FINANCE COMMITTEE AGENDA
Tuesday, March 25, 2014
Bidder's Room
11:30 a.m.

GENERAL BUSINESS

11:30 a.m.

1. Report on the General Fund Reserve for Contingencies

   Contact: Donna Witt, Director of Financial Services 455-3968

11:35 a.m.

2. Review highlights of attached quarterly financial reports for the Greater Lynchburg Transit Company (GLTC) as well as the Regional Airport, Lynchburg Regional Juvenile Detention Center, Comprehensive Services Act, Water Operating, Sewer Operating, Stormwater Operating, and General Funds the for the quarter ending December 31, 2013.

Fund	Preparer
GLTC	Karen Walton, General Manager of GLTC
Regional Airport Fund	Mark Courtney, Airport Manager
Lynchburg Regional Juvenile Detention Center	Tamara Rosser, Director of Human Services
Comprehensive Services Act Fund	Tamara Rosser, Director of Human Services
Water Operating Fund	Tim Mitchell, Director of Water Resources
Sewer Operating Fund	Tim Mitchell, Director of Water Resources
Stormwater Operating Fund	Tim Mitchell, Director of Water Resources
General Fund	Donna Witt, Director of Financial Services

12:15 p.m.

3. Consider a request to adopt a resolution to amend the FY 2014 City/Federal/State Aid Fund budget and appropriate $310,650 with resources of $248,520 from the Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant and $62,130 from the General Fund Reserve for Contingencies to purchase new communications equipment to be used by the Fire Department.

   Contact: William A. Aldrich, Director of Emergency Services 455-4285

12:25 p.m.

4. Consider a request to approve the submittal of the grant application for the 2014 Byrne/JAG Crisis Intervention Team Grant for the amount of $65,334 -- $32,667 and a 50% local match ($32,667) to continue building Lynchburg's regional Crisis Intervention program.

   Contact: Police Chief Parks Snead 455-6104

12:35 p.m.

5. Review the proposed calendar for the 2014 bond issue for City Capital, Schools, and Water Resources projects as well as the possible refunding of existing debt.

   Contact: Donna Witt, Director of Financial Services 455-3968

12:45 p.m.

6. Review collections received from five of the City's largest revenue sources.

   Contact: Donna Witt, Director of Financial Services 455-3968

12:50 p.m.

7. Roll Call

The next Finance Committee meeting is Tuesday, April 22, 2014, at 11:30 a.m.

AGENDA ITEM NO.: **1**

FY 2014 GENERAL FUND RESERVE FOR CONTINGENCIES

	Reserve for Contingencies	City Manager's Discretionary Funding
BEGINNING BALANCE, JULY 1, 2013	$700,000	$0
Anticipated carryforward to FY 2014 Reserve for Contingencies - 05/28/13 Council Meeting	450,000	50,000
BALANCE	**$1,150,000**	**$50,000**
APPROPRIATIONS (Second Reading)		
Additional funding for the Regional Radio Upgrade Project - 10/22/13 Council Meeting	$210,700	
Debt service interest payment on $10m bond issue - 10/22/13 Council Meeting	166,528	
TOTAL APPROPRIATIONS	**$377,228**	**$0**
REMAINING BALANCE	**$772,772**	**$50,000**
ITEMS INTRODUCED		
FEMA grant for Fire Department Communications Equipment - 3/25/14 Finance Committee	$62,130	
TOTAL INTRODUCED ITEMS	**$62,130**	**$0**
REMAINING BALANCE	**$710,642**	**$50,000**
PENDING ITEMS		
Reverse 911 Grant matching funds - 01/28/14 Finance Committee	$17,095	
TOTAL PENDING ITEMS	**$17,095**	**$0**
PROJECTED BALANCE	**$693,547**	**$50,000**

March 2014

Greater Lynchburg Transit Company

1301 Kemper Street
PO Box 797
Lynchburg, VA 24505
434.455.5080
434.847.8621 (Fax)
gberkley@gltconline.com
www.GLTConline.com

February 25, 2014

Finance Committee
City Council
City of Lynchburg
Lynchburg, Virginia

RE: December 31, 2013 Quarterly Financial Report – Greater Lynchburg Transit Company

The attached Greater Lynchburg Transit Company Comparative Income Statement summarizes the financial activities for the second quarter of FY14 and YTD data for the fiscal year.

<u>REVENUE</u>
Revenue is down for this first half of FY14. Whereas our fare box revenue is doing well above projections at 8%, some of the other projections are not doing as strongly. On the positive note, we have received a larger payment off of the state grant in January so our financials will look more settled for the second half of the year.

<u>EXPENDITURES</u>
Expenses are tracking on budget. Variations in the different line items are expected. Over budget line items were determined to be legitimate, so changes were made to other line items to alleviate the cost overruns.

<u>SUMMARY</u>
With revenue expected to increase and expenses being stable at our current operations, GLTC is expected to be in the black by the end of the third quarter.

Respectfully submitted,

Karen Walton

Karen Walton
General Manager

C: L. Kimball Payne III, City Manager
Bonnie Svrcek, Deputy City Manager
Donna Witt, Director of Financial Services

CENTRAL VIRGINIA TRANSIT MANAGEMENT CO INC.

QUARTERLY INCOME STATEMENT
AS OF DECEMBER 31, 2013

	QTR TO DATE FY2014 QTD ACTUAL	FY2014 QTD BUDGET	% VAR	FY2014 YTD ACTUAL	FY2014 TOTAL BUDGET	% of Budget
REVENUE						
FRT Passenger Revenue	$ 247,425	$ 237,540	4%	$ 514,103	$ 950,160	54%
DRT Passenger Revenue	20,790	23,231	-11%	41,747	92,922	45%
Contracts (LC Access)	7,428	6,524	14%	12,881	21,746	59%
Liberty University Revenue	270,760	323,799	-16%	451,267	1,079,329	42%
Other Contract Revenue	4,115	12,200	-66%	8,418	48,800	17%
Non-Operating Revenue	15,363	6,250	146%	43,077	25,000	172%
Advertising Revenue	9,048	16,250	-44%	18,385	65,000	28%
City Operating Assistance	298,560	298,560	0%	597,120	1,194,239	50%
County Operating Assistance	14,373	17,071	-16%	28,746	68,282	42%
State Operating Assistance	268,842	346,781	-22%	537,357	1,387,122	39%
Federal Operating Assistance	493,430	461,334	7%	986,860	1,845,336	53%
TOTAL REVENUE	**$ 1,650,133**	**$ 1,749,538**	**-6%**	**$ 3,239,959**	**$ 6,777,936**	**48%**
EXPENSES						
FIXED ROUTE						
Operator Labor	$ 404,527	$ 329,355	23%	$ 828,234	$ 1,317,419	63%
Operator-Overtime	10,569	30,082	-65%	16,048	120,327	13%
Other Salaries & Wages	41,316	55,136	-25%	85,552	220,542	39%
Supervisors-Overtime	3,577	4,050	-12%	7,377	16,200	46%
Fringe Benefits	261,073	257,153	2%	485,128	1,028,611	47%
TOTAL FIXED ROUTE	**$ 721,063**	**$ 675,775**	**7%**	**$ 1,422,338**	**$ 2,703,099**	**53%**
DEMAND RESPONSE						
Operator Labor	$ 63,581	$ 67,258	-5%	$ 133,172	$ 269,030	50%
Operator-Overtime-PTS	558	1,375	-59%	1,400	5,500	25%
Other Salaries & Wages	23,664	16,294	45%	46,660	65,175	72%
Fringe Benefits	49,946	51,431	-3%	93,811	205,722	46%
TOTAL DEMAND RESPONSE	**$ 137,748**	**$ 136,357**	**1%**	**$ 275,044**	**$ 545,427**	**50%**
MAINTENANCE						
Other Salaries & Wages	$ 138,426	$ 136,672	1%	$ 278,142	$ 546,688	51%
Inspection&Maint,Srvc-Overtim	5,670	5,412	5%	10,709	21,647	49%
Fringe Benefits	81,555	85,718	-5%	149,518	342,870	44%
Fuel & Lubricants	198,050	234,575	-16%	416,198	938,300	44%
Tires & Tubes	14,536	12,037	21%	35,041	48,146	73%
Other Materials & Supplies	72,380	76,925	-6%	161,809	307,698	53%
TOTAL MAINTENANCE	**$ 510,617**	**$ 551,337**	**-7%**	**$ 1,051,416**	**$ 2,205,349**	**48%**
ADMINISTRATION						
Other Salaries & Wages	$ 50,911	$ 51,475	-1%	$ 108,971	$ 205,899	53%
Fringe Benefits	29,147	34,287	-15%	56,406	137,148	41%
Services	116,088	108,357	7%	225,213	433,426	52%
Utilities	24,543	29,250	-16%	46,314	117,000	40%
Casualty & Liability Expenses	72,266	76,500	-6%	144,603	306,000	47%
Other Materials & Supplies	7,730	10,022	-23%	12,297	40,088	31%
Miscellaneous	5,253	21,125	-75%	18,211	84,500	22%
TOTAL ADMINISTRATION	**$ 305,938**	**$ 331,015**	**-8%**	**$ 612,015**	**$ 1,324,061**	**46%**
TOTAL EXPENSES	**$ 1,675,365**	**$ 1,694,484**	**-1%**	**$ 3,360,813**	**$ 6,777,936**	**50%**
NET INCOME/(LOSS)	**$ (25,232)**	**$ 55,054**	**-146%**	**$ (120,855)**	**$ -**	

Lynchburg Regional Airport
350 Terminal Drive, Lynchburg, Virginia 24502 • (434) 455-6090 • Fax (434) 239-9027

THE CITY OF LYNCHBURG

February 12, 2014

Finance Committee
City Council
City of Lynchburg
Lynchburg, Virginia

Re: December 31, 2013 – Quarterly Financial Summary - Lynchburg Regional Airport

REGIONAL AIRPORT FUND

The attached Lynchburg Regional Airport Operating Fund Financial Summary reflects the financial activity for this Fund through the FY 2014 second quarter ending December 31, 2013. I am pleased to report that while revenues in general are projected to be relatively flat, parking lot revenue is projected to be significantly higher than budgeted due to last year's rate increase. At this point in our budget cycle, the subsidy from the General Fund to the airport for FY2014 is projected to be $224,500 which is $64,561 less than budgeted. Completely eliminating the operating subsidy from the City in the next two to three years remains a top priority of airport staff along with attracting additional airline service.

REVENUE HIGHLIGHTS

- Terminal Revenue: Revenue is projected to be $103,700 more than budget due primarily to additional parking lot revenue resulting from a $1 per day rate increase implemented since this year's budget was prepared.

- General Aviation: Revenue is projected to be $14,000 more than budget due to higher revenue related to aircraft fuel sales than anticipated.

- State Airport Aid: Revenue is projected to be $195,000 more than budget due to having more state-funded, non-recurring airport projects than anticipated when the budget was prepared.

- General Fund Subsidy: As previously noted, the projected operating subsidy from the City is $224,500 which is $64,561 less than budget.

EXPENSE HIGHLIGHTS

- Airfield: $5,300 increase primarily for higher costs and quantities for vehicle and equipment fuel.

- Administration: $6,330 decrease reflecting lower payments to the City for Risk Management administration and insurance.

- Safety (ARFF & LEO): $8,000 increase primarily for increased inflationary costs associated with contracted Airfield Rescue & Fire Fighting (ARFF) services.

- Non-Recurring Airport Expenses: $230,110 increase for one-time or infrequent expenses such as roof repairs, painting, paving projects, and drainage issues, etc. These expenses are generally 80% reimbursable by state entitlement funds.

SUMMARY

Non-recurring maintenance expenses will exceed our budget significantly (but are largely reimbursed by state aviation entitlement funds) and will be addressed in the third-quarter budget review. Based on consistent air service levels, competitive airfares, and anticipated passenger demand combined with decreasing debt service, the airport's subsidy is expected to be reduced significantly from the current level to near self-sufficiency in the next two to three years.

Respectfully submitted,

Mark F. Courtney, A.A.E.
Airport Director

cc: L. Kimball Payne III, City Manager
Bonnie Svrcek, Deputy City Manager
Donna Witt, Director of Financial Services
Wesley Campbell, Airport Finance Manager

LYNCHBURG REGIONAL AIRPORT
OPERATING FUND FINANCIAL SUMMARY
December 31, 2013

	FY 2013 Amended Budget	FY 2013 Actual (thru 12/31/12)	FY 2013 % of Budget	*	FY 2014 Amended Budget	FY 2014 Actual (thru 12/31/13)	FY 2014 % of Budget	*	FY 2014 Amended Budget	FY 2014 Revised Estimates		FY 2014 $ Variance Revised vs. Amended Budget
				*				*				
BEGINNING NET ASSETS		$ 32,507,809		*		$ 31,042,521 **(1)**		*		$ 31,042,521	**(1)**	
Less: Invested in Capital Assets, net of related debt		31,723,484		*		30,210,365		*		30,210,365		
BEGINNING UNRESTRICTED NET ASSETS	$ 558,143	$ 784,325		*	$ 182,579	$ 832,156		*	$ 182,579	$ 832,156		$ -
				*				*				
BOND REFUNDING PROCEEDS	$ -	$ -		*	$ -	$ -		*	$ -	$ -		
PRIOR PERIOD AUDIT ADJUST	$ -	$ -		*	$ -	$ -		*	$ -	$ -		
				*				*				
REVENUES				*				*				
Airfield	90,000	53,659	60%	*	95,000	51,239	54%	*	95,000	97,000		2,000
Terminal	1,213,183	658,052	54%	*	1,227,327	737,881	60%	*	1,227,327	1,331,027		103,700
General Aviation	372,000	183,565	49%	*	383,000	211,842	55%	*	383,000	397,000		14,000
Other Leased Property	220,400	119,355	54%	*	214,400	126,144	59%	*	214,400	208,900		(5,500)
State Airport Aid	344,000	44,435	13%	*	95,000	75,438	79%	*	95,000	290,000		195,000
Federal Security Aid	120,000	27,746	23%	*	110,000	27,070	25%	*	110,000	105,000		(5,000)
General Fund Subsidy	336,330	192,000	57%	*	289,061	144,000	50%	*	289,061	224,500		(64,561)
Interest & Other	19,000	11,784	62%	*	19,000	12,930	68%	*	19,000	19,750		750
	$ 2,714,913	$ 1,290,595		*	$ 2,432,788	$ 1,386,544		*	$ 2,432,788	$ 2,673,177		$ 240,389
				*				*				
EXPENSES				*				*				
Airfield Operations	294,822	142,958	48%	*	294,541	162,620	55%	*	294,541	299,841		(5,300)
Terminal Operations	559,898	243,719	44%	*	557,808	222,166	40%	*	557,808	557,808		0
General Aviation	114,906	61,411	53%	*	125,008	56,268	45%	*	125,008	127,008		(2,000)
Administration	657,208	290,558	44%	*	668,333	310,960	47%	*	668,333	662,003		6,330
Safety (ARFF & LEO)	402,630	175,343	44%	*	399,020	206,384	52%	*	399,020	407,020		(8,000)
Snow Removal	20,056	3,712	19%	*	20,468	6,662	33%	*	20,468	22,468		(2,000)
Debt Service	263,183	76,320	29%	*	205,865	87,782	43%	*	205,865	205,865		0
Non-Recurring Airport Expenses	497,460	196,481	39%	*	159,890	367,201	230%	*	159,890	390,000		(230,110)
Transfers to Other Airport Funds	222,500	0	0%	*	20,000	1,640	8%	*	20,000	20,000		0
Other Airport Expenses	57,814	14,078	24%	*	64,434	18,358	28%	*	64,434	64,434		0
	$ 3,090,477	$ 1,204,579		*	$ 2,515,367	$ 1,440,042		*	$ 2,515,367	$ 2,756,447		$ (241,080)
ENDING UNRESTRICTED NET ASSETS	$ 182,579	$ 870,341		*	$ 100,000	$ 778,658		*	$ 100,000	$ 748,886	**(2)**	

FOOTNOTES:

1) Beginning Net Assets agrees with the Comprehensive Annual Financial Report (CAFR) with the following adjustment:

Total Net Assets per CAFR 6/30/13	$ 35,885,879
Less: Net Assets in Capital & PFC Funds	$ (4,843,358)
Total Beginning Net Assets	$ 31,042,521

2) FY 2014 Ending Unrestricted Net Assets (Estimates) is comprised of the following:

Des. for Debt Service (Rental Car Facility)	$ 162,928	($204,886.55 + 250 int est - 42,209 = $162,927.55)
Des. for Maintenance (Rental Car Facility)	$ 43,938	($43,937.98 + or - year-end adjustment)
Reserve for Encumbrances		(encumbrances carried forward to FY15)
Undesignated Retained Earnings	$ 542,020	
	$ 748,886	

February 25, 2014

Finance Committee
City Council
City of Lynchburg
Lynchburg, Virginia

RE: December 31, 2013 Quarterly Financial Report - Lynchburg Regional Juvenile Detention Center

Lynchburg Regional Juvenile Detention Center

The attached Lynchburg Regional Juvenile Detention Center (Detention Center) financial report summarizes the financial activities through December 31, 2013 for FY 2014. The financial spreadsheet provides comparative year to date data for the same period of FY 2013.

REVENUES

Charges for Services

Revenue in this category for the second quarter was $621,909, 12.9% under budget due to a decrease in the population of juveniles being served from non-contracting localities.

Department of Juvenile Justice Block Grant

This revenue category represents allocations from the Virginia Department of Juvenile Justice (DJJ) for operational expenses of the Detention Center. Revenues from the DJJ are projected to be within budget.

United States Department of Agriculture (USDA)

This revenue category consists of reimbursements for meals served to juveniles at the Detention Center. Revenues from USDA for the first and second quarter of FY 2014 were $16,519, 13.3% under budget due to a slight decrease in population.

EXPENDITURES

Overall expenditures for the second quarter of FY 2014 were $1,285,528 and are expected to be within budget. It is projected that the contracting localities share of expenditures through the second quarter of FY 14 are approximately 86% and Lynchburg’s share is estimated to be 14%.

Juvenile Population

The average number of juveniles being served per day through the second quarter of FY 2014 is 18.88 as compared to 18.47 in FY 2013.

SUMMARY

The second quarter report reflects a continuing downward trend in the juvenile population at the Lynchburg Regional Detention Home and other facilities in the State of Virginia. The Lynchburg Regional Detention Home is an outstanding facility recognized by the juvenile judicial system for providing educational services, mental health services, physical health services, and partnerships with local area businesses.

Respectfully submitted,

Tamara V. Rosser

Tamara Rosser
Director, Department of Juvenile Services

c: L. Kimball Payne, III, City Manager
Bonnie Svrcek, Deputy City Manager
Donna Witt, Director, Financial Services
Robin Mamola, Accounting Supervisor, Human Services
Kathy Collins, Accountant, Juvenile Services

Lynchburg Regional Juvenile Detention Center
Special Revenue Fund
Financial Summary
Second Quarter: As of December 31, 2013

	FY 2013 Amended Budget	FY 2013 Actual 2 QTR YTD	FY 2013 % of Budget	FY 2014 Amended Budget	FY 2014 Actual 2 QTR YTD	FY 2014 % of Budget	FY 2014 Amended Budget	FY 2014 Revised Estimates	FY 2014 Actual to Amended
Beginning Funds at July 1									
Revenues:									
Charges for Services	1,796,789	626,137	34.8%	1,676,322	621,909	37.1%	1,676,322	1,676,322	-
Intergovernmental- Department of Juvenile Justice Block Grant	1,095,120	569,998	52.0%	1,095,120	537,232	49.1%	1,095,120	1,095,120	-
Intergovernmental- USDA	45,000	16,568	36.8%	45,000	16,519	36.7%	45,000	45,000	-
Miscellaneous	0	0	0.0%	0	32	0.0%	0	0	-
Budget Designations	100,830	0	0.0%	100,842	0	0.0%	100,842	100,842	-
Total Revenues	3,037,739	1,212,703	39.9%	2,917,284	1,175,692	40.3%	2,917,284	2,917,284	-
Expenditures:									
Salaries	1,406,306	639,810	45.5%	1,412,955	723,269	51.2%	1,412,955	1,412,955	-
Employee Benefits	642,677	262,315	40.8%	582,715	290,776	49.9%	582,715	582,715	-
Contractual Services	38,492	26,836	69.7%	53,836	17,810	33.1%	53,836	53,836	-
Internal Services	9,170	3,948	43.1%	11,900	6,380	53.6%	11,900	11,900	-
Supplies and Materials	130,170	55,564	42.7%	130,170	37,182	28.6%	130,170	130,170	-
Utilities	85,800	33,893	39.5%	85,800	28,112	32.8%	85,800	85,800	-
Training and Conferences	3,050	722	23.7%	3,050	609	20.0%	3,050	3,050	-
Telecommunications	4,500	1,686	37.5%	4,500	1,308	29.1%	4,500	4,500	-
Postage and Mailing	850	178	20.9%	850	313	36.8%	850	850	-
Indirect Costs	236,450	118,225	50.0%	237,218	118,609	50.0%	237,218	237,218	-
Self Insurance	15,752	7,876	50.0%	15,752	7,876	50.0%	15,752	15,752	-
Dues and Memberships	500	481	96.2%	500	60	12.0%	500	500	-
Rentals and Leases	2,308	1,102	47.7%	2,492	1,102	44.2%	2,492	2,492	-
Site Improvements	0	16,250	0.0%	0	0	0.0%	0	0	
Health and Dental Benefits for Retirees	28,144	12,650	44.9%	28,144	14,875	52.9%	28,144	28,144	-
Professional Services	6,746	3,382	50.1%	6,721	3,537	52.6%	6,721	6,721	-
SpecialUseEquipment	2,000	0	0.0%	0	0	0.0%	0	0	-
Debt Service	273,198	21,531	7.9%	183,681	17,191	9.4%	183,681	183,681	-
USDA Grant	45,000	9,102	20.2%	45,000	16,519	36.7%	45,000	45,000	-
Capital Outlay	0	0	0.0%	2,000	0	0.0%	2,000	2,000	-
Budget Designations	96,626	0	0.0%	100,000	0	0.0%	100,000	100,000	-
Contingency	10,000	0	0.0%	10,000	0	0.0%	10,000	10,000	-
Total Expenditures	3,037,739	1,215,551	40.0%	2,917,284	1,285,528	44.1%	2,917,284	2,917,284	-
TOTAL FUND BALANCE	0	(2,848)		0	(109,836)		0	0	
TOTAL ASSIGNED FUND BALANCE Maint./Equipment	100,000	100,000		100,000	100,000		100,000	100,000	

February 25, 2014

Finance Committee
City Council
City of Lynchburg
Lynchburg, Virginia

Re: Comprehensive Services Act (CSA) Fund Financial Report for the period ending December 31, 2013.

The attached CSA Fund Financial Summary summarizes the financial activity for this Fund through December 31, 2013. Under the State guidelines, CSA prior year obligations are paid through September 30th of each year. However, the annual budget is prepared on a fiscal year (July-June). Because of the State guidelines, expenditures for this fund are unique due to the overlap of grants each fiscal year. Accordingly, this report reflects only the current grant year financial activity for FY 2014.

REVENUES

- Public Assistance – Welfare and Administration

  The Public Assistance revenue source is the reimbursement received from the State for local expenses incurred under CSA for providing services to troubled youth and their families. The current rate of reimbursement for community-based services is 86.32%, residential services is 65.8%, and for all other services, 72.64%. State funds to assist in administering the grant, ($29,730 for FY 2014) are provided by the State each year, and have been received in full. A local match is required for all state funds received. Reimbursements received for expenditures incurred through the second quarter of FY 2014 are $460,021 or 13.1% of the budget. State YTD reimbursements are currently under budget, due to some decreases in Foster Care and Special Education expenditures.

- CSA Contribution – General Fund and Schools

  These revenue sources are comprised of the required local match for all State funds received for the Comprehensive Services Act. For FY 2014 the budgeted School contribution is $196,541 and the year-to-date budgeted General Fund contribution is $1,238,852. For the second quarter of FY 2014, local matching funds for programs in the amount of $619,426 or 50% of the budget for the General Fund and $98,271 or 50% of the budget for Schools have been received.

- Miscellaneous Revenue

  These revenues are mainly comprised of recoupments from children's social security payments for expenditures incurred on their behalf. For the second quarter of FY 2014, miscellaneous revenues in the amount of $29,348 or 26.7% of the budget were collected.

EXPENSES

- Administrative expenses

  CSA Administrative funds are used for salaries, supplies, and materials. Budgeted funds for FY 2014 are $62,977. Actual second quarter administrative expenditures for FY 2014 were $33,009 or 52.4% of the budget. This budget line is expected to be fully expended.

- Mandated – Foster Care

  Foster care expenses include funds for residential facilities, day care, maintenance payments to foster parents, enhanced maintenance payments to foster parents and foster care prevention. The Virginia Enhanced Maintenance Assessment Tool (VEMAT) was introduced as the required, state-wide tool to be used when assessing a child’s need for additional supervision and support and, thus, an enhanced maintenance payment for the foster or adoptive parent. In February 2013, all VEMAT rates were automatically reduced statewide. Actual second quarter foster care expenditures for FY 2014 were $801,573 or 29.4% of the budget. YTD CSA foster care expenditures are slightly below budget due to decreased VEMAT payments and transferring some of this population to100% reimbursable IV-E funding.

- Mandated – Special Education

  Special Education expenses include services for Special Education students from the Lynchburg City Schools. Actual second quarter special education expenditures for FY 2014 were $515,251 or 31.2% of the budget. This line item is slightly under budget due to students progressing from a full day to a half day at Rivermont School as they transition back to their base school.

- Non-Mandated Services

  Non-mandated expenditures are for services such as counseling, mentoring, crisis intervention, and foster care prevention services. Actual second quarter non-mandated expenditures for FY 2014 were $75,674 or 20.1% of the budget, however, it is anticipated that this budget will be fully expended.

- Community Based Services

  This category includes services to children while they are living at home, in the home of an extended family, in a regular foster family home, or in an independent living arrangement. Community services may include assessment, crisis stabilization, therapy, or intervention services provided in the child’s home. Actual second quarter community based expenditures for FY 2014 were $102,367 or 40.9% of the budget. This budget line is expected to fall within budget.

SUMMARY

The Comprehensive Services Act Fund creates a collaborative system of services and funding that is child-centered, family-focused, and community-based when addressing the strengths and needs of at-risk youths and their families in the City of Lynchburg

While the number of children currently in foster care fluctuates throughout the year, the overall number of children receiving CSA services has increased for FY 2014. Other factors continue to impact this budget, including referrals from Horizon Behavioral Health Services and the local Court Services Unit. These factors also include an increased number of children receiving more intensive services for longer periods of time, increased vendor rates, an increase in the number of services provided by the vendors, parental agreements, and an increase in special educational services.

The Community Policy and Management Team, in collaboration with the professional community, continues to work hard and is diligent and deliberate in efforts to reduce costs associated with CSA. We continue to work with the professional community to develop services in an effort to reduce cost.

Respectfully submitted,

Tamara V. Rosser

Tamara T. Rosser
Director of Human Services

c: L. Kimball Payne, III, City Manager
Bonnie Svrcek, Deputy City Manager
Donna Witt, Director of Financial Services
Rhonda Allbeck, Assistant Director of Financial Services
Robin Mamola, Financial Professional IV
Courtney Blankenstein, Financial Professional III

Comprehensive Services Act
Special Revenue Fund
Financial Summary
December 31, 2013

	FY 2013 Amended Budget	FY 2013 Actual 2nd QTR YTD	FY 2013 % of Budget	FY 2014 Amended Budget	FY 2014 Actual 2nd QTR YTD	FY 2014 % of Budget
Beginning Fund Balance	329,544	329,544		329,544	466,552	
Revenues:						
Public Assistance - Welfare and Administration	3,767,468	293,929	7.8%	3,517,468	460,021	13.1%
Transfer from Lynchburg City Schools	196,541	98,271	50.0%	196,541	98,271	50.0%
Transfer from General Fund	1,453,852	669,426	46.0%	1,238,852	619,426	50.0%
Miscellaneous	110,000	27,498	25.0%	110,000	29,348	26.7%
Total Revenues	5,527,861	1,089,124	19.7%	5,062,861	1,207,066	23.8%
Expenses:						
Administrative Expenses	62,283	32,280	51.8%	62,977	33,009	52.4%
Mandated - Foster Care	3,071,764	926,064	30.1%	2,723,805	801,573	29.4%
Mandated - Special Education	1,673,060	579,304	34.6%	1,650,000	515,251	31.2%
Non-Mandated Services	375,836	181,253	48.2%	375,836	75,674	20.1%
Community Based	341,242	96,779	28.4%	250,242	102,367	40.9%
Total Expenditures	5,524,185	1,815,681	32.9%	5,062,860	1,527,874	30.2%
ENDING FUND BALANCE	333,220	(397,013)		329,545	145,744	

February 25, 2014

Finance Committee
City Council
City of Lynchburg
Lynchburg, Virginia

Re: December 31, 2013 Quarterly Financial Report – Water Operating Fund

The attached Water Operating Fund Financial Summary summarizes the financial activity for this fund through December 31, 2013. This quarterly report provides comparative financial information for the same period of the prior fiscal year. Projected variances between the FY 2014 Budget and the Department's year end projections are described below.

REVENUES

Following the completion of the second quarter, overall revenues for FY 2014 are projected to be $97,936 (.72%) less than budget. Explanations follow:

- **Charges for Services:**

  Revenue in this category is expected to be $70,000 (0.66%) over budget mostly attributable to due to an adjustment to the monthly service charge. A review of all water and sewer accounts, water only accounts and sewer only accounts was made to accurately allocate the Water and Sewer Fund revenue connected to the fixed monthly charge increase. There is a corresponding decrease in the Sewer Fund of approximately the same amount.

- **Water Contracts:**

  This revenue account reflects billing activity to counties of Amherst, Bedford, and Campbell, and the industries of Rock-Tenn and Frito-Lay. The net revenue from this source is projected to be $167,936 (6.12%) less than budget primarily due to declining consumption in Bedford and Campbell County and declining industrial use by Rock-Tenn.

- **Interest and Other:**

  Interest and other earnings are expected to be within budget.

EXPENSES

Overall expenses for FY 2014 are projected to be $252,239 (1.84%) less than the FY 2014 budget. Explanations of this variance follow:

- **Departmental Operation and Maintenance Expenses:**

  This category includes the Water Treatment Plant, Meter Operations, Water Line Maintenance and Administration. Expenses in this category are expected to be $252,239 (2.83%) less than the FY 2014 budget (Water Treatment - $218,949 savings, Meter Operations - $0 savings, Water Line Maintenance - $8,234 savings, Administration - $25,056 savings). This variance is broken down as follows:

➢ Personnel Services and Benefits	$43,359
➢ Chemicals	$190,000
➢ Communication and Utilities	$29,374
➢ Contractual Services	($59,043)
➢ Supplies and Materials	($1,733)
➢ All Other	$50,282
Total	**$252,239**

  The most significant variances are savings related to chemicals and electricity which occur when James River water does not need to be pumped and treated. Due to wet weather conditions our water source has been exclusively on the Pedlar Reservoir. Outside any unusual events we anticipate using solely the Pedlar Reservoir through this spring. Savings in Personnel Services and Benefits are due to vacancies in Administration. Savings in All Other is mostly attributable to less than anticipated capital charges used for vehicle and equipment replacements. Contractual Services is expected to go over budget due to increased costs to perform line protection services and use of temporary employment agency to cover one vacant administration position.

- **Non-Departmental Operation and Maintenance:**

  Non-Departmental operation and maintenance expenses are anticipated to be within budget.

- **Capital Outlay and Transfers to Other Funds**

  Purchases and transfers in this category are expected to be within budget.

- **Debt Service:**

  Expenditures for debt service are expected to be within budget.

SUMMARY

This second quarter report reflects a stable FY 2014 financial position for this fund. Under the Council adopted financial policies, the two important financial ratios, debt coverage and fund balance are within or above policy targets. The debt coverage ratio projected for the end of the fiscal year is 1.30 compared to a target of 1.20. The fund balance ratio projected for the end of the fiscal year is 52% compared to a target range of 25% - 40%.

Respectfully submitted,

Timothy A. Mitchell, P.E.
Director of Utilities

c: L. Kimball Payne, III, City Manager
Bonnie Svrcek, Deputy City Manager
Donna Witt, Director of Financial Services

WATER OPERATING FUND
FINANCIAL SUMMARY
Quarter Ending December 31, 2013

	FY 2013 Adopted Budget	FY 2013 Actual Q2 YTD	FY 2013 % of Budget	FY 2014 Adopted Budget	FY 2014 Actual Q2 YTD	FY 2014 Adopted Budget	FY 2014 Revised Estimate	FY 2014 % of Budget	FY 2014 $ Variance Revised Estimate to Adopted Budget
BEGINNING NET ASSETS	$30,411,636	$30,411,636		$27,631,979	$27,631,979	$27,631,979	$27,631,979		
Less: Invested in Capital Assets, net of related debt	(24,458,991)	($24,458,991)		(20,961,222)	(20,961,222)	(20,961,222)	(20,961,222)		
BEGINNING UNRESTRICTED NET ASSETS	**5,952,645**	**$5,952,645**		**$6,670,757**	**$6,670,757**	**$6,670,757**	**$6,670,757**		
REVENUES:									
Charges for services	$10,522,925	$5,000,410	48%	$10,599,129	$5,000,114	$10,599,129	$10,669,129	47%	70,000
Water contracts	2,637,792	1,163,381	44%	2,744,836	1,108,863	2,744,836	2,576,900	40%	(167,936)
Interest and other	282,211	144,306	51%	282,211	143,124	282,211	282,211	51%	0
	$13,442,928	**$6,308,097**		**$13,626,176**	**6,252,101**	**$13,626,176**	**$13,528,240**		**($97,936)**
EXPENSES									
Departmental O&M	$8,767,983	$3,756,976	43%	$8,912,287	4,017,866	$8,912,287	$8,660,048	45%	252,239
Non-departmental O&M	206,496	49,545	24%	202,713	55,696	202,713	202,713	27%	0
Capital Outlay/Purchases	0	50,785	0%	110,072	10,250	110,072	110,072	0%	0
Transfers - Capital	878,746	439,373	50%	800,000	400,000	800,000	800,000	50%	0
Debt service	3,658,789	1,757,229	48%	3,685,632	1,928,574	3,685,632	3,685,632	52%	0
Contingencies	0	0		0	0	0	0		0
	$13,512,014	**$6,053,908**		**$13,710,704**	**6,412,386**	**$13,710,704**	**$13,458,465**		**$252,239**
Adjustment for expenses from capital projects		-			-		-		
ENDING NET ASSETS	**$5,883,559**	**$6,206,834**		**$6,586,229**	**6,510,472**	**$6,586,229**	**$6,740,532**		

KEY RATIOS:

Unrestricted cash target as a % of operating expenses & debt service:	40%
Unrestricted cash as a % of operating expenses & debt service:	52%
Financial Policy targeted debt coverage ratio minimum:	1.20
Ending debt coverage ratio:	1.30 (1)

Note (1) Calculation of debt coverage includes $120,000 of capitalizable costs for internal labor charges applicable to time spent on capital project activities.

February 25, 2014

Finance Committee
City Council
City of Lynchburg
Lynchburg, Virginia

Re: December 31, 2013 Quarterly Financial Report – Sewer Operating Fund

The attached Sewer Operating Fund Financial Summary summarizes the financial activity for this fund through December 31, 2013. This quarterly report provides comparative financial information for the same period of the prior fiscal year. Projected variances between the FY 2014 Budget and the Department's year end projections are described below.

REVENUES

Following the completion of the second quarter, overall revenues for FY 2014 are projected to be $98,777 (0.50%) more than the FY 2014 budget. Explanations follow:

- **Charges for Services:**

  Revenue in this category is expected to be within budget due to a projected $80,000 increase in septic hauler loads offset by a projected decrease of $80,000 for monthly service charges. A review of all water and sewer accounts, water only accounts and sewer only accounts was made to accurately allocate the Water and Sewer Fund revenue connected to the fixed monthly charge increase. There is a corresponding increase in the Water Fund of approximately the same amount.

- **Sewer Contracts:**

  Revenue in this category reflects the billing activity in counties of Amherst, Bedford, and Campbell and industries of Rock-Tenn and Frito-Lay. Revenue from this source is projected to be $98,777 (3.39%) more than budget primarily due to counties paying their proportionate share of increased operational costs at Regional Wastewater Treatment Plant.

- **Interest and Other:**

  Revenue is this category is projected to be at budget.

EXPENSES

Overall expenses for FY 2014 are projected to be $93,755 less than FY 2014 budget. Explanations of this variance follow:

- **Departmental Operation and Maintenance Expenses:**

  This category includes the Wastewater Treatment Plant and Sewer Line Maintenance. Expenses in this category were $93,755 (1.03%) less than the FY 2014 budget (Wastewater Treatment - $65,388 savings and Sewer Line Maintenance - $28,367 savings). This variance is broken down as follows.

➢ Communication and Utilities	$15,000
➢ Sludge Disposal	$25,000
➢ Contractual Services	($112,400)
➢ Supplies and Materials	$3,000
➢ All Other	$163,155
Total	**$93,755**

  The most significant savings are in the All Other category. A savings of $112,499 for charges from Internal Services is mostly attributable to less than anticipated capital charges used for vehicle and equipment replacements. An additional $23,300 of savings in the All Other category is for decreased need for engineering services for capital projects. Contractual Services is expected to go over budget primarily due to projected $30,000 increased costs to perform line protection services and less than expected tonnage of sludge accepted at the Region 2000 Landfill which thus increases our projected costs of using contracted haulers by $75,000 to carry the sludge to Amelia County.

- **Non-Departmental Operational and Maintenance Expenses:**

  Non-Departmental expenses are expected to be at budget.

- **Debt/LOC Service Payments**

  Debt Service and LOC Service payments are expected to be at budget.

SUMMARY

This second quarter report reflects a stable FY 2014 financial position for this fund. Under the Council adopted financial policies, the two important financial ratios, debt coverage and fund balance, are within or above policy targets. The debt coverage ratio projected for the end of the fiscal year is 1.26 compared to a target range of 1.20 to 1.50. The fund balance ratio projected for the end of the fiscal year is 31% compared to a target range 15 to 25%.

Respectfully submitted,

Timothy A. Mitchell, P.E.
Director of Utilities

c: L. Kimball Payne, III, City Manager
Bonnie Svrcek, Deputy City Manager
Donna Witt, Director of Financial Services

SEWER OPERATING FUND
FINANCIAL SUMMARY
Quarter Ending December 31, 2013

	FY 2013 Adopted Budget	FY 2013 Actual Q2 YTD	FY 2013 % of Budget	FY 2014 Adopted Budget	FY 2014 Actual Q2 YTD	FY 2014 % of Budget	FY 2014 Adopted Budget	FY 2014 Revised Estimate	FY 2014 $ Variance Revised Estimate to Adopted Budget
BEGINNING NET ASSETS (1)	$91,763,517	$91,763,517		$118,680,799	$118,680,799		$118,680,799	$118,680,799	
Less: Invested in Capital Assets, net of related debt	(81,440,531)	(81,440,531)		(107,598,364)	(107,598,364)		(107,598,364)	(107,598,364)	
BEGINNING UNRESTRICTED NET ASSETS	**$10,322,986**	**$10,322,986**		**$11,082,435**	**$11,082,435**		**$11,082,435**	**$11,082,435**	
REVENUES:									
Charges for services	$16,314,331	$7,471,408	46%	$16,721,214	$7,603,888	45%	$16,721,214	$16,721,214	0
Sewer contracts	3,053,114	977,568	32%	2,916,305	1,159,807	40%	2,916,305	3,015,082	98,777
Interest and other	80,421	112,224	140%	91,953	38,204	42%	91,953	91,953	0
	$19,447,866	**$8,561,200**		**$19,729,472**	**8,801,899**		**$19,729,472**	**$19,828,249**	**$98,777**
EXPENSES:									
Departmental O&M	$9,112,800	$3,952,513	43%	$9,087,931	4,303,885	47%	$9,087,931	$8,994,176	93,755
Non-departmental O&M	346,454	114,438	33%	200,062	63,118	32%	200,062	200,062	0
Equipment Purchases	60,000	9,343	16%	175,209	20,581	12%	175,209	175,209	0
Transfers - Capital	1,500,000	750,000	50%	1,500,000	750,000	50%	1,500,000	1,500,000	0
Debt service	8,451,416	4,050,700	48%	8,616,567	4,334,774	50%	8,616,567	8,616,567	0
	$19,470,670	**$8,876,994**		**$19,579,769**	**9,472,357**		**$19,579,769**	**$19,486,014**	**$93,755**
Adjustment for expenses from capital projects		-			-				
ENDING NET ASSETS	**$10,300,182**	**$10,007,192**		**$11,232,138**	**10,411,977**		**$11,232,138**	**$11,424,670**	

KEY RATIOS:

Unrestricted cash target as a % of operating expenses & debt service:	25%
Unrestricted cash as a % of operating expenses & debt service:	31%
Financial Policy targeted debt coverage minimum:	1.20
Ending debt coverage:	1.26 (1)

Note (1) Calculation of debt coverage includes $200,000 of capitalizable costs for internal labor charges applicable to time spent on capital project activities.

February 25, 2014

Finance Committee
City Council
City of Lynchburg
Lynchburg, Virginia

Re: December 31, 2013 Quarterly Financial Report – Stormwater Operating Fund

The attached Stormwater Operating Fund Financial Summary summarizes the financial activity for this fund through December 31, 2013. This quarterly report provides comparative financial information for the same period of the prior fiscal year. Variances between the FY 2014 budget and the Department's actual are described below.

REVENUES

Following the completion of the second quarter, the overall revenues for FY 2014 are projected to be at budget. Revenue categories are as follows:

- **Charges for Services:**

  Revenue in this category reflects billing activity for all known impervious areas and delinquent charges on past due accounts. Charges for services are expected to be at budget.

- **Transfers, Interest and Other**

  The transfer from the General Fund, interest and other revenues are expected to be at budget.

EXPENSES

Overall expenses for FY 2014 are projected $276,280 (7.1%) less than budget. A breakdown and explanations of this variance follow:

- **Departmental Operation and Maintenance Expenses:**

  Departmental Operation and Maintenance expenses are projected to be $231,880 (7.61%) less than budget. Explanations of this variance as follows:

➢ Internal Service Charges and Fuel	($12,182)
➢ Supplies and Materials	($ 46,159)
➢ Contractual Services	$16,526
➢ Public Works and Community Development	273,989
➢ All Other	($294)
TOTAL	**$231,880**

The most significant savings is for Public Works and Community Development mostly due to less than anticipated engineering services and contractor drainage work. Additional savings is from contractual services mostly due to less than anticipated legal and engineering services. However, it is important to note that significant stormwater infrastructure issues have been identified and a plan to begin addressing these issues is being developed that will result in supplies and materials exceeding its budget. The increased expenses for Internal Service Charges and Fuel are mostly attributable to higher than expected repair costs to a 2011 Vac-con Truck.

- **Non-Departmental Operational and Maintenance Expenses:**

  Non-departmental expenses is projected to have a savings of $44,400 (61.75%) compared to budget primarily due to a budgeted collection rate of 98% compared to an actual collection rate of over 99.4%.

- **Debt/LOC Service Payments**

  Currently, there is no debt for the Stormwater Fund.

SUMMARY

This second quarter report reflects a stable FY 2014 financial position for the fund at this time. The fund balance ratio projected for the end of the fiscal year is 38%.

Respectfully submitted,

Timothy A. Mitchell, P.E.
Director of Water Resources

c: L. Kimball Payne, III, City Manager
Bonnie Svrcek, Deputy City Manager
Donna Witt, Director of Financial Services

STORMWATER OPERATING FUND
FINANCIAL SUMMARY
Quarter Ending December 31, 2013

	FY 2013 Adopted Budget	FY 2013 Actual Q2 YTD	FY 2013 % of Budget	FY 2014 Adopted Budget	FY 2014 Actual Q2 YTD	FY 2014 % of Budget	FY 2014 Adopted Budget	FY 2014 Revised Estimate	FY 2014 $ Variance Revised Estimate to Adopted Budget
BEGINNING NET ASSETS	$0	$0		$1,607,940	$1,607,940		$1,607,940	$1,607,940	
Less: Invested in Capital Assets, net of related debt	0	0		0	0		0	0	
BEGINNING UNRESTRICTED NET ASSETS	**$0**	**$0**		**$1,607,940**	**$1,607,940**		**$1,607,940**	**$1,607,940**	
REVENUES:									
Charges for services	$2,737,000	$1,570,863	57%	$3,132,000	$1,368,306	44%	$3,132,000	$3,132,000	$0
Interest and other	0	0		0	0		0	0	0
Transfers	650,000	162,500	25%	650,000	325,000	50%	650,000	650,000	0
	$3,387,000	**$1,733,363**		**$3,782,000**	**1,693,306**		**$3,782,000**	**$3,782,000**	**$0**
EXPENSES:									
Departmental O&M	$2,702,784	$1,080,346	40%	$3,047,172	$1,345,454	44%	$3,047,172	$2,815,292	$231,880
Non-departmental O&M	136,800	0		71,900	3,537	5%	71,900	27,500	44,400
Equipment Purchases	0	0		0	0		0	0	0
Transfers - Capital	300,000	75,000	25%	750,000	375,000	50%	750,000	750,000	0
Transfers - City Fleet Fund	0	0		0	0		0	0	0
Debt service	0	0		0	0		0	0	0
Contingencies	0	0		0	0		0	0	0
	$3,139,584	**$1,155,346**		**$3,869,072**	**$1,723,991**		**$3,869,072**	**$3,592,792**	**$276,280**
Adjustment for expenses from capital projects					0			0	
ENDING NET ASSETS	**$247,416**	**$578,017**		**$1,520,868**	**$1,577,255**		**$1,520,868**	**$1,797,148**	

KEY RATIOS:

Projected unrestricted cash as a % of operating expenses at year end 38%

3/20/2014 10:56 AM

February 25, 2014

Finance Committee
City Council
City of Lynchburg
Lynchburg, Virginia

Re: December 31, 2013 Quarterly Report - General Fund

Attached is the Financial Summary for the General Fund (Fund) for the period ending December 31, 2013.

This quarterly report provides comparative information for the same period of the prior fiscal year and an annualized projection through the end of the current fiscal year.

NON-DEDICATED REVENUES

- Real Estate Taxes:

  Real Estate taxes are due in four quarterly installments on November 15, January 15, March 15, and May 15. As of the date of this report, only the first installment for FY 2014 has been billed and revenue of $22,186,050 has been collected, which is 42.4% of budget. The amount collected includes payments made for the entire year.

- Personal Property Taxes:

  Personal Property tax revenue collected for the first two quarters of FY 2014 is $8,558,296, which is on track with 54.1% collected. This includes the first supplemental billing due September 5 and the first installment due December 5. Additional billings for personal property acquisitions are due March 5 and September 5.

  In 1998, the Virginia General Assembly enacted the Personal Property Tax Relief Act (PPTRA) to reimburse citizens for a portion of the local personal property tax. In the 2004 Virginia General Assembly, the State capped the amount reimbursed to localities at $950 million for FY 2014. This action eliminates the 70% reimbursement. Lynchburg’s share is $5,543,584. During the second quarter of FY 2014, the State reimbursed the City $4,157,688 (75%), as scheduled. Future payments are scheduled for receipt in February 2014 (15%), and May 2014 (5%).

- Consumer Utility Tax - Electric:

  The second quarter FY 2014 revenue is slightly ahead of budget projections by $18,702, based on collections for 5 months. Staff is monitoring this revenue and providing the Finance Committee with monthly updates related to Consumer Utility Taxes for Electric.

- Communication Sales and Use Taxes:

  Communication Sales and Use tax revenue is slightly behind the FY 2014 budget projection by $9,438 based on collections for 4 months. The use of landlines continues to decline and the cost of cellular service has decreased over the last several years. Both of these reductions equate to less revenue and are projected to continue.

- Local Sales Tax:

  Sales tax revenue is ahead of the FY 2014 budget projection by $173,027 based on collections for 4 months. Staff is monitoring this revenue and providing the Finance Committee with monthly updates related to Local Sales Tax.

- Business License

  Business License revenue collected through the second quarter of FY 2014 is $295,499. Since this tax is due May 1, the collection percentage is currently only a small part of the annual budget. The majority of the tax will be collected from March to May.

- Meals Tax

  Meals tax revenue is ahead of the FY 2014 budget projections by $428,259 based on collections for 5 months due to conservative budgeting. Staff is monitoring this revenue and providing the Finance Committee with monthly updates.

- Lodging Tax

  Lodging tax revenue is ahead of the FY 2014 budget projection by $216,560 based on collections for 5 months, which is 55.7% of budget. Staff is monitoring this revenue and providing the Finance Committee with monthly updates.

- Permit, Fees, and Licenses:

  Permit, Fees, and Licenses is ahead of the FY 2014 budget projection with 56.4% or $442,002 collected primarily due to Inspection Permits, Permit Parking Fees, and Concealed Weapon Fees tracking above budget.

- Fines and Forfeitures:

  Fines and Forfeitures revenue is slightly behind the budget projection for FY 2014 by 9.7%, or $28,664 due primarily to Parking Fines. Staff will continue to keep a close watch on this revenue to see if an adjustment in projected revenue is needed.

- Interest on Investments:

  Investment income is ahead of the budget projection for FY 2014 by $31,435, or 52.1%, primarily due to conservative budgeting.

- Charges for Services

  Charges for Services revenue is tracking with budget with 49.6% collected.

DEDICATED REVENUES

Intergovernmental Revenues are 2.2% or $306,565 behind the FY 2014 budget projection. The timing of reimbursements from the State causes this revenue source to be slightly ahead, or slightly behind, the yearly projection. Additionally, payments from the Stormwater Fund for work performed by Public Works staff are behind budget due to fewer stormwater projects than anticipated being required.

EXPENDITURES

- Operating Expenditures:

  The percentage of operating expenditures spent through the second quarter of FY 2014, 51.8%, is slightly ahead of target due to due to one-time payments that are made at the beginning of the fiscal year.

- Debt Service

  Debt Service expenditures are on pace with FY 2014 budget projections with 47.4% expended.

SUMMARY

This report represents six months of fiscal activity. With major revenues tracking above budget and expenses on target with budget, the General Fund is stable. As the year progresses, revised estimates for revenues and expenditures will be presented to reflect the impact of changes.

Respectfully submitted,

D. S. Witt

Donna S. Witt
Director of Financial Services

c: L. Kimball Payne, III, City Manager
Bonnie Svrcek, Deputy City Manager
Rhonda Allbeck, Assistant Director of Financial Services

GENERAL FUND
FINANCIAL SUMMARY
As of December 31, 2013

	FY 2013 Adopted Budget	FY 2013 Amended Budget	FY 2013 Actual 2nd Qtr	FY 2013 % of Budget	FY 2014 Adopted Budget	FY 2014 Amended Budget	FY 2014 Actual 2nd Qtr	FY 2014 % of Budget	FY 2014 Amnd Budget vs. Actual
BEGINNING BALANCE			As of 12/31/12				As of 12/31/13		
UNASSIGNED	$ 20,199,396	$ 28,835,658	$ 28,835,658		$ 22,744,259	$ 22,744,259	$ 31,673,717		
REVENUES:									
Non-Dedicated Revenues									
Real Property	52,998,701	52,998,701	21,330,893	40.2%	52,518,784	52,518,784	22,186,050	42.2%	30,332,734
Personal Property -Local	15,251,500	15,251,500	8,117,758	53.2%	15,805,000	15,805,000	8,558,296	54.1%	7,246,704
Public Service Corp	2,145,000	2,145,000	2,333,580	108.8%	2,330,000	2,330,000	2,313,631	99.3%	16,369
Consumer Utility Taxes	4,364,582	4,364,582	1,685,648	38.6%	4,185,000	4,185,000	1,652,968	39.5%	2,532,032
Communication Sales and Use Taxes	3,530,000	3,530,000	1,167,224	33.1%	3,462,621	3,462,621	1,144,770	33.1%	2,317,851
Local Sales Tax	13,284,506	13,284,506	4,293,307	32.3%	13,440,973	13,440,973	4,419,322	32.9%	9,021,651
Business License	7,000,000	7,000,000	92,568	1.3%	7,199,604	7,199,604	295,499	4.1%	6,904,105
Meals Tax	10,830,000	10,830,000	4,955,118	45.8%	11,785,000	11,785,000	5,259,327	44.6%	6,525,673
Delinquent Taxes/Penalties	2,763,500	2,763,500	1,342,707	48.6%	2,978,500	2,978,500	1,440,779	48.4%	1,537,721
Other Local Taxes	2,503,500	2,503,500	1,251,300	50.0%	2,578,947	2,578,947	1,172,708	45.5%	1,406,239
Motor Vehicle License	1,413,142	1,413,142	191,791	13.6%	1,413,142	1,413,142	184,534	13.1%	1,228,608
Bank Stock Tax	500,000	500,000	-	0.0%	650,000	650,000	-	0.0%	650,000
Lodging Tax	1,700,000	1,700,000	952,048	56.0%	1,700,000	1,700,000	946,613	55.7%	753,387
Permit, Fees & Licenses	631,700	631,700	342,086	54.2%	783,900	783,900	442,002	56.4%	341,898
Fines and Forfeitures	566,000	566,000	254,927	45.0%	591,000	591,000	266,836	45.1%	324,164
Interest on Investments	236,502	236,502	92,421	39.1%	120,762	120,762	91,816	76.0%	28,946
Use of Property	372,064	372,064	153,653	41.3%	361,064	361,064	181,384	50.2%	179,680
Charges for Services	5,501,448	5,501,448	2,862,204	52.0%	6,226,657	6,226,657	3,091,410	49.6%	3,135,247
Misc. Revenue	264,400	264,400	170,292	64.4%	229,500	229,500	273,530	119.2%	(44,030)
Revenue from Lynchburg City Schools	29,284	29,284	-	0.0%	-	-	-	-	-
Intergovernmental Revenues									
Personal Property -State	5,543,584	5,543,584	4,434,867	80.0%	5,543,584	5,543,584	4,434,867	80.0%	1,108,717
Other	505,000	505,000	188,098	37.2%	505,000	505,000	332,004	65.7%	172,996
Total Non-Dedicated Revenues	131,934,413	131,934,413	56,212,490	42.6%	134,409,038	134,409,038	58,688,346	43.7%	$ 75,720,692
Dedicated Revenues									
Local									
Indirect Costs and Services from Enterprise Funds	1,745,299	1,745,299	880,150	50.4%	1,992,237	1,992,237	996,119	50.0%	996,118
Other	1,325,057	1,325,057	528,217	39.9%	1,224,196	1,224,196	487,376	39.8%	736,820
Intergovernmental Revenues									
Constitutional Officers	2,931,739	2,931,739	1,208,469	41.2%	2,975,787	3,026,590	1,216,592	40.2%	1,809,998
Human Services	12,644,822	12,649,985	5,694,295	45.0%	14,277,317	14,277,317	5,982,214	41.9%	8,295,103
House Bill 599	2,930,790	2,930,790	1,465,696	50.0%	2,930,790	2,930,790	1,465,396	50.0%	1,465,394
Aid to the Commonwealth of Virginia	(535,000)	(535,000)	-	0.0%	-	-	-	-	-
Highway Maintenance	7,105,229	7,105,229	2,676,409	37.7%	7,192,968	7,192,968	4,623,863	64.3%	2,569,105
Other	706,135	706,135	419,490	59.4%	705,326	705,326	471,866	66.9%	233,460
Total Intergovernmental Revenues	25,783,715	25,788,878	11,464,359	44.5%	28,082,188	28,132,991	13,759,931	48.9%	14,373,060
Interfund Transfers	-	9,000	9,000	0.0%	-	-	-	-	(9,000)
Total Dedicated Revenues	28,854,071	28,868,234	12,881,726	44.6%	31,298,621	31,349,424	15,243,426	48.6%	$ 16,105,998
Total Revenues	$ 160,788,484	$ 160,802,647	$ 69,094,216	43.0%	$ 165,707,659	$ 165,758,462	$ 73,931,772	44.6%	$ 91,826,690
Other Financing Sources									
Proceeds from Refunding Bonds		4,129,625	4,129,625			57,469	57,468		
Use of Fund Balance & Reserves									
Unclassify FY13 fund balance							1,113,041		
FY14 Budget reserves							992,570		
7/9/13 Council #8							1,185,000		
9/24/13 Council #2							33,113		
9/24/13 Council #2							(500,000)		
10/23/13 $10M GO Bond							166,529		
11/26/13 Council #2							246,724		
Rmve Assignments			750,000						
Corr Law Library reserves							5,160		
10/9/12 Council #2			3,480,000						
FY13 Carry Forward							50,000		
FY12 Carry Forward			453,271						
Recreation Programs			89,957						
Solid Waste Debt			355,830						
Remove designations			865,226						
Total Fund Balance, Revenues and Use of Fund Bal.	$ 180,987,880	$ 193,767,930	$ 108,053,783		$ 188,451,918	$ 188,560,190	$ 108,955,094		

GENERAL FUND
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As of December 31, 2013

	FY 2013 Adopted Budget	FY 2013 Amended Budget	FY 2013 Actual 2nd Qtr 12/31/12	FY 2013 % of Budget	FY 2014 Adopted Budget	FY 2014 Amended Budget	FY 2014 Actual 2nd Qtr 12/31/13	FY 2014 % of Budget	FY 2014 Amnd Budget vs. Actual
BALANCE FORWARD									
Total Fund Balance, Revenues and Use of Fund Bal.	$ 180,987,880	$ 193,767,930	$ 108,053,783		$ 188,451,918	$ 188,560,190	$ 108,955,094		
EXPENDITURES									
Operating Expenditures - Departmental									
General Government									
Communications/Marketing	393,841	393,841	166,063	42.2%	434,163	446,274	167,657	37.6%	278,617
Customer Service Center	128,849	128,849	54,246	42.1%	116,065	118,834	56,779	47.8%	62,055
Local Government Channel	154,196	154,196	65,862	42.7%	204,814	209,848	129,591	61.8%	80,257
Council/Manager	838,589	839,289	414,301	49.4%	839,915	859,257	452,743	52.7%	406,514
Parking Management	331,739	332,389	184,220	55.4%	354,575	367,990	174,461	47.4%	193,529
City Attorney	627,712	627,712	293,573	46.8%	634,939	651,504	322,207	49.5%	329,297
Self-Insurance (Risk Management)	555,681	555,681	277,762	50.0%	505,356	505,356	252,678	50.0%	252,678
State Treasurer	147,833	147,833	67,600	45.7%	148,249	150,677	74,267	49.3%	76,410
Comm of Revenue	703,238	706,079	313,275	44.4%	684,508	698,248	320,903	46.0%	377,345
City Assessor	740,465	741,069	335,637	45.3%	705,823	739,145	372,754	50.4%	366,391
Director of Finance	545,980	558,072	248,711	44.6%	636,969	663,002	303,159	45.7%	359,843
Billings & Collections	1,312,194	1,312,194	590,057	45.0%	1,257,745	1,291,104	622,323	48.2%	668,781
Procurement	211,263	212,318	96,658	45.5%	269,792	278,472	138,393	49.7%	140,079
Accounting	800,073	854,833	387,127	45.3%	815,216	901,387	423,605	47.0%	477,782
Budget	160,715	160,715	75,202	46.8%	159,090	163,461	81,774	50.0%	81,687
Human Services - Finance	411,717	411,717	160,589	39.0%	330,031	338,826	169,997	50.2%	168,829
Human Resources	725,782	734,792	337,866	46.0%	691,129	714,969	351,495	49.2%	363,474
Occumaptional Health Services	129,493	135,390	71,526	52.8%	121,174	121,405	60,772	50.1%	60,633
Health Management Program	-	-	-	0.0%	-	-	-	0.0%	-
Application Services	1,233,231	1,233,231	618,934	50.2%	1,140,227	1,183,222	630,499	53.3%	552,723
Network Services	1,339,431	1,339,431	637,771	47.6%	1,336,261	1,369,095	694,963	50.8%	674,132
IT Administration	447,803	455,038	203,503	44.7%	455,949	475,490	221,198	46.5%	254,292
PC Replacements	-	-	-	0.0%	-	-	-	0.0%	-
IT Projects	-	-	-	0.0%	-	-	-	0.0%	-
GIS	257,645	257,645	128,405	49.8%	267,015	272,558	150,434	55.2%	122,124
Registrar	156,887	158,469	77,199	48.7%	161,845	164,067	83,354	50.8%	80,713
Electoral Board	57,282	57,282	43,497	75.9%	58,257	58,257	35,869	61.6%	22,388
Judicial									
Circuit Court - Judge	161,575	163,839	72,901	44.5%	162,092	136,820	41,964	30.7%	94,856
General District Court	62,550	63,150	27,424	43.4%	62,550	63,150	30,961	49.0%	32,189
Juvenile & Domestic District Court	15,409	16,908	6,476	38.3%	15,409	16,723	5,344	32.0%	11,379
24th Court Services Unit	1,632	1,632	203	12.4%	1,632	1,632	193	11.8%	1,439
Commonwealth Attorney	1,460,014	1,413,215	661,520	46.8%	1,406,739	1,477,915	752,477	50.9%	725,438
Comm Atty Fines & Fees Coll	-	65,973	30,008		64,827	64,827	29,709	45.8%	35,118
Magistrates Office	4,093	5,157	745	14.4%	4,193	5,299	1,051	19.8%	4,248
Circuit Court - Clerk	795,978	795,978	361,980	45.5%	798,229	798,229	381,725	47.8%	416,504
Sheriff	2,083,804	2,083,804	1,005,453	48.3%	2,133,193	2,162,438	1,088,049	50.3%	1,074,389
Public Safety									
Police Operations	14,725,712	15,111,668	7,438,600	49.2%	14,960,872	15,186,964	7,973,565	52.5%	7,213,399
Animal Warden	300,979	300,979	118,929	39.5%	278,208	293,055	118,612	40.5%	174,443
Emergency Communications	2,602,812	3,044,318	1,473,969	48.4%	2,401,588	2,504,950	1,196,352	47.8%	1,308,598
Range Operations	15,000	15,569	7,823	0.0%	15,000	16,742	7,729	46.2%	9,013
Off Duty Employment	-	-	-	0.0%	525,000	525,000	362,796	0.0%	162,204
Fire Operations and EMS	14,853,175	15,236,372	7,174,904	47.1%	15,010,712	15,216,231	7,317,982	48.1%	7,898,249
TRT-Pier	82,500	146,677	46,737	31.9%	82,500	82,500	45,584	55.3%	36,916
Public Works									
Public Works Administration	696,752	696,752	333,835	0.0%	703,582	714,239	361,666	50.6%	352,573
Engineering	3,351,569	3,510,520	1,678,513	100.0%	3,262,738	3,386,231	1,537,520	45.4%	1,848,711
Street Maintenance	3,285,782	3,349,205	1,636,988	48.9%	3,191,810	3,311,116	1,486,932	44.9%	1,824,184
Snow Removal	240,695	284,629	70,316	24.7%	187,975	227,606	80,692	35.5%	146,914
Refuse Collection	2,528,706	2,694,002	1,324,940	49.2%	2,269,620	2,445,540	1,176,853	48.1%	1,268,687
Parks/Grounds Maintenance	2,507,217	2,578,645	1,183,857	45.9%	2,469,597	2,519,274	1,297,924	51.5%	1,221,350
Baseball Stadium Maintenance	127,378	131,765	50,936	38.7%	93,063	103,183	35,441	34.3%	67,742
Building Maintenance	3,182,712	3,271,926	1,602,292	49.0%	3,148,263	3,286,967	1,707,783	52.0%	1,579,184
Human Services Maintenance	234,131	249,192	96,788	38.8%	208,383	215,191	108,911	50.6%	106,280
Subtotal Est. Operating Expenditures - Departmental	$ 65,731,814	$ 67,739,940	$ 32,255,721	47.6%	$ 65,786,882	$ 67,504,270	$ 33,439,690	49.5%	$ 34,064,580

GENERAL FUND
FINANCIAL SUMMARY
As of December 31, 2013

	FY 2013 Adopted Budget	FY 2013 Amended Budget	FY 2013 Actual 2nd Qtr 12/31/12	FY 2013 % of Budget	FY 2014 Adopted Budget	FY 2014 Amended Budget	FY 2014 Actual 2nd Qtr 12/31/13	FY 2014 % of Budget	FY 2014 Amnd Budget vs. Actual
Subtotal Est Operating Expenditures Departmental	$ 65,731,814	$ 67,739,940	$ 32,255,721		$ 65,786,882	$ 67,504,270	$ 33,439,690		
Continued Operating Expenditures Departmental:									
Health and Welfare									
Human Services Administration	-	-	-	0.0%	-	-	-	0.0%	-
Delta Outreach (Counties)	-	-	-	0.0%	-	-	-	0.0%	-
Social Services Administration	6,535,154	6,536,717	2,877,983	44.0%	6,563,694	6,919,421	3,390,566	49.0%	3,528,855
Public Assistance	6,075,506	6,113,459	3,495,416	57.2%	7,511,743	7,523,851	3,844,418	51.1%	3,679,433
Juvenile Services Administration	457,080	457,080	175,971	38.5%	335,382	344,257	88,030	0.0%	256,227
Regional Detention Home	808,117	808,117	91,840	11.4%	767,768	767,768	174,824	22.8%	592,944
Opportunity House	645,650	646,273	304,548	47.1%	642,628	654,777	284,598	43.5%	370,179
Single Point of Entry (Crossroads House)	-	-	-	0.0%	-	-	-	0.0%	-
SPARC House	601,953	603,782	277,933	46.0%	594,169	609,633	315,927	51.8%	293,706
CSA Service Providers	1,521,294	1,521,294	739,161	48.6%	1,384,844	1,386,085	697,270	50.3%	688,815
Day Services	-	-	-	0.0%	-	-	-	0.0%	-
Lynchburg Outreach Program	278,626	278,793	114,857	41.2%	276,383	282,288	92,771	32.9%	189,517
ARRA-SS Prog	-	-	-	0.0%	-	-	-	0.0%	-
Parks Recreation and Cultural									
Parks and Recreation	3,047,903	3,081,375	1,351,595	43.9%	3,045,382	3,109,954	1,429,243	46.0%	1,680,711
Public Library	1,541,276	1,541,455	714,634	46.4%	1,464,212	1,519,024	691,687	45.5%	827,337
Law Library	28,770	28,770	7,601	26.4%	33,770	33,770	9,297	27.5%	24,473
Museums	438,441	455,672	196,135	43.0%	432,037	446,567	201,815	45.2%	244,752
Point of Honr/Carriage House	-	-	-	0.0%	-	-	-	0.0%	-
Community Development									
Director	340,095	342,398	155,425	45.4%	347,905	358,202	160,828	44.9%	197,374
Planning	313,526	513,526	118,234	23.0%	305,378	479,055	196,820	41.1%	282,235
Inspections	806,121	824,021	339,672	41.2%	774,675	822,424	378,365	46.0%	444,059
Engineering	-	-	-	0.0%	-	-	-	0.0%	-
Zoning	154,710	154,710	70,965	45.9%	154,652	158,779	78,484	49.4%	80,295
Economic Development	345,286	401,012	237,913	59.3%	316,389	476,291	241,527	50.7%	234,764
Operating Expenditures Non-Departmental:	15,959,840	15,918,888	10,987,907	69.0%	16,660,561	16,937,807	11,427,818	67.5%	5,509,989
Total Est. Operating Expenditures	105,631,162	107,967,282	54,513,511	50.5%	107,398,454	110,334,223	57,143,978	51.8%	53,190,245
TRANSFERS TO OTHER FUNDS									
Airport Fund	382,862	382,862	192,000	50.1%	289,061	289,061	144,000	49.8%	145,061
City/Federal state Aid Fund	11,720	14,245	7,045	49.5%	41,720	109,524	79,161	72.3%	30,363
CFSA - 8592	-	47,414	47,414	100.0%					
Fleet Debt Service	-	-	-	0.0%	-	33,306	-	0.0%	33,306
Fleet - Vehicle Replacement	-	-	-	0.0%	-	-	-	0.0%	-
Stormwater	-	-	-	0.0%	-	-	-	0.0%	-
Sewer	-	-	-	0.0%	-	-	-	0.0%	-
Stadium Fund - Debt/Operating Expenses	-	-	-	0.0%	-	-	-	0.0%	-
Technology Fund	623,575	678,597	366,810	54.1%	625,705	658,818	345,966	52.5%	312,852
Total Transfers to Other Funds	1,018,157	1,123,118	613,269	54.6%	956,486	1,090,709	569,127	52.2%	521,582
SCHOOLS - OPERATIONS	35,601,147	35,601,147	10,250,000	28.8%	38,201,147	38,201,147	14,450,000	37.8%	23,751,147
DEBT SERVICE									
General Fund	7,433,452	11,564,632	7,174,319	62.0%	7,042,641	7,218,789	3,221,139	44.6%	3,997,650
Stadium	205,528	205,528	66,116	0.0%	206,527	206,527	115,476	55.9%	91,051
Schools	7,018,677	7,020,162	3,243,537	46.2%	6,565,401	6,583,083	3,310,280	50.3%	3,272,803
Total Debt Service	14,657,657	18,790,322	10,483,972	55.8%	13,814,569	14,008,399	6,646,895	47.4%	7,361,504
RESERVES									
Other Post Employment Benefits (OPEB)	250,000		250,000				250,000		
Budget designations	1,050,000								
Law Library	5,080		5,080				80		
Debt Service - HHS	2,044,657		2,044,657				3,044,657		
Parking Oper - GASB54							52,004		
GLTC							43,860		
Fire Equipment							50		
Assign VA Land Conservancy							2,314		
Assign RSA Excess							363,317		
Debt Service - CVRRB	205,200		205,200						
FY12 Carry Forward - Contingencies			500,000						
LOD VRS payment			105,952						
Contingency	700,000		700,000				700,000		
Total Reserves	4,254,937	-	3,810,889			-	4,456,282		
TOTAL EXPENDITURES	$ 161,163,060	$ 163,481,869	$ 79,671,641		$ 160,370,656	$ 163,634,478	$ 83,266,282		

GENERAL FUND
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As of December 31, 2013

	FY 2013 Adopted Budget	FY 2013 Amended Budget	FY 2013 Actual 2nd Qtr 12/31/12	FY 2013 % of Budget	FY 2014 Adopted Budget	FY 2014 Amended Budget	FY 2014 Actual 2nd Qtr 12/31/13	FY 2014 % of Budget
TRANSFERS TO CAPITAL FUNDS								
School Capital Projects Fund	$ 975,000	$ 4,455,000	$ 3,480,000	0.0%	$ 3,252,460	$ 4,437,460	$ 1,185,000	0.0%
City Capital Projects Fund	4,291,759	4,741,759	2,595,880	54.7%	3,777,878	4,581,648	2,692,710	58.8%
Total Transfers to Capital Funds	5,266,759	9,196,759	6,075,880	66.1%	7,030,338	9,019,108	3,877,710	43.0%
TOTAL EXPENDITURES, RESERVES & TRANSFERS	166,429,819	172,678,628	85,747,521	49.7%	167,400,994	172,653,586	87,143,992	50.5%
Remaining Unassigned Fund Balance	14,558,061	21,089,302	22,306,262	105.8%	21,050,924	15,906,604	21,811,102	137.1%
Committed and Assigned Fund Balance	12,059,206	-	12,225,041		-	-	13,810,552	
TOTAL FUND BALANCE	$ 26,617,267	$ 21,089,302	$ 34,531,303	163.7%	$ 21,050,924	$ 15,906,604	$ 35,621,654	223.9%

Committed and Assigned Fund Balance	FY 2013 Adopted Budget	FY 2013 Amended Budget	FY 2013 Actual 2nd Qtr 12/31/12	FY 2013 % of Budget	FY 2014 Adopted Budget	FY 2014 Amended Budget	FY 2014 Actual 2nd Qtr 12/31/13	FY 2014 % of Budget	
Committed Fund Balance									Committed Fund Balance
Health Insurance	636,127		656,617				677,017		Health Insurance
Contingencies			1,200,000				1,033,471		Contingencies
Technology									Technology
Local Aid to Commonwealth									Local Aid to Commonwealth
Detention Home Workers Comp	100,000		100,000				100,000		Detention Home Workers Comp
LCS Budget Balancing									LCS Budget Balancing
SW Debt Retire	1,186,075		1,186,075				841,605		SW Debt Retire
Future Post Closure Costs	604,284		604,284				604,284		Future Post Closure Costs
Other Post Employment Benefits	1,311,310		1,331,231				1,614,510		OPEB
Detention Home Capital Needs									Detention Home Capital Needs
Detention Home Prevention Initiative									Detention Home Prevention Initiative
Juvenile Services Group Home	340,185		-						Juvenile Services Group Home
Debt Service									Debt Service
GLTC Spec Reserve							543,860		GLTC Spec Reserve
Schl Spc Ed Dis Prop							321,000		Schl Spc Ed Dis Prop
HHS Debt Service - Recurring	2,984,219						2,483,954		HHS Debt Service - Recurring
HHS Debt Service - Non Recurring	1,120,078		624,297						HHS Debt Service - Non Recurring
Debt Service CVRRB	340,000		5,929				5,929		Debt Service CVRRB
Rsrv for Future Need			-						Rsrv for Future Need
Pub Safety Comp Adj	13,968		13,968				13,968		Pub Safety Comp Adj
School Textbooks	1,059,392		1,059,392				1,432,254		School Textbooks
School Health Ins Reserve	1,140,608		1,140,608				1,440,608		School Health Ins Reserve
School Future Exp Needs	75,908		75,908						School Future Exp Needs
Total Committed Fund Balance	**10,912,154**	**-**	**7,998,309**		**-**	**-**	**11,112,460**		Total Committed Fund Balance
Assigned Fund Balance									Assigned Fund Balance
Return of School Funding	260,419		2,398,505				787,305		Return of School Funding
PubWrks Funds from SW			-						PubWrks Funds from SW
Law Library	75,049		79,941				74,885		Law Library
Hlth Ins Reserve	364,538		364,538				364,538		Health Ins Reserve
Future Post Closure	204,438		204,438				567,755		Future Post Closure
Museum	47,374		50,028				50,028		Museum
Recreation Programs	20,890		6,747				112,090		Recreation Programs
Dental Insurance Reserve	150,000		150,000				150,000		Dental Insurance Reserve
Fire Equipment			50,000				100,000		Fire Equipment
LOD Death Benefit			211,904				211,904		LOD Death Benefit
LOD Health Benefit			145,000				145,000		LOD Health Benefit
Health Mgmt Plan			500,000						Pub Safety Comp Adj
PW - Snow			-				34,498		PW - Snow
Adopt-A-Bed			-				3,281		Adopt-A-Bed
Parking Operations			62,409				71,564		Parking Operations
Point of Honor			2,653				2,653		Point of Hononr
Police Range Oper			569				569		Police Range Oper
VA Land Conserv			-				2,314		VA Land Conservancy
PIER	24,344		-				19,658		PIER
Fire Restitution			-				50		Fire Restitution
Total Assigned Fund Balance	**1,147,052**	**-**	**4,226,732**		**-**	**-**	**2,698,092**		Total Assigned Fund Balance
Total Committed/Assigned Fund Balance	**$ 12,059,206**	**$ -**	**$ 12,225,041**		**$ -**	**$ -**	**$ 13,810,552**		

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **April 8, 2014** AGENDA ITEM NO.: **3**

CONSENT: REGULAR: **X** WORK SESSION: CLOSED SESSION: (Confidential)

ACTION: INFORMATION:

ITEM TITLE: **FEMA Assistance to Firefighters Grant**

RECOMMENDATION:
Adopt a resolution to amend the FY 2014 City/Federal/State Aid Fund budget and appropriate $310,650 with resources of $248,520 from the Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant and $62,130 from the General Fund Reserve for Contingencies to purchase new communications equipment to be used by the Fire Department.

SUMMARY:
The Fire Department currently uses the Harris model P7100 portable radio for communications during fire operations. This model radio will reach “end of parts” status on September 2, 2015, meaning support and replacement parts for the radio will no longer be guaranteed after that date. In addition to approaching “end of parts” status, the radios are reaching the industry guidance standards for recommended in service time (in service since 2005) and also lack the technology to utilize features of the new 800 MHz P25 Regional Radio System currently being installed.

The three jurisdictions that make up the Region 2000 Radio Communications Board applied for and received a FEMA Assistance to Firefighters Grant to replace this equipment. The total project amount is $1,032,057; the federal share is 80%, or $825,646, of the approved amount and the regional share of the costs is 20%, or $206,411. The Board members have agreed to split the money between the participating agencies based on the system ownership formula established in the Local Government Cooperative Agreement that established the Board. Accordingly, the Lynchburg City share of the grant is $248,520 and the Lynchburg City share of the 20% match is $62,130. Matching funds are not available in any department budget; therefore, an appropriation from the General Fund Reserve for Contingencies is needed. Total funds of $310,650 will be sufficient to replace all of the P7100 portable radios used by the Fire Department

PRIOR ACTION(S):
March 25, 2014 Finance Committee

FISCAL IMPACT:
In order to meet the 20% local match requirement, a one-time appropriation of $62,130 is needed from the General Fund Reserve for Contingencies.

CONTACT(S):
William A. Aldrich, Director of Emergency Services, 455-4285

ATTACHMENT(S):
Resolution

REVIEWED BY:

RESOLUTION

BE IT RESOLVED that the FY 2014 City/Federal/State Aid Fund budget is amended and $310,650 is appropriated with resources of $248,520 from the Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant and $62,130 from the General Fund Reserve for Contingencies to fund the purchase of new communications equipment to be used by the Fire Department.

Introduced: Adopted:

Certified: ______________________________
Clerk of Council

FINANCE COMMITTEE
Agenda Item Summary

MEETING DATE: **March 25, 2014** AGENDA ITEM NO.: **4**

CONSENT: REGULAR: WORK SESSION: CLOSED SESSION: (Confidential)

ACTION: INFORMATION:

ITEM TITLE: **Byrne/JAG – Crisis Intervention Team (CIT) Grant**

RECOMMENDATION:
Approve the submittal of the grant application for the 2014 Byrne/JAG Crisis Intervention Team Grant for the amount of $65,334 -- $32,667 and a 50% local match ($32,667) to continue building Lynchburg's regional Crisis Intervention program.

SUMMARY:
The Lynchburg Police Department is eligible to apply for $65,334 from the Byrne/JAG grant program. This grant requires a 50% local match in the amount of $32,667. Funding will be utilized to continue the third year implementation of the Police Department's Crisis Intervention Program. This will include expanding the program through continuing to employ a program manager (contracted, temporary employee) and provide necessary training to police personnel.

PRIOR ACTION(S):
None

FISCAL IMPACT:
$32,667 (50% match) – Centra Health and Horizon Behavioral Health are in discussion with the Police Department to assist with this match.

CONTACT(S):
Police Chief Parks Snead, 455-6104
Captain K.R. Edwards, Police Department, 455-6119

ATTACHMENT(S):

REVIEWED BY:

FINANCE COMMITTEE
Agenda Item Summary

MEETING DATE: **March 25, 2014** AGENDA ITEM NO.: **5**

CONSENT: REGULAR: WORK SESSION: CLOSED SESSION: (Confidential)

ACTION: INFORMATION: **X**

ITEM TITLE: **2014 Bond Issue Information**

RECOMMENDATION: Review the proposed calendar for the 2014 bond issue for City Capital, Schools, and Water Resources projects as well as the possible refunding of existing debt.

SUMMARY: City staff had a preliminary discussion with the City's financial advisor, Davenport and Co., LLC, in preparation for the upcoming bond issue that will primarily fund Heritage High School, City Stadium, transportation, and water resources projects.

The public hearing regarding the bond resolution is scheduled for May 13. The bond resolution will include a "not to exceed" borrowing amount to allow for flexibility based on the interest rate. Structuring the bond resolution with a "not to exceed" amount allows for the possibility of including a refunding of existing debt and also provides opportunity to include additional debt for projects that are currently on the deferred project list.

Moody's, Fitch, and Standard and Poor's are tentatively scheduled to visit Lynchburg May 7-9 and May 15-16 for a City tour and credit presentation. Bond ratings are expected to be issued shortly after Memorial Day (May 29).

Significant staff work is necessary to prepare for the bond issue including the preparation of the Official Statement, credit presentation to the rating agencies as well as designing a tour of the City that highlights our many successes. Current plans are for the bond sale to occur the week of June 9. Bond closing is planned for the second week of July.

PRIOR ACTION(S): Numerous City Council discussions

FISCAL IMPACT: General Obligation Bond Issue amount to be determined with related debt service.

CONTACT(S): Donna Witt, Director of Financial Services, 455-3968

ATTACHMENT(S): Series 2014 Financing Schedule

REVIEWED BY:

City of Lynchburg, Virginia

Series 2014 Financing Schedule

April 2014						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

May 2014						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

June 2014						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

July 2014						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

Issuer	City of Lynchburg, Virginia (CL)
Bond Counsel	Hawkins Delafield & Woods LLP (BC)
Financial Advisor	Davenport & Company LLC (FA)

Date	Task	Responsible Party
April 7	First Draft of Bond Documents Distributed	BC
April 18	Draft Credit Package Distributed for Review	FA
April 29	Advertisement in Newspaper	CL/BC
April 30	Comments due on Rating Credit Package & POS	CL/FA
May 5	Credit Package & POS Final Draft to the Rating Agencies	FA
May 6	Advertisement in Newspaper	CL/BC
May 7/8/9	Rating Analysts in Lynchburg	CL/FA
May 15/16	Rating Analysts in Lynchburg	CL/FA
May 13	Public Hearing/City Council Considers Bond Ordinance	CL
May 29	Ratings Received	FA
May 30	Final Draft of POS & Bond Documents	BC
June 4	Post POS	BC/FA
June 10	Bond Sale/Results Presented to City Council	FA/LC
July 7	Pre-Closing	All
July 8	Closing	All

FINANCE COMMITTEE
Agenda Item Summary

MEETING DATE: **March 25, 2014**			AGENDA ITEM NO.: **6**
CONSENT:	REGULAR:	WORK SESSION:	CLOSED SESSION: (Confidential)
ACTION:		INFORMATION: **X**	
ITEM TITLE: **Revenue Update**			

RECOMMENDATION:
Review the collections received from five of the City's largest revenue sources.

SUMMARY:
Five of the City's major revenue sources are taxes collected on a monthly basis: Sales Tax, Consumer Utility Tax – Electric, Communications Sales and Use Tax, Meals Tax, and Lodging Tax. Since the last Finance Committee meeting, revenue information for the months of December and January has been posted for these five revenue streams.

PRIOR ACTION(S):
This information is provided monthly to the Finance Committee.

FISCAL IMPACT:
None

CONTACT(S):
Donna Witt, Director of Financial Services, 455-3968

ATTACHMENT(S):
Comparison of Collections Budget to Actual FY 2013 – FY 2014

REVIEWED BY:

Comparison of Collections
Budget to Actual FY 2013 - FY 2014

	Actual FY 2011	Actual FY 2012	Actual FY 2013	Adopted FY 2014	Actual FY 2014	Actual FY 2014 to Adopted FY 2014	Actual FY 2014 to Actual FY 2013
SALES & USE TAX							
ADOPTED FY 2014 BUDGET - $13,440,973							
JULY	$979,650	$1,014,596	$996,646	$985,733	$1,075,816	$90,083	$79,170
AUGUST	1,022,849	1,079,129	1,145,592	1,133,048	1,098,342	(34,706)	(47,250)
SEPTEMBER	1,102,964	1,100,698	1,117,209	1,104,976	1,083,199	(21,777)	(34,010)
OCTOBER	1,056,307	1,055,941	1,033,859	1,022,538	1,161,965	139,427	128,106
NOVEMBER	1,144,056	1,117,090	1,187,008	1,174,010	1,155,729	(18,281)	(31,279)
DECEMBER	1,548,053	1,488,926	1,466,715	1,450,654	1,316,419	(134,236)	(150,296)
JANUARY	1,018,798	998,052	1,085,312	1,073,428	1,103,175	29,747	17,863
TOTAL	**$7,872,677**	**$7,854,432**	**$8,032,341**	**$7,944,387**	**$7,994,645**	**$50,258**	**($37,696)**
CONSUMER UTILITY TAX - ELECTRIC							
ADOPTED FY 2014 BUDGET - $3,650,000							
JULY	$352,603	$341,729	$323,141	$312,574	$325,815	$13,241	$2,674
AUGUST	345,842	345,615	345,163	333,876	318,738	(15,138)	(26,425)
SEPTEMBER	329,379	325,754	318,915	308,486	317,324	8,838	(1,591)
OCTOBER	283,250	280,745	279,145	270,017	273,646	3,629	(5,499)
NOVEMBER	262,650	281,842	282,035	272,812	280,945	8,133	(1,090)
DECEMBER	341,053	325,287	330,714	319,900	348,750	28,850	18,036
JANUARY	388,100	344,439	346,399	335,072	375,541	40,469	29,142
TOTAL	**$2,302,877**	**$2,245,411**	**$2,225,512**	**$2,152,738**	**$2,240,759**	**$88,021**	**$15,247**
COMMUNICATIONS SALES & USE TAX							
ADOPTED FY 2014 BUDGET - $3,462,621							
JULY	$301,373	$349,339	$293,358	$288,552	$286,999	($1,553)	($6,359)
AUGUST	344,401	294,910	291,560	288,552	284,691	(3,861)	(6,869)
SEPTEMBER	274,076	179,549	263,295	288,551	284,249	(4,302)	20,954
OCTOBER	299,531	309,437	319,011	288,552	288,830	278	(30,181)
NOVEMBER	292,735	284,123	300,665	288,552	284,176	(4,376)	(16,489)
DECEMBER	344,423	233,654	297,855	288,551	289,726	1,175	(8,129)
JANUARY	265,736	337,936	282,620	288,552	264,960	(23,592)	(17,660)
TOTAL	**$2,122,275**	**$1,988,948**	**$2,048,364**	**$2,019,862**	**$1,983,631**	**($36,231)**	**($64,733)**

Comparison of Collections
Budget to Actual FY 2013 - FY 2014

	Actual Assessed FY 2012	Actual Collected FY 2012 [1]	Actual Assessed FY 2013	Actual Collected FY 2013 [1]	Adopted FY 2014	Actual Assessed FY 2014	Assessed FY 2014 to Adopted FY 2014	Actual Collected FY 2014	Collected FY 2014 to Adopted FY 2014	Collected FY 2014 to Assessed FY 2014
MEALS TAX										
ADOPTED FY 2014 BUDGET - $11,785,000										
JULY [2]	$889,917	$889,135	$943,431	$1,044,556	$917,109	$950,875	$33,766	$1,159,786	$242,677	$208,911
AUGUST	960,082	962,761	1,042,850	1,026,544	1,013,754	1,062,943	49,189	1,024,718	10,964	(38,225)
SEPTEMBER	984,785	998,157	1,011,701	1,012,294	983,475	1,038,949	55,474	1,052,079	68,604	13,130
OCTOBER	999,289	994,851	1,006,966	1,003,032	978,872	1,026,731	47,859	958,359	(20,513)	(68,372)
NOVEMBER	916,955	898,157	964,775	868,692	937,858	1,000,780	62,922	1,064,385	126,527	63,605
DECEMBER	1,028,805	986,078	1,044,178	1,083,983	1,015,045	1,067,250	52,205	1,035,379	20,334	(31,871)
JANUARY	931,373	950,784	927,026	889,358	901,162	977,119	75,957	971,677	70,515	(5,442)
TOTAL	**$6,711,206**	**$6,679,923**	**$6,940,927**	**$6,928,459**	**$6,747,275**	**$7,124,647**	**$377,372**	**$7,266,383**	**$519,108**	**$141,736**
LODGING TAX										
ADOPTED FY 2014 BUDGET - $1,700,000										
JULY [2]	$180,074	$168,386	$180,074	$197,072	$160,554	$174,789	$14,235	$223,419	$62,865	$48,630
AUGUST [3]	192,759	200,321	163,020	275,903	145,349	185,677	40,328	185,340	39,991	(337)
SEPTEMBER	156,383	159,891	160,661	157,680	143,245	181,706	38,461	204,758	61,513	23,052
OCTOBER	185,386	185,530	183,064	191,453	163,220	184,209	20,989	185,014	21,794	805
NOVEMBER	131,053	131,431	131,993	129,941	117,685	153,449	35,764	148,082	30,397	(5,367)
DECEMBER	108,029	92,483	112,277	113,067	100,106	123,501	23,395	126,077	25,971	2,576
JANUARY	122,636	115,790	134,471	129,578	119,894	132,869	12,975	125,716	5,822	(7,153)
TOTAL	**$1,076,320**	**$1,053,832**	**$1,065,560**	**$1,194,694**	**$950,053**	**$1,136,200**	**$186,147**	**$1,198,406**	**$248,353**	**$62,206**

[1] Meals and Lodging Tax data includes columns titled "Actual Collected ." The figures listed under these columns include all revenue received per month under that description regardless of whether the payment is current or delinquent.

[2] Due to year end accounting activities, a portion of Meals and Lodging Tax revenues associated with May and June were posted in June and July.

[3] The August FY 2013 collection amount includes a one-time $140,000 payment in delinquent taxes.

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **March 25, 2014**			AGENDA ITEM NO.: 2
CONSENT:	REGULAR:	WORK SESSION: **X**	CLOSED SESSION: (Confidential)
ACTION:		INFORMATION: **X**	
ITEM TITLE: **Community Code Compliance Team Annual Report**			

RECOMMENDATION: Review the Community Code Compliance Team's prior year activities.

SUMMARY: The City's Community Code Compliance Team was created by City Council to develop and implement "a proactive, coordinated and focused long-term strategy to improve living conditions through consistent code compliance, thereby facilitating a positive impact on the quality of life in Lynchburg." The team includes representatives from the neighborhood, City Council, the City Manager's Office, Community Development, Billings and Collections, Fire Marshal, Public Works, Police, City Attorney's Office, Social Services, Commissioner of the Revenue, Lynchburg Redevelopment and the Housing Authority. Team representatives frequently conduct neighborhood walkthroughs as part of its mission to work proactively with residents to identify concerns and raise awareness of local codes and public maintenance needs.

In 2013 the Community Code Compliance Team coordinated six meetings, four of which were conducted in neighborhoods at the request of residents. Staff will provide a brief overview of last year's initiatives.

PRIOR ACTION(S): None

FISCAL IMPACT: None

CONTACT(S): Keith Wright, Neighborhood Programs Coordinator/Team Facilitator - 455-3900
Kent White, Director of Community Development – 455-3900

ATTACHMENT(S):
- Annual Report on the Activities of the Community Code Compliance Team
- Community Code Compliance Team Charter

REVIEWED BY: bms

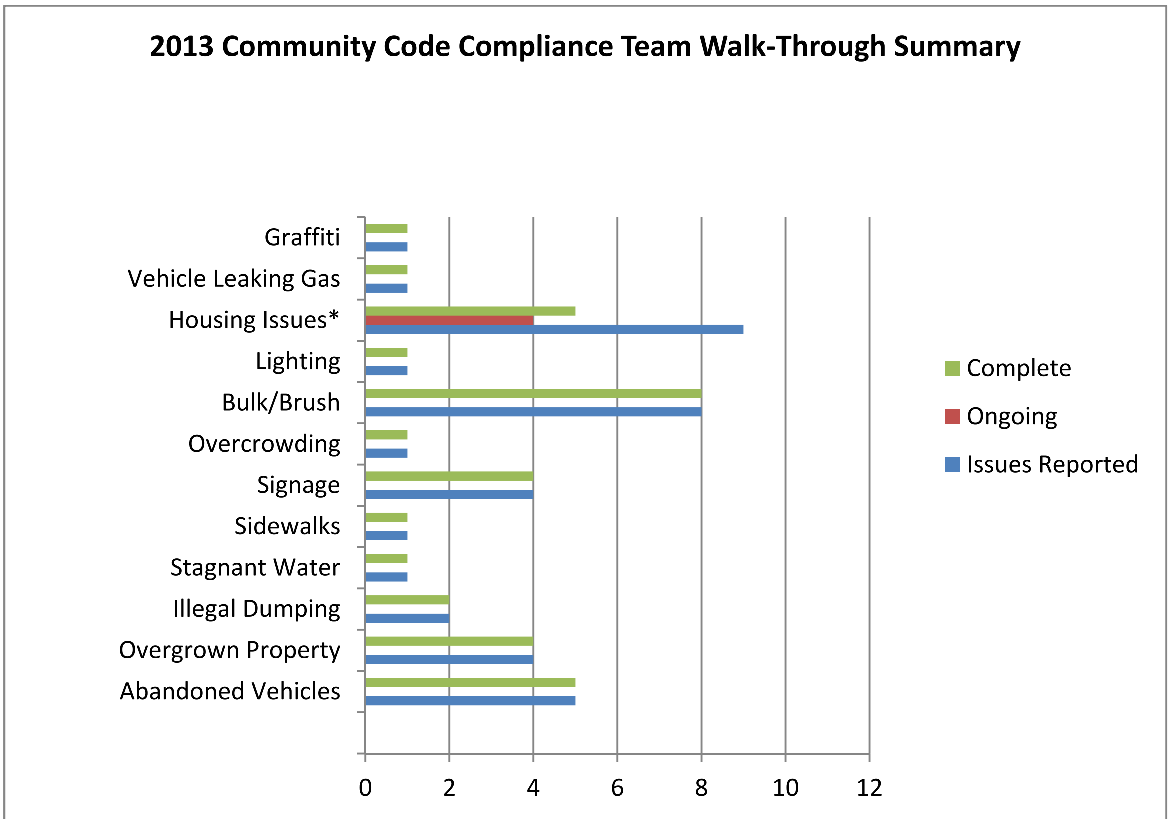
036K

2013 Community Code Compliance Team Summary

Neighborhood Walkthroughs

In 2013, the Community Code Compliance Team coordinated six meetings, four of which were conducted in neighborhoods at the request of residents:
1) Fairview Avenue Neighborhood – March 20, 2013
2) Hydro/VES Road Neighborhood – May 15, 2013
3) Richland Hills Neighborhood – July 17, 2013
4) Tinbridge Hill Neighborhood – September 18, 2013

As a result of these walkthroughs, City staff has worked with neighborhood leaders to identify and address thirty-nine (39) issues.



* Several Housing Issues are still ongoing as a result of legal requirements and efforts to coordinate with housing partners.

Representatives typically use the walkthroughs to resolve neighborhood concerns in a variety of ways. By explaining processes, identifying ongoing maintenance needs, working with property owners to address specific concerns and empowering residents with contacts for follow up and future assistance, team members strive to set clear expectations for progress on each of the items identified during the visit.

Team members also use the walkthroughs to differentiate resident concerns from code requirements. One example is what constitutes a violation for a “junky” yard. The storage of junk, which certainly may be an eyesore but does not rise to the level of a public nuisance, is often one of the most misunderstood sections of the City Code and one that seems to surface at every walkthrough.

Neighborhood Outreach

During 2013, the team continued its work with the Department of Communications and Marketing to video walkthroughs and air them on LTV. In addition to the coordinated introduction and wrap up of the matters identified during the walkthrough, each show highlights a specific neighborhood issue with an “on camera” explanation of how the team may address the matter. The program change continues to generate positive feedback with viewers noting it has made for more interesting and educational television.

Members of the team also took advantage of City’s new website rollout to include links to videos, minutes, walkthrough summaries and announcements on their webpage. In addition, the team created two new public service announcements with information about Abandoned/Inoperative Motor Vehicles on private property and the illegal temporary signs (i.e. real estate signs, yard sale signs, etc.) along the City’s rights-of-way.

Summary

The Community Code Compliance Team continues to seek new connections with the City’s neighborhoods to promote, protect and improve the health, safety and welfare of both the citizens and the environment. The structure of the team allows the members to coordinate action items and responses among the various departments to better address the needs of the residents who live there. By establishing strong working partnerships among the neighborhoods, those neighbors are empowered to not only identify issues on their street but become part of proactive solutions to improve our community as a whole.

City of Lynchburg

COMMUNITY CODE COMPLIANCE TEAM CHARTER

PURPOSE

The team will develop and implement a proactive, coordinated and focused long-term strategy to improve living conditions through consistent code compliance, thereby facilitating a positive impact on the quality of life in Lynchburg.

LYNCHBURG CITY COUNCIL VISION

We will work to ensure an environment in which all of the residents of Lynchburg are free to pursue their dreams, hopes, and aspirations through our understanding and commitment to meet the public's needs in the areas of:

Community Character

The character of our City is defined by the values and behaviors of its residents and its natural and built environments. We are a beautiful, safe and comfortable community with hospitable, friendly, and caring citizens who are free to pursue their values of faith and family according to their individual preferences.

Economic Prosperity

Our City will maintain a vibrant, industrious community that will expand economic opportunities for our citizens. We embrace policies that will enhance economic prosperity with the support of a strong Economic Development Authority, emphasis on education, workforce development, and a continued commitment to business-friendly initiatives.

Good Government

City government will deliver, in an equitable manner, public services through the effective and efficient stewardship of resources. We will also engage in regional efforts that advance the interests of our citizens.

Multicultural Vibrancy

Lynchburg acknowledges and values its rich cultural, ethnic, racial, and religious diversity while promoting a respectful and cohesive community.

A Compelling Destination

The City is a regional draw for entertainment, shopping and business. Our unique historic heritage and tourism attractions draw a national audience. With its breadth of recreational experiences, centers of interactive living history, and opportunities for educational excellence, our City appeals to all generations.

Revised October 2011
Adopted December 2006

STRATEGIC FOCUS

- Enforce codes in a fair and effective manner
- Instill a spirit of cooperation and trust among team members
- Devise new strategies to address neighborhood and citizen concerns, including citizen engagement and education
- Improve communication between the City, other agencies, and the public regarding compliance activities
- Conduct neighborhood walkthroughs to see and hear citizen concerns first-hand

MEMBERSHIP

The team is a core group of City employees whose job responsibilities relate to compliance and quality of life issues. The membership of this multi-disciplinary team consists of representatives of the City Manager's Office, Inspections, Billings and Collections, Fire Marshal, Waste Management, Police, Community Development, City Attorney's Office, Public Services, Customer Service Division, Social Services Division, Commissioner of the Revenue, Lynchburg Redevelopment and Housing Authority and City Council. Meetings are open to any interested customers, citizens, City employees and agency representatives working in partnership with the City.

LEADERSHIP

Leadership is a shared responsibility. Every member of the team is a leader, and will be called upon to act in that capacity during the course of their service. However, in order to have an efficient organizational structure, the membership of the team designates a leader/facilitator, a co-facilitator, recorder and co-recorder to serve during the calendar year. The selection of individuals to staff these positions will occur at the first scheduled meeting each January.

AUTHORITY

City Council and the City Manager endorse and support the work of the team and have empowered its members to work cooperatively toward a common purpose. Each member of the team brings with them the authority inherent in their position. Collectively, the team can influence a wide range of enforcement and compliance strategies that are beyond the ability of individuals acting alone. Cooperation among members will enhance the impact the team will have on the quality of life in Lynchburg.

PERFORMANCE EVALUATION

In keeping with the goals of results-oriented government, the Community Code Compliance Team shall prepare an annual performance report of results for presentation to the City Manager and City Council in January.

Revised: November 22, 2011
City Council

"Putting Citizens and Business Partners *First*"
Working Together To Serve You Better

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **March 25, 2014** AGENDA ITEM NO.: 8

CONSENT: REGULAR: **X** WORK SESSION: CLOSED SESSION: (Confidential)

ACTION: **X** INFORMATION:

ITEM TITLE: **Executing Title to Certain Real Estate with Delinquent Taxes**

RECOMMENDATION: Adopt a resolution authorizing the filing of documents to petition the circuit court to appoint a special commissioner to execute the necessary deed or deeds to convey certain real estate with delinquent taxes to the City, for subsequent conveyance to the Lynchburg Redevelopment and Housing Authority.

SUMMARY: From time to time the City, through an attorney, sells at public auction certain properties on which the real property taxes have been delinquent for more than three years. This procedure works if the property has enough market value so that the proceeds of the sale cover the delinquent taxes, any other liens on the property and the attorney's fees. In cases where the value of the delinquent property is too low it is not financially feasible to offer the property at auction and it remains delinquent. Frequently, such properties have very complicated ownership situations, possibly involving many heirs who have knowingly or unknowingly inherited the property from a deceased relative. Such situations can lead to blight in neighborhoods.

In recognition of the challenges posed by such properties the General Assembly has created an alternative method for a locality to transfer the title on low value tax delinquent properties. Attached is Section 58.1-3970.1 of the Code of Virginia that provides for the appointment of a special commissioner to execute the necessary deeds to convey the property to a locality in lieu of sale at public auction. The locality can then use other procedures available to it to get the property back on the tax rolls.

The Lynchburg Redevelopment and Housing Authority (LRHA) is interested in acquiring one property such as those described above. The attached letter from LRHA's counsel explains its interest in the lot at 913 2nd Street in Tinbridge Hill. It asks that City Council utilize the process outlined in Section 58.1-3970.1 of the State Code to acquire the property and subsequently transfer it to the LRHA for redevelopment.

PRIOR ACTION(S): City Council adopted the Tinbridge Hill Neighborhood Plan on March 11, 2014. This action would be consistent with the goals of the plan to foster neighborhood revitalization.

FISCAL IMPACT: Negligible

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

ATTACHMENT(S): Resolution; Section 58.1-3970.1 of the Code of Virginia; Letter from Herschel Keller, Esq. on behalf of the LRHA, map showing the location of 915 2nd Street.

REVIEWED BY: lkp

RESOLUTION

BE IT HEREBY RESOLVED THAT the City Attorney is authorized to submit the necessary documents, under the process established by Section 58.1-3970.1 of the Code of Virginia 1950, as amended, to petition the Circuit Court of the City of Lynchburg to appoint a special commissioner to execute the necessary deed or deeds to convey the tax delinquent real estate at 915 2nd Street to the City in lieu of its sale at public auction.

Adopted:

Certified: ______________________________

Clerk of Council

038K

STATE CODE

§ 58.1-3970.1. Appointment of special commissioner to execute title to certain real estate with delinquent taxes or liens to localities.

A. Except as provided in subsection B, in any proceedings under this article for the sale of a parcel or parcels of real estate which meet all of the following: (i) each parcel has delinquent real estate taxes or the locality has a lien against the parcel for removal, repair or securing of a building or structure; removal of trash, garbage, refuse, litter; or the cutting of grass, weeds or other foreign growth, (ii) each parcel has an assessed value of $50,000 or less, and (iii) such taxes and liens, together, including penalty and accumulated interest, exceed 50 percent of the assessed value of the parcel or such taxes alone exceed 25 percent of the assessed value of the parcel, the locality may petition the circuit court to appoint a special commissioner to execute the necessary deed or deeds to convey the real estate to the locality in lieu of the sale at public auction. After notice as required by this article, service of process, and upon answer filed by the owner or other parties in interest to the bill in equity, the court shall allow the parties to present evidence and arguments, ore tenus, prior to the appointment of the special commissioner. Any surplusage accruing to a locality as a result of the sale of the parcel or parcels after the receipt of the deed shall be payable to the beneficiaries of any liens against the property and to the former owner, his heirs or assigns in accordance with § 58.1-3967. No deficiency shall be charged against the owner after conveyance to the locality.

B. For a parcel or parcels of real estate in the Cities of Norfolk, Richmond, Hopewell, Newport News, Petersburg, and Hampton, all of the provisions of subsection A shall apply except that the percentage of taxes and liens, together, including penalty and accumulated interest, and the percentage of taxes alone set forth in clause (iii) of subsection A shall exceed 35 percent and 15 percent, respectively, of the assessed value of the parcel or parcels.(1999, c. 869; 2003, cc. 16, 156; 2004, c. 968; 2011, c. 688; 2012, cc. 87, 610.)

PETTY,
LIVINGSTON,
DAWSON
RICHARDS
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Suite 1200
Lynchburg, VA 24504

RECEIVED
MAR 05 '14
CITY ATTORNEY

March 4, 2014

Walter C. Erwin, III
City Attorney
CITY OF LYNCHBURG
900 Church Street
Lynchburg, VA 24504

Re: Lynchburg Redevelopment & Housing Authority
915 2nd Street

Dear Walter:

In keeping with our recent conversation, I suggested to the board of commissioners of the Lynchburg Redevelopment & Housing Authority that the City might entertain acquiring 915 2nd Street through the process set forth in § 58.1-3970.1 of the Code of Virginia, which you kindly pointed out to me. At the request of the commissioners, I write to ask whether you would present this matter to city council to determine whether they would be interested in assisting the Authority in acquiring this property.

The property is currently assessed for $1,000. The unpaid and past due taxes total $6,589.01, and they have not been paid since 1996. Accordingly, the property qualifies for acquisition by the city through the aforementioned section of the Virginia Code.

The Redevelopment & Housing Authority owns an adjacent lot at 913 2nd Street. It is in discussions with the owner of 917 2nd Street, which is adjacent to 915 2nd Street opposite from the Authority's lot, to acquire his property by voluntary conveyance. 917 2nd Street is on the City's list of top 15 most blighted properties. If acquired by the City, the Authority would ask the City to re-convey 915 2nd Street to it. It is the intent of the Authority to package or re-subdivide the properties for construction of new housing.

I would be happy to provide whatever assistance you need, including drafting authorizing resolutions for city council and preparing the necessary pleadings and orders.

Very truly yours,

Herschel V. Keller

The City of Lynchburg, VA

Legend

Streets
Addresses
Legal Lot Lines
Parcels
Owner Unknown
Survey Gap

Feet
0 5 10 15 20
1:300 / 1"=25 Feet

915 2nd Street

3/19/2014

DISCLAIMER:This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records,information, and data obtained from various sources, and the City of Lynchburg is not responsible for its accuracy or how current it may be.

3-16-14

Dear Mrs. Valarie Chambers:

My name is Consuela Mosley. Parental Alienation is psycholugical and emotional abuse on children. April 25 is a National Day Event all around the world. This day is to recognize and bringin attention and awareness to this growing problem of child abuse. Thank you for your cooperation.

Sincerely,

Consuela Mosley

Consuela Mosley
397 main Street
Madison Heights, Va 24572
(434) 473-2243

RECEIVED
MAR 17 2014
Council/Manager
Offices

040K

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **March 25, 2014** AGENDA ITEM NO.: 6

CONSENT: REGULAR: **X** WORK SESSION: CLOSED SESSION: (Confidential)

ACTION: **X** INFORMATION:

ITEM TITLE: **Public Hearing Regarding the FY 2015 Allocation of Community Development Block Grant (CDBG) and HOME Program Funds**

RECOMMENDATION: Conduct a Public Hearing to receive input regarding the Program Year 2014, Fiscal Year (FY) 2015, projected allocation of $1,075,912.56 in Community Development Block Grant (CDBG) and $475,522.18 in HOME Program funds.

SUMMARY: The U.S. Department of Housing and Urban Development (HUD) funds the CDBG and HOME Programs. The City has available the following funds to use for eligible CDBG and HOME activities during the 2014/15 (FY 2015) program year.

CDBG AVAILABLE FUNDING/SOURCE	**AMOUNT**
HUD Allocation	$687,496.00*
Reprogrammed Funds	94,182.37
Anticipated Program Income	294,234.19
Total CDBG Funding Available	**$1,075.912.56**

HOME AVAILABLE FUNDING	**AMOUNT**
HUD Allocation	$311,795.00*
Reprogrammed Funds	163,727.18
Total HOME Funding Available	**$475,522.18**

***City staff has not received a final allocation amount from HUD for FY 2015. For the Community Development Advisory Committee meeting and City Council public hearing the entitlement amount received for FY 2014 has been used as the estimated amount of entitlement for FY 2015.**

The Community Development Advisory Committee (CDAC) met on March 4, 2014 and reviewed the applications that were submitted. The following lists of projects have been recommended for funding by the CDAC.

CDBG PROJECTS RECOMMENDED FOR FUNDING
BY THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE (CDAC)

City Administration	**$ 90,000.00**
Continuum of Care- Coordinated Assessment Intake Social Worker	**24,585.00**
Tinbridge Hill Neighborhood Infrastructure Improvements	**425,891.56**
Lynchburg Community Action Group (Lyn-CAG) Fair Housing Education Initiative	**6,800.00**
Lynchburg Redevelopment & Housing Authority (LRHA) Admin & Delivery Costs	**123,636.00**
LRHA Brookside 4 Unit ADA Compliant Renovation	**180,000.00**
LRHA Dearington Apartments Energy-Efficient Window Replacements	**125,000.00**
LRHA Dearington Apartments Community Room Rehabilitation	**100,000.00**
Total CDBG	**$1,075,912.56**

HOME PROJECTS RECOMMENDED FOR FUNDING
BY THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE (CDAC)

City Administration	**$ 18,000.00**
Lyn-CAG Substantial Rehabilitation	**75,000.00**
Lyn-CAG Homeownership Down Payment & Closing Cost / Education	**60,000.00**
Lyn-CAG First-time Homebuyer Community Housing Development Organization (CHDO)	**45,000.00**
Greater Lynchburg Habitat for Humanity- Homeownership Program	**90,000.00**
Rush Homes (CHDO)- Armstrong Place Rehabilitation	**10,500.00**
Lynchburg Covenant Foundation (LCF) Frank Roane Apartments	**60,000.00**
LRHA Homeownership Development	**117,022.18**
Total HOME	**$475,522.18**

All CDBG and HOME funds will be expended in accordance with primary objectives of these programs. The City estimates that over 70 percent of the CDBG FY 2015 funding will benefit low/moderate income persons which comply with HUD regulations.

All applications submitted for funding consideration are available for review in the Grants Administration Office, Second Floor, City Hall.

At the work session on April 8, City Council will review the recommendations of the CDAC and decide on the projects and allocations to be included in the Annual Action Plan and submitted to HUD for approval.

PRIOR ACTION(S): Community Development Advisory Committee Meeting – March 4, 2014

FISCAL IMPACT: N/A

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

ATTACHMENT(S): CDAC Meeting Notes – March 4, 2014 – Attachment A
CDAC Funding Recommendations Worksheet – Attachment B
Summary of CDBG and HOME Applications – Attachment C
CDBG and HOME Reprogrammable Funds – Attachment D
CDBG and HOME Unexpended Balances – Attachment E

REVIEWED BY: bms

037K

Community Development Advisory Committee (CDAC) Meeting
March 4, 2014
City Hall, Second Floor Training Room

Meeting Notes*

(*MEETING NOTES HAVE BEEN REVIEWED INDIVIDUALLY BY CDAC MEMBERS; WILL NOT HAVE FORMAL APPROVAL UNTIL THEIR NEXT MEETING DATE SCHEDULED FOR FEBRUARY 2015.)

Attendance included:

CDAC Members Present:	Council Member Jeff Helgeson, Chair; Council Member Dr. Ceasor T. Johnson, Vice Chair; Mr. Michael Bedsworth (Daniel's Hill representative); Ms. Connie Grant (Tinbridge Hill representative); Ms. Michelle Jackson (College Hill representative); Mr. Jeffery Schneider (Diamond Hill representative); and Ms. Jimmie Stevens (Diamond Hill-South representative)
City Staff:	Bonnie Svrcek (Deputy City Manager); Melva Walker (Grants Manager); Rhonda Allbeck (Assistant Director of Financial Services); Toni Butler (Grants Accountant); Kevin Henry (Planner II); Kent White (Director of Community Development); Kay Frazier (Parks and Recreation); Virginia Huntington (Assistant Director of Human Services); Megan Wood (Division of Social Services); Starlette Early (Community Development Program Coordinator)
Guests:	Dawn Fagan, Lynchburg Redevelopment and Housing Authority (LRHA); Laurie Vece, LRHA; Cindy Sommers, Lynchburg Neighborhood Development Foundation (LNDF); Donna Vincent, Greater Lynchburg Habitat for Humanity (GLHFH); Greg Tyree, GLHFH; Denise Crews, Lynchburg Community Action Group (Lyn-CAG); Connie Snavely, Lynchburg Covenant Fellowship (LCF); Susie Kitchen, LCF

The Committee Chair, Council Member Jeff Helgeson, called the meeting to order at 11:00 a.m., noting a quorum was present. (Council Member Johnson and Ms. Jackson arrived later in the meeting, but prior to the Committee's discussion on recommendations for the projects.) Council Member Helgeson introduced the three new members of CDAC: Ms. Grant, Ms. Stevens, and Ms. Jackson, and welcomed everyone attending the meeting.

Council Member Helgeson called for approval of the February 19, 2013 meeting notes, and requested comments, corrections, or a motion for approval. A motion was made by Mr. Bedsworth, and seconded by Mr. Schneider, to approve the notes as submitted. The meeting notes were unanimously approved 5-0.

Ms. Walker presented highlights of the U. S. Department of Housing and Urban Development (HUD) Program Year 2012 (7/1/2012 – 6/30/2013) Consolidated Annual Performance Report (CAPER). She summarized programs and accomplishments in the following areas:

- Housing Ownership, Rehabilitation and Rental Housing
- Support of Neighborhoods
- Economic Development Efforts
- Residential Rental Property Inspections Program and Property Maintenance Inspections
- Demolition and Code Enforcement
- Spot Blight Acquisitions and Rental Rehabilitation Grants

Ms. Walker also reviewed the role of CDAC as it relates to the Citizen Participation Plan for CDBG and HOME Programs:

- Review CDBG and HOME Program applications received by staff;
- Make recommendations to City Council; and
- City Council conducts public hearings (notices are published for the public meetings), reviews CDAC recommendations and gives final approval for project funding.

Ms. Walker noted City Council's direction for Fiscal Year 2015 application funding requests:

- Maximize use of CDBG funds for Capital Improvement Projects;
- Cooperation with the Lynchburg Redevelopment & Housing Authority (LRHA) regarding spot blight, rental rehabilitation and other housing related projects; and
- Focus resources on targeted neighborhood(s) through partnerships with City departments and/or LRHA.

Ms. Walker provided an overview of the Fiscal Year 2015 Annual Action Plan Goals. She noted these goals were approved by CDAC for the 2010-2015 Consolidated Plan and have not changed. Each year City Council reviews the adopted goals at a public hearing and these were approved by City Council on January 14, 2014.

Ms. Walker summarized the most recent CDBG and HOME Allocations Worksheet, directing attention to several updates made since distributed in their application materials:

- Reprogram Funds- $94,182.37
- Program Income- $291,234.19 (Disposition of 24 properties)
- Rush Homes letter requesting a revision in their funding request- $10, 500-CHDO.
- Program Administration- $90,000 (CDBG); $18,000 (HOME)

- Bluff Walk- City received repayment of $1.7 million from developer and is required to reserve for future Section 108 loan payments; therefore, no reserve is necessary for Bluffwalk in the FY 2015 allocation process

Council Member Helgeson explained the process for making recommendations, noting the challenge of balancing funding requests for scarce resources while prioritizing the projects that best meet the adopted goals of the City. He also noted the entitlement amount is estimated pending notification by HUD for final funding. This may result in more/less funding available for allocation than reported at today's meeting.

There was discussion regarding the projects requesting CDBG funds. Ms. Walker provided clarification on two projects receiving funding during Fiscal Year (FY) 2014, at the direction of City Council, with final entitlement funds that exceeded initial staff estimates. The first project, Continuum of Care (COC)- Coordinated Assessment Intake Social Worker, is a HUD requirement for the City, as a participant in the COC, to provide a centralized point of intake for providing housing assistance to the homeless. Funding was directed by Council in FY 2014 to provide support for a staff person to meet this requirement, and the request for funding in FY 2015 is to continue support towards this requirement. The second project, Relocation of Miller Park Basketball Court, was directed by City Council to receive funding in FY 14; however, there is no request for additional funding for this project in FY 15.

Mr. Bedsworth recommended full funding for the Coordinated Assessment Intake Social Worker project. Mr. Schneider recommended, with approximately $24,000 difference in available funding compared to the total amount requested, to fully fund all remaining projects listed below Tinbridge Hill Neighborhood, and allocate the remaining balance to Tinbridge. This would result in full funding of all projects except Tinbridge, and Tinbridge would receive funding very close to their requested amount. The allocations were updated on the worksheet according to these recommendations for consideration by the committee.

Due to recent changes in leadership at the Lynchburg Redevelopment and Housing Authority (LRHA), Council Member Johnson requested a general update from the organization. Ms. Fagan, serving as interim Executive Director of LRHA for the past 8 months, provided a status of projects she has addressed since her tenure with the LRHA and an overview of upcoming projects, including;

- Managing the disposition of spot blight properties acquired over numerous years, selling all but 12 of the properties and evaluating most effective ways to add housing to the other properties, many of which are blocks of vacant lots.
- Reviving their Homeownership program with funds to build three (3) new accessible homes and providing appropriate education to eligible buyers in homeownership opportunities and responsibilities.
- Rehabilitating portions of their four (4) public housing properties managed by LRHA, including renovations towards compliance with HUD requirements for ADA accessibility.

There was further discussion regarding the operation of LRHA's public housing properties, including derivation of rental fees to tenants, amount subsidized by HUD (currently 83%) as an operating subsidy, and LRHA's ongoing responsibility to meet HUD's accessibility and condition requirements through their annual contributions contract. Mr. Bedsworth asked for clarification on several categories in the LRHA operating budget, noting undocumented abbreviations made it difficult to evaluate and draw observations about the numbers being reported.

Council Member Helgeson requested information regarding the Spot Blight program, managed by LRHA and routinely funded by CDBG each year during this process, since funds were not requested for FY 2015. Ms. Fagan explained there is approximately $100,000 remaining from prior funding requests for Spot Blight programs. LRHA has recently sold acquired properties, dating back to 1997, that HUD was expecting them to develop and meet a broad national objective. Resources are now being focused towards developing the properties LRHA currently owns so they can meet the HUD objectives. LRHA continues to work with the City and other housing agencies (Habitat for Humanity, LNDF, Lyn-Cag, Rush Homes) to identify high priority spot blight properties and determine best strategies for managing those properties. LRHA is about to finalize the acquisition of two properties on the City's "Top 15 List" that will utilize approximately $30,000 of their remaining funding.

With no further questions or comments from the committee, Council Member Helgeson called for a vote. A motion to accept the proposed funding as presented for all CDBG projects, excluding the Tinbridge Hill Neighborhood project, was made by Council Member Johnson, seconded by Mr. Bedsworth. The funding was unanimously approved 7-0. A second motion was made to approve funding as presented for the Tinbridge Hill Neighborhood project by Mr. Schneider, and seconded by Council Member Johnson. The motion was approved 6-0, with Ms. Grant (representative for Tinbridge Hill) abstaining.

Discussion regarding how to allocate receipt of any funds (less than $25,000 or 25% of entitlement amount) different than the estimated CDGB entitlement amount reported during this meeting resulted in an agreement to increase or reduce funding to the Tinbridge Hill Neighborhood project as required.

Council Member Helgeson directed attention to the projects requesting HOME funds, and noted there was a much larger difference in requested versus available funds. He explained HUD's minimum funding requirement for the Community Housing Development Organization (CHDO) and recommended full funding for the two projects meeting this requirement: Rush Homes- Armstrong Place ($10,500) and Lyn-CAG Homebuyer ($45,000). Mr. Schneider thanked Rush Homes for coming forward with a reduced funding request after analyzing their needs more closely.

Council Member Helgeson requested additional information from Lynchburg Neighborhood Development Foundation (LNDF) regarding their project request. Ms. Sommers provided details and answered questions regarding the LNDF 5th and Polk Streets Residential Rental project application:

- Project continues the revitalization efforts on 5th Street and surrounding neighborhoods with plans to incorporate one residential rental unit and one commercial unit in each of two buildings owned by LNDF. They have plans to expand by using two adjacent vacant lots on Polk Street to build two (2) additional duplex units, creating four (4) residential rental units.
- To assist with navigating complex requirements surrounding historic renovations, historic tax credits, and securing private investment funding sources, LNDF has partnered with Virginia Community Development Advisory Services. With their assistance, LNDF is expecting to receive approximately $314,000 in private investment funding, $450,000 in construction financing, and additional sponsor funding to complete the project. Remaining renovations on 702 and 708 5th Street is expected to cost $630,000.

Ms. Sommers responded to questions about LNDF's financial statements, noting the 2012 audit was not yet complete due to a change in auditors. Members of the CDAC discussed the importance of continuing the City's investment in 5th Street and how this project might contribute to both housing and non-housing goals for this corridor. Mr. Schneider recommended funding the request for $123,000 to assist in completing the 5th Street portion of the project only. There was further discussion regarding LNDF's advisory partnership and status of funding sources for the project. Council Member Johnson suggested due to limited funding the committee evaluate funding requirements for the other projects first to determine any amount that might be remaining.

Council Member Helgeson suggested funding Lyn-CAG Rehabilitation for $75,000 and additional committee comments resulted in full funding allocations for Habitat for Humanity ($90,000) and Lyn-CAG Down Payment & Closing Cost / Education ($60,000).

Ms. Snavely responded on behalf of Lynchburg Covenant Foundation (LCF) to CDAC's request for an overview regarding the Frank Roane Apartments project:

- LCF converted a school located on Federal Street (historic district) into 26 apartments for the elderly in 1980. They have not done any substantial rehabilitation since the conversion.
- They plan to make five (5) apartments ADA compliant, re-work windows, repointing brick work, replace existing elevator, install sprinklers with supporting generator, and perform general renovation updates required by Virginia Housing Development Authority such as new flooring, cabinets, kitchen, and bathroom.
- They have a contract with HUD for subsidized units. Noted displacement of residents during renovation.

Mr. Bedsworth confirmed total cost of the project at $3 million, with funding request of $60,000. He supported allocating funding for full $60,000.

Ms. Fagan responded to questions from Council Member Johnson regarding location of proposed new construction for the LRHA New Construction project and impact these funds might offer if they received less than their requested amount of $220,000. She indicated their construction plans were for the Tinbridge neighborhood and they would be able to combine program income from the Homeownership program with a partial funding allocation for this project to move forward with construction.

Ms. Crews responded to questions from Mr. Schneider regarding Lyn-CAG's Down Payment and Closing Cost / Education Program. Ms. Walker clarified that LNDF had previously operated this program for the City for almost twenty (20) years but was not reapplying again this year. Lyn-CAG's program would meet the City's requirement to fund a down payment assistance program as identified in the City's Analysis for Impediments to Fair Housing Choice (AI).

Council Member Johnson recommended allocating the remaining $117,022.17 for the LRHA New Construction project. He further indicated he was favorable to having LNDF reapply for their funding request once additional funding sources were solidified. There was discussion regarding the impact delayed funding for the LNDF project would create. Ms. Sommers reported a delay would require conversations and agreements with LRHA, 5th Street Community Development Corporation, and development partners to determine continued viability of project. Additional discussion focused on the minimum amount of funding necessary to proceed with the original scope of the project.

With a balanced budget reached, Council Member Helgeson requested a motion to accept the current HOME allocations as presented. Mr. Bedsworth made a motion to accept the allocations, seconded by Council Member Johnson. The committee voted to approve the HOME allocations 6-1, with Mr. Schneider opposed.

Council Member Helgeson reviewed the timeline for the 2015 Fiscal Year Annual Action Plan:
- City Council Public Hearing (CDAC Recommendations) - March 25, 2014 @7:30 p.m.
- City Council Allocation – Work Session – April 8, 2014
- Draft Annual Action Plan – Public Review – April 28, 2014
- City Council Public Hearing (Annual Action Plan) – May 27, 2014 @ 7:30 p.m.
- Annual Action Plan Submittal to HUD – May 28, 2014

With no further business to discuss, Council Member Helgeson accepted a motion to adjourn the meeting.

CDBG and HOME Allocations Worksheet 2014-2015

Total CDBG Available $ 1,075,912.56

CDBG

NAME	Prior Year 13/14 Award	Amount Requested	CDAC Recommendation	City Council Amount Awarded
Bluffwalk Section 108*	$ 284,048.00	$ -	$ -	
City Administration	88,100.00	90,000.00	90,000.00	
Continuum of Care-Coordinated Assessment Intake Social Worker	30,000.00	24,585.00	24,585.00	
Tinbridge Hill Neighborhood Public Infrastrucutre	45,000.00	449,000.00	425,891.56	
Lyn-Cag Fair Housing Education Initiative	0.00	6,800.00	6,800.00	
LRHA Admin & Delivery Costs	135,277.00	123,636.00	123,636.00	
LRHA Brookside 4 Unit ADA compliant Renovation	0.00	180,000.00	180,000.00	
LRHA Dearington Apartments Window Replacements	0.00	125,000.00	125,000.00	
LRHA Dearington Apartments Community Room	0.00	100,000.00	100,000.00	
5th Street CDC Phase II - City	175,490.89	0.00	0.00	
LRHA Rental Rehabilitation	30,000.00	0.00	0.00	
Relocation of Miller Park Basketball Court	50,216.00	0.00	0.00	
Total CDBG	$ 838,131.89	$ 1,099,021.00	$ 1,075,912.56	$ -
Remaining Amount to Award			$ -	$ 1,075,912.56

CHDO Requirement $ 46,769.25

HOME

Amount Available
$ 475,522.18

NAME	Prior Year 13/14 Award	Amount Requested	CDAC Recommendation	City Council Amount Awarded
City Administration	$ 22,000.00	$ 18,000.00	$ 18,000.00	
Lyn-CAG Homeownership Substantial Rehab	111,201.00	75,000.00	75,000.00	
Lyn-CAG Down Payment & Closing Cost/ Education	0.00	60,000.00	60,000.00	
Lyn-CAG First-time Homebuyer (CHDO)	46,770.00	45,000.00	45,000.00	
Habitat for Humanity - Homeownership	60,000.00	90,000.00	90,000.00	
Rush Homes (CHDO)-Armstrong Place	0.00	10,500.00	10,500.00	
LNDF 5th&Polk Streets Residential Rental	0.00	205,000.00	0.00	
LCF Frank Roane Apartments	0.00	60,000.00	60,000.00	
LRHA Homeownership Development	0.00	220,000.00	117,022.18	
LNDF Homeownership Fund	30,000.00	0.00	0.00	
LNDF Single Family Dev.	50,000.00	0.00	0.00	
Total HOME	$ 319,971.00	$ 783,500.00	$ 475,522.18	$ -
Remaining Amount to Award			$ -	$ 475,522.18

	FY 2014	FY 2015	Difference	%
CDBG				
Entitlement	$687,496.00	$687,496.00	$0.00	0.0%
Reprogrammed Funds	148,605.89	94,182.37	(54,423.52)	-36.6%
Program Income	2,030.00	294,234.19	292,204.19	14394.3%
TOTAL	$838,131.89	$1,075,912.56	$237,780.67	28.4%
Administration CAP	$137,499.20	195,746.04	$58,246.84	42.4%
Public Service CAP	$103,124.40	$103,124.40	$0.00	0.0%
HOME				
Entitlement	$311,795.00	$311,795.00	$0.00	0.0%
Reprogrammed Funds	8,176.00	163,727.18	155,551.18	1902.5%
Program Income	0.00	0.00	0.00	0.0%
TOTAL	$319,971.00	$475,522.18	$155,551.18	48.6%
Administration CAP	$31,179.50	$31,179.50	$0.00	0.0%
CHDO Required	$46,769.25	$46,769.25	$0.00	0.0%

* For FY 2015, the City is funding the Bluffwalk payments with funds from the Developer and with funds repaid by the Developer for payments missed in prior years.

Lyn-CAG - Lynchburg Community Action Group

LRHA - Lynchburg Redevelopment and Housing Authority

Habitat for Humanity- Greater Lynchburg Habitat for Humanity

LNDF - Lynchburg Neighborhood Development Foundation

LCF - Lynchburg Covenant Fellowship

Summary of Community Development Block Grant (CDBG) and HOME Program Funding Requests FY 2015

Following is a brief summary of each of the applications received for consideration of CDBG and HOME Program funding. Entire applications are available and can be reviewed in the Grants Administration Office.

Community Development Block Grant Applicants

City Administration

FY 2014 Award	FY 2015 Request	CDAC Recommendation
$88,100	$90,000	$90,000

Funding is requested to fully fund the personnel, operating, and training costs associated with managing the CDBG Program.

Continuum of Care- Coordinated Assessment Intake Social Worker

FY 2014 Award	FY 2015 Request	CDAC Recommendation
$0	$24,585	$24,585

The Continuum of Care (CoC) is requesting a continuation of funding for the position of Homeless Intake Coordinator, located within the Department of Human Services for the City. To achieve compliance with HUD regulations which require a coordinated intake process, the Lynchburg CoC has developed Coordinated Homeless Intake and Access (CHIA). The CoC has worked together to create a uniform intake tool in order to quickly assess individuals and families and insure that they are expeditiously placed in the most appropriate housing for their unique situation. The Homeless Intake Coordinator, a Family Services Specialist with Human Services, has been hired and trained.

CHIA's goals are to understand the client's need and eligibility for existing programs, to document the client's homeless and housing history and barriers, to identify needs through consistent use of a uniform assessment tool, and to capture data about area homelessness in order to better assess and provide for community needs. Gathering such data will also enable the Homeless Intake Coordinator to develop a housing plan for clients, check availability of beds in multiple shelters, and match the client need with existing bed space resulting in the right program for each individual client. Use of the Homeless Management Information System (HMIS) (data tracking and documentation system) will provide real-time knowledge of available beds, allow transfer of client information to the receiving program, provide enrollment status to the Homeless Intake Coordinator, and allow the Homeless Intake Coordinator to monitor the situation to insure the client is successfully enrolled into the selected program.

Tinbridge Hill Neighborhood Infrastructure Improvements

FY 2014 Award	FY 2015 Request	CDAC Recommendation
$45,000	**$449,000**	**$425,891.56**

Over the past 3 years, the Tinbridge Hill Neighborhood Council (THNC), in partnership with City staff, and supported by the Friends of Tinbridge Hill (FTH), have targeted the investment of CDBG funds into Tinbridge Hill to assist its residents and community stakeholders to develop a model for a sustainable neighborhood. This Sustainable Neighborhood Strategy uses the elements of Lynchburg's Sustainable City Initiative – Arts and Culture, Citizen Engagement and Social Capital, Economic Development, Infrastructure, Healthy and Active Living, Land Use, Lifelong Learning, Natural and Environmental Resources, Neighborhoods, Safe Community, Social Equity and Transportation – to identify the assets and opportunities in the neighborhood. The goal of this project is, using Tinbridge Hill as a model, to develop a strategy that can be used in other neighborhoods throughout the City.

Priorities for this year's CDBG funding consideration include select sidewalk improvements identified in the *Growing Tinbridge Hill Neighborhood Plan* to improve connectivity, infrastructure and safety of the neighborhood. Although the complete priority list identified in the plan includes improvements to Monroe Street, Hollins Street, 2nd Street, McIvor Street, Jackson Street, Garland Street, 4th Street and Floyd Street, the proposed funding request does not address all of these projects. Based on the approved allocation amount, City staff will refine project estimates and prioritize the scope of the improvements for engineering design, available right-of-way, drainage and topography considerations, and potential efficiencies gained by working with other projects. While a reduction in CDBG funding would limit the scope of this project, it is possible to do some aspects of this project if the full request is not awarded.

Lynchburg Community Action Group (Lyn-CAG) Fair Housing Education Initiative

FY 2014 Award	FY 2015 Request	CDAC Recommendation
$0	**$6,800**	**$6,800**

According to HUD, impediments to fair housing choices are any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin that restrict housing choices, or the availability of housing choices. To directly address the impediments outlined in the Analysis of Impediments for Fair Housing Choice (AI) for the City of Lynchburg, Lynchburg Community Action Group, Inc. is requesting CDBG funds to assist with the expansion of its current offerings of educational opportunities to a broad range of people in the housing industry, renters, homebuyers, real estate professionals, homeowners associations, property managers, Continuum of Care (CoC) members, community partners, institutions, and city and county employees who work with clients regarding housing needs and issues. The primary goal is to provide fair housing education and help targeted groups understand their rights and responsibilities under the Fair Housing Act. Lyn-CAG's outreach and educational efforts will be to develop and distribute educational literature and resources that describe ways to prevent housing injustices and the applicable laws that protect against discrimination.

Lynchburg Redevelopment and Housing Authority (LRHA) – Administration & Direct Costs

FY 2014 Award	FY 2015 Request	CDAC Recommendation
$135,277	**$123,636**	**$123,636**

The funds requested enable the Authority staff to undertake various Community Development Block Grant-financed activities. These include activities which were funded in previous years as well as activities to be undertaken during the proposed fiscal year 2014-2015.

Administrative Costs
Payment of pro-rata share of salaries, benefits, travel, communications, etc., attributable to employees' duties for the CDBG program as outlined in the Authority's annual administrative budget.

Direct Costs
- Oversight of the Authority's loan portfolio of amortized and deferred payment residential loans in the College Hill, Daniel's Hill, Diamond Hill, Garland Hill, Grace Street and White Rock neighborhoods; single-family and multi-family rental rehabilitation loans and grants; commercial loans secured by Urban Development Action Grant funds, as well as bond financed loans. Oversight involves the collection of delinquent accounts, monitoring insurance coverage, negotiation of payment plans and participating in foreclosures and deed acquisition in lieu of foreclosure.
- Monitoring the security and maintenance of properties which were acquired under the Spot Blight program.
- Monitoring 8 properties under continuing Rehabilitation Agreements.
- Acquiring property and coordinating work with appraisers and legal counsel under the Spot Blight program.
- Disposal and clearance of improved and unimproved properties acquired under the Spot Blight program.
- Identifying and monitoring blighted properties and the coordinating the required renovations with owners to remove the blight.
- Partnering in joint ventures with other local non-profit organizations.
- Determining best use options for the inventory of lots in LRHA inventory and building homes that create opportunities for disabled low to moderate public housing families.
- Monitoring the renovation of 4 units at Brookside under to meet ADA / 504 guidelines for disabled persons.
- Monitoring the removal of substandard windows and installing energy efficient windows at Dearington Apartments, making utilities more affordable (100 Units)
- Monitoring the renovation of the Dearington Apartments Community Room to meet ADA / 504 guidelines for public buildings.

LRHA – Brookside 4 Unit ADA Compliant Renovation

FY 2014 Award	FY 2015 Request	CDAC Recommendation
$0	$180,000	$180,000

During HUD REAC (Real Estate Assessment Center) on-site inspections and an FHEO (Fair Housing Equal Opportunity) on-site inspection, it was noted that HUD requires public housing authorities to provide 5% of their housing stock as ADA/504 accessible units. For LRHA, this means that 17 units should be accessible in order to provide low-moderate income families equal opportunity to the public housing program. This project is necessary to provide compliance with the requirements of ADA regulations for accessibility and assure that disabled families have equal opportunity to reside in public housing units.

The funds requested in this application will partner with Public Housing Capital Fund monies to allow LRHA to convert four (4) existing units to full ADA/504 compliance. LRHA completed ADA/504 renovations to two (2) units in November 2013. When Brookside was built, there were no units built that meet today's requirements for accessibility. The units will be completely gutted and renovated to comply with these requirements.

LRHA – Dearington Apartments Energy-Efficient Window Replacements

FY 2014 Award	FY 2015 Request	CDAC Recommendation
$0	$125,000	$125,000

Due to the rising cost and the environmental restraints of producing energy, Federal regulations require all public housing agencies to develop and implement energy conservation measures. In April 2013, LRHA contracted with an independent consultant to conduct an energy audit in accordance with the methodology required by HUD. This energy audit evaluated the current energy consumption and conservation measures and identified available conservation opportunities.

The funds requested in this application will be used to remove old substandard windows currently installed in the Dearington Apartments and replace them with new Energy Star vinyl frame/sash, Low-E insulated glass with warm-edge spacer. The windows will be double-hung with tilt-in sashes and exterior screens. All windows in the 100 units at Dearington Apartments will be replaced.

LRHA – Dearington Apartments Community Room Rehabilitation

FY 2014 Award	FY 2015 Request	CDAC Recommendation
$0	$100,000	$100,000

The Community Room at Dearington Apartments provides a public meeting space for residents, organizations and LRHA to conduct meetings and activities that benefit the residents of LRHA. During HUD REAC (Real Estate Assessment Center) on-site inspections and an FHEO (Fair Housing Equal Opportunity) on-site inspection, this Community Room has been determined to not meet the current requirements of the Americans with Disabilities (ADA) Section 504 - Accessibility as required of all public access buildings. This results in a loss of points in the scoring system that HUD uses to determine the performance of the

Housing Authority as well as FHEO findings of non-compliance. This project is necessary to provide compliance with the requirements of ADA regulations for accessibility and assure the facility can be approached, entered, and used by individuals with physical handicaps.

The funds requested in this application will be used to complete all renovations needed to meet the requirements of the Americans with Disabilities Act for public buildings to provide access as required in the Uniform Federal Accessibility Standards (UFAS) at 24 CFR §8.32(a). LRHA will contract with an architect and builder to review all requirements of the regulations to assure compliance and provide proper access to this community building to all persons.

HOME Program Applicants

City Administration

FY 2014 Award	FY 2015 Request	CDAC Recommendation
$22,000	$18,000	$18,000

Funding is requested to fully fund the personnel, operating and training costs associated with managing the HOME program.

(Lyn-CAG) – Homeowner Substantial Rehabilitation

FY 2014 Award	FY 2015 Request	CDAC Recommendation
$111,201	$75,000	$75,000

The Homeowner Substantial Rehabilitation Program provides rehabilitation services to existing properties. Eligible properties are brought into code compliance. The program is operated as a forgivable loan program with lien requirements and resale restriction agreements as required by HUD regulations.

Lyn-CAG's Homeowner Substantial Rehabilitation Program activities provide selective rehabilitation services designed to remove health and safety hazards and code violations from the homes of low-income homeowners who live in the City and meet HUD income guidelines for HOME programs. Typical requests for services include electrical, plumbing, structural and roof repair/replacement. All local contractors who provide the services are licensed and insured. Building materials are purchased from local businesses. The Home Rehabilitation Program anticipates providing services to six (6) low-income households during the 2014-2015 program year at an average cost of $36,000.00 per unit. The HOME Program funds will be leveraged with funds from the Virginia Department of Housing and Community Development (DHCD).

(Lyn-CAG) –Homeownership Down-Payment & Closing Cost / Education

FY 2014 Award	FY 2015 Request	CDAC Recommendation
$0	$60,000	$60,000

Lynchburg Community Action Group, Inc. is seeking funds in the amount of $60,000 to assist ten (10) first-time home buyers realize the American Dream. With the recent financial crisis in this Country, the obstacles for low- to moderate-income individuals to purchase a home has become a dream deferred. Mortgage regulations and new rules have made it next to impossible for this target population to purchase a home. Currently there are no Down Payment Assistance Programs in our area. In the past other nonprofit agencies offered down payment assistance to qualified buyers using local and state funds to offset the cost of purchasing a home. Lynchburg Community Action Group, Inc. is the only Certified HUD Housing counseling agency in Region 2000. With a staff of three (3) counselors having a combined 20 plus years of counseling experience, the Agency feels that it can best fill this gap that is needed in our area.

In addition to offering an average of $5,000 per client to help with down payment of a home purchase, clients will receive homeownership education. Pre and Post purchase education will be part of the criteria to qualify for one of these grants. Studies have shown that clients who have that support on the front end and through the first years of owning a home are more successful in maintaining that ownership. Lynchburg Community Action Group's Housing Counseling Department offers a six (6) hour Virginia Housing Development Authority (VHDA) Certified Homebuyer course which covers the A B C’s of owning a home. In addition to the six (6) hour course if a client needs credit repair or not quite ready to purchase, they can enter into the Home Buyer Program to spend up to 12 months working on cleaning up credit, starting a savings account to get them ready for purchase. Each counselor will assess the readiness of a potential buyer, work on a spending plan and review credit worthiness. There are several banks in the area which clients, once ready, can seek a loan to purchase a home. Several of the area banks, SunTrust, Wells Fargo, Citizens Bank currently work with staff to conduct Financial Literacy workshops for residents in Region 2000. Clients are free to choose which bank or credit union they would like to work with. Most of the banks are familiar with the DPA (Down Payment Assistance) Program.

Lyn-CAG – First-time Homebuyer Community Housing Development Organization (CHDO)

FY 2014 Award	FY 2015 Request	CDAC Recommendation
$46,770	$45,000	$45,000*

***The City is required to allocate a minimum of 15% of the HOME entitlement funds to CHDO organizations.**

The Home Program Community Housing Development Organization (CHDO) First Time Homebuyers Program provides for acquisition of vacant properties for rehabilitation or new construction to eligible first time homebuyers. Proceeds from the sale of properties are reinvested in housing program services that benefit eligible low-to-moderate income persons. Lien documents and resale restriction agreements are required for each property.

Greater Lynchburg Habitat for Humanity (GLHFH) – Homeownership Program

FY 2014 Award	FY 2015 Request	CDAC Recommendation
$60,000	$90,000	$90,000

Greater Lynchburg Habitat for Humanity (GLHFH) develops homeownership opportunities for low-income families that would not qualify or be able to afford homeownership through conventional bank mortgages. GLHFH builds good quality, moderately appointed homes and sells them to qualified applicants. The target population for the program is families whose income falls in the range of 40% to 70% of HUD’s median family income, adjusted for size of family. To qualify, families must demonstrate need (residing in poor, unsafe, unhealthy, and/or unaffordable housing); they must have the ability to pay a no-interest mortgage (must have a steady income and low debt to income ratio); and must be willing to partner with GLHFH (provide sweat equity, participate in training, and prepare for the responsibilities of homeownership).

GLHFH solicits funding, materials, and volunteer labor from the community and is thereby allowing the organization the ability to maintain low construction costs. GLHFH is therefore able to sell the home to the qualified family at cost and to offer a no-interest mortgage loan. Families have to provide 300 hours of labor, referred to as “sweat equity,” to the project. The mortgagees must attend GLHFH’s course designed to prepare them for homeownership. The series of classes provide education about financial literacy, budgeting, home maintenance, taxes and insurance, predatory lending, and loss mitigation options.

At mortgage closing, the family is required to pay a processing fee of $1000 which is applied to the attorney’s fee and recording costs. GLHFH will use HOME funds to provide down payment assistance which will reduce the principal balance so that the family can afford the monthly mortgage payments. GLHFH defines “payment affordability” as not more than 30% of monthly income.

Rush Homes (CHDO) – Armstrong Place Apartments

FY 2014 Award	FY 2015 Request	CDAC Recommendation
$0	**$10,500**	**$10,500***

***The City is required to allocate a minimum of 15% of the entitlement funds to CHDO organizations.**

Rush Lifetime Homes (Rush Homes), a certified CHDO, is developing Armstrong Place Apartments, 28 apartments for people with special needs and low incomes, through historic rehabilitation (adaptive reuse) of Armstrong Elementary School (16 apartments) and new construction (12 apartments), all at 1721 Monsview Place in Lynchburg. Fifty (50) percent of the apartments will achieve accessibility per Section 504 of the Rehabilitation Act of 1973 requirements with the remainder at least easily adaptable for disabilities. In addition, Rush Homes is renovating the gymnasium and will make it available to the City’s Department of Parks and Recreation and the Monsview/Bedford Avenue area community for community activities.

This specific request of $10,500 is for rehabilitation costs incurred due to vandalism in the Armstrong Elementary School during the term of the Rush Homes’ contract with the City to purchase the property. Costs include those related to significant damage of at least 18 of the internal doors, door frames, hardware and several display cabinet doors in former classrooms as well as associated clean up. These items are necessary to the rehabilitation of the property because Armstrong Elementary School is listed on the Virginia Register of Historic Landmarks and the National Park Service National Register of Historic Places.

Lynchburg Neighborhood Development Foundation (LNDF) – 5th & Polk Streets Residential Rental

FY 2014 Award	FY 2015 Request	CDAC Recommendation
$0	**$205,000**	**$0**

This project is an extension of the years of affordable housing development undertaken by LNDF. In the mid-1990s, LNDF became a single-family developer, working primarily in very low-income neighborhoods of Lynchburg where property values are low and overall community revitalization is needed. Since then, LNDF has developed and sold 27 newly renovated or newly built single family homes to qualified low- and moderate-income buyers. Additionally, LNDF has restored and continues to operate 40 buildings, including a total of 100 apartments, for rent to low-income households. LNDF now proposes to complete renovation of two buildings we own on 5th Street, 702 and 708 5th Street, as well as to build two duplex structures on vacant lots also owned by LNDF, located in very close proximity to 5th Street. The addresses of these vacant lots are 317 and 708 Polk Street. Each of the buildings on 5th Street will be developed to house one residential unit and one commercial unit, and each duplex structure will house two households, resulting in a total of six newly available residential rental units.

The project is an exciting opportunity to revitalize two long-dormant commercial spaces along 5th Street, allowing them, once again, to become productive with potential for creating jobs, while adding two new residential, rental units within these spaces plus four new residential, rental units on nearby Polk Street. It combines the benefits of investing in housing, contributing to stronger neighborhoods through improved living circumstances, with the benefits of investing in local business expansion, enhancing job and income potential and the ability to sustain these home environments. The cumulative outcome is a vibrant downtown surrounded by attractive, safe, and diverse neighborhoods. The requested HOME funds would be applied solely toward renovation/construction costs of the project's residential units.

Development standards for this project include use of sustainable materials, meeting energy-efficiency requirements, and, in the case of the 5th Street properties, conforming to historic architectural review standards. Assuring quality and historically correct construction may cost more to develop than the neighborhood market currently can support. In addition, many areas of the City have suffered from suppressed or reduced property values. Without subsidy to defray costs and make financing accessible, it is unlikely tenant rents could be established at affordable levels.

The project includes identified properties with a timeline of approximately nine months to confirm funding sources and complete construction. This year, LNDF agreed to return HOME funds awarded to us by the City for single family development for fiscal year 2012-2013, in the amount of $65,424, and for fiscal year 2013-2014, in the amount of $50,000, for which we had not identified specific activities. This project would allow us to put these funds to an immediate and very productive use in support of the City's development goals for 5th Street and surrounding neighborhoods.

LNDF is supported in the project by a development partner, Virginia Community Development Advisory Services (VCDAS) that brings additional development expertise and financial strength to the initiative. VCDAS' sole member, Virginia Community Development Corporation (VCDC), will serve as an asset to the project as well by facilitating the entry of historic tax credit investors. LNDF also is joined by the 5th Street Community Development Corporation (5th Street CDC) in eventual ownership and management of the two 5th Street properties. This will occur once we form the taxable (management) entity required to accept equity investment in the project in exchange for historic tax credits. The 5th Street CDC intends to occupy commercial space in one of these buildings upon completion of renovations.

Lynchburg Covenant Fellowship (LCF) –Frank Roane Apartments

FY 2014 Award	FY 2015 Request	CDAC Recommendation
$0	$60,000	$60,000

LCF is requesting HOME funds to assist with the renovation of one of the Frank Roane apartments. This beautiful, historic building was built in 1899 and used as a high school and then as an elementary school. LCF purchased the school in 1979 and subsequently converted it into 26 apartments for elderly people age 62 and over. It is comprised of one-efficiency, 21-one bedroom apartments and four-two bedroom units. Frank Roane is a project-based Section 8 community in which the Department of Housing and Urban Development (HUD) provides rental subsidy to low-income elderly.

Since the conversion of the building from a school into apartments in 1980, no additional capital improvements have been done except for a roof replacement about eight years ago and unit turns when a resident moves out. The apartments currently have inefficient baseboard heat, no central air conditioning and extremely drafty old windows. The elevator which is essential for the residents living on the second and third floors is in dire need of replacing. Last year LCF paid $ 13,000 in repair bills and problems continue with it. Although the brick exterior is beautiful, many sections need repointing. Some of the apartments on the third floor have balconies with deteriorated siding in need of replacing. Flashing repairs are also needed as leaks have caused damage to some of the interior walls and ceilings in a couple of apartments.

Other than grab bars in some of the bathrooms, there are no apartments that meet the Section 504 of the Rehabilitation Act/Americans with Disabilities requirements. Five apartments will be converted to comply with Section 504 of the Rehabilitation Act requirements. These apartments will have wider doors, lower cabinets with work areas that allow a wheelchair to roll under, an accessible shower and bathroom.

Renovations will include installing energy efficient central heat and air conditioning, a sprinkler system, generator, cabinets, dishwashers, energy efficient refrigerators, stoves with fire suppression features, bathroom fixtures, flooring, apartment entry doors, repointing exterior masonry, repairing deteriorated siding and flashing, security system, a new elevator, painting and reworking old windows making them more energy efficient. LCF is applying for Low-Income Housing Tax Credits, federal and state historic tax credits and will secure a mortgage from the Virginia Housing Development Authority (VHDA) to finance the project.

LRHA Homeownership Development

FY 2014 Award	FY 2015 Request	CDAC Recommendation
$0	$220,000	$117,022.18

The Analysis of Impediments to Fair Housing Choice (AI) recently conducted by the City of Lynchburg found that the City has limited housing opportunities for disabled families. The Authority has a 5(h) Homeownership program that provides homeownership opportunities to public housing residents. In a partnership of HOME Program and the 5(h) Homeownership funds, the Authority will develop new ADA/504 accessible homes on three (3) lots from the Authority's Spot Blight inventory. These homes will provide disabled, low to moderate income public housing families the chance to own their own home.

CDBG
updated March 3, 2014

Prior Year Appropriations, Returned Funds and Program Income available to Reprogram:

Returned Funds - LRHA - 119 I Street	3,000.00
Program Income - LRHA - 701 5th Street	24,100.00
Program Income - LRHA - 703 5th Street	25,000.00
Program Income - LRHA - 42 Hollinsmill Rd	2,000.00
Program Income - LRHA - 1007 Tyree / 1801 Globe St	6,800.00
Program Income - LRHA - 1008 10th Street	1,000.00
Program Income - LRHA - 800 Mansfield Street	500.00
Program Income - LRHA - 808 Dinwiddie Street	5,000.00
Program Income -LRHA - 1015 2nd Street	2,001.00
Program Income- LRHA - 1017 2nd Street	2,001.00
Program Income- LRHA - 1018 2nd Street	2,001.00
Program Income - LRHA - 504 Federal Street	4,800.00
Program Income - LRHA - 510 Federal Street	3,900.00
Program Income - LRHA - 516 Federal Street	2,100.00
Program Income - LRHA - 520 Federal Street	2,100.00
Program Income - LRHA - 524 Federal Street	2,100.00
Program Income - LRHA - 1100 Polk Street	1,501.00
Program Income - LRHA - 1102 Polk Street	1,501.00
Program Income - LRHA - 1104 Polk Street	1,501.00
Program Income - LRHA - 707 Fifth Street	11,000.00
Program Income - LRHA - 709 Fifth Street	40,000.00
Program Income - LRHA - 711 - 715 Fifth Street	15,000.00
Program Income - LRHA - 717 Fifth Street	30,000.00
Program Income - LRHA - 408 Federal Street	40,000.00
Program Income True up - FY 13 (Budget $2030 Actual $2000)	(30.00)
Program Income estimate from LRHA	2,400.00
Program Income - Interest on Bluffwalk received from Developer	62,958.19
Reprogram Lyn-Cag Housing Improvement 2010-2011	944.37
Reprogram Bluffwalk 2013-2014	49,738.00
Reprogram Tinbridge Hill Admin 2013-2014	8,500.00
Reprogram LRHA Minor Property Repairs 2010-2011	5,000.00
Reprogram LRHA Rental Rehab 2012-2013	30,000.00
Subtotal Returned Funds	**3,000.00**
Subtotal Program Income	**291,234.19**
Subtotal Reprogram Funds	**94,182.37**
Grand Total	**388,416.56**

HOME
updated March 3, 2014

Prior Year Appropriations available to Reprogram:

Reprogram LNDF Homeownership 2011-2012	32,056.58
Reprogram LNDF Homeownership 2012-2013	14,999.60
Reprogram LNDF Single Family Development 2012-2013	65,424.00
Reprogram LNDF Single Family Development 2013-2014	50,000.00
Prior Years Program Income True-up	1,247.00
Total	**163,727.18**

CDBG Unexpended Balances

updated as of February 28, 2014

Program Description	2009 - 2010	2010 - 2011	2011 - 2012	2012-2013	2013-2014	Total
City Program Administration	-		-		39,926.56	39,926.56
Fifth St - Phase II	-		2,998.00	-	-	2,998.00
Housing Improvement - Lyn-Cag	-	944.37				944.37
Tinbridge Hill -Rebuilding Together Rehab	-		20,000.00	15,000.00		35,000.00
Tinbridge Hill -Admin	-		-	3,917.21	8,500.00	12,417.21
Tinbridge Hill - Rehab Lyn-Cag			-	15,090.95	36,500.00	51,590.95
Relocation - Miller Park Basketball Court					42,498.79	42,498.79
Cont of Care - Social Worker					25,308.37	25,308.37
Bluffwalk					49,738.00	49,738.00
Analysis of Impediments to Fair Housing				9,490.00		9,490.00
Demolition of Substandard Structures				12,000.00		12,000.00
LRHA Spot Blight	-		28,478.61	85,621.98		114,100.59
LRHA Delivery Costs - Property Disposition	-				34,918.82	34,918.82
LRHA Delivery Costs - Acquisition	-				48,279.10	48,279.10
LRHA Delivery - Rehab	-				23,278.58	23,278.58
LRHA Property Maintenance	-	-				-
Subtotal LRHA Spot Blight Program						**220,577.09**
LRHA Rental Rehab	-			30,000.00	29,781.78	59,781.78
LRHA Minor Property Repairs	-	5,000.00				5,000.00
LRHA Property Demolition	-	10,700.00				10,700.00
LRHA Delivery Costs - Administration	-				8,674.46	8,674.46
Total LRHA						**304,733.33**
Riverside Park Improvements	-			125,000.00		125,000.00
Fifth St Phase III	-			5,830.81	175,490.89	181,321.70
Total Unexpended CDBG Funds	-	16,644.37	51,476.61	301,950.95	522,895.35	**892,967.28**

To be reprogrammed in 2014-2015

HOME Fund Unexpended Balances

updated as of February 28, 2014

Program Description	2009 - 2010	2010 - 2011	2011 - 2012	2012-2013	2013-2014	Total
City Program Administration			22,737.48	-	22,000.00	44,737.48
Habitat	-		21,500.00	-	60,000.00	81,500.00
Rush Homes CHDO	-	-	-	50,000.00	-	50,000.00
LNDF - Homeownership	-	-	32,056.58	14,999.60	30,000.00	77,056.18
LNDF - Neighborhood Stabilization	10,020.58	-	-	-	-	10,020.58
LNDF - Single Family Development	-	-	-	65,424.00	50,000.00	115,424.00
Total LNDF						**202,500.76**
Lyn-CAG CHDO	-		51,779.96	-	46,770.00	98,549.96
Lyn-CAG Substantial Rehab			83,293.46	75,000.00	111,201.00	269,494.46
Total Lyn-CAG						**368,044.42**
Total HOME Unexpended Funds	**10,020.58**	**-**	**211,367.48**	**205,423.60**	**319,971.00**	**746,782.66**

To be reprogrammed in 2014-2015

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **March 11, 2014** AGENDA ITEM NO.: 9

CONSENT: REGULAR: **X** WORK SESSION: CLOSED SESSION: (Confidential)

ACTION: **X** INFORMATION:

ITEM TITLE: **Resolution re Maintaining Access to Whitehall Road When Improvements to the Old Forest Road/Lakeside Drive/Expressway Intersection are Designed and Constructed**

RECOMMENDATION: Adopt the attached resolution affirming Council's intent to maintain access to Whitehall Road when improvements to the Old Forest Road/Lakeside Drive/ Expressway intersection are designed and constructed.

SUMMARY: As explained in the attached letter, S. J. Collins, developer of Fresh Market Station, is working to establish long term financing on the shopping center. An issue has arisen regarding the City's term plans for intersection improvements in the area. The concept plan that is currently under development would establish a one way split pair for north and southbound traffic. Whitehall Road, which provides a connection between the split pair behind the shopping center, would remain open under the current concept. The potential investors in project are seeking assurances that this is, in fact, the City's intention. While I have corresponded with the S. J. Collins on this matter (see attached letter) the investors are seeking a resolution adopted by City Council confirming and memorializing the City's intent. The attached resolution is offered for Council's consideration.

We have explained to S. J. Collins that the City will not have the resources to construct the planned improvements for a number of years and that when the improvements are designed they must meet State and Federal standards for road construction. Therefore, beyond memorializing its intent to maintain access to and from Whitehall Road, the City cannot provide an unconditional guarantee.

PRIOR ACTION(S): The concept plan for the split pair at the Old Forest Road/Lakeside Drive/Expressway intersection were discussed with Council on July 11, 2006 and August 8, 2006.

FISCAL IMPACT: None

CONTACT(S): Kimball Payne, 455-3990; Marjette Upshur, 455-4492

ATTACHMENT(S): Proposed Resolution; Letter from S.J. Collins; Letter to Jeff DeHart dated February 5, 2014; Concept rendering

REVIEWED BY: lkp

Resolution

WHEREAS, the City of Lynchburg has identified the intersections of Lakeside Drive, Old Forest Road and Whitehall Road near the terminus of the Lynchburg Expressway and the Fresh Market Station as a “City Gateway,” has made traffic planning in that area a priority for the City, and has recently appropriated limited funds for the design of future improvements to the transportation infrastructure for this area, and

WHEREAS, the City has studied the existing and anticipated traffic near the Fresh Market Station, and has considered a conceptual roadway realignment plan (the “Conceptual Realignment”) that would make Old Forest Road a southbound-only road heading toward the Lynchburg Expressway (immediately to the west of the Fresh Market Station) and create a new roadway (the “New Roadway”) to be a northbound-only road heading away from Lynchburg Expressway (immediately to the east of the Fresh Market Station), and

WHEREAS, the owner and certain tenants of the Fresh Market Station have advised the City that their businesses will be materially and adversely impacted if the Conceptual Realignment were to occur and southbound (Old Forest Road) and northbound (the New Roadway) access to and from Whitehall Road were not maintained, and

WHEREAS, the failure to provide access to and from Whitehall Road onto Old Forest Road and the New Roadway would adversely affect traffic near the Fresh Market Station, and it is in the City’s best interest to maintain access to and from Whitehall Road onto Old Forest Road and the New Roadway if the Conceptual Realignment were constructed;

NOW, THEREFORE, BE IT RESOLVED, that, for so long as the City believes it is in its best interest to continue to plan, design and construct the Conceptual Realignment, the City will undertake the design, engineering and construction of the Conceptual Realignment to provide for southbound (Old Forest Road) and northbound (the New Roadway) access to and from Whitehall Road as shown on the attached exhibit (Engineering Concept #4).

Adopted:

Certified: ______________________________
Clerk of Council

039K

S.J. COLLINS enterprises

March 18th, 2014 VIA Email Delivery

Mr. L. Kimball Payne, III
City Manager
The City of Lynchburg, VA
900 Church Street
Lynchburg, VA 24504

Dear Kim,

Thank you for taking the time to meet with us last week in Lynchburg. We are grateful for the terrific relationship that we have with your team at City Hall.

As we discussed:

- We are in the process of structuring a takeout of our construction debt at the Fresh Market Station.
- The process involves placing long term financing on the center with an institutional lender.
- The lender has raised an objection about certain conditions that exist regarding future roadways and I hope that we can together come to a solution that will allay their concerns.

The Fresh Market entered into a lease at our shopping center. They have been a terrific anchor driving increased retail sales to the area. When negotiating the lease, they became aware of the long term plans to expand the Lynchburg Expressway and possibly create North/South one way pairings. The City Council approved concept drawing is attached herein for clarity (Alternate 4). Attached you will also find a copy of our site plan. Based on these factors, The Fresh Market (TFM) added to the lease the following:

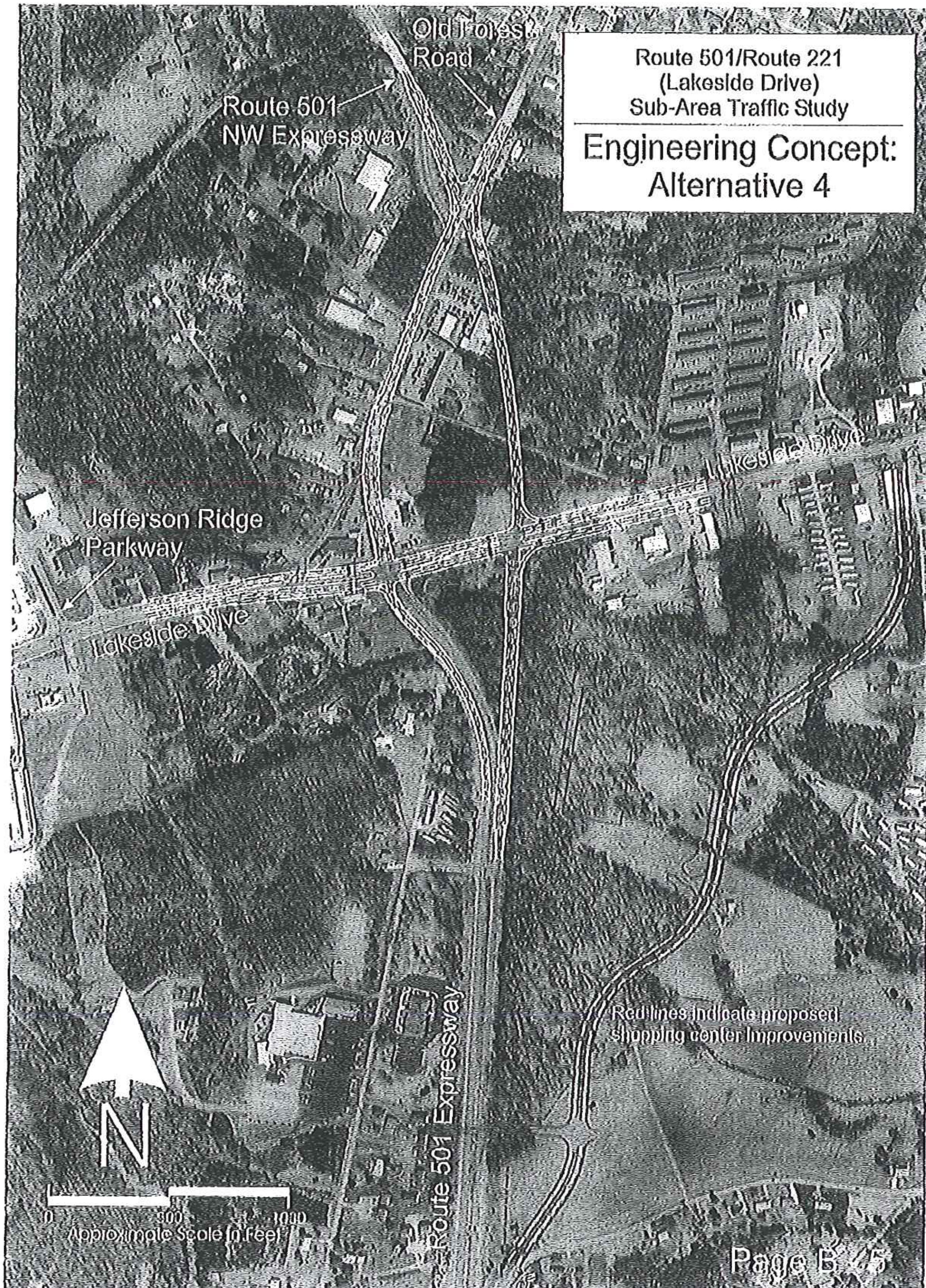
- TFM recognizes that the North/South pairings may at some point be built as shown in pink on the Siteplan.
- If the one way roads are built, then the existing curb cuts may be diminished.
- TFM wants to insure that access will always be available to both the Northbound one way street as well as the Southbound one way street as shown in yellow on the Siteplan
- At minimum, TFM needs assurance that this access will remain via Whitehall Road.
- In the event that Whitehall access is closed to the one way pairings, TFM can terminate their lease obligation

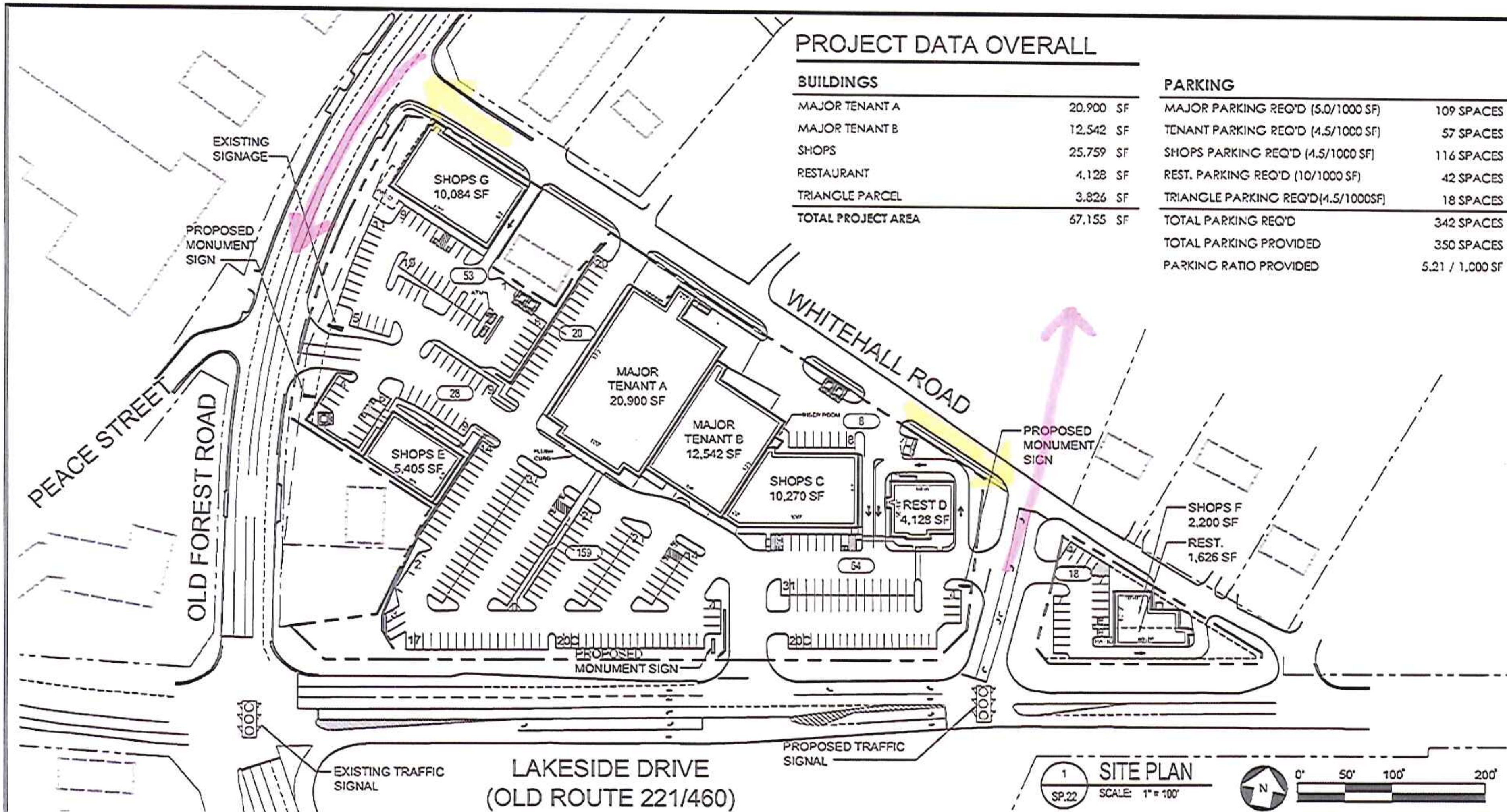
In light of this lease clause, our lenders have been unable to proceed without further assurance from the City of Lynchburg that Whitehall Road will remain open. Everyone is aware that the future will always be uncertain, but some formal statement of intent is needed to proceed with our closing. The attached City Resolution has been recommended as a solution. Please note that the resolution simply says that keeping the access to Whitehall Road is in everyone's best interest. I think this accurately reflects the circumstances and hope that you agree.

Please feel free to call me anytime with questions or concerns. I can be best reached at 404-285-4285.

Sincerely,

Jeffrey A. DeHart


Route 501/Route 221
(Lakeside Drive)
Sub-Area Traffic Study
Engineering Concept:
Alternative 4
Old Forest Road
Route 501 NW Expressway
Jefferson Ridge Parkway
Lakeside Drive
Lakeside Drive
Route 501 Expressway
Red lines indicate proposed shopping center improvements.
N
0 500 1000
Approximate Scale in Feet
Page B-5



PROJECT DATA OVERALL

BUILDINGS	
MAJOR TENANT A	20,900 SF
MAJOR TENANT B	12,542 SF
SHOPS	25,759 SF
RESTAURANT	4,128 SF
TRIANGLE PARCEL	3,826 SF
TOTAL PROJECT AREA	67,155 SF

PARKING	
MAJOR PARKING REQ'D (5.0/1000 SF)	109 SPACES
TENANT PARKING REQ'D (4.5/1000 SF)	57 SPACES
SHOPS PARKING REQ'D (4.5/1000 SF)	116 SPACES
REST. PARKING REQ'D (10/1000 SF)	42 SPACES
TRIANGLE PARKING REQ'D(4.5/1000SF)	18 SPACES
TOTAL PARKING REQ'D	342 SPACES
TOTAL PARKING PROVIDED	350 SPACES
PARKING RATIO PROVIDED	5.21 / 1,000 SF

CLIENT	PROJECT	JOB NUMBER	BY	
S.J. COLLINS	LAKESIDE CROSSING LYNCHBURG, VA	1229402	MLH/RF	PHILLIPS NORTH TERRACES 400 PERIMETER CENTER TERRACE - SUITE 650 ATLANTA, GA 30346 770.394.3616 770.394.3334
		DATE 05.29.13	DRAWING SP.22 EXISTING	

City Resolution

WHEREAS, the City has identified the intersections of Lakeside Drive, Old Forest Road and Whitehall Road near the terminus of the Lynchburg Expressway and the Fresh Market Station as a "City Gateway," has made traffic planning in that area a priority for the City, and has recently appropriated limited funds for the design of improvements and transportation infrastructure for this area along with others in the City.

WHEREAS, the City has studied the existing and anticipated traffic near the Fresh Market Station, and has considered a conceptual roadway realignment plan (the "Conceptual Realignment") that would make Old Forest Road a southbound-only road heading toward the Lynchburg Expressway (immediately to the west of the Fresh Market Station) and create a new roadway (the "New Roadway") to be a northbound-only road heading away from Lynchburg Expressway (immediately to the east of the Fresh Market Station).

WHEREAS, the owner and certain tenants of the Fresh Market Station have advised the City that their businesses will be materially and adversely impacted if the Conceptual Realignment were to occur and southbound (Old Forest Road) and northbound (the New Roadway) access to and from Whitehall Road were not maintained.

WHEREAS, the failure to provide access to and from Whitehall Road onto Old Forest Road and the New Roadway would adversely affect traffic near the Fresh Market Station, and it is in the City's best interest to maintain access to and from Whitehall Road onto Old Forest Road and the New Roadway if the Conceptual Realignment were constructed.

NOW THEREFORE, BE IT RESOLVED, that, for so long as the City believes it is in its best interest to continue to plan, design and construct the Conceptual Realignment, the City will undertake the design, engineering and construction of the Conceptual Realignment to provide for southbound (Old Forest Road) and northbound (the New Roadway) access to and from Whitehall Road.

THE CITY OF LYNCHBURG, VIRGINIA

900 Church Street, Lynchburg, VA 24504
www.lynchburgva.gov
TEL: 434-455-3990
FAX: 434-847-1536

OFFICE OF THE
CITY MANAGER

February 5, 2014

Mr. Jeffrey DeHart
S. J. Collins Enterprises
5 SW Broad Street, Suite B
Fairburn, Georgia 30213

RE: 221/501 Road Improvements

Dear ~~Mr. DeHart~~ Jeff:

I am writing this letter to address questions that have been asked concerning the City of Lynchburg's future plans for road improvements in the area of the "Fresh Market Station" shopping center. While I cannot address the complete scope of what may or may not happen in the future, I can provide some history of the planned improvements and inform you of what the City anticipates to happen:

- The Virginia Department of Transportation (VDOT) had originally planned to construct a grade separated interchange in the area of the "Fresh Market Station" and purchased property to accommodate that plan. The project never advanced due to fiscal constraints.
- Subsequently VDOT deeded all property previously acquired for the interchange to the City of Lynchburg.
- The City of Lynchburg, in consultation with VDOT, has determined that it would not be feasible from a cost perspective to build the interchange and has developed an alternate plan that has been approved by City Council. That plan calls for the construction of north/south one-way pairs that would split the Lynchburg Expressway to pass on each side of the "Fresh Market Station". Turning movements would be controlled at signalized, on-grade intersections.
- Once the concept plan for the north/south pairs was approved the City realized that land not needed for the intersection improvements had development potential. Some of that land has been sold to S. J. Collins Enterprises who developed the "Fresh Market Station" shopping center.
- The City of Lynchburg is completing preliminary design for the north/south pairs, but does not have the necessary funding to construct the project at this time.
- In the event that the north/south pairs are constructed the City may close access from the "new" northbound lanes of the expressway between Lakeside Drive and Whitehall Road.
- In the event that the north/south pairings are constructed the City has no plans to close access to and from Whitehall Road. While there could be alterations to Whitehall Road it is the city's intention to preserve access to properties along the road.

I hope this answers any questions that you may have regarding the Lynchburg Expressway. If you have further questions, please contact me at (434) 455-3990.

Sincerely,

L. Kimball Payne, III
City Manager

c: Bonnie Svrcek, Deputy City Manager
Marjette Upshur, Economic Development Director
Gaynelle Hart, Public Works Director
Kent White, Community Development Director
Lee Newland, City Engineer
Don DeBerry, Deputy Director of Public Works
Tom Martin, City Planner


Route 501/Route 221
(Lakeside Drive)
Sub-Area Traffic Study
Engineering Concept:
Alternative 4
N

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **March 25, 2014** AGENDA ITEM NO.: 10

CONSENT: REGULAR: **X** WORK SESSION: CLOSED SESSION: (Confidential)

ACTION: **X** INFORMATION:

ITEM TITLE: **Certificates of Public Convenience and Necessity for the Operation of Taxicabs in the City**

RECOMMENDATION: Conditionally approve the issuance of certificates of public convenience and necessity for nineteen (19) new taxicabs to operate in the City of Lynchburg. Furthermore, consider whether or not the City Code should be amended to change the ordinance governing the operation of taxicabs in the City.

SUMMARY: The operation of taxicabs in the City of Lynchburg is governed by the City Code and regulations promulgated under its authority. A copy of the relevant code sections is attached for reference. Section 37-54 stipulates that no person shall operate a taxicab in the City without first having obtained a Certificate of Public Convenience and Necessity from City Council. Subsequent sections of the Code establish the procedure for applying for, considering and approving new certificates.

Six (6) individuals have applied for a total of nineteen (19) certificates, as follows:

Mark Garrison, 115 Camp Avenue, two (2) certificates, Central Virginia Yellow Cab
Tony D. West, 2600 Memorial Ave. Suite LL1, ten (10) certificates, Central Virginia Yellow Cab
Alphonso C. Reid, 414 Woodway Drive, three (3) certificates, Central Virginia Yellow Cab
Robin G. Wilson, 909 Brentwood Avenue, two (2) certificates, Central Virginia Yellow Cab
Marcus Antione Wright, 96 Willow Street, one (1) certificate, Grey Top
Brandon L. Timmons, 2075 Langhorne Rd. Apt. 106, one (1) certificate, Grey Top

Most of the requested certificates are for the operation of a new taxicab service in the City, Central Virginia Yellow Cab, which is currently operating out of Rustburg.

One of the requirements of the City Code (Section 37-56) when considering granting new certificates of public convenience and necessity is that the City Manager conduct a public hearing and make a recommendation to Council. Notes from the public hearing are attached. After the public hearing copies of a letter signed individually by twelve taxicab owners were delivered to the City Manager. The letter (copy attached) requests that the City conduct a market study to determine if additional certificates of public convenience and necessity are needed. Such a study has never been conducted by the City to staff's knowledge.

Please note that the City Code, in Section 37-62, provides that, on or before the next regular meeting of City Council, an applicant for a certificate or another interested party may file with the Clerk of Council a written exception to the City Manager's recommendation regarding the issuance of new certificates. That individual shall then be given an opportunity to be heard at a time fixed by Council for that purpose.

Additional Background: According to research conducted by the City Attorney, the City has issued nearly 150 certificates of public convenience and necessity since 1955. Between 35 and 40 appear to be still active. The City Code provides that a certificate expires when the holder fails to operate a taxicab business for a period of thirty days (Section 37-64). The Code also prohibits the transfer of certificates without the written consent of the City Manager (Section 37-65). Compliance with these provisions is doubtful and is difficult to prove. Although lists of certificate holders have been cross-checked against DMV records and LPD taxicab inspection records, it has not been possible to obtain complete agreement of the records.

Staff questions the need for the City to issue certificates of public convenience and necessity for taxicab operations. Although some current holders of certificates support the process, an alternate view is that the market should determine the number of taxicabs that a community can support. Staff does believe, however, that some government oversight remains appropriate; this includes setting standards for taxicab appearance, annual inspections for compliance and safety, DMV vehicle for hire licenses, and issuing permits for taxicab operators. Whether or not the City should regulate fares is another question to consider as there are arguments both ways. Staff would be prepared to explore these issues with Council in a future work session if that is Council's wish.

PRIOR ACTION(S): February 26, 2014, Public hearing by City Manager re taxicab certificates.

FISCAL IMPACT: No immediate impact. Taxicab operators are required to obtain a business license from the Commissioner of the Revenue and to pay taxes if gross receipts exceed a minimum amount.

CONTACT(S): Kimball Payne, 455-3990

ATTACHMENT(S): Excerpt from the Lynchburg City Code re Taxicabs; Notes from the February 26, 2014 Public Hearing; Letter signed by taxicab owners.

REVIEWED BY: lkp

035K

Lynchburg City Code

Chapter: **Chapter 37**
Title: **Taxicabs, Rental Cars**

***Charter reference**—Authority to regulate the use of vehicles for hire, § 38(26).
Cross references—Buses, Ch. 12; police, Ch. 31; license taxes, § 36-16 et seq.
Cross references—License fee for advertising on taxicabs, § 36-44; for taxicabs, § 36-100.

ARTICLE I. IN GENERAL

ARTICLE II. TAXICABS¤¤

DIVISION 1. GENERALLY

Sec. 37-16. Definitions.

For the purposes of this article, the following words shall have the meanings respectively ascribed to them by this section:

Certificate: A certificate of public convenience and necessity issued by the city council, under the provisions of this article, authorizing the holder thereof to conduct a taxicab business in the city.

Driver: The person in control of or driving a taxicab.

Holder: A person to whom a certificate of public convenience and necessity has been issued.

Manifest: A daily record prepared by a taxicab driver of all trips made by such driver, showing time and place of origin, destination, number of passengers and the amount of fare of each trip.

Owner: The purchaser of any vehicle under reserved title contracts as well as the actual owner.

Taxicab: A motor vehicle or motorcar operated for hire, in charge of a chauffeur or driver, for the transportation of passengers, which does not operate over a fixed or definite route.

Taximeter: A meter instrument or device attached to a taxicab which measures mechanically the distance driven and the waiting time upon which the fare is based. (Tax Code 1959, § 31-2; Ord. No. O-96-136, 5-14-96)

Sec. 37-17. Authority of city manager generally.

The inspection of taxicabs, the sealing of taximeters and the examination of applicants for certificates shall be under the control and jurisdiction of the city manager. (Tax Code 1959, § 31-2)

Sec. 37-18. Appointment of taxicab inspector.

The city manager may designate a person from the personnel of the department of police to act as taxicab inspector as may be necessary to carry out the provisions of this article. (Tax Code 1959, § 31-3)

Sec. 37-19. Compliance with article generally.

It shall be unlawful for any person to drive or cause to be driven on the streets of the city any taxicab without complying with the conditions, regulations and restrictions set out in this article. (Tax Code 1959, § 31-27)

Sec. 37-20. Compliance with article prerequisite to advertisement as taxicab operator.

No person shall use the term taxi or taxicab in advertising, nor shall any person hold himself out to the public as a taxi or taxicab owner, or represent himself to be such by means of advertisement, sign, trade name, or otherwise, unless such person shall have previously thereto complied with the regulations and requirements of this article. (Tax Code 1959, § 31-28)

Sec. 37-21. Application of traffic, etc., laws of city and state.

All the traffic and other laws of the city and the state applicable thereto shall apply to owners and drivers of taxicabs. (Tax Code 1959, § 31-29)

Sec. 37-22. Penalty.

Any person who shall violate any of the provisions of this article for which no other penalty is provided shall be deemed guilty of a class 2 misdemeanor, in addition to the revocation or suspension of such person's certificate or registration by the city manager or the chief of police, as provided in this article. (Tax Code 1959, § 31-30)

Sec. 37-23. Receipt and discharge of passengers on sidewalk.

Drivers shall not receive or discharge passengers in the roadway, but shall pull up to the right-hand sidewalk as nearly as possible or, in the absence of a sidewalk, to the extreme right-hand side of the street and there receive or discharge passengers; provided, that upon one-way streets, passengers may be discharged at either the right-hand or left-hand sidewalk or side of the street in the absence of a sidewalk. (Tax Code 1959, § 31-10)

Sec. 37-24. Additional passengers.

No driver shall permit any person other than the person first employing the taxicab to occupy or ride in a taxicab, unless the person first employing the taxicab shall consent to the acceptance of an additional passenger. (Tax Code 1959, § 31-11)

Sec. 37-25. Restriction on number of passengers.

No driver shall permit more than five (5) persons, other than the driver, to be carried in a taxicab. A child in arms shall not be counted as an additional person. (Tax Code 1959, § 31-12)

Sec. 37-26. Drivers bearing evidence of intoxicating beverages.

No owner of a taxicab shall permit any driver to work if he reports for duty with any evidence of intoxicating beverages upon his person or upon his breath. (Tax Code 1959, § 31-14)

Sec. 37-27. Equipment and condition of vehicles.

Every taxicab operated within the city must meet all the requirements of the provisions of this Code and other ordinances of the city and the laws of the state as to lights, brakes, horn and inspection, and must be kept in a good, clean, neat and safe condition and appearance. (Tax Code 1959, § 31-15)

Sec. 37-28. Type of vehicle required.

Taxicabs operated within the city shall be of a closed or sedan type with at least four (4) doors and of not less than five (5) passenger capacity. (Tax Code 1959, § 31-16)

Sec. 37-29. Disposition of money or property left in cab.

The driver in charge of any taxicab operated within the city shall carefully preserve any money or other property left in such vehicle by any passenger and such money or other property shall be promptly deposited with the owner of the vehicle, who shall deliver a receipt for the same. The owner shall promptly notify the passenger, if known, of the money or property found and return the same upon request. In the event such passenger is unknown, the owner shall file in writing a report to the chief of police and shall keep the money or property at some convenient place within the city where the same may be called for by the owner. When such money or other property shall have been identified and ownership established, the same shall be delivered to the owner. Any property, money or other thing which shall not have been called for within sixty (60) days shall be disposed of according to law. (Tax Code 1959, § 31-17)

Sec. 37-30. Establishment and use of open stands on streets.

(a) The city manager may establish open stands in such places upon the streets of the city as he deems necessary for the use of taxicabs operated in the city. Such stands shall not be created without taking into consideration the need for such stands by the taxicab owners and the convenience of the general public. The city manager shall prescribe the number of taxicabs that shall occupy such open stands and shall not create an open stand in front of any place of business where the abutting property owner objects to same or where such stand would tend to create a traffic hazard.

(b) Open stands shall be used by the different drivers on a first-come-first-serve basis. The driver shall pull onto the open stand from the rear and shall advance forward as the taxicab ahead pulls off. Drivers shall stay within five (5) feet of their taxicabs in such stands and shall not engage in loud or boisterous talk while occupying an open stand. Nothing in this section shall be construed as preventing a passenger from boarding a taxicab of his choice that is parked at any such open stand. No vehicle, other than taxicabs, shall at any time occupy a space in a taxicab stand. (Tax Code 1959, § 31-18)

Sec. 37-31. Drivers' manifests.

(a) Every driver shall maintain a daily manifest upon which is recorded all trips made each day, showing the time and place of origin and destination of each trip and amount of fare. All such completed manifests shall be returned to the owner by the driver at the conclusion of his hours of duty. The forms for each manifest shall be furnished to the driver by the owner and shall be of a character approved by the city manager.

(b) Every holder of a certificate shall retain and preserve all drivers' manifests in a safe place for at least one year and such manifests shall be subject to inspection by the city manager and by personnel of the division of police. (Tax Code 1959, § 31-19)

Sec. 37-32. Records as to receipts, expenses, etc.

Every holder of a certificate shall keep accurate records of receipts and operating expenses, capital expenditures and such other operating information as may be required by the city manager. Every such holder shall maintain the records containing such information and other data required by this section at a place readily accessible for examination by the city manager, or his designated representative. (Tax Code 1959, § 31-20)

Sec. 37-34. Accident reports.

All accidents arising from or in connection with the operation of taxicabs which result in death or injury to any person or in damage to any vehicle or to any property shall be reported within twenty-four (24) hours from the date of occurrence to the police division on a form of report to be furnished or approved by the chief of police. (Tax Code 1959, § 31-22)

Sec. 37-35. Rules and regulations.

The city manager may from time to time make such additional rules and regulations not in conflict with the provisions of this article as he may deem proper to regulate the operation of taxicabs within the city. The city manager shall give written notice of such additional rules and regulations to all holders of certificates and such additional rules and regulations shall become effective at the time specified in such notice. Failure to comply with any such additional rules and regulations shall be grounds for the revocation or suspension of the certificate held by the person who fails, or whose employees willfully or continuously fail, to comply with the same. (Tax Code 1959, § 31-24)

Sec. 37-36. Police to watch certificate holders and drivers; report, etc., of violations.

The members of the police department shall watch and observe the conduct of holders of certificates and of drivers operating under this article. Upon discovering a violation of the provisions of this article, a member of the police department shall report such violation to the city manager who will order or take appropriate action. (Tax Code 1959, § 31-25)

Sec. 37-37. Repealed by Ord. No. O-05-103, 8-9-05.

DIVISION 2. OVERALL TAXICAB SERVICE

Sec. 37-44. Refusal to accept calls or passengers; failure or refusal to give overall service.

The holder of a certificate who shall refuse to accept a call anywhere within the city or refuse to accept a passenger for delivery to any place within the city or within one mile of the city when such holder has available a taxicab or who shall fail or refuse to give overall service shall be guilty of a misdemeanor and the certificate granted to such holder shall be suspended or revoked at the discretion of the city manager subject to the provisions of sections 37-74 through 37-77, unless driver can articulate a reasonable concern for his/her personal safety or unless repeated incidences of a taxi having been previously called to that address which calls turned out to be false calls for a fare. (Tax Code 1959, § 31-31; Ord. No. O-05-103, 8-9-05)

Sec. 37-44.1. Violation by passengers; misdemeanor, objection.

Any passengers in a taxicab who fail to act in a orderly manner so as to permit the safe operation of the taxicab by the driver, or who fail to obey the directions of the driver or person in charge of the taxicab, to act in an orderly manner, shall be deemed guilty of a class 4 misdemeanor. Furthermore, such persons may be ejected from any taxicab by the driver or person in charge of the taxicab, or by any police officer or other conservator of the peace; and in case such persons ejected have paid their fares, they shall not be in entitled to the return of any part of the same. For the refusal of any passenger to abide by the direction of the driver or person in charge of the taxicab, and his consequent ejection from such taxicab, neither the driver, owner, manager or company operating or owning the taxicab shall be liable for damages in any court. (Ord. No. O- 96-136, 5-14-96)

Sec. 37-45. Refusal to respond to telephone call or to transport passenger.

No driver shall refuse to respond to any telephone call or refuse to transport an orderly passenger to any place within the city or within one mile of the limits thereof, provided he is not otherwise engaged. (Tax Code 1959, § 31-13)

Sec. 37-46. Answering calls.

Holders of certificates shall answer all calls received by them for service inside the city as soon as they can do so and, if such service cannot be rendered within a reasonable time, they shall then notify the prospective passenger how long it will be before service can be given. (Tax Code 1959, § 31-34)

Sec. 37-47. Solicitation of passengers; cruising.

Taxicabs shall not be permitted to stand or cruise, seeking employment, nor shall any person solicit, by word, signal or otherwise, patronage for such vehicles on any street or public property, other than at taxicab stands so designated or assigned for the purpose. (Tax Code 1959, § 31-9)

Secs. 37-48—37-53. Reserved.

DIVISION 3. CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

Sec. 37-54. Required.

No person shall operate or cause to be operated any taxicab upon the streets of the city without first having obtained a certificate from the city council. (Tax Code 1959, § 31-36)

Sec. 37-55. Application generally.

An application for a certificate shall be filed in duplicate with the city manager and shall be verified under oath and shall furnish the following information.

(a) The name, and address of the applicant and shall state that the applicant is at least twenty-one (21) y ears of age.

(b) The trade name under which the applicant does or proposes to do business.

(c) If the applicant is a corporation, the officers, directors and principal stockholders of the corporation.

(d) The financial status of the applicant, including the amounts of all unpaid judgments against the applicant and the nature of the transaction or acts giving rise to such judgments.

(e) The experience of the applicant in the transportation of passengers.

(f) Any facts which the applicant believes tend to prove that public convenience and necessity require the granting of a certificate.

(g) The number of vehicles desired to be operated by the applicant, the location of proposed depots and terminals, and the parking or garage facilities thereat.

(h) The color scheme or insignia to be used to designate the vehicle or vehicles of the applicant.

(i) Such further information required by the city manager and which may be relevant and pertinent to the matter of the issuance of a certificate.

(j) In the event two (2) or more persons, not operating as a corporation or partnership and who own or propose to own individually one or more taxicabs, associate together for the purpose of operating taxicabs under one trade name, each such person shall file an application for a certificate with the city manager and shall, in addition to the information required above, give the names and addresses of the other person or persons who are associating together to operate under such trade name, and the number of cabs to be operated by each such person. (Tax Code 1959, § 31-37; Ord. No. O-96-136, 5-14-96)

Sec. 37-56. Public hearings on applications.

Within sixty (60) days after receipt of an application for a certificate, the city manager shall conduct a public hearing thereon, after giving at least fifteen (15) days' notice thereof, in writing, to the applicant and to holders of outstanding certificates. Such written notice shall be mailed to the applicant and to holders of outstanding certificates at the addresses as shown on the application and outstanding certificates. In addition to such written notice, due notice of such hearing shall be given to the general public by publishing, once each week for two (2) successive weeks immediately preceding the week in which the hearing will be held, in a daily newspaper published in the city, a notice of the time and place of such hearing. All applications filed within the sixty (60) day period and prior to the issuance of the notice fixing the date of such hearing shall be considered at the same time, together with the recommendations of the city manager relative thereto. Any interested person may appear in support of or in opposition to the application for a certificate. (Tax Code 1959, § 31-38)

Sec. 37-57. Fee for publication of notice of public hearing.

In order to cover the cost of publication of the notice of public hearing required by Section 37-56, a deposit of one hundred ($100.00) dollars shall be paid into the city treasury and receipt attached to the application when filed. (Tax Code 1959, § 31-39; Ord. No. O-84-141, § 1, 6-12-84, eff. 7-1-84; Ord. No. O-88-062, § 1, 3-22-88, eff. 7-1-88; Ord. No. O-96-136, 5-14-96)

Sec. 37-58. City manager's recommendations to council as to issuance or denial.

If the city manager finds that further taxicab service in the city is required by the public convenience and necessity and that the applicant for a certificate is of good moral character, fit, willing and able to perform such public transportation and to conform to the provisions of this article and the rules and regulations promulgated by the city manager, and has complied with the provisions of sections 37-68 and 37-69, the city manager shall recommend to the city council that the city council issue a certificate to the applicant; otherwise, the city manager shall recommend to the city council that the application be denied. The city manager shall include a complete report of his findings in his recommendation to the council. (Tax Code 1959, § 31-40)

Sec. 37-59. Factors considered in making findings.

In making the findings referred to in Section 37-58, the city manager shall take into consideration the following:

(a) The adequacy of existing taxicab service and other forms of transportation for passengers already in existence in the city.

(b) The probable permanence and quality of the services to be offered by the applicant for the certificate.

(c) The probable effect of increased service on local traffic conditions.

(d) The character and responsibility of the applicant for the certificate. (Tax Code 1959, § 31-41)

Sec. 37-60. Applicants to whom city manager may not recommend issuance.

The city manager shall not recommend the issuance of a certificate to any applicant for a certificate under the age of twenty-one (21) years, or who is not of good moral character or personally fit to conduct a taxicab business, or who shall have been convicted within five (5) years prior to the date of the hearing of violating any provision of Code of Virginia, Title 4, relating to transportation of liquors or relating to the sale, transportation, possession or distribution of any other controlled substance, or who shall have been convicted of a serious misdemeanor or felony within a period of five (5) years prior to the date of the hearing provided for in section 37-56. (Tax Code 1959, § 31-42; Ord. No. O-96-136 5-14-96)

Sec. 37-61. To be granted only to owner.

No certificate shall be granted to any person unless he is the owner of the taxicab or taxicabs proposed to be operated pursuant to the certificate for which application is made. (Tax Code 1959, § 31-43)

Sec. 37-62. Exceptions to city manager's report to council; finality of council's decisions.

At or before the next succeeding regular meeting of the city council after the meeting at which the report of the city manager, made pursuant to section 37-58, is presented to the city council, any applicant for a certificate or other interested party may file written exceptions thereto with the clerk of council. Such applicant or interested party shall have an opportunity to be heard on the exceptions to the report at such time as may be fixed by the city council for the purpose. The decisions of the city council with regard to such exceptions and the report shall be final. (Tax Code 1959, § 31-44)

Sec. 37-63. Form and content; disposition of copies.

The certificate shall be filled out in duplicate and shall contain the name and address of the applicant, the number of vehicles authorized under the certificate and the date of issuance. One copy shall be retained in the files of the city manager and the applicant shall receive the other copy. (Tax Code 1959, § 31-45)

Sec. 37-64. Term; expiration for thirty-day failure to operate business.

Certificates shall be effective until canceled and shall expire when the holder thereof fails for a period of thirty (30) days to operate a taxicab business within the city in accordance with such certificate. (Tax Code 1959, § 31-46)

Sec. 37-65. Transfer.

Certificates shall not be transferable, except upon the written consent of the city manager endorsed on any such certificate. (Tax Code 1959, § 31-47)

Sec. 37-66. License for operation of business—Certificate prerequisite to issuance.

No license to operate a taxicab business within the city shall be issued to any person unless such person shall first have obtained a certificate from the city council. No additional certificate shall be required for the purpose of obtaining licenses so long as the original certificate remains in effect. (Tax Code 1959, § 31-4)

Sec. 37-67. Same—Procedure as to issuance.

Upon presentation of a certificate within thirty (30) days of its date to the commissioner of the revenue and upon satisfactory evidence that the holder of such certificate has complied with the provisions of sections 37-68 and 37-69 and upon payment of the license fee required under the applicable section of the tax code of the city, the commissioner of the revenue shall issue to the holder of such certificate a license to operate a taxicab business within the city. (Tax Code 1959, § 31-5)

Sec. 37-68. Insurance or bond—Required.

No certificate shall be issued until the applicant therefor shall submit satisfactory evidence to the city manager that he has filed with the state corporation commission such insurance policy, letter of credit or bond covering such liability or property damage as may be required by state law. (Tax Code 1959, § 31-6; Ord. No. O-96-136, 5-14-96)

Sec. 37-70. Same—No liability on city.

Nothing contained in sections 37-68 or 37-69 shall have the effect of fixing any liability on the city by reason of the maintenance and operation of any taxicab. (Tax Code 1959, § 31-8)

Sec. 37-71. Procedure when additional taxicabs required.

If the city manager shall determine, after investigation, although no application for any certificate may be pending, that public convenience and necessity requires the operation of additional taxicabs within the city, then the city manager may give such notice as he deems advisable that applications for additional certificates will be received, or he may, in his discretion, require the holders of outstanding certificates, or any one or more of them, to provide and operate additional taxicabs within the city. In the event that the holder of any such certificate shall refuse to do so, such refusal shall be grounds for the revocation or suspension of the certificate held by him. In the event of such revocation, the holder of any such certificate shall have the right of appeal to the city council to review the action of the city manager. (Tax Code 1959, § 31-48)

Sec. 37-72. No vested rights granted by this article.

No person operating a taxicab business under the provisions of this article shall acquire any vested rights in the streets of the city or any vested rights to use the same. Certificates may be suspended or revoked at any time by repeal or amendment of the applicable section or sections of this article. (Tax Code 1959, § 31-49)

Sec. 37-73. Revocation and suspension—Causes for action.

(a) A certificate may be revoked or suspended by the city manager for the following causes:

(1) Failure to operate the taxicab or taxicabs specified in the certificate in such manner as to serve the public adequately.

(2) Failure to maintain such taxicabs in good order and repair.

(3) Failure to keep in force the bond or insurance as required under sections 37-68 and 37-69.

(4) Repeated and persistent violation of traffic and safety ordinances by drivers.

(5) Willful or continued failure to comply with the provisions of this article or willful or continued failure to comply with any of the provisions of this Code or other ordinances of the city or laws of the state or federal governments, the violation of which reflects unfavorably on the suitability of the holder of the certificate to offer public transportation.

(6) Failure of any operator to operate regularly the number of taxicabs authorized by his certificate.

(7) Failure to operate additional taxicabs when directed so to do by the city manager under the provisions of section 37-71.

(8) Failure to comply with any rule or regulation promulgated by the city manager under the provisions of section 37-35.

(b) In case of proceeding under item (6) above, the city manager shall revoke the certificate to the extent that such certificate authorized the operation of a number of taxicabs in excess of the number regularly operated by such operator. (Tax Code 1959, § 31-50)

Sec. 37-74. Same—Notice and hearing.

Prior to suspension or revocation, the holder of the certificate involved shall be given notice of the proposed action to be taken and shall have an opportunity to be heard. (Tax Code 1959, § 31-51)

Sec. 37-75. Same—Right of appeal.

In the event of suspension or revocation of a certificate by the city manager, the holder thereof shall have the right of appeal to the city council at either of its next two (2) regular meetings following the date of such revocation or suspension. In the event of such appeal, the city council shall review the findings of the city manager and his action with regard to such revocation or suspension. (Code 1959, § 31-52)

Sec. 37-76. Same—Term of suspension.

Any certificate suspended shall not be suspended for less than ten (10) days nor more than thirty (30) days. (Code 1959, § 31-53)

Sec. 37-77. Same—Reissue after revocation.

Any certificate revoked shall not be reissued to the same person under any circumstances for a term of at least one (1) year after the effective date of such revocation. (Code 1959, § 31-54)

Secs. 37-78—37-83. Reserved.

DIVISION 4. REGISTRATION OF DRIVERS

Sec. 37-84. Required.

Every driver shall be registered by the chief of police before driving any taxicab upon the streets of the city. (Code 1959, § 31-55)

Sec. 37-85. Penalty.

Any person who shall violate any of the provisions of this division shall, for a first violation, be deemed guilty of a class 4 misdemeanor; for each second or subsequent conviction under this division, committed within twelve (12) months from the date of a prior conviction hereunder, any such person shall be deemed guilty of a class 3 misdemeanor. (Code 1959, § 31-61)

Sec. 37-86. Fee.

A fee of fifty dollars ($50.00) shall be paid to the city for processing and investigating the applicant, which fee shall be nonrefundable. (Code 1959, § 31-55; Ord. No. O-90-093, 3-27-90, eff. 7-1-90; Ord. No. O-95-206, 7-11-95, eff. 9-1-95)

Sec. 37-87. Term; renewal.

Original registration of a driver shall expire one year from date of issue, unless sooner revoked. All such registrations shall be renewed annually on or before the driver's date of birth each year. Such renewal registration shall continue for one year following, unless sooner revoked. (Code 1959, § 31-55; Ord. No. O-91-050, 3-26-91)

Sec. 37-88. Application.

Application for original and renewal registration shall be made to the chief of police on forms prescribed by the city manager for that purpose. The fee for such registration shall accompany each application for registration. It shall be unlawful for any applicant to willfully omit any information called for on such application form or to give any false information thereon. (Code 1959, § 31-56)

Sec. 37-89. Fingerprinting of applicants.

The chief of police shall cause each applicant for registration to be fingerprinted for the purpose of clearing convictions, if any. (Code 1959, § 31-59)

Sec. 37-90. Mandatory denial.

No applicant for original or renewal registration required by this division shall be registered by the chief of police if such applicant:

(a) Does not have in force a valid license issued by the department of motor vehicles of the state; or,

(b) Has, within the past three (3) years prior to the date of application, been convicted of a felony or petit larceny under the laws of the United States or any state; or,

(c) Has, within three (3) years prior to the date of application, been convicted of driving a motor vehicle while under the influence of intoxicants or any narcotic drug under the laws of any state or municipality; or,

(d) Has, within one (1) year prior to the date of application, been convicted of a violation of any of the provisions of the Code of Virginia, Title 4, relating to the transportation or sale of alcoholic beverages, or has, within one (1) year prior to the date of the application, been convicted of a violation of any state law or municipal ordinance relating to the sale, transportation, possession or distribution of intoxicating liquors or relating to the sale, transportation, possession or distribution of any other controlled substance; or

(e) Has, within one (1) year prior to the date of application, been convicted of using or allowing the use of a vehicle to aid or promote prostitution or illicit sexual intercourse, or of violating any of the provisions of the Code of Virginia, Section 18.2-349, or any amendment thereof.

(f) Has, any pending charges for any of the criminal offenses identified in paragraphs (b), (c), (d) or (e) of this section. (Code 1959, § 31-57; Ord. No. O-91-050, 3-26-91; Ord. No. O-96-136, 5-14-96)

Sec. 37-91. Authority to deny; appeal from denial.

The chief of police, except in cases where denial of registration is mandatory, after due hearing and upon not less than (5) days' notice in writing to the applicant, such notice to be sent by registered mail to the address given by the applicant in his application or by personal service upon the applicant, either of which shall constitute sufficient form of notice, may deny registration to any applicant, for good cause shown, including the conviction of the applicant for the violation of any of the provisions of this division or of any state law or municipal ordinance. Except in cases where denial of registration is mandatory, the applicant shall have the right, within twenty (20) days from the day registration is denied, to appeal to the judge of the municipal court from the decision of the chief of police denying registration. The decision of the judge of the municipal court after hearing relevant evidence shall be final. (Code 1959, § 31-58)

Sec. 37-92. Registration cards.

Every taxicab driver registered by the chief of police under the provisions of this division shall be furnished with a card signed by the chief of police certifying to his registration, which card shall contain a photograph of the taxicab driver made by the police division. Such card shall be conspicuously displayed in a manner directed by the chief of police in the taxicab at all times that the same is in charge of such driver. No driver shall drive a taxicab upon the streets of the city until he shall have secured a registration card from the chief of police. (Code 1959, § 31-60)

Sec. 37-93. Revocation or suspension—mandatory revocation generally.

The chief of police shall forthwith revoke and seize the registration of any taxicab driver upon ascertaining that such driver:

(a) Has, within the preceding three (3) years, been convicted of a felony or petit larceny under the laws of the United States or any state; or,

(b) Has, within the preceding three (3) years, been convicted of driving a motor vehicle while under the influence of intoxicants or any narcotic drug under the laws of any state or municipality; or,

(c) Has, within the preceding year, been convicted of any of the provisions of Code of Virginia, Title 4, relating to the transportation or sale of alcoholic beverages, or has been convicted of violating any state law or municipal ordinance relating to the sale or transportation of intoxicating liquors or relating to the sale, transportation, possession or distribution of any other controlled substance; or,

(d) Has, within the preceding year, been convicted of using or allowing the use of a vehicle to aid or promote prostitution or illicit sexual intercourse, or of violating any of the provisions of Code of Virginia, Section 18.2-349; or,

(e) Has, within the preceding year, been convicted of two (2) offenses of reckless driving under the laws of any state or municipality; or,

(f) Has, within the preceding year, been convicted of one (1) offense of reckless driving and two (2) offenses of exceeding the speed limit under the laws of any state or municipality; or,

(g) Has, within the preceding year, been convicted of three (3) offenses of exceeding the speed limit under the laws of any state or municipality.

(h) Does not have in force a valid operators license issued by the Virginia Department of Motor Vehicles.

When any taxicab driver is charged with any criminal offense that would result in the mandatory revocation of the driver's registration, if convicted, the chief of police shall suspend the driver's registration until such time as the criminal charges have been resolved. (Ord. No. O-96-136, 5-14-96)

Sec. 37-94. Same—Authority of chief of police; notice; appeal from action by chief of police.

The chief of police, except in cases where revocation is mandatory under section 37-93, after due hearing and upon not less than five (5) days' notice in writing to the taxicab driver, such notice to be sent by registered mail to the address given by the taxicab driver when applying for registration, or by personal service upon the taxicab driver, either of which shall constitute sufficient form of notice, may suspend or revoke the registration of any taxicab driver for good cause shown, including the conviction of the taxicab driver for the violation of any of the provisions of this division or any state law or municipal ordinance. Except in cases where revocation is mandatory under section 37-93, any taxicab driver shall have the right of appeal to the judge of the municipal court within twenty (20) days from the date of suspension or revocation. The decision of the judge of the municipal court after due hearing of relevant evidence shall be final. (Tax Code 1959, § 31-63)

Sec. 37-95. Same—Term.

In the event of revocation or suspension of registration of a driver, other than mandatory revocation, such suspension or revocation shall be for a period fixed by the chief of police or the judge of the municipal court upon appeal, but not exceeding one (1) year. (Tax Code 1959, § 31-64)

Sec. 37-96. Same—Registration after mandatory revocation.

In the event of mandatory revocation, registration shall not again be granted until such time as registration could be granted under the provisions of section 37-90. (Tax Code 1959, § 31-65)

Sec. 37-97. Same—Surrender and restoration of registration card.

In the event of any revocation or suspension of registration, the registration card of the driver shall forthwith be surrendered to the chief of police. In case of suspension only, the registration card shall be restored to the driver at the expiration of the period of suspension. (Tax Code 1959, § 31-66)

Sec. 37-98. Same—Driving during time of revocation or suspension.

It shall be unlawful for any person to drive a taxicab upon the streets of the city during the time his registration is revoked or suspended. (Tax Code 1959, § 31-67)

DIVISION 5. TAXIMETERS, RATES AND CHARGES

Sec. 37-105. Required.

All taxicabs operating under this article shall be equipped with taximeters fastened to the taxicab in front of the passengers, visible to them at all times of the day and night; and, after sundown, the face of the taximeter shall be illuminated. (Tax Code 1959, § 31-68)

Sec. 37-106. Signal device.

Each taximeter shall have thereon a dome light or similar electronic device to denote when the vehicle is employed and when it is not employed. It shall be the duty of the driver to engage the dome light or similar electronic device of such taximeter into a recording position at a time when such vehicle is employed and such device shall remain in such recording position at all times during the transportation of passengers and at a nonrecording position at the termination of each trip. It shall be unlawful for a driver to fail, refuse or neglect to put the taximeter in operation when such vehicle is employed and to keep the device in a recording position at all times during such employment. (Tax Code 1959, § 31-69; Ord. No. O-96-136, 5-14-96)

37-107. Inspection generally; procedure in case of inaccuracy.

Taximeters shall be subject to inspection from time to time by the department of public safety. Any inspector or other officer of such department or any officer designated by the city manager, may either on complaint of any person or without such complaint, inspect any such taximeter and, upon discovery of any inaccuracy therein, shall notify the person operating such taxicab to cease operation. Thereupon, such taxicab shall be kept off the streets until the taximeter is repaired and in the required working condition or until such taximeter has been replaced in the taxicab by a properly working taximeter. (Code 1959, § 31-70)

Sec. 37-108. Rules and regulations as to inspection and sealing.

The city manager may promulgate additional rules and regulations regarding the inspection of taximeters and the sealing of such taximeters if he deems it in the public interest to do so. (Code 1959, § 31-71)

Sec. 37-109. Rates.

The rates to be charged passengers by owners or drivers of taxicabs shall be as provided in this section and it shall be unlawful for an owner to permit or a driver to make any greater or lesser charges for the transportation of passengers and luggage than the following charges:

(a) Trip rates.

(1) Mileage basis.

For the first one-ninth mile, or fraction thereof--$1.80
For each succeeding one-ninth mile, or fraction thereof--0.25

(2) Waiting time. For each minute of waiting time, or fraction thereof, after the first three (3) minutes--0.50 or $30.00 per hour waiting time

(b) Hourly rates. When hired on an hourly basis for one (1) or more passengers, per hour--30.00

(c) Trunks or footlockers. For transporting trunks or footlockers along with passengers, each piece--1.00

(d) Hand luggage.

(1) For each hand baggage in excess of two (2) bags per passenger, each additional bag--0.10

(2) For packages without a passenger, each--1.00

(e) Bags weighing one hundred (100) pounds, or over.

For each piece of baggage weighing one hundred (100) pounds, or over--1.00

(f) For transporting pets, other than seeing-eye dogs, an additional charge for each pet--1.50

(g) Two (2) or more passengers. An extra charge of twenty cents ($0.20) per passenger shall be made for each additional passenger traveling together and discharged along the route or at the same destination.

(1) Should the first person taken into a taxicab for transportation permit the driver to allow another or others traveling in the same direction to be transported in the same taxicab with him, pursuant to Section 37-24, the passenger first arriving at his destination shall pay in accordance with the meter charge at that point, plus an extra charge of twenty cents ($0.20) for each additional passenger transported and discharged at that destination, whereupon the driver of the taxicab shall immediately clear his meter and set the same for immediate operation for the next passenger, who shall pay the meter charge upon arrival at his destination, plus an extra charge of twenty cents ($0.20) for each additional passenger transported and discharged at that destination. The same method shall be followed for each succeeding passenger.

(2) When two (2) or more passengers are bona fide traveling together and engage a taxicab to different destinations, the charge shall be made as if the taxicab were hired for one (1) passenger for the last destination, plus an extra charge of twenty cents ($0.20) for each additional passenger transported.

(h) Passengers to points beyond city limits. For transportation of passengers from the city to points beyond the city limits, the rates set out in this section shall be applicable only to so much of such trip as is within the city limits.

(i) In order to ensure payment of fares, drivers may request a security deposit of no more than five dollars ($5.00) prior to accepting a passenger. The difference between such deposit and the actual fare shall be refunded to the passenger.

(j) Fuel cost surcharge. Effective July 1, 2008, a surcharge of one dollar ($1.00) shall be added to the current meter charge for each trip. (Ord. of 7-22-75, § 31-72; Ord. of 6-26-79; Ord. No. O-82-213, § 1, 10-12-82; Ord. No. O-90-284, 9-11-90; Ord. No. O-99-091, 5-11-99, eff. 6-1-99; Ord. No. O-05-103, 8-9-05; Ord. No. O-08-088, 6-10-08, eff. 7-1-08)

Sec. 37-110. Receipt showing payment of fare.

A driver shall, upon request, deliver to the person paying the fare a receipt in legible type or writing showing the date, amount of fare paid, the name of the owner and driver, and the city license tag number of the taxicab. (Code 1959, § 31-73)

Sec. 37-111. Failure to pay fare.

It shall be unlawful for any person who has been transported in a taxicab to willfully to fail, refuse or neglect to pay the driver of the taxicab the fare provided for under this division at the rates prescribed therefor immediately upon termination of the transportation, unless satisfactory arrangements are otherwise made with the driver for the payment of such fare. Every person who violates the provisions of this section shall be guilty of a class 2 misdemeanor for each offense. (Code 1959, § 31-74; Ord. No. O-96-136, 5-14-96)

Secs. 37-112—37-122. Reserved.

ARTICLE III. RENTAL VEHICLES*

***Cross Reference**—License fee for rental car agencies, § 36-114(a)(15).

Sec. 37-123. Definition.

Wherever used in this article, the term "U-Drive-lt" shall be construed to apply to all automobiles or motorcars offered for rent, hire or lease, or which are rented, hired or leased for operation without a chauffeur. (Code 1959, § 31-75)

Sec. 37-124. Renting to person without driver's permit.

It shall be unlawful for any person engaged in the business of offering automobiles or motorcars for rent, hire or lease, to be driven by the person hiring same, to hire, rent or lease such automobiles or motorcars to any person, unless such person exhibits to the owner or person in charge of such business a permit from a duly authorized authority permitting him to drive or operate a motor vehicle under the laws of the city and state in which such permit is issued. (Code 1959, § 31-76)

Sec. 37-125. Penalty.

Any person violating the provisions of this article shall be deemed guilty of a class 4 misdemeanor. (Code 1959, § 31-77)

NOTES

PUBLIC HEARING REGARDING THE ISSUANCE OF NEW CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR TAXICAB OPERATIONS IN THE CITY OF LYNCHBURG

February 26, 2014

City Manager Kimball Payne made opening comments and explained the process and requirements for Certificates of Public Convenience and Necessity for Taxicabs. He reported that he had received applications for nineteen (19) new certificates and read off the names of the applicants. Mr. Payne advised that he planned to take his recommendations to City Council on March 25th in a public meeting. He mentioned that Officer Blankenship was present if there were any questions regarding the Lynchburg Police Department's role in the process of taxicab regulation. He then opened the public hearing for comments

Mark Garrison, with Yellow Cab and applicant for two (2) certificates, stated that he had petitions signed by 40 businesses supporting the need for additional service. He said that the City has grown and needs good, reliable transportation.

Danny Johnson, with Allied Cab, stated that his concern is not about more taxicabs but that they don't want to flood the City with so many taxicabs that no one makes any money.

Tony West, applicant for ten (10) certificates, stated that we live in a country of free enterprise and the market will determine businesses success.

Uziel Wilson, with Central Va. Yellow Cab, stated that the aim is to offer timely, respectful and clean service to Lynchburg citizens and guests. He noted that a customer should not have to wait an hour for a taxi. Mr. Wilson said that he had previously been in business for 25 years at Allied Cab with his wife (an applicant for two certificates) and that there is a demand for quicker service and more and updated taxis. He said that there is a high demand in Lynchburg and the surrounding counties, from hotels, the AmTrak station, the airport and colleges, that people are overwhelmingly satisfied with Yellow Cab and that he doesn't have enough cabs to respond to demand. The company offers non-smoking taxis, credit card machines in each cab and a number of things that customers have requested but some companies are not providing. Mr. Wilson said that he is seeking more vehicles with certificates for his company because he is turning away many calls for service because he cannot respond in a timely manner. He also said that it would be a great thing for the City of Lynchburg to award more certificates as the City grows. Mr. Wilson mentioned numerous businesses, schools and other entities that rely on taxis and further stressed the need.

Jay Thomas, with Allied Cab, was present he said not to oppose the issuance of more certificates but to suggest that there might need to be some sort of cap put on the total number of certificates issued. He too doesn't want to see the market flooded which might lead to rate increases. He asked if there had been any research or market study done to determine the extent of the need for taxi service. Mr. Payne responded that there had been no market study conducted.

No one else present indicated a desire to speak so Mr. Payne closed the public hearing. Mr. Payne repeated his intention to take his recommendation to City Council on March 25th. He noted that if anyone had comments they would like included with his report, they would need to get them to him by March 12th so they could be included in the packet to City Council.

March 7, 2014

Kimball Payne, III
Lynchburg City Manager

Dear Mr. Payne,

This letter is written in response to the hearing on the requests for 19 additional taxi cab certificates of convenience and necessity in the City of Lynchburg. We are requesting that the City of Lynchburg conduct a market study to determine if additional certificates of convenience and necessity are needed according to:

Section 37-59 Factors considered in making findings

a. The adequacy of existing taxi cab service and other forms of transportation for passengers already in existence in the City.

Section 37-71 Procedure when additional taxi cabs are required

. . . after investigation . . . if public convenience and necessity requires the operation of additional taxi cabs . . .

We are concerned that the number of requests will flood a limited service area the size and population of Lynchburg. We, along with the City Manager's Office have only the best interest for the City of Lynchburg's existing taxi cab services and its citizens. We sincerely hope that all factors including study findings will be taken into consideration before final decisions are made concerning this matter.

Respectfully submitted – Lynchburg City Taxi Cab Owners

JAY THOMAS — 03/07/14

Printed Name — Date

[signature]

Signature