AGENDA ITEM #: 4

// A regular meeting of the Council of the City of Lynchburg was held on the 28th day of May, 2019 at 4:00 P.M. in the Council Chamber, City Hall, Treney Tweedy, President, presiding. The following Members were present:

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

Absent: 0

//In the matter of Schools, the Charter for Task Force on the Future of Education PreK-12 and Beyond, City Manager Bonnie Svrcek commented that nearly twenty years ago a task force was formed to evaluate school facility needs over a ten-year period. As a result of that task force, several schools were renovated and Sandusky Middle School was replaced. Given the changing enrollment patterns, coupled with changing needs for 21st century learning environments, it has been proposed that a task force on the future of Lynchburg City Schools PreK-12 and Beyond be formed to study future facility needs and improvements and leading study practices in education and demographic changes. This task force is proposed to be far broader than the task force twenty years ago and far broader than the joint task force regarding Heritage High School and the future of secondary education.

The school leadership team comprised of the School Superintendent, the Board Chair and Vice Chair, the Mayor, Vice Mayor, City Manager and Deputy City Manager used the Heritage High School task force charter as a model for the proposed charter before them today. The school board is poised to consider and approve the charter next week.

Mayor Tweedy commented that Councilmember Perrow needs to leave this meeting early and she would like them to consider moving the closed session regarding the task force to tonight's 7:30 meeting. Council was in consensus to make this change. Councilmember Perrow clarified that the closed session regarding the possible expansion of an existing business or industry would still be held after the work session today.

Deputy City Manager Reid Wodicka commented that they began this conversation with an understanding that a long-term City requires a long-term and coordinated school system. As they developed the charter, they looked at challenges as well as strengths and goals for the next ten to fifteen years. They want to make sure that the long-term initiatives of the school system are data driven and evidence based as we make decisions about resource allocations. They want to look at national leading practices as an organization and looking at places that are being very successful. They want the initiatives in this report to be visionary and not to just continue doing what they have been doing. They want to develop a very clear vision of how the school system contributes in a substantive way to everything that goes on in the community and how does the city organization contribute in every way reasonable to public education. They want to discuss how final recommendations will be funded. They want actionable goals that are feasible and common sense.

Councilmember Helgeson thought that a lot of this came about because there has been such a large decline in enrollment that there needs to be some generalized discussion regarding school consolidation even though state laws says that is for the schools to do. Dr. Wodicka said one of the things they will be looking at is the capital needs in the future, as well as operating costs. They will also be looking at the programmatic needs and opportunities they might have and how they might be able to shift the programmatic offerings we have to better fit needs.

The task force will have no authority to make final decisions. It would make recommendations to the school board and recommendations to City Council. The school board maintains its responsibility for making strategic financial and programmatic decisions. City Council maintains the funding decisions and it is the hope that Council will be a strategic partner with the school system.

It is proposed that there will be a steering committee of two Council members and two school board members. Those four people would join ten more people and will include a chair and co-chair that recruit people for the various subcommittees that have been identified. The chair and co-chair will have organizational responsibilities but not necessarily anymore authority. The findings of the various subcommittees are meant to grow on each other and affect the outcomes of other subcommittees. They will study enrollment trends and demographics, operations, facilities and consolidation, leading practices in urban education and programmatic and collaborative opportunities. The task force will be interested in how the programmatic offerings complement the economic development opportunities of our community. Finance will also be a very important subcommittee.

The final work product will be a report that is submitted to the school board and Council. They would like to start in July and complete data analysis by early winter for a draft report to be done by the spring of 2020 for consideration in FY2022's budget and beyond.

Councilmember Helgeson noted that he had sent an email regarding the school's comprehensive plan, which has to be done by state law. The superintendent said she did not have some of the specific things required for the plan (the assessment of the extent to which forecasts are being achieved, the forecasts of enrollment changes, the plan for projecting and managing enrollment changes). Councilmember Helgeson asked if the school system should be focusing on doing these items for the comprehensive plan first. Dr. Wodicka indicated he cannot speak to email exchanges in which he was not a party.

Mayor Tweedy thought they could be working on what comes from Weldon Cooper, projected births and people moving to Lynchburg but part of looking at enrollment will be how are we developing as a City and where are we developing and where are the trends for where families are moving to. They will probably present the data Councilmember Helgeson is asking about that but there is probably a bigger picture of how Lynchburg is developing. She did acknowledge what Councilmember Helgeson is saying is very important.

Councilmember Helgeson is suggesting that the task force is being developed because there is such a decline in enrollment and no one was willing to tackle school consolidation, which is part of their bailiwick. Mayor Tweedy acknowledged it is part of their bailiwick. Dr. Wodicka could not speak to the email exchange but could say that if any thoughtful, long-term analysis is to be done, it really has to start with the enrollment discussion and projections. If the data does not exist, then they will have to create it and it will be part of the process.

Councilmember Helgeson noted they are seeing enrollment decline and the school system should come up with some kind of plan to present to Council. This task force sounds like it is going a little in the other direction and it will not have the area of expertise. Dr. Wodicka remarked that the school system is very intimately involved in this analysis. It will not be City staff doing all the analysis. It is very important for them to be marching down this path together. Councilmember Helgeson is concerned the school system will say it needs more money for fewer kids, which has been done for years. There are two separate bodies for a purpose. Council can suggest they do not hire more people, for instance, but they have zero control over it. It was just discovered and reported in the newspaper that schools has a salary "slush" fund. He thinks they should do their job and provide their comprehensive plan and then ask for help.

Ms. Svrcek said this was an outcome from conversations with the entire Council over the past year. This task force was proposed a couple of times in reaction to the Capital Improvement Plan. Going forward with a facilities plan, we know we have to first understand the trends and enrollment and demographic patterns. This is proposed to be a joint task force. Anything that staff has or the school system has that will help inform the task force will be mined and used in the recommendations.

Councilmember Helgeson thinks they need to have some push for consolidation. Under the code of Virginia, the school system is supposed to do the planning and it seems to him it is going a little further to Council and the school board doing it together. Ms. Svrcek said it is correct that this is supposed to be a joint task force of the school system and Council and the community.

Councilmember Perrow thanked Mayor Tweedy for letting him speak before he has to leave to represent a client in front of their Council meeting tonight. He finds the philosophical discussion to be interesting but would like to speak from a tactical standpoint. He thinks we need to delineate specific tasks or objectives that they expect to be met. He thinks the task force is a little open ended. He would like to identify what answers we are really looking for and he could offer some suggestions. He is also open to other considerations for the organizational structure for the task force. Councilmember Perrow left at 4:26 and apologized for having to leave during this important discussion.

Councilmember Wilder asked for clarification that they get to make some suggestions for the members of the task force. Mayor Tweedy indicated that is to be discussed in closed session. Councilmember Wilder is glad they are coming together because it is not just a school problem. It is a community issue that they need to address. Councilmember Wilder would like to point out that there are more Christian schools than there were twenty years ago. He would like the task force to consider that enrollment might be down because parents have more choices now. They might want their children in a religious school or a school with smaller classroom sizes. Perhaps a survey could be done to determine why parents are not sending their children to public school. Dr. Wodicka noted that request.

Councilmember Wilder would also like the task force to address the “middle” children. Sometimes schools address the “high end” children and the “low end” children and the “middle” children are lost oftentimes. Dr. Wodicka noted that request.

Councilmember Wilder is glad to see them as a community moving together a committee that can study and analyze the issues and see what is best for our community. We have an opportunity to really be of benefit and make our City great. We are assigned to fund public schools and we want to make sure they are the best. He would like the task force to have conversations with local institutions to make sure the teacher candidates are being taught practices for effectively teaching in an urban setting.

Councilmember Nelson agreed that the goals and objectives need to be a lot deeper than what is in the charter. He would assume the task force will have the latitude to explore any topics or issues it deems to be relevant. Dr. Wodicka indicated the charter was worded a little open ended because they did not want to presuppose any decisions.

Councilmember Nelson thinks the charter has good substance to it and appreciates the initiative but he thinks the timeline is somewhat ambitious. He would like the task force to have the latitude to extend the timeline if needed.

Also, the availability of online technology and the multitude of instructional materials that homeschoolers now have is a factor to why some children are not in public or private schools.

Councilmember Nelson has a broad observation about this and that is there is no question that the challenges that will face the task force are going to be daunting. The outcomes will impact our capital budget and change the demographics of existing schools and alter school attendance zones. It will probably modify instructional practices and prompt technological innovations. The recommendations and final report may significantly disrupt the status quo and be met with intense political or institutional opposition. In the fact of that possibility, he thinks the members of the task force must be representative of the great diversity of our City. Most significantly, its leadership must be strong, objective, have a long-term perspective of how the school system has evolved and where it should go in order to promote broader workforce development, greater efficiency in the use of its assets and expanding existing learning models. Fundamentally, the task force leadership must be objective and independent of City Council, as well as of the school division. Objectivity is more likely if the task force is not directed by persons now holding a seat on either City Council or the school board; but it should include persons who have had experience on City Council and the school board. He thinks the chair and vice chair should have extensive knowledge of this community and possess an institutional knowledge of both the school division and City government. They should have prior experience in directing task forces. They should be independent of the political, fiscal and pragmatic influences now prevailing on both the school board and Council. Those influences will be considered by Council and the school board once the report is presented but they neither should influence the creation of the report. They should be free from the concerns about whether their decisions would earn them reelection to City Council or reappointment to the school board. It should be similar to the role of the Planning Commission.

Councilmember Nelson does not think it will really change the charter but he would propose an overwhelming agreement that the chair and vice chair are not going to be members of either City Council or the school board. That may mean the makeup is 16 people—two City Council members, two school board members, 10 citizens and a chair and vice chair. He would propose that the chair be a former City Councilmember who held a leadership position and the vice chair be a former member of the school board who held a leadership position. If possible, they both should have prior experience in directing a task force so they will have the fortitude to face what he thinks is going to be some fairly challenging opposition.

Councilmember Wright agrees with Councilmember Perrow's point that the charter could articulate the expectations more clearly. He also agrees with Councilmember Nelson's point that the timeline may not be feasible. Perhaps the steering committee should be responsible for figuring out the timeline. He asked if the operations, facilities and consolidation is meant to be inclusive of not just hard facilities but also the IT infrastructure and transportation and other items. Dr. Wodicka indicated that is correct. Councilmember Wright would like them to add to finance or leading practices for them to look at the compensation models and how the schools are staffed. Dr. Wodicka noted that point. Councilmember would like both bodies to pledge transparency for members of the task force and they pledge to share information that the task force requests. If the information cannot be shared publicly, then the task force members should be briefed privately.

Councilmember Wright agreed with Councilmember Nelson that this might get into some uncomfortable territory and raise some hard questions that we have to wrestle with as a community. Some of the things that the task force might recommend may be politically unpopular and the task force should be shielded from political pressure. The leadership should not be composed of sitting Council or school board members. He is open to discussing the qualifications of who should serve.

Vice Mayor agrees with Councilmember Nelson's points about leadership. Also, with respect to the diversity issue, the leaders should be objective and have a strong history of the schools. The timeline needs to be looked at and Council should not necessarily establish it.

Councilmember Helgeson agrees with Councilmember Nelson's point about governance. When you look at the whole overarching mission, this is about the fact that we have lost a lot of kids and there is the same number of school buildings. Are we going to consolidate? The school board is required to at least present those plans per state law regarding its comprehensive plan. If this task force is charged with staffing levels or teaching methodology, we are getting on a lot of different things. If the task force is looking at something specific, he thinks it can get to it fairly quickly. It is not our charge as City Council nor is it our charge to delegate that to some task force. It is the legal charge of the actual school board. He would like them to focus the mission better.

Dr. Wodicka thinks a component of this is a decline in enrollment. As we continue to flesh a lot of this out, he thinks it is insufficient to focus on the enrollment decline and what are going to do there. They are trying to chart a 15-year path for our school system that might include consolidation or changes in bus routes, for instance. He thinks it would be short sighted to focus on certain issues because he thinks they need to look at what the school system looks like in the long run. In terms of teaching methodology, we are interested in how the vocational education programs offered affect local employers and how the special education that are made affect our CSA issues. We want there to be coordination among City departments and the school system and we are thinking 15 to 20 years down the road and how the school system contributes to the long-term success of the community.

Councilmember Helgeson would suggest that maybe there be some bounds that are out of bounds such as the auspices of what the teaching methods are or how the schools are staffed. He would like the task force to focus on a bigger picture and focus on items that are quantifiable and not subjective. He would like to see how they could have the idea of neighborhood schools and children are walking to school. He just would like to maybe define items that are out of bounds for discussion because they are not part of the bigger picture.

Mayor Tweedy noted that the school system is still under desegregation laws so the committees will need to gather all of that data. This may be the reason children are being bussed five miles away or maybe their local school is not sufficient in size. If the older schools are not capable of handling the needs of today and moving forward, that is where the collaborative conversation needs to happen. The discussion around early education needs to happen as well. All of that is a part of facilities and enrollment because it would be a goal to grow the enrollment and increase the early education population.

Councilmember Helgeson thinks we cannot take for granted what was stated. The Director of Facilities came and said they have to tear down a school. We have to be able to say no to stuff that is not factual. The members of the task force need to be able to not only hear a surface thing that says schools are full but yet there are fewer children. We need to not give schools everything they ask for because they have asked for it but to really look at the balance between the taxpayers and education and how we can get the best value for the buck. Mayor Tweedy agreed with that point.

Councilmember Wilder noted that one of the task objectives is leading practices in urban education. In his opinion, teaching methods should be a relevant portion because Council has mentioned performance gaps and test scores before. This is an opportunity for them to address some of the issues they themselves have identified. He thinks that piece is going to be crucial.

Councilmember Wilder asked Ms. Svrcek about the "slush" personnel fund. Ms. Svrcek said she was not aware of such a fund.

Vice Mayor Dolan agreed with Councilmember Helgeson that this is about the big picture. It is not about the loss of students; it is about delivering the best education we can to the students we have. Hopefully, this task force will really drill down and it will be quantitative information and not superficial information.

Councilmember Helgeson would like to know how that is different from what the school board is doing. Dr. Wodicka said we want to be sure the schools and the City are sort of marching in the same direction. We do not want to get surprised by budgetary decisions or capital decisions. We want to have a good and honest and thoughtful strategic plan for how public education is going to continue to evolve in this community. We want City Council to have a voice in that and the ideas accepted by the community are consistent among the two bodies. The school board should not be doing things that are totally inconsistent with the desires of City Council.

Ms. Svrcek commented that the mission stated really defines the purpose of the task force. "The mission of the task force is to gather information, engage the public in conversation, conduct thorough analysis and forward actionable recommendations to the school board with the goal of aligning future educational programming, operational strategies and capital improvement decisions of the Lynchburg City Schools with the long-term success of the City and community.

This will be accomplished through thoughtful consideration of the community's changing educational environment (which includes declining enrollment and the impact of urban education challenges that may be different from suburban schools – added by Ms. Svrcek), national leading practices in urban education, and a focus on leveraging all available resources of the City and community as we prepare the next generations to be contributing and thriving members of our community." Ms. Svrcek believes the final work product under the values could use some tightening up and she needs more clarity on what that looks like. Council can certainly suggest other subcommittees it feels would be appropriate.

With regard to comments about the timeline, the charter says "While this is the intended schedule, departure from the delineated timeline may become necessary if the scope of effort or complexity of information changes." It is important though that hopefully the recommendations of the task force can be considered during the FY2022 budget development.

Mayor Tweedy thinks that it is very important that leadership sets the tone with intentionality that the leadership will be diverse. There will also be other layers of opportunity to drive these committees and the work that will be ongoing as each committee will need leadership. Some of the subcommittees will be aggressive committees as a whole in light of the timeline. They will need to get on a strict timeline and request and mine the data that is needed.

Councilmember Helgeson commented that if the school board comes up with a comprehensive plan that says we are going to do what we are supposed to do based on enrollment trends and recommends closing a school, will the task force now preclude them from making those kinds of recommendations? Is this almost pushing things because of putting this task force together and waiting for its recommendations?

Councilmember Wilder thinks we continue to ask for things and pull things out and identify items. We keep asking questions but now here is some action and an opportunity for Council to address some of its questions and concerns. This is a prime opportunity and Councilmember Helgeson should be rejoicing because he can have some of his questions resolved. He thanked Councilmember Helgeson for bringing up questions that have shed a light on things such as declining enrollment and declining test scores. What Councilmember Helgeson has asked for is here and we are pulling together community resources.

Councilmember Helgeson pointed out schools knows what many of the numbers are now and they could actually act now. He would not use this task force as a tool that says we are getting answers because he asked many of the questions during the last budget review.

Mayor Tweedy commented she does not think they are getting the answers. Everyone knows the mathematical equations involved with closing a school but it should not be done willy-nilly and arbitrarily without a discussion. We can all work collaboratively to find that together as a community with a community task force. We are missing one third of the equation by missing the community.

Mayor Tweedy asked Ms. Svrcek what she needs from them to move the task force forward. Ms. Svrcek said it is staff's recommendation to approve the task force charter. Councilmember Helgeson thought it would make sense to ask some of the people that are leaving the public school system or running a private school to be on the steering committee. We should not be afraid of that if we really want to look at what is best. Mayor Tweedy noted that the school administration has looked at some initial folks to be on the committee and Councilmember's Helgeson thought was a consideration. No one is afraid of having a better product and all of the councilmembers' thoughts will be taken into consideration.

Councilmember Nelson thinks that to answer Councilmember Helgeson's questions and comments here is to usurp the purpose of the task force. Most importantly, we want them to do it free of any expectation that they need to satisfy City Council or the school board. They need to dig deep and get the answers and explore all aspects. He appreciates Councilmember Helgeson's concerns and anxieties but that is the task force's challenge and what we are expecting them to do.

Councilmember Helgeson noted that there are two people that do the appointing. Councilmember Nelson thinks that the steering committee does the appointing. Ms. Svrcek said that is correct. A task force can be somewhat awkward or cumbersome if you do not have strong leadership. The leadership needs to have some experience and understands how City government works, how the school administration works and has worked with a task force. He would suggest changing it to no more than 16 members and that the leadership has the qualities that he has enunciated. The steering committee will choose the other ten members with an eye toward diversity and inclusiveness of being representative of all the vital elements of the City that need to weigh in on this.

Mayor Tweedy would ask that when they are looking at the suggestions for the leadership that they very intentional on the selection because we have to go ask folks for a hefty commitment.

Councilmember Wright agrees with Mayor Tweedy's and Councilmember Nelson's comments. Diversity is also not just ethnic but across our neighborhoods and educational and socio-economic backgrounds. He would like to suggest that City staff come back with a charter with track changes for their further discussion. He made that as a motion, which was seconded by Councilmember Helgeson. Ms. Svrcek suggested staff bring this back as part of their special meeting on June 12 when they are interviewing school board candidates.

There was some discussion about appointing the leadership and the leadership appointing a diverse body. Mayor Tweedy thinks they have to give the autonomy to the leadership and trusting them given all the names and considerations of backgrounds and experience. We have to trust that process and we will have the opportunity to review it and question why people are selected.

Ms. Svrcek asked for clarification that the steering committee will consist of two members of the school board and two members of City Council, past or present. Councilmember Nelson thinks the chair and vice chair need to be past members, otherwise it is too likely they will be influenced by the forces. Mayor Tweedy thinks that limits it to not being diverse. Councilmember Helgeson suggested they throw out the part where those members had to hold a leadership role. She is not in favor of saying it has to be a former City councilmember and a former school board member because that already sets the tone that we are not creating the diversity the community would like to see and that is reflective.

Councilmember Nelson thinks the qualifications of managing a task force require a great deal of aptitude, particularly on a weighty subject that will prompt some significant public pushback. It is essential that the leadership needs to have demonstrated the ability to have fortitude and the wherewithal to keep the project going and not succumb to public conversations or a letter to the editor. Someone has to hold the subcommittees to the points that are outlined in the charter and has to understand the challenges of managing the dynamics of committees. That is generally gained by having a leadership role on school board and City Council or it could fall apart really fast. Mayor Tweedy suggested they add a community co-chair to work with the other two to create a diverse conversation.

Councilmember Wilder does not want to restrict them and say the chair and co-chair have to be this or that. Councilmember Helgeson noted that the task force charter says the task force has to consist of two members of Council, which restricts it to seven people and two members of the school board, which is only nine people. Councilmember Nelson's suggestion opens it up to more people. Councilmember Wright does not think Councilmember Nelson is suggesting we codify it in the charter who can serve as chair or vice chair. He thinks it is to remove the current stipulation that it is one Councilmember and one school board member. Councilmember Nelson said that is correct. They can then talk about the appointments in closed session. The councilmembers were in consensus to remove the stipulation about who can serve and they can have a discussion in closed session later tonight about who they think is appropriate. Councilmember Helgeson asked if they are going to advertise that there is an opportunity for volunteers or bypass that and go directly to making appointments. Mayor Tweedy thinks that would add to the timeline and they should go right to suggestions from the school board and City Council.

Ms. Svrcek asked for a consensus that Council is suggesting a chair and a vice chair, two members of Council and two members of the school board to make up the steering committee and received the consensus of Councilmembers. She will also include language that addresses diversity, inclusiveness and reflectivity of community. Mayor Tweedy clarified that they are voting to have staff come back and bring all the language discussed today in a revised version for adoption on June 12.

There was discussion about going into closed session tonight to discuss the chair and vice chair. Ms. Svrcek indicated there is an existing list of names provided by the Mayor, Vice Mayor and members of the school board. People on that list have been contacted to see if they had interest or not. Not everyone recalled being given the opportunity to contribute to the list and Ms. Svrcek said it was given in notes and during the budget work session. Mayor Tweedy would still like to have the closed session to give initial thoughts and provide names for consideration. Ms. Svrcek will bring the list of suggested persons to the closed session. They can provide more suggestions and start to make suggestions for the chair and vice chair. The motion on the table passed by the following vote:

AYES:	Dolan, Helgeson, Nelson, Wilder, Wright, Tweedy	6
NOES:		0
ABSENT:	Perrow	1

// In the matter of Roll Call, Councilmember Wright had no items. Councilmember Wilder had

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no items. Vice Mayor Dolan had no items. Councilmember Nelson commented that it is Carrie Dungan's last meeting as a reporter for the News & Advance. He thanked her for her service and the great job she has done. Councilmember Helgeson had no items. Mayor Tweedy reiterated Councilmember Nelson's farewell to Ms. Dungan and thanked her for her great coverage. Mayor Tweedy also noted that the Forestbrook Corridor Study meeting will be Wednesday, May 29, at Lynchburg Collision, 3431 Forestbrook Road conducted in an open house format from 4:30 to 7:30 p.m. City employee retirement ceremony will be Thursday, June 6, from 7:00 to 8:30 p.m. at the Aviary. The Enough meeting (presented by One Community, One Voice) is Wednesday, June 12, at Westminster Presbyterian Church, 1022 Floyd Street from 6:00 to 7:00 p.m.

// On motion of Council Member Wilder, seconded by Council Member Wright, Council by the following recorded vote elected to hold a closed meeting to pursuant to Section 2.2-3711(A)(5) of the Code of Virginia, for discussion concerning the possible expansion of an existing business or industry in the City where no previous announcement has been made of the business or industry's interest in expanding its facilities in the community.

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

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

// Councilmember Helgeson made the following motion:

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

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

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

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

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

//The meeting was adjourned at 5:50.

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

The following Members were present:

Present:	MaryJane Dolan, Jeff Helgeson, J. Randy Nelson, Sterling A. Wilder, Beau Wright, Treney Tweedy	6
Absent:	E. J. Turner Perrow (arrival noted later in the minutes)	1

Councilmember Wilder gave the Invocation, followed by the Pledge of Allegiance.

// In the matter of Recognitions, Ms. Svrcek noted the amount of work that goes into Citizens Academy. This is academy number 16 and we have graduated approximately 400 citizens who are much more informed about their City. Ms. Svrcek thanked all the Communications and Marketing personnel who were here every week for 13 weeks and to all the department heads and staff for telling their story. Ms. Joann Martin gave some remarks about the 13-week Citizens Academy program. The mission of Citizens Academy is to improve citizens' understanding of the workings of government and encourage their involvement in the community to help sustain quality of life for present and future generations. She expects this group will become more involved as they were a pretty inquisitive and engaged group. Two citizen academy graduates, Amanda Denny and Jerry Griffin gave remarks regarding their experience followed by Mayor Tweedy and Vice Mayor Dolan presenting the graduates with their certificates. The names of the graduates are Daphne Allen, Angie Chapman, Tom Currie, Cathy Dalton, Amber Davis, Amanda Denny, Sammi Dogan, Karen Dudley, Kayla Fuqua, Jerry Griffin, Mandy Hansen, Darryl Huften, Obehi Idiake, Cassie Izzi, Amber Jolly,. Jordan Jolly, Patrick McCorkle, Siobhan McGirl, Diane Mezzano, Nick Mexxano, Consuela Mosley, Ryan Myers, Paul Robertson, Nikki Sanders, Evan Sizemore, Rachael Smith, Jennifer Staton and Cheryl Todd.

// In the matter of Recognitions, Mayor Tweedy recognized some of the graduating seniors from the Mayor's Youth Council. The council has representatives from public, private and home schools. Ms. Morgan Gafford was present. She joined in 2016 and attends E.C. Glass High

School. She has been the secretary and president of the council and will be attending Longwood University. Mr. Noah Teasley was present. He joined in 2016 and was vice president this year. He attends E. C. Glass High School and will be attending Central Virginia Community College. Mr. Carrington Edmunds was present. He joined in 2017 and attends E. C. Glass High School. He was awarded his Associates degree from Central Virginia Community College. He is the treasurer of the council and will attend Christopher Newport University.

Mayor Tweedy commented that the Enough meeting mentioned during roll call will be held at the Meadows.

// Copies of the minutes of the May 14, 2019 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Councilmem Wilder, seconded by Vice Mayor Dolan by the following recorded vote approved the minutes as presented:

Ayes: Dolan, Helgeson, Nelson, Perrow (arrived at 7:45), Tweedy, Wilder, Wright	7
Noes:	0

// In the matter of Budget, Resolution #R-19-036, laid over from the May 14, 2019 meeting, was again presented and read, adopting the FY 2020 Mandated and Contractual External Service Providers Budget and appropriating $7,903,882 for this budget. On motion of Councilmember Wilder, seconded by Vice Mayor Dolan, Council by the following recorded vote adopted the Resolution:

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

// In the matter of Budget, Resolution #R-19-037, laid over from the May 14, 2019 meeting, was again presented and read, adopting the FY 2020 Discretionary External Service Providers Budget and appropriating $29,389 for this budget. On motion of Councilmember Wilder, seconded by Vice Mayor Dolan, Council by the following recorded vote adopted the Resolution:

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

// In the matter of Budget, Resolution #R-19-039, laid over from the May 14, 2019 meeting, was again presented and read, adopting the FY 2020 Greater Lynchburg Transit Company Budget and appropriating $8,208,978 for this budget. On motion of Councilmember Wilder, seconded by Vice Mayor Dolan, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of Budget, Resolution #R-19-040, laid over from the May 14, 2019 meeting, was again presented and read, adopting the FY 2020 Operating Fund Budgets for other funds and appropriating the sums of each fund. On motion of Councilmember Wilder, seconded by Vice Mayor Dolan, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of Budget, Resolution #R-19-044, laid over from the May 14, 2019 meeting, was again presented and read appropriating $50,000 of the FY 2019 Reserve for Contingencies funding for use by the City Manager for the fiscal year beginning July 1, 2019 through June 30, 2020. On motion of Councilmember Wilder, seconded by Vice Mayor Dolan, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of Budget, Resolution #R-19-035, laid over from the May 14, 2019 meeting, was again presented and read adopting the FY 2020 General Fund Operating Budget (excluding External Service Providers and Component Units expenditures) and appropriating $196,643,036 for this budget. Councilmember Wilder made a motion to approve this resolution, seconded by Vice Mayor Dolan. Councilmember Helgeson noted the most troubling thing about this budget is we are looking to raise taxes by $3.4 million. We have some strong economic gains but he is really fearful of the future. We have a large employer closing and we will lose a lot of machinery and tools taxes from that business. We heard loud and clear that our public safety folks have issues we need to address. He would have liked to see them use some of the large increase, but not those gained by raising taxes, to address some of these issues. How we spend the $3.4 million should be very judicious and wise. He is very disappointed in this portion of the budget. $300,000 is being spent to change traffic flow downtown. We were judicious and wise in our decisions last year, which allowed us to spend $600,000 on a new fire truck to keep us safe. We have problems with our medic units and all facets and he really wishes we would begin to tighten our belt and build up reserve and not spend them.

Councilmember Perrow apologized for being late and thanked Councilmember Wilder for doing the invocation in his place. He agrees with Councilmember Helgeson's comments and is very concerned with our reduction in our fund balance to our bare minimum amount. If we want to get a AAA bond rating, we are going to have to put more and more away every year. This will protect us from higher interest rates. If we want to be a successful City, we have to make sure our debt service payments are as low as possible given the amount of improvements that we want to do.

Councilmember Wilder stated he supports and is comfortable with the budget. There is no perfect scenario. He would like to clarify that Council did not raise taxes; the tax rate remained the same. This was a reassessment year and there is a difference, which he wants to be clear to the community. He thinks we should do more for all our City employees and we are continuing to deliberate these issues with the personnel study we did. He thinks it is a phase approach and he continues to support our City Manager as we do that. They just attended the graduation ceremony for the fire recruits and he is grateful for the work of the fire department and police department. We should pay all our City employers more but it is going to be a phased approach. He is comfortable with meeting our minimum of ten percent in the fund balance. We could have cut out a lot of things but he likes a quality of life for our City where people want to come to it and a school system of which people want to be a part. Our downtown is thriving because of things that City staff and City Council have done and because Council did not say no to everything.

The resolution passed by the following vote:

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

// In the matter of Budget, Resolution #R-19-038, laid over from the May 14, 2019 meeting, was again presented and read adopting the FY 2020 School Operating Budget and appropriating $110,491,668 for this budget. Councilmember Nelson noted his wife is a principal for the Lynchburg City Schools system. He has been informed by both the Commonwealth and City attorneys that relationship does not constitute a legal conflict of interest and he can be objective and unbiased in this vote. Councilmember Wright made a motion to approve this resolution, seconded by Councilmember Wilder.

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Councilmember Wright said he is really proud to support this resolution. He thinks it will be good for our schools and our community. The schools need our full backing and this resolution does that. Councilmember Wilder supports this budget and was glad they just had a work session to discuss subcommittees to support our school system.

Councilmember Helgeson noted the second reading of the budget is normally kind of docile. Unfortunately, this is a little bit different. There 180 fewer children and $1.6 million more than required going to schools in this budget. The councilmembers that voted against the school budget thought that the school system could find the money from additional monies they have been given by Council over the years. The day after Council's meeting, it was reported in the newspaper that schools has a $2.2 million salary "slush" fund. It is a complete vindication of what councilmembers have stated. We could have used this $2.2 million for a lot of other things like fixing the Creekside Trail and a street near his house that fell into the creek during the tornado. He hopes some of the councilmembers will change their mind about voting for this resolution knowing that the school system has this extra money.

Councilmember Perrow said he was dismayed at the same item. Council voted to increase the local funding by $860,000 with a total of $1.6 in extra revenues including other sources. The vote for an additional $860,000 was a mistake based on what was in the newspaper. He also understands they have found some additional money to allocate for busses. It concerns him mightily that Council was not given accurate information during the budget process. He is glad they listened to him when he suggested they look at their health insurance reserve because he thought it seemed high and that is exactly where schools found the money. If this budget does not pass on the second reading, he will happily make a motion to level fund schools on the budget amount, apply it to the reserve fund and he would be happier about the general fund. Based on what they read, he would encourage them not to support this allocation.

Councilmember Nelson said he also opposed the approval of this funding primarily because the City Manager in her presentation gave rationale as to why level funding on last year's amounts was appropriate. The explanation was that the school system has had in excess of around $2 million left over in each budget year for more than ten years. They probably have sufficient funds to fund the salary raises and employee benefits that they and we want them to have without additional funding. In order to provide part of this $860,000 we left nothing in our reserve fund above the bare minimum ten percent. As an older city and one that has been hit with two natural disasters in the last twelve months, we should not leave ourselves on the cusp of a very thin margin. Schools has not given all the raises hoped for and requested yet every year it has a little more than $2 million on average left over in its budget. He cannot support this and it would be consistent with his previous vote to not support this resolution.

Councilmember Wright said it is his understanding after talking to the CFO of the schools and the superintendent that they do not dispute that they are not budgeting tightly. When asked where they are getting the three percent match for the state, they acknowledged they are tightening up their budget and have not been as tight as they ought to have been. They asked the City for the additional two percent match. He noted the questions raised by the newspaper are not regarding the upcoming fiscal year and Councilmember Wright definitely has questions about prior years. That does not necessarily invalidate the school system's request for next year. He noted that the superintendent said to the News & Advance that they intend to set aside some of the funds from this current fiscal year to fund a salary reserve going forward. He will definitely be looking for the schools to tighten its budget because leaving two to three percent on the table every year is just not acceptable.

Councilmember Perrow understands there is a concern of the schools losing the $860,000 in case they really need it. We could put some of it in a "health care reserve for schools" fund so if they do run into issues, they could come back to Council and request it. If they agree with his thought, vote against the motion on the table.

Councilmember Wilder noted he did not know about the article and if he had known, he might have asked the school administration to be here tonight. He does not have enough information so he assumes they still need the money for their insurance reserve fund. Councilmember Nelson said the CFO indicated that the school division has been putting about $1 million per month in reserve. The actual expenses come in around $800,000 a month. Going forward, they have decided they will only put about $800,000 in the insurance reserve. The silver lining might be that they are tightening up their practices regarding budgets. They now have their reserve and what we gave them from our reserve. Councilmember Perrow's proposal is not unrealistic. We cannot let the schools have a deficit if we can help it and he does not think they have ever said no at the end year if they have a deficit.

Vice Mayor Dolan asked if they will have the two percent to match the state. Councilmember Nelson said he cannot quote the CFO but his opinion is they found about

$800,000 within a two-week period. We gave them approximately $850,000 and they in fact would have had enough to carry over double what they were requesting.

Mayor Tweedy commented that they have always said they do not want to tie the hands of a first-time superintendent and/or leadership. She would like everyone including the public to understand that the superintendent has done a great job of tightening the belt. She has heard and listened to everything that a councilmember has said and put in everything she could put in place during her first year. The fact is they found extra money because they learned and listened through this budgeting process. We asked them to look at their budget and budget better going forward and they are beginning to do that. It is now being suggested to tie their hands and say we are going to pull back this $800,000 that is a two percent of the state. They are looking at new busses and handling the capital projects and meeting the insurance reserve. She has no problem going forward that they appropriate and adequately budget their funds. They had been giving the money back and then asking for appropriations. This year everyone is in sync to do it better. She is glad that the task force is being presented to them so they can have a thorough understanding and education of everything going forward and we can work together. To take this money back and say if you need it later we will give it to you seems inappropriate to her.

Councilmember Helgeson noted that the City Manager asked all departments to submit a budget that shows five percent less. All did it except schools and they said they wanted level funding. If there are others, he is not aware of them. He knows schools did not do it and their budget was huge. They asked for level funding and then they asked for more in order to give raises. Now they acknowledge they have $2.2 million in the salary reserve fund for FY 2021, so they do not need the money for this year. We can do what Councilmember Perrow has suggested and keep it in reserve and decide later if there is a need. He supports putting the $860,000 in reserve on behalf of the taxpayers.

Councilmember Nelson applauded Superintendent Edwards for doing many things to change the status quo. She is looking for cost cuts and changing personnel and operations. She seems to be working diligently on things that have been requested by City Council but that is a separate issue to him.

The motion to pass the resolution passed by the following vote:

Ayes: Dolan, Tweedy, Wilder, Wright	4
Noes: Helgeson, Nelson, Perrow	3

// In the matter of Budget, Resolution #R-19-042, laid over from the May 14, 2019 meeting, was again presented and read, adopting the FY 2020 Capital Budget and appropriating $60,814,082 for the City Capital Projects Fund, $2,686,000 for the Schools Capital Projects Fund, $3,825,000 for the Airport Capital Projects Fund, $6,200,000 for the Water Capital Projects Fund, $7,960,000 for the Sewer Capital Projects Fund, and $2,750,000 for the Stormwater Capital Projects Fund. Councilmember Wilder made a motion, to approve this resolution, which was seconded by Councilmember Wright.

Councilmember Helgeson indicated we have some information. Last year the state had awarded $6.1 million for a roundabout on Vassar Street. He has heard from people that this probably is not the best utilization of resources in a time of tight budgets. Fortunately, several of you talked to the state folks and this money was moved to the 501/221 exchange project where it will have much more utility. That same thing could happen with the sidewalk on Florida Avenue. We heard the presentation the other day that $4 million is going to be spent on engineering, design and right-of-way acquisition. How does that help anyone to navigate Florida Avenue quickly because the project will not be completed for six to ten years? Maybe we could transfer this $4 million to a project that needs to be done right away.

Councilmember Wright asked City staff how many real dollars the City will be expending over the next several years for this project. Dr. Wodicka said there will be a $4 million appropriation but in the next couple of years, it is in the hundreds of thousands. He asked if the City has explored possible state funding. For Phase I, Dr. Wodicka said we have 50 percent funding from the state. They will apply for more funds for Phase II. Councilmember Wright asked for clarification that the City’s total contribution to this project is estimated to be $4.5 million and Dr. Wodicka said that is correct.

Councilmember Perrow acknowledged it is great we can get VDOT revenue sharing for this project but pointed out there is a capped amount the City can get on an annual basis. Council is saying this is a priority project as opposed to another highway improvement project such as the Lakeside Bridge project. He believes this is the first time he has ever voted against the CIP and it is really because of this one project. The driving cost behind this is the bridge. If you can find a plan that will avoid the bridge it might be to build over top of it. If you are going to expand the bridge to put a sidewalk in, why not expand the bridge to put a road in? It will be basically the same cost at that point and the sidewalk is negligible. If this is a true connector between

Campbell Avenue and downtown, then let's improve that corridor. He thinks the cost to make this a road project instead of just a sidewalk project is probably negligible. We know that road has to be improved at some point and it would be a shame to come back twenty years later and tear out the sidewalk. He likes supporting the utility infrastructure portions of the CIP and is sorry he is not going to be able to support it this time.

Councilmember Wilder noted the neighborhood has waited over twenty years for the sidewalk. He has brought it up at PDC for the past three years. No one has made any comments during his three years on PDC about the sidewalk and he wishes it could have been addressed then. The neighborhood has already waited twenty years so a few more years are not going to make a difference. There are discussions being held to see what we can do temporarily now in terms of bus routes and other measures. He has to trust the engineers during the design process for their recommendations.

Councilmember Helgeson noted that in 2017 there was a resolution to apply for a grant along with a list of 13 other projects. We don't have debate about applying for a grant because we do not know if we will even get the grant money. The appropriation is now what is important. Councilmember Helgeson has previously brought up roundabouts and he is glad they are moving one out of the budget right now because of the state funding. Other roundabouts initially came in at $250,000 and now they are $6 million. He has brought them up every time. He is not sure this is a good of $10 million when we have other needs and we have raised taxes; he really wishes he could see some true utility.

Councilmember Wilder noted that there have been so many comments about one sidewalk versus several sidewalks versus several roundabouts. He does not understand why this one sidewalk is so controversial. He reminded Council that he asked City staff to bring them more information about roundabouts and they plan on doing so at a work session.

Councilmember Nelson said his concern about the Florida Avenue sidewalk was safety because it would induce pedestrians to pass underneath a very dangerous railroad trestle. If the trestle improvement will be at a first stage and before the sidewalk is constructed, he believes his concerns are alleviated. He would agree with Councilmember Perrow that if the sidewalk is not engineered and constructed in a way that can be compliant and consistent with the future expansion of the road, then we really are burning $4.5 million. It is a gateway but right it is a very windy, unattractive gateway.

Mayor Tweedy noted that we have about $45 million in projects occurring across the City that are revenue sharing. She is very grateful for this project on this main corridor. The neighborhood has been waiting for this sidewalk for many years and we also found out through this discussion that a bus can go under the train trestle. It is an opportunity to increase the investment on that side of the City as well as increase the public safety needs of residents.

The motion to approve the resolution passed by the following vote:

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

// In the matter of Police and the consideration of the approval of a Mutual Aid Agreement between the City of Lynchburg and Liberty University regarding the delivery of law enforcement services, Chief Ryan Zuidema explained that the Code of Virginia allows Council to enter into an agreement with a private organization in order to share resources and equipment. Our police force has a strong working relationship with Liberty University. The agreement has been vetted through the City Attorney and Liberty's legal counsel.

Councilmember Helgeson made a motion to approve the resolution for a mutual aid agreement. The motion was seconded by Councilmember Wilder. Councilmember Helgeson said he appreciated the good working relationships between the LPD and Liberty's police department. Councilmember Helgeson said he really appreciated the work that Chief Richard Hinkley has done at Liberty and LCA. Councilmember Wilder thanked the Liberty police and LPD for partnering together because we are so much stronger when we work together as a community. He also mentioned all the construction Liberty has done such as the tunnels and sidewalks that make it safer for the students to walk to class.

Councilmember Perrow noted that when he came on Council, Liberty and the City were really kind of at odds and a lot of it stemmed from the conditional use permits that Liberty was required to get in order to basically do anything on campus. When the institutional zoning ordinance was created, he thinks the relationship started changing for the better. He is not surprised they have been working together on this because typically first responders work well together because they are working toward the same goals. He thanked the two chiefs and said it is another way for Liberty and the City to work together to make our City better. He thinks a lot of the partnership has developed out of the Town and Gown meetings and he thanked Councilmember Nelson and former Mayor Foster for kicking that off. He is pleased to see this agreement moving forward.

The motion passed by the following vote:

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

// In the matter of City Code and the Taxicab Ordinance, Mr. John Hughes explained that the City Attorney prepared two draft ordinances for Council's consideration. Ordinance A amends Section 37-105 to require taximeters in taxicabs but gives taxicab drivers who wish to do so, the option of using electronic devices to determine fare. Ordinance B leaves Section 37-105 as it is currently worded and only allows taximeters to be used to determine fares. Councilmember Perrow made a motion to adopt Ordinance A. The motion was seconded by Councilmember Wright. Councilmember Perrow is glad to see that the change is being made so a person can hail a cab especially with a downtown that we are trying to help thrive. This ordinance is also opening up the opportunity for additional drivers to enter the field. It is important to open up competition. They have received a letter of support from Centra Health. One of the dire needs in the City is medical transport and this will be part of Centra's critical needs assessment. Change can be trying at times but this is about opening the market to new opportunities, new ideas and new technology. He hopes they will embrace the new technologies and put them to use. He wants everyone to be successful and he hopes everyone participating in this ordinance is successful. We can promote a successful business environment and it is tantamount to what they do on Council.

Councilmember Wright is also supportive of the revised language regarding displaying rates and pointed out that the code that exists for the taxicab rate schedule does not change. Only the method by which these rates are displayed is changing. There is some risk that this might induce competitors to enter the taxicab business. He thinks the risk is incredibly low for several reasons. You still need to go through the rigorous state and local taxicab regulations to be called a taxicab. Also, the landscape of how we move people from A to B has shifted permanently away from taxicabs to ride sharing services. The market share for taxis is decreasing as more and more people are going on line. An ordinance that we pass in Lynchburg is not going to change that fact.

Councilmember Wilder asked Mr. Hughes is the taxicab drivers are more comfortable with Ordinance A. Mr. Hughes said there has been some correspondence sent and the associated newspaper article that did lend support from some of the agencies. Mr. Erwin commented that he thinks it is a mixed bag. Some taxicab drivers would like to stick with the traditional method and some think that the new technology is the wave of the future. There is not complete agreement and Ordinance A is a compromise.

Mr. Erwin addressed a question from Councilmember Nelson and indicated that there was a mistake in Ordinance B. Section 37-105 is not being amended in that version; it leaves it as it currently exists. Councilmember Nelson agrees that the online industry is here to stay. It probably does a disservice to our taxicab operators if we do not allow them to utilize cutting edge technology and force them to adopt antiquated methods and technologies. They do not have to change but this gives them the option to do so if they would like to be more competitive and efficient.

Vice Mayor Dolan supports Ordinance A because it significantly improves transportation for all of our citizens and brings the ordinance into the 21st century. Mr. Erwin answered a question regarding the type of vehicle and how many seats it can have and explained that the language comes from the DMV. If you have a vehicle that is designed to carry more than six passengers, that vehicle is not eligible to be used as a taxicab. We will need to keep an eye on this because DMV language regarding taxicabs will change in the next couple of years as a result of Uber and Lyft. When the DMV regulations change, we will need to amend the City code to keep up with those changes but this is the current definition of a taxicab.

Councilmember Helgeson said it is still a puzzler to him. City government sets the taxicab rates and we really do not do that for anything else. It seems kind of strange that we have the language setting prices but he is delighted they are removing some of the language. It would have been nice to remove the entire amount from the entire ordinance. There are some benefits such as removing the language regarding the misdemeanor for not picking up a passenger. Someone that understands the benefits of a free market economy and capitalism and how competition typically helps things finds it strange that we as a City government set taxicab rates. He does not think the taxicab operators that wanted to keep only the taximeters are going to be delighted with this ordinance. It would be nice to get rid of more of these regulations.

Mayor Tweedy will also be supporting Ordinance A to give the option and opportunity for those that want the additional options and to maintain for those that want to maintain. We are moving forward. Change happens. Opening it up for citizens and business owners to use additional options will be beneficial to our City.

The motion passed by the following vote:

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

Noes: 0

// In the matter of Temporary Assistance for Needy Families (TANF) Grant In-kind match, Mr. Hughes stated that this match is in association with Resolution #R-19-015 wherein Council appropriated $163,204 on March 12, 2019. It is the in-kind match for that allocation in the amount of $18,638 which would be met in-kind with a portion of staff salaries and use of City resources. This went to the Finance Committee this morning. Councilmember Helgeson stated this is not $18,638 in cash. It is expenditures that have already been made and is just changing that appropriation. He made a motion on behalf of the Finance Committee to adopt the resolution. The motion passed by the following vote:

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

Noes: 0

// On motion of Vice Mayor Dolan, seconded by Councilmember Wilder, Council by the following recorded vote elected to hold a closed meeting to discuss appointment of Steering Committee members to the Task Force on the Future of Education PreK-12 and Beyond pursuant to Section 2.2-3711(A) of the Code of Virginia:

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

Noes: 0

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

// Councilmember Helgeson made the following motion:

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

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

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

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identified in the motion convening the closed meeting were heard, discussed or considered by Council.

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

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

// The meeting was adjourned at 10:15 p.m.

____

Clerk of Council