

1. 5:00 p.m.

1. City Council Work Session

1. 5:00 p.m. – 5:45 p.m. Deer Kill Permit Report

2. 5:45 p.m. – 6:45 p.m. Virginia Retirement System Report and Discussion

3. 6:45 p.m. – 7:00 p.m. Roll Call

1. 7:30 p.m.

1. City Council Agenda Items

1. P R O C L A M A T I O N

> 1. Pink Week – National Breast Cancer Awareness Month

1. C O N S E N T A G E N D A

#4. Consideration of approving the minutes of the September 28, 2010 meeting.

#5.* Consideration of adopting Resolution #R-10-110 amending the FY 2011 Operating Budget and appropriating funds to reflect the carry forward of unexpended funds in FY 2010, as amended by City Council on September 28, 2010.

#6. Consideration of introducing a Resolution amending the FY 2011 City/Federal/State Aid Fund budget and appropriating \$33,075, with resources of \$16,537 from the Bulletproof Vest Partnership 2010 Grant Program to purchase 52 replacement bulletproof vests for law enforcement officers.

#7. Consideration of introducing a Resolution amending the FY 2011 City/Federal/State Aid Fund budget and appropriating \$59,150, fully reimbursable, to purchase computer equipment/related software, licensing, training, and office equipment for the Police Department's Computer Evidence Recovery and Vice/Narcotics Units.

#8. Consideration of introducing a Resolution amending the FY 2011 City/Federal/State Aid Fund budget and appropriating \$200,000, fully reimbursable, to support the domestic violence and intimate partner prosecution team.

#9. Consideration of adopting a Resolution approving the renaming of an Existing Private Street "Research Lab Road" to "Hershey-Esbenshade Drive" and the renaming of an Existing Public Street "University Boulevard" to "Liberty University Drive".

1. P U B L I C H E A R I N G

#10. Public hearing authorizing the City Manager to convey approximately 0.64 acre of real property on Langhorne Road to the Trustees of Peaceful Baptist Church in exchange for real property from the church related to the construction of the Midtown Connector Project.

#11. Public hearing on adopting resolutions authorizing condemnation proceedings for thirteen (13) parcels of property for Phase I of the Midtown Connector Project.

019 - GLENN A.TRENT SR. & JANE M.RIGNEY-TRENT - 1700 & 1704 12th St.
 #R-10-_____
 025 - JOHN F. NICHOLS & PATRICIA H. NICHOLS - 1100 Kemper St. #R-10-_____
 027 - PATRICIA K. BURLEY, M. REID & BARBARA L. CRAWLEY - 1825 12th St.
 #R-10-_____
 030 - REGINALD R. YANCEY - 1804 Park Ave. #R-10-_____
 045 - WINFRED DAVIS - 2001 Park Ave. #R-10-_____
 050 - COURTNEY D. BROWN, WILLIAM C. ROUNTREY, JR. - 2101 Park Ave.
 #R-10-_____
 052 - MICHAEL D. ALOISI & ANGELA C. ALOISI - 2105 Park Ave. #R-10-_____
 055 - JOYCE ANN CRAWLEY - 2930 Langhorne Rd. #R-10-_____
 062 - PSA PROPERTIES - 2921 Langhorne Rd. #r-10-_____
 064 - LA VERNE K. NOWLIN - 2917 Langhorne Rd. #R-10-_____
 068 - DOUGLAS F. CLINE & LISA W. CLINE - 2908 Langhorne Rd. #R-10-_____
 079 - KAREN G. BERRY - 2004 & 2020 Memorial Ave.; 2804 & 2810 Langhorne Rd
 #R-10-_____
 088 - DAVID M. JOHNSTON & JAYME D. JOHNSTON - 1911 Park Ave. #R-10-_____

1. G E N E R A L B U S I N E S S

#12. Consideration of approving a change order exceeding the current contract value of \$237,977.35 to new total cost of \$272,213.35 for Change Orders #4 and #6, for costs relating to the addition of a large exterior sign, building waterproofing improvements, relocation of track lighting and miscellaneous items.
 (File: Public Works - General - #1)

#13. Consideration of a closed meeting to consider appointments to Council-appointed Boards and Commissions, i.e., Youth Services Citizens Board, Transit Company Board and Lynchburg Parking Authority pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended.

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **October 12, 2010**

AGENDA ITEM NO.: 1

CONSENT:

REGULAR:

WORK SESSION: **X**

CLOSED SESSION:

(Confidential)

ACTION:

INFORMATION: **X**

ITEM TITLE: **Deer Kill Permit Report**

RECOMMENDATION: No action required.

SUMMARY: As requested at an earlier Council meeting a report on the Kill Permit program for the reduction of the deer population has been prepared and is attached. Chief Animal Warden Faust will be present at Council's work session to answer any questions.

PRIOR ACTION(S): N/A

FISCAL IMPACT: N/A

CONTACT(S): Chief Animal Warden Larry Faust, 455-6105

ATTACHMENT(S): Report and Spreadsheet

REVIEWED BY: lkp



MEMORANDUM

TO: Colonel P.H. Snead
FROM: Captain R.M. Zuidema
DATE: October 1, 2010
RE: Lynchburg Wildlife Management Program Overview

The origins of the City of Lynchburg Wildlife Management Program date back to 1991, when City Council created a Wildlife Study Commission that was charged with studying deer-related problems in the city and recommending solutions. As a result of this commission, one part-time Wildlife Management Specialist (WMS) was hired in 1992 to cull deer on public and private property (with the landowner's permission) by means of kill permits. The Virginia Department of Game and Inland Fisheries (DGIF) authorized a Lynchburg Police Department (LPD) representative to issue kill permits only after personal inspection of the property in question. In 1993, a second part-time WMS was hired. This same year LPD representatives and the DGIF agreed that WMS could cull any sex of deer, with emphasis put on antlerless deer. Additionally, it was agreed that kill permits shall designate the WMS, along with anyone requested by the landowner to be allowed to cull deer on the property. Lastly, no part of any deer killed under the authority of a kill permit shall be utilized by the WMS or LPD personnel (all horns are destroyed). It was agreed that all deer shall be disposed of by giving it to the landowner as provided by law or by donating it to either needy citizens or the Hunters for the Hungry program.

In 1998, the Code of Virginia was changed so that kill permits could no longer be used to control deer causing damage on non-commercial properties. This temporarily stopped much of the city's deer culling efforts. For the next two years the only kill permits that could be issued were for city owned properties, road right of ways and properties that had fruit trees on them.

In 2000, the City of Lynchburg obtained its first permit to cull deer under the Deer Population Reduction Program (DPOP), administered by the DGIF. For the next three years, we worked collaboratively with the DGIF and utilized DPOP permits to cull deer, instead of kill permits. In 2002, Lynchburg City Code was modified to allow for participation in the state's Early Urban Archery Program. These changes allowed landowners to obtain a permit from the City to hunt on their own property, as long as they agreed to allow the WMS access to their property to cull deer. The changes also allowed for bow hunting on contiguous parcels that totaled five acres or more.

In 2003, the Code of Virginia was again changed, thus allowing kill permits to once again be issued for non-commercial properties in an effort to control damage caused by deer. This was also the first year in which we participated in Early and Late Urban Archery seasons (7/1/03-3/27/04). This time frame saw 819 deer killed compared to the previous ten year average of 185 (a 344% increase).

Since 2003, the Wildlife Management Program has continued to operate under the Early and Late Urban Archery seasons. Kill permits, bow permits and hunt permits are issued by Chief Animal Warden (CAW) Faust after a comprehensive evaluation of the property in question. CAW Faust personally inspects each property that a landowner requests to use for a permit. He takes into account all safety related concerns and will only issue the permit if he determines this activity can be safely carried out on the property in question. CAW Faust ensures that safety is the overriding concern with all permit applications and does not hesitate to deny this use when appropriate.

The goal of the Wildlife Management Program is to reduce the deer population in the City of Lynchburg, not to provide recreational hunting. As such, citizens that participate in this program should kill female deer. Our collaborative efforts help to effectively control the deer population in the city. Please refer to the attached spreadsheet for historical statistical data on the Wildlife Management Program.

Please contact me if you have any further questions.

City of Lynchburg Wildlife Management Program Overview

Time Period	Total Permits Issued	Kill Permits	Hunt Permits	DPOP Permits	Bow Permits	Does Killed	Bucks Killed	Unborn Fawns Killed	Total Deer Killed	WMS Property Visits	Deer Related Crashes	Property Damage
1993	47	*	*	n/a	n/a	114	69	*	183	*	127	*
1994	36	*	*	n/a	n/a	111	63	*	174	*	90	*
1995	36	*	*	n/a	n/a	81	93	*	174	*	104	*
1996	37	*	*	n/a	n/a	106	96	*	202	*	89	*
1997	63	*	*	n/a	n/a	111	87	*	198	*	72	*
1998	94	87	7	n/a	n/a	121	97	*	218	*	67	*
1999	34	29	5	n/a	n/a	74	88	*	162	*	56	*
2000	39	6	5	28	n/a	49	58	*	107	*	76	\$123,150
2001	65	6	5	54	n/a	105	82	*	187	*	79	\$129,215
2002	178	23	12	100	43	145	96	*	241	*	68	\$116,025
7/1/03 - 3/27/04	144	109	7	n/a	28	606	213	*	819	*	34	\$58,800
3/28/04 - 3/25/05	133	118	7	n/a	8	411	204	94	709	*	38	\$82,050
3/26/05 - 3/25/06	202	180	14	n/a	8	589	290	121	1000	6706	41	\$86,350
4/1/06 - 3/31/07	142	135	3	n/a	4	436	273	60	769	6660	45	\$115,205
4/1/07 - 3/27/08	87	83	1	n/a	3	210	56	9	275	3770	40	\$92,850
3/28/08 - 3/25/09	190	183	3	n/a	4	413	196	21	630	5108	**	**
3/26/09 - 3/25/10	179	169	3	n/a	7	509	261	98	868	5070	**	**

* Data not tracked

** Data not available due to IT issue with DMV

** Data not available due to IT issue with DMV					Totals:	4191	2322	403	6916	27314	1026	\$803,645
2003 - Present Averages:	154	140	5	n/a	9	453	213	67	724	5463	40	\$87,051

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **October 12, 2010**

AGENDA ITEM NO.: 2

CONSENT:

REGULAR:

WORK SESSION: **X**

CLOSED SESSION:

(Confidential)

ACTION:

INFORMATION: **X**

ITEM TITLE: **Virginia Retirement System (VRS) Information**

RECOMMENDATION: N/A

SUMMARY: This information is a follow-up to the questions generated during previous City Council presentations and discussions about the City of Lynchburg's participation in VRS, contribution rates, factors influencing the program and options for alternate retirement programs.

Information includes a description of the VRS benefits, funding requirements, the City's cost drivers as described by VRS, information from other localities and actions necessary to consider withdrawing from VRS.

PRIOR ACTION(S): Discussion of VRS at the March 10, 2010 and June 8, 2010 meetings

FISCAL IMPACT: N/A

CONTACT(S): Margaret Schmitt 455-4208

ATTACHMENT(S): "VRS Information"

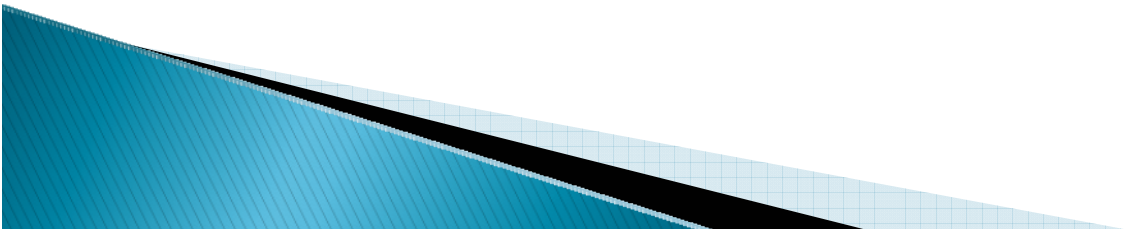
REVIEWED BY: lkp

VRS Information

October 12, 2010

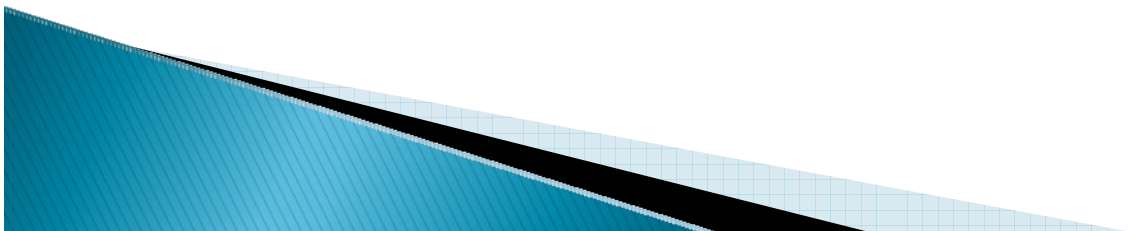
Governance

- ▶ The Constitution of Virginia (Article X, Section 11) requires the General Assembly to maintain “...a retirement system for State employees and employees of participating political subdivisions. The funds of the retirement system shall be deemed separate and independent trust funds, shall be segregated from all other funds of the Commonwealth, and shall be invested and administered solely in the interests of the members and beneficiaries thereof.”
- ▶ Title 51.1 of the State Code includes the requirements for VRS including that localities participate in VRS or have an equivalent program



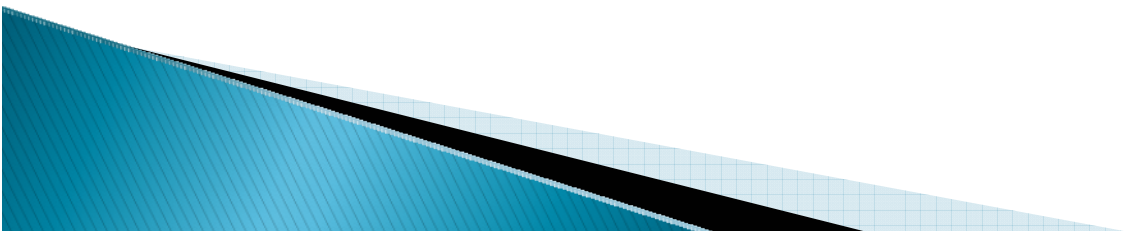
Participation

- ▶ Approximately 820 employers have elected to participate in VRS, including state agencies, public colleges and universities, local public school divisions and political subdivisions. Members include Lynchburg, Hampton, Portsmouth, VA Beach, and others. Does not include cities choosing alternate programs such as Richmond, City of Roanoke, Fairfax County, Charlottesville, Norfolk and others.
- ▶ As of June 30, 2010, VRS had nearly 343,000 active members and more than 148,000 retirees and beneficiaries.
- ▶ Participation is an irrevocable decision



Lynchburg's History with VRS

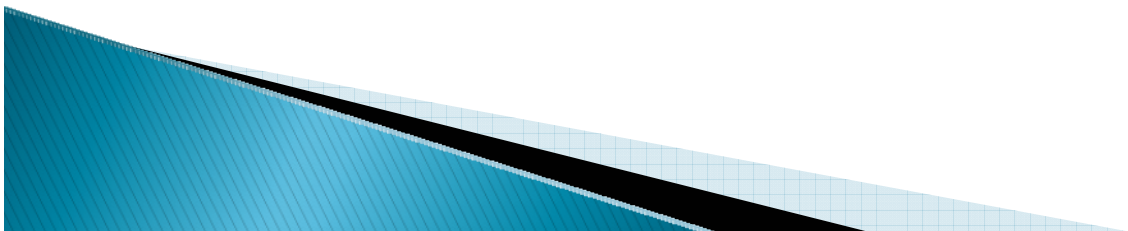
- ▶ 1973 – Joined VRS
- ▶ 1975 – Elected enhanced benefits for members in law enforcement hazardous duty positions and full-time firefighters (LEOS)
- ▶ 1987 – Elected unreduced retirement benefits at age 55 with 30 years service
- ▶ 1990 – adopted LEOS unreduced retirement benefits at age 50 and 25 years of service
- ▶ 1999 – adopted unreduced retirement benefits at age 50 and 30 years of service for non-LEOS



Employee Membership

- ▶ Enrollment is required for
 - Full-time City employees
 - Full-time Constitutional employees

- ▶ Benefit conditions determined by date of hire:
 - Plan 1 – if hired prior to 7/1/10 or
 - Plan 2 – hired on or after 7/1/10 and new to VRS



Basic Benefits

▶ Retirement Income

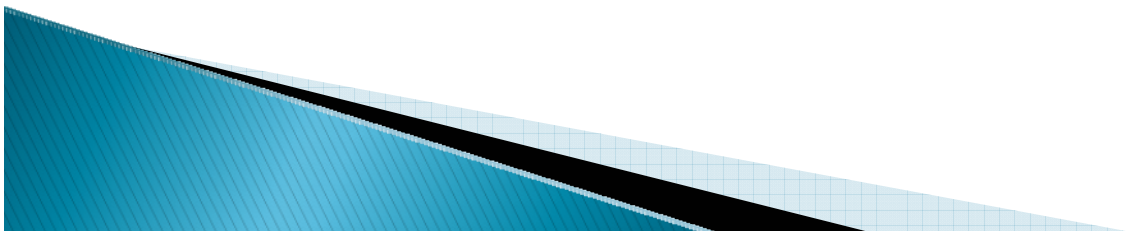
- Defined benefit plan, vested at 5 years
- Full retirement at 30 years of service and 50 years of age if hired prior to 7/1/10 or a combination of years of service and age that equals 90 if hired after 7/1/10
- Benefit calculated on years of service, average final compensation and age
- Annual Cost of Living adjustments (COLA)

▶ Disability Coverage

- Eligible from first day
- Lifelong benefit if unable to perform current job due to physical or mental disability that is likely to be permanent

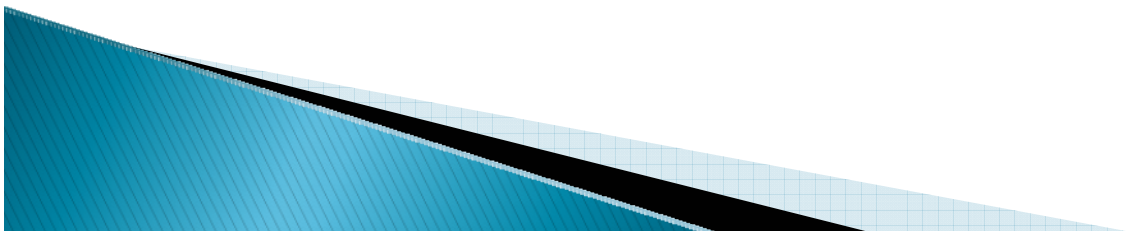
▶ Life Insurance

- Group life insurance with no medical exam or underwriting
- Basic benefit of annual salary rounded up to nearest thousand, doubled
e.g. \$25,200 rounded to \$26,000 $\times 2 = \$52,000$



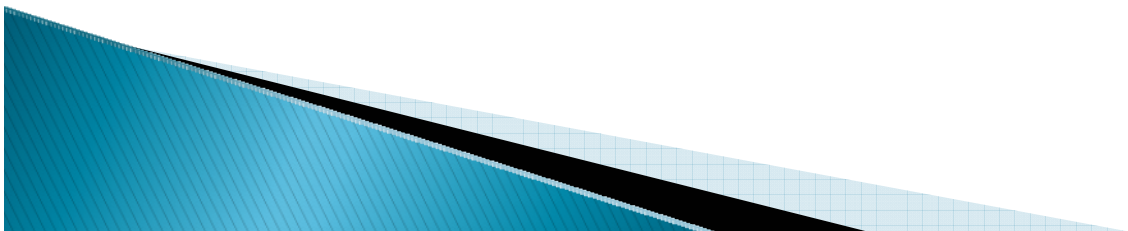
Additional Public Safety Benefits

- ▶ **Earlier Full retirement**– 25 years of service and 50 years of age regardless of date of hire
- ▶ **Supplement** – monthly supplement of \$1,038, in addition to defined benefit, from the date of retirement until the retiree reaches full social security retirement age. (Supplement started at \$190 in 1975)
- ▶ **Legal Presumption** – presumes that certain medical conditions are work-related regardless of other circumstances



How VRS is Funded

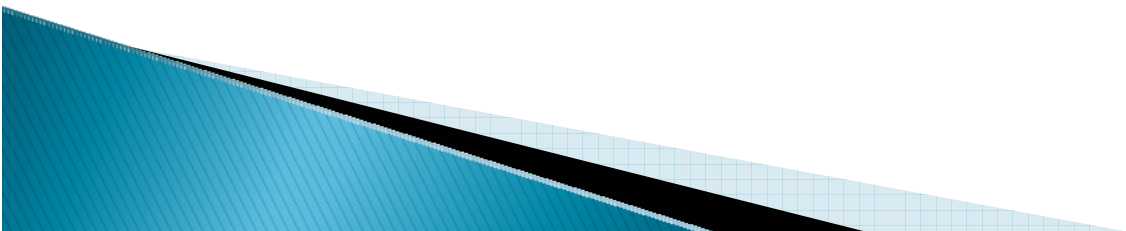
- ▶ A combination of employer contribution, employee contributions and investment growth
- ▶ Contribution rates are set every two years for each member locality by VRS and the contribution is funded by the locality
- ▶ Current City of Lynchburg contribution:
 - City – 18.14%
 - Employee – 5% (employee pays if hired on or after 7/1/10, otherwise City pays whole 23.14%)



Rate Setting

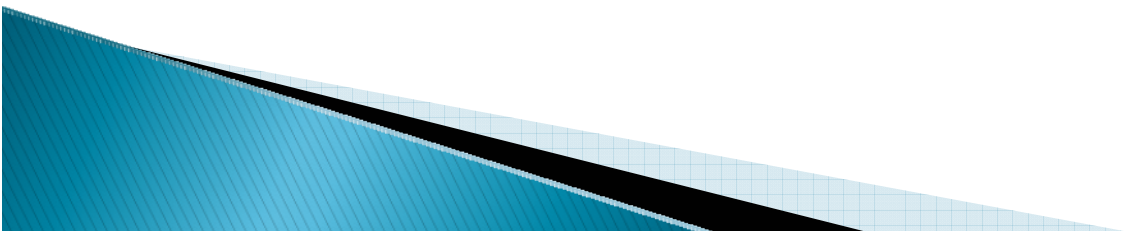
Actuaries review local experience every two years such as:

- Average age
- Average salary
- Average years of service
- Life expectancy
- Number of disability retirement claims
- Proportion of LEOS covered employees



Rate Setting

- ▶ Actuaries make assumptions and track variance from the assumptions to arrive at individual locality rates
- ▶ Such as:
 - Assumes 3% overall salary growth
 - Assumes 7.5% return on investments Assumes retiree COLA of 2.5%



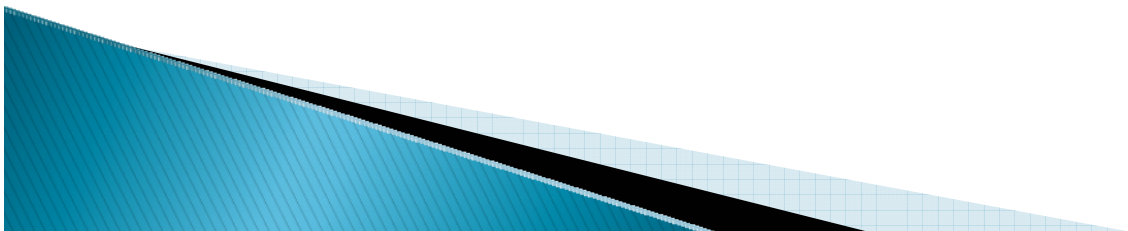
Lynchburg's Rate History with Annual Increases

Year	Contribution Rate (includes EE 5%)	Employee Average Pay Increase	Retiree COLA
FY 2006	19%	3%	2.7%
FY 2007	20.26%	3%	3.2%
FY 2008	20.26%	3%	3.1%
FY 2009	20.43%	3%	2.8%
FY 2010	20.43%	0	3.84%
FY 2011	23.14%	0	0

Two Pieces Create the Contribution Rate

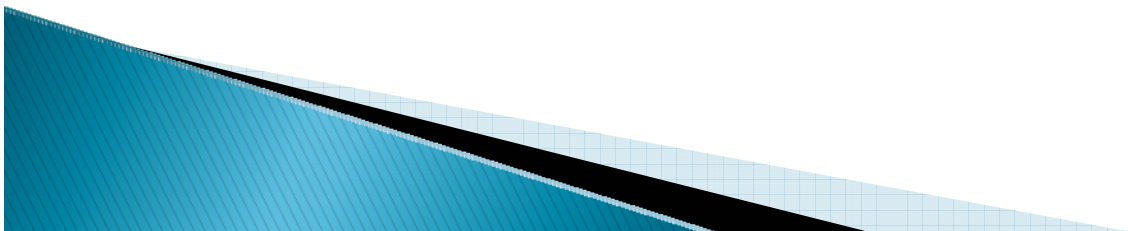
- ▶ **Normal Cost** – the regular, on-going cost of the program
 - Currently \$5.4M
- ▶ **Amortization of the Unfunded Actuarial Accrued Liability (UAAL) over 20 years** – deficit that results from benefits costing more than expected and poor investment returns
 - Currently \$85.3M
- ▶ **Result: Current rate blends two rates:**
 - Hazardous Duty Rate 35.83%
 - General Employee Rate 8.95%

Current Overall Contribution Rate: 23.14%
(includes employee contribution)



In April We Asked VRS Why...

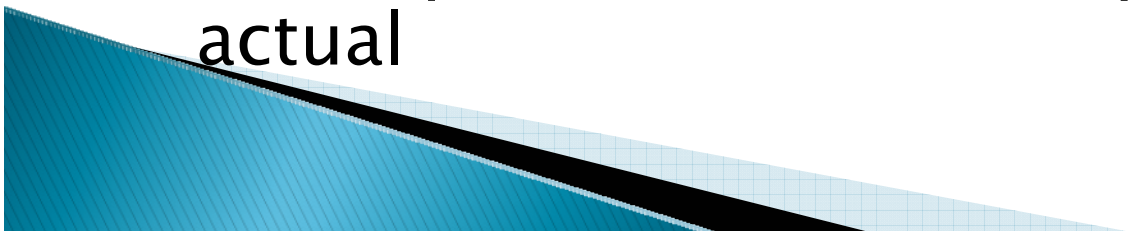
- ▶ did Lynchburg's rate increase substantially between 2009/2010 and 2011/2012?
- ▶ is Lynchburg's contribution rate among highest in state?
- ▶ there is no clear, concise rationale that explains Lynchburg's rate?



VRS' Responses to Our Questions

Cost Drivers

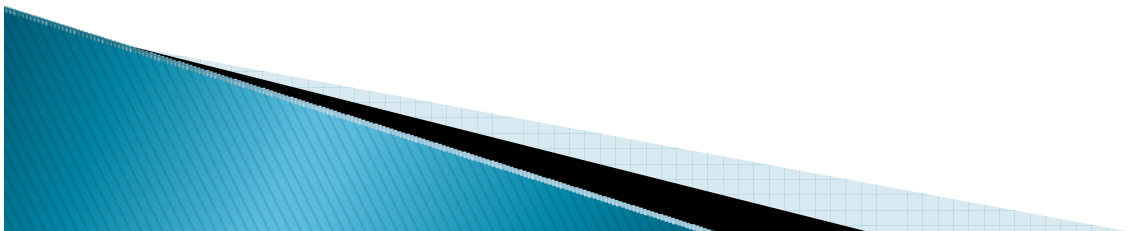
- ▶ Proportion of retirees and actives who receive enhanced hazardous duty benefits (LEOS)
- ▶ Active employees are younger with more service and higher salaries
- ▶ Retirees are younger with higher months of service and higher salaries
- ▶ Salary growth substantially exceeded assumptions: 3–5% assumption vs 10–13% actual



Retired Members

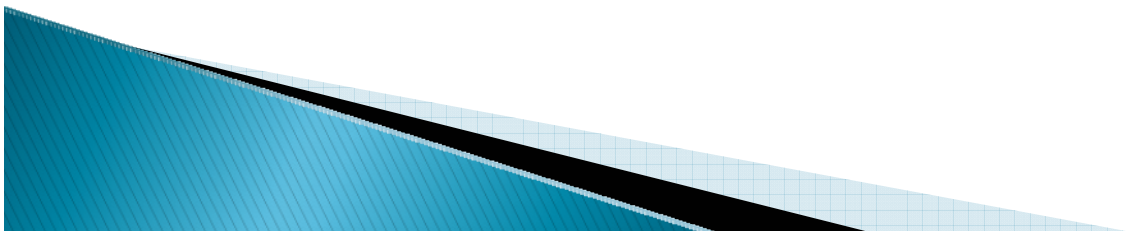
	Average Age	Average Yrs Service	Average Salary	Percentage LEOS
City of Lynchburg	55.06	25.3	34,466	37.8
All Other Localities	59.16	20.3	31,764	15.28
9 Largest Localities	56.48	21.1	42,406	27.31

Note: 9 largest localities – City of VA Beach, Henrico Co, Prince William Co, Chesterfield Co, City of Chesapeake, City of Alexandria, City of Hampton, Loudon Co, City of Portsmouth



Active Members

	Average Age	Average Yrs Service	Average Salary	Percentage LEOS
City of Lynchburg	43.3	11.92	41,690	29.51
All Other Localities	45.8	11.2	40,913	18.37
9 Largest Localities	44.18	11.4	49,410	28.76



Information from Others

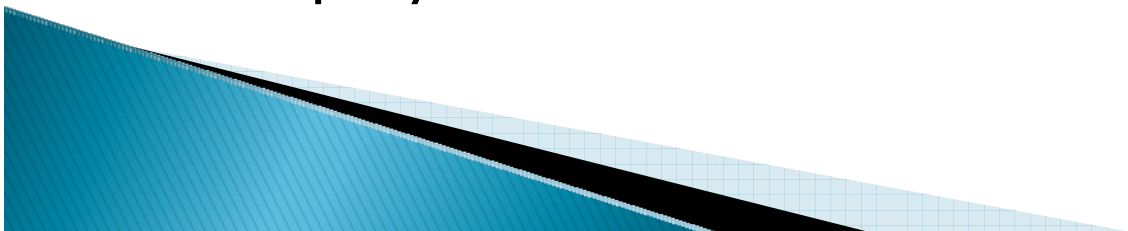
Norfolk	General Govt: 13.95%	Public Safety: 28.15%
Charlottesville	General Govt: 27.42%	Public Safety: 35.11%
Housing Authority (no social security)	Group Life Insurance – 4% Housing Authority Retirement – 10% Simplified Employee Retirement Plan – 10.5%	

Two localities that previously managed independent retirement programs made changes this year

- Portsmouth added Public Safety employees to VRS
- Newport News joined VRS for all new employees as of 7/1/10 as a cost savings measure

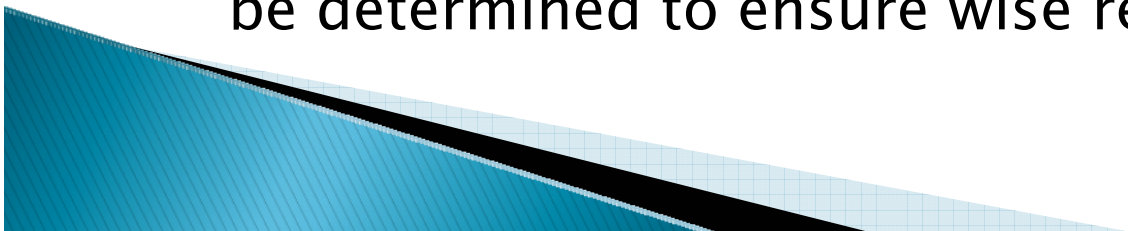
Opting Out of VRS

- ▶ There is no precedent for withdrawing from VRS
- ▶ Would Require General Assembly action in two areas:
 - Establish the ability to withdraw
 - Remove requirement to have an equivalent program
- ▶ Legislation must include the method of transition such as:
 - Addressing the unfunded liability of \$85.M
 - On-going benefits for current retirees and active employees



Other Considerations

- ▶ Requires an analysis of the recruitment and retention impact, especially in Public Safety, of no longer participating in VRS
- ▶ Requires analysis and decisions about the type of plan to be offered, e.g. 457 plan contributions, IRA contributions, individual annuities, life insurance purchase, Health Savings Accounts, etc
- ▶ Actuaries must be contracted or employed to determine the cost of a new Plan
- ▶ A method must be established to fund a new Plan
- ▶ Investment professionals or staff responsibilities must be determined to ensure wise resource investments



// A regular meeting of the Council of the City of Lynchburg was held on the 28th day of September, 2010, at 5:00 P.M. in the Council Chamber, City Hall, Joan F. Foster, President, presiding. The following Members were present:

Present: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster 7

Absent: 0

// Executive Director of the Virginia's Region 2000 Economic Development Council Bryan David gave a brief update on the activities of the Region 2000 Partnership. Mr. David stated that the job mix has shifted and that traditional manufacturing jobs have decreased and professional, technical and science service related jobs have increased. Mr. David further stated that the Center for Advanced Engineering & Research (CAER) is set to open in May 2011. Mr. David noted that the organization had received honorable mention by the International Economic Development Council for Excellence in Economic Development.

Executive Director of the Virginia's Region 2000 Local Government Council Gary Christie spoke to City Council about the Planning District Commission and its roles of working towards increased multi-jurisdictional cooperation, providing leadership on regional issues, and providing consultant services to local government members. The three areas Mr. Christie highlighted were, (1) developing a regional economic development plan, (2) a long-range transportation plan and (3) continually seek new and innovative ways of regional cooperation.

// CSO Program Manager Jeff Scarano and Utilities Director Tim Mitchell gave an update on the work of the Stormwater Advisory Committee (SWAC). Mr. Scarano highlighted the following items:

- Estimated Annual Program Cost
- Level of Service (LOS) Defined for Stormwater
- How the City can improve its level of service for stormwater management
- Future level of service cost summary
- Update on Chesapeake Bay TMDL
- Potential Cost Impact of Chesapeake Bay TMDL
- Existing Stormwater Funding
- Potential Program Funding Options
 - Increase Tax Rate
 - Stormwater User Fee
- Dedicated Stormwater Funding Programs in Virginia
- SWAC Process and Schedule

// Deputy City Manager and Acting Director of Community Development Bonnie Svrcek gave a brief background report on changes to the Community Development Block Grant (CDBG) and HOME Program Approach. Ms. Svrcek stated that on February 24, 2009, Council received a report regarding restructuring

of the CDBG/HOME programs and the following principles were identified to guide the discussion:

- The funds are resources from the Federal Government;
- Funds must be utilized in strict compliance with HUD regulations;
- Funds for salaries and other administrative operating expenses should be minimized; and
- The use of sub-recipients should be kept to a minimum.

Ms. Svrcek stated the three options for restructuring CDBG presented at Council's retreat:

1. Retain 85% of CDBG funds for City administration, CIP projects and Housing Authority; and 15% for public service initiatives that support Consolidated and Annual Action Plan Goals;
2. Continue current practice of allocating 85% to eligible applicants including City administration and 15% dedicated to public service agencies that support Consolidated and Annual Action Plan Goals; and
3. Retain 100% of CDBG funds for CIP projects that support Consolidated and Annual Action Plan Goals and to support LRHA spot blight and rental rehabilitation programs.

Ms. Svrcek further stated that at the September 10, 2010 Council Retreat, Council reached consensus on the following:

1. FY 2012: Dedicate 90% of CDBG funds to City CIP projects, City and Housing Authority administration and Housing Authority spot blight and rental rehabilitation, and dedicate 10% to public service programs; and
2. FY 2013 and thereafter dedicate 100% of CDBG funds to city projects, City and Housing Authority administration (no more than 20%) and Housing Authority spot blight and rental rehabilitation programs.

Ms. Svrcek went on to say that no structural changes to the HOME program are recommended.

During Council discussion, Council Member Nelson stated that there is no question Community Development Advisory Committee (CDAC) and the process for determining appropriate distribution of funds for public services is flawed and needs to be corrected. Council Member Nelson further stated that there are pervasive needs in our community.

Vice Mayor Johnson proposed that Council continue to provide some money for nonprofits as long as CDBG funds were used to pay off the Bluffwalk loan.

Council Member Gillette said that nobody can say they're taken by surprise because the discussion has been going on for years.

Council Member Perrow stated that the CDAC process is a cumbersome one and is something that needs to be completely overhauled. Council Member Perrow moved that the plans as presented be implemented by City Staff, seconded by Council Member Cary. During further discussion, Council Member Helgeson stated that after he had served on CDAC for six (6) years and that there has been a lot of things that have been fairly troublesome and believes that this will make some things a lot more streamlined, with a clear, defineable mission. Council Member Helgeson further stated that he would support the motion. Council Member Cary stated that the CDBG grants are basically "Council pork" to support what Council feels are worthy programs that benefit the social fabric of our community. Council Member Cary also stated that he believes there is a much better way to fund those programs and it should

not come from CDBG funds. Mayor Foster stated that she was going to vote in favor of this motion. Mayor Foster also stated that she believed some very worthy organizations had received CDBG funds in the past but believes that the City did a disservice to the community because there were no measurable outcomes in place. Mayor Foster further stated that all of the nonprofits should work together. Vice Mayor Johnson stated that he does not believe this Council has the will to dip into the General Fund to support social programs.

After discussion ended, Council by the following recorded vote approved the motion:

Ayes: Cary, Gillette, Helgeson, Perrow, Foster 5

Noes: Johnson, Nelson 2

// City Manager Kimball Payne stated that the City is recommending that the Carry Forwards for the Schools be removed from this agenda item. The City Administration advised Council that it wanted to wait until the School audit was complete and had received additional information explaining the amount being requested.

Director of Financial Services Donna Witt gave an overview to Council explaining the Carry Forward requests stating that they are the act of carrying 2010 funds to be spent in 2011 for various reasons. The Carry Forwards also include extensive grant cleanups and appropriates those unspent grant funds into the next fiscal year.

Council Member Helgeson stated that each of the Carry Forward items were for a specific purpose with the exception of the School's Carry Forward request.

// During roll call Council Member Helgeson stated that LCA and Amherst played football at Amherst and he heard nothing but glowing, positive comments from individuals, the stadium was packed, five thousand people, paying \$5 a person, and the concessions were sold out. The City has a local team and hopes that the School Administration and leadership will start thinking about scheduling local teams and possibly building a rivalry. Council Member Gillette wanted to know the completion schedule for the D Street Bridge and City Manager Kimball Payne stated that he had not heard that it was not on schedule and that December was the contract finish date. Council Member Cary stated he had 2 items, (1) At the Dearing Street Neighborhood Watch meeting, attended by approximately 20 people, people had nothing but positive things to say about the CSO crew working in the Dearing Street area and (2) wanted to issue a challenge to City Council and City employees to participate in next year's Ten-miler event (walk or run) and to have more participants than Centra. Council Member Nelson stated that Kaleidoscope has been a remarkable demonstration of the many good things about Lynchburg and Central Virginia and that it could only have happened because of the outstanding volunteers. Mayor Foster asked Council about the School Board interview schedule and asked Council to look at October 12 and 19 for School Board interviews.

// City Council recessed the meeting at 7:12 p.m.

// City Council reconvened the meeting at 7:30 p.m.

The following Members were present:

Present: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster 7

Absent: 0

Council Member Nelson gave the Invocation, followed by the Pledge of Allegiance.

// The Artwork presentation to the City was postponed.

// Mayor Foster asked that Item # 12 be pulled from the Consent Agenda and voted on separately because she works at the Family Alliance and wanted Council to vote on Items 6 - 11. Council Member Helgeson made a motion to approve Items 6 – 11 and 13 – 15.

// Copies of the minutes of the September 10, 2010 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Helgeson, seconded by Council Member Gillette, Council by the following recorded vote approved the minutes as presented:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster 7

Noes: 0

// Copies of the minutes of the September 14, 2010 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Helgeson, seconded by Council Member Gillette, Council by the following recorded vote approved the minutes as presented:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster 7

Noes: 0

// In the matter of Police – General, Resolution #R-10-095 amending the FY 2011 City/Federal/State Aid Fund budget and appropriating \$1,000, fully reimbursable, to purchase children's bicycle helmets and bicycle rodeo equipment, laid over from the September 14, 2010 meeting, was again presented and read, and on motion of Council Member Helgeson, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster 7

Noes: 0

// In the matter of Police – General, Resolution #R-10-096 amending the FY 2011 City/Federal/State Aid Fund budget and appropriating \$1,520, fully reimbursable, to purchase equipment for Animal control to humanely capture animals, laid over from the September 14, 2010 meeting, was again presented and read, and on motion of Council Member Helgeson, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster 7

Noes: 0

// In the matter of Police – General, Resolution #R-10-097 amending the FY 2011 General Fund budget and appropriating \$24,000 with resources from fees paid by various Virginia jurisdictions to maintain the Police Department firing range facility, landscaping, waste collection and target replacement, laid over from the September 14, 2010 meeting, was again presented and read, and on motion of Council Member Helgeson, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster 7

Noes: 0

// In the matter of Fire – General, Resolution #R-10-098 amending the FY 2011 City/Federal/State Aid Fund budget and appropriating \$15,000, fully reimbursable, to provide training and equipment for the Fire Department's Hazardous Materials (Haz Mat) team, laid over from the September 14, 2010 meeting, was again presented and read, and on motion of Council Member Helgeson, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster	7
Noes:	0

// Mayor Foster asked Vice Mayor Johnson to preside over Item #12 since she needed to abstain from this vote due to the fact that she works for the Family Alliance which is benefited by this Grant.

// In the matter of Human Services – Juvenile Services, Resolution #R-10-099 amending the FY 2011 City/Federal/State Aid Fund budget and appropriating \$10,500, with resources of \$7,000 from the Department of Criminal Justice Services, \$1,500 from Lynchburg City Schools and \$1,000 from the Family Alliance to provide a specialized summer program for select school students, laid over from the September 14, 2010 meeting, was again presented and read, and on motion of Council Member Gillette, seconded by Council Member Cary, Council by the following recorded vote adopted the Resolution:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow	6
Noes:	0
Abstention: Foster	1

// In the matter of Commonwealth Attorney, Resolution #R-10-100 amending the FY 2011 City/Federal/State Aid Fund budget and appropriating \$62,476, with resources of \$59,352 from the Byrne Justice Assistance Grant Program and \$3,124 from the Boys and Girls Club to implement an after school gang prevention and intervention initiative, laid over from the September 14, 2010 meeting, was again presented and read, and on motion of Council Member Helgeson, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster	7
Noes:	0

// In the matter of Finance – Bonds, Resolution #R-10-105 to amend the FY 2011 General, Water and Sewer Funds' Adopted Budgets and appropriating \$102,510, \$42,210 and \$56,280, respectively, to fund issuance costs related to the General Obligation Public Improvement Refunding Bonds, Series 2010, laid over from the September 14, 2010 meeting, was again presented and read, and on motion of Council Member Helgeson, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster	7
Noes:	0

// In the matter of City Council, City Council Report # 15 was considered. On motion of Council Member Helgeson, seconded by Council Member Gillette, Council by the following recorded vote approved, as presented, the Physical Development Committee (PDC) Guidelines:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster	7
Noes:	0

// Vice Mayor Johnson left the Council meeting after the Consent Agenda at 7:34 p.m.

// In the matter of Community Development – General, a public hearing was held regarding City Council Report #16 regarding the adopting of a Resolution to approve a lease agreement between the City of Lynchburg and Ron Banks located at 3813 Old Forest Road. City Manager Kimball Payne asked that this item be pulled because Mr. Banks had changed his mind about leasing the property at 3813 Old Forest Road.

// In the matter of Public Works – Sewer, a public hearing was held regarding City Council Report #17 authorizing the condemnation of an easement on property owned by Stephen E. & Kathy B. Morris at 2301 Rivermont Avenue, for construction of Combine Sewer Overflow (CSO) separation.

Real Estate/Property Manager Steve Lawson gave a brief summary of the request stating that the City has been unable to finalize the settlement with the property owner. There were 2 individuals who spoke in favor of the request asking that this work not be delayed. Also one of the property owners, Ms. Kathy Morris, stated that they are working with the City on this item and would prefer the sewer to go down the street instead of on the land. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Helgeson, seconded by Council Member Perrow, Council by the following recorded vote adopted Resolution #R-10-108, as presented:

Ayes: Cary, Gillette, Helgeson, Nelson, Perrow, Foster	6
Noes:	0
Absent: Johnson	1

// In the matter of Community Development – CDBG, a public hearing was held regarding City Council Report #18 regarding approving the 2009 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) and HOME Program. Grants Manager Melva Walker gave a brief summary of the request stating that this report is due on an annual basis and the CAPER report before Council is for the period of July 1, 2009 through June 30, 2010. Ms. Walker further stated that tonight will be the final comments for citizens before submittal to HUD and that City staff has not received any comments before this public hearing. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Gillette, seconded by Council Member Helgeson, Council by the following recorded vote adopted Resolution #R-10-109, as presented:

Ayes: Cary, Gillette, Helgeson, Nelson, Perrow, Foster	6
Noes:	0
Absent: Johnson	1

// In the matter of Finance – General, a public hearing was held regarding City Council Report #19 regarding amending the FY 2011 Operating Budget and appropriating funds to reflect the carry forward of unexpended funds in FY 2010. Financial Services Director Donna Witt gave a brief summary of the request stating that this request is to carry forward funds from the FY 2010 budget to the FY 2011 for specific items listed in Attachment A. Ms. Witt further stated that staff wished to correct one item in the General Fund which is the decrease of \$100,000 in funding a group home facility reserve making that a

\$175,000 instead of \$275,000 and also to pull the Schools Operating Fund item from the Resolution. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Gillette, seconded by Council Member Nelson, Council by the following recorded vote introduced and laid over to a later meeting, Resolution #R-10-110, as amended, amending the FY 2011 Operating Budget and appropriating funds to reflect the carry forward of unexpended funds in FY 2010:

Ayes: Cary, Gillette, Helgeson, Nelson, Perrow, Foster	6
Noes:	0
Absent: Johnson	1

// In the matter of Public Works – Utility, City Council Report # 20 was considered. Utilities Engineer Scott Parkins gave a brief summary of the request to approve a change order exceeding the current contract value of \$180,378 to new total cost of \$327,798; approve the allocation of \$147,420 from the FY 2011 Capital Budget for Change Order #2, costs related to increasing the size of the casing pipe from 24” to 36”. Council Member Perrow, Physical Development Committee (PDC) Chair, stated that this item came before the PDC. This motion required no second, and Council by the following recorded vote approved the Change Order #2 request:

Ayes: Cary, Gillette, Helgeson, Nelson, Perrow, Foster	6
Noes:	0
Absent: Johnson	1

// On motion of Council Member Cary, seconded by Council Member Gillette, Council by the following recorded vote elected to hold a closed meeting for consultation with legal counsel and briefings by staff members concerning the case Mary Beard Peterson v. Michael Eagle, and others, pursuant to Section 2.2-3711(A).(7) of the Code of Virginia, 1950, as amended as permitted by Section 2.2-3711(A)(), respectively, Code of Virginia (1950), as amended:

Ayes: Cary, Gillette, Helgeson, Nelson, Perrow, Foster	6
Noes:	0
Absent: Johnson	1

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

// Council Member 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 Council Member Gillette, and Council by the following recorded vote adopted the motion:

Ayes: Cary, Gillette, Helgeson, Nelson, Perrow, Foster	6
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Noes:	0
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Absent: Johnson	1
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// The meeting was adjourned at 8:46 P.M.

Interim Clerk of Council

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **October 12, 2010**

AGENDA ITEM NO.: 5

CONSENT: **X**

REGULAR:

CLOSED SESSION:
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **FY 2010 Carry Forward (Second Reading)**

RECOMMENDATION:

Adopt a resolution amending the FY 2011 Operating Budget and appropriating funds to reflect the carry forward of unexpended funds from FY 2010.

SUMMARY:

A Public Hearing was held on September 28, 2010 to amend the FY 2011 Budget and carry forward unexpended funds from FY 2010. The initial request included amendments to the Schools budget, however, a decision was made to postpone any Schools adjustments until after the audit is complete. Also, a \$100,000 adjustment was made in the General Fund to fund a Group Home Facility Reserve at \$175,000 and not \$275,000 as originally presented.

Details of these adjustments can be found on Attachment A.

PRIOR ACTION(S): Work session and Public Hearing, September 28, 2010

BUDGET IMPACT:

As noted above

CONTACT(S):

Donna Witt, Director of Financial Services, 455-3968

ATTACHMENT(S):

Resolution

Attachment A: FY 2010 Carry Forward Requests to Amend FY 2011 Budget – Summary and Detail

REVIEWED BY: lkp

RESOLUTION:

BE IT RESOLVED That the FY 2011 Budget is amended and funds are appropriated to reflect the carry forward of FY 2010 appropriations that were unexpended as of June 30, 2010, in the General, City/Federal/State Aid, Community Development Block Grant, Asset Forfeiture, LEAF Special Revenue, Technology, City Capital Projects, Fleet, Sewer, Water, and School Operating Funds as follows:

	Adopted FY 2011	Recommended Carry Forward	Amended FY 2011
General Fund			
Operations	\$101,152,243	\$336,299	\$101,488,542
Transfers To/From Other Funds	1,240,667	223,945	1,464,612
Debt Service	16,022,498		16,022,498
Schools-Operations	31,942,103		31,942,103
Greater Lynchburg Transit Co.	1,128,884		1,128,884
Reserve for Contingencies	1,200,000		1,200,000
Juvenile Detention Workers Comp Reserve	20,000		20,000
Debt Service Reserve	1,071,781		1,071,781
Health Insurance Reserve	0	475,000	475,000
Group Home Facility Reserve	0	175,000	175,000
Police Compensation Reserve	0	191,795	191,795
Reserve for Future Landfill Post-closure Costs	0	604,284	604,284
Other Post Employment Benefits	250,000		250,000
Capital Improvements	8,300,614	1,090,524	9,391,138
Ending Balance	15,564,993		15,564,993
Total	\$177,893,783	\$3,096,847	\$180,990,630
City/Federal/State Aid Fund			
Operations	\$2,329,491	\$185,632	\$2,515,123
Ending Balance	0	0	0
Total	\$2,329,491	\$185,632	\$2,515,123
Community Development Block Grant Fund			
Operations	\$1,039,775	\$1,167	\$1,040,942
Ending Balance	0	0	0
Total	\$1,039,775	\$1,167	\$1,040,942
Asset Forfeiture Fund			
Operations	\$119,634	\$223,478	\$343,112
Ending Balance	0	0	0
Total	\$119,634	\$223,478	\$343,112
LEAF Special Revenue Fund			
Operations	\$0	\$131,784	\$131,784
Ending Balance	(21,363)	21,363	0
Total	(\$21,363)	\$153,147	\$131,784
Technology Fund			
Operations	\$489,600	\$366,221	\$855,821
Capital Outlay	401,000	135,276	536,276
Ending Balance	1,416,741		1,416,741
Total	\$2,307,341	\$501,497	\$2,808,838

	<u>Adopted FY 2011</u>	<u>Recommended Carry Forward</u>	<u>Amended FY 2011</u>
City Capital Projects Fund			
Operations	\$9,593,736	\$317,546	\$9,911,282
Ending Balance	<u>0</u>	<u>0</u>	<u>0</u>
Total	\$9,593,736	\$317,546	\$9,911,282
Fleet Services Fund			
Operations	\$5,425,708	\$156,000	\$5,581,708
Debt Service	404,178		404,178
Reserves	133,000		133,000
Ending Balance	<u>152,388</u>		<u>152,388</u>
Total	\$6,115,274	\$156,000	\$6,271,274
Sewer Operating Fund			
Operations	\$9,551,431	\$130,000	\$9,681,431
Debt Service	7,550,690		7,550,690
Capital Outlay	185,000		185,000
Transfer to Sewer Capital Fund	2,500,000		2,500,000
Ending Balance	<u>9,149,143</u>		<u>9,149,143</u>
Total	\$28,936,264	\$130,000	\$29,066,264
Water Operating Fund			
Operations	\$8,571,267	\$2,675	\$8,573,942
Debt Service	3,662,585		3,662,585
Capital Outlay	46,000		46,000
Transfer to Water Capital Fund	700,000		700,000
Ending Balance	<u>4,770,381</u>		<u>4,770,381</u>
Total	\$17,750,233	\$2,675	\$17,752,908
School Operating Fund			
Operations	\$77,731,173		\$77,731,173
Grant Funded Expenditures	7,813,258	3,971,083	11,784,341
Ending Balance	<u>0</u>		<u>0</u>
Total	\$85,544,431	\$3,971,083	\$89,515,514

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

Introduced:

Adopted:

Certified:

Interim Clerk of Council

FY 2010 CARRY FORWARD REQUESTS
SUMMARY BY FUND

	<u>AMOUNT</u>	
GENERAL FUND	\$3,196,847	\$3,096,847
CITY FEDERAL STATE AID FUND	185,632	
COMMUNITY DEVELOPMENT BLOCK GRANT FUND	1,167	
ASSET FORFEITURE FUND	223,478	
LYNCHBURG EXPRESSWAY APPEARANCE FUND (LEAF)	153,147	
TECHNOLOGY FUND	501,497	
CITY CAPITAL PROJECTS FUND	317,546	
FLEET SERVICES FUND	156,000	
SEWER OPERATING FUND	130,000	
WATER OPERATING FUND	2,675	
SCHOOLS OPERATING FUND	3,971,083	

FY 2010 CARRY FORWARD DETAIL

GENERAL FUND

DEPARTMENT/DIVISION	AMOUNT	PURPOSE
Public Works	\$17,639	Carry forward \$10,579 in unspent Adopt-A-Bed appropriations, as well as appropriate \$7,060 additional revenues to be spent.
Public Works	\$38,000	Carry forward unspent appropriations for a pedestrian signal system in front of City Hall.
Registrar	\$35,000	Carry forward unspent appropriations for replacement or modification of voting systems due to State moratorium on purchase of DRE systems.
Circuit Court Judge	\$7,420	Carry forward unspent appropriations to purchase televisions/dvd players for renovated courtrooms. Renovations were not complete in FY 2010.
Parks and Recreation	\$3,800	Carry forward unspent appropriations for training needed due to reorganization.
Parks and Recreation	\$3,500	Carry forward unspent appropriations for water treatment chemicals for the new spray park at Riverside Park.
Communications and Marketing	\$2,000	Carry forward unspent appropriations for a laptop to provide video editing.
Communications and Marketing	\$12,000	Carry forward unspent appropriations for improvements to the sound system in Council Chambers.
City Manager	\$5,000	Carry forward unspent appropriations for costs associated with new City Council Members.
City Manager	\$8,466	Carry forward unspent appropriations to continue the Community Dialogue Program.
Fire	\$69,973	Carry forward unspent appropriations to fund a recruit school for the fall of 2010.
Police	\$191,795	Carry forward unspent appropriations as a reserve for Police compensation adjustments.

FY 2010 CARRY FORWARD DETAIL

DEPARTMENT/DIVISION	AMOUNT	PURPOSE
Human Resources	\$9,800	Carry forward unspent appropriations to deliver workforce training through a new Workforce Development System.
Human Resources	\$1,750	Carry forward unspent appropriations for one employee to attend New World Systems training in FY 2011.
Human Resources	\$6,500	Carry forward unspent appropriations to purchase a Learning Management System to provide technical support for Workforce Development System.
Human Resources - Non-Departmental	\$20,000	Carry forward unspent appropriations to provide additional tuition reimbursement for employees.
Human Resources - Non-Departmental	\$3,470	Carry forward unspent appropriations from vending machine proceeds for employee recognition events.
Human Resources - Health Insurance Reserve	\$475,000	Carry forward surplus from health claims liability account to health insurance reserve account.
Assessor	\$3,000	Carry forward unspent appropriations for training to maintain licenses of appraisers.
Juvenile Services	\$21,342	Carry forward unspent appropriations to provide support services for Family Group Decision Making.
Juvenile Services	\$275,000 \$175,000	Designate unspent Detention Per Diem funds for future Group Home Facility.
Community Development	\$25,371	Carry forward unspent appropriations to continued demolition efforts.
Community Development	\$5,000	Carry forward unspent appropriations to purchase updated building code books for inspectors.
Community Development	\$37,268	Carry forward unspent appropriations to fund 3 months of a Director's salary to allow the department to begin the hiring process.
Reserve for Future Landfill Expenses	\$604,284	Set up a reserve for Future Landfill post-closure costs from true up of FY 2010 landfill expenses.

FY 2010 CARRY FORWARD DETAIL

DEPARTMENT/DIVISION	AMOUNT	PURPOSE
Transfer to Technology Fund	\$208,469	Carry forward to the Technology Fund per June 2000 Council approved Information Technology Policy.
Transfer from Fire Department Operating budget to City Capital Projects Fund	\$428,190	Transfer from General Fund to City Capital Projects Fund for renovations to Fire Station #6 at Miller Park.
Transfer to City Capital Projects Fund	\$662,334	Transfer remaining balance of Reserve for Contingencies, including offset State cuts and City Manager's discretionary fund to City Capital Projects fund for Street Overlay, Kemper Street Bridge and Main Street Retaining Wall maintenance (split evenly among 3 projects).
Transfer from Emergency Communications Operating budget to City Federal State Aid Fund	\$15,476	Transfer unspent appropriations to the City Federal State Aid Fund for expenditures that were ineligible for grant reimbursement.
GENERAL FUND TOTAL	\$3,096,847	

CITY/FEDERAL/STATE AID FUND

Commonwealth Attorney	\$162,848	Transfer unspent local match for Gun Violence grants back to the General Fund.
Fire	\$9,584	Transfer unspent local match for Rescue Squad Assistance and Emergency Medical Services grants back to the General Fund.
Fire	\$3,739	Appropriate additional state revenue received for the EMS Four for Life grant.
Police	\$10,515	Transfer unspent local funds back to General Fund.
Police	\$5,491	Appropriate interest earned on Police Dept. grant.

FY 2010 CARRY FORWARD DETAIL

Public Works	(\$46,000)	Reduce in-kind match for Department of Environmental Quality grant from \$58,000 to \$12,000.
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FY 2010 CARRY FORWARD DETAIL

DEPARTMENT/DIVISION	AMOUNT	PURPOSE
Library	\$4,983	Appropriate additional state revenue received from the Library of Virginia.
Region 2000	\$34,472	Appropriate additional federal revenue received for the Workforce Investment Act grant.
CITY/FEDERAL/STATE AID FUND TOTAL	\$185,632	
COMMUNITY DEVELOPMENT BLOCK GRANT FUND	\$1,167	Refund received from Rebuilding Together.
ASSET FORFEITURE FUND	\$223,478	Appropriate revenue received for Commonwealth Attorney's Office (\$3,632), and Police Department (\$219,846) expenditures.
LYNCHBURG EXPRESSWAY APPEARANCE FUND (LEAF)	\$153,147	Appropriate additional revenues, as well as carry forward unspent appropriations.
TECHNOLOGY FUND		
Information Technology	\$10,000	Engineering consulting for network infrastructure upgrade.
	\$30,000	Replacement of training center computers.
	\$25,000	Training and materials for Windows 7.
	\$70,276	Engineering services for design and replacement recommendations for data center generators.
	\$4,512	Funding for mobile computing equipment for inspections.
	\$30,000	Sharepoint application conversion and training.
	\$23,000	Equipment, software and setup of Data Warehouse System.
	\$100,240	Document management for map room and other departments not yet identified.
	\$208,469	Carry forward from the General Fund per June 2000 Council approved Information Technology Policy.
TECHNOLOGY FUND TOTAL	\$501,497	

FY 2010 CARRY FORWARD DETAIL

CITY CAPITAL PROJECTS FUND

DEPARTMENT/DIVISION	AMOUNT	PURPOSE
Transfer from Fire Department Operating budget to City Capital Projects Fund	\$428,190	Transfer from General Fund to City Capital Projects Fund for renovations to Fire Station #6.
Public Works - Engineering	(\$392,978)	Rescind Fifth Street CDBG appropriations. \$100,000 will be funded out of CDBG fund,\$157,000 will be transferred from Public Transportation Improvements (GLTC), and \$135,000 from Downtown Riverfront Development.
Public Works - Engineering	(\$380,000)	Rescind bond appropriations from Greenview Drive Phase I. Project came in under budget and bond funding will be used for Greenview Drive Phase II.
Transfer from General Fund	\$662,334	Transfer remaining balance of Reserve for Contingencies, including offset State cuts and City Manager's discretionary fund to City Capital Projects fund for Street Overlay, Kemper Street Bridge and Main Street Retaining Wall maintenance (split evenly among 3 projects).
CITY CAPITAL PROJECTS FUND TOTAL	\$317,546	

FLEET SERVICES FUND

Fleet	\$100,000	Carry forward to fully-fund FY 2011 vehicle replacements.
	\$23,000	Parts inventory needed due to bad winter.
	\$15,000	Lift needed for heavy vehicles. The current lift cannot safely lift heavy vehicles.
	\$11,000	Additional funding needed for small engine repair based on increased work load.
	\$7,000	To cover anticipated utility expenses.
FLEET SERVICES FUND TOTAL	\$156,000	

FY 2010 CARRY FORWARD DETAIL

DEPARTMENT/DIVISION	AMOUNT	PURPOSE
SEWER OPERATING FUND	\$130,000	Implement consultant recommendations for solids program.
WATER OPERATING FUND	\$2,675	Remaining balance for Utility Billing software upgrades.
SCHOOLS OPERATING FUND	\$3,971,083	Unexpended Stimulus and Grant funds for Education programs.

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **October 12, 2010**

AGENDA ITEM NO.: **6**

CONSENT: **X**

REGULAR:

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Police Bulletproof Vest Partnership 2010 Grant Funding**

RECOMMENDATION:

Adopt a resolution to amend the FY 2011 City/Federal/State Aid Fund budget and appropriate \$33,075 with resources of \$16,537 from the Bulletproof Vest Partnership 2010 Grant Program and \$16,578 of match from the General Fund Police Department budget to purchase 52 replacement bulletproof vests for law enforcement officers.

SUMMARY:

The Police Department has been awarded a grant under the Bulletproof Vest Partnership. Funding will be used to purchase 52 replacement bulletproof vests for law enforcement officers.

Total vest replacement costs are \$33,075; the grant reimburses half of the expenses and the other half is budgeted in the Police Department's FY 2011 Operating Budget.

PRIOR ACTION(S):

Finance Committee May 25, 2010

Finance Committee September 28, 2010

FISCAL IMPACT:

None, the required local match was budgeted in the FY 2011 General Fund Police Department Operating Budget.

CONTACT(S):

Chief Parks Snead, 455-6104

Captain K.T. Swisher, 455-6052

ATTACHMENT(S):

Resolution

REVIEWED BY: lkp

RESOLUTION:

BE IT RESOLVED That the FY 2011 City/Federal/State Aid Fund budget is amended and \$33,075 is appropriated with resources of \$16,537 from the Bulletproof Vest Partnership 2010 Grant Program and \$16,538 of match from the General Fund Police Department budget to purchase 52 replacement bulletproof vests for law enforcement officers.

Introduced:

Adopted:

Certified:

Interim Clerk of Council

132L

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **October 12, 2010**

AGENDA ITEM NO.: 7

CONSENT: **X**

REGULAR:

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **2010 Justice Assistance Grant for Equipment, Licensing, and Training for the Computer Evidence Recovery and Vice/Narcotics Units**

RECOMMENDATION:

Adopt a resolution to amend the FY 2011 City/Federal/State Aid Fund budget and appropriate \$59,150 with resources from the 2010 Edward Byrne Memorial Justice Assistance Grant Program to purchase computer equipment/related software, licensing, training, and office equipment for the Police Department's Computer Evidence Recovery and Vice/Narcotics Units.

SUMMARY:

The Lynchburg Police Department has recently been awarded funding through the Edward Byrne Memorial Justice Assistance Grant (JAG) Program in the amount of \$59,150. This funding will be utilized to purchase computer equipment/related software, licensing, training, and office equipment for the Department's Computer Evidence Recovery Unit and Vice/Narcotics Unit. Total cost is \$59,150, which is fully reimbursable by the grant; no local matching funds are required.

PRIOR ACTION(S):

Finance Committee May 25, 2010

Finance Committee September 28, 2010

FISCAL IMPACT:

None, no local match is required.

CONTACT(S):

Police Chief Parks Snead, 455-6104

Captain K.T. Swisher, 455-6052

ATTACHMENT(S):

Resolution

REVIEWED BY: lkp

RESOLUTION:

BE IT RESOLVED That the FY 2011 City/Federal/State Aid Fund budget is amended and \$59,150 is appropriated with resources from the 2010 Edward Byrne Memorial Justice Assistance Grant Program to purchase computer equipment/related software, licensing, training, and office equipment for the Police Department's Computer Evidence Recovery and Vice/Narcotics Units.

Introduced:

Adopted:

Certified:

Interim Clerk of Council

131L

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **October 12, 2010**

AGENDA ITEM NO.: 8

CONSENT: **X**

REGULAR:

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: Office on Violence Against Women–Community-Defined Solutions to Violence Against Women Program

RECOMMENDATION:

Adopt a resolution to amend the FY 2011 City/Federal/State Aid Fund budget and appropriate \$200,000 with resources from the Office on Violence Against Women (OVW) Community-Defined Solutions to Violence Against Women Program (previously entitled Grants To Encourage Arrest and Enforcement of Protection Orders Program) to support the domestic violence and intimate partner prosecution team.

SUMMARY:

The Office of the Commonwealth's Attorney (OCA) submitted this application in February 2010 to support its domestic violence and intimate partner prosecution team. The awarded amount for the two-year period is \$400,000 and will fund specially-trained prosecutors and investigators to work with a variety of community organizations to reduce instances of domestic violence, sexual assault, and stalking in the community. Initially formed in 1997, the Team's main purpose was and still remains to hold those who engage in acts of domestic violence, sexual assault, and stalking accountable and to ensure the victims of these crimes are treated with dignity and compassion throughout the entire criminal justice process. The City was awarded funding from 1997 – 2009. However, in 2009 an award for the period of September 2009 – August 31, 2011, was not extended to the City.

The new award project period is for 24 months, commencing October 1, 2010 and ending September 30, 2012. The grant is fully reimbursable; no local match is required.

PRIOR ACTION(S):

Finance Committee February 23, 2010

Finance Committee September 28, 2010

FISCAL IMPACT:

None, the funds are fully reimbursable; no local match is required.

CONTACT(S):

Michael R. Doucette, Commonwealth's Attorney, 455-3762

Donna Nash, Grants Administrator, 455-3770

ATTACHMENT(S):

Resolution

REVIEWED BY: lkp

RESOLUTION:

BE IT RESOLVED that the FY 2011 City/Federal/State Aid Fund budget is amended and \$200,000 is appropriated with resources from the Office on Violence Against Women (OVW) Community-Defined Solutions to Violence Against Women Program (previously entitled Grants To Encourage Arrest and Enforcement of Protection Orders Program) to support the domestic violence and intimate partner prosecution team.

Introduced:

Adopted:

Certified:

Interim Clerk of Council

130L

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **October 12, 2010**

AGENDA ITEM NO.: 9

CONSENT: **X**

REGULAR:

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: Private Street Renaming: "Research Lab Road" to "Hershey-Esbensshade Drive"
Public Street Renaming: "University Boulevard" to "Liberty University Drive"

RECOMMENDATION: Approval of the street renamings.

SUMMARY: Liberty University is requesting to change the street name of the private street Research Lab Road to Hershey-Esbensshade Drive and a portion of the public street, University Boulevard to Liberty University Drive. The request to rename Research Lab Road is part of a comprehensive campus naming and addressing initiative that uses wayfinding signage as part of a new directional technology system. The system will ultimately allow users to access campus directories and integrated Greater Lynchburg Transit Company route maps to enhance connectivity. In addition, campus police receive a number of calls for service at the intersection of University Boulevard and Liberty Mountain Drive and it is their belief that renaming this portion of University Boulevard to Liberty University Drive will allow for those in need to quickly identify their location.

PRIOR ACTION(S):

September 8, 2010: The Planning Division recommended approval of the private street renaming and public street naming petition.

The Planning Commission recommended approval (5-0, with two members absent, Barnes and Hannon) of the private street naming petition and the public street naming petition.

September 14, 2010: The Physical Development Committee recommended approval (3-0) of the private street renaming petition and public street naming petition.

FISCAL IMPACT: Minimal cost associated with replacing street sign at public right of way.

CONTACT(S): Tom Martin, City Planner - 455-3900; Bonnie Svrcek, Deputy City Manager/Acting Director of Community Development - 455-3900

ATTACHMENT(S):

- Resolutions
- Planning Commission Report
- Planning Commission Minutes
- Vicinity Map
- Map Showing Streets Proposed for Renaming

REVIEWED BY: lkp

RESOLUTION

A RESOLUTION APPROVING THE RENAMING OF AN EXISTING PRIVATE STREET AND THE RENAMING OF AN EXISTING PUBLIC STREET.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG that the name of an existing private street called Research Lab Road be changed to "Hershey-Esbensshade Drive," and that the name of a portion of an existing private street called University Boulevard located between Liberty Mountain Drive and the intersection of University Boulevard be changed to "Liberty University Drive."

Adopted:

Certified:

Interim Clerk of Council

129L

The Department of Community Development
City Hall, Lynchburg, VA 24504 434-455-3900

To: Planning Commission

From: Planning Division

Date: September 8, 2010

Re: **PRIVATE STREET RENAMING REQUEST:** From “Research Lab Road” to “Hershey-Esbensshade Drive” at Liberty University

PUBLIC STREET RENAMING REQUEST: From “University Boulevard” to “Liberty University Drive” at Liberty University

I. PETITIONER

Liberty University, 1971 University Boulevard, Lynchburg, VA 24502

Representatives: Richard Martin, Liberty University, 1971 University Boulevard, Lynchburg, VA 24502

Colonel Richard Hinkley, Liberty University, 1971 University Boulevard, Lynchburg, VA 24502

Lee Evans, Liberty University, 1971 University Boulevard, Lynchburg, VA 24502

Property Owner(s): Liberty University, Inc., 1971 University Boulevard, Lynchburg, VA 24502
City of Lynchburg, 900 Church Street, Lynchburg, VA 24504

II. LOCATION(S)

- Research Lab Road is a private street that extends in a westerly direction approximately six hundred (600) feet from its intersection with Mountain View Road, a private street, to its intersection with Regents Parkway, a private street.
- University Boulevard is a public street that extends in a northwesterly direction approximately five hundred twenty (520) feet from its intersection with Liberty Mountain Drive, a public street, to its intersection University Boulevard, a public street extending northeast towards Candler's Mountain Road and a private street extending west into Liberty University's campus.

III. PURPOSE

Liberty University is petitioning to rename one private street, Research Lab Road, to Hershey-Esbensshade Drive and a portion of one public street, University Boulevard, to Liberty University Drive.

IV. SUMMARY

- Request complies with the requirements of Section 35-109 of the *Streets Ordinance* that “the council, by resolution, may rename or name an existing or newly established street within the city limits, provided such changes, namings and renamings are carried out in other than an arbitrary manner.”
- The request is part of a comprehensive campus naming and addressing initiative to enhance campus wayfinding, emergency response and incorporate a new directional technology system.

The Planning Division recommends approval of the private street renaming request and the public street renaming request.

V. FINDINGS OF FACT

1. **Comprehensive Plan.** N/A
2. **Zoning.** N/A
3. **Board of Zoning Appeals (BZA).** N/A
4. **Surrounding Area.** There have been several items requiring City Council approval in the immediate area:
 - On June 8, 2010, City Council approved Liberty University's petition to change the name of an existing private street, Ericsson Drive, to Evans Boulevard.
 - On June 10, 2008, City Council approved Liberty University's petition to amend the *Future Land Use Map* from Low Density Residential to an Institutional Use at 3794, 3778, 3786, 3802 and 4000 Candler's Mountain Road; a petition to rezone from B-3C, Community Business District (Conditional) to B-3C, Community Business District (Conditional) at 3778, 3786, 3794, 3802 and 4000 Candler's Mountain Road; a petition for a Conditional Use Permit (CUP) for Liberty University's Master Plan at 3778, 3786, 3794, 3802, 4000, 4250, 4300, 5000, 5001 Candler's Mountain Road, 1000, 1001, 1005 Ericsson Drive, 100 Mountain View Road, 100, 112, 200, 212, 300 Liberty Mountain Drive, 1971, 1973, 1975, 1977 University Boulevard and 4013 Wards Road and a petition for a CUP for the Liberty University Consolidated Sign Plan.
 - On March 25, 2008, City Council approved Liberty University's petition to name two existing private streets on the Liberty University campus off Candler's Mountain Road "Regents Parkway" and "Research Lab Road."
 - On November 13, 2007, City Council approved Liberty University's petition to amend the *Future Land Use Map* from Institution to Community Commercial and a petition to rezone from R-C, Conservation District to B-3C, Community Business District (Conditional) and a petition for a CUP to allow the construction of a building across the City of Lynchburg and Campbell County corporate limit at 500 Liberty Mountain Drive.
 - On November 9, 2004, City Council approved Liberty University's petition to amend a condition of the CUP approved on December 16, 2003 related to vehicular access points to the property located at 100 Mountain View Road.
 - On December 16, 2003, City Council approved Liberty University's petition to rezone a tract of approximately one hundred and twenty-three (123) acres on Liberty Mountain Drive from B-3, Community Business District, to B-5C, General Business District (Conditional) and a tract of eighty-three (83) acres from I-2, Light Industrial District, to B-5C, General Business District (Conditional) and for a CUP to allow university, church and K-12 uses at 100 Mountain View Road.
 - On December 16, 2003, City Council approved Liberty University's petition for a CUP to allow university and K-12 uses at Liberty Mountain Drive and 100 Mountain View Road.
 - On October 14, 2003, City Council approved Liberty University, TRBC, and GDT, CG1, LLC's petition for a CUP to allow a community recreation facility at 100 Mountain View Road.
 - On November 13, 2001, City Council approved Liberty University's petition for a CUP to allow the construction of a student center and associated parking at 1971 University Boulevard.

- On April 10, 2001, City Council approved Wards Road Properties, LLC's petition for a CUP to allow fill within the one hundred (100)-year floodplain to allow the construction of storage inns at 2601 Old Wards Road.
 - On September 12, 2000, City Council approved Back Yard Real Estate, LLC's petition to rezone approximately one and a half (1.5) acres from I-2, Light Industrial District to B-3C, Community Business District (Conditional) and a petition for a CUP to fill in the one hundred year (100)-year floodplain to make the property compatible with existing commercial land uses and to allow the expansion an existing parking lot for a restaurant use at 2731 Wards Road.
 - On April 14, 1998, City Council approved Liberty University's petition for a CUP to allow the construction of four (4) new dormitories, a visitor's center, additions to the DeMoss building and associated parking areas at 1971 University Boulevard.
 - On September 9, 1997, City Council approved The Inn Group, Inc.'s petition to rezone approximately four and three tenths (4.3) acres from R-C, Conservation District and I-2 Light Industrial District to B-3C, Community Business District (Conditional) to allow construction of commercial buildings on University Boulevard.
 - On March 14, 1989, City Council approved Old Time Gospel Hour/Liberty University's petition for a CUP for the construction of a twelve thousand (12,000)-seat football stadium and a nine thousand (9,000)-seat basketball arena (the Vine Center). A condition of this CUP was the construction of a secondary permanent access, subject to approval by the City, on the Liberty University main campus.
 - On April 12, 1988, City Council approved the Old Time Gospel Hour's petition to rezone the remaining thirty (30) acres of the Liberty University main campus from I-2, Light Industrial District to B-5, General Business District (Conditional) to allow the construction of dormitories and the expansion of other university related uses on the Liberty University main campus.
 - On June 12, 1984, City Council approved Erwin P. Baer's petition for a CUP to allow the construction of an outlet mall in a floodway fringe area at 3000 Wards Road.
 - On April 10, 1984, City Council approved Wayne E. Newcomb's petition for a CUP to allow the construction of a car wash and the sale of gasoline in a floodway fringe area at the corner of Glass Avenue and Wards Road.
 - On January 10, 1984, City Council approved James A. Agnew's petition for a CUP to allow the construction of a building and parking area in a floodway fringe area at 2735 Wards Road.
 - On November 11, 1983, City Council approved Old Time Gospel Hour's petition to rezone one hundred thirty-three (133) acres from R-C, Conservation District to R-4, Multi-Family Residential District (Conditional) to allow the construction of four (4) four hundred (400)-unit apartment buildings and a two hundred fifty (250)-bed health care facility on Liberty Mountain Drive.
 - On October 12, 1982, City Council approved A.T. Williams Oil Company's petition for a CUP to allow the construction of an automobile service station at 3001 Wards Road.
 - On December 12, 1978 City Council adopted the "Official Zoning Map". With this adoption, one hundred forty-two (142) acres were rezoned from M, Manufacturing to B-5, General Business District on the Liberty University main campus.
5. **Site Description.** The Liberty University Campus is bound to the north by commercial properties and Candler's Mountain Road; to the east by vacant forestal lands and Candler's Mountain, to the south by U.S. 460, vacant forestal land and commercial properties; and to the west by Wards Road and commercial properties.

6. **Proposed Use of Property.** Liberty University is petitioning to rename Research Lab Road, a private street on campus, Hershey-Esbensshade Drive; Research Lab Road was originally named by City Council in 2008 in accordance with resolution R-08-039. The university is also requesting that a portion of University Boulevard, a public street, be renamed to Liberty University Drive (this street was originally named in 1990 in accordance with resolution R-90-174). The request is part of a comprehensive campus naming and addressing initiative that uses wayfinding signage as part of a new directional technology system. The system will ultimately allow users to access campus directories and integrated Greater Lynchburg Transit Company route maps to enhance connectivity. The project will involve the installation of some four hundred (400) street identification signs, ninety-five percent (95%) of which will be located on private property. Liberty University will coordinate with the City of Lynchburg and the Virginia Department of Transportation (VDOT) for the installation of any signs within City or State right-of-way.
7. **Traffic, Parking and Public Transit.** The City Transportation Engineer noted that the portion of University Boulevard proposed for renaming is a state maintained road and recommended VDOT be solicited for comment. VDOT representatives noted that they had no objection to the proposed renaming of University Boulevard but advised City staff to confirm with Campbell County (since the road is state maintained) that it was not named when the county initiated its emergency services update. Paul Harvey, Director of Campbell County's Department of Community Development, confirmed that the road was not named in the county's emergency services directory and that the county had no objection to the proposed renaming of the public street.
8. **Stormwater Management.** N/A
9. **Emergency Services.** The City Fire Marshal had no comments of concern regarding the proposed private street renaming or the renaming of the public street.

The Emergency Communications Administrator had no comments of concern regarding the proposed private street renaming or the renaming of the public street.
10. **Impact.** The renaming of Research Lab Road to Hershey-Esbensshade Drive and a portion of University Boulevard to Liberty University Drive will advance Liberty University's wayfinding system with negligible impacts to the surrounding area. The proposal would ultimately improve emergency response times by eliminating dual-named and un-named streets. As an example, University Boulevard currently originates at Candler's Mountain Road where it extends approximately two thousand two hundred (2,200) feet before diverging into a private street into campus and a public street and state maintained bridge that connects with Liberty Mountain Drive. Campus police receive a number of calls for service at the intersection of University Boulevard and Liberty Mountain Drive and it is their belief that renaming this portion of University Boulevard to Liberty University Drive will allow for those in need to quickly identify their location.

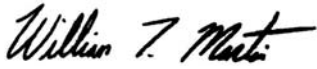
Since the roads were originally named by City Council, in accordance with Section 35-105 of the *Streets Ordinance* changes to the names of those streets "will be reviewed by the city technical review committee, planning commission and council, with the final decision resting with the council." City staff had no comments of concern regarding the proposed name change.
11. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the street naming and renaming request on August 17, 2010. Comments related to the proposed names were minor in nature.

VI. PLANNING DIVISION RECOMMENDATION

Based on the preceding Findings of Fact, the Planning Commission recommends City Council approve Liberty University's petition for the street renaming request for "Hershey-Esbensshade Drive" located on the Liberty University Campus between Mountain View Road and Regents Parkway.

Based on the preceding Findings of Fact, the Planning Commission recommends City Council approve Liberty University's petition for the street renaming request for "Liberty University Drive" located between Liberty Mountain Drive and the intersection of University Boulevard.

This matter is respectfully offered for your consideration.



William T. Martin, AICP
City Planner

pc: Mr. L. Kimball Payne, III, City Manager
Ms. Bonnie M. Svrcek, Deputy City Manager/ Acting Director of Community Development
Mr. Walter C. Erwin, City Attorney
Mr. J. Lee Newland, City Engineer
Mr. Morris Younger, Emergency Communications Administrator
Battalion Chief Greg Wormser, Fire Marshal
Mr. Gerry Harter, Transportation Engineer
Mr. Doug Saunders, Acting Building Official
Mr. Robert Fowler, Zoning Administrator
Mr. Kent White, Senior Planner
Mr. Richard Martin, Representative, Liberty University
Mr. Bryan Evans, Representative, Liberty University
Col. Richard Hinkley, Representative, Liberty University

VII. ATTACHMENTS

- 1. Vicinity Map**
- 2. Map Showing Streets Proposed for Renaming**

MINUTES FROM THE SEPTEMBER 8, 2010 PLANNING COMMISSION MEETING (MINUTES HAVE NOT BEEN APPROVED. THE SEPTEMBER 22, 2010 PLANNING COMMISSION MEETING WAS CANCELLED):

b. Petition to rename one private street “Research Lab Road” to “Hershey- Esbenshade Drive” and a portion of one public street, “University Boulevard” to “Liberty University Drive.”

Mr. White explained that Research Lab Road was originally named by City Council in 2008. University Boulevard was named by City Council in 1990. Street renamings still have to go before City Council, as opposed to new street namings. Representatives from Liberty University are present. Staff checked with VDOT regarding the state maintained road, University Boulevard. They had no comments. Staff also consulted Campbell County and confirmed that University Boulevard is not part of their emergency management program.

Currently, University Boulevard extends from Candler's Mountain Road about 2,200 feet and connects to Liberty Mountain Drive. The road actually diverges about 1,200 feet in and becomes University Boulevard, a private street; University Boulevard, a state maintained road and University Boulevard, a city road. One can see why Liberty University is interested in renaming a portion of it.

Colonel Richard Hinkley from Liberty University explained that the portion being renamed is basically the bridge over U.S. 460. At one time it was part of Liberty Mountain Drive. When University Boulevard was built, somehow that section of the bridge was renamed University Boulevard with the City but VDOT kept it as an F907. Under the bridge on U.S. 460, it said Liberty University Drive on the state signs. This renaming will allow one to see the difference between the two streets.

Commission Sale made the following motion, which was seconded by Commissioner Swienton, and passed by the following vote:

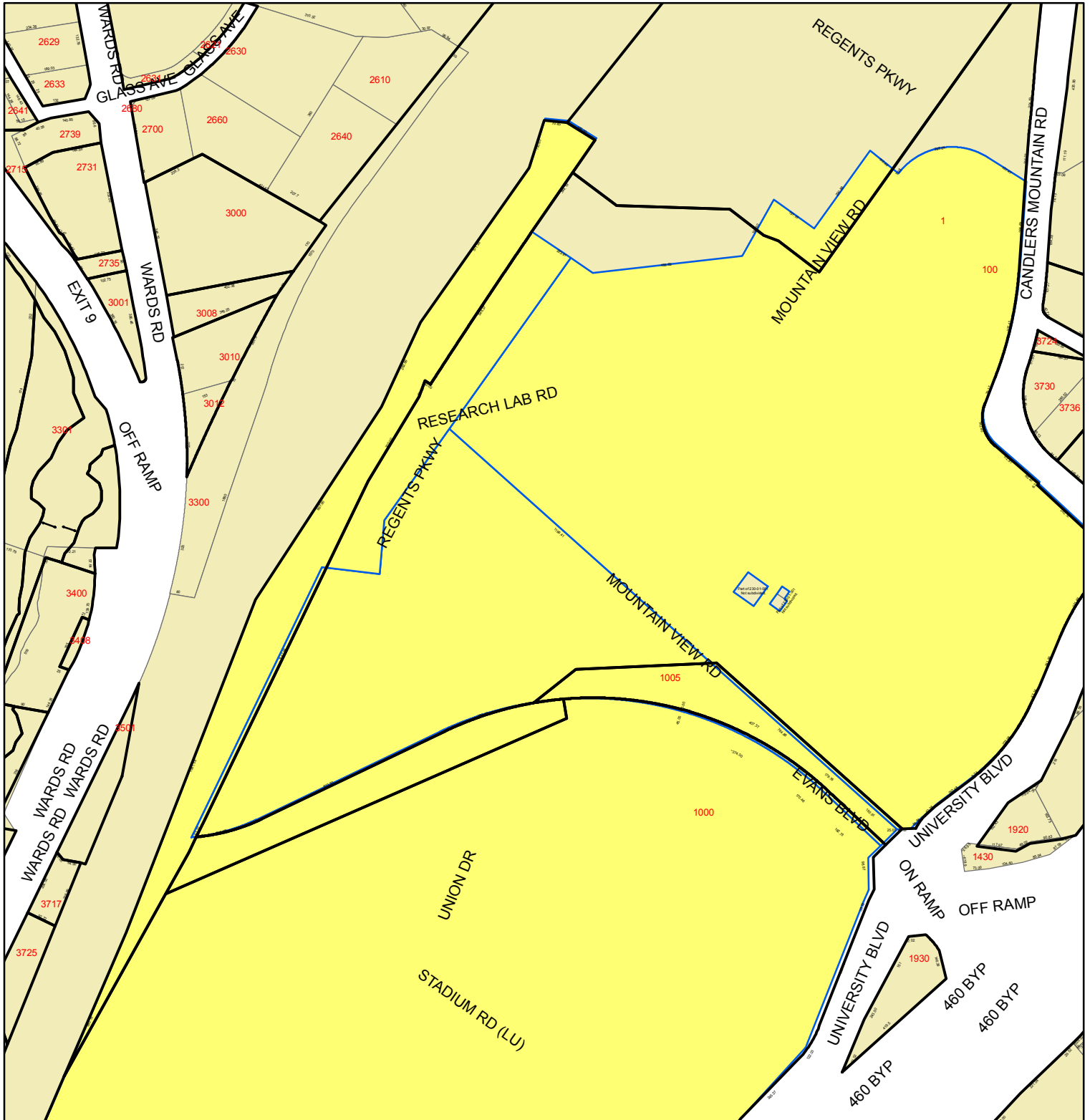
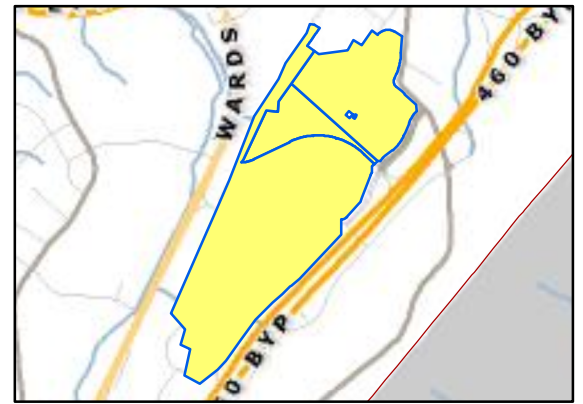
“That the Planning Commission recommends City Council approve Liberty University’s petition for the street renaming request for “Hershey-Esbenshade Drive” located on the Liberty University campus between Mountain View Road and Regents Parkway.”

“That the Planning Commission recommends City Council approve Liberty University’s petition for the street renaming request for “Liberty University Drive” located between Liberty Mountain Drive and the intersection of University Boulevard.”

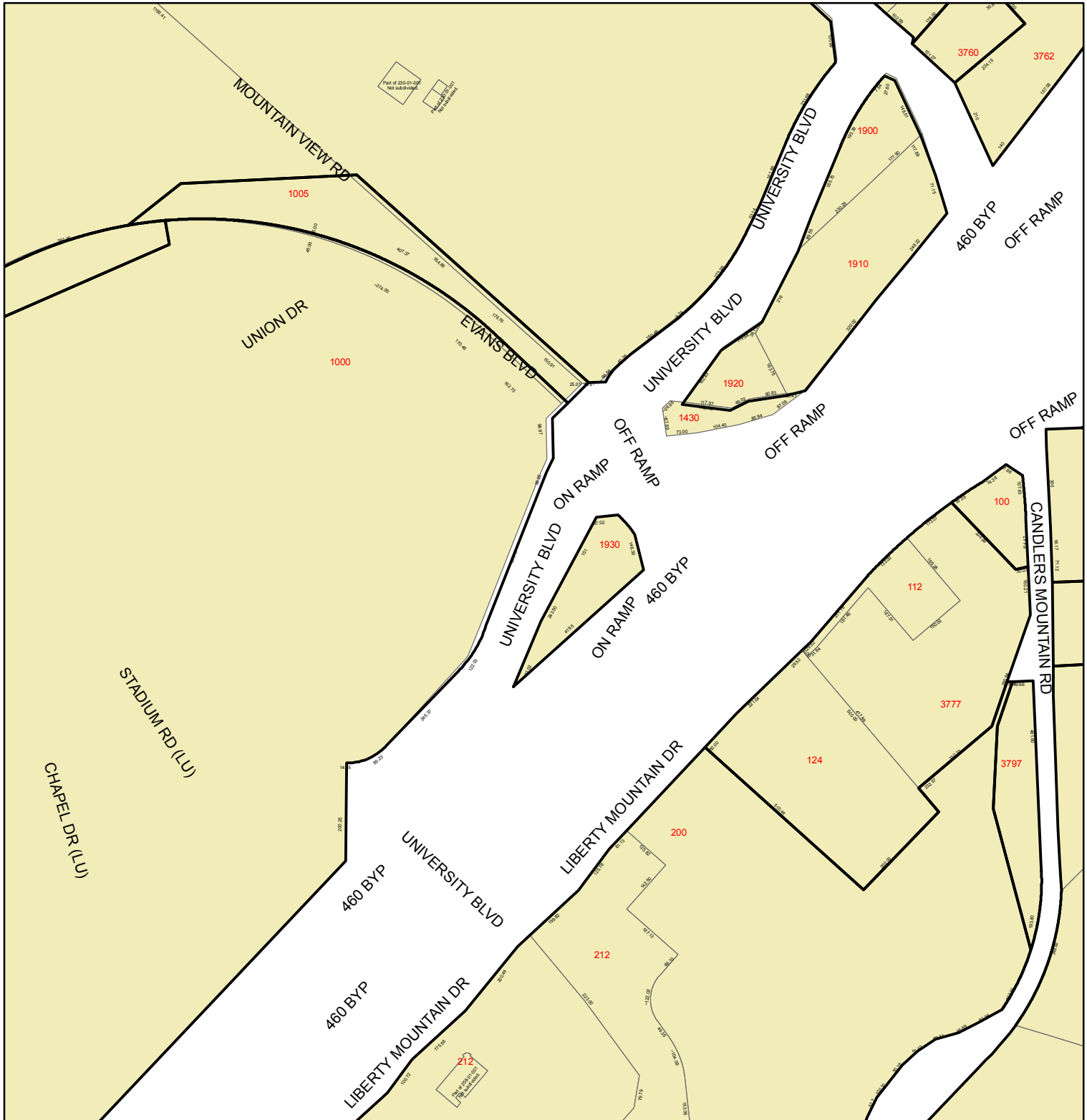
AYES:	Coleman, Hamilton, Hooper, Sale and Swienton	5
NOES:		0
ABSTENTIONS:		0
ABSENT:	Barnes and Hannon	2

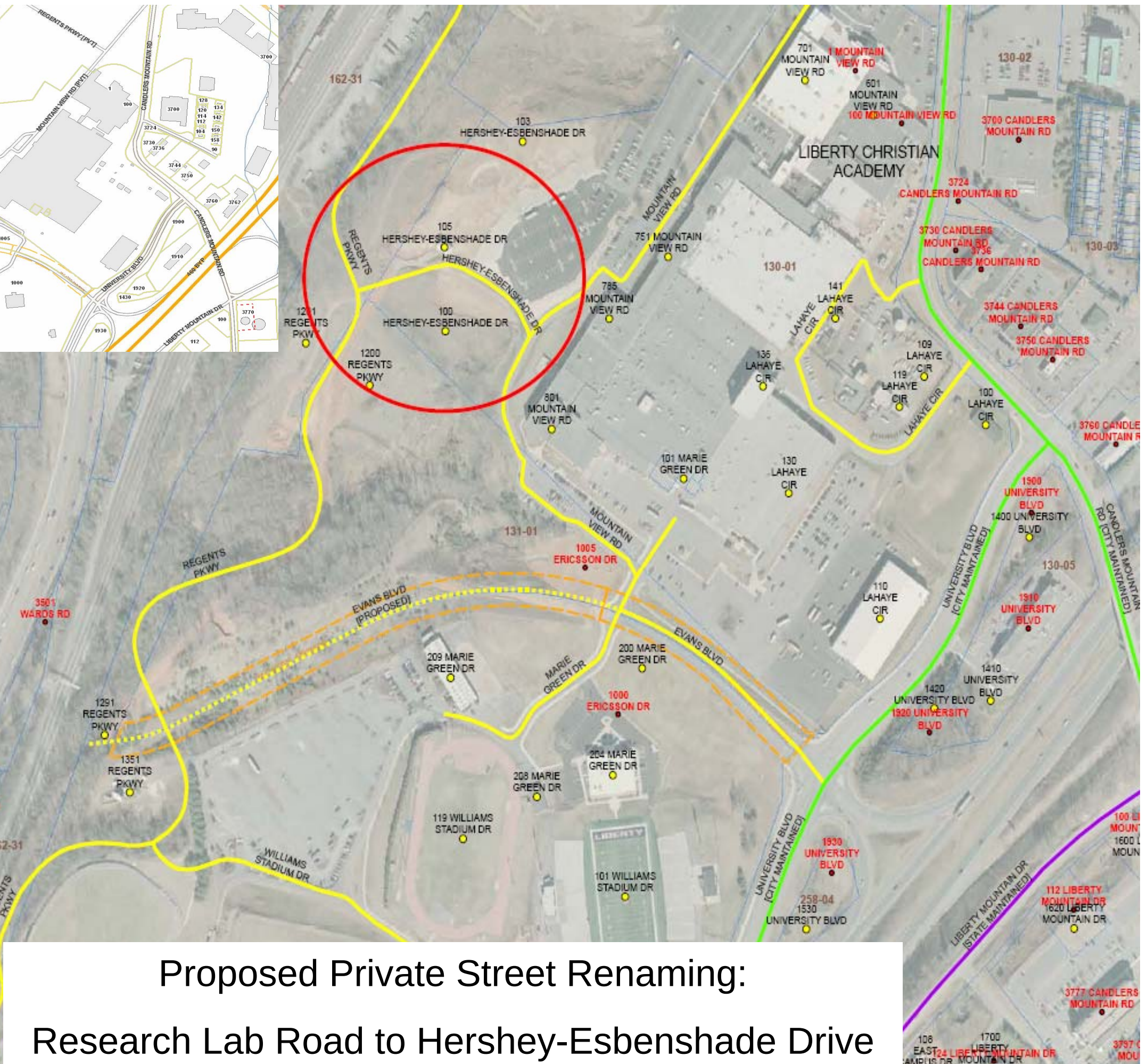
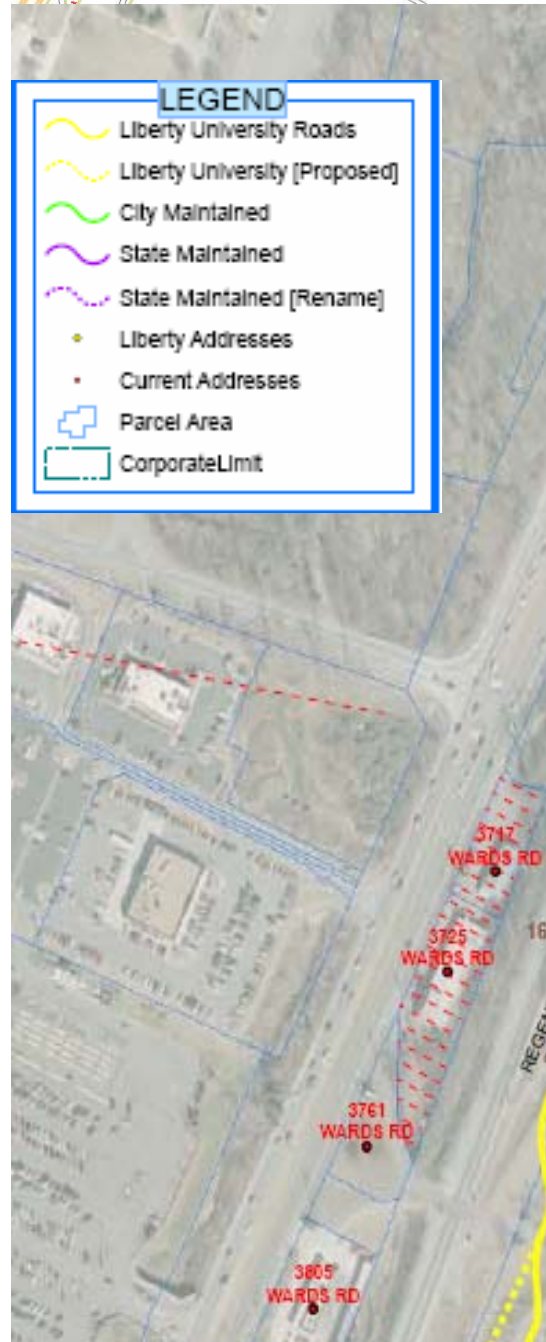
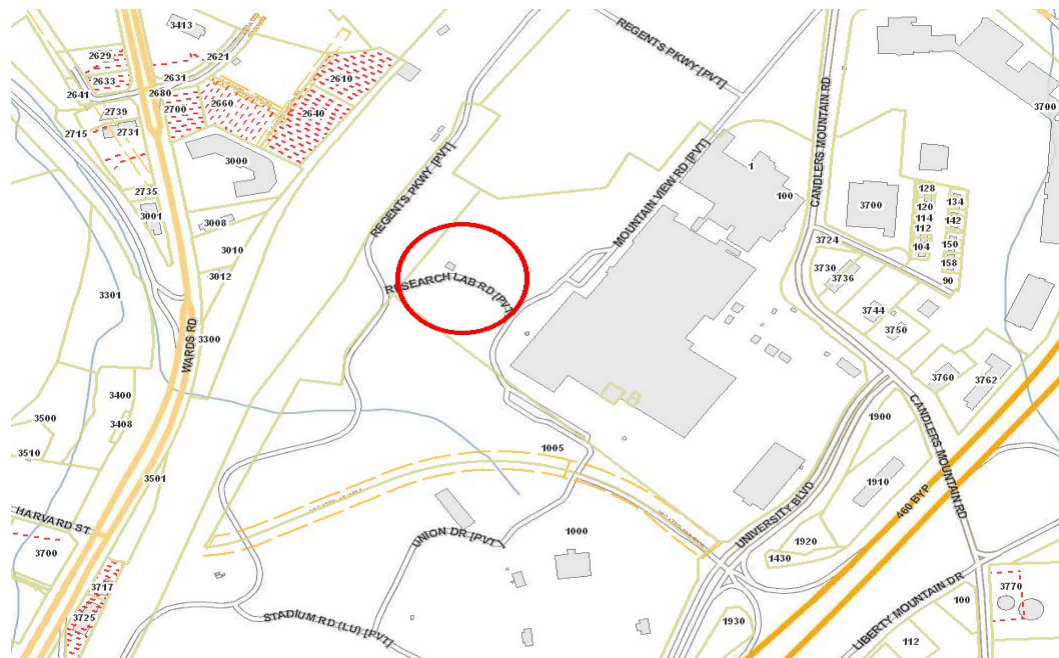
LIBERTY UNIVERSITY CAMPUS PRIVATE STREET RENAMING REQUEST "Research Lab Road" to "Hershey-Esbenshade Drive"

 Subject Property

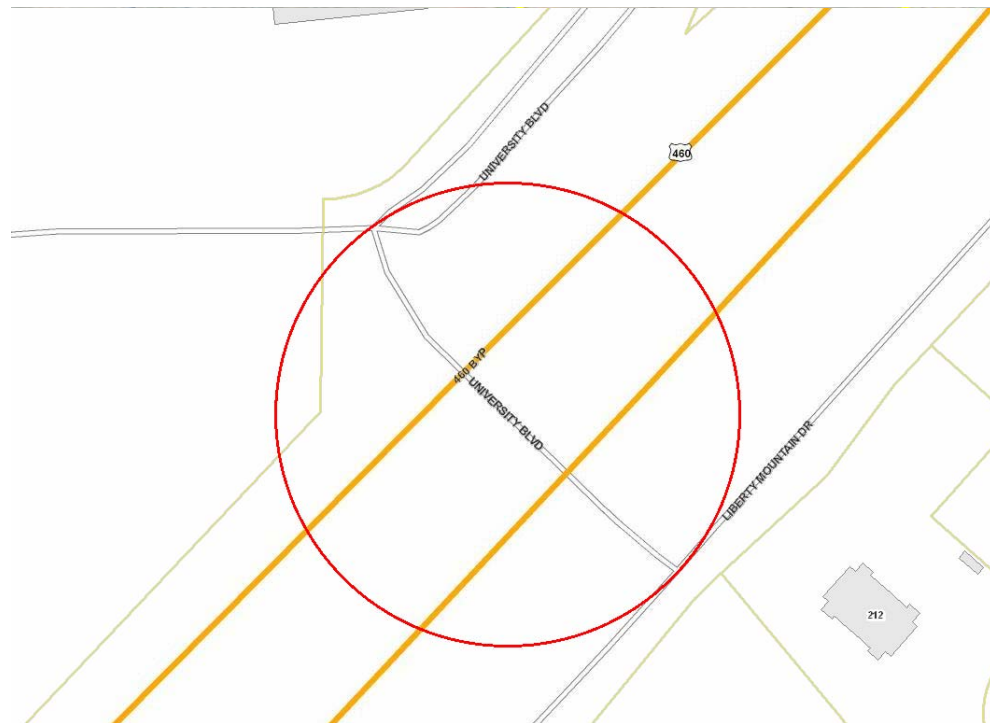


LIBERTY UNIVERSITY CAMPUS PRIVATE STREET RENAMING REQUEST "University Boulevard" to "Liberty University Drive"





Proposed Private Street Renaming:
Research Lab Road to Hershey-Esbenshade Drive



Proposed Public Street Renaming: University Boulevard to Liberty University Drive

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **October 12, 2010**

AGENDA ITEM NO.: **10**

CONSENT:

REGULAR: **X**

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Midtown Connector Phase I – Completion of Right of Way Acquisitions**

RECOMMENDATION: Hold a public hearing to initiate conveyance of approximately 0.064 acres of real property from the City of Lynchburg to the Trustees of Peaceful Baptist Church.

SUMMARY: The purpose of this agenda item is to present to Council a conveyance necessary to complete right of way acquisition from the Trustees of Peaceful Baptist Church. The Trustees have negotiated in good faith with the City to provide right of way for the Midtown Connector. Fee simple acquisition of right of way from the existing property has been agreed to and a purchase contract has been signed by the Trustees. An additional component of this contract includes conveyance of the residual property illustrated in "Exhibit A". Conveyance of the property is necessary to restore parking spaces that will be eliminated by the proposed highway improvements.

PRIOR ACTION(S):

March 25, 1986 - Request to VDOT for Crosstown Connector Programming

January 9, 1990 - Dedication of street right-of-way on Park Avenue

March 12, 1996 - Reprogramming of Crosstown Connector

September 13, 2005 - Update on the Crosstown Connector Project

July 11, 2006 - Work Session, update on "Midtown Connector"

August 8, 2006 - Revised programming resolution with VDOT for Midtown Connector

February 13, 2007 - Dedication of street right-of-way for Midtown Connector, Phase Ia and Ic

March 25, 2008 – Resolution approving location and design public hearing adopted.

June 6, 2010 – Resolutions initiating condemnation proceedings for eight parcels.

FISCAL IMPACT:

None

CONTACT(S):

J. P. Morris, P.E., Engineering Project Manager – Midtown Connector Project – 455-3918

ATTACHMENT(S):

Resolution

Exhibit A -- Illustration of Proposed Conveyance

REVIEWED BY: lkp

RESOLUTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG That the City Manager is hereby authorized to convey approximately 0.064 acres of real property on Langhorne Road, as shown on Exhibit A, Illustration of Proposed Conveyance, to the Trustees of Peaceful Baptist Church in exchange for real property from the church related to the construction of the Midtown Connector Project.

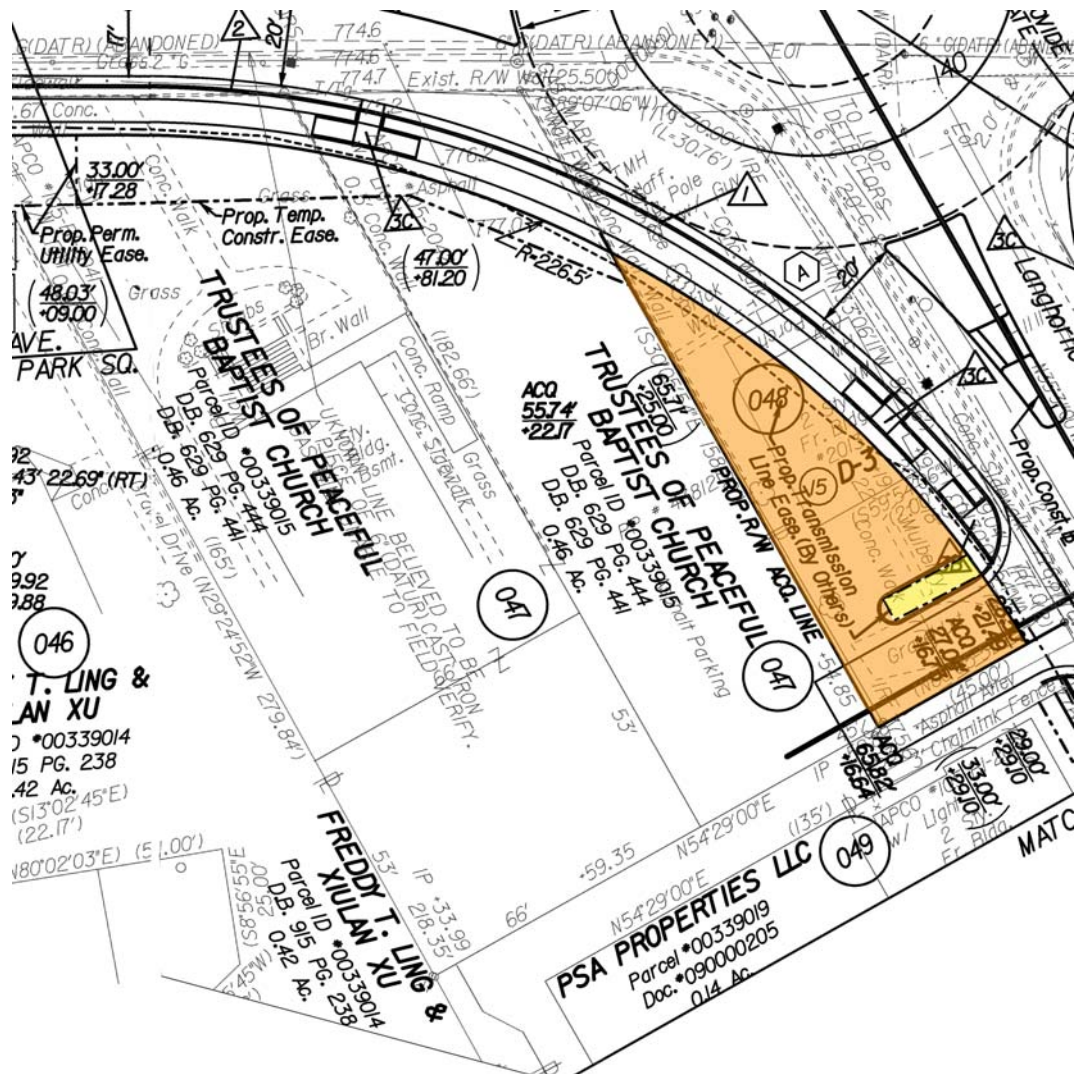
Adopted:

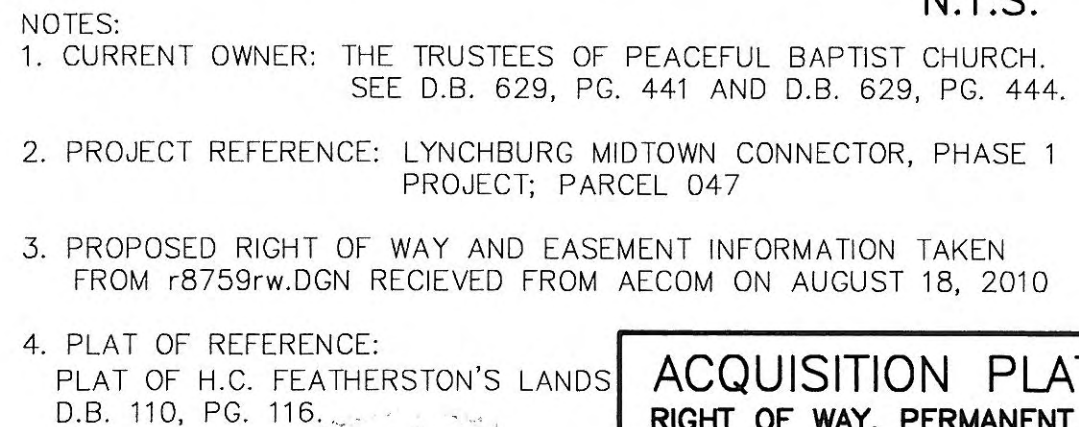
Certified:

Clerk of Council

135L

Illustration of Proposed Conveyance





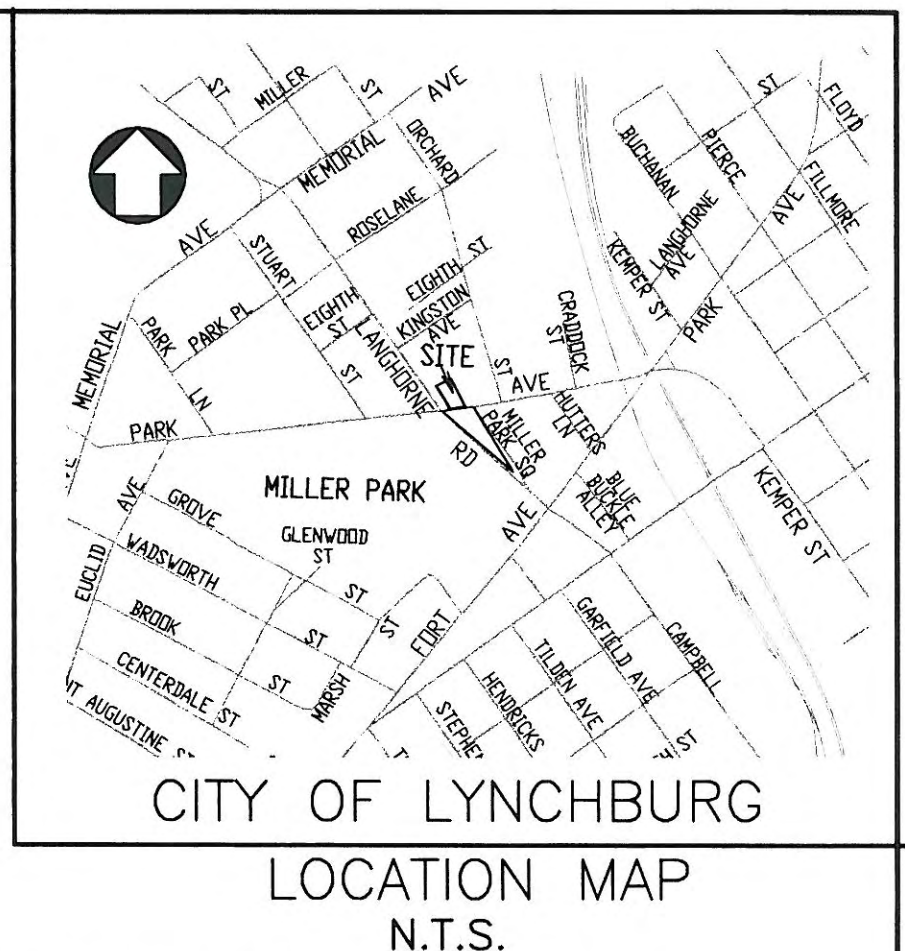
LINE TABLE

L-1	N83°11'24"E	27.41'
L-2	N82°27'35"E	3.83'
L-3	N 6°48'36"W	15.03'
L-4	N82°22'25"E	14.83'
L-5	S77°50'50"E	23.58'

LEGEND

IPF	IRON PIN FOUND
NA. FD	NAIL FOUND IN WALL
	UTILITY POLE
	GAS MARKER
	GUY WIRE

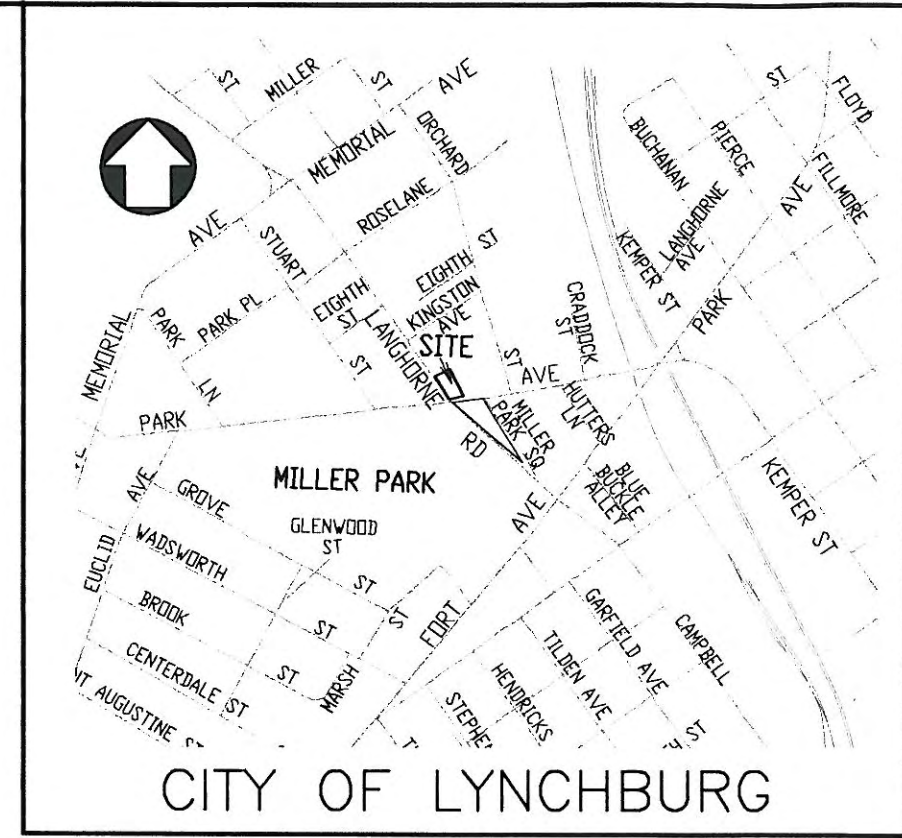
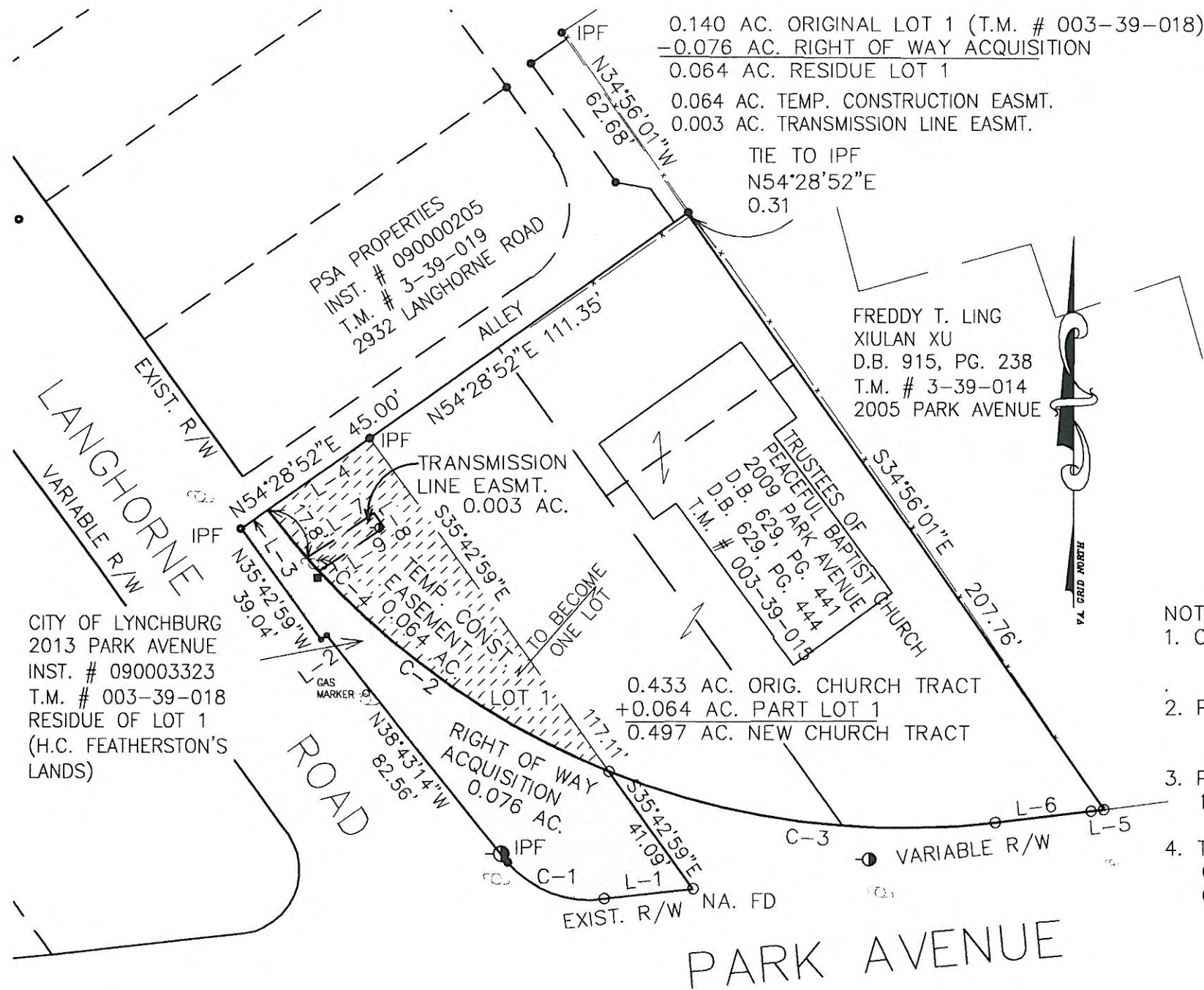
THIS PLAT HAS BEEN REVIEWED AND
ACCEPTED BY THE ENGINEERING
DIVISION OF THE CITY OF LYNCHBURG.



ACQUISITION PLAT SHOWING
RIGHT OF WAY, PERMANENT UTILITY EASEMENT,
AND TEMPORARY CONSTRUCTION EASEMENT
ON THE PROPERTY OF:
THE TRUSTEES OF PEACEFUL BAPTIST CHURCH
2009 PARK AVE., LYNCHBURG, VIRGINIA

THE CITY OF LYNCHBURG, VIRGINIA
ENGINEERING DIVISION

DESIGNED BY: XXX	DRAWN BY: HRT	CHECKED BY: XXX
APP'D. BY: D.G.C.	PROJECT NO.: XXXXX-S	
SCALE: 1" = 40'	FILE NO.: B-2108	
DATE: 9/08/2010	SHEET 1 OF 1	
REVISED:		



- NOTES:
1. CURRENT OWNER: THE CITY OF LYNCHBURG.
SEE INST. # 090003323
 2. PROJECT REFERENCE: LYNCHBURG MIDTOWN CONNECTOR, PHASE 1
PROJECT; PARCEL 048
 3. PROPOSED RIGHT OF WAY AND EASEMENT INFORMATION TAKEN
FROM r8759rw.DGN RECIEVED FROM AECOM ON AUGUST 18, 2010.
 4. THE RESIDUE OF LOT 1, CONTAINING 0.064 ACRES, IS TO BECOME PART
OF THE PROPERTY OF THE TRUSTEES
OF PEACEFUL BAPTIST CHURCH.

CURVE TABLE

DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING
C-1	58°45'00"	R=30.00' L= 30.76'	CH=29.43'	CB=N69°37'12"W
C-2	31°24'05"	R=226.50' L=124.14'	CH=122.59'	CB=S52°42'15"E
C-3	28°24'18"	R=226.50' L=112.29'	CH=111.14'	CB=N82°36'27"W
C-4	01°16'39"	R=226.50' L= 5.05'	CH=5.05'	CB=N42°08'41"W

LINE TABLE

L-1	S83°30'01"W	25.50'	L-7	N55°58'29"E	23.17'
L-2	S54°17'01"W	2.00'	L-8	S34°01'31"E	5.00'
L-3	N54°28'52"E	9.18'	L-9	S55°58'29"W	22.45'
L-4	N54°28'52"E	35.82'			
L-5	S82°27'35"W	3.83'			
L-6	S83°11'24"W	27.41'			

- LEGEND
- IPF IRON PIN FOUND
 - NA. FD NAIL FOUND IN WALL
 - UTILITY POLE
 - GAS MARKER
 - GUY WIRE



THIS PLAT HAS BEEN REVIEWED AND
ACCEPTED BY THE ENGINEERING
DIVISION OF THE CITY OF LYNCHBURG.

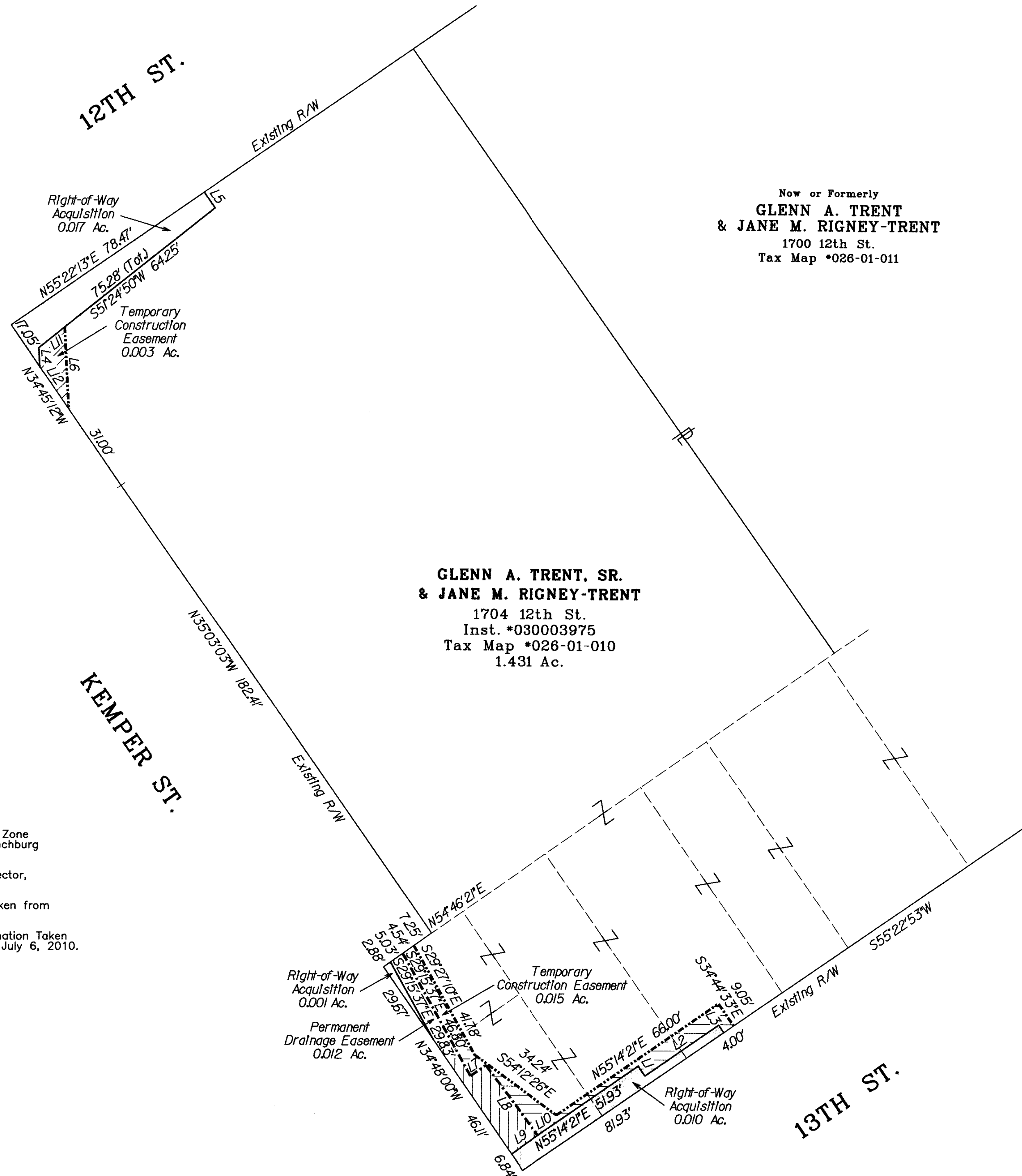
ACQUISITION PLAT SHOWING RIGHT OF WAY,
TRANSMISSION LINE EASEMENT
AND TEMPORARY CONSTRUCTION EASEMENT
ON THE PROPERTY OF THE CITY OF LYNCHBURG
AND PROPERTY TO BE CONVEYED TO THE
TRUSTEES OF PEACEFUL BAPTIST CHURCH
2013 AND 2009 PARK AVE., LYNCHBURG, VA.

THE CITY OF LYNCHBURG, VIRGINIA
 ENGINEERING DIVISION

DESIGNED BY: XXX	DRAWN BY: HRT	CHECKED BY: XXX
APP'D. BY: D.G.C.	PROJECT NO.: XXXXX-S	
SCALE: 1" = 40'	FILE NO.: B-2107	
DATE: 9/09/2010	SHEET 1 OF 1	
REVISED:		

1.431 Acres - Original Parcel Acreage
-0.028 Acres - Right-of-Way Acquisitions
1.403 Acres - Remaining Parcel Acreage
0.018 Acres - Temporary Construction Easements
0.012 Acres - Permanent Drainage Easement

Line Table		
L1	S34°45'39"E	4.00'
L2	N55°14'21"E	30.00'
L3	S34°45'55"E	3.04'
L4	S03°10'48"E	6.47'
L5	S35°04'19"E	6.33'
L6	S02°59'31"E	27.35'
L7	N54°55'41"E	6.29'
L8	S37°15'18"E	29.32'
L9	N55°14'21"E	10.94'
L10	N55°14'21"E	41.00'
L11	S51°24'50"W	11.03'
L12	N34°45'12"W	17.00'



Now or Formerly
**GLENN A. TRENT
& JANE M. RIGNEY-TRENT**
1700 12th St.
Tax Map #026-01-011

**GLENN A. TRENT, SR.
& JANE M. RIGNEY-TRENT**
1704 12th St.
Inst. #030003975
Tax Map #026-01-010
1.431 Ac.

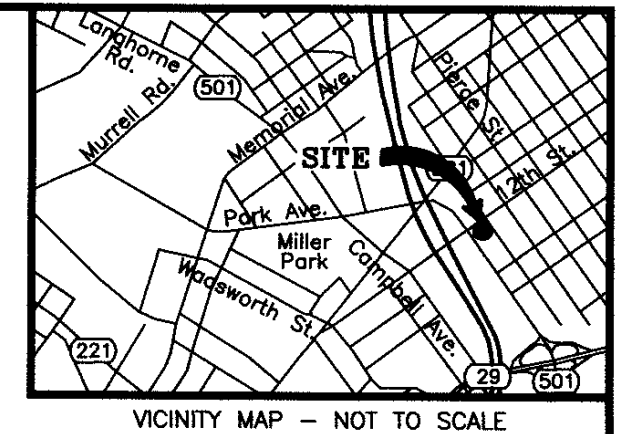
Notes:

1. Current Owner: Glen A. Trent, Sr.
& Jane M. Rigney-Trent
1704 12th St.
Inst. #030003975
Tax Map #026-01-010
2. Meridian Source: Virginia State Plane South Zone
Grid North. Taken from survey files for Lynchburg
Midtown Connector, Phase I project.
3. Project Reference: Lynchburg Midtown Connector,
Phase I Project; Parcel 019
4. Existing Right-of-Way and Property Lines Taken from
VDOT Survey Files Received from AECOM.
5. Proposed Right-of-Way and Easement Information Taken
from r8759rw.dgn Received from AECOM on July 6, 2010.

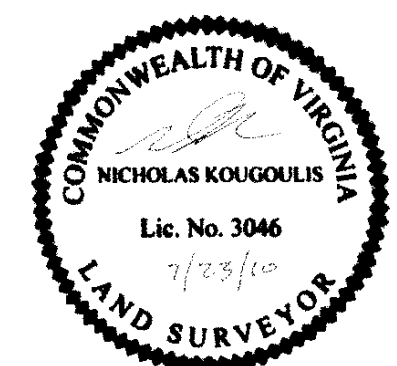
APPROVAL SIGNATURE

[Signature] 7/27/10
CITY ENGINEER DATE

SCALE
0 12.5' 25' 50'



Meridian Source:
Virginia State Plane
South Zone Grid North



ACQUISITION PLAT SHOWING RIGHT-OF-WAY,
TEMP. CONSTRUCTION EASEMENTS, AND PERM.
DRAINAGE EASEMENT ON THE PROPERTY OF

**GLENN A. TRENT, SR.
& JANE M. RIGNEY-TRENT**
1704 12TH STREET
CITY OF LYNCHBURG, VIRGINIA



RMD Engineers, Surveyors
Construction Managers
114 east cary street, suite 200
richmond, virginia 23219
(804) 644-4600

FILE NAME	SCALE	DATE	JOB NO.	CITY FILE NO.
019	1"=25'	July 23, 2010	0810155L	A-3171

1.607 Acres - Original Parcel Acreage
 -0.034 Acres - Kemper St. Right-of-Way Acquisition
 1.573 Acres - Remaining Parcel Acreage
 0.009 Acres - Permanent Drainage Easement
 0.034 Acres - Temporary Construction Easement

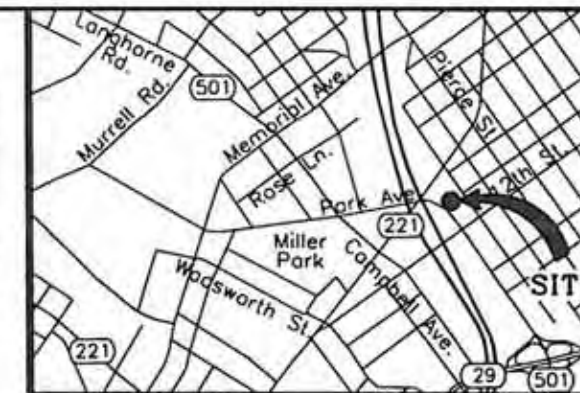
Now or Formerly
AREC 9, LLC
 1760 Park Ave.
 Tax Map #010-57-001

Curve Table

	Delta	Radius	Length	Tangent	Chord	Chord Bearing
C1	03°34'26"	436.60'	27.23'	13.62'	27.23'	N42°58'40"W
C2	23°28'04"	436.60'	178.83'	90.69'	177.58'	N56°29'54"W
C3	03°59'25"	433.00'	30.16'	15.08'	30.15'	S64°40'39"E
C4	13°44'21"	433.00'	103.83'	52.17'	103.58'	S55°48'46"E
C5	03°05'17"	447.00'	24.09'	12.05'	24.09'	S64°13'35"E
C6	13°26'50"	442.00'	103.74'	52.11'	103.50'	S55°57'31"E

Line Table

L1	S27°19'04"W	5.00'
L2	S27°19'04"W	9.00'
L3	S50°24'42"W	5.11'



VICINITY MAP - NOT TO SCALE

**JACK F. NICHOLS
 & PATRICIA H. NICHOLS**
 1100 Kemper St.
 Inst. #030011647
 Tax Map #010-57-011
 1.607 Ac.

Notes:

1. Current Owner: Jack F. Nichols & Patricia H. Nichols
 1100 Kemper St.
 Inst. #030011647
 Tax Map #010-57-011
2. Meridian Source: Virginia State Plane South Zone Grid North. Taken from survey files for Lynchburg Midtown Connector, Phase I project.
3. Project Reference: Lynchburg Midtown Connector, Phase I Project; Parcel 025
4. Existing Right-of-Way and Property Lines Taken from VDOT Survey Files Received from AECOM.
5. Proposed Right-of-Way and Easement Information Taken from r8759rw.dgn Received from AECOM on August 25, 2009.

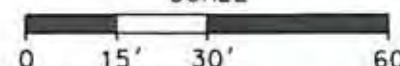


APPROVAL SIGNATURE

J. Z...
 CITY ENGINEER
 DATE 11/18/09

Meridian Source:
 Virginia State Plane
 South Zone Grid North

SCALE



ACQUISITION PLAT SHOWING RIGHT-OF-WAY,
 PERMANENT DRAINAGE EASEMENT,
 AND TEMPORARY CONSTRUCTION EASEMENT
 ON THE PROPERTY OF
**JACK F. NICHOLS
 & PATRICIA H. NICHOLS**
 1100 KEMPER STREET
 CITY OF LYNCHBURG, VIRGINIA



**Engineers, Surveyors
 Construction Managers**
 114 east cary street, suite 200
 richmond, virginia 23219
 (804) 644-4600

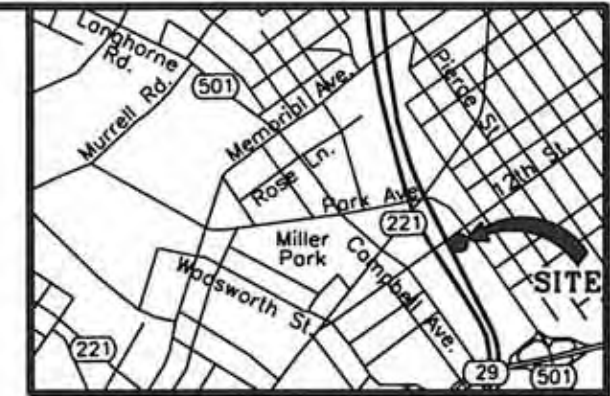
FILE NAME	SCALE	DATE	JOB NO.	CITY FILE NO.
025	1"=30'	August 26, 2009	0810155L	A-3179

1.458 Acres - Original Parcel Acreage
 -0.0004 Acres - Fort Ave. Right-of-Way Acquisition
 1.4576 Acres - Remaining Parcel Acreage
 0.002 Acres - Permanent Drainage Easement
 0.028 Acres - Temporary Construction Easement

Line Table

L1	S27°33'21"E	1.87'
L2	S27°33'21"E	7.03'
L3	N54°59'08"W	2.62'
L4	S29°26'05"W	3.50'
L5	S53°43'21"E	0.65'
L6	S36°16'39"W	21.00'
L7	N53°43'21"W	0.97'
L8	N36°16'39"E	0.72'

Meridian Source:
 Virginia State Plane
 South Zone Grid North



VICINITY MAP - NOT TO SCALE

Notes:

1. Current Owner: Patricia K. Burley
 1825 12th St.
 Inst. #050000506
 Tax Map #010-57-019
2. Meridian Source: Virginia State Plane South Zone Grid North. Taken from survey files for Lynchburg Midtown Connector, Phase I project.
3. Project Reference: Lynchburg Midtown Connector, Phase I Project; Parcel 027
4. Existing Right-of-Way and Property Lines Taken from VDOT Survey Files Received from AECOM.
5. Proposed Right-of-Way and Easement Information Taken from r8759r.dgn Received from AECOM on March 23, 2010.

Now or Formerly
SOUTHERN RAILWAY CO.
 1809 12th St.
 Tax Map #010-57-017

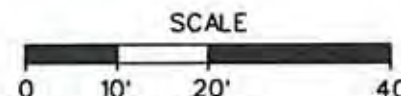
PATRICIA K. BURLEY
 1825 12th St.
 Inst. #050000506
 Tax Map #010-57-019
 1.458 Ac.



Now or Formerly
CITY OF LYNCHBURG
 1930 Fort Ave.
 Tax Map #010-57-020

APPROVAL SIGNATURE

[Signature] 7/27/10
 CITY ENGINEER DATE



ACQUISITION PLAT SHOWING RIGHT-OF-WAY,
 PERMANENT DRAINAGE EASEMENT,
 AND TEMPORARY CONSTRUCTION EASEMENT
 ON THE PROPERTY OF

PATRICIA K. BURLEY

1825 12TH STREET
 CITY OF LYNCHBURG, VIRGINIA



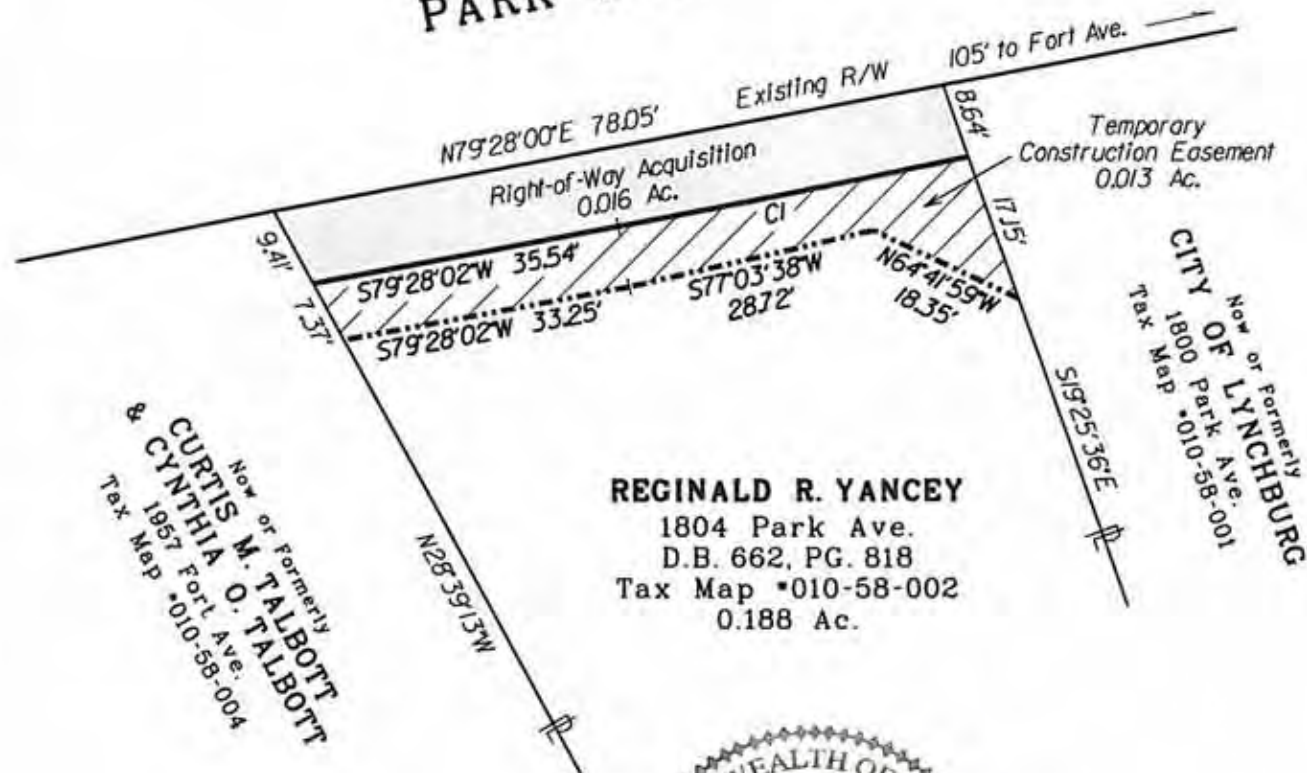
K&M Engineers, Surveyors
 Construction Managers
 114 east cary street, suite 200
 richmond, virginia 23219
 (804) 644-4600

FILE NAME	SCALE	DATE	JOB NO.	CITY FILE NO.
027	1"=20'	July 22, 2010	0810155L	A-3181

0.188 Acres - Original Parcel Acreage
 -0.016 Acres - Park Ave. Right-of-Way Acquisition
 0.172 Acres - Remaining Parcel Acreage
 0.013 Acres - Temporary Construction Easement

Curve Table						
	Delta	Radius	Length	Tangent	Chord	Chord Bearing
CI	0°09'32"	2023.00'	40.92'	20.46'	40.91'	S78°53'16"W

PARK AVE.



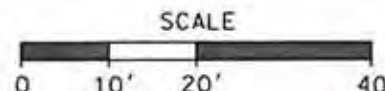
No. or Formerly
CURTIS M. TALBOTT
 & **CYNTHIA O. TALBOTT**
 1857 Fort Ave.
 Tax Map #010-58-004

REGINALD R. YANCEY
 1804 Park Ave.
 D.B. 662, PG. 818
 Tax Map #010-58-002
 0.188 Ac.

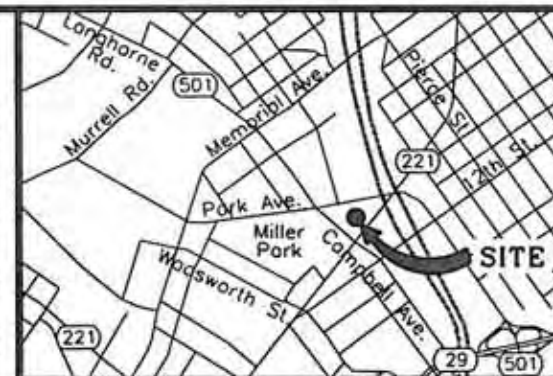


APPROVAL SIGNATURE

[Signature] 12/22/09
 CITY ENGINEER DATE



Meridian Source:
 Virginia State Plane
 South Zone Grid North



VICINITY MAP - NOT TO SCALE

Notes:

1. Current Owner: Reginald R. Yancey
 1804 Park Ave.
 D.B. 662, PG. 818
 Tax Map #010-58-002
2. Meridian Source: Virginia State Plane South Zone.
 Grid North. Taken from survey files for Lynchburg
 Midtown Connector, Phase I project.
3. Project Reference: Lynchburg Midtown Connector,
 Phase I Project; Parcel 030
4. Existing Right-of-Way and Property Lines Taken from
 VDOT Survey Files Received from AECOM.
5. Proposed Right-of-Way and Easement Information Taken
 from r8759rw.dgn Received from AECOM on August 25, 2009.

ACQUISITION PLAT SHOWING RIGHT-OF-WAY
 AND TEMPORARY CONSTRUCTION EASEMENT
 ON THE PROPERTY OF

REGINALD R. YANCEY

1804 PARK AVENUE
 CITY OF LYNCHBURG, VIRGINIA



ncd | Engineers, Surveyors
 Construction Managers
 114 east cary street, suite 200
 richmond, virginia 23219
 (804) 644-4600

FILE NAME	SCALE	DATE	JOB NO.	CITY FILE NO.
030	1"=20'	Sept. 8, 2009	0810155L	A-3184

0.26 Acres - Original Parcel Acreage
 -0.017 Acres - Park Ave. Right-of-Way Acquisition
 0.243 Acres - Remaining Parcel Acreage
 0.022 Acres - Temporary Construction Easement

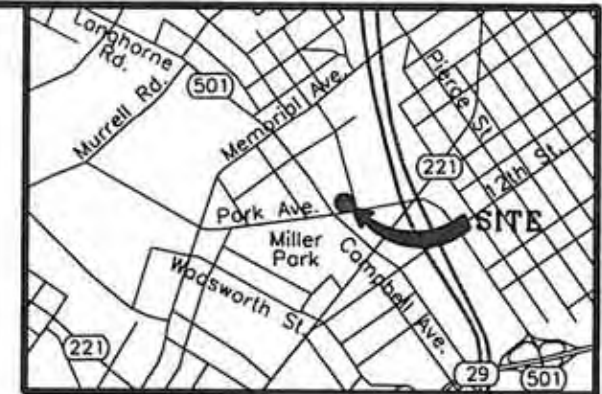


Now or Formerly
**FREDDY T. LING &
 XIULAN XU**
 2005 Park Ave.
 Tax Map #003-39-014

WINFRED DAVIS
 2001 Park Ave.
 D.B. 737, Pg. 772
 Tax Map #003-39-013
 0.26 Ac.

LINE TABLE		
L1	N72°56'28"E	1.01'
L2	N72°56'28"E	4.98'
L3	N16°06'06"W	20.01'
L4	N72°56'28"E	3.48'

Meridian Source:
 Virginia State Plane
 South Zone Grid North



VICINITY MAP - NOT TO SCALE

Notes:

1. Current Owner: Winfred Davis
 2001 Park Ave.
 D.B. 737, Pg. 772
 Tax Map #003-39-013
2. Meridian Source: Virginia State Plane South Zone Grid North. Taken from survey files for Lynchburg Midtown Connector, Phase I project.
3. Project Reference: Lynchburg Midtown Connector, Phase I Project; Parcel 045
4. Existing Right-of-Way and Property Lines Taken from VDOT Survey Files Received from AECOM.
5. Proposed Right-of-Way and Easement Information Taken from r8759rw.dgn Received from AECOM on April 23, 2009.

ACQUISITION PLAT SHOWING RIGHT-OF-WAY
 AND TEMPORARY CONSTRUCTION EASEMENT
 ON THE PROPERTY OF

WINFRED DAVIS

2001 PARK AVENUE
 CITY OF LYNCHBURG, VIRGINIA



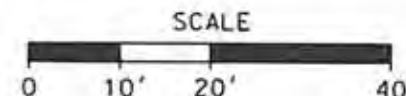
ncd | Engineers, Surveyors
 Construction Managers
 114 east cary street, suite 200
 richmond, virginia 23219
 (804) 644-4600

FILE NAME	SCALE	DATE	JOB NO.	CITY FILE NO.
045	1"=20'	May 6, 2009	0810155L	A-3200

APPROVAL SIGNATURE

CITY ENGINEER

DATE



0.32 Acres - Original Parcel Acreage
 -0.055 Acres - Langhorne Rd. Right-of-Way Acquisition
 0.265 Acres - Remaining Parcel Acreage
 0.021 Acres - Temporary Construction Easement

Now or Formerly
WILLIAM C. STEVENSON

2931 Langhorne Rd.
 Tax Map #003-36-011

Now or Formerly
**HOWARD L. TUCKER &
 BLANCHE M. TUCKER**

2103 Park Ave.
 Tax Map #003-36-013



APPROVAL SIGNATURE

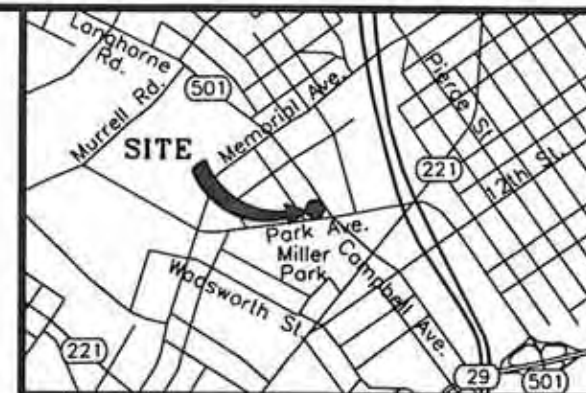
CITY ENGINEER

DATE

Curve Table

	Delta	Radius	Length	Tangent	Chord	Chord Bearing
C1	85°15'14"	19.50'	29.02'	17.95'	26.41'	S26°23'27"W
C2	07°02'22"	285.16'	35.04'	17.41'	35.01'	N75°45'07"E
C3	3°53'51"	99.00'	55.12'	28.29'	54.41'	N20°01'32"W

Meridian Source:
 Virginia State Plane
 South Zone Grid North



VICINITY MAP - NOT TO SCALE

Notes:

1. Current Owner: Courtney D. Brown & William C. Rountrey
 2101 Park Ave.
 D.B. 940, PG. 783
 Tax Map #003-36-012
2. Meridian Source: Virginia State Plane South Zone Grid North. Taken from survey files for Lynchburg Midtown Connector, Phase I project.
3. Project Reference: Lynchburg Midtown Connector, Phase I Project; Parcel 050
4. Existing Right-of-Way and Property Lines Taken from VDOT Survey Files Received from AECOM.
5. Proposed Right-of-Way and Easement Information Taken from r8759rw.dgn Received from AECOM on August 12, 2009.

ACQUISITION PLAT SHOWING RIGHT-OF-WAY
 AND TEMPORARY CONSTRUCTION EASEMENT
 ON THE PROPERTY OF

**COURTNEY D. BROWN &
 WILLIAM C. ROUNTREY**

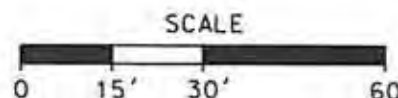
2101 PARK AVENUE
 CITY OF LYNCHBURG, VIRGINIA



ncd | Engineers, Surveyors
 Construction Managers

114 east cary street, suite 200
 richmond, virginia 23219
 (804) 644-4600

FILE NAME	SCALE	DATE	JOB NO.	CITY FILE NO.
050	1"=30'	Aug. 13, 2009	0810155L	A-3205

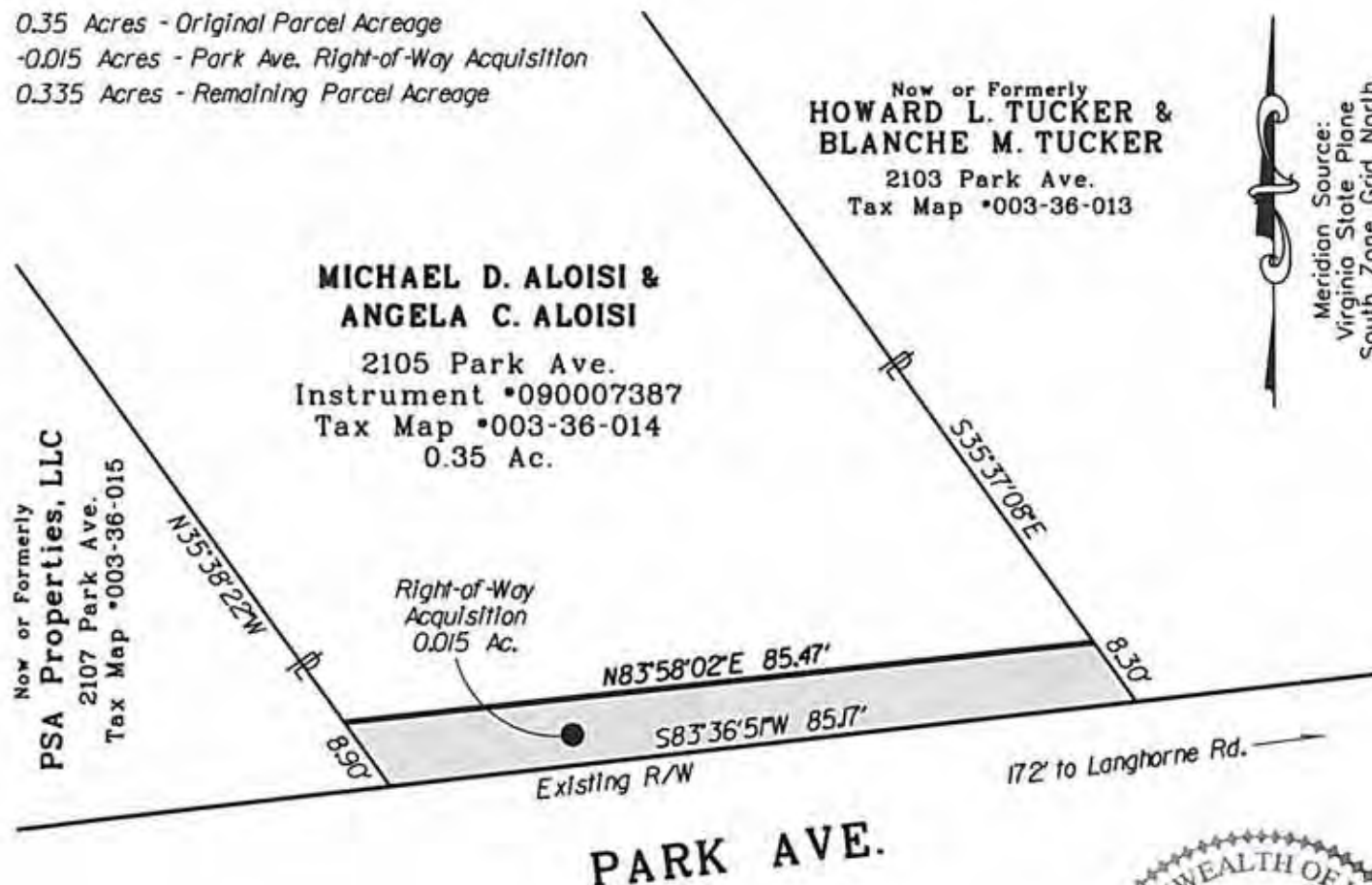


0.35 Acres - Original Parcel Acreage
 -0.015 Acres - Park Ave. Right-of-Way Acquisition
 0.335 Acres - Remaining Parcel Acreage

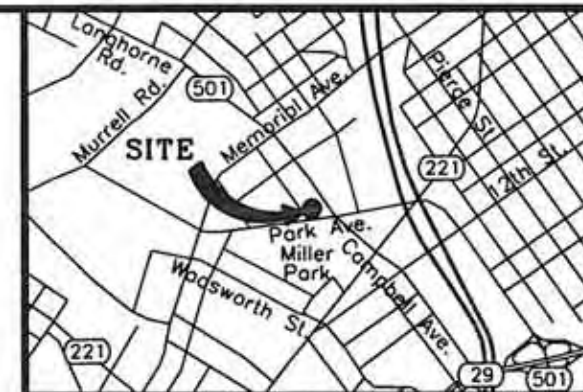
Now or Formerly
**HOWARD L. TUCKER &
 BLANCHE M. TUCKER**
 2103 Park Ave.
 Tax Map #003-36-013

**MICHAEL D. ALOISI &
 ANGELA C. ALOISI**
 2105 Park Ave.
 Instrument #090007387
 Tax Map #003-36-014
 0.35 Ac.

Now or Formerly
PSA Properties, LLC
 2107 Park Ave.
 Tax Map #003-36-015



Meridian Source:
 Virginia State Plane
 South Zone Grid North



VICINITY MAP - NOT TO SCALE

Notes:

1. Current Owner: Michael D. Aloisi & Angela C. Aloisi
 2105 Park Ave.
 Instrument #090007387
 Tax Map #003-36-014
2. Meridian Source: Virginia State Plane South Zone Grid North. Taken from survey files for Lynchburg Midtown Connector, Phase I project.
3. Project Reference: Lynchburg Midtown Connector, Phase I Project; Parcel 052
4. Existing Right-of-Way and Property Lines Taken from VDOT Survey Files Received from AECOM.
5. Proposed Right-of-Way and Easement Information Taken from r8759rw.dgn Received from AECOM on August 25, 2009.

ACQUISITION PLAT SHOWING RIGHT-OF-WAY
 ON THE PROPERTY OF

**MICHAEL D. ALOISI &
 ANGELA C. ALOISI**

2105 PARK AVENUE
 CITY OF LYNCHBURG, VIRGINIA



mad | Engineers, Surveyors
 Construction Managers
 114 east cary street, suite 200
 richmond, virginia 23219
 (804) 644-4600

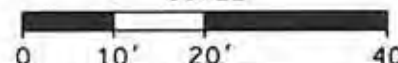


APPROVAL SIGNATURE

[Signature]
 CITY ENGINEER

12/22/09
 DATE

SCALE



FILE NAME	SCALE	DATE	JOB NO.	CITY FILE NO.
052	1"=20'	Dec. 2, 2009	0810155L	A-3207

0.15 Acres - Original Parcel Acreage
-0.011 Acres - Langhorne Rd. Right-of-Way Acquisition
0.139 Acres - Remaining Parcel Acreage
0.017 Acres - Temporary Construction Easements

ALLEY

S35°28'02"E 48.89' Existing R/W

Temporary
Construction Easement
0.012 Ac.

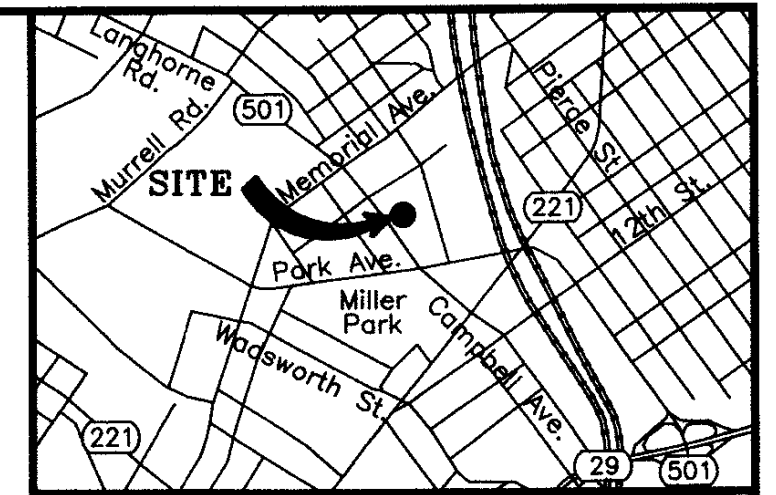
N36°25'09"W 48.89'

Now or Formerly
TYREE PROPERTIES, LLC
2928 Langhorne Rd.
Tax Map *003-39-002

JOYCE A. CRAWLEY
2930 Langhorne Rd.
Inst. #040001238
Tax Map *003-39-020
0.15 Ac.

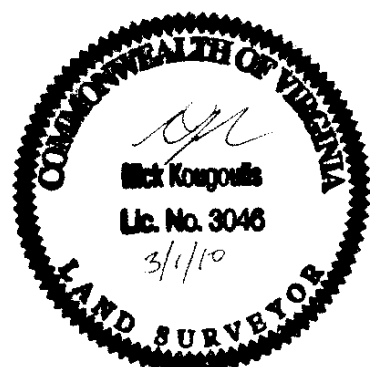
Now or Formerly
PSA PROPERTIES, LLC
2932 & 2934 Langhorne Rd.
Tax Map *003-39-019
Tax Map *003-39-023

Meridian Source:
Virginia State Plane
South Zone Grid North



Notes:

1. Current Owner: Joyce A. Crawley
2930 Langhorne Rd.
Inst. #040001238
Tax Map #003-39-020
2. Meridian Source: Virginia State Plane South Zone
Grid North. Taken from survey files for Lynchburg
Midtown Connector, Phase I project.
3. Project Reference: Lynchburg Midtown Connector,
Phase I Project; Parcel 055
4. Existing Right-of-Way and Property Lines Taken from
VDOT Survey Files Received from AECOM.
5. Proposed Right-of-Way and Easement Information Taken
from r8759rw.dgn Received from AECOM on December 21, 2009.



APPROVAL SIGNATURE

CITY ENGINEER

DATE

3/2/10

LANGHORNE RD.

SCALE
0 5' 10' 20'

ACQUISITION PLAT SHOWING RIGHT-OF-WAY AND
TEMPORARY CONSTRUCTION EASEMENTS
ON THE PROPERTY OF

JOYCE A. CRAWLEY

2930 LANGHORNE ROAD
CITY OF LYNCHBURG, VIRGINIA



RND Engineers, Surveyors
Construction Managers
114 east cary street, suite 200
richmond, virginia 23219
(804) 644-4600

FILE NAME	SCALE	DATE	JOB NO.	CITY FILE NO.
055	1"=10'	Jan. 21, 2010	0810155L	A-3210

0.12 Acres - Original Parcel Acreage
 -0.008 Acres - Langhorne Rd. Right-of-Way Acquisition
 0.112 Acres - Remaining Parcel Acreage
 0.008 Acres - Temporary Construction Easement

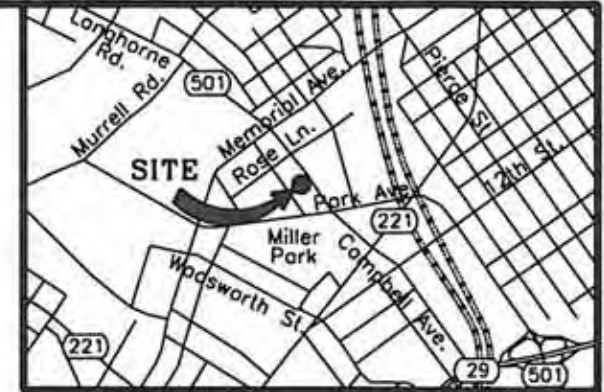
Now or Formerly
BEDFORD FOUR, INC.
 2919 Langhorne Rd.
 Tax Map #003-36-005

PSA PROPERTIES
 2921 Langhorne Rd.
 Instrument #100005194
 Tax Map #003-36-006
 0.12 Ac.

Now or Formerly
**ELEANOR K. HARPER &
 TERRY G. HARPER**
 2923 Langhorne Rd.
 Tax Map #003-36-007



Meridian Source:
 Virginia State Plane
 South Zone Grid North



VICINITY MAP - NOT TO SCALE

Notes:

1. Current Owner: PSA Properties
 2921 Langhorne Rd.
 Instrument #100005194
 Tax Map #003-36-006
2. Meridian Source: Virginia State Plane South Zone Grid North. Taken from survey files for Lynchburg Midtown Connector, Phase I project.
3. Project Reference: Lynchburg Midtown Connector, Phase I Project; Parcel 062
4. Existing Right-of-Way and Property Lines Taken from VDOT Survey Files Received from AECOM.
5. Proposed Right-of-Way and Easement Information Taken from r8759rw.dgn Received from AECOM on April 23, 2009.

ACQUISITION PLAT SHOWING RIGHT-OF-WAY
 AND TEMPORARY CONSTRUCTION EASEMENT
 ON THE PROPERTY OF

PSA PROPERTIES

2921 LANGHORNE ROAD
 CITY OF LYNCHBURG, VIRGINIA



RND | Engineers, Surveyors
 Construction Managers
 114 east cary street, suite 200
 richmond, virginia 23219
 (804) 644-4600

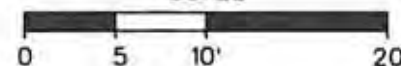
APPROVAL SIGNATURE

CITY ENGINEER

DATE

9/20/10

SCALE



FILE NAME	SCALE	DATE	JOB NO.	CITY FILE NO.
062	1"=10'	Sept. 16, 2010	0810155L	A-3217

0.12 Acres - Original Parcel Acreage
 -0.009 Acres - Langhorne Rd. Right-of-Way Acquisition
 0.111 Acres - Remaining Parcel Acreage
 0.009 Acres - Temporary Construction Easement

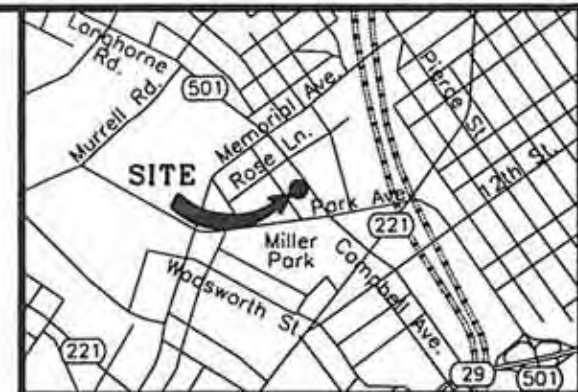
Now or Formerly
SANDY W. SALE
 2915 Langhorne Rd.
 Tax Map #003-36-003

LA VERNE K. NOWLIN
 2917 Langhorne Rd.
 D.B. 899, Pg. 88
 Tax Map #003-36-004
 0.12 Ac.

Now or Formerly
BEDFORD FOUR, INC.
 2919 Langhorne Rd.
 Tax Map #003-36-005



Meridian Source:
 Virginia State Plane
 South Zone Grid North



VICINITY MAP - NOT TO SCALE

Notes:

1. Current Owner: La Verne K. Nowlin
 2917 Langhorne Rd.
 D.B. 899, Pg. 88
 Tax Map #003-36-004
2. Meridian Source: Virginia State Plane South Zone
 Grid North. Taken from survey files for Lynchburg
 Midtown Connector, Phase I project.
3. Project Reference: Lynchburg Midtown Connector,
 Phase I Project; Parcel 064
4. Existing Right-of-Way and Property Lines Taken from
 VDOT Survey Files Received from AECOM.
5. Proposed Right-of-Way and Easement Information Taken
 from r8759rw.dgn Received from AECOM on April 23, 2009.

ACQUISITION PLAT SHOWING RIGHT-OF-WAY
 AND TEMPORARY CONSTRUCTION EASEMENT
 ON THE PROPERTY OF

LA VERNE K. NOWLIN

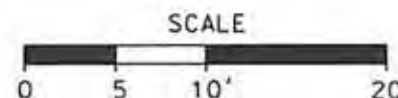
2917 LANGHORNE ROAD
 CITY OF LYNCHBURG, VIRGINIA



ncd | Engineers, Surveyors
 Construction Managers
 114 east cory street, suite 200
 richmond, virginia 23219
 (804) 644-4600

APPROVAL SIGNATURE

[Signature] 5/20/09
 CITY ENGINEER DATE



0.311 Acres - Original Parcel Acreage
 -0.017 Acres - Langhorne Rd. Right-of-Way Acquisition
 0.294 Acres - Remaining Parcel Acreage
 0.018 Acres - Temporary Construction Easement

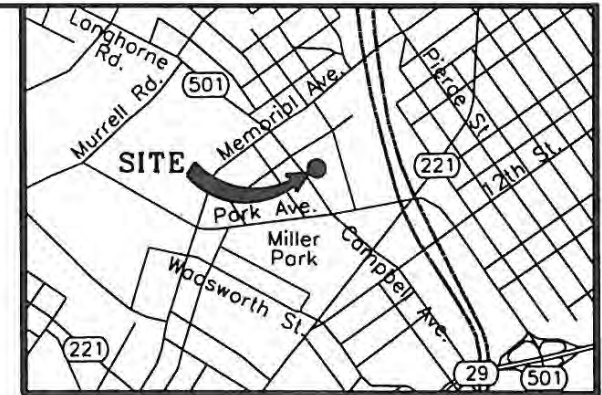
Now or Formerly
CITY OF LYNCHBURG
 2906 Langhorne Rd.
 Tax Map #003-34-020

**DOUGLAS F. CLINE
 & LISA W. CLINE**
 2908 Langhorne Rd.
 Inst. #020013456
 Tax Map #003-34-019
 0.311 Ac.

Now or Formerly
HILLCREST ASSOCIATES, INC.
 2910 Langhorne Rd.
 Tax Map #003-34-012



Meridian Source:
 Virginia State Plane
 South Zone Grid North



VICINITY MAP - NOT TO SCALE

Notes:

1. Current Owner: Douglas F. Cline & Lisa W. Cline
 2908 Langhorne Rd.
 Inst. #020013456
 Tax Map #003-34-019
2. Meridian Source: Virginia State Plane South Zone
 Grid North. Taken from survey files for Lynchburg
 Midtown Connector, Phase I project.
3. Project Reference: Lynchburg Midtown Connector,
 Phase I Project; Parcel 068
4. Existing Right-of-Way and Property Lines Taken from
 VDOT Survey Files Received from AECOM.
5. Proposed Right-of-Way and Easement Information Taken
 from r8759rw.dgn Received from AECOM on Dec 21, 2009.

ACQUISITION PLAT SHOWING RIGHT-OF-WAY
 AND TEMPORARY CONSTRUCTION EASEMENT
 ON THE PROPERTY OF

**DOUGLAS F. CLINE
 & LISA W. CLINE**

2908 LANGHORNE ROAD
 CITY OF LYNCHBURG, VIRGINIA



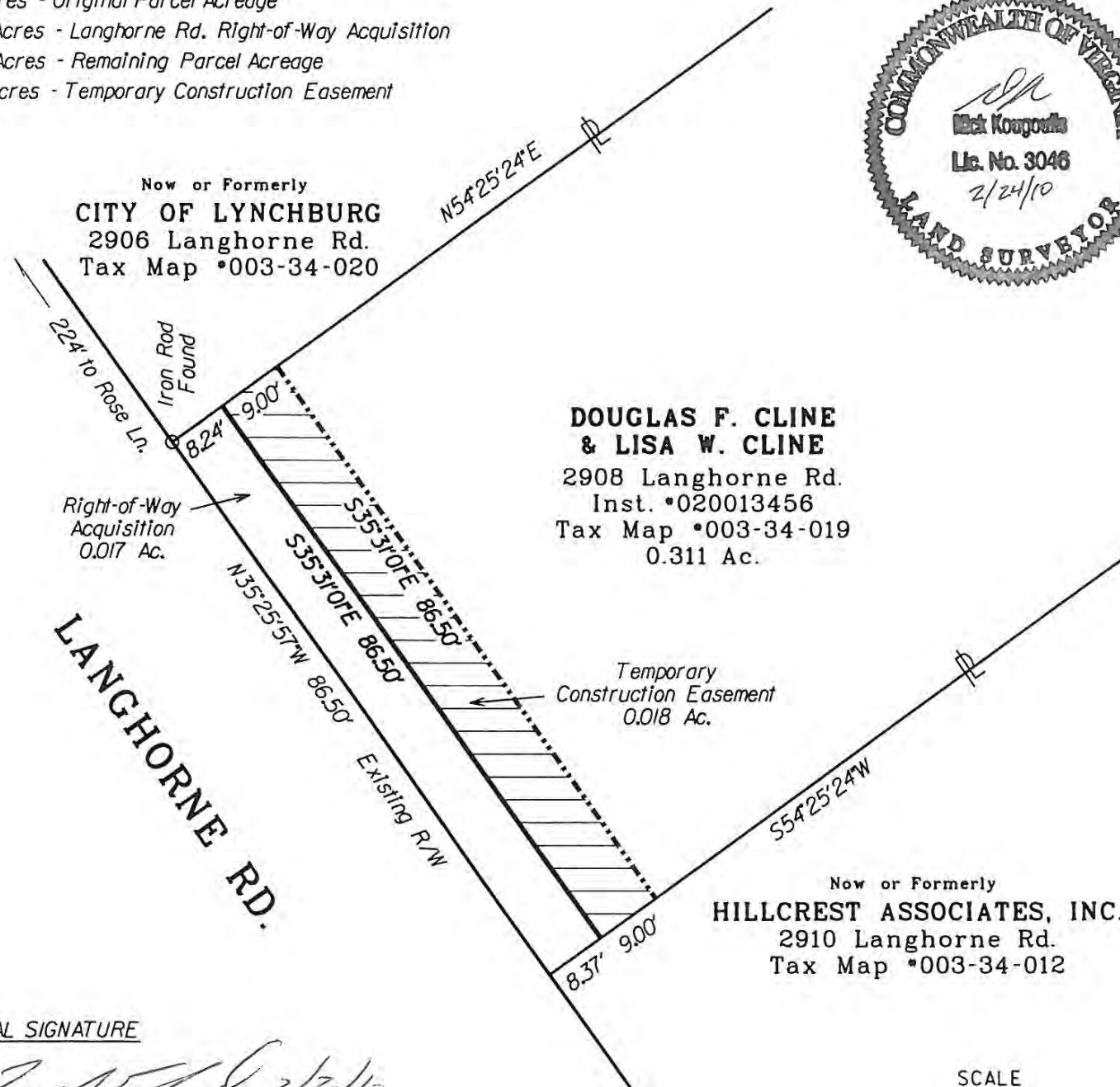
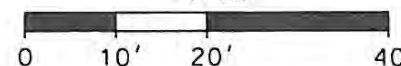
ndd | Engineers, Surveyors
 Construction Managers
 114 east cary street, suite 200
 richmond, virginia 23219
 (804) 644-4600

FILE NAME	SCALE	DATE	JOB NO.	CITY FILE NO.
068	1"=20'	Jan. 18, 2010	0810155L	A-3223

APPROVAL SIGNATURE

[Signature] 3/2/10
 CITY ENGINEER DATE

SCALE



1.005 Acres - Total Original Project Parcel Acreage
 -0.063 Acres - Total Memorial Ave. & Langhorne Rd.
 Right-of-Way Acquisition
 1.042 Acres - Total Remaining Project Parcel Acreage
 0.035 Acres - Total Temporary Construction Easements

MEMORIAL AVE.

Right-of-Way Acquisition
 0.002 Ac.

Existing R/W

Temporary Construction Easement
 0.001 Ac.

KAREN G. BERRY
 2004 Memorial Ave.
 Inst. *070004281
 Tax Map *003-33-002
 0.338 Ac.

KAREN G. BERRY
 2020 Memorial Ave.
 Inst. *070004281
 Tax Map *003-33-001
 0.142 Ac.

Temporary Construction Easement
 0.004 Ac.

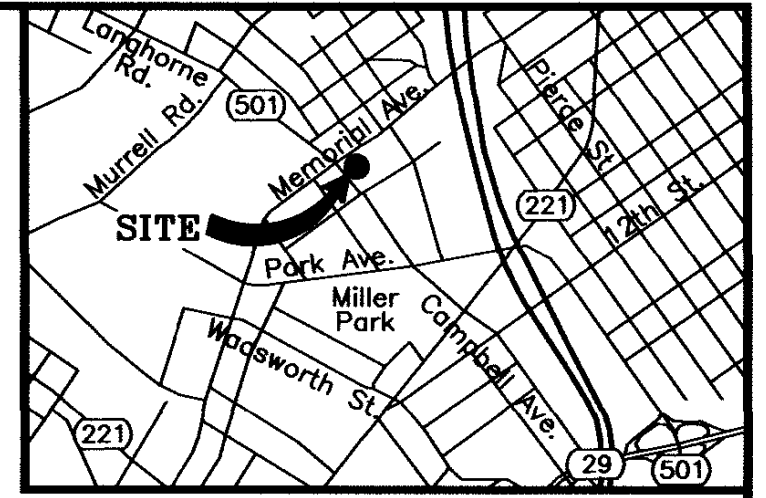
Right-of-Way Acquisition
 0.002 Ac.

KAREN G. BERRY
 2804 Langhorne Rd.
 Inst. *070004281
 Tax Map *003-33-013
 0.398 Ac.

KAREN G. BERRY
 2810 Langhorne Rd.
 Inst. *070004281
 Tax Map *003-33-014
 0.227 Ac.

Now or Formerly
EDITH V. WADE
 2025 Rose Ln.
 Tax Map *003-33-024

Meridian Source:
 Virginia State Plane
 South Zone Grid North



VICINITY MAP - NOT TO SCALE

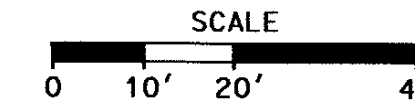
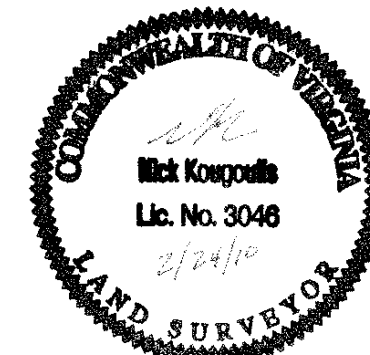
Line Table		
L1	S35°39'14"E	4.50'
L2	N50°07'15"E	7.51'
L3	S35°39'14"E	2.50'
L4	N50°07'15"E	15.05'
L5	S43°08'03"E	7.46'
L6	S54°20'59"W	16.82'
L7	S54°20'59"W	17.19'
L8	N36°04'40"W	4.50'
L9	N36°04'40"W	2.50'

Notes:

- Current Owner: Karen G. Berry
 2804 & 2810 Langhorne Rd. &
 2004 & 2020 Memorial Ave.
 Inst. #070004281
 Tax Map #003-33-014
 Tax Map #003-33-013
 Tax Map #003-33-001
 Tax Map #003-33-002
- Meridian Source: Virginia State Plane South Zone Grid North. Taken from survey files for Lynchburg Midtown Connector, Phase I project.
- Project Reference: Lynchburg Midtown Connector, Phase I Project; Parcel 079
- Existing Right-of-Way and Property Lines Taken from VDOT Survey Files Received from AECOM.
- Proposed Right-of-Way and Easement Information Taken from r8759rw.dgn Received from AECOM on August 25, 2009.

APPROVAL SIGNATURE

[Signature] 3/2/10
 CITY ENGINEER DATE



ACQUISITION PLAT SHOWING RIGHT-OF-WAY,
 AND TEMPORARY CONSTRUCTION EASEMENTS
 ON THE PROPERTY OF

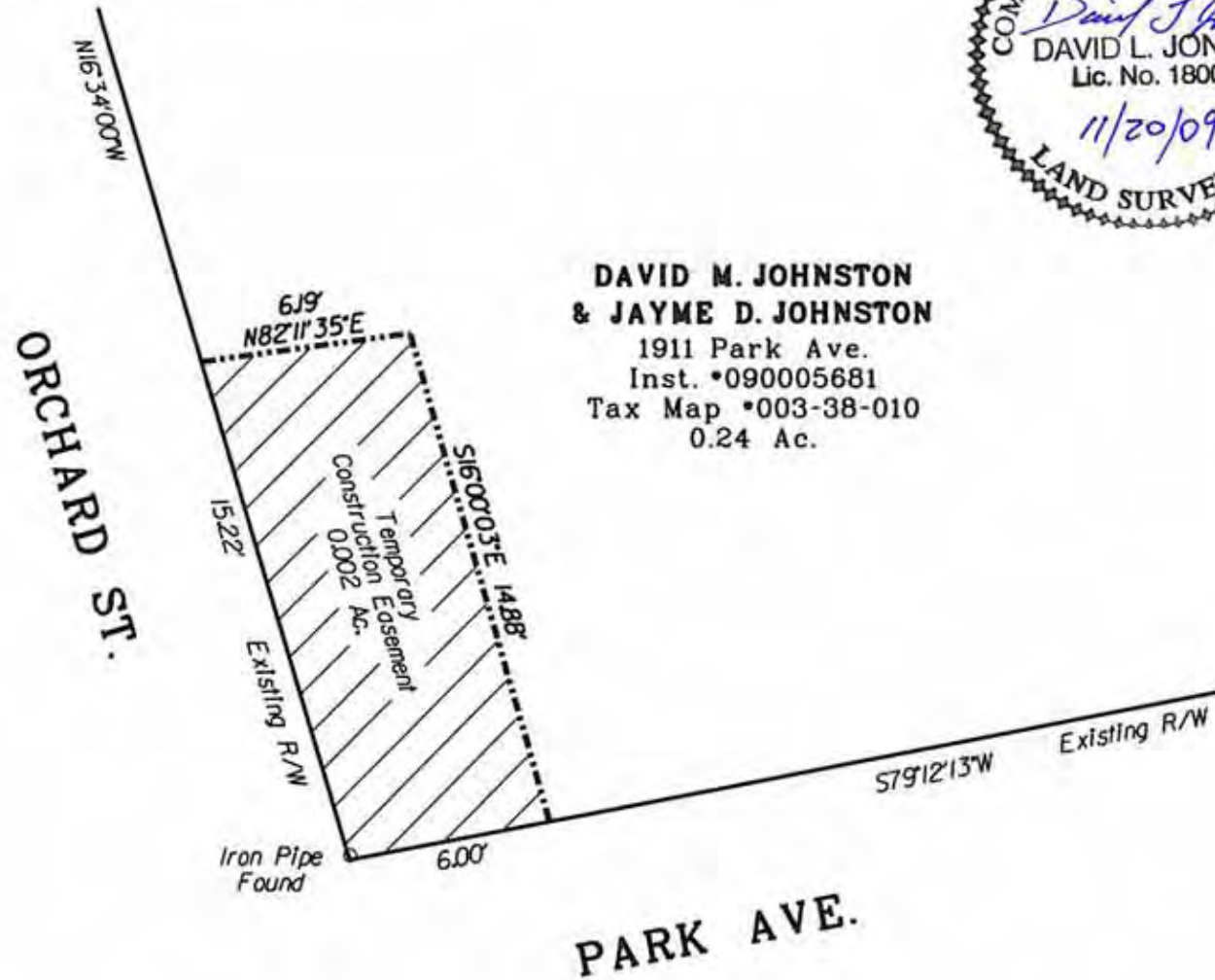
KAREN G. BERRY

2804 & 2810 LANGHORNE ROAD, &
 2004 & 2020 MEMORIAL AVENUE
 CITY OF LYNCHBURG, VIRGINIA

nd Engineers, Surveyors
 Construction Managers
 114 east cary street, suite 200
 richmond, virginia 23219
 (804) 644-4600

FILE NAME	SCALE	DATE	JOB NO.	CITY FILE NO.
079	1"=20'	Jan. 11, 2010	0810155L	A-3234

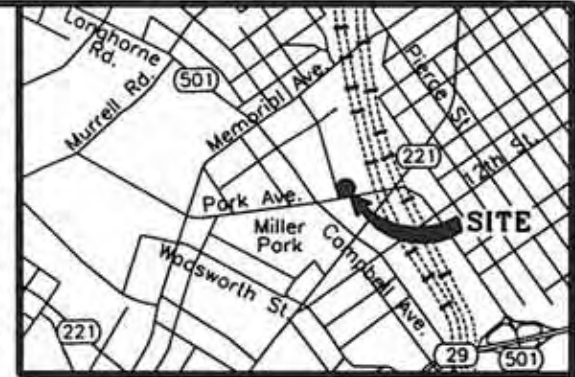
0.24 Acres - Parcel Acreage
0.002 Acres - Temporary Construction Easement



**DAVID M. JOHNSTON
& JAYME D. JOHNSTON**
1911 Park Ave.
Inst. #090005681
Tax Map #003-38-010
0.24 Ac.



Meridian Source:
Virginia State Plane
South Zone Grid North



VICINITY MAP - NOT TO SCALE

Notes:

1. Current Owner: David M. Johnston
& Jayme D. Johnston
1911 Park Ave.
Inst. #090005681
Tax Map #003-38-010
2. Meridian Source: Virginia State Plane South Zone
Grid North. Taken from survey files for Lynchburg
Midtown Connector, Phase I project.
3. Project Reference: Lynchburg Midtown Connector,
Phase I Project; Parcel 088
4. Existing Right-of-Way and Property Lines Taken from
VDOT Survey Files Received from AECOM.
5. Proposed Right-of-Way and Easement Information Taken
from r8759rw.dgn Received from AECOM on August 25, 2009.

PLAT SHOWING
TEMPORARY CONSTRUCTION EASEMENT
ON THE PROPERTY OF

**DAVID M. JOHNSTON
& JAYME D. JOHNSTON**

1911 PARK AVENUE
CITY OF LYNCHBURG, VIRGINIA



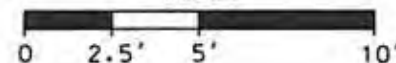
rdm | Engineers, Surveyors
Construction Managers
114 east cary street, suite 200
richmond, virginia 23219
(804) 644-4600

APPROVAL SIGNATURE

CITY ENGINEER

DATE

SCALE



FILE NAME	SCALE	DATE	JOB NO.	CITY FILE NO.
088	1"=5'	Sept. 6, 2009	0810155L	A-3243

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **October 12, 2010**

AGENDA ITEM NO.: 11

CONSENT:

REGULAR: **X**

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Midtown Connector Phase I – Completion of Right of Way Acquisitions**

RECOMMENDATION: Hold a public hearing to initiate condemnation proceedings and adopt resolutions authorizing condemnation of thirteen parcels, or portions thereof, required for Phase I of the Midtown Connector Project.

SUMMARY: The purpose of this agenda item is to present to Council a list of thirteen right of way acquisitions for the Midtown Connector that are unable to be closed at this time and may require a Certificate of Take be filed with the Circuit Court. Legal technicalities, breach of contract, and stalled negotiations prevent closing these acquisitions and necessitate the condemnations. While staff is requesting this authorization, it is important to note that all reasonable and prudent efforts have been taken to move each parcel to closing and avoid filing Certificate of Take on these parcels. Those efforts will continue to the greatest extent possible, even after a Certificate of Take is filed.

The Midtown Connector – Phase I encompasses the reconstruction of 1.2 miles of urban minor arterial roadway, water lines, sanitary sewers, storm sewers, and landscaping. Commencing near the intersection of Kemper St. and 16th St., the project continues along Kemper St., Park Ave., and Langhorne Road. The project ends at the intersection of Murrell Road and Langhorne Road. Final design engineering services and right of way acquisition services commenced on the project in November 2008. Over 100 separate parcels have been evaluated and addressed by engineering and right of way teams contracted to perform the work, of these, approximately 80 have been acquired administratively.

As the plans have now reached the final review stage, staff and consultants are working to complete right of way acquisition and the administrative requirements necessary prior to advertising the plans for construction bidding. One requirement prior to receiving VDOT and FHWA authorization to advertise the project is that the City certify completion of the right of way phase. Specifically, the certification statement must include: *“In accordance with State and Federal Code, all necessary rights of way have been acquired or legal right of entry onto each parcel has been obtained for the advertisement and construction of this project.”* To make this statement, right of way acquisitions for each parcel must be closed, or a Certificate of Take must be filed with the Circuit Court.

A detailed resolution for each parcel is attached to this report and includes the plat referenced there in.

PRIOR ACTION(S):

March 25, 1986 - Request to VDOT for Crosstown Connector Programming

January 9, 1990 - Dedication of street right-of-way on Park Avenue

March 12, 1996 - Reprogramming of Crosstown Connector

September 13, 2005 - Update on the Crosstown Connector Project

July 11, 2006 - Work Session, update on “Midtown Connector”

August 8, 2006 - Revised programming resolution with VDOT for Midtown Connector

February 13, 2007 - Dedication of street right-of-way for Midtown Connector, Phase Ia and Ic

March 25, 2008 – Resolution approving location and design public hearing adopted.

June 6, 2010 – Resolutions initiating condemnation proceedings for eight parcels.

FISCAL IMPACT: Fair market compensation for each take is included in each property specific resolution. Costs will be paid by project funds.

CONTACT(S):

J. P. Morris, P.E., Engineering Project Manager – Midtown Connector Project – 455-3918

ATTACHMENT(S): Condemnation resolution and acquisition plat for each parcel.

REVIEWED BY: lkp

RESOLUTION

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS BY THE CITY OF LYNCHBURG TO ACQUIRE FEE SIMPLE RIGHT-OF-WAYS, TEMPORARY CONSTRUCTION EASEMENTS AND A PERMANENT DRAINAGE EASEMENT ON A PARCEL OF LAND FRONTING ON 12TH STREET IN THE CITY OF LYNCHBURG, DESIGNATED AS TAX MAP NO. 026-01-010 FOR THE CONSTRUCTION OF THE MID-TOWN CONNECTOR FROM THE LYNCHBURG U.S. ROUTE 29 BYPASS TO THE INTERSECTION OF LANGHORNE ROAD AND ATHERHOLT ROAD (U.S. 501 BUSINESS).

WHEREAS, in the opinion of the Council of the City of Lynchburg, it is hereby, authorized and

WHEREAS, in the opinion of the Council of the City of Lynchburg, it is hereby, authorized and directed to institute and prosecute condemnation proceedings in accordance with the provisions of Section 38-B(2) of the Charter of the City of Lynchburg (Acts of Assembly, 1968, Chapter 22, page 49), to acquire the fee simple title, to acquire rights of way, temporary construction easements and a permanent drainage easement on the property owned by Glenn A. Trent, Sr. and Jane M. Rigney-Trent as described according to a plat made by NXL, Engineers, Surveyors, Construction Managers, dated July 23, 2010, a copy of which is attached.

WHEREAS, in order to do so, it will be necessary to acquire fee simple rights-of-way, temporary construction easements and a permanent drainage easement across said property;

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

1. That the City Attorney be, and he is hereby, authorized and directed to institute and prosecute condemnation proceedings in accordance with the provisions of 38-B(2) of the Charter of the City of Lynchburg to acquire fee simple rights of way, temporary construction easements and a permanent drainage easement on the property owned by Glenn A. Trent, Sr. and Jane M. Rigney-Trent which property is described in the hereinabove mentioned plat as follows:

Fee Simple Right-of-Ways

All those lots or parcels shown on the attached plat as "Right of Way Acquisition 0.017 Ac.", "Right of Way Acquisition 0.010 Ac." and "Right of Way Acquisition 0.001 Ac."

Temporary Construction Easements

The parcels shown on the attached plat as "Temporary Construction Easement 0.015 Ac." and "Temporary Construction Easement 0.003 Ac."

Permanent Drainage Easement

The parcel shown on the attached plat as "Permanent Drainage Easement 0.012 Ac."

2. That in the opinion of the City Council, a public necessity exists for the acquisition of said rights-of-way, temporary construction easements and permanent drainage easement.

3. That in order to provide the total estimated necessary funds to compensate the owners of the property for the fee simple rights of way, temporary construction easements and a permanent drainage easement to be acquired, and for any damages, the sum of which is determined to be \$24,915.00 which has been heretofore appropriated, and the Director of Finance be, and she is hereby, authorized and directed when so directed by the City Attorney to present a check for deposit with the Clerk's Office of the Circuit Court for the City of Lynchburg, Virginia, for such condemnation proceedings.

That the City Attorney is fully authorized and directed to act for and on behalf of the City of Lynchburg in agreeing or disagreeing with the owners of said property upon the compensation to be paid therefore within the limits of the funds provided herein for that purpose and the Mayor, Vice Mayor, or City Manager is authorized to sign, in the name of the City, any proper petitions, pleadings, or necessary documents to be filed or presented at any stage of the proceedings.

Adopted:

Certified:

Interim Clerk of Council

134L01

RESOLUTION

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS BY THE CITY OF LYNCHBURG TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY, A TEMPORARY CONSTRUCTION EASEMENT AND PERMANENT DRAINAGE EASEMENT ON A PARCEL OF LAND FRONTING ON KEMPER STREET IN THE CITY OF LYNCHBURG, DESIGNATED AS TAX MAP NO. 010-57-011 FOR THE CONSTRUCTION OF THE MID-TOWN CONNECTOR FROM THE LYNCHBURG U.S. ROUTE 29 BYPASS TO THE INTERSECTION OF LANGHORNE ROAD AND ATHERHOLT ROAD (U.S. 501 BUSINESS).

WHEREAS, in the opinion of the Council of the City of Lynchburg, it is hereby, authorized and

WHEREAS, in the opinion of the Council of the City of Lynchburg, it is hereby, authorized and directed to institute and prosecute condemnation proceedings in accordance with the provisions of Section 38-B(2) of the Charter of the City of Lynchburg (Acts of Assembly, 1968, Chapter 22, page 49), to acquire the fee simple title, to acquire a temporary construction easement and a permanent drainage easement on the property owned by Jack F. Nichols and Patricia H. Nichols as described according to a plat made by NXL, Engineers, Surveyors, Construction Managers, dated August 26, 2009, a copy of which is attached.

WHEREAS, in order to do so, it will be necessary to acquire fee simple right-of-way, temporary construction easements and permanent drainage easements across said property;

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

1. That the City Attorney be, and he is hereby, authorized and directed to institute and prosecute condemnation proceedings in accordance with the provisions of 38-B(2) of the Charter of the City of Lynchburg to acquire the fee simple title, a temporary construction easement and a permanent drainage easement on the property owned by Jack F. Nichols and Patricia H. Nichols which property is described in the hereinabove mentioned plat as follows:

Fee Simple Right-of-Way

All that lot or parcel shown on the attached plat as "Kemper St. Right of Way Acquisition 0.034 Ac."

Temporary Construction Easement

The parcel shown on the attached plat as "Temporary Construction Easement 0.034 Ac."

Permanent Drainage Easement

The parcel shown on the attached plat as "Permanent Drainage Easement 0.009 Ac."

2. That in the opinion of the City Council, a public necessity exists for the acquisition of said right-of-way, temporary construction easement and permanent drainage easement.

3. That in order to provide the total estimated necessary funds to compensate the owners of the property for the fee simple right of way, a temporary construction easement and a permanent drainage easement to be acquired, and for any damages, the sum of which is determined to be \$34,000 which has been heretofore appropriated, and the Director of Finance be, and she is hereby, authorized and directed when so directed by the City Attorney to present a check for deposit with the Clerk's Office of the Circuit Court for the City of Lynchburg, Virginia, for such condemnation proceedings.

That the City Attorney is fully authorized and directed to act for and on behalf of the City of Lynchburg in agreeing or disagreeing with the owners of said property upon the compensation to be paid therefore within the limits of the funds provided herein for that purpose and the Mayor, Vice Mayor, or City Manager is authorized to sign, in the name of the City, any proper petitions, pleadings, or necessary documents to be filed or presented at any stage of the proceedings.

Adopted:

Certified:

Clerk of Council

134L02

RESOLUTION

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS BY THE CITY OF LYNCHBURG TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY, A TEMPORARY CONSTRUCTION EASEMENT AND PERMANENT DRAINAGE EASEMENT ON A PARCEL OF LAND FRONTING ON FORT AVENUE IN THE CITY OF LYNCHBURG, DESIGNATED AS TAX MAP NO. 010-57-019 FOR THE CONSTRUCTION OF THE MID-TOWN CONNECTOR FROM THE LYNCHBURG U.S. ROUTE 29 BYPASS TO THE INTERSECTION OF LANGHORNE ROAD AND ATHERHOLT ROAD (U.S. 501 BUSINESS).

WHEREAS, in the opinion of the Council of the City of Lynchburg, it is hereby, authorized and

WHEREAS, in the opinion of the Council of the City of Lynchburg, it is hereby, authorized and directed to institute and prosecute condemnation proceedings in accordance with the provisions of Section 38-B(2) of the Charter of the City of Lynchburg (Acts of Assembly, 1968, Chapter 22, page 49), to acquire the fee simple title, to acquire a temporary construction easement and a permanent drainage easement on the property owned by Patricia K. Burley as described according to a plat made by NXL, Engineers, Surveyors, Construction Managers, dated August 13, 2009, a copy of which is attached.

WHEREAS, in order to do so, it will be necessary to acquire fee simple right-of-way, temporary construction easements and permanent drainage easements across said property;

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

1. That the City Attorney be, and he is hereby, authorized and directed to institute and prosecute condemnation proceedings in accordance with the provisions of 38-B(2) of the Charter of the City of Lynchburg to acquire the fee simple title, a temporary construction easement and a permanent drainage easement on the property owned by Patricia K. Burley which property is described in the hereinabove mentioned plat as follows:

Fee Simple Right-of-Way

All that lot or parcel shown on the attached plat as "Fort Ave. Right of Way Acquisition 0.0004 Ac."

Temporary Construction Easement

The parcel shown on the attached plat as "Temporary Construction Easement 0.030 Ac."

Permanent Drainage Easement

The parcel shown on the attached plat as "Permanent Drainage Easement 0.002 Ac."

2. That in the opinion of the City Council, a public necessity exists for the acquisition of said right-of-way, temporary construction easements and permanent drainage easements.

3. That in order to provide the total estimated necessary funds to compensate the owners of the property for the fee simple right of way, a temporary construction easement and a permanent drainage easement to be acquired, and for any damages, the sum of which is determined to be \$950.00 which has been heretofore appropriated, and the Director of Finance be, and she is hereby, authorized and directed when so directed by the City Attorney to present a check for deposit with the Clerk's Office of the Circuit Court for the City of Lynchburg, Virginia, for such condemnation proceedings.

That the City Attorney is fully authorized and directed to act for and on behalf of the City of Lynchburg in agreeing or disagreeing with the owners of said property upon the compensation to be paid therefore within the limits of the funds provided herein for that purpose and the Mayor, Vice Mayor, or City Manager is authorized to sign, in the name of the City, any proper petitions, pleadings, or necessary documents to be filed or presented at any stage of the proceedings.

Adopted:

Certified:

Clerk of Council

134L03

RESOLUTION

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS BY THE CITY OF LYNCHBURG TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY AND A TEMPORARY CONSTRUCTION EASEMENT ON A PARCEL OF LAND FRONTING ON PARK AVENUE IN THE CITY OF LYNCHBURG, DESIGNATED AS TAX MAP NO. 010-58-002 FOR THE CONSTRUCTION OF THE MID-TOWN CONNECTOR FROM THE LYNCHBURG U.S. ROUTE 29 BYPASS TO THE INTERSECTION OF LANGHORNE ROAD AND ATHERHOLT ROAD (U.S. 501 BUSINESS).

WHEREAS, in the opinion of the Council of the City of Lynchburg, it is hereby, authorized and directed to institute and prosecute condemnation proceedings in accordance with the provisions of Section 38-B(2) of the Charter of the City of Lynchburg (Acts of Assembly, 1968, Chapter 22, page 49), to acquire the fee simple title, and to acquire a temporary construction easement on the property owned by Reginald R. Yancey as described according to a plat made by NXL, Engineers, Surveyors, Construction Managers, dated September 8, 2009, a copy of which is attached;

WHEREAS, in order to do so, it will be necessary to acquire fee simple right-of-way, and a temporary construction easement across said property;

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

1. That the City Attorney be, and he is hereby, authorized and directed to institute and prosecute condemnation proceedings in accordance with the provisions of 38-B(2) of the Charter of the City of Lynchburg to acquire the fee simple title and a temporary construction easement on the property owned by Reginald R. Yancey which property is described in the hereinabove mentioned plat as follows:

Fee Simple Right-of-Way

All that lot or parcel shown on the attached plat as "Right of Way Acquisition 0.016 Ac."

Temporary Construction Easement

Area shown on the attached plat as "Temporary Construction Easement 0.013 Ac."

2. That in the opinion of the City Council, a public necessity exists for the acquisition of said right-of-way and temporary construction easement.

3. That in order to provide the total estimated necessary funds to compensate the owners of the property for the fee simple right of way and temporary construction easement to be acquired, and for any damages, the sum of which is determined to be \$3,772.00 which has been heretofore appropriated, and the Director of Finance be, and she is hereby, authorized and directed when so directed by the City Attorney to present a check for deposit with the Clerk's Office of the Circuit Court for the City of Lynchburg, Virginia, for such condemnation proceedings.

That the City Attorney is fully authorized and directed to act for and on behalf of the City of Lynchburg in agreeing or disagreeing with the owners of said property upon the compensation to be paid therefore within the limits of the funds provided herein for that purpose and the Mayor, Vice Mayor, or City Manager is authorized to sign, in the name of the City, any proper petitions, pleadings, or necessary documents to be filed or presented at any stage of the proceedings.

Adopted:

Certified:

Clerk of Council

134L04

RESOLUTION

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS BY THE CITY OF LYNCHBURG TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY AND A TEMPORARY CONSTRUCTION EASEMENT ON A PARCEL OF LAND FRONTING ON PARK AVENUE IN THE CITY OF LYNCHBURG, DESIGNATED AS TAX MAP NO. 003-39-013 FOR THE CONSTRUCTION OF THE MID-TOWN CONNECTOR FROM THE LYNCHBURG U.S. ROUTE 29 BYPASS TO THE INTERSECTION OF LANGHORNE ROAD AND ATHERHOLT ROAD (U.S. 501 BUSINESS).

WHEREAS, in the opinion of the Council of the City of Lynchburg, it is hereby, authorized and directed to institute and prosecute condemnation proceedings in accordance with the provisions of Section 38-B(2) of the Charter of the City of Lynchburg (Acts of Assembly, 1968, Chapter 22, page 49), to acquire the fee simple title, and to acquire a temporary construction easement on the property owned by Winfred Davis as described according to a plat made by NXL, Engineers, Surveyors, Construction Managers, dated May 6, 2009, a copy of which is attached;

WHEREAS, in order to do so, it will be necessary to acquire fee simple right-of-way, and a temporary construction easement across said property;

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

1. That the City Attorney be, and he is hereby, authorized and directed to institute and prosecute condemnation proceedings in accordance with the provisions of 38-B(2) of the Charter of the City of Lynchburg to acquire the fee simple title and a temporary construction easement on the property owned by Winfred Davis which property is described in the hereinabove mentioned plat as follows:

Fee Simple Right-of-Way

All that lot or parcel shown on the attached plat as "Right of Way Acquisition 0.017 Ac."

Temporary Construction Easement

Area shown on the attached plat as "Temporary Construction Easement 0.022 Ac."

2. That in the opinion of the City Council, a public necessity exists for the acquisition of said right-of-way and temporary construction easement.

3. That in order to provide the total estimated necessary funds to compensate the owners of the property for the fee simple right of way and temporary construction easement to be acquired, and for any damages, the sum of which is determined to be \$3,754.00 which has been heretofore appropriated, and the Director of Finance be, and she is hereby, authorized and directed when so directed by the City Attorney to present a check for deposit with the Clerk's Office of the Circuit Court for the City of Lynchburg, Virginia, for such condemnation proceedings.

That the City Attorney is fully authorized and directed to act for and on behalf of the City of Lynchburg in agreeing or disagreeing with the owners of said property upon the compensation to be paid therefore within the limits of the funds provided herein for that purpose and the Mayor, Vice Mayor, or City Manager is authorized to sign, in the name of the City, any proper petitions, pleadings, or necessary documents to be filed or presented at any stage of the proceedings.

Adopted:

Certified:

Clerk of Council

RESOLUTION

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS BY THE CITY OF LYNCHBURG TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY AND A TEMPORARY CONSTRUCTION EASEMENT ON A PARCEL OF LAND FRONTING ON PARK AVENUE IN THE CITY OF LYNCHBURG, DESIGNATED AS TAX MAP NO. 003-36-012 FOR THE CONSTRUCTION OF THE MID-TOWN CONNECTOR FROM THE LYNCHBURG U.S. ROUTE 29 BYPASS TO THE INTERSECTION OF LANGHORNE ROAD AND ATHERHOLT ROAD (U.S. 501 BUSINESS).

WHEREAS, in the opinion of the Council of the City of Lynchburg, it is hereby, authorized and directed to institute and prosecute condemnation proceedings in accordance with the provisions of Section 38-B(2) of the Charter of the City of Lynchburg (Acts of Assembly, 1968, Chapter 22, page 49), to acquire the fee simple title, and to acquire a temporary construction easement on the property owned by Courtney D. Brown and William C. Rountrey as described according to a plat made by NXL, Engineers, Surveyors, Construction Managers, dated August 13, 2009, a copy of which is attached;

WHEREAS, in order to do so, it will be necessary to acquire fee simple right-of-way, and a temporary construction easement across said property;

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

1. That the City Attorney be, and he is hereby, authorized and directed to institute and prosecute condemnation proceedings in accordance with the provisions of 38-B(2) of the Charter of the City of Lynchburg to acquire the fee simple title and a temporary construction easement on the property owned by Courtney D. Brown and William C. Rountrey which property is described in the hereinabove mentioned plat as follows:

Fee Simple Right-of-Way

All that lot or parcel shown on the attached plat as "Right of Way Acquisition 0.055 Ac."

Temporary Construction Easement

Area shown on the attached plat as "Temporary Construction Easement 0.021 Ac."

2. That in the opinion of the City Council, a public necessity exists for the acquisition of said right-of-way and temporary construction easement.

3. That in order to provide the total estimated necessary funds to compensate the owners of the property for the fee simple right of way and temporary construction easement to be acquired, and for any damages, the sum of which is determined to be \$4,715.00 which has been heretofore appropriated, and the Director of Finance be, and she is hereby, authorized and directed when so directed by the City Attorney to present a check for deposit with the Clerk's Office of the Circuit Court for the City of Lynchburg, Virginia, for such condemnation proceedings.

That the City Attorney is fully authorized and directed to act for and on behalf of the City of Lynchburg in agreeing or disagreeing with the owners of said property upon the compensation to be paid therefore within the limits of the funds provided herein for that purpose and the Mayor, Vice Mayor, or City Manager is authorized to sign, in the name of the City, any proper petitions, pleadings, or necessary documents to be filed or presented at any stage of the proceedings.

Adopted:

Certified:

Clerk of Council

134L06

RESOLUTION

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS BY THE CITY OF LYNCHBURG TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY ON A PARCEL OF LAND FRONTING ON PARK AVENUE IN THE CITY OF LYNCHBURG, DESIGNATED AS TAX MAP NO. 003-36-014 FOR THE CONSTRUCTION OF THE MID-TOWN CONNECTOR FROM THE LYNCHBURG U.S. ROUTE 29 BYPASS TO THE INTERSECTION OF LANGHORNE ROAD AND ATHERHOLT ROAD (U.S. 501 BUSINESS).

WHEREAS, in the opinion of the Council of the City of Lynchburg, it is hereby, authorized and directed to institute and prosecute condemnation proceedings in accordance with the provisions of Section 38-B(2) of the Charter of the City of Lynchburg (Acts of Assembly, 1968, Chapter 22, page 49), to acquire the fee simple right of way on the property owned by Michael D. Aloisi and Angela C. Aloisi as described according to a plat made by NXL, Engineers, Surveyors, Construction Managers, dated December 2, 2009, a copy of which is attached;

WHEREAS, in order to do so, it will be necessary to acquire fee simple right-of-way across said property;

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

1. That the City Attorney be, and he is hereby, authorized and directed to institute and prosecute condemnation proceedings in accordance with the provisions of 38-B(2) of the Charter of the City of Lynchburg to acquire the fee simple right of way on the property owned by Michael D. Aloisi and Angela C. Aloisi which property is described in the hereinabove mentioned plat as follows:

Fee Simple Right-of-Way

All that lot or parcel shown on the attached plat as "Right of Way Acquisition 0.015 Ac."

2. That in the opinion of the City Council, a public necessity exists for the acquisition of said right-of-way.

3. That in order to provide the total estimated necessary funds to compensate the owners of the property for the fee simple right of way to be acquired, and for any damages, the sum of which is determined to be \$1,700.00 which has been heretofore appropriated, and the Director of Finance be, and she is hereby, authorized and directed when so directed by the City Attorney to present a check for deposit with the Clerk's Office of the Circuit Court for the City of Lynchburg, Virginia, for such condemnation proceedings.

That the City Attorney is fully authorized and directed to act for and on behalf of the City of Lynchburg in agreeing or disagreeing with the owners of said property upon the compensation to be paid therefore within the limits of the funds provided herein for that purpose and the Mayor, Vice Mayor, or City Manager is authorized to sign, in the name of the City, any proper petitions, pleadings, or necessary documents to be filed or presented at any stage of the proceedings.

Adopted:

Certified:

Clerk of Council

134L07

RESOLUTION

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS BY THE CITY OF LYNCHBURG TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY AND TEMPORARY CONSTRUCTION EASEMENTS ON A PARCEL OF LAND FRONTING ON LANGHORNE ROAD IN THE CITY OF LYNCHBURG, DESIGNATED AS TAX MAP NO. 003-39-020 FOR THE CONSTRUCTION OF THE MID-TOWN CONNECTOR FROM THE LYNCHBURG U.S. ROUTE 29 BYPASS TO THE INTERSECTION OF LANGHORNE ROAD AND ATERHOLT ROAD (U.S. 501 BUSINESS).

WHEREAS, in the opinion of the Council of the City of Lynchburg, it is hereby, authorized and directed to institute and prosecute condemnation proceedings in accordance with the provisions of Section 38-B(2) of the Charter of the City of Lynchburg (Acts of Assembly, 1968, Chapter 22, page 49), to acquire the fee simple title, and to acquire temporary construction easements on the property owned by Joyce A. Crawley as described according to a plat made by NXL, Engineers, Surveyors, Construction Managers, dated January 21, 2010, a copy of which is attached;

WHEREAS, in order to do so, it will be necessary to acquire fee simple right-of-way, and temporary construction easements across said property;

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

1. That the City Attorney be, and he is hereby, authorized and directed to institute and prosecute condemnation proceedings in accordance with the provisions of 38-B(2) of the Charter of the City of Lynchburg to acquire the fee simple title and temporary construction easements on the property owned by Joyce A. Crawley which property is described in the hereinabove mentioned plat as follows:

Fee Simple Right-of-Way

All that lot or parcel shown on the attached plat as "Right of Way Acquisition 0.011 Ac."

Temporary Construction Easements

All those parcels shown on the attached plat as "Temporary Construction Easement 0.005 Ac." and "Temporary Construction Easement 0.012 Ac."

2. That in the opinion of the City Council, a public necessity exists for the acquisition of said right-of-way and temporary construction easements.

3. That in order to provide the total estimated necessary funds to compensate the owners of the property for the fee simple right of way and temporary construction easements to be acquired, and for any damages, the sum of which is determined to be \$1,816.00 which has been heretofore appropriated, and the Director of Finance be, and she is hereby, authorized and directed when so directed by the City Attorney to present a check for deposit with the Clerk's Office of the Circuit Court for the City of Lynchburg, Virginia, for such condemnation proceedings.

That the City Attorney is fully authorized and directed to act for and on behalf of the City of Lynchburg in agreeing or disagreeing with the owners of said property upon the compensation to be paid therefore within the limits of the funds provided herein for that purpose and the Mayor, Vice Mayor, or City Manager is authorized to sign, in the name of the City, any proper petitions, pleadings, or necessary documents to be filed or presented at any stage of the proceedings.

Adopted:

Certified:

Clerk of Council

134L08

RESOLUTION

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS BY THE CITY OF LYNCHBURG TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY AND A TEMPORARY CONSTRUCTION EASEMENT ON A PARCEL OF LAND FRONTING ON LANGHORNE ROAD IN THE CITY OF LYNCHBURG, DESIGNATED AS TAX MAP NO. 003-36-006 FOR THE CONSTRUCTION OF THE MID-TOWN CONNECTOR FROM THE LYNCHBURG U.S. ROUTE 29 BYPASS TO THE INTERSECTION OF LANGHORNE ROAD AND ATHERHOLT ROAD (U.S. 501 BUSINESS).

WHEREAS, in the opinion of the Council of the City of Lynchburg, it is hereby, authorized and directed to institute and prosecute condemnation proceedings in accordance with the provisions of Section 38-B(2) of the Charter of the City of Lynchburg (Acts of Assembly, 1968, Chapter 22, page 49), to acquire the fee simple title, and to acquire a temporary construction easement on the property owned by PSA Properties as described according to a plat made by NXL, Engineers, Surveyors, Construction Managers, dated September 16, 2010, a copy of which is attached;

WHEREAS, in order to do so, it will be necessary to acquire fee simple right-of-way, and a temporary construction easement across said property;

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

1. That the City Attorney be, and he is hereby, authorized and directed to institute and prosecute condemnation proceedings in accordance with the provisions of 38-B(2) of the Charter of the City of Lynchburg to acquire the fee simple title and a temporary construction easement on the property owned by PSA Properties which property is described in the hereinabove mentioned plat as follows:

Fee Simple Right-of-Way

All that lot or parcel shown on the attached plat as "Right of Way Acquisition 0.008 Ac."

Temporary Construction Easement

Area shown on the attached plat as "Temporary Construction Easement 0.008 Ac."

2. That in the opinion of the City Council, a public necessity exists for the acquisition of said right-of-way and temporary construction easement.

3. That in order to provide the total estimated necessary funds to compensate the owners of the property for the fee simple right of way and temporary construction easement to be acquired, and for any damages, the sum of which is determined to be \$1,402.00 which has been heretofore appropriated, and the Director of Finance be, and she is hereby, authorized and directed when so directed by the City Attorney to present a check for deposit with the Clerk's Office of the Circuit Court for the City of Lynchburg, Virginia, for such condemnation proceedings.

That the City Attorney is fully authorized and directed to act for and on behalf of the City of Lynchburg in agreeing or disagreeing with the owners of said property upon the compensation to be paid therefore within the limits of the funds provided herein for that purpose and the Mayor, Vice Mayor, or City Manager is authorized to sign, in the name of the City, any proper petitions, pleadings, or necessary documents to be filed or presented at any stage of the proceedings.

Adopted:

Certified:

Clerk of Council

134L09

RESOLUTION

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS BY THE CITY OF LYNCHBURG TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY AND A TEMPORARY CONSTRUCTION EASEMENT ON A PARCEL OF LAND FRONTING ON LANGHORNE ROAD IN THE CITY OF LYNCHBURG, DESIGNATED AS TAX MAP NO. 003-36-004 FOR THE CONSTRUCTION OF THE MID-TOWN CONNECTOR FROM THE LYNCHBURG U.S. ROUTE 29 BYPASS TO THE INTERSECTION OF LANGHORNE ROAD AND ATHERHOLT ROAD (U.S. 501 BUSINESS).

WHEREAS, in the opinion of the Council of the City of Lynchburg, it is hereby, authorized and directed to institute and prosecute condemnation proceedings in accordance with the provisions of Section 38-B(2) of the Charter of the City of Lynchburg (Acts of Assembly, 1968, Chapter 22, page 49), to acquire the fee simple title, and to acquire a temporary construction easement on the property owned by La Verne K. Nowlin as described according to a plat made by NXL, Engineers, Surveyors, Construction Managers, dated May 4, 2009, a copy of which is attached;

WHEREAS, in order to do so, it will be necessary to acquire fee simple right-of-way, and a temporary construction easement across said property;

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

1. That the City Attorney be, and he is hereby, authorized and directed to institute and prosecute condemnation proceedings in accordance with the provisions of 38-B(2) of the Charter of the City of Lynchburg to acquire the fee simple title and a temporary construction easement on the property owned by La Verne K. Nowlin which property is described in the hereinabove mentioned plat as follows:

Fee Simple Right-of-Way

All that lot or parcel shown on the attached plat as "Right of Way Acquisition 0.009 Ac."

Temporary Construction Easement

Area shown on the attached plat as "Temporary Construction Easement 0.009 Ac."

2. That in the opinion of the City Council, a public necessity exists for the acquisition of said right-of-way and temporary construction easement.

3. That in order to provide the total estimated necessary funds to compensate the owners of the property for the fee simple right of way and temporary construction easement to be acquired, and for any damages, the sum of which is determined to be \$1,377.00 which has been heretofore appropriated, and the Director of Finance be, and she is hereby, authorized and directed when so directed by the City Attorney to present a check for deposit with the Clerk's Office of the Circuit Court for the City of Lynchburg, Virginia, for such condemnation proceedings.

That the City Attorney is fully authorized and directed to act for and on behalf of the City of Lynchburg in agreeing or disagreeing with the owners of said property upon the compensation to be paid therefore within the limits of the funds provided herein for that purpose and the Mayor, Vice Mayor, or City Manager is authorized to sign, in the name of the City, any proper petitions, pleadings, or necessary documents to be filed or presented at any stage of the proceedings.

Adopted:

Certified:

Clerk of Council

134L10

RESOLUTION

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS BY THE CITY OF LYNCHBURG TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY AND A TEMPORARY CONSTRUCTION EASEMENT ON A PARCEL OF LAND FRONTING ON LANGHORNE ROAD IN THE CITY OF LYNCHBURG, DESIGNATED AS TAX MAP NO. 003-34-019 FOR THE CONSTRUCTION OF THE MID-TOWN CONNECTOR FROM THE LYNCHBURG U.S. ROUTE 29 BYPASS TO THE INTERSECTION OF LANGHORNE ROAD AND ATHERHOLT ROAD (U.S. 501 BUSINESS).

WHEREAS, in the opinion of the Council of the City of Lynchburg, it is hereby, authorized and directed to institute and prosecute condemnation proceedings in accordance with the provisions of Section 38-B(2) of the Charter of the City of Lynchburg (Acts of Assembly, 1968, Chapter 22, page 49), to acquire the fee simple title, and to acquire a temporary construction easement on the property owned by Douglas F. Cline and Lisa W. Cline as described according to a plat made by NXL, Engineers, Surveyors, Construction Managers, dated January 18, 2010, a copy of which is attached;

WHEREAS, in order to do so, it will be necessary to acquire fee simple right-of-way, and a temporary construction easement across said property;

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

1. That the City Attorney be, and he is hereby, authorized and directed to institute and prosecute condemnation proceedings in accordance with the provisions of 38-B(2) of the Charter of the City of Lynchburg to acquire the fee simple title and a temporary construction easement on the property owned by Douglas F. Cline and Lisa W. Cline which property is described in the hereinabove mentioned plat as follows:

Fee Simple Right-of-Way

All that lot or parcel shown on the attached plat as "Langhorne Rd. Right of Way Acquisition 0.017 Ac."

Temporary Construction Easement

Area shown on the attached plat as "Temporary Construction Easement 0.018 Ac."

2. That in the opinion of the City Council, a public necessity exists for the acquisition of said right-of-way and temporary construction easement.

3. That in order to provide the total estimated necessary funds to compensate the owners of the property for the fee simple right of way and temporary construction easement to be acquired, and for any damages, the sum of which is determined to be \$2,300.00 which has been heretofore appropriated, and the Director of Finance be, and she is hereby, authorized and directed when so directed by the City Attorney to present a check for deposit with the Clerk's Office of the Circuit Court for the City of Lynchburg, Virginia, for such condemnation proceedings.

That the City Attorney is fully authorized and directed to act for and on behalf of the City of Lynchburg in agreeing or disagreeing with the owners of said property upon the compensation to be paid therefore within the limits of the funds provided herein for that purpose and the Mayor, Vice Mayor, or City Manager is authorized to sign, in the name of the City, any proper petitions, pleadings, or necessary documents to be filed or presented at any stage of the proceedings.

Adopted:

Certified:

Clerk of Council

134L11

RESOLUTION

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS BY THE CITY OF LYNCHBURG TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY AND TEMPORARY CONSTRUCTION EASEMENTSON THOSE PARCELS OF LAND FRONTING ON LANGHORNE ROAD AND MEMORIAL AVENUE IN THE CITY OF LYNCHBURG, DESIGNATED AS TAX MAP NOS. 003-33-014, 003-00-0013, 003-33-001, and 003-33-002 FOR THE CONSTRUCTION OF THE MID-TOWN CONNECTOR FROM THE LYNCHBURG U.S. ROUTE 29 BYPASS TO THE INTERSECTION OF LANGHORNE ROAD AND ATHERHOLT ROAD (U.S. 501 BUSINESS).

WHEREAS, in the opinion of the Council of the City of Lynchburg, it is hereby, authorized and directed to institute and prosecute condemnation proceedings in accordance with the provisions of Section 38-B(2) of the Charter of the City of Lynchburg (Acts of Assembly, 1968, Chapter 22, page 49), to acquire the fee simple title, and to acquire temporary construction easements on the property owned by Karen G. Berry as described according to a plat made by NXL, Engineers, Surveyors, Construction Managers, dated January 11, 2010, a copy of which is attached;

WHEREAS, in order to do so, it will be necessary to acquire fee simple right-of-way, and temporary construction easements across said property;

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

1. That the City Attorney be, and he is hereby, authorized and directed to institute and prosecute condemnation proceedings in accordance with the provisions of 38-B(2) of the Charter of the City of Lynchburg to acquire the fee simple title and temporary construction easements on the property owned by Karen G. Berry which property is described in the hereinabove mentioned plat as follows:

Fee Simple Right-of-Way

All those lots or parcels shown on the attached plat as follows:

"Tax Map No. 003-33-014 Right of Way Acquisition 0.024 Ac."

"Tax Map No. 003-33-013 Right of Way Acquisition 0.024 Ac."

"Tax Map No. 003-33-001 Right of Way Acquisition 0.011 Ac. and 0.002 Ac."

"Tax Map No. 003-33-002 Right of Way Acquisition 0.002 Ac."

Temporary Construction Easements

All those parcels shown on the attached plat as follows:

"Tax Map No. 003-33-014 Temporary Construction Easement 0.008 Ac."

"Tax Map No. 003-33-013 Temporary Construction Easement 0.014 Ac."

"Tax Map No. 003-33-001 Temporary Construction Easement 0.004 and 0.008 Ac."

"Tax Map No. 003-33-002 Temporary Construction Easement 0.001 Ac."

2. That in the opinion of the City Council, a public necessity exists for the acquisition of said right-of-way and temporary construction easements.

3. That in order to provide the total estimated necessary funds to compensate the owners of the property for the fee simple right of way and temporary construction easements to be acquired, and for any damages, the sum of which is determined to be \$45,738.00 which has been heretofore appropriated, and the Director of Finance be, and she is hereby, authorized and directed when so directed by the City Attorney to present a check for deposit with the Clerk's Office of the Circuit Court for the City of Lynchburg, Virginia, for such condemnation proceedings.

That the City Attorney is fully authorized and directed to act for and on behalf of the City of Lynchburg in agreeing or disagreeing with the owners of said property upon the compensation to be paid therefore within the limits of the funds provided herein for that purpose and the Mayor, Vice Mayor, or City Manager is authorized to sign, in the name of the City, any proper petitions, pleadings, or necessary documents to be filed or presented at any stage of the proceedings.

Adopted:

Certified:

Clerk of Council

134L12

RESOLUTION

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS BY THE CITY OF LYNCHBURG TO ACQUIRE A TEMPORARY CONSTRUCTION EASEMENT ON A PARCEL OF LAND FRONTING ON PARK AVENUE IN THE CITY OF LYNCHBURG, DESIGNATED AS TAX MAP NO. 003-38-010 FOR THE CONSTRUCTION OF THE MID-TOWN CONNECTOR FROM THE LYNCHBURG U.S. ROUTE 29 BYPASS TO THE INTERSECTION OF LANGHORNE ROAD AND ATHERHOLT ROAD (U.S. 501 BUSINESS).

WHEREAS, in the opinion of the Council of the City of Lynchburg, it is hereby, authorized and directed to institute and prosecute condemnation proceedings in accordance with the provisions of Section 38-B(2) of the Charter of the City of Lynchburg (Acts of Assembly, 1968, Chapter 22, page 49), to acquire a temporary construction easement on the property owned by David M. Johnston and Jayme D. Johnston as described according to a plat made by NXL, Engineers, Surveyors, Construction Managers, dated September 6, 2009, a copy of which is attached;

WHEREAS, in order to do so, it will be necessary to acquire a temporary construction easement across said property;

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

1. That the City Attorney be, and he is hereby, authorized and directed to institute and prosecute condemnation proceedings in accordance with the provisions of 38-B(2) of the Charter of the City of Lynchburg to acquire a temporary construction easement on the property owned by David M. Johnston and Jayme D. Johnston which property is described in the hereinabove mentioned plat as follows:

Temporary Construction Easement

Area shown on the attached plat as "Temporary Construction Easement 0.002 Ac."

2. That in the opinion of the City Council, a public necessity exists for the acquisition of said temporary construction easement.

3. That in order to provide the total estimated necessary funds to compensate the owners of the property for a temporary construction easement to be acquired, and for any damages, the sum of which is determined to be \$1,000.00 which has been heretofore appropriated, and the Director of Finance be, and she is hereby, authorized and directed when so directed by the City Attorney to present a check for deposit with the Clerk's Office of the Circuit Court for the City of Lynchburg, Virginia, for such condemnation proceedings.

That the City Attorney is fully authorized and directed to act for and on behalf of the City of Lynchburg in agreeing or disagreeing with the owners of said property upon the compensation to be paid therefore within the limits of the funds provided herein for that purpose and the Mayor, Vice Mayor, or City Manager is authorized to sign, in the name of the City, any proper petitions, pleadings, or necessary documents to be filed or presented at any stage of the proceedings.

Adopted:

Certified:

Clerk of Council

134L13

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **October 12, 2010**

AGENDA ITEM NO.: 12

CONSENT: REGULAR: **X**

WORK SESSION:

CLOSED SESSION:
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Kemper Street Station Phase 2
Engineering Project No. 07010-B – City Project No. B0092**

RECOMMENDATION: Authorize the City Manager to sign proposed change orders No. 4 and No. 6.

SUMMARY: In 1998, the City received a Transportation Enhancement Grant for use in the rehabilitation of the Kemper Street Station. In 2005, amendments were made to the agreement for the addition of the Kemper Street Trail and associated trail head improvements. This grant is a Federal grant in which VDOT acts as the project sponsor or administrator and reimburses for up to 80% of all eligible costs of the project. Following the completion of previous phases of the project, the city received permission from VDOT to utilize the unspent enhancement funds for further improvements to the station and the trail.

The majority of original scope of the Kemper Street Station Renovation Project (Phase 2) is complete. The attached document, Planned Improvements, outlines the improvements included in the construction documents. To date, the following change orders have been determined eligible by VDOT and have been executed.

CO#1 – Addition of a photo cell for a light fixture	\$	69.00
CO#2 – Weather days – 15 days added to contract duration	\$	0
CO#3 – Addition of more ADA parking spaces at trackside; addition of iron railing and resetting of granite curbing from the end of the bus canopy to the intersection of the ramp to trackside and Kemper Street to accommodate parking in that area; replacement of an existing handicap ramp on Kemper Street to ensure ADA compliance; resetting some brick pavers at trackside to correct alignment to prevent tripping hazards.	\$	43,108.35
CO#5 – Time extension – 14 days added to contract duration due to redesign of waterproofing	\$	0
Subtotal	\$	43,177.35

Below is an outline of the proposed change orders which have been determined as eligible by VDOT.

Proposed Change Order No. 4 includes the following:

1	Addition to scope – Repairing the plaster in the elevator lobby	\$	950.00
2	Addition to scope – Replacing the sidewalk at the corner of Kemper and Langhorne at Mary Jane's with an ADA compliant ramp	\$	1,750.00
3	Revision based on uncovered site conditions – Adding epoxy to a deteriorated crack in the concrete surface near the edge of the canopy	\$	80.00
4	Revision based on uncovered conditions – revision of product to use for waterproofing and addition of drainage pipes and removal of concrete endwall to extend drainage	\$	5,372.00
5	Addition to scope based on NS construction – relocating existing light pole at base of ramp to location along wall, changing pole material and attaching to wall and running feed underground	\$	12,567.00
6	Addition to scope based on request from Parks & Recreation – addition of a bench in front of building to match bench under canopy	\$	2,569.00
7	Revision based on site conditions – existing lamps the city owns need to be re-threaded to work under the deck and a different bracket is needed	\$	828.00

Proposed Change Order No. 6 is the addition of a "Welcome to Lynchburg" sign at trackside

Subtotal **\$ 10,120.00**
\$ 34,236.00

The addition of proposed change orders #4 and #6 to the contract will exceed the maximum percentage (25%) of the original contract amount allowed for the project without City Council approval. Staff is requesting the approval to execute change orders #4 and #6 for this project.

PRIOR ACTION(S): Physical Development Committee, October 12, 2010

FISCAL IMPACT:

Original Contract Amount	\$194,800.00
(25% of original contract amount is \$48,700)	
Total amount for Change Orders executed to Date	\$ 43,177.35
VDOT paid 80% - \$34,493.88	
City paid 20% - \$8,635.47	
Current Contract Amount	\$237,977.35
Total additional proposed Change Orders #4 & #6	\$ 34,236.00
VDOT funding amount 80% - \$27,388.80	
City funding amount 20% - \$6,847.20	
Proposed Total Final Contract Amount	\$272,213.35

Enhancement and City funds for this work are available in the current project code:

Source	Appropriation	Spent to Date	Balance
Kemper Street Station – Ph 2 B0092	\$434,559.33	\$232,038.13 (plus \$52,595.94 encumbered)	\$149,925.26

CONTACT(S):

Dave Owen, Director of Public Works, 455-4469
Dee Dee Conner, Principal Engineer, 455-3928

ATTACHMENT(S):

Kemper Street Station – Phase 2, Planned Improvements by Virginia A&E dated April 10, 2009
“Welcome to Lynchburg” Sign Proof

REVIEWED BY: lkp



WELCOME TO LYNCHBURG - 19" LETTER HT.
 KEMPER STREET STATION - 6.5" LETTER HT.
 KSS LOGO - 33" HT. X 64" LENGTH

Manufactured steel tubing frame with expanded metal grate background mounted to existing steel support structure.
Raised Aluminum letters mounted on expanded metal background.
Logo to be .25" aluminum plate mounted on expanded metal background.
Lighted overhead with "gooseneck" period lighting
Overall look and design to tie-in with entrance to station.

Kemper ST.
Station

Lower Level

Welcome ID Sign

McGraw Hill Construction
 1221 Seventh Avenue, New York, NY 10020
 (212) 512-2000
 (800) 393-6343

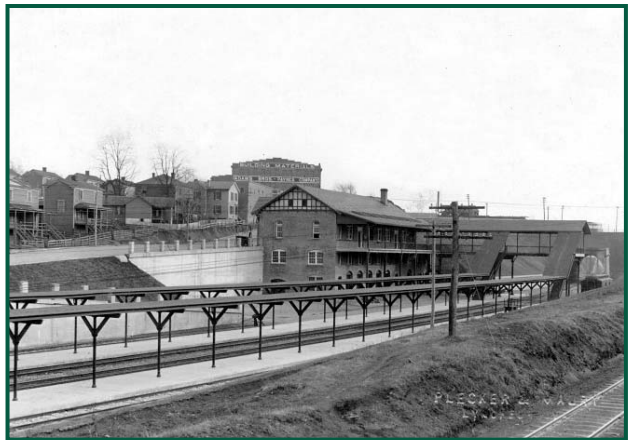
CITY OF LYNCHBURG, VIRGINIA

Kemper Street Station – Phase 2

April 10, 2009



Planned Improvements



1115 Vista Park Drive
Forest, VA 24551
Phone 434.316.6001 • Fax 434.316.6002

VAE Project No. 07125



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1.0 Executive Summary

A. General Project Description

The City of Lynchburg requested assistance from Virginia A&E to provide plans for renovations and upgrades to the historic Kemper Street Station, which is comprised of an Amtrak station, Greyhound bus station, GLTC bus stop, Parks and Recreation Department business offices, The Nature Zone, and the Kemper Station Trail. The project is a continuation of funding from previous phases to restore the Kemper Street Station. The City has finalized the list of upgrades. Following is the final list of planned improvements:

Potential Upgrades

A.	Elevator Modifications
B.	Emergency Phone
C.	Moisture Mitigation
D.	Exterior Lighting
E.	Pedestrian Crosswalk
F.	Drinking Fountain / Pet Bowl
G.	Exterior Hose Bibbs
H.	Directional Signage
I.	Chimney Integrity
J.	Handicap Accessible Parking
K.	Bollards
L.	Exterior Receptacles

A detailed description of each improvement follows, along with photographs.

2.0 Planned Improvements

A. Elevator Modifications

1. Access Control System and Control

Modifications: Provide new passenger elevator access control system and elevator control modifications to improve accessibility, usability, and security. The elevator has three stops (lower, mezzanine, and upper) and with both front and rear doors. The elevator has the following landings: lower-front, mezzanine-rear, upper-front, and upper-rear. Currently, each landing has an on-off key switch and a call button. To call the elevator to a floor, the key switch must be in the on position and then the call button must be pushed. Once you are inside the elevator, it has selection buttons for each of the landings and will go to whatever landing selected. The operation of the elevator needs to change as follows:

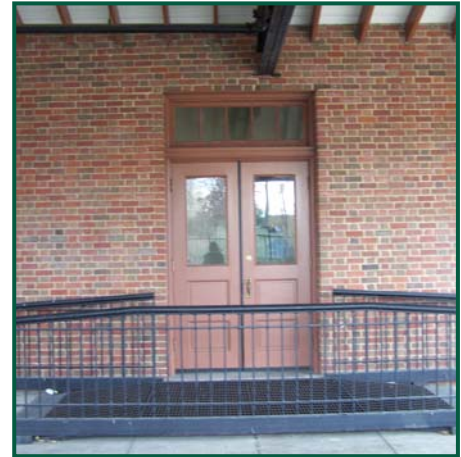


- a. Lock each call station in the "ON" positions so if you are on a landing you can always call the elevator.
- b. Inside the elevator, add a key switch to the upper-front and mezzanine-rear selection buttons. To send the elevator to those landings you will need to use the key switch inside the elevator.
- c. Change the legends that now say VC, TR, ST, and MZ to something more appropriate to clearly identify landings and install a sign to direct people to the right landing location.

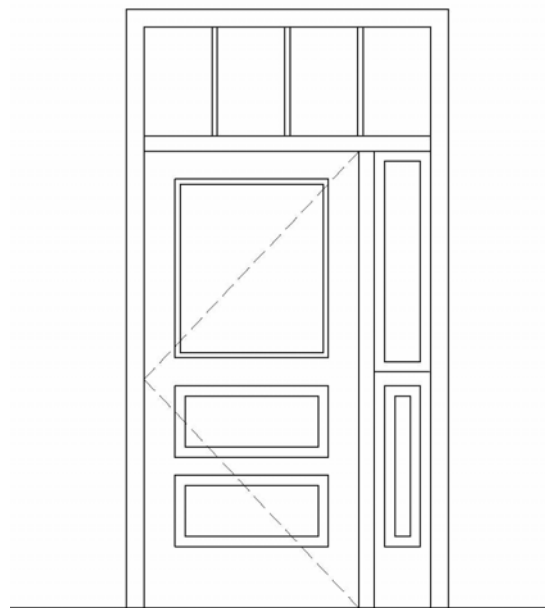
This will require installation of new call stations at each landing, a new car operating panel, and control modification/reprogramming to assure proper lockout and integration with the fire alarm system. Key switch operation will be used, as card reader operation is not required.

2. **Architectural Modifications at Elevator Lobby:**

Provide an ADA-accessible route between each level of the building. At the elevator's exterior entrance, located on the upper level, there is currently a set of double doors with each leaf of these doors measuring 2'-4" in width. Egress doors and accessible doors are required to have a minimum



clear opening width of 32 inches. The following modifications are recommended to make these doors code- and ADA-compliant. Remove the existing double doors (recycle if possible) and provide one (1) accessible, wood single-leaf door with an adjacent sidelite, leaving the original transom and frame in place. The new door style and ADA-compliant door hardware will compliment the existing architectural style of Kemper Street Station and match existing doors as close as possible. New door is to be installed with ADA-compliant lockset with panic hardware. The existing hinges, door closer, threshold, weatherstripping, and sweeps will be re-used. Refer to sketch below for elevation of proposed door.



In addition, the metal bar grating currently located on the landing outside the double doors noted above has slots or openings measuring 1"W x 3-3/4"L. The size of these slots/openings currently exceeds what is allowable along accessible paths. A slip resistant plate will be installed on top of the existing bar grating for ADA compliance.



B. Emergency Phone

Install an emergency phone (cellular operation) on the walking/biking trail to promote safety of visitors to the City's trail system. The phone will be installed on a concrete pad near the intersection of the Point of Honor, Blackwater Creek, and Kemper Station trails, approximately two miles from Kemper Street Station. The phone will be powered by a vandal resistant solar panel and will communicate via cellular telephone.



Code Blue®

CB 1-w




PEDESTAL - INTERACTIVE VOICE COMMUNICATION UNIT

The **CB 1-w** solar/cellular unit continues the standard for rugged reliability set by Code Blue and provides a fully self-contained emergency communication device where power and phone lines are not available. The added costs of trenching are eliminated! Power for the **CB 1-w** is generated by the vandal resistant, top mounted solar array and is configured for optimum performance and reliability in almost any geographic location. The optional Windassist™ power generator supplements the solar array and provides additional battery charging capacity for areas with intermittent solar availability. The solar/cellular **CB 1-w** offers all the features of the Code Blue CB3100 speakerphone, comes standard with a lighted faceplate and the combination LED Beacon/Strobe.

STANDARD FEATURES:

- ☒ CB3100 Speakerphone
- ☒ 3 auxiliary inputs
- ☒ 2 auxiliary outputs
- ☒ Voice identifier
- ☒ Special Power Monitoring™ (SPM) device
- ☒ Cellular communication
- ☒ Combination LED beacon and high-powered strobe
- ☒ Top mounted solar array
- ☒ LED lighted stainless steel faceplate
- ☒ Ultra weather resistant finish
- ☒ Vandal resistant hardware
- ☒ 12 3/4" diameter
- ☒ 1/4" thick steel construction
- ☒ Internal foundation anchor kit
- ☒ ADA compliant

OPTIONAL FEATURES:

- ☐ Two button speakerphone
- ☐ Two button speakerphone with keypad
- ☐ Windassist™ power generator

- ☐ Custom graphics
- ☐ Custom colors

Code Blue Corp. - 92 East 64th Street - Holland, MI 49423 - 800-205-7186 - Fax 616-392-8391 - www.codeblue.com

C. Moisture Mitigation

Repair of building envelope to mitigate moisture infiltration in the area occupied by The Nature Zone. There are several sources of moisture infiltration at the southeast corner of the building into The Nature Zone, beginning at the upper level of Kemper Street Station down to the foundation system, including expansion joints between the upper level sidewalk and site retaining wall, expansion joints between the upper level sidewalk and the upper level plaza, cracks in the upper level plaza, clogged foundation drain along the south wall, and the exposed and failed waterproofing along the south foundation wall. Repairs include:

1. Replace expansion joint material between the sidewalk and site retaining wall and upper level plaza.
2. Remove and repair approximately 100 square feet of the upper level plaza to remove cracks and seal against infiltration of any standing water.
3. Divert runoff along top of site retaining wall prior to intersection with building foundation wall.
4. Replace the waterproofing and foundation drain along south foundation wall.



D. Exterior Lighting

In order to improve the lighting where passengers board the train, installation of additional exterior lighting in this area northwest of the existing Amtrak station is necessary. The existing power cable and controls are proposed for re-use. The existing wooden poles in the passenger boarding area would be removed as would the unused aerial cables between the building and the wooden poles. The new poles will be metal and match the style of the station. Existing spare luminaires from Phase I are larger than the current exterior fixtures and would be modified by adding smaller reflectors to match the existing exterior luminaires.



Another problem area for lighting is at the South end of the building. This area is overgrown and not directly on the pedestrian pathways, but illumination would minimize the possibility of people hiding in this area and also provide a level of comfort to pedestrians. Since this luminaire is not readily visible from pedestrian and vehicle areas, it is proposed to use a standard wall-mounted luminaire with integral photocell mounted approximately 10 feet above finished grade. This will illuminate this dark area and improve security.

The last exterior area needing additional illumination is at the bottom of the stairs at the South corner of the building. An additional period luminaire will be added in this area to match adjacent light fixtures and to provide additional light. A circuit will be extended from existing automatically controlled fixtures in this area.



E. Pedestrian Crosswalk

In order to improve pedestrian safety, a crosswalk will be added across Kemper Street, due to the irregularity of the existing Belgian block pavers. The crosswalk will connect the Upper Level Long Term Parking Lot to the existing sidewalk located outside Parks and Recreation.

The crosswalk will consist of ADA-complaint asphalt block pavers, edged with Belgian block bands similar to the existing curbs along Kemper Street, which will abut existing Belgian block pavers. Asphalt block paver color selection shall compliment the existing exterior finishes of Kemper Street Station (brick, paint, pavers, Belgian block, and exposed aggregate sidewalk).



F. Drinking Fountain / Pet Bowl

Provide one (1) exterior ADA-compliant drinking fountain with pet bowl to enhance the experience for Kemper Street Station and Trail visitors. Drinking fountain shall be a Murdock Super Secur Traditional Drinking Fountain, Model M-23-2-PF. This unit has one fountain bowl at standard height and one fountain bowl mounted on an arm for the disabled. Fountains are operated by push-button controls, and the model is seasonal, not freeze resistant. This model shall be provided with the following options: 1) pet bowl with self-closing spigot; and 2) fountain shall be black in color to compliment adjacent benches and trash receptacles.



Fountain will be located in the Upper Level Park located just southeast of the Parks and Recreation office.



**Proposed
Location**



G. Exterior Hose Bibb

Install exterior hose bibbs (lockable and frost proof) for wash down of pedestrian access aisles. There are currently two hose bibbs located on the exterior wall of the building on the lower level. One is located at the large door/window adjacent to The Nature Zone entrance. The other is located near the overhead coiling door at the northwest corner of the building just past the Amtrak Station entrance. Three additional hose bibbs will be installed to the upper level of the building on the front (east side), rear (west side), and under the covered porch on the side (south end). New exterior hose bibbs are located to maximize benefit, minimize run of water piping, and to minimize disturbance to existing materials and concealed piping to the greatest extent possible.



H. Directional Signage

Directional signage is required to improve access to tenants of the building. There are various modes of arrival (bus, train, passenger cards, bike, walking) and various points of destination (Amtrak, Greyhound, Parks & Recreation Office, The Nature Zone, the Trail) with minimal signage, it is difficult to locate the desired function.

1. **Vehicular Traffic:** Install three (3) signs along Kemper Street to direct vehicular traffic to Upper and Lower Level Parking Areas. Style of signs is to match the existing directional sign located on the Kemper Street Station. Existing sign will be removed.

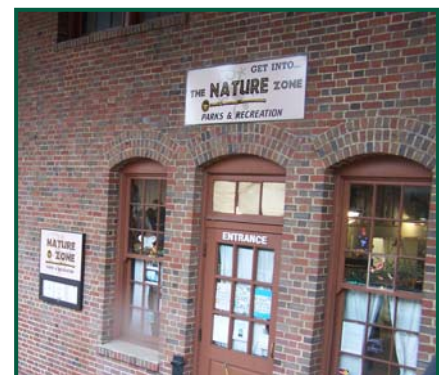


2. **Pedestrian Traffic:** Install additional passenger directional signage.

- a. Upper Level – Parks & Recreation Office and Greyhound: Provide one (1) exterior wall-mounted sign and display case at each tenant's entrance to better identify each individual entrance. Each sign/display case is to be a single unit with the signage incorporated into the display case design, similar to the unit at The Nature Zone (see photos below). While each display case provides tenants with space to display schedules and hours of operation, it also provides pedestrians a safe space to review information that is out of the direct path of circulation.



- b. Upper Level – Elevator: At the exterior entrance to the elevator at the upper level, provide one (1) wall-mounted sign identifying the entrance to the handicap accessible elevator at the upper level. Also, provide a sign on the southeast corner of the building above the existing sign to direct pedestrians to the elevator lobby. Signs to compliment the style of existing Kemper Street Station signage. Provide a directory sign inside the actual elevator that identifies Amtrak, Nature Zone, and Public Restrooms locations.
- c. Lower Level – Nature Zone and Amtrak: Provide one (1) exterior wall-mounted sign and display case at Amtrak's entrance to better identify the entrance. Each sign/display case is to be a single unit with the signage incorporated into the display case design similar to the existing sign for The Nature Zone. While each display case provides tenants with space to display schedules and hours of operation, it also provides pedestrians a safe space to review information that is out of the direct path of circulation. In addition, provide a sign on the glass light above the Amtrak entrance similar to the sign above The Nature Zone entrance. Signs to compliment the style of existing Kemper Street Station signage.



I. Chimney Integrity

Provide one (1) UL-Listed Copper Chimney Pot to mitigate moisture infiltration to existing stone chimney chap. Chimney Pot to be manufactured by European Copper, Style: Queen, Model Number: EC-0-2039-1.



J. Handicap-Accessible Parking

Provide ADA-compliant parking at the Train Station.

1. **Upper Level Parking:** Currently, there are two parking spaces identified in the Upper Level Long Term Parking Lot as Accessible Parking Spaces. However, these spaces currently exceed the maximum slope of 1:48, which is required for accessible parking and access aisles. In addition, the route (across Kemper Street) to the building is not accessible. The following modifications are needed in order to accommodate two (2) accessible spaces for the upper level of Kemper Street Station.

- a. Provide one (1) additional Accessible Parking Space outside the Parks and Recreation Department. New space should be located adjacent to existing Accessible Parking Space and Accessible Ramp.
- b. Provide an access aisle between the two (2) accessible parking spaces.
- c. Remove the existing Belgian block where accessible spaces and access aisle are proposed and replace with ADA-compliant asphalt block pavers with Belgian bands to delineate parking space lines and edging for the asphalt block pavers. Belgian block bands will be similar to existing curbs along Kemper Street. Asphalt block paver color selection shall compliment the existing exterior finishes of Kemper Street Station (brick, paint, pavers, Belgian block, and exposed aggregate sidewalk).
- d. All accessible parking signs and pavement markings will be removed from the Upper Level Long Term Parking Lot and these spaces be converted to general parking.



2. **Lower Level Parking:** Currently two parking spaces are identified as accessible parking spaces in the lower level. The spaces are not directly accessible to the building and require crossing the irregularities of the Belgian block pavers. The following modifications are needed in order to make these spaces ADA-compliant.



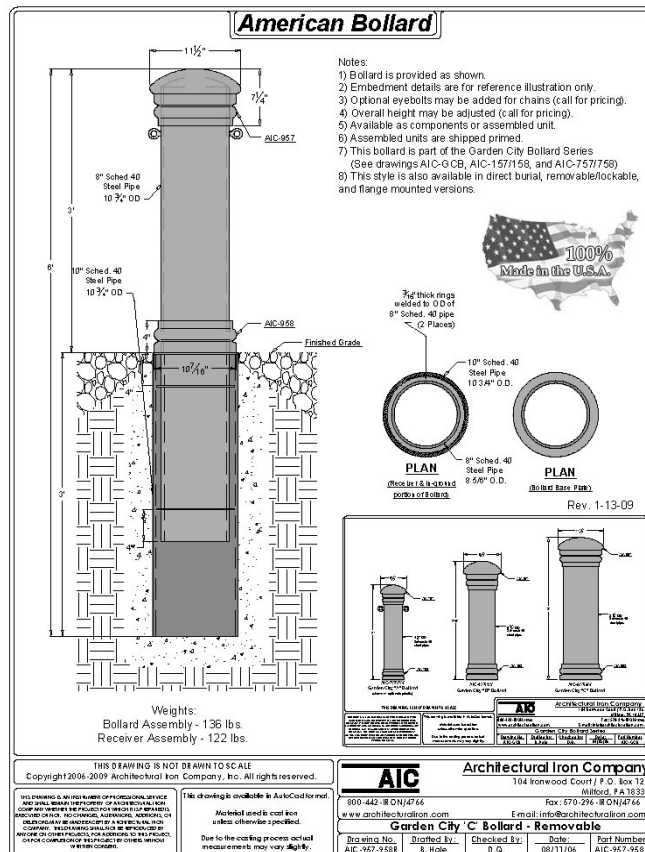
- a. Remove the existing Belgian block where accessible spaces and aisle are identified and replace with ADA-compliant asphalt block pavers with



- Belgian block pavers. Pavers and bands will match those described above.
- b. The pavers and bands will continue from the accessible parking areas over to the canopied area of the lower level. This will provide an accessible route from parking on the lower level to Amtrak and the Nature Zone.

K. Bollards

Provide four (4) removable cast iron bollards at the lower Level parking area in order to protect pedestrian traffic from access to the lower level plaza and the tracks while creating a more defined drop-off/pick-up zone at the Amtrak Station. Bollards shall match architectural style of Kemper Street Train Station. Bollards would replace orange cones shown in photographs below.





L. Exterior Receptacles

Install exterior receptacles to power exterior activities for use in performing building maintenance. There are currently no exterior receptacles at Kemper Street Station. Six (6) receptacles will be added on the upper and lower levels of the building. Exterior receptacles are located to maximize benefit in usage, minimize electrical power run, and minimize disturbance to existing materials and conceal raceway to the greatest extent possible.