FINANCE COMMITTEE AGENDA

Tuesday, October 22, 2019
11:30 a.m. – Bidder's Room

GENERAL BUSINESS

11:30 a.m.

1. Approval of the Draft Finance Committee Meeting Notes from September 24, 2019.

   Contact: Donna Witt, Chief Financial Officer 455-3968

11:35 a.m.

2. Report on the General Fund Reserve for Contingencies.

   Contact: Donna Witt, Chief Financial Officer 455-3968

11:40 a.m.

3. Consider a request to adopt a resolution to amend the FY 2020 General Fund budget and appropriate $9,429 with resources from the State Compensation Board, Technology Trust Fund fees to support information technology needs in the Office of the Circuit Court.

   Contact: Eugene C. Wingfield, Circuit Court Clerk 455-2611

11:45 a.m.

4. Consider a request to adopt a resolution to amend the FY 2020 City/Federal/State Aid Fund Budget and appropriate $65,000 for the Lynchburg Adult Drug Treatment Court award with resources from the Supreme Court of Virginia Drug Treatment Court Docket Grant. This grant is administered by the Supreme Court of Virginia.

   Contact: Eugene C. Wingfield, Circuit Court Clerk 455-2611

11:50 a.m.

5. Consider a request to adopt a resolution to amend the FY 2020 City/Federal/State Aid Fund budget and appropriate $76,000 with resources from the 2019 State Homeland Security Program (SHSP) grant from U.S. Department of Homeland Security (DHS) to fund water rescue equipment and training for the Fire Department Technical Rescue Team.

   Contact: Fire Chief Greg Wormser 455-6340

11:55 a.m.

6. Consider a request to adopt a resolution to amend the FY 2020 City/Federal/State Aid Fund budget and appropriate $91,750 with resources from the 2019 State Homeland Security Program (SHSP) grant from U.S. Department of Homeland Security (DHS) to fund equipment and training for the Fire Department Technical Rescue Team.

   Contact: Fire Chief Greg Wormser 455-6340

12:00 p.m.

7. Consider a request to adopt a resolution to amend the FY2020 City/Federal State Aid Fund budget and appropriate $24,517 with resources from the 2019 State Homeland Security Program (SHSP) Grant through the Virginia Department of Emergency Management (VDEM) to purchase law enforcement equipment for the Lynchburg Police Department.

   Contact: Chief Ryan M. Zuidema 455-6171

12:05 p.m.

8. Consider a request to adopt a resolution to amend the FY 2020 City/Federal/State Aid Fund budget and appropriate $34,930 with resources from the 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) to purchase law enforcement equipment for the Lynchburg Police Department, Lynchburg Sheriff's Office and the Office of the Commonwealth's Attorney.

   Contact: Chief Ryan M. Zuidema 455-6171

12:10 p.m.

9. Adopt a resolution to amend the FY 2020 City/Federal/State Aid Fund budget and appropriate $42,612 with resources of $21,306 from the Bulletproof Vest Partnership 2019 Grant Program and $21,306 transferred from the FY 2020 General Fund Police Department ($18,506) and Sheriff's Office ($2,800) budgets to purchase replacement bulletproof vests for law enforcement officers.

   Contact: Chief Ryan M. Zuidema 455-6171

12:15 p.m.

10. 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, Children's Services Act, Water Operating, Sewer Operating, Stormwater Operating, and General Funds for the quarter ending June 30, 2019.

Fund	**Preparer**
GLTC	Brian Booth, General Manager of GLTC
Regional Airport Fund	Mark Courtney, Airport Manager
Lynchburg Regional Juvenile Detention Center	Tamara Rosser, Director of Human Services
Children's Services Act Fund (CSA)	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, Chief Financial Officer

12:55 p.m.

11. Receive a report on the FY 2019 Write-Off of Uncollectible Accounts Receivable.

   Contact: Donna Witt, Chief Financial Officer 455-3968

1:00 p.m.

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

   Contact: Donna Witt, Chief Financial Officer 455-3968

1:05 p.m.

13. Roll Call

The next Finance Committee meeting is Tuesday, November 26, 2019, at 11:30 a.m.

AGENDA ITEM #: 1

FINANCE COMMITTEE NOTES-- DRAFT
Tuesday, September 24, 2019

GENERAL BUSINESS

Meeting commenced at 11:30 a.m.

ATTENDEES
Committee Members: *Council Member Jeff S. Helgeson, Chair; Council Member Randy Nelson; Council Member Beau Wright; Mayor Treney Tweedy, Ex-Officio.*
Others: *Reid Wodicka, Deputy City Manager; Donna Witt, Chief Financial Officer; Rhonda Allbeck, Assistant Director of Financial Services; Starlette Early, Budget Analyst*

1. Approval of the Draft Finance Committee Meeting Notes from August 13, 2019.

   The meeting notes from August 13, 2019 were approved as submitted.

2. Report on the General Fund Reserve for Contingencies.

   Donna Witt noted there were no new items since the last report. The FY 2020 Reserve for Contingencies has a balance of $1.2 million, including $50,000 for Manager's Discretionary Funding.

3. Adopt a resolution to amend the FY 2020 City/Federal/State Aid Fund budget and appropriate $55,335 with resources of $36,890 from the Department of Motor Vehicles Highway Safety Grant, an in-kind service and equipment match of $15,767, and $2,678 transferred from the FY 2020 General Fund Police Department budget to provide selective enforcement activities and attend related training.

   The Committee approved this item and is scheduled to be considered by full Council at their September 24, 2019 meeting.

4. Adopt a resolution to amend the FY 2020 City/Federal/State Aid Fund budget and appropriate $22,575 with resources of $15,050 from the Department of Motor Vehicles Highway Safety Grant, an in-kind service and equipment match of $6,374, and $1,151 transferred from the FY 2020 General Fund Police Department budget to provide funds for speed enforcement activities.

   The Committee approved this item and is scheduled to be considered by full Council at their September 24, 2019 meeting.

5. Consider a request to adopt a resolution authorizing the submittal of an application for the 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of $34,930 to purchase law enforcement equipment for the Lynchburg Police Department, Lynchburg Sheriff's Office and the Office of the Commonwealth's Attorney.

   The Committee approved this item and is scheduled to be considered by full Council at their September 24, 2019 meeting.

6. Approve the submittal of an application for the 2019 State Homeland Security Program (SHSP) Grant through the Virginia Department of Emergency Management (VDEM) in the amount of $24,517 to purchase law enforcement equipment for the Lynchburg Police Department.

   The Committee approved this item.

7. Adopt a resolution to amend the FY 2019 Detention Home Fund budget to appropriate $17,995 for a welding simulator, and $5,000 for additional supplies for CPP (Community Placement Program) juveniles with resources from the Virginia Department of Juvenile Justice Community Placement Program.

   The Committee approved this item and is scheduled to be considered by full Council at their September 24, 2019 meeting.

8. Approve the submittal of a grant application to the Virginia Office of Emergency Medical Services – Rescue Squad Assistance Fund (RSAF) for $103,953 with resources of $83,162 from the RSAF grant, $20,791 from the FY 2020 General Fund Fire Department budget to purchase (3) LifePak 15 cardiac monitors for the Fire Department.

   The Committee approved this item.

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

   Donna Witt reported on the status of revenue collections received for the month ending June 2019 for five revenues. She noted this report ends the Fiscal Year 2019 collections and, while the month of June did not meet budget expectations, the year ended above budget for all categories except Communications Sales & Use Tax. The monthly comparison report for FY 2020 has been revised to now report monthly Amusement Tax collections, and removed the Communications Sales & Use Tax. Overall, the month of July was slow, with Sales & Use Tax revenue trending down.

10. Roll Call

    There were no items for roll call.

Meeting adjourned at 11:59 a.m.

FY 2020 GENERAL FUND RESERVE FOR CONTINGENCIES

	Reserve for Contingencies	City Manager's Discretionary Funding
BEGINNING BALANCE, JULY 1, 2019	$1,150,000	$50,000
Carryforward to FY 2020 Reserve for Contingencies - FY 2020 Adopted Budget	0	
BALANCE	**$1,150,000**	**$50,000**
APPROPRIATIONS (Second Reading)		
TOTAL APPROPRIATIONS	**$0**	**$0**
REMAINING BALANCE	**$1,150,000**	**$50,000**
ITEMS INTRODUCED		
TOTAL INTRODUCED ITEMS	**$0**	**$0**
REMAINING BALANCE	**$1,150,000**	**$50,000**
PENDING ITEMS		
TOTAL PENDING ITEMS	**$0**	**$0**
PROJECTED BALANCE, JUNE 30, 2020	**$1,150,000**	**$50,000**

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **October 22, 2019** AGENDA ITEM #: **3**

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

ITEM TITLE: Technology Trust Fund (TTF) Fees for the Office of the Circuit Court Clerk

KEY ELEMENTS:
___Economic Development _**X**_Excellent Government ___Natural and Built Environment ___Safe Community___Vibrant Community

RECOMMENDATION:
Adopt a resolution to amend the FY 2020 General Fund budget and appropriate $9,429 with resources from the State Compensation Board, Technology Trust Fund fees to support information technology needs in the Office of the Circuit Court.

SUMMARY:
As required by the Code of Virginia, Section 17.1-279 – Additional fee to be assessed by circuit court clerks for information technology, "the clerk of each circuit court shall assess a $5 fee, known as the "Technology Trust Fund Fee," in each civil action, upon each instrument to be recorded in the deed books, and upon each judgment to be docketed in the judgment lien docket book. Such fee shall be deposited by the State Treasurer into a trust fund."

Annually, a portion of this fee is returned to the local Office of the Circuit Court Clerk based on its information technology needs. These funds cannot be used to take the place of current funding supplied by the locality.

PRIOR ACTION(S): Finance Committee, October 22, 2019

FISCAL IMPACT: The Adopted FY 2020 General Fund Budget included $25,000 in Technology Trust Fund fees. The actual amount returned to the Office of the Circuit Court Clerk is $34,429, requiring an additional appropriation of $9,429.

CONTACT(S): Eugene C. Wingfield, Circuit Court Clerk, 455-2611

ATTACHMENT(S): Resolution

REVIEWED BY: bms

RESOLUTION:

BE IT RESOLVED that the FY 2020 General Fund budget is amended and $9,429 is appropriated with resources from the State Compensation Board, Technology Trust Fund fees to support information technology needs in the Office of the Circuit Court Clerk.

Introduced: Adopted:

Certified: ________________________________
Clerk of Council

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **October 22, 2019** AGENDA ITEM #: **4**

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

ITEM TITLE: Appropriation of the Local Drug Court Grant

KEY ELEMENTS:
___Economic Development _**X**__Excellent Government ___Natural and Built Environment _**X**_Safe Community _**X**_Vibrant Community

RECOMMENDATION: Adopt a resolution to amend the FY 2020 City/Federal/State Aid Fund Budget and appropriate $65,000 for the Lynchburg Adult Drug Treatment Court award with resources from the Supreme Court of Virginia Drug Treatment Court Docket Grant. This grant is administered by the Supreme Court of Virginia.

SUMMARY: Horizon Behavioral Health submitted a grant application in June of 2019 to the Supreme Court of Virginia with the objective of furthering the City's effort to administer a Local Drug Court program. The Award letter was received from the Supreme Court of Virginia in July, which indicated the Lynchburg Circuit Court was awarded $65,000. Funding is allocated over the remainder of FY 2020. These funds will be used to support the Drug Court Coordinator position in the Circuit Court.

The match for the City is 50% (based on a formula, not directly 50% of request). This match will be used for supplies and other expenses associated with the Drug Court Coordinator position. This match was appropriated in the First Quarter Adjustments for FY 2020.

PRIOR ACTION(S): Finance Committee, October 22, 2019

FISCAL IMPACT: Local match of $32,858 (formula driven calculation) was appropriated in First Quarter Adjustments for FY 2020

CONTACT(S): Eugene Wingfield, Lynchburg Circuit Court Clerk, 455-2620

ATTACHMENT(S): Resolution
Award Letter

REVIEWED BY: bms

RESOLUTION:

BE IT RESOLVED THAT the FY 2020 City Federal State Aid budget is amended and $65,000 is appropriated for the Lynchburg Adult Drug Treatment Court award with resources from the Supreme Court of Virginia through the Supreme Court of Virginia Drug Treatment Court Docket Grant.

Introduced: Adopted:

Certified: ______________________________
Clerk of Council

Executive Secretary
Karl R. Hade
Assistant Executive Secretary & Legal Counsel
Edward M. Macon
Court Improvement Program
Sandra L. Karison, Director
Educational Services
Caroline E. Kirkpatrick, Director
Fiscal Services
John B. Rickman, Director
Human Resources
Renée Fleming Mills, Director

SUPREME COURT OF VIRGINIA

Office of the Executive Secretary
100 North Ninth Street
Richmond, Virginia 23219-2334
(804) 786-6455

Judicial Information Technology
Michael J. Riggs, Sr., Director
Judicial Planning
Cyril W. Miller, Jr., Director
Judicial Services
Paul F. DeLosh, Director
Legal Research
Steven L. Dalle Mura, Director
Legislative & Public Relations
Kristi S. Wright, Director
Magistrate Services
Jonathan E. Green, Director

July 16, 2019

Hon. R. Edwin Burnette, Jr., Judge
Lynchburg Circuit Court
P.O. Box 4
900 Court Street
Lynchburg, VA 24505-0004

Supreme Court of Virginia Drug Treatment Court Docket Grant,
Title**: Lynchburg Adult Drug Treatment Court**

Dear Judge Burnette:

I am pleased to advise you that your grant for the above-referenced grant program has been approved for $65,000 in State funds for fiscal year 2020.

Enclosed you will find a Statement of Grant Award and a Statement of Grant Award Special Conditions. To indicate your acceptance of the award and conditions, please sign the award acceptance and return it to Anna Powers, Drug Treatment Court Coordinator, at the Office of the Executive Secretary (OES). Please review the conditions carefully; as they require action on your part before we will disburse grant funds. Prior to the OES disbursing of funds, the Subrecipient must agree to comply with the following and the attached special conditions:

a. Submit the quarterly grant reports by their due date to the Statewide Drug Treatment Court Coordinator.
b. Maintain accurate & current data in the new web-based drug treatment court database beginning July 1, 2012.
c. Submit a copy of any final federal grant report(s) and/or quarterly reports of any drug court Federal grant funds awarded.

When we receive documentation showing that you have complied with the conditions, you will be eligible to request funds awarded under this grant. A **REQUEST FOR FUNDS** form is also included with this letter and should be used for this purpose. You may request funds at the same time you submit the documentation of compliance with the grant conditions or at any time thereafter. However, we cannot process your request until we have received and approved all required information.

We appreciate your interest in this grant program and will be happy to assist you in any way we can to assure your project's success. If you have any questions, please call Courtney Stewart at 804-356-1064.

Yours very truly,

Paul F. DeLosh

PFD/atp
Enclosures

cc: Mr. Damien Cabezas, CEO, Horizon Behavioral Health
Mr. Andre McDaniel, CFO, Horizon Behavioral Health
Karl R. Hade, Executive Secretary
Anna Powers, Drug Treatment Court Coordinator

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: October 22, 2019 AGENDA ITEM #: **5**

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

ITEM TITLE: **2019 State Homeland Security Program (SHSP) grant: $76,000 for the Fire Department Technical Rescue Team**

KEY ELEMENTS:
___Economic Development ___Excellent Government ___Natural and Built Environment _X_Safe Community ___Vibrant Community

RECOMMENDATION: Adopt a resolution to amend the FY 2020 City/Federal/State Aid Fund budget and appropriate $76,000 with resources from the 2019 State Homeland Security Program (SHSP) grant from U.S. Department of Homeland Security (DHS) to fund water rescue equipment and training for the Fire Department Technical Rescue Team.

SUMMARY: The Fire Department seeks authorization to accept a non-matching grant for technical rescue equipment. The Virginia Department of Emergency Management administers this grant from the United States Department of Homeland Security (DHS) through the State Homeland Security Program (SHSP). The grant program provides funding to improve the nation's readiness in preventing, protecting against, responding to, recovering from, and mitigating terrorist attacks, major disasters, and other emergencies. The grant reflects DHS's focus on implementation of an all-of-nation, whole-community approach to building, sustaining, and delivering core capabilities essential to achieving a secure and resilient nation.

The Fire Department was awarded $76,000 in pass-through funds from FEMA. These funds were made available to specifically target swift water rescue needs. There was no application process and the department was notified that we would be receiving this money on October 7, 2019 as a result of our commitment to deploy during water-related emergencies, such as hurricanes. The funds are specifically identified for use by the Technical Rescue Team for swift water rescue training, and equipment. This includes, but is not limited to, boats, boat motors, water rescue training, personal protective equipment, and other equipment capable of water rescue.

This grant is 100% reimbursable; no local match is required.

PRIOR ACTION(S): Finance Committee October 22, 2019

FISCAL IMPACT: None – No local match is required. Future funds may be needed for periodic maintenance of the equipment purchased.

CONTACT(S): Fire Chief Greg Wormser, 455-6340
Battalion Chief Sean Regan, 546-1648
Fire Administrative Manager Annette Pettyjohn, 455-6368

ATTACHMENT(S): Resolution

REVIEWED BY: raw

RESOLUTION

BE IT RESOLVED that the FY 2020 City/Federal/State Aid Fund budget is amended and $76,000 is appropriated with resources from the 2019 State Homeland Security Program (SHSP) grant from U.S. Department of Homeland Security (DHS) to fund equipment and training for the Fire Department Technical Rescue Team.

Introduced: Adopted:

Certified: ______________________________
Clerk of Council

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: October 22, 2019 AGENDA ITEM #: **6**

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

ITEM TITLE: **2019 State Homeland Security Program (SHSP) grant: $91,750 for the Fire Department Technical Rescue Team**

KEY ELEMENTS:
___Economic Development ___Excellent Government ___Natural and Built Environment _**X**_Safe Community ___Vibrant Community

RECOMMENDATION: Adopt a resolution to amend the FY 2020 City/Federal/State Aid Fund budget and appropriate $91,750 with resources from the 2019 State Homeland Security Program (SHSP) grant from U.S. Department of Homeland Security (DHS) to fund equipment and training for the Fire Department Technical Rescue Team.

SUMMARY: The Fire Department seeks authorization to accept a non-matching grant for technical rescue equipment. The Virginia Department of Emergency Management administers this grant from the United States Department of Homeland Security (DHS) through the State Homeland Security Program (SHSP). The grant program provides funding to improve the nation's readiness in preventing, protecting against, responding to, recovering from, and mitigating terrorist attacks, major disasters and other emergencies. The grant reflects DHS's focus on implementation of an all-of-nation, whole-community approach to building, sustaining, and delivering core capabilities essential to achieving a secure and resilient nation.

The Fire Department was awarded $91,750 to be utilized by the Technical Rescue Team. The funds will be used for the purchase of Personal Protective Equipment (PPE), Urban Search & Rescue (USAR) bags, water rescue equipment, search camera, and specialized rescue equipment for heavy lifting for debris removal and large animal rescue. The majority of this equipment is replacing existing equipment that has exceeded its useful life, but there are a few items that are being added to enhance our rescue capabilities. This equipment can be used in a variety of ways such as stabilization of a structure that is in danger of collapse, stabilizing a vehicle after a crash, or clearing debris from a trench. This equipment is vital to the successful mitigation of a variety of incident types and ensures not only the prolonged safety of our citizens, but also the immediate safety of our responders. In addition, this grant includes training that will enhance that knowledge and skills of our Technical Rescue Team members when confronted with an animal rescue or wide area search in an urban or rural setting.

This grant is 100% reimbursable; no local match is required.

PRIOR ACTION(S): October 22, 2019: Finance Committee review
May 28, 2019: Finance Committee – Grant Submittal Approval

FISCAL IMPACT: None – No local match is required. Future funds may be needed for periodic maintenance of the equipment purchased.

CONTACT(S): Fire Chief Greg Wormser, 455-6340
Battalion Chief Sean Regan, 546-1648
Fire Department Administrative Manager Annette Pettyjohn, 455-6368

ATTACHMENT(S): Resolution

REVIEWED BY: raw

RESOLUTION:

BE IT RESOLVED that the FY 2020 City/Federal/State Aid Fund budget is amended and $91,750 is appropriated with resources from the 2019 State Homeland Security Program (SHSP) grant from U.S. Department of Homeland Security (DHS) to fund equipment and training for the Fire Department Technical Rescue Team.

Introduced: Adopted:

Certified: ______________________________
Clerk of Council

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **October 22, 2019** AGENDA ITEM #: **7**

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

ITEM TITLE: 2019 Virginia Department of Emergency Management (VDEM)- State Homeland Security Program (SHSP) Grant

KEY ELEMENTS:
___Economic Development ___Excellent Government ___Natural and Built Environment _X_Safe Community ___Vibrant Community

RECOMMENDATION: Adopt a resolution to amend the FY2020 City/Federal State Aid Fund budget and appropriate $24,517 with resources from the 2019 State Homeland Security Program (SHSP) Grant through the Virginia Department of Emergency Management (VDEM) to purchase law enforcement equipment for the Lynchburg Police Department.

SUMMARY: The Lynchburg Police Department has been awarded $24,517 through a competitive grant process with the Virginia Department of Emergency Management (VDEM) State Homeland Security Program (SHSP) to purchase two Long Range Acoustic Devices that will be used in critical incidents that require communication between law enforcement and other persons in crises where traditional communication may not be effective. The equipment will also be used to communicate lifesaving information to citizens during natural disasters. The total equipment cost is $24,517 which is fully reimbursable by the grant; no local matching funds are required.

PRIOR ACTION(S): Finance Committee September 24, 2019 (application approval)
Finance Committee October 22, 2019

FISCAL IMPACT: None, no local match is required

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

ATTACHMENT(S): None

REVIEWED BY: bms

RESOLUTION:

BE IT RESOLVED that the FY 2020 City/Federal/State Aid Fund budget is amended and $24,517 is appropriated with resources of $24,517 from the Virginia Department of Emergency Management (VDEM) 2016 State Homeland Security Program (SHSP) to purchase law enforcement equipment for the Lynchburg Police Department.

Introduced: Adopted:

Certified: ______________________________
Clerk of Council

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **October 22, 2019** AGENDA ITEM #: **8**

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

ITEM TITLE: 2019 Edward Byrne Memorial Justice Assistance Grant (JAG)

KEY ELEMENTS:
___Economic Development ___Excellent Government ___Natural and Built Environment _X_Safe Community ___Vibrant Community

RECOMMENDATION: Adopt a resolution to amend the FY 2020 City/Federal/State Aid Fund budget and appropriate $34,930 with resources from the 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) to purchase law enforcement equipment for the Lynchburg Police Department, Lynchburg Sheriff's Office and the Office of the Commonwealth's Attorney.

SUMMARY: The City of Lynchburg is eligible to receive $34,930 in Edward Byrne Memorial Justice Assistance Grant (JAG) funding. Funding will be utilized by the Lynchburg Police Department to purchase cameras for electronic surveillance, one digital camera for the Community Relations Coordinator position, and accessories for Tactical Unit firearms ($27,541). The Lynchburg Sheriff's Office will utilize funds to upgrade their voice recording system ($3,762). The Office of the Commonwealth's Attorney will utilize funds to purchase two (2) computers ($3,627). Total equipment cost is $34,930 which is fully reimbursable by the grant. No local matching funds are required.

PRIOR ACTION(S): Finance Committee, September 24, 2019 (application approval)
Finance Committee, October 22, 2019

FISCAL IMPACT: None, no local match is required

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

ATTACHMENT(S): Resolution

REVIEWED BY: bms

RESOLUTION:

BE IT RESOLVED that the FY 2020 City/Federal/State Aid Fund budget is amended and $34,930 is appropriated with resources from the 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) to purchase law enforcement equipment for the Lynchburg Police Department, Lynchburg Sheriff's Office and the Office of the Commonwealth's Attorney.

Introduced: Adopted:

Certified: ________________________________

Clerk of Council

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **October 22, 2019** AGENDA ITEM #: **9**

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

ITEM TITLE: 2019 Police Bulletproof Vest Partnership Grant Funding

KEY ELEMENTS:
___Economic Development ___Excellent Government ___Natural and Built Environment _X_Safe Community ___Vibrant Community

RECOMMENDATION: Adopt a resolution to amend the FY 2020 City/Federal/State Aid Fund budget and appropriate $42,612 with resources of $21,306 from the Bulletproof Vest Partnership 2019 Grant Program and $21,306 transferred from the FY 2020 General Fund Police Department ($18,506) and Sheriff's Office ($2,800) budgets to purchase replacement bulletproof vests for law enforcement officers.

SUMMARY: Total vest replacement costs are $42,612. The grant requires a 50% local match; these funds are available in the FY 2020 General Fund Police and Sheriff's Office operating budgets.

PRIOR ACTION(S): Finance Committee, October 22, 2019

FISCAL IMPACT: The required local match is budgeted in the FY 2020 General Fund Police and Sheriff's Office operating budgets; therefore, no additional funds are required.

CONTACT(S): Chief Ryan Zuidema, 455-6045
Amy Lowe, Administrative Manager, Police Dept, 455-6128

ATTACHMENT(S): Resolution

REVIEWED BY: bms

RESOLUTION:

BE IT RESOLVED that the FY 2020 City/Federal/State Aid Fund budget is amended and $42,612 is appropriated with resources of $21,306 from the Bulletproof Vest Partnership 2019 Grant Program and $21,306 transferred from the FY 2020 General Fund Police Department ($18,506) and Sheriff's Office ($2,800) budgets to purchase replacement bulletproof vests for law enforcement officers.

Introduced: Adopted:

Certified: ________________________________
Clerk of Council

GREATER LYNCHBURG TRANSIT COMPANY
We're Here To Get You There!

Finance Committee
City Council
City of Lynchburg
Lynchburg, Virginia

October 8th, 2019

RE: June 30th, 2019 (4th Quarter – FY 2019) Financial Report – Greater Lynchburg Transit Company

The attached Greater Lynchburg Transit Company Quarterly Income Statement summarizes the financial activities for the fourth quarter of FY19 and YTD data for the fiscal year.

REVENUE

Total revenue for the fourth quarter is coming in approximately 3 % under budget. This is mainly from Passenger Revenue and Liberty University Revenue coming in less than budgeted. The Passenger Revenue is under budget approximately 5 % for the quarter. The Liberty University Revenue is under budget 15 % due to Liberty reducing the level of service to be provided from originally planned at the start of the spring semester, as well as conducting an adjustment for actual service provided at the end of the school year. Advertising is under budget 32 % and is due to a lower number of ad contracts during this period. Year to date, revenues are within 2 % of budget with the main factors being Passenger Revenue and Liberty Revenue under budget for the year.

EXPENDITURES

On the expense side, total expenses were under budget 4 % for the fourth quarter. Labor expenses have been under budget and overtime over budget due to vacant positions within operations and maintenance from staff turnover, netting a savings of approximately $ 57,000 during the fourth quarter between the two. All other expense line items were either just slightly over budget or under budget for the quarter.

Year to date expenses to note are overtime expenses being significantly over budget approximately $ 256,000/203% for all departments combined due to understaffing from vacant positions and unexpected FMLA leave. Tires and tubes were over budget approximately $ 45,000/149%, due in part to an increase in tire expenses due to having to switch the style of tire used on the buses to one that could be retreaded for reuse. Casualty and Liability expenses were over budget approximately $ 63,000/121% due to not accurately accounting for insurance premiums rolling over from the previous fiscal year after the year end audit.

SUMMARY

At the end of the fourth quarter and year to date GLTC is reflecting a surplus of $ 137,689.

Respectfully submitted,

Brian Booth

Brian Booth,
General Manager

419 Bradley Drive • Lynchburg, VA 24501 | PO Box 11286 • Lynchburg, VA 24506
434.455.5080 Office • **434.528.4582** Fax • www.GLTConline.com

CENTRAL VIRGINIA TRANSIT MANAGEMENT CO INC.

QUARTERLY INCOME STATEMENT
AS OF JUNE 30, 2019

	QTR TO DATE FY2019 QTD ACTUAL	FY2019 QTD BUDGET	% VAR	FY2019 YTD ACTUAL	FY2019 YTD BUDGET	% of Budget
REVENUE						
FRT Passenger Revenue	$ 139,586	$ 147,070	-5%	$ 544,984	$ 588,280	93%
DRT Passenger Revenue	17,468	17,500	0%	65,155	70,000	93%
Contracts (LU Access)	12,012	12,012	0%	60,060	60,060	100%
Contracts (LC Access)	6,258	6,258	0%	25,032	25,032	100%
Contracts (CVCC Access)	13,800	13,800	0%	55,200	55,200	100%
Liberty University Revenue	265,700	313,490	-15%	1,435,415	1,567,450	92%
Other Contract Revenue	77	1,925	-96%	13,119	7,700	170%
Non-Operating Revenue	2,817	2,071	36%	29,358	8,285	354%
Advertising Revenue	14,189	21,000	-32%	82,746	84,000	99%
City Operating Assistance	432,196	432,196	0%	1,728,785	1,728,785	100%
County Operating Assistance	18,695	18,695	0%	74,780	74,780	100%
State Operating Assistance	506,760	502,781	1%	2,022,003	2,011,122	101%
Federal Operating Assistance	488,382	486,348	0%	1,953,526	1,945,391	100%
TOTAL REVENUE	**$ 1,917,940**	**$ 1,975,146**	**-3%**	**$ 8,090,164**	**$ 8,226,085**	**98%**
EXPENSES						
FIXED ROUTE						
Operator Labor	$ 352,087	$ 445,641	-21%	$ 1,500,670	$ 1,782,565	84%
Operator-Overtime	81,375	53,262	53%	406,327	213,049	191%
Other Salaries & Wages	84,998	74,267	14%	305,564	297,067	103%
Supervisors-Overtime	7,957	3,622	120%	24,812	14,487	171%
Fringe Benefits	297,268	296,804	0%	1,113,224	1,187,215	94%
TOTAL FIXED ROUTE	**$ 823,685**	**$ 873,596**	**-6%**	**$ 3,350,596**	**$ 3,494,383**	**96%**
DEMAND RESPONSE						
Operator Labor	$ 64,492	$ 80,465	-20%	$ 250,474	$ 321,861	78%
Operator-Overtime-PTS	1,120	2,001	-44%	9,933	8,002	124%
Other Salaries & Wages	19,542	16,275	20%	61,823	65,098	95%
Fringe Benefits	47,267	50,968	-7%	160,328	203,870	79%
TOTAL DEMAND RESPONSE	**$ 132,421**	**$ 149,708**	**-12%**	**$ 482,558**	**$ 598,831**	**81%**
MAINTENANCE						
Other Salaries & Wages	$ 151,625	$ 166,576	-9%	$ 591,760	$ 666,302	89%
Inspection&Maint,Srvc-Overtime	14,521	7,272	100%	90,821	29,087	312%
Fringe Benefits	93,335	89,736	4%	339,624	358,945	95%
Fuel & Lubricants	167,887	175,280	-4%	660,543	701,121	94%
Tires & Tubes	14,932	23,063	-35%	137,647	92,250	149%
Other Materials & Supplies	132,866	122,624	8%	519,320	490,496	106%
TOTAL MAINTENANCE	**$ 575,166**	**$ 584,550**	**-2%**	**$ 2,339,715**	**$ 2,338,201**	**100%**
ADMINISTRATION						
Other Salaries & Wages	$ 107,219	$ 93,061	15%	$ 393,422	$ 372,243	106%
Fringe Benefits	59,260	48,036	23%	195,750	192,144	102%
Services	118,431	112,213	6%	475,002	448,850	106%
Utilities	38,879	45,165	-14%	171,744	180,661	95%
Casualty & Liability Expenses	76,712	75,056	2%	363,460	300,223	121%
Information Technology	30,744	40,691	-24%	133,847	162,764	82%
Other Materials & Supplies	7,010	8,324	-16%	35,468	33,296	107%
Miscellaneous	1,423	26,122	-95%	10,914	104,489	10%
TOTAL ADMINISTRATION	**$ 439,678**	**$ 448,668**	**-2%**	**$ 1,779,607**	**$ 1,794,670**	**99%**
TOTAL EXPENSES	**$ 1,970,950**	**$ 2,056,521**	**-4%**	**$ 7,952,476**	**$ 8,226,085**	**97%**
NET INCOME/(LOSS)	**$ (53,010)**	**$ (81,376)**		**$ 137,689**	**$ -**	

Lynchburg Regional Airport

A City of Lynchburg Enterprise Fund

350 Terminal Drive • Suite 100
Lynchburg, Virginia 24502
P 434-455-6090 • F 434-239-9027
www.lynchburgva.gov/airport

October 8, 2019

Finance Committee
City Council
City of Lynchburg
Lynchburg, Virginia

Re: June 30, 2019 – Annual (FY 2019) Financial Summary - Lynchburg Regional Airport

REGIONAL AIRPORT FUND

The attached Lynchburg Regional Airport Operating Fund Financial Summary reflects the financial activity for this Fund for the FY 2019 year ending June 30, 2019. I am pleased to report that the airport operating fund finished the year with a solid $227,102 surplus, which amounts to some $907,000 in combined surpluses over the last four years. American Airlines completed its conversion to an all-jet lineup of flights as of the July 2018 flight schedule, and continued its growth by announcing at the end of the year an expanded fall schedule with a seventh daily flight, larger regional jets and approximately 25 percent more seat capacity monthly. Total passenger traffic for FY 2019 was up 9.5% which contributed to record revenues for both vehicle parking and rental car concession revenues. Overall, total airport revenue increased a solid 6.75%.

Total expenses increased 7.3% in FY2019, primarily due to a rare workers compensation claim, a consulting study for converting the airport management structure to an independent authority, a consultant to assist airport management in attracting United Airlines as a second airline at LYH, and an increase in the benefits accrual of current and future retirees. As noted above, for the fourth straight year the airport did not require an operating subsidy, and none is expected to be needed for the foreseeable future. A recent history of annual Airport subsidies and surpluses is included with this report.

REVENUE HIGHLIGHTS

- Terminal Revenue: Revenue was $73,691 more than budget lead by a 9.9% increase in parking concession revenue.
- General Aviation: Revenue was $59,742 more than budget largely due to increased revenue from the fuel farm lease/through-put fee.
- State Airport Aid: Revenue was $52,365 less than budget due to having fewer eligible projects than anticipated.
- Miscellaneous (Other): Revenue was $12,490 less than budget due to receiving very little unexpected revenue this year.

EXPENSE HIGHLIGHTS

- Airfield Operations: Was $8,320 less than budget due partly to a position remaining vacant for much of the year due to a retirement.

- Terminal Operations: Was $18,666 more than budget due mainly to ongoing rehabilitations needed to the 20-year-old rental car service facility.

- Safety (Fire & Police): Was $21,720 more than budget due largely to additional costs of extended security checkpoint hours for law enforcement personnel and ongoing repairs/upgrades to the security access and badging systems.

- Small Projects (state-assisted): Was $21,981 less than budget due to fewer state-assisted, non-recurring maintenance and repair projects than anticipated.

SUMMARY

Due to improvements in airline service by American Airlines and the related increase in airline direct and indirect revenues, the airport generated a $227,102 surplus which was the fourth straight year of a surplus. Our new all-jet schedule and new fall schedule has increased seat capacity which should result in additional passenger traffic which will benefit our future revenues. Based on growing air service levels, competitive airfares, and anticipated increasing passenger demand, combined with decreasing debt service, the airport is projecting that it will operate with a surplus for the foreseeable future.

Respectfully submitted,

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

cc: Bonnie Svrcek, City Manager
Reid Wodicka, Deputy City Manager
Donna Witt, Director of Financial Services
Wesley Campbell, Airport Finance Manager

LYNCHBURG REGIONAL AIRPORT

MEMORANDUM

To: Mark Courtney, Airport Director

From: Wes Campbell, Airport Finance Manager WPC

Date: October 8, 2019

Re: Airport Subsidy History

The Lynchburg Regional Airport Operating Fund was created as a City of Lynchburg Enterprise Fund in FY 1997. Prior to FY 1997 the Airport was accounted for as an operating department within the City General Fund. The following is a history of the annual operating subsidy provided by the City to the Airport which was gradually reduced from FY 2002 through FY 2015 by growing the Airport's revenue base, managing expense increases, and minimizing the use of new debt while paying off existing debt. In FY 2016, the Airport managed to eliminate the subsidy completely and instead realized a surplus which has been the norm now for the past four years.

FY 2002	received a $614,530 City subsidy (30.8% of expenses)
FY 2003	received a $577,933 City subsidy (25.9% of expenses)
FY 2004	received a $490,831 City subsidy (23.2% of expenses)
FY 2005	received a $419,980 City subsidy (18.7% of expenses)
FY 2006	received a $398,485 City subsidy (16.7% of expenses)
FY 2007	received a $367,337 City subsidy (15.0% of expenses)
FY 2008	received a $359,364 City subsidy (14.7% of expenses)
FY 2009	received a $295,850 City subsidy (12.4% of expenses)
FY 2010	received a $261,260 City subsidy (10.2% of expenses)
FY 2011	received a $259,950 City subsidy (9.9% of expenses)

Delta Airlines ceased Lynchburg operations in Jan 2011

FY 2012	received a $421,362 City subsidy (15.7% of expenses)
FY 2013	received a $336,330 City subsidy (11.8% of expenses)
FY 2014	received a $218,809 City subsidy (7.9% of expenses)
FY 2015	received a $ 96,600 City subsidy (3.4% of expenses)

FY 2016	$205,492 SURPLUS (no subsidy needed)
FY 2017	$248,675 SURPLUS (no subsidy needed)
FY2018	$225,899 SURPLUS (no subsidy needed)
FY2019	$227,102 SURPLUS (no subsidy needed)

FY2020	$169,592 SURPLUS (Budget estimate)

LYNCHBURG REGIONAL AIRPORT
OPERATING FUND FINANCIAL SUMMARY
June 30, 2019

	FY 2018 Amended Budget	FY 2018 Actual (thru 6/30/18)	FY 2018 % of Budget	*	FY 2019 Amended Budget	FY 2019 Actual (thru 6/30/19)	FY 2019 % of Budget	*	FY 2019 Amended Budget	FY 2019 Actual (thru 6/30/19)	FY 2019 $ Variance Actual vs. Amended Budget
BEGINNING NET ASSETS	$ 250,000	$ 36,977,478		*	$ 250,000	$ 36,037,844 **(1)**		*	$ 250,000	$ 36,037,844 **(1)**	
Less: Invested in Capital Assets, net of related debt		(36,717,501)		*		(36,959,451)		*		(36,959,451)	
Less: GASB75 Prior Period Adjustment-Life & Health Insurance		(907,483) **(2)**									
BEGINNING UNRESTRICTED NET ASSETS	$ 250,000	$ (647,506)		*	$ 250,000	$ (921,607)		*	$ 250,000	$ (921,607)	$ -
USE OF ENCUMBRANCES CARRIEDFORWARD	$ 21,155				$ 103,481				$ 103,481		
TRANSFER OF RESERVES - NEW CORPORATE HANGER	$ (500,000)	$ (500,000)		*				*			
USE OF RESERVES - DEBT SERVICE	$ 32,597			*				*			
REVENUES				*				*			
Airfield	98,000	101,875	104%	*	110,000	119,818	109%	*	110,000	119,818	9,818
Terminal	1,495,827	1,517,824	101%	*	1,544,333	1,618,024	105%	*	1,544,333	1,618,024	73,691
General Aviation	518,557	558,047	108%	*	567,857	627,599	111%	*	567,857	627,599	59,742
Other Leased Property	261,900	272,001	104%	*	382,400	390,005	102%	*	382,400	390,005	7,605
State Airport Aid	260,000	212,824	82%	*	200,000	147,635	74%	*	200,000	147,635	(52,365)
Federal Security Aid	95,000	87,260	92%	*	85,000	87,320	103%	*	85,000	87,320	2,320
General Fund Subsidy	0	0	0%	*	0	0	0%	*	0	0	0
Interest & Other	94,096	115,545	123%	*	80,832	68,342	85%	*	80,832	68,342	(12,490)
TOTAL REVENUES	$ 2,823,380	$ 2,865,377		*	$ 2,970,422	$ 3,058,743		*	$ 2,970,422	$ 3,058,744	$ 88,322
EXPENSES				*				*			
Airfield Operations	319,111	313,470	98%	*	309,254	300,934	97%	*	309,254	300,934	8,320
Terminal Operations	567,103	579,317	102%	*	572,091	590,757	103%	*	572,091	590,757	(18,666)
General Aviation	142,431	138,355	97%	*	137,524	130,929	95%	*	137,524	130,929	6,595
Administration	727,174	757,028	104%	*	799,767	804,717	101%	*	799,767	804,717	(4,950)
Safety (ARFF & LEO)	423,125	446,267	105%	*	424,939	446,659	105%	*	424,939	446,659	(21,720)
Snow Removal	34,930	30,478	87%	*	22,930	19,933	87%	*	22,930	19,933	2,997
Debt Service	117,244	126,595	108%	*	139,568	137,661	99%	*	139,568	137,661	1,907
Small Projects & Equipment (State-Supported)	329,528	216,976	66%	*	338,658	316,677	94%	*	338,658	316,677	21,981
Transfers to Other Airport Funds	0	0	0%	*	5,000	0	0%	*	5,000	0	5,000
Other Airport Expenses	60,422	30,992	51%	*	127,974	83,374	65%	*	127,974	83,374	44,600
TOTAL EXPENSES	$ 2,721,068	$ 2,639,478		*	$ 2,877,704	$ 2,831,642		*	$ 2,877,704	$ 2,831,641	$ 46,063
ENDING UNRESTRICTED NET ASSETS	$ (93,936)	$ (921,607)		*	$ 446,199	$ (694,505)		*	$ 446,199	$ (694,505) **(3)**	

FOOTNOTES:

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

Total Net Assets per CAFR 6/30/18	$ 38,153,588
Less: Net Assets in Capital & PFC Funds	$ (2,115,744)
Total Beginning Net Assets	$ 36,037,844

FY2019 Financial Summary		
Total Revenues	$ 3,058,744	
Total Expenses	$ 2,831,641	
FY2019 Surplus	**$ 227,102**	**(tentative final)**

2) Beginning Net Assets was restated in FY2018 by ($907,483) for a Prior Period Adjustment upon implementation of GASB75 accrual for Life & Health Insurance liability

3) FY 2019 Ending Unrestricted Net Assets is comprised of the following:

Des. for Maintenance (Rental Car Facility)	$ 115,176	($132,958.35 - $17,782.14 year-end decrease)
Reserve for Encumbrances at Year-end	$ 31,927	(encumbrances carried forward to FY2020)
GASB68 Pension-related Accrual	$ (987,821)	(net liability as of the end of FY2019)
GASB75 Other OPEB Obligations	$ (1,111,472)	(net liability as of the end of FY2019)
Undesignated Retained Earnings	$ 1,257,685	
	$ (694,505)	

October 22, 2019

Finance Committee
City Council
City of Lynchburg
Lynchburg, Virginia

RE: June 30, 2019 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 June 30, 2019. The financial spreadsheet provides comparative year-to-date data for FY 2018.

REVENUES

Charges for Services

Revenue in this category for the fourth quarter of FY 2019 is $1,028,249 or 99.2% of the budget. The revenue projection is consistent with the estimated FY 19 population for the Detention Center.

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. Revenue received from the DJJ through the fourth quarter of FY 2019 totals $1,007,758 or 94.7% of the budget.

Community Placement Program

This revenue category represents allocations from the Virginia Department of Juvenile Justice (DJJ) for operational expenses of the Community Placement Program (CPP). The CPP is a partnership between DJJ and local detention facilities to provide secure, highly structured, disciplined residential services for juvenile offenders committed to the Department of Juvenile Justice. The goal is to place residents in the CPP closest to their home in order to increase community connections and family visitation. The CPP focuses on skill development and competency in the areas of education, job readiness, life, and social skills to ensure a seamless transition back into the community.

Revenues received from the DJJ through the fourth quarter of FY 2019 are $866,684 or 103.8% of the budget. Additional revenues were received from DJJ to fund educational initiatives such as a welding simulator program and approved college courses for residents.

United States Department of Agriculture (USDA)

This revenue category consists of reimbursements for meals served to juveniles at the Detention Center. Year-to-date revenues from USDA for FY 2019 are $49,828 or 110.7% of the budget.

EXPENDITURES

Overall expenditures for FY 2019 were $2,970,795 and are within budget. The costs are allocated between the Community Placement Program and the contracting localities. The Detention Center incurred additional expenses this year to replace the hot water heater and install a new fire alarm system.

Juvenile Population

The average number of juveniles being served per day through the fourth quarter of FY 2019 is 22.42 as compared to 25.25 in FY 2018, reflecting a continuing downward trend in the overall juvenile detention population. The percentage of Lynchburg City's juveniles through the fourth quarter is 42% of the total juvenile population.

SUMMARY

The Lynchburg Regional Detention Center is recognized as an outstanding facility by the juvenile judicial system for providing educational services, mental health services, physical health services, and partnerships with local area businesses. Turning Point Academy was recently approved by Lynchburg City School Officials as the name of the Detention Center's in-house school.

Respectfully submitted,

Tamara Rosser
Director, Department of Juvenile Services

c: Bonnie Svrcek, City Manager
Reid Wodicka, Deputy City Manager
Donna Witt, Director, Financial Services
Robin Mamola, Accounting Supervisor, Human Services
Sherry McIntyre, Accountant, Juvenile Services

Lynchburg Regional Juvenile Detention Center
Special Revenue Fund
Financial Summary
Fourth Quarter: As of June 30, 2019

	FY 2018 Amended Budget	FY 2018 Actual 4th QTR YTD	FY 2018 % of Budget	FY 2019 Amended Budget	FY 2019 Actual 4th QTR YTD	FY 2019 % of Budget	FY 2019 Amended Budget	FY 2019 Actual 4th QTR YTD	FY 2019 Actual to Amended
Beginning Funds at July 1		100,012			140,604				
Revenues:									
Charges for Services	1,034,880	1,108,243	107.1%	1,036,571	1,028,249	99.2%	1,036,571	1,028,249	8,322.00
Intergovernmental- Department of Juvenile Justice Block Grant	1,063,886	1,026,594	96.5%	1,063,886	1,007,758	94.7%	1,063,886	1,007,758	56,128.00
Intergovernmental- USDA	45,000	47,901	106.4%	45,000	49,828	110.7%	45,000	49,828	(4,828.00)
Community Placement Program (CPP)	771,317	771,316	100.0%	834,985	866,684	103.8%	834,985	866,684	(31,699.00)
Miscellaneous and State Ward Per Diem	1,650	94	5.7%	1,650	0	0.0%	1,650	0	1,650.00
Budget Designations/Purchase Orders	100,000	0	0.0%	100,000	0	0.0%	100,000	0	-
Total Revenues	3,016,733	2,954,147	97.9%	3,082,092	2,952,519	95.8%	3,082,092	2,952,519	29,573.00
Expenditures:									
Salaries	1,526,963	1,526,963	100.0%	1,620,477	1,609,531	99.3%	1,620,477	1,609,531	10,946.12
Employee Benefits	601,526	598,805	99.5%	616,951	611,976	99.2%	616,951	611,976	4,975.19
Contractual Services	58,007	58,442	100.7%	41,594	57,487	138.2%	41,594	57,487	(15,892.53)
Fleet Services	14,014	13,687	97.7%	15,657	13,076	83.5%	15,657	13,076	2,580.95
Supplies and Materials	155,391	162,692	104.7%	138,670	115,570	83.3%	138,670	115,570	23,099.88
Utilities	80,750	80,636	99.9%	80,750	75,565	93.6%	80,750	75,565	5,184.93
Training and Conferences	4,550	5,488	120.6%	4,550	1,979	43.5%	4,550	1,979	2,570.65
Telephone Services	4,200	2,653	63.2%	4,200	2,752	65.5%	4,200	2,752	1,448.22
Postage and Mailing	850	265	31.1%	850	231	27.1%	850	231	619.24
Indirect Costs	259,063	259,063	100.0%	233,048	233,048	100.0%	233,048	233,048	-
Self Insurance	16,937	16,937	100.0%	16,422	16,422	100.0%	16,422	16,422	-
Dues and Memberships	500	702	140.3%	500	1,013	202.5%	500	1,013	(512.71)
Rentals and Leases	2,409	2,393	99.4%	3,209	2,247	70.0%	3,209	2,247	961.82
Health and Dental Benefits for Retirees	52,704	46,848	88.9%	58,560	46,848	80.0%	58,560	46,848	11,712.00
Unemployment Compensation	1,000	0	0.0%	1,000	0	0.0%	1,000	0	1,000.00
Professional Services	6,910	4,121	59.6%	6,910	4,652	67.3%	6,910	4,652	2,258.00
Special Use Equipment	0	0	0.0%	60,377	95,203	0.0%	60,377	95,203	(34,826.55)
Serial Bond Interest	4,654	4,654	100.0%	3,302	3,302	100.0%	3,302	3,302	(0.18)
Serial Bond Principal	81,305	81,305	0.0%	30,065	30,065	100.0%	30,065	30,065	-
USDA Grant	45,000	47,901	106.4%	45,000	49,828	110.7%	45,000	49,828	(4,828.00)
Budget Designations/Purchase Orders	100,000	0	0.0%	100,000	0	0.0%	100,000	0	-
Total Expenditures	3,016,733	2,913,555	96.6%	3,082,092	2,970,795	96.4%	3,082,092	2,970,795	11,297.03
TOTAL RESTRICTED FUND BALANCE Maint./Equipment		140,604			122,328				

October 22, 2019

Finance Committee
City Council
City of Lynchburg
Lynchburg, Virginia

Re: Children's Services Act (CSA) Fund Financial Report for the period ending June 30, 2019.

The attached CSA Fund Financial Summary summarizes the financial activity for this Fund through June 30, 2019. 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.

<u>REVENUES</u>

- 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%. Funds to assist in administering the grant, ($38,287) for FY 2019 are provided by the State. Reimbursements for expenditures incurred through the fourth quarter of 2019 are $4,125,708.

- CSA Contribution – General Fund and Schools

  These revenue sources are comprised of the required local match for all State funds received for the Children Services Act. For the fourth quarter of FY 2019, local matching funds for programs in the amount of $1,980,464 for the General Fund and $196,541 for the Schools have been received.

- Miscellaneous Revenue

  Miscellaneous revenues in the amount of $31,874 were collected through the fourth quarter of FY 2019. These revenues are mainly comprised of recoupments from children's social security payments for expenditures incurred on their behalf, and registered billings for CSA parental co-payments.

<u>EXPENSES</u>

- Administrative expenses

  CSA Administrative funds are used for salaries, supplies, and materials. Budgeted funds for FY 2019 are $66,670. Actual YTD administrative expenditures through the fourth quarter of FY 2019 are $56,863 or 85.3% of the budget.

- 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. Year-to-date foster care expenditures through the fourth quarter of FY 2019 totaled $2,251,813 or 75.2% of the budget. Expenditures in this category can rise with an increase in the number of children placed in foster care.

- Mandated – Special Education

  Special Education expenses include services for Special Education students from the Lynchburg City Schools. Expenditures through the fourth quarter of FY 2019 total $3,006,695 or 135.5% of the budget. Expenditures for this budget line will rise due to increased enrollments at private day placements such as Rivermont School, Bridges and New Vistas School, in addition to students attending for longer periods of time.

- Non-Mandated Services

  Non-mandated expenditures are for services such as counseling, mentoring, crisis intervention, and foster care prevention services. Non-mandated expenditures through the fourth quarter of FY 2019 are $222,499 or 62.4% of the budget. Non-mandated services are provided almost exclusively to youth involved in the court system. Decreases in this budget line are attributed to the Court Services Unit accessing alternate funding for court-involved youth.

- 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. Community Based Services through the fourth quarter of FY 2019 are $538,295 or 123.3% of the budget.

SUMMARY

The Children's 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 during the year, more children are now classified as mandated and can access CSA funds due to the severity of their needs. Other factors such an increased number of children receiving more intensive services for longer periods of time, increased vendor rates, parental agreements, and an increase in special educational services impact this budget.

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 provide the most cost effective service to children and their families.

Respectfully submitted,

Tamara V. Rosser

Tamara T. Rosser
Director of Human Services

c:

Bonnie Svrcek, City Manager
Reid Wodicka, Deputy City Manager
Donna Witt, Director of Financial Services
Rhonda Allbeck, Assistant Director of Financial Services
Robin Mamola, Financial Professional IV
Kathy Collins, Financial Professional III

Children's Services Act
Special Revenue Fund
Financial Summary
June 30, 2019

	FY 2018 Amended Budget	FY 2018 Actual 4 QTR YTD	FY 2018 % of Budget	FY 2019 Amended Budget	FY 2019 Actual 4 QTR YTD	FY 2019 % of Budget
Beginning Fund Balance	0	5,037			335,312	
Revenues:						
Public Assistance - Welfare and Administration	3,774,017	3,961,874	105.0%	3,836,994	4,125,708	107.5%
Transfer from Lynchburg City Schools	196,541	196,541	100.0%	196,541	196,541	100.0%
Transfer from General Fund	1,980,464	1,980,464	100.0%	2,001,194	1,980,464	99.0%
Miscellaneous/Budget Designations	48,000	48,149	100.3%	44,330	31,874	71.9%
Total Revenues	5,999,022	6,187,028	103.1%	6,079,059	6,334,587	104.2%
Expenses:						
Administrative Expenses	65,475	57,959	88.5%	66,670	56,863	85.3%
Mandated - Foster Care	2,996,823	2,641,117	88.1%	2,995,628	2,251,813	75.2%
Mandated - Special Education	2,143,500	2,536,140	118.3%	2,218,500	3,006,695	135.5%
Non-Mandated Services	356,636	210,645	59.1%	356,636	222,499	62.4%
Community Based	436,588	410,892	94.1%	436,588	538,295	123.3%
Miscellaneous/Budget Designations				5,037	0	0.0%
Total Expenditures	5,999,022	5,856,753	97.6%	6,079,059	6,076,165	100.0%
ENDING FUND BALANCE	0	335,312		0	593,734	

October 22, 2019

Finance Committee
City Council
City of Lynchburg
Lynchburg, Virginia

Re: June 30, 2019 Quarterly Financial Report – Water Operating Fund

The attached Water Operating Fund Financial Summary summarizes the financial activity for this fund through June 30, 2019. This quarterly report provides comparative financial information for the same period of the prior fiscal year. Variances between the FY 2019 Budget and the Department's year end actuals are described below.

REVENUES

Following the completion of the fourth quarter, overall revenues for FY 2019 were $924,959 (6.2%) more than budget. Explanations follow:

- **Charges for Services:**

  Revenue in this category was $143,619 (1.1%) over budget mostly due to the combination of higher than anticipated revenues from the following: 1) Inside City – Water Sales of $54,306 2) Availability Fees of $54,670 3) Account Charges of $21,141.

- **Water Contracts:**

  This revenue account reflects the billing activity to counties of Amherst, Bedford, and Campbell, and the industries of WestRock and Frito-Lay. Revenue in this category was $286,299 (14.5%) higher than budget. WestRock, who is the City's largest water consumer, has steadily increased water use since FY 2016. WestRock's water use in FY 2019 increased 44% compared to FY 2016 thus exceeding the FY 2019 budget by $143,697. Counties of Bedford and Campbell billed unit (hundred cubic feet) rates were higher than anticipated resulting in $82,413 increase in revenues. Frito-Lay incurred higher than estimated consumption resulting in additional revenue of $36,809.

- **Interest and Other:**

  Interest and Other was $495,041 (171.9%) more than budget mostly due to higher returns on cash investments.

EXPENSES

Overall expenses for FY 2019 were $722,359 (4.3%) less than budget. A breakdown and explanations of this variance follow:

- **Departmental Operation and Maintenance:**

  This category includes the Water Treatment Plant, Meter Operations, Water Line Maintenance and Administration. Expenses in this category are expected to be $401,517 (4.0%) less than the FY 2019 budget (Water Treatment - $235,895 savings, Meter Operations - $58,193 savings, Water Line Maintenance - $19,932 savings, Administration - $87,497 savings). This variance is broken down as follows:

➢ Personnel Services	$102,578
➢ Fringe Benefits	(77,307)
➢ Chemicals	67,088
➢ Utilities	91,491
➢ Contractual Services	93,998
➢ Supplies and Materials	83,330
➢ All Other	40,339
Total	**$401,517**

  The Personnel Services savings variance is related to deferred implementation of wage rate adjustments using recommendations from Korn Ferry's compensation study. Higher than expected health insurance claims resulted in the Fringe Benefit's budget over run. Contractual Services savings are mostly attributable the following: 1) $32,910 for Maintenance and Repair Services of plant machinery 2) $27,945 for Maintenance on Grounds. 3) $21,498 for Emergency Line Protection Services needed when City line protection crews are not available. Additional savings were incurred by Chemicals and Utilities due to wet weather conditions. Pedlar Reservoir was used as the first water source at 95% during FY 2019 as opposed to using the James River.

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

  Non-Departmental Operation and Maintenance expenses were $176,160 (52.7%) under budget primarily due to Allowance for Doubtful Accounts and Other Pension Employment Benefit (OPEB) expenses for retirees were less than expected.

- **Capital Outlay**

  Purchases in this category are reported to be $96,000 under budget. All purchase activity in this category meet the criteria of capitalization under generally accepted accounting principles rather than reported as an expense. Purchase activity included $85,750 of various field equipment items and one vehicle.

- **Transfers to Capital**

Transfers to Capital were at budget.

- **Debt Service:**

  Expenditures in debt service were under budget by $48,682 (1.2%) mostly due to deferred startups of several capital projects that have funding from the available credit line.

SUMMARY

The fourth quarter report reflects a stable FY 2019 financial position for this fund. Under the Council financial policies, two important financial ratios, debt coverage and fund balance are above policy targets. The debt coverage ratio for end of the fiscal year was 1.61 which is above Council's financial policy minimum target of 1.20. The fund balance ratio at the end of the fiscal year was 73% compared to target range of 25% - 40%.

Respectfully submitted,

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

cc: Bonnie Svrcek, City Manager
Reid Wodicka, Deputy City Manager
Donna Witt, Director of Financial Services

WATER OPERATING FUND
FINANCIAL SUMMARY
Quarter Ending June 30, 2019

	FY 2018 Adopted Budget	FY 2018 Actual Q4 YTD	FY 2018 % of Budget	FY 2019 Adopted Budget	FY 2019 Actual Q4 YTD	FY 2019 % of Budget	FY 2019 $ Variance Adopted Budget vs. Actual
REVENUES:							
Charges for Services	$12,728,131	$13,083,729	103%	$12,718,935	$12,862,554	101%	$143,619
Water Contracts	1,892,470	2,266,915	120%	1,971,330	2,257,629	115%	286,299
Interest and Other	278,737	562,209	202%	287,993	783,034	272%	495,041
	$14,899,338	**$15,912,853**		**$14,978,258**	**$15,903,217**		**$924,959**
EXPENSES							
Departmental O&M	$9,867,239	$9,424,508	96%	$9,976,654	$9,575,137	96%	$401,517
Non-Departmental O&M	325,584	193,017	59%	334,477	158,317	47%	176,160
Capital Outlay/Purchases	66,500	-	0%	96,000	-	0%	96,000
Transfers to Capital	1,500,000	1,500,000	100%	2,400,000	2,400,000	100%	0
Debt Service	4,157,150	4,318,959	104%	3,914,943	3,866,261	99%	48,682
	$15,916,473	**$15,436,484**		**$16,722,074**	**$15,999,715**		**$722,359**
Adjustment for Expenses from Capital Projects		**($199,991)**			**($31,727)**		

KEY RATIOS:

Unrestricted cash target range as a % of operating expenses & debt service:	25% - 40%	
Unrestricted cash as a % of operating expenses & debt service:	73%	
Financial Policy targeted debt coverage ratio minimum:	1.20	
Ending debt coverage ratio:	1.61	(a)

Note (a) Calculation of debt coverage includes $92,704 of estimated capitalizable costs for internal labor charges applicable to time spent on capital project activities.

October 22, 2019

Finance Committee
City Council
City of Lynchburg
Lynchburg, Virginia

Re: June 30, 2019 Quarterly Financial Report – Sewer Operating Fund

The attached Sewer Operating Fund Financial Summary summarizes the financial activity for this fund through June 30, 2019. This quarterly report provides comparative financial information for the same period of the prior fiscal year. Variances between the FY 2019 Budget and the Department's year end actuals are described below.

REVENUES

Following the completion of the fourth quarter, overall revenues for FY 2019 were $2,259,240 (10%) more than budget. Explanations follow:

- **Charges for Services:**

  Revenue in this category was $1,607,827 (8.7%) over budget mostly due to the following: 1) Higher than anticipated Septic Hauler Charges of $1,402,958 primarily from to a customer bringing leachate from Maplewood Landfill in Amelia County 2) Increased Sewer Sales-Inside City of $252,842 3) Availability Fees exceeding budget of $106,163 4) Less than expected Industrial Surcharges of $152,643 mostly due to two industrial customers and one institutional customer.

- **Sewer Contracts:**

  Revenue in this category reflects billing activity in counties of Amherst, Bedford, and Campbell and industries of WestRock and Frito-Lay. Revenue in this category was 273,511 (7%) over budget. This is primarily due to more than anticipated revenues from WestRock and Frito-Lay.

- **Interest and Other:**

  Revenue is this category was $377,902 (353.4%) more than budget primarily due to higher returns on cash investments of $326,021.

EXPENSES

Overall expenses for FY 2019 were $856,506 (3.3%) less than budget. A breakdown and explanations of this variance follow:

- **Departmental Operation and Maintenance:**

  This category includes the Wastewater Treatment Plant and Sewer Line Maintenance. Expenses in this category were $174,892 (1.5%) less than budget (Wastewater Treatment Plant - $5,788 over budget and Sewer Line Maintenance - $180,680 under budget). This variance is broken down as follows:

➢ Personnel Services	$283,141
➢ Fringe Benefits	(5,494)
➢ Contractual Services	(122,207)
➢ Utilities	36,348
➢ All Other	(16,896)
Total	**$174,892**

  The savings in Personnel Services is related to unfilled positions during FY 2019 and deferred implementation of wage rate adjustments using recommendations from Korn Ferry's compensation study. Contractual Services are higher than anticipated due the following: 1) $71,894 related to longer than planned use of Temporary Personnel to work at new truck haul waste station. Once complete the new truck haul waste station will be fully automated and will not require any employee or temporary personnel to manage gate or process any truckload delivery manifests for waste. 2) $52,937 higher than anticipated costs for Sewer Maintenance and Repair Services due to increased sewer line breaks and debris cleanup and removal around several sewer lines crossing creeks within the City. This work is a result of accumulation of several storms since August, 2018. 3) Wastewater Treatment Plant building repairs were higher than previous years thus exceeding budget by $65,530. 4) $23,483 savings in Engineering and Legal Services.

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

  Non-Departmental Operation and Maintenance expenses were $93,228 (25%) under budget primarily due to Allowance for Doubtful Accounts and Other Pension Employment Benefits (OPEB) expenses for retirees were less than expected.

- **Capital Outlay:**

  Purchases in this category are reported to be $464,535 under budget. All purchase activity in this category meet the criteria of capitalization under generally accepted accounting principles rather than reported as an expense. Purchase activity included $346,303 of equipment.

- **Transfers to Capital:**

  Transfers to Capital were at budget.

- **Debt Service:**

  Expenditures in debt service were $123,851 (1.4%) below budget mostly due to deferred startups of several projects that have funding from available credit line.

SUMMARY

This fourth quarter report reflects a stable FY 2019 financial position for this fund. Under the Council adopted financial policies, the two important financial ratios, debt coverage and fund balance was within or exceed policy targets. The debt coverage ratio for the end of the fiscal year was 1.45 compared to a target range of 1.20 to 1.50. The fund balance ratio at the end of the fiscal year was 44% compared to a target range 25% - 40%.

Respectfully submitted,

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

cc: Bonnie Svrcek, City Manager
Reid Wodicka, Deputy City Manager
Donna Witt, Director of Financial Services

SEWER OPERATING FUND
FINANCIAL SUMMARY
Quarter Ending June 30, 2019

	FY 2018 Adopted Budget	FY 2018 Actual Q4 YTD	FY 2018 % of Budget	FY 2019 Adopted Budget	FY 2019 Actual Q4 YTD	FY 2019 % of Budget	FY 2019 $ Variance Adopted Budget vs. Actual
REVENUES:							
Charges for Services	$18,494,475	$19,384,577	105%	$18,451,183	$20,059,010	109%	$1,607,827
Sewer Contracts	3,791,116	3,825,007	101%	3,893,603	4,167,114	107%	273,511
Interest and Other	132,328	375,580	284%	106,920	484,822	453%	377,902
	$22,417,919	**$23,585,164**		**$22,451,706**	**$24,710,946**		**$2,259,240**
EXPENSES:							
Departmental O&M	$11,151,647	$10,576,265	95%	$11,431,281	11,256,389	98%	$174,892
Non-Departmental O&M	353,874	188,739	53%	373,580	280,352	75%	93,228
Capital Outlay/Purchases	612,500	-	0%	464,535	-	0%	464,535
Transfers to Capital	1,100,000	1,100,000	100%	4,500,000	4,500,000	100%	-
Debt service	9,301,933	9,281,726	100%	9,196,406	9,072,555	99%	123,851
	$22,519,954	**$21,146,730**		**$25,965,802**	**$25,109,296**		**$856,506**
Adjustment for Expenses from Capital Projects		**($194,700)**			**($90,801)**		

KEY RATIOS:

Unrestricted cash target range as a % of operating expenses & debt service:	25% - 40%	
Unrestricted cash as a % of operating expenses & debt service:	44%	
Financial Policy targeted debt coverage ratio minimum:	1.20	
Ending debt coverage ratio:	1.45	(a)

Note (a) Calculation of debt coverage includes $103,546 of estimated capitalizable costs for internal labor charges applicable to time spent on capital project activities.

October 22, 2019

Finance Committee
City Council
City of Lynchburg
Lynchburg, Virginia

Re: June 30, 2019 Quarterly Financial Report – Stormwater Operating Fund

The attached Stormwater Operating Fund Financial Summary summarizes the financial activity for this fund through June 30, 2019. This quarterly report provides comparative financial information for the same period of the prior fiscal year. Variances between the FY 2019 Budget and the Department's actuals are described below.

REVENUES

Following the completion of the fourth quarter, the overall revenues for FY 2019 were $72,740 (2.1%) more than budget. Explanations follow:

- **Charges for Services:**

  Revenue in this category reflects billing activity for all known impervious areas, Virginia Stormwater Management Program (VSMP) permits and delinquent charges on past due accounts. Charges for services exceeded budget by $21,146 (.7%) primarily due to higher than anticipated billings for impervious areas.

- **Interest and Other:**

  Interest was $51,594 (515.9%) higher than budget due to higher returns on cash investments than anticipated.

- **Transfers from Other Funds:**

  Transfers from General Fund were at budget.

EXPENSES

Overall expenses for FY 2019 were $319,930 (8.6%) less than budget. A breakdown and explanations of this variance follow:

- **Departmental Operation and Maintenance:**

Departmental Operation and Maintenance expenses were 185,761 (6.5%) less than budget. Explanations of this variance follow:

➢ Personnel Services	$53,976
➢ Fringe Benefits	14,522
➢ Contractual Services	(25,973)
➢ Internal Service Charges	15,231
➢ Public Works Stormwater Services	86,012
➢ Other	41,993
Total	**$185,761**

The savings in Personnel Services were attributable to unfilled positions during FY 2019 and deferred implementation of wage rate adjustments using recommendations from Korn Ferry's compensation study. Contractual Services were higher than budget primarily due to unanticipated detention pond repairs due to August 2nd 2018 flood event and engineering services that were budgeted in FY 2018 for sediment control study for four inland ponds was deferred to FY 2019. Savings in Public Works Stormwater Services was primarily due to implementing a new program for leaf collection and fewer interruptions caused by snow.

Non-Departmental Operation and Maintenance:

Non-Departmental Operation and Maintenance Expenses were $31,444 (60.9%) less than budget. $39,893 in savings was primarily related to Allowance for Doubtful Accounts and Other Pension Employment Benefits (OPEB) expenses for retirees. These savings were offset by Engineering Services expenses of $8,900 used to restore Greenwood Pond's damaged embankment due to August 2nd 2018 flood event. Restoration of the embankment was completed September, 2019. Costs associated for the restoration are expected to be partially reimbursed by Virginia Department of Emergency Management. The percentage or dollar amount of reimbursement is undetermined at this time.

- **Capital Outlay:**

Purchases in Capital Outlay are reported to be $54,535 under budget. All purchase activity in this category meet the criteria of capitalization under generally accepted accounting principles rather than reported as an expense. Purchase activity included $42,060 various field equipment items and one vehicle.

Transfers to Capital:

Transfers to Capital were at budget.

- **Debt Service:**

  Expenditures in Debt Service were $48,190 (54.4%) less than budget. This was primarily due to deferred closing (to 1st quarter of FY 2020) of a Virginia Resource Authority loan for $991,948 to be used with Stormwater Local Assistance Fund (SLAF) Grant to fully fund the Rock Castle Creek Tributary Stream Restoration Project. This project will help meet compliance requirements under our current Municipal Storm Sewer System (MS4) permit.

SUMMARY

The fourth quarter report reflects a stable FY 2019 financial position for this fund. Under the Council financial policies, two important financial ratios, debt coverage and fund balance are above policy targets. The debt coverage ratio for end of the fiscal year was 12.19 which was above Council's financial policy minimum target of 1.20. The fund balance ratio at the end of the fiscal year was 34% compared to target range of 15%- 20%.

Respectfully submitted,

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

cc: Bonnie Svrcek, City Manager
Reid Wodicka, Deputy City Manager
Donna Witt, Director of Financial Services

STORMWATER OPERATING FUND
FINANCIAL SUMMARY
Quarter Ending June 30, 2019

	FY 2018 Adopted Budget	FY 2018 Actual Q4YTD	FY 2018 % of Budget	FY 2019 Adopted Budget	FY 2019 Actual Q4YTD	FY 2019 % of Budget	FY 2019 $ Variance Adopted Budget vs. Actual
REVENUES:							
Charges for Services	$3,199,120	$3,211,372	100%	$3,205,800	$3,226,946	101%	$21,146
Interest and Other	2,000	32,812	1641%	10,000	61,594	616%	51,594
Transfers from Other Funds	275,000	283,593	103%	275,000	275,000	100%	0
	$3,476,120	**$3,527,777**		**$3,490,800**	**$3,563,540**		**$72,740**
EXPENSES:							
Departmental O&M	$2,778,006	$2,723,287	98%	$2,840,836	$2,655,075	93%	$185,761
Non-Departmental O&M	51,168	(8,551)	-17%	51,656	20,212	39%	31,444
Capital Outlay/Purchases	0	0		54,535	0		54,535
Transfers to Capital	850,000	850,000	100%	337,500	337,500	100%	0
Transfers to General Fund	0	0		337,500	337,500	100%	0
Transfers to City/Fed/State Aid Fund	0	4,215		0	0		0
Debt Service	0	4,672		88,628	40,438		48,190
	$3,679,174	**$3,573,623**		**$3,710,655**	**$3,390,725**		**$319,930**
Adjustment for Expenses from Capital Projects		**($16,171)**			**($91,548)**		

`

KEY RATIOS:

Unrestricted cash target range as a % of operating expenses & debt service	15% - 20%
Projected unrestricted cash as a % of operating expenses at year end	34%
Financial Policy targeted debt coverage ratio minimum:	1.20
Ending debt coverage ratio:	12.19 (a)

Note (a) Calculation of debt coverage includes $33,883 of estimated capitalizable costs for internal labor charges applicable to time spent on capital project activities.

October 22, 2019

Finance Committee
City Council
City of Lynchburg
Lynchburg, Virginia

Re: June 30, 2019 Quarterly Report - General Fund

Attached is the Financial Summary for the General Fund (Fund) for the period ending June 30, 2019. This quarterly report provides comparative information for the same period of the prior fiscal year and represents FY 2019 financial postings. This report is preliminary pending completion of the annual audit.

- UNASSIGNED FUND BALANCE

  The General Fund ended FY 2019 with an Unassigned Fund balance of $29.4 million compared to a projected balance of $18.5 million. The City's Fund Balance Policy for General Fund requires maintaining an Unassigned Fund Balance equal to a targeted goal of 10% of General Fund revenues. The City ended with a projected Fund Balance ratio of 15.4%. According to the Fund Balance policy, Fund Balance in excess of 10% will be dedicated to one-time expenditures in the next year.

- RESTRICTED, COMMITTED, AND ASSIGNED FUND BALANCE

  The General Fund ended FY 2019 with Restricted, Committed, and Assigned Fund balances of $14,093,629, $12,959,640 and $8,967,108, respectively.

- REVENUES

  Revenues were $4.3 million (2.3%) more than the amended budget. City staff continually monitors the major revenue categories, revising estimates as needed.

<u>NON-DEDICATED REVENUES</u>

- Real Property Tax:

  Real Estate Tax revenue for FY 2019 was 0.6% or $318,623 more than the amended budget per the actual Tax Levy posted in October, net of allowances and Tax Relief credits.

- Personal Property Tax:

  Personal Property Tax revenue for FY 2019 was 5.0% or $905,037 more than the amended budget.

  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 2019. This action eliminates the 70% reimbursement. Lynchburg's share is $5,543,584. During FY 2019 the City received the total reimbursement of $5,543,584.

- Consumer Utility Taxes:

  Consumer Utility Tax revenue for FY 2019 was 2.0% or $76,167 more than the amended budget.

- Communications Sales and Use Tax:

  Communications Sales and Use Tax revenue for FY 2019 was 5.5% or $167,600 less than the amended budget.

- Local Sales Tax:

  Local Sales Tax revenue for FY 2019 was 4.1% or $626,999 more than the amended budget.

- Business License Tax:

  Business License Tax revenue for FY 2019 was 8.6% or $718,533 more than the amended budget. The City continues to use a conservative approach when estimating revenue.

- Meals Tax:

  Meals Tax revenue for FY 2019 was 1.2% or $179,070 more than the amended budget.

- Delinquent Taxes, Penalties and Interest:

  Delinquent Taxes, Penalties and Interest revenue for FY 2019 was 8.0% or $326,843 greater than the amended budget. This excess is a reflection of the continued efforts of the collections department in utilizing all available methods for collecting debt.

- Other Local Taxes:

  Other Local Tax revenue for FY 2019 was 10.2% or $267,433 greater than the amended budget.

- Motor Vehicle License Tax:

  Motor Vehicle License Tax revenue for FY 2019 was equal to the amended budget with $1,601,711 collected.

- Bank Stock Tax:

  Bank Stock Tax revenue for FY 2019 was 15.6% or $128,307 greater than the amended budget. This tax is based on the percentage of deposits within the City of Lynchburg compared to the whole state of Virginia.

- Lodging Tax:

  Lodging Tax revenue for FY 2019 was 5.5% or $147,497 more than the amended budget.

- Permits, Fees, and Licenses:

  Permits, Fees, and Licenses revenue for FY 2019 was 7.0% or $72,193 more than the amended budget. The majority of revenue in this category comes from permits and fees associated with new construction and/or renovations, re-zoning, false alarm fees, vacant building registration, and concealed weapons fees.

- Fines and Forfeitures:

  Fines and forfeitures revenue for FY 2019 was 1.2% or $4,490 less than the amended budget due to Parking Fines.

- Interest on Investments:

  Interest on Investments revenue for FY 2019 was 212.7% or $1,461,235 greater than the amended budget due to conservative budgeting and investment performance better than expected.

- Charges for Services

  Charges for Services revenue for FY 2019 was 2.5% or $273,303 less than the amended budget, due primarily to the timing of receipts for LPD off-duty revenue, as well as Group Home charges.

- Miscellaneous Revenue

  Miscellaneous Revenue for FY 2019 was 18.0% or $161,819 less than the amended budget, primarily due to the Region 2000 Services Authority not approving the allocation of excess revenue.

DEDICATED REVENUES

Intergovernmental Revenues consisting of Constitutional Officers, Health and Human Services, and State/Federal subsidies totaled $37,433,967 and were 0.7% or $247,038 less than FY 2019 budget projection.

EXPENDITURES

- Operating Expenditures:

  Total operating expenditures for FY 2019 were 94.5% of amended budget, compared to 96.5% for FY 2018. The actual operating expenditures for FY 2019 were 5.5% or $9,238,183 less than the amended budget, which is attributable to departments closely monitoring their spending.

- Debt Service

  Debt service expenditures are consistent with the budget. The payment schedule is based on a preset schedule and is not evenly disbursed over twelve months.

- Transfers

  Transfers of $530,038 to other funds for FY 2019 were consistent with the amended budget. Transfers of $6,778,968 to capital funds for FY 2019 were consistent with the budget.

SUMMARY

This report represents twelve months of fiscal activity. The revenues and expenditures were adjusted in the 3rd Quarter process accordingly. The financial position of the General Fund remains stable. Staff recognizes that the gap between revenues and expenditures needs constant monitoring, and will continue to advise City Council of major developments through continued quarterly reports.

Respectfully submitted,

D. S. Witt

Donna S. Witt
Chief Financial Officer

cc: Bonnie Svrcek, City Manager
Reid Wodicka, Deputy City Manager
Rhonda Allbeck, Assistant Director of Financial Services

Fiscal Year	Fiscal Calendar 2019
Fiscal Quarter of Year	All
Fiscal Month of Year	All
Fund	1001 General Fund
Account Type	Revenue
Process Status	Posted

Revenues	Adopted Budget	Budget Amendment	Amended Budget	Actual Amount 6/30/19	Remaining Budget w/o Encumbrances	Percentage of Amended Budget	Actual Amount 6/30/18
100 Taxes							
02110.0100 - Current Real Property Tax	57,124,670	-	57,124,670	57,645,519	(520,849)	100.9%	56,841,340
02110.0105 - Tax Relief For Elderly	(650,000)	-	(650,000)	(613,926)	(36,074)	94.5%	(637,012)
02110.0110 - Tax Relief-Rehabilitation Real Property	(725,000)	-	(725,000)	(963,300)	238,300	132.9%	(699,836)
02110.0200 - Delinquent Real Property Tax	1,525,000	-	1,525,000	1,486,404	38,596	97.5%	1,440,939
02110.0900 - Real Estate Tax- Economic Development Incentive	-	-	-	(13,644)	13,644	0.0%	(17,981)
02120.0100 - Current PSC Tax	2,475,000	-	2,475,000	2,596,128	(121,128)	104.9%	2,522,219
02130.0101 - Current Personal Property Tax PCI	17,945,000	-	17,945,000	18,850,037	(905,037)	105.0%	18,206,205
02130.0201 - Delinquent Personal Property Tax PCI	1,175,000	-	1,175,000	1,518,716	(343,716)	129.3%	1,358,387
02130.0205 - Recovery-C/O Personal Property Tax	-	-	-	255	(255)	0.0%	72,964
02130.0900 - Personal Property Tax- Economic Development Incentive	-	(3,412)	(3,412)	(21,753)	18,341	637.6%	(2,150)
02170.0100 - Penalty-PSC Tax	-	-	-	7,328	(7,328)	0.0%	10,466
02170.0105 - Penalty-Delinquent Tax	650,000	-	650,000	666,958	(16,958)	102.6%	674,599
02170.0200 - Interest-PSC Tax	-	-	-	72	(72)	0.0%	1,169
02170.0205 - Interest-Delinquent Tax	400,000	-	400,000	369,812	30,188	92.5%	426,858
02510.0000 - Local Sales And Use Tax	15,351,347	-	15,351,347	15,978,346	(626,999)	104.1%	15,297,496
02510.0900 - Local Sales & Use Tax- Economic Development Incentive	-	(26,803)	(26,803)	(64,617)	37,814	241.1%	(14,755)
02515.0100 - Consumer Utility Tax-Electric	3,775,650	-	3,775,650	3,851,817	(76,167)	102.0%	3,890,588
02515.0105 - Consumer Utility Tax-Gas	575,000	-	575,000	647,354	(72,354)	112.6%	652,095
02515.0120 - Right of Way Fees	200,000	-	200,000	174,426	25,574	87.2%	226,288
02515.0900 - Pen & Int - Consumer Utility Tax, None	-	-	-	313	(313)	0.0%	-
02517.0000 - Communication Sales & Use Tax	3,045,315	-	3,045,315	2,877,715	167,600	94.5%	3,101,975
02520.0000 - Business License Tax	8,349,271	-	8,349,271	9,067,804	(718,533)	108.6%	8,745,469
02520.0010 - Consumption Tax-Electric	315,000	-	315,000	320,779	(5,779)	101.8%	323,676
02520.0015 - Consumption Tax-Gas	30,000	-	30,000	30,819	(819)	102.7%	31,988
02520.0030 - Pen & Int-Business License	90,000	-	90,000	96,072	(6,072)	106.7%	107,328
02520.0900 - Business License Tax- Economic Development Incentive	-	(7,346)	(7,346)	(21,139)	13,793	287.8%	(5,845)
02530.0001 - Motor Vehicle Licenses PCI	1,575,000	-	1,575,000	1,601,711	(26,711)	101.7%	1,559,167
02530.0201 - Delinquent Motor Vehicle License	190,000	-	190,000	198,716	(8,716)	104.6%	206,740
02535.0000 - Bank Stock Tax	825,000	-	825,000	953,307	(128,307)	115.6%	829,988
02540.0100 - Recordation Tax-City	485,000	-	485,000	673,456	(188,456)	138.9%	600,639
02540.0200 - Probate Tax	15,000	-	15,000	21,027	(6,027)	140.2%	29,207
02545.0000 - Tobacco Tax	850,000	-	850,000	846,122	3,878	99.5%	870,084
02550.0000 - Amusement Tax	725,000	-	725,000	820,805	(95,805)	113.2%	847,388
02550.0005 - Pen & Int - Amusement Tax	-	-	-	2,524	(2,524)	0.0%	1,558
02555.0000 - Lodging Tax	2,700,000	-	2,700,000	2,847,497	(147,497)	105.5%	2,627,328
02555.0005 - Pen & Int - Lodging Tax	-	-	-	3,228	(3,228)	0.0%	3,379
02555.0900 - Lodging Tax- Economic Development Incentive	-	(84,331)	(84,331)	(199,455)	115,124	236.5%	(44,087)
02560.0000 - Meals Tax	14,932,800	-	14,932,800	15,111,870	(179,070)	101.2%	14,719,911
02560.0005 - Pen & Int - Meals Tax	65,000	-	65,000	71,699	(6,699)	110.3%	49,793
02560.0900 - Meals Tax- Economic Development Incentive	-	(160,678)	(160,678)	(218,517)	57,839	136.0%	(20,399)
100 Taxes Total	**134,014,053**	**(282,570)**	**133,731,483**	**137,222,286**	**(3,490,803)**	**102.6%**	**134,835,168**
110 Permits, Fees, & Licenses							
03005.0000 - Animal Licenses	8,000	-	8,000	8,599	(599)	107.5%	8,849
03010.0100 - Bicycle Licenses, None	-	-	-	-	-	0.0%	-
03010.0200 - Permit Parking Fees	210,000	-	210,000	227,519	(17,519)	108.3%	201,805
03010.0400 - Land Disturbing Fees	18,000	-	18,000	14,587	3,413	81.0%	19,035
03010.0600 - Transfer Fees	1,600	-	1,600	2,062	(462)	128.9%	2,212
03010.0700 - Zoning Appeal Fees-Inspc	1,000	-	1,000	999	1	99.9%	375
03010.0702 - Zoning Certification Letter	-	-	-	3,600	(3,600)	0.0%	600
03010.0705 - Legal Notice Advertising	16,000	-	16,000	5,489	10,511	34.3%	11,533
03010.0710 - Site Plan Reviews	15,000	-	15,000	14,125	875	94.2%	14,267
03010.0715 - Conditional Use Permits	4,000	-	4,000	4,620	(620)	115.5%	2,680
03010.0720 - Re-zoning Fees	6,000	-	6,000	18,853	(12,853)	314.2%	8,162
03010.0800 - Subdivision Plat Review	5,000	-	5,000	7,680	(2,680)	153.6%	5,475
03010.0900 - Building Insp Permit Fee	500,600	-	500,600	497,998	2,603	99.5%	527,973
03010.0901 - Elevator Inspect Admin Fee	21,000	-	21,000	18,197	2,803	86.7%	19,068
03010.0902 - Elevator Inspect Admin Fee Pen & Int	-	-	-	411	(411)	0.0%	278
03010.0920 - Sign Inspect Permit Fee	5,900	-	5,900	6,050	(150)	102.5%	5,525
03010.0925 - Demolition Fees	6,000	-	6,000	10,550	(4,550)	175.8%	10,200
03010.0927 - Building Plan Review	40,000	-	40,000	44,375	(4,375)	110.9%	47,869
03010.0928 - Vacant Building Registration Fee	18,000	-	18,000	29,896	(11,896)	166.1%	12,518
03010.0929 - Pen & Int-Vacant Building Registration Fee	-	-	-	1,561	(1,561)	0.0%	562
03010.0930 - Certificate of Occupancy for Existing Building	-	-	-	3,900	(3,900)	0.0%	600
03010.0931 - Temporary Certificate of Occupancy, None	-	-	-	3,450	(3,450)	0.0%	-
03010.0932 - Working Without a Building Permit	-	-	-	200	(200)	0.0%	200
03010.1000 - False Alarm Service Assessment	105,000	-	105,000	124,409	(19,409)	118.5%	139,788
03010.1100 - Concealed Weapon Permit	30,000	-	30,000	28,329	1,671	94.4%	31,920
03010.2005 - Taxicab Application Fees	5,000	-	5,000	3,020	1,980	60.4%	4,000
03010.2010 - Precious Metal Premits	1,600	-	1,600	1,000	600	62.5%	1,400
03010.2011 - Rental Reinspect/FollowUp	-	-	-	1,350	(1,350)	0.0%	2,050
03010.2012 - Rental Intial Inspection	-	-	-	5,700	(5,700)	0.0%	2,050
03010.2013 - Annual/Periodic Inspect Fee	15,000	-	15,000	8,700	6,300	58.0%	11,700
03010.2014 - Rental Intial Inspect-No Show	-	-	-	1,200	(1,200)	0.0%	1,100
03010.2015 - Rental Inspect- Pre Court	-	-	-	-	-	0.0%	850
03010.2016 - Rental Inspect-Annual No Show	-	-	-	800	(800)	0.0%	1,000
03010.2020 - Mobile Vendor License Fee	-	-	-	90	(90)	0.0%	400
03010.2028 - Dumpster Permit Fee , None	-	-	-	50	(50)	0.0%	-
03010.2050 - Misc Permit Fee & License	2,000	-	2,000	7,527	(5,527)	376.4%	5,241
110 Permits, Fees, & Licenses Total	**1,034,700**	**-**	**1,034,700**	**1,106,893**	**(72,193)**	**107.0%**	**1,101,285**
120 Fines & Forfeitures							
03510.0100 - Court Fines And Forfeitures, None	240,000	-	240,000	258,205	(18,205)	107.6%	302,600

Revenues	Adopted Budget	Budget Amendment	Amended Budget	Actual Amount 6/30/19	Remaining Budget w/o Encumbrances	Percentage of Amended Budget	Actual Amount 6/30/18
03510.0105 - Criminal Court Fees	2,500	-	2,500	3,517	(1,017)	140.7%	3,324
03510.0200 - Parking Fines	125,000	-	125,000	101,288	23,712	81.0%	100,981
120 Fines & Forfeitures Total	**367,500**	**-**	**367,500**	**363,010**	**4,490**	**98.8%**	**406,905**
130 Use of Money & Property							
04010.0100 - Interest on Investment	125,000	-	125,000	675,049	(550,049)	540.0%	308,785
04010.0101 - Interest-City Capital	60,000	-	60,000	294,688	(234,688)	491.1%	142,605
04010.0123 - Interest-Health Ins Resrv	15,000	-	15,000	17,918	(2,918)	119.5%	2,172
04010.0124 - Interest-OPEB	5,000	-	5,000	24,215	(19,215)	484.3%	28,753
04010.0129 - Interest Income- US Bank Escrow (Crossover Refunding)	-	-	-	188,232	(188,232)	0.0%	65,287
04010.0156 - Interst-MktValueGain/Loss	-	-	-	174,141	(174,141)	0.0%	35,529
04010.0157 - Interest-SNAP Income	70,000	-	70,000	132,596	(62,596)	189.4%	191,913
04020.0105 - Gen Govt Property Rental	75,000	-	75,000	82,558	(7,558)	110.1%	82,380
04020.0115 - Public Safety Prop Rent	36,250	-	36,250	36,250	-	100.0%	36,250
04020.0125 - Human Services Prop Rent	100,000	-	100,000	100,000	0	100.0%	100,000
04020.0135 - Dwntwn Parking Deck Lease	90,000	-	90,000	85,034	4,967	94.5%	76,276
04020.0200 - Culture & Rec. Prop Rent	15,070	-	15,070	15,070	-	100.0%	15,070
04020.0201 - Prop Rental-Stadium	3,200	-	3,200	216,657	(213,457)	6770.5%	215,957
04020.0202 - Prop Rental-Market/Park.	92,000	-	92,000	105,313	(13,313)	114.5%	90,891
04020.0205 - Market Rent- Pen & Int	560	-	560	594	(34)	106.1%	722
130 Use of Money & Property Total	**687,080**	**-**	**687,080**	**2,148,315**	**(1,461,235)**	**312.7%**	**1,392,590**
140 Charges for Services							
04010.0129 - Interest Income- US Bank Escrow (Crossover Refunding)	-	-	-	-	-	0.0%	-
04510.0900 - Collection & Tax Lien Fees	25,000	-	25,000	49,287	(24,287)	197.1%	35,226
04510.0901 - DMV Admin Fee	250,000	-	250,000	278,607	(28,607)	111.4%	264,995
04510.0902 - DMV Select Agency	35,000	-	35,000	50,504	(15,504)	144.3%	39,694
04510.0911 - Sale of GIS Maps & Data	150	-	150	180	(30)	120.0%	106
04510.0915 - Processng Fee - Payroll deduction	5,000	-	5,000	4,950	50	99.0%	5,500
04510.0916 - Indirect Cost&Svc DetHome	233,048	-	233,048	233,048	-	100.0%	259,063
04510.0918 - Indirect Cost&Srvc Water	1,123,362	-	1,123,362	1,123,362	-	100.0%	1,045,633
04510.0919 - Indirect Cost&Srvc Sewer	281,299	-	281,299	276,087	5,212	98.1%	247,246
04510.0920 - Indirect Cost&Srvc WWTP	627,653	-	627,653	632,865	(5,212)	100.8%	608,114
04510.0921 - Indirect Cost&Srvc Airprt	162,596	-	162,596	161,131	1,465	99.1%	155,501
04510.0922 - Indirect Cost&Svc Strmwtr	182,783	-	182,783	182,783	-	100.0%	235,717
04510.0924 - Indirect Cost & Svc- Community Corrections	-	-	-	5,022	(5,022)	0.0%	4,968
04515.0101 - Document Reprod Costs	8,000	-	8,000	6,366	1,634	79.6%	7,685
04515.0200 - Court Rm Sheriff Fee $10, None	80,000	-	80,000	59,519	20,481	74.4%	65,110
04515.0300 - Fees For Court Officers	7,244	-	7,244	7,244	(0)	100.0%	7,244
04515.0301 - Legal Service Charges	40,000	-	40,000	40,000	-	100.0%	40,000
04515.0302 - Non Consecutive Jail Fee	-	-	-	-	-	0.0%	63
04515.0303 - Probation Supervisor Fee	13,789	-	13,789	15,259	(1,470)	110.7%	14,102
04515.0400 - Commonwealth Atty.Fees	7,000	-	7,000	9,147	(2,147)	130.7%	7,459
04515.0401 - CA Coll Fees- Gen Dist Ct	55,000	-	55,000	(26,557)	81,557	-48.3%	23,249
04515.0402 - CA Coll Fees- J&D Court	10,050	-	10,050	9,789	261	97.4%	9,356
04515.0403 - CA Coll Fees- Circuit Crt	62,600	-	62,600	77,565	(14,965)	123.9%	72,038
04520.0300 - Fire Prevention Fees	3,300	-	3,300	4,065	(765)	123.2%	3,050
04520.0301 - Ambulance Service Fees	2,665,000	-	2,665,000	2,813,828	(148,828)	105.6%	2,480,387
04520.0304 - Delinq Ambulance>120 Days	115,000	-	115,000	242,654	(127,654)	211.0%	229,115
04520.0901 - PIER Contract Payments	32,500	-	32,500	26,500	6,000	81.5%	32,500
04520.0902 - Criminal Records Check	-	-	-	-	-	0.0%	-
04520.0903 - Police-Schools Resource Officer (SRO) Prog	148,750	-	148,750	142,494	6,256	95.8%	97,435
04520.0904 - Local Reimb-COL Confined Space	50,000	-	50,000	50,000	-	100.0%	50,000
04520.0905 - Police Report Sales	14,000	-	14,000	14,610	(610)	104.4%	14,579
04520.0906 - Range Use Fee	15,200	-	15,200	14,400	800	94.7%	16,000
04520.0908 - $250 DUI Fees	-	-	-	8,035	(8,035)	0.0%	12,518
04520.0909 - LPD Off Duty	1,268,000	-	1,268,000	1,058,893	209,107	83.5%	1,101,043
04525.0106 - Downtown Parking Fees	40,000	-	40,000	42,534	(2,534)	106.3%	38,009
04525.0107 - PW Admin Stormwater Charges	131,855	-	131,855	89,325	42,530	67.7%	119,245
04525.0108 - PW Eng Stormwater Charges	17,927	-	17,927	6,843	11,084	38.2%	10,533
04525.0109 - PW Streets Stormwater Charges	161,131	-	161,131	130,200	30,931	80.8%	147,974
04525.0206 - Residential Disposal-Decals	820,000	-	820,000	874,558	(54,558)	106.7%	838,344
04525.0218 - Trash Bag Srvc-Waste Zero	185,000	-	185,000	180,092	4,908	97.3%	176,781
04525.0300 - Bldg Maint Charge-Other	10,142	-	10,142	10,142	-	100.0%	10,142
04530.0401 - CSA Service Providers	45,000	-	45,000	37,882	7,118	84.2%	34,390
04530.0403 - Local Reimb-Opportunity	-	-	-	-	-	0.0%	-
04530.0404 - Local Reimb-Sparc House	-	-	-	-	-	0.0%	-
04530.0409 - Human Services Court Order Fees	-	-	-	2,583	(2,583)	0.0%	4,751
04530.0410 - Lynchburg Youth Group Home Charges	801,496	31,928	833,424	573,120	260,304	68.8%	743,297
04530.0412 - Horizon Contribution for Outstationed Benefit Workers, None	-	17,500	17,500	17,500	-	100.0%	-
04535.0100 - Swimming Pool Fees	25,000	-	25,000	25,021	(21)	100.1%	32,414
04535.0150 - Recreation Program Fees	461,500	-	461,500	434,735	26,765	94.2%	411,038
04535.0200 - Point of Honor Admission Fees	11,000	-	11,000	9,430	1,570	85.7%	12,644
04535.0300 - Library Fines & Fees	56,000	-	56,000	54,152	1,848	96.7%	54,706
04535.0301 - Law Library Fees	30,000	-	30,000	36,375	(6,375)	121.2%	34,734
04535.0303 - Lost/Damaged Library Prop	5,000	-	5,000	5,771	(771)	115.4%	5,987
04535.0304 - Delinq Library Fines & Fees	-	-	-	1,889	(1,889)	0.0%	2,413
04535.0305 - Delinq Library Lost/Damaged	-	-	-	3,642	(3,642)	0.0%	4,637
04535.0306 - Delinq Library Pen & Int	-	-	-	1,115	(1,115)	0.0%	1,385
04540.0103 - Charges For Demolition	-	-	-	-	-	0.0%	5,449
04540.0105 - Comm Develop Stormwater Charges	495,590	-	495,590	495,590	-	100.0%	495,590
04599.0002 - Secure Vacant Stru Reimb	-	-	-	3,363	(3,363)	0.0%	2,223
04599.0004 - Weed Ordinance Program	28,000	-	28,000	14,590	13,410	52.1%	31,888
140 Charges for Services Total	**10,845,965**	**49,428**	**10,895,393**	**10,622,090**	**273,303**	**97.5%**	**10,403,269**
150 Miscellaneous Revenue							
05030.0105 - Suspense Revenue/Exp Ref	-	-	-	-	-	0.0%	-
05050.0105 - Pmt In Lieu Tax-WestCntbr	52,900	-	52,900	52,901	(1)	100.0%	52,901
05050.0110 - Pymt In Lieu of Tax-LRHA	25,000	-	25,000	35,847	(10,847)	143.4%	-
05050.0230 - Friends of Lynchburg Library	7,250	2,217	9,467	9,467	-	100.0%	7,250
05050.0232 - Digg's Trust Rec-Pt Honor	36,900	-	36,900	27,750	9,150	75.2%	39,850
05050.0251 - Contributions-Adopt-A-Bed	-	-	-	2,005	(2,005)	0.0%	2,647

Revenues	Adopted Budget	Budget Amendment	Amended Budget	Actual Amount 6/30/19	Remaining Budget w/o Encumbrances	Percentage of Amended Budget	Actual Amount 6/30/18
05050.0278 - Donations for Rotary Centennial Skate Park, None	-	-	-	12,844	(12,844)	0.0%	-
05050.0290 - Gifts And Misc.	2,000	-	2,000	3,319	(1,319)	165.9%	2,991
05050.0400 - Sale-Salvage/Surplus Prop	-	-	-	5,332	(5,332)	0.0%	1,232
05050.0415 - Proceeds frm PropRoom.com	-	-	-	839	(839)	0.0%	605
05050.0500 - Sale-Real Property	-	-	-	90,000	(90,000)	0.0%	307,000
05050.0801 - Miscellaneous Subrogation	-	-	-	-	-	0.0%	-
05050.2001 - Cash Overage And Shortage	-	-	-	(1,856)	1,856	0.0%	(4,768)
05050.2011 - Reimb.POH Carriage House	26,300	-	26,300	20,813	5,488	79.1%	27,750
05050.2013 - Photo Reprod And Royalty	200	-	200	70	130	35.0%	168
05050.2016 - Dedicated Misc Rev HumSvc	-	-	-	-	-	0.0%	(4,819)
05050.2022 - Trash Cart Sales	3,000	-	3,000	4,011	(1,011)	133.7%	4,210
05050.2025 - Credit Card Rebate	100,000	-	100,000	115,682	(15,682)	115.7%	112,953
05050.2028 - WardsCrossingWestSvcFee	135,923	-	135,923	135,923	-	100.0%	135,923
05050.2033 - PointOfHonr-GiftShopSales	1,000	-	1,000	-	1,000	0.0%	-
05050.2034 - P&R Spec Event Sponsorship, None	12,000	-	12,000	11,310	690	94.2%	10,092
05050.2037 - RSA Profit Sharing	300,000	-	300,000	-	300,000	0.0%	369,465
05050.2046 - Visitor Ctr Merchandise	23,700	-	23,700	5,454	18,246	23.0%	19,294
05050.2049 - Trash Bag&Decal Violation	5,000	-	5,000	400	4,600	8.0%	2,331
05050.2052 - Parking Lease Agreement	100,000	-	100,000	113,841	(13,841)	113.8%	110,617
05050.2055 - Hillcats - Donation Youth Athletic Programs	10,000	-	10,000	-	10,000	0.0%	10,000
05050.2056 - Commission on City Vending Machine Sales	-	389	389	3,762	(3,373)	967.0%	3,863
05050.2090 - Miscellaneous Revenue	57,000	-	57,000	89,247	(32,247)	156.6%	132,301
150 Miscellaneous Revenue Total	**898,173**	**2,606**	**900,779**	**738,960**	**161,819**	**82.0%**	**1,343,856**
300 State Non-Categorical Aid							
06100.0300 - Rolling Stock Taxes	90,000	-	90,000	90,734	(734)	100.8%	90,544
06100.0400 - Mobile Home Titling Taxes	1,000	-	1,000	3,326	(2,326)	332.6%	4,298
06100.0600 - Deeds Of Conveyance	125,000	-	125,000	188,816	(63,816)	151.1%	162,310
06100.0800 - Recordation Taxes-State	150,000	-	150,000	202,516	(52,516)	135.0%	204,314
06100.0900 - Auto Rental Tax-DMV	280,000	-	280,000	386,029	(106,029)	137.9%	325,766
06100.1108 - Personal Prop Tax Relief	5,543,584	-	5,543,584	5,543,584	0	100.0%	5,543,584
300 State Non-Categorical Aid Total	**6,189,584**	**-**	**6,189,584**	**6,415,005**	**(225,421)**	**103.6%**	**6,330,816**
310 State Shared Exp (Cat.)							
06510.0200 - Commissioner of Revenue	179,935	-	179,935	179,737	198	99.9%	179,450
06510.0300 - Treasurer	102,000	-	102,000	104,639	(2,639)	102.6%	102,118
06510.1000 - Registrar/Electoral Board	47,000	-	47,000	47,586	(586)	101.2%	46,739
06515.0100 - Clerk of Cir Crt-Fringes	562,000	-	562,000	570,876	(8,876)	101.6%	577,061
06515.0200 - Sheriff	1,130,080	-	1,130,080	1,088,364	41,716	96.3%	1,151,150
06515.0400 - Commonwealth Attorney	1,013,636	-	1,013,636	1,045,048	(31,412)	103.1%	1,043,288
310 State Shared Exp (Cat.) Total	**3,034,651**	**-**	**3,034,651**	**3,036,250**	**(1,599)**	**100.1%**	**3,099,806**
320 State Categorical Aid							
06820.0200 - Juvenile Correct-Block Gt	247,716	-	247,716	247,716	-	100.0%	247,716
06820.0201 - Wireless E911	371,373	-	371,373	381,670	(10,297)	102.8%	301,120
06820.0203 - HB 599 Law Enforc.Asst	3,137,083	-	3,137,083	3,137,084	(1)	100.0%	3,025,152
06825.0100 - Street And Highway Maint.	8,133,555	426,261	8,559,816	8,559,817	(1)	100.0%	8,069,555
06830.0412 - Health Department	70,000	-	70,000	34,320	35,680	49.0%	53,378
06830.0413 - SS State Adm Sub 0901	2,310,216	123,103	2,433,319	1,729,982	703,337	71.1%	1,716,392
06830.0414 - SS State Prog Sub 0902	5,644,405	-	5,644,405	4,437,354	1,207,051	78.6%	4,569,806
06830.0428 - Finance-Social Srvc-State	-	-	-	-	-	0.0%	-
06835.0101 - SNAP Benefit Prog Grant, None	-	-	-	10	(10)	0.0%	-
06835.0102 - SNAP Program Reimb	15,000	-	15,000	11,951	3,049	79.7%	12,742
06835.0103 - SNAP Prog-Double Dollar	-	-	-	250	(250)	0.0%	1,000
06835.0104 - VDH- We Got the Beet Campaign	-	13,332	13,332	13,332	-	100.0%	45,583
06835.0300 - Finan Asst-Public Library	156,353	1,211	157,564	157,564	-	100.0%	155,687
320 State Categorical Aid Total	**20,085,701**	**563,907**	**20,649,608**	**18,711,049**	**1,938,559**	**90.6%**	**18,198,131**
330 State Aid in Suspense							
05030.0100 - Suspense Rev-Va EDI Pmts	-	-	-	-	-	0.0%	-
330 State Aid in Suspense Total	**-**	**-**	**-**	**-**	**-**	**0.0%**	**-**
510 Federal Direct Cat. Aid							
07540.1001 - IRS Int Subsidy 8/09 BABs	81,328	-	81,328	81,502	(174)	100.2%	81,197
07540.1002 - IRS Int Subs 8/09 BABsSCH	192,969	-	192,969	193,382	(413)	100.2%	192,659
510 Federal Direct Cat. Aid Total	**274,297**	**-**	**274,297**	**274,884**	**(587)**	**100.2%**	**273,856**
520 Fed Cat Aid- Pass Thru							
07825.0300 - B&G Chrgs Commerce St Bld	55,000	-	55,000	48,119	6,881	87.5%	51,415
07830.0420 - Fed Pass Thru:Cost AIIDMG	450,000	-	450,000	572,494	(122,494)	127.2%	539,749
07830.0421 - SS Fed Adm Sub 0901	3,709,562	89,266	3,798,828	4,698,673	(899,845)	123.7%	4,649,713
07830.0422 - SS Fed Prog Sub 0902	3,051,946	-	3,051,946	3,519,632	(467,686)	115.3%	3,633,298
07830.0428 - Finance-Social Srvc-Fed	-	-	-	-	-	0.0%	-
07830.0430 - USDA Funding - Group Home, None	15,000	-	15,000	16,739	(1,739)	111.6%	-
07875.0003 - Human Service Lease	147,091	-	147,091	129,786	17,305	88.2%	129,786
07875.0021 - FINI Double-Dollars	-	15,000	15,000	11,337	3,663	75.6%	10,535
520 Fed Cat Aid- Pass Thru Total	**7,428,599**	**104,266**	**7,532,865**	**8,996,780**	**(1,463,915)**	**119.4%**	**9,014,497**
700 Proceed From Indebtedness							
08510.0001 - Proceeds From Bond Sale	-	-	-	-	-	0.0%	-
08510.0005 - Refunding Bond Proceeds	-	-	-	-	-	0.0%	5,095,489
08510.0006 - Refunding Bond Proc Prem	-	-	-	-	-	0.0%	561,020
08510.0007 - Refundng Bnd Proceeds Sch	-	-	-	-	-	0.0%	10,126,066
08510.0008 - Refndng Bds Proc Prem Sch	-	-	-	-	-	0.0%	1,139,743
08550.0000 - Proceeds - Line of Credit	-	-	-	-	-	0.0%	103,342
700 Proceed From Indebtedness Total	**-**	**-**	**-**	**-**	**-**	**0.0%**	**17,025,659**
710 Operating Transfers In							
09201.0037 - TrfFrmCFSA-Operating Trfr	-	-	-	-	-	0.0%	2,397
09225.0015 - Transfer from Tech Fund to General Fund, None	-	50,000	50,000	50,000	-	100.0%	-
09301.0003 - TrfFrmCtyCp-Capital Proj	-	306,314	306,314	306,314	-	100.0%	250,000
09425.0001 - Trfr From Stormwater Oper, None	-	337,500	337,500	337,500	-	100.0%	-
710 Operating Transfers In Total	**-**	**693,814**	**693,814**	**693,814**	**-**	**100.0%**	**252,397**
Grand Total	**184,860,303**	**1,131,451**	**185,991,754**	**190,329,334**	**(4,337,581)**	**102.3%**	**203,678,234**

Fiscal Year	Fiscal Calendar 2019
Fiscal Quarter of Year	All
Fund	1001 General Fund
Account Type	Expenses
Process Status	Posted

Expenditures	Adopted Budget	Budget Amendment	Amended Budget	Actual Amount 6/30/19	Remaining Budget w/ Encumbrances	Percentage Used w/ Encumbrances	Actual Amount 6/30/18
2022 Communications/Marketing							
0021 Public Information	491,651	(1,808)	489,843	472,398	17,445	96.4%	555,326
0022 Customer Service Center	128,775	584	129,359	138,413	(9,054)	107.0%	129,741
0029 Local Government Channel	169,412	6,439	175,851	170,142	5,709	96.8%	160,283
2022 Communications/Marketing Total	**789,838**	**5,215**	**795,053**	**780,954**	**14,099**	**98.2%**	**845,350**
2023 Council / Manager							
0028 Council / Manager	1,046,832	16,310	1,063,142	1,040,237	22,905	97.8%	1,068,191
0033 Parking Division	532,774	67,532	600,306	546,500	53,807	91.0%	507,103
2023 Council / Manager Total	**1,579,606**	**83,842**	**1,663,448**	**1,586,736**	**76,712**	**95.4%**	**1,575,293**
2027 Tourism							
0044 Tourism	1,036,338	(1,036,338)	-	-	-	0.0%	889,849
0045 Visitors Center	136,393	(136,393)	-	-	-	0.0%	110,196
2027 Tourism Total	**1,172,731**	**(1,172,731)**	**-**	**-**	**-**	**0.0%**	**1,000,045**
2030 City Attorney							
0050 City Attorney	803,121	18,097	821,218	802,996	18,222	97.8%	738,700
0051 Risk Management	588,357	-	588,357	588,357	-	100.0%	601,049
2030 City Attorney Total	**1,391,478**	**18,097**	**1,409,575**	**1,391,353**	**18,222**	**98.7%**	**1,339,749**
2035 State Treasurer							
0060 State Treasurer	169,985	8,538	178,523	178,290	233	99.9%	170,234
2035 State Treasurer Total	**169,985**	**8,538**	**178,523**	**178,290**	**233**	**99.9%**	**170,234**
2040 Commissioner Of Revenue							
0070 Com Rev-State/Loc Budget	730,338	29,111	759,449	705,091	54,358	92.8%	728,032
2040 Commissioner Of Revenue Total	**730,338**	**29,111**	**759,449**	**705,091**	**54,358**	**92.8%**	**728,032**
2045 City Assessor							
0080 City Assessor	731,167	34,888	766,055	751,843	14,212	98.1%	723,346
2045 City Assessor Total	**731,167**	**34,888**	**766,055**	**751,843**	**14,212**	**98.1%**	**723,346**
2050 Finance							
0090 Office of Management & Budget	603,434	24,026	627,460	637,762	(10,302)	101.6%	608,755
0093 Billings And Collections	1,288,204	33,243	1,321,447	1,306,220	15,228	98.8%	1,202,126
0094 Procurement	311,971	15,396	327,367	315,840	11,527	96.5%	309,560
0095 Accounting	961,587	20,541	982,128	969,792	12,336	98.7%	944,172
0097 Human Services-Finance	-	-	-	-	-	0.0%	-
2050 Finance Total	**3,165,196**	**93,206**	**3,258,402**	**3,229,613**	**28,788**	**99.1%**	**3,064,613**
2055 Human Resources							
0110 Human Resources	800,718	144,394	945,112	921,423	23,689	97.5%	916,581
0111 Occupational Health Svs	130,000	6,500	136,500	202,750	(66,250)	148.5%	213,724
0112 Health Management Program	-	-	-	-	-	0.0%	-
2055 Human Resources Total	**930,718**	**150,894**	**1,081,612**	**1,124,172**	**(42,561)**	**103.9%**	**1,130,305**
2057 Information Technology							
0115 Application Services	1,325,785	31,872	1,357,657	1,300,185	57,472	95.8%	1,286,894
0116 Network Services	1,713,476	36,940	1,750,416	1,638,142	112,274	93.6%	1,693,888
0117 I T Administration	456,933	5,184	462,117	417,521	44,596	90.3%	358,960
0125 GIS	324,902	4,931	329,833	311,434	18,399	94.4%	301,435
2057 Information Technology Total	**3,821,096**	**78,926**	**3,900,022**	**3,667,282**	**232,740**	**94.0%**	**3,641,178**
2065 Registrar							
0150 Registrar	183,546	11,450	194,996	191,038	3,958	98.0%	191,651
0151 Electoral Board	103,061	20,900	123,961	93,358	30,603	75.3%	115,747
2065 Registrar Total	**286,607**	**32,350**	**318,957**	**284,396**	**34,561**	**89.2%**	**307,398**
2090 Education							
0200 Lcl Sch Oper Contribution	42,028,498	1,086,573	43,115,071	38,373,801	4,741,270	89.0%	38,824,341
2090 Education Total	**42,028,498**	**1,086,573**	**43,115,071**	**38,373,801**	**4,741,270**	**89.0%**	**38,824,341**
2105 Circuit Court-Judge							
0300 Circuit Court-Judge	159,917	2,933	162,850	152,227	10,623	93.5%	138,473
2105 Circuit Court-Judge Total	**159,917**	**2,933**	**162,850**	**152,227**	**10,623**	**93.5%**	**138,473**
2110 General District Court							
0310 General District Court	58,173	(174)	57,999	31,859	26,140	54.9%	31,373
2110 General District Court Total	**58,173**	**(174)**	**57,999**	**31,859**	**26,140**	**54.9%**	**31,373**
2115 Juvenile & Dr Dist Court							
0320 Juvenile & Dr Dist Court	15,024	-	15,024	18,008	(2,984)	119.9%	12,747
2115 Juvenile & Dr Dist Court Total	**15,024**	**-**	**15,024**	**18,008**	**(2,984)**	**119.9%**	**12,747**
2120 24th Court Service Unit							
0330 24th Court Service Unit	1,550	380	1,930	1,716	214	88.9%	1,169

Expenditures	Adopted Budget	Budget Amendment	Amended Budget	Actual Amount 6/30/19	Remaining Budget w/ Encumbrances	Percentage Used w/ Encumbrances	Actual Amount 6/30/18
2120 24th Court Service Unit Total	**1,550**	**380**	**1,930**	**1,716**	**214**	**88.9%**	**1,169**
2125 Commonwealth's Attorney							
0340 Commonwealth Attorney	1,608,104	32,724	1,640,828	1,653,773	(12,945)	100.8%	1,645,599
0343 Com Aty Fines & Fees Coll	62,075	1,916	63,991	62,149	1,842	97.1%	62,881
2125 Commonwealth's Attorney Total	**1,670,179**	**34,640**	**1,704,819**	**1,715,922**	**(11,103)**	**100.7%**	**1,708,480**
2130 Magistrate's Office							
0350 Magistrate's Office	3,977	435	4,412	3,446	966	78.1%	3,162
2130 Magistrate's Office Total	**3,977**	**435**	**4,412**	**3,446**	**966**	**78.1%**	**3,162**
2135 Circuit Court-Clerk							
0360 Circuit Court-Clerk	877,504	84,491	961,995	923,567	38,428	96.0%	889,194
2135 Circuit Court-Clerk Total	**877,504**	**84,491**	**961,995**	**923,567**	**38,428**	**96.0%**	**889,194**
2200 City Sheriff							
0400 City Sheriff And Jail	2,091,581	103,312	2,194,893	2,201,374	(6,481)	100.3%	2,195,382
2200 City Sheriff Total	**2,091,581**	**103,312**	**2,194,893**	**2,201,374**	**(6,481)**	**100.3%**	**2,195,382**
2240 Police							
0420 Police Operations	16,709,468	544,137	17,253,605	17,070,444	183,160	98.9%	16,556,943
0421 Animal Warden	331,998	9,780	341,778	336,300	5,478	98.4%	276,370
0429 Range Operations	15,000	1,451	16,451	13,677	2,774	83.1%	17,823
0430 Police Off Duty Employmnt	1,146,894	273	1,147,167	1,049,879	97,288	91.5%	1,085,839
2240 Police Total	**18,203,360**	**555,641**	**18,759,001**	**18,470,301**	**288,700**	**98.5%**	**17,936,975**
2245 Emergency Services							
0422 Emergency Communications	2,691,621	105,052	2,796,673	2,659,359	137,314	95.1%	2,641,979
2245 Emergency Services Total	**2,691,621**	**105,052**	**2,796,673**	**2,659,359**	**137,314**	**95.1%**	**2,641,979**
2270 Fire							
0444 Fire Operations And Ems	15,947,300	282,175	16,229,475	15,968,142	261,333	98.4%	15,885,248
0446 TRT- PIER Program	82,500	2,438	84,938	67,322	17,616	79.3%	70,911
2270 Fire Total	**16,029,800**	**284,613**	**16,314,413**	**16,035,464**	**278,949**	**98.3%**	**15,956,159**
2400 Public Works							
0600 Public Works Administrat.	943,804	8,355	952,159	968,782	(16,624)	101.7%	961,318
0605 Engineering	3,874,391	120,329	3,994,720	3,839,919	154,801	96.1%	3,867,611
0632 Street Maintenance,II	3,282,439	(245,652)	3,036,787	2,766,500	270,287	91.1%	2,459,379
0635 Snow Removal	287,207	378,353	665,560	675,384	(9,824)	101.5%	281,025
0640 Refuse Collection	3,032,291	200,233	3,232,524	3,267,881	(35,357)	101.1%	2,922,619
0645 Parks/Grounds Maintenance	2,901,625	192,315	3,093,940	3,330,437	(236,497)	107.6%	3,028,762
0649 Baseball Stadium Maint	112,023	460	112,483	127,380	(14,897)	113.2%	122,254
0650 Building Maintenance	3,809,449	86,147	3,895,596	3,692,960	202,636	94.8%	3,847,860
0660 Human Services Maint.	245,510	1,094	246,604	237,160	9,444	96.2%	242,870
2400 Public Works Total	**18,488,739**	**741,633**	**19,230,372**	**18,906,403**	**323,969**	**98.3%**	**17,733,696**
2555 Health							
0800 Health Operations	830,977	-	830,977	747,685	83,292	90.0%	743,015
2555 Health Total	**830,977**	**-**	**830,977**	**747,685**	**83,292**	**90.0%**	**743,015**
2561 Juvenile Services							
0904 Juvenile Service Admin.	306,069	3,604	309,673	199,937	109,736	64.6%	203,964
0905 Juvenile Detention Home	400,000	-	400,000	621,813	(221,813)	155.5%	487,044
0906 Lynchburg Youth Group Home	1,216,950	62,317	1,279,267	1,213,675	65,592	94.9%	1,192,357
0915 Csa Service Providers	2,038,296	2,340	2,040,636	2,037,395	3,241	99.8%	2,089,575
0929 Lynchburg Outreach Prog	190,966	4,707	195,673	199,076	(3,403)	101.7%	195,825
2561 Juvenile Services Total	**4,152,281**	**72,968**	**4,225,249**	**4,271,896**	**(46,647)**	**101.1%**	**4,168,764**
2562 Social Services							
0901 Social Services Admin.	8,166,049	541,380	8,707,429	8,620,412	87,017	99.0%	8,050,376
0902 Public Assistance	8,869,737	20,250	8,889,987	7,473,176	1,416,812	84.1%	8,430,329
2562 Social Services Total	**17,035,786**	**561,630**	**17,597,416**	**16,093,587**	**1,503,829**	**91.5%**	**16,480,704**
2563 Recreation Services							
0116 Network Services	76,393	1,264	77,657	75,545	2,112	97.3%	48,406
1002 Parks/Rec/Market	401,073	29,880	430,953	416,419	14,534	96.6%	438,122
1010 Recreation, General Admin	559,498	21,442	580,940	567,117	13,823	97.6%	578,017
1011 Recreation Services	139,580	3,604	143,184	144,025	(841)	100.6%	123,354
1013 Recreation, Athletic	146,192	4,681	150,873	155,628	(4,755)	103.2%	144,086
1015 Recreation, Park Services	700,951	29,772	730,723	766,945	(36,222)	105.0%	704,334
1022 Recreation, Aquatics	93,313	-	93,313	82,971	10,342	88.9%	85,755
1023 Recreation, Naturalist	179,271	8,799	188,070	165,263	22,807	87.9%	165,522
1024 Special Events-Cty Sponsr	50,000	-	50,000	49,721	279	99.4%	55,681
1027 Recreation Programs	539,604	15,000	554,604	471,271	83,333	85.0%	498,953
1028 City-wide Centers	275,604	8,516	284,120	278,733	5,387	98.1%	264,629
1029 Neighborhood Centers	636,806	13,644	650,450	585,983	64,467	90.1%	559,137
2563 Recreation Services Total	**3,798,285**	**136,602**	**3,934,887**	**3,759,620**	**175,267**	**95.5%**	**3,665,996**
2610 Libraries And Museums							
1100 Public Library	1,426,397	86,800	1,513,197	1,480,893	32,304	97.9%	1,443,070

Expenditures	Adopted Budget	Budget Amendment	Amended Budget	Actual Amount 6/30/19	Remaining Budget w/ Encumbrances	Percentage Used w/ Encumbrances	Actual Amount 6/30/18
1120 Law Library	8,200	-	8,200	8,435	(235)	102.9%	9,250
2610 Libraries And Museums Total	**1,434,597**	**86,800**	**1,521,397**	**1,489,328**	**32,070**	**97.9%**	**1,452,319**
2611 Museum System							
1150 Museum	469,134	17,941	487,075	449,536	37,539	92.3%	398,796
2611 Museum System Total	**469,134**	**17,941**	**487,075**	**449,536**	**37,539**	**92.3%**	**398,796**
2715 Community Development							
1200 Director-Comm Plan/Dev	312,567	8,858	321,425	286,838	34,587	89.2%	321,476
1201 Planning	335,376	10,727	346,103	343,661	2,442	99.3%	326,584
1202 Inspections	902,420	32,382	934,802	895,507	39,295	95.8%	836,996
1205 Zoning	249,023	11,580	260,603	278,954	(18,351)	107.0%	254,839
2715 Community Development Total	**1,799,386**	**63,547**	**1,862,933**	**1,804,960**	**57,973**	**96.9%**	**1,739,894**
2720 Office Of Economic Devel							
1300 Economic Development	461,599	1,188,658	1,650,257	1,546,044	104,212	93.7%	445,427
2720 Office Of Economic Devel Total	**461,599**	**1,188,658**	**1,650,257**	**1,546,044**	**104,212**	**93.7%**	**445,427**
5000 Nondept Employee Benefits							
1430 Non-allocated Emp Benefit	3,388,834	9,461	3,398,295	2,909,946	488,349	85.6%	3,463,611
5000 Nondept Employee Benefits Total	**3,388,834**	**9,461**	**3,398,295**	**2,909,946**	**488,349**	**85.6%**	**3,463,611**
5050 Non-Departmental							
1506 Water Oper Fund Payments	815,335	-	815,335	815,335	-	100.0%	871,831
1508 Stormwater Fee-City Bldgs	87,900	-	87,900	95,408	(7,508)	108.5%	87,276
1509 Stormwater Fee-School Bld	70,200	-	70,200	75,688	(5,488)	107.8%	69,696
1512 College Lake Dam Repairs	-	856,481	856,481	989,429	(132,948)	115.5%	-
1529 Landfill Closure Costs	-	-	-	16,710	(16,710)	0.0%	13,077
1566 Managed Vacancy Program	-	-	-	-	-	0.0%	-
1567 Years of Service Awards	16,089	-	16,089	14,400	1,689	89.5%	11,862
1568 Retirement Recognition	2,311	3,012	5,323	4,871	452	91.5%	4,600
1569 Take Your Kids to Work Dy	600	-	600	206	394	34.4%	693
1570 Emp Appreciation Luncheon	3,000	953	3,953	3,215	738	81.3%	2,910
1573 Payment-Fleet Capital Chg	2,787,005	-	2,787,005	2,436,685	350,320	87.4%	2,339,409
1574 Health Management Program	15,000	-	15,000	29,622	(14,622)	197.5%	216,715
1575 Employee Committee Funds	8,000	6,559	14,559	4,860	9,699	33.4%	4,491
1576 Line of Duty Act	250,000	-	250,000	267,213	(17,213)	106.9%	225,614
1578 Poverty Intiative	50,000	91,108	141,108	20,107	121,001	14.2%	7,563
1579 Recruitment	15,000	-	15,000	1,829	13,171	12.2%	100
1580 International Festival	-	-	-	(2,174)	2,174	0.0%	(1,188)
1581 Workplace Safety & Wellness	50,000	-	50,000	51,454	(1,454)	102.9%	-
1637 City Cemetery Master Plan	132,438	-	132,438	132,438	-	100.0%	132,438
5050 Non-Departmental Total	**4,302,878**	**958,113**	**5,260,991**	**4,957,294**	**303,696**	**94.2%**	**3,987,087**
5060 Support Local/State Organ							
1702 V.P.I. Extension Service	39,890	-	39,890	38,138	1,752	95.6%	37,727
1705 Lynchburg Humane Society	351,697	-	351,697	351,697	-	100.0%	351,697
1707 Cent Va Area Agc On Aging	15,000	-	15,000	15,000	-	100.0%	15,000
1708 Horizon Behavioral Health	555,900	-	555,900	555,900	-	100.0%	457,323
1709 Cvcc Board & Related Oper	1,942	-	1,942	1,942	-	100.0%	1,922
1711 Cent Va Planning Dist Com	45,731	-	45,731	45,730	1	100.0%	45,238
1715 Greater Lynch. Transit Co	1,728,785	-	1,728,785	1,591,096	137,689	92.0%	1,451,063
1721 Blue Ridge Regional Jail	5,255,314	-	5,255,314	5,325,906	(70,592)	101.3%	5,055,837
1724 Legal Aid Society	11,699	-	11,699	11,699	-	100.0%	11,699
1739 Contrib- Amazement Square	200	-	200	-	200	0.0%	-
1743 Central Va Reg Radio Brd	720,173	-	720,173	720,173	(0)	100.0%	720,393
1747 The Virginian	168,250	-	168,250	-	168,250	0.0%	-
1748 Elizabeth's Early Learn Center	15,000	-	15,000	11,066	3,934	73.8%	-
5060 Support Local/State Organ Total	**8,909,581**	**-**	**8,909,581**	**8,668,348**	**241,233**	**97.3%**	**8,147,900**
7450 Debt Service							
5985 Refunded Debt Payments	-	-	-	-	-	0.0%	2,160,352
5990 Principal Bonds/BANS/LOC	10,653,977	(4,193)	10,649,784	10,649,783	1	100.0%	10,416,914
5994 Interest Bonds/BANS/LOC	7,388,184	4,193	7,392,377	7,316,952	75,425	99.0%	7,378,458
5996 Debt Issuance Costs	-	-	-	-	-	0.0%	346,067
5997 Debt - Misc. Charges	6,910	-	6,910	4,691	2,219	67.9%	1,706
7450 Debt Service Total	**18,049,071**	**-**	**18,049,071**	**17,971,427**	**77,644**	**99.6%**	**20,303,498**
7570 Other Financing Uses							
9710 Operating Transfers Out	6,125,251	1,776,305	7,901,556	7,901,556	-	100.0%	5,623,614
7570 Other Financing Uses Total	**6,125,251**	**1,776,305**	**7,901,556**	**7,901,556**	**-**	**100.0%**	**5,623,614**
Grand Total	**187,846,343**	**7,233,888**	**195,080,231**	**185,764,404**	**9,315,828**	**95.2%**	**183,219,299**

Financial Services – Office of Management & Budget
900 Church Street • Lynchburg • Virginia • 24504
www.lynchburgva.gov • P 434-455-3968 • F 434-845-0711

TO: City Council
Bonnie Svrcek, City Manager
Reid Wodicka, Deputy City Manager
Robin Craig, Clerk of Council

FROM: Donna Witt, Chief Financial Officer Donna

DATE: October 22, 2019

RE: FY 2019 Write-Off of Uncollectible Accounts Receivable

In June 2005, an Accounts Receivable Policy was established to write-off uncollectible accounts. In accordance with the policy, the Chief Financial Officer is authorized to write-off accounts on an annual basis, providing this information to Finance Committee and City Council.

Using the criteria set-forth in the Accounts Receivable Policy, a breakdown of write-offs for FY 2019 is as follows:

Account	Statute of Limitations	Write-off Year and Billing Amount	Write-Off Amount	Billing Amount	% Written-Off
Real Estate	20	1998	19,982.09	25,424,234.48	0.08%
Amusement Tax	5	2013	0.03	644,263.82	0.00%
Business License	5	2013	62,386.96	7,850,754.15	0.79%
Library Fines	5	2013	5,429.68	48,429.65	11.21%
Lodging Tax	5	2013	0.00	1,901,626.64	0.00%
Meals Tax	5	2013	52,488.27	12,206,343.82	0.43%
Personal Property	5	2013	144,170.26	17,668,163.59	0.82%
Public Service Corporation	5	2013	1.00	2,349,747.33	0.00%
Ambulance	3	2015	677,331.59	5,288,936.30	12.81%
Miscellaneous Invoices	3	2015	27,356.81	2,844,872.83	0.96%
Non Sufficient Funds	3	2015	858.92	61,142.09	1.40%
Utility Billing System	3	2015	26,441.51	37,463,462.00	0.07%
		Total Write-Off	**$ 1,016,447.12**	**$ 113,751,976.70**	**0.89%**

If you have any questions, please let me know.

Thank you.

FINANCE COMMITTEE
Agenda Item Summary

MEETING DATE: **October 22, 2019** AGENDA ITEM #: **12**

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

ITEM TITLE: Revenue Update

KEY ELEMENTS:
___Economic Development _**X**__Excellent Government ___Natural and Built Environment ___Safe Community ___Vibrant Community

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

SUMMARY: Five of the City's major revenue sources are taxes collected on a monthly basis: Local Sales and Use Tax, Consumer Utility Tax – Electric, Meals Tax, Lodging Tax, and Amusement Tax. Since the last Finance Committee meeting, revenue information through August 2019 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, Chief Financial Officer, 455-3968

ATTACHMENT(S): Comparison of Collections Budget to Actual FY 2019 – FY 2020

REVIEWED BY:

Comparison of Collections
Budget to Actual FY 2019 - FY 2020

	Actual FY 2017	Actual FY 2018	Actual FY 2019	Adopted FY 2020	Actual FY 2020	Actual FY 2020 to Adopted FY 2020	Actual FY 2020 to Actual FY 2019
SALES & USE TAX							
ADOPTED FY 2020 BUDGET - $15,673,983							
JULY	$1,152,527	$1,134,520	$1,361,089	$1,335,342	$1,302,652	($32,690)	($58,437)
AUGUST	1,267,330	1,248,275	1,287,868	1,263,506	1,398,983	135,477	111,115
TOTAL	**$2,419,857**	**$2,382,795**	**$2,648,957**	**$2,598,848**	**$2,701,635**	**$102,787**	**$52,678**
CONSUMER UTILITY TAX - ELECTRIC							
ADOPTED FY 2020 BUDGET - $3,800,000							
JULY	$328,501	$335,326	$343,448	$338,828	$323,666	($15,162)	($19,782)
AUGUST	355,434	327,959	332,393	327,921	335,376	7,455	2,983
TOTAL	**$683,935**	**$663,285**	**$675,841**	**$666,749**	**$659,042**	**($7,707)**	**($16,799)**

	Actual Collected FY 2017 [2]	Actual Collected FY 2018 [2]	Actual Collected FY 2019 [2]	Adopted FY 2020	Actual Assessed FY 2020	Actual Assessed FY 2020 to Adopted FY 2020	Actual Collected FY 2020 [2]	Actual Collected FY 2020 to Adopted FY 2020	Actual Collected FY 2020 to Assessed FY 2020
MEALS TAX									
ADOPTED FY 2020 BUDGET - $15,500,000									
JULY [1]	$1,088,474	$1,109,545	$1,157,381	$1,203,713	$1,192,588	($11,125)	$1,167,412	($36,301)	($25,176)
AUGUST	1,098,748	1,140,836	1,208,215	1,280,948	1,338,608	57,660	1,327,301	46,353	(11,307)
TOTAL	**$2,187,222**	**$2,250,381**	**$2,365,596**	**$2,484,661**	**$2,531,196**	**$46,535**	**$2,494,713**	**$10,052**	**($36,483)**
LODGING TAX									
ADOPTED FY 2020 BUDGET - $2,950,000									
JULY [1]	$207,361	$248,422	$291,530	$301,067	$238,068	($62,999)	$235,865	($65,202)	($2,203)
AUGUST	167,929	224,761	266,637	274,331	356,692	82,361	359,491	85,160	2,799
TOTAL	**$375,290**	**$473,183**	**$558,167**	**$575,398**	**$594,760**	**$19,362**	**$595,356**	**$19,958**	**$596**
AMUSEMENT TAX									
ADOPTED FY 2020 BUDGET - $850,000									
JULY [1]	$72,413	$66,786	$72,761	$75,349	$92,901	$17,552	$90,398	$15,049	($2,503)
AUGUST	50,145	53,857	51,694	53,533	54,599	1,066	56,722	3,189	2,123
TOTAL	**$122,558**	**$120,643**	**$124,455**	**$128,882**	**$147,500**	**$18,618**	**$147,120**	**$18,238**	**($380)**

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

[2] "Actual Collected" includes all revenue received per month regardless of whether the payment is current or delinquent.

Finance Committee – 11:30 a.m.

AGENDA
City Council Meeting of October 22, 2019

4:00 P.M. – Work Session
City Council Agenda Items

#1. Receive a Report on the Downtown Loading Zone Pilot Program

#2. Hear a presentation by Davenport & Company, LLC, regarding Finance Plan for Capital Improvement Plan.

#3. Hear a presentation by Davenport & Company, LLC, regarding Fund Balance

#4. Roll Call

7:30 P.M.
City Council Agenda Items

COUNCILMEMBER WRIGHT WILL GIVE THE INVOCATION

GENERAL POLICY REGARDING PUBLIC PARTICIPATION AT CITY COUNCIL MEETINGS

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

The City Council agenda is divided into four sections.

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

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

Procedure:

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

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

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

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

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

CITY COUNCIL 455-3995 MAYOR 455-3995 CITY MANAGER 455-3990

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

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

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

RECOGNITIONS

- Recognize The Water Dog for receiving The Ordinary Award in the category of Restaurant of the Year from the Virginia Restaurant, Lodging & Travel Association
- Recognize the Exchange Club and Present a Proclamation for the 60th Annual Pancake Jamboree
- Recognize the Office of Economic Development & Tourism for the Excellence in Economic Development Gold Award from the International Economic Development Council for the 2018 "Year in Review" Annual Report

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CONSENT AGENDA

#5. Consideration of approving the minutes of the October 8, 2019 Council meeting

#6.* Consideration of adopting Resolution #R-19-070 for the purpose of amending the Fiscal Year 2020 Budget to reflect the carry forward of appropriations for ongoing activities not expended in FY 2019, and appropriating supplemental funds and rescinding appropriations for both the Capital and Operating Budgets for the twelve month period beginning July 1, 2019 and ending June 30, 2020

#7.* Consideration of adopting Resolution #R-19-080 to amend the FY 2020 City/Federal/State Aid Fund budget and appropriating $49,210 with resources from the Commonwealth of Virginia, Department of Criminal Justice Services to purchase law enforcement equipment for the Lynchburg Police Department.

PUBLIC HEARINGS

#8. Public hearing to receive comments on the Virginia Department of Transportation (VDOT) and the Federal Highway Administration (FHWA) Environmental Assessment (EA) for the US 501 (Lynchburg Expressway) and US 221 (Lakeside Drive) Intersection Improvements Project.
(File: Engineering)

GENERAL BUSINESS

#9. Consideration of approving a resolution for a name change from the Central Virginia Metropolitan Planning Organization (CVMPO) to the Central Virginia Transportation Planning Organization (CVTPO).
(File: CVMPO) #R-19-083

#10. Consideration of introducing a resolution to amend the FY 2020 City/Federal/State Aid Fund Budget and appropriate $65,000 for the Lynchburg Adult Drug Treatment Court award with resources from the Supreme Court of Virginia Drug Treatment Court Docket Grant. This grant is administered by the Supreme Court of Virginia.
(File: Budget) #R-19-084

#11. Consideration of introducing a resolution to amend the FY 2020 General Fund budget and appropriate $9,429 with resources from the State Compensation Board, Technology Trust Fund fees to support information technology needs in the Office of the Circuit Court.
(File: Budget) #R-19-085

#12. Consideration of introducing a resolution to amend the FY 2020 City/Federal/State Aid Fund budget and appropriate $34,930 with resources from the 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) to purchase law enforcement equipment for the Lynchburg Police Department, Lynchburg Sheriff's Office and the Office of the Commonwealth's Attorney.
(File: Budget) #R-19-086

#13. Consideration of introducing a resolution to amend the FY2020 City/Federal State Aid Fund budget and appropriate $24,517 with resources from the 2019 State Homeland Security Program (SHSP) Grant through the Virginia Department of Emergency Management (VDEM) to purchase law enforcement equipment for the Lynchburg Police Department.
(File: Budget) #R-19-087

#14. Consideration of adopting a resolution to amend the FY 2020 City/Federal/State Aid Fund budget and appropriate $42,612 with resources of $21,306 from the Bulletproof Vest Partnership 2019 Grant Program and $21,306 transferred from the FY 2020 General Fund Police Department ($18,506) and Sheriff's Office ($2,800) budgets to purchase replacement bulletproof vests for law enforcement officers.
(File: Budget) #R-19-088

#15. Adopt a resolution to amend the FY 2020 City/Federal/State Aid Fund budget and appropriate $91,750 with resources from the 2019 State Homeland Security Program (SHSP) grant from U.S. Department of Homeland Security (DHS) to fund equipment and training for the Fire Department Technical Rescue Team.
(File: Budget) #R-19-089

#16. Adopt a resolution to amend the FY 2020 City/Federal/State Aid Fund budget and appropriate $76,000 with resources from the 2019 State Homeland Security Program (SHSP) grant from U.S. Department of Homeland Security (DHS) to fund water rescue equipment and training for the Fire Department Technical Rescue Team.
(File: Budget) #R-19-090

#17. Consideration of adopting the Final 2020 Legislative Agenda
(File: City Council) #R-19-082

#18. Consideration of a closed meeting to discuss appointments to the Parking Authority and Transit Board of Directors

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **October 22, 2019** AGENDA ITEM #: **1**

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

ITEM TITLE: Downtown Loading Zone Pilot Program Report and Recommendation to Make the Loading Zone Management Program Permanent

KEY ELEMENTS:
__Economic Development _X_Excellent Government _X_Natural and Built Environment ___Safe Community ___Vibrant Community

RECOMMENDATION: Receive this presentation as a follow-up to previous discussions, City Council action, and a pilot program addressing Loading Zones in the Central Business District. City staff recommends that the adopted ordinance language approved during the May 14, 2019 City Council meeting for loading zone management in the Central Business District remain in effect.

SUMMARY: On May 14, 2019, City Council adopted ordinance amendments in City Code Sections 25-1, 25-249, 25-250, 25-265, and 25-270 relating to Central Business District parking. These amendments updated the manner of use of loading zones, made it illegal for vehicles to park in the traffic lane on one-way streets, and increased the fine amounts for violations related to these matters. At the request of City Council, between June 3, 2019 and September 16, 2019, City staff initiated a downtown loading zone pilot program to study the effects of the newly designated and timed loading zones on vehicular traffic. The project study area included the 800, 900, 1000, 1100, and 1200 blocks of Main Street, 100 block of 13th Street, and the 900 block of Commerce Street.

Upon completion of the pilot program, City staff noted several positive changes in the manner and use of loading zones. Delivery companies and businesses were communicative with City staff throughout the pilot program and adjustments were made to ensure challenges were addressed successfully. The result was that deliveries were still capable of being made to the businesses even with alterations to parking spaces and designated loading zones. Furthermore, by changing loading zone signage and increasing the size of the loading zones, drivers are able to better identify loading zone parking and those with large delivery vehicles are able to access loading zone parking easier. As a result, delivery vehicles are not causing a traffic hazard when parking in a lane of traffic for deliveries, allowing for safer vehicular and pedestrian travel to occur without obstructions in the roadway. City staff is continuing to monitor loading zone activity and noting modifications that may need to be made in other areas of the Central Business District to accommodate delivery vehicles using the lessons learned from this pilot program.

PRIOR ACTION(S):

November 13, 2018:	City Council adopted the Downtown 2040 Master Plan
February 26, 2019:	Physical Development Committee reviewed recommended revisions
March 12, 2019:	Physical Development Committee reviewed recommended revisions
April 9, 2019:	Physical Development Committee recommended approved of ordinance amendments
April 23, 2019:	City Council received recommendations
May 14, 2019:	City Council approved ordinance amendments related to the manner and use of designated loading zones in the Central Business District.

FISCAL IMPACT: Cost for new loading zone sign production and installation was $1,200. Cost for communication outreach was $245.

CONTACT(S): Gaynelle Hart, Director of Public Works, 455-4406
David Malewitz, Parking Manager, 455-4240

ATTACHMENT(S):

- October 22, 2019 Downtown Loading Zone Pilot Program Report Presentation Slides
- May 14, 2019 Loading Zone Ordinance Amendments for the Central Business District Agenda Summary and Enacted Resolution
- Loading Zone Communication Flyer & Pilot Program Area Map

REVIEWED BY: raw

136R

Downtown Loading Zone
Pilot Program Update

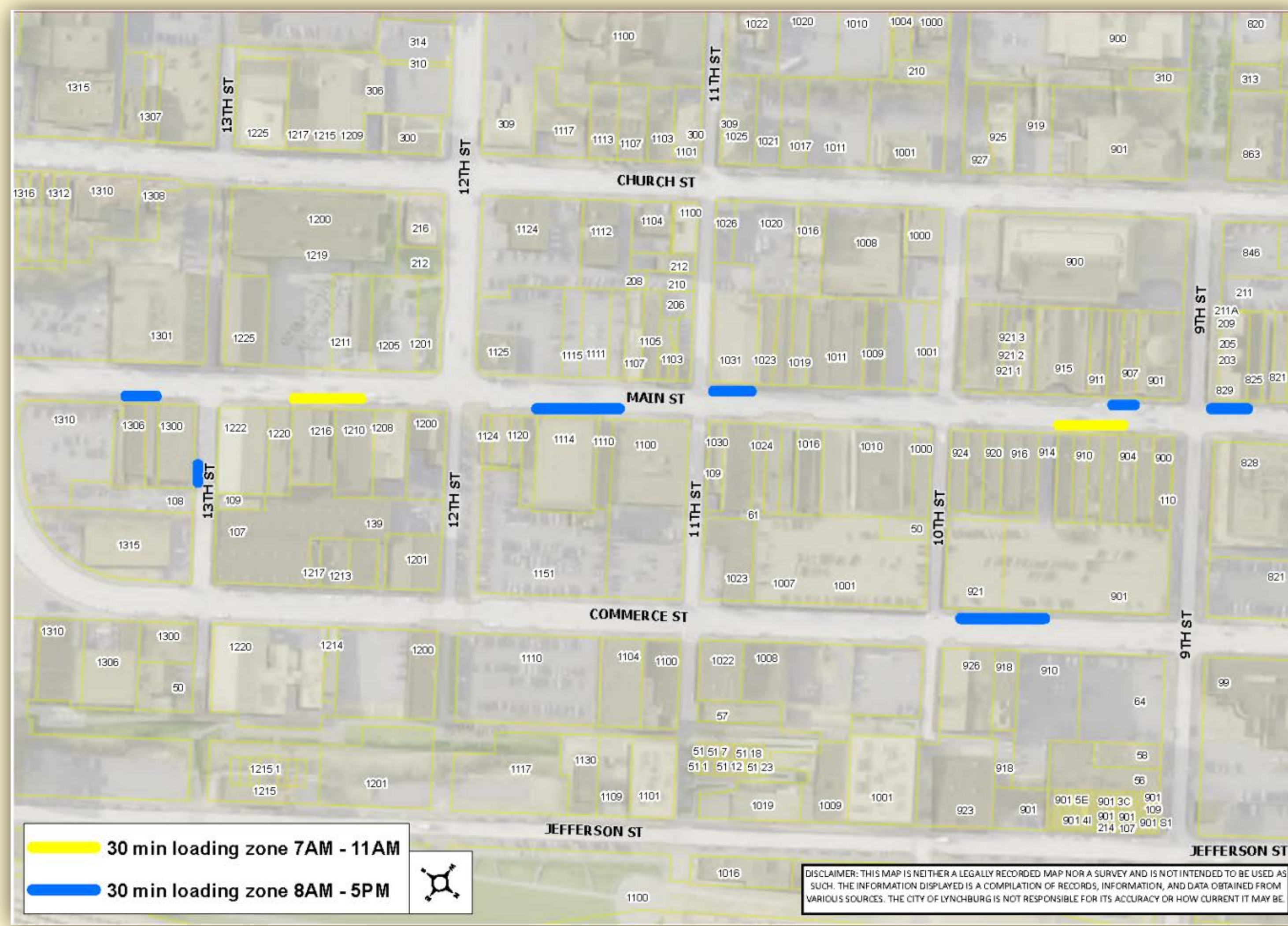
City Council Work Session

October 22, 2019

Purpose and Outline

- Purpose: Provide City Council with an update on the results of the Downtown Loading Zone Pilot Program
- Outline:
  - Brief overview of the program and definition of success
  - Overview of Success and Challenges
  - Review of public outreach efforts
  - Overall assessment of pilot program
  - Recommendations and Next Steps

Loading Zone Pilot Area



Definition of Success

- Ensure the effective designation, use and enforcement of loading zones for deliveries to occur outside of travel lanes.
- Create safer and more effective traffic flow.
- Improve public safety.
- Respond to concerns from businesses and delivery companies.

Successes

- Deliveries still occurred and businesses received product.
- Created parking spaces for large delivery trucks.
- Delivery trucks used loading zones appropriately and made deliveries efficiently.
- Delivery trucks parking in traffic lanes dramatically reduced.

Successes

- Flyers helped educate drivers on loading zones.
- Businesses and delivery companies were communicative on issues as they arose.
- Very few issues outside of the 900 block of Main Street.
- Deliveries occurred during downtown Midtown Parking Deck construction project.
- Clear line of sight in traffic lanes due to no semi-trucks obstructing view.

Public Outreach

Initial Flyer Before Start of Pilot

LOADING ZONE CHANGES TO DOWNTOWN LYNCHBURG

- 30-minute loading zone 7:00 a.m. - 11:00 a.m. / One-hour public parking after 11:00 a.m., Monday - Friday
- 30-minute loading zone 8:00 a.m. - 5:00 p.m., Monday - Friday

BACKGROUND

In 2018, Lynchburg City Council instructed staff to review current ordinances regarding loading zones in the Central Business District and to make recommendations that would help ensure the effective designation, use and enforcement of timed and permanent loading zones for the deliveries outside of travel lanes. Staff has completed the initial recommendations as follows and has asked that Council consider the changes to loading zone management practices in the Central Business District to ensure a safer and more efficient flow of vehicular traffic. City Council's Physical Development Committee (PDC) has further instructed staff to conduct outreach and a "pilot" period to assess the viability of the recommended changes.

ORDINANCE CHANGES

- Create a consistent 30-minute time limit to all loading zones.
- Fine for a loading zone violation will increase from $30 to $50. The purpose of the increase is to encourage drivers to respect the time limits and to use the area for loading or unloading only.
- Fine for parking illegally in the travel lane of traffic will result in a $100 fine. The purpose of the increase is to dissuade drivers from parking in the travel lane and to promote a safe environment for vehicular travel.
- When it is necessary to provide parking accommodations for longer deliveries or to facilitate special requests for all day parking related to construction, moving or other special needs from businesses, a right-of-way permit may be obtained through the Public Works Engineering Division or a temporary parking permit may be issued.

IMPLEMENTATION

- An outreach period will be conducted beginning Monday, March 4 to provide information regarding the proposed ordinance changes to businesses located in the pilot area and to the fleet managers of effected delivery companies.
- Staff will make a report to PDC and the proposed ordinance changes will go to City Council on March 26, 2019.
- Pending City Council's approval, a pilot period is expected to commence May 2019 to test the viability of the changes.
- A final report regarding the loading zones ordinance changes will be made to City Council at its September 2019 meeting.

ADDITIONAL INFORMATION

For more information, visit
www.lynchburgva.gov/cbdloadingzones

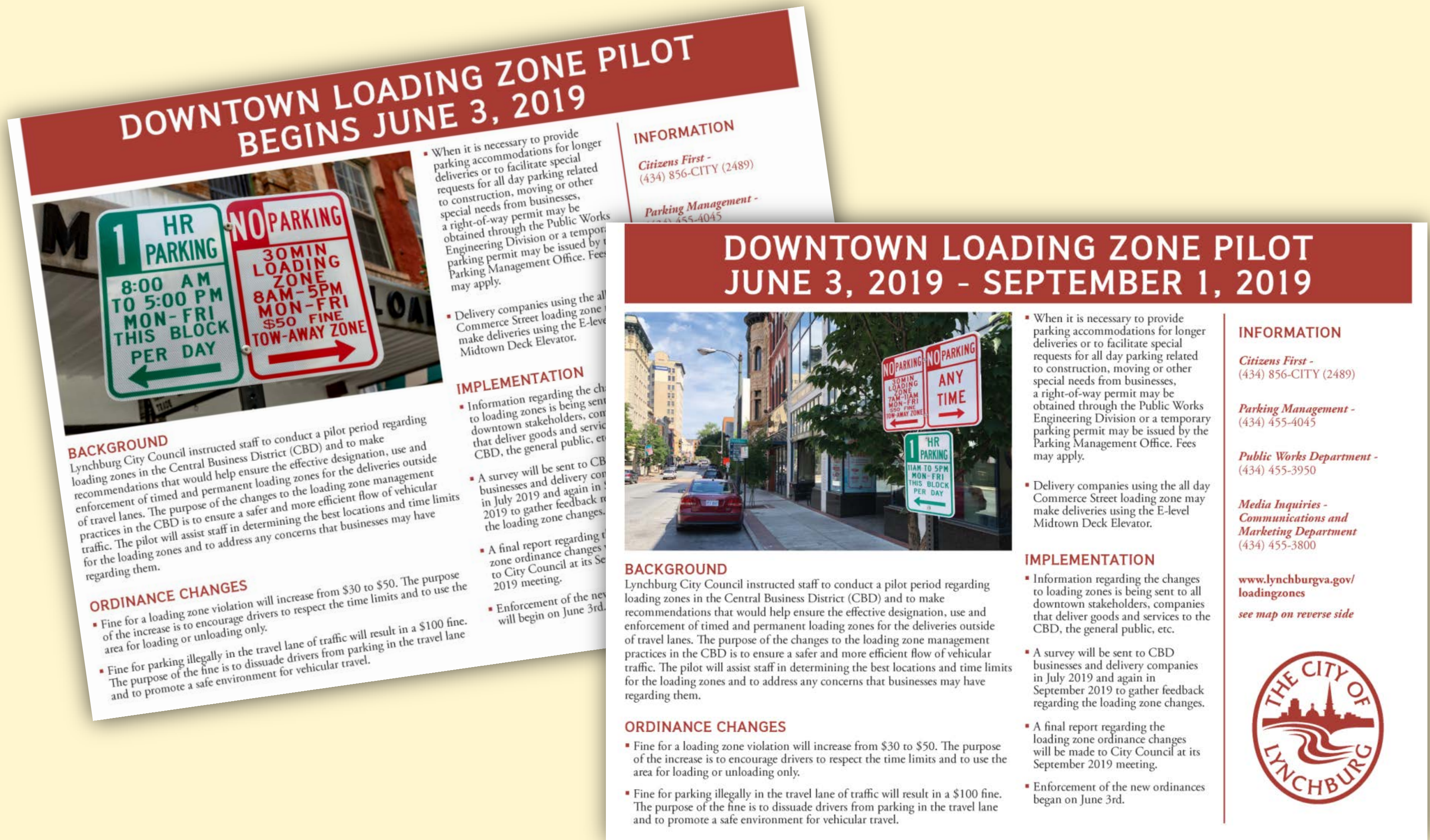
CONTACTS

Lee Newland – *Public Works Department*
(434) 455-3947
lee.newland@lynchburgva.gov

Heather Kennedy – *Cella Molnar & Associates*
(434) 528-3041
hkennedy@cella.cc

Public Outreach

Flyers Distributed During Pilot



DOWNTOWN LOADING ZONE PILOT
BEGINS JUNE 3, 2019

DOWNTOWN LOADING ZONE PILOT
JUNE 3, 2019 - SEPTEMBER 1, 2019

BACKGROUND
Lynchburg City Council instructed staff to conduct a pilot period regarding loading zones in the Central Business District (CBD) and to make recommendations that would help ensure the effective designation, use and enforcement of timed and permanent loading zones for the deliveries outside of travel lanes. The purpose of the changes to the loading zone management practices in the CBD is to ensure a safer and more efficient flow of vehicular traffic. The pilot will assist staff in determining the best locations and time limits for the loading zones and to address any concerns that businesses may have regarding them.

ORDINANCE CHANGES
- Fine for a loading zone violation will increase from $30 to $50. The purpose of the increase is to encourage drivers to respect the time limits and to use the area for loading or unloading only.
- Fine for parking illegally in the travel lane of traffic will result in a $100 fine. The purpose of the fine is to dissuade drivers from parking in the travel lane and to promote a safe environment for vehicular travel.

- When it is necessary to provide parking accommodations for longer deliveries or to facilitate special requests for all day parking related to construction, moving or other special needs from businesses, a right-of-way permit may be obtained through the Public Works Engineering Division or a temporary parking permit may be issued by the Parking Management Office. Fees may apply.
- Delivery companies using the all day Commerce Street loading zone may make deliveries using the E-level Midtown Deck Elevator.

IMPLEMENTATION
- Information regarding the changes to loading zones is being sent to all downtown stakeholders, companies that deliver goods and services to the CBD, the general public, etc.
- A survey will be sent to CBD businesses and delivery companies in July 2019 and again in September 2019 to gather feedback regarding the loading zone changes.
- A final report regarding the loading zone ordinance changes will be made to City Council at its September 2019 meeting.
- Enforcement of the new ordinances began on June 3rd.

INFORMATION

Citizens First -
(434) 856-CITY (2489)

Parking Management -
(434) 455-4045

Public Works Department -
(434) 455-3950

Media Inquiries - Communications and Marketing Department
(434) 455-3800

www.lynchburgva.gov/loadingzones

see map on reverse side

Public Outreach

Citation Notices

LOADING ZONE VIOLATION NOTICE

On June 3rd, the City implemented changes to the loading zone ordinance to create a safer and more efficient flow of traffic downtown.

Today, we noted that your vehicle is in violation of the City's new loading zone ordinance. You may have overlooked the new red and white loading zone signs that were installed between the 800 and 1300 blocks of Main Street.

To encourage better parking habits while loading and unloading, the new ordinance provides 30 minutes to load/unload merchandise. In addition, it is now illegal to park in the travel lane blocking the flow of traffic as we work towards promoting a safer environment for vehicular travel.

If a 7:00 a.m. – 11:00 a.m. loading zone is not available, we have installed **NEW all day** (8:00 a.m. – 5:00 p.m.) loading zones to help with larger deliveries during the day. *Please see reverse side for a complete list of loading zones located within the pilot program.*

Thank you for working with us as we pilot this new loading zone program.

For Questions Call Parking Management:
(434) 455-4045
www.lynchburgva.gov/parking

PILOT PROGRAM LOADING ZONE LOCATIONS

MAIN STREET

- 1306 @ Farmers Seed & Supply Co.
- 13th Street between Commerce and Main Streets
- 1210 Main Street @ White Hart
- 1114 Main Street
- 1031 @ Schewel's Furniture
- 912-902 @ Market at Main
- 907 @ Main Street Eatery
- 829 @ Bowen Jewelry Company

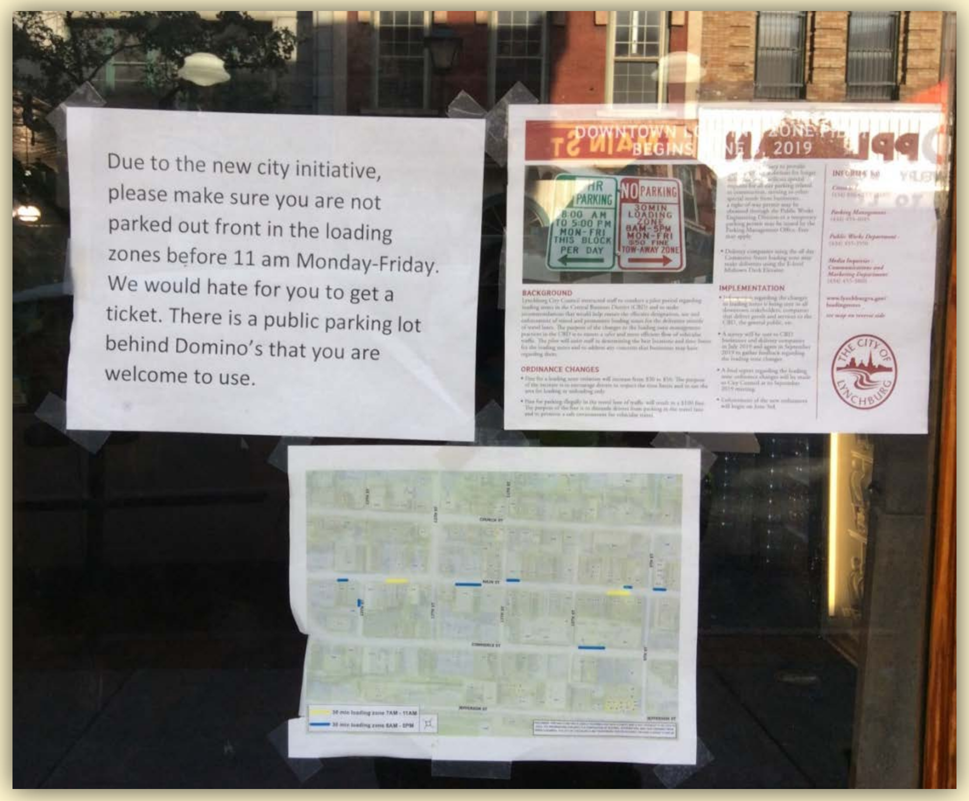
COMMERCE STREET

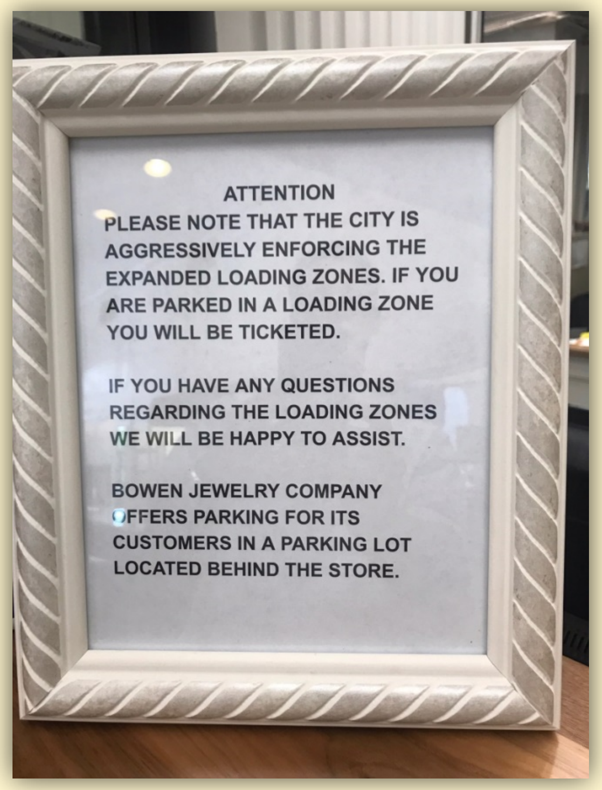
- At parking garage between 9th and 10th Streets

- 30 MINUTE LOADING ZONE: 8:00 a.m. - 5:00 p.m.
- 30 MINUTE LOADING ZONE: 7:00 a.m. - 11:00 a.m.

Public Outreach

Business Involvement: Communication to Customers





Adjustments During Pilot
1000 Block Main Street

- Expanded the all day 30 minute loading zone.
  - Requested by business and delivery companies.
    - Primarily large truck deliveries to businesses
    - (-2) 1 hour parking spaces

Adjustments During Pilot
1200 Block Main Street

- Relocated Loading Zone
  - Mid-block to corner of Main & 13th Streets
    - Businesses requested
    - Old zone difficult for large truck access
    - (+1) 1 hour parking space
  - Sign Change
    - <u>OLD</u>: 30 Minutes 7AM – 11AM then 1 hour after 11am
    - <u>NEW</u>: All Day 30 minutes 8 AM – 5 PM

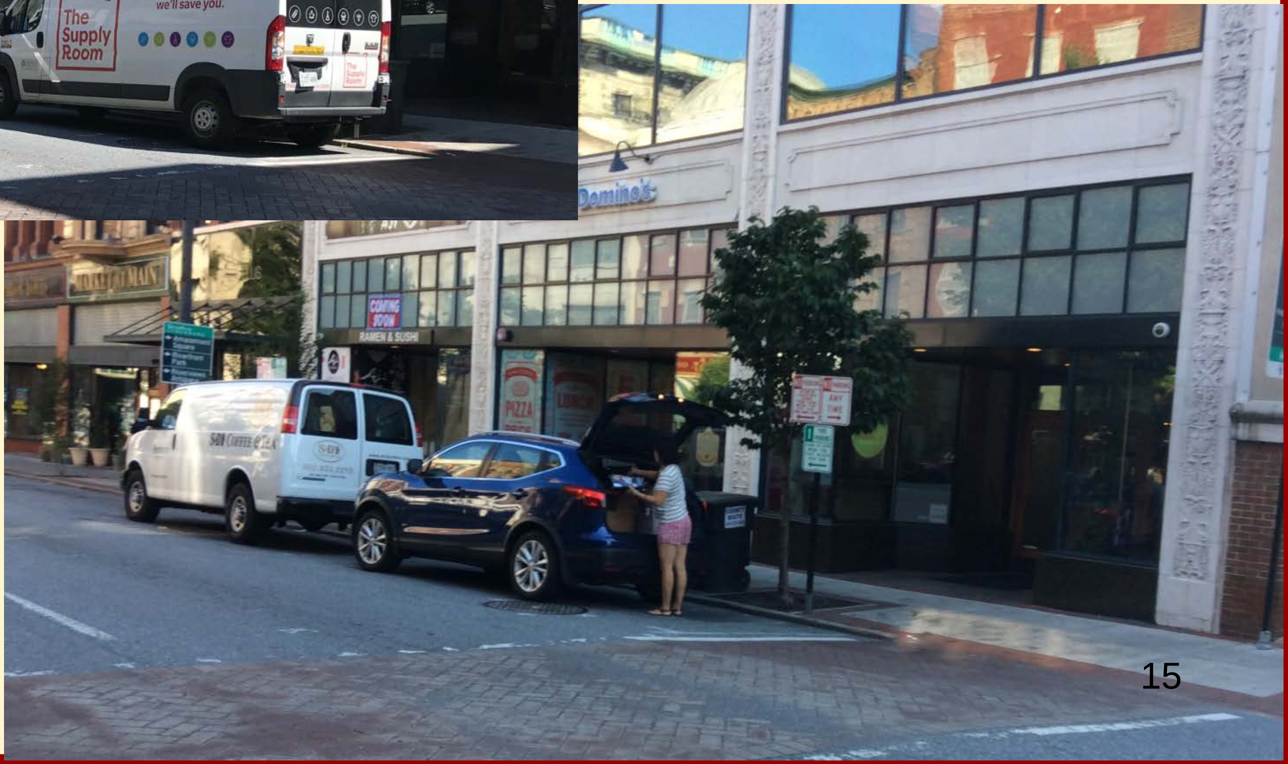
Adjustments During Pilot
13th Street

- Removed Loading Zone
  - No delivery vehicle utilization
  - Reinstalled 2 hour parking

    (+3) 2 hour parking spaces

Examples of Success

Examples of Success



Challenges

- Some delivery trucks still parked in lane of traffic if loading zone unavailable.
- 7 AM – 11 AM signs confusing to the public.
  - Signs have a lot of text, leading public to not read all of the signs thoroughly.
- Majority of delivery trucks arrived after 10 AM.
- 900 block required the most attention to prevent illegal parking in the loading zone.

Examples of Challenges

Examples of Challenges

Survey Results

- Approximately 40 surveys emailed to Main Street businesses, delivery companies
- Two surveys were conducted – one midway through the pilot and one at the end
- Only 9 respondents for the 1st/8 respondents for the second
- Overall 50/50 pro and con

Overall Assessment

- Program is working.
- Deliveries occurring in designated loading zones.
- Traffic and pedestrian travel is safer.
- All Day loading zones work better than morning 7 AM – 11 AM.
  - Signs easier for public to read quickly.
- Businesses and delivery companies aware of loading zone issues.

Overall Assessment

- City staff responded to issues and made necessary adjustments.
- Delivery drivers appreciated new, larger loading zones.
- Enforcement helped educate public on the rules and use of loading zones.

Recommendation

City staff recommends that the ordinance amendments instituted for the loading zone pilot program remain as written in order to continue to maintain a safer and more efficient flow of vehicular traffic.

Next Steps

- City staff will continue to work with businesses owners and delivery companies outside of the pilot area to create effective loading zones throughout downtown.
- Prepare a communication plan regarding the use of loading zones for businesses and the public.
- Install consistent loading zone signage for easy identification.

Closing

Questions?

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **May 14, 2019** AGENDA ITEM #: **4**

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

ITEM TITLE: Loading Zone Ordinance Amendments forthe Central Business District

KEY ELEMENTS:
__Economic Development _X_Excellent Government _X_Natural and Built Environment _X_Safe Community _X_Vibrant Community

RECOMMENDATION: Adopt ordinance amendments in City Code Sections 25-1, 25-249, 25-250, 25-265, and 25-270 impacting Central Business District parking. This will update current language and change the manner of use of loading zones, make it illegal for vehicles to park on one-way streets, and increase the fine amounts for violations related to loading zones and parking on one-way streets.

SUMMARY On April 23, 2019 City Council received a recommendation for loading zone ordinance changes related to a proposed 120 day loading zone pilot program. At that meeting, staff was directed to make revisions to Section 25-250 *Stopping on highways – Generally*. Revised language in Section 25-250 now includes a statement that would allow persons needing to engage in loading and unloading activities to park in a regular on-street parking space when a designated loading zone is occupied.

Upon approval of the City Code amendments, City staff will begin the process of implementing a 120 day loading zone pilot program to determine the effectiveness of the newly designated and timed loading zones on Main and Commerce Streets. The pilot program will be re-evaluated in September of this year. Regardless of any proposals related to downtown policy questions, staff's recommendation for changes to loading zone management in the Central Business District are necessary to ensure a safer and more efficient flow of vehicular traffic and use of designated loading zones.

PRIOR ACTION(S):

November 13, 2018:	City Council adopted Resolution R-18-094
February 26, 2019:	Physical Development Committee reviewed recommended revisions
March 12, 2019:	Physical Development Committee reviewed recommended revisions
April 9, 2019:	Physical Development Committee recommended approved of ordinance amendments
April 23, 2019:	City Council received recommendations

FISCAL IMPACT: Cost for new loading zone sign production and installation estimated at $1,000. Cost for printing new parking tickets books estimated at $2,100. Additional revenue generated from parking fines during pilot program estimated at $ 7,500.

CONTACT(S): Lee Newland, City Engineer, 455-3947
David Malewitz, Parking Manager, 455-4240

ATTACHMENT(S):
1. Proposed Ordinance Amendments Sections 25-1, 25-249, 25-250, 25-265, and 25-270 of the City Code.
2. April 23, 2019 City Council meeting loading zone agenda information

REVIEWED BY: raw

061A

#O-19-028

AN ORDINANCE TO AMEND AND REENACT SECTIONS 25-1, 25-249, 25-250, 25-265, AND 25-270 OF THE CODE OF THE CITY OF LYNCHBURG, 1981, THE AMENDED SECTION RELATING TO LOADING ZONINGS AND PARKING ON ONE-WAY STREETS.

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

1. That Sections 25-1, 25-249, 25-250, 25-265, and 270 of the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted as follows:

Sec. 25-1. - Definitions.

The following words and phrases, when used in this chapter shall, for the purpose of this chapter, have the meanings respectively ascribed to them in this section, except in those instances where the context clearly indicates a different meaning:

Antique motor vehicle. Every motor vehicle which was actually manufactured or designated by the manufacturer as a model manufactured in a calendar year not less than 25 years prior to January first of each calendar year and is owned solely as a collector's item.~~, and is used for participation in club activities, exhibits, tours, parades and similar uses, but in no event used for general transportation, may be classified by the commissioner as an antique motor vehicle.~~

Bicycle. As defined in section 10-1 of this Code.

Business district. The territory contiguous to a highway where 75 percentum or more of the property contiguous to a highway, on either side of the highway, for a distance of 300 feet or more along the highway is occupied by land and buildings actually in use and operation for business purposes.

Central Business District The area of downtown from Fifth Street to the Rt. 29 *Business* Expressway and from Clay Street to the riverfront

Chauffeur. Every person employed for the principal purpose of operating a motor vehicle and every person who drives a motor vehicle while in use as a public or common carrier of persons or property.

Commission. The state corporation commission.

Commissioner. The commissioner of the division of motor vehicles of this state.

Crosswalk.

(a) That portion of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway.

(b) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

Dealer. Every person engaged in the business of buying, selling or exchanging motor vehicles, trailers and semitrailers in this city and who has an established place of business for such purpose in this city at which place of business the books and records of such dealer are kept and at which a substantial part of the business of such dealer is conducted.

Division. The division of motor vehicles of this state.

Essential parts. All integral parts and body parts, the removal, alteration or substitution of which will tend to conceal the identity of a vehicle.

Farm tractor. Every motor vehicle designed and used as a farm, agricultural or horticultural implement for drawing plows, mowing machines and other farm, agricultural or horticultural machinery and implements including self-propelled mowers designed and used for mowing lawns.

Highway. The entire width between the boundary lines of every way or place of whatsoever nature open to the use of the public for purposes of vehicular travel in this city, including the streets, alleys and publicly maintained parking lots in the city.

Intersection.

(a) The area embraced within the prolongation or connection of the lateral curblines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(b) Where a highway includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection.

Metal tires. All tires the surface of which in contact with the highway is wholly or partly of metal or other hard, nonresilient material.

Motorcycle. Every motor vehicle designed to travel on not more than three wheels in contact with the ground and any four wheeled vehicle weighing less than 500 pounds and equipped with an engine of less than six horsepower, except any such vehicle as may be included within the term "farm tractor," as defined in this section.

Motor vehicle. Every vehicle as herein defined which is self-propelled or designed for self-propulsion except as otherwise provided in Title 46.2 of the Code of Virginia. ~~that the definition contained in section 46.1-389(d) of the Code of Virginia shall apply for the purposes of section 46.1-388 et seq. of state law~~. Any structure designed, used or maintained primarily to be loaded on or affixed to a motor vehicle to provide a mobile dwelling, sleeping place, office or commercial space shall be considered a part of a motor vehicle. For the purposes of this chapter, any device herein defined as a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped shall be deemed not to be a motor vehicle.

Nonresident. Every person who is not domiciled in this state, except:

(a) Any foreign corporation which is authorized to do business in this state by the state corporation commission shall be deemed a resident of this state for the purposes of this chapter; provided, however, that in the case of corporations incorporated in this state but doing business without the state, only such principal place of business or branches located within this state shall be dealt with as residents of this state.

(b) A person who becomes engaged in a gainful occupation in this state for a period exceeding 60 days shall be deemed a resident for the purposes of this chapter.

(c) A person, other than ~~a nonresident student, who has actually resided in this state for a period of six months, whether employed or not, or who has registered a motor vehicle, listing an address within this state in the application for registration, shall be deemed a resident for the purposes of this chapter~~ (a) a nonresident student as defined in Title 46.2 of the Code of Virginia or (b) a person who is serving a full-time church service or proselyting mission of not more than 36 months and who is not gainfully employed, who has actually resided in the state for a period of six months, whether employed or not, or who has registered a motor vehicle, listing an address in the state in the application for registration, shall be deemed a resident for the purposes of this chapter, except for the purposes of the Virginia Commercial Driver's License Act.

Operator. Every person who drives or is in actual physical control of a motor vehicle upon a highway or who is exercising control over or steering a vehicle being towed by a motor vehicle.

Owner. A person who holds the legal title of a vehicle or, in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this chapter, except that in all such instances when the rent paid by the lessee includes charges for services of any nature or when the lease does not provide that title shall pass to the lessee upon payment of the rent stipulated, the lessor shall be regarded as the owner of such vehicle and the vehicle shall be subject to such requirements of this chapter as are applicable to vehicles operated for compensation; provided, however, that a "truck lessor" shall be regarded as the owner, and his vehicles shall be subject to such requirements of this chapter as are applicable to vehicles of private carriers.

Peace or police officer. Every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

Person. Every natural person, firm, partnership, association or corporation.

Pneumatic tires. All tires inflated with compressed air.

Private road or driveway. Every way in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

Reconstructed vehicle. Every vehicle of a type required to be registered hereunder materially altered from its original construction by the removal, addition or substitution of essential parts new or used.

Residential district. The territory contiguous to a highway, not comprising a business district, where 75 percent ~~percentum~~ or more of the property contiguous to such highway, on either side of the highway, for a distance of 300 feet or more along the highway consists of land improved for dwelling purposes, or is occupied by dwellings, ~~and land improved for dwelling purposes, or by dwellings, land improved for dwelling purposes and land~~ or consists of land or buildings in use for business purposes, or consists of territory zoned residential or territory in residential subdivisions created under Section 15.2-2200 *et seq.* of the Code of Virginia.

_*Road tractor.* Every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon independently or any part of the weight of a vehicle or load so drawn.

Roadway. That portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the shoulder. A highway may include two or more roadways if divided by a physical barrier or unpaved area.

Safety zone. The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by plainly visible ~~adequate~~ signs ~~as to be plainly visible at all times while set apart as a safety zone~~.

Semitrailer. Every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle.

Shoulder. That part of a highway between the portion regularly traveled by vehicular traffic and the lateral curbline or ditch.

Solid rubber tire. Every tire made of rubber other than a pneumatic tire.

Specially constructed vehicle. Any vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a generally recognized manufacturer of vehicles and not a reconstructed vehicle.

Superintendent. The superintendent of the department of state police of this state.

Tractor truck. Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the load and weight of the vehicle attached thereto.

Traffic lane or *lane.* That portion of a roadway designed or designated to accommodate the forward movement of a single line of vehicles.

Trailer. Every vehicle without motive power designed for carrying property or passengers wholly on its own structure and for being drawn by a motor vehicle.

Vehicle. Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except electric personal delivery devices and devices moved by human power or used exclusively upon stationary rails or tracks. ~~and except any vehicle as may be included within the term "bicycle."~~ For the purposes of this chapter, bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, and mopeds shall be vehicles while operated on a highway.

For the definition of other terms that are used in this chapter, see Section 46.2-100 of the Code of Virginia, 1950, as amended.

Sec. 25-249. - Penalty for violation of division.

Unless otherwise provided, any person violating the provisions of this division ~~relating to overtime parking shall be punished by a fine of $20.00 for each offense; and any person violating the provisions of this division relating to parking in prohibited areas and loading zones shall be punished by a fine of $30.00 for each offense.~~ shall be punished as follows.

(a) Any person violating the provisions of this division relating to overtime parking shall be punished by a fine of $20.00 for each offense.

(b) Any person violating the provisions of this division relating to parking in prohibited areas and loading zones shall be punished by a fine of $30.00 for each offense.

(c) Any person violating the provisions of Section 25-250 relating to Stopping on the highways – Generally outside of the Central Business District shall be punished by a fine of $30.00 for each offense.

(d) Any person violating the provisions of this division relating to parking in loading zones in the Central Business District shall be punished by a fine of $50.00 for each offense.

(e) Any person violating the provisions of Section 25-250 relating to Stopping on the highways – Generally in the Central Business District shall be punished by a fine of $100.00 for each offense.

Sec. 25-250. - Stopping on highways—Generally.

(a) No vehicle shall be stopped in such a manner as to impede or render dangerous the use of the street, alleyway or highway by others, except in the case of an emergency as the result of an accident or mechanical breakdown, in which case the emergency flashing lights of such vehicle shall be turned on if the vehicle is equipped with such lights and such lights are operating, and a report shall be made to the nearest police officer as soon as practicable and the vehicle shall be removed from the roadway to the shoulder as soon as possible and removed from the shoulder without unnecessary delay; and if such vehicle is not promptly removed, such removal may also be ordered by a police officer at the expense of the owner if the disabled vehicle creates a traffic hazard.

(b) Except upon one-way streets not located within the Central Business District boundaries, and when actually loading or unloading merchandise as provided in section 25-259, no vehicle shall be stopped except close to and parallel to the right-hand edge of the curb, close to and parallel to the left-hand edge of curb, or close to and parallel to the edge of the roadway on one-way streets. In no instance shall such vehicle be parked with the near wheels further than six inches from the curb.

(c) Within the Central Business District, no vehicle shall be stopped in any portion of the roadway for the purposes of loading or unloading merchandise, except for in the designated loading zones or by issuance of a right-of way permit as provided in section 35-12; however, if a designated loading zone is not available, a vehicle may park in a designated parking space for the purpose of loading or unloading merchandise while complying with posted time limits.

(d~~e~~) No vehicle shall be stopped at or in the vicinity of a fire, vehicle or airplane accident or other area of emergency, in such a manner as to create a traffic hazard or interfere with the necessary procedures of police officers, fire fighters, rescue workers or others whose duty it is to deal with such emergencies. Any vehicle found unlawfully parked in the vicinity of such fire, accident or area of emergency may be removed by order of a police officer or in the absence of a police officer, by order of the uniformed fire or rescue officer in charge at the risk and expense, ~~not to exceed $25.00~~, of the owner of the vehicle if such vehicle creates a traffic hazard or interferes with the necessary procedures of police officers, fire fighters, rescue workers or others whose assigned duty is to deal with such emergencies. Vehicles being used by accredited information services, such as press, radio and television, when being used for the gathering of news, shall be exempt from the provisions of this section, except when actually obstructing the police officers, fire fighters and rescue workers dealing with such emergencies.

(e~~d~~) The provisions of this section shall not apply to any vehicle owned or controlled by the Commonwealth of Virginia Department of Highways and Transportation, or the city, while actually engaged in the construction, reconstruction or maintenance of highways.

Sec. 25-265. - Manner of using loading zones.

Where a loading and unloading zone has been set apart by the city manager or his designee in accordance with applicable provisions of this chapter, the following regulations shall apply with respect to the use of such areas so as not to unduly interfere with the use of public streets:

(a) No person shall stop, stand or park a vehicle for ~~any purpose or length of time, other than for the expeditious unloading and delivery or pickup and loading of materials, in any place marked as a curb loading zone during hours when the provisions applicable to such zones are in effect.~~more than thirty (30) minutes for the purposes of actively unloading and loading of materials or passengers in any place marked as a loading zone during when the provisions applicable to such zones are in effect as stated on appropriate signage.

(b) ~~The driver of a passenger vehicle may stop temporarily in a space marked as a curb loading zone for the purpose of, and while actually engaged in, loading or unloading passengers or bundles.~~ If a person requires parking accommodations for the purposes of unloading and delivery or pickup and loading materials that will exceed the thirty (30) minute time length, then such person shall obtain a Temporary Parking Permit for the Central Business District as described in Section 25-270 of the City Code.

Sec. 25-270. - ~~Construction parking permits~~Temporary Parking Permits in the Central Business District.

~~Construction parking permits are issued by the inspections division of the community development department. Permits will be issued to vehicle owners who are actively engaged in the construction project (plumbing/electrical contractors, etc.). Construction parking permits shall only be issued for vehicles that are used to transport equipment, tools and supplies used by the owner at the work site.~~ Temporary parking permits are issued by the City Manager's designee for the use of on-street or off-street parking spaces for persons who are engaged in activities that require short-term parking accommodations within a reasonable proximity to a worksite, business, event, or residence for special need occasions.

2. That this ordinance shall become effective upon its adoption.

Adopted: May 14, 2019

Certified: ______________________

Clerk of Council

DOWNTOWN LOADING ZONE PILOT BEGINS JUNE 3, 2019

BACKGROUND

Lynchburg City Council instructed staff to conduct a pilot period regarding loading zones in the Central Business District (CBD) and to make recommendations that would help ensure the effective designation, use and enforcement of timed and permanent loading zones for the deliveries outside of travel lanes. The purpose of the changes to the loading zone management practices in the CBD is to ensure a safer and more efficient flow of vehicular traffic. The pilot will assist staff in determining the best locations and time limits for the loading zones and to address any concerns that businesses may have regarding them.

ORDINANCE CHANGES

- Fine for a loading zone violation will increase from $30 to $50. The purpose of the increase is to encourage drivers to respect the time limits and to use the area for loading or unloading only.
- Fine for parking illegally in the travel lane of traffic will result in a $100 fine. The purpose of the fine is to dissuade drivers from parking in the travel lane and to promote a safe environment for vehicular travel.
- When it is necessary to provide parking accommodations for longer deliveries or to facilitate special requests for all day parking related to construction, moving or other special needs from businesses, a right-of-way permit may be obtained through the Public Works Engineering Division or a temporary parking permit may be issued by the Parking Management Office. Fees may apply.
- Delivery companies using the all day Commerce Street loading zone may make deliveries using the E-level Midtown Deck Elevator.

IMPLEMENTATION

- Information regarding the changes to loading zones is being sent to all downtown stakeholders, companies that deliver goods and services to the CBD, the general public, etc.
- A survey will be sent to CBD businesses and delivery companies in July 2019 and again in September 2019 to gather feedback regarding the loading zone changes.
- A final report regarding the loading zone ordinance changes will be made to City Council at its September 2019 meeting.
- Enforcement of the new ordinances will begin on June 3rd.

INFORMATION

Citizens First -
(434) 856-CITY (2489)

Parking Management -
(434) 455-4045

Public Works Department -
(434) 455-3950

Media Inquiries - Communications and Marketing Department
(434) 455-3800

www.lynchburgva.gov/loadingzones

see map on reverse side

THE CITY OF LYNCHBURG


CHURCH ST
MAIN ST
COMMERCE ST
JEFFERSON ST
13TH ST
12TH ST
11TH ST
10TH ST
9TH ST
30 min loading zone 7AM - 11AM
30 min loading zone 8AM - 5PM
DISCLAIMER: THIS MAP 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. THE CITY OF LYNCHBURG IS NOT RESPONSIBLE FOR ITS ACCURACY OR HOW CURRENT IT MAY BE.

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **October 22, 2019** AGENDA ITEM #: **2**

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

ITEM TITLE: Finance Plan for Capital Improvement Plan

KEY ELEMENTS:
___Economic Development _X_Excellent Government ___Natural and Built Environment ___Safe Community ___Vibrant Community

RECOMMENDATION: Hear a presentation by Davenport & Company, LLC representatives.

SUMMARY: Davenport & Company LLC (Davenport), as the City's Financial Advisor, has been monitoring the credit markets for interest rate trends and has been working with City staff to develop a recommended Plan of Finance for the City's ongoing capital improvement program needs.

PRIOR ACTION(S): May 14, 2019 Adoption of the FY 2020 – 2024 Capital Improvement Program

FISCAL IMPACT: Potential Interest Savings (to be determined)

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

ATTACHMENT(S):
Finance Plan for Capital Improvement Program Plan PowerPoint

REVIEWED BY: bms

137R

Davenport & Company

City of Lynchburg, Virginia

Capital Needs Plan of Finance

October 22, 2019

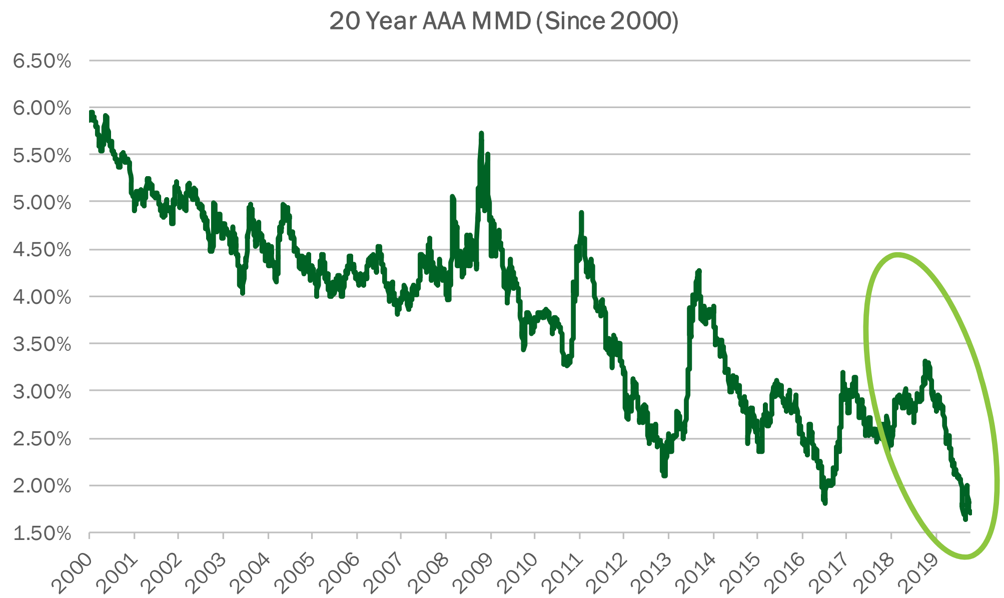
Background

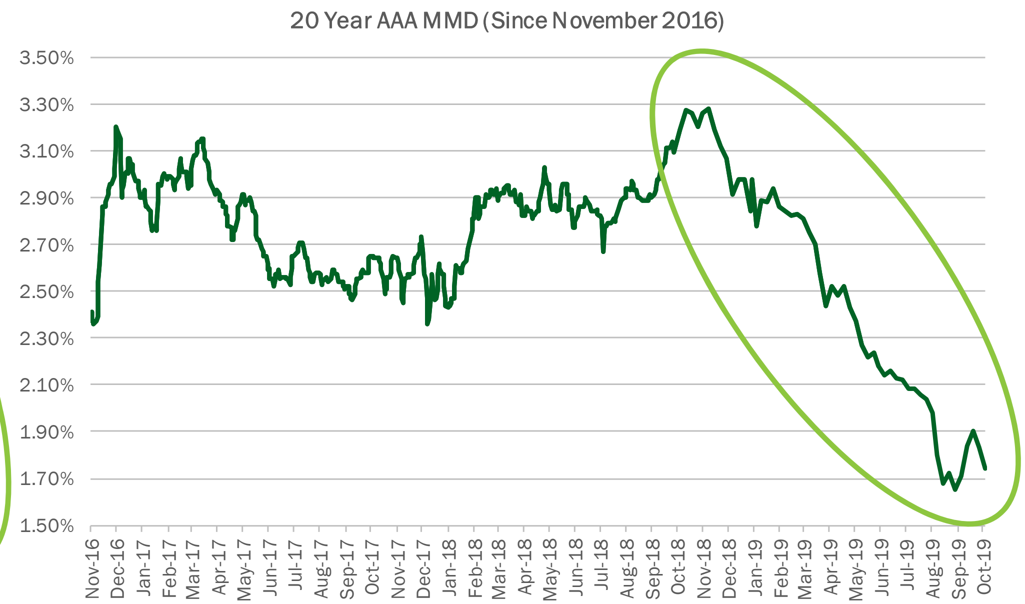
- Davenport & Company LLC ("Davenport"), in our capacity as Financial Advisor to the City of Lynchburg (the "City"), has been monitoring the credit markets for interest rate trends and has been working with City staff to develop a recommended Plan of Finance for the City's ongoing capital needs.

- The City's Capital Improvement Plan contemplates approximately $125.8 Million of General Fund and School related bond financing from Fiscal Years 2020-2025. Additionally, the City is considering funding the $26 Million Lakeside Drive Bridge at College Lake project in Fiscal Year 2020. The timing/rationale and recommended approach for obtaining this financing is described in detail in this presentation.

- Working with City staff, Davenport and the City instituted a "Just-In-Time" funding approach for its capital needs. This contemplates a 2-Year renewing Line of Credit. The rationale for this approach is as follows:
  1. Allows the City to borrow for funds exactly when they are needed which minimizes interest costs;
  2. Reduces the pressure on Key Debt Ratios (i.e. Debt Service vs. Expenditures and Debt vs. Full Value); and,
  3. Less budgetary (i.e. cash flow) pressure on the General Fund.

Interest Rate Trends





20 year AAA interest rates as compiled by Municipal Market Data (MMD) are shown in the charts above. Long term interest rates are near historic lows.

Source: Thomson Reuters MMD Publication.

Proposed Plan of Finance/Rationale

- In June 2018, the City entered into a roughly 2 Year Line of Credit with Bank of America. This initial Line of Credit will expire in June 2020. ***Given the success of this funding strategy, Davenport recommends that the City plan to enter into a new Line of Credit in Spring 2020 for future General Fund and School capital needs in anticipation of July 2020 (i.e. the 2021 Fiscal Year).***
  - Note: Current draws on the 2018 Line of Credit total approximately $2 Million.

- In addition to its General Fund and School capital needs, the City is also seeking/recommending it secure financing for the Lakeside Drive Bridge at College Lake project at this time. This is anticipated to cost approximately ***$26 million***.

- The rationale for the above is as follows: Interest rates are at/near historic lows. Taking into account the relative certainty of the costs as well as the current interest rate environment, Davenport recommends that the City permanently finance the Lakeside Drive Bridge at College Lake project immediately concurrently with a take out of its Line of Credit and certain other identified 2020 capital needs.
  - Note: Initially, Davenport had estimated a 4.50% interest rate for the City's New Money borrowings. Based upon current market conditions, the City could expect results closer to 2.50%.

Summary of 2019 Financing

- In summary, Davenport recommends that the City's Plan of Finance consider a 2019 Borrowing to include amounts for the following purposes totaling approximately $44 Million:

  1. $18 Million to permanently finance the current balance on the 2018 Line of Credit and fund the remaining amount of Fiscal Year 2020 General Fund/Schools CIP Projects; and,

  2. $26 Million to permanently finance the Lakeside Drive Bridge at College Lake project.

- Detailed cost estimates for the projects financed as part of both the 2019 Financing as well as the future Lines of Credit are provided in the table on the following page.

- In this presentation, Davenport will outline the impact of both the 2019 Financing as well as the City's other expected financings over the next five years on the City's Key Debt Ratios and cash flows.

Timing of Financings

	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022	Fiscal Year 2023	Fiscal Year 2024	Fiscal Year 2025+(2)
General & Schools CIP Projects(3)	$18,000,000(1)	$18,177,826	$19,829,130	$19,481,087	$30,108,478	$20,250,000
Lakeside Drive Bridge	$26,000,000	(10,000,000)	(13,000,000)	(3,000,000)	$0	$0
Total	$44,000,000	$8,177,826	$6,829,130	$16,481,087	$30,108,478	$20,250,000
Line of Credit Financing		$8,177,826	$6,829,130	$16,481,087	$30,108,478	$20,250,000
Perm. Financing	$44,000,000			$31,488,043	Permanent Financing to Occur in Fiscal Year 2026	

Note: (1) Includes $15.6 million of 2020 CIP Projects plus $2.4 million currently drawn under the 2018 Line of Credit.
(2) For purposes of this analysis, Davenport assumed that the remaining $20 million would be drawn in Fiscal Year 2025.
(3) Does not include Water & Sewer related financing needs. The City may require an additional permanent financing for utility draws on the 2018 Line of Credit.

Summary of Key Assumptions

- Davenport's analysis presented herein incorporates the following Key Assumptions:

	Lakeside Drive Bridge at College Lake and 2018 Line of Credit Take Out	2021 Line of Credit Take Out (2023 Permanent Financing)	2024 Line of Credit Take Out (2026 Permanent Financing)
Borrowing Amount	$44,000,000	$31,488,043	$50,358,478
Term	22 Years	20 Years	20 Years
Planning Rate Used	2.50%	4.50%	4.50%
Interest Only	4 Years	4 Years	1 Year
Structured Principal	Years 5-7	N/A	Years 2-3
Level Debt Service	Remaining 15 Years	Remaining 16 Years	Remaining 17 Years

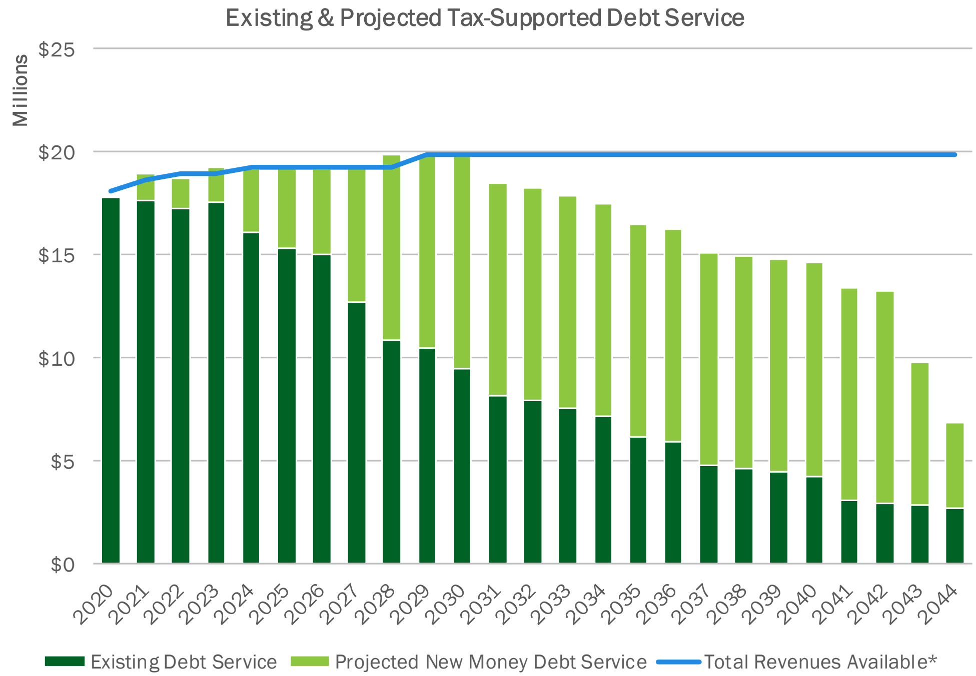
Recommended Approach (Year by Year Debt Service)

	Existing Tax Supported Debt			Aggregate New Money Borrowings (2019 - 2026)			Total Existing and Potential Debt		
FY	Principal	Interest	Total Debt Service	Principal	Interest	Total Debt Service	Principal	Interest	Total Debt Service
2020	$10,928,056	$6,884,518	$17,812,574	$0	$0	$0	$10,928,056	$6,884,518	$17,812,574
2021	11,219,004	6,462,824	17,681,828	0	1,306,754	1,306,754	11,219,004	7,769,578	18,988,582
2022	11,285,959	6,011,146	17,297,105	0	1,401,685	1,401,685	11,285,959	7,412,831	18,698,789
2023	12,083,807	5,524,068	17,607,875	0	1,693,062	1,693,062	12,083,807	7,217,130	19,300,937
2024	11,104,577	5,011,034	16,115,611	0	3,043,356	3,043,356	11,104,577	8,054,390	19,158,967
2025	10,851,552	4,521,333	15,372,885	370,000	3,548,587	3,918,587	11,221,552	8,069,920	19,291,472
2026	10,982,590	4,032,013	15,014,603	380,000	3,792,337	4,172,337	11,362,590	7,824,350	19,186,940
2027	9,191,359	3,546,596	12,737,955	1,570,000	4,988,669	6,558,669	10,761,359	8,535,265	19,296,623
2028	7,663,547	3,190,006	10,853,553	4,295,000	4,705,113	9,000,113	11,958,547	7,895,118	19,853,666
2029	7,618,007	2,891,978	10,509,985	4,800,000	4,547,975	9,347,975	12,418,007	7,439,953	19,857,960
2030	6,865,937	2,612,027	9,477,964	5,965,000	4,354,463	10,319,463	12,830,937	6,966,489	19,797,426
2031	5,848,842	2,345,591	8,194,433	6,195,000	4,130,813	10,325,813	12,043,842	6,476,404	18,520,246
2032	5,869,985	2,100,165	7,970,150	6,420,000	3,898,175	10,318,175	12,289,985	5,998,340	18,288,325
2033	5,685,255	1,865,313	7,550,568	6,670,000	3,656,150	10,326,150	12,355,255	5,521,463	17,876,718
2034	5,565,948	1,638,453	7,204,401	6,915,000	3,404,338	10,319,338	12,480,948	5,042,791	17,523,739
2035	4,734,897	1,418,497	6,153,393	7,180,000	3,142,400	10,322,400	11,914,897	4,560,897	16,475,793
2036	4,753,060	1,228,909	5,981,969	7,450,000	2,869,825	10,319,825	12,203,060	4,098,734	16,301,794
2037	3,773,615	1,038,763	4,812,378	7,730,000	2,586,275	10,316,275	11,503,615	3,625,038	15,128,653
2038	3,765,149	878,027	4,643,176	8,030,000	2,291,125	10,321,125	11,795,149	3,169,152	14,964,301
2039	3,755,177	717,561	4,472,738	8,340,000	1,983,800	10,323,800	12,095,177	2,701,361	14,796,538
2040	3,747,736	557,350	4,305,086	8,655,000	1,663,963	10,318,963	12,402,736	2,221,313	14,624,049
2041	2,655,000	424,200	3,079,200	8,990,000	1,331,050	10,321,050	11,645,000	1,755,250	13,400,250
2042	2,650,000	318,000	2,968,000	9,340,000	984,375	10,324,375	11,990,000	1,302,375	13,292,375
2043	2,650,000	212,000	2,862,000	6,285,000	666,113	6,951,113	8,935,000	878,113	9,813,113
2044	2,650,000	106,000	2,756,000	3,715,000	441,113	4,156,113	6,365,000	547,113	6,912,113
2045	0	0	0	3,885,000	270,113	4,155,113	3,885,000	270,113	4,155,113
2046	0	0	0	4,060,000	91,350	4,151,350	4,060,000	91,350	4,151,350
Total	$167,899,059	$65,536,371	$233,435,430	$127,240,000	$66,792,975	$194,032,975	$295,139,059	$132,329,346	$427,468,405

Estimated Case Cash Flow Impact

Year	Existing Debt Service	Projected New Money Debt Service	Total Estimated Debt Service	Total Revenues Available*	Additional Revenues Needed
2020	$17,812,574	$0	$17,812,574	18,111,342	
2021	17,681,828	1,306,754	18,988,582	18,631,342	357,240
2022	17,297,105	1,401,685	18,698,789	18,988,582	
2023	17,607,875	1,693,062	19,300,937	18,988,582	312,355
2024	16,115,611	3,043,356	19,158,967	19,300,937	
2025	15,372,885	3,918,587	19,291,472	19,300,937	
2026	15,014,603	4,172,337	19,186,940	19,300,937	
2027	12,737,955	6,558,669	19,296,623	19,300,937	
2028	10,853,553	9,000,113	19,853,666	19,300,937	552,729
2029	10,509,985	9,347,975	19,857,960	19,853,666	4,294
2030	9,477,964	10,319,463	19,797,426	19,857,960	
2031	8,194,433	10,325,813	18,520,246	19,857,960	
2032	7,970,150	10,318,175	18,288,325	19,857,960	
2033	7,550,568	10,326,150	17,876,718	19,857,960	
2034	7,204,401	10,319,338	17,523,739	19,857,960	
2035	6,153,393	10,322,400	16,475,793	19,857,960	
2036	5,981,969	10,319,825	16,301,794	19,857,960	
2037	4,812,378	10,316,275	15,128,653	19,857,960	
2038	4,643,176	10,321,125	14,964,301	19,857,960	
2039	4,472,738	10,323,800	14,796,538	19,857,960	
2040	4,305,086	10,318,963	14,624,049	19,857,960	
2041	3,079,200	10,321,050	13,400,250	19,857,960	
2042	2,968,000	10,324,375	13,292,375	19,857,960	
2043	2,862,000	6,951,113	9,813,113	19,857,960	
2044	2,756,000	4,156,113	6,912,113	19,857,960	
2045	0	4,155,113	4,155,113	19,857,960	
2046	0	4,151,350	4,151,350	19,857,960	
Total	$233,435,430	$194,032,975	$427,468,405		

Incorporates Interest earnings from the Lakeside Drive Bridge at College Lake Borrowing.

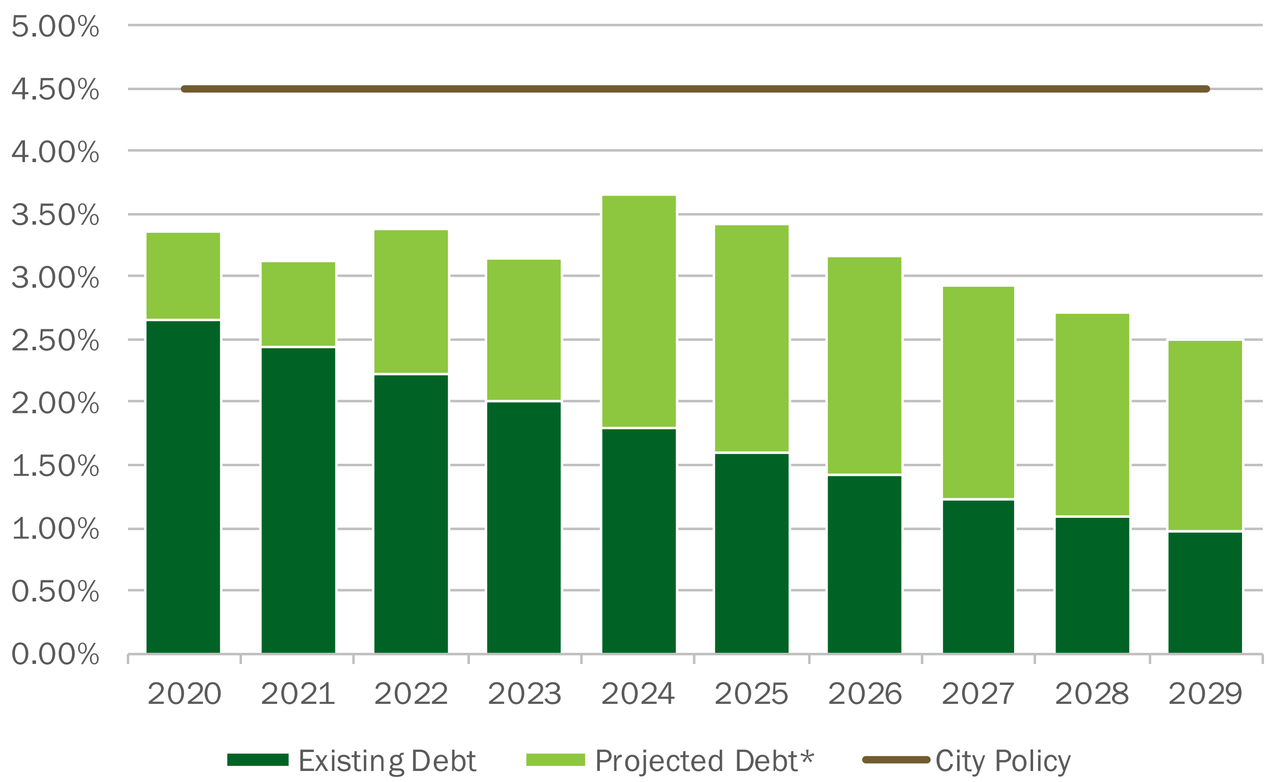


Under the old strategy of pursuing upfront permanent financing for all projects, the City would need to come up with several additional millions of dollars for its debt service budget. Under the Line of Credit approach, the City is estimated to need approximately $1.2 million.

*Initial Total Revenues available is estimated based on 2020 Budget.

Effect on Debt as a Percentage of Assessed Value

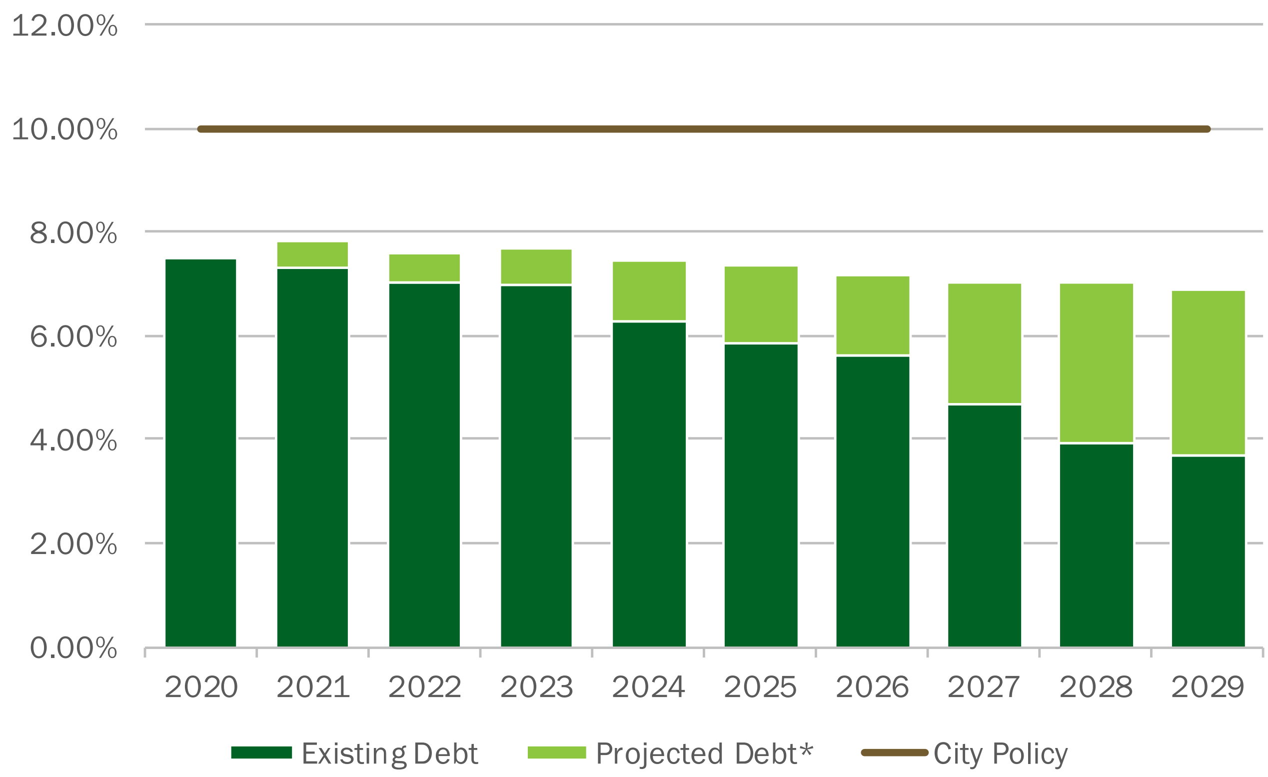
The City's Debt Service to Assessed Valuation is currently projected to remain well below the City's policy of 4.50%.



*Note: Projected Debt includes all future borrowings contemplated in the Plan of Finance including the future Lines of Credit and associated take outs.
Note: Assessed Values are assumed to grow 2.0% annually beginning in Fiscal Year 2020.

Effect on Debt Service as a Percentage of Expenditures

The City's Debt Service to Expenditures Ratio is projected to be below the City's Policy of 10%.



*Note: Projected Debt includes all future borrowings contemplated in the Plan of Finance including the future Lines of Credit and associated take outs.
Note: Expenditures are assumed to grow 2.0% annually beginning in Fiscal Year 2020.

Timetable

Date	Action
October 22, 2019 ✓	<u>City Council Meeting:</u> Davenport presents Plan of Finance to City Council and recommended funding approach.
Balance of October – November	▪ Develop financing documents and Credit Package. ▪ Schedule interaction with Fitch, Moody's and Standard & Poor's.
December 10	<u>City Council Meeting:</u> Public Hearing held on the 2019 Bonds and City Council Considers adopting Bond Resolution.
Week of December 16(1)	City interacts with Credit Rating Agencies in anticipation of Bond Sale.
On or about January 8	Post Preliminary Official Statement.
On or about January 15	Sale/Pricing of Series 2019 Bonds.
On or about January 29	Close on Series 2019 Bonds.

(1) Subject to change/confirmation with all parties.

Richmond — Headquarters

One James Center
901 East Cary Street,
Suite 1100,
Richmond, Virginia 23219

Telephone:
(804) 780-2000

Toll-Free:
(800) 846-6666

E-Mail:
info@investdavenport.com

David Rose
Manager of Public Finance
Senior Vice President
(804) 697-2905
drose@investdavenport.com

Courtney E. Rogers
Senior Vice President
(804) 697-2902
crogers@investdavenport.com

Alex Hock
Associate Vice President
(804) 915-2748
ahock@investdavenport.com

Doug Gebhardt
Vice President
804-698-2651
dgebhardt@investdavenport.com

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LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **October 22, 2019** AGENDA ITEM #: **3**

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

ITEM TITLE: Fund Balance Policy Presentation

KEY ELEMENTS:
___Economic Development _X_Excellent Government ___Natural and Built Environment ___Safe Community ___Vibrant Community

RECOMMENDATION: Hear a presentation by Davenport & Company, LLC representatives regarding the City's Fund Balance Policy and consider changes at a later date.

SUMMARY: During the FY 2020 budget discussions, City Council requested information regarding the City's Fund Balance Policy. Davenport & Company LLC (Davenport), as the City's Financial Advisor, works with the rating agency analysts to make recommendations concerning the City's Financial Policies.

PRIOR ACTION(S): March 27, 2018 Reaffirmed Fund Balance Policy

FISCAL IMPACT: Potential increase in Unassigned Fund Balance

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

ATTACHMENT(S):
Fund Balance Policy Presentation

REVIEWED BY: bms

138R

October 8, 2019

AGENDA ITEM #: 5

October 8, 2019 City Council Work Session:

Members Present: Mayor Treney Tweedy, Vice Mayor Mary Jane Dolan, Councilmember Beau Wright. Councilmember Sterling Wilder, Councilmember Jeff Helgeson, Councilmember Turner Perrow, Councilmember Randy Nelson, Deputy City Manager Reid Wodicka, Assistant City Manager John Hughes, Airport Commissioner Massie Ware, Airport Commissioner Debra Allen, Airport Commissioner Robert Day, Airport Commissioner Bert Dodson, Airport Director Mark Courtney, Airport Commissioner Jones Stanley, and members of the public. The meeting began at 4:00 p.m.

Agenda Item #1: Joint Meeting of City Council and the Lynchburg Regional Airport Commission to Discuss the Formation of an Independent Airport Authority

Mayor Tweedy explained that the purpose of the joint meeting is to discuss the formation of an independent Airport Authority. Ms. Svrcek noted that the Airport Commission has done a lot of research over the past several months. The airport consultant they hired, Steve Baldwin Associates, is present to make a presentation. Mr. Courtney indicated that Steve specializes in organizational management services for airports and is considered a national expert on airport governance and performance benchmarking.

Mr. Baldwin explained that he has been involved with airport management for 38 years. What his firm does best is helping airport boards and their leadership work on policy matters, governance models, performance benchmarking, efficiency and effectiveness. They have been working with airport management and the airport commission for about six months to assess the feasibility and the benefit of moving the airport governance model from a voluntary commission to a fully autonomous Airport Authority. He said that normally they come in and start from scratch with a very educational process but in this case, City and airport staff had already done a lot of excellent work.

Mr. Baldwin said this seems somewhat mundane to the average person but it is important because of the enormous economic impact the airport provides to the regional economy. The Lynchburg Airport generates $180 million a year in regional economic impact. It is important that the airport is run to its maximum efficiency and to the benefit of the larger regional area that it serves. It supports 1,700 plus jobs, $61 million in wages and $3.2 million in tax revenue from the airport jobs.

The airport has a history of being a subsidy operation, not completely uncommon for an airport of its size. That was broken away from in 2016 and the airport has a trajectory of being profitable from that point. The City has paid about $8 million in subsidy to keep the airport operating but in return has received $180 million in economic impact to the community. The airport has been successful in getting $56 million in capital improvement grant money from the state and federal governments.

Mr. Baldwin said there is probably not a better time in the airport's history to be looking at the governance model. Sometimes it is not feasible to become an airport authority because the airport is running so well with its current model. Mr. Baldwin commented that this has been a conflict that has been in discussion here for almost twenty years. There have been downturns in the service at the airport. The airport is down to American Airlines feeding into Charlotte airport and his firm thinks that is a little bit risky and they need to strive hard to get a second carrier. His firm believes an authority model will help them reach that goal. There is also enabling legislation that was created in 2010 that allows communities to opt into an authority governance model relatively easily. Outside of Virginia there have been other airports that have seen merit to move to an authority and they range in size and geography.

They found that the model set up in Lynchburg is a legacy model. It is not unusual; there are many airports in the country that still have this model but it is being identified in the industry as a dated model. No airport is moving to this model; every airport is moving away from this model. The airport authority model started by Mr. Courtney is a very valid proposal because it provides the single business focus that the airport needs to keeps its momentum going and to protect its future. It will allow it to make decisions in a business format that will other airlines and other businesses to do business with it. An authority is more streamlined and more businesslike and it is shielded from politics.

The consultant believes the airport has land opportunities and opportunities for bringing in maintenance operations. There are opportunities to bring in more fixed-based operators as well. That diversification in air service is really important and can be better handled through an authority model. Setting up an authority properly so that it is wholly self-funded and self-sustaining will help to protect the revenue stream. The airport pays a fair amount of money for City services that it does not really use and that are just a function of the City governance model. It will save the airport approximately $100,000 a year and that money can be invested into air service development to attract another carrier.

Mr. Baldwin said the current decision making processes are kind of strung out and back loop into each other. That process needs to be streamlined. The way the system is structured is that a decision has to go to the commission, then to City Council and then back to the commission. Councilmember Helgeson said he thought that could be solved by not requiring a decision to go back to the commission.
Mr. Baldwin said they can discuss the alternatives at the end of the presentation.

Mr. Baldwin had a slide showing the 18 City departments that are involved in a decision and there is no one in the structure that is the champion of the airport within the City. It is a busy system and there are priorities that are being pulled in every single direction. When you have an airport authority, the singular focus of the authority is the airport. It can make decisions for the airport at its table and try to advance the airport forward. He had a slide showing the present flow of decisions that is a bit convoluted.

An authority flow is a bit more streamlined and safeguards can effectively be built in so that the City does not lose control of the airport. The members of the authority will be appointed by City Council or if there is a second sponsor of the authority, a partnership of the sponsor and the City. What Mr. Baldwin and his associates hear from the business community is that is how they want it. There will be a very structured role and mission statement in the governing documents and Council will help define the singular purpose of the airport authority. The airport needs to have partners with the airport management as its board members in order to promote the airport.

Mr. Baldwin explained that the authority would not have the burdens of some of the things the airport is paying for such as IT services and pension funding and the authority would have the flexibility to enter into inter-municipal agreements and continue those services if it is beneficial for the airport. While the airport has been generating some surpluses, they are fairly narrow surpluses. Mr. Baldwin mentioned that an airport authority can help them build on some of their strengths that not all airports of its size have, such as the business jets and general aviation aircraft on its ramps and a great flight school operation. There had been some discussion about a joint county/city air park in the past and that should be pursued more vigorously. The time is now to diversify the risk the airport has with only having one carrier currently. An authority can also develop rates and charges that are aligned with industry norms.

In summary, it is the findings of the consultant firm that overall, transitioning to an airport authority governance model would help serve to increase management efficiency, create a singularly focused business mindset at the airport and form a more nimble operating environment leading to enhanced revenue and business opportunities.

Ms. Svrcek said staff is looking for feedback from Council to move forward with an authority or not. Mayor Tweedy opened it up for discussion.

Is there a difference between an authority and an authority/commission (referring to other Virginia localities on one of the slides)? (Perrow) The ones labeled authority/commission may have the name of a commission but are enabled under the authority statute and act and perform as an authority. (Baldwin) If we were to proceed with this, we could call it a commission? (Perrow) I could research that and find that answer for you. (Baldwin)

If the authority is not paying for the real costs, approximately $200,000, would that be a transfer of funds? (Perrow) It would be a transfer from the airport to the general fund. (Svrcek) It is a fixed cost? (Perrow) It depends on the amount of service that is delivered and based on employee costs and overhead. (Svrcek) The overhead is going to be there regardless of this department. (Helgeson) If it becomes an authority, it can choose to contract with the City or go outside for those services. (Svrcek) If they do not, there is a fixed cost that will need to be picked up by the rest of the departments. (Perrow) That is correct. (Svrcek)

Have they found that moving to an authority has come with an increased bargaining power when they are talking with airlines? (Wright) The most recent examples are Syracuse, Grand Rapids and Asheville. Their performance has increased significantly in the past two to three years after creating an authority. They did go to an authority during a time where we have had economic expansion too, out of fairness. (Baldwin) It enables through greater efficiency, nimbleness and streamlining to allow airport management to prioritize their air service development. (Courtney)

If revenue decreases and it is operating at a deficit, who is the responsible party? (Wright) It would be the sponsors. (Baldwin) The feeling is that since it has been generating $3.2 billion over 20 years to the region, your sponsors should be more than just the City. (Baldwin) What has the reaction been from the surrounding counties? (Wright) The commission has not reached out to the counties because the process has to go through Council first. There are members from Amherst, Bedford and Campbell

County on the commission currently but Campbell County is the one that will most likely to be involved as 900 acres of the airport is in the county. (Dodson)

If the counties enter into the authority, would they be responsible for any deficit along with the City? (Wilder) If there are additional sponsors, it is my understanding that they would take some share of the deficit based on the governing document. (Svrcek) They put a lot of the surplus into a reserve fund so if there is a short-term deficit, they would be able to fund it probably for several years. (Courtney) When they retired the debt from the new terminal, that is when the surpluses happened. (Dodson) The maintenance is paid for through an operating fund and not from the surplus or reserve fund. (Courtney) There is a fee paid by the consumer that goes toward capital improvements that are paid back to airports in grants. (Baldwin) There are multiple safety valves that can be defined and principals will have to decide what is best for this airport and the consultant firm will help them with their expertise in terms of the financial process. (Baldwin)

Would there be additional expenses to the City if it went to an authority? (Wilder) The authority can decide to contract with the City for IT services or they can go outside the City, for example. (Svrcek) The rate the authority would pay for pension funding would be reduced by ten percent. (Courtney) There are 16 to 18 City employees at the airport and they would convert to authority employees. (Svrcek) The property is in Campbell County, but the City owns it. (Svrcek) How would that be handled if it goes to an authority? (Wilder) The industry uses a couple of different methods for that but it would be either a non-revenue lease or a fee simple transfer could be done. (Baldwin) Has anyone reverted back after becoming an authority? (Wilder) Only one example he can think of and it had some extraordinary circumstances. (Baldwin) In most cases, when they switched over, they found it to be beneficial? (Wilder) Yes. (Baldwin)

It was a good overview of the distinctions between the two models. In general, he understands that the authority increases efficiencies and business opportunities, would potentially allow increased fees and rates, which could be directed toward airport improvement and the attraction of additional services, reduces the oversight and bureaucratic scrutiny and procedures that lengthen the approval time for any decision, which stifles nimble decision making, which is something commercial airlines would like to see. (Nelson) Most businesses do like to see that. (Baldwin) It would also promote the development possibly of a lucrative air park. (Nelson) I think that should be a priority goal of the authority. (Baldwin) It is also shielded by politics and Mr. Baldwin went over some of the differences in the cost of employees. The primary argument is that the authority is the most popular model used now, other airports do it so Lynchburg should do it because the legacy model is dated? (Nelson) He cannot say it is the most popular model but can say it is being moved toward by more airports than any other model. There are a lot of small airports that are City run but they have no commercial service. (Baldwin) Has American Airlines expressed any specific objection to Lynchburg's current operating model? (Nelson) No. (Baldwin) That is reassuring. (Nelson) Would having an airport authority prevented Delta from leaving Lynchburg? (Nelson) We also had United Airlines here before 9/11. There was a $4 million subsidy per year from the City to keep the service and Delta said we were part of the Roanoke market and we did not need commercial service. Being or not being an authority had nothing to do with it. (Dodson) Delta merged with Northwest in 2008. They decided to rationalize and consolidate their route maps. (Courtney)

Is there any specific example of how the City's current model prevented or impaired the implementation of an FAA or airline request? (Nelson) It pertains more to air service development and priorities. We are not able to prioritize air service development because of the inefficiencies of having to go through a large bureaucracy. We need to be able to operate like and be as nimble as a small business and we are far from a small business. We need to be able to react and compete with the surrounding airports that are airport authorities. You pay a price for having it take so long to be able to get through the process. (Courtney) We have not been presented with that problem before. (Nelson) We have been able to manage that to ensure that but it takes a lot of extra work. (Courtney)

Could the City grant and convey the actual operational portion of the airport property and retain the undeveloped land without conveying it to the authority? (Nelson) No. You could put conditions in the document around which decisions are made over on one part of the operation versus another part of the operation. (Baldwin) There is about 100 acres of City-owned property that has been designated by the FAA to be able to be released and has been such for about 20 years. The FAA would require that the airport be compensated at fair market value from the City's general fund. (Courtney) That is a little bit complicated because we do not want to release the land for your air park. We want to reserve the revenue generated from that land to help grow your air service. (Baldwin) I understand that and that is the area where the lucrative future revenues may be derived but there are other interests in the City that may not want to give away a valuable asset.

The report implies that responsible and close public oversight, careful budget analysis, close scrutiny of the permitting process, public transparency with open public discussions to protect citizen's interests and taxpayer's pocketbooks are inconsistent with the effective and efficient operation of the airport under the current model. (Nelson) l do not think an authority gets rid of transparency or public accountability. It allows for streamlining and efficiency. It allows City Council to make appointments of business savvy people to a board that can make business decisions and you entrust them to make the right decisions. (Baldwin) The current airport director is savvy, capable and skilled. He has done an admirable job and was selected by Council. We can only select them when a term is up and then they are like an oligarchy and do what they want based on their own personal and professional insights without any checks or balances. (Nelson) An authority has to meet all State statutes. It is restricted by what is permitted of a public body. (Courtney) If you are happy with the current operation, then the current is model is perfect. If your goal is to grow, then the City model is not the best choice. (Day) I do not think there is anyone in this room that does not want the airport to grow but we are at a crossroad. Once we make a decision, I do not think there is any going back.

Is there any guarantee that if we have an authority that there will be another commercial carrier? (Nelson) If that were the case, every airport would convert to an authority. (Baldwin) Lynchburg has been very prudent, efficient and frugal and for that last three plus years profitable because of the capable people they have chosen. Hopefully those chosen for the authority would make the same decisions. (Nelson) The continuity of the membership of the board is very important. A Council is cyclical. An airport authority tends to stay in place and they get steeped in the aviation business and its partners, which is why they make good decisions. (Baldwin) There is nothing that says that Council cannot appoint a Councilmember to the authority. (Courtney) That is important because democratic republics tend to survive difficult times. Oligarchies do not. It is critically important that Council can pull things in if bad things are happening. (Nelson)

There is no guarantee that going to an authority will get the airport another carrier but the report shows you the likelihood of getting one drastically increases. We have the same amount of seats going out of the airport as when Delta was here so we have rebounded. (Dodson) I could be enthusiastic about supporting an authority because Lynchburg historically has always had a regional perspective. An authority would be consistent with our practices, policies and heritage. I want to make sure the details are ironed out and ensure that the taxpayers have accountability when we give away an asset like our airport. (Nelson) The articles of incorporation for an authority are written by you and the authority has to abide by them. (Day)

The report swayed him even more to going against an authority because there really is not a compelling reason. We only hearing that it could be better but there is no guarantee. He does not see how it is beneficial simply the name changes. Our taxpayers have paid $8 million funding the airport. You are asking Council to give away the assets and give away the oversight. He would be open to selling the assets to an entity that thinks it can do the job better. He was at the dedication of the new tower that was slated for demolition and with that tower we are very fortunate because the general aviation side is booming. It was because one of our partners has an aviation school and it has been booming. The commission has made some recommendations to Council to which he thinks Council has almost unanimously said no. If we had given up that authority to a different body, he thinks those would have been bad decisions. He thinks it is a false assumption/dichotomy that we either want growth or we stay with this model. He thinks they could tweak what they are doing now and do it better. It is a very tough stretch for him to give up the assets the taxpayers have entrusted to them and the oversight. We went to an authority on solid waste a few years ago and we are going to be talking about it tonight because we are at a standoff. There are unintended consequences and that is what is going to happen. (Helgeson)

What are some of the unintended consequences that localities have run into? (Wright) Honestly most people move to this model because they are trying to get out of unintended consequences. They run into roadblocks with regard to a significant capital improvement program, how the airport is run or how to separate it from the political environment. He thinks it is an unfair characterization to say that you would just be giving the airport to somebody else. Council can redact the power of the authority at any time. The airport is a business and is no comparison to a solid waste authority. He cannot say that he has really experienced the downside of this. (Baldwin)

Items are brought to the Finance Committee by the airport director and happen quickly. I do not understand how the authority is different if the decision is going to one group of seven versus a different group of seven. (Helgeson) From an airport management standpoint, the airport director and his pretty limited management team have to manage two boards. It is redundant and most businesses that are looking to improve and grow are looking to trim redundancy. (Baldwin) What he reads is mostly theoretical. It would be nice if there some certainties and there were no other problems. He is fearful of acquiescing authority by a governing body that is elected to represent the people. He thinks they can streamline the process. (Helgeson)

There was a really good airport study done a few years that sits on the shelf. He thinks there is an illusion that the $8 million that the City subsidized can be returned to the City. He asked Mr. Erwin to explain. (Dodson) FAA regulations would not allow future airport revenues to be paid back to the City. All airport revenues have to be used for airport purposes. The City could do what Roanoke did and have a buy in. If any other locality wanted to participate in the authority, it could make a contribution to the City. (Erwin) Council has many responsibilities and issues. The primary and only focus of the authority will be the airport. He was on Council and found out a lot more when he got on the airport commission. We can prosper so much more with an authority than our present setup. (Dodson)

What are local businesses saying about this issue? (Tweedy) The president of Freedom Aviation has been attending the meetings and has not expressed an official opinion. He could have expressed opposition if he chose. (Courtney) The Business Alliance strongly supports it. (Feraldi) I spoke with the president of Freedom Aviation and he is very concerned. (Helgeson) Janice Crawford from Framatome is strongly in support of this. (Dolan) The devil is in the details. (Helgeson) I agree and I can point to other authorities that have worked well. We will be responsible for drafting the language. (Tweedy)

For some time, I have been in favor of moving to an authority. When it comes to making decisions, Council is not the most informed people to make these decisions. They are complex decisions; we do not understand all the parameters and we tend to take more of a political look at it probably than a pure business approach. We have reversed some of the decisions of the commission and he is not prepared to get into those details but we were just scratching the surface of the information that was there. I think the risk of going to an authority is minor. Council should appoint the members and the statutory authority that we have is key. I think it gives a lot of control to the City but allows the day-to-day and leasing and policy decisions to be handled by the group of people that we have selected. At this table, we have experts in the field focusing on the airport. I do not know anything about airport operations and do not understand that level of detail. I believe in a decentralization of authority as much as possible. If the authority does not implement what Council would like, they could be replaced. He likes the idea of having only one decision making group to do negotiations and thinks it is a key point. When he talks to businesses, the number one concern he hears is the inability to access other airline markets. We used to have more access and now we have nothing but Charlotte. Our businesses need alternatives. We may have the same number of seats leaving the airport as we did in 2007-2008 but we certainly do not have the same number of choices. (Perrow)

Councilmember Perrow made a motion to approve Resolution A but would like to change the language that references the statutory authority and not reference the specific statute and have it say "the enabling legislation from the Commonwealth." Councilmember Nelson said he would second it with a slight change. The third line suggests that in approving this, we are absolutely agreeing to move to an authority. How the articles are drafted is going to determine the type of authority we have and what sort of oversight Council and the taxpayers will have and that is what he would like to see. He would suggest "take the necessary steps to compile and present a plan by which it could be formed." Councilmember Perrow modified his motion and it was seconded by Councilmember Nelson.

We are assuming that just because there is a model thrown out that it is actually going to work. He is fearful with what he has seen with our current airport group. He is looking at the growth we have had at the airport. He thinks that making these assumptions that the authority will help with growth is a stretch. He has been on Council for 14 years and the airport has only come to them maybe three or four times in that time. If this resolution passes, he hopes there will be a bonafide plan presented to Council and stakeholders will be appointed to the authority. He hopes they will look out for our FBO who is really trying to do a good job. He hopes it is not an adversarial relationship. He hopes they look at lots of different variables and will be able to see lots of unintended consequences. If the consultant does not know of any unintended consequences, I think there are going to be a lot of them. (Helgeson)

The City has done very well and this report is not saying that it has not done so. We need to remember that there has been a return on investment. It has been a regional impact and we have all benefited. That would be the goal of whomever Council or the sponsors appoint and they should be the people they think are most qualified to do what is in the best interest of the community. Mr. Baldwin has talked about how Lynchburg is a commercial non-hub airport. We are doing well but there other similar airports that are not and there is consolidation going. We have being doing well and maybe we can continue that but environments change and how are we most ready. That is why she supports an authority. (Allen)

We are working with a mix of airports that are having successes and ones that are not. The trend in the industry with consolidations and mergers is that these airports of your size under a million passengers a year are feeling the pinch because there are such competing services. They are going to airline headquarters and making their pitches. Mr. Courtney has said he needs additional resources to make those pitches. We have to be able to convince the airlines that the best choice for its asset and return on investment is Lynchburg.

Ms. Svrcek read the resolution before Mayor Tweedy called for the vote. "BE IT RESOLVED That the Lynchburg City Council hereby approves the Lynchburg Regional Airport Commission's recommendation to form an independent airport authority as the governing body of Lynchburg Regional Airport and directs the City Administration to take the necessary steps to compile and present a plan to City Council to form such an authority as authorized by the enabling legislation."

Vice Mayor Dolan asked if "enabling legislation" covers them if they have no sponsors. Ms. Svrcek said they will be talking about the legislative agenda later today and it has been suggested to add something to that to amend the enabling legislation, if there is not another sponsor.

A voice vote was taken and the motion passed by the following vote:

AYES:	Dolan, Nelson, Perrow, Tweedy, Wilder, Wright	6
NOES:	Helgeson	1

Agenda Item #2: Review information on the impact of Emergency Custody Orders (ECOs) and Temporary Detention Orders (TDOs) on the Police Department.

Ms. Svrcek remarked that this is the last item that emerged from Council's discussions and deliberations on the FY2020 operating budget. This is a huge impact to the police and sheriff's departments. She has incorporated some language into the draft legislative agenda regarding this item.

Chief Ryan Zuidema explained that ECOs are a civil process that allows officers to involuntarily take custody of someone exhibiting concerning mental health behavior who is a risk to himself or others and who is unwilling to volunteer or incapable of volunteering to seek treatment. It can last up to eight hours with an option for a four-hour extension. An officer has to be with that patient for the entire duration of that eight or twelve hour period of time. Is there an ability to say that we cannot get them today due to an emergency somewhere else? (Helgeson) Unfortunately, no, because that could incur liability to the officer. If an officer said they were too busy and the person harms himself or someone else, that would incur liability to the officer. (Zuidema)

The medical staff will then make a decision on whether the person can be released or if there needs to be a TDO. A TDO is a civil process that allows the patient to be involuntarily held for additional mental health treatment up to 72 hours. It requires officers to transport a mental health anywhere in the state for treatment based upon available beds and it requires two officers per patient. Often off-duty officers have to be called in and paid overtime to transport TDOs because there are not the resources to use on-duty officers. This amounts to an unfunded state mandate. Numbers were presented to show the cost of ECOs and TDOs to the departments. It approaches two to almost full-time officers and those costs do not reflect vehicle, fuel or benefits costs. (Zuidema)

Is there a better operational model such as partnering with our mental health partners? (Tweedy) There is an officer sitting in the emergency room 24 hours a day due to a grant that Horizon received. As long as that officer is not already sitting with a patient, an officer could turn over custody of an ECO to the emergency room officer. We will continue to explore options. Horizon is a real good partner. (Zuidema) I think it would be prudent for the legislature to look at going back to some compromise so that private security could be deputized to handle these issues. (Nelson) When staffing is available at Centra, the security officers that have been designated as special conservators of the peace will temporarily take custody of the patients, at least for the 24-hour window that they have to transport the patient. A lot of times, they do not have the staff at the hospital to do that though. The state has a pilot program that is allowing private security companies to transport TDO patients. The whole mental health system needs an overhaul though and that has to happen at the state legislature level. We will be getting the pilot program in early 2020 but the company cannot transport people that are combative or juvenile. It usually translates to being able to handle about 40 percent of the transports. (Zuidema)

To help in the short term, we need more local beds and we need to be able to be reimbursed for some of the costs of ECOs and TDOs. It is allowed by state legislature but is not funded. (Zuidema) Is there a way for insurance, Medicare or Medicaid to pay for the cost of the officer? Or could the transport officers be lower paid officers such as deputy sheriffs? (Helgeson) We are open to any and all options.

To clarify, our deputy sheriffs are sworn law enforcement officers and have all the arrest powers and they help us whenever they can. The surrounding counties do provide officers for the emergency room officer (grant funded) that I mentioned earlier. (Zuidema) Could there be a different level of police officer that is dedicated to the ECOs and TDOs? (Wilder) They have discussed hiring a part time or reserve police officer to do these but anyone he puts in a uniform has to have all the training. We could look at our retirees but he does not have the resources in his current budget and would need additional funding for personnel and vehicles. (Zuidema) Do the counties have to bear the cost of their ECOs and TDOs? (Wilder) We are required to deal with anyone that is more than 50 miles from their residence. (Zuidema) I would like to hear more about the numbers and explore some of the cost saving suggestions made today during our upcoming budget discussions. (Tweedy) We need to push for state funding and it will be in our legislative agenda. (Dolan and Perrow)

Agenda Item #3: Roll Call

Councilmembers Wright, Perrow and Helgeson had no items. Councilmember Nelson noted he and Vice Mayor Dolan attended the Farm to School event at Perrymont Elementary School today. The program emphasizes the need to use local farms' produce and products to feed our school children. The Secretary and Assistant Secretary of Agriculture and Forestry attended, as well as distinguished representatives from the Dairy Association and the Department of Education. It is good for the local economy and more nutritious for the children. It also helps with conservation because it comes in relatively unpackaged.

Councilmember Wilder had the honor of attending the Day at the Point this past Saturday. He wanted to commend our museum system and Mr. Delaney for doing a wonderful family friendly event with over 3,000 attendees.

Vice Mayor Dolan had no items.

Mayor Tweedy mentioned that the Farm to Table event was a very creative event. She had the following announcements:

a. The Red Kettle Campaign starts on Friday, November 29 and runs through Christmas Eve. Bell ringing runs in two-hour increments starting at 10 a.m. through 8 p.m. It is not staffed on Sundays. If you are interested in volunteering for a shift, please contact the Salvation Army.

b. The Annual Fallen Firefighters Memorial Service will be Sunday, October 13th at 2:00 p.m. at Miller Park.

c. The Central Virginia Planning District Commission meeting will be held October 17th at 5:00 p.m. at the Business Alliance Center.

The meeting was adjourned at 6:32 p.m.

// A regular meeting of the Council of the City of Lynchburg was held on the 8th day of October, 2019 at 7:30 p.m. in the Council Chamber, City Hall, Treney Tweedy, President, presiding. The following Members were present:

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

// The following members were present:

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

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

// Copies of the minutes of the September 24, 2019 meeting and retreat, Agenda Items 4 and 4a, having been previously furnished Council, reading was dispensed with, and on motion of Councilmember Perrow, seconded by Councilmember Helgeson, by the following recorded vote, approved the minutes as presented.

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

// In the matter of Budget, Agenda Item #5, Resolution #R-19-074, laid over from the September 24, 2019 meeting, was again presented and read, on motion of Councilmember Perrow and seconded by Councilmember Helgeson, the FY 2019 Detention Home Fund budget was amended and $17,995 was appropriated for a welding simulator, and $5,000 for additional supplies for CPP (Community Placement Program) juveniles with resources from the Virginia Department of Juvenile Justice Community Placement Program.

// In the matter of Budget, Agenda Item #6, Resolution #R-19-076, laid over from the September 24, 2019 meeting, was again presented and read, on motion of Councilmember Perrow and seconded by Councilmember Helgeson, the FY 2020 City/Federal/State Aid Fund budget was amended and $55,335 was appropriated with resources of $36,890 from the Department of Motor Vehicles Highway Safety Grant, an in-kind service and equipment match of $15,767 and $2,678 transferred from the FY 2020 General Fund Police Department budget to provide selective enforcement activities and attend related training.

// In the matter of Budget, Agenda Item #7, Resolution #R-19-077, laid over from the September 24, 2019 meeting, was again presented and read, on motion of Councilmember Perrow and seconded by Councilmember Helgeson, the FY 2020 City/Federal/State Aid Fund budget was amended and $22,575 was appropriated with resources of $15,050 from the Department of Motor Vehicles Highway Safety Grant, an in-kind service and equipment match of $6,374 and $1,151 transferred from the FY 2020 General Fund Police Department budget to provide funds for speed enforcement.

// In the matter of Community Development – Street Vacations, Agenda Item #8, a public hearing was held regarding the petition of Victoria's Inventory, LLC, to vacate an undeveloped portion of the Bridge Street right-of-way located off of Blackford Street. The total area of the proposed vacation is approximately one hundred sixteen thousandths (0.116) of an acre. Ms. Victoria Glasgow gave a summary of the report to Council. Mr. Ed Willman of Accupoint Surveying was present to answer any questions on behalf of the petition. There was no one who wished to speak either in favor or in opposition to the petition and Mayor Tweedy closed the public hearing portion of the petition. Councilmember Nelson indicated that he has represented the petitioner in this matter and will be abstaining from the discussion and vote. Councilmember Perrow on behalf of the Physical Development Committee (PDC) commented that this street vacation and the one that will follow really support the renovation of the old Virginian apartments. They are dead end streets and have no value for the City but have great value to the project. He made a motion on behalf of the PDC to approve this street vacation. The motion passed by the following vote:

Ayes:	Dolan, Helgeson, Perrow, Tweedy, Wilder, Wright	6
Noes:		0
Abstentions:	Nelson	1

// In the matter of Community Development – Street Vacations, Agenda Item #9, a public hearing was held regarding the petition of Victoria's Inventory, LLC, to vacate an undeveloped portion of the Blackford Street right-of-way located off of D Street. The total area of the proposed vacation is approximately eighteen thousandths (0.018) of an acre. Ms. Victoria Glasgow gave a summary of the report to Council. Mr. Ed Willman of Accupoint Surveying was present to answer any questions on behalf of the petition. There was no one who wished to speak either in favor or in opposition to the petition and Mayor Tweedy closed the public hearing portion of the petition. Councilmember Nelson indicated that he has represented the petitioner in this matter and will be abstaining from the discussion and vote. Councilmember Perrow, for the reasons stated previously, made a motion on behalf of PDC to approve this street vacation. The motion passed by the following vote:

Ayes:	Dolan, Helgeson, Perrow, Tweedy, Wilder, Wright	6
Noes:		0
Abstentions:	Nelson	1

// In the matter of Community Development – Zoning Amendments, Agenda Item #10, a public hearing was held regarding the petition of regarding the petition of Richard Oldham to amend the *Future Land Use Map* from Institutional to Neighborhood Commercial and to rezone approximately three and eighty-nine hundredths (3.89) acres at 221 Wiggington Road from R-2, Low-Medium Density Residential District to B-1C, Limited Business District (Conditional) to allow the construction of a dentist office and associated parking.

Mr. Tom Martin summarized the report for Council. Mr. Richard Oldham was present to answer any questions. Scott Beasley of Hurt & Proffitt was present to represent the petitioner. There was no one who wished to speak in favor or against the petition and Mayor Tweedy closed the public hearing portion of the petition. Councilmember Helgeson noted there this property is abutted by business uses and makes a nice transition from residential to business. Councilmember Helgeson made a motion to approve the *Future Land Use Map* from Institutional to Neighborhood Commercial. The motion was seconded by Councilmember Wright and passed by the following vote:

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

Councilmember Wright made a motion to approve the rezoning from R-2 to B-1C. Councilmember Helgeson noted that Mr. Martin had mentioned that a revised concept plan was submitted since the Planning Commission meeting showing that the building addition may be detached and that the Planning Division was fine with that change as it did not change the square footage of the layout. Councilmember Helgeson asked if that change is implicit in the motion and Councilmember Wright indicated yes. The motion was seconded by Councilmember Perrow and passed by the following vote:

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

// In the matter of Budget, Agenda Item #11, Report on the City's Health Insurance Plan effective January 1, 2020, Ms. Svrcek commented that this item would normally be a work session item. It is an information item only and needs no action tonight. Mr. Lowe gave a presentation that provided an overview on trends in medical costs, budget versus actual, cost sharing model, monthly rates and what is recommended going forward. Following a cost sharing model implemented in 2016, it is recommended that the employee contribution be raised an additional five percent. In addition, they are researching the utilization of a third-party auditor to review a sample of claims for accuracy of coding and billing of medical services delivered, as well as hiring a health insurance ombudsman to serve as a resource for employees regarding complex medical bills and insurance. The Employee Wellness Committee will continue to be engaged in matters that will target the wellness of the employees and the cost savings.

Goals going forward are to provide cost effective, high quality health plan, which assists the City with recruitment and retention efforts, smooth future increases, build a margin for adverse experiences, fund at Anthem projection plus 2.5 percent until an 8 to 10 percent reserve is established. There are no plan changes proposed but we are planning to bid out insurance for the 2021 plan year to remain competitive.

Councilmember Helgeson asked for further explanation as to how they arrived at an eight to ten percent reserve as that would not be enough to fund the 2018 shortfall. Mr. Lowe said 2018 was much higher than anything we had ever experienced and it has stabilized since then. They feel that with the increase to employees and some residual that we will be in the black at the end of the next plan year.

Mr. Matt Smith, the health care consultant, indicated that there were a couple of years where there was no increase at all. The employee and employer rates are projected to increase in the future at a trend rate so that we do not get significantly behind the curve. In addition, 2018 was highly unusual and he would not expect that to happen again.

Councilmember Helgeson said that in previous years we had a reserve that was twice as high as what we are shooting for and normally in times with inflation we have a bigger reserve. Mr. Smith said the ten percent is based on actuarial numbers and is what you should be able to expect over time for the maximum variance expected. A higher reserve would mean that they have to increase employee and employer costs at more like eight or nine percent per year as opposed to five percent. Councilmember Helgeson asked how we had $3 million in reserve that we were able to use to cover the shortfall. Ms. Svrcek said that was built over time due to reduced claims and then had an epically bad year. Councilmember Helgeson asked if the goal is to reach a ten percent reserve and no more. Mr. Smith said that is the short-term goal and it is a moving target. It will be reevaluated based on the situation. Mr. Smith thinks it will take two to three years to reach the eight to ten percent reserve. Mr. Smith said he cannot promise that a year like 2018 will never happen again but can say it was a highly unusual variance for a group this size. They could buy aggregate reinsurance that would pay the difference of claims over ten percent, for example.

It would be a relatively minor cost for a group the size of the City of Lynchburg. He would not normally recommend for a group this size though because they are not likely to have another year with claims like 2018.

Councilmember Perrow said he could not reconcile slides three and four. It shows that from 2017 to 2020 our average increase is below our trend increase. That tells him we are not doing anything to match our trends in employee contributions. Our employee contributions are not indexed to the trend because if they were then by the average percentage, we should have been okay. Mr. Smith said they should have been but they have not increased the employer or employee contributions. Councilmember Perrow believes that is a failing and we should be doing a whole lot better. He thinks we need to set up a new class; protect our existing employees but charge new employees more because paying 95% of health insurance premiums is not sustainable. He is not sure who else even does that. Ms. Svrcek said they will provide some additional information and do some comparisons with peers and bring back some research.

Mr. Smith said they are trying to implement a plan that increases employer and employee contributions by at least five percent. Councilmember Perrow said it is a too little too late. Mayor Tweedy noted that we will have to look at how much the cost of health insurance plays into recruitment and retention as well. Ms. Svrcek indicated that there is no question that having a plan that is comparable to other localities is a recruitment and retention tool. Mayor Tweedy thinks they need to balance it out since health care is so important and we do not want to lose our competitiveness over other employers. Ms. Svrcek noted that average salary increases for employees do not even come close to the health insurance increases. Councilmember Helgeson thinks that paying 68 percent for employees with families is very rich. Many employers pay for the employee but very little with regard to their dependents. Councilmember Helgeson thinks they need to look at the whole compensation package and not just isolate and cherry pick. Mr. Smith said he would agree with Councilmember Helgeson that paying 68 percent for an employee's family members is pretty rich.

Councilmember Wright would like to see how Lynchburg compares to other localities but thinks that it is very important that we offer a benefits package that is competitive in the low employment economy in which we are competing for talent. If we want high talent, we have to offer competitive wages and certainly competitive benefits. He is happy to dive into this deeper but would caution them against adjusting the benefit structure anytime soon.

Councilmember Helgeson asked for clarification that Ms. Svrcek is looking into auditing the 2018 claims to make sure the high claim costs were not due to billing or coding errors. Ms. Svrcek said Mr. Smith is helping them in finding an auditor.

// In the matter of Budget, Agenda Item #12, Council considered introducing a resolution to amend the FY 2020 City/Federal/State Aid Fund budget and appropriating $49,210 with resources from the Commonwealth of Virginia, Department of Criminal Justice Services to purchase law enforcement equipment for the Lynchburg Police Department. Chief Zuidema noted that he was contacted by DCJS on September 27, 2019 to inquire if they could use this money and there is no local match required. DCJS noted that the police department's budget team stays on top of its grant monies.

There was not time for the item to go to the Finance Committee. Councilmember Helgeson made a motion to approve the item because of its urgency, the fact that there is no local match required and the department's need for the equipment. The motion was seconded by Commissioner Perrow and passed by the following vote:

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

// In the matter of City Council, Consideration of the Draft 2020 Legislative Agenda, Agenda Item #13, Ms. Svrcek summarized some of the highlights of the agenda, which include updated language regarding the potential impact of changes in legislation that could eliminate the machinery and tools tax and/or business licenses taxes, a significantly enhanced section on economic development which clarifies the importance of funding from the Commonwealth for business attraction, retention and expansion, updated language relating recent amendments regarding proffers, new language regarding support for an overhaul of the mental health system and particularly support for temporary detention order transports and support for additional local beds for local mental health patience to avoid out-of-town transports. There is new language regarding support for various transportation initiatives and a significant update to the section formerly labeled water quality and environment and now labeled drinking water, water quality and environment. There have been two suggestions for additions made for Council's consideration, one regarding the language that exists that authorized the creation of an airport authority. Ms. Svrcek is proposing they add language that states that we ask the General Assembly to amend Region 2000's Airport Authority Act to allow the City of Lynchburg by itself or with the governing bodies of one or more counties by resolution declare there is a need to establish an authority. It was also suggested by Councilmember Perrow that we add language that came out of the draft Virginia First Cities legislative agenda to state that we support increasing funding by $4 million in the brownfields restoration and remediation fund and have a specific state budget language that would allow grant application for public housing remediation and infrastructure work associated with public housing on former landfill sites. Ms. Svrcek added $1 million as potential funding for public housing perhaps at Dearington.

Councilmember Perrow thinks we need to make sure that the language says "on or adjacent to." He asked staff to get more information from Richmond regarding their project and if they could carry the same language as Richmond.

Mayor Tweedy wondered if this was an opportunity to add language regarding weeds. Mr. Erwin said they already have a weed ordinance but we get complaints about people's shrubs or bushes. Mayor Tweedy thinks they have many properties in the City that have this problem. Councilmember Wilder thought it was worth looking into; he did not know that we did not have the ability to regulate shrubs until recently. He would be interested in thoughts from other localities. He knows there are a lot of issues around people's property rights and he would like to hear about the concerns.

Councilmember Helgeson noted that weeds can be regulated because they can harbor vermin and snakes. If someone is not trimming their boxwoods, he is not sure that can be handled in a similar fashion. He does not think so because that is more of an aesthetic issue. He understands shrubs could cause a sight problem for vehicles at a corner or something but that is different.

Mr. Erwin said that the General Assembly as a general rule does not allow us to regulate aesthetics. If a person is not harming anyone, the General Assembly has not really given jurisdictions the ability to regulate something that people just do not like to look at. Mayor Tweedy thinks this issue is important to people that are making an investment in their properties and she does not take it lightly. Vice Mayor Dolan said she would be concerned with overregulation in this area. What might be ugly to someone might not be ugly to another person.

Councilmember Wright does not have any comment on this particular item but thinks they want to keep their list relatively concise and prioritize our "asks". Councilmember Perrow thinks it is personal taste and preference and we should not get in the way of that. Mayor Tweedy wished the record to reflect that she inquired about it and there was discussion.

Ms. Svrcek noted this item will come back to them at their October 22nd meeting for final approval. Councilmember Helgeson would like them to focus on the Emergency Custody Orders because they can be granted a lot easier. Councilmember Perrow suggested to Ms. Svrcek that they bring up the ECO/TDO issue with the Virginia First Cities as well. She said she will share this draft with Virginia First Cities.

// In the matter of Zoning Amendments – Zoning Amendments, Agenda Item #14, Mr. Kent White reviewed where they are with the amendments to date. He clarified for Council that it would like to put more restrictive language into the ordinance in the future, it would not apply to existing short-term rentals (STRs) because they would be considered a legal nonconforming use. It would be allowed to continue even if the property owner changed indefinitely unless the use is stopped for two years. There was a question about whether this ordinance would apply to accessory uses. Mr. White clarified that in R-1 or R-2 districts, owner occupancy would be required. In R-C, R-3 and R-4 zoning, owner occupancy is not required for an accessory unit. The number of units allowed be dictated by the underlying zoning district standards.

Staff researched options to exempt STR hosts from registering or paying lodging tax if only hosting a limited number of times. Unfortunately the current technology only identifies the location and current owner-operator information. It is staff's intent to determine if operators intend to operate their STR annually. If an exemption is set, the default would be for staff to assume non-registered units are operating with an exemption; proving otherwise would be difficult. The Airbnb collection agreement does not provide for exemptions. This would create inequity among hosts that list on different platforms.

There were questions regarding why staff feels we need a registry process. Mr. White reminded them that state code gives a locality the ability to discontinue a STR due to problems only if there is a registry process. In addition, it will provide contact information on the owner that will help staff. The three-code violations within a three-year period would provide due process without requiring staff to take individual violations to court. Also, staff costs are estimated to go up from $51,000 to $63,000 is there is no registry.

Councilmember Helgeson noted that staff now estimates it will collect $150,000, which is a 78% increase over what it estimated just a few months ago. The increase would cover 440 units from not having to pay an annual fee. Mr. Nuckles confirmed that this is an annual estimate. Councilmember Helgeson noted that if they chose to change the fee in the future, grandfathering does not apply to increased fees.

Mr. White clarified that the registry will give them the information about where the STRs are located. A fee does not have to be charged. Mayor Tweedy noted that they had discussed the $150 fee to help defray some of the staff cost.

Councilmember Nelson asked staff how much trouble it would cause staff if they said that an owner-occupied STR does not have to register. He is trying to get to something like what we have for yard sales and not burden the owner who is doing STR infrequently. Councilmember Perrow suggested an owner could register but pay no fee. Mr. White thinks staff could do that as long as they are not involving them in figuring the number of nights and that sort of thing. Mr. Nuckles said he just needs the information whether or not there is a fee. Councilmember Wright suggested two people, a boyfriend and girlfriend, for example, could have two residences and rent one of them out quite a bit. He is not sure it addresses the frequency challenge. Councilmember Perrow noted that normally it is a person that rents out a room in their home and it takes renting the room several times before they can recoup the cost of the registration fee. He heard that from people and it sounded like a reasonable concern to him. Councilmember Wright wondered if they should take away the fee altogether because they could be introducing a fair amount of inequity into the system. Councilmember Helgeson thinks that is why just collecting lodging tax is the equitable thing because that is based on how much the unit is rented.

Councilmember Wilder wondered how many more times we are going to talk about this and Councilmember Nelson thinks they need to talk about as many times as they need to in order to get it right. We want to build neighborhoods with integrated citizens. That is a valuable purpose and why we designate residential zoning. We have to balance the competing issues of citizens who want to be able to do whatever they want to with their property with citizens who want peace and tranquility in their neighborhoods and not have a lot of transiency occurring around them. He thinks they should err with balance in the latter direction. He would like to see restrictions that restrict the investment and not the mere occasional occupancy.

Councilmember Nelson cautioned them against having any ambiguity in the fee language because a court will interpret that ambiguity and give the least restrictive interpretation. He proposes the following language to make it clear that the owner and property is not forever exempt from paying the registration fee. "An additional fee of one hundred and fifty dollars ($150) shall be paid when either (1) the identity of the owner(s) of the previously registered dwelling unit(s) changes, or (2) an additional address is shown on the registration form filed for a previously registered owner. A change in the "identity of the owners" is deemed to occur if there is any modification in either the quantity of unrelated owners or the nature of the owner(s)."

Councilmember Helgeson thinks they are already getting enough money from the lodging tax that we can remove the registration fee. This additional language is adding to the difficultness of the ordinance. He would support just a registry and no fee because the fee could be added later because it is not a vested right.

Mayor Tweedy wanted to state for the record that she has changed her mind and it is about the money.

Councilmember Nelson made a motion to add the language above to the ordinance. Councilmember Perrow seconded the motion and said he supports it because it provides clarity.

Councilmember Wright asked what the justification would be for requiring an additional $150 fee if a person added a property. Councilmember Nelson said he does not want to provide incentives to having Airbnb "lords" who continually expand their inventory of properties without some consequences because residential neighborhoods should be for those that are invested in the community and not a commercial commodity.

Councilmember Helgeson thinks this seems like trying to make something punitive when the STR property owner is vested in improving his property and the neighborhood and bringing additional lodging and real estate taxes to the City. The short-term renter is not invested and that is who should be paying the money. He also pointed out that there are a lot of properties being rented long term and they do not have to pay a fee. There are a lot of things in this ordinance that do not seem equitable to him.

Councilmember Nelson noted that the number of nights is set in state statute. The long-term renter is more likely to become invested in the neighborhood and contribute to it than someone that stays a weekend. That distinction in the quality of the occupancy is what is important to him. Councilmember Helgeson asked him if he thinks the $150 is fair. Mayor Tweedy said yes and Councilmember Nelson said he thinks it is fair because it compensates the City for the costs associated, which all other taxpayers would have to bear otherwise. He does not think we should waive the lodging tax for what is essentially a mini hotel but charge our other hotels the same tax. The tax is equitable.

The motion passed by the following vote:

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

Councilmember Helgeson asked staff if a long-term rental has violations if their right to rent their property is revoked. Mr. White said no but reiterated that staff had been asked to restrict the violations to only those related to the use such as noise, trash and occupancy, things like that. The provision to revoke a STR use is allowed by state code if there is a registry. Councilmember Helgeson asked if this is allowable when we do not do it for a long-term rental. Mr. White reiterated that is allowed under state code if they adopt some type of language regarding violations in the STR ordinance. Councilmember Helgeson does not think this is equitable because the same is not done for long-term rentals or for a business that has a noisy tenant. We do not revoke their ability to earn income. Mayor Tweedy reminded them that she has asked staff to bring forward long-term rentals and our policies regarding them for a future discussion.

Councilmember Perrow asked if this is a legal proceeding. Mr. White said the Zoning Administrator will write a notice of violation. It is appealable to the Board of Zoning Appeals just like any other decision of the Zoning Administrator. You would be allowed three of them in a three-year period and then the Zoning Administrator would send the owner a letter that their STR use has been revoked. Mr. Erwin explained that the decision of the Zoniing Administrator can be appealed to the BZA and then to the Circuit Court.

Councilmember Perrow questioned the language of revoking approval because we do not approve STR properties. It is a by right use. Mr. Martin said it was included because it was in the state code. That is where the language came from. It was originally suggested as three violations in a one-year period and Planning Commission suggested it should be within a three-year period. The General Assembly gave localities the ability to cease the permitted use if they became problems.

Councilmember Perrow thinks it gets back to protection of the neighborhoods and is a valid point. If you have a repeat offender that is a "bad actor," he would like the City to be able to issue notices of violations with some teeth and he would like the "bad actor" to have the ability to appeal. Mr. Erwin said if a person registers his property, he receives approval from staff to operate a STR. If you violate that right, then they will be given notice that he or she has lost the approval under the Zoning Ordinance.

Councilmember Perrow suggested some language might need to be added. Mr. Martin said they are looking at only one part of the ordinance. If they do meet the requirements in the stated section of the Zoning Ordinance, then they are not permitted. It is already under each zoning district. Councilmember Perrow said he is getting hung up on the word approval because we are not "approving" anything.

Councilmember Helgeson thinks three times in a three year period is heavy because one violation per year is not really a "bad actor." Mr. Martin suggested that is more in line with three violations within a one-year period because that demonstrates a consistent problem. Councilmember Nelson suggested they change the word "approval" to "permitted," which keeps it consistent with it being a permitted use in the first paragraph. Councilmember Nelson also addressed Councilmember Helgeson's point about long-term rentals and indicated that the General Assembly does not give them the right to revoke a long-term rental use. Mr. Erwin said that is exactly right.

Councilmember Perrow said he could go down to three violations in a one-year period. Because if you are a "bad actor," there are going to be multiple complaints. Councilmember Nelson noted it would not be hard to get to three complaints in a three-year period. Councilmember Perrow made that as a motion and it was seconded by Councilmember Nelson. The motion passed by the following vote:

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

Councilmember Perrow made a motion to adopt the language from "approved" to "no longer permitted." The motion was seconded by Councilmember Nelson and passed by the following vote:

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

Councilmember Wright asked Mr. White to explain the consequence of what happens if they adopt an ordinance that does not require owner occupancy. Mr. White said those STRs now operating would become nonconforming uses. It has staying power as long as it continues its use indefinitely. It only loses its nonconformity if the use discontinues for a period of two years. It has been talked about in terms of grandfathering, which is different because it goes away if the property were sold. It is a right that would go with the owner and not the property. Mr. White noted that they still have nonconforming uses from when the Zoning Ordinance was revised in 1978. Councilmember Wright asked for clarification that a person would have to be operating at the time that Council makes a change (they could not hurry up and start a use within a two-year period) and Mr. White said that is correct. Mr. Erwin said you would have to be a legal conforming use to become a legal nonconforming use. Mr. Erwin also clarified that if a nonconforming use is destroyed by other than natural causes, it would also cease. If it is destroyed by a natural disaster, then it can be rebuilt. Mr. Erwin also clarified that "grandfathering" is a use that the local governing body decides to give the owner.

Councilmember Nelson asked if they need to comprehensively approve the entire ordinance. Mr. Erwin said they would need to make a motion to approve the ordinance as amended tonight. Mr. Erwin explained that they have not discussed every provision in the ordinance so everyone is assuming that those provisions are okay. Councilmember Nelson thought that several weeks ago they went through each provision and came to a consensus on all of them except the ones they have been discussing at this meeting and a previous work session.

Councilmember Nelson made a motion to approve the ordinance as amended. Mayor Tweedy asked Councilmember Wright if he was asking about owner occupancy for a reason. He said he wanted to clarify that point and confesses to being troubled by that particular provision and would welcome further discussion on it. Councilmember Perrow seconded Councilmember Nelson's motion.

Councilmember Nelson said to address Councilmember Wright's comment, they are requiring an owner to register but not requiring owner occupancy. We can tag that to discuss later if the need arises and then the issue of grandfathering and nonconformity would be discussed.

Councilmember Perrow seconded the motion because he thinks it is a reasonable compromise. He has seen the gamut of opinions and does not think there is a definitive right way or wrong way to do this. We have worked hard and gone through the issues. It is not perfect but is a pretty good stab. Let's talk about the good things. Currently, STRs are not allowed in the City. It allows STRs and sets up a way for the City to collect lodging tax revenue, which makes it fair for hotels. It creates a registry so we can understand in the long term what the impact is to our neighborhoods. If there is an issue, we actually have the teeth to remove the STR. It provides some protection but allows owners to use their property as they see fit. He thinks it is a good balance. They can revisit it and tweak it if they need to and the nonconforming use assumes that a house would be sold as a business and not a residence. It could be the case but he does not think it will be the majority of cases. He thinks this ordinance equally addresses the positives and negatives of STRs.

Vice Mayor Dolan thinks they hashed through the owner occupancy with kind of a paintbrush. She is still not convinced that the integrity of our neighborhoods will not be totally compromised. There is nothing preventing an investor from buying up a block of homes and turning that neighborhood into a mini hotel area. She will not support this ordinance as it is written.

Councilmember Wright said the biggest challenge has been the owner occupancy in R-1 and R-2. This is not an issue that governments are finding it easy to deal with. It is a really challenging set of circumstances. He voted to remove owner occupancy because he believes our regulatory touch should be as light as possible to ensure maximum compliance protect private enterprise, especially given how many people rely on STRs for part of all of their income. He also voted to remove it because of issues regarding grandfather and the amount of investment that STR owners have put into neighborhoods, the need for more non-traditional lodging options in the community. If we find that issues arise, Council should update the regulations with solutions that are targeted and tailored specifically to address the issues that arise and not a "one size fits all" approach on the front end that might stifle business. It does concern him that not requiring owner occupancy in the single-family neighborhoods that we are shifting the goalposts significantly. Times change and technology adapts and new markets open up and that is what they have been wrestling with and trying to reconcile. Even though he will be voting for this ordinance, he would like to note that he does find the lack of owner occupancy requirement in single-family neighborhoods to be concerning.

Councilmember Wilder appreciates the conversation and noted it is a sensitive subject. He will be supporting this because it is a starting point. We can continue to listen to our citizens and make any adjustments needed in the future.

Councilmember Helgeson appreciates all the discussion and recognizes the positives in the ordinance. He does not like the negatives like the registration fee and thinks we should have recognized the benefits to our neighborhoods. We value people that own their homes and some of them rent them out long term. Does the reality match the rhetoric? He has looked at it in his neighborhood and kind of wishes he had some Airbnbs as opposed to long-term rentals. We have some excellent hosts and the short-term renters spend money in our businesses and restaurants. We have hosts attracting people to come here through various platforms and he thinks we should have a lighter touch on that. He thinks they are all to be commended for the time they spent on the ordinance. He would like to protect neighborhoods and some of the people he represents on Leesville Road bought into a single-family neighborhood and Council recently recommended approval of a rezoning that will allow 87 townhomes, many of which will be rentals. He questions whether we really protect all neighborhoods.

Mayor Tweedy will support this and acknowledges that she gets a little conflicted. She wants to maintain the integrity of neighborhoods. We are in a different area and a different economy. She does not want to inhibit people from a business opportunity. She would like a report to come back to them at some point. She will leave it to staff to figure out the right time period.

Councilmember Helgeson had the privilege of meeting with a lot of Airbnb hosts. They educated him and he appreciates their desire to be good hosts in the neighborhoods. He appreciated hearing from our citizens that had some concerns and complaints and he is glad they listened and wrestled with the decision.

The motion passed by the following vote:

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

// On motion of Councilmember Wilder, seconded by Councilmember Wrightn, by the following recorded vote elected to hold a closed meeting for consultation with legal counsel and briefings by staff members regarding a legal matter requiring the provision of legal advice, specifically legal matters relating to the Region 2000 Services Authority Member Use Agreement for the disposal of solid waste, pursuant to Section 2.2-3711(A.)(7) of the Code of Virginia

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

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

// Councilmember Helgeson made the following motion:

WHEREAS, the Council of the City of Lynchburg has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lynchburg certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by Council.

The Motion was seconded by Councilmember Wilder, and Council by the following recorded vote adopted the motion:

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

// On motion of Councilmember Wilder, seconded by Councilmember Perrow, by the following recorded vote elected to hold a closed meeting for discussion of and consideration of the City Manager's and the City Attorney's performance evaluations, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia.

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

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

// Councilmember Helgeson made the following motion:

WHEREAS, the Council of the City of Lynchburg has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lynchburg certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by Council.

The Motion was seconded by Vice Mayor Dolan, and Council by the following recorded vote adopted the motion:

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

// The meeting was adjourned at 9:45 p.m.

____

Clerk of Council

e time, they are also providing a short left turn lane into the development so that a car can get off into a turn lane and not restrict the flow down towards J Crew. This should help with the seasonal traffic issue that was brought up by Mr. Forest.

The developer Gary Schmincke came forward to speak, in favor of the petition. He explained the first phase of the development will be a fitness center with an indoor turf area. There will also be a multi-use venue space for trade shows and concerts as well as basketball/volleyball courts. They will be able to host travel teams and there is a lot of use locally for this type of facility. Marjette Upshur and Lisa Meriwether seem very excited about this project as it adds another component for athletic events in the City. There is always a need for practice facilities for local sports. The commercial areas and apartments will be built in a second phase. They love the mixed use environment and feel everything complements each other.

Mr. Rick Reed with Coldwell Banker was present to speak in favor of the petition. He said he has been working with Buzzy Coleman on this property since the 1980s. He knows there is concern about rezoning industrial land to commercial but with the development of Enterprise Drive and Wyndhurst the whole complexion of the area has changed dramatically. The value of this property has priced itself beyond industrial to probably four times what your typical industrial site sells for in the City. This property has been on and off the market for eight years and he has only had one industrial prospect but once price was discussed, they were not interested. Everyone that has looked at and been interested has been for commercial uses. He goes up and down Enterprise Drive all day long and has experienced maybe a 15 to 20 minute delay during a shift change. The turning lane should help that situation a lot and the developer has voluntarily agreed to install it.

There was no else that wished to speak in favor or in opposition to the petition. Mayor Tweedy closed the public hearing portion of the petition.

Councilmember Perrow asked Mr. Martin if this widening will help the situation on Dillard Drive during shift changes at J Crew. Mr. Martin said it is adding extra storage capacity at the light which would allow more through movement. The traffic just backs up right now in one lane. Councilmember Perrow had wanted that restated since they are not able to discuss public comments items during the public comment period.

Councilmember Perrow asked Ms. Upshur to address a question. He does not believe in rezoning industrial property because we are landlocked and have limited industrial space. Councilmember Perrow asked Ms. Upshur why she is supportive of this project and to try to convince him why he should support it. He likes the idea but is very concerned about industrial space. Ms. Upshur noted that the land has been for sale for a very long time. She has marketed the land on the state's website and the City's website. She has only had one interested party and that was a church. The cost of the property is prohibitive for an industrial use and the neighborhood has changed drastically with the development of Wyndhurst. She is always concerned about the industrial neighbors and how they feel and a member of Wexco that backs up to this property came to the Planning Commission meeting. He had questions but seemed to have no issues with this site plan. Councilmember Perrow asked her if she thinks this development will detract from any of the industries in the area and she indicated she did not think it would. The fitness center and apartments might benefit the employees that work in the industrial areas. From a tourism standpoint, the gym and the way they are proposing to attract travel teams would mean tax revenue for the City.

Councilmember Perrow noted he hears there are not enough basketball courts in the area and indoor soccer could be played as well. Ms. Upshur said they have just completed a sports tourism strategic plan to try and determine how they leverage the unbelievable assets of Liberty University but they cannot always access those facilities. She noted that Virginia Beach has built a business off of attracting youth sports. The same people developing this project own the Kinetix Gym in Fort Hill. It is so full and this fitness center would be a complement to the area.

Councilmember Perrow asked her if there is still marketable industrial property that can be preserved. Ms. Upshur said the EDA has two sites and the extension of John Capron Road will probably open up two or three additional sites. There are more sites on Odd Fellows Road. For some industrial prospects, a 15 acre site will not even be enough. They just finished a site characterization plan for the state for any sites over 25 acres. There is also another site of some good size behind Home Depot. Councilmember Perrow if she thinks it will be a detriment to the City if they let this go to commercial. She stated, in her opinion, no.

Councilmember Perrow made a motion to change the *FLUM* from Employment 2 to Mixed Use. The motion was seconded by Councilmember Nelson. Councilmember Wilder said he supports the project. He was concerned with traffic but he thinks the road improvements will ease that issue. He likes the mixed use and he understands the need for more gym space. He knows that there is always a need for places of a size that can facilitate AAU tournaments. This should bring in more tax revenue to the City. Since this site has been for sale for several years and the project is supported by Economic Development, he will support it as well.

Councilmember Nelson noted that Councilmember Perrow covered many of his concerns and points very well. It is hard to find a facility that will has all the amenities that this facility would purportedly have. There is tremendous stress on the school gymnasiums for sports uses. To the extent that it will take some of that stress off the school facilities, this would be a tremendous boon. He likes that the residential use is in the back and it backs up to the Forestdale subdivision and Graves Drive and he feels it makes a good transition from residential to commercial. The elements of the development being able to serve employees of the industrial uses is a plus. This should be complementary to other uses up and down Enterprise Drive. He agrees that they need to preserve their industrial sites and is normally hesitant to downzone industrial to commercial but there are good reasons to do adopt this proposal and he thinks it will be successful.

Councilmember Helgeson noted that they have been talking about the gym but there will be 116 more apartments here. When Wyndhurst was built people felt they built they built way too many apartments and townhomes there and not bigger grocery stores or more anchor type institutions such as banks and pharmacies. He does not mind going from industrial to commercial because it still provides employment but there are always apartments thrown in with mixed use. He asked Mr. Schmincke to address that topic. Mr. Schmincke said they felt it was a good mix. The president of Wexco had liked the idea that some of his employees might live in them and be able to walk to work. A representative of Azdel came to their office and echoed the same thing. They feel it works in that environment. They have done studies and people see it as a benefit to have residential uses mixed with the other uses they are proposing. The developers like the idea of the apartments tucked in the back for privacy but residents can still walk to the gym, restaurant and venue. They are not trying to build a housing development. They are just trying to bring everything to benefit everyone.

Councilmember Helgeson brought up the Kemper Street apartments that came to them recently. That had started as industrial and went to 20 percent apartments and 80 percent commercial. Council approved a change in a proffer to allow them to have almost 80 percent apartments because the commercial piece was too large. The owner needed more apartments in order to make the project economically feasible. Mr. Schmincke said he agreed with what Councilmember Helgeson is saying about having more anchors in Wyndhurst. He said if they can go more commercial on that side, they have the spirit to do so. Councilmember Helgeson asked him if the apartments will all be built in Phase 2 and Mr. Schmincke indicated that is correct. Mr. Schmincke said it is their desire to do the commercial with a small amount of apartments. Councilmember Helgeson said that allows them to up the ante on the rents. Mr. Schmincke acknowledged that was part of their study. He said it allows them to build a better place because you can walk across the parking lot and get to a gym and restaurant and get into Wyndhurst. They do want to keep the apartments high end and they have built them for plenty of people and know how to do it. Councilmember Helgeson thanked him for a compelling presentation.

Vice Mayor Dolan asked him to orient her to where J Crew is located in relation to this project. She asked him how quickly they will build Phase 2 and he said as soon as Phase 1 is finished.

Councilmember Wilder said he hears from people that work at J Crew that it is hard to find an apartment they can afford in that area. He asked what the price point of these apartments will be. Mr. Schmincke said when he says high end he means high end in how they are built, not necessarily in price. Two bedrooms will be $850 and three bedrooms will be $950. He does not see them going any higher because of the market and what is already available. When you have amenities and a fair price, people are going to stay. He has seen people try to reach the top end of rent prices and fail.

Mayor Tweedy asked Ms. Upshur to clarify what industrial prospects are looking for because Mayor Tweedy said she has heard in meetings that they are looking for pad ready sites. Ms. Upshur said this site is probably in better shape than most if someone wanted because it is flatter but for all these years they have had no industrial interest. The one interested prospect they had a church. Because of its location and price it is not going to sell for industrial purposes. The owner would have to cut the price significantly and that is not what the market bears out.

Councilmember Helgeson asked Mr. Martin to explain the traffic improvements that will help, especially with additional cars coming in and out of this development. Mr. Martin said the extra lane will come from the intersection of Enterprise Drive down to their entrance. It would allow for a through and a right turn and left turn dedicated movement where now there is only one lane. The main entrance to the development is off Dillard Drive and it will allow right turns and left turns in and right turns out only. Councilmember Helgeson asked Mr. Beasley if the entrance is not too far from the signalized interchange at Dillard and Enterprise Drives. Normally it is said to have limited access to avoid queuing or accidents. He wondered how the site is going to worked based on the engineering. Mr. Beasley said they felt that because of the proximity of the entrance to the signal if you have southbound traffic waiting to turn left onto Dillard Drive and they back up beyond that entrance then you are impeding people to take a left out of there anyway. It would be safer just to prohibit a left turn and make people turn right out of it. Cars will be in the left lane to turn in and will not be blocking traffic. Mr. Beasley clarified for Council that there is already a two-way left turn lane on Enterprise Drive into the development and a left turn lane for drivers onto Dillard Drive. Councilmember Helgeson asked for more clarification on the left turn lane into the development from Dillard Drive. Mr. Beasley said that perhaps during the seasonal traffic it could be an issue but he does not think you would want to prohibit lefts into the development. There are 300 plus feet from Dillard Drive to that entrance. The traffic study showed left turn queues less than 300 feet. The study was done during the school year so it did pick up school traffic but did not account for seasonal traffic. Councilmember Helgeson asked Mr. Martin if he thinks 300 feet is long enough to avoid queuing because Mr. Martin had seemed surprised by the left turn in to the development. Mr. Martin said he was surprised by it but he is not a traffic engineer and cannot speak to how well it will help ease queuing. Mr. Beasley said it would take a lot of traffic turning left to cause a backup. You do not see that during typical everyday operations. Councilmember Perrow asked Mr. Martin if staff could be this is all addressed at site plan review and analyzed and ensure that the warrants are met for the turning movements. Mr. Martin said the Planning Commission minutes say that the City is looking to prohibit left turns into the development. He would prefer to get the City Engineer's opinion and he thinks it can be handled through a traffic study. Councilmember Helgeson thinks the left turn in would actually be helpful because it will not exacerbate the problem on the corner of Enterprise Drive and Dillard Drive. Mr. Beasley said he had many discussions with the former Transportation Engineer about that particular entrance. One of the things he recommended was a modular product that can be placed in the median that will prevent left turns out but not into the development. He does not think that Mr. Martin was a part of those discussions. Mr. Martin said this can be handled at the site plan review process but the concept plan is approved as part of the rezoning, as Councilmember Helgeson has pointed out. This is also a conditional use permit for the apartments and they could add a condition that the left hand turn movement has to be approved by the City Engineer.

Mayor Tweedy called for a vote on the *FLUM* amendment and it passed by the following vote:

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

Councilmember Perrow made a motion, which was seconded by Commissioner Wright, to rezone approximately fifteen (15) acres from I-2, Light Industrial District (Conditional) to B-3C, Community Business District (Conditional). The motion passed by the following vote:

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

// In the matter of Budget, Agenda Item #10, a resolution was introduced to amend the FY2019 City/Federal/State Aid Fund budget to appropriate $21,293 with resources from the Virginia Wireless E-911 Services Board FY2019 Public Safety Answering Point (PSAP) Grant Program, which was used to replace aging computer equipment for 12 Computer Aided Dispatch (CAD). Ms. Melissa Foster explained this was a grant and no matching funds were required. Councilmember Helgeson, on behalf of the Finance Committee explained that the grant was done and the computers were purchased. It is just now a matter of an allocation. Councilmember Helgeson made a motion on behalf of the Finance Committee to approve the resolution. The motion passed by the following vote:

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

// In the matter of Budget, Agenda Item #11, a resolution was introduced to amend the FY 2020 City/Federal/State Aid budget and appropriate $103,920 with resources of $51,960 from the Virginia Office of Emergency Medical Services – Rescue Squad Assistance Fund (RSAF) and $47.297 from the FY 2020 General Fund Fire Department budget and $4,663 from the General Fund Fire Equipment Assigned Fund Balance to purchase three LifePak 15 cardiac monitors for the Fire Department. Fire Chief Greg Wormser explained that they apply for this grant twice a year. These are upgrades to monitors that have met their useful life. Councilmember Helgeson, on behalf of the Finance Committee, commended Chief Wormser because originally they had applied to get an 80/20 match and were told they could only get a 50% match. In the past, Chiefs have asked for the match to come from the fund for contingencies but Chief Wormser found it in his budget. Councilmember Helgeson made a motion on behalf of the Finance Committee to approve the resolution. The motion passed by the following vote:

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

// In the matter of Budget, Agenda Item #12, a resolution was introduced to amend the FY2020 City/Federal/State Aid Fund budget and appropriate $15,213 with resources from a grant from the Library of Virginia to preserve Deed

Book JJ, 1884, Marriage Bonds A – L, 1835-1840, and Marriage Bonds J – Z, 1825 – 1834 at the Lynchburg Circuit Court Clerk's Office. Mr. Eugene Wingfield said this grant will allow his office to continue to preserve some of the historical documents. Councilmember Helgeson, on behalf on the Finance Committee, commented that it nice to see a lot of our old records being preserved for a long period of time. He is delighted that the grant is 100 percent without a matching requirement. Hopefully, they will keep coming. On behalf of the Finance Committee, Councilmember Helgeson recommended approval of the resolution. It passed by the following vote:

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

// In the matter of Budget, Agenda Item #13, consideration of approving the donation of a surplus vehicle to Central Virginia Community College (CVCC) for use by students in the administration of justice program. Ms. Bonnie Svrcek commented that the President, John Capps, has asked the City to donate a recently surplused Crown Victoria to its administration of justice program. It will be used by students in the defensive driving and officer survival training components of the program. The vehicle will replace one previously donated to CVCC by Campbell County that has reached the end of its useful life. Staff recommends the donation of the vehicle as students from this program become strong candidates for employment in local and regional law enforcement agencies. The City Charter requires five votes to pass this resolution.

Councilmember Perrow made a motion to approve the resolution, which was seconded by Councilmember Wright. Councilmember Perrow said if this can help Chief Zuidema in recruiting he thinks it is a worthwhile investment. Councilmember Helgeson asked Chief Zuidema how this vehicle will be used to help recruit. He said students at CVCC will be sponsored to go through the police academy. The police academy does not provide vehicles. The host agency for that candidate or whoever employs that candidate has to provide a vehicle. If they are sponsored through CVCC, this vehicle will allow a candidate to complete the academy. Obviously, CVCC will let the candidate which agency provided the vehicle. In his opinion, this is a better use for vehicle as opposed to the minimal amount they would receive from auctioning it. The motion passed by the following vote:

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

// On motion of Councilmember Perrow, seconded by Vice Mayor Dolan, by the following recorded vote elected to hold a closed meeting for discussion of plans to protect the safety and security of the members of City Council while they are in City Hall, because discussion in an open meeting would jeopardize such safety and security plans, pursuant to Section 2.2-3711(A.)(19.) of the Code of Virginia:

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

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

// Councilmember Helgeson made the following motion:

WHEREAS, the Council of the City of Lynchburg has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lynchburg certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by Council.

The Motion was seconded by Councilmember Wilder, and Council by the following recorded vote adopted the motion:

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

// On motion of Councilmember Wilder, seconded by Councilmember Perrow, by the following recorded vote elected to hold a closed meeting for discussion of and consideration of the City Manager's and the City Attorney's performance evaluations, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia.

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

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

// Councilmember Helgeson made the following motion:

WHEREAS, the Council of the City of Lynchburg has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lynchburg certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by Council.

The Motion was seconded by Vice Mayor Dolan, and Council by the following recorded vote adopted the motion:

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

// The meeting was adjourned at 9:15 p.m.

____

Clerk of Council

LYNCHBURG CITY COUNCIL
Agenda Item Summary

For reference for Agenda Items 6 & 7

MEETING DATE: **September 24, 2019** AGENDA ITEM #: **8**

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

ITEM TITLE: FY 2020 First Quarter Adjustments

KEY ELEMENTS:
___Economic Development _X_Excellent Government ___Natural and Built Environment ___Safe Community __Vibrant Community

RECOMMENDATION: Following a public hearing, adopt a resolution amending the FY 2020 Operating and Capital Budgets and appropriating or rescinding funds to reflect the FY 2020 First Quarter Adjustments as listed in Attachment A.

SUMMARY: The General, City/Federal/State Aid, Community Development Block Grant (CDBG), Forfeited Assets, Home Investment Trust, Regional Juvenile Detention Home, Technology, Fleet, Water as well as the City Capital Projects, Stormwater Capital Projects, and Schools Capital Projects Fund are amended to reflect the FY 2020 First Quarter Adjustments.

PRIOR ACTION(S): Adoption of the FY 2020 Operating and Capital Budgets: May 28, 2019

FISCAL IMPACT: As noted on Attachment A.

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

ATTACHMENT(S):
Resolutions
FY 2020 First Quarter Adjustments – Summary and Detail (Attachment A)

REVIEWED BY: bms

#R-19-070

RESOLUTION: BE IT RESOLVED That the FY 2020 Adopted Budget is amended and funds are appropriated or rescinded to reflect the First Quarter Adjustments in the General, City/Federal/State Aid, Community Development Block Grant (CDBG), Forfeited Assets, Home Investment Trust, Regional Juvenile Detention Home, Technology, Fleet, Water as well as the City Capital Projects, Stormwater Capital Projects, and Schools Capital Projects Fund as reflected in Attachment A.

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

Introduced: September 24, 2019 Adopted:

Certified: ______________________________

Clerk of Council

117R

GENERAL FUND

Department/Division	Amount	Source of Funding: Additional Revenues	Source of Funding: Use of Unassigned Fund Balance	Source of Funding: Transfer or Use of Committed/ Assigned Fund Balance	Purpose
City Assessor	11,000		11,000		Carry forward and appropriate remaining funds to upgrade to a new version of the current Computer-Assisted Mass Appraisal (CAMA) system ProVal.
Community Development	15,000		15,000		Carry forward and appropriate remaining funds to replenish demolition budget as a result of expenditures for an emergency demolition in FY 2020.
Council/Manager Offices	4,007		4,007		Carry forward and appropriate remaining funds to purchase chairs for the Second Floor Training Room.
Emergency Services	20,000		20,000		Carryforward and appropriate remaining funds to replace the current access control system (locks) at the Emergency Services building.
Financial Services	15,000		15,000		Carry forward and appropriate remaining funds for training and succession planning.
Fire	30,000		30,000		Carry forward and appropriate remaining funds for Fiber at Station 4. This is the only station that is not on the City's fiber network for internet access.
Fire	25,000		25,000		Carry forward and appropriate remaining funds for ballistic vests. We need to protect our most valuable asset; our employees. In light of the increasingly frequent active assailant events, the LFD, like many other departments throughout the nation, is beginning an initiative to provide a ballistic vest to every riding position in the department. This equipment further advances our partnership with law enforcement allowing us to work collaboratively to help prevent violent threats and death.
Human Resources - Non-Departmental	2,173		2,173		Carry forward and appropriate donated funds for the International Festival.
Library	4,998	4,998			Appropriate additional State Aid from the Library of Virginia.
Non-Departmental - Medical Benefit	260,000		260,000		Appropriate funds for additional medical benefits costs projected for FY 2020.
Parks and Recreation	24,369		24,369		Carry forward and appropriate remaining funds to purchase new furniture and kitchen equipment for Jefferson Park and Diamond Hill neighborhood centers following their renovation with CDBG funds.
Parks and Recreation	2,500		2,500		Carry forward and appropriate remaining funds for transportation for the neighborhood centers summer camp programs (via an LCS school bus and driver).

FY 2020 First Quarter Adjustment Details **ATTACHMENT A**

Department/Division	Amount	Source of Funding: Additional Revenues	Source of Funding: Use of Unassigned Fund Balance	Source of Funding: Transfer or Use of Committed/ Assigned Fund Balance	Purpose
Police	71,557		71,557		Carry forward and appropriate remaining funds to purchase FireArms Training Simulator System (F.A.T.S). The F.A.T.S system will accommodate both safe and real time use of force training in essentially any environment. Additionally, the direct feedback from the system provides an assessment of the officer's performance. This information is critical in providing the officer with constructive feedback and remediation as necessary to ensure proper development. The total cost of the system is $96,557 offset with $25,000 of State Asset Forfeiture funding.
Police	85,000		85,000		Carry forward and appropriate remaining funds to purchase scheduling/payroll software. A cloud-based scheduling system will optimize the scheduling, communication and deployment of police personnel. Also, better ability to track personnel costs and manage limited resources by creating and updating schedules in a more streamlined and efficient manner.
Police - Range	2,173		2,173		Carry forward and appropriate remaining funds and revenues received over adopted budget to be used for firing range purposes in FY 2020.
Poverty Initiative	121,001		121,001		Carry forward and appropriate remaining FY 2019 Poverty Initiative Funds.
Public Works	31,000		31,000		Carry forward and appropriate remaining funds for SCS Engineers, the consultants hired by the City to examine the current solid waste management program and services, advised coupling a routing study with the current scope of work would provide significant benefit.
Public Works	5,600		5,600		Carry forward and appropriate remaining funds for 7 computer/monitor setups and 2 desktop printers. Public Works has employees in the Grounds, Streets, and Building Maintenance divisions who do not have access to a computer work station. With the implementation of NeoGov as the new performance and learn tool, it is imperative computer work stations be added to these areas for employees to use. There are approximately 60 employees primarily located in 4 different areas needing access to these stations.
Public Works	124,000		124,000		Appropriate funds for the lift currently in use at the Refuse Maintenance Shop needs to be replaced.

Department/Division	Amount	Source of Funding: Additional Revenues	Source of Funding: Use of Unassigned Fund Balance	Source of Funding: Transfer or Use of Committed/ Assigned Fund Balance	Purpose
TRANSFERS					
Transfer to City/Federal/State Aid Fund from General Fund Operating Budget	54,705		54,705		*Transfer from General Fund to City/Federal State Aid Fund* to appropriate the amount collected from a percentage of Amusement Tax in the Arts and Cultural District that relates to the Arts Grant.
Transfer to City/Federal/State Aid Fund from General Fund Operating Budget	50,000		50,000		*Transfer from General Fund to City/Federal State Aid Fund* to carry forward and appropriate funds to establish the Local Drug Court Grant.
Transfer to Technology Fund from Information Technology General Fund Operating Budget	62,851			62,851	*Transfer from General Fund to Technology Fund* of non-personnel unexpended funds to the Technology Fund per June 2000 Council approved Information Technology Policy.

GENERAL FUND

Additional Revenues	$ 4,998
Amount Funded with Use of FY 2019 Unassigned Year End Fund Balance	954,085
Amount Funded with a Transfer of Use of Committed or Assigned Fund Balance	62,851
GENERAL FUND Appropriation Total	$ 1,021,934

Department/Division	Amount	Source of Funding: Additional Revenues	Source of Funding: Use of Unassigned Fund Balance	Source of Funding: Transfer or Use of Committed/ Assigned Fund Balance	Purpose
CITY/FEDERAL/STATE AID FUND					
Circuit Court Clerk	50,000	50,000			*Transfer to City/Federal State Aid Fund from General Fund Operating Fund* to carry forward and appropriate funds to establish the Local Drug Court Grant.
Economic Development	54,705	54,705			*Transfer to City/Federal State Aid Fund from General Fund Operating Fund* to appropriate the amount collected from a percentage of Amusement Tax in the Arts and Cultural District that relates to the Arts Grant true up FY 2019.
Emergency Services	3,000	3,000			Appropriate grant funds with resources from the Virginia Wireless E-911 Services Board FY20 Public Safety Answering Point (PSAP) Education Grant Program for training opportunities.
Fire	1,708	1,708			True-up the Fire Program Grant (4-for-Life) FY 2019 funding allocation.
Fire	10,326	10,326			True-up the Fire Program Grant funding (Fire Funding) FY 2020 funding allocation.
CITY/FEDERAL/STATE AID FUND Total			$ 119,739		
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUND					
Community Development	(401)	(401)			True-up the FY 2020 grant award; during the City budget process $733,913 was appropriated, $733,512 was awarded in June 2019.
CDBG FUND Total			$ (401)		
FORFEITED ASSETS FUND					
Commonwealth's Attorney Office	37,706			37,706	Appropriate Asset Forfeiture revenues received.
Police Department	22,168			22,168	Appropriate Asset Forfeiture revenues received.
FORFEITED ASSETS FUND Total			$ 59,874		

Department/Division	Amount	Source of Funding: Additional Revenues	Use of Unassigned Fund Balance	Transfer or Use of Committed/ Assigned Fund Balance	Purpose
HOME INVESTMENT TRUST FUND					
Community Development	(45,908)	(45,908)			True-up the FY 2020 grant award; during the City budget process $438,772 was appropriated, $392,864 was awarded in June 2019.

HOME INVESTMENT TRUST FUND Total	$ (45,908)

REGIONAL JUVENILE DETENTION HOME FUND

Department/Division	Amount	Additional Revenues	Use of Unassigned Fund Balance	Transfer or Use of Committed/ Assigned Fund Balance	Purpose
Detention Home	76,158	76,158			Appropriate funds to fund the full year of the Phase I Salary Study.
Detention Home	19,724	19,724			Appropriate funds for a hydroponics unit, class fees for welding and other college courses, and a driving simulator; fully funded by the Virginia Department of Juvenile Justice (DJJ).
Transfer to City Capital Fund from the Regional Juvenile Detention Home Fund	100,000			100,000	*Appropriate funds and Transfer to City Capital Projects Fund from the Regional Juvenile Detention Home Fund* to help fund the heating, ventilation, and air conditioning (HVAC) replacement.

REGIONAL JUVENILE DETENTION HOME FUND	$ 195,882

TECHNOLOGY FUND

Department/Division	Amount	Additional Revenues	Use of Unassigned Fund Balance	Transfer or Use of Committed/ Assigned Fund Balance	Purpose
Information Technology	15,000			15,000	Appropriate funds for Cloud Disaster Recovery storage.
Information Technology	15,000			15,000	Appropriate funds for active directory/security/ network engineering consulting assistance.
Information Technology	7,000			7,000	Appropriate funds for Fortinet firewall support one year renewal.
Information Technology	40,000			40,000	Appropriate funds for custom programming - New World Systems.
Information Technology	50,000			50,000	Appropriate funds for Payment Card Industry (PCI)/Royal Bank of Scotland (RBS) upgrade.
Information Technology	125,000	62,851		62,149	Appropriate funds to support further implementation of Cherwell modules (IT service management system). *Transfer from General Fund to Technology Fund* of non-personnel unexpended funds to the Technology Fund per June 2000 Council approved Information Technology Policy.
Information Technology	10,765			10,765	Appropriate funds for interns or apprentices to support PC and GIS work.

Additional Revenues	$ 62,851
Amount Funded with a Transfer of Use of Committed or Assigned Fund Balance	199,914
TECHNOLOGY FUND Total	$ 262,765

Department/Division	Amount	Source of Funding: Additional Revenues	Source of Funding: Use of Unassigned Fund Balance	Source of Funding: Transfer or Use of Committed/ Assigned Fund Balance	Purpose
CITY CAPITAL PROJECTS FUND					
Parks and Recreation	1,000,000	1,000,000			Appropriate additional funding awarded by the Virginia Department of Transportation (VDOT) via the Transportation Alternative Program grant for the Langhorne Road trestle renovation and trail extension project. This funding is being realigned to the project by VDOT from other projects that have been deferred.
Public Works	25,000	25,000			Appropriate funds provided by the Lynchburg Garden Club to assist the City with updating and refurbishing the Gateway signs.
Public Works - Engineering	81,739	81,739			Appropriate the amount of VDOT Revenue Share funding in the Route 501/221 One Way Pairs project between original request of $2,000,000 and the amount awarded by VDOT in FY 2019 of $1,918,261.
Public Works - Engineering	61,304	61,304			Appropriate the amount of VDOT Revenue Share funding in the Link Road Bridge project between original request of $750,000 and the amount awarded by VDOT in FY 2019 (for FY 2020) of $688,696.
Public Works - Engineering	183,913	183,913			Appropriate the amount of VDOT Revenue Share funding in the Florida Avenue Sidewalk project between original request of $2,250,000 and the amount awarded by VDOT in FY 2019 (for FY 2020) of $2,066,087.
Public Works - Engineering	163,478	163,478			Appropriate the amount of VDOT Revenue Share funding in the 5th Street improvements, Phase IV project between original request of $2,000,000 and the amount awarded by VDOT in FY 2019 (for FY 2020) of $2,066,087.
Public Works - Engineering	143,043	143,043			Appropriate the amount of VDOT Revenue Share funding in the John Capron Road Extension project between original request of $1,750,000 and the amount awarded by VDOT in FY 2019 of $1,606,957.
Public Works - Engineering	102,174	102,174			Appropriate the amount of VDOT Revenue Share funding in the Downtown Streetscapes, Phase III project between original request of $1,250,000 and the amount awarded by VDOT in FY 2019 of $1,147,826.
Public Works - Engineering	302,126	302,126			Appropriate Unallocated Urban Formula funds to Urban Construction Initiative (UCI).
Public Works - Engineering	(15,317)	(15,317)			Rescind unused funds in the VDOT Federal Highway Plan program in the Safe Routes to School (SRTS) Bass and Linkhorne Elementary project.
Public Works - Engineering	(78,307)	(78,307)			Rescind unused funds in the VDOT Federal Highway Plan program in the SRTS Stoneridge at Dearington Elementary project.
Transfer to City Capital Fund from the Regional Juvenile Detention Home Fund	100,000	100,000			*Transfer to City Capital Projects Fund from the Regional Juvenile Detention Home Fund* and appropriate funds to help fund the heating, ventilation, and air conditioning (HVAC) replacement.

CITY CAPITAL PROJECTS FUND Total	$ 2,069,153

Department/Division	Amount	Source of Funding: Additional Revenues	Use of Unassigned Fund Balance	Transfer or Use of Committed/ Assigned Fund Balance	Purpose
SCHOOLS CAPITAL PROJECTS FUND					
Schools	9,600	9,600			Appropriate funds received from the Rooftop Lease agreement for a cell tower on top of Dunbar Middle School.
SCHOOLS CAPITAL PROJECTS FUND Total			$ 9,600		
WATER FUND					
Water	8,987	8,987			Appropriate funds received due to a class action lawsuit involving price fixing and bid rigging by chemical companies selling aluminum sulfate (chemical) used to treat water between the period 1997 - 2011. This is the second company settlement. We anticipate at least two other chemical company settlements in the future.
WATER FUND Total			$ 8,987		
STORMWATER CAPITAL PROJECTS FUND					
Stormwater	81,582	81,582			Appropriate funds from Stormwater Local Assistance Fund (SLAF) Grant awarded by Department of Environmental Quality (DEQ). The original SLAF Grant funding was appropriated February, 2017 in the amount of $1,705,275. These additional grant funds allow the Rock Castle Stream Project to be funded without using pay-go funds from the Stormwater Capital Fund. This project restores approximately 2,700 linear feet of the Rock Castle Creek Stream and will improve local water quality and help meet requirements of the Chesapeake Bay Total Maximum Daily Load (TMDL) pollution reduction goals of City of Lynchburg's (Municipal Separate Storm Sewer) MS4 permit.
STORMWATER CAPITAL PROJECTS FUND Total			$ 81,582		
FLEET SERVICES FUND					
Fleet Services	70,000			70,000	Appropriate funds to replace the Sherriff Department's van.
Fleet Services	289,287			289,287	Appropriate FY 2019 auction proceeds for fleet purchases including Automatic Vehicle Location (AVL) Software, Fleet Management Information System software and hardware and other fleet equipment.
Fleet Services	21,190			21,190	Appropriate insurance proceeds received late in FY 2019 for totaled Fire department vehicle (EMIS 3528).
FLEET SERVICES FUND Total			$ 380,477		

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **October 8, 2019** AGENDA ITEM #: **12**

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

ITEM TITLE: Funding opportunity from Commonwealth of Virginia, Department of Criminal Justice Services

KEY ELEMENTS:
___Economic Development ___Excellent Government ___Natural and Built Environment _X_Safe Community __Vibrant Community

RECOMMENDATION: Adopt a resolution to amend the FY 2020 City/Federal/State Aid Fund budget and appropriate $49,210 with resources from the Commonwealth of Virginia, Department of Criminal Justice Services to purchase law enforcement equipment for the Lynchburg Police Department.

SUMMARY: The City of Lynchburg is eligible to receive $49,210 from the Commonwealth of Virginia, Department of Criminal Justice Services (DCJS). Funding will be utilized by the Lynchburg Police Department (LPD) to purchase eleven (11) Panasonic Tough Books (laptop computers) and required accessories that will be installed into police vehicles. Total equipment cost is $49,210 which is fully reimbursable by DCJS. No local matching funds are required.

On September 27, 2019, Chief Zuidema was contacted by DCJS and advised of unspent grant funds they had from an older Edward Byrne Memorial Justice Assistance Grant (JAG). They offered to designate the LPD to be reimbursed from those funds up to $50,000 for efforts supporting local law enforcement. A memorandum of understanding explaining the terms was sent to the LPD that evening and has subsequently been reviewed and signed by both parties. There is a short turnaround time for these funds and the project. The funding had to be obligated by means of a project designation, by September 30, 2019. The equipment must be purchased and the LPD must complete a drawn down reimbursement with DCJS using a paid receipt for the full $49,210 on or before November 30, 2019.

PRIOR ACTION(S): None. This funding opportunity was received on September 27, 2019 and required immediate action due to time constraints within the memorandum of understanding.

FISCAL IMPACT: None, no local match is required.

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

ATTACHMENT(S): Resolution

REVIEWED BY: bms

RESOLUTION: #R-19-080

BE IT RESOLVED that the FY 2020 City/Federal/State Aid Fund budget is amended and $49,210 is appropriated with resources from the Commonwealth of Virginia, Department of Criminal Justice Services to purchase law enforcement equipment for the Lynchburg Police Department.

Introduced: Adopted:

Certified: ______________________________
Clerk of Council

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LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **October 22, 2019** AGENDA ITEM #: **8**

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

ITEM TITLE: US 501 and US 221 Environmental Assessment Public Hearing

KEY ELEMENTS:
_X__Economic Development _X_Excellent Government __X_Natural and Built Environment __Safe Community ___Vibrant Community

RECOMMENDATION: Hold a public hearing to accept public comment on the Environmental Assessment (EA) for the US 501 and US 221 Intersection Improvement project. No action by City Council is required.

SUMMARY: On Friday, September 20, 2019 the City of Lynchburg, in coordination with the Virginia Department of Transportation (VDOT) and the Federal Highway Administration (FHWA) as the lead federal agency, released the Environmental Assessment (EA) for the US 501 (Lynchburg Expressway) and US 221 (Lakeside Drive) Intersection Improvement Project.

Pursuant to the National Environmental Policy Act of 1969 (NEPA) as amended, and in accordance with FHWA regulations for implementing NEPA, the EA has been prepared to analyze the potential social, economic, and environmental effects associated with alternative solutions intended to address congestion and transportation deficiencies in the vicinity and to accommodate anticipated traffic increases as growth continues in the area. Pursuant to the National Historic Preservation Act, Section 106 and 36 CFR 800, information concerning the potential effects of the proposed improvements on properties is also included in the environmental document.

Prior to the public hearing, there has been a project viewing session from 6:00 p.m. to 7:00 p.m. outside Council Chambers for the public to review the alternatives, ask questions of staff, and provide written comment. A court reporter is present tonight to record all comments into the official project record. Please note the public comment period closes on November 6, 2019, or 15 days following the public hearing.

PRIOR ACTION: This project has been before City Council and Physical Development Committee multiple times with the last action on June 26, 2018 to reapply for SMART SCALE funding.

FISCAL IMPACT: In FY 2018, there was an appropriation of $1,500,000 for this National Environmental Policy Act study.

CONTACT(S): Lee Newland, City Engineer, 455- 3947
Gaynelle Hart, Director of Public Works- 455-4406

ATTACHMENT(S):
US 501 and US 221 Intersection Improvement Environmental Assessment

REVIEWED BY: raw

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Environmental Assessment

US 501 and US 221 Intersection Improvement Project

City of Lynchburg, Virginia

UPC 113116

Project U000-118-286

September 13, 2019

VDOT
Virginia Department of Transportation

THE CITY OF LYNCHBURG

U.S. Department of Transportation
Federal Highway Administration

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U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
and
VIRGINIA DEPARTMENT OF TRANSPORTATION

ENVIRONMENTAL ASSESSMENT

US 501 and US 221 INTERSECTION IMPROVEMENT

Lynchburg, Virginia

VDOT Project #: U000-118-286, P101

UPC #: 113116

Submitted Pursuant to 42 U.S.C. 4332(2)(C)

Approved for Public Availability:

9/16/19

Date

John Simkins

for: **Division Administrator**

Federal Highway Administration

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Chapter 2: Alternatives (continued)

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Chapter 4: Coordination and Comments

Appendices

Acronyms

APE - Area of Potential Effect
CAAA - Clean Air Act Amendment
CERCLA - Comprehensive Environmental Response, Compensation, and Liability Act of 1980
CFR - Code of Federal Regulations
CNE - Common Noise Environment
CO - Carbon Monoxide
CWA - Clean Water Act
EA - Environmental Assessment
EB - East Bound
EBL - East Bound Left
EBR - East Bound Right
EBT - East Bound Through
EDR - Environmental Data Resources
EJ - Environmental Justice
EO - Executive Order
EPA - U.S. Environmental Protection Agency
ESA - Endangered Species Act
FEMA - Federal Emergency Management Administration
FHWA - Federal Highway Administration
GLTC - Greater Lynchburg Transit Company
HHS - Department of Health and Human Services
IPaC - USFWS Information for Planning Consultation
LOS - Level of Service
LRTP - Long Range Transportation Plan
MPO - Central Virginia Metropolitan Planning Organization
MSAT - Mobile Source Air Toxic
NAAQS - National Ambient Air Quality Standards
NAC - Noise Ambient Criteria
NB - North Bound
NBL - North Bound Left
NBR - North Bound Right
NBT - North Bound Through
NEPA - National Environmental Policy Act
NFHL - National Flood Hazard Layer
NRHP - National Register of Historic Places
PEI - Preliminary Environmental Inventory
RCRA - Resource Conservation and Recovery Act
RCRA - Resource Conservation and Recovery Act of 1976
SB - South Bound

SBL - South Bound Left
SBR - South Bound Right
SBT - South Bound Through
SERP - State Environmental Review Process
SSURGO - Soil Survey Geographic Database
TAZ - Traffic Analysis Zones
USACE - U.S. Army Corps of Engineers
USFWS - U.S. Fish and Wildlife Service
V/C - Volume to Capacity Ratio
VDEQ - Virginia Department of Environmental Quality
VDHR - Virginia Department of Historical Resources
VDOT - Virginia Department of Transportation
VDGIF - Virginia Department of Game and Inland Fisheries
VMRC - Virginia Marine Resources Commission
VPD - Vehicles per Day
VJuST - VDOT Junction Screening Tool
WB - West Bound
WBL - West Bound Left
WBR - West Bound Right
WBT - West Bound Through
WOUS - Waters of the United States

Chapter 1 Purpose and Need

The City of Lynchburg Virginia (City), in coordination with the Virginia Department of Transportation (VDOT) and with the Federal Highway Administration (FHWA) as the lead federal agency, is evaluating options for roadway improvements in the vicinity of the intersection of US Route 501 (US 501) and US Route 221 (US 221), in the City. Pursuant to the National Environmental Policy Act of 1969, as amended (NEPA) and in accordance with FHWA regulations for implementing NEPA, this Environmental Assessment (EA) has been prepared to analyze the potential social, economic, and environmental effects associated with alternative solutions intended to address the transportation deficiencies identified in this document.

The City of Lynchburg Comprehensive Plan, *Planning for the Future 2013-2030* (Comprehensive Plan), is consistent with both the VTrans 2035 (Virginia's long-range multimodal transportation plan) and the Central Virginia Metropolitan Planning Organization (MPO) Long Range Transportation Plan Update 2040 (LRTP). Both the City's Comprehensive Plan and the MPO LRTP specifically identify the need for improvements for the intersection of US 501 and US 221, and the proposed improvements are consistent with the needs identified. The Comprehensive Plan includes detailed information related to the transportation improvement needs in the City to provide "safe, efficient, effective, well-planned transportation systems and facilities that are sustainable, enhance economic development and redevelopment opportunities and preserve the integrity and character of the affected neighborhoods, historic districts and natural areas."

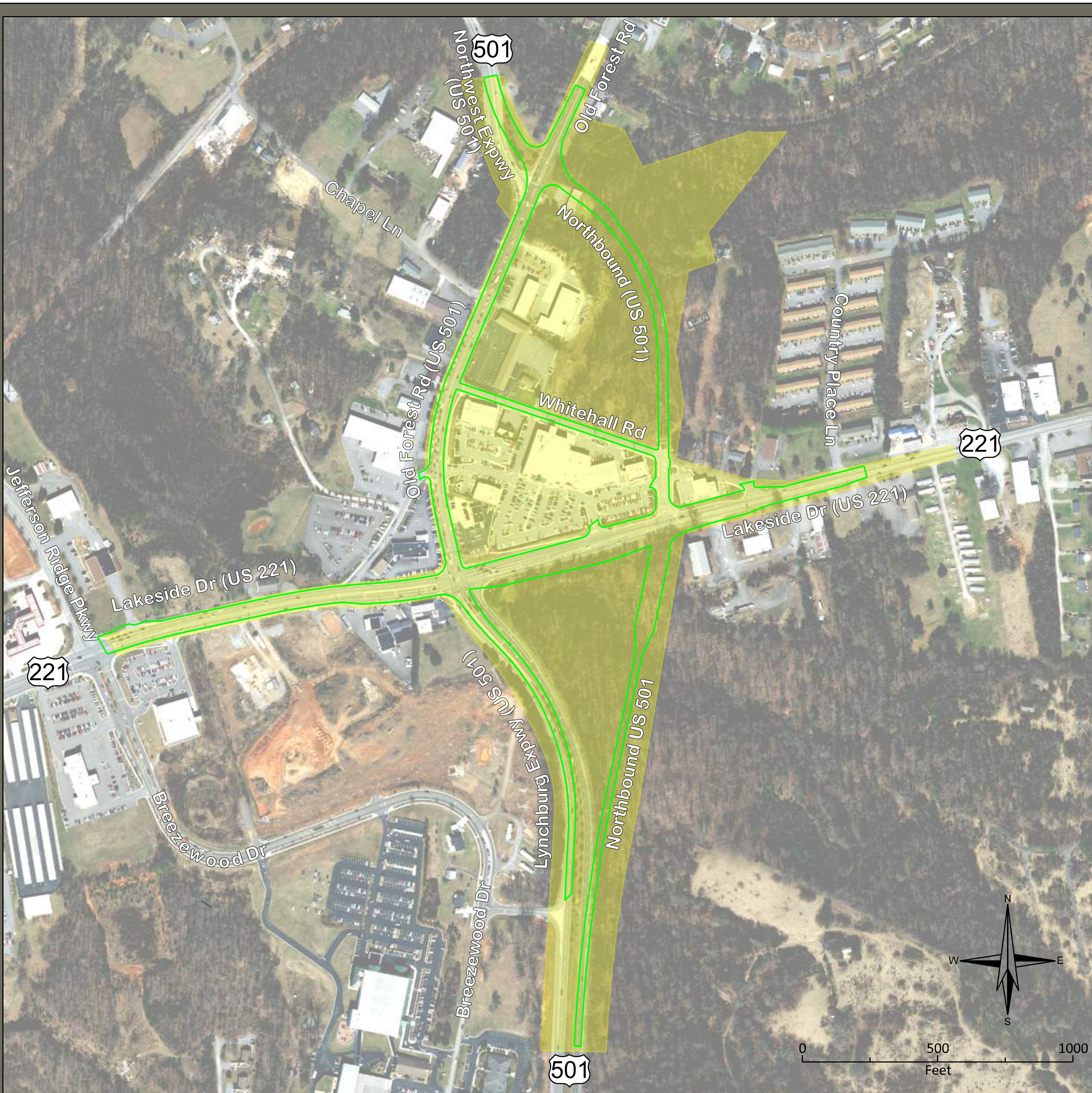
As described in detail below, the study area is centered on the intersection of a highway (US 501) and a major arterial (US 221) that is primarily surrounded by commercial use properties. Local citizens and regional travelers would both benefit from reduced delay and increased capacity resulting in much shorter queues in this intersection.

1.1 Study Area

The study area is illustrated in Figure 1-1 and the intersections in the study area are illustrated in Figure 1-2. It is centered on the intersection of US 501 and US 221 (Figure 1-2 intersection #3) and extends to include:

- US 221 (Lakeside Drive) west to Breezewood Drive (Figure 1-2 intersection #1) and east to County Place Lane (Figure 1-2 intersection #7),
- US 501[1] south to Breezewood Drive (Figure 1-2 intersection #9) and north to Old Forest Road.

[1] Note: The name of US 501 changes at the Old Forest Road intersection (Figure 1-2 intersection #13). South of this intersection, US 501 is the Lynchburg Expressway. Northwest of this intersection, US 501 is the Northwest Expressway.



LEGEND

Study Area

Proposed Improvement

City of Lynchburg
US 501/US 221 Intersection Improvement Project
Environmental Assessment

Figure 1-1
Study Area

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#1 Intersection

City of Lynchburg
US 501 and US 221 Intersection Improvement Project

Figure 1-2
Study Intersections

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Current land use in the area is primarily commercial and retail, and zoning is primarily commercial. The project area has been established to include existing roadways and properties owned by the City that can be utilized for a transportation solution.

1.2 History

The City of Lynchburg has long identified the need for improvements to the US 501 and US 221 intersection. In fact, the City commissioned a study in 2006 that investigated alternatives to improve traffic operations at the US 501 and US 221 intersection. According to U.S. Census Bureau estimates, the City grew approximately 15% between 2000 and 2010, with an additional increase of 7.2% between 2010 and 2017. Continued commercial development and population growth have resulted in the intersection becoming one of the most congested in the City. Historical traffic volumes from VDOT indicate that daily demand on US 501 south of US 221 grew by 4,000 vehicles per day (vpd) between 2011 and 2016 (31,000 vpd to 35,000 vpd, respectively). North of US 221, US 501 demand grew by 5,000 vpd between the same years (32,000 vpd to 37,000 vpd, respectively). The higher traffic volumes expected as growth continues result in demand that exceeds available capacity in the peak periods. A number of previous studies and reports have been prepared for this location, supporting the need for the proposed improvements. A summary of pertinent reports is outlined in Table 1-1 below.

Table 1-1: Previous Studies and Reports

Date	Title/Description	Comments
2006	Route 501/Route 221 (Lakeside Drive) Sub-Area Traffic Study, Lynchburg, Virginia (Parsons, 2006)	This traffic study evaluated alternatives for improving intersection performance with a target budget of less than $30M.
2013	City of Lynchburg, Virginia Comprehensive Plan 2013-2030	The Comprehensive Plan identified the need for intersection improvements at this location.
2014/2015	Preliminary Roadway Plans (T.Y. Lin, 2014/2015, Prepared for City of Lynchburg as part of the current and on-going planning effort)	Preliminary plans, including line and grade plus cross sections for a split intersection alternative were developed to identify right-of-way needs.
2015	Central Virginia MPO Long Range Transportation Plan 2040 Update	The proposed improvements have been included as a high priority project for prior three LRTP updates.

1.3 Needs

The current, and anticipated future, mobility, accessibility, and safety at the US 501 and US 221 intersection is considered deficient. The following sections summarize the deficiencies that have been identified and define the need for facility improvements.

1.3.1 Existing Conditions

The following section provides a summary of existing conditions that demonstrate project needs.

Capacity and Transportation Demand

US 501 serves daily traffic that exceeds 35,000 vpd according to recent counts from VDOT, which is approaching capacity when considering the number of commercial access points and closely spaced traffic signals in the study area. That, coupled with heavy conflicting traffic from US 221, leads to potential capacity shortfalls. The existing US 501 and US 221 (Figure 1-2 intersection #3) intersection is also currently experiencing excess queuing and delays during peak hours of the day indicative of travel demand being at or even exceeding intersection capacity. As the key focus of this study, the poor operations at the US 501 and US 221 intersection influence the surrounding roadway operations, driveways and cross-streets, and adjacent traffic signals:

- Southbound queuing at US 501 and US 221 (Figure 1-2 intersection #3) consistently extends back to the US 501 andNorthwest Expressway intersection (Figure 1-2 intersection #13); 1,500 feet to the north during the peak hours. This queuing restricts the eastbound right and southbound through movements at US 501 and Northwest Expressway intersection.
- Peace Street, a local street that bisects a car dealership, extends between US 501 and US 221 in the northwest corner of the intersection and functions as a cut-through right turn lane, handling the majority of the southbound right movements. The volumes are currently relatively heavy which creates safety concerns for the abutting land use and results in an awkward intersection location relative to drivers' expectation west of the US 501 and US 221 intersection.
- The single eastbound US 221 through lane at US 501 does not have enough capacity to serve the heavy eastbound through demand. Modeling results indicate the eastbound through lane queue reaches 840 feet during the AM peak hour.
- Modeling results indicate combined northbound queuing at US 501 and US 221 of 775 feet at PM peak hour, resulting in blocked turn lanes.
- Westbound queuing from the US 501 and US 221 intersection has modelled queues of 750 feet in length for PM peak hour, which blocks access to the commercial development located in the northeast corner of the intersection.
- The eastbound right movement at the Northwest Expressway to US 501 south (see Figure 1-2 intersection #13) has modelled queues of 650 feet during the AM peak hour, though it operates as a "moving queuing." This provides a constant flow of traffic southbound which, when mixed with Old Forest Road southbound traffic, adds substantial pressure to the US 501 and US 221 intersection.
- All access points along US 501 between the US 501 and US 221 and US 501 and Northwest Expressway intersections are consistently blocked by queued vehicles.
- Freight/truck traffic is also common throughout the study area as several large distribution and warehousing centers are located near the study area. Frito-Lay has a distribution center on Jefferson Ridge Parkway and is a leading generator of truck traffic in the study area.

Note that the modelled volumes reported above differ from observed values as originally indicated in the purpose and need concurrence form documentation. The modelled values do not reflect higher volume *conditions that might occur on a Friday, or operational variables such as pre-emption activations that effect the efficiency of the traffic signals.*

The City has implemented traffic signal system improvements including adaptive technology for all signalized locations in the study area with some benefits on reducing queues and delay; however, even with the addition of these signal modifications, extreme periods of congestion remain as noted above, even during traditional nonpeak hours.

The issues of high traffic volumes on US 501 and US 221 are compounded by limited capacity and the intersection of these two key regional highways, which decrease corridor efficiency and mobility, thus negatively affecting the intersection delay and queueing. Table 1-2 indicates the volume to capacity (V/C) ratios for the two key signalized intersections in the study area. According to the *Highway Capacity Manual* 2010 Edition, V/C ratios near capacity range from 0.85 to 0.95, are at capacity between 0.95 and 1.0, and are over capacity when V/C ratios a greater than 1.0.

Table 1-2: Existing Conditions V/C Ratios

Intersection	Approach	Movement	AM Peak Hour	PM Peak Hour
			V/C Ratio	V/C Ratio
US 501 and US 221 (Intersection #3)	US 221 EB	EBL	0.61	***0.92***
		EBT	***0.97***	0.7
		EBR	0.16	0.3
	US 221 WB	WBL	***0.88***	0.83
		WBT	0.72	***0.92***
		WBR	0.13	0.11
	US 501 NB	NBL	***0.91***	***0.89***
		NBT	0.57	0.76
		NBR	0.31	0.32
	US 501 SB	SBL	0.43	0.54
		SBT/SBR	***0.95***	***0.91***
	Intersection Maximum		***0.97***	***0.92***

Table 1-2: Existing Conditions V/C Ratios (cont'd)

Intersection	Approach	Movement	AM Peak Hour	PM Peak Hour
			V/C Ratio	V/C Ratio
US 501/Northwest Expressway (Intersection #13)	Expressway EB	EBL/EBT	0.08	0.14
		EBR	0.82	0.54
	Business WB	WBL/WBT/WBR	N/A	N/A
	US 501 NB	NBL	0.54	***0.87***
		NBT/NBR	0.3	0.31
	Old Forest Road SB	SBL	0.01	0
		SBT/SBR	0.77	0.81
	Intersection Maximum		**0.82**	***0.87***

Source: Synchro 9.1, utilizes *Highway Capacity Manual* 2010 methodologies.
Note: V/C ratios that are near or at capacity are in ***red***.

The US 501 and US 221 intersection is operating at, or near, capacity with a V/C ratio greater than 0.85 for at least one movement for each approach under both peak hours. The eastbound through movement at the US 501 and US 221 intersection (Figure 1-2 Intersection #3) is operating with a V/C ratio of 0.97. At the US 501 and Northwest Expressway intersection (Figure 1-2 Intersection #13), the northbound left, which is the key movement linking the study area to the region via the limited access Northwest Expressway, is operating with a V/C ratio near capacity at 0.87. Furthermore, conflicting movements associated with traffic signal operations experience the highest ratios. For example, the US 221 eastbound and westbound through and left movements, then subsequent US 501 northbound left and southbound movements all experience high V/C ratios. As seen in the subsequent section, these V/Cs will only increase as regional growth continues and the land use adjacent to- and through the study area develops. Commensurate with the change in V/C will be the continued increase in delays and queuing throughout the study area.

Safety

With the existing traffic and development in the area, combined with the projected increase in future traffic volumes, safety concerns are, and will continue to be, an issue, which would be exacerbated each year. Due to the correlation between high levels of delays (measure of congestion) and crash frequency, particularly rear end type crashes, the number of crashes would likely continue to increase, and the number of injury crashes could grow well beyond existing numbers without improvements to the existing configuration of the intersection and surrounding network. Thus, a goal of this project will be to reduce intersection delays in the future.

Per the study area as illustrated in Figure 1-1, a total of 193 crashes were reported within the study area over the five-year crash analysis period. Of the reported crashes, 149 involved property damage and 44 involved injuries, four of which required an ambulance. A total summary of the crashes, by type, is shown in Table 1-3

Table 1-3: Crash Data Types in the Project Area

Year	Rear End	Angle	Fixed Object	Side-swipe	Head On	Other	Total
2012	12	18	2	1	1	0	**34**
2013	22	7	1	4	1	0	**35**
2014	18	2	2	3	1	2	**28**
2015	20	18	6	2	0	0	**46**
2016	18	19	4	4	2	3	**50**
Total	90	64	15	14	5	5	**193**

Source: *VDOT Roadway Network System, period from January 1, 2012 through December 21, 2016. Note that this crash data is based on the study area illustrated in Figure 1-1, which does vary slightly from the area originally used to calculate total crashes as reported in the NEPA Concurrence Form (reported as 129 crashes).*

The total number of crashes by year illustrates an upward trend. With the exception of 2014, the number of annual crashes in the study area has been increasing, peaking in 2016 at a rate that outpaces growth in traffic levels. In fact, historical traffic counts in the study area have suggested annual growth rates of around 1%; however, the annual increase in crashes between 2012 and 2016 is approximately 12%, increasing by nearly 50% between 2014 and 2016. To note, VDOT does not maintain intersection crash rates for comparison, only corridor crash rates.

The amount of congestion occurring in the study area can also impact response time of emergency service vehicles that must not only respond to crashes in the study area but also to many other critical local and regional matters. A Fire and EMS facility is located in the study area west of the US 501 and US 221 intersection on the north side of US 221. While the service vehicles currently utilize pre-emption that improves response time, it can take the intersections several traffic signal cycles to recover. This can lead to additional queuing and delays above the existing conditions presented above.

Modal Interrelationships and System Linkages

In addition to the increased traffic due to historical population growth as noted, existing and planned commercial development within the study area are placing capacity pressures on the current system. US 501 south of US 221 is a limited access facility, so no bicycle or pedestrian facilities exist or are proposed. The property along US 221 is also either developed commercial, zoned commercial, or expected to change to commercial. A parcel in the southeast quadrant of the intersection has an approved site plan for nearly 100 acres of regional mall use. The site will likely generate high volumes of traffic and may also generate more demand for walking in the immediate project area. Access management will be critical to maintaining maximum traffic flow through the intersection while reducing conflicts and delay.

The Greater Lynchburg Transit Company (GLTC) Bus Routes 8A & 8B serve the study area. Route 8A runs south from Old Forest Road, turns right on to US 221, then turns left to Breezewood Drive providing service to Stonemill Apartments to the south. Route 8A then returns to US 221 and travels out of the study area to the east. Route 8B enters the study area from the east along US 221, turns left to Breezewood Drive and also services Stonemill Apartments to the south. However, the route then travels back to US 221 and turns left on to US 501 north to Old Forest Road where it leaves the study area. There are two stops along US 221, three stops along US 501 and Old Forest Road, and one stop on Breezewood Drive.

1.3.2 Future Conditions

The following section provides a summary of future conditions that demonstrate project needs.

Capacity and Transportation Demand

The 2045 No Build Conditions were forecasted using a regional travel demand model to year 2040, and then post processed via inspection of future traffic analysis zones (TAZ) allocations for the increment between 2040 and 2045. The volumes were checked against a manual projection process to grow volumes from the 2018 Existing Conditions data. The growth rates were determined by the study consultant engineers and planners using a combination of historic growth rates, travel demand model output and professional judgment. The resulting 2045 No Build Conditions are shown in Table 1-4, which indicates that the study area is projected to experience a total increase in daily traffic volumes between 9% and 39% by 2045.[2]

Table 1-4: Projected Growth and Resulting 2045 No Build Conditions

Roadway/ Location	2018 Existing Daily Traffic*	Annual Growth Rate	2045 No Build Daily Traffic	Percent Increase from 2018 to 2045
US 501, south of US 221	35,200	0.83%	43,100	22%
US 501, north of US 221	33,600	0.87%	41,500	23%
US 221, west of US 501	29,600	0.74%	35,500	20%
US 221, east of US 501	19,600	0.37%	21,600	10%
US 501 Expressway	14,000	1.43%	19,400	39%
Old Forest Road	20,800	0.35%	22,800	9%

**Adjusted from 2008 base year though may not exactly reflect recent daily counts.*
Source: The latest adopted Lynchburg Travel Demand Model, CITILABS CUBE 6.4. Volumes are bi-directional.

[2]The latest adopted Lynchburg Travel Demand Model was a key tool in preparing the forecast for this project. This model was developed by the Corradino Group, Inc. for VDOT in 2010. The base year is 2008, and the future year is 2035 (2035 network extrapolated to 2040). The model utilizes CITILABS CUBE 6.4. A model review was conducted to identify and document key assumptions and model outputs. Validation was then performed to the base year model with the updated traffic volumes counts.

The projected increase in future traffic volumes in the project corridor would exacerbate the existing traffic conditions. As depicted in Table 1-5, the 2045 No Build Conditions V/C ratios are expected to increase substantially when compared to the 2018 Existing Conditions data shown in Table 1-2 because of the increased volumes resulting from anticipated future growth and development. To note, only the US 501 and US 221 (Intersection #3) and US 501 and Northwest Expressway (Intersection #13) intersections are depicted because they are the key control points in the study area. Without improvement to the existing roadways, congestion, mobility, and safety will continue to worsen under projected 2045 volumes.

Table 1-5: 2045 No Build Conditions V &C Ratios

Intersection	Approach	Movement	AM Peak Hour V/C Ratio	PM Peak Hour V/C Ratio
US 501 and US 221	US 221 EB	EBL	0.81	***1.12***
		EBT	***1.19***	0.88
		EBR	0.21	0.42
	US 221 WB	WBL	***1.1***	0.94
		WBT	0.77	***1.12***
		WBR	0.21	0.15
	US 501 NB	NBL	***1.11***	***1.13***
		NBT	0.7	0.89
		NBR	0.32	0.32
	US 501 SB	SBL	0.51	0.88
		SBT/SBR	***1.13***	***1.07***
	Intersection Maximum		***1.19***	***1.13***
US 501 and Expressway	Expressway EB	EBL/EBT	0.16	0.23
		EBR	***1.01***	0.68
	Business WB	WBL/WBT/WBR	N/A	N/A
	US 501 NB	NBL	0.67	***1.07***
		NBT/NBR	0.37	0.37
	Old Forest Road SB	SBL	0.01	0
		SBT/SBR	0.92	***1.01***
	Intersection Maximum		***1.01***	***1.07***

Source: Synchro 9.1, utilizes Highway Capacity Manual 2010 methodologies.
Note: V/C ratios that are over capacity in ***red***.

The US 501 and US 221 intersection will operate over capacity with a V/C ratio greater than 1.0 for at least one movement for each approach under both peak hours. The eastbound through movement is expected to operate with a V/C ratio of 1.19, or nearly 20% over capacity. The US 501 and Expressway northbound left, the key movement linking the study area to the regional via the limited access Expressway that begins and terminates here, will operate with a V/C ratio of 1.07 which is the highest for the intersection. The inability of these key intersections to handle future demand will lead to excessive delay and queueing and worsen safety conditions.

1.4 Purpose/Summary

Pursuant to Federal regulations, the City is preparing this EA to analyze the potential social, economic, and environmental effects (both positive and negative) associated with alternative solutions intended to address the transportation deficiencies at the US 501 and US 221 intersection study area, consistent with Comprehensive Plan goals and objectives.

The current, and anticipated future, mobility, accessibility, and congestion levels at the US 501 and US 221 intersection is considered deficient based on issues of:

- Inadequate intersection and roadway capacity to handle existing and future demand which lead to excessive delay and queueing.
- Lack of bicycle and pedestrian accommodations.
- Crash history.
- Not meeting a regional need for efficient freight movement along these major arteries.

The purpose of this project is to:

- Increase roadway and intersection capacity.
- Reduce delays, queueing and improve V/C ratio by adding capacity.
- Enhance economic vitality of the adjacent land uses.

The goals of the project are to manage queues and delays for the major intersections of US 501 (Lynchburg Expressway) at US Route 221 (Lakeside Drive) and US 501 (Northwest Expressway) at Old Forest Road in the study area through the design horizon year 2045. Thus, the goals of this project are to design the intersections such that:

- In the future design horizon year, the overall intersection and approach delays at the intersections of US 501 at US 221 and US 501 (Northwest Expressway) at Old Forest Road will be less than 80 seconds in the AM and PM peak periods of the weekday, and

- In the future design horizon year, the queuing at the intersections of US 501 at US 221 and US 501 (Northwest Expressway) at Old Forest Road will be less than 400 feet on any of the approach movements that currently exist in the AM and PM peak periods of the weekday.

Additional goals and considerations include incorporating complete streets features to the facility that will improve mobility for all, adding sustainability and enhance the quality of life.

Chapter 2 Alternatives

2.1 Introduction

This section discusses the range of alternatives considered and describes the process to identify and screen different alternatives, eliminate some alternatives from further consideration, and carry forward the remaining alternatives for more detailed study.

2.2 Alternative Development and Screening Process

Alternative solutions to meet the project purpose and need were developed in two stages. The first stage focused on the two most heavily-trafficked and congested intersections within the study area. Seventeen different intersection configurations were identified that had the potential to reduce congestion, improve safety, or both. A preliminary screening of the potential intersection configurations was conducted, and four future Build Alternatives were identified for further study, in addition to the future No Build Alternative.

A secondary analysis was performed for the four future Build Alternatives to evaluate their ability to meet the project purpose and need. The secondary analysis identified in finer detail the projected traffic conditions, right-of-way needs, and potential business impacts of each of the four future Build alternatives. Based on the results of the secondary screening, one Build Alternative (the Split Intersection alternative) and the No Build Alternative were retained for the detailed study of environmental consequences, while the other three future Build Alternatives were eliminated from further consideration.

2.2.1 Initial Alternatives Development and Screening

The intersections of US 501 (Lynchburg Expressway) at US 221 (Lakeside Drive), shown as Intersection A in Figure 2-1, and US 501 (Northwest Expressway) at Old Forest Road, shown as Intersection B in Figure 2-1, are the two key intersections and control points in the study area. These intersections have the heaviest volumes and are the most congested, as evidenced by the delays, queue lengths, and volume-to-capacity ratios documented in the Existing and No Build Traffic Operations Report (Appendix 2-1, http://www.lynchburgva.gov/501-221). Improving conditions at these two intersections is necessary to reduce delay, and they were the focus of the initial alternative development and screening.

An initial screening was completed for these two intersections using the VDOT Junction Screening Tool (VJuST). VJuST is a high-level screening tool that computes the overall intersection V/C ratio as a measure of congestion. VJuST also evaluates the relative safety of each intersection type by computing and weighting the number of vehicle conflict points. The VJuST screening does not take site-specific

LEGEND

Study Area

City of Lynchburg
US 501 and US 221 Intersection Improvement Project

Figure 2-1
Traffic Study Area

T·Y·LIN INTERNATIONAL

constraints, such as right-of-way availability, into account. Therefore, during the initial screening, potential right-of-way and business impacts were identified and planning-level construction cost estimates were also prepared for each alternative.

Seventeen potential intersection configurations that could divert turning movements and reduce intersection conflict points, thereby resulting in minimized delays and lessening the likelihood and severity of crashes at these two intersections, were identified and considered during the initial screening. These configurations included:

1. Conventional (with added capacity)
2. Bowtie
3. Center Turn Overpass
4. Echelon
5. Single Loop
6. Full Displaced Left
7. Median U-Turn
8. Partial Displaced Left
9. Partial Median U-Turn
10. Quadrant (NW)
11. Quadrant (NE)
12. Quadrant (SE)
13. Quadrant (SW)
14. Restricted Crossing U-Turn
15. Split Intersection
16. Roundabout
17. Continuous Green-T

As described below, 15 of the listed configurations were considered for the US 501 and US 221 intersection and 16 were considered for the US 501/Old Forest Road intersection. The VJuST User Information Manual provides descriptions and diagrams of each intersection configuration.

As described in detail in the VDOT VJuST Tool – Preliminary Screening Results Memorandum (Appendix 2-2, http://www.lynchburgva.gov/501-221) 11 of the 15 configurations considered at the US 501 and US 221 intersection were eliminated from further consideration as a result of the preliminary screening. The four configurations that were not eliminated were:

1. Median U-Turn
2. Partial Median U-Turn
3. Quadrant (SE)
4. Split Intersection

Fifteen of the 16 configurations considered at the US 501 (Northwest Expressway) and Old Forest Road intersection were eliminated from further consideration. The Conventional configuration was the only configuration retained for further analysis at this intersection.

The screening results for each of the two major intersections within the study area are summarized below.

2.2.1.2 Initial Screening at US 501 (Lynchburg Expressway) and US 221 (Lakeside Drive) Intersection

At the US 501 and US 221 intersection (Intersection A in Figure 2-1), 15 different configurations were considered with potential to reduce congestion and/or improve safety. Based on the results from the initial screening, four of the 15 configurations were advanced as future Build Alternatives for secondary analysis and 11 were eliminated from further consideration.

Table 2-1 summarizes the screening results and the basis for either eliminating a configuration from further consideration or carrying forward a configuration for secondary analysis at Intersection A. Please note that Table 2-1 only provides the key reasons for eliminating or retaining a configuration. More detailed analysis is included in the VDOT VJuST Tool – Preliminary Screening Results Memorandum (Appendix 2-2).

Table 2-1: Initial Screening Results Summary: US 501 and US 221 Intersection

Intersection Configurations	Summary of Results from Initial Screening
Conventional (w/ added capacity)	ELIMINATED - Has challenges processing future demand, especially in the PM peak hour. Additional lanes would require acquiring land for right-of-way and relocating businesses. Has the highest weighted number of conflict points of all tested configurations.
Bowtie	ELIMINATED - Despite substantially reducing the weighted number of conflict points, it does not add capacity and worsens congestion. Would likely require acquiring right-of-way for roundabouts.
Center Turn Overpass Echelon Single Loop	ELIMINATED - Despite safety and congestion improvements, there are high cost and relocation implications. Grade separation requires substantially higher construction costs compared to at-grade configurations. Would likely require acquiring right-of-way and relocating businesses.
Full Displaced Left	ELIMINATED - Despite safety and congestion improvements, there are high relocation implications from right-of-way needed to add lanes and accommodate left turn crossovers.

Intersection Configurations	Summary of Results from Initial Screening
Median U-Turn	**RETAINED FOR SECONDARY ANALYSIS** - Adds capacity and improves operations. Max PM V/C ratio reduced from 1.13 in the Future No Build scenario to 0.79. Reduces weighted number of conflict points from 48 to 20. Construction of turnaround loons to accommodate U-turns on US 221 would likely require additional right-of-way, but perhaps not as much as configurations that require grade separation, left turn crossovers, or new connector roadways. Construction costs are not as high as grade-separated configurations.
Partial Displaced Left	ELIMINATED - Despite congestion improvements, additional lanes and left turn crossovers would require additional right-of-way. Only reduces the weighted number of conflict points from 48 to 44.
Partial Median U-Turn	**RETAINED FOR SECONDARY ANALYSIS** - Adds capacity and moderately improves operations. Max PM V/C ratio reduced from 1.13 in the Future No Build scenario to 0.71. Reduces weighted number of conflict points from 48 to 28. Construction of turnaround loons to accommodate U-turns on US 221 would likely require additional right-of-way, but perhaps not as much as configurations that require grade separation, left turn crossovers, or new connector roadways. Construction costs are not as high as grade-separated configurations.
Quadrant (NW) Quadrant (NE)	ELIMINATED - Despite congestion and safety improvements, the new quadrant connector road would require additional right-of-way and numerous business relocations.
Quadrant (SE)	**RETAINED FOR SECONDARY ANALYSIS** - Adds capacity and improves operations. Max PM V/C ratio reduced from 1.13 in the Future No Build scenario to 0.67. Moderately reduces weighted number of conflict points from 48 to 40. Additional lanes would require acquiring right-of-way, but the number of additional lanes needed is less than other configurations. Construction costs are not as high as grade-separated configurations. Would introduce a new signal on US 501 within the currently designated limited access section.
Quadrant (SW) Restricted Crossing U-Turn	ELIMINATED - Despite moderate safety improvements, additional right-of-way would require business relocations. Provides less capacity than other configurations. Max PM V/C ratio above 0.9.

Intersection Configurations	Summary of Results from Initial Screening
Split Intersection	**RETAINED FOR SECONDARY ANALYSIS** - Adds capacity and improves operations. Max PM V/C ratio reduced from 1.13 in the Future No Build scenario to 0.65. Reduces weighted number of conflict points from 48 to 36. No additional right-of-way needed, based on planning level examination. Construction costs are not as high as grade-separated configurations.

2.2.1.3 Initial Screening at US 501 (Lynchburg Expressway) and Old Forest Road Intersection

Sixteen different configurations were considered for the US 501 and Old Forest Road intersection (Intersection B in Figure 2-1). Based on the results from the initial screening, only the conventional configuration was advanced to a secondary analysis.

Table 2-2 summarizes the screening results and the basis for either eliminating a configuration from further consideration or carrying forward a configuration for secondary analysis. Please note that Table 2-2 only provides the key reasons for eliminating or retaining a configuration. More detailed analysis is included in the VDOT VJuST Tool – Preliminary Screening Results Memorandum.

Table 2-2: Initial Screening Results Summary: US 501 (Northwest Expressway) and Old Forest Road Intersection

Intersection Configurations	Summary of Results from Initial Screening
Conventional (w/ added capacity)	**RETAINED FOR SECONDARY ANALYSIS** – Appears to process future demand well. Maximum peak hour V/C ratio = 0.63. Added capacity will decrease intersection delays. Does not appear to require modifications to bridges over railroad lines.
Bowtie	ELIMINATED – Would not substantially reduce PM peak hour congestion.
Center Turn Overpass Echelon Single Loop	ELIMINATED – Involves grade separation that would require reconstructing or modifying one or both bridges across the railroad, increasing project cost and footprint.
Continuous Green-T	ELIMINATED – Would close access to the parcel on the east side of US 501.
Full Displaced Left Partial Displaced Left	ELIMINATED – Small left turn volumes on three of the four approaches would not justify implementation cost. A configuration where only the northbound left turn would cross over would complicate access to and from Chapel Lane.

Intersection Configurations	Summary of Results from Initial Screening
Median U-Turn Partial Median U-Turn	ELIMINATED – Railroad line presents a barrier to turnaround loons to make U-turns on Old Forest Road north of the Northwest Expressway.
Quadrant (NW)	ELIMINATED – Infeasible due to limited area north of the intersection before the railroad.
Quadrant (NE)	ELIMINATED – Provides negligible benefits compared to the conventional configuration.
Quadrant (SE) Quadrant (SW)	ELIMINATED – New quadrant roadway would require relocating existing businesses and demolishing existing buildings.
Roundabout	ELIMINATED – Does not accommodate future traffic demand as well as the conventional intersection configuration.
Split Intersection	ELIMINATED – Railroad poses constraints. New roadway for southbound traffic would likely require demolishing several existing nonvacant buildings.

2.2.2 Alternatives Not Retained for Secondary Analysis

As described above, 11 configurations at the US 501 and US 221 intersection (Intersection A in Figure 2-1) were screened and not retained for secondary analysis:

1. Conventional (with added capacity)
2. Bowtie
3. Center Turn Overpass
4. Echelon
5. Full Displaced Left
6. Partial Displaced Left
7. Quadrant (NW)
8. Quadrant (NE)
9. Quadrant (SW)
10. Restricted Crossing U-Turn
11. Single Loop

Fifteen configurations at the Northwest Expressway and Old Forest Road intersection (Intersection B in Figure 2-1) were not retained for secondary analysis:

1. Bowtie
2. Center Turn Overpass
3. Continuous Green-T
4. Echelon
5. Full Displaced Left
6. Median U-Turn
7. Partial Displaced Left
8. Partial Median U-Turn
9. Quadrant (NW)
10. Quadrant (NE)
11. Quadrant (SE)
12. Quadrant (SW)
13. Roundabout
14. Single Loop
15. Split Intersection

2.2.3 Alternatives Retained for Secondary Analysis

Four future Build Alternatives were retained for secondary analysis. The four future Build alternatives involve changing Intersection A (US 501 and US 221) to a different type of configuration. Each of these alternatives would retain the general conventional intersection configuration at Intersection B (US 501 and Old Forest Road) and provide capacity enhancements (such as additional turn or through lanes). The four future Build alternatives carried forward include:

1. **Alternative 1: Split Intersection** – This alternative would implement a Split Intersection configuration at the intersection of US 501 and US 221 with a new roadway serving northbound-only US 501 traffic east of the existing alignment. The existing two-way pavement of US 501, south of Northwest Expressway, would become one-way southbound. Intersection improvements and lane modifications would also be implemented, as described in Section 2.3.2 and illustrated in Figure 2-2.
2. **Alternative 2: Median U-Turn** – This alternative would implement a Median U-Turn configuration at the intersection of US 501 and US 221, as described in Section 2.3.3 and illustrated in Figure 2-3.
3. **Alternative 3: Partial Median U-Turn** – This alternative would implement a Partial Median U-Turn configuration at the intersection of US 501 and US 221, as described in Section 2.3.4 and illustrated in Figure 2-4.
4. **Alternative 4: Quadrant** – This alternative would implement a Quadrant configuration with a new connector road in the southeast quadrant of the intersection of US 501 and US 221, as described in Section 2.3.5 and illustrated in Figure 2-5.

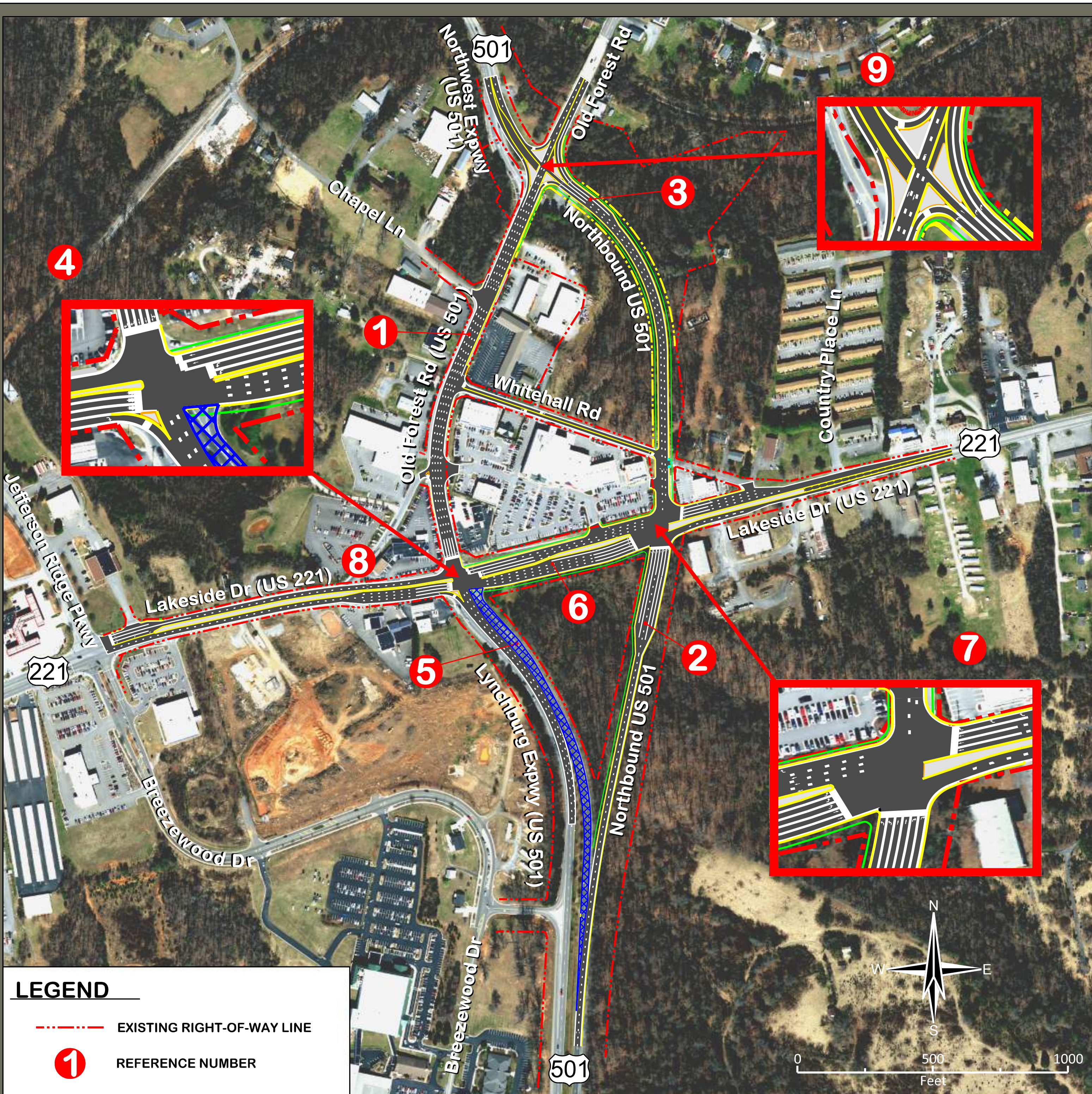
The four above-named alternatives are further described in the next section and the Future Alternatives Traffic Analysis Report (Appendix 2-3, http://www.lynchburgva.gov/501-221).

2.3 Secondary Alternatives Analysis

2.3.1 Introduction

The second stage of alternatives development analyzed the projected traffic conditions, right-of-way needs, and business impacts of the four advanced alternatives in greater detail. The methods and results from the more detailed secondary analysis are briefly described below and fully documented in the Future Alternatives Traffic Analysis Report.

Traffic operations were analyzed in the AM and PM peak hours in Year 2045 for all four alternatives at 13 signalized and unsignalized intersections within the study area. The traffic operations analysis was utilized to determine the lane configurations needed to meet the purpose and need for improvements (i.e. to keep delays under 80 seconds and 95th percentile queue lengths on existing approaches under 400 feet through Year 2045). The lane configurations required to meet the purpose and need were reviewed to determine whether each alternative would fit within the existing right-of-way.



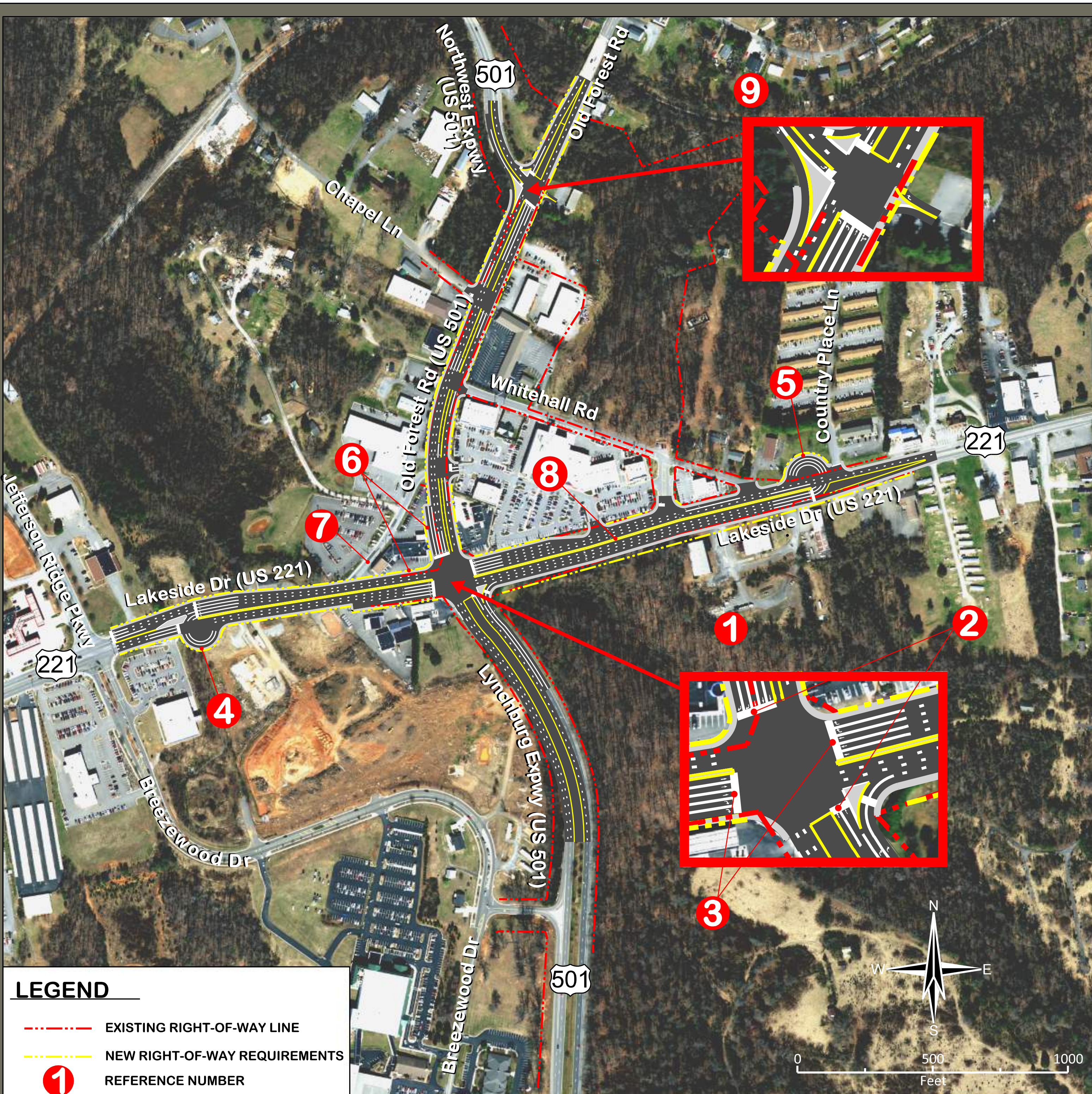
ALTERNATIVE FEATURES

1. Existing US 501 becomes one-way southbound, south of Northwest Expressway (4 lanes).
2. Proposed US 501 northbound one-way.
3. Proposed US 501 northbound connects to Northwest Expressway.
4. Reconfigure existing intersection.
5. Eliminate northbound lanes.
6. Widen Lakeside Drive between intersections.
7. Reconfigure intersection, including adding left turn lanes.
8. Reconfigure Peace Street access to prevent cut-through traffic.
9. Reconfigure intersection.

City of Lynchburg
US 501 and US 221 Intersection Improvement Project

Figure 2-2
Alternative 1: Split Intersection

T·Y·LIN INTERNATIONAL



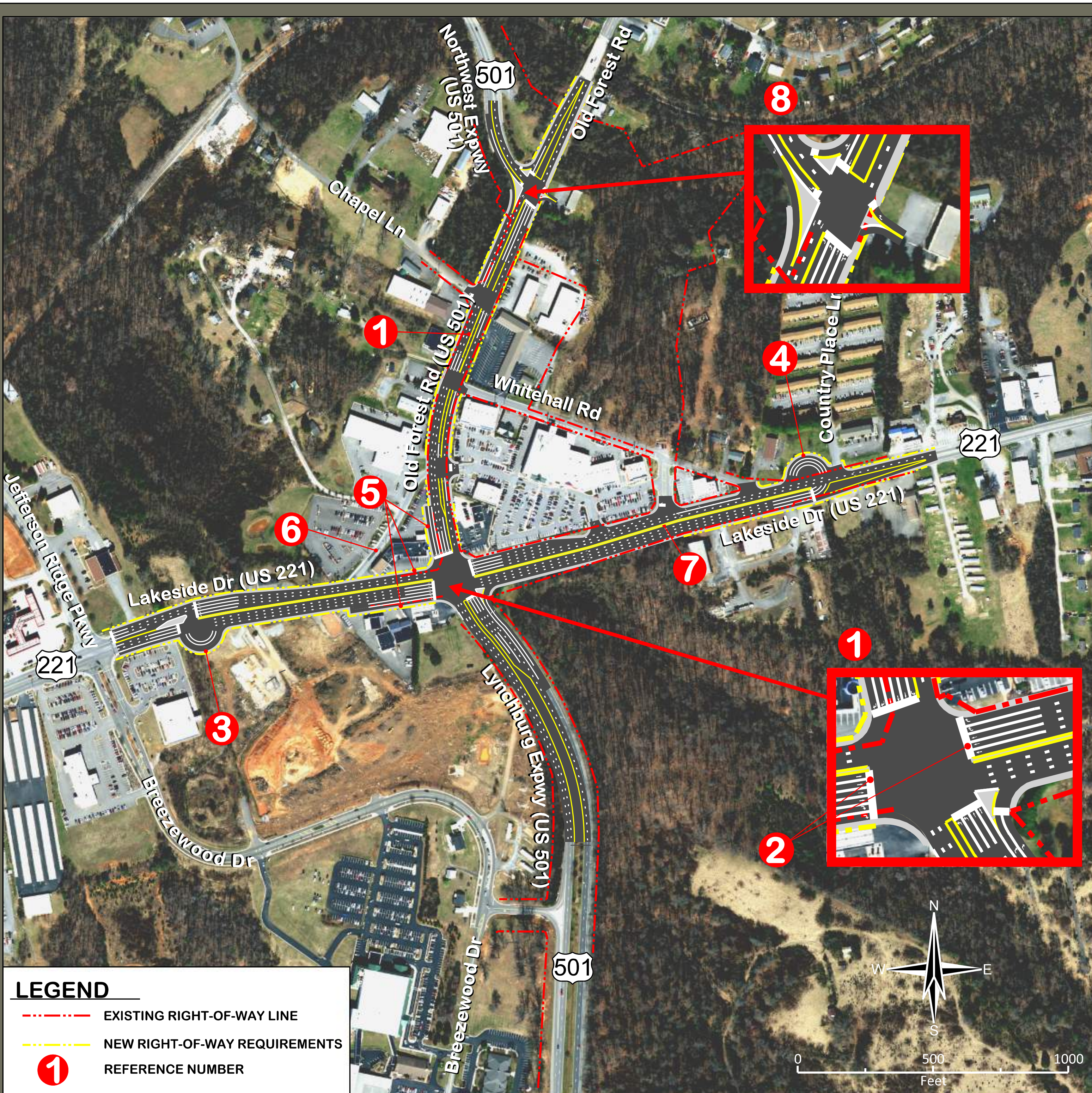
ALTERNATIVE FEATURES

1. Only right turns and through movements permitted from all four intersection approaches. Left turns achieved by going through loons (features 4 and 5).
2. Left turns from US 501 turn right, make a U-turn, and proceed back through the intersection.
3. Left turns from US 221 go through the intersection, make a U-turn, and turn right.
4. Turn-around loon requires 2 lanes and additional right-of-way.
5. Turn-around loon requires 3 lanes and additional right-of-way.
6. Additional lanes encroach on adjacent business property.
7. Reconfigure Peace Street access to prevent cut-through traffic.
8. Widen Lakeside Drive west of Country Place Lane.
9. Reconfigure intersection with two northbound left turn lanes.

City of Lynchburg
US 501 and US 221 Intersection Improvement Project

Figure 2-3
Alternative 2: Median U-Turn

T·Y·LIN INTERNATIONAL



ALTERNATIVE FEATURES

1. Left turns from US 501 are allowed. Left turns from US 221 are prohibited.
2. Left turns from US 221 go through the intersection, make a U-turn, and turn right.
3. Turn-around loon requires 2 lanes and additional right-of-way.
4. Turn-around loon requires 3 lanes and additional right-of-way.
5. Additional lanes encroach on adjacent business property.
6. Reconfigure Peace Street access to prevent cut-through traffic.
7. Widen Lakeside Drive west of Country Place Lane.
8. Reconfigure intersection with two northbound left turn lanes.

City of Lynchburg
US 501 and US 221 Intersection Improvement Project

Figure 2-4
Alternative 3: Partial Median U-Turn

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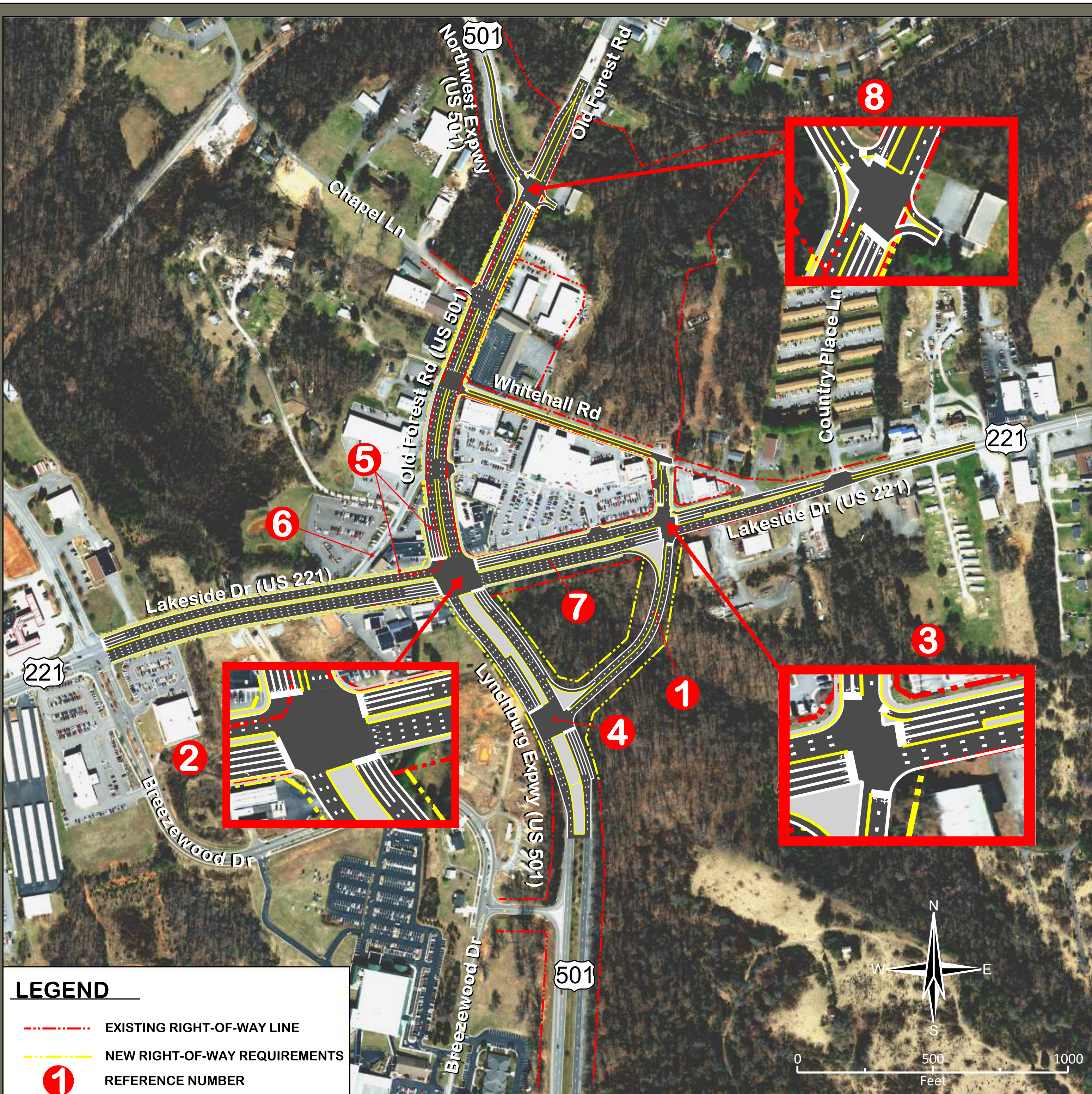

ALTERNATIVE FEATURES

1. A new connector road is constructed.
2. Left turns are prohibited from all approaches and rerouted to the new connector road.
3. Intersection is reconfigured with new connector road.
4. New signalized intersection with new connector road.
5. Additional lanes encroach on adjacent business property.
6. Reconfigure Peace Street access to prevent cut-through traffic.
7. Widen Lakeside Drive.
8. Reconfigure intersection with two northbound left turn lanes.

City of Lynchburg
US 501 and US 221 Intersection Improvement Project

Figure 2-5
Alternative 4: Quadrant

TYLIN INTERNATIONAL

As explained in the following sections, all four alternatives meet the purpose and need criteria. Alternative 1: Split Intersection is the only alternative of the four future Build alternatives that appears to fit within the existing right-of-way. Alternatives 2, 3, and 4 clearly extend beyond the existing right-of-way limits.

2.3.2 Alternative 1: Split Intersection

The Split Intersection (i.e. One-Way Pair) Alternative would split two-way traffic into one-way traffic on two separate roadways. This alternative would create two separate intersections, each carrying less traffic than the original, and would simplify the signal phasing. It was anticipated this would reduce delays at each intersection. Figure 2-2 shows a rendering of the Split Intersection Alternative.
The secondary analysis results confirm this alternative would meet the purpose and need. (Delays and queue lengths are summarized in Section 2.3.6.) The results indicate this alternative would fit within the existing right-of-way, although this would need to be confirmed in project design. Based on these results, this alternative was retained for detailed study of environmental consequences.

2.3.3 Alternative 2: Median U-Turn

The Median U-Turn Alternative would prohibit left turns from all intersection approaches. This alternative would simplify signal phasing and reduce delays for through movements and right turns. Turn-around loons would be constructed on US 221, and left turns would be routed through the intersection as a combination of through movements, U-turns, and right turns. Figure 2-3 shows a rendering of the Median U-Turn Alternative.

The secondary analysis results confirm this alternative would meet the purpose and need. (Delays and queue lengths are summarized in Section 2.3.6.) However, this alternative is not feasible because it would require acquiring additional right-of-way and result in impacts to adjacent businesses. The number of approach and receiving lanes on the northern leg of the US 501 and US 221 intersection would extend outside of existing right-of-way limits and overlap with commercial properties. Turn-around loons would also extend outside of existing right-of-way limits. The eastbound-to-westbound U-turn volumes would require triple-lane turn-around loons. Rerouted left turns experience LOS F based on experienced travel times (that account for the extra time to traverse the distance from the original intersection and turn around) well above 80 seconds. Based on these results, this alternative was not retained for detailed study of environmental consequences.

2.3.4 Alternative 3: Partial Median U-Turn

The Partial Median U-Turn alternative is similar to the (full) Median U-Turn Alternative (Alternative 2). Where the full Median U-Turn Alternative would prohibit left turns from all intersection approaches, the Partial Median U-Turn concept would allow left turns from US 501. Left turns from US 221 would be prohibited and routed through the intersection to the turn-around loons and then back to the intersection to make a right turn. Like the full Median U-Turn, the Partial Median U-Turn Alternative would simplify signal phasing and reduce delays. The Partial Median U-Turn Alternative does not introduce extra travel distance and extra travel time for left turns from US 501, but it does not achieve as much signal phasing simplification as the full Median U-turn Alternative. Figure 2-4 shows a rendering of the Partial Median U-Turn Alternative.

The secondary analysis results for this alternative are nearly identical to Alternative 2: Median U-Turn. The results confirm this alternative would meet the purpose and need. (Delays and queue lengths are summarized in Section 2.3.6.) However, this alternative is not feasible because it would require acquiring additional right-of-way and result in impacts to adjacent businesses. The number of approach and receiving lanes on the northern leg of the US 501 and US 221 intersection would extend outside of existing right-of-way limits and overlap with commercial properties. Turn-around loons would also extend outside of existing right-of-way limits. Eastbound-to-westbound U-turn volumes would require triple-lane turn-around loons. Rerouted left turns experience LOS F based on experienced travel times well above 80 seconds. Based on these results, this alternative was not retained for detailed study of environmental consequences.

2.3.5 Alternative 4: Quadrant

In the Quadrant Alternative, a new roadway would be constructed to connect the southern and eastern intersection legs, forming a full loop with three intersections, including the original main intersection and two new secondary intersections. At the main intersection, direct left turns would be prohibited from all approaches. Left turns would be rerouted to use the secondary intersections and new connector road. Figure 2-5 shows a rendering of the Quadrant Alternative.

Like the Median U-Turn and Partial Median U-Turn Alternatives, the secondary analysis results for the Quadrant Alternative confirm this alternative would meet the purpose and need. (Delays and queue lengths are summarized in Section 2.3.6.) However, this alternative is not feasible because it would require acquiring additional right-of-way and result in impacts to adjacent businesses. The number of approach and receiving lanes on the northern leg of the US 501 and US 221 intersection needed to meet the purpose and need criteria would extend outside of existing right-of-way limits and overlap with commercial properties. The southbound US 501 left turn onto Whitehall Road would operate at LOS F in both AM and PM peak hours. Additionally, some rerouted movements would experience LOS F based on experienced travel times above 80 seconds. The Quadrant Alternative would also introduce a new traffic signal on the limited access Lynchburg Expressway. Based on these results, this alternative was not retained for detailed study of environmental consequences.

2.3.6 Delay and Queuing Results

As explained in Chapter 1, an alternative meets the purpose and need if delays are under 80 seconds and 95th percentile queue lengths on existing approaches are under 400 feet through Year 2045. Tables 2-3 through 2-5 provide a summary comparison of the delay and queuing results of the five future alternatives. Table 2-3 compares the overall intersection and turning movement delays at the US 501 and US 221 intersection. Table 2-4 compares the overall intersection and turning movement delays at the US 501 (Northwest Expressway) and Old Forest Road intersection. Table 2-5 compares the 95th percentile queue lengths at both intersections.

Table 2-3: Overall Intersection and Turning Movement Delays (Year 2045) at the US 501 and US 221 Intersection

	Average Overall Intersection Delay (AM & PM)	Range of Delays for Individual Turning Movements	Range of Experienced Travel Times for Rerouted Movements
No Build Alternative	88 & 87 seconds	0 to 126 seconds	n/a
Alternative 1: Split Intersection	34 & 36 seconds*	11 to 52 seconds	20 to 78 seconds
Alternative 2: Median U-Turn	33 & 55 seconds*	8 to 26 seconds	62 to 151 seconds
Alternative 3: Partial Median U-Turn	38 & 50 seconds*	12 to 53 seconds	78 to 157 seconds
Alternative 4: Quadrant	29 & 21 seconds*	0 to 19 seconds	36 to 95 seconds

*Includes experienced travel time of rerouted movements.

Table 2-4: Overall Intersection and Turning Movement Delays (Year 2045) at the US 501 (Northwest Expressway) and Old Forest Road Intersection

	Average Overall Intersection Delay (AM & PM)	Range of Delays for Individual Turning Movements
No Build Alternative	16 & 41 seconds	0 to 65 seconds
Alternative 1: Split Intersection	11 & 26 seconds	0 to 54 seconds
Alternative 2: Median U-Turn	9 & 15 seconds	0 to 79 seconds
Alternative 3: Partial Median U-Turn	9 & 15 seconds	0 to 79 seconds
Alternative 4: Quadrant	9 & 15 seconds	0 to 79 seconds

Table 2-5: 95th Percentile Queue Lengths (Year 2045)

	US 501 & US 221 Intersection	US 501 (Northwest Expy) & Old Forest Rd Intersection
No Build Alternative	0 to 1,113 feet	0 to 1,341 feet
Alternative 1: Split Intersection	7 to 302 feet	0 to 1,057** feet
Alternative 2: Median U-Turn	55 to 298 feet	0 to 362 feet
Alternative 3: Partial Median U-Turn	29 to 341 feet	0 to 362 feet
Alternative 4: Quadrant	21 to 204 feet	0 to 362 feet

**The 1,057-foot long queue occurs on the new northbound US 501 approach. Queues on existing approaches do not exceed 373 feet. This reconfiguration is further explained under Queuing in Section 2.3.8.

2.3.7 Alternatives Not Retained for Detailed Study Following Secondary Analysis

As described above, three of the four future Build Alternatives were not retained for detailed study of environmental consequences:

- Alternative 2: Median U-Turn
- Alternative 3: Partial Median U-Turn
- Alternative 4: Quadrant

2.3.8 Alternatives Retained for Detailed Study

In accordance with the regulations implementing the National Environmental Policy Act (NEPA) (40 CFR §1502.14(d)), the future No Build Alternative has been included for evaluation for the comparison of future conditions and impacts.

As described above, one future Build Alternative (Alternative 1: Split Intersection) was retained for detailed study of environmental consequences.

No Build Alternative

As described in the Existing and No Build Traffic Operations Report, the future No Build Alternative contains no geometric changes from the existing configurations. Traffic signal timing changes were limited to modifying splits to reflect the new demand and replicate adaptive technology.

By Year 2045, the intersection of US 501 and US 221 will operate at overall LOS F (delays above 80 seconds per vehicle) in both AM and PM peak hours. The majority of the turning movements at this intersection will also operate at LOS F. At the intersection of US 501 (Northwest Expressway) and Old Forest Road, the northbound left turn will experience LOS F, and several other turning movements will experience LOS E (delays between 55 and 80 seconds per vehicle). The volume-to-capacity ratios of both intersections will exceed 1.0 in AM and PM weekday peak hours. Poor operations will influence surrounding signalized and unsignalized locations by blocking mid-block access points and result in queuing that will extend back through adjacent intersections. Figure 2-6 summarizes traffic conditions in the future No Build Alternative by Year 2045. The delays, levels of service, and queue lengths indicated in Figure 2-6 represent the worst (i.e. longest) of either peak hour.

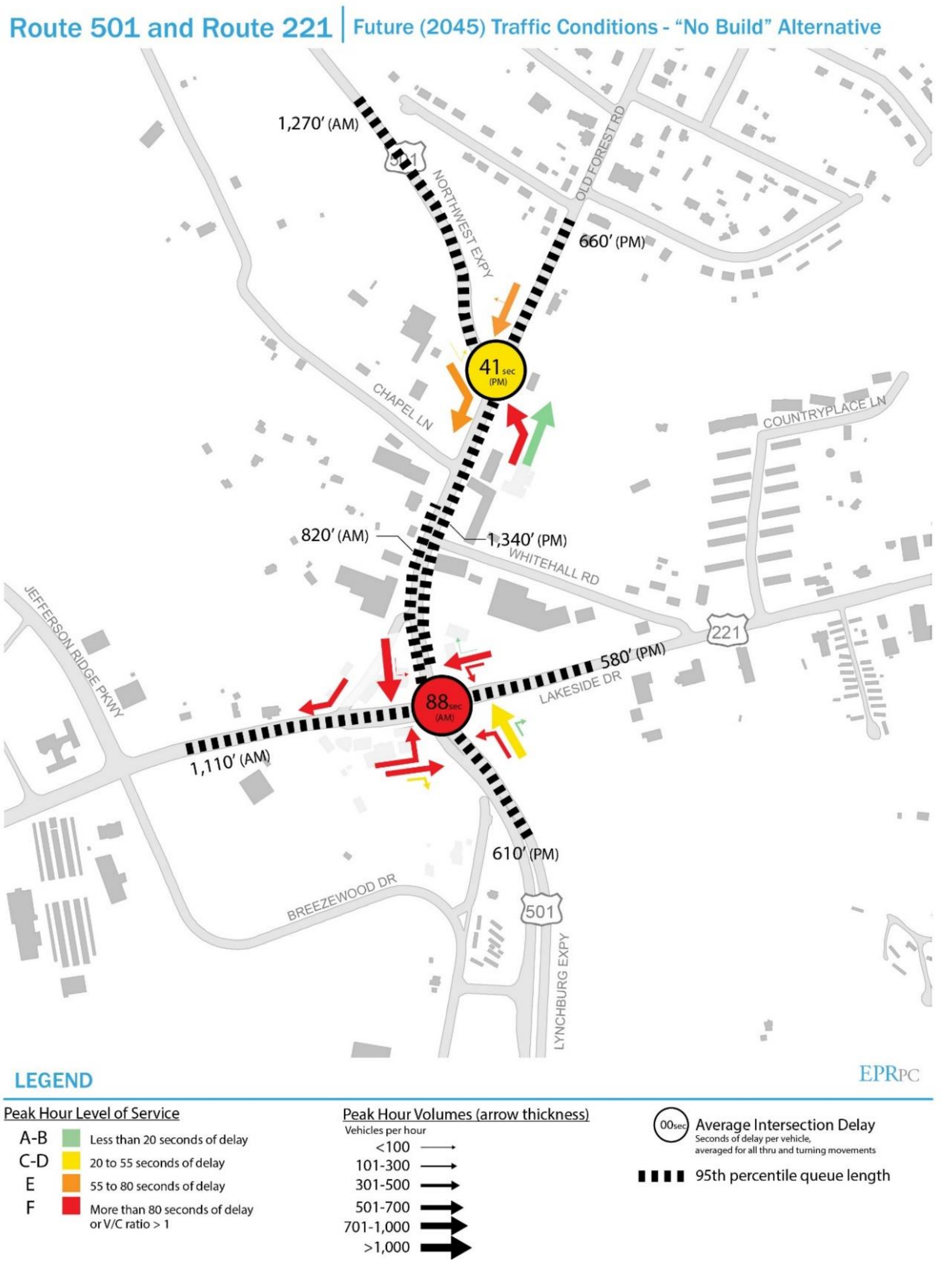

Figure 2-6: Traffic Conditions in Year 2045 Under the No Build Alternative

Split Intersection Alternative

As previously described, the Split Intersection Alternative is the only future Build Alternative that can meet the maximum delay and queuing criteria of the purpose and need without clearly extending beyond the existing right-of-way limits. Figure 2-7 summarizes traffic conditions in the Split Intersection Alternative by Year 2045. The delays, levels of service, and queue lengths indicated in Figure 2-7 represent the worst (i.e. longest) of either peak hour.

CONTROL DELAYS

As stated in the previous chapter, one criterion for meeting the purpose and need is that the overall intersection and approach delays at the intersection of US 501 and US 221 and at the intersection of US 501 (Northwest Expressway) and Old Forest Road be less than 80 seconds in the AM and PM weekday peak periods in 2045. Figure 2-7 shows all the approach delays for these two intersections are less than 80 seconds in the Split Intersection Alternative, according to the analysis of conditions in Year 2045.

QUEUING

The other criterion for meeting the purpose and need is queuing on any of the approach movements that currently exist at the intersection of US 501 and US 221 and at the intersection of US 501 (Northwest Expressway) and Old Forest Road will be less than 400 feet in the AM and PM weekday peak periods in 2045. Figure 2-7 shows the 95th percentile queues for the existing approaches at these two intersections are less than 400 feet in the Split Intersection Alternative, according to the analysis of conditions in Year 2045.

The analysis of traffic conditions indicates the 95th percentile queue length of the new northbound US 501 through movement at the improved four-legged intersection of the Northwest Expressway and Old Forest Road will exceed 400 feet by 2045 in the PM peak hour. The existing intersection is a “T” intersection with vehicles traveling on US 501 making a northbound to north-westbound left turn. The existing through movement at the “T” intersection will become the northbound to north-eastbound right turn movement connecting northbound US 501 to Old Forest Road. As the Split Intersection Alternative modifies the existing condition from a “T” to a four-legged intersection, the new leg of the intersection had no existing condition for comparison. Therefore, the analysis of this leg was scrutinized for delay only, showing peak hour delays on this movement remain below 80 seconds through 2045. The long 95th percentile queue length and high V/C ratio in the PM peak hour results from the railroad bridge constraining the roadway width to one lane in each direction on the Northwest Expressway north of the Old Forest Road intersection. The project team recommends the City monitor the operations of this intersection. In the future, the City may need to study the feasibility of a flyover ramp to ensure the PM peak hour through movement for northbound US 501 functions at an acceptable level of service.

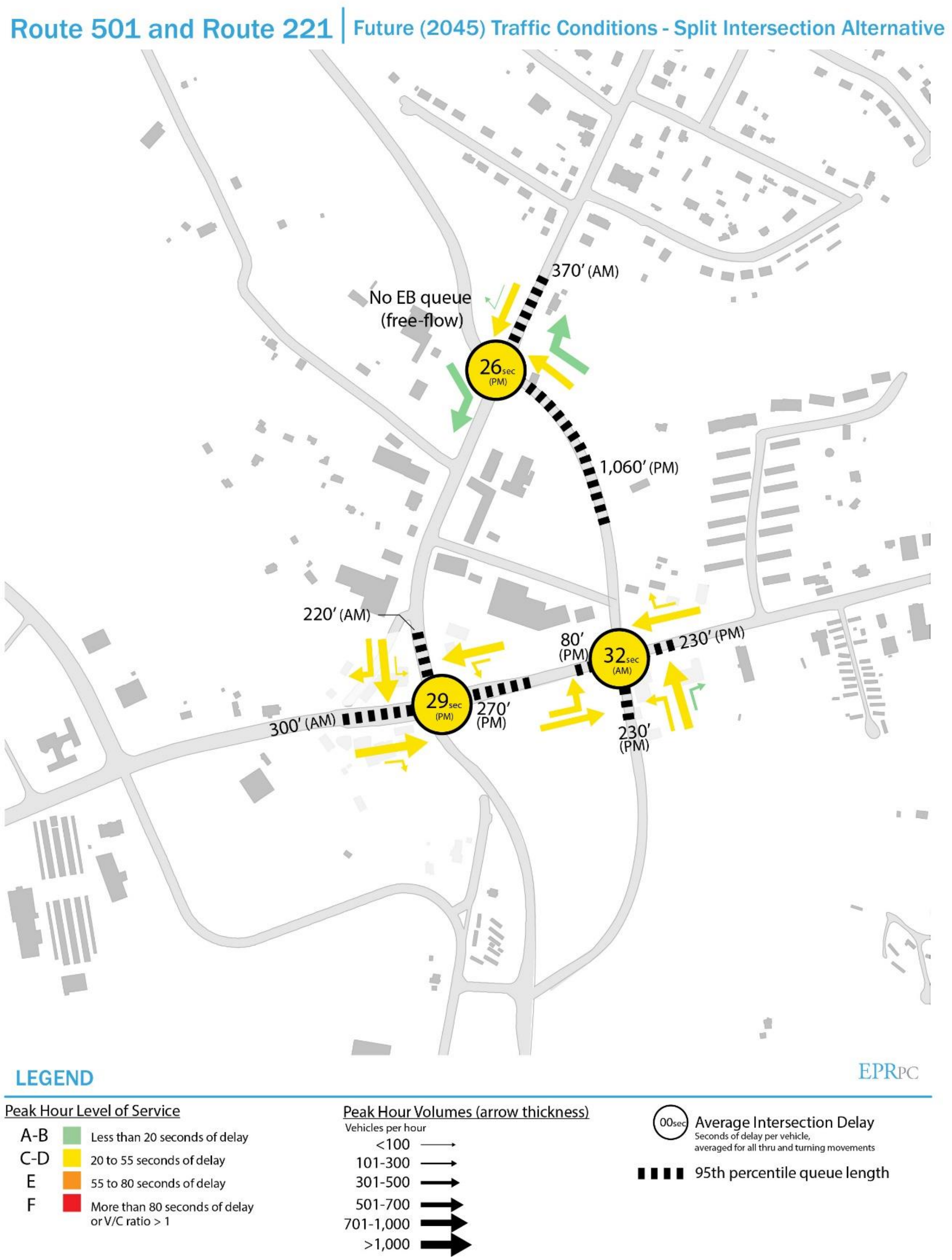

Figure 2-7: Traffic Conditions in Year 2045 Under the Split Intersection Alternative

Chapter 3 Environmental Consequences

3.1 Introduction

Social, economic, physical, and natural resources have the potential to be affected during transportation projects. Therefore, existing environmental conditions and potential impacts are important to identify and understand. The following sections inventory and analyze the potential environmental effects associated with the No Build Alternative and Build Alternative considered for the US 501 and US 221 Intersection Improvement Project. Table 3-1 summarizes the environmental conditions within the study area and, where applicable, summarizes the estimated environmental impacts to those resources for the No Build Alternative and Build Alternative.

The study area is centered on the intersection of US 501 and US 221 and extends to include US 221 (Lakeside Drive) west of Breezewood Drive to east of Country Place Lane; and US 501 south of Breezewood Drive to north of Old Forest Road, as shown in Figure 3-1. Crossroads and intersection areas, the Build Alternative corridor, as well as the right-of-way adjacent to the entire project corridor are also included in the study area.

Potential or estimated environmental impacts of the Build Alternative was estimated based on the area of impact. The area of impact is located within the study area and is based on the current level of design available for the proposed improvement (i.e. the construction limits). It has been estimated for alternative comparison purposes and decision-making during the NEPA process and would be refined as design advances.

The alternatives include the No Build Alternative, which would retain the existing US 501 and US 221 corridor and associated intersections in their present configurations, and allow for routine maintenance and safety upgrades, but assumes no major improvements to the US 501/US 221 corridor with the exception of the previously committed projects; and the Build Alternative, which would split two-way traffic into one-way traffic on two separate roadways. This alternative would create two separate intersections, each carrying less traffic than the original, and would simplify the signal phasing, as discussed in Section 2.3.1 and 2.3.2.

Table 3-1: Summary Table of Environmental Conditions

<table>
<tr><th rowspan="2">Environmental Resource</th><th rowspan="2">Resource Summary</th><th colspan="2">Potential Environmental Impact</th></tr>
<tr><th>No Build Alternative</th><th>Build Alternative</th></tr>
<tr><td rowspan="2">Right-of-Way and Property Impacts</td><td rowspan="2">The project would be constructed within existing City of Lynchburg right-of-way, requiring no relocations or displacements. No permanent or temporary easements are proposed (see Section 3.2).</td><td colspan="2">Right-of-Way Acquisition and/or Easements (acres)</td></tr>
<tr><td>0</td><td>0</td></tr>
<tr><td>Environmental Justice/Demographic</td><td>The intersection is located at an important crossroads in an expanding and demographically diverse region of West Central Virginia. No disproportionate impacts to minority or low-income populations are anticipated for the No Build or Build Alternative (see Section 3.3).</td><td colspan="2">No disproportionate impacts.</td></tr>
<tr><td>Land Use and Planned Development</td><td>Current land use in the area is primarily commercial and retail, and zoning is primarily commercial. Planned land use within the adjoining project boundary will primarily accommodate commercial development. Future development plans are not likely to change under the No Build Alternative. Proposed project improvements would generally support planned land use. The Build Alternative would have no substantial impacts to land use (see Section 3.4).</td><td colspan="2">No substantial impacts.</td></tr>
<tr><td>Community Facilities</td><td>Ten community facilities are located in close proximity (one-half mile) to the study area. The No Build Alternative would result in the continued congestion within the study area. Travel patterns would not be improved and travel times for emergency vehicles would increase. There are no community facilities located within the study area; therefore, direct impacts to community facilities are not anticipated (see Section 3.5).</td><td colspan="2">No impacts.</td></tr>
<tr><td>Recreational Facilities</td><td>Ivy Creek Park is located within one-half mile of the study area. No impacts are anticipated for the No Build or Build Alternative (see Section 3.6).</td><td colspan="2">No impacts</td></tr>
</table>

Environmental Resource	Resource Summary	Potential Environmental Impact	
		No Build Alternative	Build Alternative
Cultural Resources	A Phase I cultural resources survey identified two isolated finds, three archaeological sites, and three architectural resources within the study area. No further work is recommended for the sites, as they are not eligible for listing in the National Register of Historic Places (see Section 3.7).	No impacts.	
Air Quality	The proposed improvements were assessed for potential air quality impacts and conformity consistent with all applicable air quality regulations and requirements. The assessment indicates that the project would meet all applicable air quality requirements of NEPA and, as applicable, federal and state transportation conformity regulations. As such, the project would not cause or contribute to a new violation, increase the frequency or severity of any violation, or delay timely attainment of National Ambient Air Quality Standards (NAAQS) established by the U.S. Environmental Protection Agency (EPA) (see Section 3.8).	No violation of NAAQS.	
Noise	Five residences are predicted to experience noise impacts. All impacts present under the Design Year (2045) Build condition are also present under the Existing (2018) condition. Noise barriers were found to be not feasible due to existing driveway access points (see Section 3.9). The contractor would conform to VDOT and FHWA specifications for construction noise limits to reduce the impact of construction noise on the surrounding community.	Noise Receptors (no.)	
		5	5
Wetlands and Streams	156 linear feet of streams and 0.033 acres of palustrine system forested wetland were identified as potentially impacted within the study area. The USACE provided a Preliminary Jurisdictional Determination on August 2, 2018 (see Section 3.10).	Stream Impacts (linear feet)	
		0	156
		Wetland Impacts (acres)	
		0	0.033

Environmental Resource	Resource Summary	Potential Environmental Impact	
		No Build Alternative	Build Alternative
Water Quality	Under the No Build and Build Alternatives, no water quality changes are anticipated within the study area. The Build Alternative would include water quality protection measures. (see Section 3.11).	No impacts.	To improve with stormwater treatment.
Floodplains	The entire study area is within Flood Zone X, which is an area designated by FEMA as having a moderate or minimal risk of flooding. No impacts to the 100-year floodplain are anticipated (see Section 3.12).	No impacts.	
Terrestrial Wildlife and Habitat	No public waterfowl/wildlife refuges, Virginia Land holdings, Scenic Rivers, or State Scenic Byways are present within or adjacent to the project area. The Department of Forestry reviewed the preliminary project parameters and found no substantial impact to the forest resources of the Commonwealth of Virginia for this project (see Section 3.13).	No impacts.	No substantial impacts.
Threatened and Endangered Species	A two-mile radius search was conducted using the Department of Game and Inland Fisheries (VDGIF) Online Fish and Wildlife Information Service database to identify any threatened or endangered species. This database lists the green floater as a state threatened species potentially found in the two-mile radius. If impacts to listed species or their habitat are proposed, additional coordination will occur with VDGIF during the permitting process (see Section 3.14).	No impacts.	No adverse impacts.
Hazardous Materials	A search of federal and state agency databases identified a total of 25 potentially contaminated sites within the project area. No reported releases or spills associated with the sites are known to have impacted the soil and groundwater in the study area (see Section 3.15).	Sites would be managed and handled in accordance with federal, state, and local procedures.	

Environmental Resource	Resource Summary	Potential Environmental Impact	
		No Build Alternative	Build Alternative
Indirect and Cumulative Effects	The intensity of the incremental impacts of the project are considered small, when viewed in the context of impacts from other past, present, and reasonably foreseeable future actions, and would not rise to a level that would cause significant indirect and cumulative impacts. The No Build and Build Alternatives would not result in substantial indirect or cumulative effects to any resource (see Section 3.16).	No impacts.	No substantial impacts.
Section 4(f)/ Section 6(f)	Ivy Creek Park is located approximately one-half mile from the study area. There are no historic properties within the project area protected by Section 4(f). No impacts are anticipated from neither the No Build or Build Alternative (see Section 3.17).	No impacts anticipated.	

3.2 Right-of-Way and Property Impacts

3.2.1 Existing Conditions

The study area is comprised of commercial, residential, and undeveloped areas. In addition to the existing roadway right-of-way, the City of Lynchburg owns three parcels within the study area that make up right-of-way that is existing and available for this project. The limits of the existing right-of-way are shown in Figure 3-1.

3.2.2 Future Conditions

No Build Alternative

The No Build Alternative would not have any right-of-way or property impacts. No acquisition of additional right-of-way would be needed, and the lack of improvements would likely not cause property owners to relocate from the area.

Build Alternative

Based on the current level of design, it is anticipated the Build Alternative would be built completely within the existing right-of-way and would not result in any displacements or relocations. However, temporary construction easements may be required from property owners immediately adjacent to the existing roadways. Since no additional acquisition is anticipated and the Build Alternative would not negatively

LEGEND

Study Area

Proposed Improvements

Existing Right-of-Way

Proposed Right-of-Way

City of Lynchburg
US 501 and US 221 Intersection
Improvement Project

Figure 3-1
Study Area

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impact properties or housing characteristics, or cause displacements or relocations within the study area, no mitigation measures are proposed.

3.3 Environmental Justice/Demographic

3.3.1 Existing Conditions

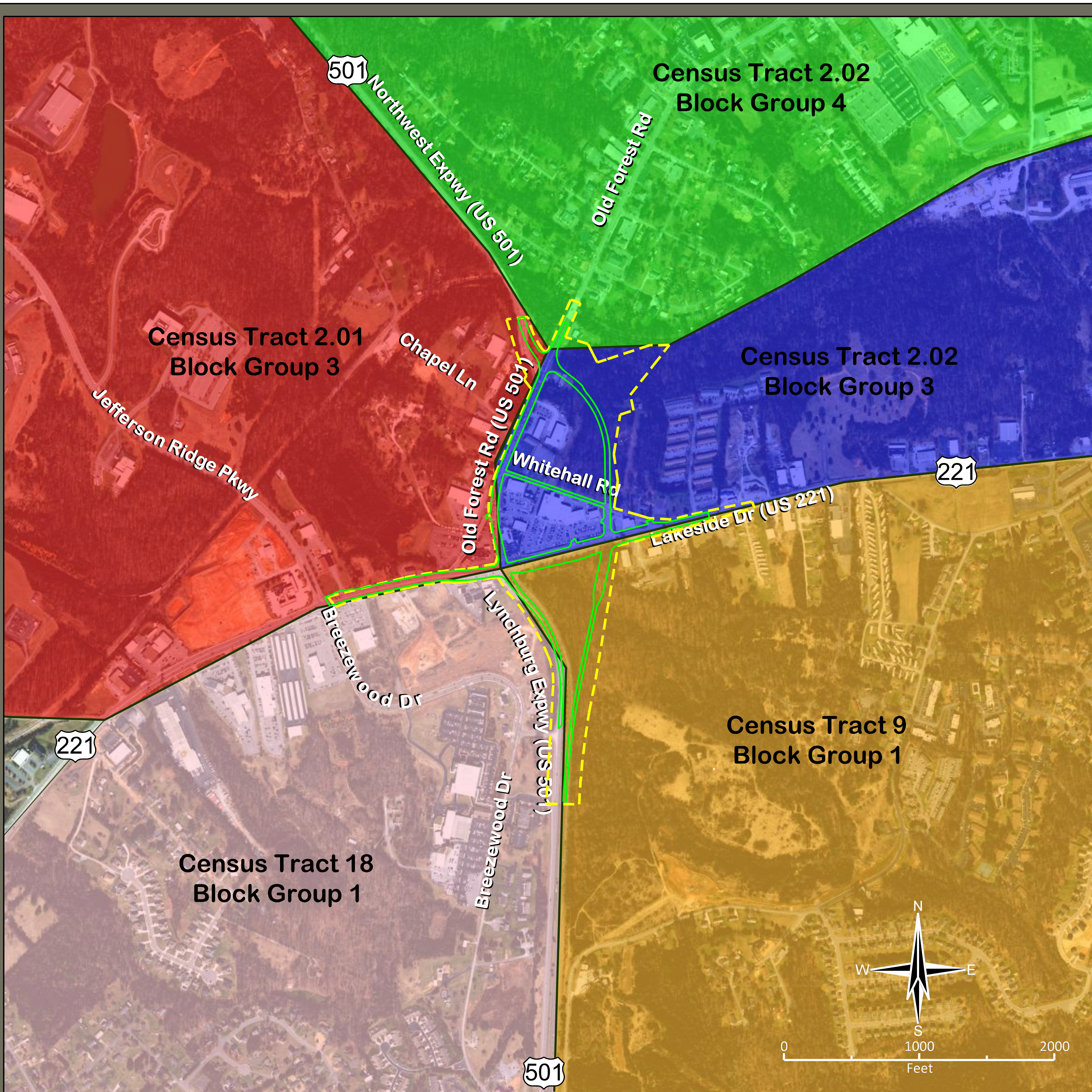
This project has been evaluated in accordance with Title VI of the Civil Rights Act of 1964, as amended, and Executive Order (EO) 12898. EO 12898, Federal Actions to Address Environmental Justice (EJ) in Minority Populations and Low-Income Populations, directs federal agencies to identify and address disproportionately high and adverse human health or environmental effects that their programs, policies and activities may have on minority and low-income populations. The goal of this order is to avoid the disproportionate placement of adverse environmental economic, social, or health impacts from federal actions and policies on minority and low-income populations that might be affected by the implementation of a Proposed Action. According to FHWA Order 6640.23A, FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, minority populations are defined as any person who is Black, Hispanic or Latino, Asian American, American Indian, Alaskan Native, Native Hawaiian, or other Pacific Islander. Minority and/or low-income populations included within the study area are “any readily identifiable groups of minority and/or low-income persons who live in geographic proximity”. Low-income persons include any person whose median household income is at or below the Department of Health and Human Services (HHS) poverty guidelines.
To perform an EJ analysis, data were collected on minority and low-income populations for US census block groups (data source: American Community Survey 2012-2016 5-year Estimates) within and adjoining the project boundary. These data consist of statistics regarding race and income.

There are five Census Block Groups within or adjoining the project boundary that are applicable to an EJ analysis (see Figure 3-2). See Table 3-2 below for a summary of minority populations and income for the census block groups within the project boundary. The City of Lynchburg, Virginia is also presented for comparison as an EJ evaluator factor.

Table 3-2: Summary of Minority and Low-Income Populations

Block Group/Area	Population Estimate	Minority Population Estimate	Percent Minority Population	Household Income
Block Group 1, Census Tract 9	3,069	1,178	**38%**	**$35,179**
Block Group 3, Census Tract 2.01	2,530	268	11%	$91,979
Block Group 1, Census Tract 18	2,128	417	20%	$49,107
Block Group 4, Census Tract 2.02	2,065	714	35%	**$28,326**
Block Group 3, Census Tract 2.02	1,929	1,030	**53%**	$41,851
City of Lynchburg, Virginia	78,755	27,455	35%	$40,728

Source: https://www.census.gov/acs/www/data/data-tables-and-tools/data-profiles/2016



LEGEND

Study Area

Census Block Boundary

Proposed Improvements

City of Lynchburg
US 501 and US 221 Intersection
Improvement Project

Figure 3-2
Census Block Groups

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One census block group (Block Group 3, Census Tract 2.02) is identified as having a minority population greater than 50%. In addition, one census block group (Block Group 1, Census Tract 9) is considered "minority" since its percent minority population of 38% is greater than the City's percent minority population of 35%.

The average household size within or adjoining the project boundary is three persons. All census block groups within or adjoining the project boundary exceed the 2016 HHS Poverty Guidelines. 2016 guidelines state that a family of three is considered at poverty level if the median household income is $20,160 or below. As listed above, all census block groups exceed that number; therefore, no low-income population is considered present within the study area. However, two census block groups (Block Group 1, Census Tract 9 and Block Group 4, Census Tract 2.02) are considered "low-income" since their median household income is below the City's median household income. For further details, refer to the Socioeconomic/Land Use Technical Memorandum (Appendix 3-1, http://www.lynchburgva.gov/501-221).

3.3.2 Future Conditions

No Build Alternative

The No Build project would not address the project needs and no disproportionate impacts to the EJ populations are anticipated that would not equally impact the general population.

Build Alternative

Although EJ populations are present, there are no disproportionate impacts to the EJ populations (i.e., no relocations, no displacements, no disruption of community, and no disruption of emergency services) anticipated for the Build Alternative. The Build Alternative would provide benefits to the surrounding population including decreased congestion and improved response times for emergency responders. No minority or low-income populations have been identified that would be disproportionately and adversely impacted by the proposed project as determined above.

3.4 Land Use and Planned Development

3.4.1 Existing Conditions

US 221, named Forest Road in Bedford County and Lakeside Drive in the City of Lynchburg, is a major transportation link that is critical to the economic vitality of the County and City. This roadway serves local residents, as well as local businesses that rely on US 221. US 221 also serves as the major connector between the Town of Bedford and the City of Lynchburg.

According to the City of Lynchburg's Comprehensive Plan, existing land use within the City is primarily Vacant and Low Density Residential. In 2013, 37.2% of land within the city limits was Low Density Residential and 23.9% was Vacant. A large portion of the City's vacant land has no buildings or improvements due to steep slopes, floodplain constraints, or soils unsuitable for septic systems. 5.9% of the existing land use within the City is Commercial.

Existing land within the project area is undeveloped and partially forested while otherwise cleared, along with developed commercial and residential lots clustered around Lakeside Drive and Whitehall Road. Current land use in the area is primarily Commercial and Retail, and zoning is primarily Commercial. For further details, refer to the Socioeconomic/Land Use Technical Memorandum (Appendix 3-1, http://www.lynchburgva.gov/501-221).

3.4.2 Future Conditions

No Build Alternative

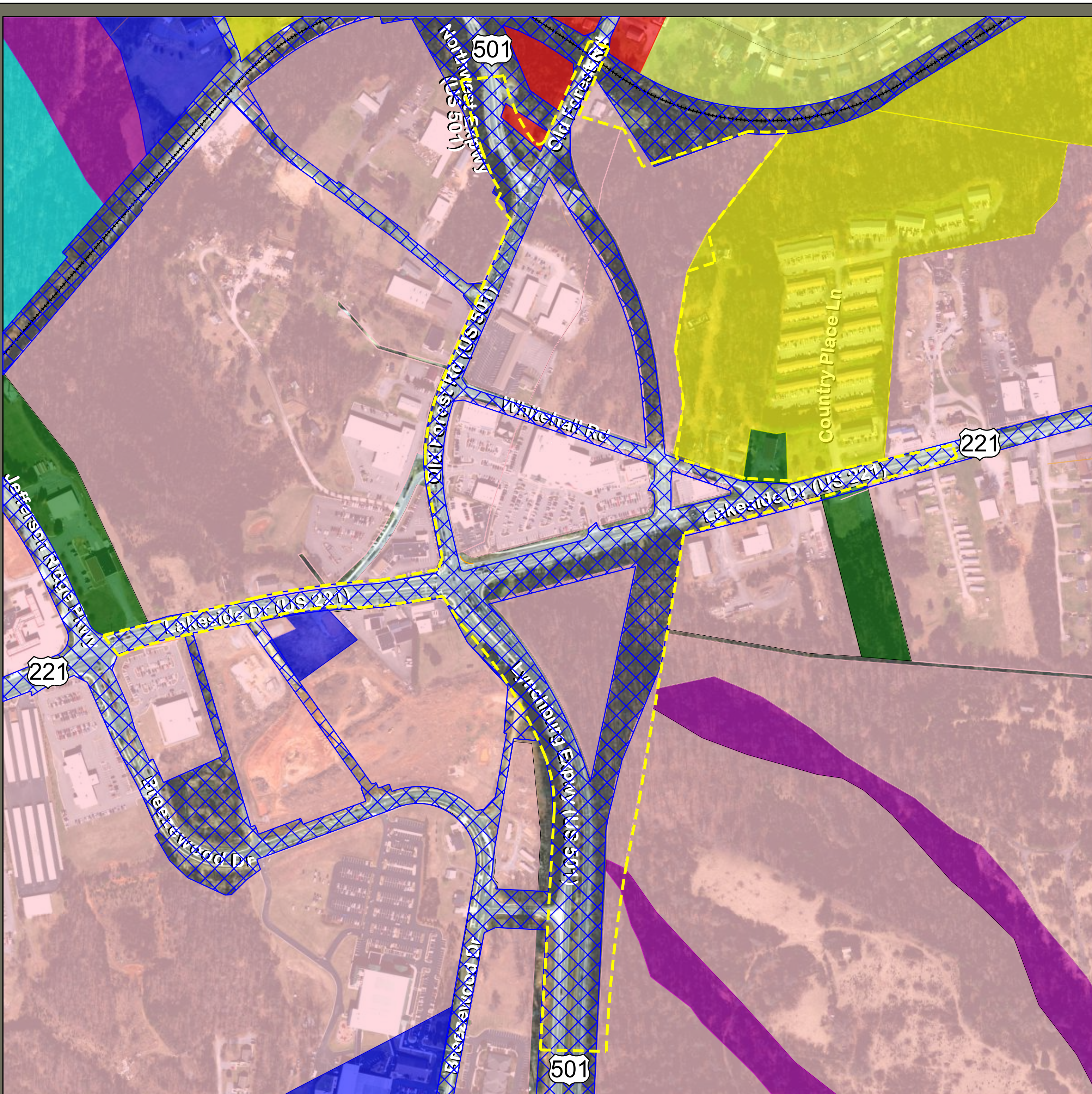
The City adopted a Future Land Use Map in its 1984 Comprehensive Plan. Major amendments to the map were made in 1989, 1992, 1994 and 2003. The Future Land Use Map depicts the City's intention for the future use of land. Descriptions of the planned land use categories can be found in the City of Lynchburg Comprehensive Plan, Chapter 6. The primary planned land uses within or adjoining the project boundary are community commercial, neighborhood commercial, low density residential, medium density residential, public use, resource conservation, and institution.

According to the Comprehensive Plan, planned land use within the adjoining study area boundary would primarily accommodate commercial development (see Figure 3-3). The study area would serve as a major location for retail uses such as shopping centers, hotels, neighborhood stores, convenience stores, gas stations, restaurants, and more. Future development plans are not likely to change under the No Build Alternative, although continued commercial development and population growth would exacerbate transportation deficiencies and would continue to cause delays, queueing, and crashes.

Build Alternative

As discussed in Chapter 1, The City has established a need for transportation improvements within the study area. The Build Alternative would increase roadway and intersection capacity and reduce congestion and delays, thus allowing economic growth and new development to adjacent lands, much of which are community commercial. Community commercial areas contain retail, personal service, entertainment, and restaurant uses that draw customers from at least several neighborhoods, the entire City, or the region.[3] Proposed improvements would provide freight vehicles more efficient access to commercial properties. Therefore, the proposed project improvements would generally support planned land use as recommended in the Comprehensive Plan.

Also shown in the Land Use Map (Figure 3-3) within the study area is a small area classified as Resource Conservation. These lands contain areas with natural characteristics which limit land uses and development, such as steep slopes and stream valleys. Development of these areas is limited to trails and passive recreational facilities and public facilities. Since the improvements to the intersection are classified as a public facility, and because the limits of construction are not within the area designated as Resource



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Railroad	Employment 1
Study Area	Employment 2
Low Density Residential	Public Use
Medium Density Residential	Resource Conservation
Community Commercial	Transportation
Neighborhood Commercial	

City of Lynchburg
US 501 and US 221 Intersection Improvement Project

Figure 3-3
Land Use Map

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Conservation, the proposed Build Alternative does not impact the planned land use of the area. Best management practices would be followed during construction in order to avoid any temporary impacts. The Build Alternative would have no substantial impacts to future land use.

3.5 Community Facilities

3.5.1 Existing Conditions

Community facilities include schools, emergency services (police, fire, and life), governmental facilities, post offices, libraries, places of worship, hospitals, and other facilities such as museums, performing art centers, civic organizations, and sports centers. There are no community facilities or services within the study area, but the following facilities are located in close proximity (one-half mile) to the study area:

1. Fire Station #7, 2624 Lakeside Drive
2. Templeton Senior Center, 225 Wiggington Road
3. Heritage Baptist Church, 219 Breezewood Drive
4. Passion Community Church, 512 Breezewood Drive
5. Shekijah Preparation Assembly, 104 Fleetwood Drive
6. Central Virginia Community Services, 3410 Old Forest Road
7. YMCA Express, 3408 Old Forest Road
8. Redeeming Grace Baptist Church, 3630 Old Forest Road
9. Head Start Day Care Center, 3704 Old Forest Road
10. Pleasant View Baptist Church, 19278 Forest Road

The facility locations are illustrated on Figure 3-4.

3.5.2 Future Conditions

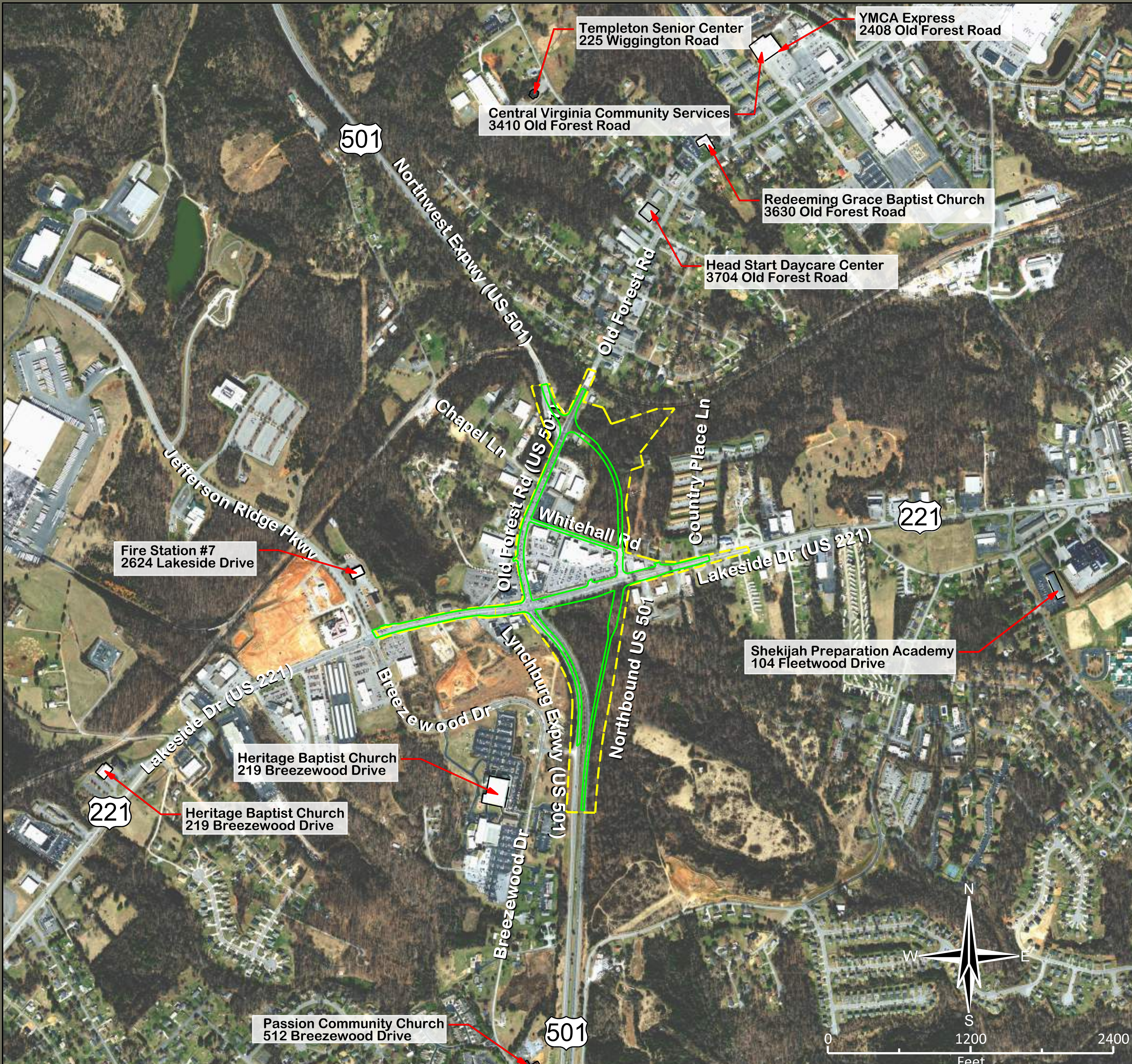
No Build Alternative

The No Build Alternative would result in continued congestion within the study area. Travel patterns would not be improved and travel times for emergency vehicles would increase. No direct impacts to community facilities are anticipated with the No Build Alternative.

Build Alternative

There are no community facilities located within the study area; therefore, direct impacts to community facilities are not anticipated with the Build Alternative.

Upon completion, the travelers would benefit overall from improved movement to and around the study area as well as reduced congestion, therefore resulting in improved access to community facilities. Fire,



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Project Area

Proposed Improvements

City of Lynchburg
US 501 and US 221 Intersection
Improvement Project

Figure 3-4
Community Facilities

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police, and rescue responders would be able to better serve community needs with improved transportation infrastructure in the study area and would have increased reliability.

3.6 Recreational Facilities

3.6.1 Existing Conditions

For the purposes of the study, recreational resources have been identified as any protected area under the jurisdiction of a municipal, state, federal, or conservation entity; or a public area where recreation or preservation is a primary function or resource. No recreational resources are located within the study area. The City of Lynchburg's Ivy Creek Park is located within one-half mile of the project boundary (see Figure 3-5). It includes a six-acre lake, multi-use trails, picnic and play areas, and nature center.

3.6.2 Future Conditions

No Build Alternative

No impacts to Ivy Creek Park are anticipated with the No Build Alternative.

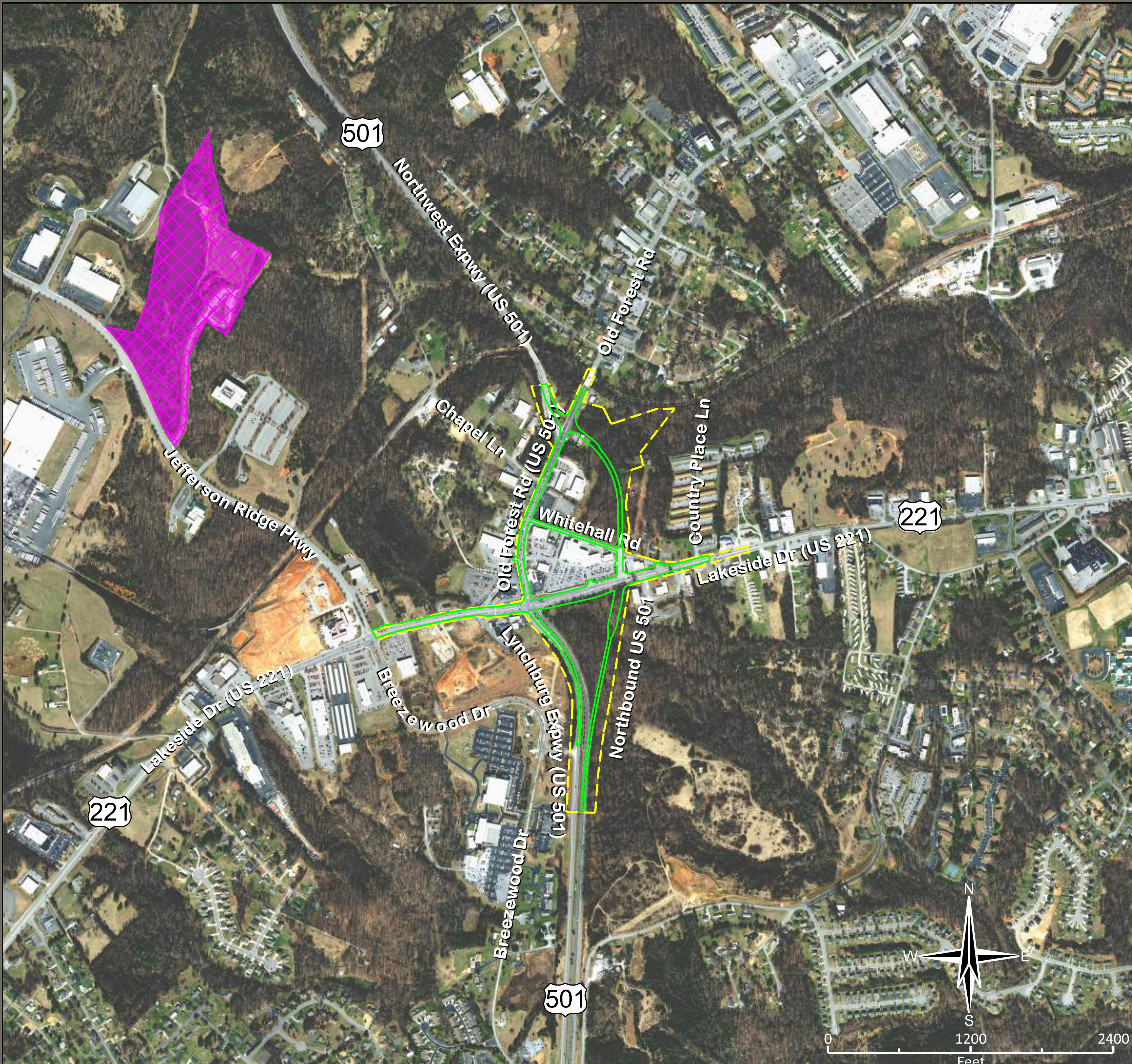
Build Alternative

No direct or indirect impacts to Ivy Creek Park are anticipated with the Build Alternative, as it is located outside of the study area and there would be no proposed visual or noise impacts. Access to the park would be improved through the reduction of congestion in the area.

3.7 Cultural Resources

3.7.1 Existing Conditions

A Phase I Cultural Resources Survey was conducted within the project area, encompassing a one-half mile radius of the project area boundary in December 2014, followed by an addendum within an expanded area conducted in October 2018. The surveys were performed in compliance with Section 106 of the National Historic Preservation Act of 1966 (as amended) and conducted in accordance with the Secretary of the Interior's Standards and Guidelines for Archaeological documentation and the Guidelines for Preparing Archaeological Resource Management Reports of the Virginia Department of Historic Resources (VDHR). Based on VDHR guidelines, two types of designations were used for the grouping of archaeological resources: isolated finds and sites. An isolated find is defined when a limited number of artifacts are recovered from the ground surface or from shovel testing. This event may be either a casual or single-episode discard such as a projectile point or a bottle break or may be a small collection of artifacts related to various periods. An archaeological site is defined as a grouping of artifacts that date to specific periods and that reveal the location of human activity and land use.



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Study Area

Ivy Creek Park

Proposed Improvements

City of Lynchburg
US 501 and US 221 Intersection Improvement Project

Figure 3-5
Recreational Facilities

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During the 2014 survey, no previously-recorded archaeological resources or architectural resources were identified within the study area. Eleven archaeological resources and nine architectural resources were found within a one-half mile radius of the study area. The survey resulted in the identification of two isolated finds, three archaeological sites, two architectural resources within the study area, and nine architectural resources adjacent to the study area. No further work is recommended for isolated finds IF-LE2 and IF-LE3, as they are not eligible for listing in the National Register of Historic Places (NRHP). Archaeological sites 44CP0249, 44CP0250, and 44CP0251 are also not eligible for listing in the NRHP due to their relatively recent use and young age and the absence of cultural layers or features. Neither of the two architectural resources identified within the study area are over 45 years old and therefore are not eligible for listing in the NRHP. The nine architectural resources adjacent to the study area are not eligible for listing in the NRHP as they are not over 45 years old or are made of common construction materials and do not indicate significant contributions with events or persons. No further archaeological testing of these sites was recommended.

The October 2018 addendum to the Cultural Resources Survey was conducted to identify and record additional architectural resources within an expanded area to the west side of the Lynchburg Expressway. The survey resulted in the identification of no isolated finds, no new archaeological sites, and one new architectural resource within 500 feet of the study area. Site 118-5508 is not eligible for listing in the NRHP as it is made of common construction materials and does not indicate significant contributions with events or persons.

3.7.2 Future Conditions

No Build Alternative

The No Build Alternative would have no direct or indirect impact on historic resources.

Build Alternative

The proposed project would not have an adverse effect on any archaeological or architectural resources potentially eligible or eligible for listing in the NRHP. VDHR provided a letter of concurrence on February 14, 2019 stating that the identified resources are not eligible for listing in the NRHP and that no additional archaeological study is warranted. VDHR agreed that the proposed project would not have an adverse effect on listed or eligible historic properties. The Phase I Cultural Resources Survey, Cultural Resources Survey Addendum and letter of concurrence are provided at (Appendix 3-2, http://www.lynchburgva.gov/501-221**)**

3.8 Air Quality

This section describes the current regulations pertaining to the control of air pollutants, the pollutants of concern, and the effect of the Build Alternative on air quality both during operation of the project and during construction. For further details, refer to the Air Quality Analysis Technical Report (Appendix 3-3, http://www.lynchburgva.gov/501-221**)**

3.8.1 Existing Conditions

Pursuant to the Federal Clean Air Act of 1970 (CAA), the EPA is required to set the National Ambient Air Quality Standards (NAAQS) for pollutants considered harmful to public health and welfare. Federal actions must not cause or contribute to any new violation of any standard, increase the frequency or severity of any existing violation, or delay timely attainment of any standard or required interim milestone.

The EPA Green Book shows that the City is designated an attainment area for all NAAQS. An attainment area is a geographic area that meets or has pollutant levels below the NAAQs. In accordance with 40 CFR Part 93, transportation conformity requirements are not applicable to the project since the project is not located in a nonattainment or maintenance area for any transportation-related criteria pollutant (i.e., ozone, particulate matter, nitrogen dioxide, and carbon monoxide).

The final rule that establishes the transportation conformity criteria and procedures for determining which transportation projects must be analyzed for local air quality impacts in Fine Particulate Matter (PM2.5) nonattainment and maintenance areas was published March 10, 2006. This project is located in a PM2.5 attainment area and therefore, conformity requirements pertaining to PM2.5 do not apply.

3.8.2 Future Conditions

No Build Alternative

On May 22, 2009, FHWA and VDOT executed a "No-Build Analysis Agreement for Air and Noise Studies" (2009 No-Build Agreement). Regarding air quality, the 2009 No-Build Agreement only addresses Carbon Monoxide (CO). It requires *"…for transportation projects within the Commonwealth of Virginia that require a carbon monoxide (CO) air study under the current Project-Level CO Air Quality Studies Agreement in effect between VDOT and FHWA, the following will govern the need for analysis of the interim and design year no-build alternatives in CO air studies:*

…Any project that qualifies for an Environmental Assessment (EA) will generally be exempt from analysis of the no-build alternatives, although VDOT may choose to analyze the no-build alternatives if they determine it appropriate..."

Therefore, because this project is being evaluated as an EA, a No Build analysis was not performed.

Build Alternative

The proposed improvements were assessed for potential air quality impacts and compliance with applicable air quality regulations and requirements. All models, methods/protocols and assumptions applied in modeling and analyses were made consistent with those provided or specified in the VDOT Resource

Document[3]. In addition, the assessment indicates that the project would meet all applicable air quality requirements of NEPA.

For purposes of NEPA, the potential for CO impacts from the project in terms of potential violations of the NAAQS was assessed qualitatively and no potential impacts were identified. More specifically, each of the three study area intersections presented in Table 1 and Table 2 of the Air Quality Analysis Technical Report (Appendix 3-2) were considered for project-specific CO modeling. However, all were determined to not require project-specific hot-spot modeling but could be instead screened out using the "worst-case" modeling parameters that form the basis for the VDOT-FHWA *Programmatic Agreement for Project-Level Air Quality Analyses for Carbon Monoxide*[4]. Additionally, the City of Lynchburg is an EPA designated attainment area for all the NAAQS. As such, federal conformity requirements for regional conformity do not apply.

Following FHWA guidance, the project has been determined to have low potential MSAT effects, and therefore required the completion of a qualitative MSAT analysis. A qualitative analysis provides a basis for identifying and comparing differences in MSAT emissions, if any, among the various project alternatives. The qualitative analysis is included in the Air Quality Analysis Technical Report (Appendix 3-2). It concluded that the project may have the effect of moving some traffic closer to nearby homes and businesses. As such, there may be localized areas where ambient concentrations of MSAT could be higher as a result of the project. However, even if localized increases do occur in some areas, total region-wide MSAT emissions would be substantially lower in future years due to fleet turnover and the implementation of EPA's vehicle and fuel regulations.

The temporary air quality impacts from construction are not substantial. Construction activities are being performed in accordance with VDOT's current Road and Bridge Specifications. As demonstrated in the Air Quality Technical Report, the project is not expected to cause or contribute to any violations of the NAAQS, worsen any existing violations, or interfere with the attainment of any applicable NAAQS.

3.9 Noise

A noise analysis was performed in accordance with VDOT's "*State Noise Abatement Policy"* effective July 13, 2011, and the "*Highway Traffic Noise Impact Analysis Guidance Manual*", updated February 20, 2018. VDOT guidelines are based on Title 23 of the Code of Federal Regulations, Part 772 and the Procedures for Abatement of Highway Traffic Noise and Construction Noise, (23 CFR 772).

The Preliminary Noise Technical Report (Appendix 3-4, http://www.lynchburgva.gov/501-221) provides additional detail on the analysis methodology, findings, and abatement considerations presented below.

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[3] Virginia Department of Transportation. *Project-Level Air Quality Analysis Resource Document*. April 2016. http://www.virginiadot.org/projects/environmental_air_section.asp

[4] Federal Highway Administration and Virginia Department of Transportation. *Programmatic Agreement for Project-Level Air Quality Analyses for Carbon Monoxide*. April 2016. http://www.virginiadot.org/projects/environmental_air_section.asp

3.9.1 Existing Conditions

For the purposes of this analysis, the study area was divided into nine areas of Common Noise Environment (CNE) (see Figure 3-6). CNEs are groupings of receptor sites that, by location, form distinct communities within the project area and contain receptors with similar exposures to noise sources. These areas are used to evaluate traffic noise impacts and potential noise abatement options to residential developments or communities as a whole, and to assess the feasibility and reasonableness of possible noise abatement measures for those communities. The nine CNEs contain 201 receptor locations, which were made up of six monitoring receptor sites and 195 modeling-only receptor sites. A detailed discussion of each CNE and its respective monitored and modeled noise levels can be found in Section 7.2 of the Preliminary Noise Technical Report.

If noise levels “approach” or “exceed” FHWA/VDOT Noise Abatement Criteria (NAC) for the Design Year (2045) Build scenario at any receptor, then an impact is said to occur, and abatement measures are to be considered. The NAC for most land uses within the project study area is Activity Category B (67 dB(A)) and Activity Category E (72 dB(A)) for residential and commercial sites respectively. VDOT defines “approach” as being within 1 dB(A) of the NAC and therefore the criterion for residential and commercial sites can be considered 66 dB(A) and 71 dB(A) respectively. A noise impact is also deemed to occur if Design Year (2045) Build noise levels are substantially higher than existing levels, even though the levels may not reach the NAC. The VDOT State Noise Abatement Policy defines a substantial increase as 10 dB(A) or more when comparing existing to design year build conditions.

Columns 3 and 4 of Table 3-3 provide a summary of the Existing (2018) worst-case minimum and maximum noise levels for each CNE throughout the project study area.

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Study Area

Common Noise Environment (CNE) Boundary

Proposed Improvements

Impacted Property

City of Lynchburg
US 501 and US 221 Intersection Improvement Project

Figure 3-6
Noise Analysis

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Table 3-3: Noise Impact Summary by Common Noise Environment

CNE	Site Representation	Worst-Case Existing 2018 Noise Level Range (dB(A))			Build 2045 Noise Level Range (dB(A))		
		Min	Max	# Impacts	Min	Max	# Impacts
A	4 Residences 1 Funeral Home	36*	64	None	37*	64	None
B	4 Outdoor Seating Areas at Restaurants	57	69	None	58	66	None
C	1 Outdoor Seating Area at Restaurant	66	66	None	69	69	None
D	13 Residences	45	67	2 Residences	47	68	2 Residences
E	3 Residences	47	50	None	47	50	None
F	1 Residence	54	54	None	54	54	None
G	16 Residences 2 Medical Facilities	30*	69	3 Residences	31*	70	3 Residences
H	124 Residences	39	62	None	42	65	None
I	24 Residences 2 Medical Facilities	38	53	None	39	55	None
Totals	185 Residences, 4 Medical Facilities 1 Funeral Home	30*	69	5 Residences	31*	70	5 Residences

* Represents Interior Noise Level
** Please note, all impacts present within the Design Year are also present under the Existing Year

3.9.2 Future Conditions

No Build Alternative

On May 22, 2009, FHWA and VDOT executed a "No-Build Analysis Agreement for Air and Noise Studies". This agreement states:

"…Any project that qualifies for an Environmental Assessment (EA) will generally be exempt from analysis of the no-build alternatives, although VDOT may choose to analyze the no-build alternatives if they determine it appropriate…"

Therefore, because this project is being evaluated as an EA, a No Build analysis was not performed.

Build Alternative

The noise analysis prepared for the Design Year (2045) Build Alternative, predicted that a total of five receptors, representing two residences in CNE D and three residences in CNE G, are expected to experience noise impacts. All impacts present in the Design Year are also present under the Existing Year. Table 3-3 presents a summary of noise levels by CNE.

Noise abatement measures (i.e., noise barriers) were evaluated for the impacted CNEs. However, noise abatement was found to be not feasible due to existing driveway access points in these CNEs where noise impacts were predicted. Any noise barrier built for these areas would have to be terminated at each driveway access location for sight distance requirements (i.e., safety) and to maintain access to the property. These breaks would reduce and compromise the effectiveness of the noise barrier. Due to the nature of sound waves and how they travel through air, traffic noise stemming from US Route 221 and Old Forest Road would filter around and through these breaks in the noise barrier. Consequently, the noise barrier's ability to achieve the required reduction in noise levels within these areas would not be possible. Therefore, noise abatement for the impacted CNEs is considered not feasible.

These conclusions are preliminary because the noise analysis has been based on preliminary design and topographic information. Additional detailed analysis should be conducted during the final design phase of the project. The noise impact estimates may change, and potential abatement measures should be reevaluated. At that time, decisions on whether to provide noise abatement measures would take into account design feasibility, cost, and the input of impacted property owners.

Based on a review of the project area, no substantial long-term construction noise impacts are anticipated. Any construction noise impacts that do occur as a result of roadway construction measures are anticipated to be temporary in nature and would cease upon completion of the project construction phase. During the construction phase of the project, all reasonable measures would be taken to minimize noise impacts from these construction-related activities. VDOT's Road and Bridge Specifications establish construction noise limits and the contractor would be required to conform to this specification to reduce any impacts of construction noise.

3.10 Wetlands and Streams

3.10.1 Existing Conditions

On-site wetland investigations were performed of the study area on April 24, 2014, and June 20, 2018. Based on a preliminary records review, a thorough field investigation, and observations made of the soils, vegetation, and hydrology, there are jurisdictional wetlands and Waters of the United States (WOUS) within the study area. A stream was identified south of US 221 from the eastern property line northwestward, along with several low areas outside of its banks which were identified as wetlands. An area northwest of this stream was flagged as jurisdictional wetlands and Waters of the United States, and contained several springs, spring branches, and drainage ditches. Another ditch channel that opens into a low-lying area within the northern portion of the study area was classified as an ephemeral stream and Waters of the United States (Figure 3-7). However, this area is outside of the proposed construction. 156 linear feet of streams and 0.033 acres of palustrine system forested wetland were identified within the proposed limits of construction. The USACE provided a Preliminary Jurisdictional Determination on August 2, 2018. The determination is valid for a period of five years. According to the Soil Survey Geographic Database (SSURGO), the study area is composed entirely of non-hydric soils. Wetlands documentation is provided in Appendix 3-5 (http://www.lynchburgva.gov/501-221)

3.10.2 Future Conditions

No Build Alternative

Under the No Build Alternative, there would be no stream or wetland impacts anticipated as a result of improvements in the study area.

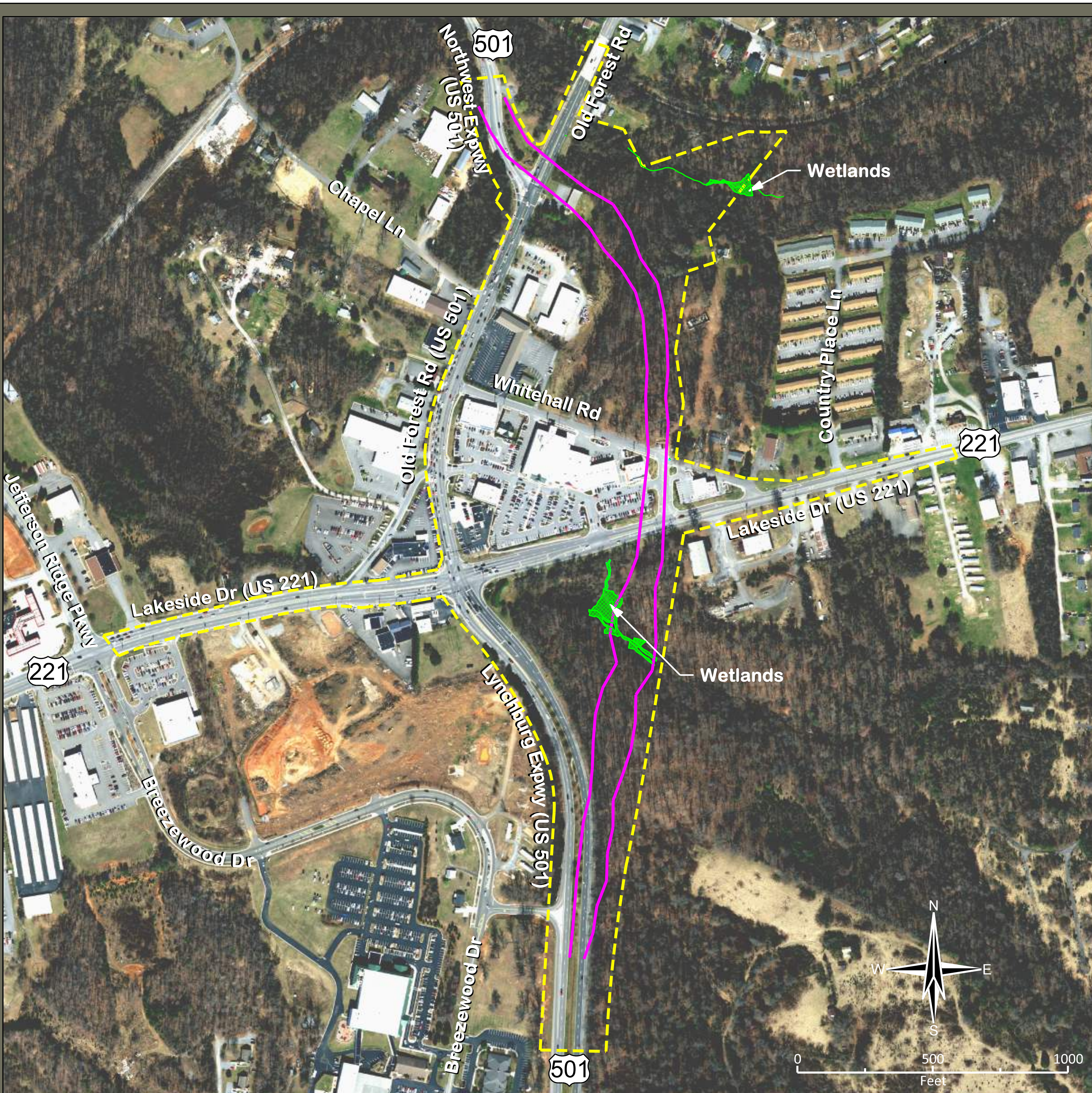
Build Alternative

The proposed improvements would directly impact approximately 156 linear feet of streams and 0.033 acres of palustrine system forested wetland. Direct impacts from cut/fill would result in loss of wetland functions within the immediate footprint of the impact. In accordance with the federal and state regulations governing streams and wetlands, efforts have been made to reduce the potential for impacts to jurisdictional Waters of the United States wherever possible. Construction barriers would be used to avoid any indirect impacts to adjacent wetlands. Coordination with the USACE, the Virginia Department of Environmental Quality (VDEQ) and the Virginia Marine Resources Commission (VMRC) would be required during the permitting phase of the project to determine the jurisdictional limits of surface waters and to make a final determination of the need for and type of permits. In addition, the compensatory mitigation requirements for both streams and wetlands would be determined by assessing those impacts that cannot be avoided. Compensation for any unavoidable impacts to wetlands is anticipated to be provided through mitigation banking credits based on the approval of permitting agencies.

3.11 Water Quality

3.11.1 Existing Conditions

Waters classified as impaired waters are surface waters which fail to meet water quality standards sufficient to support designated use categories according to Section 303(d) of the Clean Water Act (CWA). There are no rivers or streams within the subject area that are identified as impaired water bodies. There are no Exceptional State Waters within the study area. The two streams identified within the study area are tributaries to the James River and part of the public water supply system. There is no existing stormwater management, and stormwater currently sheet flows off the existing pavement to surrounding areas of lower elevation.



LEGEND

Study Area

Existing Wetlands and Streams

Construction Limits

City of Lynchburg
US 501 and US 221 Intersection Improvement Project

Figure 3-7
Wetlands and Streams

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3.11.2 Future Conditions

No Build Alternative

Under the No Build Alternative, no water quality changes are anticipated within the study area.

Build Alternative

Under the Build Alternative, water quality would be protected through the installation of stormwater management improvements. Stormwater improvements would be designed and implemented in accordance with the VDEQ regulations and constructed in accordance with Virginia Stormwater Management Regulations. Water quality is expected to improve through the implementation of a stormwater management system.

During construction, non-point source pollutants could possibly enter groundwater or surface water from stormwater runoff. To minimize these impacts, appropriate erosion and sediment control practices would be implemented in accordance with VDOT's most current Road and Bridge Specifications and with VDEQ requirements in implementing the Virginia Erosion and Sediment Control Law, Regulations, and Certification Regulations.

3.12 Floodplains

3.12.1 Existing Conditions

Executive Order 11988 entitled "Floodplain Management" dated May 24, 1977, requires federal agencies to evaluate the potential effects of actions it may take in a floodplain to avoid adversely impacting floodplains wherever possible, to ensure that its planning programs and budget requests reflect consideration of flood hazards and floodplain management, including the restoration and preservation of such land areas as natural undeveloped floodplains, and to prescribe procedures to implement the policies and procedures of this Executive Order.

The National Flood Hazard Layer (NFHL) provided by the Federal Emergency Management Administration (FEMA) was utilized to determine if any portion of the study area would encroach on the base (100-year) floodplain. NFHL is a database that contains current effective flood hazard mapping data. The entire study area is within Flood Zone X, which is an area designated by FEMA as having a moderate or minimal risk of flooding.

3.12.2 Future Conditions

No Build Alternative

No impacts to the 100-year floodplain are anticipated with the No Build Alternative within the study area.

Build Alternative

As the study area lies outside of the 100-year floodplain, no impacts to the 100-year floodplain are anticipated with the Build Alternative within the study area.

3.13 Terrestrial Wildlife and Habitat

3.13.1 Existing Conditions

A Preliminary Environmental Inventory (PEI) of the study area was conducted through the State Environmental Review Process (SERP) by the VDOT in 2007. The inventory concluded that no public waterfowl/wildlife refuges, Virginia Land holdings Scenic Rivers, or State Scenic Byways are present within or adjacent to the project area. According to a site investigation conducted on May 30, 2018, the study area is comprised of developed properties and roadways along with young hardwood forests. Habitat areas consist of open forests dominated by tulip tree *(Liriodendron tulipifera)*, oriental bittersweet *(Celastrus orbiculatus),* American beech *(Fagus grandifolia)*, mockernut hickory *(Carya tomentosa),* and white oak *(Quercus alba)* with a dense understory. Species observed onsite include wild turkey (*Meleagris gallopavo),* white-tailed deer *(Odocoileus virginianus)*, groundhog *(Marmota monax),* and gray squirrel (*Sciurus carolinensis).*

3.13.2 Future Conditions

No Build Alternative

The No Build Alternative would not alter the existing habitat within the study area and site conditions would remain as existing. No impacts to terrestrial wildlife and habitat are anticipated with the No Build Alternative. Species that have adapted to living in close proximity to the intersection and surrounding development could continue to do so.

Build Alternative

The Build Alternative would remove a portion of and bifurcate the existing hardwood forest that has historically been disturbed. Historical aerials show Breezewood Drive connecting to US 221 from the south where there is currently hardwood forest. The forest is habitat to woodland mammals, which would likely relocate to similar nearby habitat. Due to the presence of similar habitat within the project vicinity, substantial impacts to the overall habitat are not anticipated.

3.14 Threatened and Endangered Species

3.14.1 Existing Conditions

A State Environmental Review Process (SERP) was conducted in 2007 that indicated no federally or state endangered or threatened species were present within a 2-mile radius of the project. As stated in the 2007

SERP Closure, VDGIF did not anticipate significant adverse impacts to listed wildlife resources as a result of this project (Appendix 3-6, http://www.lynchburgva.gov/501-221).

A recent search on the USFWS's Information for Planning and Consultation (IPaC) database in April 2019 indicated that no listed species are expected to occur within the study area (Appendix 3-6, http://www.lynchburgva.gov/501-221). A two-mile radius search was also conducted in June 2019 on the VDGIF Online Fish and Wildlife Information Service database to identify any additional threatened or endangered species. The green floater *(Lasmigona subviridis),* a state threatened freshwater mussel, was found to be potentially within the study area. If during detailed design, impacts to listed species or their habitat are proposed, additional coordination will occur with VDGIF during the permitting process.

3.14.2 Future Conditions

No Build Alternative

The No Build Alternative would not alter the existing habitat within the study area and site conditions would remain as existing. No impacts to threatened or endangered species are anticipated with the No Build Alternative.

Build Alternative

Due to the absence of listed species and habitat within the study area, no impacts to endangered or threatened species are anticipated. Any additional coordination on impacts to listed species will occur during the permitting process.

3.15 Hazardous Materials

3.15.1 Existing Conditions

The federal government and Virginia, primarily through the EPA and the VDEQ, respectively, regulate hazardous materials under multiple statutes. Two statutes that regulate materials of primary concern include the Resource Conservation and Recovery Act of 1976 (RCRA) and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) and their respective amendments.

Documentation of potential contamination facilities within the study area entailed a review of current agency regulatory records, an updated environmental database search conducted by Environmental Data Resources (EDR) within, and adjacent to, the study area and a field review of potentially contaminated sites along the project corridor.

The regulatory agency database report was reviewed for information regarding reported releases of hazardous substances and petroleum products within or near the project boundary. A total of 25 sites were listed in the EDR Report. Table 3-4 summarizes the number of reported sites listed on the federal, state, and county databases reviewed. Although the EDR report lists other databases that were reviewed, only databases with reported sites are listed in the following table. A copy of the complete EDR report is provided in Appendix 3-7 (http://www.lynchburgva.gov/501-221).

Table 3-4: Summary of Potentially Contaminated Sites

Regulatory Database	Database Definition	Sites Listed
RCRA CESQG	**Federal Resource Conservation and Recovery Act – conditionally Exempt Small Quantity Generator** Conditionally exempt small quantity generators generate less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month. Inclusion on this database is not indicative of environmental contamination issues. (0.25-mile radius)	6
RCRA NonGen /NLR	**RCRA - Non-Generators / No Longer Regulated** – the database includes selective information on sites, which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Non-Generators do not presently generate hazardous waste database is not indicative of environmental contamination issues. (0.25-mile radius)	3
ERNS	**Emergency Response Notification System** records and stores on reported releases of oil and hazardous substances. (0.001-mile radius)	1
LUST	**State Leaking Underground Storage Tanks** – Leaking Underground Storage Tank Incident Reports. LUST records contain an inventory of reported leaking underground storage tank incidents. (0.5-mile radius)	14
LTANKS	**Leaking Petroleum Storage Tanks** – Includes releases of petroleum from underground storage tanks and aboveground storage tanks. (0.5-mile radius)	11
UST	**State Registered Underground Storage Tanks** – Registered Underground Storage Tanks. UST's are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA) and must be registered with the state department responsible for administering the UST program. (0.25-mile radius)	14
AST	**State Registered Aboveground Storage Tanks** – Registered Aboveground Storage Tanks. (0.25-mile radius)	1
ICIS	**Integrated Compliance Information System** – supports the information needs of the national enforcement and compliance program as well as the unique needs of the National Pollutant Discharge Elimination System (NPDES) program. (0.001-mile radius)	1
Financial Assurance	**Financial Assurance** is a list of hazardous waste facilities required to provide financial assurance under RCRA. (0.001-mile radius)	1
Tier 2	A listing of facilities, which store or manufacture hazardous materials and submit a chemical inventory report. (0.001-mile radius)	1
EDR Hist Auto	**Historical Auto Stations** – The categories reviewed included, but were not limited to gas, gas station, gasoline station filling station, auto, automobile repair, auto service station, service station, etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically	2

Regulatory Database	Database Definition	Sites Listed
	create environmental concerns but may not show up in current government records searches. (0.125-mile radius)	
EDR Hist Cleaner	**Historical Cleaners** – The categories reviewed included, but were not limited to dry cleaners, cleaners, laundry, laundromat, cleaning/laundry, wash & dry etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns but may not show up in current government records searches. (0.125-mile radius)	1
FINDS	**The Facility Index System** contains both facility information and "pointers" to other sources of information that contain more detail. (0.001-mile radius)	5
ECHO	**Enforcement & Compliance History Information** provides integrated compliance and enforcement information for about 800,000 regulated facilities nationwide. (0.001-mile radius)	5

3.15.2 Future Conditions

No Build Alternative

The No Build Alternative would not disturb soil or groundwater that might have been impacted by any of the potentially contaminated sites. No impacts are anticipated with the No Build Alternative.

Build Alternative

Most sites noted in the EDR report and verified during the field visit are existing or former roadside businesses along US 501 and US 221 with no evidence of contamination and are not likely to impact the proposed project (see Figure 3-8). Three sites along the corridor were identified by VDEQ as having completed clean-up activities (RV Trucking – 2413 Lakeside Drive, Former Intertec – 2349 Lakeside Drive, Zip 65 – 2332 Lakeside Drive). Prior to construction, an updated regulatory review as part of a Phase I Environmental Site Assessment would be conducted to determine whether any of the sites identified are potentially contaminated, and if so, the nature and extent of that contamination would be further assessed. Any additional hazardous materials discovered during construction of the project or during demolition of existing structures would be removed and disposed of in compliance with all applicable federal, state, and local regulations. All necessary remediation would be conducted in compliance with applicable federal, state, and local environmental laws and would be coordinated with the EPA, VDEQ, and other federal or state agencies as necessary.

3.16 Indirect and Cumulative Effects

3.16.1 Indirect Effects

Indirect effects are those that are caused by the proposed action but occur later in time or farther in distance than the direct impacts discussed elsewhere in this document. Indirect effects can occur in three broad

LEGEND

Study Area

Proposed Improvement

City of Lynchburg
US 501 and US 221 Intersection Improvement Project

Figure 3-8
Hazardous Materials

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categories: encroachment-alteration impacts, induced growth impacts, and impacts related to induced growth. The most common indirect effects associated with highway projects have to do with induced development, that is, development and the impacts of such development that would not otherwise occur if the project were not constructed. Much of the surrounding land is zoned as commercial and developed, or in the planning stages of development, and the existing intersection is an established transportation gateway for the region. Therefore, the project would not be the direct cause of induced development. The project is consistent with local comprehensive planning regarding land use goals in the surrounding area.

An indirect effects analysis was prepared that focused on the potential for ecological and socioeconomic impacts to occur as a result of the proposed alternatives outside of the area of direct impact. A stepwise process for assessing indirect effects was used as the structure for the analysis, and the following steps:

Step 1: Scoping
Step 2: Identify Study Area Direction and Goals
Step 3: Inventory Notable Features in the Study Area
Step 4: Identify Impact-Causing Activities of the Proposed Alternatives
Step 5: Identify Indirect Effects for Analysis
Step 6: Analyze Indirect Effects and Evaluate Analysis Results
Step 7: Assess Consequences and Develop Mitigation

Notable features are those social, ecological, or historical resources which are considered valuable and/or unique and which may be less able to bear impacts from a transportation improvement. Notable features as identified within this EA were assessed to identify direct impacts which could also have indirect effects that would conflict with the City of Lynchburg's directions and goals. For further details, refer to the Indirect and Cumulative Effects Technical Memorandum (Appendix 3-8, http://www.lynchburgva.gov/501-221).

No Build Alternative

The No Build Alternative would not result in substantial indirect impacts to any resource.

Build Alternative

Potential indirect impacts to terrestrial and wildlife habitat adjacent to the development of the project area could result from the bifurcation and removal of existing hardwood forest communities, indirectly modifying species movement and foraging activity within the project vicinity. Since the area impacted by the Build Alternative, both directly and indirectly, is relatively small compared to the surrounding similar habitat, species would likely relocate to similar habitat nearby. Similar suitable habitat is present outside of the project area and provides a substantial amount of habitat for wildlife in the area. Therefore, the project would not add substantial impediments to wildlife utilization. Similarly, the project is not anticipated to have indirect effects to threatened and endangered species or their habitat. No listed species were observed, and it was determined that there was a low probability that they occur within the study area.

Temporary impacts to habitat during construction can be reduced through proper location and minimization of staging areas, construction access roads, and modifying construction techniques in identified habitats. If the project is determined to have an effect on threatened and endangered species, mitigation measures would be further developed following additional coordination with the VDGIF and USFWS prior to construction. Through the consultation process under the Endangered Species Act (ESA), indirect effects are considered, and appropriate mitigation measures identified. Consultation would occur before the permit decision, as any mitigation measures, conditions, or restrictions determined necessary by the USFWS would likely be included by regulatory agencies as conditions of any permit issued. Mitigation measures may include use of time-of-year restrictions on construction, contractor training in recognizing and avoiding threatened and endangered species and their habitats, and restoration of habitat. While many of these mitigation actions would be incorporated to offset direct impacts, the actions also would mitigate indirect effects outside of the area of direct impact.

A review of the NWI database identified four freshwater emergent wetlands within a one-mile radius of the project area. Streams associated with these wetlands are tributaries to the James River and may receive run-off downstream from the proposed project. Indirect impacts to surrounding wetlands and WOUS would be avoided through the use of construction barriers and best management practices. Implementation of the proposed Build Alternative would improve an area that currently does not have a stormwater management system. Stormwater management improvements would reduce or detain discharge volumes and remove many pollutants from stormwater runoff and degradation of downstream water quality. Stormwater treatment will be constructed in accordance with the Virginia Stormwater Management Regulations and Virginia Department of Environmental Quality regulations and requirements.

Land disturbance associated with construction often leads to erosion and sedimentation in stormwater runoff. These indirect impacts will be avoided during construction through the implementation of strict erosion and sediment control measures as outlined in VDOT's most current Road and Bridge Specifications and with the Virginia Erosion and Sediment Control Law, Regulations, and Certification Regulations. Examples of control measures that may be considered include sediment traps, sediment basins, silt fences, etc. Indirect effects associated with sediment transport should be minor during construction through the proper use of stormwater control measures. During construction, the City would adhere to standard erosion and sediment control and stormwater best management practices and the associated required monitoring protocols.

3.16.2 Cumulative Effects

Cumulative effects are the incremental effects of the action when added to other past, present, and reasonably foreseeable future actions, regardless of the sponsor of those actions. The assessment of cumulative effects requires an assessment of the impact that past and present actions have had on the environmental resources in the project study area that would also be impacted by the project. The current affected environment is a reflection of the impacts of those past and present actions over time. The natural, physical, and cultural resources within the study area have been manipulated and impacted by urban/suburban development, and all of the other past and present actions. Many of the past actions that have contributed to the baseline for this analysis occurred as part of the residential, commercial, and industrial development. This development transformed a rural landscape into an urban/suburban environment. This change resulted in a loss of wildlife habitat and species, impacts to wetlands and streams, and increased levels of air and water pollution. The development also formed the basis for the level of population growth the region experienced. With this growth has come an increase in employment and investment in the study area. Additionally, a review of cumulative effects requires an assessment of how reasonably foreseeable future actions may affect the same environmental resources that would be directly affected by the project. As stated in the Lynchburg 2030 Comprehensive Plan, the City has many transportation projects which are potential, planned and/or funded.

No Build Alternative

The No Build Alternative would not result in substantial cumulative effects to any resource.

Build Alternative

The intensity of the incremental impacts of the project are considered small, when viewed in the context of impacts from other past, present, and reasonably foreseeable future actions, and would not rise to a level that would cause significant cumulative impacts. Since the early 1960s, the study area has been in a progression of development. A portion of the study area remains undeveloped and is classified as Community Commercial and Medium Density Residential in the City's future land use plan. The potential for future development within the study area is largely likely and would occur with or without the proposed project. Any improvements in the area would result in the development of vacant properties or redevelopment activities for a further enhancement to the communities' quality of life. The short-term impact of more jobs and associated expenditures resulting from development is expected to benefit the local communities. The proposed project is anticipated to support the City of Lynchburg's 2030 Comprehensive Plan.

Through the implementation of minimization strategies that would be coordinated with local governments, cumulative impacts on resources attributable to implementation of the Build Alternative would be reduced. Cumulative effects of the Build Alternative are expected to be minimal. The Build Alternative could enhance beneficial impacts to socioeconomic and recreational resources through the decrease in congestion, enhanced corridor safety, improved response times for emergency responders, and improved water quality through implementation of a stormwater management system.

In examining the cumulative effects of the proposed project with past, present and reasonably foreseeable future actions, it was determined that the small area of impact, along with measures taken to reduce and minimize impacts, improvements to the stormwater management system, and the federal and state regulations and the permitting process would limit temporary and permanent effects to jurisdictional wetland and stream systems within the study area, and thus contributions to substantial effects to WOUS are not anticipated. Due to the presence of federal and state listed threatened and endangered species habitat documented within the vicinity of the study area, construction restrictions may be required and would be determined through the permitting process. However, substantial adverse impacts are not anticipated for the proposed improvements due to the results of the habitat assessments and species surveys that have occurred, as well as coordination with the VDGIF. Contributions to substantial effects to threatened and endangered species are not anticipated.

3.17 Section 4(f)/Section 6(f)

Section 4(f) of the U.S. Department of Transportation Act of 1966, as amended (49 USC 303(c), 23 CFR 774), protects publicly owned parks, recreation areas, wildlife or waterfowl refuges, and public or private historic sites listed in or eligible for the National Register of Historic Places (NRHP). Section 6(f) protects land acquired or improved with Land and Conservation Fund grants.

3.17.1 Existing Conditions

There is one publicly-owned park (Ivy Creek Park) located approximately one-half mile northwest of the study area at 118 Clemmons Lake Place (see Figure 3-5). No other publicly owned parks, recreation areas, wildlife or waterfowl refuges, are located within one-half mile of the project boundary. Furthermore, no archaeological or historic resources were identified within the project Area of Potential Effect (APE).

3.17.2 Future Conditions

No Build Alternative

No impacts to Section 4(f)/Section 6(f) resources are anticipated with the No Build Alternative.

Build Alternative

No direct or indirect impacts to Section 4(f)/Section 6(f) resources are anticipated given the distant location of Ivy Creek Park from the study area with the Build Alternative.

Chapter 4 Coordination and Comments

Early and continuing coordination with the public and appropriate public agencies is an essential part of the environmental process to determine the scope of environmental documentation, the level of analysis, potential impacts and mitigation measures and related environmental requirements. Agency consultation and public participation for this project has been accomplished through a variety of formal and informal methods.

4.1 Agency Coordination

Agency consultation has been accomplished through project development team meetings, interagency coordination meetings and direct coordination with regulatory agencies. Table 4-1 summarizes the primary agencies involved and their roles.

Table 4-1: Summary of Agency Coordination

Agency	Role/Resources
Federal Highway Administration	Lead Federal Agency
Virginia Department of Transportation	State Sponsoring Agency
United States Army Corps of Engineers	Federal Agency for wetlands, streams and species
Virginia Department of Environmental Quality	State Agency for environmental resources
Virginia Department of Historic Resources	State Agency for historic and archeological resources
Virginia Department of Game and Inland Fisheries	State Agency for fish and wildlife
United States Fish and Wildlife Service	Federal Agency for fish and wildlife

4.2 Public Involvement

Continuous public involvement is a critical element in the development and delivery of transportation projects. Multiple methods are employed to keep the public informed and provide opportunities for the public to provide comment. These include, but are not limited to:

- public information meetings,
- public hearings,

- project-specific web page on the City of Lynchburg's website,
- informational video produced and broadcast by the City of Lynchburg,
- print media (mailers and newspapers), and
- television news coverage.

4.2.1 Public Information Meeting

The City of Lynchburg held one public information meeting to provide an opportunity for any person, organization, or agency to provide comments related to the proposed project. The meeting was held on October 4, 2018, from 4:30PM to 6:00PM at the Lynchburg Fire Station #7 at 2624 Lakeside Drive in Lynchburg, Virginia.

The purpose of the meeting was to provide the public an opportunity to review the proposed improvements being considered. Representatives from the City of Lynchburg, VDOT, FHWA and project consultants were available to discuss the project, alternatives being considered and the NEPA process. A newsletter announcing the public meeting was mailed to property owners within 300 feet of the project area. The meeting was also mentioned in the *Lynchburg City Source*, and a media release was sent to all local media.

The public information meeting was advertised consistent with federal and state requirements and was conducted consistent with the Americans with Disabilities Act of 1990. Public participation at the meeting was solicited without regard to race, color, religion, sex, age, national origin, disability or family status.
A total of 106 attendees signed in at the registration table. Members of the public were provided a meeting handout and comment forms in order to have their comments recorded as public record. Displays of the design alternatives were available for review and project representatives answered questions and discussed the project.

The public was also able to submit their comments related to the public meeting online or mail them in until October 14, 2018, to the email address and mailing address provided on the comment forms. As a result, a total of 25 comments were received. Table 4-1 documents and summarizes these comments and the appropriate responses. Information presented at the Public Information Meeting is available on the project's web page at www.lynchburgva.gov/501-221.

Table 4-2: Public Comment Summary and Responses

Comment	Number of Times Comment Received	Response
When will the informational meeting boards be posted on-line?	**2**	The informational boards are available on the City's Project Web page at: **http://www.lynchburgva.gov/501-221**

Comment	Number of Times Comment Received	Response
Alternative No. 1, Split Intersection, seems to be the best option.	**12**	Comment received and will be taken into consideration during the alternative development process.
Close the north end of Peace Street at US 501 (Old Forest Road).	**2**	The traffic analysis indicates the existing configuration of Peace Street at US 221 does not provide adequate capacity to serve as a cut-through from southbound US 501 to westbound US 221. To prohibit this movement, access to and from Peace Street from either US 501 or US 221 will need to be closed. Access to and from Peace Street will be addressed during preliminary design, and this comment will be taken into consideration.
What will happen to Billy Craft Building?	**2**	Future plans for the Billy Craft Building are outside of the scope of this project.
Current light is too quick at US 501/US 221 intersection.	**2**	Signalization upgrades and improvements will be incorporated into the preferred alternative during the detailed design process. This comment will be taken into consideration.
Need a sign when turning onto Breezewood Drive because people turn from the wrong lane.	**1**	Overall signage and safety needs will be developed during the detailed design process for the preferred alternative. This comment will be taken into consideration.
We have difficulty exiting our subdivision at Omega Drive and 221.	**1**	Omega Drive is beyond the geographical limits of the study area, this project will have no impact on your access to US 221.
The SB one-way from Old Forest Road through 221 is good but should have no signals to stop traffic. Add bridges.	**1**	Grade separated intersections (bridges) have been one option considered in the study, but Right-of-Way needs, business impacts, and cost to construct have eliminated them as alternatives able to meet the purpose and need of the project as compared to other alternatives.
How will vehicular access to 127 Whitehall Road be preserved? What is the City's intent for disposing of or using vacated portions of the ROW?	**1**	These comments have been referred to the City Attorney as the issue is the subject of ongoing/potential litigation. Please contact the City Attorney for any information regarding these comments.

4.2.2 Public Hearing

Following publication of the EA, a Public Hearing will be held to allow for additional public comments. The public hearing will be held no sooner than 15 days after the EA is approved by FHWA and is made available to the public. Comments received during the public comment period and Public Hearing will be incorporated into the revised EA.

4.2.3 Additional Coordination Efforts

In addition to the coordination previously discussed, other outreach methods, including a web page, informational video, media TV coverage, and mailing list were used to provide information to the public. Each are summarized below.

Project Web Page

http://www.lynchburgva.gov/501-221

The City of Lynchburg's website provides a project specific web page with an overview of the project and schedule and serves as a central location for the public to access project updates. For example, notification was provided prior to the public meeting, and a summary of public comments and information materials provided at the meeting were posted following the meeting. As the study progresses, the web page will continue to be utilized to archive project documents and make the information readily available to the public.

Project Informational Video

https://youtu.be/if_iFCG7qMU

The City of Lynchburg's public television station, LTV, produced an informational video on the project that included background information, project description and purpose, the NEPA process, potential funding sources, and alternatives. A link to the video is provided above and on the Project web page.

Mailing List

A mailing list was developed and 427 right of entry access letters were mailed to property owners within the study area notifying them that an agent of the project may need to access their property to conduct land surveys, field reviews, and collect environmental and/or geotechnical (soil) data, locate and review physical features and existing conditions, and take photographs. The letter included contact information for the City of Lynchburg's Project Manager, should letter recipients have questions or concerns.

References

City of Lynchburg, VA. 2014. City of Lynchburg Comprehensive Plan; Planning for the Future 2013 – 2030. http://www.lynchburgva.gov/comprehensive-plan#ComprehensivePlan.

Federal Emergency Management Agency (FEMA). 2019. National Flood Hazard Layer. https://www.fema.gov/national-flood-hazard-layer-nfhl.

Federal Highway Administration and Virginia Department of Transportation. May 2009. No-Build analysis Agreement for Air and Noise Studies. http://www.virginiadot.org/projects/resources/air/2009_FHWA-VDOT_No-Build_Analysis_Agreement_for_Air_and_Noise_Studies.pdf.

Federal Highway Administration (FHWA). 2011. Environmental Justice Emerging Trends and Best Practices Guidebook. Washington, DC: U.S. Department of Transportation. Retrieved from http://www.fhwa.dot.gov/environment/environmental_justice/resources/guidebook_2011/guidebook04.cfm.

Federal Highway Administration (FHWA). 2012. Order 6640.23A, FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. https://www.fhwa.dot.gov/legsregs/directives/orders/664023a.cfm.

Lynchburg Parks & Recreation. 2019. Ivy Creek Park. http://www.lynchburgparksandrec.com/our-parks/ivy-creek-park/.

National Park Service, Department of the Interior. 1983. Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation (48FR44716).

Region 2000 Local Government Council and Engineering & Planning Resources (EPR). 2014. Route 221 Corridor Plan. http://www.lynchburgva.gov/route-221-corridor-plan.

U.S. Census Bureau (Census). 2016. 2012-2016 American Community Survey 5-Year Estimates, various tables. Washington, DC: U.S. Department of Commerce.

U.S. Department of Transportation Federal Highway Administration. October 2016. Updated Interim Guidance on Mobile Source Air Toxic Analysis in NEPA Documents. https://www.fhwa.dot.gov/environment/air_quality/air_toxics/policy_and_guidance/msat/index.cfm.

U.S. Environmental Protection Agency (EPA). 1993. 40 CFR Part 93 – Determining Conformity of Federal Actions to State or Federal Implementation Plans.

U.S. Environmental Protection Agency (EPA). 2019. Nonattainment Areas for Criteria Pollutants (Green Book). https://www.epa.gov/green-book.

U.S. Fish and Wildlife Service (USFWS). 2019. Information for Planning and Consultation (IPaC). https://ecos.fws.gov/ipac/.

Virginia Department of Environmental Quality (VDEQ). 2014. Virginia Erosion and Sediment Control Regulations and Certification Regulations. https://www.deq.virginia.gov/Portals/0/DEQ/Water/StormwaterManagement/Erosion_Sediment_Control_Handbook/ESC_Handbook_Law_Regulations.pdf.

Virginia Office of Intermodal Planning and Investment. 2010. VTrans 2035, Virginia's Long Range Multimodal Transportation Plan http://vtrans.org/resources/VTrans2035-Final-Report.pdf

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **October 22, 2019** AGENDA ITEM #: **9**

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

ITEM TITLE: Approve a Name Change from the Central Virginia Metropolitan Planning Organization to the Central Virginia Transportation Planning Organization

KEY ELEMENTS:
___Economic Development _X_Excellent Government _X_Natural and Built Environment ___Safe Community ___Vibrant Community

RECOMMENDATION: Approve a name change from the Central Virginia Metropolitan Planning Organization (CVMPO) to the Central Virginia Transportation Planning Organization (CVTPO).

SUMMARY: At its July meeting, the Central Virginia Metropolitan Planning Organization voted to adopt amended bylaws which included a name change to the Central Virginia Transportation Planning Organization. This new name is intended to help the public better understand the role of the organization in the Region's transportation planning process.

Our partners at VDOT and the Federal Highway Administration concur with the changes, but in order for the amendments to take effect, the Central Virginia Planning District Commission's legal counsel advises that each of the five member localities needs to adopt the attached Resolution. This new, simplified Resolution replaces similar documents from 1979 and 2000, and allows the policy board to better govern itself in the context of current state and federal regulations.

PRIOR ACTION: None

FISCAL IMPACT: None

CONTACT(S): Scott Smith, Transportation Planning Director, Central Virginia Planning District Commission, 845-5678

ATTACHMENTS:
Resolution

REVIEWED BY: bms

RESOLUTION: #R-19-083

RESOLUTION REAFFIRMING THE CENTRAL VIRGINIA TRANSPORTATION PLANNING ORGANIZATION AS THE FEDERALLY DESIGNATED METROPOLITAN PLANNING ORGANIZATION FOR THE CENTRAL METROPOLITAN PLANNING AREA

Whereas the respective Boards of Supervisors of the Counties of Amherst, Bedford, and Campbell, and the City Council of the City of Lynchburg executed the Cooperative Agreement for the Creation of the Central Virginia Transportation Planning Council on September 13, 1979; and

Whereas the Governor of the Commonwealth of Virginia designated the Central Virginia Transportation Planning Council as the Metropolitan Planning Organization (MPO) for the Greater Lynchburg Transportation Study (also known as the Central Virginia Metropolitan Planning Area) on November 27, 1979; and

Whereas the respective Boards of Supervisors of the Counties of Amherst, Bedford, and Campbell, and the City Council of the City of Lynchburg rescinded the 1979 Agreement and executed a Cooperative Agreement for the Creation of the Central Virginia Metropolitan Planning Organization on or about November 16, 2000; and

Whereas since 2000, the Central Virginia Urbanized Area has been expanded to include the Town of Amherst, and the Central Virginia Metropolitan Planning Organization wishes to help increase public awareness and understanding of its mission by changing its name to the Central Virginia Transportation Planning Organization (TPO); now, therefore, be it

Resolved, that the City of Lynchburg:

1. rescinds the Cooperative Agreement for the Creation of the Central Virginia Metropolitan Planning Organization, executed on or about November 16, 2000;
2. acknowledges the organization's change of name from the Central Virginia Metropolitan Planning Organization to the Central Virginia Transportation Planning Organization (TPO);
3. acknowledges that the TPO shall be the policy decision-making body for the purpose of carrying out the Continuing, Cooperative, and Comprehensive (3-C) transportation planning and programming process as defined in the United States Code Title 23, Section 134 and Title 49 Section 1607; and in accordance with the constitution and statutes of the Commonwealth of Virginia, particularly Title 33.2, Chapter 32 of the Code of Virginia;
4. acknowledges that the TPO may adopt bylaws and other rules in conformance with this Resolution as it deems necessary to govern its operation;
5. acknowledges that the TPO shall have such authority as prescribed in a "Memorandum of Understanding on Metropolitan Transportation Planning Responsibilities for the Central Virginia Metropolitan Planning Area" dated June 1, 2018, (as amended or updated) between the Central Virginia Metropolitan Planning Organization (now Central Virginia Transportation Planning Organization), the Commonwealth of Virginia, the Greater Lynchburg Transit Company (the primary local transit provider), and the Region 2000 Local Government Council (now Central Virginia Planning District Commission);
6. acknowledges that any local jurisdiction may hereafter join the TPO provided that such jurisdiction is (in accordance with state and federal regulations) included within the "cordon boundary" of the Central Virginia Metropolitan Planning Area and that it adopts and executes this resolution and is approved by the Governor; and
7. acknowledges that this resolution may be amended only by concurring resolution of all parties to this Resolution.

Adopted:

Certified: ______________________________
Clerk of Council

140R

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **October 22, 2019** AGENDA ITEM #: **10**

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

ITEM TITLE: Appropriation of the Local Drug Court Grant

KEY ELEMENTS:
___Economic Development _**X**__Excellent Government ___Natural and Built Environment _**X**_Safe Community _**X**_Vibrant Community

RECOMMENDATION: Adopt a resolution to amend the FY 2020 City/Federal/State Aid Fund Budget and appropriate $65,000 for the Lynchburg Adult Drug Treatment Court award with resources from the Supreme Court of Virginia Drug Treatment Court Docket Grant. This grant is administered by the Supreme Court of Virginia.

SUMMARY: Horizon Behavioral Health submitted a grant application in June of 2019 to the Supreme Court of Virginia with the objective of furthering the City's effort to administer a Local Drug Court program. The Award letter was received from the Supreme Court of Virginia in July, which indicated the Lynchburg Circuit Court was awarded $65,000. Funding is allocated over the remainder of FY 2020. These funds will be used to support the Drug Court Coordinator position in the Circuit Court.

The match for the City is 50% (based on a formula, not directly 50% of request). This match will be used for supplies and other expenses associated with the Drug Court Coordinator position. This match was appropriated in the First Quarter Adjustments for FY 2020.

PRIOR ACTION(S): Finance Committee, October 22, 2019

FISCAL IMPACT: Local match of $32,858 (formula driven calculation) was appropriated in First Quarter Adjustments for FY 2020

CONTACT(S): Eugene Wingfield, Lynchburg Circuit Court Clerk, 455-2620

ATTACHMENT(S):
Resolution
Award Letter

REVIEWED BY: bms

#R-19-084

RESOLUTION:

BE IT RESOLVED THAT the FY 2020 City Federal State Aid budget is amended and $65,000 is appropriated for the Lynchburg Adult Drug Treatment Court award with resources from the Supreme Court of Virginia through the Supreme Court of Virginia Drug Treatment Court Docket Grant.

Introduced: Adopted:

Certified: ______________________________
Clerk of Council

141R

Executive Secretary
Karl R. Hade

Assistant Executive Secretary & Legal Counsel
Edward M. Macon

Court Improvement Program
Sandra L. Karison, Director

Educational Services
Caroline E. Kirkpatrick, Director

Fiscal Services
John B. Rickman, Director

Human Resources
Renée Fleming Mills, Director

SUPREME COURT OF VIRGINIA

Office of the Executive Secretary
100 North Ninth Street
Richmond, Virginia 23219-2334
(804) 786-6455

Judicial Information Technology
Michael J. Riggs, Sr., Director

Judicial Planning
Cyril W. Miller, Jr., Director

Judicial Services
Paul F. DeLosh, Director

Legal Research
Steven L. Dalle Mura, Director

Legislative & Public Relations
Kristi S. Wright, Director

Magistrate Services
Jonathan E. Green, Director

July 16, 2019

Hon. R. Edwin Burnette, Jr., Judge
Lynchburg Circuit Court
P.O. Box 4
900 Court Street
Lynchburg, VA 24505-0004

Supreme Court of Virginia Drug Treatment Court Docket Grant,
Title**: Lynchburg Adult Drug Treatment Court**

Dear Judge Burnette:

I am pleased to advise you that your grant for the above-referenced grant program has been approved for $65,000 in State funds for fiscal year 2020.

Enclosed you will find a Statement of Grant Award and a Statement of Grant Award Special Conditions. To indicate your acceptance of the award and conditions, please sign the award acceptance and return it to Anna Powers, Drug Treatment Court Coordinator, at the Office of the Executive Secretary (OES). Please review the conditions carefully; as they require action on your part before we will disburse grant funds. Prior to the OES disbursing of funds, the Subrecipient must agree to comply with the following and the attached special conditions:

a. Submit the quarterly grant reports by their due date to the Statewide Drug Treatment Court Coordinator.
b. Maintain accurate & current data in the new web-based drug treatment court database beginning July 1, 2012.
c. Submit a copy of any final federal grant report(s) and/or quarterly reports of any drug court Federal grant funds awarded.

When we receive documentation showing that you have complied with the conditions, you will be eligible to request funds awarded under this grant. A **REQUEST FOR FUNDS** form is also included with this letter and should be used for this purpose. You may request funds at the same time you submit the documentation of compliance with the grant conditions or at any time thereafter. However, we cannot process your request until we have received and approved all required information.

We appreciate your interest in this grant program and will be happy to assist you in any way we can to assure your project's success. If you have any questions, please call Courtney Stewart at 804-356-1064.

Yours very truly,

Paul F. DeLosh

PFD/atp
Enclosures

cc: Mr. Damien Cabezas, CEO, Horizon Behavioral Health
Mr. Andre McDaniel, CFO, Horizon Behavioral Health
Karl R. Hade, Executive Secretary
Anna Powers, Drug Treatment Court Coordinator

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **October 22, 2019** AGENDA ITEM #: **11**

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

ITEM TITLE: Technology Trust Fund (TTF) Fees for the Office of the Circuit Court Clerk

KEY ELEMENTS:
___Economic Development _**X**_Excellent Government ___Natural and Built Environment ___Safe Community___Vibrant Community

RECOMMENDATION: Adopt a resolution to amend the FY 2020 General Fund budget and appropriate $9,429 with resources from the State Compensation Board, Technology Trust Fund fees to support information technology needs in the Office of the Circuit Court.

SUMMARY:
As required by the Code of Virginia, Section 17.1-279 – Additional fee to be assessed by circuit court clerks for information technology, “the clerk of each circuit court shall assess a $5 fee, known as the “Technology Trust Fund Fee,” in each civil action, upon each instrument to be recorded in the deed books, and upon each judgment to be docketed in the judgment lien docket book. Such fee shall be deposited by the State Treasurer into a trust fund.”

Annually, a portion of this fee is returned to the local Office of the Circuit Court Clerk based on its information technology needs. These funds cannot be used to take the place of current funding supplied by the locality.

PRIOR ACTION(S): Finance Committee, October 22, 2019

FISCAL IMPACT: The Adopted FY 2020 General Fund Budget included $25,000 in Technology Trust Fund fees. The actual amount returned to the Office of the Circuit Court Clerk is $34,429, requiring an additional appropriation of $9,429.

CONTACT(S): Eugene C. Wingfield, Circuit Court Clerk, 455-2611

ATTACHMENT(S):
Resolution

REVIEWED BY: bms

#R-19-085

RESOLUTION:

BE IT RESOLVED that the FY 2020 General Fund budget is amended and $9,429 is appropriated with resources from the State Compensation Board, Technology Trust Fund fees to support information technology needs in the Office of the Circuit Court Clerk.

Introduced: Adopted:

Certified: __________________________________
Clerk of Council

147R

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **October 22, 2019** AGENDA ITEM #: **12**

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

ITEM TITLE: 2019 Edward Byrne Memorial Justice Assistance Grant (JAG)

KEY ELEMENTS:
___Economic Development ___Excellent Government ___Natural and Built Environment _X_Safe Community ___Vibrant Community

RECOMMENDATION: Adopt a resolution to amend the FY 2020 City/Federal/State Aid Fund budget and appropriate $34,930 with resources from the 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) to purchase law enforcement equipment for the Lynchburg Police Department, Lynchburg Sheriff's Office and the Office of the Commonwealth's Attorney.

SUMMARY: The City of Lynchburg is eligible to receive $34,930 in Edward Byrne Memorial Justice Assistance Grant (JAG) funding. Funding will be utilized by the Lynchburg Police Department to purchase cameras for electronic surveillance, one digital camera for the Community Relations Coordinator position, and accessories for Tactical Unit firearms ($27,541). The Lynchburg Sheriff's Office will utilize funds to upgrade their voice recording system ($3,762). The Office of the Commonwealth's Attorney will utilize funds to purchase two (2) computers ($3,627). Total equipment cost is $34,930 which is fully reimbursable by the grant. No local matching funds are required.

PRIOR ACTION(S): Finance Committee, September 24, 2019 (application approval)
Finance Committee, October 22, 2019

FISCAL IMPACT: None, no local match is required

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

ATTACHMENT(S):
Resolution

REVIEWED BY: bms

#R-19-086

RESOLUTION:

BE IT RESOLVED that the FY 2020 City/Federal/State Aid Fund budget is amended and $34,930 is appropriated with resources from the 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) to purchase law enforcement equipment for the Lynchburg Police Department, Lynchburg Sheriff's Office and the Office of the Commonwealth's Attorney.

Introduced: Adopted:

Certified: __________________________________

Clerk of Council

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LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **October 22, 2019** AGENDA ITEM #: **13**

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

ITEM TITLE: 2019 Virginia Department of Emergency Management (VDEM)- State Homeland Security Program (SHSP) Grant

KEY ELEMENTS:
___Economic Development ___Excellent Government ___Natural and Built Environment _X_Safe Community ___Vibrant Community

RECOMMENDATION: Adopt a resolution to amend the FY2020 City/Federal State Aid Fund budget and appropriate $24,517 with resources from the 2019 State Homeland Security Program (SHSP) Grant through the Virginia Department of Emergency Management (VDEM) to purchase law enforcement equipment for the Lynchburg Police Department.

SUMMARY: The Lynchburg Police Department has been awarded $24,517 through a competitive grant process with the Virginia Department of Emergency Management (VDEM) State Homeland Security Program (SHSP) to purchase two Long Range Acoustic Devices that will be used in critical incidents that require communication between law enforcement and other persons in crises where traditional communication may not be effective. The equipment will also be used to communicate lifesaving information to citizens during natural disasters. The total equipment cost is $24,517 which is fully reimbursable by the grant; no local matching funds are required.

PRIOR ACTION(S): Finance Committee September 24, 2019 (application approval)
Finance Committee October 22, 2019

FISCAL IMPACT: None, no local match is required

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

ATTACHMENT(S):
Resolution

REVIEWED BY: bms

#R-19-087

RESOLUTION:

BE IT RESOLVED that the FY 2020 City/Federal/State Aid Fund budget is amended and $24,517 is appropriated with resources of $24,517 from the Virginia Department of Emergency Management (VDEM) 2016 State Homeland Security Program (SHSP) to purchase law enforcement equipment for the Lynchburg Police Department.

Introduced: Adopted:

Certified: ________________________________
Clerk of Council

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LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **October 22, 2019** AGENDA ITEM #: **14**

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

ITEM TITLE: 2019 Police Bulletproof Vest Partnership Grant Funding

KEY ELEMENTS:
___Economic Development ___Excellent Government ___Natural and Built Environment _X_Safe Community ___Vibrant Community

RECOMMENDATION: Adopt a resolution to amend the FY 2020 City/Federal/State Aid Fund budget and appropriate $42,612 with resources of $21,306 from the Bulletproof Vest Partnership 2019 Grant Program and $21,306 transferred from the FY 2020 General Fund Police Department ($18,506) and Sheriff's Office ($2,800) budgets to purchase replacement bulletproof vests for law enforcement officers.

SUMMARY: Total vest replacement costs are $42,612. The grant requires a 50% local match; these funds are available in the FY 2020 General Fund Police and Sheriff's Office operating budgets.

PRIOR ACTION(S): Finance Committee, October 22, 2019

FISCAL IMPACT: The required local match is budgeted in the FY 2020 General Fund Police and Sheriff's Office operating budgets; therefore, no additional funds are required.

CONTACT(S): Chief Ryan Zuidema, 455-6045
Amy Lowe, Administrative Manager, Police Dept, 455-6128

ATTACHMENT(S):
Resolution

REVIEWED BY: bms

#R-19-088

RESOLUTION:

BE IT RESOLVED that the FY 2020 City/Federal/State Aid Fund budget is amended and $42,612 is appropriated with resources of $21,306 from the Bulletproof Vest Partnership 2019 Grant Program and $21,306 transferred from the FY 2020 General Fund Police Department ($18,506) and Sheriff’s Office ($2,800) budgets to purchase replacement bulletproof vests for law enforcement officers.

Introduced: Adopted:

Certified: ___________________________________

Clerk of Council

144R

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: October 22, 2019 AGENDA ITEM #: **15**

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

ITEM TITLE: **2019 State Homeland Security Program (SHSP) grant: $91,750 for the Fire Department Technical Rescue Team**

KEY ELEMENTS:
___Economic Development ___Excellent Government ___Natural and Built Environment _**X**_Safe Community ___Vibrant Community

RECOMMENDATION: Adopt a resolution to amend the FY 2020 City/Federal/State Aid Fund budget and appropriate $91,750 with resources from the 2019 State Homeland Security Program (SHSP) grant from U.S. Department of Homeland Security (DHS) to fund equipment and training for the Fire Department Technical Rescue Team.

SUMMARY: The Fire Department seeks authorization to accept a non-matching grant for technical rescue equipment. The Virginia Department of Emergency Management administers this grant from the United States Department of Homeland Security (DHS) through the State Homeland Security Program (SHSP). The grant program provides funding to improve the nation's readiness in preventing, protecting against, responding to, recovering from, and mitigating terrorist attacks, major disasters and other emergencies. The grant reflects DHS's focus on implementation of an all-of-nation, whole-community approach to building, sustaining, and delivering core capabilities essential to achieving a secure and resilient nation.

The Fire Department was awarded $91,750 to be utilized by the Technical Rescue Team. The funds will be used for the purchase of Personal Protective Equipment (PPE), Urban Search & Rescue (USAR) bags, water rescue equipment, search camera, and specialized rescue equipment for heavy lifting for debris removal and large animal rescue. The majority of this equipment is replacing existing equipment that has exceeded its useful life, but there are a few items that are being added to enhance our rescue capabilities. This equipment can be used in a variety of ways such as stabilization of a structure that is in danger of collapse, stabilizing a vehicle after a crash, or clearing debris from a trench. This equipment is vital to the successful mitigation of a variety of incident types and ensures not only the prolonged safety of our citizens, but also the immediate safety of our responders. In addition, this grant includes training that will enhance that knowledge and skills of our Technical Rescue Team members when confronted with an animal rescue or wide area search in an urban or rural setting.

This grant is 100% reimbursable; no local match is required.

PRIOR ACTION(S): October 22, 2019: Finance Committee review
May 28, 2019: Finance Committee – Grant Submittal Approval

FISCAL IMPACT: None – No local match is required. Future funds may be needed for periodic maintenance of the equipment purchased.

CONTACT(S): Fire Chief Greg Wormser, 455-6340
Battalion Chief Sean Regan, 546-1648
Fire Department Administrative Manager Annette Pettyjohn, 455-6368

ATTACHMENT(S): Resolution

REVIEWED BY: raw

#R-19-089

RESOLUTION:

BE IT RESOLVED that the FY 2020 City/Federal/State Aid Fund budget is amended and $91,750 is appropriated with resources from the 2019 State Homeland Security Program (SHSP) grant from U.S. Department of Homeland Security (DHS) to fund equipment and training for the Fire Department Technical Rescue Team.

Introduced: Adopted:

Certified: ________________________________
Clerk of Council

145R

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: October 22, 2019 AGENDA ITEM #: **16**

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

ITEM TITLE: **2019 State Homeland Security Program (SHSP) grant: $76,000 for the Fire Department Technical Rescue Team**

KEY ELEMENTS:
___Economic Development ___Excellent Government ___Natural and Built Environment _X Safe Community ___Vibrant Community

RECOMMENDATION: Adopt a resolution to amend the FY 2020 City/Federal/State Aid Fund budget and appropriate $76,000 with resources from the 2019 State Homeland Security Program (SHSP) grant from U.S. Department of Homeland Security (DHS) to fund water rescue equipment and training for the Fire Department Technical Rescue Team.

SUMMARY: The Fire Department seeks authorization to accept a non-matching grant for technical rescue equipment. The Virginia Department of Emergency Management administers this grant from the United States Department of Homeland Security (DHS) through the State Homeland Security Program (SHSP). The grant program provides funding to improve the nation's readiness in preventing, protecting against, responding to, recovering from, and mitigating terrorist attacks, major disasters, and other emergencies. The grant reflects DHS's focus on implementation of an all-of-nation, whole-community approach to building, sustaining, and delivering core capabilities essential to achieving a secure and resilient nation.

The Fire Department was awarded $76,000 in pass-through funds from FEMA. These funds were made available to specifically target swift water rescue needs. There was no application process and the department was notified that we would be receiving this money on October 7, 2019 as a result of our commitment to deploy during water-related emergencies, such as hurricanes. The funds are specifically identified for use by the Technical Rescue Team for swift water rescue training, and equipment. This includes, but is not limited to, boats, boat motors, water rescue training, personal protective equipment, and other equipment capable of water rescue.

This grant is 100% reimbursable; no local match is required.

PRIOR ACTION(S): Finance Committee October 22, 2019

FISCAL IMPACT: None – No local match is required. Future funds may be needed for periodic maintenance of the equipment purchased.

CONTACT(S): Fire Chief Greg Wormser, 455-6340
Battalion Chief Sean Regan, 546-1648
Fire Administrative Manager Annette Pettyjohn, 455-6368

ATTACHMENT(S):
Resolution

REVIEWED BY: raw

#R-19-090

RESOLUTION

BE IT RESOLVED that the FY 2020 City/Federal/State Aid Fund budget is amended and $76,000 is appropriated with resources from the 2019 State Homeland Security Program (SHSP) grant from U.S. Department of Homeland Security (DHS) to fund equipment and training for the Fire Department Technical Rescue Team.

Introduced: Adopted:

Certified: ________________________________
Clerk of Council

146R

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **October 22, 2019** AGENDA ITEM #: **17**

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

ITEM TITLE: Adopt the 2020 General Assembly Legislative Agenda

KEY ELEMENTS:
_X_ Economic Development _X_ Excellent Government _X_ Natural and Built Environment _X_ Safe Community _X_ Vibrant Community

RECOMMENDATION: Adopt the 2020 General Assembly Legislative Agenda.

SUMMARY: During Council's meeting on October 8, 2019 Council discussed the Proposed 2020 Legislative Agenda. Attached is an annotated copy of the adopted 2019 Legislative Agenda with suggested revisions as proposed by staff and incorporating comments from Council. A clean copy of the 2020 Legislative Agenda is attached.

The Virginia First Cities (VFC) Draft Legislative Agenda is currently under development and will be considered by the VFC Board at its Annual Meeting in December.

Highlights of the 2020 Proposed Legislative Agenda include:

- Updated language regarding the potential impact of changes in legislation that could eliminate the Machinery and Tools and/or Business License taxes.
- A significantly enhanced section on Economic Development which clarifies the importance of funding from the Commonwealth for business attraction, retention, and expansion.
- Updated language relating to recent amendments regarding proffers.
- New language regarding support for an overhaul of the mental health system and particularly support for funding for temporary detention order transports. Support for additional local beds for mental health patients to avoid out-of-town transports.
- New language regarding support for various transportation initiatives.
- A significant update to the section formerly labeled Water Quality and Environment and now labeled Drinking Water, Water Quality and Environment.
- Request of an amendment regarding the formation of a Regional Airport Authority.
- Language requesting funding from the Brownfields Restoration and Remediation Fund for public housing improvements and infrastructure work associated with public housing on or adjacent to former landfill sites.

Upon adoption, the City Manager will schedule meetings with the Lynchburg City Schools Leadership with the City's General Assembly delegation to discuss the items included in Council's 2019 Legislative Agenda. A copy of the adopted 2020 Legislative Agenda will be forwarded to staff at Virginia First Cities.

PRIOR ACTION(S): October 8, 2019 Work Session - Discussion of the Proposed 2020 Legislative Agenda

FISCAL IMPACT: To be determined.

CONTACT(S):; Walter Erwin, City Attorney, 455-3973; Bonnie Svrcek, City Manager, 455-3990

ATTACHMENT(S):
Resolution; Annotated Draft 2020 Legislative Agenda
Clean 2020 Legislative Agenda

REVIEWED BY: bms

RESOLUTION: #R-19-082

BE IT HEREBY RESOLVED that the Lynchburg City Council adopts its 2020 Legislative Agenda and directs the Clerk of Council to forward it to the City's General Assembly delegation for information and action, as appropriate.

Adopted: October 22, 2019

Certified: ______________________________
Clerk of Council

134R

DRAFT

CITY OF LYNCHBURG

~~2019~~ 2020 LEGISLATIVE AGENDA

Adopted ~~November 13, 2018~~

~~The City of Lynchburg is a member of both the Virginia Municipal League and the Virginia First Cities Coalition and supports the legislative agendas of both organizations.~~The City of Lynchburg ~~2019~~2020 Legislative Agenda is meant to highlight those issues of particular importance to the City.

The Lynchburg City Council asks that legislators keep the following principles in mind as they evaluate and vote on legislation and the budget.

PRINCIPLES

- Local governments are instruments of the state, created in large measure to deliver state responsible services in a more efficient and effective manner. This state/local partnership requires an equitable allocation of costs between the two levels of government and across the various jurisdictions of the Commonwealth.

- The state must continue to meet constitutional and statutory responsibilities to adequately fund the state share of state/local services, especially in education, human services, and public safety. Any shortfall in state revenues should not be shifted to local governments.

- When the state experiences or anticipates a budget surplus, due to either increased revenues or reduced expenditures, it should relieve localities of funding responsibilities that have been shifted to them for state mandated/locally delivered serves.

- Rather than shifting responsibilities for programs that the state is unwilling to fund down to thelocalities, the state should consider eliminating those programs.

- The state should explore ways to increase the efficiency and effectiveness of the delivery of state services at the local level including the regionalization of service delivery (e.g. Social Services) and the elimination of inefficient structures such as the Compensation Board.

- The General Assembly should defeat proposed legislation that would erode local taxing authority, cap or reduce local revenue sources or that would impose unfunded mandates on localities.

- The General Assembly should support legislation that provides greater authority to localities in implementing sustainability initiatives especially with regard to land use and transportation planning.

- The General Assembly should preserve local zoning and land use authority, allowing flexibility to meet the needs of individual communities.

20~~19~~20 LEGISLATIVE PRIORITIES

Airport: Amend the Virginia's Region 2000 Airport Authority Act ("Act") to allow the City of Lynchburg by itself or with the governing bodies of one or more counties of Amherst, Appomattox, Bedford and Campbell by resolution declare thre is a need for an airport authority to be created for the purpose of establishing oroperating an airport for such participating political subdivision(s). In addition support other changes to the Act as necessary to support the creation of the Airport Authority.

~~**Filing of Items with Local Fiscal Impact:** Support legislation that requires members of the General Assembly to file bills with local fiscal impacts as early as possible and no later than the first day of the legislative session, so that the appropriate fiscal impact analysis can be completed and reported in a timely manner.~~

~~**Taxes-Machinery and Tools:** Oppose legislation that would reduce or eliminate a locality's authority to impose a machinery and tools tax. The loss of $5,136,658~~ $4,850,000 ~~in revenue from the Machinery and Tools Tax would equate to a 10.2~~ 9.3 ~~cent increase in the City's Real Property Tax rate.~~

~~**Taxes- Business License:** Oppose legislation that would reduce or eliminate a locality's authority to impose a business license tax. The loss of $8,349,271~~ $9,067,804 ~~in revenue from the Business License Tax would equate to a 16.6~~ 17.5 ~~cent increase in the City's Real Property Tax rate.~~

Children's Services Act {CSA): CSA funding continues to be a serious concern. Actions taken by the General Assembly have increased mandated services and shifted costs to the localities. The General Assembly should refrain from adding additional mandated services and should fund its full share of the CSA program.

Comprehensive Poverty Reduction: Support continued funding of the Community Wealth Building state matching fund which partners with local programs that target intractable long-term pockets of poverty through combined education and job training, housing and transportation resources, mentoring and prisoner re-entry, childcare and early education, and workforce training and other programs that break the cycle of poverty. Preparing people for jobs in the new workforce is extremely important to a healthy community continuum. Prioritize the use of "Go Virginia" funding to create jobs for those in poverty.

Community Wealth Building/Public Housing Redevelopment: Increase funding by $4 million in the Brownfields Restoration and Remediation Fund and have specific State budget language that would allow grant application for public housing remediation and infrastructure improvements associated with public housing on or adjacent to former landfill sites.

Disposal of Property Due to Eviction: Support legislation to require that evicted tenants' personal property must remain inside the premises for a specified period time

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after which it becomes that landlord's responsibility to remove and properly dispose of the tenants' property at the landlord's expense.

The state code outlines what a landlord must do with an evicted tenant's personal property. Currently the state code says when evicting a tenant the landlord must set the tenant's personal property on the public right-of-way for at least 24 hours so that the evicted person may obtain their belongings. The code also says that tenants shall have 24 hours to remove the property and if the tenant does not remove the personal property within 24 hours, the landlord must remove the property within 48 hours. If the landlord fails to remove the property within 48 hours, the City can remove the property and bill the landlord for the removal costs. The 24 hour and 48 hour removal periods are required by state law. This places an undue burden on localities to collect and dispose of this debris from the public right-of way and causes unsightly and unsanitary conditions in neighborhoods. Landlords should be treated as businesses.

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Economic Development: Preserve existing incentive and grant funds offered by the Virginia Economic Development Partnership, the Virginia Department of Agriculture and Consumer Services, the Department of Housing and Community Development, the Department of Environmental Quality, Virginia Tourism Corporation, and Virginia Commission for the Arts.

A Skilled and Available Workforce – The future of Virginia's economic development success is talent attraction, retention, and development. For the Commonwealth to be viewed as the top state for a skilled and available workforce, training programs must be in place and well-funded.

- **Innovative Partnerships with Higher Education and the Business Community** – Support enhanced partnerships between Virginia's colleges and universities and the business community to commercialize research and development; create innovative ideas and new technologies; support Virginia's entrepreneurial ecosystem; and meet the growing demand for talent in the Commonwealth.

  Support the continued funding of the Tech Talent Investment Program to build technology-educated talent in the Commonwealth.

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~~**Water Quality and Environment:** The City continues to face significant financial burdens in its efforts to comply with water quality regulations. The management of all the related water quality programs imposes high costs on sewer and stormwater rate payers. Continued Federal and State assistance is required to avoid an unreasonable economic burden on City residents and businesses. The City urges support for the following positions:~~

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~~further the implementation of SB 344 (2018) which authorized long-term phase-in of ammonia-related nitrogen requirements under consideration now by the State Water Control Board.~~

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- ~~Oppose any efforts to exempt certain properties from stormwater utility fees. Additionally oppose efforts to provide reduced stormwater fees for certain properties or situations. Equitable distribution of stormwater program costs is essential to meeting regulatory requirements and minimizing stormwater rates.~~
- ~~Oppose any efforts to increase DEQ's penalty authority against localities.~~
- ~~Oppose any efforts to shorten Sanitary Sewer Overflow reporting deadlines. Currently the requirement is to notify DEQ within 24 hours of an overflow. A shorter timeline would significantly impact staffing needs.~~
- ~~Oppose more stringent requirements and regulations associated with the land application of biosolids.~~

Drinking Water, Water Quality, and Environment: The City continues to face significant financial burdens in our efforts to comply with water quality and drinking water regulations and legislation. Coupled with the effort to renew and replace failing infrastructure this places a significant burden on our citizens through high water, sewer and stormwater rates. The City supports state and federal funding assistance for these programs to minimize the impacts to citizens and businesses. Additionally, the City opposes legislative efforts that place additional requirements and burdens on our utilities that are not scientifically based and place additional burden on our rate payers. Further, the City opposes additional fees and enforcement authority that would further reduce funding and available resources to address the needs of our water programs. As a result the City urges strongly endorses the following positions:

- **Local Utility Rates –** Oppose legislation that would restrict local legislative discretion or mandate preferences or exemptions in local rate structures for allocating various costs of service to local ratepayers for water-related utilities.
- **Water Quality Improvement Fund (WQIF) –** Support appropriations for the Water Quality Improvement Fund (WQIF) in a sum sufficient to sustain additional voluntary Wastewater Treatment Plant improvements for nutrient and ammonia-nitrogen reductions and related program improvements, including synchronizing state

appropriations with local project needs and limiting State requirements that are more stringent than the EPA Chesapeake Bay TMDL.

- **Stormwater Local Assistance Fund (SLAF)** - Support appropriations for Stormwater Local Assistance Fund (SLAF) grants to localities at VIRGINIAforever's recommended level of $80 million annually.
- **Pollution Control Equipment Tax Exemption –**Support legislation to streamline the approval process and maximize applicability of the existing state and local tax exemption (Va. Code § 58.1-3660) for pollution control equipment and facilities acquired by local governmental entities.
- **Permit Fee Increases on Local Water Infrastructure –** Oppose transferring State operating expenses to local government by increasing fees (other than normal inflation-based adjustments) charged by DEQ or VDH for permits the State requires for operation of local water, wastewater and stormwater systems.
- **DEQ Enforcement and Penalties Against Localities –** Oppose increasing DEQ's enforcement and penalty authority as applied against local governments and local authorities, except for inflation adjustments.
- **Recycling of Reclaimed Water & Biosolids –** Oppose legislation further limiting or restricting options for recycling reclaimed water and biosolids that are treated and applied in accordance with applicable regulations.
- **Regulation of Municipal Water Withdrawals –** Oppose legislation imposing new restrictions on grandfathered water withdrawal rights associated with municipal water supplies.
- **Emerging Contaminants –** Support scientific research and the development of national standards for emerging contaminants of concern in lieu of state-by-state regulation.

OTHER LEGISLATIVE POSITIONS

Binding Arbitration: Oppose legislation thatmandates binding arbitration, meet and confer requirements, and imposed grievance procedures for local employees.

Communications Sales and Use Tax: . The Virginia Communication Sales and Use Tax was enacted to establish a statewide tax rate and to preempt local taxes on communication sales and services. The City supports setting the tax rate at the same level as the state sales tax rate of 5.3 percent, and broadening the coverage of the tax to include audio and video streaming services and prepaid calling services.

Exemptions: Oppose any legislation that would exempt churches and other religious and non-profit organizations from neutral, generally applicable local ordinances, and in particular local health, safety and zoning ordinances.

FOIA Exemption on the Release of Information Pertaining to Closed Criminal Justice Case Files: Oppose legislative action to remove the current FOIA exemption on the release of information pertaining to closed criminal justice case files. While not preventing the disclosure of information from closed criminal case files, the exemption allows law enforcement agencies the option to decline disclosure in situations where such disclosure is deemed likely to compromise ongoing criminal investigations; to identify at-risk witnesses, informants or victims; or to otherwise jeopardize public safety. Beyond the scope of endangering witnesses, informants or victims in certain cases, indiscriminate release of all closed case information would significantly hamper current criminal investigations involving the same suspect, similar modus operandi, etc. A primary reason for keeping investigative details from public knowledge is to preserve investigators' ability to evaluate the validity of information gathered from various sources.

Law Enforcement Data Collection and Retention: The collection of data on citizen activities in the public rights of way is a sensitive matter and should be addressed with due caution to respect individual privacy rights. Access to data collected by devices such as Automatic License Plate Readers should be only for legitimate law enforcement purposes after a crime has been committed.

Line of Duty Act: Support initiatives that return program funding responsibility to the state. Should this unfunded mandate continue, support efforts to implement the recommendations of the 2014 Joint Legislative Audit and Review Commission (JLARC) "Line of Duty Act Report".

Prevention: Restore state funds for prevention services.

Reimbursement for Political Party Primaries: Support the full reimbursement to localities for the costs related to political party primaries.

Reimbursement for General Registrar and Electoral Board Expenses: Support the full reimbursement by the State to the localities for the compensation and expenses of the General Registrar and Electoral Board.

Reimbursement for the Retrieval of Cellular Phone Information; The General Assembly should amend §19.2-70.3 of the Code of Virginia to provide reimbursement for the costs of retrieving historic cellular tower information through a search warrant. Code of Virginia §19.2-70.2 has language in section G that allows localities to seek reimbursement for costs related to obtaining pen register information authorized through a court order. Such orders are traditionally used for real-time cellular phone information (pen register and trap & trace). Code of Virginia §19.2-70.3 does not currently have language to allow localities to seek reimbursement. This code section requires a search warrant for cellular phone information related to real-time location data (pinging a phone) or historic subscriber and billing information. United States v. Graham, decided August 5th by the 4th Circuit Court of Appeals, held that a search warrant is necessary for historic cellular tower information. This sort of information shows where a phone was at any relevant point in time. Without the reimbursement language being added to §19.2-70.3, localities will end up spending thousands of dollars a year through investigations involving the need for cellular phone information obtained through search warrants.

Short-term Rentals: Oppose short-term rental legislation that limits local government authority to require property owners to register locally and insure accessibility, zoning and life safety protections and equal taxing of all lodging facilities.

Social Services: Maintain funding for workforce re-training through appropriate agencies, retaining Virginia Initiative for Employment not Welfare (VIEW) staff and funding in Social Services. This program has successfully helped Temporary Assistance for Needy Families (TANF) recipients secure and maintain jobs.

State Aid to Public Libraries: Restore state aid for libraries to at least FY 201O levels. Public libraries serve as resources for early childhood education and for the unemployed seeking job opportunities.

Substance Abuse Treatment: Restore state funding for substance abuse treatment programs. Such funding could be provided to Community Service Boards, programs such as "The Healing Place" or other pilot programs.

Tax on Electronic Cigarettes and Vapor: Support legislation to allow localities to tax electronic cigarettes and vapor in a manner similar to traditional cigarettes.

Taxes on Local Services: Oppose the imposition of a state fee, tax or surcharge on water, sewer, and solid waste or on any other local government funds or services.

Telecommunications and Wireless Infrastructure Regulation: Maintain local authority over zoning, land use, rights-of-way and taxation. Limit new state regulation preempting local authority regarding the use and compensation of local rights-of-way for telecommunications. Refrain from adopting any additional legislation that preempts local regulation of the placement of wireless infrastructure in the public rights-of- way or on public property.

Workers Compensation Medical Fees: Virginia should adopt Medicare-based fee schedules for setting medical provider fees in workers' compensation cases, instead of the prevailing community rate standard now used. This will make providing workers' compensation coverage more affordable and will adequately protect the financial interests of the medical providers of Virginia.

October 8, 2019

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CITY OF LYNCHBURG

2020 LEGISLATIVE AGENDA

Adopted October 22, 2019

The City of Lynchburg 2020 Legislative Agenda is meant to highlight those issues of particular importance to the City.

The Lynchburg City Council asks that legislators keep the following principles in mind as they evaluate and vote on legislation and the budget.

PRINCIPLES

- Local governments are instruments of the state, created in large measure to deliver state responsible services in a more efficient and effective manner. This state/local partnership requires an equitable allocation of costs between the two levels of government and across the various jurisdictions of the Commonwealth.

- The state must continue to meet constitutional and statutory responsibilities to adequately fund the state share of state/local services, especially in education, human services, and public safety. Any shortfall in state revenues should not be shifted to local governments.

- When the state experiences or anticipates a budget surplus, due to either increased revenues or reduced expenditures, it should relieve localities of funding responsibilities that have been shifted to them for state mandated/locally delivered serves.

- Rather than shifting responsibilities for programs that the state is unwilling to fund down to the localities, the state should consider eliminating those programs.

- The state should explore ways to increase the efficiency and effectiveness of the delivery of state services at the local level including the regionalization of service delivery (e.g. Social Services) and the elimination of inefficient structures such as the Compensation Board.

- The General Assembly should defeat proposed legislation that would erode local taxing authority, cap or reduce local revenue sources or that would impose unfunded mandates on localities.

- The General Assembly should support legislation that provides greater authority to localities in implementing sustainability initiatives especially with regard to land use and transportation planning.

- The General Assembly should preserve local zoning and land use authority, allowing flexibility to meet the needs of individual communities.

2020 LEGISLATIVE PRIORITIES

Airport: Amend the Virginia's Region 2000 Airport Authority Act ("Act") to allow the City of Lynchburg by itself or with the governing bodies of one or more counties of Amherst, Appomattox, Bedford and Campbell by resolution declare there is a need for an airport authority to be created for the purpose of establishing or operating an airport for such participating political subdivision(s). In addition support other changes to the Act as necessary to support the creation of the Airport Authority.

Children's Services Act {CSA}: CSA funding continues to be a serious concern. Actions taken by the General Assembly have increased mandated services and shifted costs to the localities. The General Assembly should refrain from adding additional mandated services and should fund its full share of the CSA program.

Comprehensive Poverty Reduction: Support continued funding of the Community Wealth Building state matching fund which partners with local programs that target intractable long-term pockets of poverty through combined education and job training, housing and transportation resources, mentoring and prisoner re-entry, childcare and early education, and workforce training and other programs that break the cycle of poverty. Preparing people for jobs in the new workforce is extremely important to a healthy community continuum. Prioritize the use of "Go Virginia" funding to create jobs for those in poverty.

Community Wealth Building/Public Housing Redevelopment: Increase funding by $4 million in the Brownfields Restoration and Remediation Fund and have specific State budget language that would allow grant application for public housing remediation and infrastructure improvements associated with public housing on or adjacent to former landfill sites.

Disposal of Property Due to Eviction: Support legislation to require that evicted tenants' personal property must remain inside the premises for a specified period time after which it becomes that landlord's responsibility to remove and properly dispose of the tenants' property at the landlord's expense.

The state code outlines what a landlord must do with an evicted tenant's personal property. Currently the state code says when evicting a tenant the landlord must set the tenant's personal property on the public right-of-way for at least 24 hours so that the evicted person may obtain their belongings. The code also says that tenants shall have 24 hours to remove the property and if the tenant does not remove the personal property within 24 hours, the landlord must remove the property within 48 hours. If the landlord fails to remove the property within 48 hours, the City can remove the property and bill the landlord for the removal costs. The 24 hour and 48 hour removal periods are required by state law. This places an undue burden on localities to collect and dispose of this debris from the public right-of way and causes unsightly and unsanitary conditions in neighborhoods. Landlords should be treated as businesses.

Economic Development: Preserve existing incentive and grant funds offered by the Virginia Economic Development Partnership, the Virginia Department of Agriculture and Consumer Services, the Department of Housing and Community Development, the Department of Environmental Quality, Virginia Tourism Corporation, and Virginia Commission for the Arts.

A Skilled and Available Workforce – The future of Virginia's economic development success is talent attraction, retention, and development. For the Commonwealth to be viewed as the top state for a skilled and available workforce, training programs must be in place and well-funded.

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- Support connectivity efforts that attract and retail a skilled and educated workforce.
- Support access management strategies that preserve and improve corridors of statewide significance.

Drinking Water, Water Quality, and Environment: The City continues to face significant financial burdens in our efforts to comply with water quality and drinking water regulations and legislation. Coupled with the effort to renew and replace failing infrastructure this places a significant burden on our citizens through high water, sewer and stormwater rates. The City supports state and federal funding assistance for these programs to minimize the impacts to citizens and businesses. Additionally, the City opposes legislative efforts that place additional requirements and burdens on our utilities that are not scientifically based and place additional burden on our rate payers. Further, the City opposes additional fees and enforcement authority that would further reduce funding and available resources to address the needs of our water programs. As a result the City urges strongly endorses the following positions:

- **Local Utility Rates –** Oppose legislation that would restrict local legislative discretion or mandate preferences or exemptions in local rate structures for allocating various costs of service to local ratepayers for water-related utilities.
- **Water Quality Improvement Fund (WQIF) –** Support appropriations for the Water

Quality Improvement Fund (WQIF) in a sum sufficient to sustain additional voluntary Wastewater Treatment Plant improvements for nutrient and ammonia-nitrogen reductions and related program improvements, including synchronizing state appropriations with local project needs and limiting State requirements that are more stringent than the EPA Chesapeake Bay TMDL.

- **Stormwater Local Assistance Fund (SLAF)** - Support appropriations for Stormwater Local Assistance Fund (SLAF) grants to localities at VIRGINIAforever's recommended level of $80 million annually.
- **Pollution Control Equipment Tax Exemption –**Support legislation to streamline the approval process and maximize applicability of the existing state and local tax exemption (Va. Code § 58.1-3660) for pollution control equipment and facilities acquired by local governmental entities.
- **Permit Fee Increases on Local Water Infrastructure –** Oppose transferring State operating expenses to local government by increasing fees (other than normal inflation-based adjustments) charged by DEQ or VDH for permits the State requires for operation of local water, wastewater and stormwater systems.
- **DEQ Enforcement and Penalties Against Localities –** Oppose increasing DEQ's enforcement and penalty authority as applied against local governments and local authorities, except for inflation adjustments.
- **Recycling of Reclaimed Water & Biosolids –** Oppose legislation further limiting or restricting options for recycling reclaimed water and biosolids that are treated and applied in accordance with applicable regulations.
- **Regulation of Municipal Water Withdrawals –** Oppose legislation imposing new restrictions on grandfathered water withdrawal rights associated with municipal water supplies.
- **Emerging Contaminants –** Support scientific research and the development of national standards for emerging contaminants of concern in lieu of state-by-state regulation.

OTHER LEGISLATIVE POSITIONS

Binding Arbitration: Oppose legislation that mandates binding arbitration, meet and confer requirements, and imposed grievance procedures for local employees.

Communications Sales and Use Tax: . The Virginia Communication Sales and Use Tax was enacted to establish a statewide tax rate and to preempt local taxes on communication sales and services. The City supports setting the tax rate at the same level as the state sales tax rate of 5.3 percent, and broadening the coverage of the tax to include audio and video streaming services and prepaid calling services.

Exemptions: Oppose any legislation that would exempt churches and other religious and non-profit organizations from neutral, generally applicable local ordinances, and in particular local health, safety and zoning ordinances.

FOIA Exemption on the Release of Information Pertaining to Closed Criminal Justice Case Files: Oppose legislative action to remove the current FOIA exemption on the release of information pertaining to closed criminal justice case files. While not preventing the disclosure of information from closed criminal case files, the exemption allows law enforcement agencies the option to decline disclosure in situations where such disclosure is deemed likely to compromise ongoing criminal investigations; to identify at-risk witnesses, informants or victims; or to otherwise jeopardize public safety. Beyond the scope of endangering witnesses, informants or victims in certain cases, indiscriminate release of all closed case information would significantly hamper current criminal investigations involving the same suspect, similar modus operandi, etc. A primary reason for keeping investigative details from public knowledge is to preserve investigators' ability to evaluate the validity of information gathered from various sources.

Law Enforcement Data Collection and Retention: The collection of data on citizen activities in the public rights of way is a sensitive matter and should be addressed with due caution to respect individual privacy rights. Access to data collected by devices such as Automatic License Plate Readers should be only for legitimate law enforcement purposes after a crime has been committed.

Line of Duty Act: Support initiatives that return program funding responsibility to the state. Should this unfunded mandate continue, support efforts to implement the recommendations of the 2014 Joint Legislative Audit and Review Commission (JLARC) "Line of Duty Act Report".

Prevention: Restore state funds for prevention services.

Reimbursement for Political Party Primaries: Support the full reimbursement to localities for the costs related to political party primaries.

Reimbursement for General Registrar and Electoral Board Expenses: Support the full reimbursement by the State to the localities for the compensation and expenses of the General Registrar and Electoral Board.

Reimbursement for the Retrieval of Cellular Phone Information: The General Assembly should amend §19.2-70.3 of the Code of Virginia to provide reimbursement for the costs of retrieving historic cellular tower information through a search warrant. Code of Virginia §19.2-70.2 has language in section G that allows localities to seek reimbursement for costs related to obtaining pen register information authorized through a court order. Such orders are traditionally used for real-time cellular phone information (pen register and trap & trace). Code of Virginia §19.2-70.3 does not currently have language to allow localities to seek reimbursement. This code section requires a search warrant for cellular phone information related to real-time location data (pinging a phone) or historic subscriber and billing information. United States v. Graham, decided August 5th by the 4th Circuit Court of Appeals, held that a search warrant is necessary for historic cellular tower information. This sort of information shows where a phone was at any relevant point in time. Without the reimbursement language being added to §19.2-70.3, localities will end up spending thousands of dollars a year through investigations involving the need for cellular phone information obtained through search warrants.

Short-term Rentals: Oppose short-term rental legislation that limits local government authority to require property owners to register locally and insure accessibility, zoning and life safety protections and equal taxing of all lodging facilities.

Social Services: Maintain funding for workforce re-training through appropriate agencies, retaining Virginia Initiative for Employment not Welfare (VIEW) staff and funding in Social Services. This program has successfully helped Temporary Assistance for Needy Families (TANF) recipients secure and maintain jobs.

State Aid to Public Libraries: Restore state aid for libraries to at least FY 201O levels. Public libraries serve as resources for early childhood education and for the unemployed seeking job opportunities.

Substance Abuse Treatment: Restore state funding for substance abuse treatment programs. Such funding could be provided to Community Service Boards, programs such as "The Healing Place" or other pilot programs.

Tax on Electronic Cigarettes and Vapor: Support legislation to allow localities to tax electronic cigarettes and vapor in a manner similar to traditional cigarettes.

Taxes on Local Services: Oppose the imposition of a state fee, tax or surcharge on water, sewer, and solid waste or on any other local government funds or services.

Telecommunications and Wireless Infrastructure Regulation: Maintain local authority over zoning, land use, rights-of-way and taxation. Limit new state regulation preempting local authority regarding the use and compensation of local rights-of-way for telecommunications. Refrain from adopting any additional legislation that preempts local regulation of the placement of wireless infrastructure in the public rights-of- way or on public property.

Workers Compensation Medical Fees: Virginia should adopt Medicare-based fee schedules for setting medical provider fees in workers' compensation cases, instead of the prevailing community rate standard now used. This will make providing workers' compensation coverage more affordable and will adequately protect the financial interests of the medical providers of Virginia.

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