THE CITY OF LYNCHBURG

CITY COUNCIL WORK SESSION

Tuesday, September 10, 2024 | 4:00 PM
Council Chamber- City Hall
900 Church Street
Lynchburg, VA 24504

AGENDA

I. Welcome — *Stephanie T. Reed, Mayor*

II. Work Session Agenda Overview — *Wynter C. Benda, City Manager*

III. Work Session Agenda Items — *Wynter C. Benda, City Manager*

- **III.1.** ApCo Easement for Riverfront Park - Bid Opening/Acceptance

IV. Business Item Briefing(s)

- **IV.2.** Training for Regional Staff and Historic Preservation Commission Members
- **IV.3.** Perrymont Park Improvements Grants
- **IV.4.** Deer Population Reduction
- **IV.5.** Approval of the Allocation of the HOME-ARP funds from HUD
- **IV.6.** Consolidated Annual Performance and Evaluation Report (CAPER) - Program Year 2023; Fiscal Year 2024
- **IV.7.** FY 2024 Fourth Quarter and FY 2025 First Quarter Adjustments
- **IV.8.** Lifelong Learning Committee
- **IV.9.** Boards and Commissions Quarterly Reporting

V. Roll Call

VI. Closed Session

- **VI.10.** Consideration of a closed meeting (i) to discuss the investment of public funds by the City where competition or bargaining is involved, where, if made public initially, the financial interest of the City would be adversely affected, pursuant to Section 2.2-3711(A)(6) of the Code of Virginia, 1950, as amended, the subject being the Region 2000 Services Authority and its potential expansion, and (ii) to, where needed, consult with legal counsel and receive briefings from staff members about actual litigation, where such consultation in an open meeting would adversely affect the negotiating or litigating posture of the City, pursuant to Section 2.2-3711(A)(8) of the Code of Virginia, 1950, as amended, the subject being the litigation between the City, other localities, and the Region 2000 Services Authority.
- **VI.11.** Consideration of a closed meeting to discuss the investment of public funds and/or the disposal of City real estate, where competition or bargaining is involved, where, if made public or discussed publicly initially, the financial interest and bargaining position of the City would be adversely affected, pursuant to Sections 2.2-3711(A)(6) and 2.2-3711(A)(3) of the Code of Virginia, 1950, as amended; the subject of the closed meeting being specific to the renewal of a current City franchise or lease.

City Council
Agenda Item III.1.
Action

AGENDA ITEM SUMMARY

MEETING DATE	PRESENTED BY
September 10, 2024	Clay Simmons

AGENDA ITEM # III.1

ApCo Easement for Riverfront Park - Bid Opening/Acceptance

RECOMMENDATION

Information

SUMMARY

ApCo needs to obtain an easement across the City property located at 1100 Jefferson St & 8 9th St to provide permanent power to the new Riverfront Park improvements.

PRIOR ACTION(S)

Business Item Briefing (BIB) - June 11, 2024

FISCAL IMPACT

No fiscal impact

CONTACT(S)

Joseph Newland, City Engineer
Clay Simmons
Gaynelle Hart, Director of Public Works

ATTACHMENT(S)

1. Proposed Ordinance - ApCo Easement - Riverfront Park Amphitheatre
2. Proposed ApCo Easement Deed and Exhibit A
3. EXHIBIT A - Riverfront Park Lynchburg showing 9TH ST

REVIEWED BY

Gaynelle Hart

Gaynelle Hart, Director of Public Works

Date: August 23, 2024

Gregory Patrick, Deputy City Manager

Date: September 05, 2024

Alicia Finney, Clerk of Council

Date: September 05, 2024

Tax Map No(s).
04517009, 04517002

AN ORDINANCE AUTHORIZING THE GRANT AND CONVEYANCE OF A RIGHT OF WAY AND EASEMENT TO APPALACHIAN POWER COMPANY ON PROPERTY OWNED BY THE CITY OF LYNCHBURG, VIRGINIA; MORE SPECIFICALLY 1100 JEFFERSON STREET, LYNCHBURG, VA 24504 AND 8 9TH STREET, LYNCHBURG, VA 24504

ORDINANCE: **#O-24-_____**

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

ARTICLE I. AUTHORIZATION TO GRANT AND CONVEY RIGHT OF WAY AND EASEMENT

1. That, subject to the forty (40) year term limitation described under § 15.2-2100 of the Code of Virginia, 1950, as amended, the City Manager, on behalf of the City of Lynchburg (City), is hereby authorized to grant and convey a right of way and easement to Appalachian Power Company on property owned by the City; more specifically 8 9th Street, Lynchburg, VA 24504 (Tax Map No. 04517002) and 1100 Jefferson Street, Lynchburg, VA 24504 (Tax Map No. 04517009). The substance of such right of way and easement is shown in the attached and proposed Agreement/Easement, dated September 10, 2024, between Appalachian Power Company and the City. The purpose of such right of way and easement being for an electric power line or lines, and communication lines, in, on, along, through, over, under, and across the aforesaid property in relation to providing electric service to the City of Lynchburg Riverfront Park Amphitheatre and other related uses.

2. That the City Manager is hereby authorized to execute all documents and take all actions necessary to effectuate the said Agreement/Easement between Appalachian Power Company and the City.

ARTICLE II. ADOPTION OF ORDINANCE

This Ordinance was duly adopted by the Council of the City of Lynchburg, Virginia on the ________ day of __________________________________, 20__________, and shall be effective upon adoption.

Certified:__________________________
Clerk of Council

ARTICLE III. ACCEPTANCE

By joining in this Ordinance through signature of its duly authorized representative, Appalachian Power Company hereby agrees to the entirety of the same as of its adoption date.

APPALACHIAN POWER COMPANY

(SEAL)

By:______________________________

Printed Name:_____________________

Its:______________________________

ATTEST:

By:______________________________

Printed Name:_____________________

Its:______________________________

City of Lynchburg Eas. No. ______ R/W Map No. 3779-105-C1
8 9th; 1100 Jefferson Sts. W.O. No. DAP0391498 Job No. 24310050 Prop No. 1/1
Lynchburg, VA 24504 Line City of Lynchburg Riverfront Park Amphitheatre

THIS AGREEMENT, made this 10 day of September, 2024,
by and between City of Lynchburg, a Political Subdivision of the Commonwealth of Virginia, herein called "Grantor", and APPALACHIAN POWER COMPANY, a Virginia corporation, herein called "Appalachian",

WITNESSETH:

That for and in consideration of the sum of One Dollar ($1.00), or other good and valuable consideration from Appalachian, the receipt and sufficiency of which hereby acknowledged, Grantor hereby grants, conveys, and specially warrants to Appalachian, its successors, assigns, lessees and tenants, a right of way and easement for an electric power line or lines, and communication lines, in, on, along, through, over, and across the following described lands of the Grantor situated in the city of Lynchburg, State of Virginia.

Being a right of way and easement on the property of the Grantor identified as Lynchburg City, Tax Parcel Nos. 04517009 and 04517002 herein after referred to as "premises."

This right of way and easement shall be 20 feet in width, lying 10 feet on each side of the facilities as constructed and as approximately shown on certain Appalachian Power Company's drawing dated April 23 2024, attached hereto and made apart hereof "Exhibit A".

TOGETHER with the right, privilege and authority to Appalachian, its successors, assigns, lessees and tenants, to construct, erect, install, place, operate, maintain, inspect, repair, renew, remove, add to the number of, and relocate at will, poles, with wires, cables, crossarms, guys, anchors, grounding systems and all other appurtenant equipment and fixtures, underground conduits, ducts, vaults, cables, wires transformers, pedestals, risers, pads, fixtures, and appurtenances (hereinafter called "Appalachian's Facilities"), and string wires and cables, adding thereto from time to time, in, on, along, over, through, across and under the above referred to premises. The right to cut, trim, remove and/or otherwise control, with herbicides or by other means, at Grantee's option (without any liability to Grantor), any trees, limbs or branches, brush, shrubs, undergrowth, of whatever size, or other obstructions that in Grantee's reasonable judgment endanger or interfere with the safety or use of its facilities, both within and adjoining the right of way and easement; the right of ingress and egress to and over said above referred to premises, and any of the adjoining lands of the Grantor at any and all times, for the purpose of exercising and enjoying the rights herein granted, and for doing anything necessary or useful or convenient in connection therewith. Within the Easement, Grantor shall not: place any buildings, structures, piles of debris, change the level of the ground by excavation or mounding. It will be the sole responsibility of Appalachian Power to maintain all Appalachian Facilities.

It is further understood and agreed between Grantor and Appalachian that, as provided under Section 15.2-2100 of the Code of Virginia, 1950, as amended, this Easement will only exist for a term of forty (40) years, commencing on the date of this deed, and expiring on the 10 day of September, 2064. Upon such expiration, where a new easement is needed or where Appalachian Facilities remain on the premises, Appalachian and Grantor shall work together in good faith to establish a new easement.

THIS INSTRUMENT PREPARED BY AND UPON RECORDATION RETURN TO
APPALACHIAN POWER COMPANY, PO BOX 2021, ROANOKE, VIRGINIA 24022

It is understood and agreed between the parties hereto, that the Grantor reserves the right to use said lands in any way not inconsistent with the rights herein granted.

TO HAVE AND TO HOLD the same unto Appalachian Power Company, its successors, assigns, lessees and tenants.

It is agreed that the foregoing is the entire contract between the parties hereto, and that this written agreement is complete in all its terms and provisions.

NOTICE TO LANDOWNER: You are conveying rights to a public service corporation. A public service corporation may have the right to obtain some or all of these rights through exercise of eminent domain. To the extent that any of the rights being conveyed are not subject to eminent domain, you have the right to choose not to convey those rights and you could not be compelled to do so. You have the right to negotiate compensation for any rights that you are voluntarily conveying.

IN WITNESS WHEREOF, Grantor has caused its corporate name and seal to be hereto affixed the day and year first above written.

City of Lynchburg

By: ______________________

Wynter C. Benda

City Manager

STATE OF ____________)
) To-wit:
COUNTY OF ____________)

The foregoing instrument was acknowledged before me this ____________ day of ____________, 20 ____, by Wynter C. Benda, City Manager on behalf of the City of Lynchburg, a Municipal Corporation of the Commonwealth of Virginia.

____

Notary Public/Commissioner

My Commission expires:

____

Notary Registration # - ______________________
(For Va. Only)

Approved As to Form

By: ______________________________
Matthew C. Freedman, City Attorney

____

STATE OF ____________________)
) To-wit:
COUNTY OF ____________________)

The foregoing instrument was acknowledged before me this ______________________ day of ______________________, 20 ______, by Matthew C. Freedman, City Attorney, of the City of Lynchburg.

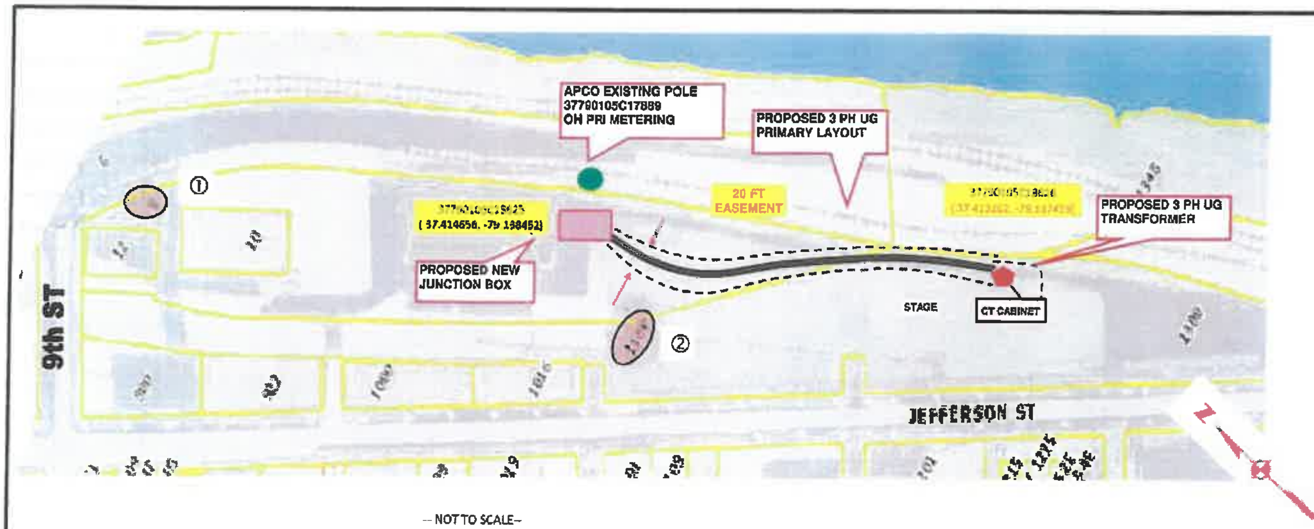
____
Notary Public/Commissioner

My Commission expires:

______________________ Notary Registration # - ______________________
(For Va. Only)

GRW 252-OVHD – VA CORP
Page 2

THIS INSTRUMENT PREPARED BY AND UPON RECORDATION RETURN TO
APPALACHIAN POWER COMPANY, PO BOX 2021, ROANOKE; VIRGINIA 24022



-- NOT TO SCALE--

Parcel ID: 04517002
Owner: CITY OF LYNCHBURG ①
Address: 5 9TH ST

Parcel ID: 04517009
Owner: CITY OF LYNCHBURG ②
Address: 1100 JEFFERSON ST

Proposed Underground Primary Power Line

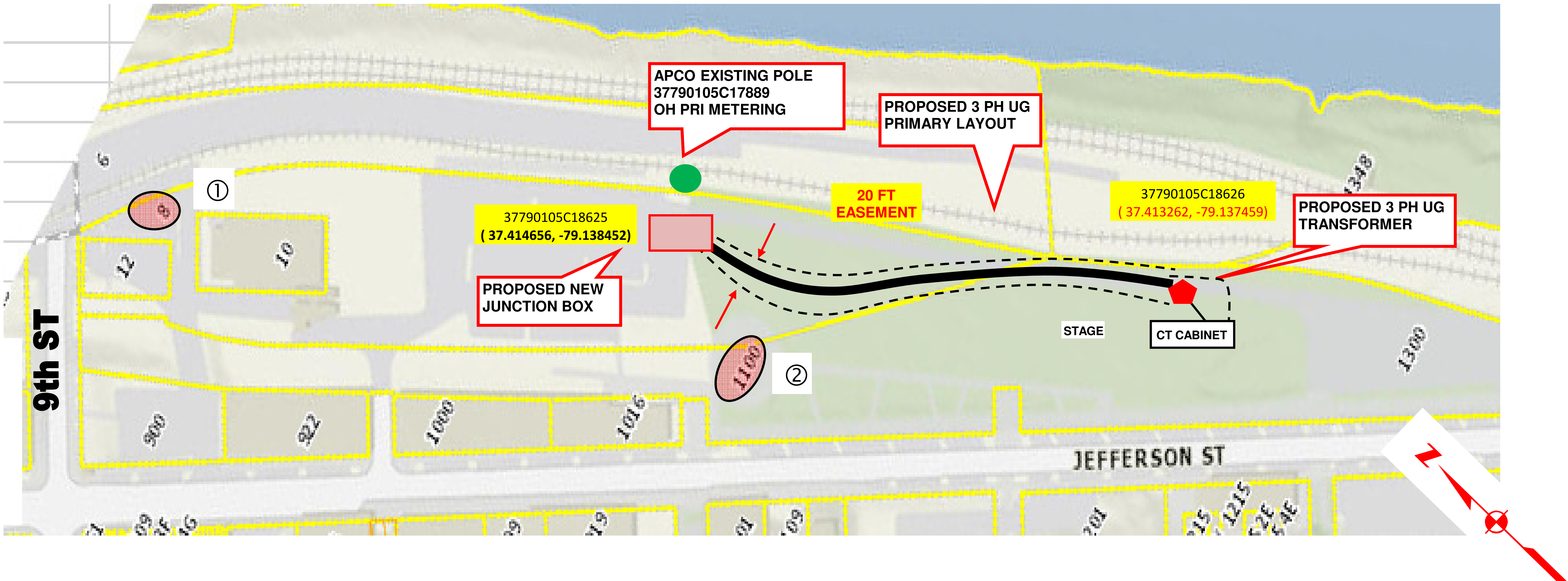
20 FT Easement

Parcel Lines

EXHIBIT A

APPALACHIAN POWER

DATE: APRIL 23, 2024
APPALACHIAN POWER COMPANY
PROPOSED UNDERGROUND PRIMARY LINE EXTENSION LAYOUT
TO SERVE CUSTOMER - CITY OF LYNCHBURG
1100 JEFFERSON ST LYNCHBURG
PARCEL: 04517009, 04517002
COUNTY: CITY OF LYNCHBURG
OWNER: CITY OF LYNCHBURG
BASEMAP: GIS Parcels City of Lynchburg



-- NOT TO SCALE--

Parcel ID: 04517002
Owner: CITY OF LYNCHBURG ①
Address: 8 9TH ST

Parcel ID: 04517009
Owner: CITY OF LYNCHBURG ②
Address: 1100 JEFFERSON ST

Proposed Underground Primary Power Line
20 FT Easement
Parcel Lines

EXHIBIT A

DATE: APRIL 23, 2024
APPALACHIAN POWER COMPANY
PROPOSED UNDERGROUND PRIMARY LINE EXTENSION LAYOUT
TO SERVE CUSTOMER - CITY OF LYNCHBURG
1100 JEFFERSON ST LYNCHBURG
PARCEL: 04517009, 04517002
COUNTY: CITY OF LYNCHBURG
OWNER: CITY OF LYNCHBURG
BASEMAP: GIS Parcels City of Lynchburg

AGENDA ITEM SUMMARY

MEETING DATE	PRESENTED BY
September 10, 2024	Eve Mergenthaler, Senior Planner

AGENDA ITEM # IV.2

Training for Regional Staff and Historic Preservation Commission Members

RECOMMENDATION

Adoption of a resolution to amend the FY 2025 City/Federal/State Aid Fund budget and appropriate $9,500 with a Certified Local Government (CLG) grant from the Virginia Department of Historic Resources (DHR) to fund a National Alliance of Preservation Commission (NAPC) Commissioner Assistance and Mentoring Program (CAMP) workshop.

SUMMARY

The Department of Community Development has been awarded a $9,500 Certified Local Government (CLG) grant from the Virginia Department of Historic Resources (DHR) to host training for regional staff and historic resource commission members. The National Alliance of Preservation Commission's (NAPC'S) Commissioner Assistance and Mentoring Program (CAMP) would provide a day-long workshop offering 6 sessions (topics) geared towards assisting staff, historic resource commission members, and other interested parties from the City and other regional CLGs.

NAPC CAMP training offerings include sessions such as Legal Basics, Standards and Guidelines for Design Review, Meeting Procedures, Alternative Materials, and the like. The specific topics for the workshop will be decided by the City in partnership with DHR after the grant is awarded. The workshop attendance will be capped at 50 people.

This item will appear for City Council consideration on the September 10, 2024, General Business agenda and, if approved, the second reading would be September 24, 2024.

PRIOR ACTION(S)

N/A

FISCAL IMPACT

In lieu of local funding, Community Development will provide the venue for the training, staff time, and refreshments.

CONTACT(S)

Eve Mergenthaler, Senior Planner

ATTACHMENT(S)

1. Resolution

REVIEWED BY

Date: August 27, 2024

William Martin, Community Development Director

Date: August 28, 2024

Kent White, Assistant City Manager

Date: September 03, 2024

Alicia Finney, Clerk of Council

RESOLUTION:

BE IT RESOLVED that the FY 2025 City/Federal/State Aid Fund budget is amended and $9,500 is appropriated with resources from the Virginia Department of Historic Resources (DHR) Certified Local Government (CLG) Grant to fund a National Alliance of Preservation Commission (NAPC) Commissioner Assistance and Mentoring Program (CAMP) workshop.

Introduced: Adopted:

Certified: ______________________________
Clerk of Council

City Council
Agenda Item IV.3.
Information Only

AGENDA ITEM SUMMARY

MEETING DATE	PRESENTED BY
September 10, 2024	Wyatt Woody, Director of Parks and Recreation

AGENDA ITEM # IV.3

Perrymont Park Improvements Grants

RECOMMENDATION

This item will appear for City Council vote for the first reading of the grants on the September 10, 2024 General Business agenda, and again on the September 24, 2024 agenda for acceptance of the property, dedication of the easements and second reading of the grants. Approval of the grants for Perrymont Park

SUMMARY

The Virginia Outdoors Foundation ($169,000) and the Department of Conservation and Recreation ($153,000) have both awarded Lynchburg Parks and Recreation grant funding for improvements at Perrymont Park. The grant funding would be used to develop a paved 1/4 mile walking loop, nature paths, a picnic area, a fenced off-leashed area, drainage improvements, and an outdoor classroom. There are no local matching funds required for these grants, although one of the grants requires the dedication of City property as open-space land. The property to be dedicated as open-space land is shown in the 'Open Space Exhibit' accompanying this agenda item. The property to be dedicated as open-space land has extremely low development potential due to steep slopes, poor soils, and public infrastructure. City Council has taken similar action for property in Tinbridge Hill and at Jefferson Park in Dearington.

Three actions will be needed from City Council: (1) To accept the return of City property behind Perrymont Elementary School as it will no longer be needed for school purposes; (2) To, after a public hearing, adopt a resolution authorizing the dedication of open-space land as previously described; and 3) To appropriate the funding for the park improvements at Perrymont Park.

The first reading (introduction) to amend the FY 2025 City/Federal State Aid Fund budget and appropriate funding will appear for City Council's consideration on the September 10, 2024, General Business agenda.

On September 24, 2024, City Council will be asked to take the three (3) actions described above.

PRIOR ACTION(S)

N/A

FISCAL IMPACT

No local match is required.

CONTACT(S)

Wyatt Woody, Director of Parks and Recreation

ATTACHMENT(S)

1. Presentation
2. Agreement for Use of Real Property for School Purposes
3. LYH School Board Resolution - Return of LCS Property
4. Proposed Resolution - Acceptance of Returned LCS Property
5. Exhibit A - Returned LCS Property
6. Proposed Resolution - Authorizing the Dedication of Open-Space Land
7. Proposed Deed of Dedication for Open-Space Land
8. Deed Attachment A - VOF Grant Agreement
9. Deed Attachment B - Open Space Exhibit
10. Proposed Resolution - Appropriation of Perrymont Park Improvements Grants

REVIEWED BY

Wyatt E. Woody III

Wyatt Woody, Director of Parks and Recreation — Date: August 28, 2024

Kent White, Assistant City Manager — Date: September 02, 2024

Alicia L. Finney

Alicia Finney, Clerk of Council — Date: September 03, 2024

PERRYMONT PARK GRANTS

Tuesday, September 10, 2024

PURPOSE & ACTION

Purpose:

Receive grant funding from Virginia Outdoor Foundation ($169,000.00) and Department of
Conservation and Recreation ($153,000.00) for park improvements.

Why:

Grant funding would be used to develop a paved ¼-mile walking loop, nature paths, picnic area,
fenced off-leash area, drainage improvements, and outdoor classroom

THE CITY OF LYNCHBURG

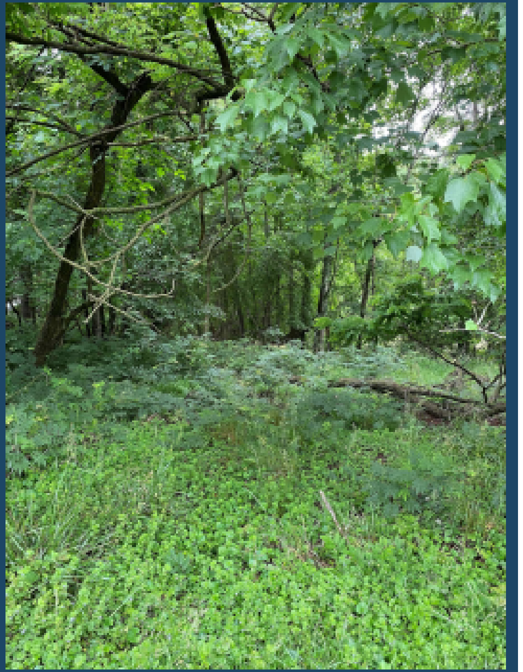
PERRYMONT PARK IMPROVEMENTS

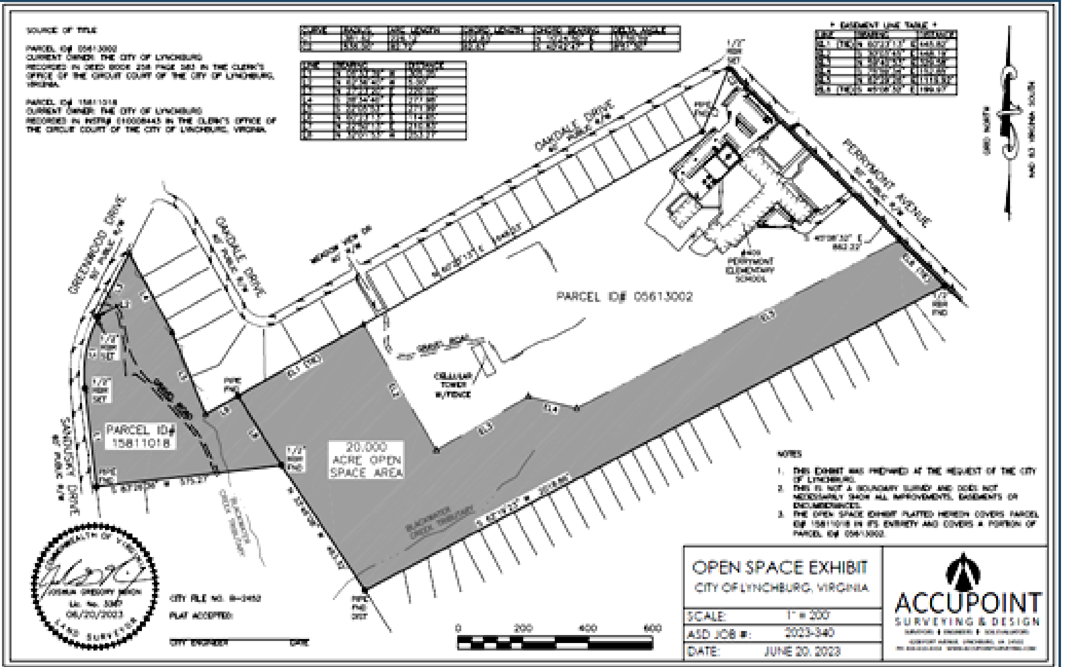
Supported by current master plans and Comprehensive Plan

No City funding required

Positive public feedback

THE CITY OF LYNCHBURG





DEDICATION REQUIRED FOR GRANT

- Open space easements are designed to preserve lands for public purposes that benefit by remaining largely undeveloped, such as for parks, woodlands, and stormwater management.
- The property that would be placed in easement has extremely low development potential due to steep slopes, poor soils and public infrastructure.
- Council has taken similar action for park improvements in the Tinbridge Hill neighborhood and at Jefferson Park in Dearington neighborhood.

THE CITY OF LYNCHBURG

NEXT STEPS:

September 10, 2024

1st Reading for acceptance and appropriation of grants

September 24, 2024

Acceptance of property transfer from Lynchburg City Schools

Public hearing to dedicate open space easement for part of the property

2nd Reading for acceptance and appropriation of grants

AGREEMENT FOR USE OF REAL PROPERTY FOR SCHOOL PURPOSES

THIS AGREEMENT FOR USE OF REAL PROPERTY FOR SCHOOL PURPOSES is made and dated this 11 day of April, 2005, by and between the CITY OF LYNCHBURG, a municipal corporation of the Commonwealth of Virginia, hereinafter referred to as the "City" and the LYNCHBURG CITY SCHOOLS, a political subdivision of the Commonwealth of Virginia, hereinafter referred to as the "Schools".

WHEREAS, pursuant to Section 22.1-125 of the Code of the Virginia, 1950, as amended, the City of Lynchburg holds title to various parcels of real estate within the City, including the buildings and improvements thereon, hereinafter referred to as the "properties," which have been turned over to and are being used by the Lynchburg City Schools for school purposes.

WHEREAS, the purpose of this Agreement is to set forth the terms and conditions under which the Lynchburg City Schools will control and manage such parcels of real estate, buildings and improvements.

NOW, THEREFORE WITNESSETH, the City of Lynchburg and the Lynchburg City Schools do hereby agree as follows:

I. Management and Control of Facilities

The City hereby turns over to the Schools all of the parcels of real estate, including the buildings and improvements thereon, listed in "Schedule A." The list of properties included on "Schedule A" may change as new properties are added or as existing properties are no longer needed for educational purposes and are returned to the City in accordance with Paragraph V of this Agreement. "Schedule A" will be updated whenever properties are added or removed. The Schools shall use the properties for the operation of the City's elementary, middle and high schools and for school related activities and programs. All properties dedicated for school uses shall be under the care, management and control of the Lynchburg City School Board which shall maintain such properties in good repair and in accordance with the standards established by the Commonwealth of Virginia, the Uniform Statewide Building Code and any other standards that are applicable to public school buildings and facilities. As the owner of the properties that are being used for the City's elementary and secondary schools the City hereby authorizes the School Board to enter into any contracts and other documents necessary for the maintenance of the properties dedicated for school uses; however, any contracts and documents that require funds beyond those appropriated to the Schools as part of the annual budget process are subject to the appropriation of sufficient funds by the Lynchburg City Council.

II. Capital Improvements

The City and the Schools acknowledge the need to work together on capital improvement projects for the public school buildings and facilities. Normally the planning for capital improvements will be done as part of the City's annual Capital Improvement Program. The Schools agrees that it will bring to the attention of the City any significant problems which may require major capital improvements and which are beyond the normal routine maintenance and repair performed by the Schools. As the owner of the properties that are being used for the City's elementary and secondary schools the City hereby authorizes the School Board to enter into any contracts and other documents necessary for the Schools' capital improvement projects. Such capital improvement projects shall be included in the City's annually adopted Capital Improvement Program and are subject to the appropriation of sufficient funds by the Lynchburg City Council.

III. Insurance

The Schools agrees to provide the following minimum insurance coverage to protect the interests of the City as owner of the buildings and grounds used and occupied by the Schools. The Schools shall make a diligent effort to provide the following minimum insurance coverage with insurance companies or self-insurance pools that are deemed to be financially solvent. Should the following insurance policies or coverages not be available, the Schools shall notify the City immediately. The City reserves the right to procure property and liability insurance on the buildings and grounds should the Schools be unable to do so. In all cases where insurance is purchased by the Schools, the insurance will be primary and non contributory to any insurance purchased or self-insurance maintained by the City .

A. Property Insurance

Property insurance covering all buildings and structures owned by the City in the care, custody and control of the Schools with the following provisions:

1. "All Risk of Direct Physical Loss"
2. Replacement Cost for all buildings and other structures
3. Agreed Amount Endorsement
4. City of Lynchburg included as "Loss Payee" as Owner of the property.

B. Property Insurance on Construction Projects

In all construction projects involving City owned property occupied by the Schools, Builder's Risk insurance coverage shall be procured to protect the interests of the City and the Schools. At a minimum, the terms and conditions shall be similar to the property insurance above.

C. Liability Coverage

Commercial General Liability insurance coverage providing protection against bodily injury, property damage, personal and advertising injury in the amount of not less than $5 million dollars per occurrence. The City shall be named as an additional insured as the owner of the property. This coverage shall be primary and non contributory to all insurance or self-insurance maintained by the City.

D. Bid, Performance and Payment Bonds on Construction Contracts

The City shall be named as an obligee or owner on any Bid, Payment or Performance Bonds provided on any construction projects taking place on City owned property or on any City owned buildings occupied, used or maintained by the Schools.

IV. Joint Use of Recreational Facilities

The City and the Schools acknowledge that it is the shared goal of the parties to ensure that the Schools' athletic and recreational facilities are viewed as "community facilities" and that they are made available for the use and enjoyment of the citizens of the City, and the Schools and the City's Parks & Recreation Department will work together in order to achieve this shared goal in accordance with the "Community Schools Program Policies and Procedures" dated February 1, 1981 and the "City-Schools Cooperation Agreement" dated June 6, 1988

V. Return of Surplus Property

When the Schools decides any of the real estate, buildings or facilities covered by this Agreement are no longer needed for educational purposes, the Schools shall notify the City in writing of its intent to declare that a school site or a school building is no longer needed for school purposes. Upon receipt of the notice from the Schools, representatives of the City and the Schools will conduct a joint inspection of the school site or school building to determine the condition of the facility and to determine what, if any, actions need to be taken before the school site or school building is returned to the City. Before any of the buildings or facilities covered by this Agreement are returned to the City, unless mutually agreed to otherwise, it shall be the responsibility of the Schools to bring such buildings and facilities into compliance with the requirements of the Uniform Statewide Building Code and into compliance with any other standards that are applicable to such buildings and facilities. Until the school site or school building is returned to the City, the Schools will continue to be responsible for the maintenance and security of the property. The Schools will leave all fixtures in place when it vacates the property. Before returning the property to the City, the Lynchburg School Board will adopt a resolution declaring that the property is no longer needed for educational purposes and is being returned to the City. The Lynchburg City Council will adopt a resolution acknowledging that the property has been returned to the City.

VI. Termination or Amendment of Agreement

This Agreement may be terminated upon the mutual written agreement of the City and the Schools. At any time either party to this Agreement may request a review of this Agreement and all parties agree to conduct review. In any event, this Agreement shall be reviewed by both parties after five years. This Agreement may be modified or amended from time-to-time by written agreement of the City and the Schools.

VII. Addresses for Notices

Any notices required to be given under this Agreement shall be deemed to be sufficiently given if personally delivered or sent by prepaid registered mail addressed as follows:

To the City:

Lynchburg City Manager
City Hall Building
900 Church Street
Lynchburg, VA 24504

To the Schools:

Lynchburg School Superintendent
School Administration Building
10th and Court Streets
Lynchburg, VA 24504

Or to any other addresses or persons as may be designated in writing by the City or the Schools.

VIII. Severability

If any of the terms and conditions as contained in this Agreement are at anytime during the term of this Agreement held by any Court of competent jurisdiction to be invalid or unenforceable in the manner contemplated herein, then such terms and conditions shall be severed from the rest of the said terms and conditions, and such severance shall not affect the enforceability of the remaining terms and conditions in accordance with the intent of the Agreement.

WITNESSETH the following signatures and seals as of the day and year set forth above.

CITY OF LYNCHBURG

BY: Carl B. Hutcherson
Carl B. Hutcherson, Jr., Mayor

LYNCHBURG CITY SCHOOLS

BY: Julie P. Doyle
Julie Doyle, Chairman

"SCHEDULE A"

LIST OF CITY-OWNED PROPERTY BEING USED BY

***School Administration Building* (1)**
915 Court Street, (24505)

***Facilities & Transportation* (1)**
3525 John Capron Road (24501)

***High Schools* (2)**
E. C. Glass
2111 Memorial Avenue (24501)

Heritage
3020 Wards Ferry Road (24502)

***Middle Schools* (3)**
Paul Laurence Dunbar Middle School For Innovation
1200-1208 Polk Street (24504)

Linkhorne
2525 Linkhorne Drive (24503)

Sandusky
805 Chinook Place (24502)

***Elementary Schools* (11)**

Bass, William Marvin
1730 Seabury Avenue (24501)

Bedford Hills
4330 Morningside Drive (24503)

Dearington Elementary School For Innovation
210 Smyth Street (24501)

Heritage
501 Leesville Road (24502)

Linkhorne
2501 Linkhorne Drive (24503)

Munro, Paul .
4641 Locksview Road (24503)

Payne, Robert S.
1201 Floyd Street (24501)

Perrymont
409 Perrymont Avenue (24502)

Sandusky
5828 Apache Lane (24502)

Sheffield
115 Kenwood Place (24502)

Thomas C. Miller Elementary School For Innovation
600 Mansfield Avenue (24501)

***Elementary Schools Which Provide Alternative Program Opportunities* (1)**

Carl B. Hutcherson Early Learning Center
2401 High Street (24504)

***Special Programs: Adult/Alternative, Parent And Special Education* (1)**

The LAUREL Program located at the former Kizer Elementary School
401 Monticello Avenue (24501)

- The park land that is located adjacent to Heritage High School and Perrymont Elementary School shall continue to remain under the management and control of the City's Parks & Recreation Department.

RESOLUTION: **#R-24-____**

WHEREAS, pursuant to that certain document entitled, "AGREEMENT FOR USE OF REAL PROPERTY FOR SCHOOL PURPOSES", dated April 11, 2005, between the City of Lynchburg, a municipal corporation of the Commonwealth of Virginia, and the Lynchburg City Schools, a political subdivision of the Commonwealth of Virginia, the Lynchburg City Schools may surrender/return real property back to the City of Lynchburg that is no longer needed for educational/school purposes or uses; *and*

WHEREAS, the School Board for the City of Lynchburg, Virginia desires the Lynchburg City Schools surrender/return use of the real property designated as "Park area" (hereafter the "Property"), specific to Perrymont Elementary School, 409 Perrymont Avenue, Lynchburg, Virginia 24502 as shown on Exhibit A (attached hereto and incorporated herein by reference), to the City of Lynchburg, because the Property is no longer needed for educational/school purposes or uses; *and*

WHEREAS, the notice and inspection requirements described under Article V of the said agreement have been satisfied or, where applicable, mutually waived by the appropriate officials of the City of Lynchburg and the Lynchburg City Schools.

NOW, THEREFORE, BE IT RESOLVED BY THE SCHOOL BOARD FOR THE CITY OF LYNCHBURG, VIRGINIA:

1. That the Lynchburg City School surrenders/returns the Property to the City of Lynchburg as it is no longer needed for educational/school purposes or uses.

2. That the Chairman of the School Board for the City of Lynchburg, Virginia, on behalf of the Lynchburg City Schools, shall execute an amendment to the above described agreement which illustrates the substance of this Resolution, and more specifically, what real property associated with Perrymont Elementary School has been surrendered/returned by the Lynchburg City Schools for use by the City of Lynchburg.

3. That this Resolution shall be effective upon its adoption.

Adopted: September 3, 2024

Certified: Jina P. Day
School Board Clerk

Exhibit A - Page 1 of 2

Before Surrender/Return

Exhibit A - Page 2 of 2

After Surrender/Return

RESOLUTION: **#R-24-____**

WHEREAS, pursuant to that certain document entitled, "AGREEMENT FOR USE OF REAL PROPERTY FOR SCHOOL PURPOSES", dated April 11, 2005, between the City of Lynchburg, a municipal corporation of the Commonwealth of Virginia, and the Lynchburg City Schools, a political subdivision of the Commonwealth of Virginia, the Lynchburg City Schools may surrender/return real property back to the City of Lynchburg that is no longer needed for educational/school purposes or uses; *and*

WHEREAS, as shown by that certain Resolution of the School Board for the City of Lynchburg, Virginia, dated ____________________, the Lynchburg City Schools surrendered/returned use of the real property designated as "Park area" (hereafter the "Property"), specific to Perrymont Elementary School, 409 Perrymont Avenue, Lynchburg, Virginia 24502, as shown on Exhibit A (attached hereto and incorporated herein by reference), to the City of Lynchburg, because the Property is no longer needed for educational/school purposes or uses; *and*

WHEREAS, the notice and inspection requirements described under Article V of the said agreement have been satisfied or, where applicable, mutually waived by the appropriate officials of the City of Lynchburg and the Lynchburg City Schools.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG, VIRGINIA:

1. That the City of Lynchburg accepts the Property surrendered/returned by the Lynchburg City Schools as it is no longer needed for educational/school purposes or uses.

2. That the Mayor of the City of Lynchburg, Virginia, on behalf of the City of Lynchburg, shall execute an amendment to the above described agreement which illustrates the substance of this Resolution, and more specifically, what real property associated with Perrymont Elementary School has been surrendered/returned by the Lynchburg City Schools for use by the City of Lynchburg.

3. That this Resolution shall be effective upon its adoption.

Adopted:

Certified: ________________________________
Clerk of Council

Exhibit A - Page 1 of 2

Before Surrender/Return

Exhibit A - Page 2 of 2

After Surrender/Return

A RESOLUTION TO AUTHORIZE THE CITY OF LYNCHBURG TO RESTRICT, DEDICATE, AND DESIGNATE TAX MAP NO. 158-11-018; 500 SANDUSKY DRIVE AND A PART OF TAX MAP NO. 056-13-002; 409 PERRYMONT AVENUE AS OPEN-SPACE LAND, IN PERPETUITY, UNDER THE VIRGINIA OPEN-SPACE LAND ACT

RESOLUTION: **#R-24-_____**

WHEREAS, prior to the adoption of this Resolution, a public hearing was duly held in accordance with Section 15.2-1800 of the Code of Virginia, 1950, as amended.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG, VIRGINIA:

1. That, in accordance with the requirements of a grant (in the amount of $169,000) from the Virginia Outdoors Foundation ("VOF"), for the protection and enhancement of public open space, as more fully described in that certain Virginia Outdoors Foundation Open-Space Lands Preservation Trust Fund-Public Access Grant Agreement, with an approval date of October 11, 2022, between the City of Lynchburg and VOF, the following described real estate may be restricted to, dedicated as, and designated as open-space land, in perpetuity, under the Virginia Open-Space Land Act (Sec(s). 10.1-1700 *et seq.* of the Code of Virginia):

   All the following real estate, located in the City of Lynchburg, Virginia, owned in fee simple by the City, as shown on a plat by Accupoint Surveying & Design, entitled "Open Space Exhibit City of Lynchburg, Virginia", dated June 20, 2023, and designated City File No. B-2452, with such real estate being more particularly described as follows, *to-wit*:

   Part of Tax Map No. 056-13-002; 409 Perrymont Avenue

   Beginning at a ½" rebar found in the easternmost corner of Tax Map No. 056-13-002, at its intersection with the northernmost corner of Tax Map No. 056-13-003 and the western right-of-way line of Perrymont Avenue; thence S 62º 19' 23" W 2,018.86 feet to a pipe found, said point being the southernmost corner of Tax Map No. 056-13-002; thence N 33º 48' 08" W 463.32 feet to a ½" rebar found; thence N 32º 01' 53" W 253.27 feet to a pipe found, said point being the westernmost corner of Tax Map No. 056-13-002; thence N 60º 23' 13" E 445.82 feet to a point; thence S 30º 03' 45" E 448.19 feet to a point; thence N 59º 40' 53" E 329.58 feet to a point; thence S 75º 59' 34" E 152.85 feet to a point; thence N 62º 29' 26" E 1,119.92 feet to a point, said point being on the northeast boundary line of Tax Map No. 059-13-002; and thence along said northeast boundary line S 45º 08' 32" E 199.97 feet to a ½" rebar found and the point of beginning.

   Tax Map No. 158-11-018; 500 Sandusky Drive

   Beginning at a pipe found in the southwest corner of Tax Map No. 158-11-018, at its intersection with the northwest corner of Tax Map No. 158-09-014 and the eastern right-of-way line of Sandusky Drive; thence along the western boundary line of Tax Map No. 158-11-018 N 06º 33' 39" W 305.05

feet to a point; thence continuing along said western boundary line in a northeasterly direction along a curve having a radius of 381.62', a delta angle of 33º 56' 59" and a chord length of 222.83 feet to a ½" rebar set; thence N 62º 36' 40" W 5.00 feet to a point; thence continuing along said western boundary line N 27º 23' 20" E 220.02 feet to a point, said point being the northernmost corner of Tax Map No. 158-11-018; thence S 28º 34' 40" E 277.98 feet to a point; thence S 22º 05' 53" E 271.99 feet to a point; thence N 60º 23' 13" E 114.65 feet to a pipe found; thence S 32º 01' 53" E 253.27 feet to a ½" rebar found, said point being the southeast corner of Tax Map No. 158-11-018; and thence along the southern boundary line of Tax Map No. 158-11-018 S 83º 26' 36" W 575.27 feet to a pipe found and the point of beginning.

The aggregate area described above consists of approximately 20.00 acres and is shown as shaded areas on the previously described plat.

2. That the plat previously described is incorporated herein by reference.

3. That the City Manager is authorized to take any and all actions necessary to effectuate the substance of this Resolution, including, but not being limited to, executing a deed on behalf of the City of Lynchburg, a municipal corporation of the Commonwealth of Virginia, to restrict, dedicate, and designate all the previously described real estate as open-space land, in perpetuity, under the Virginia Open-Space Land Act (Sec(s). 10.1-1700 *et seq.* of the Code of Virginia).

4. That any and all documents which may have been signed before the adoption of this Resolution, which are connected to the substance of this Resolution, are ratified.

5. That this Resolution shall become effective upon its adoption.

Adopted:

Certified: ________________________________
Clerk of Council

Prepared by:
City of Lynchburg, Virginia
City Attorney's Office
900 Church Street – 3rd Floor
Lynchburg, VA 24504

Tax Map Parcel ID No(s). Part of 056-13-002
158-11-018

Consideration: N/A

This deed is exempt from recordation taxes pursuant to §§ 58.1-811(A)(3) and 58.1-802(C)(4) of the Code of Virginia, 1950, as amended.

THIS DEED OF RESTRICTION AND DEDICATION OF OPEN-SPACE LAND is made the 24th day of September 2024, by the **CITY OF LYNCHBURG**, a municipal corporation of the Commonwealth of Virginia, hereafter the "City", who is to be indexed of record in the Clerk's Office of the Lynchburg Circuit Court as a GRANTOR AND GRANTEE FOR REFERENCE PURPOSES ONLY, whose mailing address is City of Lynchburg, Virginia, Attn: City Manager, 900 Church Street, Lynchburg, Virginia 24504.

WHEREAS, the City of Lynchburg, Virginia is a recipient of a grant in the amount of $169,000 from the Virginia Outdoors Foundation ("VOF") for the protection and enhancement of public open space, as more fully described in that certain Virginia Outdoors Foundation Open-Space Lands Preservation Trust Fund-Public Access Grant Agreement, attached hereto as **Attachment "A"**.

WHEREAS, the execution of this deed is a requirement of Attachment A.

WITNESSETH:

All the following real estate, located in the City of Lynchburg, Virginia, owned in fee simple by the City, is hereby restricted to, dedicated as, and designated as open-space land, in perpetuity, under the Virginia Open-Space Land Act (Sec(s). 10.1-1700 *et seq.* of the Code of Virginia, 1950, as amended), with such real estate being shown on a plat by Accupoint Surveying & Design, entitled "Open Space Exhibit City of Lynchburg, Virginia", dated June 20, 2023, and designated City File No. B-2452, with such real estate being more particularly described as follows, *to-wit*:

Part of Tax Map No. 056-13-002; 409 Perrymont Avenue

Beginning at a ½" rebar found in the easternmost corner of Tax Map No. 056-13-002, at its intersection with the northernmost corner of Tax Map No. 056-13-003 and the western right-of-way line of Perrymont Avenue; thence S 62° 19' 23" W

2,018.86 feet to a pipe found, said point being the southernmost corner of Tax Map No. 056-13-002; thence N 33° 48' 08" W 463.32 feet to a ½" rebar found; thence N 32° 01' 53" W 253.27 feet to a pipe found, said point being the westernmost corner of Tax Map No. 056-13-002; thence N 60° 23' 13" E 445.82 feet to a point; thence S 30° 03' 45" E 448.19 feet to a point; thence N 59° 40' 53" E 329.58 feet to a point; thence S 75° 59' 34" E 152.85 feet to a point; thence N 62° 29' 26" E 1,119.92 feet to a point, said point being on the northeast boundary line of Tax Map No. 059-13-002; and thence along said northeast boundary line S 45° 08' 32" E 199.97 feet to a ½" rebar found and the point of beginning.

Tax Map No. 158-11-018; 500 Sandusky Drive

Beginning at a pipe found in the southwest corner of Tax Map No. 158-11-018, at its intersection with the northwest corner of Tax Map No. 158-09-014 and the eastern right-of-way line of Sandusky Drive; thence along the western boundary line of Tax Map No. 158-11-018 N 06° 33' 39" W 305.05 feet to a point; thence continuing along said western boundary line in a northeasterly direction along a curve having a radius of 381.62', a delta angle of 33° 56' 59" and a chord length of 222.83 feet to a ½" rebar set; thence N 62° 36' 40" W 5.00 feet to a point; thence continuing along said western boundary line N 27° 23' 20" E 220.02 feet to a point, said point being the northernmost corner of Tax Map No. 158-11-018; thence S 28° 34' 40" E 277.98 feet to a point; thence S 22° 05' 53" E 271.99 feet to a point; thence N 60° 23' 13" E 114.65 feet to a pipe found; thence S 32° 01' 53" E 253.27 feet to a ½" rebar found, said point being the southeast corner of Tax Map No. 158-11-018; and thence along the southern boundary line of Tax Map No. 158-11-018 S 83° 26' 36" W 575.27 feet to a pipe found and the point of beginning.

The aggregate area described above and dedicated as open-space land, hereafter referred to as "the Property", consists of approximately 20.00 acres and is shown as shaded areas on the plat attached hereto as **Attachment "B"**.

Even though the Property consists of one tax map parcel and part of another tax map parcel for real estate tax purposes and it may have been acquired previously as separate parcels, the Property will be considered one parcel for purposes of the open-space land dedication.

The following restrictions shall apply to all of the Property:

1. The public's right to access and use the Property as determined by the City of Lynchburg.

2. The Property shall not be subdivided.

3. Only structures which support the public's right to access and use the Property as a park shall be permitted.

4. Impervious surfaces on the Property shall be limited to no more than 10%.

5. No part of the open-space land shall be released, converted, or diverted from its open-space use unless such release, conversion, or diversion is in compliance with the provisions of the Virginia Open-Space Land Act (Sec(s). 10.1-1700 et seq. of the Code of Virginia, 1950, as amended).

No person shall, on the grounds of race, color, national origin, or other basis prohibited by Federal law, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the City of Lynchburg, Virginia receives Federal financial assistance, including financial assistance from the Department of Transportation, including the Federal Highway Administration.

This deed was authorized by a duly adopted Resolution or Ordinance of the Lynchburg City Council on September 24, 2024, after a public hearing was advertised and held in accordance with § 15.2-1800 of the Code of Virginia, 1950, as amended.

(Remainder of Page Intentionally Left Blank)

WITNESS the following signature and seal.

CITY OF LYNCHBURG

By: ______________________________(SEAL)

Print Name: Wynter C. Benda
Title: City Manager

COMMONWEALTH OF VIRGINIA
CITY OF LYNCHBURG, *to-wit*:

The foregoing instrument was acknowledged before me on this the __________ day of _________________________, 2024, by Wynter C. Benda, the City Manager of the City of Lynchburg on behalf of the city.

____
Notary Public

My registration number is: ____________________

My commission expires on: ____________________

[Affix Notary Seal]

(SEAL)

ATTEST:

____
Alicia L. Finney, Clerk of Council
City of Lynchburg, Virginia

THIS DEED IS APPROVED AS TO FORM:

____
Matthew C. Freedman, City Attorney
City of Lynchburg, Virginia

Attachment A

VIRGINIA OUTDOORS FOUNDATION
OPEN SPACE LANDS PRESERVATION TRUST FUND-PUBLIC ACCESS
GRANT AGREEMENT

Grant Recipient:	City of Lynchburg Parks & Recreation Dept.
Project Title:	Perrymont Park Improvements
Approval Date:	October 11, 2022
Project Number:	PTF2023-004
Project Period:	November 14, 2022-November 14, 2024
Project Description:	Perrymont Park is an undeveloped park in the City of Lynchburg. It is located on a parcel that is partly occupied by Perrymont Elementary School (not included in the total acreage) and is in a park desert identified on the current City Parks & Recreation Needs Assessment, meaning a neighborhood whose residents are more than a 10-minute walk away from an active Park. The park is planned with a walking loop, off-leash area, a restored wetland, ball fields, an outdoor classroom, and nature paths.
Location:	City of Lynchburg Parcel ID 15811018 and a portion of Parcel ID 05613002
Grant Amount:	$169,000.00 (Exhibit A, budget attached)
Multiple Funding Sources:	This project will utilize funding sources from many partners to be combined to achieve the goals listed in the project description above. While it is the sole responsibility of the grant recipient to meet all program requirements, all parties shall collaborate to assure that the required land protection instrument satisfies the requirements of all funding sources.

The City of Lynchburg Parks & Recreation Dept., in consideration of the grant funds in the amount of $169,000.00 being provided to it pursuant to this agreement by VOF, agrees to comply to the following terms and conditions:

GRANT POLICIES

Scope of Work

1. The following deliverables are included in the grant agreement and are expected to be completed within the grant lifespan:
    - Conveyance by the City of Lynchburg of a right, interest, or privilege that that will protect, in accordance with Virginia Code § 10.1-1801.1 and § 10.1-1700, approximately 16-17 acres of open space on City of Lynchburg Parcel ID 15811018 and a portion of Parcel ID 05613002.
    - Such right, interest, or privilege shall also convey a permanent right of public access to the property.
    - Design and engineering for park plan*,
    - Infrastructure to enable passive recreation by the public such as:
        - Approximately 1,000-ft of a paved path
        - Approximately 200-ft sidewalk
        - Approximately 2,700-ft of nature trails*
    - Amenities to enable use and enjoyment of the park by the public such as:
        - Gates, signage, tables, benches, dog waste receptacles, and a water fountain.

*The development of the park is a large project with funding sources from many partners being combined to achieve the listed deliverables above. PTF funds will be used in support of the fulfillment of the total project.

2. Any variance from the listed scope of work and deliverables must be approved by VOF.

Schedule

3. All components listed above must be completed by November 14, 2024.

4. If no significant progress has been made after the first year of the contract, the grant agreement may be nullified, and funds reassigned.

5. In the case of land acquisition, the land acquisition must be completed before any investment in infrastructure or improvements is made.

Funding

6. Grant funds distributed shall not exceed eligible documented costs incurred, not to exceed the total grant amount of $169,000.00.

7. Funding may be disbursed only once a real estate interest has been conveyed to VOF or a locality, such as the recordation of an open space easement, the dedication of land to open space, or another mechanism approved by VOF.

8. In the case of land acquisition using grant funds, verification of purchase price is required. Acceptable forms of verification include a settlement statement or deed of conveyance.

9. The general budget is a guide for expenditure. Funds from any item category may be reallocated toward other deliverables in the grant agreement **if there is no impact to the scope of work.** The grant recipient should inform VOF regarding line-item changes greater than 5% of the total award.

10. The parties understand that the grant funding hereunder may be subject to rescission by the Virginia General Assembly. In such event, VOF shall have the right to cancel this Agreement without liability thereon.

In the Case of Land Acquisition

11. The recordable deed of conveyance, executed on behalf of the grant recipient, must be previously approved in form and substance by VOF. See Land Protection section below, which must follow acquisition or occur at the time of closing.

12. Should land be acquired using PTF grant funds, the following due diligence items must be provided:
    a. A survey of the property prepared by a Virginia licensed surveyor or professional engineer, preferable in digital form, depicting the metes and bounds of the property unless VOF determines that an adequate legal description of the Property is available.
    b. A Phase I Environmental Site Assessment prepared within six months of closing shall be provided.
    c. Final policy or commitment for owner's title insurance less than ninety (90) days old showing title vested in the seller of the properties and that upon closing of the purchase transactions, the City of Lynchburg Parks & Recreation Dept. will hold an unencumbered fee simple interest in the property (subject to easements and other encumbrances of record acceptable to VOF).
    d. Verification of eligible expenditures related to property acquisition at closing and shown on settlement statement, including, but not limited to survey fees, appraisal fees, legal fees including title reports and insurance, required reports, and recordation fees.

13. The City of Lynchburg Parks & Recreation Dept. must provide contact information to the settlement agent who will be receiving the grant funds for closing and must also provide a W-9 for that company at least two weeks before the desired closing date.

14. The City of Lynchburg Parks & Recreation Dept. shall work closely with VOF to set up all property closings and must contact VOF at least one month before the desired closing date to ensure that VOF will have sufficient funds available to meet the funding obligations created hereunder.

15. The City of Lynchburg Parks & Recreation Dept. must provide copies of all recorded deeds of transfer, open space easements, and right-of-way or trail easements for which VOF monies have been awarded, showing the locality, deed book, page of recordation, and/or instrument number to VOF no later than one month after recordation.

Land Protection

16. A recordable legal instrument reflecting the conveyance of a real estate right, interest, or privilege, such as deed of Open-Space dedication or easement executed on behalf of Grant Recipient, must be previously approved in form and substance by VOF. See Exhibit B: Sample Deed Language for example language that may be included.

17. If the property is being purchased by or is already owned by VOF or a locality, the deed must designate such property as open-space land in accordance with the Open-Space Land Act (Va. Code § 10.1-1700 *et seq.*) including Section 10.1-1701 of the Code of Virginia (1950), as amended. The deed shall include a right of public access and any other restrictions that pertain.

18. If the property is being purchased by or is already owned by any entity other than VOF or a locality, the deed must designate such property as open-space land in accordance with the Open-Space Land Act (Va. Code § 10.1-1700 *et seq.*) including Section 10.1-1701 of the Code of Virginia (1950), as amended, and the restrictions outlined below shall be imposed in perpetuity by enforceable restrictions set forth in the deed of conveyance or by restrictions set forth in a deed of easement or other instrument to be granted to VOF or a locality. The decision of whether deed restrictions, a deed of easement, or some other instrument thereof shall be used will be determined by VOF.
    a. A right of public access
    b. A cap on impervious surface
    c. A no division clause
    d. A conversion/diversion clause

19. The City of Lynchburg Parks & Recreation Dept. must provide the following due diligence:
    a. A survey of the property prepared by a Virginia licensed surveyor or professional engineer, preferable in digital form, depicting the metes and bounds of the property unless VOF determines that an adequate legal description of the Property is available.
    b. Copies of title work showing grantor's fee simple interest in the property and/or a title insurance policy showing title vested in the grantor as well as any easements, rights, and other encumbrances of record acceptable to VOF.

20. The City of Lynchburg Parks & Recreation Dept. must provide contact information to the settlement agent who will be receiving the grant funds for closing and must also provide a W-9 for that company at least two weeks before the desired closing date.

21. The City of Lynchburg Parks & Recreation Dept. shall work closely with VOF to set up all property closings and must contact VOF at least one month before the desired closing date to ensure that VOF will have sufficient funds available to meet the funding obligations created hereunder.

22. The City of Lynchburg Parks & Recreation Dept. must provide copies of all recorded deeds of transfer, open space easements, and right-of-way or trail easements for which VOF monies have been awarded, showing the locality, deed book, page of recordation, and/or instrument number to VOF no later than one month after recordation.

Reporting

23. Progress reports are required throughout the lifespan of the grant. Reports should be submitted every six months following the signing of the grant agreement. Reports should be submitted through the VOF standardized process. Additionally, a final report is due upon completion of the project. Photo documentation should be included when appropriate.

Media and Publicity

24. The grant recipient will release information to the media informing the community of the grant award to the project and acknowledging that it has received funding from VOF.

25. All press releases and other printed materials and publications, audiovisuals, and signs pertaining to the project should reference the Virginia Outdoors Foundation or include the VOF logo. VOF staff is available to assist with drafting and distributing press releases by request. Please contact Jason McGarvey, communications manager, at jmcgarvey@vof.org to coordinate.

26. Each project site will be permanently marked with a VOF sign or signs (as appropriate) in locations reasonably selected or approved by VOF. VOF shall provide such signs at no cost to the property owner. In cases where there are multiple funders this requirement may be fulfilled by including VOF on the sign acknowledging all funding sources.

27. All material submitted as support or documentation of project progress, such as photographs, may be used by VOF to promote the grant program. Any VOF publications will cite the source of the reprinted material. These records will also be deemed public records and subject to Virginia's Freedom of Information Act; however, copyright holders will retain their copyrights.

Contract Authority

28. Modification of this Agreement must be in a writing executed by the parties hereto.

29. The interpretation and performance of this Agreement shall be in accordance with the laws of the Commonwealth of Virginia. If any provision of this Agreement is determined by a court of competent jurisdiction to be invalid, the remaining provisions shall not be affected thereby.

30. The City of Lynchburg Parks & Recreation Dept. shall hold the Commonwealth of Virginia harmless from all legal liability under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), as amended, 42 U.S.C. §§ 9601 et seq., together with any other federal, state or local law or ordinance related to hazardous substances or hazardous waste.

31. This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors.

32. The individuals executing this Agreement on behalf of VOF and the City of Lynchburg Parks & Recreation Dept. possess all necessary power and authority to bind the parties hereto and, upon execution, this Agreement shall constitute a legal and valid obligation of the parties hereto.

Termination:

33. VOF reserves the right to reclaim grant funds, or properties purchased with grant funds, or to nullify the grant agreement if recipient fails to meet land transfer deadlines, obtain appropriate open space protection, or provide required documentation regardless of transfer of ownership. Specifically, if no significant progress has been made at the one-year review of the project, the grant agreement may be nullified.

In witness whereof, the parties hereto have executed this contractual agreement as of the dates entered below.

Virginia Outdoors Foundation

By: Leslie H. Grayson Date: 02.23.2023

Leslie Grayson, Deputy Director

Grant Recipient, City of Lynchburg:

By: Date: 2/15/23

[Signature]

Please print name here: Wynter C. Benda

Title: City Manager

VIRGINIA OUTDOORS FOUNDATION
PRESERVATION TRUST FUND-PUBLIC ACCESS PROGRAM

Exhibit A: General Budget

Grant Recipient: City of Lynchburg Parks & Recreation Dept.

Project Title: Perrymont Park Improvements

Project Number: PTF2023-004

Grant Amount: $169,000.00

ITEM	EXPENSE
Permanent protection of approximately 16-17 acres of land, City of Lynchburg Parcel ID 15811018 and a portion of Parcel ID 05613002 as open space including associated due diligence costs	$1,200.00
Design & engineering work for park plan	$4,000.00
Approximately 1,000-ft Paved Panther Path	$96,000.00
Approximately 200-ft sidewalk	$10,000.00
Park amenities such as gates, signage, tables, benches, dog waste receptacles and a water fountain	$32,400.00
Approximately 500-ft woods walk to field*	$4,050.00
Approximately 3,200-ft of Nature Path to Oakdale and Sandusky (combined)*	$21,350.00
Total	**$169,000.00**

*This project will utilize funding sources from many partners to be combined to achieve the goals listed in the project description and deliverables of the grant agreement. PTF funds will be used in support of the fulfillment of the total project. While it is the sole responsibility of the grant recipient to meet all program requirements, all parties shall collaborate to assure that the required land protection instrument satisfies the requirements of all funding sources.

General budget is a guide for expenditure. Funds from any item category may be reallocated toward other deliverables in the grant agreement **if there is no impact to the scope of work**. Grant recipient should inform VOF regarding line-item changes greater than 5% of total award. Grant funds distributed shall not exceed eligible documented costs incurred, not to exceed the total grant amount of $169,000.00.

Funding may be disbursed only once a real estate interest has been conveyed to VOF or a locality, such as the recordation of an open space easement, the dedication of land to open space, or another mechanism approved by VOF.

A draft deed must be approved by VOF and meet the following requirements:

- The property interest, the form of which may be determined by VOF, must be **held by VOF or a locality** as specified in Virginia Code §10.1-1801.1.
- The property interest must be **dedicated in perpetuity as open-space land under the Open-Space Land Act** (Virginia Code §§ 10.1-1700 to 10.1-1705).
- The grant agreement must be recorded as an exhibit to the deed.

Recitals:

- Pursuant to Chapter 18, Title 10.1, Section 10.1-1801.1 the Virginia Outdoors Foundation (VOF) has provided an Open-Space Lands Preservation Trust Fund Grant in the amount of $__________ to Grantee for the protection and enhancement of public open space, as more fully described in the Virginia Outdoors Foundation Open-Space Lands Preservation Trust Fund-Public Access Grant Agreement attached hereto as Exhibit A.
- When there is acquisition of a property interest by a locality:
    - Grantor is conveying the described property (the "Property") to Grantee to be retained and used by Grantee in perpetuity as open-space land pursuant to Chapter 17, Title 10.1, Section 10.1-1701 of the Code of Virginia (1950), as amended.

OR

- When property interest is already held by a locality:
    - Grantor is dedicating the described property (the "Property") to be retained and used in perpetuity as open-space land pursuant to Chapter 17, Title 10.1, Section 10.1-1701 of the Code of Virginia (1950), as amended.

Designation:

- The *owner/public body/grantee* hereby designates the Property to be retained and used in perpetuity as open-space land to Chapter 17, Title 10.1, Section 10.1-1701 of the Code of Virginia (1950) as amended.

Restrictions:

- The deed **must** include the following restrictions to be imposed in perpetuity:
    - A right of public access
    - No division
    - Only structures allowed are those that support public use of the property. Impervious surface will be limited/capped. 10% of property is average cap, though up to 50% will be considered for urban areas/community needs.
    - A conversion/diversion clause
        - No part of the Property may be converted or diverted from its open-space use unless such conversion or diversion is determined by the *owner/public body* to be in compliance with the provisions of Section 10.1-1704 of the Open-Space Land Act.
- The deed **may** include the following restrictions to be imposed in perpetuity:
    - A clause in which VOF must agree that the determination of the public body to convert/divert the public land has met all the requirements of 10.1-1704, such as:
        - No part of the Property may be converted or diverted from its open-space use unless such conversion or diversion is determined by VOF to be in compliance with the provisions of Section 10.1-1704 of the Open-Space Land Act.

Preservation Trust Fund Program Requirements
Land Protection Only

Required Documents Prior to Fund Disbursement:

1. A boundary survey of the property prepared by a Virginia licensed surveyor or professional engineer, preferable in digital form, depicting the metes and bounds of the property unless VOF determines that an adequate legal description of the Property is available.

2. Copies of title work showing grantor's fee simple interest in the property and/or a title insurance policy showing title vested in the grantor as well as any easements, rights, and other encumbrances of record acceptable to VOF.

3. A copy of the draft deed, or the recorded deed, the form of which has been approved by VOF.
   - The property interest must be **held by VOF or a locality** as defined in Virginia Code §10.1-1700
   - The property interest must be **dedicated in perpetuity as open-space land under the Open-Space Land Act** (Virginia Code §§ 10.1-1700 to 10.1-1705). The deed must include the following recitals:
     - Pursuant to Chapter 18, Title 10.1, Section 10.1-1801.1 the Virginia Outdoors Foundation (VOF) has provided an Open-Space Lands Preservation Trust Fund Grant in the amount of $___________ to Grantee for the protection and enhancement of open space, as more fully described in the Virginia Outdoors Foundation Open-Space Lands Preservation Trust Fund Grant Agreement attached hereto as Exhibit A.
     - When there is acquisition of a property interest by a locality:
       - Grantor is conveying the described property (the "Property") to Grantee to be retained and used by Grantee in perpetuity as open-space land pursuant to Chapter 17, Title 10.1, Section 10.1-1701 of the Code of Virginia (1950), as amended.

     OR

     - When property interest is already held by a locality:
       - Grantor is dedicating the described property (the "Property") to be retained and used in perpetuity as open-space land pursuant to Chapter 17, Title 10.1, Section 10.1-1701 of the Code of Virginia (1950), as amended.
   - The deed must include the following restrictions to be imposed in perpetuity:
     - A right of public access
     - No division
     - Only structures allowed are those that enable public use and enjoyment. Impervious surface will be limited/capped. 10% of property is average cap, though up to 50% will be considered for urban areas/community needs.
     - A conversion/diversion clause
   - The deed may include the following restrictions to be imposed in perpetuity:
     - A clause in which VOF must agree that the determination of the public body to convert/divert the public land has met all the requirements of 10.1-1704.

4. Verification of eligible expenditures including, but not limited to: appraisals, settlement statements, copies of invoices, cancelled checks (both sides), survey fees, appraisal fees, legal fees including title reports and insurance, and recordation fees, etc.

5. Contact information for the settlement agent who will be receiving the grant funds for closing and a W-9 for that company at least two weeks before the desired closing date.

Attachment A

VIRGINIA OUTDOORS FOUNDATION
OPEN SPACE LANDS PRESERVATION TRUST FUND-PUBLIC ACCESS
GRANT AGREEMENT

Grant Recipient:	City of Lynchburg Parks & Recreation Dept.
Project Title:	Perrymont Park Improvements
Approval Date:	October 11, 2022
Project Number:	PTF2023-004
Project Period:	November 14, 2022-November 14, 2024
Project Description:	Perrymont Park is an undeveloped park in the City of Lynchburg. It is located on a parcel that is partly occupied by Perrymont Elementary School (not included in the total acreage) and is in a park desert identified on the current City Parks & Recreation Needs Assessment, meaning a neighborhood whose residents are more than a 10-minute walk away from an active Park. The park is planned with a walking loop, off-leash area, a restored wetland, ball fields, an outdoor classroom, and nature paths.
Location:	City of Lynchburg Parcel ID 15811018 and a portion of Parcel ID 05613002
Grant Amount:	$169,000.00 (Exhibit A, budget attached)
Multiple Funding Sources:	This project will utilize funding sources from many partners to be combined to achieve the goals listed in the project description above. While it is the sole responsibility of the grant recipient to meet all program requirements, all parties shall collaborate to assure that the required land protection instrument satisfies the requirements of all funding sources.

The City of Lynchburg Parks & Recreation Dept., in consideration of the grant funds in the amount of $169,000.00 being provided to it pursuant to this agreement by VOF, agrees to comply to the following terms and conditions:

GRANT POLICIES

Scope of Work

1. The following deliverables are included in the grant agreement and are expected to be completed within the grant lifespan:
   - Conveyance by the City of Lynchburg of a right, interest, or privilege that that will protect, in accordance with Virginia Code § 10.1-1801.1 and § 10.1-1700, approximately 16-17 acres of open space on City of Lynchburg Parcel ID 15811018 and a portion of Parcel ID 05613002.
   - Such right, interest, or privilege shall also convey a permanent right of public access to the property.
   - Design and engineering for park plan*,
   - Infrastructure to enable passive recreation by the public such as:
     - Approximately 1,000-ft of a paved path
     - Approximately 200-ft sidewalk
     - Approximately 2,700-ft of nature trails*
   - Amenities to enable use and enjoyment of the park by the public such as:
     - Gates, signage, tables, benches, dog waste receptacles, and a water fountain.

*The development of the park is a large project with funding sources from many partners being combined to achieve the listed deliverables above. PTF funds will be used in support of the fulfillment of the total project.

2. Any variance from the listed scope of work and deliverables must be approved by VOF.

Schedule

3. All components listed above must be completed by November 14, 2024.

4. If no significant progress has been made after the first year of the contract, the grant agreement may be nullified, and funds reassigned.

5. In the case of land acquisition, the land acquisition must be completed before any investment in infrastructure or improvements is made.

Funding

6. Grant funds distributed shall not exceed eligible documented costs incurred, not to exceed the total grant amount of $169,000.00.

7. Funding may be disbursed only once a real estate interest has been conveyed to VOF or a locality, such as the recordation of an open space easement, the dedication of land to open space, or another mechanism approved by VOF.

8. In the case of land acquisition using grant funds, verification of purchase price is required. Acceptable forms of verification include a settlement statement or deed of conveyance.

9. The general budget is a guide for expenditure. Funds from any item category may be reallocated toward other deliverables in the grant agreement **if there is no impact to the scope of work.** The grant recipient should inform VOF regarding line-item changes greater than 5% of the total award.

10. The parties understand that the grant funding hereunder may be subject to rescission by the Virginia General Assembly. In such event, VOF shall have the right to cancel this Agreement without liability thereon.

In the Case of Land Acquisition

11. The recordable deed of conveyance, executed on behalf of the grant recipient, must be previously approved in form and substance by VOF. See Land Protection section below, which must follow acquisition or occur at the time of closing.

12. Should land be acquired using PTF grant funds, the following due diligence items must be provided:
    a. A survey of the property prepared by a Virginia licensed surveyor or professional engineer, preferable in digital form, depicting the metes and bounds of the property unless VOF determines that an adequate legal description of the Property is available.
    b. A Phase I Environmental Site Assessment prepared within six months of closing shall be provided.
    c. Final policy or commitment for owner's title insurance less than ninety (90) days old showing title vested in the seller of the properties and that upon closing of the purchase transactions, the City of Lynchburg Parks & Recreation Dept. will hold an unencumbered fee simple interest in the property (subject to easements and other encumbrances of record acceptable to VOF).
    d. Verification of eligible expenditures related to property acquisition at closing and shown on settlement statement, including, but not limited to survey fees, appraisal fees, legal fees including title reports and insurance, required reports, and recordation fees.

13. The City of Lynchburg Parks & Recreation Dept. must provide contact information to the settlement agent who will be receiving the grant funds for closing and must also provide a W-9 for that company at least two weeks before the desired closing date.

14. The City of Lynchburg Parks & Recreation Dept. shall work closely with VOF to set up all property closings and must contact VOF at least one month before the desired closing date to ensure that VOF will have sufficient funds available to meet the funding obligations created hereunder.

15. The City of Lynchburg Parks & Recreation Dept. must provide copies of all recorded deeds of transfer, open space easements, and right-of-way or trail easements for which VOF monies have been awarded, showing the locality, deed book, page of recordation, and/or instrument number to VOF no later than one month after recordation.

Land Protection

16. A recordable legal instrument reflecting the conveyance of a real estate right, interest, or privilege, such as deed of Open-Space dedication or easement executed on behalf of Grant Recipient, must be previously approved in form and substance by VOF. See Exhibit B: Sample Deed Language for example language that may be included.

17. If the property is being purchased by or is already owned by VOF or a locality, the deed must designate such property as open-space land in accordance with the Open-Space Land Act (Va. Code § 10.1-1700 *et seq.*) including Section 10.1-1701 of the Code of Virginia (1950), as amended. The deed shall include a right of public access and any other restrictions that pertain.

18. If the property is being purchased by or is already owned by any entity other than VOF or a locality, the deed must designate such property as open-space land in accordance with the Open-Space Land Act (Va. Code § 10.1-1700 *et seq.*) including Section 10.1-1701 of the Code of Virginia (1950), as amended, and the restrictions outlined below shall be imposed in perpetuity by enforceable restrictions set forth in the deed of conveyance or by restrictions set forth in a deed of easement or other instrument to be granted to VOF or a locality. The decision of whether deed restrictions, a deed of easement, or some other instrument thereof shall be used will be determined by VOF.
    a. A right of public access
    b. A cap on impervious surface
    c. A no division clause
    d. A conversion/diversion clause

19. The City of Lynchburg Parks & Recreation Dept. must provide the following due diligence:
    a. A survey of the property prepared by a Virginia licensed surveyor or professional engineer, preferable in digital form, depicting the metes and bounds of the property unless VOF determines that an adequate legal description of the Property is available.
    b. Copies of title work showing grantor's fee simple interest in the property and/or a title insurance policy showing title vested in the grantor as well as any easements, rights, and other encumbrances of record acceptable to VOF.

20. The City of Lynchburg Parks & Recreation Dept. must provide contact information to the settlement agent who will be receiving the grant funds for closing and must also provide a W-9 for that company at least two weeks before the desired closing date.

21. The City of Lynchburg Parks & Recreation Dept. shall work closely with VOF to set up all property closings and must contact VOF at least one month before the desired closing date to ensure that VOF will have sufficient funds available to meet the funding obligations created hereunder.

22. The City of Lynchburg Parks & Recreation Dept. must provide copies of all recorded deeds of transfer, open space easements, and right-of-way or trail easements for which VOF monies have been awarded, showing the locality, deed book, page of recordation, and/or instrument number to VOF no later than one month after recordation.

Reporting

23. Progress reports are required throughout the lifespan of the grant. Reports should be submitted every six months following the signing of the grant agreement. Reports should be submitted through the VOF standardized process. Additionally, a final report is due upon completion of the project. Photo documentation should be included when appropriate.

Media and Publicity

24. The grant recipient will release information to the media informing the community of the grant award to the project and acknowledging that it has received funding from VOF.

25. All press releases and other printed materials and publications, audiovisuals, and signs pertaining to the project should reference the Virginia Outdoors Foundation or include the VOF logo. VOF staff is available to assist with drafting and distributing press releases by request. Please contact Jason McGarvey, communications manager, at jmcgarvey@vof.org to coordinate.

26. Each project site will be permanently marked with a VOF sign or signs (as appropriate) in locations reasonably selected or approved by VOF. VOF shall provide such signs at no cost to the property owner. In cases where there are multiple funders this requirement may be fulfilled by including VOF on the sign acknowledging all funding sources.

27. All material submitted as support or documentation of project progress, such as photographs, may be used by VOF to promote the grant program. Any VOF publications will cite the source of the reprinted material. These records will also be deemed public records and subject to Virginia's Freedom of Information Act; however, copyright holders will retain their copyrights.

Contract Authority

28. Modification of this Agreement must be in a writing executed by the parties hereto.

29. The interpretation and performance of this Agreement shall be in accordance with the laws of the Commonwealth of Virginia. If any provision of this Agreement is determined by a court of competent jurisdiction to be invalid, the remaining provisions shall not be affected thereby.

30. The City of Lynchburg Parks & Recreation Dept. shall hold the Commonwealth of Virginia harmless from all legal liability under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), as amended, 42 U.S.C. §§ 9601 et seq., together with any other federal, state or local law or ordinance related to hazardous substances or hazardous waste.

31. This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors.

32. The individuals executing this Agreement on behalf of VOF and the City of Lynchburg Parks & Recreation Dept. possess all necessary power and authority to bind the parties hereto and, upon execution, this Agreement shall constitute a legal and valid obligation of the parties hereto.

Termination:

33. VOF reserves the right to reclaim grant funds, or properties purchased with grant funds, or to nullify the grant agreement if recipient fails to meet land transfer deadlines, obtain appropriate open space protection, or provide required documentation regardless of transfer of ownership. Specifically, if no significant progress has been made at the one-year review of the project, the grant agreement may be nullified.

In witness whereof, the parties hereto have executed this contractual agreement as of the dates entered below.

Virginia Outdoors Foundation

By: Leslie H. Grayson Date: 02.23.2023

Leslie Grayson, Deputy Director

Grant Recipient, City of Lynchburg:

By: ______________________ Date: 2/15/23

[Signature]

Please print name here: Wynter C. Benda

Title: City Manager

VIRGINIA OUTDOORS FOUNDATION
PRESERVATION TRUST FUND-PUBLIC ACCESS PROGRAM

Exhibit A: General Budget

Grant Recipient: City of Lynchburg Parks & Recreation Dept.

Project Title: Perrymont Park Improvements

Project Number: PTF2023-004

Grant Amount: $169,000.00

ITEM	EXPENSE
Permanent protection of approximately 16-17 acres of land, City of Lynchburg Parcel ID 15811018 and a portion of Parcel ID 05613002 as open space including associated due diligence costs	$1,200.00
Design & engineering work for park plan	$4,000.00
Approximately 1,000-ft Paved Panther Path	$96,000.00
Approximately 200-ft sidewalk	$10,000.00
Park amenities such as gates, signage, tables, benches, dog waste receptacles and a water fountain	$32,400.00
Approximately 500-ft woods walk to field*	$4,050.00
Approximately 3,200-ft of Nature Path to Oakdale and Sandusky (combined)*	$21,350.00
Total	**$169,000.00**

*This project will utilize funding sources from many partners to be combined to achieve the goals listed in the project description and deliverables of the grant agreement. PTF funds will be used in support of the fulfillment of the total project. While it is the sole responsibility of the grant recipient to meet all program requirements, all parties shall collaborate to assure that the required land protection instrument satisfies the requirements of all funding sources.

General budget is a guide for expenditure. Funds from any item category may be reallocated toward other deliverables in the grant agreement **if there is no impact to the scope of work**. Grant recipient should inform VOF regarding line-item changes greater than 5% of total award. Grant funds distributed shall not exceed eligible documented costs incurred, not to exceed the total grant amount of $169,000.00.

Funding may be disbursed only once a real estate interest has been conveyed to VOF or a locality, such as the recordation of an open space easement, the dedication of land to open space, or another mechanism approved by VOF.

A draft deed must be approved by VOF and meet the following requirements:

- The property interest, the form of which may be determined by VOF, must be **held by VOF or a locality** as specified in Virginia Code §10.1-1801.1.
- The property interest must be **dedicated in perpetuity as open-space land under the Open-Space Land Act** (Virginia Code §§ 10.1-1700 to 10.1-1705).
- The grant agreement must be recorded as an exhibit to the deed.

Recitals:

- Pursuant to Chapter 18, Title 10.1, Section 10.1-1801.1 the Virginia Outdoors Foundation (VOF) has provided an Open-Space Lands Preservation Trust Fund Grant in the amount of $___________ to Grantee for the protection and enhancement of public open space, as more fully described in the Virginia Outdoors Foundation Open-Space Lands Preservation Trust Fund-Public Access Grant Agreement attached hereto as Exhibit A.
- When there is acquisition of a property interest by a locality:
    - Grantor is conveying the described property (the "Property") to Grantee to be retained and used by Grantee in perpetuity as open-space land pursuant to Chapter 17, Title 10.1, Section 10.1-1701 of the Code of Virginia (1950), as amended.

OR

- When property interest is already held by a locality:
    - Grantor is dedicating the described property (the "Property") to be retained and used in perpetuity as open-space land pursuant to Chapter 17, Title 10.1, Section 10.1-1701 of the Code of Virginia (1950), as amended.

Designation:

- The *owner/public body/grantee* hereby designates the Property to be retained and used in perpetuity as open-space land to Chapter 17, Title 10.1, Section 10.1-1701 of the Code of Virginia (1950) as amended.

Restrictions:

- The deed **must** include the following restrictions to be imposed in perpetuity:
    - A right of public access
    - No division
    - Only structures allowed are those that support public use of the property. Impervious surface will be limited/capped. 10% of property is average cap, though up to 50% will be considered for urban areas/community needs.
    - A conversion/diversion clause
        - No part of the Property may be converted or diverted from its open-space use unless such conversion or diversion is determined by the *owner/public body* to be in compliance with the provisions of Section 10.1-1704 of the Open-Space Land Act.
- The deed **may** include the following restrictions to be imposed in perpetuity:
    - A clause in which VOF must agree that the determination of the public body to convert/divert the public land has met all the requirements of 10.1-1704, such as:
        - No part of the Property may be converted or diverted from its open-space use unless such conversion or diversion is determined by VOF to be in compliance with the provisions of Section 10.1-1704 of the Open-Space Land Act.

Preservation Trust Fund Program Requirements
Land Protection Only

Required Documents Prior to Fund Disbursement:

1. A boundary survey of the property prepared by a Virginia licensed surveyor or professional engineer, preferable in digital form, depicting the metes and bounds of the property unless VOF determines that an adequate legal description of the Property is available.

2. Copies of title work showing grantor's fee simple interest in the property and/or a title insurance policy showing title vested in the grantor as well as any easements, rights, and other encumbrances of record acceptable to VOF.

3. A copy of the draft deed, or the recorded deed, the form of which has been approved by VOF.
   - The property interest must be **held by VOF or a locality** as defined in Virginia Code §10.1-1700
   - The property interest must be **dedicated in perpetuity as open-space land under the Open-Space Land Act** (Virginia Code §§ 10.1-1700 to 10.1-1705). The deed must include the following recitals:
     - Pursuant to Chapter 18, Title 10.1, Section 10.1-1801.1 the Virginia Outdoors Foundation (VOF) has provided an Open-Space Lands Preservation Trust Fund Grant in the amount of $___________ to Grantee for the protection and enhancement of open space, as more fully described in the Virginia Outdoors Foundation Open-Space Lands Preservation Trust Fund Grant Agreement attached hereto as Exhibit A.
     - When there is acquisition of a property interest by a locality:
       - Grantor is conveying the described property (the "Property") to Grantee to be retained and used by Grantee in perpetuity as open-space land pursuant to Chapter 17, Title 10.1, Section 10.1-1701 of the Code of Virginia (1950), as amended.

       OR
     - When property interest is already held by a locality:
       - Grantor is dedicating the described property (the "Property") to be retained and used in perpetuity as open-space land pursuant to Chapter 17, Title 10.1, Section 10.1-1701 of the Code of Virginia (1950), as amended.
   - The deed must include the following restrictions to be imposed in perpetuity:
     - A right of public access
     - No division
     - Only structures allowed are those that enable public use and enjoyment. Impervious surface will be limited/capped. 10% of property is average cap, though up to 50% will be considered for urban areas/community needs.
     - A conversion/diversion clause
   - The deed may include the following restrictions to be imposed in perpetuity:
     - A clause in which VOF must agree that the determination of the public body to convert/divert the public land has met all the requirements of 10.1-1704.

4. Verification of eligible expenditures including, but not limited to: appraisals, settlement statements, copies of invoices, cancelled checks (both sides), survey fees, appraisal fees, legal fees including title reports and insurance, and recordation fees, etc.

5. Contact information for the settlement agent who will be receiving the grant funds for closing and a W-9 for that company at least two weeks before the desired closing date.

SOURCE OF TITLE

PARCEL ID# 05613002
CURRENT OWNER: THE CITY OF LYNCHBURG
RECORDED IN DEED BOOK 258 PAGE 583 IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF LYNCHBURG, VIRGINIA.

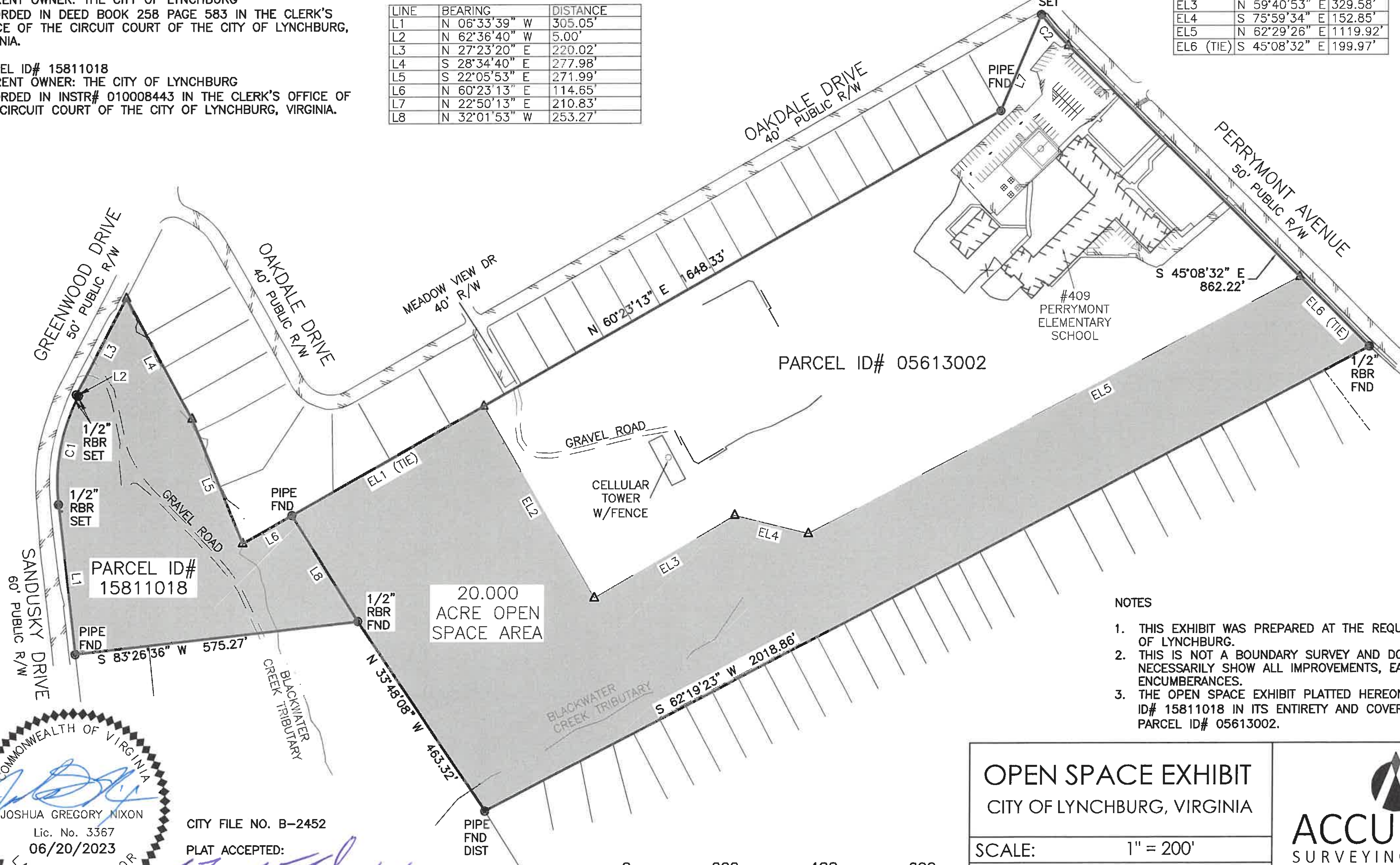
PARCEL ID# 15811018
CURRENT OWNER: THE CITY OF LYNCHBURG
RECORDED IN INSTR# 010008443 IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF LYNCHBURG, VIRGINIA.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	381.62'	226.12'	222.83'	N 10°24'50" E	33°56'59"
C2	535.00'	82.72'	82.63'	S 40°42'47" E	8°51'30"

LINE	BEARING	DISTANCE
L1	N 06°33'39" W	305.05'
L2	N 62°36'40" W	5.00'
L3	N 27°23'20" E	220.02'
L4	S 28°34'40" E	277.98'
L5	S 22°05'53" E	271.99'
L6	N 60°23'13" E	114.65'
L7	N 22°50'13" E	210.83'
L8	N 32°01'53" W	253.27'

* EASEMENT LINE TABLE *

LINE	BEARING	DISTANCE
EL1 (TIE)	N 60°23'13" E	445.82'
EL2	S 30°03'45" E	448.19'
EL3	N 59°40'53" E	329.58'
EL4	S 75°59'34" E	152.85'
EL5	N 62°29'26" E	1119.92'
EL6 (TIE)	S 45°08'32" E	199.97'



NOTES

1. THIS EXHIBIT WAS PREPARED AT THE REQUEST OF THE CITY OF LYNCHBURG.
2. THIS IS NOT A BOUNDARY SURVEY AND DOES NOT NECESSARILY SHOW ALL IMPROVEMENTS, EASEMENTS OR ENCUMBERANCES.
3. THE OPEN SPACE EXHIBIT PLATTED HEREON COVERS PARCEL ID# 15811018 IN ITS ENTIRETY AND COVERS A PORTION OF PARCEL ID# 05613002.

COMMONWEALTH OF VIRGINIA
JOSHUA GREGORY NIXON
Lic. No. 3367
06/20/2023
LAND SURVEYOR

CITY FILE NO. B-2452

PLAT ACCEPTED: 7/22/24
CITY ENGINEER DATE

0 200 400 600

OPEN SPACE EXHIBIT

CITY OF LYNCHBURG, VIRGINIA

SCALE:	1" = 200'
ASD JOB #:	2023-340
DATE:	JUNE 20, 2023

ACCUPOINT
SURVEYING & DESIGN
SURVEYORS ♦ ENGINEERS ♦ SOIL EVALUATORS
6200 FORT AVENUE, LYNCHBURG, VA 24502
PH: 434-610-4334 WWW.ACCUPOINTSURVEYING.COM

Attachment B

RESOLUTION:

BE IT RESOLVED that the FY 2025 City/Federal/State Aid Fund budget is amended and $322,000 is appropriated with resources from the Virginia Outdoor Foundation's Preservation Trust Fund Program ($169,000) and the Department of Conservation and Recreation's Trails Grant Program ($153,000) to fund improvements to Perrymont Park.

Introduced: Adopted:

Certified: ______________________________
Clerk of Council

AGENDA ITEM SUMMARY

MEETING DATE	PRESENTED BY
September 10, 2024	Ryan Zuidema, Chief of Police

AGENDA ITEM # IV.4

Deer Population Reduction

RECOMMENDATION

Modify the 12-foot deer stand rule for larger properties; Strengthening the ban on deer feeding; Increase promotion of urban archery to encourage more bow hunting; Allow bow hunting on specific city-owned properties, currently not allowed by City Code.

SUMMARY

The City of Lynchburg currently allows bow hunting on private property for seven months annually, with no cost for hunting permits. In response to citizen requests, recommendations for City Council include strengthening the ban on feeding deer year-round, modifying the 12-foot deer stand rule for larger properties, promoting urban archery, and allowing bow hunting on specific city-owned properties. These measures aim to manage the deer population effectively while ensuring public safety and adherence to regulations.

PRIOR ACTION(S)

N/A

FISCAL IMPACT

N/A

CONTACT(S)

Ryan Zuidema, Chief of Police
Jessica Hughes, Administrative Manager

ATTACHMENT(S)

1. 2023-09-11 Deer Control
2. BIB - Deer Population Reduction Options

REVIEWED BY

Date: August 01, 2024

Ryan Zuidema, Chief of Police

Mercedes Braun, Assistant to the City Manager

Date: August 02, 2024

Wynter Benda, City Manager

Date: August 08, 2024

Alicia Finney, Clerk of Council

Date: August 08, 2024

MEMORANDUM

To: City Council

From: Ryan Ball, Chief Animal Warden
Ryan Zuidema, Chief, Lynchburg Police Department
Through Wynter C. Benda, City Manager

Date: September 11, 2023

About: Feeding Deer and Bowhunting in the City

In response to a citizen request for City Council to reconsider a fine to discourage feeding deer within city limits, and Council's further questions regarding easing bow hunting restrictions, staff has developed the following response for City Council to consider. City Council last considered this issue in October 2022.

Currently, the Animal Warden issues permits to hunt on private property at no cost to the citizen/hunter, so there is no cost barrier. The City currently allows for bow hunting seven months out of the year from September through March. The state laws and regulations regarding the hunting of deer have to be followed in every locality: such as daily bag limits, deer seasons, hunting licenses (if needed), etc. Department of Wildlife Resources lists all localities and their local rules regarding urban archery.

Chief Animal Warden Ryan Ball, after consultation with the Department of Wildlife Resources, advises that the City's policies towards bow hunting are already relatively relaxed. He has provided the following for Council's consideration:

- Modify the 12-foot deer stand rule for larger properties; this may be dangerous in parcels that are smaller in size (ex. less than 10 acres) as hunters are no longer shooting in a downward direction;
- Strengthening the ban on deer feeding;
- Increase promotion of urban archery to encourage more bow hunting;
- Allow bowhunting on specific city-owned properties, currently not allowed by City Code.

The State's prohibition as to feeding deer runs from 9/1 to the first Saturday in January of each year. The City has the ability to pass an ordinance that would prohibit feeding deer year-round, and the ability to modify some of the requirements under Sec(s). 27-67.2 and 27-67.3 of the City Code concerning bow hunting in the City.

BIB: DEER POPULATION REDUCTION OPTIONS

August 13, 2024

PURPOSE & ACTION

Purpose:

To propose options to City Council to help decrease the city's deer population.

Why:

The deer population in the City of Lynchburg has created significant citizen complaints of damage to plants and trees as well as a general nuisance in neighborhoods.

The deer are bringing along public health hazards that include tickborne diseases such as Rocky Mountain Spotted Fever, Alpha Gal Syndrome, and Lyme Disease.

THE CITY OF LYNCHBURG

OPTIONS:

- Strengthen the ban on deer feeding to a year around ban (Warning/Civil Fine).
- Eliminate the 12-foot deer stand rule for larger properties of 10 acres or more.
- Increase promotion of urban archery to encourage more bow hunting in the city.
- Allow bowhunting on specific city-owned properties, currently not allowed by city code.
- Encourage citizens with deer-related damage to receive “Kill Permits” for deer during off hunting season.

EXPECTED ACTION

- Bring back before Council if necessary for any changes to options or added recommendations.
- Strengthen the ban on deer feeding in the city.
- Consideration of any options Council feels would be beneficial to help reduce deer population in near future.

THE CITY OF LYNCHBURG

AGENDA ITEM SUMMARY

MEETING DATE	PRESENTED BY
September 10, 2024	Melva Walker, Grants Manager

AGENDA ITEM # IV.5

Approval of the Allocation of the HOME-ARP funds from HUD

RECOMMENDATION

This item will appear for City Council vote on the September 24, 2024, Public Hearing agenda. Approval of the Allocation of the HOME - American Rescue Plan Program (HOME-ARP) funds from the U. S. Department of Housing and Urban Development (HUD).

SUMMARY

In Fiscal Year 2022 (Program Year 2021), the U. S. Department of Housing and Urban Development (HUD) provided HOME - American Rescue Plan (HOME-ARP) in over $5 billion of supplemental HOME funds across the nation. The City was awarded $1,498,471, of which 10% of the funds ($149,847) were approved for Program Administration. The City had to devise a HOME Allocation Plan for the use of the funds. The Plan was developed and approved by the City Council and HUD. The HOME-ARP funds are to be used to assist individuals or households who are homeless, at risk of homelessness and other vulnerable populations ("Qualifying Populations"). The purpose of the HOME-ARP funds is to reduce homelessness and increase housing stability. According to the City's approved HOME-ARP Allocation Plan, the funds are to be used for rental housing development for the Qualifying Populations.

City staff issued a Request for Proposals/Applications and only one application was received. Rush Homes, a certified Community Housing Development Organization (CHDO), submitted an application in the amount of $1,348,624 to construct eight (8) rental units, with four (4) efficiency units and four (4) one-bedroom units potentially in duplexes.

The Community Development Advisory Committee (CDAC) met on March 29, 2024, and reviewed the application that was submitted for these funds. CDAC has recommended the approval and allocation of the HOME-ARP funds to Rush Homes for the construction of eight (8) rental housing units.

A public notice was published in *The News and Advance* on September 6, 2024.

PRIOR ACTION(S)

January 24, 2023: City Council Approval of the HOME-America Rescue Plan (HOME-ARP)
March 29, 2024: Community Development Advisory Committee Meeting for review of application

FISCAL IMPACT

$149,847 - Program Administration (Previously Appropriated)
$1,348,624 - Construction

CONTACT(S)

Melva Walker, Grants Manager

ATTACHMENT(S)

1. Presentation

REVIEWED BY

William Martin, Community Development Director — Date: May 16, 2024

Kent White, Assistant City Manager — Date: September 03, 2024

Alicia Finney, Clerk of Council — Date: September 03, 2024

HOME – AMERICAN RESCUE PLAN (HOME-ARP)

September 10, 2024

THE HOME-AMERICAN RESCUE PLAN (HOME-ARP)

- Provided $5 billion of supplemental HOME funds:
- To assist individuals or households who are homeless, at risk of homelessness and other vulnerable populations, by providing housing, rental assistance, supportive services, and/or non-congregate shelter
- A major partner for the City’s receipt of these funds is the Central Virginia Continuum of Care (CVCoC). This group consist of community service and housing providers for the homeless population.
- Lynchburg was awarded $1,498,471

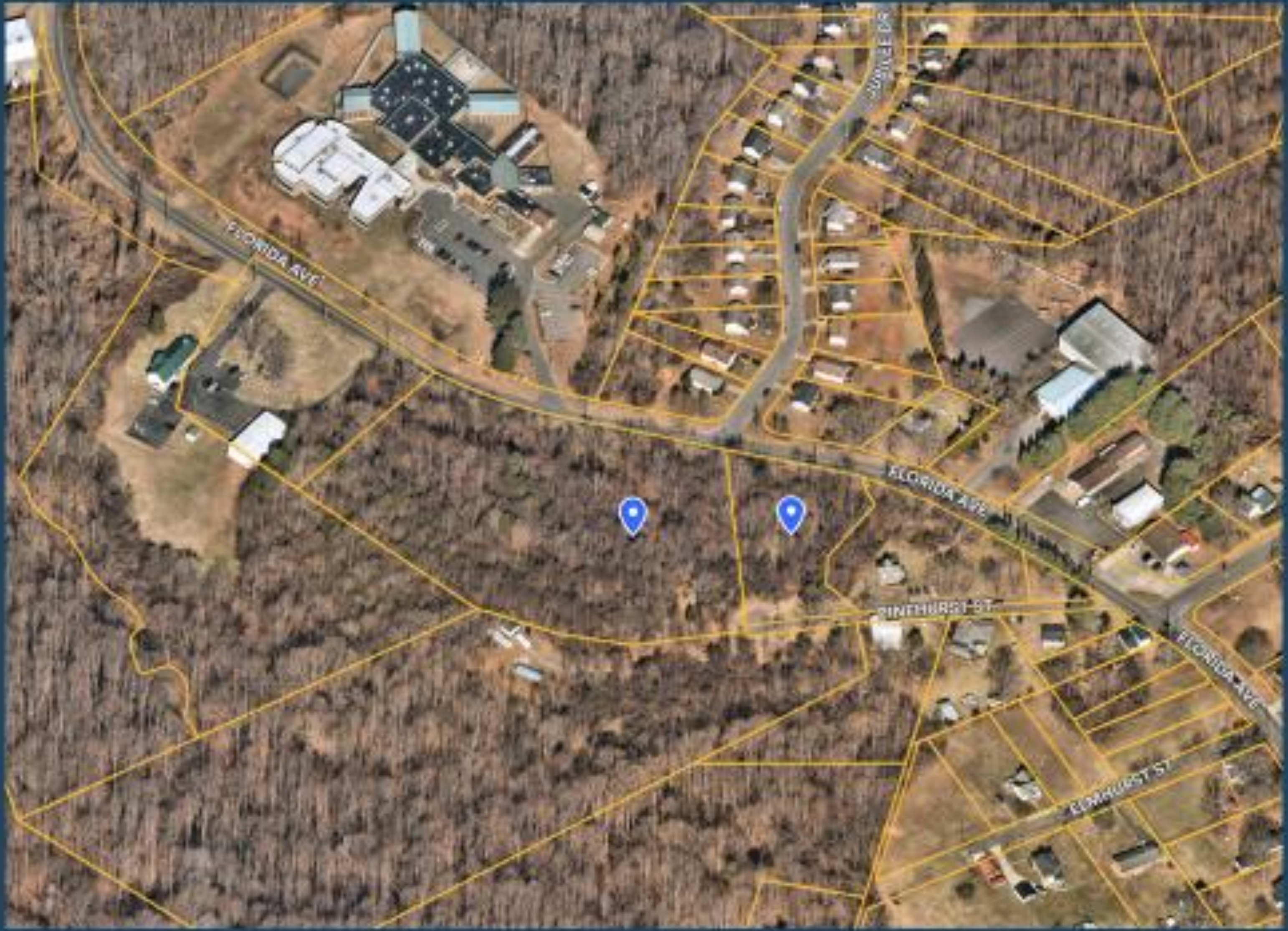
THE CITY OF LYNCHBURG

THE HOME-AMERICAN RESCUE PLAN (HOME-ARP)

- The HOME-ARP Allocation Plan that was approved by City Council on January 24, 2023, allocated resources to rental housing development.
- Purpose: to assist developers in the production of affordable rental housing targeted to the HOME-ARP Qualifying Populations in the City of Lynchburg, including:
  - For-profit developers
  - Non-profit developers, and
  - City-designated Community Housing Development Organizations acting as owners, developers, and/or sponsors.
- Community Development Advisory Committee (CDAC) Recommended Approval of Carolyn's Place Project- HOME ARP Funds - $1,348,624 – March 29, 2024

THE CITY OF LYNCHBURG

CAROLYN'S PLACE



EXPECTED ACTION

- Approval of the CDAC recommended project application

- Public Hearing on September 24th

AGENDA ITEM SUMMARY

MEETING DATE	PRESENTED BY
September 10, 2024	Melva Walker, Grants Manager

AGENDA ITEM # IV.6

Consolidated Annual Performance and Evaluation Report (CAPER) - Program Year 2023; Fiscal Year 2024

RECOMMENDATION

This item will appear for a City Council vote on the September 24, 2024, Public Hearing agenda. Approval of the Program Year 2023 (PY 2023) Fiscal Year 2024 (FY 2024) Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) and HOME Program.

SUMMARY

The U.S. Department of Housing and Urban Development (HUD) requires each jurisdiction receiving HUD-administered grants (CDBG and HOME Program) to draft a CAPER and submit it for public review and comment. The CAPER describes the City's progress towards the housing and community development goals established within the 2020-2024 Consolidated Plan and the PY 2023 (FY 2024) Annual Action Plan. This CAPER is for the period of July 1, 2023 through June 30, 2024. With the City Council's approval, the CAPER, including a summary of any public comments, will be submitted to the HUD Richmond Field Office for review to meet compliance regulations for the CDBG and HOME Program.

A public notice for the public comment period and public hearing was published in *The News and Advance* on September 6, 2024.

PRIOR ACTION(S)

February 11, 2020: City Council approval of the Community Development Block Grant (CDBG) and HOME Program Housing and Non-housing Goals for the 2020-2024 Consolidated Plan and Program Year 2020 (FY 2021) Annual Action Plan.
June 13, 2023: City Council approval of the Program Year 2023 (FY 2024) Annual Action Plan

FISCAL IMPACT

N/A

CONTACT(S)

Melva Walker, Grants Manager

ATTACHMENT(S)

1. Presentation
2. CAPER PY23-FY24

REVIEWED BY

William Martin, Community Development Director

Date: August 27, 2024

Kent White, Assistant City Manager

Date: September 02, 2024

Alicia Finney, Clerk of Council

Date: September 03, 2024

CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME PROGRAM

FISCAL YEAR (FY) 2024 – PROGRAM YEAR (PY) 2023
JULY 1, 2023 – JUNE 30, 2024

September 10, 2024

PURPOSE & ACTION

Purpose:

The Consolidated Annual Performance and Evaluation Report (CAPER) provides the accomplishments that have been made by the various Subrecipients and City departments for the Community Development Block Grant (CDBG); HOME Program; and Community Development Block Grant Coronavirus Aid, Relief and Economic Security Act (CARES Act) (CDBG-CV) funds that have been expended in Program Year 2023/ Fiscal Year 2024.

Why:

The City's Citizen Participation Plan for the CDBG and HOME Program requires a public hearing be conducted by City Council for approval of the CAPER.

THE CITY OF LYNCHBURG

CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME PROGRAM

Program Year 2023 | Fiscal Year 2024
July 1, 2023 - June 30, 2024

EXPECTED ACTION

- The Public Comment Period began on September 6 and will conclude at the City Council Public Hearing.

- A Public Hearing will be conducted on September 24 and a final approval of the CAPER by City Council will be completed for submittal to HUD.

THE CITY OF LYNCHBURG

CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME PROGRAM

Program Year 2023 | Fiscal Year 2024
July 1, 2023 - June 30, 2024

Executive Summary

The City receives formula grants from the U.S. Department of Housing and Urban Development("HUD") for housing and community development activities, specifically the Community Development Block Grant (CDBG) and HOME Program. Federal law requires that the CDBG and HOME Program grant funds primarily benefit low-and moderate-income persons in accordance with the following HUD goals:

Provide a suitable living environment
This includes improving the safety and livability of neighborhoods; increasing access to quality facilities and services; reducing the isolation of income groups within areas by de-concentrating housing opportunities and revitalizing deteriorating neighborhoods; restoring and preserving natural and physical features of special value for historic, architectural, or aesthetic reasons; and conserving energy resources.

Provide decent housing
Included within this broad goal are the following: assist homeless persons in obtaining affordable housing; retain the affordable housing stock; increase the availability of permanent housing that is affordable to low- and moderate-income Americans without discrimination; and increase supportive housing that includes structural features and services to enable persons with special needs to live with dignity.

Expand economic opportunities
These goals encompass creating jobs accessible to low- and very low-income persons; providing access to credit for community development that promotes long-term economic and social viability; and empowering low-income persons in federally assisted and public housing to achieve self- sufficiency.

The City of Lynchburg is required by law every five years to prepare a Consolidated Plan to receive federal funds from HUD. The Consolidated Plan combines in one report important information about Lynchburg's demographics and economic activity as well as detailed information on the housing and job needs of its residents. The Plan also includes comments from the public received during public hearings, stakeholder meetings and in writing.

As a recipient of federal funds from HUD, the City of Lynchburg is required to publish an annual performance report, Consolidated Annual Performance and Evaluation Report (CAPER), detailing activities that took place during the most recent program year. The purpose of this report is to measure Lynchburg's success in meeting the priority needs, goals, and strategies described in Lynchburg's 2020-2024 Five-Year Consolidated Plan.

This report covers the Fiscal Year (FY) 2023/Program Year (PY) 2024 Annual Action Plan and is for the period from July 1, 2023 through June 30, 2024. * The CAPER is presented in a format that is prescribed by HUD. Data and narratives are entered into a federal database system called the Integrated Disbursement and Information System (IDIS) and the CAPER report is then downloaded into a Word format. The CAPER template in IDIS has a series of prescribed questions that align with the CDBG and

HOME Program Consolidated Plan program regulations. The report you are reviewing is the result of that data entry process and is the prescribed and recommended format by HUD.

Citizen Participation

HUD requires the City to provide the public an opportunity for input. The City provided an opportunity to comment on the CAPER at a public hearing scheduled before City Council on September 24, 2024 at 7:00 p.m. in the City Council Chambers at City Hall, 900 Church Street, Lynchburg, Virginia. Copies of the draft CAPER is available for public review at the following locations:

- Grants Administration Office, City Hall, Second Floor, 900 Church Street, Lynchburg, Virginia 24504;
- Lynchburg Public Library, 2311 Memorial Avenue, Lynchburg, Virginia;
- Downtown Branch Library, 216 12th Street (former Visitor Center) Lynchburg, VA; and City website at http://www.lynchburgva.gov/grants-administration

For More Information

Contact the Grants Administration Office with any questions about this report or the funded programs/activities.

Melva Walker, Grants Manager
Office of Grants Administration
City Hall
Second Floor
900 Church Street
Lynchburg, VA 24504
melva.walker@lynchburgva.gov

*** Fiscal Year (FY) 2024 and/or Program Year (PY) 2023 refer to the City's fiscal year and HUD's program year of July 1, 2023 through June 30, 2024. Fiscal Year (FY) 2023 and/or Program Year (PY) 2022 refer to the City's fiscal year and HUD's program year of July 1, 2022 through June 30, 2023. Fiscal Year (FY) 2022 and/or Program Year (PY) 2021 refer to the City's fiscal year and HUD's program year of July 1, 2021 through June 30, 2022. Fiscal Year (FY) 2021 and/or Program Year (PY) 2020 refer to the City's fiscal year and HUD's program year of July 1, 2020 through June 30, 2021. These references are made throughout the CAPER for Program Years (PY) 2023, 2022, 2021, and 2020.**

CR-05 - Goals and Outcomes

Progress the jurisdiction has made in carrying out its strategic plan and its action plan. 91.520(a)

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

Within the City of Lynchburg's Five-Year Consolidated Plan and Program Year (PY) 2023 Annual Action Plan, the City committed to the overarching goal of undertaking activities that would result in substantial public benefit through the revitalization of depressed areas and in assistance to low and moderate-income residents. These are the central City neighborhoods that surround the downtown business district and are the six contiguous census tracts that comprise the CDBG target area: Census Tracts 4, 5, 6, 7, 11, and 19. Population, demographics, and surveys of the target areas show that these neighborhoods have the highest degree of housing need and are where many of the City's very low and low-to- moderate- income persons reside.

CDBG and HOME funds were allocated City-wide providing persons and/or households with assistance who met the eligibility criteria of the applicable program. These funds were allocated to projects and activities classified as housing (homeownership, rental and rehabilitation), public facilities improvements (infrastructure), and public services (community and homeless service organizations). The project accomplishments, as well as an analysis of expenditures, are provided throughout the Consolidated Annual Performance and Evaluation Report (CAPER).

In Program Year 2019, CDBG-CV funds were allocated to City departments and local non-profits to prevent, prepare for, and respond to COVID-19. The project accomplishments and expenditures for Program Year 2023 are provided within the CAPER.

Comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives. 91.520(g)

Categories, priority levels, funding sources and amounts, outcomes/objectives, goal outcome indicators, units of measure, targets, actual outcomes/outputs, and percentage completed for each of the grantee's program year goals

Table 1-Accomplishments-Program Year & Strategic Plan to Date

GOAL	CATEGORY	SOURCE/AMOUNT FUNDING TOTALS FOR THE 2020-2024 CONSOLIDATED PLAN	INDICATOR	UNIT OF MEASURE	EXPECTED 2020-2024	EXPECTED PROGRAM YEAR 2023	ACTUAL PROGRAM YEAR 2023
Increase permanent affordable housing (rental market)	Affordable Housing	HOME: $413,140	Rental units constructed	Household Housing Unit	48	31	31
Increase the Number of Owner-Occupied Units	Affordable Housing	HOME: $413,140	Direct Financial Assistance	Households Assisted	15	2	3
Rehabilitation of Substandard Housing Units	Affordable Housing	HOME: $413,140	Housing Rehabilitation	Household Housing Unit	0	0	2
Promote Public Service Activities	Non-homeless Special Needs	CDBG: $42,230	Public service activities other than Low/Moderate Income Housing Benefit	Persons assisted	50	50	45
Promote Public Service Activities	Homeless	CDBG: $65,000	Homelessness Prevention	Persons assisted	900	5,000	5,030

***See Narrative regarding accomplishments on pages 5 through 9 and goals not achieved.**

Assess how the jurisdiction's use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan, giving special attention to the highest priority activities identified.

This section of the CAPER examines the similarities and differences in the proposed and actual accomplishments of the goals identified in Table 1 within the 2020-2024 Consolidated Plan for the Community Development Block Grant (CDBG) and HOME Program. These goals helped to form the priorities identified in the City's Fiscal Year (FY) 2024 Consolidated Annual Action Plan and the strategies to be used or implemented in order to achieve the stated goals. To provide this comparison, City staff has narrated the actual achievements for each program/activity in which funds were expended during the Program Year (PY) 2023/Fiscal Year (FY) 2024, which is the third reporting period of the 2020-2024 Consolidated Plan.

The Goals within the 2020-2024 Consolidated Plan and PY 2023 Annual Action Plan included: increasing the number of owner-occupied housing units; rehabilitation of substandard housing units; improve the City's Infrastructure; improve the City's public facilities; increase permanent affordable housing in the rental market; providing homeless services; and promoting public service activities. Below is an assessment of the use of funds for PY 2023 and the projects underway or completed from prior years' allocations.

Planning and Administration: There was $137,090 in CDBG funds allocated for Planning and Administration for PY 2023, and $120,723 was expended with PY 2023 and prior year funding for the administration of the CDBG program. Within the HOME Program, there was $33,000 allocated for administration and $31,039 was expended with PY 2023 and prior year funding. Staff continues to utilize these funds for administration and oversight of the CDBG and HOME Programs.

There was $23,000 in CDBG funds allocated to the Dearington Neighborhood Plan in PY 2019. The funding provided City staff the opportunity to develop a neighborhood plan to address vacant housing and vacant lots, historic landfills, park programming and development, infrastructure needs, and other neighborhood needs as identified in the planning process. This funding was leveraged with other City funding and grants to complete a comprehensive neighborhood plan. The Plan has been completed and a total of $23,000 has been expended for this activity. The Jefferson Park Improvements Project is a project that is included in this plan. In addition, Lynchburg Redevelopment and Housing Authority (LRHA) has completed the strategic plan for the redevelopment of the public housing Dearington Apartments.

In PY 2022, there was $5,879 in CDBG funds allocated to assist with the development of the Diamond Hill Neighborhood Plan. In PY 2023, City staff engaged neighborhood residents and stakeholders in the development of the Plan through community meetings throughout the year. The purpose of the plan is to develop recommendations which would position Diamond Hill as an identifiable, serviced, diverse, and connected geographic neighborhood.

This planning project builds upon recent public investments in the neighborhood – Diamond Hill Neighborhood Center Renewal Project (2019), Strong Neighborhood Alliance project (2022), and Grace

Street Retaining Wall Project (2022) – and seeks to celebrate the unique neighborhood character while also recognizing areas for improvement. There was $4,390 in CDBG funds expended for PY 2023.

LRHA maintains a CDBG Property Inventory that includes properties acquired with the use of CDBG funds. During PY 2023 there was one property acquired and none disposed. There are three (3) properties remaining on the CDBG Property Inventory. LRHA staff continues to monitor the disposition of these properties.

Improve the City's Infrastructure: The City has committed CDBG and Capital Improvement funds to a variety of public infrastructure projects in the targeted neighborhood areas and is recognizing considerable private development interest as a result.

The City is in the process of completing the Downtown Utilities and Streetscape Project. In 2015, the average age of water lines in downtown Lynchburg was over 100 years. Water line breaks were occurring with increasing frequency. Consequently, the City Department of Water Resources began a program to systematically replace all water lines in a 60-block area of downtown. As water lines are replaced, the City is also evaluating the need for sanitary sewer and storm sewer replacements, and, where necessary, replacing those lines as well. In addition, since the utility replacement causes significant disruption to the downtown community, the City is also replacing sidewalks, rebuilding roadways, and adding streetscape features to improve the overall character of the downtown area. Where ever possible, the replacement of private utility lines such as electric power, telephone, cable, and fiber optic is also being coordinated with the public infrastructure upgrades.

To date 18 city blocks have been completed at a design cost of $3.80 million and a construction cost of $23.7 million. An additional five city blocks will be under construction starting August 2024 with design costs to date of $1.2 million and a construction cost of $10.1 million.

Improve the City's Public Facilities: The City has committed CDBG funds to improving and enhancing public facilities in the neighborhoods and city-wide.

In PY 2021, there was $512,607 allocated for the Jefferson Park Revitalization Improvements project. During PY 2021, the design for Phase I of the park improvements was completed. Phase I focused on the southeast side of the park, the part that is most accessible to the neighborhood, and included improvements that will have an immediate impact. Design included a new basketball court, stair improvements to the old amphitheater, a small loop trail in the park, neighborhood “patio” with a pavilion on the former tennis court, park lighting, and the required stormwater management. Additionally, a new basketball court with a community-chosen mural on the surface was installed.

During PY 2023, the design for the Court Plaza construction project was completed, sent out to bid, and a contractor was chosen. The following items are planned to be completed: plaza improvements to include shelter, minor furnishings, fencing and lighting; walkway improvements to and around the plaza, main park improvements to include a walking path around the perimeter of the park area, landscaping, stormwater measures, and some lighting; and improvements including new stairs and rails to the amphitheater seating area and cleanup and repair of that space. Construction on the project began in

Spring 2024 and is scheduled to be completed in PY 2024. There was $305,201 expended for this activity in PY 2023.

The City expended $1,450,693 of CDBG Section 108 loan proceeds for the acquisition of 3413 and 3415 Odd Fellows Road. This property will be used for the construction of a new headquarters for the Lynchburg Police Department. The Lynchburg Police Department project consists of land acquisition, design and construction of a modern, state of the art building to meet the current and future law enforcement needs for the City. The main building is three stories tall and will be 93,991 square feet in area once completed. The scope of work includes the entire site development – stormwater, utility infrastructure, site grading, parking facilities (including a separate rolling asset building), site security, lighting, landscaping, and building construction – foundation and structure to the roof including all systems and finishes necessary to operate the building as a Police Department upon completion.

The Notice To Proceed was issued on October 14, 2022 and provides 847 days for the completion of construction. This would place the construction completion on or about February 7, 2025.

The project is currently well underway with site clearing/grading 95% complete, utilities (stormwater, water and sewer) run to the site, building foundation completed, the structure is 80% complete and the building dried in. HVAC and electrical systems are 80% completed, and dry wall/finishes are currently being installed. Overall, the project is estimated to be approximately 80% complete at this time.

Increase permanent affordable housing in the rental market: The City recognizes the need to increase the availability of affordable housing for renters, especially housing that meets the varied needs of the City's lower-income population. The City continues to support and partner with housing and public service providers to meet the needs of low-to-moderate income persons, homeless persons and families, and persons with disabilities or other special needs.

Rush Homes received $95,000 of PY 2018, $70,000 of PY 2019, $413,140 of PY 2020, $150,000 of PY 2021, and $200,000 of PY 2022 of HOME Program funds for its Community Housing Development Organization (CHDO) rental housing project. The Florida Terrace project is a 31-apartment unit rental development. Plans are to provide housing for persons with and without disabilities, but all tenants will be low income. At least 25% of tenants will have a disability. Seven (7) units are set aside for Permanent Supportive Housing (people who are exiting homelessness who also have disabilities). In PY 2023, the project was completed and eight (8) units have been leased with 20 individuals currently being served. The remaining units are scheduled to be leased in PY 2024. There has been $928,140 of HOME Program funds expended for this project.

Increase the number of owner-occupied units: To the degree that predominance of rental units in a neighborhood is seen as destabilizing, the City wants to provide incentives for qualified persons and low- and moderate-income to consider the benefits of homeownership, especially if it is more cost-effective than renting and if it builds wealth for the individual household. Several programs are supported by the City that incorporates these elements.

Funding for the Greater Lynchburg Habitat for Humanity's (GLHFH) Knott Street Development project subsidized the development costs for nine (9) parcels and homes, all of which will be sold to income-eligible families. There was $270,000 allocated of PY 2020, $208,425 of PY 2021, and $152,865 of PY 2022 HOME Program funds for this project. The development for this project has been completed and included the costs for building the streets, sidewalks, waterline and sewer connections, clearing of trees and other required appurtenances. All of the HOME funds allocated for this project have been expended. Habitat for Humanity began construction of the housing units within this development in PY 2023.

The City increased the number of owner-occupied units by three (3) during PY 2023. The City's partnership with GLHFH provided Homebuyer Homeownership for three (3) units through its Down Payment Assistance project to eligible clients for the purchase of homes constructed at 2991 and 3007 Hillview Street and 1507 Knott Street. In PYs 2019 and 2020, there were $203,140 in HOME Program funds allocated to GLHFH for down payment assistance. During this reporting period, GLHFH expended $51,772 for down payment assistance to the homebuyers.

Rehabilitate substandard housing units: To achieve the objective of making all housing units safe, decent, and affordable it is necessary to extend assistance to private property owners, particularly low and moderate-income homeowners. This goal also provides the opportunity for the homeowners to have their homes rehabilitated and retain ownership. The City is accomplishing this goal by investing in existing housing stock through renovations and rehabilitation of properties in the target neighborhoods. As a direct result of these improvements, the neighborhoods retain and attract residents thereby positively affecting the stability of the neighborhood and increasing property values. Specific housing characteristics of the target area support the need for rehabilitation and revitalization.

In PY 2022 Lynchburg Redevelopment and Housing Authority (LRHA) was allocated $100,000 in CDBG funds for the LRHA Enhance and Preserve (LEAP) Revitalization Project. This project addresses neighborhood properties in need of renovation and/or rehabilitation to provide affordable housing within the neighborhood. During PY 2023, LRHA acquired the property at 1704 2nd Street for $100,000. The housing unit on this property is currently being rehabilitated and will be rented to a low-to-moderate income person/household.

During this reporting period, two (2) rental units were rehabilitated by private landlords through the Rental Rehabilitation Program at LRHA. The properties are located at 1433 Pierce Street and 1633 Shaffer Street. In Program Year 2023, $10,000 and $9,684.50, respectively, of CDBG funds were expended for the rental rehabilitation activities. The landlords successfully rehabilitated the units at a total cost of $22,450 and $19,369 respectively, and the housing units on these properties are now occupied by eligible, low-to-moderate income households.

Promote Public Service Activities: The Scoutreach program is a partnership between the Boy Scouts of America and Lynchburg Parks and Recreation Department. This program provides programming at the City Neighborhood Centers to offer an opportunity for school-age youth to broaden their experiences inside and beyond the neighborhood setting. The Scouting groups operated at two centers: Yoder and

Fairview Heights. The Scoutreach program was allocated $19,160 of PY 2023 CDBG funds. In PY 2023, 45 youth have been served and $21,077 has been expended, including prior year and PY 2023 funds.

<u>Provide Homeless Services</u>: The Coordinated Homeless Intake and Assessment (CHIA) project was allocated $65,000 in Program Year 2023 funds. The City supports efforts to develop, sustain, and coordinate a comprehensive, seamless system of services for homeless citizens in order to move the homeless population toward obtaining permanent housing. Through the CHIA Coordinator, a uniform intake tool has been developed to quickly assess individual and family needs and assure they are diverted from the homeless response system or expeditiously placed in the most appropriate housing program. CHIA diverts households from homelessness, understands the clients' needs and eligibility for existing programs, and identifies the needs through the consistent use of a uniform assessment tool. In PY 2021, Miriam's House became the recipient for the CHIA program funds and hired a full-time Coordinated Entry Specialist (CES) to operate the CHIA hotline during business hours. CHIA assisted 5,030 people and expended $61,751 during Program Year 2023. This activity has greatly enhanced the coordination of housing and services for the homeless. This program is ongoing and CDBG funds have been allocated in PY 2024 for the continuation of this project.

<u>Community Development Block Grant: Coronavirus Aid, Relief and Economic Security Act (CARES ACT) (CDBG-CV) Rounds 1 and 3 Program Funds</u>

In Program Year (PY) 2019 (Fiscal Years [FYs] 2020 and 2021) the City received special allocations of Community Development Block Grant funds to be used to prevent, prepare for, and respond to the coronavirus (COVID-19). This allocation was authorized by the *Coronavirus Aid, Relief, and Economic Security Act (CARES Act)*, which was signed by President Trump on March 27, 2020, to respond to the growing effects of this historic public health crisis. Lynchburg's allocation totaled $809,630. The first round of funding was $420,487 and Round 3 funding was in the amount of $389,143.

Utilizing the CDBG application process and the guidelines from HUD for eligible projects/activities, City staff solicited and accepted applications for the CDBG-CV funds. These projects/activities will benefit the citizens of Lynchburg that have been or will be affected by COVID-19.

In accordance with the CDBG Citizen Participation Plan's "In the Event of an Emergency" section, the public comment period was reduced to five (5) days and public hearings were conducted on May 26, 2020 and April 13, 2021. City Council resolutions were approved on June 9, 2020 and April 27, 2021.

For receipt of these funds, in accordance with HUD regulations; the City submitted two "Substantial Amendments" to its FY 2020 and 2021 (PY 2019) CDBG Annual Action Plans to HUD. These Amendments included the projects/activities that were approved by City Council and would prevent, prepare for, and respond to the Coronavirus (COVID-19).

<u>Community Development Block Grant: Coronavirus Aid, Relief and Economic Security Act (CARES ACT) (CDBG-CV) Round 1 Program Funds ($420,487)</u>

Below are summaries of these project/activities for local nonprofits and City departments and the program accomplishments for Program Year 2023 for Round 1 CDBG-CV funds.

Safe at Home Emergency Assistance (Interfaith Outreach) - $74,171.62 (Rounds 1 and 3)
Interfaith Outreach's Safe at Home Emergency Assistance aided households with verified financial needs due to COVID-19 in the form of delinquent mortgage assistance payments, delinquent rent assistance payments, and delinquent utility payments made directly to the vendors. Loss of shelter, power, and water posed an immediate threat to the health and welfare of the Lynchburg community.

PY 2023 Accomplishments
During this program year Interfaith Outreach expended $10,264 and provided rental assistance to five (5) households.

Community Development Block Grant: Coronavirus Aid, Relief and Economic Security Act (CARES ACT) (CDBG-CV) Round 3 Program Funds ($389,143)

Below are summaries of these project/activities for local nonprofits and City departments and the program accomplishments for Program Year 2022 for Round 3 of the CDBG-CV funds.

City Administration (Grants Administration) - $18,448
Funding will be utilized for personnel and operating costs associated with managing and monitoring the CDBG-CV projects.

PY 2023 Accomplishments
During this reporting period, there was $7,426 expended for personnel and operating costs for the oversight and administration of the CDBG-CV projects from this activity.

Emergency Housing Assistance (Lynchburg Community Action Group (Lyn-CAG) - $75,000
The COVID-19 Emergency Housing Assistance Program will assist clients, whose income was impacted by the pandemic, with up to three (3) months of past due rent or mortgage payments. Through this program it is Lyn-CAG's goal to keep households housed, which will prevent exposure to congregate settings (shelter) where the likelihood of contracting the virus is higher. Through this program Lyn-CAG is preparing for increased needs to address the lasting impacts of the virus and unemployment. This program is a direct response to the coronavirus and efforts to alleviate its impact. As the loom of ending moratoriums and forbearance approaches the security of a home is in jeopardy. This could result in an eviction or foreclosure which places a household in danger of contracting the virus. Lyn-CAG's Emergency Housing Assistance Program aims to prevent both evictions and foreclosures due to the pandemic.

PY 2023 Accomplishments
During this reporting period, Lynchburg Community Action Group (Lyn-CAG) assisted one (1) household by providing rental and utility assistance to a client affected by COVID-19. Lyn-CAG expended $11,447 for this activity, which was expenses incurred in Program Years 2022 and 2023.

CR-10- Racial and Ethnic composition of families assisted

Describe the families assisted (including the racial and ethnic status of families assisted). 91.520(a)

	CDBG	**HOME**
White	2,361	0
Black or African American	2,500	3
Asian	7	0
American Indian or American Native	7	0
Native Hawaiian or Other Pacific Islander	0	0
American Indian or Alaska Native and White	16	0
Asian and White	17	0
Black or African-American and White	177	0
American Indian or Alaska Native and Black or African American	0	0
Total	**5,085**	**3**
Hispanic	213	0
Not Hispanic	4,873	3

Table 1- Table of assistance to racial and ethnic populations by source of funds

Narrative

The Table above provides a total racial and ethnic summary of the number of **households** served with the CDBG and HOME Program funds.

CDBG funds assisted a total of 5,085 households. Through its Coordinated Homeless Intake and Access (CHIA) program, Miriam's House assisted 2,351 white households, 2,460 black or African American households, seven (7) Asian households, seven (7) American Indian or American Native households, zero (0) Native Hawaiian or other Pacific Islander households, and 212 Hispanic households. Additionally, CHIA assisted the following multiple race categories: 16 American Indian or American Native and white households; 17 Asian and white households; 172 black or African American and white households; and zero (0) American Indian or American Native and black or African American households. Through the private landlord housing rental rehabilitations, LRHA assisted four (4) black or African American households. Through its Scoutreach program, Boy Scouts of America assisted 9 (nine) white households, 36 black or African American households and one (1) Hispanic household. Additionally, Scoutreach served the following multiple race categories: five (5) black or African American and white households.

HOME Program funds assisted a total of 3 households. Greater Lynchburg Habitat for Humanity (GLHFH) assisted three (3) black or African American households through the Homebuyer Down Assistance project.

CR-15- Resources and Investments 91.520(a)

Identify the resources made available

Sources of Funds	Source	Resources Made Available	Amount Expended During Program Year
CDBG	CDBG	$711,153.90	632,411
HOME	HOME	$470,879.88	92,811

Table 2-Resources Made Available

Narrative

In Program Year (PY) 2023/Fiscal Year (FY) 2024, the City received $708,843 in CDBG entitlement funds and $378,083 in HOME Program entitlement funds. Along with these entitlement funds, reprogrammed prior year funds of $2,310.90 for CDBG were allocated to eligible projects, and in reprogrammed funds of $92,796.88 for the HOME Program. The total amount of CDBG and HOME funds the City allocated for projects and activities in PY 2023 was $1,182,033.78. This represented a total of $711,153.90 in CDBG and $470,879.88 in HOME Program dollars.

In Program Year 2023, 96.01% ($491,253) of the CDBG funds were expended on activities that benefited Low-to-Moderate (LMI) persons within the City. With this amount the City was above the minimum threshold of 70% set in Section 24 Code of Federal Regulations (CFR) 570.901(a).

There was 18.82% ($120,723) of Lynchburg's CDBG allocation and prior years' funding expended on Planning and Administration, which was under the maximum of 20% allowed according to Section 24 CFR 570.206(g).

There was 11.12% ($82,828) of Lynchburg's CDBG allocation and prior years' funding expended for Public Service activities; therefore, the City was under the maximum of 15% mandated by Section 24 CFR 570.201(e).

In FY 2024, there was $511,687 of CDBG entitlement funds and $92,811 of HOME Program funds expended for projects, and activities. Narratives for the various projects and activities during PY 2023 have been included in the Goals and Outcomes Section of the CAPER (see pages 5-9).

In Program Year 2023/Fiscal Year (FY) 2024, there was $136,352 of Coronavirus Aid, Relief and Economic Security Act (CARES Act) (CDBG-CV) Program Funds available to be used to prevent, prepare for, and respond to the coronavirus (COVID-19). City staff and various subrecipients expended $30,041 on activities related to COVID-19.

Identify the geographic distribution and location of investments

Target Area	Planned Percentage of Allocation	Actual Percentage of Allocation	Narrative Description
CENSUS TRACTS 4,5,6,7,11 and 19 (CDBG)	94	91	Public improvements, housing services, and public service,
Citywide (HOME)	6	9	Homebuyer, rental housing development

Table 3—Identify the geographic distribution and location of investments

Narrative

The City invested 91% of CDBG project funds for PY 2023 (FY 24) in the Census Tracts 4, 5, 6,7,11 and 19 for Jefferson Park Revitalization Improvements, Diamond Hill Improvement Project, Lynchburg Redevelopment and Housing Authority Rental Rehabilitation Program, and Public Service activities. The City invested 9% of CDBG funds in services Citywide for the Centralized Homeless Intake services to assist those in need of homelessness prevention. All of the HOME Program funds were allocated for housing related projects (i.e. homeowner, rental housing, and homebuyer assistance).

Leveraging

Explain how federal funds leveraged additional resources (private, state and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.

The utilization of CDBG, HOME Program, and other federal grant funds has had a substantial impact on the City's ability to leverage other resources to redevelop economically distressed neighborhoods and provide renewed opportunities for our residents.

The City of Lynchburg, through the Office of Economic Development & Tourism (OEDT) and the Economic Development Authority (EDA), offers various programs and incentives, to leverage public investment to address the needs of our community. The section below provides a summary of this leverage from the EDA, and local, state and federal resources:

- The City's two Enterprise Zones, coupled with expanded small business financing continue to produce substantial results. In the past few years, the City has made several thousand additional acres of commercial property eligible for investment grants; in 2023, investments in commercial real estate were even more significant. Real Property Improvement Grants in the grant year 2023 of **$1,037,989.95** leveraged private commercial property investments of more than **$21,763,945** in Zone 2 and **$4,449,314** in Enterprise Zone 46. Enterprise Zone 2 was approved by the Governor's office for another 5 years, beginning on January 1, 2024.

- The Local Redevelopment Program provides an investment overlay district that includes existing Enterprise Zone boundaries. Designed to support small business real property investments and expand real estate tax receipts for the city, the grant has been effective in incentivizing public-private partnerships and private investments. There was **$165,000** awarded to support 17 local businesses through the Local Redevelopment Program, creating **241** new jobs and leveraging **$9,672,339.00** million in capital investments across the City.

- In 2023, the City of Lynchburg began the process of reviewing and updating the comprehensive plan, a 20-year vision document that will help to guide and shape the development and growth trajectory of the City in the coming decades. Public meetings were held and public comment collated; the plan is now in the drafting and review process.

- The City of Lynchburg Real Estate Rehabilitation Program encourages the renovation of older structures and helps to revitalize commercial neighborhoods. In 2023, 41 properties in the City are currently participating in the program, resulting in just over $45,724,950 million in improvements to the City's tax base.

- The Economic Development Authority of the City of Lynchburg (EDA) received a $500,000 Assessment and Planning Grant award from the United States Environmental Protection Agency (USEPA) in the Fall of 2022 to perform environmental site assessments, cleanup, and redevelopment planning, among other efforts toward redevelopment of Brownfields in the City of Lynchburg. This is the third such award to the EDA/City and a testament to the exceptional success of the program and the Environmental Protection Agency (EPA)'s and Virginia Department of Environmental Quality (VDEQ)'s recognition of it. The City has received over $1.2 Million in Brownfields Assessment and Cleanup and Redevelopment Planning Grants from the EPA. The City has received over $315,000 in Brownfields Assessment and Cleanup and Redevelopment Planning Virginia Brownfields Restoration and Economic Redevelopment Assistance Fund (VBAF) Grants from VEDP/DEQ.

- During the last year, the City completed various administrative activities, including past and ongoing programmatic reporting, expansion and review of brownfields inventory, and selection of sites for the investment of the grant funds. Projects including completing a Phase I and Phase II Environmental Site Assessment (ESA) and beginning a remediation plan for 2307 Bedford Avenue, a former drycleaner's that will now be a mixed-use development. GO Virginia also awarded the Economic Development Authority of the City of Lynchburg a $190,000 grant for site development at the Airport Commerce Park. The project funding will advance the Airport Commerce Park site from a Virginia Business ready Sites Program characterization of Tier 2 to a Tier 3 (Tier 5 being pad ready).

- The City of Lynchburg's Brownfields Program helps attract new development and business to the city. The grant funds are deployed and leveraged throughout the community to maximize investments from others. The Brownfields grant program has spurred public and private investment in our community, including the newly repurposed building at 1217 Church Street. In October 2021, the building was purchased, and development began on 29 residential units and a 1,650-square-foot commercial space. Following a total capital investment of approximately $5 million combined with state & federal tax credits, White Star Flats opened in May of 2023 and is currently 50% leased.

- In October 2021, the Office of Economic Development and Tourism also launched the LYH Jobs Portal, in partnership with Chmura and Jobs EQ. One of only a handful in the country, this jobs portal collates job postings from over 900 websites, enabling job seekers to have a 'one stop shop' for all of their job seeking needs. The portal also provides employers with an easy website to reference for job seekers, and the Office of Economic Development and Tourism assists them in posting their jobs with the local Virginia Career Works and Virginia Workforce Connection. This tool continues to assist local businesses and job seekers alike. In 2023, the Office of Economic Development and Tourism partnered with other City departments to get this tool into the hands of more citizens, and currently have active programs with the library system, Human Services and our Parks and Rec departments.

- In FY 2024, finalized commercial building permits totaled more than $26,511,630 million in real property investment in the City's Enterprise Zone 2, and more than **$5,206,794** in Zone 46. Of the licensed businesses in the City of Lynchburg, 50% have been in business 10 years or more.

- The Launch LYH program, started in January of 2023, provided funding to seven (7) new businesses that opened in 2023. The program was renewed in 2024 and provided funding for five (5) additional new businesses in downtown LYH. The City of Lynchburg began construction on Riverfront Park in downtown Lynchburg as a concert, festival and park venue with an amphitheater, restrooms and a playground.

- The Water Resources Department operates the Combined Sewer Overflow ("CSO") Program, the largest of all the City's capital improvement programs. This program reduces the volume and frequency of overflows from the City's combined sewer system. Thus far, the Program has spent $48 million of local funding (provided by sewer fees); $171 million in State funding Virginia Clean Water Revolving Loan Fund (VCWRLF) loans; $77 million in federal and state grants; and $19 million in American Recovery and Reinvestment Act (ARRA) stimulus funding. Based on the approved Long-Term Control Plan it is estimated that the remaining cost to complete the program is approximately $125 million. City of Lynchburg has been awarded two grants totaling $50 million from the American Rescue Plan (ARPA) to be used for the CSO Program. Although the Consent Special Order does not specify a completion date, Lynchburg's CSO Program could be complete as soon as December, 2028. Actual completion date will be largely dependent on available funding and project schedules. Other notable Water Resources Department projects that is currently under construction or construction beginning in FY 2025 are the following: 1) Blackwater CSO Tunnel, $104 million 2) Downtown Area Business Improvements Phase IV - $5.3 million, 3) Richland Hills Sewer Extension - $6.3 million 4) Golf Park CSO - $3.8 million 5) College Park Stormwater Improvements - $2.2 million.

- The City's Division of Social Services provides: Child Care Services, Prevention Services, Employment Services, Services to Adults, Energy Assistance Program, Supplemental Nutrition Assistance Program (SNAP), Medicaid, Temporary Assistance for Needy Families (TANF), Virginia Initiative for Education and Work (VIEW), Protective Services to Children, and Foster Care/Adoption.

- The City's Department of Community Development operates and enforces the Virginia Maintenance Code of the Uniform Statewide Building Code (USBC), in which the Rental Inspections Program is operated. This program provides protection for citizens and neighborhoods by ensuring sub-standard living conditions are reduced in order to produce thriving, attractive, safe neighborhoods and enhance citizen's quality of life. In PY 2023, there were 1,961 rental inspections and 884 housing inspections conducted.

- Numerous non-profit subrecipients and community partners used resources, both public and private to complement the investments from the entitlement allocations.

HOME Match

The HOME program specifically requires that participating jurisdictions (PJs) provide match funds in amounts equal to no less than 25% of the total HOME funds drawn down from the jurisdiction's HOME program account for project costs. Allowable reductions are made for PJs that experience fiscal distress or major disasters in accordance with the Stafford Act.

Fiscal distress can be categorized by the following criteria: 1) the family poverty rate is 125% or more of the national poverty rate; and 2) the per-capita income is less than 75% of the national average. When a PJ meets one of these distress criteria, it is determined to be in fiscal distress average and thereby receives a 50% reduction of its match requirement. If a local jurisdiction satisfies both of the distress criteria, it is determined to be in severe fiscal distress and receives a 100% reduction of its match requirement. The City meets the criteria to be classified as severely distressed and has been determined to be in fiscal distress and received the 100% reduction of its match requirement for PY 2023.

HUD calculates the match liability according to the most recent completed Federal fiscal year. A total of $1,169,598 of HOME funds were disbursed from October 1, 2022 to September 30, 2023 (Federal Fiscal Year), of which $1,138,871 would have been subject to the match requirement; however, due to the fiscal distress determination the Match Liability Amount for the City was $0.

The HOME Program Match Liability Report (PR33) from the Integrated Disbursement and Information System (IDIS) for PY 2023 indicates that the City had no Match Liability for Program Year 2023. While the City had no match liability during this reporting period, the City accrued $481,201 in additional match credit from Greater Lynchburg Habitat for Humanity (GLHFH) through the HOME-assisted housing units constructed by GLHFH. There was no publicly owned land or property located within the jurisdiction that was used to address the needs identified in the Plan.

The City began PY 2023 with $4,319,774 in excess match carried over from prior years. As stated above, during PY 2023, the City accrued $481,201 in additional match credit from Greater Lynchburg Habitat for Humanity (GLHFH) from the construction of three (3) HOME-assisted units. This match was accrued through volunteer labor and construction material costs.

As depicted in the chart below, a balance of $4,800,975 in excess match is available to be carried over to PY 2024 and remains available for future years.

Fiscal Year Summary – HOME Match	
1. Excess match from prior Federal fiscal year	4,319,774
2. Match contributed during current Federal fiscal year	481,201
3. Total match available for current Federal fiscal year (Line 1 plus Line 2)	4,800,975
4. Match liability for current Federal fiscal year	0
5. Excess match carried over to next Federal fiscal year (Line 3 minus Line 4)	4,800,975

Table 1 – Fiscal Year Summary - HOME Match Report

Match Contribution for the Federal Fiscal Year								
Project No. or Other ID	**Date of Contribution**	**Cash (non-Federal sources)**	**Foregone Taxes, Fees, Charges**	**Appraised Land/Real Property**	**Required Infrastructure**	**Site Preparation, Construction Materials, Donated labor**	**Bond Financing**	**Total Match**
2991 Hillview Street	10/07/2023	0	0	0	0	131,940	0	131,940
3007 Hillview Street	12/16/2023	0	0	0	0	176,527	0	176,527
1507 Knott Street	04/13/2024	0	0	0	0	172,734		172,734

Table 2 – Match Contribution for the Federal Fiscal Year

HOME—Program Income

As the Table below indicates, there was no program income receipted for the HOME Program during PY 2023.

Program Income – Enter the program amounts for the reporting period				
Balance on hand at beginning of reporting period $	**Amount received during reporting period $**	**Total amount expended during reporting period $**	**Amount expended for TBRA $**	**Balance on hand at end of reporting period $**
0	0	0	0	0

Table 3 – Program Income

Minority Business Enterprise (MBE)/Women-owned Business Enterprise (WBE) Report

There were no construction contracts issued during PY 2023 within the HOME Program.

CR-20- Affordable Housing 91.520(b)

Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely-low income, low-income, moderate-income, and middle-income persons served.

This section includes an evaluation of the City's progress in meeting its specific goals of providing affordable housing, including the number and types of families served by income level and the number of homeless, non-homeless persons assisted. HUD funding received for HOME is used to provide a range of housing for a wide variety of low-to-moderate income populations throughout the City. The CDBG program does not fund affordable housing development projects. However, the City's CDBG program did fund rental rehabilitations through Lynchburg Redevelopment and Housing Authority's (LRHA) Rental Rehabilitation Program. Projects funded with CDBG funds are mainly to serve the low and moderate- income persons in the targeted census tracts. HOME Program funds are allocated to affordable housing projects Citywide and within the targeted census tracts.

In PY 2023, Tables 10 and 11 below list the goals and actual number of persons and households served by the CDBG and HOME Program for each type of population.

	One-Year Goal	Actual
Number of Homeless persons to be assisted through CDBG activities (Coordinated Homeless Intake and Access)	5,000	5,030
Number of Special-needs persons to be provided affordable housing units (Florida Terrace Apartments)	31	31
Total	**5,031**	**5,061**

Table 10—Number of Persons Assisted

	One-Year Goal	Actual
Number of households supported through Rental Assistance	0	0

Number of households supported through The Production of New Units (Knott Street development, Down payment assistance)	8	3
Number of households supported through Rehab of Existing Units (Rental Rehabilitation)	0	2
Number of households supported through Acquisition of Existing Units	0	1
Total	**9**	**6**

Table 11—Number of Households Supported

Discuss the difference between goals and outcomes and problems encountered in meeting these goals

Number of homeless to be provided assistance: Goal achieved through 5,030 individuals served through CHIA Hotline.

Number of Non-Homeless persons assisted through CDBG activities: Goal achieved.

Number of special-needs to be provided affordable housing units (number of persons served): There was a goal in the Annual Action Plan for this reporting period to provide additional special needs affordable housing. Within the 2020-2024 Five-Year Consolidated Plan, there is an overall goal of increasing rental housing units for special needs persons by 31 housing units. (NOTE: Rush Homes had to revise the design of this new rental development housing project.) Rush Homes completed the construction of the Florida Terrace project and developed the 31 apartment units of which 8 have been occupied. The plans are to provide housing for persons with and without disabilities, all with low incomes. At least 25 percent of tenants will have disabilities. There will be a set aside of seven (7) units for Permanent Supportive Housing (persons who are exiting homelessness who also have disabilities). This goal has been achieved.

Number of households supported through Rental Assistance: There is no rental assistance project within the CDBG and HOME Program.

Number of persons supported through the production of new units: This goal was not attained in PY 2023. There were three (3) households assisted through direct homebuyer assistance through Greater Lynchburg Habitat for Humanity (GLHFH). GLHFH's Knott Street development infrastructure has been completed. These infrastructure funds were used to subsidize development costs for nine (9) parcels and homes, all of which will be sold to Habitat-qualified families. This goal will be attained once the homes are constructed in the Knott Street Development.

Number of persons supported through rehabilitation of existing units: During PY 2023, there was no set goal for rental rehabilitation; however, Lynchburg Redevelopment and Housing Authority's (LRHA) Rental Rehabilitation program supported two (2) households through rental property rehabilitations by private landlords.

Discuss how these outcomes will impact future annual action plans.
The completion of these projects/activities will assist the City in meeting the goals established in the 2020-2024 Consolidated Plan (CP) and Annual Action Plans within the CP. City Council will continue to allocate CDBG and HOME Program funds to cooperative ventures that will assist in addressing barriers to affordable housing and meeting community public and private neighborhood and infrastructure needs.

Include the number of extremely low-income, low-income, and moderate-income households/persons served by each activity where information on income by family size is required to determine the eligibility of the activity.

Number of Households Served	CDBG Actual	HOME Actual
Extremely Low-Income	5,047	0
Low-income	27	1
Moderate-income	4	2
Total	**5,078**	**3**

Table 12—Number of Households Served

Narrative Information
Using CDBG funds, 5,078 households were served. The Coordinated Homeless Intake and Access (CHIA) Coordinator assisted 5,030 households that were extremely low-income in assessing the household's needs and providing available information and resources to divert homelessness. LRHA assisted three (3) extremely-low-income households and one (1) low-income household through Rental Rehabilitation projects. Boy Scouts of America's Scoutreach project assisted 14 extremely-low-income household, 26 low-income households, and four (4) moderate income household.

Three (3) households were assisted with the use of HOME Program funds. Greater Lynchburg Habitat for Humanity (GLHFH)'s Down Payment Assistance project provided assistance to one (1) low income household and two (2) moderate income household. GLHFH's Knott Street development project has been completed, one house has been constructed and four additional homes are under construction.

A total of 5,081 households were assisted with CDBG and HOME funds. Of the households assisted, 5,047 of the households were within 0 to 30% of area median income (AMI); 28 were within 30 to 50% of AMI; and 6 households were within 50 to 80% of AMI.

CR-25- Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c)

Evaluate the jurisdiction's progress in meeting its specific objectives for reducing and ending homelessness through:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The Central Virginia Continuum of Care (CVCoC) operates a primary access point for homeless persons with satellite access points for special populations. The primary access point for the homeless response system is Coordinated Homeless Intake and Access (CHIA). The homeless hotline, CHIA, provides a phone-based assessment and referral to diversion, homeless prevention, shelter and appropriate housing interventions and services. This access point covers the entirety of the CVCoC's geographic region (Lynchburg and the surrounding counties) by providing assessment and referral through a phone-based system. All coordinated entry staff are trained on diversion strategies, addressing the needs of domestic violence victims and the coordinated entry process. Every caller in a housing crisis is provided with consistent and standard assessment tools - safety screening, diversion screening, and basic assessment of housing barriers and vulnerability.

An additional access point to the homeless response system is through Homeless Outreach and Mobile Engagement (HOME), the CVCoC's street outreach program. This program, operated through a local health clinic, provides a dedicated full-time staff person to identify and build rapport with unsheltered persons and conduct the CVCoC's standard assessments in order to ensure unsheltered clients receive access to the homeless response system and are quickly connected with housing resources.
Intake staff at CHIA and street outreach workers use the CVCoC initial assessments to review clients' needs and determine eligibility for services. Initial assessment includes an immediate safety screening, diversion and prevention screening, homelessness verification, basic assessment for shelter intake and release of information for the CVCoC's Homeless Management Information System (HMIS) and Community Case Review (case conferencing). After the initial assessment, there is a prioritization assessment for individuals experiencing literal homelessness, who have been unable to be prevented or diverted from shelter or a place not meant for human habitation. The prioritization tool and the CVCoC Housing Barrier Assessment are completed by trained assessors after initial assessment identifies a household as literally homeless. A CVCoC Coordinated Entry form is also used to identify whether the household belongs to one (or more) of the four subpopulations prioritized by the CVCoC for additional services: veterans, chronically homeless, households with children and youth (unaccompanied young people, age 24 and under).

All households belonging to a priority subpopulation are placed on the By-Name List, maintained through the Community Case Review team, for prioritization and referral to rapid re-housing, permanent supportive housing and other permanent housing opportunities available through the Continuum of Care. The agency completing the assessment notifies the CVCoC Lead Agency, Miriam's House, through either faxing or emailing the Coordinated Entry Referral form for the assessed household. The CVCoC Lead maintains the By-Name List and through a coordinated entry process, each household is matched with the appropriate housing and service intervention. Homeless households that do not belong to a priority subpopulation are provided with housing focused case management and linkages to mainstream resources to promote self-resolution directly from shelter or through street outreach.

Addressing the emergency shelter and transitional housing needs of homeless persons:
Over the course of a year (January 1, 2023 – December 31, 2023), 421 persons experienced homelessness within the Central Virginia Continuum of Care (CVCoC). Of those 421 persons, 45% were unsheltered and sleeping in tents, vehicles, benches and parks while 37% remained exclusively in homeless shelters during their homeless episode and 18% stayed in both unsheltered situations and shelter. Since 2019, there has been a 322% increase in unsheltered homelessness in the Lynchburg area. The high prevalence of unsheltered persons in the Lynchburg community is reflective of the need for an increase in emergency shelter beds.

Over the course of Calendar Years 2021 to 2023, there was a 26% decrease in emergency shelter bed capacity in the Lynchburg community. Through a 2021 renovation the largest emergency shelter, Salvation Army, decreased its shelter beds from 70 total beds to 57 total beds and in 2022, the only other shelter, Hand Up Lodge, closed its doors. This shelter was replaced in December 2022 with a new emergency shelter, The Shelter at Reset, but this shelter was only able to provide 16 beds. These changes resulted in a decrease from 98 emergency shelter beds to 73 shelter beds. In July 2024, The Shelter at Reset, closed which leaves only a 57 bed shelter available in the community to meet the emergency housing needs of those experiencing homelessness. The Central Virginia Continuum of Care and the City are working alongside a local church, The Ramp Church, to open a new emergency shelter in late 2024 that will provide 50 beds for those experiencing homelessness.

The Homeless and Housing Services (HHS) Committee of the CVCoC meets bi-monthly to discuss improvements to the homeless response system, including ensuring all persons needing shelter or other homeless interventions are able to access them. This committee reviews gaps in services and specifically addresses any barriers to services. Coordinated Homeless Intake and Access (CHIA) provides a bi-monthly report out regarding any households who were unable to be served and the reason for service denial. The HHS Committee regularly reviews eligibility guidelines for each program to ensure that there are no barriers to program admission or maintenance. The Committee identifies barriers to access that are contained in program rules and eligibility criteria and makes recommendations to the CVCoC Board regarding how those barriers can be reduced. At this time, all CVCoC-funded programs have instituted low- barrier admission policies. Funded projects removed all admission requirements related to drug testing, income, criminal history, identification, custody or family composition restrictions, treatment compliance, medication compliance, or any other barrier to access.

An additional way that the CVCoC ensures that services are offered without barriers is through regular training to front-line staff and program managers on Housing First, harm reduction, motivational interviewing, and other best practices. The Monitoring and Evaluation Committee of the CVCoC performs an annual site audit of each CVCoC- funded project to ensure adherence to the CVCoC policies and procedures, which require no barriers to project admission or maintenance.

The CVCoC provides annual training for homeless service providers on the Prohibition Against Involuntary Family Separation, Equal Access, and Prohibited Inquiries requirements. This training includes building capacity for shelter staff around creating safe spaces and providing services that promote inclusive policy standards, provide safety for shelter residents, respect diversity and protect the rights of all homeless individuals and families. The CVCoC monitors projects' nondiscrimination policies to ensure that family composition, gender identity and gender expression are included in the language. Projects are also expected to maintain confidentiality standards that protect sex assigned at birth information. Eligibility criteria are reviewed to address any exclusionary criteria such as requirement of a marriage license or restrictions regarding the ages of children. The CVCoC also provides sample documents that can be publicly posted or handed out to inform clients of their rights under the Equal Access rule. To further ensure compliance, the CVCoC has instituted regular consumer surveying which allows for program participants to report any discrimination. In 2023, the CVCoC expanded the surveying to also include a digital survey. This expansion has allowed for greater consumer input. The CVCoC policies require all projects to have a grievance policy which they provide to all program participants at intake.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-Income individuals and families and those who are: likely to become homeless after being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

All unstably housed households assessed through Coordinated Homeless Intake and Access (CHIA) are referred to the CVCoC's targeted homeless prevention program if a diversion screen demonstrates that the household cannot be diverted from homelessness and that more intensive homeless prevention services are needed. All households referred to the targeted prevention program are screened with the CVCoC Targeted Prevention Screening Tool. The targeting screening was developed through research conducted by Veteran Affairs as well as peer reviewed research which demonstrates that specific household characteristics make a household more likely to become literally homeless. Some of these characteristics include frequent moves, history of homelessness, fleeing domestic violence, youth, youth identifying as LGBTQ, persons with disabilities and others.

Households scoring a 10 or above on this screen are served through housing focused case management and rental assistance, rental arrears and housing stabilization financial assistance. The CVCoC's Targeted Prevention Tool has been in use since late 2017 and has ensured that services are provided to those most likely to become homeless but for intervention.

The CVCoC Policies and Procedures require that systems of care and correctional institutions conduct discharge preparation in order to prevent households exiting their programs from becoming homeless. These policies ensure that the burden on discharge planning, that does not include discharges to homelessness, is on other systems of care rather than primarily on the homeless response system.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

The implementation of the coordinated entry system provides a framework that assists households in moving quickly into permanent housing. Housing-focused conversations are built into initial assessment and incorporated into shelter case management from the point of intake. Momentum toward housing is maintained by setting timeframes within which housing plans are developed and prioritization assessment should be completed. Shelter case managers offer each household housing-focused case management and housing location services, including assistance with employment, benefits access, referrals to wrap-around services and affordable or subsidized housing identification. Efforts to recruit landlords and share landlord network information across the CVCoC has expedited housing attainment for all program participants.

For households that are prioritized for permanent housing interventions, there is a warm hand-off between the shelter or street outreach case manager and the assigned rapid re-housing (RRH) or permanent supportive housing (PSH) case manager, who spearheads housing location alongside the referred household. This hand-off allows shelter case managers and street outreach workers to focus on providing housing focused case management to households with lower barriers who are not prioritized for RRH or PSH. Expanding permanent housing interventions such as RRH and PSH, as the CVCoC does year over year, also ensures that households becoming homeless can be re-housed quickly. There are currently more slots available for permanent housing within the CVCoC than temporary slots such as emergency shelter. This shifting of bed availability ensures that those with the highest needs can receive the highest level of housing intervention.

The implementation of a By-Name-List of every homeless households allows the homeless response system to better understand who is homeless in real time. These households are staffed at Community Case Review in order to expedite their permanent housing placement. The CVCoC’s written standards prioritize households with long episodes of homelessness (identified through the prioritization tools) for permanent housing interventions.

In 2020, the Lynchburg Redevelopment and Housing Authority (LRHA) received 79 Mainstream Vouchers. In 2021, the CVCoC received access to 25 Emergency Housing Vouchers and in 2022, LRHA received an additional 30 Mainstream Vouchers. The CVCoC created Memorandums of Understandings with LRHA and Virginia Development and Housing Authority for the voucher programs to ensure that chronically homeless persons are prioritized for vouchers. To increase availability of PSH for chronically homeless households, Miriam’s House created a new supportive services program to pair vouchers with supportive services. Central Virginia Supportive Housing launched in April 2022 to provide supportive services to chronically homeless households who have a housing voucher but do not have supportive services in place to ensure housing stability.

Once housed, in-home housing stabilization case management is provided to rapid re-housing and permanent supportive housing clients to prevent returns to homelessness. Housing stabilization case management services include tenancy skills, budgeting and financial literacy education, referrals to employment and training opportunities and coordination with long-term service providers such as mental health skill building services, home-based family strengthening programs, recovery resources or other services that will address stability needs.

Through extensive training on and implementation of Housing First strategies and housing focused case management best practices, the CVCoC has equipped homeless service providers to serve and house homeless households rapidly without predicating services on housing readiness.

CR-30- Public Housing 91.220(h); 91.320(j)

Actions taken to address the needs of public housing

In 2024, Lynchburg Redevelopment and Housing Authority (LRHA), the local public housing agency, began a Master Planning process with the residents, board, and staff for the Birchwood Apartments. LRHA is ready to move forward with a developer partner on determining the viability of a redevelopment of this Birchwood development in two to three phases. LRHA anticipates this will provide over 110 additional affordable housing opportunities. LRHA competed for and was awarded a Virginia Housing Community Revitalization grant for the Birchwood Apartments project.

LRHA continues to explore redevelopment efforts of its Dearington Hills Apartment project through a variety of funding sources including 9% and 4% Low-Income Housing Tax Credit (LIHTC) applications as well as loans through the Virginia Department of Housing and Community Development (DHCD). As this project receives funding LRHA will implement its relocation plan, including meeting one-on-one with all affected families in the Dearington Hills Apartments to determine relocation needs in the fall of 2025.

Additionally, LRHA continues to invest in partnerships with all local and statewide agencies to assist public housing and housing choice voucher families with resident opportunities according to the 220 plus survey responses on resident services. LRHA's Resident Opportunities and Self-sufficiency (ROSS) Coordinator continues to provide outreach and match families with a wide range of needs to ensure success whether in education, training, or job placement. LRHA competed and was awarded a new three-year ROSS grant for Fiscal Years 2025 – 2028.

LRHA continues to meet with residents and hold community events on sites that include opportunities for our partners to share information and resources.

Actions taken to encourage public housing resident s to become more involved in management and participate in homeownership

LRHA continues to provide information for clients and residents interested in home-ownership through outreach with local partners that provide home-ownership counseling.

Actions taken to provide assistance to troubled PHAs

N/A- Lynchburg Redevelopment and Housing Authority is not a troubled PHA.

CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)

Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220(j);91.320(i)

A primary barrier to affordable housing in the target area is the very low property values in the targeted census tracts. This is a large disincentive to development through renovation because the cost of repair typically exceeds the value of the renovated property. Therefore, only non-profit organizations that can access soft costs funds (i.e. finance and construction related costs) and grant funds are able to conduct rehabilitation projects in these areas. The for-profit developers are unable to conduct the extensive renovations necessary to make the houses in the target market amenable to modern housing demands. However, the City did allocate CDBG and HOME Program funds to non-profit entities to address the needs of extremely low and low-income families and persons.

Lynchburg is a City of relatively low housing costs. Therefore, average income and cost-of-living reflect these somewhat lower housing costs. Development in the CDBG target areas remain limited to non-profit and subsidized activity. This is due in part to the very low property values in these census tracts and a greater value being placed on improvements to property than to the land itself. In the target areas, this high value on improvements, or buildings, had the effect of costing more than clearing land outside of the target areas, and thereby, negating the opportunities of redevelopment. This is also a large disincentive to development through renovation because the cost of repair typically exceeds the value of the renovated property. However, recently there has been more development in the CDBG targeted census tracts. The reason has been that the supply of homes for sale everywhere is down so buyers are pushed into areas not traditional to their socio-economic status.

The usual barriers, zoning, building code, and density issues for the targeted census tracts have been interpreted to encourage appropriate development in these areas. This is especially true in the development by non-profit housing providers where the City has waived or offset utility and other fees for making the project more affordable for the very low and low-income residents.

The Lynchburg Zoning Ordinance was adopted in February 2016. The Zoning Ordinance promotes higher density development, more flexibility in the development of smaller urban lots and reduced setbacks in higher density residential zoning districts. The Ordinance also allows for more opportunities for mixed-use development, helping promote transit-oriented development in lower income neighborhoods. Finally, one major principle carried on throughout the Ordinance is greater connectivity amongst neighborhoods, especially through the requirement of sidewalks in all high-density residential zoning and commercial districts.

The Lynchburg Regional Housing Collaborative completed and distributed to the public through the Lynchburg City Council a Study “Opportunity Profile: Housing Stability in Lynchburg, VA” through a Community Impact Grant from the Virginia Housing Development Authority (VHDA). The Study stated that there is a need for additional affordable housing units and the relation of these housing needs to low-income persons/households. As a result of this Study, City Council is focused on addressing affordable housing and is continuing to discuss with the Lynchburg Redevelopment and Housing Authority (LRHA) what an affordable housing policy would be and to discuss resources and options to create and further encourage the development of affordable housing in Lynchburg.

Affordable housing has long been a topic of discussion. Lynchburg has a long history of administering programs that are designed to assist residents with housing opportunities. Lynchburg residents have access to outcomes from housing funds administered by the City and the Lynchburg Redevelopment Housing Authority from programs like the Housing Choice Voucher Program, the Community Development Block Grant, the federal Low-Income Housing Tax Credit, and the HOME Investment Partnership Program. The City has also engaged in a variety of initiatives designed to improve the quality of the housing stock while still ensuring attainability and affordably, such as the Real Estate Rehabilitation Program and the Rental Inspection Program. Additionally, the City has partnered with a variety of public, private, and non-profit organizations that are dedicated to improving housing opportunities for people who live in Lynchburg.

In order to continue addressing barriers to affordable housing, City Council has taken the appropriate role of supporting cooperative ventures and initiates cooperation where it is needed. City Council has also exercised this coordinating role in its allocation of CDBG and HOME Program funds to nonprofit organizations and Lynchburg Redevelopment and Housing Authority for housing related projects. All of homeownership programs funded with federal dollars include an educational component for potential homebuyers about mortgage financing, credit and budgeting issues, and the responsibilities of homeownership.

Actions taken to address obstacles to meeting underserved needs. 91.220(k);91.320(j)

To assist in addressing the housing and community development needs of underserved citizens, the City of Lynchburg focused a significant amount of federal resources on new construction, homebuyer activities, and public infrastructure in the CDBG targeted areas. Several non-profit agencies were funded with CDBG and HOME Program funds to undertake new construction and homeownership activities. Financing availability continues to be one of the main obstacles in addressing underserved needs of the City’s residents. With declining government program support, the private sector will have to play a key role in making up for this loss.

The City, particularly through its partnership with local non-profits, has continued to promote the involvement of private citizens, banks, corporations, and others in community development activities. As more people become involved the proper and effective coordination of this involvement will become even more challenging.

Shared responsibility also implies the open exchange of information and the combination of scarce resources. The City maintains a leadership role in this regard, while opening the process to all interested parties, including low- and moderate-income citizens.

The City continues to seek reduction in the number of households with incomes below the poverty line each year through long-term solutions such as education (including adult education and job skill training), economic development, coordinated supportive services, and Bridges to Progress support program. These areas are traditionally within the local government's sphere of influence and the City Council has placed significant emphasis and funding in these areas through the allocation of CDBG and HOME Program funds.

Actions taken to reduce lead-based paint hazards .91.220(k);91.320(j)

In Lynchburg, approximately 85% of the homes built prior to 1978 contain some lead. Children, particularly those under the age of six, are at risk of lead poisoning if living or repeatedly being in a housing unit containing lead-based paint. Research suggests that lead poisoning has societal costs that include medical care, special education, behavioral problems, reduced long-term educational attainment, reduced long-term income attainment, increased criminal behavior, and increased hypertension in adolescents and adults.

In accordance with applicable requirements, lead-paint assessments, treatments, and/or clearances are conducted on each structure built prior to 1978 in which CDBG and HOME Program funds are expended. City staff provides subrecipients, through the written agreements, a copy of the lead-based paint regulations that are to be completed according to the scope of work for the various activities.

To protect against this risk, on April 22, 2008, EPA issued a rule requiring the use of lead-safe practices and other actions aimed at preventing lead poisoning. Under the rule, beginning April 22, 2010, contractors performing renovation, repair and painting projects that disturb lead- based paint in homes, child care facilities, and schools built before 1978 must be certified and must follow specific work practices to prevent lead contamination. Contractors are certified through the U. S. Environmental Protection Agency (EPA). This agency provides training programs across the State of Virginia and allows for contractors to submit their application or certification online.

As applicable, subrecipients are required to ensure that all contractors obtain the proper certification prior to completing a renovation or repair project utilizing CDBG and HOME Program funds.

Actions taken to reduce the number of poverty-level families.91.220(k);91.320(j)

Lynchburg continues to strive toward the mark of poverty reduction and increased median household income through civic engagement. Some of the goals are: Early education tutoring assistance, building a grocery store in an identified food desert, creating an alliance to increase affordable childcare options, improving kindergarten readiness, increasing affordable housing opportunities, developing easier access to health resources, implementing a community-subsidized transportation application, and revamping local public transportation. Each of these items require an immense level of engagement, collaboration and cooperation in which various community organizations focus on daily in their services and outreach.

Below are resource links that indicate the focus of the organization and the services that are provided to citizens to aid in the reduction of poverty for Lynchburg and the Central Virginia area.

Beacon of Hope: The purpose of Beacon of Hope is to instill in ALL Lynchburg City Public School students the aspiration to pursue AND to provide them with the tools and resources to attain a post-secondary education.

Central Virginia Community College - Workforce Solutions: The resource of choice for comprehensive employment and workforce education throughout the Lynchburg region.

Goodwill Industries of the Valleys: Goodwill Industries of the Valleys is dedicated to helping people with disabilities and disadvantages overcome barriers to employment.

Old Dominion Job Corps: Job Corps is the largest free residential education and job training program for young adults ages 16–24.

Lynchburg City Schools – Career Tech Program: Lynchburg City Schools offers a wide array of career-tech courses beginning in middle school.

Lynchburg Community Action Group Employment Training: Employment Training program offers training in job search skills, resume writing, certified nursing assistant training, medical technician training, and basic computer skills.

TechHire – Lynchburg Office of Economic Development and Tourism: TechHire provides a path to expand training opportunities that prepare under-skilled workers for careers in Lynchburg's middle and high skill jobs.

Virginia Career Works: The Workforce Development Center is co-located with the Virginia Employment Commission and offers a free assortment of career planning services.

Social Services and Juvenile Services: Lynchburg's division of Social Services administers Virginia's state-supervised, locally-administered public social services including federal, state and local public assistance and social work services programs.

Juvenile Services serves at-risk youth and families who are before a Juvenile and Domestic Relations Court by providing a continuum of assistance that include prevention, early intervention, residential services, home- based services, and secure detention.

Call 211: 2-1-1 is an easy to remember phone number connecting people with free information on available community services. When you dial 2-1-1, a trained professional listen to your situation and suggests sources of help using one of the largest databases of health and human services in Virginia.

Opportunity 360: Opportunity 360 is a comprehensive approach to understanding and addressing community challenges by identifying pathways to greater opportunities using cross-sector data, community engagement and measurement tools. With this insight, partners in community development will be better positioned to make smart investments and create collaborative solutions that transform communities across the country.

Lynchburg Feeds: Lynchburg Feeds is a campaign organized by the Blue Ridge Area Food Bank, in partnership with local partners and community advocates. Lynchburg Feeds is designed to help people find nonprofit food pantries and other food programs in the Lynchburg area. Food pantries provide groceries to people, free of charge.

Parkview Community Mission: Parkview's mission is to restore the lives of families and communities by building relationships and providing life-changing resources.

Central Virginia Addiction and Recovery Resources (CVARR): Central Virginia Addiction and Recovery Resources (CVARR) believes in the power of collaborative problem solving and grassroots efforts to solve our community's substance use challenges. By bringing organizations, and citizens from across sectors together, CVARR helps our community maximize resources, support, and solutions. With community support and interest, CVARR is positioned to become the lead resource for advancing community conditions, norms, systems and policies for substance use prevention, treatment and recovery in Central Virginia.

Horizon Behavioral Health: Horizon Behavioral Health is the premier provider of mental health, substance use and intellectual disability services in Central Virginia. Horizon's mission is to support and promote the health, independence and self-worth of individuals and families in Central Virginia by providing a continuum of community-based prevention, early intervention, aftercare, and psychosocial rehabilitation services for persons affected by mental health, intellectual disabilities, substance abuse and co-occurring disorders. Our vision is to provide behavioral healthcare services that are accessible, consumer-centered, cost effective, and quality outcome-based.

Groups Recover Together is an outpatient opioid use disorder treatment provider dedicated to delivering evidence-based addiction treatment. Everyone who joins Groups gets Suboxone from a doctor right away, so no one needs to worry about being sick. The team understands that simply replacing pills or heroin with Suboxone isn't the long-term answer. The agency does not just enroll people in treatment, they help members build a life worth being sober for.

Partnership for Healthy Communities: This agency's vision is to focus on a region in which long-lasting positive social change and optimal health outcomes are achieved through successful community collaborations. Be a driving a focus on equity while promoting: 1) successful collaboration; 2) resources and learning; and 3) leadership and governance practices for the organizations impacting the community. The foundation for this work includes five key conditions of the collective impact model. By encouraging a shared vision for change, measuring results, promoting mutually reinforcing activities, and ensuring consistent open communication among all stakeholders Partnership for Healthy Communities can build an engaged, inclusive, and vibrant community.

Actions taken to develop institutional structure. 91.220(k);91.320(j)

To minimize gaps and to ensure coordination of the Federal CDBG and HOME Program funds, as well as the City's General Fund, these funds continue to be overseen by several City committees, commissions, and City departments. The City Council, as the governing body of the City of Lynchburg, is responsible for all policy decisions and approves all City funding recommendations. Ultimately, funding for housing and non-profit providers is coordinated through City Council.

The coordinated entry system for the homeless used by the Central Virginia Continuum of Care (CVCoC) provides communication between area service providers to ensure people applying for services are not caught in gaps in program and funding limitations. Use of standard assessment tools helped align appropriate services with resources to fit personal needs. Through a network of case management, community-based support systems, financial and rent assistance, and Self-sufficiency opportunities, CDBG staff, and CVCoC service providers worked intensely with recipients and their sub-grantees to assure compliance.

City staff attended HUD trainings and webinars, and provided grant management, labor standards, environmental reviews, and project administration assistance to subrecipients to strengthen the overall performance and accomplishments for the CDBG and HOME Program.

Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k);91.320(j)

City staff uses its network of housing non-profit and community service organizations to deliver both Homeless and anti-poverty services. This network provides strong coordination at the local level with multiple federal, state and local housing and social service programs. These agencies provide direct service for key programs such as: child care, community and economic development, employment training, energy and weatherization assistance, food assistance, Head Start, housing, self-sufficiency programs and training, transportation, veteran's services, and senior and youth services.

A number of the non-profits and social service organizations/agencies are active participants in the Central Virginia Homeless Continuums of Care (CVCoC). This strong engagement with the CVCoC provides another avenue for developing strong partnerships with homeless and housing providers including, the public housing authority, domestic violence providers, and state, county and local social, health and education service providers.

Lynchburg Community Action Group's (Lyn-CAG) Housing Opportunities for People with Aids (HOPWA) program addresses poverty by providing decent, affordable housing to its clients, a major first step in financial stability. The HOPWA program staff provides educational counseling, needs assessment, case management, supportive services, and facilitates the support group for the HIV/AIDS clients. Staff maintains a partnership with the Infectious Disease Physicians in Lynchburg to provide the much-needed health and medical services for the HIV/AIDS clients. Lyn-CAG receives funding from the State Department of Housing and Community Development (DHCD), through its Virginia Housing Solutions Program (VHSP) to financially support this program.

Identify actions taken to overcome the effects of any impediments identified in the jurisdiction's analysis of impediments to fair housing choice. 91.520(a)

The City works to affirmatively further fair housing for Lynchburg's populations. In 2020, the City developed and finalized an Analysis of Impediments to Fair Housing Choice (AI). Based on the AI, the City developed a Fair Housing Action Plan (FHAP) that identified the impediments Lynchburg would focus on over the 2020-2024 Consolidated Plan period.

Addressing the impediments is a joint effort between the City and its housing and community organizations/agencies. Below are highlights of the impediments identified and the actions taken by the City and community partners during PY 2023 to address these impediments:

1. Impediment/Action - Barriers to housing choices for members of the protected class - The City should specify procedures, training, and monitoring process for implementing the Language Access Plan (LAP) to streamline services and better accommodate persons with limited English proficiency (LEP). This is especially important for when the LEP Spanish-speaking population reaches the safe harbor threshold.

- **Program Year 2023 Accomplishments** – City staff updated the Language Access Plan (LAP) in Program Year 2020, which included specific procedures, training, and monitoring process for the Plan to accommodate persons with limited English proficiency (LEP).

2. Impediment/Action - Location and type of affordable housing - The City and other local organizations continued to address the diverse housing needs for the City's various subpopulation, including students, low- and moderate-income households, persons with disabilities, and elderly persons.

- **Program Year 2023 Accomplishments** – There were three (3) low-to-moderate income household who purchased an affordable housing unit through down payment assistance with HOME Program funds. There were 31 new rental housing units completed during this program year. These units provide accessible, affordable housing for persons with disabilities and low-income households.

- Providing more housing in more areas across the City could increase the accessibility and affordability of housing in Lynchburg. While households in Lynchburg are almost evenly split between renters and homeowners, the average age of the community is in the early 30's, a demographic unable to afford homeownership and so rental choices and opportunities are needed. Along with the increased service industry sector in Lynchburg, affordable housing for families making $15.00/hour is seriously missing. Lynchburg Redevelopment and Housing Authority (LRHA) has decided and committed to a multi-phase project on its Dearington Public Housing property that will increase affordable housing options by over 50% when all phases are complete. LRHA continues to work with the City on vacant lots and properties going up for back taxes sales to renovate and bring back the neighborhood and add property value to the lower opportunity areas missing such CDBG and HOME investment.

3. Impediment/Action – Location and type of affordable housing - LRHA should expand Section 8 HCV Program to higher opportunity areas.

- **Program Year 2023 Accomplishments** - While the city has invested funds, such as CDBG and HOME, in higher opportunity areas in Fiscal Year (FY) 2024, challenges remain. These include a lack of public transit access and the fact that units in higher opportunity areas demand higher rents which are not affordable to participants, specifically those rents are higher than 120% of fair market rents. LRHA implemented several initiatives to address these issues, namely, a

Landlord Incentive Program and Landlord Orientation and Open House event to recruit new participants. The number of active landlords has increased nearly 20% in FY 2024. These activities, though modest, have demonstrated strong incentives to improve location outcomes. Although LRHA continues to reduce their share of voucher families living in extreme-poverty areas and increase the share in low-poverty, high-opportunity areas, many of LRHA families will choose to remain in their current neighborhood —to remain close to their job, family, or child care, for example — even if they face fewer barriers to moving to areas with more opportunities.

4. Impediment/Action – Location and type of affordable housing - The City should collaborate with local universities to ensure students are not competing with low- and moderate-income households for housing.

- **Program Year 2023 Accomplishments** – While there were no new on-campus units added during this program year, City staff has continuous conversations with local universities regarding housing for their students and the need to create on-campus housing.

5. Impediment/Action - Location of community assets - The City should collaborate with GLTC to improve access to GLTC routes in higher opportunity areas and employment centers in the City and for individuals working unconventional hours.

- **Program Year 2023 Accomplishments** - As a component of the Fair Housing Plan, the City of Lynchburg has committed to helping GLTC increase the breadth of service options by increasing service levels and expanding system reach to increase access to community assets including employment centers and higher performing schools. GLTC will deploy its Flex Microtransit service to replace the Route 6, 7, and weekend 6/7X fixed routes and allow for expansion of service to areas previously unable to be serviced by traditional fixed routes due to low density, low demand, or inability to navigate the road network in the first quarter of Fiscal Year (FY) 2025.

- GLTC in conjunction with the Central Virginia Planning District Commission (CVPDC) has developed an agreement for vanpool service which will allow for commuters to access subsidized vanpool services for commute and reverse commute employment. These services allow residents to vanpool to work in areas inside or outside of the City of Lynchburg, allowing for better employment opportunities while allowing people to remain in their current homes or seek housing in higher opportunity areas. Current vanpools travel to Fort Barfoot (Blackstone, VA), the Salem Veterans Affairs Center, the Mohawk Glasgow facility, as well as multiple other smaller employers who offer increased job opportunities.

- During the most current year of the plan, GLTC has not undertaken any new stop additions in the system. Currently GLTC has 791 stops throughout the system, while comparable systems have ~300 stops. As such, in the Transit Strategic Plan (TSP), the addition of new system stops was not proposed unless required due to new or substantially altered service.

- While there have been no service changes in FY 2024, anticipated changes in FY 2025 include Flex Microtransit service and service alterations to support planned development in Madison GLTC will be evaluating the results of the Microtransit project and will be determining if there are additional areas of the GLTC service area where Microtransit may be deployed to increase the access to transit services without the need to create additional infrastructure and to allow for access to areas previously inaccessible to larger transit vehicles.

- As a component of the Transportation Strategic Plan (TSP), GLTC has focused on bringing currently existing stops, benches, and shelters up to the current Americans with Disabilities Act (ADA) standards. This will require upgrades to:
    - 11 GLTC owned shelters;
    - Additional shelters will also need to be upgraded, but are not owned by GLTC;
    - 250 stops to meet ADA accessibility requirements; and
    - 286 requiring ADA accessible sidewalks improvements.

- GLTC has been awarded funds for three replacement shelters to be installed at Central Virginia Community College and Wal-Mart on Wards Rd. This project will be the start of a multi-year process to replace shelters that have reached the end of their useful life. This will include ADA accessibility changes to the shelter at Wal-Mart to allow for better access and control stormwater runoff.

- GLTC deployed a new vehicle tracking system as well as a mobile fare payment system in FY 2024. These systems allow for better trip planning and more accurate information dissemination to customers while also removing some of the barriers to infrequent transit use as the mobile fare collection will allow for fare capping and mobile ticket sales, along with the existing cash sales, to allow customers to ride without having first purchased a period pass prior. Thirteen stops are identified for the installation of eInk digital signage with ten of these completed in FY 2024.

- GLTC helped CVPDC and City of Lynchburg staff to initiate the process to begin a Transit Oriented Development study on the 12th Street Corridor. As GLTC moves forward with the strategic goals set by the Board of Directors and the TSP, a focus on increased connections and improvements to existing infrastructure will be the key focus for FY 2025.

6. Impediment/Action – Location of community assets - The City and local service providers should centralize public services in locations with good transit access and high concentration of members of protected classes.

- **Program Year 2023 Accomplishments** - During this program year, the public service providers who received funding and provided services as a result of the Community Development Block Grant (CDBG) and CARES Act fund are located within locations serviced by public transportation.

7. Impediment/Action – Discriminatory behavior toward members of the protected class - The City should continue supporting fair housing services, such as housing counseling from Lyn-CAG and legal counseling from VLAS, to reduce rates of eviction, mortgage application denials, high-cost lending, and other discriminatory practices.

- **Program Year 2023 Accomplishments** –In this reporting period, July 1, 2023, and June 30, 2024, Lynchburg Community Action Group (Lyn-CAG) staff collaborated with 38 participants who enrolled in the agency-sponsored First Time Homebuyers program.

- Additionally, staff assisted four (4) distinct individuals who sought Mortgage Foreclosure counseling through Lyn-CAG. These individuals have been provided with information and resources to assist them in navigating the process of purchasing their first home. They have been educated on a range of subjects including financial management, credit, lender exploration, mortgages, home inspections, and the loan process. Those seeking mortgage default/foreclosure counseling have also received support in money management, credit improvement, and accurately completing borrowers' assistance packages.

- A Fair Housing Workshop took place at Lynchburg Community Action Group on April 18, 2024, with 14 attendees. Guest speakers from Housing Opportunities Made Equal of Virginia in Richmond, Virginia, were present at the event. The fair housing seminar involved engaging in discussions with prominent community figures on topics including rental discrimination and eviction statistics in Lynchburg. We also explored potential sources of funding for the city and strategies for educating our clients on fair housing rights.

City staff includes the Equal Housing Opportunity Logo on all published public notices for the CDBG and HOME Program.

In April 2024, City staff published a public notice in the local newspaper for the Fair Housing Month. The notice provided contact information in the event someone wanted or needed to file a housing discrimination complaint and advised of the availability of a brochure explaining the fair housing rights.

In addition, City staff placed several social media advertisements on Facebook, Instagram, and LinkedIn including the following topics related to fair housing: Sexual Orientation and Gender Identity; Race and National Origin; Race; Sexual Harassment; and Disability.

CR-40 – Monitoring 91.220 and 91.230

Describe the standards and procedures used to monitor activities carried out in furtherance of the plan and used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

The Grants Administration Office is responsible for monitoring programs that receive CDBG and HOME Program funds. A subrecipient agreement is prepared for all agencies outside of the local government. This agreement contains the required HUD applicable statutory and regulatory requirements.

Monitoring of projects is done in several ways. First, subrecipients are typically reimbursed for expenses rather than provided funds in advance. The City requires receipts, time sheets, and other relevant documentation with the reimbursement request. Also, subrecipients are required to submit quarterly performance reports, which are reviewed for consistency with the City's programs and financial records.

During this reporting period, the City's Monitoring Policy was to conduct annual subrecipient on-site monitoring visits for the funded, non-profit agencies. These monitoring visits were conducted by the Grants Administration and Finance Department staff. At the on-site monitoring visits for the housing projects, a random selection of address files was reviewed for program compliance. For all other projects a visual inspection was made of the various accomplishments completed with program funds and a narrative submitted on the benefits for low and low-to- moderate-income persons. There is a monitoring checklist that is completed at the time of the review and then summarized. The financial reviews include a selection of reimbursements from the City. The reimbursements are traced through receipt and disbursement of funds. When all staff has completed their reviews the monitoring comments are compiled and a letter written to the agencies advising them of the results of the monitoring reviews and if any corrective action is needed. Technical assistance is provided as needed or requested.

In addition, the various CDBG and HOME Program activities are monitored remotely through quarterly performance reports and information provided with reimbursement requests.

The City has conducted on-site monitoring visits at the following agencies for PY 2023 CDBG, CDBG-CV, and HOME prior years' rental development funded projects:

CDBG/HOME	CDBG-CV
1. Greater Lynchburg Habitat for Humanity	1. Lynchburg Community Action Group (Lyn-CAG)
2. Miriam's House	2. Interfaith Outreach Association
3. Lynchburg Redevelopment and Housing Authority	
4. Community Housing Partners	
5. Lynchburg Covenant Fellowship	
6. Rush Homes	
7. Lynchburg Parks and Recreation Department/Boy Scouts of America (Blue Ridge Mountains Council)	

City staff reviewed written agreements, agency procedures, and client records with each monitoring source. The written monitoring reports will be provided to the agencies upon completion by City staff.

Citizen Participation Plan 91.105(d); 91.115(d)

Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports.

The City's Citizen Participation Plan (CPP) adopted by City Council on May 12, 2020 states that in order to comply with 24 CFR Part 91.105(d) and provide citizens a reasonable notice and opportunity to comment on performance reports for the submission of the Consolidated Annual Performance Report (CAPER) the following is the public process stated in the CPP that will be followed to provide the opportunity for citizen participation:

A public notice in the local newspaper will provide the 15-day public review period and City Council public hearing date by publishing a short summary of the CAPER. This summary will briefly describe the contents and purposes of the CAPER. The notice will include the locations where copies of the CAPER can be reviewed. Copies of the CAPER will be available to the public, upon request, in the Grants Administration Office as well as at the City's web site: www.lynchburgva.gov/grants-administration.

After adoption, the City will attach to the CAPER a summary of any written or oral comments received during the public review period, including the public hearings. If the City does not incorporate a recommendation from the public, the City will attach reasons why that recommendation was not included when the CAPER is sent to the United States Department of Housing and Urban Development (HUD). The City will send the CAPER to HUD for review and approval.

On September 6, 2024, a public notice was published in the News and Advance stating that a draft of the proposed Program Year 2022 Consolidated Annual Performance Report (CAPER) was available for public review for a 15-day public comment period.

The draft report provided citizens with details concerning the federal funds made available to the City for furthering the objectives of the 2020-2024 Consolidated Plan. The CAPER report includes the following: resources available to the City; investment of those resources, the geographic distribution and location of investments; number of families and persons assisted (including the racial and ethnic status of persons assisted); actions taken to affirmatively further fair housing; evaluation of other actions and activities, such as infrastructure projects, indicated in the strategic plan of the Consolidated Plan and the Annual Action Plan; evaluation of the jurisdiction's progress in meeting its specific objectives of providing affordable housing, including the number and types of families served; and a summary of any written comments or views received from citizens regarding the City-funded programs and performance as well as any oral testimony at public hearings for City-funded programs and performance.

The advertisement stated that City Council would be conducting a public hearing on September 24, 2024 to receive public comments regarding the draft CAPER.

In addition to the 15-day public comment period and the public hearing held by City Council, copies of the draft CAPER were made available for public review at the following locations:

- Grants Administration Office, City Hall, Second Floor, 900 Church Street, Lynchburg, Virginia 24504;-
- Lynchburg Public Library, 2311 Memorial Avenue, Lynchburg, Virginia;

- Downtown Branch Library, 216 12th Street (former Visitor Center) Lynchburg, VA; and
- City website at: http://www.lynchburgva.gov/grants-administration

The draft report provided citizens with details concerning the federal funds made available to the City for furthering the objectives of the Consolidated Plan. The report also identified the total amount of funds available (including program income), the total amount of funds expended during the reporting period, and the geographic distribution of expenditure of funds within the various census tracts.

Citizen Comments- A public hearing will be held on September 24, 2024. Any comments received during the public hearing will be incorporated into the final report.

CR-45 - CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

There were no changes in the City's program goals and objectives during the program year. Activities were consistent with the goals specified in the 2020-2024 Consolidated Plan.

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants? [BEDI grantees] Describe accomplishments and program outcomes during the last year.

- In the fall of 2023, Governor Youngkin announced that the Economic Development Authority of the City of Lynchburg had received a $500,000 grant through the Mixed Use on Main program. This grant was used to assist in the revitalization of the former A&P Grocery at 400 12th Street, which is the intersection of Downtown and the historic Diamond Hill Neighborhood. The project will consist of 28 housing units, and 2-3 retail spaces on the bottom floor.
- The Diamond Hill Neighborhood Plan was started in 2023, with quarterly stakeholder and community public meetings. These meetings serve to inform the plan, which will make recommendations for future land use and economic improvement to the neighborhood and the 12th Street corridor.
- The former Kirkley Hotel did a complete renovation into the newly named Bella Vista. The hotel boasts new interior and exterior updates and modifications, along with a renovated pool, restaurant and bar, and multiple conference and ballrooms. This space is being utilized by events such as the Commonwealth Games, Miss Virginia Volunteer, and the 50th anniversary of the Virginia 10-Miler this fall.
- Riverfront Park project was approved by City Council in 2023; the project was begun in 2024 and should be complete in summer of 2025. This project will include a new performance amphitheater, public restrooms, playground and other amenities for public use of the park, providing for future development as well as continue to drive the tourism industry in the City.
- Main street revitalization continued in 2023, including updated streetscapes, 2-way streets and updated infrastructure. City of Lynchburg Public Works also completed much needed infrastructure projects along the 12th Street, 5th Street and downtown corridors, with the installation and rehabilitation of retaining walls. Parks and Recreation repaired a bridge on the Blackwater Creek Trail System that had been washed out in the flood of 2018 and utilized CBDG funding to create a new trail connector and bridge on the trail system. The Lynchburg Economic Development Authority (EDA) received a $500,000 Assessment and Planning Grant award from USEPA in the Fall of 2022 to perform environmental site assessments, cleanup and redevelopment planning among other efforts towards redevelopment of Brownfields in the City of Lynchburg. This is the 3rd such award to the EDA/City and a testament to the exceptional success of the program and the EPA's and VDEQ's recognition of it.

- To date, the City has received **more than $1.2 Million in Brownfields Assessment, and Cleanup and Redevelopment Planning Grants from EPA**.
- To date, the City has received **more than $315,000 in Brownfields Assessment, and Cleanup and Redevelopment Planning VBAF Grants from VEDP/DEQ.**
- During the last year, the City completed various administrative activities including consultant selection, past and ongoing programmatic reporting to USEPA, expansion and review of brownfields inventory, internal reviews of target brownfields sites, prioritization and selection of sites for investment of the grant funds, completion of multiple Phase I environmental site assessments on two blocks of target brownfields properties in the City that are in various stages of redevelopment, planning for Phase II environmental site assessment on one property, programmatic document preparation and approval from USEPA (e.g., Quality Management Plan, Quality Assurance Project Plan), community outreach and brownfields redevelopment outreach and planning **including hosting and a presentation by Marjette Upshur at the 2024 Virginia Brownfields Conference in Lynchburg, VA**, hosted by VDEQ in partnership with other state agencies including DMME and VEDP.
- Focused highlights of the City/EDA's investment of previous EPA Brownfields grant funds in the Dearington and White Rock Hill/Tyreeanna neighborhood include the following. More such efforts are planned for sites in these neighborhoods under the current EPA Brownfields grant cycle, 2023-2025.
  - Dearington Apartments – Phase I and II Environmental Site assessments including additional targeted evaluation of waste disposal in the vicinity of the property and gas migration evaluations, in support of planned redevelopment/improvements.
  - Assistance with Jefferson Park redevelopment and vicinity sites including Dearington Tennis Courts/sports facilities improvements- Phase I and targeted Phase II Environmental assessments to support planned redevelopment.
  - Various Assistance with Dearington Neighborhood (Redevelopment) Plan.
  - Dearington Elementary School Kickball field and Pavilion – development planning assistance
  - Former Materials storage site in Dearington neighborhood on Pulaski Avenue- Phase I Environmental site assessment
  - Other sites in the vicinity of Dearington including a former fuel storage and distribution site on Langhorne Road- Phase I and II Environmental site assessments.
  - White Rock Hill neighborhood - sites associated with the former Intermet Foundry on Concord Turnpike and the building on 1800 Garnet Street aka Garnet Street Warehouse-structural and reuse assessments, redevelopment plan and Phase I and II Environmental site assessments.

CR-50 - HOME 91.520(d)

Include the results of on-site inspections of affordable rental housing assisted under the program to determine compliance with housing codes and other applicable regulations

Please list those projects that should have been inspected on-site this program year based upon the schedule in §92.504(d). Indicate which of these were inspected and a summary of issues that were detected during the inspection. For those that were not inspected, please indicate the reason and how you will remedy the situation.

During Program Year 2023, the rental housing inspections completed by the nonprofit recipients were as follows:

Community Housing Partners (CHP) completed annual inspections in the five (5) apartments at 1402 Fillmore Street (Hilltop Homes) and an annual inspection at 714 Madison Street.

Rush Homes conducted annual inspections in the HOME rental housing units located at Victoria Ridge, Armstrong Place, and Old Forest Village Apartments. In addition, as clients vacate properties, inspections are conducted prior to new clients occupying the units.

Lynchburg Covenant Fellowship conducted annual inspections in both of the HOME-assisted rental units at Lynchburg High and Frank Roane Apartments.

Provide an assessment of the jurisdiction's affirmative marketing actions for HOME units. 92.351(b)

The City of Lynchburg requires HOME Program recipients, who develop more than five rental housing units, to submit affirmative marketing plans. The City monitors HOME rental housing projects annually to ensure that projects are following affirmative marketing policies and meet minimum housing quality standards. Those agencies that submitted affirmative marketing plans included: Rush Homes for Victoria Ridge, Armstrong Place and Old Forest Village Apartments; Lynchburg Covenant Fellowship for Lynchburg High and Frank Roane Apartments; and CHP for Hilltop Homes. Each of these plans was following HUD guidelines for affirmative marketing plans.

Refer to IDIS reports to describe the amount and use of program income for projects, including the number of projects and owner and tenant characteristics

There was no program income for the HOME Program in PY 2023.

Describe other actions taken to foster and maintain affordable housing. 91.220(k) (STATES ONLY: Including the coordination of LIHTC with the development of affordable housing). 91.320(j)

Housing Choice Voucher funds: The Lynchburg Redevelopment and Housing Authority (LRHA) administers the U.S. Department of Housing and Urban Development (HUD) Housing Choice Voucher Program (HCV) for the City of Lynchburg jurisdiction and may provide rent subsidies for up to 979 households. LRHA will receive approximately $7,484,779.00 in HCV funding for Calendar Year (CY) 2025. The HCV is the Federal government's major program for assisting very low-income families, the elderly, and the disabled to afford decent, safe, and sanitary housing in the private market. Since housing assistance is provided on behalf of the family or individual, participants are able to find their own housing, including single-family homes, townhouses and apartments.

AGENDA ITEM SUMMARY

MEETING DATE	PRESENTED BY
September 10, 2024	Donna Witt, Chief Financial Officer

AGENDA ITEM # IV.7

FY 2024 Fourth Quarter and FY 2025 First Quarter Adjustments

RECOMMENDATION

City Council will consider this item at its regular meeting on September 24, 2024 following a Public Hearing. Following a public hearing, adopt a resolution amending the FY 2024 Operating Budgets appropriating funds to reflect the FY 2024 Fourth Quarter Adjustments as listed in Attachment A.

Adopt a resolution amending the FY 2025 Operating and Capital Budgets and appropriating or rescinding funds to reflect the FY 2025 First Quarter Adjustments as listed in Attachment B and that the City Council salaries be aligned to the requirements of Lynchburg City Code Sec. 2-16.1 effective July 1, 2024.

SUMMARY

The General, City/Federal/State Aid, Children's Services Act (CSA), Fleet Services, as well as the Schools Capital Projects and Water Capital Projects Funds are amended to reflect the FY 2024 Fourth Quarter Adjustments.

The General, City/Federal/State Aid, Community Development Block Grant (CDBG), Forfeited Assets, Home Investment Partnerships Program (HOME), Regional Juvenile Detention Center, Technology, Fleet Services, as well as the City Capital Projects and Airport Capital/Grant Projects Funds are amended to reflect the FY 2025 First Quarter Adjustments.

Lynchburg City Council salaries are proposed to be increased to align with Lynchburg City Code Sec. 2-16.1 effective July 1, 2024. In December 2019, by adopting Lynchburg City Code Sec. 2-16.1, the City Council set its salaries at $14,000 per member, per year and $16,000 for the mayor, per year beginning July 1, 2020. However, because of budget uncertainties associated with the COVID-19 Pandemic, the City Council maintained its salaries at $10,000 per member, per year and $12,000 for the mayor, per year beginning July 1, 2020 as part of the FY 2021 Adopted Budget. Now that the said pandemic has passed, and the economy has stabilized, the City Code should be followed.

PRIOR ACTION(S)

May 23, 2023: City Council, Adoption of the FY 2024 Operating Budget
June 13, 2023: City Council, Adoption of the FY 2024 Capital Budget
October 10, 2023: City Council, FY 2024 First Quarter Adjustments adoption
May 28, 2024: City Council, Adoption of the FY 2025 Operating and Capital Budgets

June 11, 2024: City Council, Adoption of the FY 2025 Schools Operating Budget
June 25, 2024: City Council, FY 2024 Third Quarter Adjustments adoption

FISCAL IMPACT

As noted on Attachments A and B.

CONTACT(S)

Donna Witt, Chief Financial Officer

ATTACHMENT(S)

1. FY 2024 Fourth and FY 2025 Fourth Quarter Adjustments BIB Presentation 091024
2. Attachment A - FY 2024 Fourth Quarter Adjustments
3. Attachment B - FY 2025 First Quarter Adjustments
4. RESOLUTIONS FY 2024 Fourth Quarter and FY 2025 First Quarter Adjustments

REVIEWED BY

D. S. Witt

Donna Witt, Chief Financial Officer — Date: September 04, 2024

Gregory Patrick, Deputy City Manager — Date: September 05, 2024

Alicia L. Finney

Alicia Finney, Clerk of Council — Date: September 05, 2024

FY 2024 FOURTH QUARTER AND FY 2025 FIRST QUARTER ADJUSTMENTS

September 10, 2024 Business Item Briefing

September 24, 2024 Public Hearing

These adjustments are to
Clean up FY 2024 YEAR END,
Complete FY 2024 PROJECTS,
or appropriate additional funds received for FY 2025

FY 2024 FOURTH QUARTER ADJUSTMENTS

General Fund

- Required local funding for the Children's Services Act Payment to cover FY 2024 expenses
- Additional State Aid revenue from the Library of Virginia
- Transfer remaining International Festival sponsorship funds to City/Federal/State/Aid Fund

City/Federal/State Aid Fund

- Additional funds awarded for the Forest Sustainability Fund grant
- Funds awarded from the State Supreme Court for Statewide Universal Drug Testing
- Additional revenues received for special events

Children's Services Act (CSA) Fund

- Additional revenue for foster care maintenance and childcare, special education, and residential placements FY 2024 expenses

Water Capital Projects Fund

- Funds awarded by the Virginia Department of Health to fund inventory of lead service lines and replacement of lead service lines

Fleet Services Fund

- Use of reserves to cover cost of replacement vehicles due to inflation

THE CITY OF LYNCHBURG

FY 2025 FIRST QUARTER ADJUSTMENTS

Additional General Fund DEDICATED REVENUE:

- July 2024 3% State increase for Constitutional Offices ($220,017)
  - Requires use of Unassigned General Fund Balance ($28,538)
- Human Services – Social Services
  - Adoption Incentive ($6,000)
  - Adult Protective Services Covid ($34,380)
  - Fatherhood Engagement ($12,500)
  - IV-E Prevention Services ($20,000)
  - Refugee Resettlement ($8,172)
  - Surge Overtime Medicaid Unwinding ($28,000)
  - One new full-time position utilizing existing VIEW funds ($0)
- Library additional State Aid from the Library of Virginia ($17,610)

THE CITY OF LYNCHBURG

FY 2025 FIRST QUARTER ADJUSTMENTS

General Fund use of Remaining Funds (carry forward):

- Parks and Recreation maintenance for the spray ground and splash pad and new registration software and associated hardware ($59,254)
- Police Department purchase two K-9s, train officers, and purchase two K-9 vehicles; replace laptops purchased with CARES funding; for Emergency Communications update CAD Console, replace server, radio monitoring system, add security with card access and perimeter fencing and gate; Range carry forward additional funds ($1,238,830)
- Public Works purchase a vehicle for the Assistant Director of Public Works position ($40,000)
- Transfer from General Fund to City/Federal/State Aid Fund for additional funds for the Arts and Cultural grant ($97,387)

THE CITY OF LYNCHBURG

FY 2025 FIRST QUARTER ADJUSTMENTS

General Fund use of Unassigned General Fund Balance:

- To align City Council salaries to code (Lynchburg City Code Sec. 2-16.1) effective July 1, 2024.

  In December 2019, by adopting Lynchburg City Code Sec. 2-16.1, the City Council set its salaries at $14,000 per member, per year and $16,000 for the mayor, per year beginning July 1, 2020. However, because of budget uncertainties associated with the COVID-19 Pandemic, the City Council maintained its salaries at $10,000 per member, per year and $12,000 for the mayor, per year beginning July 1, 2020 as part of the FY 2021 Adopted Budget. Now that the said pandemic has passed, and the economy has stabilized, the City Code should be followed. ($30,142)
- Human Resources for consulting services to adjust pay structures to account for the new overtime requirements per the Department of Labor final rule ($50,000)

General Fund use of Reserve balance:

- Transfer to Technology Fund for additional projects due to policy ($106,911)
- Transfer to City Capital Projects Fund - appropriate funds from the Public Safety Building Reserve for the Police Headquarters project ($3,626,422)

THE CITY OF LYNCHBURG

FY 2025 FIRST QUARTER ADJUSTMENTS

Other Funds:

- City/Federal/State Aid Fund - additional grant funding
- Community Development Block Grant (CDBG) Fund - additional grant funding
- Forfeited Assets Fund - appropriate funds received
- Home Investment Partnerships Program (HOME) Fund - rescind grant funding
- Regional Juvenile Detention Center Fund - additional funding for workers' compensation payment
- Technology Fund - additional projects
- City Capital Projects Fund - additional/rescinding funding for projects - majority awarded by VDOT
- Airport Capital/Grant Projects Fund - additional funding for projects
- Fleet Services Fund - use of reserves due to inflation for the purchase of vehicles and increase in costs to install the heavy-duty lift

THE CITY OF LYNCHBURG

ATTACHMENT A

FY 2024 Fourth Quarter Adjustment
SUMMARY BY FUND

	Expenditures	Additional Revenues	Transfer or Use of Committed/ Assigned/ Unassigned Fund Balance
GENERAL FUND	356,081	124	355,957
CITY/FEDERAL/STATE AID FUND	27,961	27,961	0
CHILDREN'S SERVICES ACT (CSA) FUND	1,290,000	1,290,000	0
SCHOOLS CAPITAL PROJECTS FUND	378,223	378,223	0
WATER CAPITAL PROJECTS FUND	1,475,000	1,475,000	0
FLEET SERVICES FUND	24,057	0	24,057
TOTALS	**$3,551,322**	**$3,171,308**	**$380,014**

Department/Division	Amount	Source of Funding: Additional Revenues	Source of Funding: Transfer or Use of Committed/ Assigned/ Unassigned Fund Balance	Purpose
GENERAL FUND				
Human Services	350,485		350,485	Appropriate additional funding for the Children's Services Act Payment.
Library	124	124		Appropriate additional State Aid revenue from the Library of Virginia.
TRANSFERS				
Transfer to City/Federal/State Aid Fund from General Fund	5,472		5,472	*Transfer to City/Federal State Aid Fund from General Fund* to appropriate sponsorship funds for the International Festival.
GENERAL FUND Total	**356,081**	**124**	**355,957**	
CITY/FEDERAL/STATE AID FUND				
City Assessor	18	18		Appropriate funds awarded for the Forest Sustainability Fund grant.
Circuit Court Adult Recovery Court	15,129	15,129		Appropriate funds awarded from the State Supreme Court for Statewide Universal Drug Testing.
Economic Development	7,342	7,342		Appropriate additional revenues received for special events.
Transfer to City/Federal/State Aid Fund from General Fund	5,472	5,472		*Transfer to City/Federal State Aid Fund from General Fund* to appropriate sponsorship funds for the International Festival.
CITY/FEDERAL/STATE AID FUND Total	**27,961**	**27,961**	**0**	
CHILDREN'S SERVICES ACT (CSA) FUND				
Human Services	1,290,000	1,290,000		Appropriate additional revenue for foster care maintenance and childcare, special education, and residential placements.
CHILDREN'S SERVICES ACT (CSA) FUND Total	**1,290,000**	**1,290,000**	**0**	
SCHOOLS CAPITAL PROJECTS FUND				
Schools	278,223	278,223		Appropriate funds awarded from the Safer Communities grant.
Schools	100,000	100,000		Appropriate funds awarded from the School Construction Assistance Program (SCAP) grant for the Paul Laurence Dunbar Middle School for Innovation project.
SCHOOLS CAPITAL PROJECTS FUND Total	**378,223**	**378,223**	**0**	

Department/Division	Amount	Source of Funding: Additional Revenues	Source of Funding: Transfer or Use of Committed/ Assigned/ Unassigned Fund Balance	Purpose
WATER CAPITAL PROJECTS FUND				
Water Capital	1,475,000	1,475,000		Appropriate funds awarded by the Virginia Department of Health to fund inventory of lead service lines and replacement of lead service lines. This funding package consists of a $775,000 loan from Virginia Resource Authority for a term of 20 years at a rate of 1% and principal forgiveness of $700,000. *Environmental Protection Agency (EPA) published revisions to Lead and Copper Rules requiring all water utilities in the United States to identify lead sources in the water system by October 16, 2024 and establish a plan to eliminate all sources of all lead in the water supply system.*
WATER CAPITAL PROJECTS FUND Total	**1,475,000**	**1,475,000**	**0**	
FLEET SERVICES FUND				
General Fund	18,833		18,833	Appropriate additional funds from the reserve due to inflation for the purchase of vehicles.
Sewer Line Maintenance	5,224		5,224	Appropriate additional funds from the reserve due to inflation for the purchase of vehicles.
FLEET SERVICES FUND Total	**24,057**	**0**	**24,057**	

ATTACHMENT B

FY 2025 First Quarter Adjustment
SUMMARY BY FUND

	Expenditures	Additional Revenues	Transfer or Use of Committed/ Assigned/ Unassigned Fund Balance
GENERAL FUND	5,595,625	318,141	5,277,484
CITY/FEDERAL/STATE AID FUND	218,157	218,157	0
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUND	13,779	13,779	0
FORFEITED ASSETS FUND	43,183	0	43,183
HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) FUND	(75,309)	(75,309)	0
REGIONAL JUVENILE DETENTION CENTER FUND	45,000	45,000	0
TECHNOLOGY FUND	75,625	106,911	(31,286)
CITY CAPITAL PROJECTS FUND	10,420,474	10,420,474	0
AIRPORT CAPITAL/GRANT PROJECTS FUND	4,941,976	4,941,976	0
FLEET SERVICES FUND	13,046	0	13,046
TOTALS	$21,291,556	$15,989,129	$5,302,427

Department/Division	Amount	Source of Funding: Additional Revenues	Source of Funding: Transfer or Use of Committed/ Assigned/ Unassigned Fund Balance	Purpose
GENERAL FUND				
Circuit Court Clerk's Office	30,235	7,277	22,958	Appropriate additional State revenue for the approved State salary increase and additional City funds needed to cover expenditures above State reimbursement.
City Council	30,142		30,142	Appropriate funds to align City Council salaries to code. City Council salaries to code (Lynchburg City Code Sec. 2-16.1) effective July 1, 2024. *In December 2019, by adopting Lynchburg City Code Sec. 2-16.1, the City Council set its salaries at $14,000 per member, per year and $16,000 for the mayor, per year beginning July 1, 2020. However, because of budget uncertainties associated with the COVID-19 Pandemic, the City Council maintained its salaries at $10,000 per member, per year and $12,000 for the mayor, per year beginning July 1, 2020 as part of the FY 2021 Adopted Budget. Now that the said pandemic has passed, and the economy has stabilized, the City Code should be followed.*
Commissioner of the Revenue	4,835	4,835		Appropriate additional State revenue for the approved State salary increase.
Commonwealth's Attorney	101,344	101,344		Appropriate additional State revenue for the approved State salary increase and additional City funds needed to cover expenditures above State reimbursement.
Commonwealth's Attorney - Fines and Fees	1,792		1,792	Appropriate additional City funds for the approved State salary increase.
Human Services	6,000	6,000		Appropriate additional federal revenue for Adoption Incentive.
Human Services	34,380	34,380		Appropriate additional federal revenue for Adult Protective Services Covid.
Human Services	12,500	12,500		Appropriate additional federal revenue for Fatherhood Engagement.
Human Services	20,000	20,000		Appropriate additional State and federal revenue for IV-E Prevention Services.
Human Services	8,172	8,172		Appropriate additional federal revenue for Refugee Resettlement.
Human Services	28,000	28,000		Appropriate additional State and federal revenue for Surge Overtime Medicaid Unwinding.
Human Services	0		0	Funding was appropriated for VIEW in the Adopted FY 2025 budget. The funding included a full-time position that was not included in the FTE count for FY 2025. This request is to add one full-time position no additional funding needed.

FY 2025 First Quarter Adjustment Details

ATTACHMENT B

Department/Division	Amount	Source of Funding: Additional Revenues	Source of Funding: Transfer or Use of Committed/ Assigned/ Unassigned Fund Balance	Purpose
Human Resources	50,000		50,000	Appropriate funds for consulting services to adjust pay structures to account for the new overtime requirements per the Department of Labor final rule.
Library	17,610	17,610		Appropriate additional State Aid revenue from the Library of Virginia.
Parks and Recreation	59,254		59,254	Appropriate remaining funds to replace current chemical monitoring and feed system for the spray ground at Riverside Park ($8,720), install UV lamp system to the splash pad at Riverside Park for higher water quality ($28,134), and the initial payment for purchasing and installing new recreation registration software and associated hardware ($22,400).
Police Department	140,000		140,000	Appropriate remaining funds to purchase two vehicles: a Co-Responder and a K9 unit.
Police Department	60,000		60,000	Appropriate remaining funds to purchase and train two Canine Officers.
Police Department	135,000		135,000	Appropriate remaining funds to purchase replacement laptops that were originally purchased with CARES Grant funding; replacement responsibility falls on the LPD.
Police Department - Emergency Communications	147,000		147,000	Appropriate remaining funds to update the CAD Console, Firewall/IPS, Wireless Access Points, Backup solutions, Training Laptops (3) and radio monitoring system. Addition of Card access system to make building/site compliant with other city buildings.
Police Department - Emergency Communications	725,942		725,942	Appropriate remaining funds to replace and expand the camera system, window security film, Stratus server replacement, replacement of 2 servers, 4 training consoles and related equipment. Addition of perimeter security fencing and gate.
Police Department - Emergency Communications	23,072		23,072	Appropriate remaining funds for contractual services with Central square to rehost CAD and associated services.
Police Department - Range	7,816		7,816	Appropriate remaining funds and revenues received over adopted budget to be used for FY 2025 firing range purposes.
Public Works	40,000		40,000	Appropriate remaining funds to purchase a compact SUV for the Assistant Director of Public Works position.
Registrar and Electoral Board	5,990	2,202	3,788	Appropriate additional funds for the approved State salary increase and increased stipends.

Department/Division	Amount	Source of Funding: Additional Revenues	Source of Funding: Transfer or Use of Committed/ Assigned/ Unassigned Fund Balance	Purpose
Sheriff's Office	72,103	72,103		Appropriate additional State revenue for the approved State salary increase.
Treasurer	3,718	3,718		Appropriate additional State revenue for the approved State salary increase.

TRANSFERS

Transfer to City/Federal/State Aid Fund from General Fund	97,387		97,387	*Transfer to City/Federal State Aid Fund from General Fund* to appropriate the amount collected from a percentage of Amusement Tax in the Arts and Cultural District that relates to the Arts Grant.
Transfer to Technology Fund from Information Technology General Fund	106,911		106,911	*Transfer to Technology Fund from General Fund* of non-personnel unexpended funds to the Technology Fund per June 2000 Council approved Information Technology Policy.
Transfer to City Capital Projects Fund from the General Fund - Public Safety Building Reserve	3,626,422		3,626,422	*Transfer to City Capital Projects Fund from the General Fund - Public Safety Building Reserve* to appropriate funds for the Police Headquarters project.
GENERAL FUND Total	**5,595,625**	**318,141**	**5,277,484**	

Department/Division	Amount	Source of Funding: Additional Revenues	Source of Funding: Transfer or Use of Committed/ Assigned/ Unassigned Fund Balance	Purpose
CITY/FEDERAL/STATE AID FUND				
Commonwealth's Attorney	26,114	26,114		Appropriate additional funds for the Victim Witness Program.
Commonwealth's Attorney	45,000	45,000		Appropriate additional funds for the Virginia Sexual and Domestic Violence Victim Funds grant including funds to continue supplemental funding for a full-time position not included in the Adopted FY 2025 budget.
Economic Development	97,387	97,387		*Transfer to City/Federal State Aid Fund from General Fund Operating Fund* to appropriate additional revenue received above the budgeted amount compared to collected from a percentage of Amusement Tax in the Arts and Cultural District that relates to the Arts Grant true up FY 2024.
Fire	1,741	1,741		Appropriate additional funds received for FY 2025 EMS 4-for-Life.
Fire	44,915	44,915		Appropriate additional funds received for FY 2025 Fire Funding Entitlement.
Information Technology	3,000	3,000		Appropriate funds awarded for the FY 2025 Enterprise GIS software PSAP grant.
CITY/FEDERAL/STATE AID FUND Total	**218,157**	**218,157**	**0**	
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUND				
Community Development	13,779	13,779		Appropriate additional funds to reflect the final HUD allocation of federal entitlement funds for FY 2025.
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUND Total	**13,779**	**13,779**	**0**	
FORFEITED ASSETS FUND				
Commonwealth's Attorney	19,031		19,031	Appropriate Asset Forfeiture revenues received in FY 2024.
Police Department	24,152		24,152	Appropriate Asset Forfeiture revenues received in FY 2024.
FORFEITED ASSETS FUND Total	**43,183**	**0**	**43,183**	

Department/Division	Amount	Source of Funding: Additional Revenues	Source of Funding: Transfer or Use of Committed/ Assigned/ Unassigned Fund Balance	Purpose
HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) FUND				
Community Development	(75,309)	(75,309)		Rescind funds to reflect the final HUD allocation of federal entitlement funds for FY 2025.
HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) FUND Total	**(75,309)**	**(75,309)**	**0**	
REGIONAL JUVENILE DETENTION CENTER FUND				
Detention	45,000	45,000		Appropriate additional funds to cover workers' compensation indemnity payment.
REGIONAL JUVENILE DETENTION CENTER FUND Total	**45,000**	**45,000**	**0**	
TECHNOLOGY FUND				
Information Technology	50,000		50,000	Appropriate remaining funds for Personal Property revenue billing system PCI/RBS upgrade.
Information Technology	22,125		22,125	Appropriate remaining funds for network telephony updates.
Information Technology	3,500		3,500	Appropriate remaining funds for two air-conditioning mini-splits in the Data Center closet.
Information Technology	0	106,911	(106,911)	*Transfer to Technology Fund from General Fund* of non-personnel unexpended funds to the Technology Fund per June 2000 Council approved Information Technology Policy.
TECHNOLOGY FUND Total	**75,625**	**106,911**	**(31,286)**	

Department/Division	Amount	Source of Funding: Additional Revenues	Source of Funding: Transfer or Use of Committed/ Assigned/ Unassigned Fund Balance	Purpose
CITY CAPITAL PROJECTS FUND				
Community Development	(500,000)	(500,000)		Rescind FY25 appropriation for Diamond Hill Neighborhood Improvements. The appropriation was included in both the City Capital Projects Fund and the CDBG Fund, therefore it is necessary to rescind one of these appropriations.
Parks and Recreation	(2,000,000)	(2,000,000)		Rescind FY23 appropriation for Ivy Creek Park to Peaks View Park Trail Extension that was to be funded via a VDOT contribution. The project will now be managed and paid for directly by VDOT.
Police	129,364	129,364		Appropriate Series 2023 Bond Proceeds SNAP interest earnings to the Police Headquarters projects.
Transfer to City Capital Projects Fund from the General Fund - Public Safety Building Reserve	3,626,422	3,626,422		*Transfer to City Capital Projects Fund from the General Fund - Public Safety Building Reserve* to appropriate funds for the Police Headquarters projects.
Public Works - Engineering	1,048,030	1,048,030		Appropriate federal funds awarded by VDOT for the Lynchburg Center for Industry - Phase II project.
Public Works - Engineering	8,116,658	8,116,658		Appropriate additional Revenue Share funds awarded by VDOT and local funds as a match for the Hollins Mill Road Bridge Replacement and Bikeway Improvements project.
CITY CAPITAL PROJECTS FUND Total	**10,420,474**	**10,420,474**	**0**	
AIRPORT CAPITAL/GRANT PROJECTS FUND				
Airport Capital/Grant Projects	4,941,976	4,941,976		Appropriate additional funds for the Runway 4-22 rehab project per latest bids received.
AIRPORT CAPITAL/GRANT PROJECTS FUND Total	**4,941,976**	**4,941,976**	**0**	
FLEET SERVICES FUND				
General Fund	9,269		9,269	Appropriate additional funds from the reserve due to inflation for the purchase of vehicles.
General Fund	3,777		3,777	Appropriate additional funds from the reserve due to quotes coming in above budget to install the heavy-duty lift.
FLEET SERVICES FUND Total	**13,046**	**0**	**13,046**	

RESOLUTION: **#R-24-___**

BE IT RESOLVED That the FY 2024 Adopted Budget is amended and funds are appropriated to reflect the Fourth Quarter Adjustments in the General, City/Federal/State Aid, Children's Services Act (CSA), Fleet Services, as well as the Schools Capital Projects and Water Capital Projects Funds as reflected in Attachment A.

And, BE IT RESOLVED that the funds shall be used as identified in Attachment A.

Introduced: Adopted:

Certified: ______________________________
Clerk of Council

RESOLUTION: **#R-24-___**

BE IT RESOLVED That the FY 2025 Adopted Budget is amended and funds are appropriated or rescinded to reflect the First Quarter Adjustments in the General, City/Federal/State Aid, Community Development Block Grant (CDBG), Forfeited Assets, Home Investment Partnerships Program (HOME), Regional Juvenile Detention Center, Technology, Fleet Services, as well as the City Capital Projects and Airport Capital/Grant Projects Funds as reflected in Attachment B.

BE IT RESOLVED That the City Council salaries be aligned to the requirements of Lynchburg City Code Sec. 2-16.1 effective July 1, 2024.

> *Note: In December 2019, by adopting Lynchburg City Code Sec. 2-16.1, the City Council set its salaries at $14,000 per member, per year and $16,000 for the mayor, per year beginning July 1, 2020. However, because of budget uncertainties associated with the COVID-19 Pandemic, the City Council maintained its salaries at $10,000 per member, per year and $12,000 for the mayor, per year beginning July 1, 2020 as part of the FY 2021 Adopted Budget. Now that the said pandemic has passed, and the economy has stabilized, the City Code should be followed.*

And, BE IT RESOLVED that the funds shall be used as identified in Attachment B.

Introduced: Adopted:

Certified: ______________________________
Clerk of Council

AGENDA ITEM SUMMARY

MEETING DATE	PRESENTED BY
September 10, 2024	Hollie Jennings, Special Assistant to the City Manager for Data & Innovation

AGENDA ITEM # IV.8

Lifelong Learning Committee

RECOMMENDATION

Consider creating a life-long learning committee to explore policy matters that concern both the City Council and the Lynchburg City School Board.

SUMMARY

The Committee will provide collaborative review, analysis, and recommendations that support high-quality public education for all residents of the City of Lynchburg. The Committee will meet monthly, or at the discretion of the Co-Chairs, to work on topics including, but not limited to the following:

- Fiscal clarity
- Capital construction and improvement projects,
- Student enrollment and population, school zoning,
- Talent management and resources, and
- Instructional excellence.

The committee will be composed of three members from each governing body, with the Mayor and School Board Chair serving as ex-officio members. The Mayor and School Board Chair will be responsible for appointing the three members from each of the respective bodies.

PRIOR ACTION(S)

None

FISCAL IMPACT

None

CONTACT(S)

Hollie Jennings, Special Assistant to the City Manager for Data & Innovation

ATTACHMENT(S)

1. Council_BIB_LLL

REVIEWED BY

Date: September 05, 2024

Gregory Patrick, Deputy City Manager

Date: September 05, 2024

Alicia Finney, Clerk of Council

LIFELONG LEARNING COMMITTEE

September 10, 2024

PURPOSE

Purpose:

- Explore policy matters that concern both governing bodies
- Engage in collaborative review, analysis, and recommendations that support high-quality public education

Why:

- Provide the opportunity for the two bodies to have regular information and updates on important topics and projects
- Provide the opportunity to have discussions, ask questions, and make recommendations prior to decision making

THE CITY OF LYNCHBURG

TOPICS

Examples of Topics:

- Fiscal clarity,
- Capital construction and improvement projects,
- Student enrollment, population, and school zoning,
- Talent management and resources,
- Instructional excellence
- Other items deemed appropriate by the City Manager and/or School Superintendent

THE CITY OF LYNCHBURG

STRUCTURE

Membership:

- Three members of City Council and three members of the School Board
- Members will serve two year terms
- The Mayor and School Board Chairperson will serve as Ex-officio members
- The Mayor and School Board Chair will appoint members from their respective governing bodies

When and Where:

- Meetings will be held the 3rd Tuesday of the month at 3:00 or 4:00 pm at City Hall in the second floor training room
- City Manager's Designee will coordinate the meeting and the agenda

THE CITY OF LYNCHBURG

AGENDA ITEM SUMMARY

MEETING DATE	PRESENTED BY
September 10, 2024	Alicia Finney, Clerk of Council

AGENDA ITEM # IV.9

Boards and Commissions Quarterly Reporting

RECOMMENDATION

Review upcoming September and October appointments and any outstanding vacancies to Council-appointed boards and commissions.

SUMMARY

This item will come before Council for action at its September 24, 2024, meeting during Closed Session. The following volunteer opportunities with Council-appointed Boards and Commissions either currently exist or are upcoming:

- Social Services Advisory Board
- Lynchburg Redevelopment and Housing Authority
- Business Development Center
- Greater Lynchburg Transit Company
- Lynchburg Parking Authority
- Board of Zoning Appeals

Interested candidates are encouraged to apply by completing our online application at https://lynchburg.seamlessdocs.com/f/boardsandcommissions. Applications will be taken through Friday, September 20, 2024, and will be kept on file for one year for any future Council consideration unless advised otherwise by the applicant.

PRIOR ACTION(S)

N/A

FISCAL IMPACT

N/A

CONTACT(S)

Alicia Finney, Clerk of Council

ATTACHMENT(S)

1. Boards and Commissions_BIB_Q3

REVIEWED BY

Alicia Finney, Clerk of Council

Date: September 05, 2024

BOARDS AND COMMISSIONS QUARTERLY REPORTING

September 10, 2024

VOLUNTEER OPPORTUNITIES

Social Services Advisory Board
Lynchburg Redevelopment and Housing Authority
Business Development Center
Greater Lynchburg Transit Company
Lynchburg Parking Authority
Board of Zoning Appeals

THE CITY OF LYNCHBURG

SOCIAL SERVICES ADVISORY BOARD

Name	No. of Terms Served	Term Expiration Date
Denise Dempsey (Ward 4)	1	09/30/2024
Katheryne Goodman (Ward 4)	1	09/30/2025
Lenora Noell (Ward 1)	2	09/30/2026
LTea Thomans (Ward 1)	1	09/30/2026
Joan Rowe (Ward 1)	2	09/30/2027
VACNAT		
VACANT		

- Meets the third Tuesday bimonthly (Feb, April, June, Aug, Oct, Dec) at 12:00pm, Human Services Building, 99 9th Street
- Monitors all matters pertaining to citizens' social welfare; monitors the formulation and implementation of social welfare programs; makes recommendations on policy matters concerning social services.
- Can serve up to two (2) consecutive 4-year terms
- Opportunities:
  - One (1) Reappointment
  - Two (2) Vacancies

LYNCHBURG REDEVELOPMENT & HOUSING AUTHORITY

Name	No. of Terms Served	Term Expiration Date
Marc Schewel (Ward 1)	1	09/30/2024
Lauretta Spencer (Ward 3)	3	09/30/2024
Davina Bare (Ward 2)	1	09/30/2025
Ray Booth (Ward 3)	2	09/30/2026
Owen Cardwell (Ward 4)	1	09/30/2026
MaryJane Dolan (Ward 1)	2	09/30/2027
Laura Dupuy (Ward 1)	1	09/30/2027

- Meets the 3rd Thursday monthly, 9:30a.m., at LRHA, 1948 Thomson Drive
- Administers housing assistance programs as a political subdivision of the Commonwealth; conducts programs of urban renewal and housing rehabilitation in designated neighborhoods.
- Can serve up to three (3) consecutive 4-year terms
- Opportunities:
  - One (1) reappointment
  - One (1) upcoming vacancy

Name	No. of Terms Served	Term Expiration Date
Michael Forren (Campbell Co.)	3*	09/30/2022
Holly Roark (Bedford Co.)	3	09/30/2024
Kamal Darden (Ward IV)	2	09/30/2025
Corey Davis (Ward I)	2	09/30/2025
Pavlina Dirom (Ward I)	2	09/30/2025
Samuel Howe (Ward I)	2	09/30/2025
Cheryl Valentine (Ward I)	2	09/30/2025
Alisha Meador	*	12/31/2099
Donna Witt	*	12/31/2099

BUSINESS DEVELOPMENT CENTRE

- Meets the second Wednesday of every month, at 3:30p.m., at the BDC, 147 Mill Ridge Road
- Administrative body that governs the existing Lynchburg Business Development Centre or "business incubator"
- Regional representation
- Can serve up to three (3) consecutive 3-year terms
- Opportunities:
  - Two (2) upcoming vacancies

GREATER LYNCHBURG TRANSIT COMPANY

Name	No. of Terms Served	Term Expiration Date
Randy Woods (Ward 2)	1	10/31/2024
Mary-Winston Deacon (Bedford)	3	10/31/2024
Cameron Howe (Ward 1)	2	10/31/2024
Benjamin Blanks (Ward 2)	2	10/31/2025
Tabatha Sprouse (Amherst County)	1	10/31/2025
Brian Landergan (Ward 4)	2	10/31/2026
Greg Patrick (Deputy City Manager)	2	10/31/2026
Gary Dupriest (Ward 4)	1	10/31/2026
VACANT		

- Meets the first Wednesday of each month at 8:30am at Kemper Street Transfer Center; additional work session
- Formulates policies and operating procedures and offers general supervision of a professional transit management company providing bus service.
- Can serve up to three (3) consecutive 3-year terms
- Opportunities:
  - One (1) current vacancy
  - One (1) upcoming vacancy
  - Two (2) reappointments

LYNCHBURG PARKING AUTHORITY

- Meets the second Tuesday of every other month (Feb, April, June, Aug, Oct, Dec), at 2:30p.m. in Council Chamber, City Hall
- To develop plans for and to coordinate the development and use of sufficient off-street public owned parking facilities in the City and as necessary to acquire, construct, reconstruct, equip, improve, extend, enlarge, maintain, repair and operate off-street parking facilities.
- Can serve up to two (2) consecutive 3-year terms
- Opportunities:
  - Four (4) current vacancies
  - One (1) upcoming vacancy
  - One (1) reappointment

Name	No. of Terms Served	Term Expiration Date
MaryJane Dolan (Ward 1)	2	10/30/2024
David Marple (Ward 2)	1	10/30/2024
Scott Campbell (Ward 2)	1	10/31/2025
VACANT		
VACANT		
VACANT		
VACANT		

BOARD OF ZONING APPEALS

- Meets as-needed
- Hear appeals and make determinations on requests for variances to the Zoning Ordinance.
- 5-year term; no term limit
- Opportunities:
  - One (1) upcoming vacancy

Name	No. of Terms Served	Term Expiration Date
Mark Smith (Ward 1)	5	06/30/2029
Rebekah Melton (Ward 4)	1	06/30/2027
Donald Doebler (Ward 4)	2	06/30/2027
William Flint (Ward 4)	2	06/30/2027
Paul Feinman	2	06/30/2028

NEXT STEPS

Closed Session Scheduled – September 24, 2024

Collecting applications and resumes through Friday, September 20, 2024

SCAN ME

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