LYNCHBURG CITY COUNCIL
PHYSICAL DEVELOPMENT COMMITTEE

Tuesday, July 11, 2017
8:00 a.m.

Information Items

Recent/Pending Contract Awards: -No new contract awards.

Update on priority projects: **-**See attached report.

General Business

1.	Fifth Street Phase 3	Scott Parkins
2.	Recent announcements: Award funding from VDOT	Lee Newland
3.	Roll Call	

Pc: Bonnie Svrcek, City Manager
Charles Hartgrove, Deputy City Manager
John Hughes, Assistant City Manager
Council Members
Gaynelle Hart, Director of Public Works
News & Advance

Next Meeting: August 8, 2017

Lynchburg Capital Projects Greater Than $1 Million(General Fund)					
July 11, 2017					
Projects of Interest		**Phase**	**Phase Completion**		**Notes**
Timberlake / Logan's Lane Intersection		Construction	October 2018		Construction Underway
Wards Ferry Road Improvements @ Heritage		Construction	October 2018		Construction Underway
Midtown Connector		Construction	August 2016		Project Closeout
Greenview Drive Phase 2		Construction	July 2017		Construction Underway - Several Months Behind Schedule
College Lake Dam		Preliminary	July 2017		Re-evaluating Options w/ New Regulations
One Way Pairs @ 501/221		Preliminary	September 2017		Moving Forward with Preliminary Engineering
Main Street Bridge		Design	August 2017		Design Underway Public Meetings Held
Odd Fellows Road - Sections A and B1		Construction	August 2018		Construction Underway Bridge Beams Set
Odd Fellows Road - Section B2		Design	November 2017		Design Underway
Downtown Watermain Replacement & Streetscape		Construction	September 2017		Construction Underway -
Liberty Mountain Drive - Phase 2		Construction	April 2017		Closing Out
Community Market Parking Deck		Construction	July 2017		Construction Underway
McConnville Road Culvert Replacement		Construction	December 2017		Construction Underway

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **July 11, 2017** AGENDA ITEM #:

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

ITEM TITLE: Fifth Street Phase 3

KEY ELEMENTS:
___Economic Development ___Excellent Government _X_Natural and Built Environment ___Safe Community __Vibrant Community

RECOMMENDATION: To proceed with public information meeting and initiate competitive bidding for construction.

SUMMARY: From 2009-2015, the City engaged in construction of two projects on Fifth Street, the Federal Street Roundabout and infrastructure and streetscape improvements from the roundabout to Main Street. Work included installation of a 24" raw water main and a 16" finished water main, sanitary and stormwater infrastructure improvements, roadway rebuild, and sidewalk, crosswalk, and streetscape furnishings. The third phase of the work on Fifth Street is proposed to take place from Jackson Street to Taylor Street and will complete the water line improvements to the College Hill Water Treatment Plant. These projects are implementing the findings from the Fifth Street Master Plan adopted by City Council in 2006 and significant private investment has been occurring in the area following completion of the first two phases.

Design documents by Wiley Wilson are nearly 100% complete. At this time, the one construction feature that is unknown is handling traffic control. Option 1 would be to construct similar to Fifth Street Phase 2, with one lane of traffic flow maintained southbound, and northbound traffic detoured. Option 2 would close the street to through traffic, similar to how the roundabout was constructed, detouring traffic in both directions. The financial and scheduling impacts of each option are shown the attached documents.

Financing will be local funds combined with VDOT and Community Development Block Grant (CDBG) funds. The CDBG money must achieve a spend down requirement by May 1, 2018.

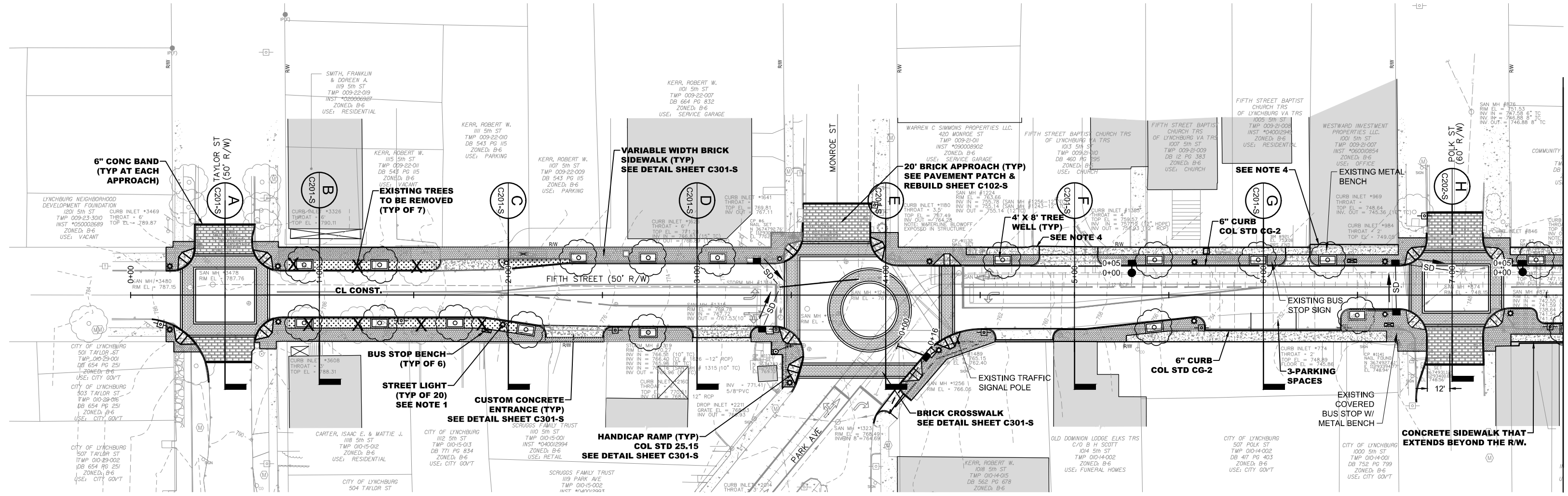
PRIOR ACTION(S): None

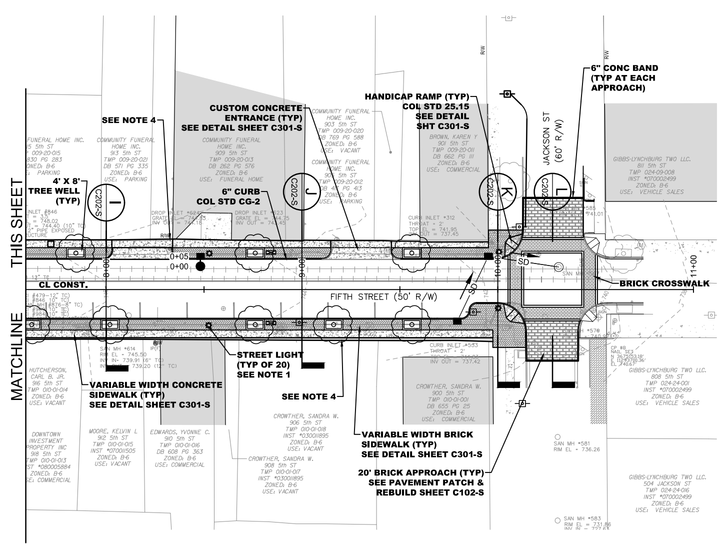
FISCAL IMPACT:
Full road closure (16 month schedule): $2,761,000
One lane road closure (22 month schedule): $2,946,000

CONTACT(S):
Scott Parkins, Project Manager (Water Resources)
Tom Martin, City Planner (Community Development)
Lee Newland, City Engineer (Public Works)

ATTACHMENT(S):
5th Street Phase III Road Closure Cost Impacts
5th Street Phase III Timeline Estimate

REVIEWED BY:





NOTES:

1. STREET LIGHT BASE AND CONDUIT SHALL BE INSTALLED PER AEP STANDARD DETAILS (SEE SHEET C301-S). CONTRACTOR SHALL INSTALL CONDUIT AND BASES. AEP SHALL INSTALL STREET LIGHTS SEPARATE FROM THIS CONTRACT.

2. ALL EXISTING TROLLEY TRACKS ALONG FIFTH STREET AND PARK AVENUE SHALL BE REMOVED. TROLLEY TRACK REMOVAL WITHIN REBUILD AREAS (SEE SHEET C-102S) WILL NOT BE PAID FOR SEPARATELY, BUT WILL BE INCLUDED AS PART OF THE STREET REBUILD PAY ITEM. TROLLEY TRACK REMOVAL OUTSIDE THE REBUILD AREA SHALL INCLUDE ASPHALT, BRICK, CONCRETE REMOVAL, AND REGULAR EXCAVATION REQUIRED TO ACHIEVE SUBGRADE ELEVATION AS REQUIRED TO REMOVE THE TRACKS. TROLLEY TRACKS SHOWN ARE BASED ON MAPPING PROVIDED BY THE CITY. ACTUAL LOCATION SHALL BE FIELD VERIFIED.

3. OWNER WILL SUPPLY AND INSTALL STREET TREES AS SHOWN. CONTRACTOR SHALL INSTALL TREE GRATES AND PREPARE TREE WELL FOR PLANTING. PREPARATION SHALL INCLUDE REMOVAL OF ALL UNSUITABLE MATERIALS AND INSTALLATION OF PLANTING MATERIAL TO A MINIMUM DEPTH OF 18 INCHES.

4. THE BELOW TAX MAP PARCEL TABLE INCLUDES PROPERTY THAT THE DESIGNED CONCRETE SIDEWALK EXTENDS BEYOND THE RIGHT OF WAY, ENCROACHING INTO LISTED PROPERTIES. THE AREAS ARE HIGHLIGHTED AS PER THE LEGEND.

TAX MAP PARCEL TABLE:

TAX MAP NUMBER	OWNER
010-15-001	SCRUGGS FAMILY TRUST
010-14-015	ROBERT W KERR
009-21-010	FIFTH STREET BAPTIST CHURCH TRS
009-21-007	WESTWARD INVESTMENT PROPERTIES LLC
009-20-002	COMMUNITY FUNERAL HOME INC
009-20-013	COMMUNITY FUNERAL HOME INC
010-01-013	DOWNTOWN INVESTMENT PROPERTY INC
010-01-014	CARL B HUTCHERSON JR
010-01-015	KELVIN L MOORE
010-01-016	YVONNE C EDWARDS
010-01-017	SANDRA W CROWTHER
010-01-001	SANDRA W CROWTHER

LEGEND

- STREET LIGHT
- TREE
- GRASS
- CONCRETE
- BRICK SIDEWALK/CROSSWALK
- BRICK APPROACH
- CONCRETE SIDEWALK THAT EXTENDS BEYOND R/W
- BUS STOP BENCH:
  BRP ENTERPRISES, INC.
  STYLE: MANCHESTER BACKED BENCH
  W/CENTER ARM REST
  MODEL # MC104-72-MF
  COLOR: BLACK

IF THIS DRAWING IS REDUCED, GRAPHIC SCALE MUST BE USED.

0 30' 60'
SCALE: 1" = 30'

CITY OF LYNCHBURG PROJECT #10033-W

APPROVED: CITY ENGINEER DATE

APPROVED: UTILITY ENGINEER DATE

Wiley|Wilson®
Constant Progress
127 Nationwide Drive, Lynchburg, Virginia 24502-4272
phone 434.947.1901 | fax 434.947.1601 | web wileywilson.com

TRC SUBMITTAL
MARCH 21, 2017

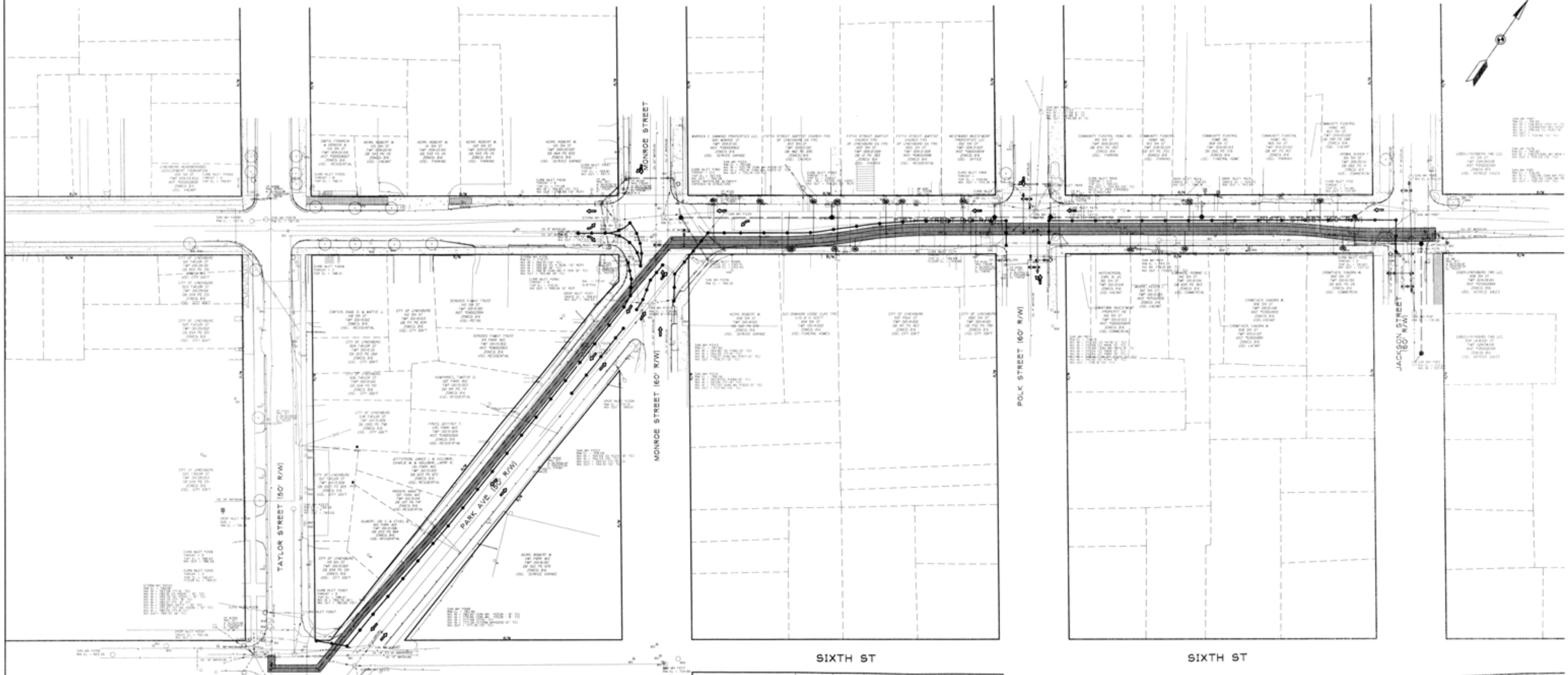
FIFTH STREET PHASE III
SUPPLEMENTAL PLANS

LYNCHBURG, VIRGINIA

MRK	DATE	REVISION DESCRIPTION

COMM NO: 213190.00
DATE: MARCH 21, 2017
DRAWN: LDB DESIGN: ETH
CHECK: ETH
SHEET TITLE
STREETSCAPE PLAN
SHT. NO. C101-S REV. NO. 0

SUGGESTED MAINTENANCE OF TRAFFIC - WATER LINE CONSTRUCTION



SUGGESTED MAINTANENCE OF TRAFFIC

1. THIS SHEET IS TO BE USED TO SHOW THE INTENDED DAILY FLOW OF TRAFFIC DURING CONSTRUCTION OF THE WATERLINES. WORK REQUIRED TO CROSS THE LANES OF TRAFFIC SHALL BE DONE WEEKDAYS AFTER 7 PM AND BEFORE 6 AM.
2. THE CONTRACTOR SHALL SUBMIT A SEPARATE TRAFFIC CONTROL PLAN TO THE CITY WITH PROPER DEVICES AND SIGNAGE IN ACCORDANCE WITH THE LATEST EDITION OF THE VIRGINIA WORK AREA PROTECTION MANUAL. PLEASE PROVIDE THIS TO CITY TRAFFIC ENGINEER TWO WEEKS PRIOR TO CONSTRUCTION.
3. THE CONTRACTOR IS RESPONSIBLE FOR THE MANUFACTURING AND COSTS OF ALL SIGNS, TEMPORARY PAVEMENT MARKINGS, LANE ERADICATION, ETC. TO BE USED AND INCLUDED IN THE PRICE FOR TRAFFIC CONTROL. THE CITY MAY PARTICIPATE WITH VARIABLE MESSAGE BOARDS DEPENDING ON AVAILABILITY.
4. THE CONTRACTOR WILL NEED TO EXCAVATE AND BACKFILL WITHIN THE WORK AREA SHOWN (LINEAR EXCAVATION AND BACKFILL WITHIN A SINGLE LANE AND SIDEWALK).
5. SIDE STREETS MAY BE CLOSED WHILE WORK IS OCCURRING ON THE PARTICULAR STREET. DETOUR PLANS SHALL BE COORDINATED WITH CITY TRAFFIC ENGINEER.
6. PEDESTRIAN TRAFFIC ON SIDEWALKS MAY BE CLOSED IN THE BLOCK WHERE THE TRENCH IS EXCAVATED.
7. ~~THE WATER SERVICE LATERALS SHALL BE BORED FROM THE MAIN TRENCH TO THE METER LOCATION ON THE NORTH SIDE OF THE PROJECT. THE WATER SERVICE LATERALS ON THE SOUTH SIDE AND ALL CLEANOUTS SHALL BE OPEN TRENCHED.~~
8. ~~TRENCHES SHALL BE PAVED IN ACCORDANCE WITH DETAIL 25.18 TYPE A, EXCEPT THAT THE 2" OF SURFACE MIX SHALL BE 2" OF BASE MIX. THE TRENCH SHALL BE PAVED PRIOR TO PROCEEDING WITH THE NEXT BLOCK. THE ENTIRE LANE SHALL BE MILLED AND REPAVED AT THE END OF THE PROJECT.~~
9. THE CONTRACTOR MAY COORDINATE TESTING EACH BLOCK PRIOR TO PAVING AT NO ADDITIONAL COST TO THE CITY FOR ADDITIONAL VALVES.
10. CONTRACTOR SHALL UTILIZE THE EXISTING TRAFFIC SIGNAL POLES DURING WATER LINE CONSTRUCTION.
11. CONTRACTOR SHALL INFORM CITY INSPECTOR OF ANY SPECIAL REQUEST MADE BY PROPERTY OWNERS DURING CONSTRUCTION.

ALL WATER SERVICE LATERALS SHALL BE OPEN CUT.

SEE SUPPLEMENTAL PLANS, SHEET C102-S FOR PAVEMENT PATCH INFORMATION.

IF THIS DRAWING IS A REDUCTION GRAPHIC SCALE MUST BE USED

40' 0 40'

LEGEND

AREA OF CONSTRUCTION

TRAFFIC FLOW

TRAFFIC BARREL WITH NIGHTTIME OPERATION DEVICE

THIS SHEET IS FOR REFERENCE ONLY

Approved: City Engineer Date

NO.	REVISION	BY	DATE
1	REVISED TO ADDRESS CITY COMMENTS DATED NOVEMBER 19, 2012	GLM	12-5-12

COMMONWEALTH OF VIRGINIA
JAMEY T. WHITE
Lic. No. 47808
12-5-12
PROFESSIONAL ENGINEER

WARNER ENGINEERING
WE move the project forward
1511B ENTERPRISE DRIVE
LYNCHBURG, VIRGINIA 24502
PHONE: 434-582-5007 FAX: 434-582-5008

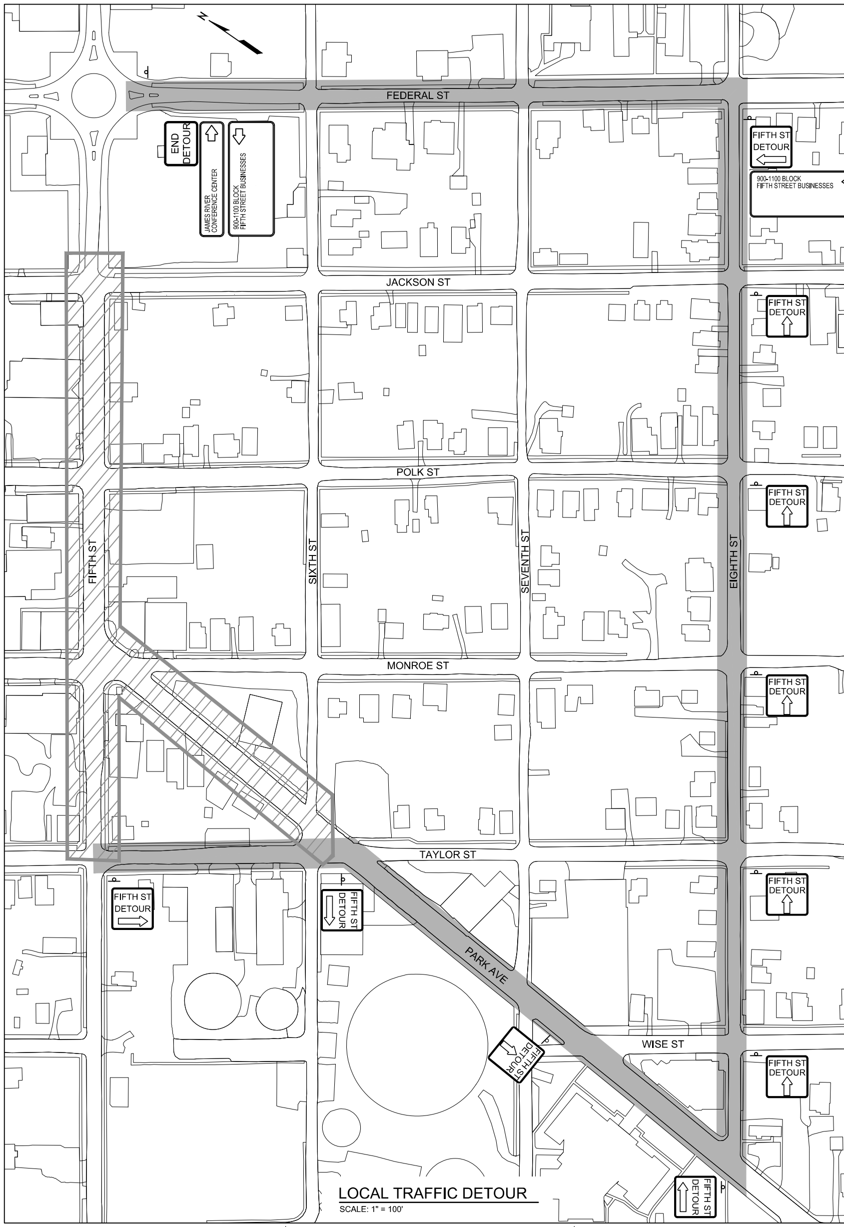
DRAWN BY: GLM
DESIGNED BY: JLW
REVIEWED BY: TJW
PROJECT No. 11008.00
SCALE: GRAPHIC

PROJECT: CITY PROJECT #10033-W
FIFTH STREET
UTILITY REPLACEMENT-PHASE III
CITY OF LYNCHBURG
LYNCHBURG VIRGINIA

TITLE: SUGGESTED MAINTENANCE OF TRAFFIC FOR WATER LINE CONSTRUCTION

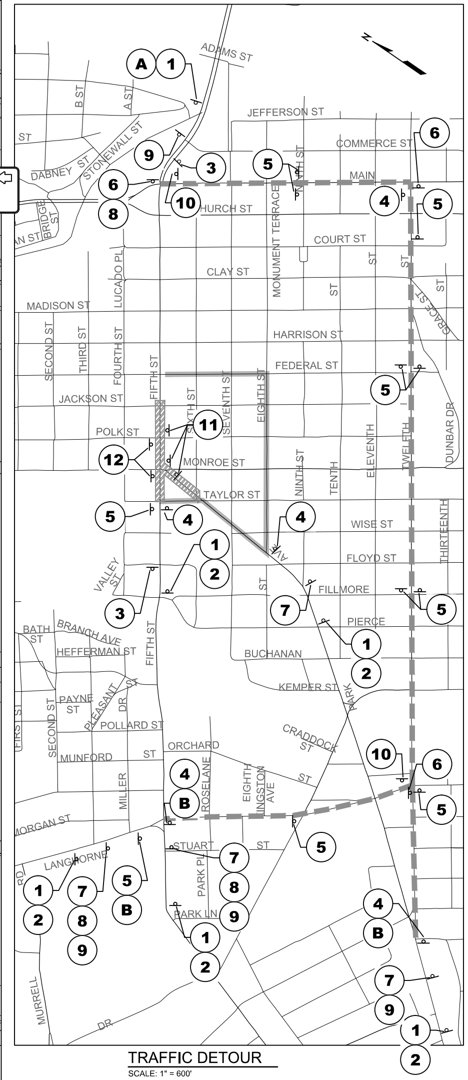
DATE: 10-11-12
REV. 12-5-12
DRAWING No: MOT1
SHEET NUMBER: 19 OF 21

FILE: P:\2011\11008.00 Fifth Steet Phase III\UTILITY PLAN\10045MOT1.dwg



LOCAL TRAFFIC DETOUR

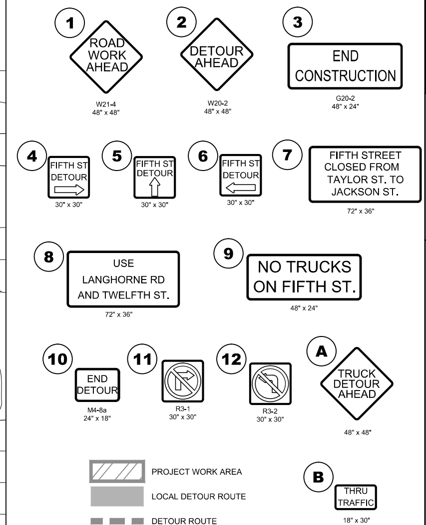
SCALE: 1" = 100'



TRAFFIC DETOUR

SCALE: 1" = 600'

LEGEND:



NOTES:

1. ALL SIGNAGE SHALL COMPLY WITH THE LATEST VERSION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).
2. SIGNAGE AND DETOUR ROUTING SHOWN FOR THE LOCAL DETOUR ASSUMES SOUTHBOUND TRAFFIC WILL BE MAINTAINED DURING CONSTRUCTION AND NORTHBOUND TRAFFIC WILL BE DETOURED. IF BOTH LANES ARE CLOSED, SIGNAGE WILL NEED TO BE ADJUSTED ACCORDINGLY.
3. PORTABLE "ROAD CLOSED" SIGNS MAY BE PLACED ON SIDE STREETS TO ALLOW FOR TEMPORARY CONSTRUCTION ACTIVITIES.
4. THE SIGNS SHALL BE REMOVED ONCE A LANE IS NAVIGABLE BY THE TRAVELING PUBLIC. WHEN ROADS ARE TEMPORARILY CLOSED,A TRAVEL WAY SHALL STILL BE ACCESSIBLE BY EMERGENCY VEHICLES.
5. THE CITY MAY USE ITS MESSAGE BOARDS TO ASSIST WITH TRAFFIC MANAGEMENT AS NEEDED.
6. THE TRAFFIC CONTROL SIGNAGE ON THIS PLAN IS SUGGESTED; HOWEVER, ACTUAL TRAFFIC MOVEMENT MAY REQUIRE DEVIATION FROM THIS PLAN. THE CITY CONSTRUCTION COORDINATOR SHALL BE CONSULTED PRIOR TO ANY CHANGE IN PLAN.
7. THE CONTRACTOR SHALL VERIFY THAT THE SIGNS BEING PLACED DO NOT CONFLICT WITH OTHER SIGNAGE THAT MAY BE IN SERVICE DURING CONSTRUCTION.

IF THIS DRAWING IS REDUCED, GRAPHIC SCALE MUST BE USED.

0 100' 200'
SCALE: 1" = 100'

CITY OF LYNCHBURG PROJECT #10033-W

APPROVED: CITY ENGINEER	DATE
APPROVED: UTILITY ENGINEER	DATE

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TRC SUBMITTAL
MARCH 21, 2017

FIFTH STREET PHASE III
SUPPLEMENTAL PLANS

LYNCHBURG, VIRGINIA

MRK	DATE	REVISION DESCRIPTION

COMM NO: 213190.00
DATE: MARCH 21, 2017
DRAWN: LDB | DESIGN: ETH
CHECK: ETH
SHEET TITLE

DETOUR PLAN

SHT. NO.	REV. NO.
C402-S	0

Project: Fifth Street Phase III Utility and Streetscape Project Construction Timeline Estimate - Maintain One Lane of Traffic

Date: June 26, 2017

Estimator: ETH

TASK & TIME	Total Weeks
Demolition	
Road Rebuild, Trolley Tracks, Curbing, Sidewalk etc. = Estimate 2 weeks per block and 3 blocks	**6**
Water Line Construction	
Estimate used for Phase II = 40' per day	
Actual rate of installation for Phase II was 165' per Month; use 255' per month to account for 7 weather days per month	
Total Water line length = (1,173' of 24-inch, 664' of 16-inch, 221' of 8-inch) = 2,058 Linear Leet	
Using 255' per month from Phase II = (2,058 LF / 255' per Month) = 8 Months	
With 4 weeks per month; expect waterline to take 32 weeks	**32**
Sanitary Sewer Line	
No sanitary sewer mains being built - Only lateral replacement	
Sewer Laterals = 1 per day	
30 sewer laterals to be replaced; therefore use 30 days or 6 weeks for sewer lateral connections	**6**
Storm Sewer Construction	
Urban Construction use 2 days structure	
10 structures to be installed; therefore use 20 days or 4 weeks for storm sewer construction	**4**
Core drilling Exisitng Manholes @ 1 per day	
4 connection to existing manholes; therefore use 4 days or 1 week	**1**
Paving	
Mill 400' per day per lane	
Total Milling = 1,335 LF; therefore use 3.3 days to mill or 1 week	**1**
Pave 800' per day per lane (use 10' lanes)	
Total Paving = 2,220 LF; therefore use 3 days to pave or 1 week	**1**
Streetscape Improvements	
Curbing = 200' per day includes stone bedding and concrete entrances	
Total Curb Length = 2150 LF; therefore use 11 days or 2.2 weeks for curbing and entrance work	**2.2**
Sidewalk = 83 s.y. per day (includes bedding)	
Total Sidewalk = 920 sy therefore use 11 days or 2.2 weeks for sidewalks	**2.2**
Brick sidewalk and approaches = 30 s.y. per day includes bedding and sand	
Brick Sidewalks and approaches = 1,430 sy; therefore use 47 days or 9.5 weeks	**9.5**
Brick crosswalks and circle = 1.5 weeks per intersection	
Crosswalks and Circle = 5 x 1.5 = 7.5 weeks	**7.5**
Street Lights = 1 per day (includes laying conduit and concrete bases)	
Total Street Lights = 18; therefore use 18 days or 4 weeks of street light work	**4**
Landscaping	
Tree Wells 4 per day(Note: City to Plant trees)	
Total Trees = 24; therefore use 6 days or 1.2 weeks	**1.2**
SubTotal Streetscape	**27**
Assume half of streetscape work to be performed concurrently with utility installation	**13**
SubTotal Construction Weeks	**64**
SubTotal Construction Months	16
Rain Days (using 7 per month)	113
Rain Weeks using 5 week days	**23**
Total Weeks	**87**
Total Months	**22**

Project: Fifth Street Phase III Utility and Streetscape Project Construction Timeline Estimate - Road Closed

Date: June 26, 2017

Estimator: ETH

TASK & TIME	Total Weeks
Demolition	
Road Rebuild, Trolley Tracks, Curbing, Sidewalk etc. = Estimate 2 weeks per block and 3 blocks	**6**
Water Line Construction	
Closing the roadway speeds the waterline installation by 25 percent; use 320' per month	
Total Water line length = (1,173' of 24-inch, 664' of 16-inch, 221' of 8-inch) = 2,058 Linear Leet	
Using 320' per month = (2,058 LF / 320' per Month) = 6.4 Months	
With 4 weeks per month; expect waterline to take 26 weeks	**26**
Sanitary Sewer Line	
No sanitary sewer mains being built - Only lateral replacement	
Sewer Laterals = 2 per day	
30 sewer laterals to be replaced; therefore use 15 days or 3 weeks for sewer lateral connections	
Assumed two (2) utility crews can work with the road closed; therefore use 0 weeks	**0**
Storm Sewer Construction	
Urban Construction use 2 days per structure	
10 structures to be installed; therefore use 20 days or 4 weeks for storm sewer construction	
Assumed two (2) utility crews can work with the road closed; therefore use 0 weeks	**0**
Paving	
Mill 400' per day per lane	
Total Milling = 1,335 LF; therefore use 3.3 days to mill or 1 week	**1**
Pave 800' per day per lane (use 10' lanes)	
Total Paving = 2,220 LF; therefore use 3 days to pave or 1 week	**1**
Streetscape Improvements	
Curbing = 200' per day includes stone bedding and concrete entrances	
Total Curb Length = 2150 LF; therefore use 11 days or 2.2 weeks for curbing and entrance work	**2.2**
Sidewalk = 83 s.y. per day (includes bedding)	
Total Sidewalk = 920 sy therefore use 11 days or 2.2 weeks for sidewalks	**2.2**
Brick sidewalk and approaches = 30 s.y. per day includes bedding and sand	
Brick Sidewalks and approaches = 1,430 sy; therefore use 47 days or 9.5 weeks	**9.5**
Brick crosswalks and circle = 1 weeks per intersection	
Crosswalks and Circle = 5 x 1 = 5 weeks	**5**
Street Lights = 1 per day (includes laying conduit and concrete bases)	
Total Street Lights = 18; therefore use 18 days or 4 weeks of street light work	**4**
Landscaping	
Tree Wells 4 per day(Note: City to Plant trees)	
Total Trees = 24; therefore use 6 days or 1.2 weeks	**1.2**
SubTotal Streetscape	**24**
Assume half of streetscape work to be performed concurrently with utility installation	**12**
SubTotal Construction Weeks	**46**
SubTotal Construction Months	12
Rain Days (using 7 per month)	81
Rain Weeks using 5 week days	**16**
Total Weeks	**62**
Total Months	**16**

5th Street Phase III
Road Closure Cost Impacts

Description	Road Closed 16 Month Project Cost	Maintain One Lane Traffice 22 Month Project Cost
Construction Cost Subtotal (2016 Pricing)	$2,112,351.66	$2,112,351.66
Traffic Control		$20,622.00
Mobilization (5% Subtotal)	$105,617.58	$145,223.58
Contingencies (10% Subtotal)	$211,235.17	$211,235.17
Subtotal	$2,429,204.41	$2,489,432.41
Construction Administration	$320,000.00	$440,000.00
City (Admin., Finance, etc.)	$12,200.00	$16,755.00
Totals	$2,761,404.41	$2,946,187.41

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **July 11, 2017 PDC** AGENDA ITEM #:

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

ITEM TITLE: Recent Announcements of Awarded Funding From VDOT

KEY ELEMENTS:
_X_Economic Development ___Excellent Government _X_Natural and Built Environment _X_Safe Community ___Vibrant Community

RECOMMENDATION: None

SUMMARY: Staff has been notified of two VDOT Revenue Sharing awards for FY2018.

The City applied in November for Revenue Sharing Funds on four (4) different projects for a total of $12,025,000. The total request from localities for State funds exceeded the maximum available, so only projects that previously had Revenue Sharing funds allocated to them were funded this year. In doing this, the City received funding for two (2) of the projects applied for. These are 50% State Reimbursement Awards minus VDOT charges.

Fifth Street Streetscapes Phase 3 total project $3.5 M, applied for $2 M (1M State, 1 M Local) for eligible streetscape work, was awarded $990,000. ($10,000 in VDOT charges)

Liberty Mountain Drive Phase 3 total project $6.25 M, applied for full amount, was awarded $3.115 M. ($10,000 in VDOT charges)

The Fifth Street project continues the improvements from Harrison Street to Taylor Street. Liberty Mountain Drive off of Candler's Mountain Road proceeds to the east to connect to the Odd Fellows Interchange, under construction, and is a partnership project with Liberty University. If this is approved, the right of way will be donated to the City and Liberty University will make an additional financial contribution. This is the last phase of this new road.

PRIOR ACTION(S): November 8, 2016, City Council to Approve Applications

FISCAL IMPACT:

CONTACT(S): Lee Newland, City Engineer – 455-3947

ATTACHMENT(S): None

REVIEWED BY:

Physical Development Committee Meeting – 8:00 a.m.
CANCELLED - Finance Committee Meeting – 11:30 a.m.

COUNCIL MEMBER NELSON WILL GIVE THE INVOCATION

A G E N D A
City Council Meeting of July 11, 2017

4:00 P. M.
Work Session Agenda Items

1."Consideration of a closed meeting: (i) for discussion of plans to protect public safety and the security of City Hall and the safety of persons using City Hall because discussion in an open meeting would jeopardize the safety of such persons or the security of the building, pursuant to Section 2.2-3711(A.)(19.) of the Code or Virginia; (ii) for the discussion and consideration of prospective candidates for the Museum Advisory Board pursuant to Section 2.2-3711(A.)(1) of the Code of Virginia; and, (iii) for consultation with legal counsel and staff members regarding specific legal matters requiring the provision of legal advice, specifically,(a) the discussion of legal matters related to the appointment of and qualifications for members of the Lynchburg School Board, and (b) the City's interest in the property located at 2007 Memorial Avenue now that the Lynchburg Life Saving Crew is no longer providing emergency services to Lynchburg's citizens, pursuant to Section 2.2-3711(A)(7) of the Code of Virginia."

Council Chamber - 7:30 p.m.
City Council Agenda Items

GENERAL POLICY REGARDING PUBLIC PARTICIPATION AT CITY COUNCIL MEETINGS
Each speaker shall clearly state his or her name and locality of residence.
The City Council agenda is divided into three sections.
CONSENT AGENDA: This section includes routine items. All items may be approved by one vote.
PUBLIC HEARINGS: This section includes all public hearings as required by law or as Council may direct.
Procedure:

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

During the public hearing there shall be a time limit of three (3) minutes for each individual speaker. If the speaker represents a group, there shall be a time limit of five (5) minutes. A speaker representing a group shall identify that group at the beginning of his or her remarks. A group may have only one spokesperson.
After public comments have been received, for zoning petitions the applicant or the representative of the applicant, at his or her discretion, may respond with a rebuttal. There shall be a five (5) minute time limit for rebuttal.
Upon the conclusion of public comments or the applicant's rebuttal the public hearing will be closed and the matter referred to Council for deliberation.
PUBLIC PRESENTATIONS: Public presentations shall be for the purpose of allowing members of the public to present any matter, which, in their opinion, deserves the attention of the Council. They shall not serve as a forum for debate with the Council. Individuals may speak up to 3 minutes; or group spokesperson up to 5 minutes. Once Council has heard a presentation from a citizen or organization on a particular subject, the citizen or organization may not make another presentation on the same subject within three (3) months of the first presentation, except by a majority vote of the members of Council present and voting.
GENERAL BUSINESS: This section includes items of a general nature to be considered by Council.
City Council may make exceptions to these rules at its discretion.
Prior to a meeting, any questions which citizens may have regarding any item on the agenda may be addressed to City Council or the City Administration. The following numbers are provided for the convenience of the citizens:
CITY COUNCIL 455-3995 MAYOR 455-3995 CITY MANAGER 455-3990
A reasonable charge may be made for copying and other activities related to responding to long and involved inquiries.
CITIZENS OFTEN EXPRESS CONFLICTING AND DIVERSE POSITIONS REGARDING SPECIFIC ISSUES UNDER CONSIDERATION. TO ENCOURAGE CITIZEN PARTICIPATION AND TO AVOID INTIMIDATION TO PERSONS WHO MAY EXPRESS SOMETIMES UNPOPULAR OPINIONS, APPLAUSE, CHEERS, OR JEERS FROM THE AUDIENCE ARE NOT PERMITTED. WHEN APPEARING BEFORE CITY COUNCIL CITIZENS MAY NOT ENGAGE IN BEHAVIOR THAT INTIMIDATES OR INSULTS OTHERS, ENGAGE IN DISRUPTIVE BEHAVIOR, USE PROFANITY OR VULGAR LANGUAGE, PROMOTE PRIVATE BUSINESS VENTURES OR CAMPAIGN FOR PUBLIC OFFICE.

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

C0NSENT AGENDA

#2. Consideration of approving the minutes of the April 25, 2017 meeting.

#3. Consideration of approving the minutes of the May 9, 2017 meeting.

#4. Consideration of approving the minutes of the May 23, 2017 meeting.

#5. Consideration of approving the minutes of the June 1, 2017 meeting.

#6. Consideration of approving the minutes of the June 13, 2017 meeting.

#7. Consideration of approving the minutes of the June 27, 2017 meeting

#8.* Consideration of adopting Resolution #R-17-059 to amend the FY 2017 Water Capital Projects Fund budget and appropriate $241,043 with resources from Liberty University to reimburse construction costs associated with Liberty University Indoor Track and Aquatic Complex Waterline – Phase 2.

GENERAL BUSINESS

#9. Presentation from Davenport & Company regarding Potential Bond Refunding Opportunity.
(File: Financial Services)

#10. Consideration of adopting a Resolution authorizing the issuance of Bonds for Westminster Canterbury of Lynchburg, Inc. through the Economic Development Authority of the City of Lynchburg.
(File: Economic Development) #R-17-_____

#11. Consideration of introducing a Resolution to amend the FY 2018 General Fund Police Department budget and appropriate $139,091 carryforward from the FY 2017 General Fund Police Department to adjust salaries of Police Officer II, Police Officer III, Sergeant, and Lieutenant as presented to City Council on June 27, 2017.
(Police)
#R-17-_____

#12. Roll Call

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: July 11, 2017 AGENDA ITEM #: **1**

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

ITEM TITLE: Active Shooter Training for City Council

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

RECOMMENDATION: Participate in an “active shooter” training session by the Lynchburg Police Department.

SUMMARY: During the past year, the City Manager has required all City employees to attend “active shooter training” in an effort to educate employees on how to respond to such an incident. Former Mayor Jim Whitaker suggested that City Council should be trained on how to respond to such an event as well. Mayor Foster and Vice Mayor Tweedy agreed with this suggestion. On July 11, 2017, the Lynchburg Police Department will provide training similar to the training presented to City employees.

Due to the nature of this training, City Council will be asked to go into Closed Session. Members of the Leadership Team and other staff who are frequently at Council meetings will be present for this training.

PRIOR ACTION(S): None

FISCAL IMPACT: None

CONTACT(S): Lieutenant Edward Cook, 426-8238
Chief Raul Diaz, 455-6104

ATTACHMENT(S): None

REVIEWED BY: bms

094K

// A regular meeting of the Council of the City of Lynchburg was held on the 25th day of April, 2017, at 3:00 P.M. in the Council Chamber, City Hall, Joan Foster, President, presiding. The following Members were present:

Present: Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Foster 7

Absent: 0

// Donna Witt, Director of Financial Services explained the second reading of the Revised FY 2017 Third Quarter Adjustments. This item was first introduced at the April 11, 2017 Council Meeting. The revised Resolution (#R-17-029) amending the FY 2017 Budget and appropriating funds with resources from the General, City/Federal/State Aid, Community Development Block Grant (CDBG), Forfeited Assets, Children's Services Act (CSA), Lynchburg Expressway Appearance Fund (LEAF), Airport, City Capital Projects, School Capital Projects, and Airport Capital/Grant Projects Fund to reflect the FY 2017 Third Quarter Adjustments. This item laid over from the April 11, 2017 meeting was again presented and read.

Council Member Perrow made a motion to approve the revised FY 2017 Third Quarter Adjustments. The motion was seconded by Council Member Helgeson and Council by the following recorded vote adopted Resolution #R-17-029, as presented, amending the FY 2017 Budget and appropriating funds with resources from the General, City/Federal/State Aid, Community Development Block Grant (CDBG), Forfeited Assets, Children's Services Act (CSA), Lynchburg Expressway Appearance Fund (LEAF), Airport, City Capital Projects, School Capital Projects, and Airport Capital/Grant Projects Fund to reflect the FY 2017 Third Quarter Adjustments:

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

Noes: 0

// City Manager Bonnie Svrcek stated Staff is prepared to answer questions regarding the downtown traffic management plan for Church and Main Streets. Staff is proceeding with the March 28, 2017 direction of Council to make Church and Main Streets one-way rather than continue on the path of two-way conversion. Ms. Svrcek further stated Staff needs conclusive and final direction on how to proceed with traffic management as it relates to Phase I of the Downtown Water Main Replacement and Streetscape Project that is currently under construction. Ms. Svrcek went on to say delays in Council direction are likely to result in project delays and could have a fiscal impact as well.

April 25, 2017

101

// Mayor Foster made the following statement regarding the Downtown Traffic Management Plan - Church and Main Streets: "Following the public comments on April 11, 2017, Council by consensus agreed to bring this item back for discussion regarding the Downtown Traffic Management Plan". Mayor Foster stated that Council Member Nelson made a brief comment and agreed that the hour was late and Council should defer this item to the April 25, 2017 meeting. Mayor Foster further stated before she deferred to Council Member Nelson that Council would defer any further discussion on the matter of the downtown traffic management. The Planning Commission will consider adopting a Resolution to initiate updates to the Downtown and Tyreeanna Master Plans as funding is available in the current budget. The Downtown Master Plan has served well over the last 17 years, but Downtown has changed significantly over the years. Mayor Foster suggested that the decision that was made on March 28, 2017 to maintain the one way traffic on Church and Main Streets stand as decided and numerously voted upon.

Council Member Helgeson agreed with the Mayor's statement, but he raised an issue of procedure dealing with "numerously voted upon." He stated that he did not agree by consensus because he disagreed with a Council member being able to comment on a current issue. Council Member Nelson stated he numerously voted on the two way traffic. Council Member Nelson gave recommendation regarding two-way traffic. One-way traffic is a crutch. Several concerns he raised were the loading and unloading zones, enforced parking in downtown, and bus stops. If the protocols proposed by City staff are really a solution, we should be able to see the solution in one-way traffic. We should not disrupt the current traffic patterns without clear results.

Council Member Nelson went on to say that from the City Code the City Manager does not need the permission of Council to implement these procedures. Council Member Nelson four major concerns are:

- **Enforce parking regulations**
- **Modify or expand loading zones**
- **Loading schedule**

Bus stop issues

He suggested City Council request the City Manager proceed with the protocols that were in place if we were to go to two-way traffic (Street side enforcement, expanding loading zones, work with merchants opposed to two-way traffic so they are a strong part of the conversation).

Council Member Nelson suggested Council request the City Manager make these changes, that a report be issued in eight to nine months reflecting those changes, which will allow Council additional information to vote on two-way traffic, and no change be made without a public hearing.

April 25, 2017

City Manager Bonnie Svrcek asked for clarification on what her responsibilities were to bring back to Council a change in the City Code relating to parking in loading zones.

// City Manager Bonnie Svrcek began with the following items of balancing the budget:

FY 2018 Proposed Balanced General Fund:

- **Staff Adjustments to Revenues – no change**
- **GAP of ($267,612) balance**
- **Citywide Compensation Study**
- **Citywide Compensation and Implementation Study**
- **Contractual Services for a Department Strategic Plan**

FY 2018 Pay-As-You-Go Funding City Capital Projects Fund balancing

- **Sources of Funding for General Fund Pay-As-You-Go Projects**

Expenditures and Revenue Funding

- **Buildings**
- **Transportation**
- **Economic Development**
- **Parks and Recreation**

Schools Capital Projects Fund

- **Schools Project List**
- **Athletic Complexes**
- **Major Building Repairs – Schools**
- **Roof Replacement - Schools**

// The meeting was adjourned at 6:30 P.M.

____

Clerk of Council

// A regular meeting of the Council of the City of Lynchburg was held on the 9th day of May, 2017, at 3:00 P.M. in the Council Chamber, City Hall, Joan Foster, President, presiding. The following Members were present:

Present: Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Foster 7

Absent: 0

// Mayor Foster stated that she would begin with the Budget Balancing and Bond Funding.

// City Manager Bonnie Svrcek stated that the balancing of the operating Budget was complete with major adjustments. Next was the FY 2018 Pay-As-You-Go City Capital Projects Funding Balancing with a difference after the adjustment of $19,900. The remaining balance of $19,900 will be assigned to the General Fund Capital Maintenance Reserve. Council Member Perrow offered several suggestions regarding the Pay-As-You-Go Projects such as Public Safety Building – replace rooftop heating and air conditioning ($185,000) and Miller Park/Fort Avenue Retaining Wall Restoration ($356,000). Ms. Svrcek provided Council with the Revised FY 2018 – 2022 "On Time/Bond Funded" Capital Improvement Program (CIP). The *FY 2018 Proposed Manager's Budget* included $650,000 in new revenue to assist in beginning to close the funding gap for long term financing for major capital projects. City Council approved an increase on April 28th in the Lodging Tax rate from 5.5% to 6.5% including the $1.00/room per night. Ms. Svrcek went on to say this increase in the tax rate is projected to generate $375,000 in additional revenue rather than the $692,000 which was proposed based on an increase in the tax rate from 5.5% to 7.5% plus the $1.00 per room per night.

Following conversations with the City's financial advisors, Davenport & Company, it was determined that the revised financing strategy would require the City to build a reserve of $1.375 million over the next three years to fund the debt for the five year capital improvement plan beginning with the $375,000 in FY 2018 and $500,000 each year in FY 2019 and FY 2020. Ms. Svrcek stated with these resources, capital projects in the amount of $100.0 million can be financed over the FY 2018 – FY 2022 CIP period. The FY 2018 Proposed Manager's Budget included $144.2 million in "on-time/bond financing" for the FY 2018 –FY 2022 CIP period. Based on City Council's action regarding available revenues, staff has revised the "on-time/bond financed" component of the FY 2018 – FY 2022 CIP totaling $98.5 million. The criteria in reprioritizing projects:

- **Safety concerns**
- **Regulatory mandates**

- ➢ **Traffic congestion**
- ➢ **Leveraging of resources (Community Development Block Grant (CDBG) and Virginia Department of Transportation (VDOT)**
- ➢ **Cost-benefit of doing the project sooner rather than later**

Ms. Svrcek further stated a summary of Unfunded Projects that had been included in the *Proposed FY 2018 – 2022 CIP* which is nearly $7.0 million in potential VDOT Revenue Sharing, projected private contributions, and VDOT Transportation Alternatives funding will not be leveraged due to the lack of funding available from the City. The following are the projects that have been pushed out further:

- **Sandusky Elementary School Replacement – On-Time Financing**
- **Linkhorne Elementary School Renovation – On-Time Financing/Future Bond Issue**
- **Paul Munro Elementary School Renovation - Future Bond Issue**
- **Elementary School Gym Additions – On-Time Financing**
- **New Transportation Building – Future Bond Issue**

<u>City Capital Projects Fund - Buildings</u>

- **Public Library – Interior lighting improvement for energy efficiency – On-Time Financing**
- **Public Library – replace wall covering – On-Time Financing**
- **Public Library – Space reconfiguration and infrastructure upgrade – On-Time Financing**
- **Public Safety Complex – New Project – On-Time Financing**

<u>Transportation</u>

- **Route 501/221 One Way Pair – On-Time Financing**
- **College Lake Dam Improvement – On-time Financing/Future Bond Issue**
- **Pedestrian Improvement Old Forest Road – New Project – Future Bond Issue**
- **Fifth Street Streetscape Phase II – Future Bond Issue**
- **Breezewood Drive Widening – New Project – Future Bond Issue**
- **Indian Hill Bridge – New Project – On-Time Financing**
- **Link Road Bridge – On-Time Financing**
- **Timberlake Road Bridge, West Bound – New Project – On-Time Financing**
- **Fifth Street – Taylor Street to Railroad Bridge Reconstruction Phase IV – New Project – On-Time Financing**
- **Bedford Avenue Bridge – New Project – On-Time Financing**
- **Nationwide Drive Roundabout – New Project – State Revenue Sharing Future Bond Issue**
- **Timberlake Road at Leesville Road – Turn Lanes – New Project – State Revenue Sharing**
- **Graves Mill Adaptive Signal System – New Project – On-Time Financing**
- **Wards Ferry Road at Atlanta Avenue – New Project – On-Time Financing**

- **Lynchburg College Roundabout – Future Bond Issue/State Revenue Sharing**
- **John Capron Road – Future Bond Issue/State Revenue Sharing**
- **Wards Ferry Road at Harvard Street Roundabout – New Project – On-Time Financing**
- **Florida Avenue Sidewalk – New Project – On-Time Financing/Transportation Alternatives**
- **Culvert Replacement Program – On-Time Financing**
- **Retaining Wall Replacement/Repair Program – On Time Financing**
- **Traffic Signal Replacement/Repair Program – On-Time Financing**

Economic Development

- **Streetscape Improvements Downtown – On-Time Financing**

Parks and Recreation

- **Bikeway Bridge to Linkhorne Renovations – On-Time Financing**
- **Miller Park/Fort Avenue Retaining Wall Restoration – On-Time Financing**
- **Riverside Park Overlook Stabilization – On-Time Financing**

After Council discussion on the Proposed FY 2018 – 2022 CIP, Council reached a consensus on balancing the budget.

// During Roll Call Council Member Wilder commended the Mayor and Vice Mayor for the Poverty to Progress event held at E.C. Glass High School on May 4th. He also commended the citizens of Lynchburg and surrounding areas for supporting the initiative.

// Council Member Dolan echoed Mr. Wilder's sentiments.

// Council Member Nelson applauded the City's recognition as a Top 30 Most Charming College Town.

//Council Member Perrow asked that a work order be submitted to replace lights in the City Hall foyer as it was dark when he walked in.

// Vice Mayor Tweedy thanked citizens for participation in the Poverty to Progress event and noted that the information gathered will be compiled and made available soon. She also thanked all who were involved in the planning and execution of the International Festival which was held downtown on May 6th. The event was well-attended.

// Mayor Foster applauded the International Festival and suggested the possibility of expanding the parade next year. City Manager Bonnie Svrcek added that the event was spearheaded by the City Employee Action 4 Change Committee that developed out of the Conversations on Race and

Racism. Vice Mayor Tweedy added that a citizen reminded her that they planned the first international festival nearly thirty years ago with the help of business sponsors, so there is room for possible expansion of the festival. Mayor Foster also thanked the citizens and volunteers who attended the Poverty to Progress meeting on May 4th and provided insightful feedback. Mayor Foster reiterated that citizens are willing to step up with their funds, talents, and resources.

// City Council recessed the meeting at 4:43 p.m.

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

The following Members were present:

Present:	**Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder, Foster**	**7**
Absent:		**0**

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

// Mayor Foster and Vice Mayor Tweedy recognized Police Chief Raul Diaz, who received an award from Women of Wisdom Global on April 20, 2017 as a committed partner in creating safe and prosperous neighborhoods for the Lynchburg Community.

// Mayor Foster acknowledged Lynchburg as one of "30 Most Charming College Town Main Streets 2017-2018" according to Best Value Schools – Top College Town Main Streets.

// Mayor Foster and Vice Mayor Tweedy presented a Certificate of Recognition for Volunteers of the Year – Annette Banks and Jamon Haskins. The award is being renamed for a long-term community volunteer who passed away on September 30, 2016, Mr. Walter M. Fore. Mrs. Julia Fore accepted a plaque in honor of her husband.

// Mayor Foster and Vice Mayor Tweedy presented Recognition Trophies to Hill Climbers Award Recipients: Trevel Alexander, Morey Becker, Rae' Monique Hunter, Kendall Jacynyk, Daniel Martin, Logan Reid-Perry, Alexis Thompson, and Savannah Wade.

// Mayor Foster and Vice Mayor Tweedy presented a Certificate of Recognition to Mayor's Youth Council Senior, Ian Winstead. Mayor Foster also introduced Mayor's Youth Council member Molly Graham.

// Mayor Foster and Vice Mayor Tweedy presented a Proclamation in honor of Music Week in Lynchburg, May 7-14, 2017.

// Copies of the minutes of the March 28, 2017 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Perrow, seconded by Council Member Helgeson, Council by the following recorded vote approved the minutes as presented:

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

Noes: 0

// In the matter of Schools, a public hearing was held regarding City Council Report #4 to receive input from citizens regarding appointments (or reappointments) to vacancies that will exist June 30, 2017, in School Board districts I, II, and III. The following volunteers spoke to City Council regarding their desire to serve on the School Board:

- Belle Evans – School District 1
- Anne Ferrell – School District 1
- Gloria Preston - School District 3
- Braxton Carter - School District 3
- Bonnie Lee Parker, III - School District 2
- Andrew Taylor - School District 1
- Atul Gupta - School District 3
- Kimberly Sinha - School District 2
- James Coleman - School District 3

Mayor Foster stated two letters were sent for the school board appointments. Mr. Robert Brennan, School District 1 and Mr. Lewis Lee, Jr. for School District 2.

The following citizens spoke in support of volunteers:

- Laura Hamilton spoke in support of Belle Evans.
- Gentry Ferrell spoke in support of Anne Ferrell.
- Thomas Brennan read a letter written by Robert Brennan, volunteer for School District 1, in his absence.

There was no one else present who wished to speak to this item, and the public hearing was closed. By unanimous consent, Council voted to continue the public hearing until May 23 to allow more time to receive names of volunteers:

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

Noes: 0

// In the matter of Community Development Zoning Amendments, a public hearing was held regarding City Council Report #5 outlining the petition of Burkhardts LLC and Henry D. Brown to rezone approximately three hundred and twenty-six thousandths (0.326) acres at 509 Harrison Street and 512 Federal Street from R-4, High Density Residential District to B-4, Urban Commercial District to allow the construction of a parking lot.

Planner Rachel Frischeisen provided a summary of the request and stated the Planning Commission recommended approval of the rezoning petition. Mr. Jamey White of White Engineering & Design gave a presentation asking Council to approve the petition. Mr. John Parr representing Burkhardts, LLC spoke to Council in favor of the petition. There was no one else present who wished to speak to this item, and the public hearing was closed.

Council Member Nelson made the following statement. "I have represented Mr. John Parr in another real estate matter. I feel it would not be a conflict of interest and needed to disclose that statement. I am able to participate in this matter fairly, objectively and in the public interest. Therefore, I will participate in the discussion of and vote on this item." On motion of Council Member Perrow, seconded by Council Member Wilder, Council by the following recorded vote adopted Ordinance #O-17-031, as presented, granting the petition:

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

Noes: 0

// In the matter of Community Development Zoning Amendments, a public hearing was held regarding City Council Report #6 outlining the petition of Jamestown Development Group to amend the Future Land Use Map (FLUM) of the City's Comprehensive Plan 2013-2030 from Medium Density Residential to High Density Residential. City Planner Tom Martin provided a summary of the request of the Future Land Use Map (FLUM) and to rezone construction of a seventy (70) unit apartment complex with associated parking. The Planning Commission recommended approval of the FLUM and the rezoning petition. Mr. Norman Walton with Perkins & Orrison, Inc. spoke in favor of the FLUM and the rezoning petition. Mr. Tom Dewitt, representing the property owner, asked Council to approve the FLUM and rezoning petition.There was no one else present who wished to speak to this item, and the public hearing was closed. Council Member Helgeson had concerns with changing the FLUM from medium density residential to high density residential. He stated that there was a lot of traffic and was not in favor of changing from medium density residential to high density residential. Council Member Helgeson went on to say that he recommends that Council not change the Future Land Use Map and keep it as it is medium density residential.

After Council discussion on the FLUM a motion was made by Council Member Helgeson, seconded by Mayor Foster, to deny the FLUM. Council by the following recorded vote denied the amendment to the Future Land Use Map (FLUM) from Medium Density Residential to High Density Residential:

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

Council then considered a motion to rezone approximately seven and ninety-four hundredths (7.94) acres at 1806, 1816, 1836, 1840 and 1842 Wards Ferry Road from R-3, Medium Density Two-Family District to R-4, High Density Residential District to allow the construction of a seventy (70) unit apartment complex with associated parking. Council Member Helgeson stated he would not support the Ordinance to rezone this property due to the fact that there is still a traffic concern in

this area and by approving this rezoning it would just increase the traffic on Wards Ferry Road. On motion of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote adopted Ordinance #0-17-032, as presented, granting the rezoning for approximately seven and ninety-four hundredths (7.94) acres at 1806, 1816, 1836, 1840 and 1842 Wards Ferry Road from R-3, Medium Density Two-Family District to R-4, High Density Residential District to allow the construction of a seventy (70) unit apartment complex with associated parking:

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

Noes: Helgeson 1

// In the matter of Community Development Zoning, a public hearing was held regarding City Council Report #7 outlining the petition of the Corporation for Jefferson's Poplar Forest for a Conditional Use Permit (CUP) to allow fill within the flood plain at 1900 and1950 Enterprise Drive and 1901 Laxton Road. The proposed fill would facilitate the construction of an access drive and trail system to Poplar Forest from Enterprise Drive. City Planner Tom Martin provided a summary of the request and stated the Planning Commission recommended approval of the CUP petition. Mr. Jeff Nicholas, President and CEO of Jefferson's Poplar Forest stated they have been working on the project since 1984 and asked for Council approval of the CUP. 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-17-033, as presented, granting the Conditional Use Permit to allow fill within the flood plain at 1900 and1950 Enterprise Drive and 1901 Laxton Road. The proposed fill would facilitate the construction of an access drive and trail system to Poplar Forest from Enterprise Drive:

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

Noes: 0

// In the matter of Community Development, a public hearing was held regarding City Council Report #8 regarding the Petition of Seven Hills Food, LLC to vacate a portion of right-of-way known as 17th Street, adjacent to the property at 1803 Holliday Street. The portion proposed for vacation contains approximately three-hundred and ninety-four thousandths (0.394) of an acre and includes part of the street. Planner Rachel Frischeisen provided a summary of the petition to vacate a portion of right-of-way for Seven Hills Food adjacent to the property at 1803 Holliday Street. Mr. Bryon Fore, owner of 1803 Holliday Street asked Council to approve the request. There was no one else present who wished to speak to this item, and the public hearing was closed. Council Member Perrow, Chair of the Physical Development Committee (PDC) stated that this matter came before the PDC which recommended approval. This motion does not require a second. Council by the following recorded vote adopted Resolution #R-17-034, as presented, to vacate a portion of right-of-way known as 17th Street, adjacent to the property at 1803 Holliday Street to Seven Hills Food, LLC:

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

// In the matter of Community Development, a public hearing was held regarding City Council Report #9 regarding the Petition of Seven Hills Food, LLC for an access easement in the Lynchburg Expressway right-of-way, located adjacent to the property at 1803 Holliday Street. Planner Rachael Frischeisen provided a summary of the request.

There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote adopted Resolution #R-17-035, as presented, for an access easement in the Lynchburg Expressway right-of-way, located adjacent to the property at 1803 Holliday Street for Seven Hills Food, LLC:

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

Noes: 0

// In the matter of Community Development, a public hearing was held regarding City Council Report #10 regarding the consideration of vacating the public interest in 1746 Campbell Avenue, which contains approximately six-hundred and seventy-three thousandths (0.673) of an acre. Planner Rachael Frischeisen provided a summary of the request. There was no one else present who wished to speak to this item. On motion of Council Member Perrow, seconded by Council Member Wilder, Council by the following recorded vote adopted Ordinance #O-17-036, as presented, vacating the public interest in 1746 Campbell Avenue, which contains approximately six-hundred and seventy-three thousandths (0.673) of an acre:

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

Noes: 0

On motion of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-17-037, as presented, to convey property located at 1746 Campbell Avenue to Seven Hills Food, LLC:

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

Noes: 0

// In the matter of Community Development Zoning Amendments, a public hearing was held regarding City Council Report #11 outlining the petition of Rose T. Properties LLC, to rezone approximately twenty-five hundredths (0.25) of an acre at 1223 Fillmore Street from R-3, Medium Density Residential to R-4, High Density Residential to allow the use of the property as four (4) apartments with associated parking. City Planner Tom Martin provided an overview of the petition of Rose T. Properties LLC. Mr. Russ Nixon, with Nixon Land Surveying, LLC asked Council to approve the petition to rezone. Mr. Antonio Rose, petitioner for Rose T. Properties spoke in favor for Council to approve the rezoning. There was no one else present who wished to speak to this item, and the public hearing was closed.

Vice Mayor Tweedy and Council Member Wilder were in favor of approving the petition for some of the following reasons:

- **Affordable housing**
- **Development opportunity**
- **Improving the neighborhood**
- **Bring the property up to Code**

Several Council Members had concerns with the rezoning of this property including bringing this property up to code and converting the property into a duplex.

Council Member Perrow made a motion to deny the petition, seconded by Council Member Helgeson. Council by the following recorded vote denied this Ordinance:

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

// In the matter of Community Development, a public hearing was held regarding City Council Report #12 regarding the consideration of amending Section 35.2-11.3, Section 35.2-11.6, Section 35.2-11.7 and 35.2-11.12 of the Zoning Ordinance to add proffer submittal requirements for new conditional rezoning for new residential developments and new residential units as is required by the Code of Virginia 15.2-2303.4. The proposed submittal requirements would include proffer statements indicating how an onsite or offsite proffer addresses an impact that is specifically attributable to the proposed new residential development. City Planner Tom Martin provided an overview of the Zoning Ordinance regarding adding proffers submittal requirements for new conditional rezoning for new residential developments and new residential units as is required by the Code of Virginia. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote adopted Ordinance #O-17-038, as presented:

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

// In the matter of City Council, Mark Hartless was not present to speak before Council regarding traffic concerns on Breezewood Drive.

// In the matter of City Council, Aaron Reid spoke before Council regarding the city budget.

// In the matter of Community Development, City Council Report #15 was considered. On motion of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote adopted Resolution #R-17-039, as presented, regarding the petition of Seven Hills Food, LLC to rename a public street currently known as 17th Street to Abattoir Street. The portion proposed for renaming is located off of Campbell Avenue and is not connected to the larger portion of 17th Street (located between Kemper Street and Grace Street):

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

// In the matter of FY2018 Budget/CIP/City Code, City Council Report #16A was considered. On motion of Council Member Nelson, seconded by Council Member Wilder, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-17-040, as presented, 1) Adopt and Appropriate the FY 2018 Operating Budget; 2) Adopt the FY 2018-2022 Capital Improvement Program; 3) Adopt and Appropriate the FY 2018 Capital Budget; 4) Adopt a Resolution requiring City Council approval to spend Poverty Initiative funds; 5) Adopt and Appropriate $50,000 of the FY 2018 Reserve for Contingencies for use by the City Manager; 6) Adopt a Resolution to set the Personal Property Tax Relief Rate; and 7) Adopt an Ordinance to change the City Code to set the Lodging Tax Rate at 6.5%:

// Council Member Helgeson and Council Member Perrow would not be supporting this item due to tax burden on citizens and attempt to increase tax base.

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

// In the matter of FY2018 Budget/CIP/City Code, City Council Report #16B was considered. On motion of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-17-041, as presented, adopting the FY 2018 Mandated and Contractual External Service Providers Budget and appropriating $8,520,098 for this budget:

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

Noes: 0

// In the matter of FY2018 Budget/CIP/City Code, City Council Report #16C was considered. On motion of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-17-042, as presented, adopting the FY 2018 Discretionary External Service Providers Budget and appropriating $34,225 for this budget:

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

Noes: 0

// Council Member Nelson made the following statement: "As a member of City Council I am expected to participate in the discussion of, and to vote upon, the adoption of the City's budget, which included the allocation of funds for the Lynchburg City Public Schools. My wife is an employee of the Lynchburg City Public Schools, both of which groups have more than three members. I therefore intend to participate in the discussion of and to vote upon the adopting of the City of Lynchburg's budget, including the allocation of funds for the Lynchburg City Public Schools". In the matter of FY2018 Budget/CIP/City Code, City Council Report #16D was considered. Council Member Helgeson stated he would be voting against the school budget because the budget calls for an increase while there is a decline in enrollment. He further stated that each year more money is allocated to the Schools which mean more burdens on our taxpayers. On motion of Council Member Wilder, seconded by Vice Mayor Tweedy, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution

#R-17-043, as presented, adopting the FY 2018 School Operating Budget and appropriating $104,348,362 for this budget:

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

Noes: Helgeson 1

// In the matter of FY2018 Budget/CIP/City Code, City Council Report #16E was considered. On motion of Council Member Perrow, seconded by Council Member Wilder, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-17-044, as presented, adopting the FY 2018 Greater Lynchburg Transit Company Budget and appropriating $8,964,329 for this budget:

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

Noes: 0

// In the matter of FY2018 Budget/CIP/City Code, City Council Report #16F was considered. On motion of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-17-045, as presented, adopting FY 2018 Operating Fund Budgets for other funds and appropriating the sums of each fund:

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

Noes: 0

// In the matter of FY2018 Budget/CIP/City Code, City Council Report #16G was considered. On motion of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R17046, as presented, adopting the FY 2018 City/Federal/State Aid Fund for Workforce Investment Act Grant and appropriating $1,492,632 for this budget:

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

Noes: 0

// In the matter of FY2018 Budget/CIP/City Code, City Council Report #16H was considered.

// Council Member Perrow stated he would not be supporting this item.

On motion of Council Member Nelson, seconded by Vice Mayor Tweedy, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-17-047, as presented, amending the FY 2018 – 2022 Capital Improvement Program Budget:

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

// In the matter of FY2018 Budget/CIP/City Code, City Council Report #16I was considered. On motion of Council Member Nelson, seconded by Vice Mayor Tweedy, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R17048, as presented, adopting the FY 2018 Capital Budget and appropriating $* for the City Capital Projects Fund, $* for the Schools Capital Projects Fund, $2,650,000 for the Airport Capital Projects Fund, $2,500,000 for the Water Capital Projects Fund, $25,001,581 for the Sewer Capital Projects Fund, and $850,000 for the Stormwater Capital Projects Fund:

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

// In the matter of FY2018 Budget/CIP/City Code, City Council Report #16J was considered. On motion of Council Member Nelson, seconded by Council Member Wilder, Council by the following recorded vote adopted Resolution #R-17-049, as presented, the FY 2018 General Fund Non-Departmental Poverty Initiative funds of $50,000 may only be spent upon approval by a majority vote of City Council:

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

// In the matter of FY2018 Budget/CIP/City Code, City Council Report #16K was considered. On motion of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-17-050, as presented, appropriating $50,000 of the FY 2018 Reserve for Contingencies funding for use by the

City Manager for the fiscal year beginning July 1, 2017 through June 30, 2018:

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

Noes: 0

// In the matter of FY2018 Budget/CIP/City Code, City Council Report #16L was considered. On motion of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-17-051, as presented, to set the personal property tax relief rate for the fiscal year beginning July 1, 2017 through June 30, 2018 at 47.49%:

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

Noes: 0

// In the matter of FY2018 Budget/CIP/City Code, City Council Report #16M was considered.

// Several Council Members stated that they would not be supporting this item to amend and reenact Section 36-223 of the Code of the City of Lynchburg, relating to the amount of the Transient Lodging Tax. On motion of Council Member Dolan, seconded by Vice Mayor Tweedy, Council by the following recorded vote adopted Ordinance #O-17-052, as presented, to amend and reenact Section 36-223 of the Code of the City of Lynchburg, 1981, the amended section relating to the amount of the Transient Lodging Tax:

Ayes: Dolan, Tweedy, Wilder, Foster 4

Noes: Helgeson, Nelson, Perrow 3

// The meeting was adjourned at 11:10 P.M.

____

Clerk of Council

//Prior to the regular meeting there was a Citizen's Academy Reception in the City Hall Lobby.

// A regular meeting of the Council of the City of Lynchburg was held on the 23 day of May, 2017, at 7:30 P.M. in the Council Chamber, City Hall, Joan Foster, President, presiding. Council Member Dolan gave the Invocation, followed by the Pledge of Allegiance. The following Members were present:

Present: Dolan, Helgeson, Nelson, Tweedy, Wilder, Foster	**6**
Absent: Perrow	**1**

// Mayor Foster and Vice Mayor Tweedy presented Certificates of Recognition to the 2017 Citizens Academy Graduates.

// Mayor Foster and Vice Mayor Tweedy presented a Certificate of Recognition to the Central Virginia Governor's School.

// Mayor Foster along with Dana Wright recognized the following Mayor's Youth Council Senior Students whose terms will end in June: Kate Ruehle, President; Corbett McKinney, Vice President; Makayla Rony, Secretary; and Parker John Pfaff, Treasurer (absent). Mayor Foster also recognized two Mayor's Youth Council Sophomores in attendance - Woods Cook and Will Winstead.

// Copies of the minutes of the April 4, 2017 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Helgeson, seconded by Council Member Nelson, Council by the following recorded vote approved the minutes as presented:

Ayes: Dolan, Helgeson, Nelson, Tweedy, Wilder, Foster	**6**
Noes:	**0**
Absent: Perrow	**1**

// In the matter of Community Development, Resolution #R-17-037 to convey the property located at 1746 Campbell Avenue to Seven Hills Food, LLC, laid over from the May 9, 2017 meeting, was again presented and read, and on motion of Council Member Helgeson, seconded by Council Member Nelson, Council by the following recorded vote adopted the Resolution:

Ayes: Dolan, Helgeson, Nelson, Tweedy, Wilder, Foster 6

Noes: 0

Absent: Perrow 1

// In the matter of FY2018 Budget, Resolution #R-17-041 adopting the FY 2018 Mandated and Contractual External Service Providers Budget and appropriating $8,520,098 for this budget, laid over from the May 9, 2017 meeting, was again presented and read, and on motion of Council Member Helgeson, seconded by Council Member Nelson, Council by the following recorded vote adopted the Resolution:

Ayes: Dolan, Helgeson, Nelson, Tweedy, Wilder, Foster 6

Noes: 0

Absent: Perrow 1

// In the matter of FY2018 Budget, Resolution #R-17-042 adopting the FY 2018 Discretionary External Service Providers Budget and appropriating $34,225 for this budget, laid over from the May 9, 2017 meeting, was again presented and read, and on motion of Council Member Helgeson, seconded by Council Member Nelson, Council by the following recorded vote adopted the Resolution:

Ayes: Dolan, Helgeson, Nelson, Tweedy, Wilder, Foster 6

Noes: 0

Absent: Perrow 1

// In the matter of FY2018 Budget, Resolution #R-17-045 adopting the FY 2018 Operating Fund Budgets for other funds and appropriating the sums of each fund for this budget, laid over from the May 9, 2017 meeting, was again presented and read, and on motion of Council Member Helgeson, seconded by Council Member Nelson, Council by the following recorded vote adopted the Resolution:

Ayes: Dolan, Helgeson, Nelson, Tweedy, Wilder, Foster 6

Noes: 0

Absent: Perrow 1

// In the matter of FY2018 Budget, Resolution #R-17-046 adopting the FY 2018 adopting FY 2018 City/Federal/State Aid Fund for Workforce Investment Act Grant and appropriating $1,492,632 for this budget, laid over from the May 9, 2017 meeting, was again presented and read, and on motion of Council Member Helgeson, seconded by Council Member Nelson, Council by the following recorded vote adopted the Resolution:

Ayes: Dolan, Helgeson, Nelson, Tweedy, Wilder, Foster 7

Noes: 0

Absent: Perrow 1

// In the matter of FY2018 Budget, Resolution #R-17-048 adopting FY 2018 Capital Budget proposed by the City Manager and revised by City Council and appropriating from the funds and resources of the City of Lynchburg for the fiscal year beginning July 1, 2017 and ending June 30, 2018 in the total amount of $22,569,368 for the City Capital Projects Fund, $2,080,000 for the Schools Capital Projects Fund, $2,650,000 for the Airport Capital Projects Fund, $2,500,000 for the Water Capital Projects Fund, $25,001,581 for the Sewer Capital Projects Fund, and $850,000 for the Stormwater Capital Projects Fund, laid over from the May 9, 2017 meeting, was again presented and read, and on motion of Council Member Helgeson, seconded by Council Member Nelson, Council by the following recorded vote adopted the Resolution:

Ayes: Dolan, Helgeson, Nelson, Tweedy, Wilder, Foster 6

Noes: 0

Absent: Perrow 1

// In the matter of FY2018 Budget, Resolution #R-17-050 appropriating $50,000 of the FY 2018 Reserve for Contingencies for use by the City Manager for the fiscal year beginning July 1, 2017 through June 30, 2018, laid over from the May 9, 2017 meeting, was again presented and read, and

on motion of Council Member Helgeson, seconded by Council Member Nelson, Council by the following recorded vote adopted the Resolution:

Ayes: Dolan, Helgeson, Nelson, Tweedy, Wilder, Foster	**6**
Noes:	**0**
Absent: Perrow	**1**

// In the matter of School - Board, a public hearing was held regarding City Council Report #9. As a continuation of the May 9, 2017 meeting to receive input from citizens regarding appointments (or reappointments) to vacancies that will exist June 30 in each of the three (3) School Board representational districts. Mayor Foster read into the record an additional name of volunteer who has applied to serve on the School Board: District 2 – Ms. Christina Wilson. The following candidate spoke before City Council to communicate his interest and present his credentials and qualifications to serve on the School Board: School District II – Dr. Robert O. Brennan. 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 Nelson, Council by the following recorded vote closed the public hearing and after the regular meeting will select candidates in a closed meeting to schedule interviews for the School Board:

Ayes: Dolan, Helgeson, Nelson, Tweedy, Wilder, Foster	**6**
Noes:	**0**
Absent: Perrow	**1**

// In the matter of City Council, Mark Hartless spoke before Council regarding traffic concerns on Breezewood Drive.

// In the matter of Schools, City Council Report #11 was considered. Council Member Helgeson, Chair of the Finance Committee (FC) stated this item came before the FC was forwarded to Council for recommendation.

Council Member Nelson made the following disclosure. “My wife is an employee of the Lynchburg City Public Schools and I am the spouse of an employee of the Lynchburg City Public

Schools. I feel I can participate in the discussion of and vote on this item fairly, objectively, and in the public interest". On motion of Council Member Nelson, seconded by Council Member Dolan, Council by the following recorded vote adopted Resolution #R-17-053, as presented, to amend the FY 2017 General Fund Budget and appropriate $1,300,000 from the Schools Health Insurance reserve to be transferred to the Schools Operating Fund:

Ayes: Dolan, Helgeson, Nelson, Tweedy, Wilder, Foster	**6**
Noes:	**0**
Absent: Perrow	**1**

// In the matter of Police, City Council Report #12 was considered. On motion of Council Member Helgeson, seconded by Council Member Nelson, Council by the following recorded vote adopted Resolution #R-17-054, as amended, approving the City's participation in the May, 2017 Regional Law Enforcement Mutual Aid Agreement:

Ayes: Dolan, Helgeson, Nelson, Tweedy, Wilder, Foster	**6**
Noes:	**0**
Absent: Perrow	**1**

// In the matter of FY2018 Budget, Resolution #R-17-040 adopting the FY 2018 General Fund Operating Budget (excluding External Service Providers and Component Units expenditures) and appropriating $207,360,297 for this budget, laid over from the May 9, 2017 meeting, was again presented and read, and on motion of Council Member Nelson, seconded by Council Member Wilder, Council by the following recorded vote adopted the Resolution:

Ayes: Dolan, Nelson, Tweedy, Wilder, Foster	**5**
Noes: Helgeson	**1**
Absent: Perrow	**1**

// Council Member Helgeson stated he would be voting no for this item and the next two items that follow stating the reasons stated before on this item at the May 9, 2017 Council meeting.

// Council Member Nelson made the following disclosure. "My wife is an employee of the

Lynchburg City Public Schools and I am the spouse of an employee of the Lynchburg City Public Schools, I therefore intend to participate in the discussion of and to vote upon the adoption of the City of Lynchburg budget, including the allocation of funds for the Lynchburg City Public Schools. I nevertheless am able to participate in discussion and adopting of the budget fairly, objectively, and in the public interest".

In the matter of FY2018 Budget, Resolution #R-17-043 adopting the FY 2018 School Operating Budget and appropriating $104,348,362 for this budget, laid over from the May 9, 2017 meeting, was again presented and read, and on motion of Council Member Wilder, seconded by Council Member Dolan, Council by the following recorded vote adopted the Resolution:

Ayes: Dolan, Nelson, Tweedy, Wilder, Foster	**5**
Noes: Helgeson	**1**
Absent: Perrow	**1**

// In the matter of FY2018 Budget, Resolution #R-17-044 adopting the FY 2018 Greater Lynchburg Transit Company Budget and appropriating $8,964,329 for this budget, laid over from the May 9, 2017 meeting, was again presented and read, and on motion of Council Member Wilder, seconded by Council Member Nelson, Council by the following recorded vote adopted the Resolution:

Ayes: Dolan, Nelson, Tweedy, Wilder, Foster	**5**
Noes: Helgeson	**1**
Absent: Perrow	**1**

// On motion of Council Member Wilder, seconded by Council Member Nelson, Council by the following recorded vote elected to hold a closed meeting to consider appointments to Council-appointed boards and commissions, and for consultation with legal counsel and staff members regarding a specific legal matter requiring the provision of legal advice, specifically, the discussion of legal matters related to the appointment of and qualifications for members of the Lynchburg School Board pursuant to Section 2.2-3711(A.)(1) and (7) of the Code of Virginia, 1950, as amended:

Ayes: Dolan, Helgeson, Nelson, Tweedy, Wilder, Foster 6

Noes: **0**

Absent: Perrow **1**

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

// Vice Mayor Tweedy 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 Helgeson, and Council by the following recorded vote adopted the motion:

Ayes: Dolan, Helgeson, Nelson, Tweedy, Wilder, Foster **6**

Noes: **0**

Absent: Perrow **1**

// The meeting was adjourned at 9:21 P.M.

Clerk of Council

// An additional scheduled meeting of the Council of the City of Lynchburg was held on the 1ST day of June, 2017, at 9:00 a.m. in the Council Chamber, City Hall, Joan Foster, President, presiding. The purpose of the meeting was to interview candidates interested in serving on the Lynchburg School Board. The following members were present:

Present: Dolan, Nelson, Perrow, Tweedy, Wilder, Foster 6

Absent: Helgeson 1

// Council Member Helgeson arrived at the School Board Interviews at 9:16 a.m. before the interviewing began.

// On motion of Council Member Nelson, seconded by Council Member Perrow, Council by the following recorded vote elected to hold a closed meeting to consider appointments to Council-appointed Boards and Commissions, i.e., to interview candidates interested in serving on the Lynchburg School Board, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia, 1950, as amended:

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

Noes: 0

Absent: Helgeson 1

// Council Member Helgeson was not present when the above motion was voted on to elect to hold a closed meeting but was present before the interview process began.

// Council recessed for lunch at 12:01 p.m. and resumed the closed session at 1:00 p.m.

// Council Member Perrow left the closed session when Council recessed for lunch.

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

Ayes: Dolan, Helgeson, Nelson, Tweedy, Wilder, Foster 6

Noes: 0

Absent: Perrow 1

// The meeting was adjourned at 3:15 P.M.

Clerk of Council

// A regular meeting of the Council of the City of Lynchburg was held on the 13th day of June, 2017, at 3:00 P.M. in the Council Chamber, City Hall, Joan Foster, President, presiding. The following Members were present:

Present: Dolan, Helgeson, Nelson, Perrow, Tweedy, Foster 6

Absent: Wilder 1

// On motion of Council Member Nelson, seconded by Council Member Helgeson, Council by the following recorded vote elected to hold a closed meeting to consider appointments to the Lynchburg School Board pursuant to Section 2.2-3711(A.) (1) of the Code of Virginia, 1950, as amended:

Ayes: Dolan, Helgeson, Nelson, Perrow, Tweedy, Foster 6

Noes: 0

Absent: Wilder 1

// Council Member Wilder joined the meeting at 3:01 p.m.

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

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

Noes: 0

// In the matter of Appointments, and on nomination of Council Member Dolan, seconded by Council Member Wilder, Council by the following recorded vote appointed/re-appointed the following slate of members to serve on the School Board for a term beginning July 1, 2017 and ending June 30, 2019: Dr. Robert Brennan – District 1, Dr. Kimberly Sinha – District 2, and Dr. James Coleman, Jr. – District 3:

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

Noes: 0

// In the matter of Community Development - Sidewalks City Planner Tom Martin shared background information regarding sidewalks in the City Zoning Ordinance and Comprehensive Plan.

Council member Helgeson requested that staff verify cost sharing information for areas such as Wyndhurst and Cornerstone. He also advised that the City cannot be exempt from its own rules.

Council Member Perrow advised that if this item goes back to the Planning Commission, they will need to review the meaning of Comprehensive Plan verbiage such as, “attend to the needs of people first”, and “prioritizing pedestrians, bicyclists, etc.”

Council Member Nelson suggested that the Planning Department provide draft wording to the Planning Commission in order to expedite the review process.

Council Member Wilder agreed to send the item to the Planning Commission for a comprehensive review. Discussion pursued regarding the need to develop the City’s pedestrian network over time to serve multimodal transportation needs.

Vice Mayor Tweedy asked staff to provide information on the public investment dollars for the Florida Avenue side of town. City Manager Bonnie Svrcek requested clarification of parameters.

Mayor Foster added that the City needs to be walkable and the City Ordinance needs flexibility.

Council Member Wilder exited the meeting at 4:32 p.m.

On motion of Council Member Perrow, seconded by Council Member Helgeson, Council by the

following recorded vote decided to refer the matter back to the Planning Commission to address the concerns raised and to do a comprehensive review of the Zoning Ordinance and Comprehensive Plan:

Ayes: Dolan, Helgeson, Nelson, Perrow, Tweedy, Foster	**6**
Noes:	**0**
Absent: Wilder	**1**

// During roll call Council Member Helgeson mentioned that he received a complaint about inspections and the number of inspections increasing. He asked staff to adhere to a high standard when conducting inspections.

// Mayor Foster and Vice Mayor Tweedy presented a Certificate of Recognition to Beacon of Hope Cornament Champions Jonathan Mundy and Travis Dawson, both City employees. Clay Simmons and Dee Dee Conner accepted the trophy on their behalf. The team was sponsored by L. Kimball Payne, III, and competed against approximately forty teams.

// Mayor Foster and Vice Mayor Tweedy presented a Certificate of Recognition for Award from American Public Works Association Mid Atlantic Chapter to Dee Dee Conner, Principal Engineer, who was project manager for construction of Lynchburg's Youth Group Home. The group home serves the City of Lynchburg, the Town of Bedford, and the Counties of Amherst, Bedford, Campbell and Nelson. The award was based on meeting the need of the community, demonstrated commitment to sustainability and environmental preservation, unusual accomplishment under adverse conditions and overcoming economic challenges facing the community.

// City Council recessed the meeting at 4:50 p.m.

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

The following Members were present:

Present: Dolan, Helgeson, Nelson, Tweedy, Wilder, Foster	**6**
Absent: Perrow	**1**

Vice Mayor Tweedy gave the Invocation, followed by the Pledge of Allegiance.

// Mayor Foster and Vice Mayor Tweedy presented a Certificate of Recognition to Boys and Girls Spring Outdoor Track Team – Heritage High School.

// Mayor Foster and Vice Mayor Tweedy acknowledged the Heritage High School Varsity Girls Tennis Team and the E.C. Glass Lacrosse Team.

// Mayor Foster and Vice Mayor Tweedy presented Certificates of Recognition to members of the E.C. Glass State Champion Track Team, who won the title for the fifth consecutive year.

// Mayor Foster and Vice Mayor Tweedy presented a Certificate of Recognition to the Heritage High School Girls State Track Champion.

// Mayor Foster and Vice Mayor Tweedy presented a Certificate of Recognition to the E.C. Glass High School Boys Tennis Singles (Trent Daly) and Tennis Doubles (Trent Daly and Moses Hutchison) State Champions.

// Copies of the minutes of the April 11, 2017 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Nelson, seconded by Council Member Wilder, Council by the following recorded vote approved the minutes as presented:

Ayes: Dolan, Helgeson, Nelson, Tweedy, Wilder, Foster	**6**
Noes:	**0**
Absent: Perrow	**1**

// In the matter of Schools, Resolution #R-17-053 to amend the FY 2017 General Fund Budget and appropriate $1,300,000 from the Schools Health Insurance reserve to be transferred to the Schools Operating Fund, laid over from the May 23, 2017 meeting, was again presented and read, and on motion of Council Member Nelson, seconded by Council Member Wilder, Council by the following recorded vote adopted the Resolution:

Ayes: Dolan, Helgeson, Nelson, Tweedy, Wilder, Foster	**6**
Noes:	**0**
Absent: Perrow	**1**

// In the matter of Community Development - Zoning, a public hearing was held regarding City Council Report #4 outlining the petition of Dharmandra Patel for a Conditional Use Permit (CUP) to amend the design guidelines for the Cornerstone Traditional Neighborhood Development to allow a monument sign at 1209 Greenview Drive located in Block E and zoned R-1, Low Density Residential District. City Planner Tom Martin provided an overview of the petition for a CUP.

Mr. Jamie White with White Engineering and Design asked Council for approval of the CUP.

There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Wilder, seconded by Council Member Nelson, Council by the following recorded vote adopted Resolution #R-17-055, as presented, granting the Conditional Use Permit:

Ayes: Dolan, Helgeson, Nelson, Tweedy, Wilder, Foster	**6**
Noes:	**0**
Absent: Perrow	**1**

// In the matter of Community Development, a public hearing was held regarding City Council Report #5 regarding the petition of Logans Landing, LLC., to vacate a portion of right-of-way located at the end of Logans Lane adjacent to the properties at 6335, 6343, and 6320 Logans Lane. The portion proposed for vacation contains a portion of the street and consists of approximately eight hundredths (0.08) of an acre.

Planner Rachel Frischeisen provided a summary of the request to vacate a portion of right-of-way located at the end of Logans Lane.

Doyle Landen with Hurt and Proffitt asked Council for approval of the right-of-way for Logans Lane.

There was no one else present who wished to speak to this item, and the public hearing was closed. Vice Mayor Tweedy gave a summary from the Physical Development Committee (PDC) meeting on this item. On motion of Council Member Helgeson, having gone to PDC no second required, Council by the following recorded vote adopted Resolution #R-17-056, as presented:

Ayes: Dolan, Helgeson, Nelson, Tweedy, Wilder, Foster 6

Noes: 0

Absent: Perrow 1

// In the matter of City Council, Pastor Reason Chandler spoke before Council regarding School Board Members engagement with the community.

// In the matter of Economic Development, City Council Report #7 was considered.

Mr. Ted Craddock representing Economic Development Authority (EDA) provided a summary of the bond for Centra Health, Inc. On motion of Council Member Wilder, seconded by Council Member Nelson, Council by the following recorded vote adopted Resolution #R-17-057, as presented, authorizing the issuance of up to $280,000,000 in bonds through the Economic Development Authority of the City of Lynchburg for the benefit of Centra Health, Inc:

Ayes: Dolan, Helgeson, Nelson, Tweedy, Wilder, Foster 6

Noes: 0

Absent: Perrow 1

// Council Member Nelson noted that his approval is with a caveat that the bonds not be used to transfer any table property to tax-exempt status.

// In the matter of Parks and Recreation, City Council Report #8 was considered. On motion of Council Member Nelson, seconded by Council Member Wilder, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-17-058, as presented, to amend the FY 2017 General Fund Parks and Recreation Fees budget and appropriate $12,000 with resources from a grant from the USDA FINI (Food Insecurity Nutrition Incentive) program to be administered by LEAP (Local Environmental Agricultural Project, Inc.) through Wholesome Wave to fund SNAP (Supplemental Nutrition Assistance Program) fruit and vegetable match incentives at the Lynchburg Community Market:

Ayes: Dolan, Helgeson, Nelson, Tweedy, Wilder, Foster	**6**
Noes:	**0**
Absent: Perrow	**1**

// The meeting was adjourned at 8:30 P.M.

Clerk of Council

// A regular meeting of the Council of the City of Lynchburg was held on the 27th day of June, 2017, at 4:00 P.M. in the Council Chamber, City Hall, Treney Tweedy, Vice President, presiding. The following Members were present:

Present: Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder 6

Absent: Foster 1

// Vice Mayor Tweedy presented a Certificate of Recognition to Superintendent of Lynchburg City Schools Dr. Scott Brabrand.

// Chief Raul Diaz presented the Lynchburg Police Officer Retention Plan. The Lynchburg Police Department's (LPD) recommendation is to adjust salaries for the ranks of Police Officer II, Police Officer III, Sergeant and Lieutenant. Chief Diaz stated that the Officer Retention Plan is a priority.

Turnover:

- LPD has lost 271 officers since 2002
- 167 voluntary resignations
- Equates to losing 17.5 officers per year for 15.5 years (10.8 voluntary resignations per year)
- LPD has lost 53 officers since January 1, 2015 – 30.4% of workforce
- The Department of Justice's Bueau of Justice Statistics indicates a 7.0% yearly turnover rate for similar sized law enforcement agencies based on the most recent 2012 study
- From a financial perspective and an experience perspective, the cost of this turnover is staggering
- Staffing levels remain far below the authorized 174
- Relative inexperience at all ranks
- Always in "training mode"
- Lose valuable relationships within the community whenever we lose an officer

Chief Diaz explained the many challenges that faces the LPD:

- Department facilities do not create an atmosphere conducive for work (very poor conditions)
- Officers, and other city employees, living below poverty line
- Lost 69 officers to other regional departments since 2002 due to regional agencies offering competitive salary/benefit packages
- Young people entering workforce are quick to move around – we must give them a reason to stay

- **Essentially training officers for other agencies**

Actions Taken to Address:

- **New LPD building has been approved (3-5 year project)**
- **LPD has implemented employment contracts for new hires starting in July 2017 (3 years - $10,000)**
- **Department has secured a modest clothing allowance for detectives and a boot allowance for patrol officers in the FY 2018 budget**

Chief Diaz went on to say the proposed interim retention strategy will target pay adjustment to address pay issues/compression at the PO II, PO III, Sergeant, and Lieutenant levels. The LPD can make these pay adjustments utilizing FY 2017 carry forward funding and FY 2018 managed vacancy funding totaling $398,900, which will be no additional costs to the City for FY 2018. This helps to address stagnated pay levels and compression now. The adjustments has approved a three-year phase plan to address market disparities in the following City departments.

- **Public Works**
- **Human Services**
- **Parks and Recreation**

The LPD is requesting that City Council approve carryforward funding to address retention issues. Other potential recruitment and retention actions are:

- **The assignment of take-home vehicles for personnel living within the City limits**
- **Pay off a maximum of $5,000 in student loan debt for any officer who stays an additional 5 years with the LPD**
    - **Consider increasing Virginia Retirement System (VRS) multiplier from 1.70 to 1.85 – currently 80 jurisdictions have adopted the 1.85 multiplier, including 16 in our region.**

// City Assessor Jeff Bandy provided a report on the Real Estate Rehabilitation Program. Mr. Bandy stated that during City Council's FY 2018 budget deliberations, staff was asked to revisit the Real Estate Rehabilitation Program. Over the course of several meetings with a team consisting of representatives from the City Assessor's Office, Economic Development, Community Development and the City Manager's Office, the following changes were recommended:

- **Staff recommends that the Residential Rehabilitation period should be changed from 15 years to 10 years. The program had been successful with a ten year exemption previously, and City Council has expressed desire to shorten the exemption period to 10 years.**
- **Multi-family (5+ units) properties should be reclassified from residential to commercial. City Council has expressed concern regarding multi-family properties having a 15 year**

- **exemption under the current rehabilitation code. The consensus from the team was that multi-family (5 + units) is a commercial use.**
- **Commercial, Multi-Family, Industrial exemption period(s) should be changed from 5 years to 10 years. The City Assessor made the case for there being significantly more risk for commercial properties due to the typically larger scale of work/repairs and capital needed along with the uncertainty of market demand for the product.**
- **Building additions for all uses should be limited to 15% of existing area. The current Rehabilitation Program allows additions to count towards the change in base values. It is the team's opinion that new construction of additions should not count towards changes in base values, since the Code was designed to renovate existing building stock, not support new construction.**

Mr. Bandy went on to say that the Staff recommends establishing a graduated phase-out of exemptions of 25% per year for the last 3 years. This feature has two functions: 1) the City will receive funds sooner and 2) the phase-in prepares owners to budget for when the exemption ends. Establish a Revitalization Zone that allows replacement of existing functionally obsolete buildings. The team felt that the area delineated by the map requires additional incentives over and above the typical rehabilitation project due to the obsolete designs of older buildings and derelict conditions of some structures rendering them to provide little contributing value if renovated. Mr. Bandy stated the City Real Estate Rehabilitation Code was adopted in January 1983 with the most recent changes made in May 2008. Changes have been made to the Code as City Council has deemed necessary to address prevailing economic climate changes over time. These applicants/participants are proposed to be grandfathered based on Real Estate Rehabilitation Exemption Code at time of final application. Long term, real estate taxes for new applicants to the program will be received sooner that current program. This is due to proposed years of exemption changes and graduated phase-in for the final three (3) years of the program. Mr. Bandy further stated that Staff recommends revising the Real Estate Rehabilitation Program (Sec. 36-177 and Sec. 36-177.1).

// During roll call Council Member Perrow mentioned two items; 1) Greater Lynchburg Transit Company (GLTC) will have a ribbon cutting on Wednesday, June 28, 2017; 2) Announced that on June 30, 2017 Water Utilities will celebrate the Virginia Water and Waste Operation Treatment Day and wanted to thank the Water Utilities employees for the great job they are doing in having clean water 365 days of the year.

// Vice Mayor Tweedy mentioned two concerns, one regarding leaves filling into a drain and the cutting of grass, she would give the addresses to Staff to follow up on.

// City Council recessed the meeting at 5:30 p.m.

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

The following Members were present:

Present: Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder 6

Absent: 1

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

// Vice Mayor Tweedy presented a Certificate of Recognition to Steve Smallshaw for receiving an Award from the National Association of Government Communications (NAGC).

// Vice Mayor Tweedy presented a Certificate of Recognition for the 50th Anniversary of the National Historic Preservation Act of 1966. Mr. Chris McSwain, Chair of the Historic Preservation Commission received the award.

// Vice Mayor Tweedy and Council Member Helgeson presented Certificates of Recognition to Liberty Christian Academy Boys State Baseball Champions.

// Council Member Perrow asked that Agenda Item #4 be pulled from the Consent Agenda and voted on separately. Council Member Perrow asked the Clerk of Council when would the minutes for April and May be submitted to Council. The Clerk of Council responded that all minutes will be presented at the July 11, 2017 meeting.

// Copies of the minutes of the April 18, 2017 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote approved the minutes as presented:

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

Noes: 0

Absent: Foster 1

// In the matter of Parks and Recreation, Council Report #5 was considered. Adopting Resolution #R-17-058 to amend the FY 2017 General Fund Parks and Recreation Fees budget and appropriate $12,000 with resources from a grant from the USDA FINI (Food Insecurity Nutrition Incentive) program to be administered by LEAP (Local Environmental Agricultural Project, Inc.) through Wholesome Wave to fund SNAP (Supplemental Nutrition Assistance Program) fruit and vegetable match incentives at the Lynchburg Community Market laid over from the June 13, 2017 meeting, was again presented and read, and on motion of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote adopted Resolution:

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

Noes: 0

Absent: Foster 1

// In the matter of City Council, City Council Report #6 was considered. On motion of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote approved canceling the City Council meetings and work sessions on July 25, August 22 and December 26, 2017:

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

Noes: 0

Absent: Foster 1

// In the matter of Water Resources, City Council Report #7 was considered to amend the FY 2017 Water Capital Projects Fund budget and appropriate $241,043 with resources from Liberty University to reimburse construction costs associated with Liberty University Indoor Track and Aquatic Complex Waterline – Phase 2. Council Member Helgeson, Chair of the Finance Committee (FC) stated that this matter came before the FC which recommended approval. This motion does

not require a second. Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-17-059, as presented, to reimburse construction costs associated with Liberty University Indoor Track and Aquatic Complex Waterline – Phase 2:

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

Noes: 0

Absent: Foster 1

// In the matter of City Code/Public Works, City Council Report #8 was considered. Council Member Perrow, Chair of the Physical Development Committee (PDC) stated that this matter came before the PDC which recommended approval. This motion does not require a second. Council by the following recorded vote adopted Ordinance #0-17-060, as presented, to amend and reenact the Code of the City of Lynchburg, relating to the location of micro-wireless facilities and small cell facilities within the public rights-of-way or on City owned property:

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

Noes: 0

Absent: Foster 1

// On motion of Council Member Wilder, seconded by Council Member Dolan, Council by the following recorded vote elected to hold a closed meeting to consider appointments to Council-appointed Boards and Commissions, i.e., Youth Services Citizens Board, City Employees Appeal Board, Central Virginia Community College Board, Dr. Martin Luther King, Jr. / Lynchburg Community Council, Economic Development Authority Board, Museum Advisory Board, Historic Preservation Commission, Equalization Board and Zoning Appeals Board:

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

Noes: 0

Absent: Foster 1

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

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

Ayes: Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder	**6**
Noes:	**0**
Absent: Foster	**1**

// In the matter of Appointments, and on nomination of Council Member Helgeson, seconded by Council Member Perrow, Council by the following recorded vote re-appointed Matthew K. Forbes to serve on the Youth Services Citizens Board for a term to expire June 30, 2020:

Ayes: Dolan, Helgeson, Nelson, Perrow, Tweedy, Wilder	**6**
Noes:	**0**
Absent: Foster	**1**

On nomination of Council Member Helgeson, seconded by Council Member Perrow, Council by the following recorded vote appointed Megan Wood to serve on the Youth Services Citizens Board for a term to expire June 30, 2020:

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

Noes: 0

Absent: Foster 1

On nomination of Council Member Helgeson, seconded by Council Member Perrow, Council by the following recorded vote re-appointed Mylas A. Jackson to serve on the City Employee Appeal Board for a term to expire June 30, 2020:

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

Noes: 0

Absent: Foster 1

On nomination of Council Member Helgeson, seconded by Council Member Perrow, Council by the following recorded vote re-appointed Steven Troxel, to serve on the Central Virginia Community College Board for a term to expire June 30, 2021:

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

Noes: 0

Absent: Foster 1

On nomination of Council Member Helgeson, seconded by Council Member Perrow, Council by the following recorded vote re-appointed Louis E. Mitchell to serve on the Economic Development Authority with a term expiration date of June 30, 2021:

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

Noes: 0

Absent: Foster 1

On nomination of Council Member Helgeson, seconded by Council Member Perrow, Council by the following recorded vote re-appointed Charlotte Fischer, Patricia Meyer and Marvin E. Tinsley, to serve on the Museum Advisory Board with terms expiring June 30, 2020:

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

Noes: 0

Absent: Foster 1

On nomination of Council Member Helgeson, seconded by Council Member Perrow, Council by the following recorded vote appointed Robert D. Bradley, Rophenia L. Crawley and Langhorne L. McCarthy to serve on the Museum Advisory Board for terms expiring June 30, 2020:

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

Noes: 0

Absent: Foster 1

On nomination of Council Member Helgeson, seconded by Council Member Perrow, Council by the following recorded vote re-appointed Christopher McSwain to serve on the Historic Preservation Commission for a term to expire June 30, 2020:

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

Noes: 0

Absent: Foster 1

On nomination of Council Member Helgeson, seconded by Council Member Perrow, Council by the following recorded vote appointed Renee Tinsley to serve on the Dr. Martin Luther King, Jr./Lynchburg Community Council for a term to expire June 30, 2020:

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

Noes: 0

Absent: Foster 1

On nomination of Council Member Helgeson, seconded by Council Member Perrow, Council by the following recorded vote re-appointed Richard T. Mosby, Norman K. Moon, Jr., and J. P. Vaughan, Jr. to serve on the Equalization Board for a terms to expire June 30, 2018:

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

Noes: 0

Absent: Foster 1

On nomination of Council Member Helgeson, seconded by Council Member Perrow, Council by the following recorded vote re-appointed Dennis W. Melancon to serve on the Zoning Appeals Board for a term to expire June 30, 2021:

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

Noes: 0

Absent: Foster 1

// The meeting was adjourned at 9:00 P.M.

Clerk of Council

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: July 11, 2017 AGENDA ITEM #: **9**

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

ITEM TITLE: Potential Bond Refunding Opportunity

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

RECOMMENDATION: Hear a presentation from the City's financial advisors, Davenport & Company, regarding the potential refunding of Series 2009B Build America Bonds.

SUMMARY: The City's financial advisors have reviewed the City's bond portfolio and believe that there is a refunding opportunity associated with the Series 2009B Build America Bonds. This refunding is estimated to result in approximately $1.3 million in net savings over the life of the bonds. Savings would be allocated between the General Fund and Water Resources Fund as appropriate.

This refunding is in alignment with the City's "Refinancing of Debt Policy" which states that "a refunding transaction to achieve debt service savings should only be undertaken when the net present value of the savings, net of issuance costs, will be at least 3% of the principal amount of the refunded bonds". The City's financial advisors estimate that the net present value of the savings will be in compliance with this policy.

PRIOR ACTION(S): Issuance of Series 2009B Build America Bonds, August 2009

FISCAL IMPACT: Savings of approximately $1.3 million over 20 years.

CONTACT(S): Donna Witt, Director of Financial Services, 455-3968
Bonnie Svrcek, City Manager, 455-3990

ATTACHMENT(S): Powerpoint Presentation, Potential Bond Refunding Opportunity prepared by Davenport & Company

REVIEWED BY: bms

096K

Davenport & Company

City of Lynchburg, Virginia

Potential Refunding Opportunity

July 11, 2017

Background / Overview

- Davenport, in our capacity as Financial Advisor, continuously monitors the City's debt portfolio for potential refunding opportunities for debt service savings.

- The City of Lynchburg (the "City") appears to have the opportunity to refinance an existing bond issue for debt service savings that are in the range of meeting or exceeding the City's 3% net present value savings threshold to pursue a refunding opportunity.

- Last year, the City proactively entered the credit markets in April and successfully closed a new money and refunding bond issuance for both the General Fund and Water Resources Fund.

  – As part of the 2016 Bonds, the City issued $17 million of new money for General Fund projects at an All-In True Interest Cost of 2.53% and $11.6 million of new money for Water Resources Fund projects at an All-In True Interest Cost of 2.95%

  – Additionally, as part of the 2016 Bonds, the City successfully refinanced the Series 2007 and saved $3.80 million over the life of the loan or approximately $175,000 annually over the next two decades. This equated to roughly 14.8% savings on a net present value basis or nearly five times the industry standard threshold.

Background / Overview

- In the current market, Davenport has identified the Series 2009B Build America Bonds as a potential refunding candidate for debt service savings.

  <u>Series 2009B Bonds:</u>

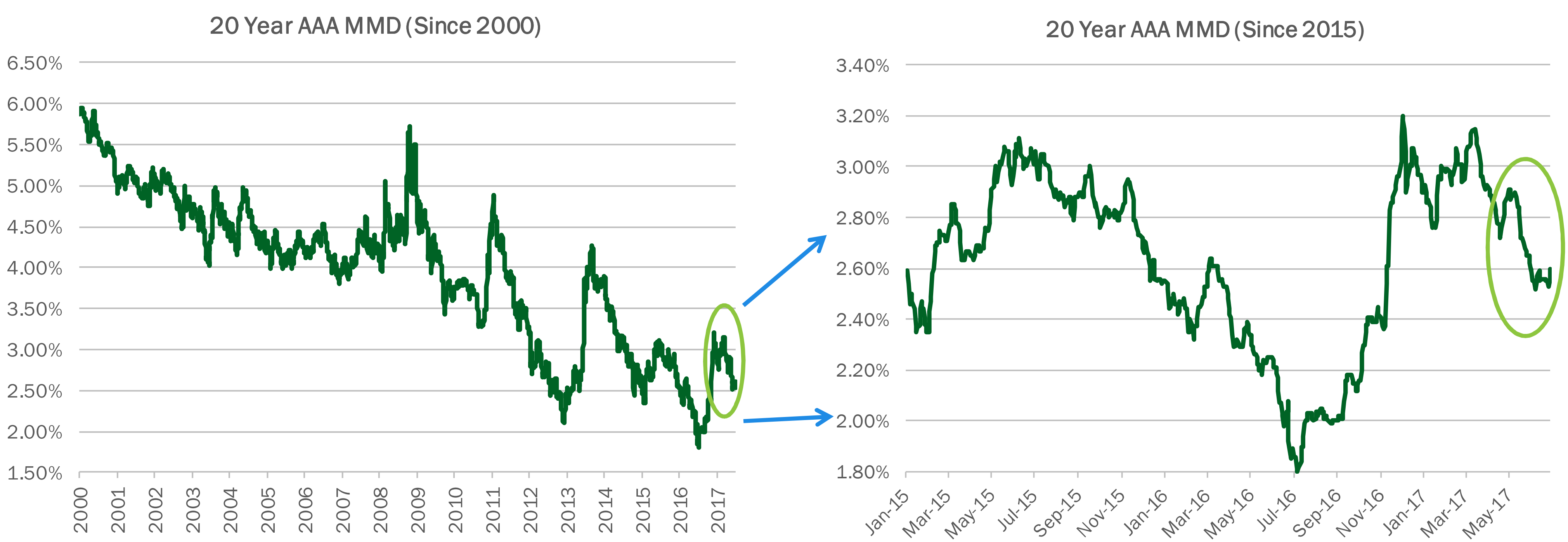
  – Par to be Refunded: $27,420,000
  – Existing Interest Rates: 5.05 – 6.61%
  – Call Date: August 1, 2019
  – Final Maturity: August 1, 2039

  – The Series 2009B Bonds were originally issued for both General Fund and Water Resources Fund Purposes (roughly 50/50) and any savings associated with the potential refinancing would be allocated accordingly.

- The potential savings could be realized in several ways. Moreover, the savings could further help the City's debt capacity in the General Fund on any of its identified Capital Improvement Program projects as well as help cash flows and reduce user rate pressures in the Water Resource Fund.

Current Interest Rate Environment

- Tax-Exempt interest rates remain at or near all-time lows and have been volatile over the past year.
- It is unclear how long rates will remain at their current levels.



Preliminary Results

- Due to a multitude of factors, the Series 2009B refunding makes maximum sense as a Crossover Refunding issuance via a City Standalone Public Market Issuance.

- The rationale to refinance the Series 2009B Bonds is that while interest rates are at or near historic lows, the City could lock in lower fixed rates for the 22 remaining years (i.e. no extension of final maturity) while still receiving the federal subsidy until the call date (August 1, 2019).

- The industry standard to gauge whether or not to move forward with a refinancing is 3% net present value savings. The 3% net present value savings threshold would result in $1.3 million in net savings which results in approximately 75,000 annually over the life of the loan. In the current market, the refunding opportunity is resulting in debt service savings north of the 3% net present value savings threshold.

  – As previously mentioned, the Series 2009B Bonds included proceeds for both the General Fund and Water Resources Fund and any savings will be allocated accordingly.

- The preliminary timetable and next steps are included on the subsequent page.

Preliminary Timetable / Next Steps

Date	Action
July 11, 2017 ✓	City Council Meeting: Davenport presents refunding opportunity and preliminary timetable / next steps.
Balance of July	• Develop financing documents and Credit Package. • Schedule meetings with Fitch, Moody's and Standard & Poor's in New York.
August 8, 2017	City Council Meeting: City Staff and Davenport present update on the Plan of Finance and refunding opportunity, if necessary. City Council Considers adopting Bond Resolution.
Mid/Late August	City meets with Credit Rating Agencies in New York.
Mid/Late August	Credit Ratings Received.
Late August/Early September	Mail/Post Preliminary Official Statement.
Early/Mid September	Sale/Pricing of Series 2017 Bonds.
Mid/Late September	Close on Series 2017 Bonds.

Contact Information

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LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **July 11, 2017** AGENDA ITEM #: **10**

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

ITEM TITLE: Westminster Canterbury Bond Issuance

KEY ELEMENTS:
_X_Economic Development ___Excellent Government ___Natural and Built Environment ___Safe Community ___Vibrant Community

RECOMMENDATION: Adopt the proposed resolution authorizing the issuance of bonds for Westminster Canterbury of Lynchburg, Inc. through the Economic Development Authority of the City of Lynchburg.

SUMMARY: Westminster Canterbury filed its application for assistance of revenue bond financing with the Lynchburg Economic Development Authority. The bonds requested will not exceed $45,000,000. The proceeds of the bonds will be used to construct a new (connected) 100,000 square foot healthcare facility as well as improvements to the dining, wellness and common areas of the existing facility and eligible costs of issuance.

Westminster Canterbury paid $53,000 in real estate taxes last year through a PILOT (payment in lieu of taxes) program on their cottages. The PILOT has been in effect since the cottages were built around 1997.

Westminster Canterbury employs 272 people at an average salary of $32,000.

The Economic Development Authority advertised and held a Public Hearing on June 22, 2017 as required.

PRIOR ACTION(S): Council authorized a bond issue for Westminster Canterbury on August 9, 2016 for up to $35,000,000.

FISCAL IMPACT: Neither the Authority nor the City has responsibility for the payment of these bonds as they are conduit revenue bonds. The Authority does receive annual payments from bond borrowers which assist the financing of the Authority's operations.

CONTACT(S): Marjette Upshur, 455-4492
Ted Craddock, 846-2731

ATTACHMENT(S): Resolution
Letter from Mark Strosnider, Secretary/Treasurer, Economic Development Authority
Bond Application

REVIEWED BY: bms

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LYNCHBURG, VIRGINIA WITH RESPECT TO ECONOMIC DEVELOPMENT AUTHORJTY FINANCING FOR WESTMINSTER-CANTERBURY OF LYNCHBURG, INC.

WHEREAS, the Economic Development Authority of the City of Lynchburg, Virginia (the "Authority") has considered the application of Westminster-Canterbury of Lynchburg, Inc. (the "Borrower"), a corporation which is described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended ("Code"), requesting the issuance of the Authority's revenue bonds in an amount not to exceed $45,000,000 (the "Bonds") to assist the Borrower in financing (a) certain of the costs of constructing and equipping an approximately 100,000 square foot six floor health care center and renovating certain dining and wellness facilities (the "Facilities") at its continuing care retirement community located at 501 VES Road, Lynchburg, Virginia and (b) bond issuance costs and other eligible expenditures (collectively, the "Project"), and has held a public hearing in connection therewith on June 22, 2017;

WHEREAS, Section 147(f) of the Code provides that the governmental unit having jurisdiction over the issuer of private activity bonds and over the area in which any facility financed with the proceeds of private activity bonds is located must approve the issuance of such bonds;

WHEREAS, the Authority issues its bonds on behalf of the City of Lynchburg, Virginia (the "City"), the facilities of the Borrower described above are located in the City and the City Council of the City (the "Council") constitutes the highest elected governmental unit of the City;

WHEREAS, the Authority has recommended that the Council approve the issuance of the Bonds; and

WHEREAS, a copy of the Authority's resolution approving the issuance of the Bonds, subject to the terms to be agreed upon, a certificate of the public hearing and a Fiscal Impact Statement have been filed with the Council.

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

1. The Council approves the issuance of the Bonds by the Authority for the benefit of the Borrower, as required by Section 147(f) of the Code and Section15.2-4906 of the Code of Virginia of 1950, as amended (the "Virginia Code"), to permit the Authority to assist in the financing of the Project.

2. The approval of the issuance of the Bonds does not constitute an endorsement to a prospective purchaser of the Bonds or the creditworthiness of the Bonds or the Borrower.

3. The issuance of revenue bonds as requested by the Borrower will not constitute a debt or pledge of the faith and credit of the Commonwealth of Virginia or the City of Lynchburg, Virginia, and neither the faith and credit nor the taxing power of the Commonwealth of Virginia or any political subdivision thereof will be pledged to the payment of the Bonds. Neither the City of

Lynchburg, Virginia nor the Authority shall be obligated to pay the Bonds or the interest thereon or other costs incident thereto except from the revenues and money pledged therefor.

4. This resolution shall take effect immediately upon its adoption.

Adopted by the City Council of the City of Lynchburg, Virginia this ___ day of ______, 2017.

____
Clerk, City Council
City of Lynchburg, Virginia

095K

Opportunity Lynchburg
ECONOMIC DEVELOPMENT AUTHORITY
LYNCHBURG, VIRGINIA

P| 434.455.4490
F| 434.847.2067
900 CHURCH ST. 2nd FLOOR
LYNCHBURG, VIRGINIA 24504
WWW.OPPORTUNITYLYNCHBURG.COM

June 28, 2017

Honorable Mayor and Members of the
Council of the City of Lynchburg
c/o Bonnie Svrcek, City Manager
900 Church Street
Lynchburg, VA 24504

Economic Development Authority of the City of Lynchburg, Virginia
Proposed Financing for Westminster-Canterbury of Lynchburg

Dear Madam Mayor and Members of Council:

Westminster-Canterbury of Lynchburg (the "Borrower"), a nonstock, not-for-profit Virginia corporation, whose principal place of business is 501 VES Road, Lynchburg, Virginia, has requested that the Economic Development Authority of the City of Lynchburg, Virginia (the "Authority") issue up to $45,000,000 of its revenue bonds (the "Bonds"), in one or more series, to assist the Borrower in financing (a) certain of the costs of constructing and equipping an approximately 100,000 square foot six-floor health care center and renovating certain dining and wellness facilities at its continuing care retirement community located at 501 VES Road, Lynchburg, Virginia, and (b) bond issuance costs and other eligible expenditures (collectively, the "Project").

As set forth in the Resolution attached hereto, the Authority has agreed to issue the Bonds as requested. The Authority has conducted a public hearing on the proposed financing of the Project and has recommended that the City Council approve the issuance of the Bonds as required by Section 147(f) of the Internal Revenue Code of 1986, as amended, and Section 15.2-4906 of the Code of Virginia of 1950, as amended.

Attached hereto is a copy of the Applicant's application for financing, along with: (1) a Certificate evidencing the conduct of the meeting and the action taken by the Authority; (2) the Fiscal Impact Statement required pursuant to Virginia Code Section 15.2-4907; and (3) the form of Resolution suggested by counsel to evidence your approval.

It is requested that consideration of the proposed Council Resolution be placed on the Council agenda for the meeting scheduled for Tuesday, **July 11, 2017**. A representative of the Authority will be present at the meeting.

Respectfully submitted,

Secretary, Economic Development Authority
of the City of Lynchburg, Virginia

ahd
Enclosure
cc: Walter C. Erwin, Esquire
City Attorney

Marjette G. Upshur, Director
Office of Economic Development

William Tracey Shaw, Esquire
Woods Rogers Edmunds & Williams

ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF LYNCHBURG, VIRGINIA

APPLICATION FOR AUTHORITY FINANCING

Section 1
Information Concerning Applicant

1. Legal Name(s) of Applicant(s): Westminster-Canterbury of Lynchburg, Inc.

   Mailing Address: 501 V.E.S. Road, Lynchburg, VA 24503

   Applicant's Tax ID No.: 54-0988608

2. Name of applicant's representative to be contacted for additional information:

   Name: Sean M. Huyett, President & CEO

   Mailing Address if Different from Applicant's: Same as above

   Telephone No. 434-386-3505

   Telefax No. 434-386-3535

3. Type of business presently conducted by applicant, if any: Continuing Care Retirement Community

4. Present location of applicant's principal place of business, if any: Same as mailing address

5. In what year was business started: 1980

6. If a corporation, give state of incorporation: Virginia

7. If a subsidiary of another corporation, give name, mailing address, and state of incorporation of parent corporation:

   Name: N/A

   Address:

   State of incorporation:

8. If applicant is a partnership, give:
   (a) Name of state under whose laws it is organized: N/A
   (b) City or County in which its principal office is located:

9. If a partnership, state whether general or limited: N/A

10. If a partnership, give names and residence addresses of all present partners and indicate whether general or limited:
N/A

11. If applicant is a joint venture or other business entity (other than a corporation or partnership), describe and give names and residence addresses of all principals:
N/A

12. If applicant proposes to undertake the facility sought to be financed through a subsidiary corporation, a new corporation, or other entity to be formed by applicant, give details:
N/A

13. If applicant intends to lease the facility to some other corporation or entity or if some other entity is to otherwise occupy and use the facility, so state and give the full proper name of such entity, its principal place of business, and if a corporation, the state of incorporation.
N/A

Lessee's Tax ID No.: ______

Section 2
Information Concerning Facility Sought To Be Financed

1. Type of facility:
   - ______ (a) industrial
   - ______ (b) facility for commercial enterprise
   - ______ (c) parking facility
   - ______ (d) pollution control facility
   - ______ (e) multi-state, regional or national headquarters or operations center
   - X (f) facility for the residence and care of the aged
   - ______ (g) facility for private accredited and non-profit institutions of collegiate education
   - ______ (h) Other - if so, describe: ______

2. Indicate whether facility sought to be financed is a:
   - ______ (a) new facility
   - ______ (b) existing facility
   - X (c) addition to or modification of existing facility

3. Type of business or activity to be conducted and purpose of facility sought to be financed. Explain proposed use of facility by applicant and/or others and, if a manufacturing plant, the type of products to be manufactured.
Westminster Canterbury provides housing, healthcare and related services to elderly persons. The new building/addition will house the healthcare facility and will offer all private rooms.

4. Specific site location, including street number, if available and approximate acreage or size of site:
501 V.E.S. Road, Lynchburg, VA 24503
(Approximately 42 acres)

5. General description of proposed facility (describe type of construction, square footage, amount for each operation such as manufacturing, storage, office, etc.) :
New (connected) 100,000 sq. ft. healthcare facility as well as improvements to dining, wellness and common areas and eligible costs of issuance.

6. Name and address of architect, if retained:
SFCS, Inc. Attn: Tye Campbell
305 South Jefferson Street
Roanoke, VA 24011
Telephone No. 540-344-6664

7. Give name of present owners(s) of site: Westminster-Canterbury of Lynchburg, Inc.

8. If an existing facility:
   (a) what is its present use Continuing care retirement community
   (b) number of regular employees presently employed on year-round basis 272
   (c) average annual salary per such employee $ 32,000

9. If applicant is not the present owner of the site, state what, if anything, has been done concerning the location and acquisition of a site by or on behalf of the applicant.
N/A

10. State the present zoning classification of the site under the Zoning Ordinance of the City of Lynchburg:
IN-1

11. Is a zoning change required? ______ YES X ______ NO
If yes, state the zoning classification required: ______

12. Estimated number of regular employees to be employed on year-round basis after acquisition or completion of facility: Same (272)

13. Average annual salary per such employee: $ 32,000 (Same)

14. If application is approved by the Authority, when would applicant anticipate issuance of bonds and work on the facility started? August/ September 2017

Section 3
Cost of Facility and Financing

1. Estimated total cost of proposed facility: $ 49,900,000

2. Maximum amount of financing sought through the Authority: $ 45,000,000

3. Items of cost to be paid from Authority financing (i.e., land, equipment, legal, etc.):
New money capital expenditures ($49,900,000) and qualifying costs of issuance

4. If financing is approved, does applicant expect the Authority bonds to be sold by
X (a) private placement
___ (b) public offering

5. If by private placement, has applicant received a commitment or other assurance from a bank or others with respect to the sale of the bonds?
X YES ___ NO
Elaborate: SunTrust Bank has provided term sheet to provide the financing

6. If by public offering, name and address of underwriter(s) desired:

Name	Mailing Address
N/A	
	Telephone No.

7. Name and address of bond counsel desired:

Name	Mailing Address
Tracey Shaw	828 Main Street Ste. 19
Woods Rogers Edmunds & Williams, LLP	Lynchburg, VA 24504

Telephone No. 434-455-9112

Section 4
Tax Information

1. State the current assessed value for real estate tax purposes comprising the site and existing improvements thereon.

Land	$ 605,000
Improvements	$ 36,915,000
TOTAL	$ 37,520,200

2. Current yearly real property tax on the proposed site: $ 53,000

3. Estimated taxable value of the facility's real property (buildings and improvements) to be constructed: $ 0

4. Estimated real property tax per year with respect to the facility when completed (buildings and improvements) using present City of Lynchburg tax rates: $ 53,000

5. Estimated personal property tax per year with respect to the facility when completed, using present City of Lynchburg tax rates: $ N/A

6. Estimated merchants' capital tax per year with respect to the facility completed, using present tax rates: $ N/A

7. Estimated business license tax per year with respect to the facility when completed and in use, using, present City of Lynchburg license tax rates: $ N/A

8. Estimated dollar value per year of goods and services that will be purchased locally by applicant or other users of the facility: $ 16,000,000

Section 5
Inducement

1. Explain how the requested financing by the Authority will enable or induce applicant to locate in or remain in the City of Lynchburg and the Commonwealth of Virginia?
Westminster Canterbury will finance capital expenditures at its community that will enhance its long-term viability by providing high quality residential and healthcare services and facilities to the elderly of Lynchburg and the surrounding areas.

It is understood and agreed by the Applicant, as evidenced by the execution and filing hereof, that Applicant (a) will, upon the filing of this application, pay to the Authority non-refundable fees and advances in the total amount of $650.00, which includes (i) $250.00 application fee, (ii) $150.00 advance against costs of advertisement of public hearing, copying and other incidental costs, and (iii) a $250.00 advance against the Authority's Counsel fees and, in addition, (b) will pay, when billed, all other costs and expenses of the Authority, including the reasonable fees of its counsel, with respect to this application and any Authority or Lynchburg City Council meetings held in connection therewith.

Applicant also understands and agrees that in the event the Authority approves the application and adopts an inducement resolution and/or enters into an inducement contract with respect thereto and thereafter authorizes the issuance of its bonds or notes to finance a facility on behalf of the Applicant, all costs of the Authority in connection with any such issue, including the reasonable fees of its counsel and bond counsel, will be paid either from the proceeds of the issue or directly by the Applicant or, if such bonds or notes are not issued for any reason, then directly by the Applicant.

The Applicant understands that the approval or disapproval of this application is within the discretion of the Authority and that if approved by the Authority the requested financing will also have to be approved by the City Council of the City of Lynchburg and a proper allocation (bond issuing authority) made to the Authority for the issuance of such bonds or notes under the state limit for the issuance of such bonds or notes as provided in Section 103 of the Internal Revenue Code of 1986, as amended, and the regulations issued thereunder, and as provided by any applicable state legislation, executive order, administrative rules or regulations; that the Authority and/or City Council may require additional financial and other information from the Applicant; that the Authority reserves the right to approve or disapprove bond counsel with respect to each issue; that if this application is approved and Authority bonds or notes are thereafter issued all financing documents shall be in form and substance satisfactory to the Authority, its counsel and bond counsel for the issue and shall include provisions satisfactory to the Authority and its counsel with respect to indemnifying the Authority and payment by Applicant to the Authority of (i) its reasonable costs and expenses, including the reasonable fees of its counsel, bond counsel and other advisers, directly related to the Project or the Bond and (ii) annually, when billed, an annual administrative fee of 1/10th of 1% of the outstanding principal amount of the Bond on each anniversary date of the Closing Date (provided that the amounts so paid shall not equal or exceed an amount that would cause the "yield" on the Note or any other "acquired purpose obligation" to be "materially higher" than the "yield" on the Bond, as such terms are defined under Section 148 of the Code); and that if the Authority adopts an inducement resolution and/or enters into an inducement contract with respect to the issuance of bonds or notes on behalf of Applicant and thereafter before the issuance of its bonds or notes determines (1) that any material information furnished the Authority or the City Council by or on behalf of the Applicant is false or misleading, or (2) if after the adoption of such resolution the proposed financing is not thereafter approved by the

City Council of the City of Lynchburg or a proper allocation of bond issuing authority is not made, or (3) if approved by the Authority and the City Council and a proper allocation of bond issuing authority is made, Applicant has not, within the calendar year or other period of time with respect to which the bond issuing authority is made applicable, made all necessary arrangements required of it with respect to the issuance and sale of the bonds or notes and the undertaking of the facility to be financed thereby, or if for any other reason the bonds or notes have not been issued within any such applicable time period, the Authority, in any such event, reserves and shall have the right in its sole discretion to revoke or rescind such inducement resolution and/or inducement contract which the Authority has entered into with the Applicant, after not less than ten (10) days written notice of the Authority's intention so to do, addressed and mailed to the Applicant at its address given in this Application.

Respectfully submitted this 1 day of June, 2017.

Sean M. Huyett, President & CEO

Westminster-Canterbury of Lynchburg, Inc.

CERTIFICATE

The undersigned Secretary of the Economic Development Authority of the City of Lynchburg, Virginia (the "Authority") hereby certifies as follows:

A meeting of the Authority was duly called and held on Thursday, June 22, 2017, at 8:30 a.m., before the Authority, in the Office of Economic Development, City Hall, 2nd Floor, 900 Church Street, Lynchburg, Virginia, pursuant to proper notice given to each Director of the Authority before such meeting. The meeting was open to the public. The time of the meeting and the place at which the meeting was held provided a reasonable opportunity for persons of differing views to appear and be heard.

The Chair announced the commencement of a public hearing on the application of Westminster-Canterbury of Lynchburg, a nonstock, not-for-profit Virginia corporation, and that a notice of the hearing was published once a week for two successive weeks in a newspaper having general circulation in the City of Lynchburg, Virginia (the "Notice"), with the second publication appearing not less than six days nor more than twenty-one days prior to the hearing date. A copy of the Notice is attached and has been filed with the minutes of the Authority and is attached as Exhibit A.

A summary of the statements made at the public hearing is attached as Exhibit B.

Attached as Exhibit C is a true, correct and complete copy of the approving resolution (the "Resolution") adopted at such meeting of the Authority by a majority of the Directors present at such meeting. The Resolution constitutes all formal action taken by the Authority at such meeting relating to matters referred to in the Resolution. The Resolution has not been repealed, revoked, rescinded or amended and is in full force and effect on this date.

WITNESS my hand and the seal of the Authority, as of June 22, 2017.

Secretary, Economic Development Authority
of the City of Lynchburg, Virginia

[SEAL]

Exhibits:

A - Copy of Certified Notice
B - Summary of Statements
C - Authority's Resolution

The News & Advance

Advertising Affidavit

101 Wyndale Drive
Lynchburg, Virginia 24501
(434) 385-5400

Account Number
6071103

Date
June 15, 2017

WOODS ROGERS EDMUNDS & WILLIAMS
828 MAIN STREET, 19TH FLOOR
LYNCHBURG, VA 24504

Date	Category	Description	Ad Size	Total Cost
06/15/2017	Legal Notices	NOTICE OF PUBLIC HEARING ON PROPOSED REVENUE B	2 x 50 L	724.00

NOTICE OF PUBLIC HEARING ON PROPOSED REVENUE BOND FINANCING BY ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF LYNCHBURG, VIRGINIA

Notice is hereby given that the Economic Development Authority of the City of Lynchburg, Virginia (the "Authority") will hold a public hearing on the application for Authority financing made by Westminster-Canterbury of Lynchburg, Inc., ("Borrower"), a not for profit, non-stock, non-member corporation exempt from taxation under Section 501 (c) (3) of the Internal Revenue Code of 1986, as amended, in which Borrower asks the Authority to issue up to $45,000,000 of its revenue bonds or notes (the "Bonds") pursuant to the Virginia Industrial Development and Revenue Bond Act (the "Act"), to assist Borrower in financing (1) improvements to its continuing care retirement community at 501 VES Rd., Lynchburg, Virginia 24503, including a new six story, approximately 100,000 square foot healthcare center projected to have 84 beds, and improvements to its dining and wellness center (collectively the "Project") and (2) amounts, if any, required to fund related working capital, funded interest, reserve funds, costs of issuance, and other eligible expenses in connection with the issuance of the Bonds or the Project.

As required by the Act, the issuance of the Bonds as requested by Borrower will not constitute a debt or pledge of the faith and credit of the Commonwealth of Virginia or the City of Lynchburg, Virginia. None of the Commonwealth of Virginia or any political subdivision thereof, including the Authority or the City of Lynchburg, Virginia, shall be obligated to pay the Bonds, or the interest thereon, or other costs incidental thereto, except from the revenues and monies pledged therefore, and neither the faith and credit nor the taxing power of the Commonwealth of Virginia nor any political subdivision thereof will be pledged to the payment of principal of the Bonds or the interest thereon or other costs incidental thereto.

The public hearing, which may be continued or adjourned, will be held at 8:30 A.M. on June 22, 2017, before the Authority or its designated representative, at the offices of the Authority on the Second Floor of City Hall, 900 Church St., Lynchburg, Virginia 24504. Any person interested in the issuance of the Bonds, the Project and related issues may appear at the hearing and present his or her views or may send written comments before such hearing to the Secretary-Treasurer of the Authority, 900 Church St., Lynchburg, Virginia 24504. Information regarding Borrower's application is on file and open for inspection at the offices of the Authority.

Economic Development Authority of the City of Lynchburg, Virginia

By Mark A. Strosnider
Secretary-Treasurer

Publisher of the News & Advance

This is to certify that the attached NOTICE OF PUBLIC HEARING **was published by the News & Advance in the city of Lynchburg, in the State of Virginia, on the following dates:**

06/08, 06/15/2017

The First insertion being given ... 06/08/2017

Newspaper reference: 0000545937

Given under my hand on

the 19 **day of** June 17

Classified Manager

Tonya D Davis
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #7506750
My Commission Expires
September 30, 2019

TONYA D DAVIS COMMONWEALTH OF VIRGINIA NOTARY PUBLIC

EXHIBIT
A

THIS IS NOT A BILL. PLEASE PAY FROM INVOICE. THANK YOU

EXHIBIT B

SUMMARY OF STATEMENTS MADE AT PUBLIC HEARING CONDUCTED BY THE ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF LYNCHBURG, VIRGINIA ON JUNE 22, 2017

The Chairman declared the public hearing open. Mr. Craddock reminded the Directors that the application for financing had been received from Westminster-Canterbury of Lynchburg, Inc., a 501(0(3) Virginia corporation, and that the notice of this public hearing had been advertised as required by law. The Chairman asked if anyone was present who wished to speak in favor of the application. Mr. Sean Huyett, President and CEO of Westminster-Canterbury spoke to the Authority. He described the project to be financed as improvements to Westminster-Canterbury's continuing care retirement community at 501 VES Rd., Lynchburg, Virginia, including a new six story, approximately 100,000 square foot healthcare center projected to have 84 beds, and improvements to its dining and wellness center, and amounts, if any, required to fund related working capital, funded interest, reserve funds, costs of issuance, and other eligible expenses in connection with the issuance of the Bonds and the project. Westminster's existing facility is 37 years old and the new building will reflect the trend in continuing care communities toward private rooms in nursing care. He stated that the construction of the building was expected to begin in the fall.

Tracey Shaw, Esq. with Woods Rogers Edmunds & Williams, Bond Counsel for the Authority, was also present.

The Chairman then asked if anyone wished to speak in opposition to the application. No one appeared or spoke in opposition to the application.

The Chairman declared the public hearing closed.

EXHIBIT

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B

RESOLUTION OF THE ECONOMIC DEVELOPMENT
AUTHORITY OF THE CITY OF LYNCHBURG, VIRGINIA
AUTHORIZING THE ISSUANCE OF UP TO $45,000,000
REVENUE BONDS FOR THE BENEFIT OF WESTMINSTER-
CANTERBURY OF LYNCHBURG, INC.

WHEREAS, the Economic Development Authority of the City of Lynchburg, Virginia, a political subdivision of the Commonwealth of Virginia (the "Authority"), is empowered by the Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2, Code of Virginia of 1950, as amended (the "Act"), to issue its revenue bonds to protect and promote the commerce, safety, health, welfare, convenience or prosperity of citizens of the Commonwealth of Virginia (the "Commonwealth") by assisting in the acquisition, construction, equipping, expansion, enlargement, improvement and financing of facilities for use by organizations (other than institutions organized and operated exclusively for religious purposes) which are described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), and which are exempt from federal income taxation pursuant to Section 501(a) of the Code;

WHEREAS, the Authority has received a request from Westminster-Canterbury of Lynchburg, Inc. (the "Borrower"), a corporation which is described in Section 501(c)(3) of the Code, requesting that the Authority issue its revenue bonds, in one or more series, to assist the Borrower in financing (a) certain of the costs of constructing and equipping an approximately 100,000 square foot six floor health care center and renovating certain dining and wellness facilities (the "Facilities") at its continuing care retirement community located at 501 VES Road, Lynchburg, Virginia and (b) bond issuance costs and other eligible expenditures (collectively, the "Project");

WHEREAS, such assistance will induce the Borrower to remain in the Commonwealth and benefit the inhabitants of the City of Lynchburg, Virginia and the Commonwealth, either through the increase of their commerce or through the promotion of their safety, health, welfare, convenience or prosperity;

WHEREAS, preliminary plans for the Project have been described to the Authority and a public hearing has been held as required by Section 147(f) of the Code and Section 15.2-4906 of the Act;

WHEREAS, the Borrower has represented that the estimated cost of the Project and all expenses of issue will require one or more issues of revenue bonds in the aggregate principal amount not to exceed $45,000,000 (the "Bonds");

WHEREAS, the issuance of the Bonds as requested by the Borrower will not constitute a debt or pledge of the faith and credit of the Commonwealth or the City of Lynchburg, Virginia, and neither the faith and credit nor the taxing power of the Commonwealth or any political subdivision thereof will be pledged to the payment of the Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF LYNCHBURG, VIRGINIA:

EXHIBIT
tabbies
C

1. It is hereby found and determined that the financing of the Project will be in the public interest and will promote the commerce, safety, health, welfare, convenience or prosperity of the Commonwealth, the City of Lynchburg, Virginia and their citizens.

2. To induce the Borrower to remain in the Commonwealth, and particularly in the City of Lynchburg, Virginia, the Authority hereby agrees to assist the Borrower in financing the Project by undertaking the issuance of the Bonds, and authorizes and approves the issuance of the Bonds in an aggregate amount not to exceed $45,000,000.

3. It having been represented to the Authority that it is necessary to proceed immediately with the financing of the construction, renovation and equipping of the Facilities, and the planning therefor, the Authority agrees that the Borrower may proceed with plans for the financing of the construction, renovation and equipping of the Facilities, enter into contracts for construction, materials, equipment and services for the construction, renovation and equipping of the Facilities, and take such other steps as it may deem appropriate in connection with the construction, renovation and equipping of the Facilities, provided, however, that nothing in this resolution shall be deemed to authorize the Borrower to obligate the Authority without its consent in each instance to the payment of any moneys or the performance of any acts in connection with the Project or any portion thereof. The Authority agrees that the Borrower may be reimbursed from the proceeds of the Bonds for all expenditures and costs so incurred by it, provided such expenditures and costs are properly reimbursable under the Act and applicable federal laws.

4. At the request of the Borrower, the Authority approves Woods Rogers Edmunds & Williams PLC, Lynchburg, Virginia, as Bond Counsel in connection with the issuance of the Bonds.

5. In adopting this resolution the Authority intends to take "official action" toward the issuance of the Bonds and to evidence its "official intent" to reimburse from the proceeds of the Bonds any expenditures paid by the Borrower to finance or refinance the construction, renovation and equipping of the Facilities before the issuance of the Bonds, all within the meaning of regulations issued by the Internal Revenue Service pursuant to Sections 103 and 141 through 150 and related sections of the Code.

6. The Authority recommends that the City Council of the City of Lynchburg, Virginia approve the issuance of the Bonds.

7. No bonds may be issued pursuant to this resolution until such time as the issuance of the Bonds has been approved by the City Council of the City of Lynchburg, Virginia, and this resolution is made expressly contingent upon such approval.

8. Neither the Directors of the Authority nor any person executing the Bonds shall be liable personally on the Bonds by reason of the issuance thereof. No director, member, officer, employee or agent of the Authority shall incur any personal liability with respect to any other action taken by such person pursuant to the Bonds, the Financing Documents or the Act or any of the transactions contemplated thereby.

9. The approval of the issuance of the Bonds does not constitute an endorsement to a prospective purchaser of the Bonds or the creditworthiness of the Project or the Borrower. The issuance of revenue bonds as requested by the Borrower will not constitute a debt or pledge of the faith and credit of the Commonwealth or the City of Lynchburg, Virginia and neither the faith and credit nor the taxing power of the Commonwealth or any political subdivision of the Commonwealth will be pledged to the payment of the Bonds. Neither the City of Lynchburg, Virginia nor the Authority shall be obligated to pay the Bonds or the interest thereon or other costs incident thereto except from revenues and money pledged therefor.

10. This resolution shall take effect immediately upon its adoption.

CERTIFICATE

The undersigned Secretary of the Economic Development Authority of the City of Lynchburg, Virginia (the "Authority") certifies that the foregoing is a true, correct and complete copy of a resolution adopted by a majority of the Directors of the Authority present and voting at a meeting duly called and held on June 22, 2017, in accordance with law, and that such resolution has not been repealed, revoked, rescinded or amended but is in full force and effect on this date.

WITNESS the following signature and seal of the Authority, this 22nd day of June, 2017.

Mark A. Strosnider

Mark A. Strosnider, Secretary-Treasurer

FISCAL IMPACT STATEMENT FOR PROPOSED BOND FINANCING

Date: June 22, 2017

Name of Applicant: Westminster- Canterbury of Lynchburg, Inc.
Facility: 501 VES Road
Lynchburg, VA 24503

1.	Maximum amount of financing sought	$45,000,000
2.	Estimated taxable value of the facility's real property to be constructed in the municipality	S N/A
3.	Estimated real property tax per year using present tax rates	$ N/A
4.	Estimated personal property tax per year using present tax rates	$ N/A
5.	Estimated merchants' capital tax per year using present tax rates	N/A
6.	(a) Estimated dollar value per year of goods that will be purchased from Virginia companies within the locality	$3,400,000
	(b) Estimated dollar value per year of goods that will be purchased from non-Virginia companies	$800,000
	(c) Estimated dollar value of services that will be purchased from Virginia companies within the locality	$12,000,000
	(d) Estimated dollar value per year of services that will be purchased from non-Virginia companies	$600,000
7.	Estimated number of employees on a year round basis	302
8.	Average annual salary per employee	$36,434

Chairman Economic Development Authority of the City of Lynchburg, Virginia

If one or more of the above questions do not apply to the facility indicate by writing N/A (not applicable) on the appropriate line.

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **July 11, 2017** AGENDA ITEM #: **11**

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

ITEM TITLE: Appropriation of Funds Associated with the Police Officer Retention Plan

KEY ELEMENTS:
___Economic Development _X_Excellent Government ___Natural and Built Environment _X_Safe Community _X_Vibrant Community

RECOMMENDATION: Adopt a resolution to amend the FY 2018 General Fund Police Department budget and appropriate $139,091 with resources of $139,091 carryforward from the FY 2017 General Fund Police Department to adjust salaries of Police Officer II, Police Officer III, Sergeant, and Lieutenant as presented to City Council on June 27, 2017.

SUMMARY: The Lynchburg Police Department will use FY 2017 savings from their personnel services budget ($139,091) and personnel services savings from their FY 2018 budget ($180,000) to adjust salaries for the ranks of Police Officer II, Police Officer III, Sergeant and Lieutenant. The total cost of these adjustments is estimated to be $319,091.

PRIOR ACTION(S): June 27, 2017, City Council Work Session

FISCAL IMPACT: Adjustments are estimated to be $319,091.

CONTACT(S): Deputy Chief Todd Swisher, 455-6154
Chief Raul Diaz, 455-6104

ATTACHMENT(S): June 27, 2017 Powerpoint Presentation

REVIEWED BY: bms

RESOLUTION:

BE IT RESOLVED that the FY 2018 General Fund Police Department budget is amended and $139,091 is appropriated with resources of $139,091 carryforward from the FY 2017 General Fund Police Department to adjust salaries of Police Officer II, Police Officer III, Sergeant, and Lieutenant.

Introduced: Adopted:

Certified: ______________________________
Clerk of Council

093K

RETENTION IS A PRIORITY

Officer Retention Plan
Lynchburg Police
Department

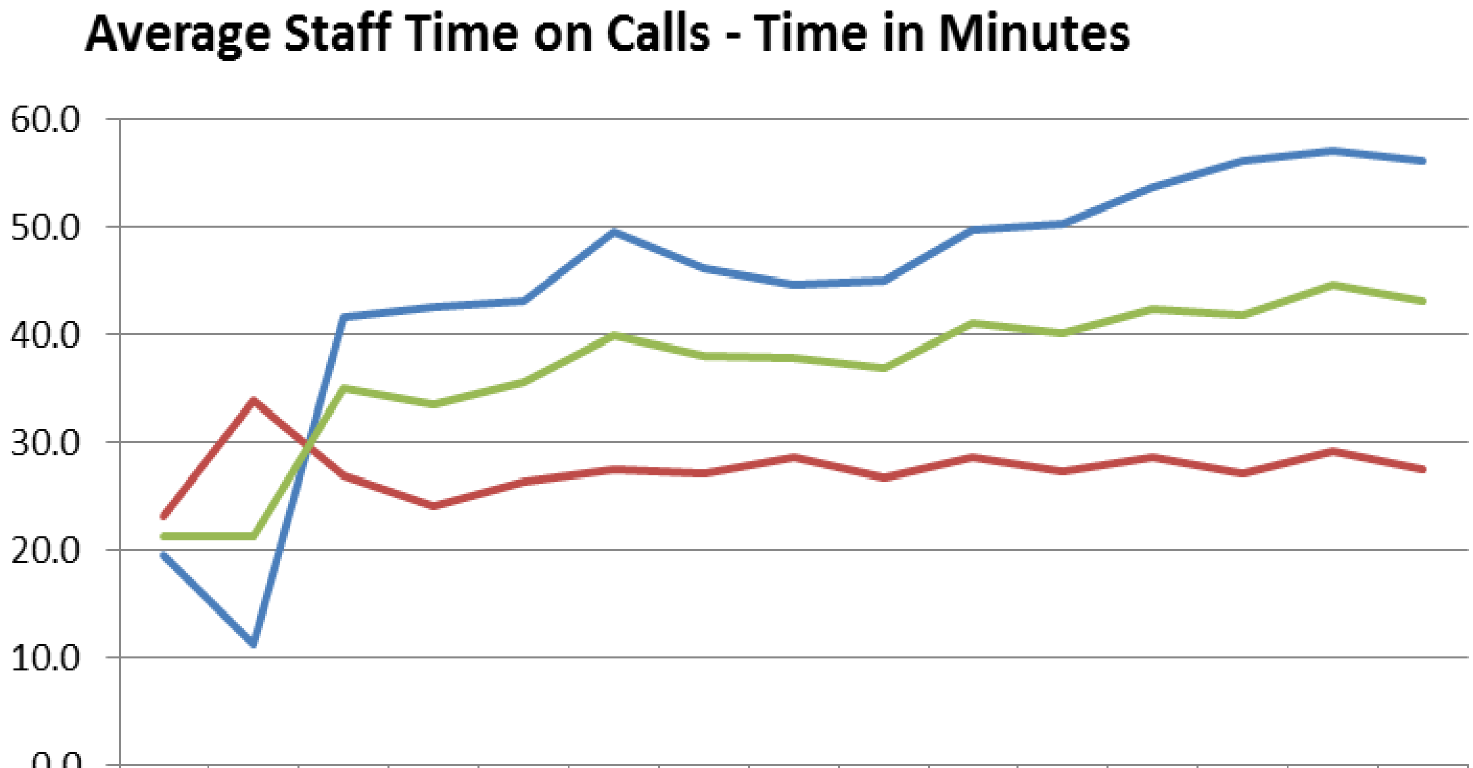
TURNOVER

- LPD has lost 271 officers since 2002
- 167 voluntary resignations
- Equates to losing 17.5 officers per year for 15.5 years (10.8 voluntary resignations per year)
- LPD has lost 53 officers since January 1, 2015 – 30.4% of workforce
- The Department of Justice's Bureau of Justice Statistics indicates a 7.0% yearly turnover rate for similar-sized law enforcement agencies based on most recent 2012 study
- From a financial perspective and an experience perspective, the cost of this turnover is staggering!

TURNOVER

- Staffing levels remain far below authorized 174
- Relative inexperience at all ranks
- Always in “training mode”
- Lose valuable relationships within the community whenever we lose an officer

AVERAGE TIME ON CALLS



	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Citizen Initiated	19.5	11.4	41.6	42.5	43.1	49.5	46.1	44.6	45.0	49.7	50.3	53.6	56.2	57.0	56.2
Officer Initiated	23.2	33.9	27.0	24.1	26.4	27.4	27.2	28.6	26.8	28.7	27.3	28.7	27.2	29.1	27.4
Total Average	21.3	21.3	35.1	33.6	35.5	39.9	38.0	37.8	37.0	41.0	40.1	42.4	41.8	44.6	43.2

CHALLENGES

- Department facilities do not create an atmosphere conducive for work (very poor conditions)
- Officers, and other city employees, living below poverty line (receiving WIC, FAMIS, Virginia Medicaid)
- Lost 69 officers to other regional departments since 2002 due to regional agencies offering competitive salary/benefit packages
- Young people entering work force are quick to move around – we must give them a reason to stay
- Essentially training officers for other agencies

ACTIONS TAKEN TO ADDRESS

- New LPD building has been approved (3-5 year project)
- LPD has implemented employment contracts for new hires starting in July 2017 (3 yrs - $10,000)
- Department has secured a modest clothing allowance for detectives and a boot allowance for patrol officers in the FY’18 budget

Proposed Interim Retention Strategy

Targeted pay adjustment to address pay issues/compression at the PO II, PO III, Sgt, and Lt. levels

- Pay Adjustment Plan

Lieutenant	\$200/year of service	\$68,329.16
Sergeant	\$225/ year of service	\$56,753.66
PO 3	\$225/year of service	\$50,715.56
PO 2	\$225/ year of service	\$43,561.32

- Total Cost - \$319,091.01

FUNDING SOURCE

- The LPD can make these pay adjustments utilizing FY 2017 carryforward funding and FY 2018 managed vacancy funding
  - $398,900 in total possible funding sources - LPD
  - No additional costs to the City for FY 2018
- This helps to address stagnated pay levels and compression now

ADJUSTMENTS

- City Council has approved a three-year phased plan to address market disparities in the following City departments:

  -Public Works

  -Human Services

  -Parks and Recreation

ADJUSTMENTS

- LPD is requesting that City Council approve carryforward funding to address retention issues

Other Potential Recruitment and Retention Actions

- The assignment of take-home vehicles for personnel living within the City limits

- Pay off a maximum of $5,000 in student loan debt for any officer who stays an additional 5 years with the LPD.

- Consider increasing VRS multiplier from 1.70 to 1.85 – currently 80 jurisdictions have adopted the 1.85 multiplier, including 16 in our region.

CONCLUSION

For the betterment of the City and its Officers

Questions?