COUNCIL MEMBER WILDER WILL GIVE THE INVOCATION

A G E N D A

City Council Meeting of June 12, 2018

4:00 P.M.

Work Session Agenda Items

4:00 p.m. - 1. Recognition:

- Beacon of Hope "Corn-a-Thon" Winners
- 2018 Co-Starters Graduates
- 2018 Governor's Environmental Excellence Award Parks and Recreation
- Canstruction Lynchburg 2018 – "Under the Sea"

2. Thriving Cities Update

- Poverty to Progress
- Reimagine Community Centers
- Economic Development Strategic Action Plan
- Downtown 2040 Master Plan

3. Roll Call

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

*#4. Consideration of adopting Resolution #R-18-047 to amend the FY 2018 City/Federal/State Aid Fund budget and appropriate $50,000 with resources from the 2017 State Homeland Security Program (SHSP) grant from the U.S. Department of Homeland Security (DHS) to fund equipment and training for the Fire Department Technical Rescue Team.

PUBLIC COMMENT

#5. Hear from a citizen regarding a concern (Rodney Hubbard).

PUBLIC HEARING

#6. Public hearing to amend and reenact the Code of the City of Lynchburg by amending Zoning Ordinance Section 35.2-64.16 regarding Billboards.
(File: Community Development) #O-18-_____

#7. Public hearing regarding an Ordinance to amend and reenact the Code of the City of Lynchburg by amending Zoning Ordinance Section 35.2-13.4, Initiation and Section 35.2-13.11, Appeals to City Council.
(File: Community Development) #O-18-_____

#8. a. Public hearing regarding the issuance of up to $50,000,000 General Obligation Public Improvement Bond Anticipation Notes, and authorizing the City Manager to execute appropriate documents to establish a Line of Credit with Bank of America. #R-18-_____

b. Consideration of introducing a Resolution amending the FY 2018 General, Water, Sewer and Stormwater Funds' Adopted Budgets and appropriating $108,900; $23,100; $28,050 and $4,950 respectively with resources from the Line of Credit Proceeds for a total of $165,000 for estimated issuance costs.
(File: Bonds) #R-18-_____

#9. a. Public hearing regarding the issuance of $32,000,000 Sewer Revenue Utility Bonds for the construction upgrade of the Lynchburg Regional Wastewater Treatment Plant, and authorizing the City Manager to execute appropriate documents. #R-18-_____

b. Consideration of introducing a Resolution to amend the FY 2018 Capital Improvements Program adopted budget and appropriate $12,838,419 with Virginia Clean Water Revolving Loan Fund resources to reimburse costs for engineering, design and construction costs for the CSO upgrade to the Lynchburg Regional Wastewater Treatment Plant. #R-18-_____
(File: Water Resources)

GENERAL BUSINESS

#10. Consideration of adopting a Resolution to expend $5,000 of the available FY 2018 General Fund Non-Departmental Poverty Initiative Budget to support the community engagement facet of the City's ongoing poverty reduction effort.
(File: Poverty) #R-18-_____

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **June 12, 2018** AGENDA ITEM #: **2**

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

ITEM TITLE: Update on Thriving City Initiative

KEY ELEMENTS:
_**X**_ Economic Development ___Excellent Government _**X**_ Natural and Built Environment _**X**_ Safe Community _**X**_ Vibrant Community

RECOMMENDATION: Hear a presentation to provide an update on the Thriving City initiative.

SUMMARY: The purpose of this item and associated presentation is to provide City Council with updates on the progress and plans for the four initiatives under the umbrella heading called "Thriving City". The four initiatives are:

- Poverty To Progress
- Reimagining Neighborhood Centers
- Economic Development Work Plan
- Downtown 2040.

PRIOR ACTION(S): N/A

FISCAL IMPACT: N/A

CONTACT(S): Bonnie Svrcek, City Manager – 455-3987
Mike Goetz, Acting Deputy City Manager – 455-6002
John Hughes, Assistant City Manager – 455-3986
Jenny Jones, Parks and Recreation Director – 455-5868
Marjette Upshur, Economic Development and Tourism Director – 455-4492
Kent White, Community Development Director – 455-3919

ATTACHMENT(S): Thriving City presentation slides

REVIEWED BY: bms

064K

THRIVING CITY

From Poverty to Progress (P2P)

Downtown 2040 Master Plan

Economic Development Strategic Action Plan

Reimagining Neighborhood Centers

City Council Work Session

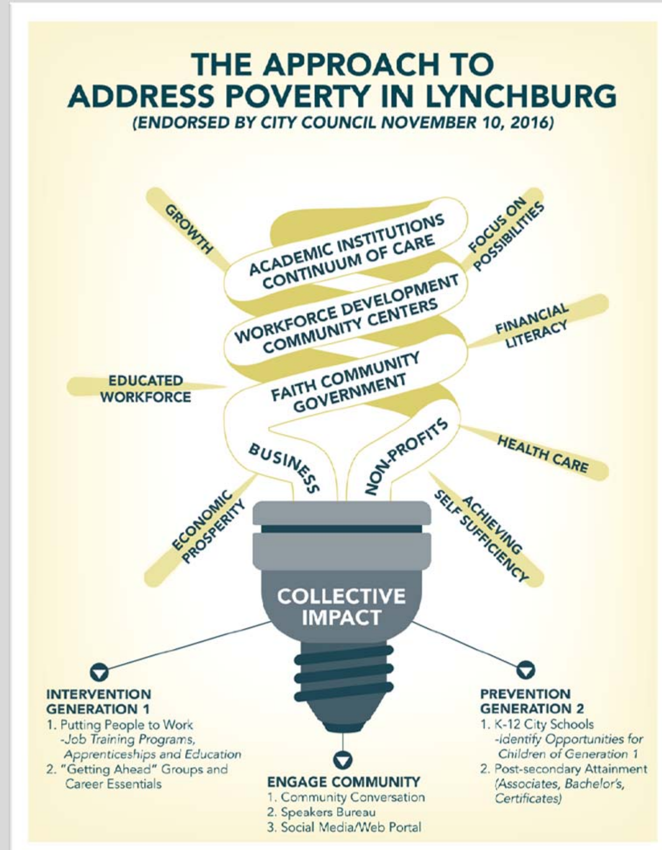
June 12, 2018

From Poverty to Progress (P2P)

John H. Hughes, IV
Assistant City Manager

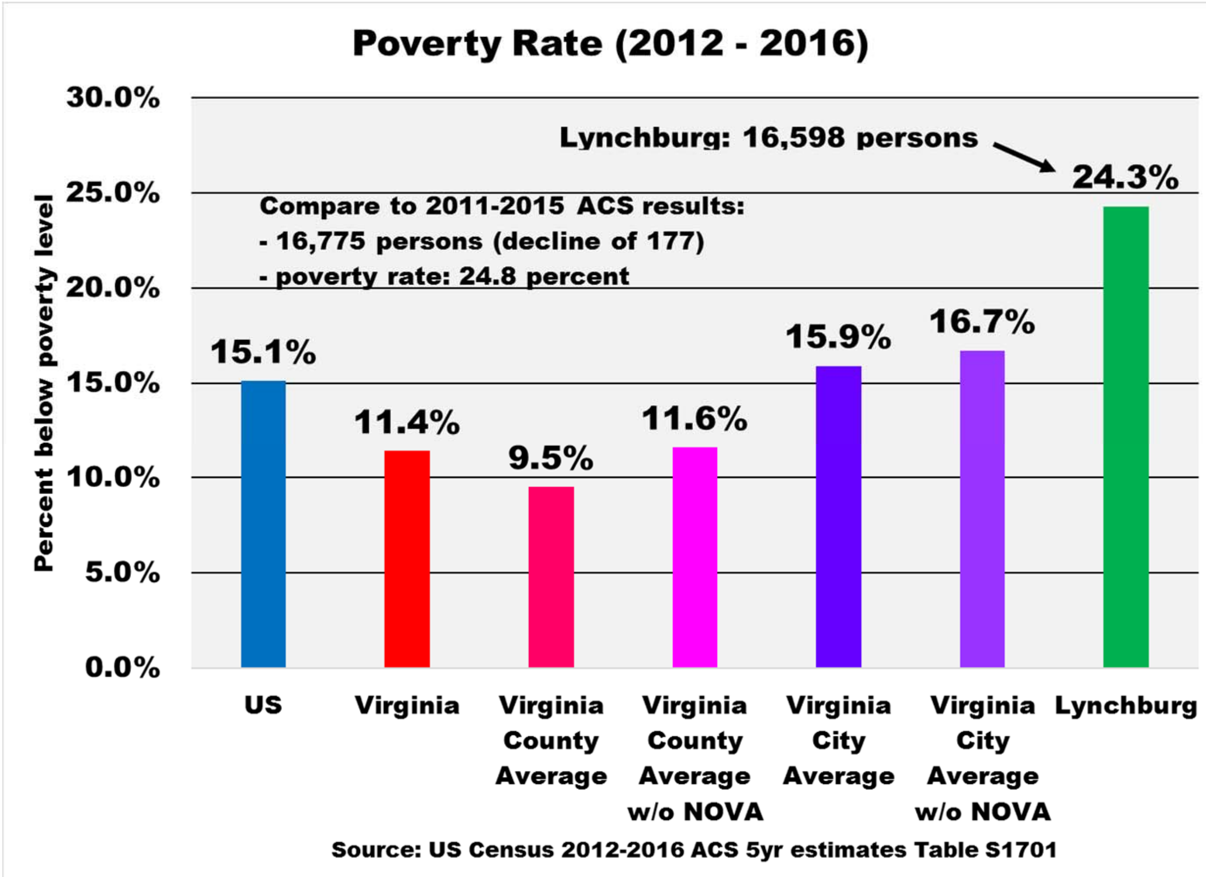
Three Prong Approach

- Intervention
- Prevention
- Community Engagement

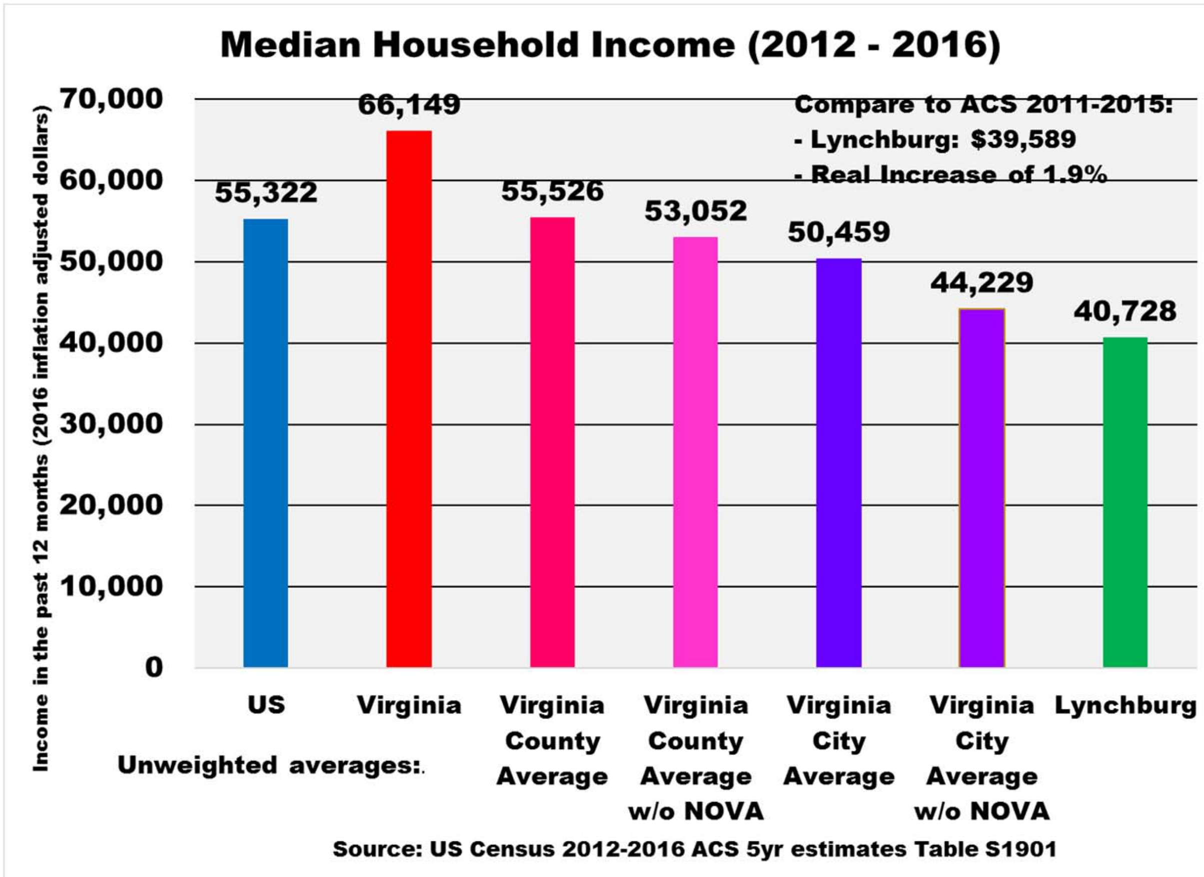


Purpose

- Increase the median household income of citizens to more than $40,728
- Decrease the poverty rate to less than 24.3%



Abell, J. (2018). Presentation to Lynchburg City Council



Abell, J. (2018). Presentation to Lynchburg City Council

Accomplishments

- Pilot program to help parents pre-register children for school
- Key mentoring roles established for re-entry population
- Collaboration with community agencies to develop a universal Pre-K system
- Increased access to health care through the Community Health Center and Community Access Network

Accomplishments

- Project manager and Workforce Navigators leading the TechHire and Getting Ahead programs
- Two graduates of the Getting Ahead program
  - Receiving follow-up case management, additional education and employment assistance
  - Next class started June 5, 2018
- TechHire initiative recruiting, training and matching participants with employment
  - Located on the first floor of 901 Church Street
  - Eight individuals currently participating

Accomplishments

- Steps to a Healthy Family Life Project
  - Assists renters with learning housekeeping, cooking and laundry skills
- Homeless Coordinator hired with Lynchburg Redevelopment and Housing Authority
- Faith-based partnership toward poverty reduction
  - City Reach
  - Open Table
  - Inter-faith connections

Challenges

- Time-intensive process – one household at a time
- No magic bullet
- Perceptions of what poverty “looks like”
- Collaborative effort is subject to fragmentation due to the nature of this work

BMS2

Steps Forward

- $25,000 of the $50,000 allocated by City Council for the From Poverty to Progress Initiative available to P2P workgroups for implementation of action plans
  - Applications were reviewed by the Community Development Advisory Committee (CDAC)
  - $23,532.40 recommended by CDAC to fund seven mini-grants submitted by P2P workgroups
- Collaboration with Bridges of Central Virginia

Slide 11

BMS2 second bullet: ....to fund seven mini-grants submitted by P2P workgroups
Bonnie Svrcek, 6/6/2018

POVERTY TO PROGRESS (P2P) INITIATIVE GRANT APPLICATION RECOMMENDATIONS (FY 2018)

		Total P2P FY 2018 Grant Allocation		$ 25,000.00
Amount to Award FY 2018		$ 25,000.00		
NAME	P2P Workgroup	Amount Requested FY 2018	CDAC Recommendation FY 2018	City Council Amount Awarded FY 2018
Tutoring Impact on Achievement, Attendance, Discipline and Character	Education	$ 930.00	$ 930.00	$ -
Lynchburg Childcare Alliance Plan	Child Care	5,000.00	$ 5,000.00	$ -
Move UP	Transportation	5,000.00	5,000.00	-
Reducing Poverty through Education	Education	4,903.40	4,903.40	-
Poverty 101 Action Plan	Poverty 101	2,500.00	2,500.00	-
Re-entry Projects	Legal	3,740.00	3,740.00	-
Food Disparity	Food Disparity	1,450.00	1,450.00	-
Totals		$ 23,523.40	$ 23,523.40	$ -
Remaining Amount to Award		$ 1,476.60	$ 1,476.60	$ 25,000.00

Steps Forward

- Poverty reduction and median household income increase
  - U.S. Census American Community Survey update in December 2018
- Renewal of the Commonwealth's Temporary Assistance for Needy Families (TANF) Community Wealth Building Grant for FY 2019 in progress
  - TechHire and Getting Ahead enhancement
  - Empower Lynchburg portal

Steps Forward

- Connecting with other Thriving City components
  - Downtown 2040 Master Plan
  - Economic Development Strategic Action Plan
  - Reimagining Neighborhood Centers

Reimagining Neighborhood Centers

Jenny Jones, Director
Department of Parks and Recreation

A Vision for the Neighborhood Centers...

The primary purpose of reimagining neighborhood centers is to engage the neighborhood in a conversation regarding how to make each center a dynamic environment where people can learn, create and recreate.

Neighborhood Centers

- College Hill Center, 811 Jackson Street
- Daniel’s Hill Center, 314 Norwood Street
- Diamond Hill Center, 1005 17th Street
- Fairview Heights Center, 3621 Campbell Ave
- Jefferson Park Center, 405 York Street
- Yoder Center, 109 Jackson Street

Timeline for Reimagining – Facility Improvements and Programming Plans

Summer 2018
College Hill Center and Daniels Hill Center:

Community Engagement for Program Planning and Facility Improvement

Summer 2019
Diamond Hill Center and Jefferson Park Center:

Community Engagement for Program Planning and Facility Improvement

Summer 2020
Fairview Heights Center and Yoder Center:

Community Engagement for Program Planning and Facility Improvement

AND Neighborhood Plan Development for a to-be-determined neighborhood

Community Development Block Grant Funding

FY18
Funding Awarded

College Hill Facility Improvement Project

Daniels Hill Facility Improvement Project

FY19
Funding Allocation in Process

Diamond Hill Facility Improvement Project

Jefferson Park Facility Improvement Project

FY20
Planning to Submit Applications

Fairview Heights Facility Improvement Project

Yoder Center Facility Improvement Project

Funds for Neighborhood Planning – One Neighborhood


TEACHING GARDENS

SENIOR PROGRAM

SUMMER CAMPS

PRESCHOOL PLAYGROUP

TEEN PROGRAMS

PARTNERSHIPS

#LOVELYH
VE
Lynchburg
VIRGINIA
NEIGHBORHOOD ENGAGEMENT

AFTER SCHOOL PROGRAM

Accomplishments

- Key Programs
  - Examples: Preschool Playgroup, Afterschool Programs, Teaching Gardens, and more…
- Partnerships and Collaborations
  - Examples: Lynchburg City Schools, Region 2000 Workforce Development, Blue Ridge Area Food Bank, and more…
- Neighborhood Engagement
  - Examples: Neighborhood door-to-door survey, Neighborhood association meetings, and more…

Increasing Programming Potential

Challenges to Meeting Citizen Needs

- Budget (each center has a budget of $1,775 for supplies and materials)
- Income Level of Customer Base (can only afford free to low-cost programs)
- Staff Levels (One full-time, one part-time staff per center)
- Facility Limitations (current design structure has only one multiuse space)

Plans for the Next 6-12 Months

- Deepen Neighborhood Engagement
- Improve Facilities
- Update Center Programming Plans
- Explore Phased Neighborhood Planning

Economic Development Strategic Action Plan

Marjette Upshur, Director
Economic Development, Tourism and Museums

Areas of Focus

BUSINESS RETENTION

BUSINESS ATTRACTION

TALENT DEVELOPMENT

INFRASTRUCTURE

ENTREPRENEURSHIP

ECONOMIC EMPOWERMENT

TOURISM SALES & SERVICES

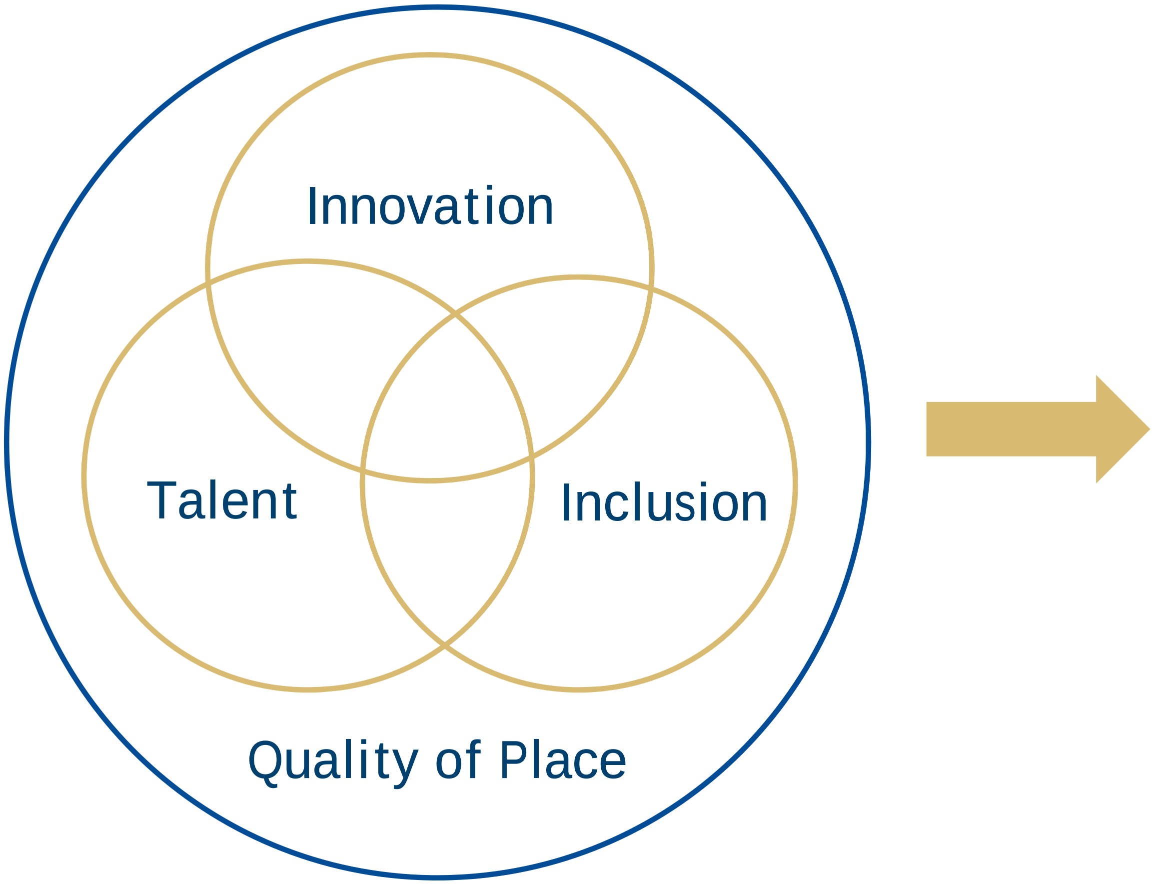
TOURISM MARKETING & PUBLIC RELATIONS

Accomplishments

- Strategic Planning underway
- Tessy Plastics expansion
- Framatome Headquarters announcement
- $300K Environmental Protection Agency Brownfields Assessment Grant
- Opened TechHire office
- 6th CO.STARTERS class with 50+ graduates to date
- Lynchburg feature in Site Selection Magazine
- Four census tracts designated as Federal Opportunity Zones through competitive statewide nomination process

Accomplishments

- Tourism Branding – Launch July 2018
- American Evolution grant
- CRUSH Friday grant
- Lynchburg new headquarters for Miss Virginia
- Virginia Association of Museums announced annual conference, March 2019
- Lynchburg hosting statewide conference of Virginia Meeting Planners



ECONOMIC PROSPERITY

Economic Development Strategic Action Plan

STEP 1:
Kick-Off and
Visioning
January 2018

Establish
Baseline
Roundtable
Discussions

Economic Development Strategic Action Plan

STEP 1:
Kick-Off and Visioning
January 2018

Establish Baseline
Roundtable Discussions

STEP 2:
Competitive Analysis
March 2018

Summarize Baseline Market Research
Cluster Analysis

Economic Development Strategic Action Plan

STEP 1:
Kick-Off and Visioning
January 2018

Establish Baseline
Roundtable Discussions

STEP 2:
Competitive Analysis
March 2018

Summarize Baseline Market Research
Cluster Analysis

STEP 3:
Draft Economic Strategy Objectives
May-June 2018

Draft Strategy

Present to Stakeholders

Economic Development Strategic Action Plan

STEP 1:
Kick-Off and Visioning
January 2018

- Establish Baseline
- Roundtable Discussions

STEP 2:
Competitive Analysis
March 2018

- Summarize Baseline Market Research
- Cluster Analysis

STEP 3:
Draft Economic Strategy Objectives
May-June 2018

- Draft Strategy
- Present to Stakeholders

STEP 4:
Final Economic Development Strategic Action Plan
July 2018

- Finalize Action Plan
- Gain Approval
- Disseminate to Stakeholders

Strategic Planning: Steering Committee

- Twenty23
- 434 Marketing
- Liberty University
- Randolph College
- Lynchburg College
- NB Handy
- US Pipe
- Fleet/Prestige Brands
- BWXT
- Amazement Square
- Virginia Tourism Corporation
- Central Virginia Community College
- Pacific Life
- Innovative Wireless Technologies
- Centra
- Lynchburg Regional Business Alliance
- Churches for Urban Ministry

Focus groups of more than forty people representing:

- Tourism & Placemaking
- Industrial Center
- Start-ups & Entrepreneurship
- Urban & Neighborhood Renewal
- Brain Gain & Creative Class

Strategic Planning: Work in Progress

- Draft Economic Development Strategies
  - Industry Driven, Existing Businesses First
  - Leverage and Engage Anchor Institutions
  - Talent Development and Skills Matching
  - Maximize Placemaking and Tourism Assets to Drive Growth
  - Tell the Story of Lynchburg’s Competitive Identity

Downtown 2040 Master Plan

Tom Martin
Department of Community Development

A Vision for Downtown 2040...

In 2040, Downtown Lynchburg will be a bustling and thriving urban core; the economic, social, and cultural hub of Central Virginia – a destination for visitors and a livable neighborhood for residents. Both locals and tourists alike will enjoy a diverse offering of retail, restaurants, and recreational activities set in a downtown rich with historic architecture, unique topography, and vibrant public spaces. This is the exciting atmosphere that makes Downtown Lynchburg the heart of the region.

Accomplishments

- Project Website
- Kick-off Event
- Online Survey
- Public Listening Sessions
- “Pop Up” Sessions
- Design Workshop

Common Themes

- Residents value the parks and trails Downtown and desire enhancements
- Retention and rehabilitation of the historic buildings are important to the future of Downtown
- Citizens want additional shopping choices and more retail businesses in Downtown

Common Themes

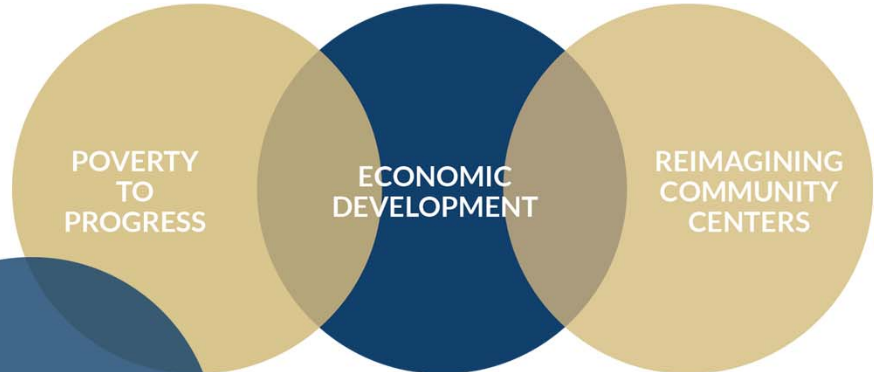
- Additional maintenance is needed for public infrastructure and vacant buildings in Downtown
- Parking was identified most frequently as the issue needing change and improvement
- Citizens wanted improved accessibility in Downtown and safe, attractive pedestrian connections

Upcoming Schedule

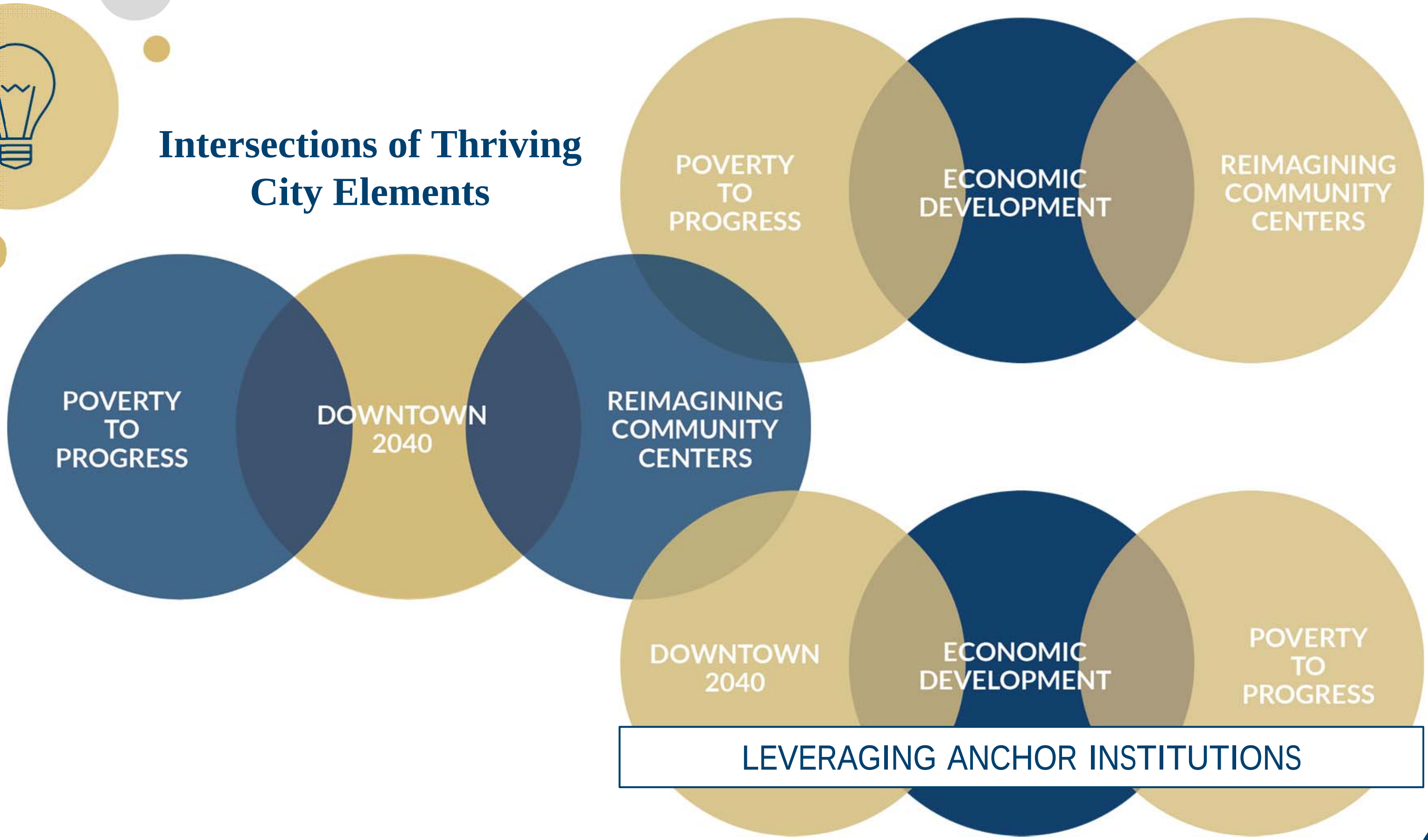
- Public Release of the Plan: Late June
- Public Meetings: June-July
- Planning Commission Meetings: July/August
- Council Review and Adoption: August/September
- Begin Tyreeanna Master Plan Update: Fall 2018

Intersections of Thriving City Elements

Intersections of Thriving City Elements



Intersections of Thriving City Elements



Thriving City Updates

- July-October 2018: *November 13, 2018*
- November 2018-February 2019: *March 6, 2019*
- March 2019-June 2019: *August 13, 2019*

Questions?

AGENDA ITEM # 5

CITY OF LYNCHBRG VA 05/25/18

To whom it may concern I'm requesting to be put on the next city meeting . I would like the city to amend the city zoning to allow automotive sales to be permitted . In the downtown zone. In Jan 2015 I took over a lease at 420 Monroe st. At that time according to the zoning code auto sales was permitted . The prior business owner had a sales license to sell cars that didn't expire until Dec. 2015. When I went to get certificate of Occupancy I was told auto sales was not permitted . I appealed that decision and that was denied . After about two months later the code was changed saying auto sales was not permitted . I wasn't notified of the zoning changed being that I'm a business owner and resident of the downtown area.

What really makes no sense at all to me is how the code changed when I took over the building and Mr kerr who is next door can still sell cars because he's grandfathered in . This area has always been an automotive district dating back to the early 1900.

The reason that the code should be amended first it's the right thing to do . It will benefit the downtown area greatly. Also it will help grow my business and others . Another main reason is that my lot space is very small. I have customer that have abandon cars that I cant sell and recover my labor cost . The city has an obligation that all citizens have a right to rise and not be held back . I'm asking that city take action to relieve the burden that I will be able to sell car. So I can continue to be a help and blessing to our community .

Thank you ,
Rodney Hubbard
Rodney Hubbard AutoMOTIVE
420 Monroe st 434-221-674

058K

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **June 12, 2018** AGENDA ITEM #: **6**

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

ITEM TITLE: *Zoning Ordinance* Amendment – Section 35.2-64.16, Billboards

KEY ELEMENTS:
__ Economic Development __Excellent Government _X_Natural and Built Environment ___Safe Community _X__Vibrant Community

RECOMMENDATION: Approval of amending Section 35.2-64.16, Billboards to prohibit the construction of new billboards within one quarter (¼) mile of City gateways, the John Lynch Memorial Bridge and the Carter Glass Bridge.

SUMMARY: The City's *Comprehensive Plan 2013-2030* was adopted by City Council on January 14, 2014. The plan identifies places where the regional road network enters the City as major and minor gateways. These gateways serve as the City's front door, establishing first impressions and reinforcing images and perceptions of Lynchburg's quality of life and vitality. The plan recommends that the City evaluate the visual qualities and entry experience at each of the gateways and identify appropriate improvements **(*pp. 58-61*).** Allowing billboards in these areas would be contrary to the goals and objectives of the City's *Comprehensive Plan,* along with other adopted area-specific plans such as the Downtown & Riverfront Master Plan.

The Planning Commission initiated this amendment on March 28, 2018. City staff met with representatives from Lamar Advertising and McBride Sign Company to discuss the amendments. After discussion, these companies had no objections to the proposed change.

PRIOR ACTION(S):

March 28, 2018: The Planning Commission adopted a resolution initiating an amendment to the *Zoning Ordinance* to strengthen and protect the City's gateways.

April 25, 2018: The Planning Division recommended approval of the *Zoning Ordinance* amendment. The Planning Commission recommended approval of the *Zoning Ordinance* amendment (7-0).

FISCAL IMPACT: N/A

CONTACT(S): Tom Martin, City Planner – 434-455-3900
Kent White, Community Development Director – 434-455-3900

ATTACHMENT(S):
- Ordinance
- Planning Commission Minutes – March 28, 2018
- Planning Commission Resolution – March 28, 2018
- Planning Commission Minutes – April 25, 2018
- *Comprehensive Plan 2013-2030* – Plan Framework Map
- Gateway Buffer Areas Map
- Speaker Signup Sheet

REVIEWED BY: bms

ORDINANCE:

AN ORDINANCE TO AMEND AND REENACT THE CODE OF THE CITY OF LYNCHBURG, 1981 BY AMENDING ZONING ORDINANCE SECTION 35.2-64.16, BILLBOARDS:

WHEREAS, The Planning Commission initiated an amendment to Section 35.2, Zoning Ordinance to consider amendments that would strengthen and protect the City's Gateways on March 28, 2018.

WHEREAS, the Planning Commission held a public hearing to consider and address the proposed Zoning Ordinance Amendment to receive public comment on April 25, 2018.

WHEREAS, the City Council held a public hearing to consider and address the proposed Zoning Ordinance Amendment and to receive public comment on June 12, 2018.

WHEREAS, the City Council finds that this Ordinance should be adopted in order to promote the public necessity, convenience, welfare and good zoning practice.

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

That Section 35.2-64.16, Billboards of the Code of the City of Lynchburg, 1981, be the same is hereby amended and reenacted as follows:

35.2-64.16 Billboards

All billboards constructed or erected after the enactment of this ordinance shall conform to the following requirements:

(a) No person shall cause to be constructed or erected in a B-5 district any billboard except a billboard that replaces a then existing billboard in a B-5 district. Any billboard existing in a B-5 district at the time of enactment of this ordinance, and any replacements and any billboard existing in an I-2 or I-3 district at the time of enactment of this ordinance shall not be considered as a non-conforming billboard provided said billboard is in compliance with this ordinance. All other billboards existing at the time of enactment of this ordinance shall be deemed non-conforming billboards.

(b) Any billboard located within three hundred (300) feet of the centerline of, and readily readable from, any limited access highway shall be located not nearer than five hundred (500) feet to an exit ramp. The required distance shall be measured along the center line of the highway, in the direction in which traffic is approaching the exit ramp, beginning at the nearest intersecting point of a line drawn perpendicular to the said center line through the beginning of the nearest exit ramp with said highway. No billboard shall be located in such a manner as to obstruct an existing advertising structure viewed from a point on the main traveled portion of said highway at a distance of three hundred (300) feet approaching said sign.

(c) Billboards shall be located no less than five hundred (500) feet apart.

(d) The spacing provisions cited above shall not apply to billboards separated by buildings or other obstructions in such a manner that only one (1) sign located within the required spacing distance is visible from the road at any one (1) time.

(e) Except on property located adjacent to limited access highways, no billboard shall be located within one hundred fifty (150) feet of any property zoned for or used as a residential development, church, playground, school or public park.

(f) The construction of new billboards shall be prohibited within one thousand three hundred twenty (1320) feet of the John Lynch Memorial Bridge, the Carter Glass Bridge or any gateway as identified on the *Plan Framework Map* of the *Comprehensive Plan 2013-2030* or as mapped as a gateway point within the City's Geographic Information System.

~~(f)~~ (g) The area of the advertising surfaces erected on any billboard shall not exceed six hundred seventy-five (675) square feet, and no billboard(s) shall be double-decked, multi-decked, stacked or side-by-side structures with more than one (1) surface area facing the same direction.

~~(g)~~ (h) When any billboard is lighted, such lights shall be enclosed in the sign, shaded or indirect, so that they will in no way interfere with the vision of motorists or with neighboring residents. Only white illumination shall be used, and no flashing (on-and- off) sign, nor any sign simulating movement (which includes video and animation), shall be permitted. No fluorescent paint or other highly reflective surface can be used.

~~(h)~~ (i) The maximum height of a billboard shall be forty (40) feet from the grade of the thoroughfare to which the sign is oriented or from the base of the structure, whichever is higher.

~~(i)~~ (j) Commercial electronic variable message signs or digital billboards are legal and conforming and permitted in I-2, Light Industrial Districts and I-3, Heavy Industrial Districts by right. Existing billboards in B-5, General Business Districts may be converted to a digital billboard by right and upon such conversion shall be legal and conforming.

~~(j)~~ (k) Digital billboards shall conform to the following additional standards:

1. Digital billboards shall not change the displayed message more frequently than once every six (6) seconds.
2. Display brightness shall not exceed three-tenths (0.3) foot-candles over ambient light levels. Foot-candle readings shall be measured using an appropriate meter at a distance of two hundred fifty (250) feet perpendicular to the face of the digital billboard.
3. Digital billboards shall have automatic dimming capabilities.

~~(k)~~ (l) All billboards shall be maintained by the owner in accordance with Section 33.1-370.2 of the Code of Virginia.

~~(l)~~ (m) No billboard shall be erected, rebuilt, altered or relocated without a Building Permit.

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

Adopted:

Certified: ____________________________
Clerk of Council

059K

MINUTES OF THE MARCH 28, 2018 PLANNING COMMISSION MEETING (MINUTES HAVE NOT BEEN APPROVED):

Discuss initiating an amendment to Chapter 35.2, Zoning Ordinance of the City Code of Lynchburg that will strengthen and protect the City's major and minor gateways as recommended by the City's Comprehensive Plan 2013-2030:

Mr. Tom Martin explained that City staff is requesting that the Planning Commission initiate an amendment to the *Zoning Ordinance* that would help to protect the City's gateways. The City's *Comprehensive Plan* was adopted by City Council in 2014 (and prior to that in 2002) and identifies major and minor City gateways. Major gateways are located primarily along heavily trafficked areas, primarily including four lane roads such as U.S. 460, 29 Bypass, Candlers Mountain Road and the John Lynch Bridge. Minor gateways are lower trafficked areas, but still as important, two lane road sections such as in Boonsboro. Although these areas experience lower traffic, they are just

Gateways are important because they are the City's front doors. They really establish the first impression and set visitors' perspective of the City's vitality and quality of life.

It has come to staff's attention that there are certain areas where the gateways could be vulnerable, specifically our downtown gateways coming in from the John Lynch and Carter Glass bridges. It has become evident from the significant efforts that have been spent on the Downtown 2040 Plan. These gateways are obviously areas that the City would like to protect. Staff is requesting that the commission consider allowing staff to draft language that would strengthen protection for the City's gateways.

Chair Perault asked Mr. Martin what is meant by protection. Mr. Martin said they are probably looking at a minimum to limit billboards within a certain amount of feet from a gateway. Commissioner Bowden asked Mr. Martin how a gateway is defined for purposes of that protection. Mr. Martin said that the gateways that have been mapped are primarily where the roadway crosses the City limit but it could be a much bigger area. Staff can recommend language for an appropriate radius for the protected area when they look at the ordinance amendments.

Mr. Martin asked if they could visualize coming across the John Lynch Bridge and the City's skyline--and what an extraordinary view that is--having that disrupted by a digital billboard. It could happen so staff is looking for ways to protect the gateways, primarily our downtown.

Commissioner Rogers noted there are three billboards on 501 to the south of 460 and there is a gateway. Would this proposal eliminate those billboards eventually? Mr. Martin said if an ordinance was passed and those billboards fell within that radius they could not be replaced if they were ever to be removed. It is highly unlikely that they would ever be removed. Staff is more concerned with new billboards being installed in places that may be inappropriate.

Commissioner Light commented that some localities buy billboards in order so they can remove them. Mr. Martin acknowledged some localities do that and that would be a funding issue. Commissioner Light said they might be able to get some businesses and some public minded citizens that would be willing to contribute to a fund for that purpose.

Chair Perault remembers some meetings where they had met with billboard representatives and there was talk about getting rid of some of the City's nonconforming billboards. He wanted to know if this would involve revisiting that topic. Mr. Martin said that is a separate issue. They want to focus on protecting the gateways.

Chair Perault made a motion that the resolution presented to them by City staff should be adopted. The motion was seconded by Commissioner Light.

Commissioner Lowe asked what will happen next. Mr. Martin said staff will draft amendments to the ordinance and the Planning Commission will conduct a public hearing and make a recommendation to City Council.

Commissioner Light said he would be voting for it but pointed out that they only have control over what is in the City. These gateways come in from other counties and there could be a lot of billboards right before you enter the City. He suggested there might need to be a regional approach to billboards. Mr. Martin said he would agree but indicated that they need to look at and design their gateways to let people know they are arriving in a place that is special. In some areas, you can definitely tell you have gone from one jurisdiction to another. That is because the City is paying particular attention to the aesthetics.

Commissioner Johnson asked if Mr. Martin foresees much pushback from the public. Mr. Martin said he is not sure about the public but there may be billboard companies that oppose it.

Commissioner Bowden commented that they want to be sure that they do not draft an ordinance that cannot be enforced. Mr. Martin thinks that if they establish a radius around these gateways, it would prohibit certain things. It is not just about billboards. It depends on how far they want to take it but it could also be such things as the design of and materials for buildings. He thinks the pressing issue though is billboards.

The motion passed by the following vote:

AYES:	Bowden, Johnson, Light, Lowe, Marion, Perault and Rogers	7
NOES:		0
ABSTENTIONS:		0
ABSENT:		0

RESOLUTION OF THE LYNCHBURG PLANNING COMMISSION

WHEREAS: The *Comprehensive Plan 2013-2030* was adopted by Council on January 14, 2014

WHEREAS: The City of Lynchburg is the dynamic center of a growing region.

WHEREAS: The City of Lynchburg is well known for its quality of life, economic vitality, rich history and cultural diversity.

WHEREAS: The City of Lynchburg is committed to strong neighborhoods, a downtown that is the heart of the region, attractive and accessible commercial areas, celebrating its history and heritage, protecting its environment, a diverse economy, quality education and effective support systems.

WHEREAS: The *Comprehensive Plan 2013-2030* identifies places where the regional road network enters the city as major and minor gateways.

WHEREAS: These gateways serve as the City's front door, establishing first impressions and reinforcing images and perceptions of Lynchburg's quality of life and vitality.

WHEREAS: The *Comprehensive Plan 2013-2030* lists the John Lynch Memorial Bridge as the preferred entry into the Downtown area as it affords unparalleled panoramic views of the City's skyline and provides direct access to downtown, major visitor destinations, historic sites and visitor support services.

WHEREAS: The *Comprehensive Plan 2013-2030* recommends that the City should evaluate the visual qualities and entry experience at each of the gateways and identify appropriate improvements.

WHEREAS: The *Downtown & Riverfront Master Plan 2000* was adopted by City Council on May 22, 2001 and has provided a blueprint and a strategy for Downtown revitalization.

WHEREAS: The City is completing a rewrite of the *Downtown & Riverfront Master Plan* to provide a new twenty (20) year vision for the Downtown and surrounding neighborhoods.

NOW, THEREFORE, BE IT RESOLVED by the Lynchburg Planning Commission that in order to minimize visual blight, reduce traffic hazards and facilitate the safe movement of traffic, preserve neighborhoods, avoid the appearance of clutter, protect property values and in general to promote the public necessity, convenience, general welfare and good zoning practice, the Planning Commission hereby initiates, will consider and directs City Staff to prepare amendments to *Chapter 35.2, Zoning Ordinance* of the *City Code* of Lynchburg that will strengthen and protect the City's major and minor gateways as recommended by the City's *Comprehensive Plan 2013-2030.*

Adopted: March 28, 2018

Certified: ______________________

Secretary

MINUTES OF THE APRIL 25, 2018 PLANNING COMMISSION MEETING (MINUTES HAVE NOT BEEN APPROVED):

Consideration of amending Section 35.2-64.16, Billboards of the Zoning Ordinance to prohibit the installation of new billboards within one thousand three hundred twenty (1320) feet of the John Lynch Bridge, Carter Glass Bridge and within the same distance of any gateway as defined within the City's Comprehensive Plan 2013-2030:

Mr. Tom Martin explained that the City's *Comprehensive Plan 2013-2030* has a plan framework map that identifies major and minor gateways. These are places where the road network crosses a City boundary and establishes the front door of the City and establishes the first and lasting impression of the City and its quality of life.

The *Comprehensive Plan* also states that the John Lynch Bridge is the preferred gateway into the City's downtown. On March 28, 2018, City staff discussed with the commission ways of protecting these gateways. The most pressing issue currently is that of billboards and protecting gateways from the installation of new billboards. Mr. Martin showed the commission a photo of the John Lynch Bridge gateway and a location where a billboard could actually be placed under the current *Zoning Ordinance.* The effect to the investment made into downtown would be detrimental, in staff's opinion.

Mr. Martin has talked to representatives from McBride Sign Company and Lamar Advertising about this proposal. They did not have any problems with the proposed amendments. They thought that protecting the gateways was reasonable. They thought that the City was saturated with billboards anyway. They were very appreciative of the digital billboard ordinance that was passed a year or so ago.

The proposed language establishes a buffer of 1,320 feet, which is a quarter mile. The buffers will be at all the current locations on the plan's framework map, as well as a new location at Odd Fellows Road Interchange, as that will be a new gateway into the City.

Mr. Martin reminded them that this will not require any existing billboards to be removed. It would prohibit the installation of any new billboards. Mr. Martin indicated that most gateway areas were either in the Scenic Corridor, which prohibits billboards already, or were not zoned correctly. The main areas this ordinance amendment will help protect are the gateways to downtown.

Chair Perault asked if there was anyone who wished to speak in favor of this petition. Mr. Proctor Harvey came forward to speak. He is a registered landscape architect and planner and served for nine years on the Planning Commission. When he served on the Planning Commission, they recommended approval of the overlay zone expressly for the expressway, which kept billboards away. He thinks they are unattractive. They serve a purpose and there are plenty of them on the expressway. He sees a billboard on Ninth Street every day on the way to his office. It blocks the view of some attractive buildings.

He feels very strongly that the City should not allow any new billboards in the gateways. They are not getting any pushback from the billboard companies. He thinks it is a great step to remove any possible areas that are available for billboards. He wants to see the City stay clean and attractive.

Chair Perault asked about the six billboards that exist in the gateway areas. Mr. Martin said they are nonconforming and would be allowed to be rebuilt under their nonconforming status. The proposed amendment will just prevent the construction of any new billboards in the gateway areas. Chair Perault indicated he appreciated that Mr. Martin had discussed the amendments with the billboard companies and received their support.

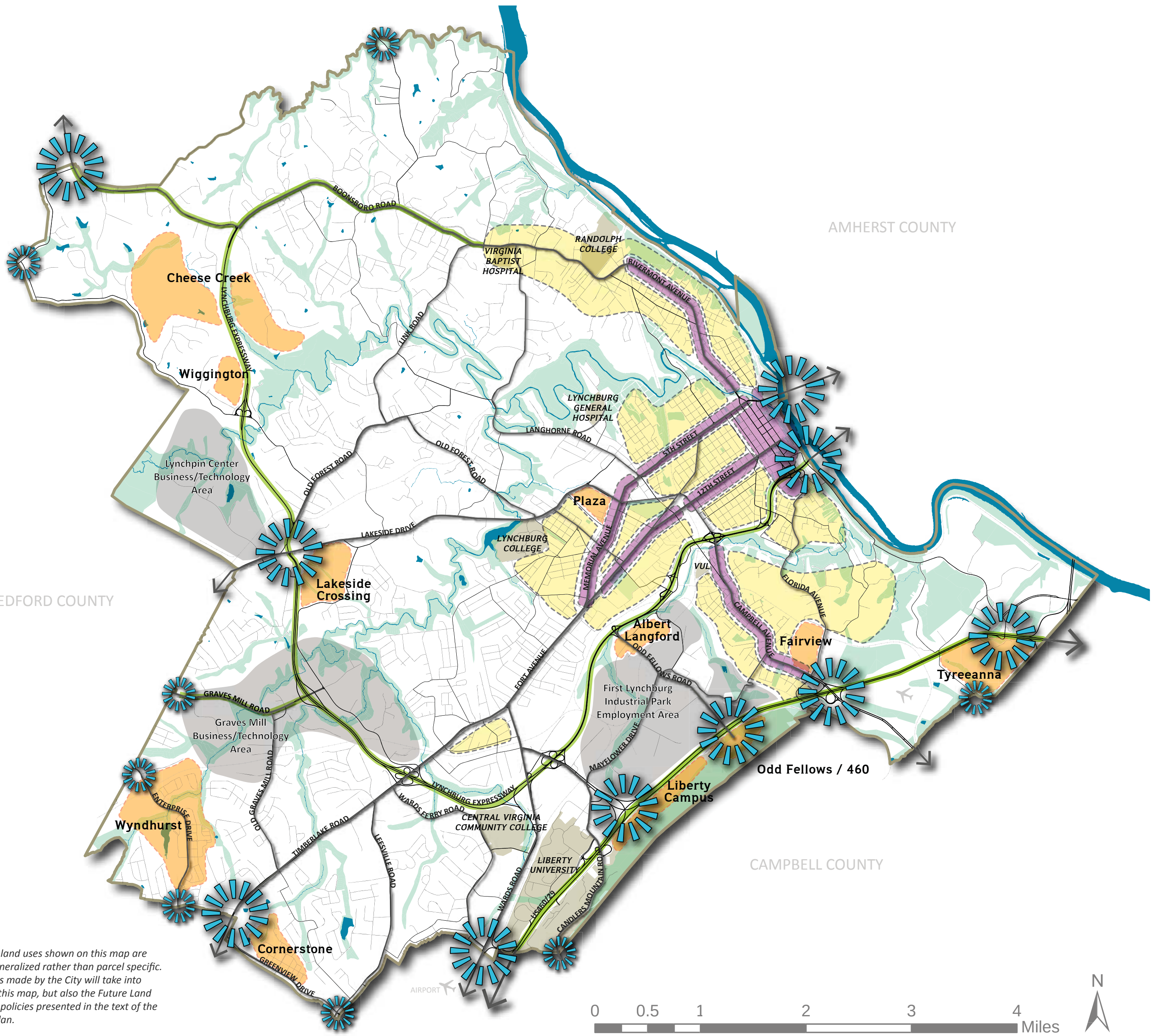
Mr. Martin explained that there was an application submitted by a company out of Maryland to place a new billboard in the area of the John Lynch Bridge. Honestly, that spurred this meeting.
Chair Perault asked if there was anyone else that wished to speak in favor or in opposition to the petition. No one came forward. He closed the public hearing portion of the petition.

Commissioner Rogers made a motion to recommend approval of the *Zoning Ordinance* amendments to City Council. The motion was seconded by Commissioner Lowe and passed by the following vote:

AYES:	Bowden, Johnson, Light, Lowe, Marion, Perault and Rogers	7
NOES:		0
ABSTENTIONS:		0
ABSENT:		0

Exhibit 6-2
Plan Framework Map

September 2013



City Gateways
Strengthening the City's image and attractiveness by improving entries

Resource Conservation Areas
Protecting parks and natural resources.

Scenic Conservation Areas
Conserving the scenic quality of Boonsboro Road, the Lynchburg Expressway, Graves Mill Road, and US Route 460.

Neighborhood Conservation Areas
Improving the quality of life in the City's mature neighborhoods.

Growth Areas

Revitalization Areas
Encouraging reinvestment and sensitive redevelopment in older commercial districts.

Development / Redevelopment Areas
Encouraging smart growth techniques on key grayfield and greenfield sites throughout the city.

Business/Technology & Employment Areas
Maximizing the use and attractiveness of existing and emerging employment districts.

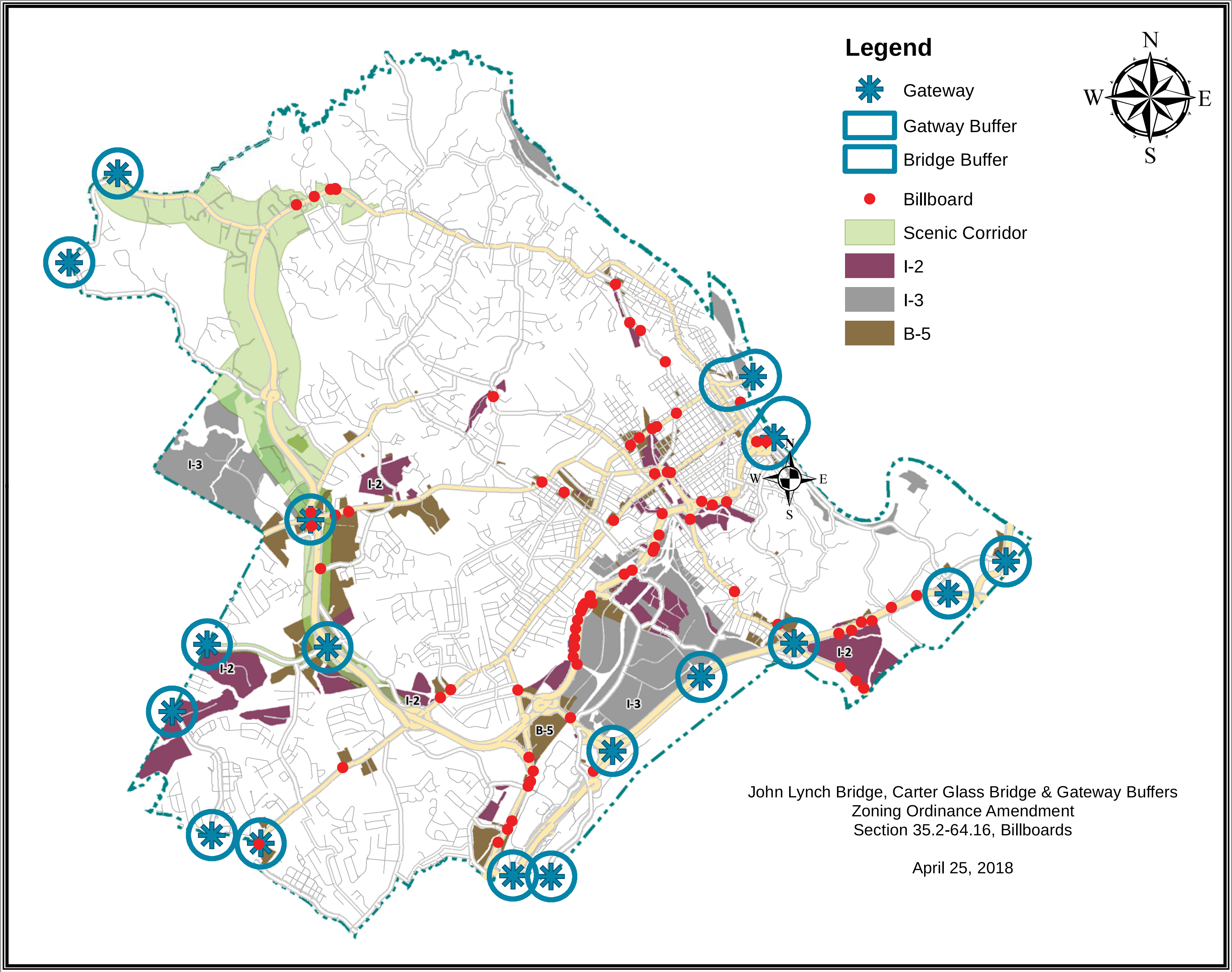
Major Institutions

City Boundary

DISCLAIMER: The land uses shown on this map are intended to be generalized rather than parcel specific. Land use decisions made by the City will take into account not only this map, but also the Future Land Use Map and the policies presented in the text of the Comprehensive Plan.

Prepared by:
Department of Community Development
Planning Works

City of Lynchburg
COMPREHENSIVE PLAN
Planning for the Future 2013-2030



Legend
Gateway
Gatway Buffer
Bridge Buffer
Billboard
Scenic Corridor
I-2
I-3
B-5
N
W
E
S
I-3
I-2
I-2
I-2
I-2
I-3
B-5
I-2
John Lynch Bridge, Carter Glass Bridge & Gateway Buffers
Zoning Ordinance Amendment
Section 35.2-64.16, Billboards
April 25, 2018

Changes to the Zoning Ordinance

Consideration of amending Section 35.2-64.16, Billboards of the Zoning Ordinance to prohibit the installation of new billboards within one thousand three hundred twenty (1320) feet of the John Lynch Bridge, Carter Glass Bridge and within the same distance of any gateway as defined within the City's Comprehensive Plan 2013-2030.

April 11, 2018

PLEASE PRINT

NAME	ADDRESS	PHONE	IN FAVOR	IN OPPOSITION	NEUTRAL
Proctor Harvey	901 Jefferson Street, Suite 208, Lynchburg, VA 24504	434-528-5184	X		

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **June 12, 2018** AGENDA ITEM #: **7**

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

ITEM TITLE: *Zoning Ordinance* Amendment – Section 35.2-13.4, Initiation & Section 35.2-13.11, Appeals to City Council

KEY ELEMENTS:
__ Economic Development _X_ Excellent Government _X_ Natural and Built Environment ___ Safe Community _X_ Vibrant Community

RECOMMENDATION: Approval of amending Section 35.2-13.4, Initiation to reduce the submittal requirement for Certificate of Appropriateness (COA) from thirty (30) to fifteen (15) days prior to the meeting at which the application will be heard and Section 35.2-13.11, Appeals to City Council to require the posting of a notification sign when appealing a decision of the Historic Preservation Commission (HPC) to City Council.

SUMMARY: The City's *Comprehensive Plan 2013-2030* recognizes that the City's image and unique sense of place, as well as its attractiveness to visitors and newcomers, are inextricably tied to the condition of its historic resources. As supported by the Comprehensive Plan, the Historic Districts section of the *Zoning Ordinance* protects individually designated properties and those located within historic districts from inappropriate or insensitive alteration. ***(pp. 99-100)***

At the request of the HPC, the Planning Commission initiated the amendments on April 11, 2018. The amendments were identified as necessary to improve citizen experience in submitting COA applications and to provide better notification to the public when a decision of the HPC is being appealed to City Council.

PRIOR ACTION(S):

April 11, 2018:	The Planning Commission adopted a resolution initiating an amendment to the *Zoning Ordinance* to reduce the submittal requirement for COA's and to require the posting of a notification sign when decisions of the HPC are appealed to City Council.
May 9, 2018:	The Planning Division recommended approval of the *Zoning Ordinance* Amendment. The Planning Commission recommended approval of the *Zoning Ordinance* Amendment (6-0-1, Light absent)

FISCAL IMPACT: N/A

CONTACT(S): Tom Martin, City Planner – 434-455-3900
Kent White, Community Development Director – 434-455-3900

ATTACHMENT(S):
- Ordinance
- Planning Commission Minutes – April 11, 2018
- Planning Commission Memorandum – April 11, 2018
- Planning Commission Resolution – April 11, 2018
- Planning Commission Minutes – May 9, 2018
- Planning Commission Report – May 9, 2018
- Speaker Signup Sheet

REVIEWED BY: bms

ORDINANCE:

AN ORDINANCE TO AMEND AND REENACT THE CODE OF THE CITY OF LYNCHBURG, 1981 BY AMENDING ZONING ORDINANCE SECTION 35.2-13.4, INITIATION AND SECTION 35.2-13.11, APPEALS TO CITY COUNCIL.

WHEREAS, The Planning Commission initiated an amendment to Section 35.2-13.4, Initiation and Section 35.2-13.11, Appeals to City Council of the Zoning Ordinance on April 11, 2018.

WHEREAS, the Planning Commission held a public hearing to consider and address the proposed Zoning Ordinance Amendment to receive public comment on May 9, 2018.

WHEREAS, the City Council held a public hearing to consider and address the proposed Zoning Ordinance Amendment and to receive public comment on June 12, 2018.

WHEREAS, the City Council finds that this Ordinance should be adopted in order to promote the public necessity, convenience, welfare and good zoning practice.

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

That Section 35.2-13.4, Initiation and Section 35.2-13.11, Appeals to City Council of the Code of the City of Lynchburg, 1981, be the same is hereby amended and reenacted as follows:

35.2-13.4 Initiation

(a) **Application**. Applicants for review involving alterations and/or additions to existing historic structures or the erection of any new structure within a historic district shall provide the submittals required by Exhibit II-13 to the City Planner at least ~~thirty (30~~) **fifteen (15)** days prior to the HPC meeting at which the application will be heard.

(b) **Staff Recommendation**. Upon finding that the application is complete the City Planner shall prepare a report making findings and recommendations on the application and authorize notice to be provided in accordance with section 35.2-13.5 (Notice and HPC Hearing).

(c) **Applications**. Applications shall include the items listed in Exhibit II-13.

Exhibit II-13: Certificate of Appropriateness Application Submittal Requirements

Application Submittal Requirements
Completed application form
Name and address of petitioner
Detailed description of the request (e.g., the nature of the variance or the action being appealed)
Preliminary drawings and specifications, including color samples and photographs showing existing and proposed plans and exterior elevations with sufficient detail to show, as far as they relate to exterior appearances: a. The architectural design; and b. Proposed materials, textures and colors.
A scaled plan of all improvements affecting appearances of exterior walls, walks, terraces, accessory buildings, lights, and other elements in sufficient detail to illustrate that the proposed change complies with City requirements. Such plan shall include parcel lines, building locations, location of proposed work, street names, north arrow and illustrations of the proposed work.
Legible photographs of all sides of a structure to be reviewed for repair, alteration, or additions will be submitted to the HPC. In the event of new construction, legible photographs of the adjoining and opposite properties may be required

35.2-13.11 Appeals to City Council

(a) Whenever the HPC shall, in a final decision, deny an application for a certificate of appropriateness, the applicant for such certificate of appropriateness shall have the right to appeal to and be heard before the City Council; provided that the appeal is filed with the clerk of the City Council within fifteen (15) days after the decision by vote of the HPC, a notice in writing of his/her intention to appeal.

(b) Upon receipt of such notice, the clerk of the City Council shall promptly schedule a public hearing as soon as reasonably practical after complying with the requirements for published notice established in section 35.2-10.14(d)1 (Published Notice).

<u>(c) Prior to the scheduled City Council public hearing the applicant appealing the decision of the Historic Preservation Commission to deny a certificate of appropriateness shall post a notification sign on the property as provided in Section 35.2-10.14 (d)3 (Posted Signs).</u>

~~(c)~~ **<u>(d)</u>** Opponents to the granting of certificates of appropriateness by the HPC shall have the right to appeal to and be heard before the City Council, provided there is filed with the clerk of the City Council within fifteen (15) days after the decision by vote of the HPC a written petition, signed by at least twenty-five (25) registered voters of the City, indicating their intention to appeal. Upon receipt of such notice, the clerk of the City Council shall promptly schedule a public hearing as soon as it is reasonably practical for City Council after complying with notice requirements. Published notice of the hearing shall be given as provided by section 35.2-10.14(d)1 (Published Notice) of this Zoning Ordinance. Costs of advertising appeal hearings requested by said opponents will be paid by the opponents in the amount set forth in the fee schedule adopted by the City Council.

~~(d)~~ **<u>(e)</u>** On any such appeal, the final decision of the HPC appealed from shall be stayed pending the outcome of the appeal to City Council, except that the filing of such appeal shall not stay the decision of the HPC if such decision denies the right to raze or demolish a historic landmark, building or structure. The City Council shall conduct a full and impartial public hearing on the matter and apply the same criteria as the HPC before rendering any decision. The City Council may affirm, reverse or modify the decision of the HPC, in whole or in part. The decision of City Council, subject to the provisions of section 35.2-13.12, shall be final. If approved, a certificate of appropriateness, signed by the clerk of the City Council, shall be issued to the applicant.

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

Adopted:

Certified: ______________________________
Clerk of Council

060K

MINUTES OF THE APRIL 11, 2018 PLANNING COMMISSION MEETING (MINUTES HAVE NOT BEEN APPROVED):

Discussion of initiating changes to Section 35.2 *Zoning Ordinance* of the *City Code* of Lynchburg to improve sections of the Ordinance related to application time periods and notification of Certificates of Appropriateness and when they are appealed.

Mr. Tom Martin explained that the Historic Preservation Commission (HPC) is requesting that the Planning Commission initiate amendments to the *Zoning Ordinance.* Mr. Martin explained that when the ordinance was rewritten in 2016, the Historic Preservation Commission was looking for more time between when an application was submitted before an HPC meeting. The HPC had requested thirty (30) days. They are now finding that a 30-day submittal period may be too burdensome for property owners. The HPC would like a shorter time period, possibly two weeks, for application submittals.

The second item is dealing with notification items. Currently, if there is an appeal to Council by a property owner of an HPC denial or a group of citizens appeals a COA approval, the only notification is a legal notice in the newspaper. There is no signage placed on the property. The HPC would like to explore the possibility of requiring a notification sign on the property if there is an appeal.

Staff is requesting that the commission consider passing the resolution provided to them initiating amendments to the *Zoning Ordinance.* Staff will work with the HPC and draft language to cover these two items.

Commissioner Rogers made a motion to adopt the resolution, which was seconded by Commissioner Bowden, and passed by the following vote:

AYES:	Bowden, Johnson, Light, Lowe, Marion, Perault and Rogers	7
NOES:		0
ABSTENTIONS:		0
ABSENT:		0

Memorandum
Planning Division • Community Development
900 Church Street
Lynchburg, Virginia 24504
P 434-455-3900

To: Planning Commission

From: Anne Nygaard, Secretary to the HPC

CC: Tom Martin, Kent White

Date: April 11, 2018

Re: HPC related Zoning Ordinance Revisions

In recent discussions, the Historic Preservation Commission identified a couple areas of the Zoning Ordinance that could be modified to improve a citizen's experience dealing with the regulations of local historic districts. Please consider initiating revisions to the City's Zoning Ordinance on the following matters:

1) **Application Time Periods.** The Zoning Ordinance requires that applications for Certificates of Appropriateness (COAs) for work in historic districts be submitted thirty (30) days prior to a meeting of the Historic Preservation Commission (HPC). This requirement was adopted at the request of HPC with the update to the Zoning Ordinance in 2016. While an application deadline is necessary to provide adequate time for administrative processing and commission review, thirty (30) days is extensive and may be a burden on property owners wanting to improve the city's historic resources.

2) **Notification Requirements.** The Zoning Ordinance currently contains limited requirements for notification of COA applications and appeals of HPC decisions. The public has the right to a public hearing in appeals cases, but the notification of such a hearing is limited to the newspaper ad in the local paper. The commission believes this alone is not an adequate means of alerting the public of an appeal. Additionally, COA applications range in scale from minor actions like new downspouts to major actions like building additions. HPC is interested in requiring more notification on major actions. If initiated, staff will conduct further research and develop recommendations for appropriate notification signage in historic districts in coordination with the HPC.

RESOLUTION OF THE LYNCHBURG PLANNING COMMISSION

WHERAS: The City of Lynchburg is the dynamic center of a growing region.

WHERAS: The City of Lynchburg is well known for its quality of life, economic vitality, rich history and cultural diversity.

WHEREAS: The City of Lynchburg is committed to strong neighborhoods, a downtown that is the heart of the region, attractive and accessible commercial areas, celebrating its history and heritage, protecting its environment, a diverse economy, quality education and effective support systems.

WHEREAS: By act of the General Assembly of Virginia as provided in Title 15.2, Chapter 22, Article 7, Sections 15.2-2280 through 15.2-23.16 of the *Code of Virginia*, as amended, any locality may, by ordinance classify the territory under its jurisdiction or any substantial portion thereof into districts of such number, shape and size as it may deem best suited to carry out the purposes of the Article.

WHEREAS: The City Council adopted the *Zoning Ordinance* on February 23, 2016 after a systematic review and public input to ensure that future growth is consistent with the City's *Comprehensive Plan 2013-2030*.

WHEREAS: City Staff and the Historic Preservation Commission (HPC) has found that modification of portions of the adopted *Zoning Ordinance* will facilitate improvements in historic districts and increase awareness of major HPC decisions and appeals.

NOW, THEREFORE, BE IT RESOLVED by the Lynchburg Planning Commission that in order to promote the public necessity, convenience, general welfare and good zoning practice, the Planning Commission does hereby initiate, agree to consider, and direct City Staff to prepare amendments to Chapter 35.2, *Zoning Ordinance* of the *City Code* of Lynchburg to improve sections of the Ordinance related to application time periods and notification of Certificates of Appropriateness and when they are appealed.

Adopted: 4/11/18

Certified: [signature]
Secretary, Lynchburg Planning Commission

MINUTES OF THE MAY 9, 2018 PLANNING COMMISSION MEETING (MINUTES HAVE NOT BEEN APPROVED):

Consideration of amending Section 35.2-13.4, Initiation, of the Zoning Ordinance to reduce the timeframe for submittals to the Historic Preservation Commission from thirty (30) days to fifteen (15) days prior to the meeting at which the application will be heard.

Consideration of amending Section 35.2-13.11, Appeals to City Council to require the applicant to post a notification sign as provided in Section 35.2-10.14 (d) 3 when appealing to City Council a decision of the Historic Preservation Commission to deny a certificate of appropriateness.

Mr. Tom Martin reminded them that the commission had initiated these amendments on April 11, 2018. The Historic Preservation Commission (HPC) would like to make these changes to improve the historic district regulations.

The City's *Comprehensive Plan* places a great importance on our historic districts as they greatly influence the City of Lynchburg's quality of life. The first amendment would change the application requirement from 30 days to 15 days. The more significant change deals with when there is an appeal to City Council from an applicant when their Certificate of Appropriateness was denied by the HPC. Currently, the only notification of this action is by a legal notice in the newspaper. The HPC would like a requirement for a notification sign on the property so that surrounding neighbors are aware that an appeal has been filed. The signs would be the same size and style as those placed for other public hearing items such as rezonings and conditional use permit applications.

Staff believes that both of these requests are valid and recommends approval of the changes.

Chair Perault asked if there was anyone who wished to speak in favor of the amendments. Ms. Kay Butterfield came forward to speak. Ms. Butterfield was on the HPC for several years. Ms. Butterfield explained that the change to 30 days had come about in order to allow enough time to do site visits to the properties. Ms. Butterfield lives in a historic district and has experienced a significant delay on an application that she filed for work on her house. She submitted an application in early January and it was not able to be approved until the end of February. She mentioned that a local architect experienced the same frustration with being delayed on a project. It is burdensome to have to wait such a long time for a decision from the HPC. Ms. Butterfield indicated that for most of the time that she was on the HPC the application submittal deadline was two weeks before a meeting.

With regard to the notification sign, she also thinks that is a good idea. The commission had considered having applicants that were doing significant renovations to post a small sign in their yard letting their neighbors know that they have applied for a Certificate of Appropriateness. Most of the commissioners felt this was too burdensome and decided against it. As far as appeals though, it is important that the neighbors are informed. An applicant can go through the whole process and their neighbors not know. The surrounding neighbors might want to come to the public hearing but are not aware of it.

Chair Perault asked if there was anyone else who wished to speak for or against the petition. No one came forward and he closed the public hearing.

Commissioner Rogers liked the idea of a notification sign. If the HPC has denied an application, there is something about it that did not meet the guidelines. There may be people that would like to know there is an appeal and would like to make comments. In his opinion, this is a way to maintain historical integrity.

Commissioner Marion asked about the cost of a sign. Mr. Martin thought it would be around $250 to rent the sign for a month. Commissioner Bowden thought the sign was a good idea because most people do not read the newspaper or look for legal notices. Commissioner Rogers asked if a person could make their own sign. Mr. Martin said they may as long as it meets the guidelines of the ordinance.

Commissioner Bowden made a motion to recommend to City Council approval of the *Zoning Ordinance* amendments. The motion was seconded by Commissioner Marion and passed by the following vote:

AYES:	Bowden, Johnson, Lowe, Marion, Perault and Rogers	6
NOES:		0
ABSTENTIONS:		0
ABSENT:	Light	1

The Department of Community Development

City Hall, Lynchburg, VA 24504 **434-455-3900**

To: Planning Commission
From: Planning Division
Date: May 9, 2018
Re: ***Zoning Ordinance Amendment* – Section 35.2-13.4, Initiation & Section 35.2-13.11, Appeals to City Council**

I. PETITIONER

City of Lynchburg, Planning Commission, 900 Church Street, Lynchburg, Virginia 24504

II. LOCATION

The proposed amendments would apply to properties located within the City's local historic districts or individual designated properties.

Property Owner: N/A

III. PURPOSE

The purpose of the amendment is to reduce the time requirement for Certificate of Appropriateness (COA) submittals and to require the posting of a notification sign when an applicant appeals a decision of the Historic Preservation Commission (HPC) to City Council.

IV. SUMMARY

- The amendments were identified by the Historic Preservation Commission (HPC) as ways to improve the historic district regulations.
- The Planning Commission initiated the amendments to the Zoning Ordinance on April 11, 2018.
- The *Comprehensive Plan 2013-2030* identifies historic preservation as an important influence on Lynchburg's quality of life.

The Planning Division recommends approval of the *Zoning Ordinance* Amendments

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V. FINDINGS OF FACT

1. **Comprehensive Plan.** The *Comprehensive Plan 2013-2030* recognizes that the City's image and unique sense of place, as well as its attractiveness to visitors and newcomers, are inextricably tied to the condition of its historic resources. As supported by the Comprehensive Plan, the Historic Districts Ordinance protects individually designated properties and those located within historic districts from inappropriate or insensitive alteration. (*pp. 99-100*)
2. **Zoning.** N/A
3. **Board of Zoning Appeals (BZA).** N/A
4. **Surrounding Area.** N/A
5. **Site Description.** N/A
6. **Proposed Use of Property.** N/A

7. **Transportation & Parking.** N/A
8. **Stormwater Management.** N/A
9. **Emergency Services:** N/A
10. **Impact.** The Historic Preservation Commission (HPC) has identified the amendments as necessary to improve citizen experience and notification. The proposed amendments would reduce the submittal requirement for a Certificate of Appositeness (COA) from thirty (30) days to fifteen (15) days. The proposed amendments would also require the posting of a notification sign when an applicant is appealing the decision of the HPC to City Council. The public and surrounding property owners have the right to speak at a public hearing on such appeals, yet notification is currently limited to an advertisement in the local newspaper. The Historic Preservation Commission does not believe the current notification requirements are adequate in alerting the public of an appeal.
11. **Technical Review Committee.** N/A

VI. PLANNING DIVISION RECOMMENDED MOTION

Based on the preceding Findings of Fact, the Planning Commission recommends to City Council approval of amending Section 35.2-13.4, Initiation & Section 35.2-13.11, Appeals by reducing the submittal requirement for a Certificate of Appropriateness from thirty (30) to fifteen (15) days and to require applicants appealing a decision of the Historic Preservation Commission to City Council to post a notification sign.

This matter is respectfully offered for your consideration.

William T. Martin

William T. Martin, AICP
City Planner

pc: Ms. Bonnie M. Svrcek, City Manager
Mr. Mike Goetz, Interim Deputy City Manager
Mr. Walter C. Erwin, City Attorney
Mr. Kent L. White, Director of Community Development
Mr. J. Lee Newland, City Engineer
Mr. Don DeBerry, Transportation Engineer
Ms. Cynthia Kozerow, Lynchburg Police Department
Captain Thomas Goode, Fire Marshal
Mr. Doug Saunders, Building Official
Mr. Kevin Henry, Zoning Administrator

VII. ATTACHMENTS

1. **Ordinance – Section 35.2-13.4 and Section 35.2-13.11**
2. **Planning Commission Resolution – April 11, 2018**
3. **Planning Commission Memorandum – April 11, 2018**

Changes to the Zoning Ordinance

Consideration of amending Section 35.2-13.4, Initiation, of the Zoning Ordinance to reduce the timeframe for submittals to the Historic Preservation Commission from thirty (30) days to fifteen (15) days prior to the meeting at which the application will be heard and consideration of amending Section 35.2-13.11, Appeals to City Council

May 9, 2018

PLEASE PRINT

NAME	ADDRESS	PHONE	IN FAVOR	IN OPPOSITION	NEUTRAL
Kay Butterfield	322 Harrison Street Lynchburg, VA 24504	434-221-4766	X		

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **June 12, 2018** AGENDA ITEM #: **8**

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

ITEM TITLE: Establish Up To a $50,000,000 Line of Credit for Interim Capital Financing

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

RECOMMENDATION: City Council is requested to take the following actions to establish interim financing for up to $50,000,000 via a Tax-Exempt, General Obligation Bond Anticipation Note Draw Down Line of Credit for capital projects.

(a) Conduct a Public Hearing in accordance with Section 15.2-2606.A of the *Code of Virginia*, 1950, for the issuance of up to $50,000,000 of Tax Exempt General Obligation Public Improvement Bond Anticipation Notes (BANS)

(b) Adopt a Resolution authorizing the issuance of up to $50,000,000 General Obligation Public Improvement Bond Anticipation Notes and authorizing the City Manager to execute appropriate documents to establish a $50,000,000 Line of Credit with Bank of America.

(c) Adopt a resolution amending the FY 2018 General, Water, Sewer and Stormwater Funds' Adopted Budgets and appropriate $108,900, $23,100, $28,050, and $4,950 respectively with resources from the Line of Credit Proceeds for a total of $165,000 for estimated issuance costs.

SUMMARY: During the FY 2018 Proposed Budget discussions, City Council was presented information regarding what came to be known as “on-time” financing. This financing strategy was recommended to provide the flexibility to fund capital projects as the funds are needed. With the issuance of the 2016 General Obligation Bonds, several of the projects did not begin on schedule which resulted in unspent bond proceeds. The recommended Bond Anticipation Note Draw Down Line of Credit will prevent paying interest on unspent bond proceeds. No operating costs will be funded with this Bond Anticipation Note. The plan is to permanently finance the Bond Anticipation Note in two years and establish the next Bond Anticipation Note.

On May 2, 2018, the City's financial advisors, Davenport and Company LLC, distributed a Request for Proposals to over twenty-five local, regional and national lending institutions. Proposals from seven institutions were received on May 22, 2018 and evaluated by Davenport and City staff. Bank of America is recommended based on the following: lowest interest rate that did not have any unused facility fees (i.e. payments on undrawn amounts); outside of the requirement that the City draw $2.5 million within 90 days and $5 million within 180 days, the proposal provides the City with complete flexibility on future draws; allows for prepayment in whole and in part without penalty; and no Bank Counsel fees.

The following is a summary of the proposed cost of issuance:

Issuance Cost Components:	**FY 2018 Estimates**
Financial Advisor	$132,000
Bond Counsel	25,000
Miscellaneous	8,000
Total	**$165,000**

PRIOR ACTION(S): Adoption of the FY 2018 Capital Improvement Program Budget on May 23, 2017 and the FY 2019 Capital Improvement Program Budget on May 22, 2018.

FISCAL IMPACT: Line of Credit principal debt retirement will be reflected in the future operating budget's annual debt service payments when permanent bond financing occurs. The utilization of interim financing through the Line of Credit with its related permanent financing will be in accordance with the City's Financial Management Policies.

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

ATTACHMENT(S): (1) BAN Resolution for Line of Credit and authorization for City Manager to execute the appropriate documents, (2) Appropriation Resolution for Issuance Costs, and (3) City of Lynchburg VA-Line of Credit 6.12.18 presentation from Davenport and Co.

REVIEWED BY: bms

A RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED FIFTY MILLION DOLLARS ($50,000,000) AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS OF THE CITY OF LYNCHBURG, VIRGINIA, FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COST OF THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, IMPROVEMENT, EXTENSION, ENLARGEMENT AND EQUIPPING OF VARIOUS PUBLIC IMPROVEMENT PROJECTS OF AND FOR THE CITY; AND AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF A LIKE PRINCIPAL AMOUNT OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE AND SALE OF SUCH BONDS

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

SECTION 1. The Council of the City of Lynchburg, Virginia (the "City"), hereby finds and determines as follows:

(a) The Council desires to authorize the issuance and sale of (i) General Obligation Public Improvement Bonds to provide funds to pay the costs of the acquisition, construction, reconstruction, improvement, extension, enlargement and equipping of various public improvement projects of and for the City as set forth in Section 8 hereof (hereinafter defined as the "Projects"), and (ii) a like principal amount of General Obligation Public Improvement Bond Anticipation Notes in anticipation of the issuance of such Bonds.

(b) In the judgment of this Council, it is necessary and expedient to authorize the issuance and sale of not to exceed Fifty Million Dollars ($50,000,000) aggregate principal amount of General Obligation Public Improvement Bonds of the City (the "Bonds") and to authorize the issuance and sale of a like principal amount of General Obligation Public Improvement Bond Anticipation Notes of the City (the "Notes") in anticipation of the issuance of such Bonds, in each case for the purpose of providing funds to finance and refinance the costs of the Projects and to pay costs of issuance of such Bonds and such Notes.

SECTION 2. (a) Pursuant to the Public Finance Act of 1991, there are authorized to be issued not to exceed Fifty Million Dollars ($50,000,000) aggregate principal amount of the Bonds of the City for the purpose of providing funds to finance and refinance the costs of the Projects as described in Section 8 hereof and to pay certain costs related to the issuance of such Bonds.

(b) The Bonds shall be issued and sold in their entirety at one time in one or more series, or from time to time in part in series, as shall be determined by the Director of Financial Services. The Bonds may be sold at the same time as other general obligation bonds are sold by the City. The Bonds shall be issued in fully registered form and shall be in the denomination of $5,000 or any integral multiple thereof, except as otherwise provided pursuant to Section 13 hereof . The Bonds of each series shall be numbered from R-1 upwards in order of issuance and shall have such other series designation as shall be determined by the Director of Financial Services; shall mature annually, commencing in such year and on such date in each year and in such amount in each year as shall be determined by the Director of Financial Services; and shall bear interest at such rate or rates per annum as shall be determined by the City Manager pursuant to the provisions of Section 9 hereof, such interest being payable on the day which is not more than one (1) year from the date of the Bonds of such series and semiannually thereafter (except as otherwise provided pursuant to Section 13 hereof) and, unless otherwise provided herein or in the proceedings authorizing the issuance of the Bonds of any such series, such interest shall be computed on the basis of a three hundred and sixty (360) day year comprised of twelve (12) thirty (30) day months. The Director of Financial Services is authorized to determine, in accordance with and subject to the provisions of this Resolution: the date or dates of the Bonds; the interest payment dates thereof; the maturity dates thereof (*provided* that the final maturity of the Bonds of any series shall be not later than forty (40) years from the date of issuance of such Bonds); the amount of principal maturing on each maturity date; the place or places of payment thereof and the paying agent or paying agents therefor; the place or places of registration, exchange or transfer thereof and the registrar therefor; and whether or not the Bonds shall be subject to redemption prior to their stated maturity or maturities and if subject to such redemption, the premiums, if any, payable upon such redemption and the respective periods in which such premiums are payable.

(c) In the event the Bonds of any series shall be dated as of a date other than the first day of a calendar month or the dates on which interest is payable on such series are other than the first days of calendar months, the provisions of Section 3 hereof with regard to the authentication of such Bonds and of Section 11 with regard to the forms of such Bonds shall be modified as the Director of Financial Services shall determine to be necessary or appropriate.

(d) (i) If the Bonds of a given series are subject to redemption and if any Bonds of such series (or portions thereof in installments of $5,000 or any integral multiple thereof) are to be redeemed, notice of such redemption specifying the date, numbers and maturity or maturities of the Bond or Bonds to be redeemed, the date and place or places fixed for their redemption, and if less than the entire principal amount of a Bond called for redemption is to be redeemed, that such Bond must be surrendered in exchange for payment of the principal amount thereof to be redeemed and the issuance of a new Bond or Bonds equalling in principal amount that portion of the principal amount of such Bond not to be redeemed, shall, except as otherwise provided pursuant to Section 13 hereof, be mailed not less than thirty (30) days prior to the date fixed for redemption, by first class mail, postage prepaid, to the registered owner of each such Bond at the address of such registered owner as it appears on the books of registry kept by Director of Financial Services of the City, who is hereby appointed as the Registrar and Paying Agent for the Bonds (the "Registrar and Paying Agent" or the "Registrar" or the "Paying Agent"), as of the close of business on the forty-fifth (45th) day next preceding the date fixed for redemption. If any Bonds shall have been called for redemption and notice thereof shall have been given as hereinabove set forth, and payment of the principal amount of such Bonds (or of the principal amount thereof to be redeemed) and of the accrued interest payable upon such redemption shall have been duly made or provided for, interest on such Bonds shall cease to accrue from and after the date so specified for their redemption.

(ii) Any notice of the optional redemption of the Bonds may state that it is conditioned upon there being on deposit with the City, or with the Registrar and Paying Agent for the Bonds or other agent designated by the City, on the date fixed for the redemption thereof an amount of money sufficient to pay the redemption price of such Bonds, together with the interest accrued thereon to the date fixed for the redemption thereof, and any conditional notice so given may be rescinded at any time before the payment of the redemption price of such Bonds, together with the interest accrued thereon, is due and payable if any such condition so specified is not satisfied. If a redemption of any Bonds does not occur after a conditional notice is given due to there not being on deposit with the City, or with the Registrar and Paying Agent for the Bonds or other agent designated by the City, a sufficient amount of money to pay the redemption price of such Bonds, together with the interest accrued thereon to the date fixed for the redemption thereof, the corresponding notice of redemption shall be deemed to be revoked.

(iii) So long as the Bonds are in book-entry only form, any notice of redemption shall be given only to The Depository Trust Company, New York, New York ("DTC"), or to its nominee, Cede & Co., or to such other nominee of DTC as may be requested by an authorized representative of DTC, and any notice of redemption otherwise required by this resolution to be given by first class mail, postage prepaid, may be given electronically in lieu of being given by first class mail, postage prepaid, if and to the extent delivery of notices of redemption electronically is acceptable to DTC. The City shall not be responsible for providing any beneficial owner of the Bonds registered to DTC or its nominee any notice of redemption.

(e) (i) The Bonds of each series shall be issued only in book-entry only form. One Bond representing each maturity of the Bonds of each series will be issued to and registered in the name of Cede & Co., as nominee of DTC, or in the name of such other nominee of DTC as may be requested by an authorized representative of DTC, as registered owner of the Bonds, and each such Bond shall be immobilized in the custody of DTC. DTC will act as securities depository for the Bonds, except as otherwise provided pursuant to Section 13 hereof. Individual purchases will be made in book-entry form only, in the principal amount of $5,000 or any integral multiple thereof. Purchasers will not receive physical delivery of certificates representing their interest in the Bonds purchased.

(ii) Except as otherwise provided pursuant to Section 13 hereof, principal and interest payments on the Bonds will be made by the Registrar and Paying Agent for the Bonds to DTC or its nominee, Cede & Co., or to such other nominee of DTC as may be requested by an authorized representative of DTC, as registered owner of the Bonds, which will in turn remit such payments to the DTC participants for subsequent disbursal to the beneficial owners of the Bonds. Transfers of principal and interest payments to DTC participants will be the responsibility of DTC. Transfers of such payments to beneficial owners of the Bonds by DTC participants will be the responsibility of such participants and other nominees of such beneficial owners. Transfers of ownership interests in the Bonds will be accomplished by book entries made by DTC and, in turn, by the DTC participants who act on behalf of the indirect participants of DTC and the beneficial owners of the Bonds.

(iii) The City will not be responsible or liable for sending transaction statements or for maintaining, supervising or reviewing records maintained by DTC, its participants or persons acting through such participants or for transmitting payments to, communicating with, notifying or otherwise dealing with any beneficial owner of the Bonds. So long as the Bonds are in book-entry only form, the Director of Financial Services will serve as Registrar and Paying Agent for the Bonds. The City reserves the right to designate a successor

Registrar and Paying Agent for the Bonds if the Bonds at any time cease to be in book-entry only form.

SECTION 3. (a) The Bonds shall be executed, for and on behalf of the City, by the manual or facsimile signature of the Mayor of the City and shall have an impression of the corporate seal of the City or a facsimile thereof embossed or imprinted thereon, attested by the manual or facsimile signature of the Clerk of Council of the City.

(b) The Director of Financial Services shall direct the Registrar and Paying Agent for the Bonds of a given series to authenticate such Bonds and no such Bond shall be valid or obligatory for any purpose unless and until the certificate of authentication endorsed on each Bond shall have been manually executed by an authorized signator of the Registrar and Paying Agent. Upon the authentication of any Bonds, the Registrar and Paying Agent shall insert in the certificate of authentication the date as of which such Bonds are authenticated as follows: (i) if the Bond is authenticated prior to the first interest payment date, the certificate shall be dated as of the date of the initial issuance and delivery of the Bonds of the issue of which such Bond is one, (ii) if the Bond is authenticated upon an interest payment date, the certificate shall be dated as of such interest payment date, (iii) if the Bond is authenticated after the fifteenth (15th) day of the calendar month next preceding an interest payment date and prior to such following interest payment date, the certificate shall be dated as of such following interest payment date, and (iv) in all other instances the certificate shall be dated as of the actual date upon which the Bond is authenticated by the Registrar and Paying Agent.

(c) The execution of the Bonds in the manner above set forth is adopted as a due and sufficient authentication of the Bonds.

SECTION 4. (a) The principal of and interest on the Bonds shall be payable in such coin or currency of the United States of America as at the respective dates of payment thereof is legal tender for public and private debts.

(b) Principal of the Bonds of a given series shall be payable upon presentation and surrender thereof at the office of the Registrar and Paying Agent.

(c) Except as otherwise provided pursuant to Section 13 hereof, interest on the Bonds shall be payable by check mailed by the Registrar and Paying Agent to the registered owners of such Bonds at their respective addresses as such addresses appear on the books of registry kept pursuant to the provisions of this Section 4; provided, however, that so long as the Bonds are in book-entry form and registered in the name of Cede & Co., as nominee of DTC, or in the name of such other nominee of DTC as may be requested by an authorized representative of DTC, interest on the Bonds shall be paid directly to Cede & Co. or such other nominee of DTC by wire transfer.

(d) At all times during which any Bond of any series remains outstanding and unpaid, the Registrar and Paying Agent shall keep or cause to be kept, at its office, books of registry for the registration, exchange and transfer of Bonds of such series. Upon presentation of a Bond or Bonds at the office of the Registrar and Paying Agent, the Registrar and Paying Agent, under such reasonable regulations as the Registrar and Paying Agent may prescribe, shall register, exchange or transfer, or cause to be registered, exchanged or transferred, such Bond or Bonds on the books of registry as hereinbefore set forth.

(e) The books of registry shall at all times be open for inspection by the City or any duly authorized officer thereof.

(f) Any Bond may be exchanged at the office of the Registrar and Paying Agent for a like aggregate principal amount of such Bonds in other authorized principal sums and of the same series, interest rate and maturity.

(g) Any Bond of any series may, in accordance with its terms, be transferred upon the books of registry by the registered owner in whose name it is registered, in person or by the duly authorized agent of such registered owner, upon surrender of such Bond to the Registrar and Paying Agent for cancellation, accompanied by a written instrument of transfer duly executed by the registered owner or the duly authorized agent of such registered owner, in form satisfactory to the Registrar and Paying Agent.

(h) All transfers or exchanges pursuant to this Section 4 shall be made without expense to the registered owner of such Bond or Bonds, except as otherwise herein provided, and except that the Registrar and Paying Agent shall require the payment by the registered owner of such Bond or Bonds requesting such transfer or exchange of any tax or other governmental charges required to be paid with respect to such transfer or exchange. All Bonds surrendered for transfer or exchange pursuant to this Section 4 shall be cancelled.

SECTION 5. The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and interest on the Bonds as the same become due. In each year while the Bonds, or any of them, are outstanding and unpaid, the Council shall be authorized and required to levy and collect annually, at the same time and in the same manner as other taxes of the City are assessed, levied and collected, a tax upon all taxable property within the City, over and above all other taxes, authorized or limited by law and without limitation as to rate or amount, sufficient to pay when due the principal of and interest on the Bonds to the extent other funds of the City are not lawfully available and appropriated for such purpose.

SECTION 6. CUSIP identification numbers may be printed on the Bonds, but no such number shall constitute a part of the contract evidenced by the particular Bond upon which it is printed and no liability shall attach to the City or any officer or agent thereof (including any paying agent for the Bonds) by reason of such numbers or any use made thereof (including any use thereof made by the City, any such officer or any such agent) or by reason of any inaccuracy, error or omission with respect thereto or in such use. All expenses in relation to the printing of such numbers on the Bonds shall be paid by the City; *provided, however*, that the CUSIP Service Bureau charge for the assignment of such numbers shall be the responsibility of and shall be paid for by the purchasers of the Bonds.

SECTION 7. To the extent it shall be contemplated at the time of their issuance that the interest on any Bonds issued hereunder shall be excludable from gross income for purposes of federal income taxation, the City covenants and agrees that it shall comply with the provisions of Sections 103 and 141-150 of the Internal Revenue Code of 1986 (the “1986 Code”) and the applicable Treasury Regulations promulgated under such Sections 103 and 141-150 so long as any such Bonds are outstanding.

SECTION 8. The proceeds of the sale of the General Obligation Public Improvement Bonds shall be applied to finance and refinance the cost of public improvement projects of and for the City consisting of transportation projects, school improvement projects, sewer improvement projects, water improvement projects, building projects, parks and recreation projects, economic development projects and stormwater improvement projects, all as set forth in the City's Capital Improvement Plan for the 2018 and 2019 fiscal years (collectively, the "Projects").

SECTION 9. (a) Except as otherwise provided pursuant to Section 13 hereof, the Bonds shall be sold in one or more series in accordance with the provisions of Section 2 at competitive or negotiated sale at not less than ninety-eight percent (98%) of the principal amount thereof (less any original issue discount) and on such other terms and conditions as are provided in the Official Notice of Sale thereof or in the Purchase Contract or Bond Purchase Agreement relating thereto.

(b) If the Bonds are sold at competitive sale, they may be sold contemporaneously with other bonds of the City under a combined Official Notice of Sale. If the Bonds are sold at competitive sale, the Director of Financial Services is hereby authorized to cause to be prepared and distributed (via electronic dissemination or otherwise) an Official Notice of Sale of the Bonds in such form and containing such terms and conditions as the may deem advisable, subject to the provisions hereof.

(c) Upon the determination by the Director of Financial Services to sell the Bonds at competitive or negotiated sale, the City Manager is hereby authorized, without further notice to or action by the Council, to determine the rates of interest the Bonds shall bear; *provided* that:

(i) in no event shall the true interest cost for the Bonds exceed five percent (5%);

(ii) in no event shall the premium payable by the City upon the redemption of the Bonds exceed two percent (2%) of the principal amount thereof; and

(d) If the Bonds are sold at negotiated sale, the City Manager is hereby authorized to, without further notice to or action by the Council, to select the underwriters for the Bonds (the "Underwriters") and to execute and deliver to the Underwriters a Purchase Contract or Bond Purchase Agreement relating to the Bonds.

(e) The Director of Financial Services is hereby authorized to cause to be prepared and distributed (via electronic dissemination or otherwise) a Preliminary Official Statement and a final Official Statement relating to the Bonds. Either or both of the City Manager and the Director of Financial Services is hereby further authorized to certify that the Preliminary Official Statement for the Bonds of each series authorized hereunder is "deemed final" for purposes of Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934 ("Rule 15c2-12"). The Mayor is hereby authorized to execute and deliver the final Official Statement for the Bonds of each series authorized hereunder, and the City Manager, the Director of Financial Services and the City Attorney are hereby authorized to execute and deliver to the purchasers of the Bonds of each series certificates in the forms provided for in the Official Statement for the Bonds of such series.

SECTION 10. The City Manager is hereby authorized to execute and deliver to the purchasers of the Bonds of each series authorized hereunder, as applicable, a Continuing Disclosure Certificate or a Continuing Disclosure Agreement evidencing the City's undertaking to comply with the continuing disclosure requirements of Paragraph (b)(5) of such Rule 15c2-12 to the extent applicable to the Bonds, such Continuing Disclosure Certificate or Continuing Disclosure Agreement to be in such form as shall be approved by the City Manager upon the advice of counsel (including the City Attorney or Bond Counsel to the City), such approval to be conclusively evidenced by the execution of such Continuing Disclosure Certificate or Continuing Disclosure Agreement by the City Manager.

SECTION 11. The Bonds, the certificate of authentication of the Registrar and Paying Agent and the assignment endorsed on the Bonds, shall be in substantially the form set forth in Exhibit A, together with such changes in format as may be appropriate to conform with the provisions hereof, including the provisions of Section 13 hereof, and with customs and practices applicable to comparable securities.

SECTION 12. Pursuant to the Public Finance Act of 1991, there are hereby authorized to be issued and sold, in anticipation of the Bonds authorized for issuance herein, the Notes. Such Notes shall be sold at competitive or negotiated sale, or by direct purchase as set forth in Section 13 hereof, at such price or prices and on such other terms and conditions as shall be determined by the City Manager and the Director of Financial Services. The City Manager and the Director of Financial Services (i) are hereby authorized to determine the dated date of the Notes of each series, the dates the Notes of each series shall mature (not later than 5 years after the date of issuance of such Notes), the dates on which interest on the Notes shall be payable, the aggregate principal amount of the Notes of each series and the principal amount of the Notes of each series maturing in each year and (ii) are hereby further authorized to receive bids for the purchase of the Notes of each series if sold at competitive sale or proposals for the purchase of the Notes of each series if sold at negotiated sale and, without further action of the Council, to accept the bid or proposal offering to purchase the Notes of each series at the lowest true interest cost to the City; provided, however, except as otherwise provided pursuant to Section 13 hereof, in no event shall the true interest cost to the City with respect to the Notes of any series exceed five percent (5.00%). The City Manager and the Director of Financial Services are further authorized to fix the rates of interest to be borne by the Notes of each maturity of each series as specified in the bid or proposal accepted by them in accordance with the immediately preceding sentence. The City Manager and the Director of Financial Services are hereby authorized to determine the provisions relating to the redemption of the Notes upon the advice of the City's financial advisor; provided, however, except as otherwise provided pursuant to Section 13 hereof, in no event shall any redemption premium payable by the City exceed two percent (2.00%). If such Notes are offered for competitive sale, an Official Notice of Sale of such Notes shall be prepared, published and distributed in accordance with the requirements of Section 9. If such Notes are publicly offered, there may also be prepared and distributed a Preliminary

Official Statement and a final Official Statement relating to such Notes in such form as shall be approved by the Director of Financial Services. The issuance and details of such Notes shall be governed by the provisions of Section 15.2-2628 of Title 15.2, Chapter 26, Article 2 of the Code of Virginia, 1950, as amended. The provisions of Sections 5 and 7 shall apply to such Notes to the same extent the same apply to the Bonds except, in the case of the provisions of Section 5, only to the extent such Notes are not paid from the proceeds of the Bonds or from any other available funds. Bonds in anticipation of which such Notes are issued pursuant to this Section 12 may be issued and sold in accordance with the provisions of this Resolution at any time within five (5) years of the date of issuance of the first Notes issued in anticipation of such Bonds.

SECTION 13. (a) In addition to the authorization for a competitive or negotiated sale of the Bonds and the Notes as set forth in Sections 9 and 12 hereof, the Council hereby authorizes the issuance and sale of the Bonds and the Notes to one or more lenders to evidence one or more loans made to the City by one or more lenders in accordance with any proposal made by such lender(s) to the City pursuant to any Request for Proposal issued by the City for any such loan (hereinafter any such Request for Proposal of the City and any proposal from any lender(s) submitted in response thereto shall be collectively referred to as a "Financing Proposal"). There is hereby delegated to the City Manager and the Director of Financial Services, without further action by the Council, the authority to issue and deliver the Bonds and the Notes pursuant to this Section 13 at such price(s) and rate(s), and on such other terms and conditions, as shall be provided in any Financing Proposal, which Financing Proposal shall be in such form and containing such terms and conditions as the City Manager and the Director of Financial Services deem acceptable, acting with the advice of the City's financial advisor and legal counsel (including the City Attorney and the City's Bond Counsel), subject to the provisions and parameters set forth herein. Any such loan authorized hereby to be evidenced by any Bonds or Notes of the City authorized and issued pursuant to this Resolution may be in the form of a non-revolving drawdown loan in an aggregate principal amount not to exceed $50,000,000.

(b) Notwithstanding anything in this Resolution to the contrary, Bonds or Notes issued and sold pursuant to a Financing Proposal as provided in this Section 13 may bear interest at such fixed rates or variable rates of interest (which variable rates of interest shall be determined in accordance with any variable rate formula as shall be set forth in any Financing Proposal) as shall be determined by the City Manager and the Director of Financial Services, acting with the advice of the City's financial advisor; provided, however, that the true interest cost of any fixed rate(s), or the initial variable rate(s) of interest, shall not exceed 5.000%; and provided further that the fixed rate(s) or variable rate(s) determined for such Bonds or Notes may be further subject to adjustment upon the occurrence of certain events or conditions as may be set forth in any Financing Proposal, including, without limitation, adjustments to the stated interest rate or interest rate formula upon the occurrence of any event of taxability with respect to the Bonds or Notes, any default in payment with respect to the Bonds, and any change in the marginal corporate tax rate of corporations under federal law. Notwithstanding anything in this Resolution to the contrary, any Bonds or Notes issued and sold pursuant to a Financing Proposal as provided in this Section 13 may be prepayable at a prepayment price or redemption price that includes any make-whole amount, yield maintenance fee, penalty fee or break-funding amount calculated in accordance with any formula acceptable to the City Manager and the Director of

Financial Services, acting with the advice of the City's financial advisor and legal counsel (including the City Attorney and Bond Counsel) as may be set forth in any Financing Proposal or in the Bonds, and in such case, such prepayment price or redemption price may exceed the 2% redemption premium limitation set forth in Sections 9 and 12 above.

(c) Any one of the City Manager or the Director of Financial Services is hereby authorized to execute and deliver any Financing Agreement, purchase agreement or any other document, agreement or instrument necessary to provide for the issuance and delivery of the Bonds or the Notes (hereinafter collectively referred to as the "Financing Documents"), which Financing Documents shall be in such form and substance as shall be acceptable to the City Manager or the Director of Financial Services, as evidenced by his or her signature thereon, acting with the advice of legal counsel (including the City Attorney and Bond Counsel). Any one of the City Manager or the Director of Financial Services is hereby further authorized to determine, or to modify the form of and terms of the Bonds or the Notes with respect to the dated date of the Bonds or the Notes, the authorized denominations of the Bonds or the Notes, the assignment of CUSIP Numbers, if any, to the Bonds or the Notes, and the principal and interest payment dates of the Bonds or the Notes. Notwithstanding anything in this Resolution to the contrary, any of the Bonds or Bond Anticipation Notes may be issued directly to the purchaser thereof, as registered owner or holder thereof.

SECTION 14. The Council hereby authorizes the City to make expenditures for the purpose for which the Bonds and the Notes are to be issued in advance of the issuance and receipt of the proceeds of the Bonds and the Notes and to reimburse such expenditures from the proceeds of the Bonds or the Notes. The adoption of this resolution shall be considered as an "official intent" within the meaning of Treasury Regulation Section 1.150-2 promulgated under the Internal Revenue Code of 1986.

SECTION 15. All actions and proceedings heretofore taken by this Council, the City Manager, the Deputy City Manager, the Director of Financial Services and the other officers, employees, agents and attorneys of the City in connection with the authorization, issuance and sale of the Bonds and the Notes, including, without limitation, the preparation and distribution of any Request for Proposals relating to the issuance of the Notes, and the review and negotiation of any Financing Proposals, are hereby ratified, confirmed and approved.

SECTION 16. The City Attorney of the City is directed to file a copy of this Resolution, certified by the Clerk of Council of the City to be a true and correct copy hereof, with the Circuit Court of the City in accordance with Section 15.2-2607 of the Code of Virginia, 1950.

SECTION 17. All ordinances, resolutions and other proceedings in conflict herewith are, to the extent of such conflict, repealed.

SECTION 18. This Resolution shall take effect upon its adoption.

EXHIBIT A

UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA
CITY OF LYNCHBURG
GENERAL OBLIGATION PUBLIC IMPROVEMENT
BOND, SERIES [2018]

REGISTERED	**REGISTERED**
NO. [R-2018___]	**$_________**

INTEREST RATE:	**MATURITY DATE:**	**DATE OF BOND:**	**CUSIP NO.:**

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: **DOLLARS**

The City of Lynchburg, a municipal corporation of the Commonwealth of Virginia (the "City"), for value received, acknowledges itself indebted and hereby promises to pay to the Registered Owner (named above), or registered assigns, on the Maturity Date (specified above), unless this Bond shall have been duly called for previous redemption and payment of the redemption price duly made or provided for, the Principal Sum (specified above) and to pay interest on such Principal Sum until the payment of such Principal Sum in full, at the Interest Rate (specified above) per annum, on ________, ____ and semiannually on each _________ __ and _________ __ thereafter (each such date is hereinafter referred to as an "interest payment date"), from the date hereof or from the interest payment date next preceding the date of authentication hereof to which interest shall have been paid, unless such date of authentication is an interest payment date if interest shall have been paid to that date, in which case from such interest payment date, or unless such date of authentication is within the period from the sixteenth (16th) day to the last day of the calendar month next preceding the following interest payment date, in which case from such following interest payment date. *[To be substituted if the interest payment date is the 15th day of the month*: or unless such date of authentication is within the period from the first (1st) day to the fourteenth (14th) day of the calendar month in which the following interest payment date shall occur, in which event from such following interest payment date]. Such interest shall be computed on the basis of a three hundred and sixty (360) day year comprised of twelve (12) thirty (30) day months. Such interest is payable on each interest payment date by check mailed by the Registrar and Paying Agent hereinafter mentioned to the Registered Owner hereof at his address as it appears on such books of registry kept by the Registrar and Paying Agent, as of the close of business on the fifteenth (15th) day (whether or not a business day) of the calendar month next preceding each interest payment date *[To be substituted if the interest payment date is the 15th day of the month*: Such interest is payable on each interest payment date by check mailed by the Registrar and Paying

Agent hereinafter mentioned to the Registered Owner hereof at his address as it appears on the books of registry kept by the Registrar, as of the close of business on the last day (whether or not a business day) of the calendar month next preceding each interest payment date]; *provided, however,* that so long as this Bond is in book-entry only form and registered in the name of Cede & Co., as nominee of The Depository Trust Company ("DTC"), or in the name of such other nominee of DTC as may be requested by an authorized representative of DTC, interest on this Bond shall be paid directly to Cede & Co. or such other nominee of DTC by wire transfer.

The principal of this Bond is payable on presentation and surrender hereof at the office of the **Director of Financial Services of the City,** as Registrar and Paying Agent, in the City of Lynchburg, Virginia. The principal of and interest on this Bond are payable in such coin or currency of the United States of America as at the respective dates of payment thereof is legal tender for public and private debts.

This Bond is one of an issue of Bonds aggregating ______________________ ______________ Dollars ($__________) in principal amount issued for the purpose of providing funds [to finance the costs of the acquisition, construction, reconstruction, improvement, extension, enlargement and equipping of various public improvement projects of and for the City under and pursuant to and in full compliance with the Constitution and statutes of the Commonwealth of Virginia, including Chapter 15.2 of the Code of Virginia, 1950 (the same being the Public Finance Act of 1991) and resolutions and other proceedings of the Council of the City duly adopted and taken under the Public Finance Act of 1991.

The Bonds of the issue of which this Bond is one (or portions of the principal amount thereof in installments of $5,000 or any integral multiple thereof) maturing on and after ______________, __________ are subject to redemption at the option of the City prior to their stated maturities, on or after _________________, ________, in whole or in part on any date, in such order as may be determined by the City (except that if at any time less than all of the Bonds of a given maturity are called for redemption, the particular Bonds of such maturity or portions thereof in installments of $5,000 to be redeemed shall be selected by lot), upon payment of a redemption price equal to 100% of the principal amount of the Bonds to be redeemed, together with the interest accrued thereon to the date fixed for the redemption thereof.

If this Bond is redeemable and this Bond (or any portion of the principal amount hereof) shall be called for redemption, notice of the redemption hereof, specifying the date, number and maturity of this Bond, the date and place or places fixed for its redemption, and if less than the entire principal amount of this Bond is to be redeemed, that this Bond must be surrendered in exchange for the principal amount hereof to be redeemed and a new Bond or Bonds issued equalling in principal amount that portion of the principal amount hereof not to be redeemed, shall be mailed not less than thirty (30) days prior to the date fixed for redemption, by first class mail, postage prepaid, to the Registered Owner hereof at his address as it appears on the books of registry kept by the Registrar and Paying Agent as of the close of business on the forty-fifth (45th) day next preceding the date fixed for redemption. If notice of the redemption of this Bond shall have been given as aforesaid, and payment of the principal amount of this Bond (or of the portion of the principal amount hereof to be redeemed) and of the accrued interest payable upon such redemption shall have been duly made or provided for, interest hereon shall cease to accrue from and after the date so specified for the redemption hereof.

Any notice of the optional redemption of this Bond may state that it is conditioned upon there being on deposit with the City, or with the Registrar and Paying Agent for the Bonds or other agent designated by the City, on the date fixed for the redemption hereof an amount of money sufficient to pay the redemption price of this Bond, together with the interest accrued thereon to the date fixed for the redemption hereof, and any conditional notice so given may be rescinded at any time before the payment of the redemption price of this Bond, together with the interest accrued thereon, is due and payable if any such condition so specified is not satisfied. If a redemption of this Bond does not occur after a conditional notice is given due to there not being on deposit with the City, or with the Registrar and Paying Agent for the Bonds or other agent designated by the City, a sufficient amount of money to pay the redemption price of this Bond, together with the interest accrued thereon to the date fixed for the redemption hereof, the corresponding notice of redemption shall be deemed to be revoked.

So long as the Bonds of the series of which this Bond is one are in book-entry only form, any notice of redemption of this Bond shall be given only to Cede & Co., as nominee of The Depository Trust Company ("DTC"), and any notice of redemption otherwise required by the resolution pursuant to which this Bond and the Bonds of the series of which this Bond are issued to be given by first class mail, postage prepaid, may be given electronically in lieu of being given by first class mail, postage prepaid, if and to the extent delivery of notices of redemption electronically is acceptable to DTC.

Subject to the limitations and upon payment of the charges, if any, provided in the proceedings authorizing the Bonds of the issue of which this Bond is one, this Bond may be exchanged at the office of the Registrar and Paying Agent for a like aggregate principal amount of Bonds of other authorized principal amounts and of the same issue, interest rate and maturity. This Bond is transferable by the Registered Owner hereof, in person or by his attorney duly authorized in writing, on the books of registry kept by the Registrar and Paying Agent for such purpose at the office of the Registrar and Paying Agent, but only in the manner, subject to the limitations and upon payment of the charges, if any, provided in the proceedings authorizing the Bonds of the issue of which this Bond is one, and upon the surrender hereof for cancellation. Upon such transfer a new Bond or Bonds of authorized denominations and of the same aggregate principal amount, issue, interest rate and maturity as the Bond surrendered will be issued to the transferee in exchange herefor.

The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and interest on this Bond as the same become due. In each year while this Bond is outstanding and unpaid, the Council of the City is authorized and required to levy and collect annually, at the same time and in the same manner as other taxes of the City are assessed, levied and collected, a tax upon all taxable property within the City, over and above all other taxes, authorized or limited by law and without limitation as to rate or amount, sufficient to pay when due the principal of and interest on this Bond to the extent other funds of the City are not lawfully available and appropriated for such purpose.

This Bond shall not be valid or obligatory unless the certificate of authentication hereon shall have been manually signed by or on behalf of the Registrar and Paying Agent.

It is certified, recited and declared that all acts, conditions and things required to exist, happen or be performed precedent to and in the issuance of this Bond do exist, have happened and have been performed in due time, form and manner as required by law, and that the amount of this Bond, together with all other indebtedness of the City, does not exceed any limitation of indebtedness prescribed by the Constitution or statutes of the Commonwealth of Virginia.

IN WITNESS WHEREOF, the City has caused this Bond to be executed by the manual or facsimile signature of its Mayor; a facsimile of the corporate seal of the City to be imprinted hereon, attested by the manual or facsimile signature of the Clerk of Council of the City, and this Bond to be dated the date first above written.

CITY OF LYNCHBURG, VIRGINIA

____

[SEAL] Mayor

Attest:

____

Clerk of Council

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds delivered pursuant to the within-mentioned proceedings.

By: ________________________________

Director of Financial Services,
as Registrar and Paying Agent

Date of Authentication: ________________

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sell(s), assign(s) and transfer(s) unto ____

____

(Please print or typewrite name and address, including zip code, of Assignee)

PLEASE INSERT SOCIAL SECURITY OR
OTHER TAX IDENTIFYING NUMBER OF ASSIGNEE

the within-mentioned Bond and hereby irrevocably constitutes and appoints ______________, agent, to transfer the same on the books of registry in the office of registrar with full power of substitution in the premises.

Dated: ____________________

Signature Guaranteed:

____	______________________________________
NOTICE: Signature(s) must be guaranteed by a member firm of The New York Stock Exchange Inc. or a commercial bank or trust company.	(Signature of Registered Owner) NOTICE: The signature to this assignment must correspond with the name as written on the face of the within Bond in every particular, without alteration, enlargement or any change whatsoever.

Introduced: Adopted:

Certified: ______________________________
Clerk of Council

062K

RESOLUTION:

BE IT RESOLVED THAT the FY 2018 General, Water, Sewer and Stormwater Funds' Adopted Budgets are amended; and appropriate $108,900, $23,100, $28,050, and $4,950 respectively with resources from the Line of Credit Proceeds for a total of $165,000 for estimated issuance costs.

Introduced: Adopted:

Certified: ______________________________
Clerk of Council

063K

DAVENPORT & COMPANY

City of Lynchburg, Virginia

Summary of Bids Received

June 12, 2018

Request for Proposals Solicitation

- On Wednesday, May 2, 2018, Davenport & Company, in our capacity as financial advisor, on behalf of the City of Lynchburg, Virginia (the "City"), distributed a Request for Proposals ("RFP") to over 25 local, regional and national lending institutions for the purpose of obtaining a loan evidenced by the City's Draw Down Bond Anticipation Note Line of Credit, Series 2018 (the "Series 2018 Line of Credit").
- The Request for Proposal was distributed with two options: 1) Fixed Rate; and, 2) Variable Rate.
- On Tuesday, May 22, 2018 Davenport received proposals from the following lending institutions which have are listed below. Detailed summaries of the proposals can be found in the Appendix.

Bidders on Series 2018 Line of Credit
Bank of America
BB&T
Capital One
JP Morgan
Key Bank
U.S. Bank
Wells Fargo

Summary of Proposals Received

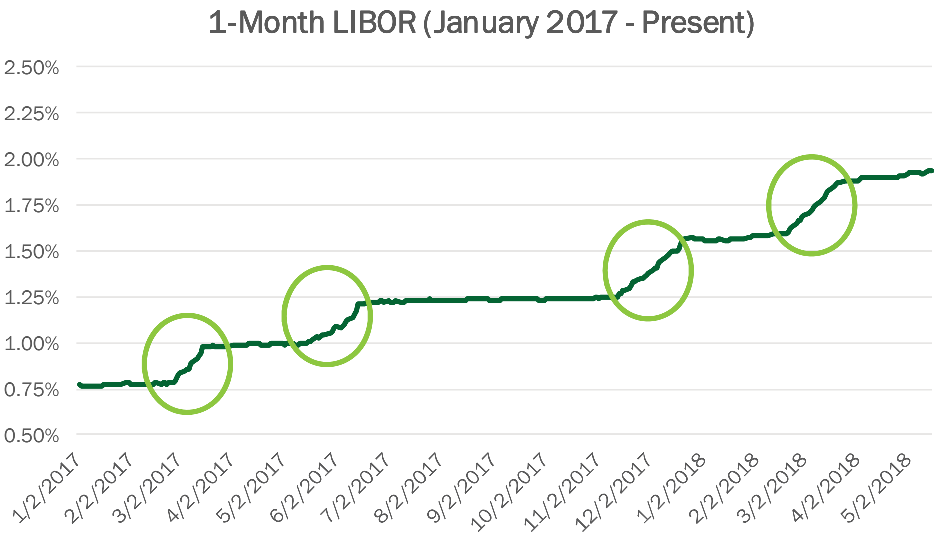
	Bank of America	BB&T	Capital One	J.P. Morgan (Drawdown)	J.P. Morgan (Fully Drawn at Closing)	Key Bank	U.S. Bank	Wells Fargo
Fixed Rate	No Bid	No Bid	2.89%	2.849% / 3.118%*	2.678%/ 2.92%*	2.72% (Fully Drawn at Closing)	No Bid	2.64%/ 2.66%* (Set Draws)
Minimum Draw Requirement	$2.5M within 90 Days; $5M within 180 Days	Not Specified	$10M by 12/31/18 and $25M by 6/15/19	$5M at Closing	Fully Drawn at Closing	Not Specified	Not Specified	Set Draw Schedule Required for Fixed Rate
Variable Rate	79% of 1-Month Libor + 0.44%	79% of 1-Month Libor + 0.81%	No Bid	79% of 1-Month Libor + 0.547%/ 0.73%*	79% of 1-Month Libor + 0.455%/ 0.619%*	79% of 1-Month Libor + 0.98%	80% of 1-Month Libor + 0.35%	80% of 1-Month Libor + 0.40%
Current Variable Rate	1.989%	2.359%	N/A	2.096% / 2.279%*	2.004% / 2.168%*	2.529%	1.919%	1.969%
Unused Fee	None	None	N/A	0.05%	N/A	None	0.20%	0.20%
Reasons for Not Considering	N/A	Higher Variable Rate	Higher Cost Based Upon Estimated Draw	Higher Variable Rate & Unused Fee	City Prefers Drawdown Structure	City Prefers Drawdown Structure & Higher Variable Rate	Unused Fee Increases Total Cost	Lack of Flexibility on Draw Structure & Unused Fee Increases Total Cost

Note: Variable Rate interest rate based upon LIBOR as of May 22, 2018.
*Note: Based upon prepayment option chosen.

Summary of Top Proposal

Bank of America	
Series 2018 Line of Credit	
Amount:	Up to $50 million
Rate:	79% of 1-Month Libor + 0.44% (Current Rate 1.989%)
Prepayment:	In whole or in part at any time without premium or penalty
Minimum Draw:	$2.5 million within 90 days and $5.0 million within 180 days
Bank Closing Costs:	None
Close by:	June 19, 2018

Change in LIBOR vs. Federal Reserve Movements



Changes in LIBOR over the last 18 months have historically tracked adjustments in the Federal Funds Rate.

Federal Reserve Rate Hikes Since 2008

Date	Increase	Decrease	Level (%)
12/17/2015	25	0	0.25 - 0.50
12/15/2016	25	0	0.50 - 0.75
3/16/2017	25	0	0.75 - 1.00
6/15/2017	25	0	1.00 - 1.25
12/14/2017	25	0	1.25 - 1.50
3/22/2018	25	0	1.50 - 1.75

Future Federal Reserve Meeting Dates

Date	Increase	Decrease	Level (%)
6/12/2018	25		
8/1/2018	0		
9/26/2018	0		
11/8/2018	0		
12/19/2018	25		
1/30/2019	0		
3/20/2019	25		
5/1/2019	0		
6/19/2019	25		
7/31/2019	0		
9/18/2019	0		
10/30/2019	0		
12/11/2019	25		
3/18/2020*	25		

Federal Reserve guidance as of its March meeting is that there will be two additional rate increases in 2018 and three anticipated for 2019.

Source: Federal Reserve website; USA Today.
*Note: Estimated date for potential future rate increase.

Recommendation & Rationale

- Davenport recommends the City accept the proposal from Bank of America to finance the City's Series 2018 Line of Credit. This recommendation is based upon the following:

  – The proposal from Bank of America was the lowest interest rate that did not have any unused facility fees (i.e. payments on undrawn amounts);

  – Outside of the requirement that the City draw $2.5 million within 90 days and $5 million within 180 days, the Bank of America proposal provides the City complete flexibility on future draws;

  – Allows for prepayment flexibility in whole and in part without penalty; and,

  – No Bank Counsel fees.

Next Steps

Date		Action
May 2, 2018	✓	Davenport Distributed Request for Bids to Local, Regional and National Banking Institutions
Balance of May	✓	Davenport communicates with potential lenders
May 22, 2018	✓	Davenport Received Responses to the City's Request for Proposals
June 12, 2018		<u>City Council Meeting</u>: RFP results presented to City Council and City Council Adopts Bond Ordinance and Financing Documents
Balance of June		Bond Counsel Finalizes Closing Documents
June 19, 2018		Close on 2018 Bond

Appendix

City of Lynchburg, Virginia

Detailed Summary of Proposals Received

City of Lynchburg, Virginia - 2018 Financing				
	Bank of America		Capital One	
	Bank of America Merrill Lynch		Capital One	
	Option 1 - Fixed Rate	Option 2 - Variable Rate	Option 1 - Fixed Rate	Option 2 - Variable Rate
Amount	$50,000,000		$50,000,000	
Final Maturity	6/15/2020		6/15/2020	
Effective Interest Rate	**No Bid**	**1.989%**	**2.890%**	**No Bid**
Rate Fixed?	**N/A**	**No**	**Yes**	**N/A**
Variable Rate Calculation	N/A	(79% of 1-Month LIBOR) + 0.44%	N/A	
Unused Fee for Drawdown Option	None		None	
Rate Lock	Rate Locked for 60 Days From 5/22/18		Rated Locked Through 5/29/18	
Prepayment	In whole or in part at any time		Non-Callable	
Prepayment Penalty	None		N/A	
Bank / Legal Fees	None		None	
Accept By	7/22/2018		5/29/2018	
Close By	6/19/2018		6/22/2018	
Subject to Final Credit Approval?	Yes		Yes	
Gross Up Provisions for Taxability?	Yes		Not Specified	
Yield Maintenance?	Not Specified		Not Specified	
Default Rate	Drawn Rate Plus 4%		Not Specified	
Other Notes	$2.5 million must be drawn within 90 days and $5 million must be drawn within 180 days.		Minimum draw at closing of $1 million required. Thereafter, the facility is subject to a minimum draw of $4 million in denominations of $100,000. A maximum of 10 draws is permitted excluding the initial draw. $10 million must be drawn by 12/31/2018 and $25 million must be drawn by 6/15/2019.	

Detailed Summary of Proposals Received

City of Lynchburg, Virginia - 2018 Financing						
	BB&T		Key Government Finance		U.S. Bank	
	Option 1 - Fixed Rate	Option 2 - Variable Rate	Option 1 - Fixed Rate	Option 2 - Variable Rate	Option 1 - Fixed Rate	Option 2 - Variable Rate
Amount	$50,000,000		$50,000,000		$50,000,000	
Final Maturity	6/15/2020		6/15/2020		6/15/2020	
Interest Rate	**No Bid**	**2.359%**	**2.72%***	**2.529%**	**No Bid**	**1.919%**
Rate Fixed	**N/A**	**No**	**Yes**	**No**	**N/A**	**No**
Variable Rate Calculation	N/A	(79% of 1-Month LIBOR) + 0.81%	N/A	(79% of 1-Month LIBOR) + 0.98%	N/A	(80% of 1-Month LIBOR) + 0.35%
Unused Fee for Drawdown Option	None		None		20 bps per year	
Rate Lock	Not Specified		Proposal must be accepted by 5/28/18 in order to lock rate	Rate above is based upon current market rates and is subject to change between now and closing	Not Specified	
Call Date	Prepayable at any time		Prepayable at any time		Anytime on the first anniversary of the date of closing	
Prepayment Penalty	None		None		Termination fee in effect if prepaid prior to the first anniversary. After the first anniversary, the City shall be required to pay accrued Unused Fees in addition to accrued interest	
Bank / Legal Fees	None		None		Not to Exceed $20,000	
Accept By	Not Specified		6/4/2018; Fixed rate lock expires 5/28/18		Not Specified	
Close By	6/19/2018		6/19/2018		6/19/2018	
Subject to Final Credit Approval?	Yes		Yes		Yes	
Gross Up Provisions for Taxability	Yes		Yes		Yes	
Yield Maintenance?	Yes		Yes		Not Specified	
Default Rate	15%		4%		Base Rate Plus 3.0%. Base rate is the higher of (i) the Prime Rate + 1%; (ii) the Federal Funds Rate + 2%; (iii) 7%.	
Other Notes	Variable rate to adjust monthly with changes in 1-Month LIBOR; Events of default to occur if, in addition to non-payment, (i) The City's Moody's or S&P rating falls below Baa3 or BBB-; (ii) The City's long term rating is withdrawn by Moody's or S&P.		***Note: Fixed Rate assumes that the facility is fully drawn at closing.** Variable interest rate will be adjusted every 30 days; City to provide CAFR and budget within 270 and 60 days of the fiscal year end, respectively.		Unused Fee and Interest Rate Spread are subject to adjustment in the event of declines in the City's credit quality; Document fee of $2,500 per amendment; Interest rate clawback provisions; Certain covenants subject to change if greater rights and remedies are provided for future credit facilities; One draw per week permitted in minimum amount of $100,000. Variable rate resets monthly.	

Detailed Summary of Proposals Received

City of Lynchburg, Virginia - 2018 Financing				
	J.P. Morgan - Drawdown		J.P. Morgan - Drawdown + 1 Year Term Out	
	J.P.Morgan		J.P.Morgan	
	Option 1 - Fixed Rate	Option 2 - Variable Rate	Option 1 - Fixed Rate	Option 2 - Variable Rate
Amount	$50,000,000		$50,000,000	
Final Maturity	6/15/2020		6/15/2020	
Interest Rate	**2.849%**	**2.096%**	**3.118%**	**2.279%**
Rate Fixed	**Yes**	**No**	**Yes**	**No**
Variable Rate Calculation	N/A	(79% of 1-Month LIBOR) + 0.547%	N/A	(79% of 1-Month LIBOR) + 0.73%
Unused Fee for Drawdown Option	5 bps per year		5 bps per year	
Rate Lock	Fixed rates are indicative as of 5/22/18 and subject to change daily until a rate lock agreement is entered into.		Fixed rates are indicative as of 5/22/18 and subject to change daily until a rate lock agreement is entered into.	
Call Date	Not subject to early prepayment		Not subject to early prepayment beyond 1 year term out option provided	
Prepayment Penalty	N/A		If prepaid on any date other than 1 year term out, breakage costs will apply	
Bank / Legal Fees	City to pay fees and expenses; Amounts not specified.		City to pay fees and expenses; Amounts not specified.	
Accept By	Not Specified		Not Specified	
Close By	Not Specified		Not Specified	
Subject to Final Credit Approval?	Yes		Yes	
Gross Up Provisions for Taxability	Yes		Yes	
Yield Maintenance?	Yes		Yes	
Default Rate	Base Rate Plus 4%. Base rate is the higher of (i) the Bank's Prime Rate or (ii) 2.5% Plus 1-Month LIBOR.		Base Rate Plus 4%. Base rate is the higher of (i) the Bank's Prime Rate or (ii) 2.5% Plus 1-Month LIBOR.	
Other Notes	CAFR required by 3/31 of each fiscal year; Fixed Rates assume a $5 million draw at closing and that subsequent monthly draws will be in substantially equal amounts.		CAFR required by 3/31 of each fiscal year; Fixed Rates assume a $5 million draw at closing and that subsequent monthly draws will be in substantially equal amounts.	

Detailed Summary of Proposals Received

City of Lynchburg, Virginia - 2018 Financing				
	J.P. Morgan - Fully Drawn at Closing		J.P. Morgan - Fully Drawn at Closing + 1-Year Term Out	
	J.P.Morgan		J.P.Morgan	
	Option 1 - Fixed Rate	Option 2 - Variable Rate	Option 1 - Fixed Rate	Option 2 - Variable Rate
Amount	$50,000,000		$50,000,000	
Final Maturity	6/15/2020		6/15/2020	
Interest Rate	**2.678%**	**2.004%**	**2.920%**	**2.168%**
Rate Fixed	**Yes**	**No**	**Yes**	**No**
Variable Rate Calculation	N/A	(79% of 1-Month LIBOR) + 0.455%	N/A	(79% of 1-Month LIBOR) + 0.619%
Unused Fee for Drawdown Option	N/A		N/A	
Rate Lock	Fixed rates are indicative as of 5/22/18 and subject to change daily until a rate lock agreement is entered into.		Fixed rates are indicative as of 5/22/18 and subject to change daily until a rate lock agreement is entered into.	
Call Date	Not subject to early prepayment		Not subject to early prepayment beyond 1 year term out option provided	
Prepayment Penalty	N/A		If prepaid on any date other than 1 year term out, breakage costs will apply	
Bank / Legal Fees	City to pay fees and expenses; Amounts not specified.		City to pay fees and expenses; Amounts not specified.	
Accept By	Not Specified		Not Specified	
Close By	Not Specified		Not Specified	
Subject to Final Credit Approval?	Yes		Yes	
Gross Up Provisions for Taxability	Yes		Yes	
Yield Maintenance?	Yes		Yes	
Default Rate	Base Rate Plus 4%. Base rate is the higher of (i) the Bank's Prime Rate or (ii) 2.5% Plus 1-Month LIBOR.		Base Rate Plus 4%. Base rate is the higher of (i) the Bank's Prime Rate or (ii) 2.5% Plus 1-Month LIBOR.	
Other Notes	CAFR required by 3/31 of each fiscal year; Fixed Rates assume a $5 million draw at closing and that subsequent monthly draws will be in substantially equal amounts.		CAFR required by 3/31 of each fiscal year; Fixed Rates assume a $5 million draw at closing and that subsequent monthly draws will be in substantially equal amounts.	

Detailed Summary of Proposals Received

City of Lynchburg, Virginia - 2018 Financing			
	Wells Fargo - Variable Rate	Wells Fargo - Fixed Rate	
	WELLS FARGO	WELLS FARGO	
	Option 1 - Variable Rate	Option 2A - Callable	Option 2B - Non-Callable
Amount	$50,000,000	$50,000,000	
Final Maturity	6/15/2020	6/15/2020	
Effective Interest Rate	**1.969%**	**2.660%**	**2.640%**
Rate Fixed?	**No**	**Yes**	
Variable Rate Calculation	(80% of 1-Month LIBOR) + 0.40%	N/A	
Unused Fee for Drawdown Option	20 bps	None	
Rate Lock	Rates indicative as of 5/21/18	Rates indicative as of 5/21/18	
Prepayment	Prepayable at any time on any interest payment date	12/1/2019	Non-callable
Prepayment Penalty	Termination Fee required if redeemed on any day other than an interest payment date	Make Whole	N/A
Bank / Legal Fees	$15,000 Plus Fees and Expenses	$15,000 Plus Fees and Expenses	
Accept By	6/6/2018	6/6/2018	
Close By	6/19/2018	6/19/2018	
Subject to Final Credit Approval?	Yes	Yes	
Gross Up Provisions for Taxability?	Yes	Yes	
Yield Maintenance?	Yes	Yes	
Default Rate	The greatest of (i) the Bank's Prime Rate plus 4%; (ii) The Federal Funds Rate plus 5%; (iii) 10%.	The greatest of (i) the Bank's Prime Rate plus 4%; (ii) The Federal Funds Rate plus 5%; (iii) 10%.	
Other Notes	Minimum advances of $1 million; No more than two advances are permitted within a 30 day period; Must provide 5 business days notice before an advance may be made; Document Fee of $2,500 per amendment.	Minimum advances of $1 million; No more than two advances are permitted within a 30 day period; Must provide 5 business days notice before an advance may be made; Document Fee of $2,500 per amendment.	

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LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **June 12, 2018** AGENDA ITEM #: **9**

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

ITEM TITLE: Virginia Clean Water Facilities Revolving Loan for Lynchburg Regional Wastewater Treatment Plant Combined Sewer Overflow Project

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

RECOMMENDATION: City Council is requested to take the following actions for the issuance of $32,000,000 Sewer Revenue Utility Bonds for the construction upgrade of the Lynchburg Regional Wastewater Treatment Plant to significantly reduce combine sewer overflows:

(a) Conduct the required public hearing pursuant to Section 15.2-2204.A of the Code of Virginia for the issuance not to exceed $32,000,000 of Sewer Revenue Utility Bonds.

(b) Adopt a resolution authorizing the issuance not to exceed $32,000,000 of Sewer Revenue Utility Bonds and authorizing the City Manager to execute appropriate documents.

(c) Adopt a resolution to amend and appropriate an additional $12,838,419 to a previous appropriation of $19,161,581 for the Virginia Clean Water Revolving Loan Fund (VCWRLF) for the Capital Improvements Program Budget adopted for FY 2018.

SUMMARY: On July 31, 2015 Virginia Department of Environmental Quality issued (DEQ) a revised Consent Order which significantly changed the Combined Sewer Overflow (CSO) program with an estimated cost of approximately $64,000,000 compared to remaining costs of over $240,000,000 in the previous CSO program. This significant reduction in costs to the CSO program is attributable to a CSO upgrade to the Lynchburg Regional Wastewater Treatment Plant with estimated costs of $52,600,000. This plant upgrade will significantly reduce water overflows during rain events. The revised Consent Order requires compliance for implementation based on criteria reflecting the limit of the City's financial capability. Financial requirements are the following: 1) Sewer rates and fees charged on an annual billing for a residential customer equals or exceeds 1.25% of the median household income based on 7 hundred cubic feet (hcf) of use per month. 2) Sewer Operating Fund debt coverage ratio must maintain a range of 1.1 to 1.5 computed on a three year rolling average. 3) Sewer Fund reserves equal no more than 40% of subsequent years' budgeted operating expenditures. Based on the City's current financial capability, the Virginia Resource Authority has approved the City for a loan for $32,000,000 at 0% for term period of 20 years. These loan funds combined with remaining resources available from a previously appropriated $32,000,000 CSO State Grant for expected remaining costs of engineering, design and construction of the CSO upgrade to the Lynchburg Regional Wastewater Treatment Plant.

PRIOR ACTION(S): Adoption of the FY 2018 Capital Improvements Program Budget on May 23, 2017 that included an appropriation of Sewer Revenue Utility Bonds in the amount of $19,161,581.

June 5, 2018: Information Item for Physical Development Committee

FISCAL IMPACT: Issuance of up to $32,000,000 Sewer Utility Revenue bonds secured by pledge of revenues from Sewer Fund as collateral for the loan.

CONTACT(S): Timothy Mitchell, Director of Water Resources Department, 455-4252
Donna Witt, Director of Financial Services, 455-3968

ATTACHMENT(S): Resolution Authorizing Sewer Revenue Utility Bonds not to exceed $32,000,000
Appropriation Resolution Amending the FY 2018 Capital Improvements Program Budget

REVIEWED BY: bms

A RESOLUTION OF THE COUNCIL OF THE CITY OF LYNCHBURG, VIRGINIA, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED THIRTY-TWO MILLION DOLLARS ($32,000,000) PRINCIPAL AMOUNT OF SEWER REVENUE BONDS OF THE CITY OF LYNCHBURG, VIRGINIA, FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COST OF CAPITAL IMPROVEMENTS TO THE SEWER SYSTEM OF THE CITY, A REVENUE-PRODUCING UNDERTAKING OF THE CITY, SUCH CAPITAL IMPROVEMENTS CONSTITUTING WASTEWATER TREATMENT FACILITIES WITHIN THE MEANING OF TITLE 62.1, CHAPTER 22, SECTION 62.1-224, OF THE CODE OF VIRGINIA, 1950, AS AMENDED; FIXING THE FORMS, DENOMINATIONS AND CERTAIN OTHER DETAILS OF SUCH BONDS; PROVIDING FOR THE ISSUANCE OF SUCH BONDS TO THE VIRGINIA RESOURCES AUTHORITY ("VRA"), AS ADMINISTRATOR OF THE VIRGINIA WATER FACILITIES REVOLVING FUND, TO EVIDENCE THE BORROWINGS TO BE MADE BY SUCH CITY FROM VRA PURSUANT TO ONE OR MORE FINANCING AGREEMENTS BY AND BETWEEN VRA AND THE CITY; APPROVING THE FORMS AND THE TERMS, CONDITIONS AND PROVISIONS OF SUCH FINANCING AGREEMENTS AND AUTHORIZING AND DIRECTING THE EXECUTION AND DELIVERY THEREOF; AND APPOINTING THE DIRECTOR OF FINANCIAL SERVICES AS REGISTRAR AND PAYING AGENT FOR SUCH BONDS

WHEREAS, in the judgment of the Council (the "Council") of the City of Lynchburg, Virginia (the "City"), it is desirable to authorize the issuance of not to exceed Thirty-Two Million Dollars ($32,000,000) principal amount of revenue bonds of the City in the form of Sewer Revenue Bonds to provide funds to pay the cost of capital improvements to the sewer system of the City, such system being a revenue-producing undertaking of the City, such capital improvements constituting wastewater treatment facilities within the meaning of Title 62.1, Chapter 22, Section 62.1-224, of the Code of Virginia, 1950;

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

SECTION 1. Pursuant to Chapter 26 of Title 15.2 of the Code of Virginia, 1950, as amended, the same being the Public Finance Act of 1991, as amended, for the purpose of providing funds to pay the cost of capital improvements to the sewer system of the City, a revenue-producing undertaking of the City, such capital improvements constituting wastewater treatment facilities within the meaning of Title 62.1, Chapter 22, Section 62.1-224, of the Code of Virginia, 1950, as amended, there are authorized to be issued not to exceed Thirty-Two Million Dollars ($32,000,000) principal amount of revenue bonds of the City to be designated "City of Lynchburg, Virginia, Sewer Revenue Bonds" (the "Bonds"). The Bonds may be issued in one or more series and shall bear the series designation "Series 2018" and/or such other series designation as shall be determined by the City Manager or the Deputy City Manager.

SECTION 2. The Bonds of each series shall be issued to the Virginia Resources Authority ("VRA"), as administrator of the Virginia Water Facilities Revolving Fund (the "Fund"), pursuant to the terms, conditions and provisions of, and to evidence the borrowing to be made by the City from VRA under, a Commitment Letter for the Bonds of each series (a

"Commitment Letter" or, collectively, the "Commitment Letters"), from VRA to the City, and a Financing Agreement for the Bonds of each series, as the same may be amended and supplemented from time to time (a "Financing Agreement" or, collectively, the "Financing Agreements"), by and between VRA, as administrator of the Fund, and the City, as the Borrower thereunder. Any of the City Manager or the Deputy City Manager is hereby authorized and directed to execute and deliver to VRA a Commitment Letter and a Financing Agreement for the Bonds of each series in such forms as the City Manager or the Deputy City Manager executing the same shall approve upon the advice of counsel (including the City Attorney and Bond Counsel to the City), such approval to be conclusively evidenced by the execution and delivery thereof by the City Manager or the Deputy City Manager. In accordance with the terms, conditions and provisions of the Commitment Letters and the Financing Agreements, as the same may be amended from time to time, the Bonds of each series shall have a term of not exceeding the term provided for in the Financing Agreement relating to the Bonds of such series as executed, shall bear interest at the rate of zero per centum (0%) per annum and shall mature on such dates (*provided* that the final maturity date of the Bonds of each series shall not be later than twenty-five (25) years after the dated date of the Bonds of such series) and in such principal amounts as shall be specified in the definitive forms of the Financing Agreements and the forms of the Bonds attached to the definitive forms of the Financing Agreements as Exhibit A thereto.

SECTION 3. The revenues of the sewer system of the City are irrevocably pledged to the punctual payment of the principal of the Bonds as the same become due and payable, and the Bonds shall be secured solely by and payable solely from such revenues. The Bonds shall be secured on a parity basis with the City's "Existing Parity Bonds" set forth in Appendix F to the definitive forms of the Financing Agreements and any additional Parity Bonds issued in accordance with the Financing Agreements.

The City Council hereby covenants with and for the benefit of the registered owners of the Bonds that so long as any Bond shall remain outstanding the rates, rents, fees or other charges for the services and facilities furnished by, or for the use of, or in connection with the revenue-producing undertaking of the City consisting of the sewer system of the City shall be fixed and maintained at the level that will produce sufficient revenue in each year to satisfy the rate covenants set forth in the Financing Agreements, to pay the cost of operation and administration of such sewer system, the cost of insurance against loss by injury to persons or property and the principal of the Bonds when due and payable and to provide reserves for such purposes.

SECTION 4. The Bonds of each series (including any allonge or amendment thereto) shall be executed, for and on behalf of the City, by the manual or facsimile signature of the Mayor or the Vice Mayor of the City and shall have the corporate seal of the City impressed or imprinted thereon, attested by the manual or facsimile signature of the Clerk of Council or any Deputy Clerk of Council of the City, and such Bonds shall be authenticated with the manual or facsimile signature of the Director of Financial Services of the City.

The Bonds of each series shall be in substantially the form set forth as Exhibit A to the definitive form of the Financing Agreement relating to such series.

The Director of Financial Services is hereby appointed as the Registrar and Paying Agent for the Bonds.

SECTION 5. Any one of the City Manager, the Deputy City Manager, the Director of Financial Services, the City Attorney or any other appropriate officers and employees of the City shall take all actions and execute and deliver such documents and certificates in connection with the execution and delivery of the Bonds and the Financing Agreements as shall be necessary to carry out the provisions thereof and of this Resolution, including, but not limited to, a tax compliance agreement.

SECTION 6. All resolutions in conflict herewith are, to the extent of such conflict, repealed. This Resolution shall constitute the "Local Resolution" as such term is defined in Section 1.1 of the Financing Agreement.

SECTION 7. The Clerk of Council or any Deputy Clerk of Council is hereby directed to file a copy of this Resolution, certified by such Clerk of Council or any Deputy Clerk of Council to be a true and correct copy hereof, with the Circuit Court of the City.

SECTION 8. The members of the Council and all officers, employees and agents of the City are hereby authorized to take such action as they or any one of them may consider necessary or desirable in connection with the issuance and sale of the Bonds and any such action previously taken is hereby ratified and confirmed.

SECTION 9. This Resolution shall take effect upon its adoption.

Introduced: Adopted:

Certified: ______________________________
Clerk of Council

061aK

RESOLUTION:

BE IT FURTHER RESOLVED THAT the FY 2018 Capital Improvements Program adopted budget is amended and appropriate $12,838,419 with Virginia Clean Water Revolving Loan Fund resources to reimburse costs for engineering, design and construction costs for the CSO upgrade to the Lynchburg Regional Wastewater Treatment Plant.

Introduced: Adopted:

Certified: ______________________________
Clerk of Council

061K

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **June 12, 2018** AGENDA ITEM #: **10**

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

ITEM TITLE: Poverty Reduction Appropriation Request for a Community Gathering on June 28, 2018

KEY ELEMENTS:
_X__ Economic Development __Excellent Government ___Natural and Built Environment _X_Safe Community _X_ Vibrant Community

RECOMMENDATION: Authorize staff to expend $5,000 of the available FY 2018 General Fund Non-Departmental Poverty Initiative Budget. This amount ($5,000) is allocated to support the community engagement facet of the City's ongoing poverty reduction effort. Funding is requested for financing of a community gathering event scheduled for June 28, 2018 in Council Chamber.

SUMMARY: On May 8, 2017, Council adopted Resolution #R-18-042 specifying that FY 2018 General Fund Non-Departmental Poverty Initiative funds in the amount of $50,000 may only be spent upon approval by a majority vote of City Council. On September 12, 2017 Council amended the staff request to allocate $15,000 toward three From Poverty to Progress community engagement events for FY 2018 and instead approved a $5,000 allocation through resolution #R-17-078. Council requested that each individual proposed community engagement event be brought to them for consideration.

Attached is a proposed budget of $5,000 to support the community engagement facet of the City's ongoing poverty reduction effort. Funding is requested for financing a From Poverty to Progress community gathering event scheduled for June 28, 2018 in Council Chamber.

PRIOR ACTION(S):

September 12, 2017: Council adopted Resolution #R-17-078, as amended to expend $5,000 to support one (1) From Poverty to Progress community engagement event during FY 2018.

FISCAL IMPACT: Use of $5,000 of the FY 2018 allocation (with rollover balance from FY 2017) for poverty reduction will leave a remaining balance of $88,171. *(*Note that the From Poverty to Progress mini-grants will reduce this amount by $23,523.40 if approved by Council on June 26, 2018, leaving a balance of $64,647.60)*

CONTACT(S): John H. Hughes, IV, Assistant City Manager, 434-455-3990

ATTACHMENT(S): Proposed June 28, 2018 *From Poverty to Progress* Community Gathering event budget
Resolution

REVIEWED BY: bms

RESOLUTION:

BE IT RESOLVED THAT The Lynchburg City Council does hereby authorize staff to expend $5,000 of the available FY 2018 General Fund Non-Departmental Poverty Initiative Budget. This amount ($5,000) is allocated to support the community engagement facet of the City's ongoing poverty reduction effort.

Adopted:

Certified: ______________________________
Clerk of Council

065K

From Poverty to Progress

Proposed Budget for June 28, 2018 Community Gathering

I. **From Poverty To Progress Community Gathering**

a. Event marketing and administration	$4,700.00
b. Child care	$ 300.00
Proposed Expenditure	**$5,000.00**