traffic during this time has been significant. In nearly 6 years of living near the trail and exercising there on a regular basis, I have never seen as many people as I do now. Parks & Rec will need funding to repair the bridges so that visitors can enjoy the trail system. This will also allow visitors to spread out over more space rather than just staying on the paved trail and it will allow Parks & Rec to continue to maintain and provide this vital service. Thank you."

// An email from Geoffrey Wertz: "Dear City Council, I am so proud of the City of Lynchburg's efforts to make and maintain our beautiful parks. I volunteer as often as possible to help with the trail clean ups and enjoy both the camaraderie of the volunteers and our beautification results. As such, I am sending this email to provide my support fund the repair of the three bridges on the Creekside trail. This would restore 2 miles of the BWC trail system. Thanks for your consideration."

// An email from Viki Gossen: "Lynchburg's trail system, with the forested areas and Blackwater creek providing natural experiences from an urban downtown area, makes Lynchburg unique from other cities. After the flooding, nearby residents and organizations pulled together with Lynchburg Parks and Rec to recover as much access to the trails as possible, because it means so much to all of us. The trails and the community that support the trails give me the feeling of being at home, and it is where I go for exercise and relaxation. Visitors are always surprised, as I initially was, that Lynchburg has this amazing trail system accessible from the city and many neighborhoods.

Please fund the bridges on Creekside Trail. The city and community have done a lot of work for the trails but it's been a long time since that flood and we still can't walk through that area of the trail system. Bridges are always the place to stop and take pictures and enjoy the views of the valley. They bring value to the city beyond what can be quantified. Thank you."

// An email from Tim Miles, Chairman, Friends of Lynchburg Parks & Recreation: "We are writing to encourage City Council to fully fund the Department of Parks and Recreation's operating budget requests for FY2021 and the capital improvement request for FY2021-25.

As we all know, Lynchburg has an excellent park system and a vibrant Parks and Recreation Department that provides critical resources which helps make Lynchburg a great place to live.

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One area, of particular interest, is the CIP funding to replace the three bridges on the Creekside Trail damaged during the Blackwater Creek flooding. Parks and Recreation has done an excellent job of repairing the trail and re-opening the majority of the trail system. The re-opening of the final two mile section depends on the replacement of the three bridges. Thank you for your service and continued support.”

// An email from William Reynolds: “My family and I have been using the trail system in the City for over 30 years. The trails have provided quality time for our family to exercise and bond together. Our community is fortunate to have such great trails available to use.

// An email from Myles Jackson: As a user of our trail system and believer that it is part of what the City offers that brings folks to Lynchburg. Thus, I would like to recommend that council support funding for the following two projects: 1: CIP funding for 3 bridges on the Creek Side trail. This not only opens 2 more miles of trails, but would eliminate a possible safety hazard. 2: Funding an Assessment/Master Plan. This has not been done in 21 years. I don't understand how the system can work efficiently and financially responsible without a Plan. Thank You.”

August 2018 flood was an unfortunate natural disaster that claimed a number of bridges along the Creekside Trail. I have volunteered to help with cleanup efforts. I strongly support funding to rebuild the bridges to allow access to the miles of trails still closed from the flood. Thank you.”

// An email from Sherwood Newton: “To all members of Lynchburg City Council, Thank you for allowing me to voice my concern by email. My name is Sherwood Newton, 76 year old male, homeowner at 1913 Gaymoor Terrace. My concern is the proposal for an overhaul of the residential trash collection process. I do not think a flat monthly rate of \$15.02 would be an equal tax. Should the homeowner who puts out 1 small trash cart once a month, at most, be charged the same as a homeowner who puts out 2 large trash carts each and every week? Please consider basing the monthly rate on the size and number of trash carts a property owner has. Thanking you in advance for your consideration of my concern.”

// An email from Jack McCarthy: “Please don't cut Economic Development.”

// An email from Ryan McEntire: “Dear Council Members, Please do not cut economic funding out of the budget. These funds are critical to sustaining and growing the tax base of our wonderful City. We need all the efforts to attract, retain and encourage business growth that we can get. I appreciate your consideration.”

// An email from William Cook: “Dear City Council, Please do not cut funding to business development. Thanks.”

// An email from Robert O'Brian: “To whom it may concern, Please do not cut economic development money out of the budget. Best regards.”

// An email from Mac McWane: “Lynchburg City Council Members, Economic development is a fundamental tenet of every prosperous city in the world. Fortunately for us, we live in a country where dollars invested in economic development can be put to work in a market economy leading to exponential growth and prosperity for future

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generations. A brighter tomorrow for the City of Lynchburg is contingent on this council's decision to invest human resources and money now.

While I think Lynchburg is a wonderful place to live and raise a family, we are far from where we need to be in attracting and growing the best businesses through investment in infrastructure and an increased focus on cultivating and retaining the brightest minds. Businesses and the tax revenue they provide are what drives a city forward, pulling individuals out of poverty and raising the standards of living.

To cut investment in economic development now is to sow the seeds for economic disparity in the future. Unless each member of this council is willing to sign their name to such a bleak future for this city, I urge you not to cut investment in economic development. Regards."

// An email from Trudy Phillips: "I would like to voice support for the Parks and Recreation budget request. I am one of many volunteers from the Natural Bridge Appalachian Trail Club that help re-establish the Creekside trail after the flood a few years ago. In order to make use of our work, the bridges along this section of trail need to be rebuilt. I am writing this just as an individual.

The trails throughout the City of Lynchburg are enjoyed by many residents, even now during the current health crisis. Our property borders Ivy Creek and Peaks View Park. The many users can be heard every day."

// An email from Ed Craighill: "City Council Members; It is imperative that we invest in our city and region and fund our Economic Development Program. Please do not cut economic development money out of the budget. This would not be a good business decision, as we need to grow, increasing jobs and all of the other positives that come along with growth. Funding our economic development program should be done on a sustained basis every year. Cutting money out would be like cutting key and critical sales away from companies. I support and my company supports the people who support Economic Development Funding, which is vital to our future. Sincerely."

// An email from Dylan Schumaker: "City Council Members, I am writing to advocate for two underfunded programs within the Lynchburg Parks and Recreation Department for the city. I am advocating for CIP funding for the three bridges on the Creekside Trail and for additional funding of \$20,000 to continue offering internal special events i.e., Egg Roll, Movies in the Park, and The Celebration of Holiday Lights. I know the budget for 2021 will be under close scrutiny because of the economic effects, both current and future, related to the COVID-19 virus. However, The allocation of funds for the Creekside Trail and special events provide both qualitative and intrinsic value to every citizen of Lynchburg. I utilize the Blackwater Creek Trail System regularly for exercise and mental stability. The rebuilding for the Creekside Trail bridges will allow for people to enjoy nature and stay physically and mentally healthy. In these times of uncertainty, an asset for people to use for mental and physical health is crucial for the future of Lynchburg.

Additionally, I have attended the movies in the park and the celebration of holiday lights in years past and was deeply saddened by their cancellations this past year due to budget constraints. The events allow for safe and

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wholesome social interactions to take place. Additionally, the events allow for a strong sense of community to proliferate. Finally, both these underfunded projects will provide the tools essential for the staff at Lynchburg Parks and Recreation to fulfill their mission statement, which is to contribute to a healthy, active, and educated community, providing stewardship and management of parklands, trails and civic facilities and creating opportunities for all people to participate in a rich variety of recreational activities. Regards.”

// A phone call from Larry Bassett: He advocated for Council to pay its employees a living wage. We hear a lot about helping those in poverty in the City of Lynchburg and he would encourage Council to take this into consideration during its budget deliberations.

// A phone call from James Camm: He stated that he is the Executive Director for One Community/One Voice. They work hand in hand with the police department and he gave several examples of how they are involved in community engagement. He would like to see them increase the police department staffing and would encourage them to continue supporting the building of the new police department building.

// There were no other phone calls, emails or speakers and the Mayor closed the public hearing portion of the hearing. Councilmember Perrow thanked the Clerk of Council and other City staff for putting together all the technology needs for this meeting and handling them so smoothly.

// In the matter of Budget, Council conducted a public hearing regarding the proposed adoption by City Council of an ordinance to adjust the Water and Sewer Rates effective for bills rendered on or after July 1, 2020. The proposed amounts of increase are as follows: Sewer Volume and Sewer Only Rate: Volume charge per hcf of consumption from \$6.02 up to \$6.14 (or a 2.0% increase); accounts deemed “sewer only” monthly rate from \$48.51 to \$49.35 (or a 1.7% increase); Sewer Surcharges: BOD charge per 100 lbs from \$24.46 to \$26.30 (or a 7.5% increase); TSS charge per 100 lbs from \$27.66 to \$28.50 (or a 3.0% increase). Sections 15.2-2109 and 15.2-2119 of the Code of Virginia permit enactment of such proposed increases.

Mr. Tim Mitchell gave Council an overview of the issue. There has not been an increase in fees since 2017. For the first time in decades our rates are below the state average. Our average bill for CSO fees for a household is 23 percent lower than the statewide average. One of the reasons for the increase is that a CSO consent order says that the sewer fee needs to be 1.25% of the median household income. By the time we submit our report in December 2021, staff anticipates that we will be out of compliance with that criteria. CSO programs are getting a lot of attention in the General Assembly right now. We will soon be the only CSO locality in the state and we want to complete our program before the goals posts move again and might cause scrutiny for the City due to noncompliance. The increases are also needed to continue to meet our debt coverage requirements.

He explained that we have customers that are sewer only customers. Since they are not connected to a meter, that fee is a mathematical calculation. About a 1.7% increase is proposed for those customers. They are also proposing that the surcharges for high strength waste increase to more closely recover our actual cost of service.

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The Total Suspended Solids fee is currently undercharged by approximately 16 percent. These charges impact about 15 businesses in Lynchburg, most of which would see about a \$100 increase. A few would see about a \$500 increase.

// There were no speakers either in favor or in opposed. There were also no phone calls or emails. Mayor Tweedy closed the public hearing.

// Councilmember Wright noted that it will be hard for them to justify these increases to the community at this particular time. He asked Mr. Mitchell what the consequences will be if we do not take this action. Mr. Mitchell acknowledged the median income might change because of the current conditions by the time they turn in their report. Their concern is that the City will be in noncompliance that might result in additional action by the General Assembly to make sure they are in compliance and complete the program in a certain period of time. Right now we have a very good consent order that is financially driven. We only fund it as we can afford to based on the financial criteria in the order. If the General Assembly were to impose a timeline, it would place an undue burden on our citizens.

Councilmember Wright asked him to explain to everyone what the consent order is and the obligation it places on the City. Mr. Mitchell said the thing that impacts citizens the most is that our average annual sewer bill for a customer using the normal amount of water has to be 1.25% of the median household income. The intent of this rate increase is to keep it above the minimum required by the consent order. Because we have had no rate increases in four years, we have gotten very close to that threshold and they are concerned that if median household incomes increase at all, we will be in noncompliance. The consequence of that would be that we would have to complete our program within a certain time period. We would have to spend money sooner, which would result in higher rate increases than the two percent now. The impact to the average household from the proposed two percent increase will be about \$0.82 a month.

Councilmember Nelson thanked him for that explanation as he had a number of phone calls from citizens asking why they were raising the rates on anything in view of the current fiscal situation. He appreciates Mr. Mitchell's explanation that it is not necessarily what we want to do but it is what we have to do in order to preserve the terms of the consent order that was reached years ago.

Councilmember Perrow noted that he has been working under this consent order for almost his entire career as an engineer. It is a very favorable consent order that was updated a few years ago as far as the TMDL and it is still a very favorable agreement. What is it that Richmond and Alexandria have gone through and what effect has it had on their rates? Mr. Mitchell said he did not know exactly but could say that our rates are about half of Richmond's rate. We have spent the same amount of money on our CSO program as Richmond over the last thirty years for a much smaller system (around \$300 million) but our rates are about half of Richmond's. We have done an incredible job of seeking out grant funds, using our funds wisely and spending money where we have the most impact.

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Councilmember Perrow noted that if the state legislature took action against them because they fall below the threshold, we could be looking at ten to fifteen percent rate increases like they are seeing in Bedford right now. He also noted that we are fortunate to have such an excellent, protected water source and we need to continue investing in it.

Mr. Mitchell also asked to be able to remind the public not to flush wipes because they have had two sewer overflows this week. It is putting their crews in harm's way to have to deal with the unpleasantness of the wipes being flushed in the sewer system, as well as making it difficult to keep everything flowing properly. The ones advertised as flushable wipes are not breaking down in the sewer system and should not be flushed. He mentioned that the EPA is making the same recommendation. Councilmember Perrow noted that these wipes will eventually end up in the landfill, so there could be more cost for sewer processing and the rates could go up. Mayor Tweedy noted that Communications and Public Engagement has been doing some great public media ads regarding this topic.

// In the matter of Budget, Ms. Witt presented Council with a revised budget calendar for its consideration.

Councilmember Helgeson pointed out, as did Councilmember Nelson, that what is in the budget document will be vastly different. He would suggest they move the April 7th meeting and give staff a little more time to sharpen their pencils and come up with what is different because things are vastly different from what they were even last week. We are looking at a much longer time frame from the governor and he would like to give staff more time to come up with revised projections. Ms. Witt explained that for the General Fund, we just have a couple of sections to go through--external service providers and debt service. They will not change. Then we have Other Funds and there will probably not be a lot of changes with those either. Dr. Wodicka acknowledged that the budget will be very different but they wanted to give everyone an opportunity to present. Councilmember Perrow asked if the 7:30 p.m. regular meetings will still happen on the second and fourth Tuesdays and Ms. Witt indicated yes. Councilmember Perrow noted he may have some upcoming conflicts but that will depend on where they are in the coming weeks. He could use Microsoft Teams or Meet Me with the consent of his councilmembers.

Councilmember Nelson agreed with allowing the rest of the departments a chance to present their "game plan" but commented that this budget is based on a "game plan" that is never going to be played. It is not a bad idea to continue looking over the old "game plan" but the sooner we get into looking over the new "game plan" the better. Council was in consensus to keep the April 7th and not move it to April 21st.

// In the matter of Council, Dr. Wodicka gave an update on the City's actions regarding COVID-19. He commented that they are still in the preparedness phase because the pandemic is not an event such as a tornado that they can prepare for or react to and then go into a remediation phase. They are preparing but understanding that there may be much more grave consequences to come for our community as we go forward. We have activated our Emergency Operations Plan, as well as the Strategic Management Team. Of the 17 Emergency Services Functions (ESFs), we

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have activated nine. They believe they have the appropriate functions activated now and we are prepared to activate others as necessary. In answer to a question from Councilmember Nelson, Dr. Wodicka thinks they have activated more ESFs than they did during the College Lake Dam event because this is more of a community-wide event.

Councilmember Wright is concerned that the responses from various quarters of the community and responders are not all coordinated. We do not have a clearinghouse for community concerns. Dr. Wodicka explained that the health department is the primary communicator of information regarding the pandemic. City staff is certainly the face to a lot of people and they are talking about ways to improve their outreach efforts. Councilmember Wright asked if he thought there should be a task force that gathers health care providers and colleges and universities and businesses, nonprofits and faith communities, workers, our State legislative delegation and law enforcement. Dr. Wodicka acknowledged it was a good question. He would suggest that the folks Councilmember Wright has mentioned would be a large group to meet in a virtual roundtable discussion. Dr. Wodicka would suggest they ensure and do some more structuring so the City's communications is reaching out to these folks as much as we can. He is not sure an additional meeting would be helpful or even well received or attended. Councilmember Wright wants to ensure that these various people have input on what the City is doing and be allowed to raise ideas, issues and concerns. Dr. Wodicka thinks that is a fair statement and they can strategize on how best to do that.

Mayor Tweedy wants the community to understand that information is coming fast and furious in all areas. Those people that are responsible in their lane of work have begun to respond. The Lynchburg Regional Business Alliance has been having Wednesdays at 1:00 and taking a topic each week. Virginia Career Works is working with Communications and Public Engagement to assist people with unemployment. She was also on a Mayor's call with Senator Warner. She would like the medical experts to stand in front. We have confidence in our medical system and our health department director.

Councilmember Perrow asked if what is being described is under the umbrella of the Emergency Operations Center. It exists for the coordination of information. Dr. Wodicka said that is certainly the intent of the EOP. He is hearing that they may need to iterate their strategy a little bit and make it even better than what we are doing. Councilmember Wright thinks that they would all be able to say at the end of the day that they did everything they could and overreacted and overdid it. At the end of the day, there is a lot at stake. He knows they are all working very hard and he thanks them very much.

Councilmember Nelson appreciates what all the staff and citizens and moving parts are and have been doing. He thinks the voice that needs to come from the chamber tonight is that everyone in Central Virginia, if they care about our future, needs to take very seriously the very simple things we can do to keep ourselves and others safe. We are not like New York City with large congregations of people on top of each other having to pass shoulder to shoulder but things could escalate quickly if we do not take this seriously.

Vice Mayor Dolan said the City's website is a great source for solid information.

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Councilmember Nelson commented he is greatly appreciative of all the efforts throughout Lynchburg. Some were not listening closely at first but he is glad to see they have changed their perspectives and done things to get on the team. We do have to work as a team and everyone is important and any weak link can lead to the downfall of a neighborhood or a business or a community. We need to be focused and it is not going to be a short-term effort, so we have to develop good habits and maintain those habits.

Councilmember Wright agreed that we are all in this together so we should do the basics that we have been told to do.

Councilmember Wilder wanted to thank all our first responders, City staff and our citizens for working together to get through this. It is a challenging process so we need to continue to pray together and work hard together and we will survive together.

Councilmember Perrow noted this is a really challenging time for everyone. People are scared and there is a lot of uncertainty. American has come together time and time again in the past and we work hard and we beat it. We will beat this thing. It will take time. We are going to have losses but we need to not be paralyzed by fear. We need to think rationally and follow the guidelines of the CDC and health department and we will work through this. It is a matter of time and patience and will. We will get through it and we have the willpower to do it. He wants to encourage all of our citizens we all have challenges and obstacles in our lives. This is possibly this generation's challenge and obstacle.

Councilmember Helgeson commented that we have a medical crisis but we have a coming economic crisis. We have had 3 million people laid off in a week. We have thriving and vibrant restaurants that have completely closed or have laid off 90 percent of their employees. When we look at the numbers that are coming forward as a City, he hopes they can reboot because he has been hearing from businesses that have had to make tough decisions and lay off their friends. They have said that they really appreciate the deferment but what they really need is a lesser burden. He thinks they need to take this opportunity to regroup and take less of a burden and focus on what we need to do. We need to make sure our community is safe and we need to say that we are not going to furlough public safety. We may furlough other departments because we have different levels of need. We also need our public works employees. He wants them to take this opportunity to assure the public that we are doing the best we can to streamline the burden on them. We do not want to add another burden on them by the cost of government. We want to be there to help and do what the public demands. We have to prepare for both the medical crisis and the economic crisis. Hopefully we will have cool heads and rational thoughts and have a steady hand that says we are going to come together. We are not going to blame anyone. We are not going to attack employers and other folks.

Vice Mayor Dolan commented that all her colleagues have made valid points and she appreciates all their comments. This is an extraordinary time for our community, our country and our world. It takes extraordinary measures by all of us. We need to listen to what the CDC has to say so we can protect all those on the front lines.

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We need to keep them safe by keeping ourselves safe.

Mayor Tweedy commented that the budget process is challenging. No one anticipated this and it is unprecedented. She would like each Councilmember to look at what potentially will be our prioritization after we come through this. We hope to be Lynchburg calm, Lynchburg hopeful and Lynchburg resilient. Businesses will come back and be able to hire employees. We will be able to have some semblance of normalcy again. We have talked about services and positions and how to better utilize technology. We have talked about the quality of life that we want and education and economic development. We need to still have vision for this City to make the hard decisions. We will come out of this and there will hopefully be growth and success on the other side. We should not be thinking about blindly cutting departments, functions, services and operations because when we get back to the other side, citizens are going to want those things. We ask all our citizens to be hopeful and adhere to all the guidelines and the governor's orders. Stay home right now as much as possible and practice self-responsibility. // The Mayor also reminded them of the census. The 2020 Census is very important and we need everyone's participation, please. You should have received an invitation to complete the 2020 Census in the mail with your Census ID included. It has never been easier to complete the Census and respond on your own online, by phone or by mail – all without having to meet a census taker!

We are all legally obligated to participate in the Census and your personal information cannot be shared with anyone outside of the US Census Bureau. School lunches, highway plans, support for families in need, Pell grants, public transit and several other vital aspects of our lives are impacted by Census numbers, which only occurs every ten (10) years! With the negative effect the COVID-19 pandemic may have on the City's revenues, it is more important than ever before that we have a complete count to ensure that Lynchburg receives the federal and state funding it needs.

So please take a few minutes to complete the Census online at: 2020census.gov, by phone at 1-844-330-2020, or mail in your questionnaire!

// The meeting was adjourned at 5:41 p.m.

Clerk of Council

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// An additional scheduled meeting of the Council of the City of Lynchburg was held on the 7th of April 2020, at 4:00 p.m. in the Council Chamber, City Hall, Treney Tweedy, President, presiding.

Present: MaryJane Dolan, Jeff Helgeson, J. Randy Nelson, E. J. Turner Perrow, Treney Tweedy,
Sterling A. Wilder, Beau Wright 7

Absent: 0

// In the matter of Budget, Ms. Bonnie Svrcek commented that they will be bringing them the revised FY2020 budget in a couple of weeks, as well as the revised FY2021 budget. Ms. Donna Witt gave them an overview of external service providers. Councilmember Helgeson asked for the Virginia Legal Aid Society to be placed on “the list.” Councilmember Helgeson stated that they will need to have the salaries and market adjustments broken out by essential and nonessential. The governor has defined some things as essential and some things as nonessential in government. This is probably not the best time to be giving large raises, such as 7.8 percent, at a time when there are massive layoffs. The Security Task Force of \$125,000, which is a new program, needs to be on “the list.” The new health benefits consultant should be on “the list.”

Councilmember Perrow noted that there is depreciation listed in Fleet Services but that is not truly a depreciation item. That is some sort of transfer to Fleet on some sort of actuarial basis that determines how much each department needs to submit to Fleet. Ms. Witt said it actually equates to the depreciation number. It covers our true replacement cost. Councilmember Perrow noted that it has gone down about \$300,000 but he remembers it being one of the driving costs in all the departmental budgets. It was going up so he is still trying to balance this item. Ms. Witt said one is depreciation and one is replacement cost. In the department budgets, they are looking at maintenance for the vehicles, their fuel costs and those types of things. Mr. Cramer can go into that more when he goes over the Fleet Fund.

Mayor Tweedy asked what recruitment costs are and Ms. Witt said that is costs associated with replacing a director or someone in a higher level position.

Councilmember Wright would like the poverty initiative funds to be added to “the list.” He would like tuition reimbursement added to “the list.”

// Ms. Witt gave an overview of the Debt Service fund.

// Mr. Brian Booth from GLTC gave an overview of his budget. Councilmember Helgeson noted that he mentioned the federal operating funds, the extra \$720,000 due to performance metrics. He thinks many of the performance metrics were from ridership regarding Liberty. If that contract has dropped by \$1.1 million, will this be kind of an ephemeral one time “shot in the arm” performance metric? Mr. Booth said the performance metrics are kind of on a two-year lag period. They are anticipating another major hit in FY2023. Councilmember Helgeson noted that gives them some time to plan. When Liberty put in a very good contract, it was very helpful for GLTC. While this performance metric is filling the gap, it will hopefully be a time to look down the road to when this performance

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metric money is going to be gone. Councilmember Helgeson would hope some of this money could be saved in the reserve fund. Mr. Booth said they are looking at that. Of the \$2.69 million budgeted for FY2021, \$1.1 million is performance metric and in FY2023, GLTC will lose that entire amount. They are forecasting out that far and trying to figure out how they make up for it in the future.

Councilmember Helgeson noted there should be less operating expenses because of the loss of the Liberty contract. He would have expected the expenditures to go down a whole lot more than what is budgeted. Mr. Booth said the difficult piece they are running into is they still have the overhead costs. They were not able to make up the direct costs as far as operators, fuel and maintenance. Mr. Booth noted savings in salaries of \$98,000. Councilmember Helgeson noted that if they were charging \$1.1 million for a service that cost them \$98,000, one can see why Liberty said they could do it themselves. Councilmember Helgeson said there should be other things that can be decreased; otherwise, it is pretty obvious why Liberty left.

Councilmember Nelson asked how the decrease in the price of oil could affect fuel costs and might generate some savings for the rest of the year. Mr. Booth said they do not know in terms of numbers but they are looking at potentially seeing if they can lock in a price. Those potential savings are not factored in the numbers presented today.

Councilmember Wright asked what the consequence would be if they were to use some of GLTC's reserve fund to make up lost revenues due to COVID-19. Mr. Booth said that money is surplus money that GLTC has received. It has been paid back to the City and is being held to use for local match for GLTC capital projects. The upcoming capital projects are small. The local match would not be significant.

Councilmember Perrow asked how this budget affects routes and times. Mr. Booth said it would maintain the service prior to the pandemic. They did reduce service by about 25 percent due to a decrease in ridership related to the virus. They have not furloughed drivers but have put them on the "extra board." GLTC is subject to the Families First Coronavirus Response Act, which offers sick leave and they are trying to figure out how that figures into the budget. They are being conservative and cautious. They have had to limit the riders to nine and this means that they have to put out extra busses for their heavier routes. Councilmember Perrow noted there is no depreciable decrease in expenses but there is a loss of revenue. Mr. Booth would anticipate there is some decrease but he cannot pinpoint a number today. Councilmember Wright commented they should recoup some of the money through the Families First Coronavirus Response Act. Mr. Booth said they should and they are trying to figure out the process for doing so.

// Ms. Svrcek noted that the Lynchburg Business Development Center did not request any money.

// Mr. Charles Cramer presented the Fleet Services budget. Councilmember Wright asked him to outline the \$900,000 capital outlay. Mr. Cramer said they have to replace two pumpers this year and they are about \$630,000 per vehicle. They also have to replace an ambulance. They also have to replace two and purchase one new knuckle

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boom refuse truck. Those six vehicles are about \$2.18 million. Councilmember Perrow asked if there is a relatively consistent number for each department for depreciation depending on what equipment each needs. Do they operate it as a fund and borrow what they need depending on what vehicles they need to buy? Mr. Cramer said that is correct but clarified that the depreciation is spread out across the number of years they expect the vehicle to last. For example, a vehicle's depreciation is spread out over 12 years but if it is not replaced until year 15, it looks like a major increase because the department paid nothing for three years. Councilmember Perrow said he likes the science of the department and how they work to save the City money and how Mr. Cramer knows when it is no longer cost effective to operate a piece of equipment.

Councilmember Perrow asked Mr. Cramer to explain the transfer in the Unassigned Fund Balance for FY2020. Mr. Cramer said that is the difference in depreciation and vehicle replacement costs. It is basically an adjustment account that is needed because there might be several months in between when a vehicle is ordered and when it arrives and the depreciation starts. Ms. Witt said it is a balancing account. For example, if Water Resources needs more vehicles replaced, the department will put more money into the account. If they need fewer vehicles replaced, they will put less in the account. Councilmember Perrow asked if this is budgeted for or if it is just the way it falls out. Ms. Witt said it is the way it falls out. Councilmember Perrow said he appreciated the explanation. Basically the departments are making use of their vehicles beyond their depreciable lives and when they are replaced, it is a big jump.

Councilmember Wilder requested a printout of what makes up the \$907,073 increase in capital outlays amount.

Councilmember Helgeson would suggest that staff come back in a couple of weeks with what vehicles are needed. He noted that this department's budget has one of the largest increases in salary, approximately a nine percent increase. Councilmember Helgeson thinks that is something staff needs to look at because it does not look there was an increase in people. Councilmember Helgeson would also like some of the capital purchase items to be looked at very strenuously. Mr. Cramer noted that he could remove the rest of his replacement budget and it would not equal the number for the six large vehicles and he noted that they are related to public safety or keeping the City clean. Councilmember Helgeson said they could look at some of the smaller items. When times are tough, people put off buying off another vehicle. Ms. Svrcek noted that "kicking the can down the road" in terms of replacing vehicles costs more in maintenance. Mr. Cramer looks very closely at the replacement list relative to maintenance cost. Mr. Cramer noted that they have pumpers and a ladder truck that they can either no longer get parts for or for which they have to manufacture parts. Ms. Witt noted that some ladder trucks were bond funded, so the increase would be to debt service. Councilmember Helgeson acknowledged there is a need for the big purchases, but hopefully staff will be looking at the others.

// Mr. Andrew LaGala gave an overview of the Airport Enterprise Budget. He acknowledged that the current situation has obviously changed the budget he is presenting but he thinks he can make some projections. There is an

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85 percent reduction in revenue for the fourth quarter of FY2020. They were projecting \$3.2 million in revenue for FY2020 but are now projecting \$2,941,308. If you subtract the \$196,000 in surplus, they will be at about \$106,083 deficit. They are reducing expenses by \$112,200 so they should have a surplus of a few thousand dollars. They should not have to tap into their \$1.1 million in net reserves. Councilmember Perrow commented that is a great summary. Against all odds, Mr. LaGala is working to finish the year in the black, which is excellent.

As far as projecting for FY2021, Mr. LaGala projected worst case scenario that they will start the first quarter with 25 percent passenger loads. He is projecting 60 percent for the second quarter, 80 percent for the third quarter and 100 percent for the fourth quarter. These percentages refer to the 75 percent passenger load they were experiencing before the pandemic because they have never been at 100 percent passenger loads for all flights. That would put them at a deficit of about \$465,000. He can find \$317,000 in expenses he does not have to incur. Add back the \$162,000 they proposed as a surplus and he should be at about \$14,000 in surplus. This is an estimate but he thinks he can offset the loss in revenue for FY2021 and he may not have to touch the \$1.1 million in reserve.

He noted that the CARES Acts 2020 has \$10 billion slated for airports. He is in close contact with the FAA to try and estimate how they will determine how much an airport will receive. They will use their 2018 numbers to figure it out and we did pretty well in 2018. There are ratios and entitlements that have to be figured out. He has been advised that it will not take months. It will take weeks to get whatever they are going to receive from the stimulus fund. He is projecting they will receive around \$300,000. He noted that they normally receive \$1,050,000 in entitlement funds from the FAA. He is comfortable they will finish this year well and next year as well.

// Mr. Timothy Mitchell gave an overview of the water fund and sewer fund. He said water consumption is up due to people staying at home and they are not anticipating any decrease in numbers for next year. They continue to face challenges with infrastructure and personnel. Their goal is to replace one percent of buried infrastructure each year and they are at about half of that goal. They have had 67 percent turnover in their field operations. They have been trying to fill critical wastewater treatment plant maintenance positions for over two years.

Councilmember Perrow asked about septic hauler charges and Mr. Mitchell noted this year it is \$2.3 million. This could disappear tomorrow if localities find another place to dispose of their waste. Councilmember Perrow thought we are one of the few facilities in the region that takes septage and leachate. Mr. Mitchell said that is correct. Councilmember Perrow asked if they have a good demand scenario and if they could increase fees because there are fewer options for disposal. Mr. Mitchell indicated they are generating a profit because they are actually charging pretty high rates now. They have been trying to enter into contracts with some of the haulers. They do not want to raise prices too much or they might try to find other disposal facilities. Councilmember Perrow thinks it is an opportunity and he likes the idea of contracting.

Councilmember Helgeson thinks it is obvious that the rate study is a function of average income or per capita income. Mr. Mitchell said it is based on median household income. Councilmember Helgeson would think that

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with all the layoffs happening, it would have the tendency to drive down average median household income. He would think that Mr. Mitchell could come up with a revenue neutral sewer rate. He knows that we had the public hearing regarding it on March 31 but now is probably not the best time to be raising any rates. Mr. Mitchell noted that when they do the actual calculation will be December 2021. Councilmember Helgeson said Mr. Mitchell does not have to answer right now but he hopes they will look at the downward pressure on median household income as they go through this process. Mr. Mitchell said from an operational standpoint, they can make it work if they did not have the rate increase.

Ms. Svrcek said they have a group called the Long-term Recovery and Mitigation group as part of the Emergency Operations Plan. It is looking at the economics of the pandemic. As you might imagine, it is difficult to project the future based on what they know. She does not have a good answer as to what might happen regarding the downward pressure on the area median household income. Mayor Tweedy asked if they are looking at data and now just assumptions. Ms. Svrcek said absolutely.

// Mr. Mitchell gave an overview of the Stormwater Fund. He mentioned that because of a court case settled recently between Roanoke and Norfolk Southern, they will begin billing railroads for ballasted areas beginning July 2020. This should be approximately \$140,000 in additional revenue.

Councilmember Helgeson noted the decrease from \$20,000 to \$5,000 in uncollectable accounts. Mr. Mitchell said they have been looking at that over the years and thought \$20,000 was too high.

In terms of goals, Councilmember Helgeson thought some of the highlights would be items like the cleanliness of the stormwater because they have separated so much CSO. Councilmember Perrow noted that he saw a statistic on the water side that the waterline breaks were significantly down this year. Mr. Mitchell that is because they have been concentrating waterline replacements in areas where they have had the most breaks. We also had a mild winter. Mr. Mitchell noted that the goals do not accurately reflect what the department does because they track hundreds of metrics all the time. Councilmember Helgeson said he brought it up because Mr. Mitchell had mentioned how hard his employees work and it would be great to see a metric of what they did last year. Mr. Mitchell said they will definitely look at the metrics.

Councilmember Perrow said he misses the annual report Mr. Mitchell used to present. Mr. Mitchell said they are going to go back to doing it and they are going to do it on a fiscal year basis rather than a calendar year basis. They will tie their new strategic plan into the report.

Mayor Tweedy asked Mr. Mitchell about the 67 percent turnover rate. Mr. Mitchell said they see the bulk of turnover in the field staff. They are down one crew and have to juggle people from one function to another and they are more dependent on contractors to fulfill some of the responsibilities. They have a backlog of work orders that if they worked on them continuously, it would take almost two years to complete. As far as the positions at the wastewater treatment plant, the vacancies are a function of salaries and the nature of the unpleasant work. The

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turnover in the field staff is due to people leaving to work for contractors or after getting their CDL license, they go to driving trucks. They also do not like it that every fifth week, they are on mandatory standby. Mayor Tweedy asked if these positions would be considered essential and staff said absolutely.

Councilmember Perrow asked if they had thought about a rebranding of the wastewater treatment plant. Is it a water reclamation facility now? Mr. Mitchell said they have talked about it but it has fallen on the priority list. Communications and Public Engagement and Water Resources Public Relations staff are putting together a recruitment video. There is a lot of reward involved with the job because they are essential personnel and are protecting the environment and public health, so they are trying to brand it to that extent. Rebranding the wastewater treatment plant would be a good thing as well.

Councilmember Wright asked how we stack up in terms of pay in comparison to other localities. Mr. Mitchell said he would have to look at the Korn Ferry study again but they have progression plans for the field staff. If they can get an employee to stay five years and they are vested in VRS, they are more likely to stay. The work is hard and heavy and challenging and people do not like the standby and call work very much. They lose a lot of people to Columbia Gas. Councilmember Wright pointed out that since many are out of work because of the pandemic, they might actually see more applicants. Councilmember Wright noted that when you have three percent unemployment, which we had before the current situation, it makes it really hard to recruit. Councilmember Helgeson noted also that there is rarely a large forced turnover in government, not like in the restaurant industry for instance, and some may see that as a benefit. Benefits are not just salary. They are job security, retirement, health insurance and those kinds of things. Mayor Tweedy said it does not seem to matter for the first five years, since Mr. Mitchell said they have the highest turnover in the first five years. Mr. Mitchell said that might change now.

Councilmember Perrow noted what they are experiencing is really industry wide. If they could find younger people that are interested in the science of the wastewater treatment plant, it would be really helpful. Mr. Mitchell said they have 10 employees in the wastewater treatment plant that are over 65 and it takes at least four years to get to a Class 1 wastewater plant operator. It takes a long time for our field staff to learn over a thousand miles of water and sewer lines as well.

Councilmember Helgeson noted this is a little different because it is an enterprise fund as opposed to the general fund. We are not seeing a vast discrepancy in the fee for the service.

// Ms. Witt gave them an overview of the Other Funds. There was one question from Councilmember Helgeson regarding the Forfeited Assets Fund and whether they have an increase or decrease in this fund over the year. Ms. Witt said they are not allowed by state code to project this amount and they merely state what revenue they receive each year.

// Ms. Svrcek thanked the employees for stepping up and working very differently and more innovatively in what are unprecedented and extraordinary times. She gave them some of the highlights of the efforts the City is doing

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regarding the COVID-19 pandemic.

Councilmember Wright asked if staff had any thoughts about moving the Council meetings to teleconferencing and if it is legal. Ms. Svrcek said it is legally permissible and they will do what Council would prefer. Councilmember Helgeson and Mayor Tweedy thought there still needed to be a quorum physically present. Councilmember Wright would like staff to research the legalities with the City Attorney. He thinks we should iron out how to do it and make a decision about whether or not to do so.

Councilmember Wright asked Ms. Witt if they know if Lynchburg will receive any funds from the stimulus package, as the state is receiving several billion dollars. She said she does not and does not know when they might be told. Ms. Svrcek said there is a conference call tomorrow with other financial individuals across the state. Ms. Witt said they might get some of those funds but then their normal state revenues for 2021 might get cut.

Councilmember Wright asked if the EDA has thought about establishing a loan fund for small businesses. He is aware that Richmond just established one. Dr. Wodicka said they could certainly discuss it. Councilmember Wright said it would be worth knowing what the EDA's resources are and where we could stretch funds.

Councilmember Wright also noted he saw an article that the Registrar's office has a shortage of PPE and cleaning supplies for the May 5 election. He asked what assistance is being provided to the Registrar's office. Ms. Hart said they are trying to get them cleaning supplies but are having trouble getting them themselves. They have also been asked to make some glass barricades for the election workers. Fire Chief Wormser said they are also working on getting them PPE and some tents that have been requested.

Councilmember Wright asked if nonessential employees are being diverted to other tasks. For instance, other localities are using them to check up on seniors or those with disabilities living in public housing. Is that something we are thinking about doing? Ms. Svrcek said that she and the Deputy City Manager are meeting with each department head. There will be some news by the end of the week regarding staffing. There is a senior citizen hotline that is being staffed out of the Templeton Center. They have not talked about doing an extensive outreach program because they do not have those resources.

Councilmember Wright asked if they are doing any engagement with the community regarding coronavirus scams. Ms. Svrcek said that whenever they are aware of something, they get it on all of the different social media channels and press releases.

Councilmember Perrow noted that City staff has done a tremendous amount of work and every department has been struggling to figure out how to manage this crisis. All aspects of City departments have been affected and he wanted to thank the City Manager and City staff for all the work they have done to manage this problem. He asked if there was anything she needed from City Council. She said that anytime they see a City employee, particularly the first responders but any employee, to remember that they really have stepped up. They have learned to work remotely and differently. Closing City Hall was not easy. She thanked him for asking. Councilmember Perrow

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said to let them know if she can think of anything they can do to help. He said he likes the marketing campaign with City employees holding signs that say “We are working so you can stay home” and the stay at home message. He likes it because it lets people know that the dedicated employees are still working and that it is a rewarding job. There might be a recruiting benefit to it as well.

There was some discussion about the items for their upcoming meetings. Councilmember Perrow indicated that he does not want the work of the City to slow down or for Council to be a bottleneck for people that are trying to conduct business. We need to be doing that as efficiently as this body can. Ms. Svrcek agreed and noted that in a time of incredible instability among our citizens, she really views the work that we do as local government to be a beacon of stability. We are going to continue to do the work that we do as public servants and do it the very best way we can. She is doing her best to communicate that to all of our employees because it is uncertain times for them as well.

Councilmember Wright also offered his thanks and commented that when we get this community back on our feet financially—when this government is solid again—that we remember just how important and valued and talented our civil servants are. It’s easy to forget them when times are good and it’s easy to praise them when times are rough. He hopes they remember them and offer them tangible thanks when times are good again.

Councilmember Helgeson said he has heard from some pastors that are nervous but are doing what they can. People like to get together in time of crisis and pray and have their services, especially at Easter. He hopes they are mindful and public safety is mindful of the First Amendment right to peaceable assembly. In other states, pretty heavy handed government is coming out and breaking up people. Obviously we are not like that in Lynchburg. He is glad to hear reports that things are kind of on a downward trajectory. Sadly, we had about 114,000 people in Virginia file for unemployment last week, which is a record. We have to be mindful of the citizens that are paying the bills and mindful of our employees and keeping them safe. He is so thankful for our firefighters that things came out nicely. They are going in harm’s way and willing to do it. He is thankful for our police officers as well.

Mayor Tweedy wanted to be sure that we are not sending any mixed messages. The governor’s ban of ten people or more at a gathering is still in effect. She wants the pastors and churches to understand that. She understands the First Amendment and people in other states and localities have the choice to do what they want to do. The medical experts are saying that to keep it safe to keep it to ten people or less for a gathering. We will be celebrating Easter and our faith but we are still responsible to follow the governor’s order.

She thanked all the employees because it is challenging, unprecedented and nerve racking. She wished to address the family members that have called or emailed her. Not everyone considers the positions essential and would like to see their loved ones at home with them. She wants to assure the family members that staff and the crisis team is doing everything they can with protective equipment, practices, protocol and processes to keep all our personnel safe. We still have City functions that we have to do. She would like everyone to be mindful of the

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employees but also the family members that have some stress from supporting them.

// The meeting was adjourned at 5:56 p.m.

Clerk of Council

LYNCHBURG CITY COUNCIL
Agenda Item Summary

**For reference for
Agenda Item #9**

MEETING DATE: **April 14, 2020**

AGENDA ITEM #: **9**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: FY 2020 Third Quarter Adjustment

KEY ELEMENTS:

___Economic Development **X**Excellent Government ___Natural and Built Environment ___Safe Community ___Vibrant Community

RECOMMENDATION: Following a public hearing, adopt a resolution amending the FY 2020 Operating and Capital Budgets and appropriating or rescinding funds to reflect the FY 2020 Third Quarter Detail by Fund in Attachment A and Attachment B.

SUMMARY: In March, staff began the normal review of FY 2020 operating and capital revenues and expenditures of the City's various funds to determine if adjustments were needed prior to the end of the fiscal year. Departments were requested to submit any necessary adjustments that needed to be considered. During this same period local governments across the country began analyzing the local impacts of the COVID-19 public health crisis. Attachment A and Attachment B provides proposed expenditure and revenue adjustments based on both the third quarter review and the recent COVID-19 projected impacts.

The General, City/Federal/State Aid, Community Development Block Grant (CDBG), Forfeited Assets, Children's Services Act (CSA), Regional Juvenile Detention Center, Water, Sewer, Airport, City Capital Projects, Sewer Capital Projects, and Airport Capital/Grant Projects Fund are amended to reflect the FY 2020 Third Quarter Adjustments.

PRIOR ACTION(S): Adoption of the FY 2020 Operating and Capital Budgets: May 28, 2019
First Quarter Adjustments: September 24, 2019
Public Hearing and First Reading of Third Quarter Adjustments: April 14, 2020

FISCAL IMPACT: As noted on Attachment A and Attachment B.

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

ATTACHMENT(S): Resolution
Attachment A: FY 2020 Third Quarter Adjustments – Summary and Detail
Attachment B: Rebalancing the Adopted FY 2020 General Fund Budget

REVIEWED BY: bms

RESOLUTION:

#R-20-029

BE IT RESOLVED That the FY 2020 Adopted Budget is amended and funds are appropriated or rescinded to reflect the Third Quarter Adjustments as identified in Attachment A and Attachment B in the General, City/Federal/State Aid, Community Development Block Grant (CDBG), Forfeited Assets, Children's Services Act (CSA), Regional Juvenile Detention Center, Water, Sewer, Airport, City Capital Projects, Sewer Capital Projects, and Airport Capital/Grant Projects Fund.

Introduced:

Adopted:

Certified: _____
Clerk of Council

047R

ATTACHMENT A**FY 2020 Third Quarter Adjustment
SUMMARY BY FUND**

	Expenditures	Additional Revenues	Use of Reserve for Contingencies	Transfer or Use of Committed/ Assigned Fund Balance
GENERAL FUND	(\$2,610,968)	(\$4,188,485)	\$488,677	\$1,088,840
CITY/FEDERAL/STATE AID FUND	74,020	74,020	0	0
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUND	200,693	200,693	0	200,693
FORFEITED ASSETS FUND	20,494	20,494	0	0
CHILDREN'S SERVICES ACT (CSA) FUND	745,301	354,384	0	390,917
REGIONAL JUVENILE DETENTION CENTER FUND	208,261	183,261	0	25,000
CITY CAPITAL PROJECTS FUND	(39,621)	(69,228)	0	29,607
WATER FUND	138,798	138,798	0	0
SEWER FUND	1,500,000	0	0	1,500,000
SEWER CAPITAL PROJECTS FUND	1,500,000	1,500,000	0	0
AIRPORT FUND	923,000	428,000	0	495,000
AIRPORT CAPITAL/GRANT PROJECTS FUND	735,000	495,000	0	240,000
TOTALS	\$3,394,978	(\$863,063)	\$488,677	\$3,970,057

Department/Division	Amount	Source of Funding			Purpose
		Additional Revenues	Use of Reserve for Contingencies	Transfer or Use of Committed/ Assigned Fund Balance	
GENERAL FUND					
General Fund adjustments resulting from economic impact of COVID-19	(3,569,316)	(4,949,551)	380,235	1,000,000	To rescind appropriations adopted for FY 2020 revenues, expenditures, and reserves in the General Fund due to projected COVID-19 local impacts.
Economic Development	5,237		5,237		To appropriate funds for Technology Zone refunds of business license tax for a qualifying company for FY 2019 and FY 2020.
Fire	85,100			85,100	To appropriate funds from the Fire Training Reserve for maintenance and repairs (\$10,000) at the Fire Training Center and funds from the PIER Reserve for specific use equipment (\$41,100) and certification pay (\$34,000).
Human Services - Social Services	475,000	475,000			To appropriate funds received for additional Adoption Subsidy mandated maintenance payments fully reimbursable by State and federal, no local match.
Public Works	50,000		50,000		To appropriate funds for recycling hauling. The FY 2021 Proposed Budget is adjusted to \$300,000 but the FY 2020 budget needs an additional \$50,000 in funding to meet this need.
Registrar	29,920		29,920		To appropriate funds for projected expenses associated with the June 2020 Republican U.S. Senate Primary Election.
Sheriff	13,058	11,158	1,900		To appropriate funds for replacing outdated computers with Windows 7 operating system, no longer supported by Microsoft, with new computers running Windows 10 operating system. The Compensation Board will provide \$11,158 towards the purchase with \$1,900 of City funds requested.
Sheriff	17,655		17,655		To appropriate funds for projected expenses associated with Temporary Detention Order (TDO) that are not budgeted or reimbursed for the remainder of FY 2020.
Sheriff	3,730		3,730		To appropriate funds for estimated expenses associated with effectively disinfecting and fumigating to protect against the Coronavirus in the holding cell areas of all three court buildings housing inmates and secured by Sheriff's Deputies.
TRANSFERS					
Transfer from Fire - General Fund Operating Budget to Fire Grants - City/Federal/State Aid Fund	3,740			3,740	Transfer from Fire - General Fund Operating Budget to Fire Grants - City/Federal/State Aid Fund due to less than anticipated grant reimbursement due to denial of gear cleaning costs associated with gear modification.
Transfer from Children's Services Act (CSA) Fund to General Fund - Human Services - Juvenile Services Operating Budget	245,301	245,301			Transfer from Children's Services Act (CSA) Fund to General Fund - Human Services - Juvenile Services Operating Budget to appropriate funds for increased utilization of the Detention Center by Lynchburg juveniles.
Transfer from City Capital Projects Fund to General Fund Operating Budget	29,607	29,607			Transfer to General Fund from City Capital Projects Fund to appropriate funds received from Liberty University to cover VDOT Oversight Charges for the Liberty University Intramural Road, Phase III project.
GENERAL FUND Total	(2,610,968)	(4,188,485)	488,677	1,088,840	

Department/Division	Amount	Source of Funding			Purpose
		Additional Revenues	Use of Reserve for Contingencies	Transfer or Use of Committed/Assigned Fund Balance	
CITY/FEDERAL/STATE AID FUND					
Community Corrections and Pretrial Services	11,533	11,533			To appropriate additional funds received from the Department of Criminal Justice Services (DCJS).
Transfer to Fire Grants - City/Federal/State Aid Fund from Fire - General Fund Operating Budget	3,740	3,740			Transfer to Fire Grants - City/Federal/State Aid Fund from Fire - General Fund Operating Budget due to less than anticipated grant reimbursement due to denial of gear cleaning costs associated with gear modification.
Human Services - Social Services Grants	5,000	5,000			To appropriate additional funds awarded by the State for the Adoption Incentive Grant includes services for adoption training, educational materials, etc.; fully reimbursable.
Public Works	11,426	11,426			To appropriate funds received for the annual award from the Virginia Department of Environmental Quality for litter prevention and recycling.
Non-Departmental - Workforce Innovation and Opportunity Act (WIOA) Grant	42,321	42,321			To appropriate funds for the Governor's authorized rapid response funding, through the Workforce Innovation and Opportunity Act, for employers eligible to remain open during the COVID-19 emergency. Funds may be used to clean facilities and support emergency needs.
CITY/FEDERAL/STATE AID FUND Total	74,020	74,020	-	-	

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUND

Community Development	200,693	200,693		200,693	To appropriate remainder of Section 108 Bluffwalk Loan Proceeds for the design of the Police Department new headquarters.
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUND Total	200,693	200,693	-	200,693	

FORFEITED ASSETS FUND

Police Department	20,494	20,494			To appropriate Asset Forfeiture revenues received.
FORFEITED ASSETS FUND Total	20,494	20,494	-	-	

Department/Division	Amount	Source of Funding			Purpose
		Additional Revenues	Use of Reserve for Contingencies	Transfer or Use of Committed/Assigned Fund Balance	
CHILDREN'S SERVICES ACT (CSA) FUND					
Children's Services Act (CSA)	125,000	52,192		72,808	To appropriate funds received for basic and enhanced maintenance for foster children. In FY 2020, Foster Care children have increased by 24%.
Children's Services Act (CSA)	125,000	52,192		72,808	To appropriate funds received for emergency clothing, food, mentoring, and other services for Foster Care children and their families. In FY 2020, Foster Care children have increased by 24%.
Children's Services Act (CSA)	250,000	250,000			To appropriate funds received for Special Education, increased enrollment in private day school.
Transfer from Children's Services Act (CSA) Fund to General Fund - Human Services - Juvenile Services Operating Budget	245,301			245,301	Transfer from Children's Services Act (CSA) Fund to General Fund - Human Services - Juvenile Services Operating Budget to appropriate funds for increased utilization of the Detention Center by Lynchburg juveniles.
CHILDREN'S SERVICES ACT (CSA) FUND Total	745,301	354,384	-	390,917	

REGIONAL JUVENILE DETENTION CENTER FUND

Detention Home	145,356	145,356			To appropriate additional funds for relief staff to support the locality population and the Community Placement Program (CPP), funded by DJJ (Department of Juvenile Justice) and participating localities.
Detention Home	8,600	8,600			To appropriate funds for the purchase of a dishwasher for the kitchen, funded by DJJ and participating localities.
Detention Home	29,305	29,305			To appropriate additional funds for college courses and supplies for the Community Placement Program (CPP) fully funded by DJJ.
Detention Home	25,000			25,000	To appropriate additional funds from the Detention Fund Unassigned Fund Balance for emergency repair of the sewer line at the Detention Center.
REGIONAL JUVENILE DETENTION CENTER FUND Total	208,261	183,261	-	25,000	

		Source of Funding			
Department/Division	Amount	Additional Revenues	Use of Reserve for Contingencies	Transfer or Use of Committed/Assigned Fund Balance	Purpose
CITY CAPITAL PROJECTS FUND					
Public Works - Engineering	14,805	14,805			To appropriate Urban Construction Initiative (UCI) interest.
Transfer from City Capital Projects Fund to General Fund Operating Budget	29,607			29,607	Transfer from City Capital Projects Fund to General Fund to appropriate funds received from Liberty University to cover VDOT Oversight Charges for the Liberty University Intramural Road, Phase III project.
Public Works - Engineering	(3,666)	(3,666)			To rescind Virginia Department of Transportation (VDOT) Revenue Share funds for the Streetscape Improvements Downtown, Phase I project.
Public Works - Engineering	(729,000)	(729,000)			To rescind VDOT Federal Highway Plan Program funds to reflect the award amount for the Nationwide Roundabout and Pedestrian Improvements project.
Public Works - Engineering	648,633	648,633			To appropriate VDOT State of Good Repair Program funds for paving a portion of the Memorial and Rivermont Avenue projects and rescind unused VDOT State of Good Repair Program funds for the Wards Road Paving project.
CITY CAPITAL PROJECTS FUND Total	(39,621)	(69,228)	-	29,607	

Department/Division	Amount	Source of Funding			Purpose
		Additional Revenues	Use of Reserve for Contingencies	Transfer or Use of Committed/Assigned Fund Balance	
WATER FUND					
Water Fund					Request to approve the realignment of two (2) hourly positions, a Construction Coordinator and Marketing Assistant, to one (1) full-time Senior Customer Service Representative position. This position realignment allows availability to handle many types of citizens questions, infrastructure issues, and assistance in environmental education programs. No fiscal impact to FY 2020 Budget.
Water Fund	138,798	138,798			To appropriate funds received due to a class action lawsuit involving price fixing and bid rigging by chemical companies over the sale of aluminum sulfate chemicals used to treat water between the period 1997 - 2011. Total settlements from this lawsuit for City's share to date is \$170,937.
WATER FUND Total	138,798	138,798	-	-	

SEWER FUND

Transfer from Sewer Fund to Sewer Capital Projects Fund Budget	1,500,000			1,500,000	<i>Transfer from Sewer Operating Fund to Sewer Capital Projects Fund</i> to remain in compliance with CSO Special Order of Consent that requires the City "to annually adjust sewer system reserve funds to equal no more than 25% of the subsequent year's budgeted operating expenditures." The entire amount will go to fund balance. Request for new appropriations to the capital improvement program are not being made at this time.
SEWER FUND Total	1,500,000	-	-	1,500,000	

SEWER CAPITAL PROJECTS FUND

Transfer to Sewer Capital Fund from Sewer Fund Budget	1,500,000	1,500,000			<i>Transfer from Sewer Operating Fund to Sewer Capital Projects Fund</i> to remain in compliance with CSO Special Order of Consent that requires the City "to annually adjust sewer system reserve funds to equal no more than 25% of the subsequent year's budgeted operating expenditures." The entire amount will go to fund balance. Request for new appropriations to the capital improvement program are not being made at this time.
SEWER CAPITAL PROJECTS FUND Total	1,500,000	1,500,000	-	-	

Department/Division	Amount	Source of Funding			Purpose
		Additional Revenues	Use of Reserve for Contingencies	Transfer or Use of Committed/Assigned Fund Balance	
AIRPORT FUND					
Airport	188,000	188,000			To appropriate additional funds for rental car service facility maintenance/refurbishment (\$20,000); converting terminal advertising to digital displays (\$10,000); 2nd Air Service Development State grant (\$70,000); expenses for new positions (\$13,000); painting hangars (\$15,000); and additional 80% state funded non-recurring maintenance/ repair/ equipment projects. Also to increase budgeted revenues.
Transfer from Airport Operating Fund to Airport Capital/Grant Projects Fund Budget	495,000			495,000	Transfer from Airport Operating Fund to Airport Capital/Grant Projects Fund Budget to appropriate and increase budget for 2nd New Corporate Hangar and to repair/replace hangar roofs with water penetration issues.
Transfer to Airport Operating Fund from Airport Capital/Grant Projects Fund Budget	240,000	240,000			Transfer to Airport Operating Fund from Airport Capital/Grant Projects Fund Budget to appropriate funds for 80% State funding for non-recurring maintenance/ repair/equipment purchases.
AIRPORT FUND Total	923,000	428,000	-	495,000	

AIRPORT CAPITAL/GRANT PROJECTS FUND

Transfer from Airport Operating Fund to Airport Capital/Grant Projects Fund Budget	495,000	495,000			<i>Transfer to Airport Capital/Grant Projects Fund Budget from Airport Operating Fund</i> to appropriate and increase budget for 2nd New Corporate Hangar and to repair/replace hangar roofs with water penetration issues.
Transfer from Airport Capital/Grant Projects Fund to Airport Operating Fund Budget	240,000			240,000	<i>Transfer from Airport Capital/Grant Projects Fund to Airport Operating Fund Budget</i> to appropriate funds for 80% State funding for non-recurring maintenance/ repair/equipment purchases.
AIRPORT CAPITAL/GRANT PROJECTS FUND Total	735,000	495,000	-	240,000	

REBALANCING THE ADOPTED FY 2020 GENERAL FUND BUDGET**ATTACHMENT B****Revenues and Use of Fund Balance****Adopted Revenues (from the FY 2020 Adopted Operating Budget)****\$190,706,108**

Use of Fund Balance, Committed/Assigned Fund Balance, and Other

3,936,928

Total Proposed Revenues and Use of Fund Balance**\$194,643,036***Adjustments: Revenue Summary (primarily related to COVID-19)**Non-dedicated Revenue Adjustments***Increase/(Decrease)**

Increased Allowance for Uncollectible Real Property (\$233,862)

Increased Allowance for Uncollectible Personal Property (14,911)

Reduced Local Sales and Use Tax (106,572)

Increased Allowance for Uncollectible Business License Tax (621,861)

Reduced Motor Vehicle Licenses (assumes 80% collection rate) (323,170)

Reduced Bank Stock Tax (adjusted for actual received) (46,214)

Reduced Amusement Tax (assumes 26.2% reduction overall) (223,386)

Reduced Lodging Tax (assumes 28.5% reduction overall) (842,468)

Reduced Meals Tax (assumes 14.4% reduction overall) (2,246,095)

Reduced Permits, Fees, and Regulatory Licenses (4,500)

Reduced Fines and Forfeitures (93,625)

Increased Revenue from Use of Money and Property 264,551

Reduced Charges for Services (127,407)

Increased Miscellaneous Revenue 7,997

Dedicated Revenue Adjustments (based on department projections and trends)

Reduced Charges for Services (193,591)

Reduced Recreation Revenue (113,000)

Reduced Parking Revenue (5,803)

Reduced Miscellaneous Revenue (25,634)

Use of Reserves

Use of Task Force on the Future of PreK-12 Education and Beyond 500,000

Use of the Greater Lynchburg Transit Company (GLTC) Reserve 500,000

Use of General Fund Reserve for Contingencies 380,235

Revenues and Use of Fund Balance**\$191,073,720****Expenditures, Reserves, and Transfers****Proposed Expenditures, Reserves, and Transfers (from the FY 2020 Proposed Operating Budget)****\$194,643,036***Adjustments: Expenditures, Reserves, and Transfers (primarily related to COVID-19)***Increase/(Decrease)**

Reduced salary and benefit funds for part-time staff due to furloughs (\$211,316)

Reduced department operating funds for training, mileage, and office supplies due to spending and travel freeze (338,000)

Reduced department fuel costs due to savings (20,000)

Use of Managed Vacancy funds due to hiring freeze (1,500,000)

Reduced School Operating - Local funding (1,500,000)

Expenditures**\$191,073,720**

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **April 14, 2020**

AGENDA ITEM #: **10**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: **BB&T Bank Franchise Tax Refund**

KEY ELEMENTS:

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

RECOMMENDATION: Adopt a resolution to amend the FY 2020 General Fund budget and appropriate \$224,965 with resources from the General Fund Reserve for Contingencies to refund overpayment of Bank Franchise Tax for tax years 2012, 2013 and 2014 by BB&T for operations in the City of Lynchburg.

SUMMARY: The Commissioner of Revenue was notified on February 27, 2020 by the Virginia Department of Taxation that BB&T had filed amended Bank Franchise Tax returns for 2012, 2013 and 2014. The Department of Taxation initially denied the amended returns and issued additional assessments. BB&T appealed these denials and assessments to the Tax Commissioner and the Tax Commissioner ruled in favor of BB&T. This ruling has resulted in local Bank Franchise Tax refunds of \$90,394, \$60,041 and \$74,530 for tax years 2012, 2013 and 2014 respectively.

PRIOR ACTION(S): March 24, 2020, Finance Committee

FISCAL IMPACT: \$224,965 with resources from the FY 2020 General Fund Reserve for Contingencies.

CONTACT(S): Mitchell W Nuckles, Commissioner of the Revenue, 455-3871

ATTACHMENT(S): Resolution

REVIEWED BY: bms

RESOLUTION:

#R-20-028

BE IT RESOLVED that the FY2020 General Fund budget is amended and \$224,965 is appropriated with resources from the General Fund Reserve for Contingencies to refund overpayment of local Bank Franchise Tax for tax years 2012, 2013 and 2014 by BB&T for locations in the City of Lynchburg.

Introduced:

Adopted:

Certified: _____
Clerk of Council

046R

As required by Section 58.1-3981 of the Code of Virginia, the proposed refund to BB&T for the overpayment of Bank Franchise Tax has been reviewed and approved by the City Attorney.

Date

City Attorney

March 17, 2020

AGENDA ITEM #: 10

// An additional scheduled meeting of the Council of the City of Lynchburg was held on the 17th of March 2020, at 4:00 p.m. in the Council Chamber, City Hall, Treney Tweedy, President, presiding.

Present: MaryJane Dolan, J. Randy Nelson, E. J. Turner Perrow, Treney Tweedy, Sterling A. Wilder,
Beau Wright 6

Absent: Jeff Helgeson 1

// In the matter of City Council, Council considered adopting a resolution confirming the declaration of emergency associated with Coronavirus (COVID-19). Ms. Bonnie Svrcek explained that she signed the declaration of emergency on Sunday, March 15, as she knew that the schools were starting to incur costs. Should there be an opportunity for us to get reimbursed the City needs to have a local declaration in place. In addition, this pandemic has the potential to seriously impact the City by the extensive illness and even death of citizens. It gives the latitude that is given to the City Manager, who also acts as the Director of Emergency Services (delegated to Melissa Foster, Director of Emergency Services). She is asking Council to confirm the declaration of emergency provided to them today.

Councilmember Wright made a motion to adopt the resolution, which was seconded by Vice Mayor Dolan. Councilmember Perrow asked what the declaration covers and in particular if it covers the Housing Authority. Ms. Svrcek would say that it does not because that is an entity of the Commonwealth. If there is something that is associated, then they will clearly collaborate and work together. Ms. Svrcek clarified for him that there are also state and national declarations of emergency. Councilmember Perrow noted that he is asking because the Housing Authority will incur some expenses related to the pandemic as well. Ms. Svrcek advised him to have the Housing Authority set up a separate code to capture those costs, which Councilmember Perrow indicated he has done.

The motion passed by the following vote:

Ayes: Dolan, Nelson, Perrow, Tweedy, Wilder, Wright 6

Noes: 0

Absent: Helgeson 1

Ms. Svrcek indicated that the Emergency Policy Management Team is meeting daily and the Emergency Operations Center has been activated. The Deputy City Manager is putting together a matrix of essential functions and staffing needs for every department. Employees should be prepared to be reassigned or reallocated as needed. A policy for COVID-19 leave and work from home is close to complete. She read a letter to the editor from a local emergency room doctor, which gave several great points and recommendations on what to do and not to do with regard to COVID-19.

// In the matter of Budget, Councilmember Perrow asked if they could start with discussing modifications to projected revenues. He would think the fourth quarter for meals tax would be a 75% reduction, first quarter 50% reduction and second quarter, 25 percent reduction. Ms. Svrcek indicated she has asked staff to do their very best to

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look at what the rest of this fiscal year will look like and they will look at the revenues again prior to Council getting towards balancing the budget. She thinks balancing the budget will get delayed a bit as some meetings are getting delayed. They will also be coming back to them with associated expenditure reductions. Ms. Donna Witt indicated that business license tax for 2021 will most likely be impacted, as well as lodging, amusement and meals tax. Sales tax might not be impacted as much since there will be increased online sales. Councilmember Perrow would like to see all these line items put on “the list” or at least a staff adjustment. Ms. Svrcek and Ms. Witt said it is going to be done.

Councilmember Wright asked if they have contemplated pushing back any tax deadlines. Ms. Svrcek said the Commissioner of the Revenue is waiting for some advice from the State Department of Taxation.

Ms. Svrcek went over responses to questions raised last week. 1) The “wish list” that Terry Hutchens, Director of IT, mentioned has been provided in Attachment A. 2) The registrar referred to a supplement in her budget presentation regarding the need for additional Registrar staff and that has been provided in Attachment B. 3) Revenue from the Commonwealth for the registrar position is included in Attachment C. 4) The five-year history of Commonwealth Attorney caseloads has been provided in Attachment D. 5) Information has been provided regarding the General District Court Clerk’s salary supplements. 6) Questions regarding juvenile versus adult crime have been answered as well as the cost to train, outfit and equip a new officer has been provided, data regarding the use of the Grey Key system and the cost of police vehicles has been provided in Attachment E. 7) Information was provided regarding the number of properties coming into and going out of our real estate tax credit program.

// Ms. Melissa Foster gave an overview of the budget for the Emergency Services. Councilmember Wilder asked her about the staffing shortages she mentioned. Ms. Foster said they are five understaffed right now, which is about 17 percent of the workforce for the Communication Specialist. They have two in training, so that puts them at 24 percent. Ms. Foster said they struggle to recruit enough qualified applicants for those positions. Sometimes the people do not realize how much involvement there is in the job and it is not just answering the phone in an office. They are taking steps to try to reduce the turnover such as giving them more exposure to the environment before hiring a person. Their turnover rate for this past fiscal year was 25 percent.

Councilmember Perrow asked for clarification that she has plenty of FTEs and they are funded but she cannot fill them. She said that is correct. They just cannot recruit the right people. They are attending more career fairs and working with the City schools and its public safety program. She also noted that there is shift work involved and not everyone likes to do shift work with holidays and weekends involved. In response to a question from Councilmember Perrow, Ms. Foster said the educational requirement is a high school diploma or GED because they provide the necessary training. She noted that they are seeing a decrease in typing skills because people do not use a keyboard as much as they used due to texting on phones. The economy being good affects them as well because

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people can find other jobs that do not have the shift hours or the stress and trauma involved with being a Communication Specialist.

Councilmember Perrow asked her about Objective 5 regarding maintaining an 85% on the Local Capability Assessment for Readiness. They seem to be missing their goal. Ms. Foster explained this is in response to a survey sent out by the state. The state no longer gives the locality a score so they have had to make some adjustments and score themselves based on the questions. He would like to know what Objective 5 should tell them as policymakers. Ms. Foster said it should tell them they are doing a very good job of being better prepared for disasters. Their goal is that they always want to be making progress, so they will probably never be at 100 percent. As emergency preparedness advances, there are always new things that they want them to reach for. Another thing that brought their score down is their Hazard Mitigation Plan, which they are in the process of updating. Councilmember Perrow commented that it did not sound like Council needed to do anything and that her department had it under control. Ms. Foster said that is correct. She said the Central Virginia Planning District will be coming to them soon to update them on its progress with the Hazard Mitigation Plan.

Mayor Tweedy asked if the Communication Specialist could be a work at home position. Ms. Foster said they typically need to be in a call center because there is a lot of teamwork involved. She said they are looking at ways they might be able to better handle the nonemergency calls. Their concern is that some citizens call the nonemergency number and it truly is an emergency. She acknowledged they are going to have to figure out some other ways to get work done if they cannot overcome the vacancy issue. She noted that the starting pay is another factor that impacts their recruitment, as well as they are competing with other agencies and the police department.

Councilmember Perrow asked if she has tried to hire retired or off-duty officers or EMS workers. She said she has had some luck with hiring retired employees at an hourly rate but her hourly rate is not enough to attract off-duty police, fire or EMS workers.

Ms. Foster commented that they have to replace the CAD system in the next three years to five years and it will cost approximately \$5 million. It will take some time to figure out all the components and find vendors that can support some of the systems that are already attached to the CAD system. It does probably need to be included in the CIP so they can begin that planning process.

Fire Chief Greg Wormser gave Council an overview of the Fire Department budget. Councilmember Wright asked Chief Wormser what the turnover rate was last year. He said ten people left last year. Eight for non-fire related jobs and two for promotions in another department. With regard to two that left for promotions, Chief Wormser felt that spoke highly that they were doing the right things to grow an employee in the proper manner. They did not lose any employees to a horizontal move. Councilmember Wright asked how the compensation adjustments for the salary study and the proposed three percent wage increase will affect his team and does he anticipate it will ease any of that stress. Chief Wormser thinks it will ease the stress some but it will not be the

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ending point because there are more complexities than that. He does not think their pay bands are in the right place according to the Korn Ferry study. He has suggested that those pay bands need to be realigned in a different manner to incentivize people going for promotions. Councilmember Wright would like to see those suggested pay band adjustments. Ms. Svrcek said she and the Deputy City Manager would like to see them first, as they have not seen them yet.

Councilmember Perrow wanted to know how a Firefighter Recruit and a Master Firefighter could be in the same pay band. Chief Wormser said they used to be in two separate pay band but they are no longer that way since the Korn Ferry study. The earning potential is lost by that employee because they are no longer in that upper pay band.

Councilmember Wright asked Ms. Svrcek if the additional medic unit is so needed, according to Chief Wormser, why she is not recommending it for funding. Ms. Svrcek said the revenues are just not there to pay the cost, although it is one of several things she feels are worthy of funding. Councilmember Wilder would like that item added to “the list.”

Councilmember Wilder asked if there is a ratio recommended for a City their size. Ms. Svrcek said that the International City/County Management Association has benchmarks for a lot of funding based on per capita. But to look at these things just in terms of per capita when the geography and demographics of communities are very different is probably not the best way to look at things. Other things are call volumes and standard of cover. Chief Wormser said one of the main ways they look at things is from call volume and topography because it does not lend itself to ease of moving about. The reason they need to ask for nine firefighters to staff the medic unit instead of six is that they need relief factor personnel so they do not have to use mandatory overtime, which is used inordinately. Right now, if we did nothing else, we need 12 additional firefighters for the necessary relief factor.

Councilmember Wilder asked if they have positions that are not filled. Chief Wormser said they have a recruit school going on now with 11 recruits and that will fill the current vacant positions. He mentioned that they are trying to do everything they can to get the best possible candidate and employee.

Councilmember Perrow asked if a fire engine is taken out of fire service when it is sent to an EMS call. Chief Wormser said that is correct. Councilmember Perrow noted that the department beats the national average time and time again for a cardiac arrest that survives outside of the hospital and then is admitted to the hospital. The national average is 29 percent. Councilmember Perrow noted that it is coming down and asked if it is a symptom of not having enough EMS personnel. Chief Wormser said that could be part of it. They are at 38 percent currently but we are also at mid-year. Last year the average was 53 percent. Councilmember Perrow asked if the department needed anything in addition to the additional medic unit to raise the department’s performance to the level it was previously. Chief Wormser noted that with additional personnel there would be a fluidity of operations. They would be able to be more proactive instead of reactive as they are having to be now due to the shortage of personnel.

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Councilmember Perrow would like him to summarize their call volume in terms of fire calls and EMS calls for the past five years and provide that to Council so they can help understand the trend. He would like to see the trend in the average response time.

Mayor Tweedy asked if recruitment is a problem. Chief Wormser said recruitment might not be as challenging for their department as possibly other departments but they get a number of applicants and that does not necessarily mean they are qualified applicants. If they were to recruit for the nine positions, they would do an experienced academy and target a particular set of individuals. She asked if they have done an experienced academy in the past and Chief Wormser indicated yes.

Councilmember Wilder asked if they are in the high schools to try and bring up recruits up the pipeline, so to speak. Chief Wormser said that is one of the services they had to cut but they are in CVCC on a regular basis. He pointed out you cannot work for the City as a driver until you are 21. Mayor Tweedy asked if the pay band structure affects them in recruiting experienced applicants and Chief Wormser said absolutely.

Councilmember Perrow asked for clarification for the need for an additional ladder truck. Chief Wormser said they have three ladder trucks but one has been out of commission for a number of weeks due its age. As the City grows and with the building of large buildings in the City, it is necessary to have three ladder trucks and one relief ladder truck. He would put the new ladder truck in the new fire station they would build in the near future. In response to a question from Councilmember Wilder, they have studied where it should go but would rather not disclose that publicly at this time.

// Ms. Gaynelle Hart gave a summary of the Public Works budget. Councilmember Perrow would like to have a longer discussion about the trash collection revenue fees and how they come in and Council policy, possibly during the balancing part. Do we charge a fee for this or not? Ms. Svrcek said there was a vote to go to a monthly fee instead of the decal but the ordinance change will be brought to them at a later date. Councilmember Perrow would like to look at the revenues generated and an offsetting decrease in the general fund. Dr. Wodicka said they can do that and for the upcoming year it is approximately \$100,000. Ms. Hart indicated that on page 187 of the budget, the total City cost only goes down by \$12,000 but they would expect that to increase over time. Dr. Wodicka thought they are talking about two different numbers. Dr. Wodicka is referring to the increased revenues as being the \$100,000 difference. Councilmember Perrow noted this is in essence an increase of \$100,000 in taxes to our citizens. He would like to have that presented more clearly to Council so they can understand it fully. Councilmember Perrow would like the additional FTE in the refuse section on "the list."

Councilmember Perrow asked Ms. Svrcek why they are seeing increases of tens of thousands of dollars in each budget for Fleet Services. He thinks that should be relatively stable if they are doing routine replacements. Ms. Svrcek said Mr. Chuck Cramer will address that when he goes over his budget.

Councilmember Perrow asked about the Region 2000 Service Authority amount." He is looking at the

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approximately \$21,000 decrease in payments based on use. Ms. Svrcek indicated the excess revenue is not budgeted. Ms. Witt said it was just a line item they included because it was revenue they received. He noted that Ms. Hart runs an efficient team of dedicated employees. The employees seem to be a good group of people and that says a lot about her team leaders and management team. Her department is probably the most tangible reflection of City services and is really the face of the City in a lot of ways.

Mayor Tweedy wanted to note for the public that the proposed trash collection fees are a fee for services and not an increase in taxes. She asked Ms. Hart if there were any plans for remote control devices such as a tractor for cutting grass on hills. Ms. Hart said they have the personnel who can operate these remote control devices and they are certainly something for the future. They recently demoed a conveyor one to put the salt in the barn because the employee who used to do that has retired.

// Ms. Tamara Rosser gave a summary of Juvenile Services. She explained for Councilmember Perrow that they are seeing an increase in contractual services due to an increase in the number of childcare days (a day that a youth spends at the Juvenile Detention Center).

// Ms. Rosser gave a summary of the Social Services budget. She described three additional positions that are going to be in the third quarter adjustments. They are being funded with state dollars and a local match of 15.5 percent, which is already in the budget. Councilmember Wright asked if these positions would be funded in perpetuity or just for this budget year. Ms. Rosser said the match amount is in the budget for this upcoming fiscal year. She did not speak to whether the state would continue to fund the positions after this upcoming fiscal year.

Mayor Tweedy asked if the other state funds she has mentioned might be able to pay for the mental health position she is requesting for Juvenile Services. Ms. Rosser said they could not.

Ms. Rosser mentioned that there is a mandate to respond to a call for a child under the age of 24 months within 24 hours. They are meeting that mandate only 80% of the time and the requirement is to achieve 95%. This is not being met with staff even working overtime. The other mandate is that they have no more than 5 percent overdue cases and they are currently running 58% overdue because they simply do not have the staff. Councilmember Perrow suggested she put that mandate in her metrics from now on.

Mayor Tweedy asked if the trauma in families is going up, which is causing their numbers to go up. Ms. Rosser commented that child protective services is now going to be called home based services. They recognize that if they do not get in there and do good ongoing home care services, then what they are doing is really only putting a band aid on the problem.

Ms. Rosser noted that since these are federal mandates that there may come a time when they are faced with monetary penalties for not meeting some of these standards. Councilmember Nelson asked if these are penalties imposed on the City or on the parents of the children who are suffering the trauma. Ms. Rosser noted that they are penalties on the City. He asked if there is anything being done or that can be done to transfer some of the penalties

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to the parents. She said that is a good question and the conversation needs to be had with everyone that touches ones of these cases—the lawyers, the guardians ad litem, etc., but right now the locality would incur the penalty. It all comes back to timeliness. Councilmember Nelson said he is well aware of all the parties involved in these cases. In his 43 years of experience, he saw the missing piece being the incentive for the parents to step up and do the right things. Ms. Rosser said she agrees and he said he appreciates her comments.

In response to a question from Mayor Tweedy as to how she would categorize the issues facing families, Ms. Rosser said the three main reasons a child comes into the foster care system are substance abuse, mental health issues and domestic violence. The window to reunite a child with the parents is very short and is mandated. It could take six months for a person with substance abuse issues to admit they have a problem. The state is putting some emphasis on kinship care and they work hard to identify other family members that might be able to care for the children.

// Ms. Rosser stated there are no proposed increases to the Public Assistance budget and no changes to the Public Assistance grants.

// Ms. Rosser gave a summary of the Detention Center budget.

Mayor Tweedy asked how much her department and Schools are seeing they are incurring costs with the same families. Ms. Rosser said she does not have any hard numbers but she would guess that they are serving the same families. She thinks there are opportunities to work collaboratively with schools as the school task force efforts and recommendations continue. She said that they are seeing younger and younger children with mental illnesses and if we do not get a handle on it, everyone is going to pay a higher cost. Councilmember Nelson noted that he had said that over the years in his time dealing with Juvenile Court cases. He would say to the judge that a seven or eight year old had mental issues but the judge would say “That is not possible.” Now it is clear that it is possible and they require very expensive, intensive and professional interventions. He also agreed that there will likely be some recommendations coming from the school task force to address these problems. He would agree that it will take a collaborative effort and it does seem that there are families that have multiple children coming through the schools through the years with similar problems caused by issues within the family.

Mayor Tweedy noted there is a per pupil cost for a child in the public school system. She asked Ms. Rosser if she knew a per child cost for a child in foster care. Ms. Rosser said she has all that information and can provide it to them.

// Ms. Marilyn Martin summarized the Library budget. Ms. Svrcek commented that this will be her last presentation, as she has announced her retirement. Councilmember Perrow noted that she has made the library a very welcoming place and she thanked her for her service. Mayor Tweedy asked how she might see the library experience expanding, as the City grows, without necessarily having a new building. Ms. Martin said there is a plan to renovate the main library in the CIP. It will need your support with the CIP and with fundraising. They could not

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AGENDA ITEM #: 10

keep that building open without Public Works employees holding it together. It could be a very beautiful and modern building but it needs a lot of support. Ms. Svrcek noted there is a regional agreement with the City and Bedford and Campbell counties so people can check books out from those libraries. Mayor Tweedy mentioned that she has seen a library experience in a mall in other localities. Ms. Martin said that would be difficult with her current staff. Councilmember Wright would agree that it is a priority to renovate the library and he congratulated her on her tenure.

Ms. Svrcek noted that Schools is delayed until April. Mayor Tweedy noted that they really need to look to the future and grapple with big issues like the delivery of services and quality of services as the City continues to grow. We really need to look at how we integrate facilities and services.

// In the matter of Roll Call, Councilmember Wilder thanked the school staff and volunteers for the wonderful lunches they are providing to the children. Mayor Tweedy reminded everyone of the Census coming up and how very important it is for everyone to participate. Ms. Svrcek said they are interested to hear how the census will pivot to handle communities that will not have their student count there on April 1. Councilmember Wright thanked staff for keeping them safe and noted the passing of someone who was important to the City and the EC Glass community. Mr. J. P. Vaughn. We will miss him.

// The meeting was adjourned at 6:12 p.m.

Clerk of Council

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **April 28, 2020**

AGENDA ITEM #: **11**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: 2020 Coronavirus Emergency Supplemental Funding Program (BJA/OJP)

KEY ELEMENTS:

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

RECOMMENDATION: Adopt a resolution to amend the FY 2020 City/Federal/State Aid Fund budget and appropriate \$112,531 with resources from the 2020 Coronavirus Emergency Supplemental Funding Program to purchase COVID-19 related Equipment, Decontamination Services, Supplies, Overtime & Fringe Benefits expenditures.

SUMMARY: The Bureau of Justice Assistance and Office of Justice Programs have awarded the City \$112,531 in 2020 Coronavirus Emergency Supplemental Funding for law enforcement. This emergency funding will be utilized by the Lynchburg Police Department & Lynchburg Sheriff's Office to purchase COVID-19 related Equipment (\$46,872), Decontamination Services (\$27,525), Supplies (\$19,197), Overtime (\$17,590) & Fringe Benefits (\$1,347) expenditures. No local matching funds are required.

PRIOR ACTION(S): None

FISCAL IMPACT: None, no local match is required

CONTACT(S): Chief Ryan M. Zuidema, 434-455-6171
Amy Lowe, Administrative Manager, Police Department, 455-6128

ATTACHMENT(S):
Resolution

REVIEWED BY: bms

RESOLUTION:

#R-20-030

BE IT RESOLVED that the FY 2020 City/Federal/State Aid Fund budget is amended and \$112,531 is appropriated with resources from the 2020 Coronavirus Emergency Supplemental Funding Program to purchase COVID-19 related Equipment, Decontamination Services, Supplies, Overtime & Fringe Benefits expenditures for the Lynchburg Police Department & Lynchburg Sheriff's Office.

Introduced:

Adopted:

Certified: _____
Clerk of Council

051R

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **April 28, 2020**

AGENDA ITEM #: **12**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Consideration of adopting an uncodified ordinance amending City Code to delay the assessment of the penalty that is normally assessed for the late payment of real estate taxes for the period of May 16, 2020, through June 30, 2020

KEY ELEMENTS:

___Economic Development **X**Excellent Government ___Natural and Built Environment ___Safe Community ___Vibrant Community

RECOMMENDATION: Discuss adopting an uncodified ordinance amending City Code to delay the assessment of the penalty that is normally assessed for the late payment of real estate taxes for the period of May 16, 2020, through June 30, 2020.

SUMMARY: At the April 14, 2020 work session, City Council expressed interest in discussing the deferral of assessing penalty for the real estate tax installment due May 15, 2020 until June 30, 2020 due to the economic impact of COVID-19 on property owners.

Due to the uncertainty regarding the impact of COVID-19 on the payment of taxes, staff does not recommend deferring the payment of penalty for this period of time. If approved by City Council, this action will impact cash flow for the end of the fiscal year leading into the beginning of FY 2021. For reference, a \$144,293 penalty was assessed for the May installment for FY 2019.

PRIOR ACTION(S): None

FISCAL IMPACT: Unknown

CONTACT(S): Donna Witt, Chief Financial Officer, 455-3968
Walter Erwin, City Attorney, 455-3973

ATTACHMENT(S):
Uncodified Ordinance

REVIEWED BY: bms

UNCODIFIED ORDINANCE

#O-20-009

AN ORDINANCE TO DELAY THE ASSESSMENT OF THE PENALTY THAT IS NORMALLY ASSESSED FOR THE LATE PAYMENT OF REAL ESTATE TAXES FOR THE PERIOD OF MAY 16, 2020, THROUGH JUNE 30, 2020

WHEREAS, as a result of the current economic conditions resulting from the COVID-19 pandemic, City Council wants to provide property owners some relief from the penalty that is normally imposed for the late payment of real estate taxes; and,

WHEREAS, the late penalty for the fourth and final installment of real estate taxes for the 2019-2020 fiscal year that is due on May 15, 2020, will be temporarily suspended and will not be assessed until July 1, 2020;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG that notwithstanding any other provision of the Lynchburg City Code, no late penalty for the fourth and final installment of real estate taxes for the 2019-2020 fiscal year that is due on May 15, 2020, will be assessed for the period of May 16, 2020, through June 30, 2020. Any real estate taxes that are not paid prior to July 1, 2020, will be subject to a late penalty as provided by Section 36-171 of the City Code.

That this ordinance shall become effective upon its adoption.

Adopted:

Certified: _____
Clerk of Council

050R

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **April 28, 2020**

AGENDA ITEM #: **13**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: An Ordinance Establishing Procedures for Holding Electronic Meetings During the COVID-19 Pandemic in order to Ensure the Continuity of City Government

KEY ELEMENTS:

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

RECOMMENDATION: Consider adopting an Ordinance establishing procedures for holding electronic meetings during the COVID-19 pandemic in order to ensure the continuity of City government.

SUMMARY: During Council's meeting on April 14, 2020 Council asked the City Attorney and Council member Nelson to draft an ordinance regarding procedures for holding electronic meetings during the COVID-19 pandemic.

Attached is such an Ordinance for Council's consideration.

PRIOR ACTION(S): April 14, 2020 Council Meeting

FISCAL IMPACT: None

CONTACT(S): Walter Erwin, City Attorney, 455-3973

ATTACHMENT(S):
Ordinance

REVIEWED BY: bms

UNCODIFIED ORDINANCE:

#O-20-010

AN ORDINANCE ESTABLISHING PROCEDURES FOR HOLDING ELECTRONIC MEETINGS DURING THE COVID-19 PANDEMIC IN ORDER TO ENSURE THE CONTINUITY OF CITY GOVERNMENT.

WHEREAS, on January 31, 2020, the United States Secretary of Health and Human Services determined that a public health emergency existed throughout the United States as a result of the spread of COVID-19; and,

WHEREAS, on March 12, 2020, the Governor of Virginia issued Executive Order No. 51 (2020) declaring that a state of emergency existed within the Commonwealth of Virginia as a result of the spread of COVID-19; and,

WHEREAS, on March 13, 2020, the President of the United States of America declared a national emergency as a result of the spread of COVID-19; and,

WHEREAS, on March 15, 2020, the City Manager issued a Declaration of Local Emergency in response to the threat posed by the COVID-19 pandemic; and,

WHEREAS, on March 17, 2020, City Council adopted an ordinance confirming the existence of a local emergency and disaster and declared a state of emergency throughout the entire City, which state of emergency remains active; and,

WHEREAS, on March 24, 2020, City Council adopted a continuity of government ordinance to ensure continuity of city government during the state of emergency resulting from the COVID-19 pandemic and the ordinance allows City Council, when Council deems it necessary to do so in order to protect the health and safety of the members of Council and the community from the spread of COVID-19, to hold meetings without some or a majority of the members of City Council being physical present in a central location so long as alternative arrangements are made for the public to view such meetings by electronic means.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG that the Council does hereby adopt the following procedures regarding electronic meetings while the state of emergency resulting from the COVID-19 pandemic is in effect.

A. In situations in which a quorum of the members of City Council physically assemble in one location in order to conduct the City's business, the members of Council who are physically assembled may by majority vote allow Councilmembers who are not physically present to participate in the meeting by electronic means due to an exceptional condition resulting from the COVID-19 pandemic. In order to approve the participation of some Councilmembers by electronic means: (i) a majority of the members of City Council who are physically present must agree that an exceptional condition exists and electronic participation by the Councilmembers who are not physically present is appropriate; and (ii) the minutes of the meeting must specifically identify the exceptional condition that justifies the absence of some Councilmembers from the meeting and their participation in the meeting by electronic means.

B. During the time the Governor's declaration of a state of emergency remains in effect if at least five of the members of City Council determine that the potential spread of COVID-19 makes it unsafe for a quorum of the members of City Council to physically assemble in one location to conduct the City's business, the members of City Council may hold an electronic meeting to discuss and transact public business without a quorum of City Council being physically assembled at one location. In order for City Council to hold a meeting by electronic means the following requirements must be met: (i) at least five of the members of City Council must approve the electronic meeting when the electronic meeting is first called to order; (ii) an electronic meeting can only address issues that either (a) directly relate to an exceptional or urgent issue created by or that is needed to resolve the current state of emergency, or (b) is an item of City business that must be acted upon in the best interests of the community or in order to meet an impending deadline; (c) as much notice as is reasonable under the circumstances must be given of the meeting and citizens must be given the opportunity to view the meeting by alternative means; and, (d) the minutes of the electronic meeting must state why the issue is exceptional or urgent, how it relates to the current state of emergency, and why the item cannot be delayed until a conventional meeting can be held.

C. When allowing some Councilmembers to participate in a Council meeting by electronic means or when holding an electronic meeting, City Council may adopt procedures and rules to aid in the orderly conduct of any such meeting, including such additional requirements as may afford citizens the opportunity to view and participate in the meeting.

IT IS FURTHER ORDAINED that these procedures shall be in effect until repealed by City Council or until the Governor's state of emergency is lifted; this ordinance shall not be in effect for a period of more than six months, and City Council reserves the right by subsequently enacted ordinance to rescind or amend this ordinance.

This ordinance shall be in force and effect upon adoption.

Adopted:

Certified: _____
Clerk of Council

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