FINANCE COMMITTEE AGENDA
Tuesday, May 27, 2014
City Manager's Office, Large Conference Room
2:00 p.m.

GENERAL BUSINESS

2:00 p.m.

1. Report on the General Fund Reserve for Contingencies

   Contact: Donna Witt, Director of Financial Services 455-3968

2:05 p.m.

2. Review highlights of attached quarterly financial reports for the Greater Lynchburg Transit Company (GLTC) as well as the Regional Airport, Lynchburg Regional Juvenile Detention Center, Comprehensive Services Act, Water Operating, Sewer Operating, Stormwater Operating, and General Funds the for the quarter ending March 31, 2014.

Fund	Preparer
GLTC	Karen Walton, General Manager of GLTC
Regional Airport Fund	Mark Courtney, Airport Manager
Lynchburg Regional Juvenile Detention Center	Tamara Rosser, Director of Human Services
Comprehensive Services Act Fund	Tamara Rosser, Director of Human Services
Water Operating Fund	Tim Mitchell, Director of Water Resources
Sewer Operating Fund	Tim Mitchell, Director of Water Resources
Stormwater Operating Fund	Tim Mitchell, Director of Water Resources
General Fund	Donna Witt, Director of Financial Services

2:45 p.m.

3. Consider a request to adopt a resolution to amend the FY 2014 City/Federal/State Aid Fund budget and appropriate $139,332 with resources from the Virginia Commonwealth University (VCU) Strategic Prevention Framework State Incentive Grant (SPF-SIG) to help reduce the number of alcohol-related crashes involving drivers between the ages of 15 and 24.

   Contact: Tamara Rosser, Director of Human Services 455-5794

2:50 p.m.

4. Consider a request to adopt a resolution to amend the FY 2014 City/Federal/State Aid Fund budget and appropriate $15,000 with resources from State Department of Social Services to address a backlog of Medicaid applications.

   Contact: Tamara Rosser, Director of Human Services 455-5794

2:55 p.m.

5. Consider a request to adopt a resolution to amend the FY 2015 General Fund budget and appropriate $115,713 with resources from the FY 2015 General Fund Reserve for Contingencies to purchase 170 tasers, accessories, and the first year of Taser Assurance Plan coverage.

   Contact: Police Chief Parks Snead 455-6104

3:05 p.m.

6. Consider a request to adopt a resolution to amend the FY 2015 City/Federal/State Aid Fund budget and appropriate $227,860 with resources of $94,095 from the 2014/15 School Resource Officer Department of Criminal Justice Services Grant Program and $133,765 from the FY 2015 General Fund Reserve for Contingencies to create three School Resource Officer positions and provide vehicles, training, and equipment associated with these positions.

   Contact: Police Chief Parks Snead 455-6104

3:15 p.m.

7. Consider a request to adopt a resolution authorizing an application for the 2014 Edward Byrne Memorial Justice Assistance Grant in the amount of $40,951 with resources from a Edward Byrne Memorial Justice Assistance Grant to purchase forensic computer software and hardware, map boards for field supervisor vehicles, an evidence refrigerator, impact munitions, tasers and a high capacity printer.

   Contact: Police Chief Parks Snead 455-6104

3:20 p.m.

8. Consider a request to adopt a resolution to amend the FY 2014 City/Federal/State Aid Fund budget and appropriate $77,876 with resources of $20,938 from the Virginia Department of Emergency Management FY 2013 Emergency Management Performance Grant (EMPG) and $56,938 transferred from the City Capital Projects Fund Radio Replacement project to purchase, install, configure, and oversee operation of the WebEOC® Professional incident management system.

   Contact: William A. Aldrich, Director of Emergency Services 455-4285

3:30 p.m.

9. Consider a request to adopt a resolution to amend the FY 2015 City/Federal/State Aid Fund budget and appropriate $22,000 with resources from the Virginia Wireless E-911 Services Board FY 2015 PSAP Grant Program to replace aging computer equipment for 12 Computer Aided Dispatch (CAD) workstations at the Department of Emergency Services Emergency Communications Center.

   Contact: William A. Aldrich, Director of Emergency Services 455-4285

3:35 p.m.

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

Contact: Donna Witt, Director of Financial Services 455-3968

3:40 p.m.

11. Roll Call

The next Finance Committee meeting is Tuesday, June 24, 2014, at 11:30 a.m.

AGENDA ITEM NO.: **1**

FY 2014 GENERAL FUND RESERVE FOR CONTINGENCIES

	Reserve for Contingencies	City Manager's Discretionary Funding
BEGINNING BALANCE, JULY 1, 2013	$700,000	$0
Anticipated carryforward to FY 2014 Reserve for Contingencies - 05/28/13 Council Meeting	450,000	50,000
BALANCE	**$1,150,000**	**$50,000**
APPROPRIATIONS (Second Reading)		
Additional funding for the Regional Radio Upgrade Project - 10/22/13 Council Meeting	$210,700	
Debt service interest payment on $10m bond issue - 10/22/13 Council Meeting	166,528	
FEMA grant for Fire Department Communications Equipment - 3/25/14 Finance Committee	62,130	
TOTAL APPROPRIATIONS	**$439,358**	**$0**
REMAINING BALANCE	**$710,642**	**$50,000**
ITEMS INTRODUCED		
TOTAL INTRODUCED ITEMS	**$0**	**$0**
REMAINING BALANCE	**$710,642**	**$50,000**
PENDING ITEMS		
Carryforward to FY 2015 Reserve for Contingencies - 05/13/14 Council Meeting	$600,000	
Reverse 911 Grant matching funds - 01/28/14 Finance Committee	17,095	
TOTAL PENDING ITEMS	**$617,095**	**$0**
PROJECTED BALANCE	**$93,547**	**$50,000**

May 2014

FY 2015 GENERAL FUND RESERVE FOR CONTINGENCIES

	Reserve for Contingencies	City Manager's Discretionary Funding
BEGINNING BALANCE, JULY 1, 2014	$550,000	$50,000
Anticipated carryforward to FY 2015 Reserve for Contingencies - 05/13/14 Council Meeting	600,000	
BALANCE	**$1,150,000**	**$50,000**
APPROPRIATIONS (Second Reading)		
TOTAL APPROPRIATIONS	**$0**	**$0**
REMAINING BALANCE	**$1,150,000**	**$50,000**
ITEMS INTRODUCED		
Police Department Tasers - 05/27/14 Finance Committee	$115,713	
School Resource Officer Grant local match and additional costs - 05/27/14 Finance Committee	133,765	
TOTAL INTRODUCED ITEMS	**$249,478**	**$0**
REMAINING BALANCE	**$900,522**	**$50,000**
PENDING ITEMS		
TOTAL PENDING ITEMS	**$0**	**$0**
PROJECTED BALANCE	**$900,522**	**$50,000**

Greater Lynchburg Transit Company

1301 Kemper Street
PO Box 797
Lynchburg, VA 24505
434.455.5080
434.847.8621 (Fax)
gberkley@gltconline.com
www.GLTConline.com

May 27, 2014

Finance Committee
City Council
City of Lynchburg
Lynchburg, Virginia

RE: March 31, 2014 Quarterly Financial Report – Greater Lynchburg Transit Company

The attached Greater Lynchburg Transit Company Comparative Income Statement summarizes the financial activities for the third quarter of FY 2014 and YTD data for the fiscal year.

REVENUE
Revenue has caught up to projections during the third quarter of FY 2014 with an 11% increase for the quarter. Farebox Revenue, State, and Federal all coming in over what was initially budgeted. In addition, Lynchburg College (expanded service) and Central Virginia Community College (new) contracts have added unexpected revenue.

EXPENDITURES
Expenses overall are tracking on budget. Due to added service by Liberty University, fixed route expenses are over budget but legitimate. Efficiencies were found in Administration and Maintenance to make up the differences. Though paratransit ridership continues to decrease, which is a desirable thing in transit, our costs have not decreased with it. We will continue to look for ways of decreasing these costs without impacting the customer satisfaction metrics.

SUMMARY
With both revenue and expenses tracking online, GLTC expects to come in on budget.

Respectfully submitted,

Karen Walton

Karen Walton
General Manager

c: L. Kimball Payne III, City Manager
Bonnie Svrcek, Deputy City Manager
Donna Witt, Director of Financial Services

CENTRAL VIRGINIA TRANSIT MANAGEMENT CO INC.

QUARTERLY INCOME STATEMENT
AS OF MARCH 31, 2014

	QTR TO DATE FY2014 QTD ACTUAL	FY2014 QTD BUDGET	% VAR	FY2014 YTD ACTUAL	FY2014 YTD BUDGET	% of Budget
REVENUE						
FRT Passenger Revenue	$ 255,218	$ 237,540	7%	$ 769,321	$ 950,160	81%
DRT Passenger Revenue	17,683	23,231	-24%	59,430	92,922	64%
Contracts (LC Access)	7,428	6,524	14%	20,309	21,746	93%
Contracts (CVCC Access)	6,189	-	100%	6,189	-	0%
Liberty University Revenue	270,760	323,799	-16%	722,027	1,079,329	67%
Other Contract Revenue	2,457	12,200	-80%	10,874	48,800	22%
Non-Operating Revenue	(3,836)	6,250	-161%	39,240	25,000	157%
Advertising Revenue	10,133	16,250	-38%	28,517	65,000	44%
City Operating Assistance	298,560	298,560	0%	895,679	1,194,239	75%
County Operating Assistance	14,373	17,071	-16%	43,119	68,282	63%
State Operating Assistance	567,917	346,781	64%	1,105,274	1,387,122	80%
Federal Operating Assistance	493,430	461,334	7%	1,480,290	1,845,336	80%
TOTAL REVENUE	**$ 1,940,311**	**$ 1,749,538**	**11%**	**$ 5,180,269**	**$ 6,777,936**	**76%**
EXPENSES						
FIXED ROUTE						
Operator Labor	$ 379,853	$ 329,355	15%	$ 1,208,087	$ 1,317,419	92%
Operator-Overtime	15,531	30,082	-48%	31,578	120,327	26%
Other Salaries & Wages	39,737	55,136	-28%	125,288	220,542	57%
Supervisors-Overtime	2,823	4,050	-30%	10,200	16,200	63%
Fringe Benefits	271,498	257,153	6%	756,625	1,028,611	74%
TOTAL FIXED ROUTE	**$ 709,441**	**$ 675,775**	**5%**	**$ 2,131,779**	**$ 2,703,099**	**79%**
DEMAND RESPONSE						
Operator Labor	$ 65,212	$ 67,258	-3%	$ 198,384	$ 269,030	74%
Operator-Overtime-PTS	708	1,375	-49%	2,108	5,500	38%
Other Salaries & Wages	22,100	16,294	36%	68,760	65,175	106%
Fringe Benefits	54,334	51,431	6%	148,145	205,722	72%
TOTAL DEMAND RESPONSE	**$ 142,353**	**$ 136,357**	**4%**	**$ 417,397**	**$ 545,427**	**77%**
MAINTENANCE						
Other Salaries & Wages	$ 135,178	$ 136,672	-1%	$ 413,320	$ 546,688	76%
Inspection&Maint,Srvc-Overtim	6,401	5,412	18%	17,110	21,647	79%
Fringe Benefits	87,310	85,718	2%	236,827	342,870	69%
Fuel & Lubricants	206,395	234,575	-12%	622,593	938,300	66%
Tires & Tubes	5,795	12,037	-52%	40,836	48,146	85%
Other Materials & Supplies	75,435	76,925	-2%	237,245	307,698	77%
TOTAL MAINTENANCE	**$ 516,514**	**$ 551,337**	**-6%**	**$ 1,567,930**	**$ 2,205,349**	**71%**
ADMINISTRATION						
Other Salaries & Wages	$ 43,492	$ 51,475	-16%	$ 152,462	$ 205,899	74%
Fringe Benefits	27,480	34,287	-20%	83,887	137,148	61%
Services	120,886	108,357	12%	346,099	433,426	80%
Utilities	32,382	29,250	11%	78,696	117,000	67%
Casualty & Liability Expenses	72,337	76,500	-5%	216,940	306,000	71%
Other Materials & Supplies	7,065	10,022	-30%	19,362	40,088	48%
Miscellaneous	5,601	21,125	-73%	23,812	84,500	28%
TOTAL ADMINISTRATION	**$ 309,244**	**$ 331,015**	**-7%**	**$ 921,259**	**$ 1,324,061**	**70%**
TOTAL EXPENSES	**$ 1,677,552**	**$ 1,694,484**	**-1%**	**$ 5,038,365**	**$ 6,777,936**	**74%**
NET INCOME/(LOSS)	**$ 262,759**	**$ 55,054**	**377%**	**$ 141,904**	**$ -**	**0%**

Lynchburg Regional Airport
350 Terminal Drive, Lynchburg, Virginia 24502 • (434) 455-6090 • Fax (434) 239-9027

THE CITY OF LYNCHBURG

May 13, 2014

Finance Committee
City Council
City of Lynchburg
Lynchburg, Virginia

Re: March 31, 2014 – Quarterly Financial Summary - Lynchburg Regional Airport

REGIONAL AIRPORT FUND

The attached Lynchburg Regional Airport Operating Fund Financial Summary reflects the financial activity for this Fund through the FY 2014 third quarter ending March 31, 2014. I am pleased to report that while revenues in general are projected to increase modestly, parking lot revenue is projected to be significantly higher than budgeted due to last year's rate increase and recent increases in passenger traffic. The subsidy from the General Fund to the airport for FY 2014 is projected to be $218,809 (and was formally reduced to this amount in the recently completed third-quarter budget adjustments) and is $70,252 less than our original adopted budget. Completely eliminating the operating subsidy from the City within the next two fiscal years remains a top priority of airport staff along with attracting additional airline service.

REVENUE HIGHLIGHTS

- Terminal Revenue: Revenue is projected to be $118,700 more than budget due primarily to additional parking lot revenue resulting from a $1 per day rate increase implemented since this year's budget was prepared.

- General Aviation: Revenue is projected to be $14,000 more than budget due to higher revenue related to aircraft fuel sales than anticipated.

- State Airport Aid: Revenue is projected to be $200,000 more than budget due to having more state-funded, non-recurring airport projects than anticipated when the budget was prepared.

- General Fund Subsidy: As previously noted, the projected operating subsidy from the City is $218,809 which is $70,252 less than our original adopted budget.

EXPENSE HIGHLIGHTS

- Airfield: $11,300 increase primarily for higher costs and quantities for vehicle and equipment fuel.

- Administration: $6,330 decrease reflecting lower payments to the City for Risk Management administration and insurance.

- Safety (ARFF & LEO): $8,000 increase primarily for increased inflationary costs associated with contracted Airfield Rescue & Fire Fighting (ARFF) services.

- Non-Recurring Airport Expenses: $350,110 increase for one-time or infrequent expenses such as roof repairs, painting, paving projects, and drainage issues, etc. These expenses are generally 80% reimbursable by state entitlement funds.

SUMMARY

Non-recurring maintenance expenses will exceed our adopted budget significantly (but are largely reimbursed by state aviation entitlement funds) and were addressed in the recently approved third-quarter budget adjustments. Based on consistent air service levels, competitive airfares, and anticipated passenger demand combined with decreasing debt service, the airport's subsidy is expected to be reduced from the current level to zero within the next two fiscal years.

Respectfully submitted,

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

cc: L. Kimball Payne III, City Manager
Bonnie Svrcek, Deputy City Manager
Donna Witt, Director of Financial Services
Wesley Campbell, Airport Finance Manager

LYNCHBURG REGIONAL AIRPORT
OPERATING FUND FINANCIAL SUMMARY
March 31, 2014

	FY 2013 Amended Budget	FY 2013 Actual (thru 3/31/13)	FY 2013 % of Budget	*	FY 2014 Amended Budget	FY 2014 Actual (thru 3/31/14)	FY 2014 % of Budget	*	FY 2014 Amended Budget	FY 2014 Revised Estimates	FY 2013 $ Variance Revised vs. Amended Budget
				*				*			
BEGINNING NET ASSETS		$ 32,507,809		*		$ 31,042,521 **(1)**		*		$ 31,042,521 **(1)**	
Less: Invested in Capital Assets, net of related debt		31,723,484		*		30,210,365		*		30,210,365	
BEGINNING UNRESTRICTED NET ASSETS	$ 558,143	$ 784,325		*	$ 182,579	$ 832,156		*	$ 182,579	$ 832,156	$ -
				*				*			
BOND REFUNDING PROCEEDS	$ -	$ -		*	$ -	$ -		*	$ -	$ -	
PRIOR PERIOD AUDIT ADJUST	$ -	$ -		*	$ -	$ -		*	$ -	$ -	
				*				*			
REVENUES				*				*			
Airfield	90,000	78,789	88%	*	95,000	75,683	80%	*	95,000	98,000	3,000
Terminal	1,213,183	985,131	81%	*	1,227,327	1,062,412	87%	*	1,227,327	1,346,027	118,700
General Aviation	372,000	295,884	80%	*	383,000	314,829	82%	*	383,000	397,000	14,000
Other Leased Property	220,400	167,539	76%	*	214,400	181,531	85%	*	214,400	208,900	(5,500)
State Airport Aid	344,000	47,744	14%	*	95,000	91,413	96%	*	95,000	295,000	200,000
Federal Security Aid	120,000	63,126	53%	*	110,000	27,070	25%	*	110,000	105,000	(5,000)
General Fund Subsidy	336,330	288,000	86%	*	289,061	216,000	75%	*	289,061	218,809	(70,252)
Interest & Other	19,000	20,216	106%	*	19,000	23,815	125%	*	19,000	19,750	750
	$ 2,714,913	$ 1,946,430		*	$ 2,432,788	$ 1,992,752		*	$ 2,432,788	$ 2,688,486	$ 255,698
				*				*			
EXPENSES				*				*			
Airfield Operations	294,822	222,125	75%	*	294,541	244,393	83%	*	294,541	305,841	(11,300)
Terminal Operations	559,898	381,364	68%	*	557,808	352,136	63%	*	557,808	557,808	0
General Aviation	114,906	92,249	80%	*	125,008	87,227	70%	*	125,008	128,008	(3,000)
Administration	657,208	452,774	69%	*	668,333	461,491	69%	*	668,333	662,003	6,330
Safety (ARFF & LEO)	402,630	277,832	69%	*	399,020	297,434	75%	*	399,020	407,020	(8,000)
Snow Removal	20,056	13,438	67%	*	20,468	28,812	141%	*	20,468	30,050	(9,582)
Debt Service	263,183	186,888	71%	*	205,865	148,780	72%	*	205,865	205,865	0
Non-Recurring Airport Expenses	497,460	277,663	56%	*	159,890	408,831	256%	*	159,890	510,000	(350,110)
Transfers to Other Airport Funds	222,500	0	0%	*	20,000	1,640	8%	*	20,000	20,000	0
Other Airport Expenses	57,814	17,478	30%	*	64,434	22,372	35%	*	64,434	64,434	0
	$ 3,090,477	$ 1,921,811		*	$ 2,515,367	$ 2,053,116		*	$ 2,515,367	$ 2,891,029	$ (375,662)
ENDING UNRESTRICTED NET ASSETS	$ 182,579	$ 808,944		*	$ 100,000	$ 771,792		*	$ 100,000	$ 629,613 **(2)**	

FOOTNOTES:

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

Total Net Assets per CAFR 6/30/13	$ 35,885,879
Less: Net Assets in Capital & PFC Funds	$ (4,843,358)
Total Beginning Net Assets	$ 31,042,521

2) FY 2014 Ending Unrestricted Net Assets (Estimates) is comprised of the following:

Des. for Debt Service (Rental Car Facility)	$ 162,928	($204,886.55 + 250 int est - 42,209 = $162,927.55)
Des. for Maintenance (Rental Car Facility)	$ 43,938	($43,937.98 + or - year-end adjustment)
Reserve for Encumbrances		(encumbrances carried forward to FY15)
Undesignated Retained Earnings	$ 422,747	
	$ 629,613	

5/22/2014

May 27, 2014

Finance Committee
City Council
City of Lynchburg
Lynchburg, Virginia

RE: March 31, 2014 Quarterly Financial Report - Lynchburg Regional Juvenile Detention Center

Lynchburg Regional Juvenile Detention Center

The attached Lynchburg Regional Juvenile Detention Center (Detention Center) financial report summarizes the financial activities through March 31, 2014 for FY 2014. The financial spreadsheet provides comparative year to date data for the same period of FY 2014.

REVENUES

Charges for Services

Revenue in this category for the third quarter is $933,487 or 55.7% of the budget. This is due to a decrease in revenues from non-contracting localities.

Department of Juvenile Justice Block Grant

This revenue category represents allocations from the Virginia Department of Juvenile Justice (DJJ) for operational expenses of the Detention Center. Revenues from the DJJ are projected to be within budget.

United States Department of Agriculture (USDA)

This revenue category consists of reimbursements for meals served to juveniles at the Detention Center. Year-to-date revenues from USDA for the fiscal year 2014 are $23,577 or 52.4% of the budget.

EXPENDITURES

Overall expenditures for the third quarter of FY 2014 were $1,903,326 and are expected to be within budget. It is projected that the contracting localities share of expenditures through the third quarter of FY 2014 are approximately 75% and Lynchburg's share is estimated to be 25%.

Juvenile Population

The average number of juveniles being served per day through the third quarter of FY 2014 is 18.36 as compared to 21.02 in FY 2013.

SUMMARY

The third quarter report reflects a continuing downward trend in the juvenile population at the Lynchburg Regional Detention Home and other facilities in the State of Virginia. The Lynchburg Regional Detention Home is an outstanding facility recognized by the juvenile judicial system for providing educational services, mental health services, physical health services, and partnerships with local area businesses.

Respectfully submitted,

Tamara V. Rosser

Tamara Rosser
Director of Human Services

c: L. Kimball Payne, III, City Manager
Bonnie Svrcek, Deputy City Manager
Donna Witt, Director, Financial Services
Robin Mamola, Accounting Supervisor, Human Services
Kathy Collins, Accountant, Juvenile Services

Lynchburg Regional Juvenile Detention Center
Special Revenue Fund
Financial Summary
Third Quarter: As of March 31, 2014

	FY 2013 Amended Budget	FY 2013 Actual 3 QTR YTD	FY 2013 % of Budget	FY 2014 Amended Budget	FY 2014 Actual 3 QTR YTD	FY 2014 % of Budget	FY 2014 Amended Budget	FY 2014 Revised Estimates	FY 2014 Actual to Amended
Beginning Funds at July 1									
Revenues:									
Charges for Services	1,796,789	1,063,492	59.2%	1,676,322	933,487	55.7%	1,676,322	1,676,322	-
Intergovernmental- Department of Juvenile Justice Block Grant	1,095,120	854,997	78.1%	1,095,120	805,848	73.6%	1,095,120	1,095,120	-
Intergovernmental- USDA	45,000	16,568	36.8%	45,000	23,577	52.4%	45,000	45,000	-
Miscellaneous	0	0	0.0%	0	32	0.0%	0	0	-
Budget Designations	100,830	0	0.0%	100,842	0	0.0%	100,842	100,842	-
Total Revenues	3,037,739	1,935,057	63.7%	2,917,284	1,762,944	60.4%	2,917,284	2,917,284	-
Expenditures:									
Salaries	1,406,306	1,019,158	72.5%	1,412,955	1,052,860	74.5%	1,412,955	1,412,955	-
Employee Benefits	642,677	416,642	64.8%	582,715	431,113	74.0%	582,715	582,715	-
Contractual Services	38,492	34,324	89.2%	53,836	33,202	61.7%	53,836	53,836	-
Internal Services	9,170	6,179	67.4%	11,900	8,512	71.5%	11,900	11,900	-
Supplies and Materials	130,170	79,141	60.8%	130,170	62,356	47.9%	130,170	130,170	-
Utilities	85,800	56,793	66.2%	85,800	54,177	63.1%	85,800	85,800	-
Training and Conferences	3,050	1,722	56.5%	3,050	951	31.2%	3,050	3,050	-
Telecommunications	4,500	2,291	50.9%	4,500	2,199	48.9%	4,500	4,500	-
Postage and Mailing	850	268	31.5%	850	533	62.7%	850	850	-
Indirect Costs	236,450	177,337	75.0%	237,218	177,914	75.0%	237,218	237,218	-
Self Insurance	15,752	11,814	75.0%	15,752	11,814	75.0%	15,752	15,752	-
Dues and Memberships	500	581	116.2%	500	355	71.0%	500	500	-
Rentals and Leases	2,308	1,654	71.7%	2,492	1,470	59.0%	2,492	2,492	-
Site Improvements	0	16,250	0.0%	0	0	0.0%	0	0	
Health and Dental Benefits for Retirees	28,144	21,457	76.2%	28,144	21,565	76.6%	28,144	28,144	-
Professional Services	6,746	3,382	50.1%	6,721	3,537	52.6%	6,721	6,721	-
SpecialUseEquipment	2,000	0	0.0%	0	0	0.0%	0	0	-
Debt Service	273,198	21,531	7.9%	183,681	17,191	9.4%	183,681	183,681	-
USDA Grant	45,000	16,568	36.8%	45,000	23,577	52.4%	45,000	45,000	-
Capital Outlay	0	0	0.0%	2,000	0	0.0%	2,000	2,000	-
Budget Designations	96,626	0	0.0%	100,000	0	0.0%	100,000	100,000	-
Contingency	10,000	0	0.0%	10,000	0	0.0%	10,000	10,000	-
Total Expenditures	3,037,739	1,887,092	62.1%	2,917,284	1,903,326	65.2%	2,917,284	2,917,284	-
TOTAL FUND BALANCE	0	47,965		0	(140,382)		0	0	
TOTAL ASSIGNED FUND BALANCE Maint./Equipment	100,000	100,000		100,000	100,000		100,000	100,000	

May 27, 2014

Finance Committee
City Council
City of Lynchburg
Lynchburg, Virginia

Re: Comprehensive Services Act (CSA) Fund Financial Report for the period ending March 31, 2014.

The attached CSA Fund Financial Summary summarizes the financial activity for this Fund through March 31, 2014. Under the State guidelines, CSA prior year obligations are paid through September 30th of each year. However, the annual budget is prepared on a fiscal year (July-June). Because of the State guidelines, expenditures for this fund are unique due to the overlap of grants each fiscal year. Accordingly, this report reflects only the current grant year financial activity for FY 2014.

REVENUES

- Public Assistance – Welfare and Administration

  The Public Assistance revenue source is the reimbursement received from the State for local expenses incurred under CSA for providing services to troubled youth and their families. The current rate of reimbursement for community-based services is 86.32%, residential services is 65.8%, and for all other services, 72.64%. State funds to assist in administering the grant, ($29,730 for FY 2014) are provided by the State each year, and have been received in full. A local match is required for all state funds received. Reimbursements received for expenditures incurred through the third quarter of FY 2014 are $1,189,877 or 33.8% of the budget. State YTD reimbursements are currently under budget, due to some decreases in Foster Care and Special Education expenditures.

- CSA Contribution – General Fund and Schools

  These revenue sources are comprised of the required local match for all State funds received for the Comprehensive Services Act. For FY 2014 the budgeted School contribution is $196,541 and the year-to-date budgeted General Fund contribution is $1,238,852. For the third quarter of FY 2014, local matching funds for programs in the amount of $929,139 or 75% of the budget for the General Fund and $147,406 or 75% of the budget for Schools have been received.

- Miscellaneous Revenue

  These revenues are mainly comprised of recoupments from children's social security payments for expenditures incurred on their behalf. For the third quarter of FY 2014, miscellaneous revenues in the amount of $44,936 or 40.9% of the budget were collected.

EXPENSES

- Administrative expenses

  CSA Administrative funds are used for salaries, supplies, and materials. Budgeted funds for FY 2014 are $62,977. Actual third quarter administrative expenditures for FY 2014 were $45,673 or 72.5% of the budget. This budget line is expected to be fully expended.

- Mandated – Foster Care

  Foster care expenses include funds for residential facilities, day care, maintenance payments to foster parents, enhanced maintenance payments to foster parents and foster care prevention. The Virginia Enhanced Maintenance Assessment Tool (VEMAT) was introduced as the required, state-wide tool to be used when assessing a child's need for additional supervision and support and, thus, an enhanced maintenance payment for the foster or adoptive parent. In February 2013, all VEMAT rates were automatically reduced statewide. Actual third quarter foster care expenditures for FY 2014 were $1,271,028 or 46.7% of the budget. YTD CSA foster care expenditures are below budget due to decreased VEMAT payments and transferring some of this population to100% reimbursable IV-E funding.

- Mandated – Special Education

  Special Education expenses include services for Special Education students from the Lynchburg City Schools. Actual third quarter special education expenditures for FY 2014 were $974,704 or 59.1% of the budget. This line item is slightly under budget due to students progressing from a full day to a half day at Rivermont School as they transition back to their base school.

- Non-Mandated Services

  Non-mandated expenditures are for services such as counseling, mentoring, crisis intervention, and foster care prevention services. Actual third quarter non-mandated expenditures for FY 2014 were $162,556 or 43.3% of the budget; however, it is anticipated that this budget will be fully expended.

- Community Based Services

  This category includes services to children while they are living at home, in the home of an extended family, in a regular foster family home, or in an independent living arrangement. Community services may include assessment, crisis stabilization, therapy, or intervention services provided in the child's home. Actual third quarter community based expenditures for FY 2014 were $173,356 or 69.3% of the budget. These services are expected to fall within budget.

SUMMARY

The Comprehensive Services Act Fund creates a collaborative system of services and funding that is child-centered, family-focused, and community-based when addressing the strengths and needs of at-risk youths and their families in the City of Lynchburg

While the number of children currently in foster care fluctuates throughout the year, the overall number of children receiving CSA services has increased for FY 2014. Other factors continue to impact this budget, including referrals from Horizon Behavioral Health Services and the local Court Services Unit. These factors also include an increased number of children receiving more intensive services for longer periods of time, increased vendor rates, an increase in the number of services provided by the vendors, parental agreements, and an increase in special educational services.

The Community Policy and Management Team, in collaboration with the professional community, continues to work hard and is diligent and deliberate in efforts to reduce costs associated with CSA. We continue to work with the professional community to develop services in an effort to reduce cost.

Respectfully submitted,

Tamara T. Rosser

Tamara T. Rosser
Director of Human Services

c: L. Kimball Payne, III, City Manager
Bonnie Svrcek, Deputy City Manager
Donna Witt, Director of Financial Services
Rhonda Allbeck, Assistant Director of Financial Services
Robin Mamola, Financial Professional IV
Courtney Blankenstein, Financial Professional III

Comprehensive Services Act
Special Revenue Fund
Financial Summary
March 31, 2014

	FY 2013 Amended Budget	FY 2013 Actual 3rd QTR YTD	FY 2013 % of Budget	FY 2014 Amended Budget	FY 2014 Actual 3rd QTR YTD	FY 2014 % of Budget
Beginning Fund Balance	329,544	329,544		329,544	466,552	
Revenues:						
Public Assistance - Welfare and Administration	3,767,468	1,344,413	35.7%	3,517,467	1,189,877	33.8%
Transfer from Lynchburg City Schools	196,541	147,406	75.0%	196,541	147,406	75.0%
Transfer from General Fund	1,453,852	1,004,139	69.1%	1,238,852	929,139	75.0%
Miscellaneous	110,000	33,342	30.3%	110,000	44,936	40.9%
Total Revenues	5,527,861	2,529,300	45.8%	5,062,860	2,311,358	45.7%
Expenses:						
Administrative Expenses	62,283	45,982	73.8%	62,977	45,673	72.5%
Mandated - Foster Care	3,071,764	1,418,453	46.2%	2,723,805	1,271,028	46.7%
Mandated - Special Education	1,673,060	1,037,721	62.0%	1,650,000	974,704	59.1%
Non-Mandated Services	375,836	347,435	92.4%	375,836	162,556	43.3%
Community Based	341,242	187,924	55.1%	250,242	173,356	69.3%
Total Expenditures	5,524,185	3,037,515	55.0%	5,062,860	2,627,316	51.9%
ENDING FUND BALANCE	333,220	(178,671)		329,544	150,594	

May 27, 2014

Finance Committee
City Council
City of Lynchburg
Lynchburg, Virginia

Re: March 31, 2014 Quarterly Financial Report – Water Operating Fund

he attached Water Operating Fund Financial Summary summarizes the financial activity for this fund through March 31, 2014. This quarterly report provides comparative financial information for the same period of the prior fiscal year. Projected variances between the FY 2014 Budget and the Department's year end projections are described below.

REVENUES

Following the completion of the third quarter, overall revenues for FY 2014 are projected to be $1,651 (.01%) less than budget. Explanations follow:

- **Charges for Services:**

  Revenue in this category is expected to be $161,000 (1.52%) over budget, of which $80,000 is attributable to an adjustment to the monthly service charge. A review of all water and sewer accounts, water only accounts and sewer only accounts was made to accurately allocate the Water and Sewer Fund revenue connected to the fixed monthly charge increase. There is a corresponding decrease in the Sewer Fund of approximately the same amount. Inside water sales are expected to exceed budget by $42,000 due to slight increase of water sales to commercial and non-contract industrial users. In addition, water connection fees are $32,000 over budget.

- **Water Contracts:**

  This revenue account reflects billing activity to the counties of Amherst, Bedford, and Campbell, and the industries of Rock-Tenn and Frito-Lay. The net revenue from this source is projected to be $165,836 (6.04%) less than budget primarily due to declining consumption in Bedford and Campbell Counties and less than anticipated water use by Rock-Tenn.

- **Interest and Other:**

  Interest and other earnings are expected to be $3,185 more than budget mostly due to $23,000 increase in salvage sales of surplus property offset by $11,615 Build America Bonds interest subsidy decrease due to the signing of federal law for the "Bipartisan Budget Act 2013" in December, 2013 and $4,000 decrease in anticipated investment interest earnings.

EXPENSES

Overall expenses for FY 2014 are projected to be $699,546 (5.10%) less than the FY 2014 budget. Explanations of this variance follow:

- **Departmental Operation and Maintenance Expenses:**

  This category includes the Water Treatment Plant, Meter Operations, Water Line Maintenance and Administration. Expenses in this category are expected to be $517,750 (5.81%) less than the FY 2014 budget (Water Treatment - $379,442 savings, Meter Operations - $85,675 savings, Water Line Maintenance - $38,645 savings, Administration - $13,988 savings). This variance is broken down as follows:

➢ Personnel Services and Benefits	$48,178
➢ Chemicals	$225,000
➢ Communication and Utilities	$128,817
➢ Contractual Services	($45,471)
➢ Supplies and Materials	$104,251
➢ All Other	$56,975
Total	**$517,750**

  The most significant variances are savings related to chemicals and electricity which occur when James River water does not need to be pumped and treated. Due to wet weather conditions our water source has been exclusively on the Pedlar Reservoir. Outside any unusual events we anticipate using solely the Pedlar Reservoir through this spring. Savings in Personnel Services and Benefits are due to vacancies in Administration. Savings in All Other is mostly attributable to less than anticipated capital charges used for vehicle and equipment replacements. The anticipated savings in Supplies and Materials is mostly due to less than anticipated water line repairs and fewer replacements of manual read meters with radio read meters. Currently, 76% of all water meters are now radio read. Contractual Services is expected to go over budget due to increased costs for line protection services and use of temporary employment agency to cover one vacant administration position.

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

  Non-Departmental operation and maintenance expenses are expected to exceed budget by $1,592 (.79%) due to increased interest expense on customer deposits. This is primarily due to higher than expected total customer deposits for water services.

- **Capital Outlay and Transfers to Other Funds**

  Purchases and transfers in this category are expected to be $62,765 (6.90%) less than budget. This is attributable to lower anticipated costs of replacements for water treatment plant equipment breakdowns at College Hill and Abert Water Plants and costs to resurface road at Abert Water Plant.

- **Debt Service:**

  Expenditures for debt service are expected to be $120,623 (3.27%) under budget due to interest savings for financed projects. Several projects such as Midtown Connector, Fifth Street Phase II, and Blue Ridge Farms Phase II, anticipated start dates were delayed and/or construction schedules and completion dates were deferred.

SUMMARY

This third quarter report reflects a stable FY 2014 financial position for this fund. Under the Council adopted financial policies, the two important financial ratios, debt coverage and fund balance are within or above policy targets. The debt coverage ratio projected for the end of the fiscal year is 1.43 compared to a target of 1.20. The fund balance ratio projected for the end of the fiscal year is 58% compared to a target range of 25% - 40%.

Respectfully submitted,

Timothy A. Mitchell, P.E.
Director of Utilities

c: L. Kimball Payne, III, City Manager
Bonnie Svrcek, Deputy City Manager
Donna Witt, Director of Financial Services

WATER OPERATING FUND
FINANCIAL SUMMARY
Quarter Ending March 31, 2014

	FY 2013 Adopted Budget	FY 2013 Actual Q3 YTD	FY 2013 % of Budget	FY 2014 Adopted Budget	FY 2014 Actual Q3 YTD	FY 2014 % of Budget	FY 2014 Adopted Budget	FY 2014 Revised Estimate	FY 2014 $ Variance Revised Estimate to Adopted Budget
BEGINNING NET ASSETS	$30,411,636	$30,411,636		$27,631,979	$27,631,979		$27,631,979	$27,631,979	
Less: Invested in Capital Assets, net of related debt	(24,458,991)	($24,458,991)		(20,961,222)	(20,961,222)		(20,961,222)	(20,961,222)	
BEGINNING UNRESTRICTED NET ASSETS	**5,952,645**	**$5,952,645**		**$6,670,757**	**$6,670,757**		**$6,670,757**	**$6,670,757**	
REVENUES:									
Charges for services	$10,522,925	$7,420,313	71%	$10,599,129	$7,577,150	71%	$10,599,129	$10,760,129	$161,000
Water contracts	2,637,792	1,750,130	66%	2,744,836	1,711,989	62%	2,744,836	2,579,000	(165,836)
Interest and other	282,211	281,804	100%	282,211	283,424	100%	282,211	285,396	3,185
	$13,442,928	**$9,452,247**		**$13,626,176**	**$ 9,572,563**		**$13,626,176**	**$13,624,525**	**($1,651)**
EXPENSES									
Departmental O&M	$8,767,983	$5,842,526	67%	$8,912,287	$5,911,886	66%	$8,912,287	$8,394,537	$517,750
Non-departmental O&M	206,496	70,402	34%	202,713	71,774	35%	202,713	204,305	(1,592)
Capital Outlay/Purchases	0	50,785	0%	110,072	12,307	11%	110,072	47,307	62,765
Transfers - Capital	878,746	659,059	75%	800,000	600,000	75%	800,000	800,000	0
Debt service	3,658,789	2,610,549	71%	3,685,632	2,667,849	72%	3,685,632	3,565,009	120,623
	$13,512,014	**$9,233,321**		**$13,710,704**	**$9,263,816**		**$13,710,704**	**$13,011,158**	**$699,546**
Adjustment for expenses from capital projects		**$0**			**$0**			**($59,241)**	
ENDING NET ASSETS	**$5,883,559**	**$6,171,571**		**$6,586,229**	**$6,979,504**		**$6,586,229**	**$7,224,883**	

KEY RATIOS:

Unrestricted cash target as a % of operating expenses & debt service:	40%	
Unrestricted cash as a % of operating expenses & debt service:	58%	
Financial Policy targeted debt coverage ratio minimum:	1.20	
Ending debt coverage ratio:	1.43	(1)

Note (1) Calculation of debt coverage includes $120,000 of capitalizable costs for internal labor charges applicable to time spent on capital project activities.

May 27, 2014

Finance Committee
City Council
City of Lynchburg
Lynchburg, Virginia

Re: March 31, 2014 Quarterly Financial Report – Sewer Operating Fund

The attached Sewer Operating Fund Financial Summary summarizes the financial activity for this fund through March 31, 2014. This quarterly report provides comparative financial information for the same period of the prior fiscal year. Projected variances between the FY 2014 Budget and the Department's year end projections are described below.

REVENUES

Following the completion of the third quarter, overall revenues for FY 2014 are projected to be $305,015 (1.55%) more than the FY 2014 budget. Explanations follow:

- **Charges for Services:**

  Revenue in this category is expected to be $124,324 over budget primarily due to increase in water consumption by $92,500 and projected $88,524 increase in septic hauler loads offset by a projected decrease of $80,000 for monthly service charges. A review of all water and sewer accounts, water only accounts, and sewer only accounts was made to accurately allocate the Water and Sewer Fund revenue connected to the fixed monthly charge increase. There is a corresponding increase in the Water Fund of approximately the same amount.

- **Sewer Contracts:**

  Revenue in this category reflects the billing activity in counties of Amherst, Bedford, and Campbell and industries of Rock-Tenn and Frito-Lay. Revenue from this source is projected to be $184,544 (6.33%) more than budget mostly due to counties paying their proportionate share of increased operational costs at Regional Wastewater Treatment Plant. In addition Rock-Tenn and Frito-Lay have higher loadings resulting in higher than anticipated surcharges.

- **Interest and Other:**

  Revenue is this category is projected to be $3,853 (4.19%) less than budget mostly attributable to Build America Bonds interest subsidy decrease due to signing of federal law for "Bipartisan Budget Act 2013" in December 2013.

EXPENSES

Overall expenses for FY 2014 are projected to be $12,512 (.06%) less than FY 2014 budget. Explanations of this variance follow:

- **Departmental Operation and Maintenance Expenses:**

  This category includes the Wastewater Treatment Plant and Sewer Line Maintenance. Expenses in this category were $206,271 (2.27%) less than the FY 2014 budget (Wastewater Treatment - $155,172 savings and Sewer Line Maintenance - $51,099 savings). This variance is broken down as follows.

➢ Personnel Services and Benefits	$28,538
➢ Chemicals	$30,200
➢ Communication and Utilities	$35,650
➢ Sludge Disposal	$95,000
➢ Contractual Services	($100,010)
➢ Supplies and Materials	($56,277)
➢ All Other	$173,170
Total	**$206,271**

  The most significant savings are in the All Other category. A savings of $126,956 for charges from Internal Services is mostly attributable to less than anticipated capital charges used for vehicle and equipment replacements. An additional $38,300 of savings in the All Other category is for decreased need for engineering services for capital projects. Contractual Services is expected to go over budget primarily due to projected $45,000 increased costs for line protection services and less than expected tonnage of sludge accepted at the Region 2000 Landfill which increases our projected costs of using contracted haulers by $73,149 to haul and dispose of the sludge at the Maplewood Landfill in Amelia County. Supplies and Materials are projected to exceed budget due to higher costs of repairs at the Waste Water Treatment Plant.

- **Non-Departmental Operational and Maintenance Expenses:**

  Non-Departmental expenses are expected to be $10,250 (5.12%) more than budget due to higher than expected health and dental benefits for retirees.

- **Capital Outlay and Transfers to Other Funds**

  Purchase and transfers in this category are expected to be $183,509 (7.57%) more than budget due to higher than normal unscheduled replacements for motors, pumps and electrical components compared to previous years.

- **Debt/LOC Service Payments**

  Debt Service and LOC Service payments are expected to be at budget.

SUMMARY

This third quarter report reflects a stable FY 2014 financial position for this fund. Under the Council adopted financial policies, the two important financial ratios, debt coverage and fund balance, are within or above policy targets. The debt coverage ratio projected for the end of the fiscal year is 1.28 compared to a target range of 1.20 to 1.50. The fund balance ratio projected for the end of the fiscal year is 36% compared to a target range 15 to 25%.

Respectfully submitted,

Timothy A. Mitchell, P.E.
Director of Utilities

c: L. Kimball Payne, III, City Manager
Bonnie Svrcek, Deputy City Manager
Donna Witt, Director of Financial Services

SEWER OPERATING FUND
FINANCIAL SUMMARY
Quarter Ending March 31, 2014

	FY 2013 Adopted Budget	FY 2013 Actual Q3 YTD	FY 2013 % of Budget	FY 2014 Adopted Budget	FY 2014 Actual Q3 YTD	FY 2014 % of Budget	FY 2014 Adopted Budget	FY 2014 Revised Estimate	FY 2014 $ Variance Revised Estimate to Adopted Budget
BEGINNING NET ASSETS (1)	$91,763,517	$91,763,517		$118,680,799	$118,680,799		$118,680,799	$118,680,799	
Less: Invested in Capital Assets, net of related debt	(81,440,531)	(81,440,531)		(107,598,364)	(107,598,364)		(107,598,364)	(107,598,364)	
BEGINNING UNRESTRICTED NET ASSETS	**$10,322,986**	**$10,322,986**		**$11,082,435**	**$11,082,435**		**$11,082,435**	**$11,082,435**	
REVENUES:									
Charges for services	$16,314,331	$11,461,987	70%	$16,721,214	$11,887,548	71%	$16,721,214	$16,845,538	$124,324
Sewer contracts	3,053,114	1,599,549	52%	2,916,305	1,706,712	59%	2,916,305	3,100,849	184,544
Interest and other	80,421	147,143	183%	91,953	83,082	90%	91,953	88,100	(3,853)
	$19,447,866	**$13,208,679**		**$19,729,472**	**$13,677,342**		**$19,729,472**	**$20,034,487**	**$305,015**
EXPENSES:									
Departmental O&M	$9,112,800	$6,201,490	68%	$9,087,931	$6,603,086	73%	$9,087,931	$8,881,660	$206,271
Non-departmental O&M	346,454	146,537	42%	200,062	85,407	43%	200,062	210,312	(10,250)
Equipment Purchases	60,000	9,343	16%	175,209	21,638	12%	175,209	358,718	(183,509)
Transfers - Capital	1,500,000	1,125,000	75%	2,250,000	1,875,000	83%	2,250,000	2,250,000	0
Debt service	8,451,416	4,891,503	58%	8,616,567	5,041,133	59%	8,616,567	8,616,567	0
	$19,470,670	**$12,373,873**		**$20,329,769**	**$13,626,264**		**$20,329,769**	**$20,317,257**	**$12,512**
Adjustment for expenses from capital projects		**$0**			**$0**			**($81,752)**	
ENDING NET ASSETS	**$10,300,182**	**$11,157,792**		**$10,482,138**	**$11,133,513**		**$10,482,138**	**$10,717,913**	

KEY RATIOS:

Unrestricted cash target as a % of operating expenses & debt service:	25%
Unrestricted cash as a % of operating expenses & debt service:	36%
Financial Policy targeted debt coverage minimum:	1.20
Ending debt coverage:	1.28 (1)

Note (1) Calculation of debt coverage includes $200,000 of capitalizable costs for internal labor charges applicable to time spent on capital project activities.

May 27, 2014

Finance Committee
City Council
City of Lynchburg
Lynchburg, Virginia

Re: March 31, 2014 Quarterly Financial Report – Stormwater Operating Fund

The attached Stormwater Operating Fund Financial Summary summarizes the financial activity for this fund through March 31, 2014. This quarterly report provides comparative financial information for the same period of the prior fiscal year. Variances between the FY 2014 budget and the Department's year end projections are described below.

REVENUES

Following the completion of the third quarter, the overall revenues for FY 2014 are projected to be $10,500 (.28%) less than budget. Explanations follow:

- **Charges for Services:**

  Revenue in this category reflects billing activity for all known impervious areas and delinquent charges on past due accounts and is expected to be $10,500 (.34%) less than budget primarily due to the discovery of one state institution that had its own municipal septic storm sewer systems (MS4) permit. This institution has been billed monthly since July 1, 2012 (which is the inception of Stormwater Fund).

- **Transfers, Interest and Other**

  The transfer from the General Fund, interest and other revenues are expected to be at budget.

EXPENSES

Overall expenses for FY 2014 are projected to be $433,023 (9.69%) less than budget. A breakdown and explanation of this variance follows:

- **Departmental Operation and Maintenance Expenses:**

  Departmental Operation and Maintenance expenses are projected to be $408,623 (13.41%) less than budget. Explanations of this variance follows:

➢ Personnel Services and Benefits	$26,777
➢ Internal Service Charges and Fuel	($18,356)
➢ Supplies and Materials	($51,976)
➢ Contractual Services	$7,550
➢ Public Works and Community Development	$443,490
➢ All Other	$1,138
TOTAL	**$408,623**

The most significant savings is for Public Works and Community Development mostly due to less than anticipated engineering services, contractor drainage work, and ditch cleaning. Additional savings is from Personnel Services and Benefits due to the reduction of one full time IT person to part time. Significant stormwater infrastructure issues have been identified resulting in supplies and materials exceeding budget. The increased expenses for Internal Service Charges and Fuel are mostly attributable to higher than expected repair costs to a 2011 Vac-con Truck.

- **Non-Departmental Operational and Maintenance Expenses:**

  Non-departmental expenses is projected to have a savings of $24,400 (33.94%) that is primarily due to a budgeted collection rate of 98% compared to an actual collection rate of nearly 99%.

- **Debt/LOC Service Payments**

  Currently, there is no debt for the Stormwater Fund.

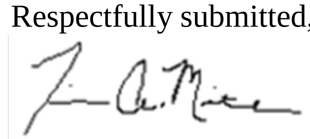
- **Capital Outlay and Transfers to Other Funds**

  Purchases and transfers are expected to be at budget.

SUMMARY

This third quarter report reflects a stable FY 2014 financial position for the fund at this time. The fund balance ratio projected for the end of the fiscal year is 20%.

Respectfully submitted,



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

c: L. Kimball Payne, III, City Manager
Bonnie Svrcek, Deputy City Manager
Donna Witt, Director of Financial Services

STORMWATER OPERATING FUND
FINANCIAL SUMMARY
Quarter Ending March 31, 2014

	FY 2013 Adopted Budget	FY 2013 Actual Q3 YTD	FY 2013 % of Budget	FY 2014 Adopted Budget	FY 2014 Actual Q3 YTD	FY 2014 % of Budget	FY 2014 Adopted Budget	FY 2014 Revised Estimate	FY 2014 $ Variance Revised Estimate to Adopted Budget
BEGINNING NET ASSETS	$0	$0		$1,607,940	$1,607,940		$1,607,940	$1,607,940	
Less: Invested in Capital Assets, net of related debt	0	0		0	0		0	0	
BEGINNING UNRESTRICTED NET ASSETS	**$0**	**$0**		**$1,607,940**	**$1,607,940**		**$1,607,940**	**$1,607,940**	
REVENUES:									
Charges for services	$2,737,000	$2,356,111	86%	$3,132,000	$2,156,779	69%	$3,132,000	$3,121,500	($10,500)
Interest and other	0	0	0%	0	0	0%	0	0	0
Transfers	650,000	487,500	75%	650,000	325,000	50%	650,000	650,000	0
	$3,387,000	**$2,843,611**		**$3,782,000**	**2,481,779**		**$3,782,000**	**$3,771,500**	**($10,500)**
EXPENSES:									
Departmental O&M	$2,702,784	$1,524,952	56%	$3,047,172	$1,861,091	61%	$3,047,172	$2,638,549	$408,623
Non-departmental O&M	136,800	0	0%	71,900	3,538	5%	71,900	47,500	24,400
Equipment Purchases	0	0	0%	0	0	0%	0	0	0
Transfers - Capital	300,000	225,000	75%	1,350,000	1,162,500	86%	1,350,000	1,350,000	0
Debt service	0	0	0%	0	0	0%	0	0	0
	$3,139,584	**$1,749,952**		**$4,469,072**	**$3,027,129**		**$4,469,072**	**$4,036,049**	**$433,023**
Adjustment for expenses from capital projects		$0			$0			$0	
ENDING NET ASSETS	**$247,416**	**$1,093,659**		**$920,868**	**$1,062,590**		**$920,868**	**$1,343,391**	

KEY RATIOS:

Projected unrestricted cash as a % of operating expenses at year end 20%

May 27, 2014

Finance Committee
City Council
City of Lynchburg
Lynchburg, Virginia

Re: March 31, 2014 Quarterly Report - General Fund

Attached is the Financial Summary for the General Fund (Fund) for the period ending March 31, 2014.

This quarterly report provides comparative information for the same period of the prior fiscal year and an annualized projection through the end of the current fiscal year.

NON-DEDICATED REVENUES

- Real Estate Taxes:

  Real Estate taxes are due in four quarterly installments on November 15, January 15, March 15, and May 15. As of the date of this report, there have been three installments for FY 2014 billed, and revenue of $41,923,249 collected. This revenue is 79.8% of the FY 2014 amended budget of $52,518,784.

- Personal Property Taxes:

  Personal Property tax revenue for FY 2014 is $440,538 more than the amount collected in the third quarter of FY 2013, and remains on track with 54.1% collected. Personal property taxes are payable in two equal installments on June 5 and December 5. Additional billings for personal property acquisitions are due March 5 and September 5.

  In 1998, the Virginia General Assembly enacted the Personal Property Tax Relief Act (PPTRA) to reimburse citizens for a portion of the local personal property tax. In the 2004 Virginia General Assembly, the State capped the amount reimbursed to localities at $950 million for FY 2014. This action eliminates the 70% reimbursement. Lynchburg’s share of this reimbursement is $5,543,584. During the third quarter of FY 2014, the State reimbursed the City $831,538 (15%), as scheduled. The final payment will be received in May 2014 (5%).

- Consumer Utility Taxes:

  The third quarter FY 2014 revenue is ahead of budget projections by $258,740 based on collections for 8 months due to a colder winter and spring than in previous years. Staff is monitoring this revenue and providing the Finance Committee with monthly updates related to Consumer Utility Taxes.

- Communication Sales and Use Taxes:

  Communication Sales and Use tax revenue is behind the FY 2014 budget projection by $44,354 based on collections for 9 months, primarily due to less expensive cell phone service and fewer land lines.

- Local Sales and Use Tax:

  Sales tax revenue is ahead of the FY 2014 budget projection by $251,247 based on collections for 9 months, primarily attributable to new retail stores opening this fiscal year, some one-time use tax collections, and increases on prices for retail goods.

- Business License

  Business License revenue collected through the third quarter of FY 2014 is $1,587,372. Since this tax is due May 1, the collection percentage is currently only a small part of the annual budget. The majority of the tax will be collected from March to May. Early projections reflect a $500,000 increase over budget due to increases in service providers including professional, contractors, medical transport, employment agencies, home repairs, and hotels.

- Meals Tax

  Meals tax revenue is ahead of the FY 2014 budget projections by $601,608 based on collections for 9 months primarily due to new restaurants opening this fiscal year, an increase in the price of meals, and continued economic recovery. This revenue is budgeted very conservatively, and staff is monitoring this revenue and providing the Finance Committee with monthly updates.

- Lodging Tax

  Lodging tax revenue is ahead of the FY 2014 budget projection by $296,857 based on collections for 9 months, due to increases in room rates, as well as an increase in visitors for local events. Staff is monitoring this revenue and providing the Finance Committee with monthly updates.

- Permit, Fees, and Licenses:

  Permit, Fees, and Licenses is ahead of the FY 2014 budget projection by 14.0% or $82,380. The majority of this is attributable to Building Inspection Fees and Building Plan Reviews, stemming from an increase in both residential and commercial construction.

- Fines and Forfeitures:

  Fines and Forfeitures revenue is slightly behind the budget projection for FY 2014 by 4.0%, or $17,681.

- Interest on Investments:

  Investment income is ahead of the budget projection for FY 2014 by $82,733 due to conservative budgeting and investment performance better than expected.

- Charges for Services

  Charges for Services revenue is 5.4%, or $253,185, behind the budget projection for FY 2014, primarily due to administrative charges that have not been recorded for the Stormwater fund.

DEDICATED REVENUES

Intergovernmental Revenues are 7.5%, or $1,587,406, less than the FY 2014 budget projection. The timing of reimbursements from the State causes this revenue source to be slightly ahead, or slightly behind, the yearly projection. At present, this includes funding for constitutional officers, human services, and highway maintenance.

EXPENDITURES

- Operating Expenditures:

  The percentage of operating expenditures spent through the third quarter of FY 2014, 73.3%, is on target with budget projections.

- Debt Service

  Debt Service expenditures are on pace with FY 2014 budget projections.

SUMMARY

This report represents nine months of fiscal activity. As the year progresses, revised estimates for revenues and expenditures will be presented to reflect the impact of changes.

Respectfully submitted,

D. S. Witt

Donna S. Witt
Director of Financial Services

c: L. Kimball Payne, III, City Manager
Bonnie Svrcek, Deputy City Manager
Rhonda Allbeck, Assistant Director of Financial Services

GENERAL FUND
FINANCIAL SUMMARY
As of March 31, 2014

	FY 2013 Adopted Budget	FY 2013 Amended Budget	FY 2013 Actual 3rd Qtr	FY 2013 % of Budget	FY 2014 Adopted Budget	FY 2014 Amended Budget	FY 2014 Actual 3rd Qtr	FY 2014 % of Budget	FY 2014 Amnd Budget vs. Actual
BEGINNING BALANCE			As of 3/31/13				As of 3/31/14		
UNASSIGNED	$ 20,199,396	$ 28,835,658	$ 28,835,658		$ 22,744,259	$ 22,744,259	$ 31,673,717		
REVENUES:									
Non-Dedicated Revenues									
Real Property	52,998,701	52,998,701	41,811,934	78.9%	52,518,784	52,518,784	41,923,249	79.8%	10,595,535
Personal Property -Local	15,251,500	15,251,500	8,117,758	53.2%	15,805,000	15,805,000	8,558,296	54.1%	7,246,704
Public Service Corp	2,145,000	2,145,000	2,333,580	108.8%	2,330,000	2,330,000	2,313,631	99.3%	16,369
Consumer Utility Taxes	4,364,582	4,364,582	2,961,133	67.8%	4,185,000	4,185,000	3,048,740	72.8%	1,136,260
Communication Sales and Use Taxes	3,530,000	3,530,000	2,048,364	58.0%	3,462,621	3,462,621	1,983,631	57.3%	1,478,990
Local Sales Tax	13,284,506	13,284,506	8,032,342	60.5%	13,440,973	13,440,973	7,994,644	59.5%	5,446,329
Business License	7,000,000	7,000,000	1,550,598	22.2%	7,199,604	7,199,604	1,587,372	22.0%	5,612,232
Meals Tax	10,830,000	10,830,000	7,924,076	73.2%	11,785,000	11,785,000	8,224,361	69.8%	3,560,639
Delinquent Taxes/Penalties	2,763,500	2,763,500	2,581,040	93.4%	2,978,500	2,978,500	2,933,211	98.5%	45,289
Other Local Taxes	2,503,500	2,503,500	1,974,160	78.9%	2,578,947	2,578,947	1,910,664	74.1%	668,283
Motor Vehicle License	1,413,142	1,413,142	191,791	13.6%	1,413,142	1,413,142	184,534	13.1%	1,228,608
Bank Stock Tax	500,000	500,000	182	0.0%	650,000	650,000	-	0.0%	650,000
Lodging Tax	1,700,000	1,700,000	1,331,354	78.3%	1,700,000	1,700,000	1,338,257	78.7%	361,743
Permit, Fees & Licenses	631,700	631,700	575,491	91.1%	783,900	783,900	670,305	85.5%	113,595
Fines and Forfeitures	566,000	566,000	449,805	79.5%	591,000	591,000	425,569	72.0%	165,431
Interest on Investments	236,502	236,502	145,854	61.7%	120,762	120,762	173,304	143.5%	(52,542)
Use of Property	372,064	372,064	268,891	72.3%	361,064	361,064	317,517	87.9%	43,547
Charges for Services	5,501,448	5,501,448	4,161,927	75.7%	6,226,657	6,226,657	4,416,808	70.9%	1,809,849
Misc. Revenue	264,400	264,400	423,389	160.1%	229,500	229,500	457,370	199.3%	(227,870)
Revenue from Lynchburg City Schools	29,284	29,284	-	0.0%	-	-	-	-	-
Intergovernmental Revenues									
Personal Property -State	5,543,584	5,543,584	5,266,405	95.0%	5,543,584	5,543,584	5,266,405	95.0%	277,179
Other	505,000	505,000	310,218	61.4%	505,000	505,000	466,329	92.3%	38,671
Total Non-Dedicated Revenues	131,934,413	131,934,413	92,460,292	70.1%	134,409,038	134,409,038	94,194,197	70.1%	$ 40,214,841
Dedicated Revenues									
Local									
Indirect Costs and Services from Enterprise Funds	1,745,299	1,745,299	1,320,225	75.6%	1,992,237	1,992,237	1,494,178	75.0%	498,059
Other	1,325,057	1,325,057	765,790	57.8%	1,224,196	1,224,196	713,858	58.3%	510,338
Intergovernmental Revenues									
Constitutional Officers	2,931,739	2,972,494	1,928,223	64.9%	2,975,787	3,037,337	1,966,778	64.8%	1,070,559
Human Services	12,644,822	12,649,985	9,385,165	74.2%	14,277,317	14,277,317	9,807,949	68.7%	4,469,368
House Bill 599	2,930,790	2,930,790	2,129,984	72.7%	2,930,790	2,930,790	2,198,094	75.0%	732,696
Aid to the Commonwealth of Virginia	(535,000)	(535,000)	-	0.0%	-	-	-	-	-
Highway Maintenance	7,105,229	7,105,229	4,905,094	69.0%	7,192,968	7,192,968	4,871,074	67.7%	2,321,894
Other	706,135	706,135	712,895	101.0%	705,326	705,326	676,503	95.9%	28,823
Total Intergovernmental Revenues	25,783,715	25,829,633	19,061,361	73.8%	28,082,188	28,143,738	19,520,398	69.4%	8,623,340
Interfund Transfers	-	9,000	9,000	0.0%	-	-	-	-	(9,000)
Total Dedicated Revenues	28,854,071	28,908,989	21,156,376	73.2%	31,298,621	31,360,171	21,728,434	69.3%	$ 9,631,737
Total Revenues	$ 160,788,484	$ 160,843,402	$ 113,616,668	70.6%	$ 165,707,659	$ 165,769,209	$ 115,922,631	69.9%	$ 49,846,578
Other Financing Sources									
Proceeds from Refunding Bonds		4,129,625	4,129,625			57,469	57,468		
Use of Fund Balance & Reserves									
Unclassify FY13 fund balance							1,113,041		
FY14 Budget reserves							992,570		
7/9/13 Council #8							1,185,000		
9/24/13 Council #2							33,113		
9/24/13 Council #2							(500,000)		
10/23/13 $10M GO Bond							377,229		
11/26/13 Council #2							246,724		
Rmve Assignments			750,000				34,498		
Rtn Fund Bal							507,487		
12/19/12 GO Refunding			42,000						
3/12/13 Council #7			182,250						
2/26/13 Council #11			16,727						
2/26/13 RetSchlFnds			1,124,825						
Corr Law Library reserves							5,160		
1/14/14 Council #8							589,731		
10/9/12 Council #2			3,480,000						
FY13 Carry Forward							50,000		
FY12 Carry Forward			453,271						
Recreation Programs			23,504						
Solid Waste Debt			355,830						
Remove designations			865,226						
Total Fund Balance, Revenues and Use of Fund Bal.	$ 180,987,880	$ 193,808,685	$ 153,875,584		$ 188,451,918	$ 188,570,937	$ 152,288,369		

GENERAL FUND
FINANCIAL SUMMARY
As of March 31, 2014

	FY 2013 Adopted Budget	FY 2013 Amended Budget	FY 2013 Actual 3rd Qtr 3/31/13	FY 2013 % of Budget	FY 2014 Adopted Budget	FY 2014 Amended Budget	FY 2014 Actual 3rd Qtr 3/31/14	FY 2014 % of Budget	FY 2014 Amnd Budget vs. Actual
BALANCE FORWARD									
Total Fund Balance, Revenues and Use of Fund Bal.	$ 180,987,880	$ 193,808,685	$ 153,875,584		$ 188,451,918	$ 188,570,937	$ 152,288,369		
EXPENDITURES									
Operating Expenditures - Departmental									
General Government									
Communications/Marketing	393,841	393,841	274,168	69.6%	434,163	446,274	249,569	55.9%	196,705
Customer Service Center	128,849	128,849	83,624	64.9%	116,065	118,834	83,073	69.9%	35,761
Local Government Channel	154,196	154,196	105,988	68.7%	204,814	209,848	162,871	77.6%	46,977
Council/Manager	838,589	839,289	640,008	76.3%	839,915	859,257	638,971	74.4%	220,286
Parking Management	331,739	332,389	261,695	78.7%	354,575	367,990	217,957	59.2%	150,033
Tourism	-	-	-	0.0%	-	-	75,299	0.0%	(75,299)
Visitor Center	-	-	-	0.0%	-	-	28,800	0.0%	(28,800)
City Attorney	627,712	627,712	461,641	73.5%	634,939	651,504	476,685	73.2%	174,819
Self-Insurance (Risk Management)	555,681	555,681	416,643	75.0%	505,356	505,356	379,017	75.0%	126,339
State Treasurer	147,833	147,833	106,738	72.2%	148,249	150,677	109,661	72.8%	41,016
Comm of Revenue	703,238	706,079	488,723	69.2%	684,508	698,248	475,348	68.1%	222,900
City Assessor	740,465	741,069	517,744	69.9%	705,823	739,145	529,832	71.7%	209,313
Director of Finance	545,980	558,072	424,920	76.1%	636,969	663,002	481,513	72.6%	181,489
Billings & Collections	1,312,194	1,312,194	935,969	71.3%	1,257,745	1,291,104	918,061	71.1%	373,043
Procurement	211,263	212,318	154,116	72.6%	269,792	278,472	207,763	74.6%	70,709
Accounting	800,073	854,833	601,207	70.3%	815,216	901,387	633,674	70.3%	267,713
Budget	160,715	160,715	118,182	73.5%	159,090	163,461	120,270	73.6%	43,191
Human Services - Finance	411,717	411,717	250,818	60.9%	330,031	338,826	248,940	73.5%	89,886
Human Resources	725,782	734,792	513,273	69.9%	691,129	714,969	503,818	70.5%	211,151
Occumaptional Health Services	129,493	135,390	100,472	74.2%	121,174	121,405	73,696	60.7%	47,709
Health Management Program	-	-	-	0.0%	-	-	-	0.0%	-
Application Services	1,233,231	1,233,231	910,474	73.8%	1,140,227	1,183,222	870,942	73.6%	312,280
Network Services	1,339,431	1,339,431	996,300	74.4%	1,336,261	1,369,095	1,001,197	73.1%	367,898
IT Administration	447,803	455,038	321,075	70.6%	455,949	475,490	320,307	67.4%	155,183
PC Replacements	-	-	-	0.0%	-	-	-	0.0%	-
IT Projects	-	-	-	0.0%	-	-	-	0.0%	-
GIS	257,645	257,645	190,400	73.9%	267,015	272,558	202,432	74.3%	70,126
Registrar	156,887	158,469	117,154	73.9%	161,845	164,067	120,738	73.6%	43,329
Electoral Board	57,282	57,282	48,337	84.4%	58,257	58,257	41,958	72.0%	16,299
Judicial									
Circuit Court - Judge	161,575	163,839	113,365	69.2%	162,092	136,820	65,210	47.7%	71,610
General District Court	62,550	63,150	50,315	79.7%	62,550	63,150	45,040	71.3%	18,110
Juvenile & Domestic District Court	15,409	16,908	9,856	58.3%	15,409	16,723	8,252	49.3%	8,471
24th Court Services Unit	1,632	1,632	262	16.1%	1,632	1,632	264	16.2%	1,368
Commonwealth Attorney	1,460,014	1,413,215	1,039,840	73.6%	1,406,739	1,477,915	1,094,346	74.0%	383,569
Comm Atty Fines & Fees Coll	-	65,973	45,887		64,827	64,827	43,501	67.1%	21,326
Magistrates Office	4,093	5,157	1,394	27.0%	4,193	5,299	1,385	26.1%	3,914
Circuit Court - Clerk	795,978	836,733	566,645	67.7%	798,229	808,976	558,503	69.0%	250,473
Sheriff	2,083,804	2,082,244	1,561,648	75.0%	2,133,193	2,162,438	1,572,509	72.7%	589,929
Public Safety									
Police Operations	14,725,712	15,092,948	11,509,030	76.3%	14,960,872	15,186,964	11,426,686	75.2%	3,760,278
Animal Warden	300,979	300,979	172,489	57.3%	278,208	293,055	169,371	57.8%	123,684
Emergency Communications	2,602,812	3,044,318	2,322,828	76.3%	2,401,588	2,504,950	1,777,475	71.0%	727,475
Range Operations	15,000	15,569	9,269	0.0%	15,000	16,742	9,552	57.1%	7,190
Off Duty Employment	-	-	198,350	0.0%	525,000	525,000	501,319	0.0%	23,681
Fire Operations and EMS	14,853,175	15,236,372	11,132,480	73.1%	15,010,712	15,216,231	10,723,044	70.5%	4,493,187
TRT-Pier	82,500	146,677	47,441	32.3%	82,500	82,500	45,557	55.2%	36,943
Public Works									
Public Works Administration	696,752	696,752	520,788	0.0%	703,582	714,239	534,079	74.8%	180,160
Engineering	3,351,569	3,510,520	2,559,249	100.0%	3,262,738	3,401,231	2,270,735	66.8%	1,130,496
Street Maintenance	3,285,782	3,349,205	2,228,247	66.5%	3,191,810	3,296,116	2,130,041	64.6%	1,166,075
Snow Removal	240,695	284,629	156,003	54.8%	187,975	227,606	244,602	107.5%	(16,996)
Refuse Collection	2,528,706	2,694,002	1,980,771	73.5%	2,269,620	2,445,540	1,812,580	74.1%	632,960
Parks/Grounds Maintenance	2,507,217	2,578,645	1,772,631	68.7%	2,469,597	2,519,274	1,809,454	71.8%	709,820
Baseball Stadium Maintenance	127,378	131,765	74,295	56.4%	93,063	103,183	56,764	55.0%	46,419
Building Maintenance	3,182,712	3,271,926	2,580,848	78.9%	3,148,263	3,286,967	2,598,979	79.1%	687,988
Human Services Maintenance	234,131	249,192	132,987	53.4%	208,383	215,191	169,952	79.0%	45,239
Subtotal Est. Operating Expenditures - Departmental	$ 65,731,814	$ 67,760,415	$ 49,826,587	73.5%	$ 65,786,882	$ 67,515,017	$ 48,841,592	72.3%	$ 18,673,425

GENERAL FUND
FINANCIAL SUMMARY
As of March 31, 2014

	FY 2013 Adopted Budget	FY 2013 Amended Budget	FY 2013 Actual 3rd Qtr 3/31/13	FY 2013 % of Budget	FY 2014 Adopted Budget	FY 2014 Amended Budget	FY 2014 Actual 3rd Qtr 3/31/14	FY 2014 % of Budget	FY 2014 Amnd Budget vs. Actual
Subtotal Est Operating Expenditures Departmental	$ 65,731,814	$ 67,760,415	$ 49,826,587		$ 65,786,882	$ 67,515,017	$ 48,841,592		
Continued Operating Expenditures Departmental:									
Health and Welfare									
Human Services Administration	-	-	-	0.0%	-	-	-	0.0%	-
Delta Outreach (Counties)	-	-	-	0.0%	-	-	-	0.0%	-
Social Services Administration	6,535,154	6,536,717	4,554,561	69.7%	6,563,694	6,919,421	4,963,444	71.7%	1,955,977
Public Assistance	6,075,506	6,113,459	5,602,401	91.6%	7,511,743	7,523,851	5,846,891	77.7%	1,676,960
Juvenile Services Administration	457,080	457,080	278,701	61.0%	335,382	344,257	130,872	0.0%	213,385
Regional Detention Home	808,117	808,117	264,860	32.8%	767,768	767,768	246,000	32.0%	521,768
Opportunity House	645,650	646,273	470,909	72.9%	642,628	654,777	422,012	64.5%	232,765
Single Point of Entry (Crossroads House)	-	-	-	0.0%	-	-	-	0.0%	-
SPARC House	601,953	603,782	443,589	73.5%	594,169	609,633	457,278	75.0%	152,355
CSA Service Providers	1,521,294	1,521,294	1,105,500	72.7%	1,384,844	1,386,085	1,043,323	75.3%	342,762
Day Services	-	-	-	0.0%	-	-	-	0.0%	-
Lynchburg Outreach Program	278,626	278,793	179,827	64.5%	276,383	282,288	136,664	48.4%	145,624
ARRA-SS Prog	-	-	-	0.0%	-	-	-	0.0%	-
Parks Recreation and Cultural									
Parks and Recreation	3,047,903	3,081,375	2,041,665	66.3%	3,045,382	3,109,954	2,072,051	66.6%	1,037,903
Public Library	1,541,276	1,541,455	1,135,650	73.7%	1,464,212	1,519,024	1,052,482	69.3%	466,542
Law Library	28,770	28,770	14,680	51.0%	33,770	33,770	15,950	47.2%	17,820
Museums	438,441	455,672	291,217	63.9%	432,037	446,567	298,974	66.9%	147,593
Point of Honr/Carriage House	-	-	-	0.0%	-	-	-	0.0%	-
Community Development									
Director	340,095	342,398	240,887	70.4%	347,905	358,202	239,412	66.8%	118,790
Planning	313,526	512,896	193,758	37.8%	305,378	476,505	284,284	59.7%	192,221
Inspections	806,121	824,021	543,029	65.9%	774,675	822,424	569,566	69.3%	252,858
Engineering	-	-	-	0.0%	-	-	-	0.0%	-
Zoning	154,710	154,710	111,910	72.3%	154,652	158,779	116,608	73.4%	42,171
Economic Development	345,286	401,012	317,926	79.3%	316,389	476,291	344,019	72.2%	132,272
Operating Expenditures Non-Departmental:	15,959,840	15,918,888	14,887,999	93.5%	16,660,561	17,148,507	13,927,280	81.2%	3,221,227
Total Est. Operating Expenditures	105,631,162	107,987,127	82,505,656	76.4%	107,398,454	110,553,120	81,008,702	73.3%	29,544,418
TRANSFERS TO OTHER FUNDS									
Airport Fund	382,862	382,862	288,000	75.2%	289,061	289,061	216,000	74.7%	73,061
City/Federal state Aid Fund	11,720	81,882	75,112	91.7%	41,720	112,074	111,711	99.7%	363
CFSA - 8592	-	47,414	47,414	100.0%					
Fleet Debt Service	-	-	-	0.0%	-	33,306	-	0.0%	33,306
Fleet - Vehicle Replacement	-	-	-	0.0%	-	-	-	0.0%	-
Stormwater	-	-	-	0.0%	-	-	-	0.0%	-
Sewer	-	-	-	0.0%	-	-	-	0.0%	-
Stadium Fund - Debt/Operating Expenses	-	-	-	0.0%	-	-	-	0.0%	-
Technology Fund	623,575	678,597	522,703	77.0%	625,705	658,818	502,392	76.3%	156,426
Total Transfers to Other Funds	1,018,157	1,190,755	933,229	78.4%	956,486	1,093,259	830,103	75.9%	263,156
SCHOOLS - OPERATIONS	35,601,147	35,750,972	20,243,512	56.6%	38,201,147	38,708,634	21,332,487	55.1%	17,376,147
DEBT SERVICE									
General Fund	7,433,452	11,606,632	9,217,738	79.4%	7,042,641	7,218,789	4,908,874	68.0%	2,309,915
Stadium	205,528	205,528	115,085	0.0%	206,527	206,527	117,122	56.7%	89,405
Schools	7,018,677	7,020,162	4,417,231	62.9%	6,565,401	6,583,083	4,354,085	66.1%	2,228,998
Total Debt Service	14,657,657	18,832,322	13,750,054	73.0%	13,814,569	14,008,399	9,380,081	67.0%	4,628,318
RESERVES									
Other Post Employment Benefits (OPEB)	250,000		250,000				250,000		
Budget designations	1,050,000								
Law Library	5,080		5,080				80		
Debt Service - HHS	2,044,657		2,044,657				3,044,657		
Parking Oper - GASB54							52,004		
GLTC							43,860		
Fire Equipment							50		
Assign VA Land Conservancy							2,314		
Assign RSA Excess							363,317		
Debt Service - CVRRB	205,200		205,200						
FY12 Carry Forward - Contingencies			500,000						
LOD VRS payment			105,952						
Contingency	700,000		700,000				700,000		
Total Reserves	4,254,937	-	3,810,889			-	4,456,282		
TOTAL EXPENDITURES	$ 161,163,060	$ 163,761,176	$ 121,243,340		$ 160,370,656	$ 164,363,412	$ 117,007,655		

GENERAL FUND
FINANCIAL SUMMARY
As of March 31, 2014

	FY 2013 Adopted Budget	FY 2013 Amended Budget	FY 2013 Actual 3rd Qtr 3/31/13	FY 2013 % of Budget	FY 2014 Adopted Budget	FY 2014 Amended Budget	FY 2014 Actual 3rd Qtr 3/31/14	FY 2014 % of Budget
TRANSFERS TO CAPITAL FUNDS								
School Capital Projects Fund	$ 975,000	$ 4,455,000	$ 4,455,000	0.0%	$ 3,252,460	$ 5,027,191	$ 1,774,731	0.0%
City Capital Projects Fund	4,291,759	4,924,009	3,851,070	78.2%	3,777,878	4,581,648	3,637,180	79.4%
Total Transfers to Capital Funds	5,266,759	9,379,009	8,306,070	88.6%	7,030,338	9,608,839	5,411,911	56.3%
TOTAL EXPENDITURES, RESERVES & TRANSFERS	166,429,819	173,140,185	129,549,410	74.8%	167,400,994	173,972,251	122,419,566	70.4%
Remaining Unassigned Fund Balance	14,558,061	20,668,500	24,326,174	117.7%	21,050,924	14,598,686	29,868,803	204.6%
Committed and Assigned Fund Balance	12,059,206	-	10,925,692		-	-	12,468,134	
TOTAL FUND BALANCE	$ 26,617,267	$ 20,668,500	$ 35,251,866	170.6%	$ 21,050,924	$ 14,598,686	$ 42,336,937	290.0%

Committed and Assigned Fund Balance	FY 2013 Adopted Budget	FY 2013 Amended Budget	FY 2013 Actual 3rd Qtr 3/31/13	FY 2013 % of Budget	FY 2014 Adopted Budget	FY 2014 Amended Budget	FY 2014 Actual 3rd Qtr 3/31/14	FY 2014 % of Budget	
Committed Fund Balance									Committed Fund Balance
Health Insurance	636,127		656,617				677,017		Health Insurance
Contingencies			959,023				822,771		Contingencies
Technology									Technology
Local Aid to Commonwealth									Local Aid to Commonwealth
Detention Home Workers Comp	100,000		100,000				100,000		Detention Home Workers Comp
LCS Budget Balancing									LCS Budget Balancing
SW Debt Retire	1,186,075		1,186,075				841,605		SW Debt Retire
Future Post Closure Costs	604,284		604,284				604,284		Future Post Closure Costs
Other Post Employment Benefits	1,311,310		1,331,231				1,614,509		OPEB
Detention Home Capital Needs									Detention Home Capital Needs
Detention Home Prevention Initiative									Detention Home Prevention Initiative
Juvenile Services Group Home	340,185		-						Juvenile Services Group Home
Debt Service									Debt Service
GLTC Spec Reserve							543,860		GLTC Spec Reserve
Schl Spc Ed Dis Prop			321,000				321,000		Schl Spc Ed Dis Prop
HHS Debt Service - Recurring	2,984,219						1,894,223		HHS Debt Service - Recurring
HHS Debt Service - Non Recurring	1,120,078		624,297						HHS Debt Service - Non Recurring
Debt Service CVRRB	340,000		5,929				5,929		Debt Service CVRRB
Rsrv for Future Need			-						Rsrv for Future Need
Pub Safety Comp Adj	13,968		13,968				13,968		Pub Safety Comp Adj
School Textbooks	1,059,392		1,432,254				1,432,254		School Textbooks
School Health Ins Reserve	1,140,608		1,440,608				1,440,608		School Health Ins Reserve
School Future Exp Needs	75,908		75,908						School Future Exp Needs
Total Committed Fund Balance	**10,912,154**	**-**	**8,751,194**		**-**	**-**	**10,312,028**		Total Committed Fund Balance
Assigned Fund Balance									Assigned Fund Balance
Return of School Funding	260,419		279,818				279,818		Return of School Funding
PubWrks Funds from SW			-						PubWrks Funds from SW
Law Library	75,049		79,941				74,885		Law Library
Hlth Ins Reserve	364,538		364,538				364,538		Health Ins Reserve
Future Post Closure	204,438		204,438				567,755		Future Post Closure
Museum	47,374		50,028				50,028		Museum
Recreation Programs	20,890		73,200				112,090		Recreation Programs
Dental Insurance Reserve	150,000		150,000				150,000		Dental Insurance Reserve
Fire Equipment			50,000				100,000		Fire Equipment
LOD Death Benefit			211,904				211,904		LOD Death Benefit
LOD Health Benefit			145,000				145,000		LOD Health Benefit
Health Mgmt Plan			500,000						Pub Safety Comp Adj
PW - Snow			-				-		PW - Snow
Adopt-A-Bed			-				3,281		Adopt-A-Bed
Parking Operations			62,409				71,563		Parking Operations
Point of Honor			2,653				2,653		Point of Hononr
Police Range Oper			569				569		Police Range Oper
VA Land Conserv			-				2,314		VA Land Conservancy
PIER	24,344		-				19,658		PIER
Fire Restitution			-				50		Fire Restitution
Total Assigned Fund Balance	**1,147,052**	**-**	**2,174,498**		**-**	**-**	**2,156,106**		Total Assigned Fund Balance
Total Committed/Assigned Fund Balance	**$ 12,059,206**	**$ -**	**$ 10,925,692**		**$ -**	**$ -**	**$ 12,468,134**		

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **June 10, 2014**			AGENDA ITEM NO.: **3**
CONSENT:	REGULAR:	WORK SESSION:	CLOSED SESSION: (Confidential)
ACTION:		INFORMATION:	

ITEM TITLE: **Strategic Prevention Framework State Incentive Grant (SPF-SIG)**

RECOMMENDATION:
Adopt a resolution to amend the FY 2014 City/Federal/State Aid Fund budget and appropriate $139,332 with resources from the Virginia Commonwealth University (VCU) Strategic Prevention Framework State Incentive Grant (SPF-SIG) to help reduce the number of alcohol-related crashes involving drivers between the ages of 15 and 24.

SUMMARY:
In FY 2012 the City was awarded $139,332 through the Strategic Prevention Framework State Incentive Grant (SPF-SIG). Funding for this program has been continued through June 30, 2015. This grant provides funding for a full-time Prevention Specialist who coordinates and/or provides programs, services and activities to: 1) prevent the onset and reduce the progression of substance abuse, including childhood and underage drinking; 2) reduce substance-related problems in communities; and 3) build prevention capacity and infrastructure at the local level. Funding from the grant has been used for various activities such as awareness campaigns, training for local bartenders, and additional DUI checkpoints. In 2013 the total number of crashes in the city decreased by about 250. Additionally, crashes with property damage fell from 970 to 801. Grant funding will allow these efforts to continue.

PRIOR ACTION(S):
May 27, 2014 Finance Committee

FISCAL IMPACT:
None, no local match is required

CONTACT(S):
Tamara Rosser, Director of Human Services, 455-5794
Frank Diaz, Prevention Specialist/Grant Coordinator

ATTACHMENT(S):
Resolution

REVIEWED BY:

RESOLUTION:
BE IT RESOLVED that the FY 2014 City/Federal/State Aid Fund budget is amended and $139,332 is appropriated with resources from the Virginia Commonwealth University (VCU) Strategic Prevention Framework State Incentive Grant (SPF-SIG) to help reduce the number of alcohol-related vehicle crashes involving drivers between the ages of 15 and 24.

Introduced: Adopted:

Certified: ___________________
Clerk of Council

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **June 10, 2014** AGENDA ITEM NO.: **4**

CONSENT: REGULAR: WORK SESSION: CLOSED SESSION: (Confidential)

ACTION: INFORMATION:

ITEM TITLE: **Additional Social Services Funding**

RECOMMENDATION:
Adopt a resolution to amend the FY 2014 City/Federal/State Aid Fund budget and appropriate $15,000 with resources from State Department of Social Services to address a backlog of Medicaid applications.

SUMMARY:
The Virginia Department of Social Services allocated one-time funding in FY 2014 to pay for overtime to address the backlog of Medicaid/FAMIS applications which local departments of social services across the state are currently experiencing. The City of Lynchburg has 300 overdue Medicaid applications. Funds will be used to pay staff for overtime hours needed to address these applications.

PRIOR ACTION(S):
May 27, 2014 Finance Committee

FISCAL IMPACT:
None, no local match is required.

CONTACT(S):
Tamara Rosser, Director of Human Services, 455-5794
Robin Mamola, Accountant, 455-5769

ATTACHMENT(S):
Resolution

REVIEWED BY:

RESOLUTION:
BE IT RESOLVED that the FY 2014 City/Federal/State Aid Fund budget is amended and $15,000 is appropriated with resources from the State Department of Social Services to address the backlog of Medicaid applications.

Introduced: Adopted:

Certified: ____________________
Clerk of Council

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **June 10, 2014** AGENDA ITEM NO.: **5**

CONSENT: REGULAR: WORK SESSION: CLOSED SESSION: (Confidential)

ACTION: INFORMATION:

ITEM TITLE: **Taser Replacement for the Police Department**

RECOMMENDATION:
Adopt a resolution to amend the FY 2015 General Fund budget and appropriate $115,713 with resources from the FY 2015 General Fund Reserve for Contingencies to purchase 170 tasers, accessories, and the first year of Taser Assurance Plan coverage.

SUMMARY:
The Police Department's current taser model has been discontinued and will no longer be supported by the manufacturer after calendar year 2014. Total cost to replace 170 tasers including holsters, battery packs, and the first year of device replacement coverage in a five-year Taser Assurance Plan (TAP) is $170,313. The department's FY 2015 budget includes $20,500 for taser replacement. It is also anticipated the department will have $34,100 remaining in its FY 2014 budget to carry forward to assist with this cost. The Police Department is requesting the remaining $115,713 from the General Fund Reserve for Contingencies.

Generally, the TAP coverage cost is $185 per taser per year ($31,450 total per year); however, in year one the cost is $3,400 for coverage based on trading in the department's existing tasers and receiving a trade-in value of $165 per taser ($28,050). For years 2-5 the coverage plan cost is $31,450, which will be included as part of the department's General Fund annual budget request for fiscal years 2016 through 2019. Currently taser replacement is already included as a regular budget item; therefore, the annual TAP coverage payment will not require any additional funding in the budget.

The TAP coverage plan will replace any malfunctioning or broken taser at no additional cost during the five year coverage plan. At the end of five years (in FY 2020) the plan will replace the 170 tasers with then-current model tasers at no additional cost.

PRIOR ACTION(S):
May 27, 2014 Finance Committee

FISCAL IMPACT:
One-time funding of $115,713 is needed from the General Fund Reserve for Contingencies

CONTACT(S):
Police Chief Parks Snead, 455-6104
Captain K.R.Edwards Police Department, 455-6119

ATTACHMENT(S):
Resolution

REVIEWED BY:

RESOLUTION:
BE IT RESOLVED that the FY 2015 General Fund budget is amended and $115,713 is appropriated with resources from the FY 2015 General Fund Reserve for Contingencies to purchase 170 tasers, accessories, and the first year of Taser Assurance Plan coverage.

Introduced: Adopted:

Certified: ______________________________
Clerk of Council

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **June 10, 2014** AGENDA ITEM NO.: **6**

CONSENT: REGULAR: WORK SESSION: CLOSED SESSION: (Confidential)

ACTION: INFORMATION:

ITEM TITLE: **2014/2015 School Resource Officer Grant Program Department of Criminal Justice Services**

RECOMMENDATION: Adopt a resolution to amend the FY 2015 City/Federal/State Aid Fund budget and appropriate $227,860 with resources of $94,095 from the 2014/15 School Resource Officer Department of Criminal Justice Services Grant Program and $133,765 from the FY 2015 General Fund Reserve for Contingencies to create three School Resource Officer positions and provide vehicles, training, and equipment associated with these positions.

SUMMARY: The Police Department is eligible for $94,095 in Department of Criminal Justice Services (DCJS) grant funding to add School Resource Officer (SRO) positions to serve the three City middle schools. This grant requires a 37.27% local match in the amount of $55,905 for a total grant award of $150,000. Funding will be used to hire three additional police officer positions, which will allow the Police Department to place an SRO in each of the City's middle schools. This grant only pays for the salaries and benefits of the officers; it does not fund the equipment or training necessary for these positions. The cost to provide vehicles, training, and equipment is $77,860.

This grant is renewable for 4 years; although, the amount of the grant award is reduced each year. Also, based on pay structure, in subsequent years, salary and benefit costs for the 3 positions total $166,584, which is $16,584 more than the $150,000 base grant award. A breakdown of cost by year follows:

	Allowable Grant Award	Reduction from $150,000	37.27% Local Match	Additional Personnel Costs	Total City Cost
Year 2	$135,000	$15,000	$50,315	$16,584	**$81,899**
Year 3	$127,500	$22,500	$47,520	$16,584	**$86,604**
Year 4	$112,500	$37,500	$41,929	$16,584	**$96,013**

PRIOR ACTION(S):
January 28, 2014 – Council approval to submit application
May 27, 2014 Finance Committee

FISCAL IMPACT: The grant requires a 37.27% local match of $55,905; an additional $77,860 is needed for vehicles, training, and equipment not covered by the grant. Funds totaling $133,765 are needed from the FY 2015 General Fund Reserve for Contingencies.

CONTACT(S):
Police Chief Parks Snead, 455-6104
Captain K.R.Edwards, 455-6119

ATTACHMENT(S):
Resolution

REVIEWED BY:

RESOLUTION:
BE IT RESOLVED that the FY 2015 City/Federal/State Aid Fund budget is amended and $227,860 is appropriated with resources of $94,095 from the 2014/15 School Resource Officer Department of Criminal Justice Services Grant Program and $133,765 from the FY 2015 General Fund Reserve for Contingencies to create three School Resource Officer positions and provide vehicles, training, and equipment associated with these positions.

Introduced: Adopted:

Certified: ______________________________
Clerk of Council

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **May 27, 2014** AGENDA ITEM NO.: **7**

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

ACTION: INFORMATION:

ITEM TITLE: **Application for a 2014 Edward Byrne Memorial Justice Assistance Grant (JAG)**

RECOMMENDATION: After providing an opportunity for public comment adopt a resolution authorizing an application for the 2014 Edward Byrne Memorial Justice Assistance Grant in the amount of $40,951 with resources from a Edward Byrne Memorial Justice Assistance Grant to purchase forensic computer software and hardware, map boards for field supervisor vehicles, an evidence refrigerator, impact munitions, tasers, and a high capacity printer.

SUMMARY: The City of Lynchburg is eligible to receive $40,951 in Edward Byrne Memorial Justice Assistance Grant (JAG) funding. Funding will be utilized to purchase forensic computer software and hardware, map boards for field supervisor vehicles, an evidence refrigerator, impact munitions for the Police Department ($32,182), tasers for the Sheriff's Department ($4,988) and a high capacity printer for the Office of the Commonwealth's Attorney ($3,781). Total equipment cost is $40,753, which is fully reimbursable by the grant. No local matching funds are required.

The grant application process requires that an opportunity for public comment be provided prior to submission of the application.

PRIOR ACTION(S): Finance Committee, May 27, 2014

FISCAL IMPACT: None, no local match is required.

CONTACT(S): Police Chief Parks Snead, 455-6104; Captain K.R. Edwards, Police Department, 455-6119

ATTACHMENT(S): Resolution

REVIEWED BY: lkp

RESOLUTION:
BE IT RESOLVED that the Lynchburg City Council hereby authorizes the submission of an application for a 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of $40,951 to purchase forensic computer software and hardware, map boards for field supervisor vehicles, an evidence refrigerator, impact munitions, tasers and a high capacity printer.

Adopted:

Certified: ______________________________
Clerk of Council

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **June 10, 2014** AGENDA ITEM NO.: **8**

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

ACTION: **X** INFORMATION:

ITEM TITLE: **WebEOC Expansion Project**

RECOMMENDATION:
Adopt a resolution to amend the FY 2014 City/Federal/State Aid Fund budget and appropriate $77,876 with resources of $20,938 from the Virginia Department of Emergency Management FY 2013 Emergency Management Performance Grant (EMPG) and $56,938 transferred from the City Capital Projects Fund Radio Replacement project to purchase, install, configure, and oversee operation of the WebEOC® *Professional* incident management system.

SUMMARY:
In 2013 Council authorized the purchase of WebEOC® *Town Square*™ incident management system. WebEOC® *Town Square*™ came ready to use with status boards, ICS forms, and FEMA forms to help manage emergencies and special events. The WebEOC® *Town Square*™ license only allows for up to 50 named users and does not allow existing boards to be altered or new information sharing boards to be configured. Even with its limitations, WebEOC® *Town Square*™ has proven to be an invaluable tool for sharing information throughout City departments during a critical incident.

WebEOC® *Professional* is a web-enabled and locally-configurable incident and event management system. With access to the internet, authorized emergency managers and first responders, regardless of location, can enter and view incident information in WebEOC® status boards. WebEOC® *Professional* includes a license for unlimited users and the ability to reconfigure existing and create new information sharing boards. With the added features of WebEOC® *Professional* the City will be able to expand the information sharing process during critical incidents from just City departments to other response partner organizations within the City such as the American Red Cross, hospitals, local schools, and institutions of higher learning. The vastly improved methods of sharing critical incident information will greatly improve this community's ability to react to and recover from disaster situations.

Up until last year, the City's Emergency Management function was accomplished primarily through additional duties being assigned to existing staff. Beginning last year, EMPG funds were used to establish a part-time Emergency Management staff position (the Watch Officer). This position has been responsible for maintenance and upkeep on the existing WebEOC® *Town Square*™ along with a variety of additional tasks (see attachment). With the expansion of the Emergency Management program in general and more specifically the expanded use of WebEOC®, the need to have trained staff capable of configuring and maintaining the more complex system becomes more critical to the overall success of the program. As such, it is time to consider converting the existing part time position to a full time position. EMPG funds will still be utilized to partially fund the position; however, $16,000 in additional funding is included in this request to fully cover funding for the position through FY 2015. The additional funds necessary to maintain the position in future years would be included in the Emergency Services General Fund budget.

PRIOR ACTION(S):
Finance Committee May 27, 2014

FISCAL IMPACT:
There is a 50% match on the grant obtained for the licensing costs of the product ($20,938). There is an additional installation, setup and training cost of $20,000, and additional money to increase the Watch Officer position from part-time to full-time ($16,000) for a total local cost of $56,938.

CONTACT(S):
William A. Aldrich, Director of Emergency Services, 455-4285

ATTACHMENT(S):
Resolution
EOC Watch Officer Job Responsibilities

REVIEWED BY: lkp

RESOLUTION

BE IT RESOLVED that the FY 2014 City/Federal/State Aid Fund budget is amended and $77,876 is appropriated with resources of $20,938 from the Virginia Department of Emergency Management FY 2013 Emergency Management Performance Grant (EMPG) and $56,938 transferred from the City Capital Projects Fund Radio Replacement project to purchase, install, configure, and oversee operation of the WebEOC® *Professional* incident management system.

Introduced: Adopted:

Certified: ______________________________
Clerk of Council

EOC Watch Officer Job Responsibilities

During Incidents/Planned Events

- The Watch Officer fills a vital role in staffing the EOC during incidents, both planned and unplanned. A primary responsibility is to gather incident information and update key decision makers about the incidents and the status of operations outside the scope of the incident.

- After an incident occurs, the Watch Officer is responsible for standing-up the EOC. This includes the following items; alerting the City's Leadership Team that an incident has occurred and WebEOC is being updated with current information; setting up the EOC phone system to begin receiving incoming and to begin placing outgoing calls; notification of ESF Leaders about the incident and instructing them to begin monitoring WebEOC for information and resource requests; and lastly, to begin updating WebEOC with the City's response and recovery operations.

- The City is required to submit periodic situation reports to the Virginia Department of Emergency Management when an incident occurs. The Watch Officer is responsible for submitting these reports when the DES Director or Deputy Director instructs that the report be submitted. The report reflects the current operations of the City and is the base for situation reports provided to the Governor.

- When resource request begin flowing into the EOC, the Watch Officer is responsible for filtering the requests. This requires gathering additional information, if needed, and assigning the request to the correct ESF for fulfillment.

- Information flowing into the EOC is to be gathered and input into WebEOC for event record keeping and situational awareness. The Watch Officer gathers this information in WebEOC and determines what information is necessary for a particular group (Operations, Command, the City as a whole, etc.) to conduct response and recovery operations.

- When incidents require, the Watch Officer serves as a relief member for the Planning Team. This requires an understanding of ICS, Command and Planning principles.

- Brief incoming personnel on the incident and current operations.

Day-to-Day & Project Responsibilities

- The Watch Officer provides a lot of administrative support to DES through meeting logistics. These meetings range from Emergency Policy Team to After Action Review. Logistics provided include: scheduling the meeting with all stakeholders; acting as a scribe for the meeting; gathering information and disseminating the information to participates; and lastly, acting as a point of contact for future meetings.

- The Watch Officer is responsible for the development of checklists and other tactics which help operations flow smoothly during incidents. One example of a checklist developed, is the Command checklist which identifies critical City operations and their status. Two additional examples include a checklist for the Planning Team and the ESF 5 (Emergency Management) support staff.

- The Watch Officer works with various organizations to improve the City's response to emergency incidents. In May 2014, the Watch Officer attended a training session on how the City would open a Family Assistance Center (FAC). The FAC is responsible for developing methods to assist with family representatives after a mass causality incident. The Watch Officer will be assisting with the development of a FAC plan for Lynchburg. Another option to improve emergency preparedness, explored has been the possible development of a Community Emergency Response Team (CERT) in Lynchburg. The CERT would allow DES to educate citizens on personnel preparedness.

- Works on identifying external funding sources to expand emergency operations in the City. Obtained a grant to fund the upgrade for the WebEOC license.

- Coordinated the installation and configuration of WebEOC Town Square within Lynchburg. Setup permission levels, tested operations, and trained emergency response and recovery personnel on the operation of WebEOC.

- Assisted with the development of exercises to test the City emergency management capabilities. Examples of exercises include: Command Training in September of 2013 where personnel, who historically have worked command, tested their response to a tornado touchdown within the City; various training sessions for ESF #5 (Emergency Management) personnel to develop better operational tactics; June 10, 2014 where City Command and LCS Command will have to work together through an incident; and lastly, the 2014 VDEM Regional exercise where representatives from Lynchburg, Campbell, Bedford and Amherst will practice their response to an incident.

- The Watch Officer completed an update to the Lynchburg Emergency Operations Plan. This update included administrative changes which reflect the current operations in Lynchburg. Included in the update was receiving approval from various stakeholders and working with Communications and Marketing to get the document ready to print.

- Created a word template which serves as the Lynchburg Incident Action Plan (IAP). The IAP template uses NIMS principles and simplifies the IAP development. This has greatly increased the efficiently of the Planning Team during major incidents.

- Working with GIS and the owners of dams, in and around Lynchburg, to develop a centralized location for information during a dam emergency. A layer for the GIS system is currently being developed; which will allow for the properties impacted by a dam emergency to be identified quickly.

- Monitoring situations which could impact the City. This includes weather and other disruptions. When there is a possibility of weather impacting the City, the Watch Officer is monitoring the radar composites and weather forecasts for the region. Information on social media and various news agencies is also monitored for any possibility of City operations being impacted. During major events, (i.e. CSX train derailment 4/30/14) the Watch Officer is monitoring the weather and notifying Command when weather could impact operations.

- Working with State representatives on ways to improve the State WebEOC system. This includes meeting in the Virginia EOC and teleconference meetings. New changes to the State system should be in place before hurricane season 2014.

- Conducting an annual review of the City's NIMS completion progress. This includes reviewing NIMS courses and noting any changes. The Watch Officer must work with numerous City departments to gather NIMS completion information. That information is then compiled and an annual NIMS Status Report is completed and submitted to the Director of DES.

- Quarterly meeting with local colleges about various emergency management issues is coordinated by the EOC Watch Officer. This includes developing contact with the colleges' and universities' emergency management staff; developing agendas; scheduling meetings; and providing minutes for the meetings.

Preparedness Outreach

- During FY 2014, eighteen different outreach presentations were conducted with various community and civic organizations. These presentations had various formats. Several of the preparedness outreach programs were held during Neighborhood Watch meetings. Two presentations were standalone during major community events. Numerous community and civic organizations came to the Department of Emergency Services for tours and briefing on emergency preparedness and emergency management in Lynchburg.

- Social Media monitoring and outreach was conducted. Facebook and Twitter accounts were monitored and emergency preparedness information was pushed out to the department's followers.

- Working with the Lynchburg Area Council on Independent Living (LACIL) to address ways of increasing preparedness for citizens with disabilities. Citizens with disabilities pose a unique challenge for emergency management. They often require resources to divert from situations to assist with day-to-day living. Increasing preparedness within the community will hopefully decrease the strain on the system during incidents.

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **June 10, 2014**			AGENDA ITEM NO.: **9**
CONSENT: X	REGULAR:	WORK SESSION:	CLOSED SESSION: (Confidential)
ACTION: **X**	INFORMATION:		

ITEM TITLE: Virginia Wireless E-911 Services Board Grant

RECOMMENDATION: Adopt a resolution to amend the FY 2015 City/Federal/State Aid Fund budget and appropriate $22,000 with resources from the Virginia Wireless E-911 Services Board FY 2015 PSAP Grant Program to replace aging computer equipment for 12 Computer Aided Dispatch (CAD) workstations at the Department of Emergency Services Emergency Communications Center.

SUMMARY: The CAD workstations are 5 years old and are using the Windows XP operating system which will no longer be supported after April 2014. This replacement will include all 8 workstations at the Emergency Communications Center as well as 4 workstations at the backup center.

A grant application was submitted to the Virginia Wireless E-911 Services Board to replace the equipment and notification was received the grant has been awarded; funds will be available on July 1, 2014.

PRIOR ACTION(S):
Finance Committee May 27, 2014

FISCAL IMPACT:
None, no local match is required.

CONTACT(S):
William A. Aldrich, Director of Emergency Services, 455-4285
Melissa D. Foster, Deputy Director of Emergency Services, 455-4149

ATTACHMENT(S):
Resolution

REVIEWED BY:

RESOLUTION:
BE IT RESOLVED that the FY 2015 City/Federal/State Aid Fund budget is amended and $22,000 is appropriated with resources from the Virginia Wireless E-911 Services Board FY 2015 PSAP Grant Program to replace aging computer equipment for 12 Computer Aided Dispatch (CAD) workstations at the Department of Emergency Services Emergency Communications Center.

Introduced: Adopted:

Certified: ________________________
Clerk of Council

FINANCE COMMITTEE
Agenda Item Summary

MEETING DATE: **May 27, 2014**			AGENDA ITEM NO.: **10**
CONSENT:	REGULAR:	WORK SESSION:	CLOSED SESSION: (Confidential)
ACTION:		INFORMATION: **X**	
ITEM TITLE: **Revenue Update**			

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

SUMMARY:
Five of the City's major revenue sources are taxes collected on a monthly basis: Sales Tax, Consumer Utility Tax – Electric, Communications Sales and Use Tax, Meals Tax, and Lodging Tax. Since the last Finance Committee meeting, revenue information for the months of February and March has been posted for these five revenue streams.

PRIOR ACTION(S):
This information is provided monthly to the Finance Committee.

FISCAL IMPACT:
None

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

ATTACHMENT(S):
Comparison of Collections Budget to Actual FY 2013 – FY 2014

REVIEWED BY:

Comparison of Collections
Budget to Actual FY 2013 - FY 2014

	Actual FY 2011	Actual FY 2012	Actual FY 2013	Adopted FY 2014	Actual FY 2014	Actual FY 2014 to Adopted FY 2014	Actual FY 2014 to Actual FY 2013
SALES & USE TAX							
ADOPTED FY 2014 BUDGET - $13,440,973							
JULY	$979,650	$1,014,596	$996,646	$985,733	$1,075,816	$90,083	$79,170
AUGUST	1,022,849	1,079,129	1,145,592	1,133,048	1,098,342	(34,706)	(47,250)
SEPTEMBER	1,102,964	1,100,698	1,117,209	1,104,976	1,083,199	(21,777)	(34,010)
OCTOBER	1,056,307	1,055,941	1,033,859	1,022,538	1,161,965	139,427	128,106
NOVEMBER	1,144,056	1,117,090	1,187,008	1,174,010	1,155,729	(18,281)	(31,279)
DECEMBER	1,548,053	1,488,926	1,466,715	1,450,654	1,316,419	(134,236)	(150,296)
JANUARY	1,018,798	998,052	1,085,312	1,073,428	1,103,175	29,747	17,863
FEBRUARY	1,025,671	1,134,434	1,074,819	1,063,050	1,172,252	109,202	97,433
MARCH	1,112,797	1,196,149	1,138,611	1,126,143	1,217,930	91,787	79,319
TOTAL	**$10,011,145**	**$10,185,015**	**$10,245,771**	**$10,133,580**	**$10,384,827**	**$251,247**	**$139,056**
CONSUMER UTILITY TAX - ELECTRIC							
ADOPTED FY 2014 BUDGET - $3,650,000							
JULY	$352,603	$341,729	$323,141	$312,574	$325,815	$13,241	$2,674
AUGUST	345,842	345,615	345,163	333,876	318,738	(15,138)	(26,425)
SEPTEMBER	329,379	325,754	318,915	308,486	317,324	8,838	(1,591)
OCTOBER	283,250	280,745	279,145	270,017	273,646	3,629	(5,499)
NOVEMBER	262,650	281,842	282,035	272,812	280,945	8,133	(1,090)
DECEMBER	341,053	325,287	330,714	319,900	348,750	28,850	18,036
JANUARY	388,100	344,439	346,399	335,072	374,541	39,469	28,142
FEBRUARY	350,799	322,546	342,839	331,628	372,254	40,626	29,415
MARCH	299,725	298,405	326,828	316,141	334,289	18,148	7,461
TOTAL	**$2,953,401**	**$2,866,362**	**$2,895,179**	**$2,800,507**	**$2,946,302**	**$145,795**	**$51,123**
COMMUNICATIONS SALES & USE TAX							
ADOPTED FY 2014 BUDGET - $3,462,621							
JULY	$301,373	$349,339	$293,358	$288,552	$286,999	($1,553)	($6,359)
AUGUST	344,401	294,910	291,560	288,552	284,691	(3,861)	(6,869)
SEPTEMBER	274,076	179,549	263,295	288,551	284,249	(4,302)	20,954
OCTOBER	299,531	309,437	319,011	288,552	288,830	278	(30,181)
NOVEMBER	292,735	284,123	300,665	288,552	284,176	(4,376)	(16,489)
DECEMBER	344,423	233,654	297,855	288,551	289,726	1,175	(8,129)
JANUARY	265,736	337,936	282,620	288,552	264,960	(23,592)	(17,660)
FEBRUARY	288,629	287,492	287,759	288,552	280,480	(8,072)	(7,279)
MARCH	300,235	302,278	299,333	288,551	288,500	(51)	(10,833)
TOTAL	**$2,711,139**	**$2,578,718**	**$2,635,456**	**$2,596,965**	**$2,552,611**	**($44,354)**	**($82,845)**

Comparison of Collections
Budget to Actual FY 2013 - FY 2014

	Actual Assessed FY 2012	Actual Collected FY 2012 [1]	Actual Assessed FY 2013	Actual Collected FY 2013 [1]	Adopted FY 2014	Actual Assessed FY 2014	Actual Assessed FY 2014 to Adopted FY	Actual Collected FY 2014	Actual Collected FY 2014 to Adopted FY	Collected FY 2014 to Assessed FY 2014
MEALS TAX										
ADOPTED FY 2014 BUDGET - $11,785,000										
JULY [2]	$889,917	$889,135	$943,431	$1,044,556	$917,109	$950,875	$33,766	$1,159,786	$242,677	$208,911
AUGUST	960,082	962,761	1,042,850	1,026,544	1,013,754	1,062,943	49,189	1,024,718	10,964	(38,225)
SEPTEMBER	984,785	998,157	1,011,701	1,012,294	983,475	1,038,949	55,474	1,052,079	68,604	13,130
OCTOBER	999,289	994,851	1,006,966	1,003,032	978,872	1,026,731	47,859	958,359	(20,513)	(68,372)
NOVEMBER	916,955	898,157	964,775	868,692	937,858	1,000,780	62,922	1,064,385	126,527	63,605
DECEMBER	1,028,805	986,078	1,044,178	1,083,983	1,015,045	1,067,250	52,205	1,035,379	20,334	(31,871)
JANUARY	931,373	950,784	927,026	889,358	901,162	977,119	75,957	971,677	70,515	(5,442)
FEBRUARY	988,981	977,100	983,390	995,618	955,953	994,179	38,226	957,979	2,026	(36,200)
MARCH	1,079,018	1,073,364	1,092,759	1,091,421	1,062,271	1,131,402	69,131	1,142,746	80,475	11,344
TOTAL	**$8,779,205**	**$8,730,387**	**$9,017,076**	**$9,015,498**	**$8,765,500**	**$9,250,228**	**$484,728**	**$9,367,108**	**$601,608**	**$116,880**
LODGING TAX										
ADOPTED FY 2014 BUDGET - $1,700,000										
JULY [2]	$180,074	$168,386	$180,074	$197,072	$160,554	$174,789	$14,235	$223,419	$62,865	$48,630
AUGUST [3]	192,759	200,321	163,020	275,903	145,349	185,677	40,328	185,340	39,991	(337)
SEPTEMBER	156,383	159,891	160,661	157,680	143,245	181,706	38,461	204,758	61,513	23,052
OCTOBER	185,386	185,530	183,064	191,453	163,220	184,209	20,989	185,014	21,794	805
NOVEMBER	131,053	131,431	131,993	129,941	117,685	153,449	35,764	148,082	30,397	(5,367)
DECEMBER	108,029	92,483	112,277	113,067	100,106	123,501	23,395	126,077	25,971	2,576
JANUARY	122,636	115,790	134,471	129,578	119,894	132,869	12,975	125,716	5,822	(7,153)
FEBRUARY	136,278	130,805	136,660	136,660	121,846	136,497	14,651	139,851	18,005	3,354
MARCH	154,626	144,654	158,737	158,706	141,530	176,151	34,621	172,029	30,499	(4,122)
TOTAL	**$1,367,224**	**$1,329,291**	**$1,360,957**	**$1,490,060**	**$1,213,429**	**$1,448,848**	**$235,419**	**$1,510,286**	**$296,857**	**$61,438**

[1] Meals and Lodging Tax data includes columns titled "Actual Collected ." The figures listed under these columns include all revenue received per month under that description regardless of whether the payment is current or delinquent.

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

[3] The August FY 2013 collection amount includes a one-time $140,000 payment in delinquent taxes.

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **May 27, 2014**			AGENDA ITEM NO.: 1
CONSENT:	REGULAR:	WORK SESSION: **X**	CLOSED SESSION: (Confidential)
ACTION:		INFORMATION: **X**	
ITEM TITLE: **Stormwater Management Ordinance Revisions**			

RECOMMENDATION: Review proposed revisions to City Code Chapter 16.2 Stormwater Management.

SUMMARY: In 2011, the General Assembly adopted revisions to the Virginia Stormwater Management Program that become effective July 1, 2014. The state's program oversight has since transitioned from the Virginia Department of Conservation and Recreation (DCR) to the Virginia Department of Environmental Quality (DEQ). The General Assembly also amended state code requirements during the 2014 legislative session to primarily address stormwater management applications for single family residential development. Staff will provide an overview of the required revisions to the City's Stormwater Management ordinance based on this most recent program guidance from DEQ and proposed revisions for City Council's consideration.

The proposed ordinance revisions will be forwarded to City Council for public hearing and adoption on June 10, 2014. In order to be in compliance with the Virginia Stormwater Management Act, the revisions must be adopted locally and submitted to DEQ on or before June 13, 2014.

PRIOR ACTION(S):

May 14, 2014: The Planning Commission conducted an informational session on the proposed Stormwater Management ordinance revisions.

FISCAL IMPACT: An additional staff person will likely be required to assist with the plan review, inspection and reporting requirements of this program at a projected cost of sixty thousand dollars ($60,000). Adoption of the state fee schedule for stormwater general permits would allocate seventy-two percent (72%) of those permit fees to the City of Lynchburg. Based upon the state's proposed fee schedule, the last five year's eligible projects would generate approximately fifty thousand ($50,000) in program revenue each year, resulting in a net impact of ten thousand dollars ($10,000) to the City's stormwater management fund.

CONTACT(S): Rob Fowler, Zoning Administrator/Program Administrator - 455-3900
Kent White, Director of Community Development – 455-3900

ATTACHMENT(S):
- DRAFT City Code Chapter 16.2 – Stormwater Management
- Presentation Slides

REVIEWED BY: lkp

069K

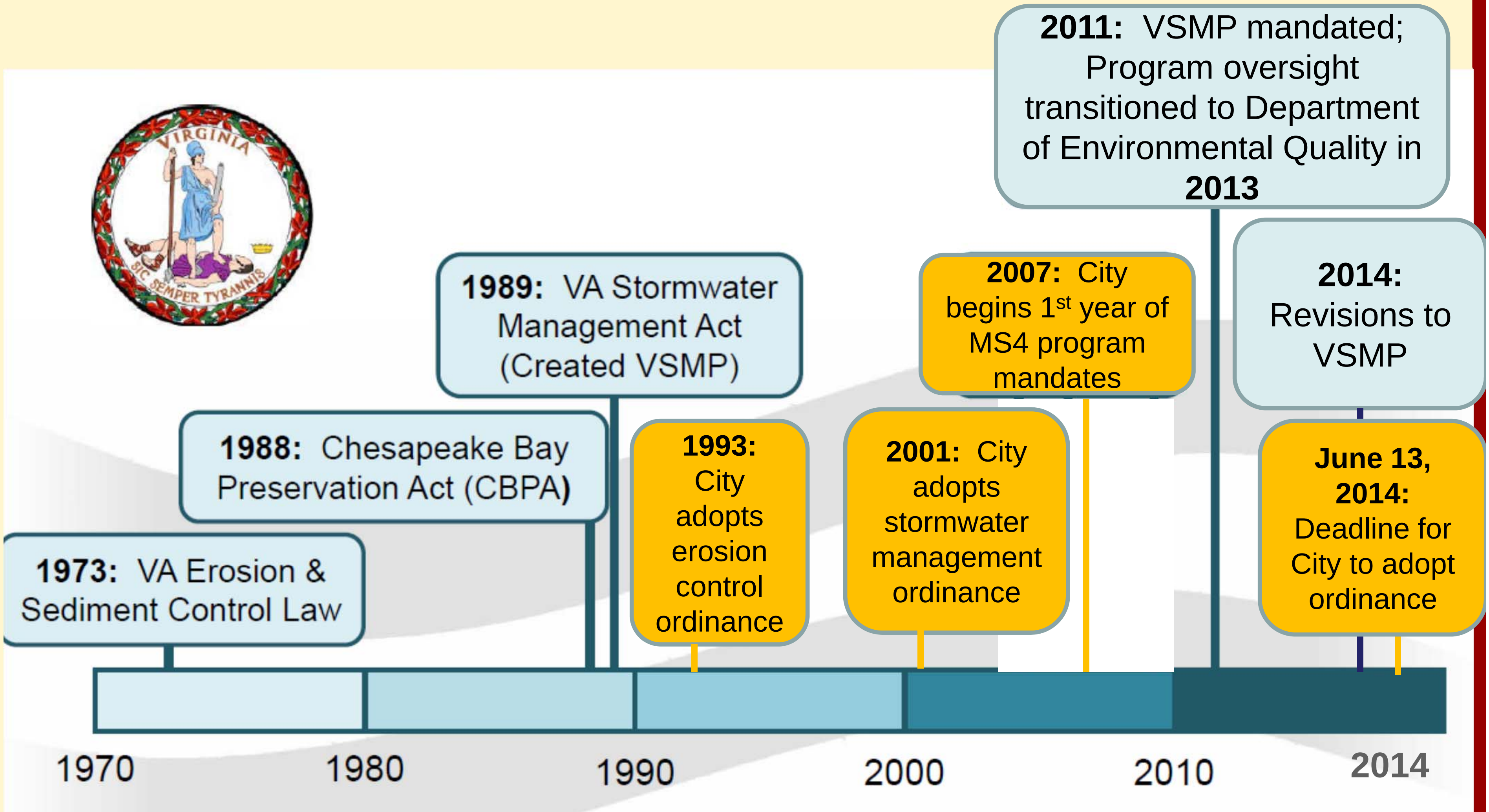
Stormwater Program Update

May 27, 2014

Program Overview

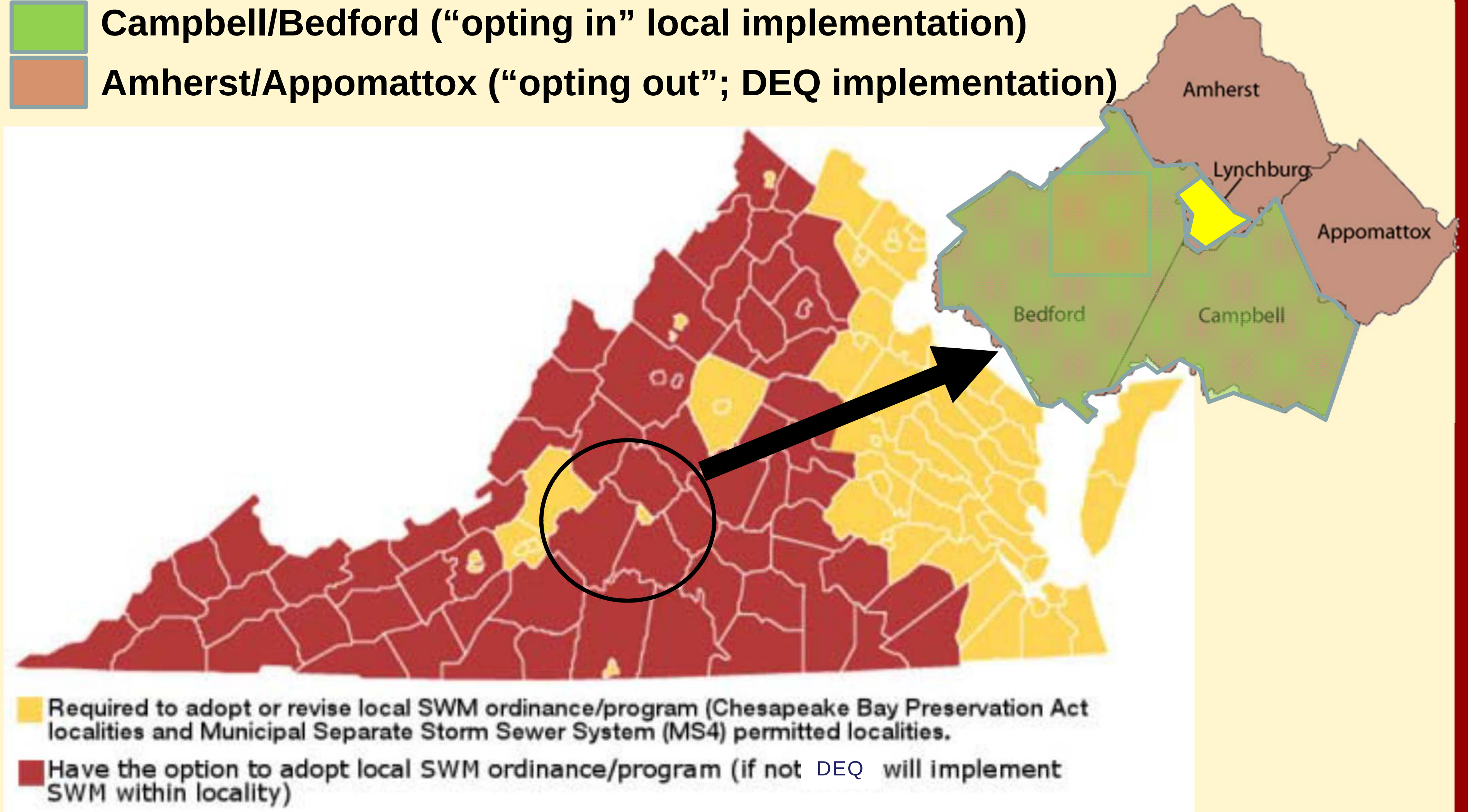
- New regulations apply statewide July 1, 2014
- Local ordinance must be adopted no later than June 13, 2014
- Lynchburg must administer local program for public and private projects
- Multiple criteria based on "grandfathered" projects, existing permits and new standards
- City will issue stormwater permits for projects that disturb over 1 acre OR are part of a "common plan of development"

How We Got to Where We Are



Participating Localities

- City of Lynchburg (mandatory local implementation)
- Campbell/Bedford ("opting in" local implementation)
- Amherst/Appomattox ("opting out"; DEQ implementation)



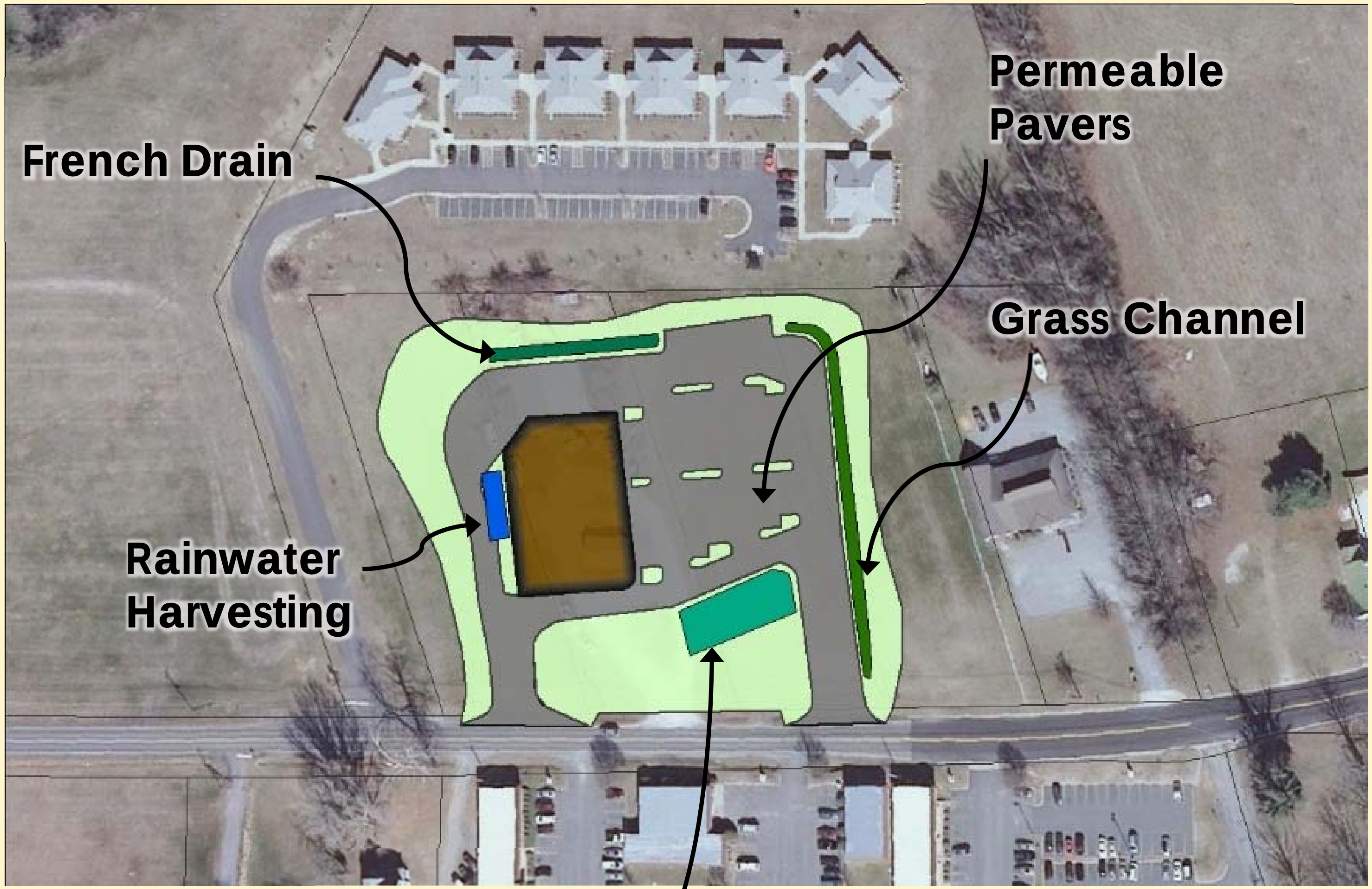
Preparing for Implementation

- Some “new” program requirements are already our standards
- Training Sessions with Local Partners (developers, Region 2000, local governments, etc.)
- Maximizing City Resources
- Developing Regional Consistency

What is Changing?

Requirement	Current	New
Stormwater Quantity	Peak Flow	Peak Flow **and Volume**
Type of Land Cover	Impervious	**Impervious & Managed Turf (credit for open space)**
Stormwater Quality	Phosphorus reduction for new Impervious areas	**Additional reduction for new impervious areas;**
Subdivisions and Single Family Homes	Not applicable to single family homes or subdivisions < 5 lots without new streets	**Applicable to single family homes, new subdivisions and infill lots in subdivisions created after July 1, 2004**
Redevelopment	Not required unless net increase in impervious	**10-20% phosphorus reduction for redevelopment**
Stormwater General Permit for projects >1 acre (after 7/1/14, also for common plan of development)	Issued by Department of Environmental Quality; addresses erosion control / stormwater	**Issued by Lynchburg; addresses erosion control, stormwater management and pollution prevention**

Project Design Example



Bioretention

Anticipated Staff Impacts

- Additional stormwater training and certification requirements
- New ePermitting and “administrative completeness” requirements
- Additional staff inspections and logs
- Technical assistance

Program Recommendations

- Disturbed Area threshold for stormwater
- Collect general stormwater permit fees in accordance with state fee schedule
- Provide for maintenance of stormwater facilities

Recommendation #1: Stormwater Management Threshold

Current Requirements:

1,000-4,999 ft^2 impervious – addressed by landscaping

5,000 ft^2 impervious – quantity and quality

Staff Recommendation: Continue to manage stormwater at 5,000 ft^2

Alternatives – Reduce or Increase Stormwater Management Threshold

Recommendation #2
Permit Fees

Staff Recommendation: Adopt state permit fees

General Permit Fees (current)	**General Permit Fees** (effective July 1, 2014)	**City Portion** (72%)	**DEQ Portion** (28%)
	$290 (areas < 1 acre in common plan of development)	$209	$81
	$209 (single family home)	$209	N/A
$450 (1-<5 acres disturbed)	$2,700 (1-<5 acres disturbed)	$1,944	$756
$750 (5 acres or greater disturbed)	$3,400 (5-<10 acres disturbed)	$2,448	$952
$750 (5 acres or greater disturbed)	$4,500 (10-<50 acres disturbed)	$3,240	$1,260
$750 (5 acres or greater disturbed)	$6,100 (50-<100 acres disturbed)	$4,392	$1,708
$750 (5 acres or greater disturbed)	$9,600 (>100 acres disturbed)	$6,912	$2,688

Program Recommendation #3
Stormwater Facility Maintenance

Current Requirements:

Stormwater maintenance required for facilities with maintenance agreements

Staff Recommendation: Require all facilities to be maintained to standards consistent with requirements at time of installation.

Next Steps

Ordinance Public Hearing & Adoption – June 10th

Identify all currently permitted and grandfathered areas

Staff training and policy guidance

Implement ePermitting, reporting, inspection and fee collection protocols

Finalize Administrative Guidance Manual

ARTICLE I. GENERAL PROVISIONS

Sec. 16.2-1. Purpose.

The purpose of this chapter is to reduce the adverse impacts of stormwater runoff from development sites in the City of Lynchburg to the greatest extent possible, by establishing minimum requirements and procedures to control the quantity and quality of stormwater runoff associated with land development. By converting more or less natural landscapes to sites with impervious surfaces, development can cause increases in the quantity and velocity of stormwater runoff and decreases in the water quality of stormwater runoff. Adverse impacts from development shall not be allowed to affect adjacent or downstream property owners. The Lynchburg City Council has determined that the lands and waters comprising the watersheds of the city are valuable and important natural resources, which provide subsistence for life. Therefore, it is in the public interest to establish requirements to regulate the discharge of stormwater runoff from land development projects as provided for in this chapter. The waters and waterways within the city are at times subjected to flooding. Such flooding is a danger to the lives and property of the public and is also a danger to the natural resources of the city. Land development tends to accentuate such flooding by increasing stormwater runoff, due to alteration of the hydrologic response of the watershed in changing from the undeveloped to the developed condition. The flooding produced by the development of real property contributes increased quantities of water-borne pollutants, and tends to increase channel erosion. Such flooding, erosion, and pollution constitute deterioration of the water resources of the City of Lynchburg and downstream communities. The adverse environmental effects of development can be limited by the regulation of stormwater runoff from such land development. Proper management of stormwater runoff will minimize damage to public and private property, reduce the effects of development on land and stream channel erosion, assist in the attainment and maintenance of water quality standards, reduce local flooding, and maintain as nearly as possible, the pre-development runoff characteristics of the area. Procedures provided in this document to reduce stormwater runoff will apply to ~~any~~ land-disturbing activity, as done by public and private entities in the City of Lynchburg.

Sec. 16.2-2. Title.

The provisions of this chapter shall constitute and be known as the “Lynchburg Stormwater Management Ordinance,” as authorized by the Virginia Stormwater Management Act Title ~~10.1~~ 62.1 Chapter ~~6~~ 3.1 Article ~~1.1~~ 2.3 of the Code of Virginia as amended through ~~1998~~ 2013.

Sec. 16.2-3. Authority.

(a) The provisions of this chapter are adopted pursuant to The Virginia Stormwater Management Act, Article ~~1.1 (Section 10.1-603.1 et seq.)~~ 2.3 (§62.1-44.15:27 et seq.) of Chapter ~~6~~ 3.1 of Title ~~10.1~~ 62.1, of the Code of Virginia, which enables counties, cities and towns to prepare and adopt a stormwater management program and implement the ordinance. The application of this chapter and the provisions expressed herein shall be the minimum stormwater management requirements and shall not be deemed a limitation or repeal of any other powers granted by the state statute.

(b) Except as specifically provided here in the stormwater management standards contained in this ordinance are based on the stormwater regulations adopted by the Commonwealth of Virginia and the Federal government.

Sec. 16.2-4. Program administration.

The City of Lynchburg ~~program~~ administrator or his/her designee shall be responsible for the coordination, administration and enforcement of the provisions of this chapter.

Sec. 16.2-5. Scope of chapter.

~~(a)~~ For land development projects that disturb five thousand (5,000) square feet or more of land area, no person shall develop any land for residential, commercial, industrial or institutional use without having provided for appropriate stormwater management measures that control or manage stormwater runoff quality, quantity, and velocity as provided within this article, except those development activities exempted in accordance with Sec. 16.2-9(c)2, 16.2-9(c)3, 16.2-9(c)4, 16.2-9(c)5, 16.2-9(c)6, 16.2-9(c)7 and 16.2-9(c)8. A VSMP authority permit is only required for projects that disturb one acre or more of land or are part of a common plan of development, except as provided in Sec. 16.2-9(b).

~~(b) Notwithstanding any other provisions of this chapter, the following development activities are exempt from the requirements of providing stormwater management.~~

~~(1) Agricultural land management activities such as tilling, planting or harvesting of agricultural, horticultural, or forest crops.~~

~~(2) Land development projects that disturb less than one thousand (1,000)~~ ~~five thousand (5,000)~~ ~~square feet of land area.~~

~~(3) Single-family residences and residential subdivisions of less than five (5) lots and containing no new street construction; however, an agreement in lieu of plan is required.~~

~~(4) Additions or modification to existing single-family detached residential structures.~~

~~(5) Permitted surface or deep mining operations and projects, or oil and gas operations and projects conducted under the provisions of Title 45.1 of the Code of Virginia.~~

~~(6) Linear development projects, provided that (i) less than five thousand (5,000) square feet of land will be disturbed per outfall or watershed, (ii) there will be insignificant increases in peak flow rates, and (iii) there are no existing or anticipated flooding or erosion problems downstream of any discharge point.~~

Sec. 16.2-6. Compatibility with other permit and ordinance requirements.

Approvals issued pursuant to this chapter do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act or ordinance. If more stringent requirements concerning the regulation of stormwater runoff are contained in the other code, rule, act or ordinance, the more stringent regulation shall apply.

Sec. 16.2-7. Severability.

The provisions of this chapter are hereby declared to be severable, and, in the event that any section, subsection, paragraph, subparagraph, sentence, clause, phrase or word of this chapter is declared to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this chapter, since the same would have been enacted without the incorporation in this chapter of any such invalid or unconstitutional word, phrase, clause, sentence, subparagraph, paragraph, subsection or section.

Sec. 16.2-8. Definitions.

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application.

~~(1) “Adequate channel” means a channel that will convey the designated storm event without overtopping the channel banks nor causing erosive damage to the channel bed or banks.~~

(1) "Administrator" means the VSMP authority including the City of Lynchburg department or staff person responsible for administering the VSMP on behalf of the locality.

(2) "Agreement in lieu of a stormwater management plan" means a contract between the VSMP authority and the owner or permittee that specifies methods that shall be implemented to comply with the requirements of a VSMP for the construction of a single-family residence; such contract may be executed by the VSMP authority in lieu of a stormwater management plan.

(3) “Applicant” means any person submitting an ~~stormwater management plan for approval.~~ application for a permit or requesting issuance of a permit under this Ordinance.

(4) “Best management practice (BMP)” means schedules of activities, prohibitions of practices, including both structural and nonstructural practices, maintenance procedures, and other management practices to prevent or reduce the pollution of surface waters and groundwater systems from the impacts of land-disturbing activities. ~~a structural or nonstructural practice, which is designed to reduce the impacts of development on surface and groundwater systems.~~

(5) “Board” means the ~~Virginia Soil and Water Conservation Board~~ State Water Control Board, ~~created under Sec. 10.1-502, Code of Virginia.~~

(6) “Channel” means a natural or manmade waterway.

(7) "Clean Water Act" or "CWA" means the federal Clean Water Act (33 USC § 1251 et seq.), formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972, Public Law 92-500, as amended by Public Law 95-217, Public Law 95-576, Public Law 96-483, and Public Law 97-117, or any subsequent revisions thereto.

(8) "CWA and regulations" means the Clean Water Act (CWA) and applicable regulations published in the Code of Federal Regulations promulgated thereunder. For the purposes of this chapter, it includes state program requirements.

(9) “Common plan of development or sale” means a contiguous area where separate and distinct construction activities may be taking place at different times on difference schedules.

(10) "Control measure" means any best management practice or stormwater facility, or other method used to minimize the discharge of pollutants to state waters.

~~(6) Critical hydraulic location" means a location with an extreme in one or more physical parameters such that if a design condition is met at that location then that same design condition will also be met at other nearby locations. For example, some critical hydraulic locations could be steepest slope, flattest slope, narrowest constriction, greatest flow rate, highest velocity, etc. Critical hydraulic locations can extend downstream until the total drainage area is greater than one hundred (100) times the project drainage area.~~

(11) "Department" means the Department of Environmental Quality.

(~~7~~12) "Development" means land disturbance and the resulting landform associated with the construction of residential, commercial, industrial, institutional, recreation, transportation or utility facilities or structures or the clearing of land for non-agricultural or non-silvicultural purposes. ~~a tract of land developed or to be developed as a unit under single ownership or unified control, which is to be used for any business or industrial purpose or is to contain five (5) or more residential dwelling units.~~

(~~8~~13) "Disturbed area" means all ground surface area which will be physically impacted by construction activities, including material storage areas and adequate vehicular access routes to all construction activities. No construction activity including material storage and vehicle access will be permitted outside the area designated as 'disturbed area' on the approved plan. If use of such area is desired, a plan revision must be submitted for review and approval prior to such use.

(~~9~~14) "Flooding" means a volume of water that is too great to be confined within the banks or walls of the stream, water body or conveyance system and that overflows onto adjacent lands, causing or threatening damage.

(~~10~~15) "Floodplain" means ~~those areas adjoining a river, stream,~~ those areas adjacent to a channel, river stream, ~~channel~~ or ~~lake which will be inundated by flooding~~ other water body that is susceptible to being inundated by water normally associated with the 100-year flood or storm event. This includes, but is not limited to, the floodplain designated by the Federal Emergency Management Agency.

(16) "General permit" means the state permit titled general permit for discharges of stormwater from construction activities found ~~in Part XIV (4VAC50-60-1100 et seq.)~~ at 9VAC25-880-1 et seq. of the Regulations authorizing a category of discharges under the CWA and the Act within a geographical area of the Commonwealth of Virginia.

(~~11~~17) "Illicit discharge" means ~~a discharge coming from any land use that is not composed entirely of stormwater~~ any discharge to a municipal separate storm sewer system that is not composed entirely of stormwater ~~and entering the stormwater management system~~, except discharges pursuant to a Virginia Pollutant Discharge Elimination System (VPDES) permit. This definition shall not include the discharges listed in Sec. 16.2-71(b) unless the city identifies such discharges as sources of pollutants to state waters.

(~~12~~18) "Impervious cover" means a surface composed of ~~any~~ material that significantly impedes or prevents natural infiltration of water into soil. For the purposes of billing stormwater utility fees as provided in chapter 16.3 of city code, impervious surfaces include, but are not limited to, roofs, buildings, streets, parking areas, and any concrete, asphalt, or compacted gravel surface.

(~~13~~19) "Infiltration facility" means a stormwater management facility, which temporarily impounds runoff and discharges it via infiltration through the surrounding soil. While an infiltration facility may also be equipped with an outlet structure to discharge impounded runoff, such discharge is normally reserved for overflow and other emergency conditions. Since an infiltration facility impounds runoff only temporarily, it is normally dry during non-rainfall periods. Infiltration basin, infiltration trench, infiltration dry well, and porous pavement shall be considered infiltration facilities.

(~~14~~20) "Inspection" means an on-site review of the project's compliance with the ~~approved plan~~ permit or state permit, the local stormwater management program, and any applicable design criteria, or an on-site review to obtain information or conduct surveys or investigations necessary in the implementation of this chapter.

(~~15~~21) "Land ~~development~~ disturbance" or "~~land development project~~ land-disturbing activity" means a manmade change to ~~or construction on,~~ the land surface that potentially changes its runoff characteristics including clearing, grading, or excavation except that the term shall not include those exemptions specified in Section 16.2-9 of this chapter.

(~~19~~22) "Layout" means a conceptual drawing sufficient to provide for the specified stormwater management facilities required at the time of approval.

(~~16~~23) "Linear development project" means a land~~ development project~~ -disturbing activity that is linear in nature such as, but not limited to the construction of (i) electric and ~~,~~ telephone utility lines and natural gas pipelines, ~~water, sewer, storm sewer, natural gas or other utility transmission lines~~; (ii) tracks, rights-of-way, bridges, communication facilities or other related structures of a railroad company; ~~or~~ (iii) ~~streets, roads, or~~ highway~~s~~ reconstruction projects; (iv) construction of stormwater channels and stream restoration activities; and water and sewer lines. Private subdivision roads or streets shall not be considered linear development.

(~~17~~24) "Local stormwater management program" or "local program" means a statement of the various methods adopted by this chapter and implemented by the city of Lynchburg to manage the runoff from land development projects with provisions to require the control of post-development stormwater runoff rate of flow and may include such items as local ordinances, policies and guidelines, technical materials, inspections, enforcement and evaluation.

~~(18) "New impervious area" means any man-made change which creates an impervious surface from a previously pervious surface or from a previously impervious surface during which bare earth or permeable base is exposed. This does not include repaving of a parking lot, but does include a parking lot expansion, or removal of a parking lot and its replacement with some other impervious cover.~~

(25) "Minor modification" means, for the purposes of this chapter, minor modification or amendment of an existing state permit before its expiration for the reasons listed at 40 CFR 122.63 and as specified in 9VAC25-870-640. Minor modification for the purposes of this chapter also means other modifications and amendments not requiring extensive review and evaluation including, but not limited to, changes in EPA promulgated test protocols, increasing monitoring frequency requirements, changes in sampling locations, and changes to compliance dates within the overall compliance schedules. A minor state permit modification or amendment does not substantially alter state permit conditions, substantially increase or decrease the amount of surface water impacts, increase the size of the operation, or reduce the capacity of the facility to protect human health or the environment.

(~~19~~26) “Onsite stormwater management facilities” means facilities, which are designed to control stormwater runoff emanating from a specific site, at the specific site.

(27) "Operator" means the owner or operator of any facility or activity subject to regulation under this ordinance.

(~~20~~28) “Percent impervious” means the impervious area within the site divided by the total area of the site multiplied by one hundred (100).

(29) "Permit" or "VSMP Authority Permit" means an approval to conduct a land-disturbing activity issued by the administrator for the initiation of a land-disturbing activity, in accordance with this ordinance, and which may only be issued after evidence of general permit coverage has been provided by the Department.

(30) "Permittee" means the person to whom the VSMP Authority Permit is issued.

(~~21~~31) “Person” means any individual, partnership, firm, association, ~~joint venture~~, public or private corporation, ~~trust, estate~~, commission, ~~board, public or private institution,~~ ~~utility, cooperative,~~ city, town or other political subdivision of the Commonwealth, state or political subdivision of a state, governmental body, including federal, state or local entity as applicable, any interstate body or any other legal entity.

(~~22~~32) “Planning area” means a designated portion of the parcel on which the land development project is located. Planning areas shall be established by delineation on a master plan. Once established, planning areas shall be applied consistently for all future projects.

(~~23~~33) “Plan approving authority” refers to the administrative person or body responsible for the review and approval of land development and stormwater management in the jurisdiction in which the project is located.

(~~24~~34) “Pollution prevention plan” means a stand-alone management document that provides information on the facility operations that directly or indirectly produce waste or use toxic substances. This written plan will record the toxic substance use, emissions, and waste from current work practices, outline potential pollution prevention opportunities and provide specific performance goals including a schedule for implementing these pollution prevention activities.

(~~25~~35) “Post-development” refers to conditions that reasonably may be expected or anticipated to exist after completion of the land development activity on a specific site or tract of land.

(~~26~~36) “Pre-development” refers to the land use conditions that exist at the time that plans for the land development are submitted for approval. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.); the existing land use conditions at the time the first item/phase is submitted shall establish pre-development conditions.

~~(27) “Program administrator” means the person or persons responsible for administering and enforcing this stormwater management.~~

(~~28~~37) “Regional stormwater management facility” or “regional facility” means a facility or series of facilities designed to control stormwater runoff from a specific contributing watershed area, although only portions of the watershed may experience land development.

(~~29~~38) “Regional stormwater management plan” or “regional plan” means a document containing material describing how runoff from open space, existing development and future planned development areas within a watershed will be controlled by coordinated design and implementation of regional stormwater management facilities.

(~~30~~39) “Runoff” means stormwater runoff.

(40) “Regulations” means the Virginia Stormwater Management Program Permit Regulations, ?, as amended.

(~~31~~41) "Sanitary sewer system" means the pipelines, conduits, pumping stations, force mains, and other structures, devices, appurtenances, and facilities for collecting and conveying domestic, commercial and industrial sanitary wastewater.

(~~32~~42) “Site” means the ~~parcel of~~ land or water area where any facility or land-disturbing activity is physically ~~being developed, or a planning area in which the land development project is~~ located or conducted, including adjacent land used or preserved in connection with the facility or land-disturbing activity. Areas channelward of mean low water in tidal Virginia shall not be considered part of a site.

(43) “State” means the Commonwealth of Virginia.

(44) “State Board" means the Virginia State Water Control Board.

(45) "State permit" means an approval to conduct a land-disturbing activity issued by the State Board in the form of a state stormwater individual permit or coverage issued under a state general permit or an approval issued by the State Board for stormwater discharges from a municipal separate storm sewer system (MS4). Under these state permits, the Commonwealth imposes and enforces requirements pursuant to the federal Clean Water Act and regulations, the Virginia Stormwater Management Act and the Regulations.

(46) "State Water Control Law" means Chapter 3.1 (§62.1-44.2 et seq.) of Title 62.1 of the Code of Virginia.

(~~33~~47) “State waters” means all waters, on the surface or under the ground, wholly or partially within or bordering the Commonwealth or within its jurisdiction, including wetlands.

(~~34~~48) “Storm sewer system” means stormwater management system.

(~~35~~49) “Stormwater” ~~or "stormwater runoff"~~ means ~~that portion of~~ precipitation that ~~flows~~ is discharged across the land surface or through conveyances ~~due to gravity as a direct result of a rainfall event or series of events.~~to one or more waterways and that may include stormwater runoff, snow melt runoff, surface runoff and drainage.

(~~36~~50) “Stormwater management” is the design and use of structural or nonstructural practices to achieve the responsible discharge of stormwater runoff as defined by the requirements of this ordinance.

(~~37~~51) “Stormwater management facility” or “stormwater facility” means a device that controls or conveys stormwater runoff or changes the characteristics of that runoff including, but not limited to, the quantity, quality, period of release or velocity of flow.

(~~38~~52) “Stormwater management plan” or “plan” means a document describing how a land development project shall comply with the requirements of this chapter.

(~~39~~53) "Stormwater management system" means one of or a series of structural and non-structural stormwater management facilities and best management practices.

(54) "Stormwater pollution prevention plan" or "SWPPP" means a document that is prepared in accordance with good engineering practices and that identifies potential sources of pollutants that may reasonably be expected to affect the quality of stormwater discharges from the construction site, and otherwise meets the requirements of this Ordinance. In addition the document shall identify and require the implementation of control measures, and shall include, but not be limited to the inclusion of, or the incorporation by reference of, an approved erosion and sediment control plan, an approved stormwater management plan, and a pollution prevention plan.

(~~40~~55) "Subdivision" means the division of a parcel of land into five (5) or more lots or parcels of less than five (5) acres each for the purpose of transfer of ownership or building development, or, if a new street is involved in such division, any division of a parcel of land. The term includes resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.

(~~52~~56) "Virginia Stormwater Management Act means Article 2.3 (§ 62.1-44.15:24 et seq.) of Chapter 3.1 of Title 62.1 of the Code of Virginia.

(57) "Total maximum daily load" or "TMDL" means the sum of the individual wasteload allocations for point sources, load allocations for nonpoint sources, natural background loading and a margin of safety. TMDLs can be expressed in terms of either mass per time, toxicity, or other appropriate measure. The TMDL process provides for point versus nonpoint source trade- offs.

(58) "Virginia stormwater BMP clearinghouse website" means a website that contains detailed design standards and specifications for control measures that may be used in Virginia to comply with the requirements of the Virginia Stormwater Management Act and associated regulations.

(59) "Virginia stormwater management program" or "VSMP" means a program approved by the State Board after September 13, 2011, that has been established by a locality to manage the quality and quantity of runoff resulting from land-disturbing activities and shall include such items as local ordinances, rules, permit requirements, annual standards and specifications, policies and guidelines, technical materials, and requirements for plan review, inspection, enforcement, where authorized in this article, and evaluation consistent with the requirements of this article and associated regulations.

(60) "Virginia stormwater management program authority" or "VSMP authority" means an authority approved by the State Board after September 13, 2011, to operate a Virginia Stormwater Management Program.

(~~41~~61) "Watershed" means ~~the total drainage area contributing runoff to a single point~~ a defined land area drained by a river or stream, karst system, or system of connecting rivers or streams such that all surface water within the area flows through a single outlet. In karst areas, the karst feature to which the water drains may be considered the single outlet for the watershed.

16.2-9 **Stormwater Permit Requirement; Exemptions.**

(a) Except as provided herein, no person may engage in any land-disturbing activity until a stormwater management plan or an executed agreement in lieu of a stormwater management plan and a VSMP authority permit, if such permit is required, has been issued by the administrator, in accordance with the provisions of this ordinance.

(b) For construction activity involving a single-family detached residential structure, within or outside a common plan of development or sale, projects must adhere to the requirements of General Permit for Discharges of Stormwater from Construction Activities but neither a registration statement nor payment of the Department's portion of the statewide permit fee shall be required for coverage under the permit.

(c) Notwithstanding any other provisions of this ordinance, the following activities are exempt, unless otherwise required by federal law:

(1) Land disturbing activities that disturb less than one acre of land that are not part of a larger common plan of development or sale that is one acre or greater of disturbance;

(2) Permitted surface or deep mining operations and projects, or oil and gas operations and projects conducted under the provisions of Title 45.1 of the Code of Virginia;

(3) Clearing of lands specifically for agricultural purposes and the management, tilling, planting, or harvesting of agricultural, horticultural, or forest crops, livestock feedlot operations, or as additionally set forth by the State Board in regulations, including engineering operations as follows: construction of terraces, terrace outlets, check dams, desilting basins, dikes, ponds, ditches, strip cropping, lister furrowing, contour cultivating, contour furrowing, land drainage, and land irrigation; however, this exception shall not apply to harvesting of forest crops unless the area on which harvesting occurs is reforested artificially or naturally in accordance with the provisions of Chapter 11 (§ 10.1-1100 et seq.) of Title 10.1 of the Code of Virginia or is converted to bona fide agricultural or improved pasture use as described in subsection B of § 10.1-1163 of Article 9 of Chapter 11 of Title 10.1 of the Code of Virginia;

(4) Single-family residences separately built and disturbing less than one acre and not part of a larger common plan of development or sale, including additions or modifications to existing single-family detached residential structures;

(5) Discharges to a sanitary sewer or combined sewer system;

(6) Activities under a state or federal reclamation program to return an abandoned property to an agricultural or open land use;

(7) Routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original construction of the project. The paving of an existing road with a compacted or impervious surface and reestablishment of existing associated ditches and shoulders shall be deemed routine maintenance if performed in accordance with this subsection; and

(8) Conducting land-disturbing activities in response to a public emergency where the related work requires immediate authorization to avoid imminent endangerment to

human health or the environment. In such situations, the Administrator shall be advised of the disturbance within seven days of commencing the land-disturbing activity and compliance with the administrative requirements of subsection (a) is required within thirty (30) days of commencing the land-disturbing activity.

16.2-10 Establishment of a stormwater management program

(a) Pursuant to § 62.1-44.15:27 of the Code of Virginia, the City of Lynchburg hereby establishes a Virginia stormwater management program for land-disturbing activities and adopts the applicable regulations that specify standards and specifications for VSMPs promulgated by the State Board for the purposes set out in Section 16.2-1 of this Ordinance. The City of Lynchburg hereby designates the ESC Program Administrator or designee as the Administrator of the Virginia stormwater management program.

(b) No VSMP authority permit shall be issued by the Administrator, until the following items have been submitted to and approved by the Administrator as prescribed herein:

(1) A permit application that includes a general permit registration statement;

(2) An erosion and sediment control plan approved in accordance with the City of Lynchburg's erosion and sediment control ordinance as found in City Code Chapter 16.1; and

(3) A stormwater management plan approved in accordance with section 16.2-20 of this ordinance.

(c) No VSMP authority permit shall be issued until evidence of general permit coverage is obtained.

(d) No VSMP authority permit shall be issued until the fees required to be paid pursuant to section 16.2-56, are received, and a reasonable performance bond required pursuant to section 16.2-42 of this ordinance has been submitted.

(e) No VSMP authority permit shall be issued unless and until the permit application and attendant materials and supporting documentation demonstrate that all land clearing, construction, disturbance, land development and drainage will be done according to the approved permit.

(f) No grading, building or other local permit shall be issued for a property unless a VSMP authority permit has been issued by the administrator.

Secs. 16.2-11—16.2-19. Reserved.

ARTICLE II. DESIGN CRITERIA

Sec 16.2-20 Technical criteria

(a) To protect the quality and quantity of state water from the potential harm of unmanaged stormwater runoff resulting from land-disturbing activities, the City of Lynchburg hereby adopts the technical criteria for regulated land-disturbing activities set forth in Part II B of the regulations, as amended, expressly to include 9VAC25-870-63 [water quality design criteria requirements]; 9VAC25-870-65 [water quality compliance]; 9VAC25-870-66 [water quantity]; 9VAC25-870-69 [offsite compliance options]; 9VAC25-870-72 [design storms and hydrologic methods]; 9VAC25-870-74 [stormwater harvesting]; 9VAC25-870-76 [linear development project]; and, 9VAC25-870-85 [stormwater management impoundment structures or facilities], which shall apply to all land-disturbing activities regulated pursuant to this ordinance, except as provided for in 9VAC25-870-48 or as expressly set forth in subsection (b) of this section.

(b) Until June 30, 2019, any land-disturbing activity for which a currently valid proffered or conditional zoning plan, preliminary or final subdivision plat, preliminary or final site plan or zoning with a plan of development, or any document determined by the locality as being equivalent thereto, was approved by a locality prior to July 1, 2012, and for which no coverage under the General Permit for Discharges of Stormwater from Construction Activities has been issued prior to July 1, 2014, shall be considered grandfathered by the VSMP authority and shall not be subject to the technical criteria of Part II B, but shall be subject to the technical criteria of Part II C [9VAC25-870-93 through VAC25-870-99] for those areas that were included in the approval, provided that the VSMP authority finds that such proffered or conditional zoning plan, preliminary or final subdivision plat, preliminary or final site plan or zoning with a plan of development, or any document determined by the locality as being equivalent thereto, (i) provides for a layout and (ii) the resulting land-disturbing activity will be compliant with the requirements of Part II C [9VAC25-870-93 through VAC25-870-99]. In the event that the locality-approved document is subsequently modified or amended in a manner such that there is no increase over the previously approved plat or plan in the amount of phosphorus leaving each point of discharge of the land-disturbing activity through stormwater runoff, and such that there is no increase over the previously approved plat or plan in the volume or rate of runoff, the grandfathering shall continue as before.

(c) Until June 30, 2019, for locality, state, and federal projects for which there has been an obligation of locality, state, or federal funding, in whole or in part, prior to July 1, 2012, or for which the department has approved a stormwater management plan prior to July 1, 2012, such projects shall be considered grandfathered by the VSMP authority and shall not be subject to the technical criteria of Part II B, but shall be subject to the technical criteria of Part II C [9VAC25-870-93 through VAC25-870-99] for those areas that were included in the approval.

(d) For land-disturbing activities grandfathered under subsections A and B of this section, construction must be completed by June 30, 2019, or portions of the project not under construction shall become subject to the technical criteria of Part II B.

(e) In cases where governmental bonding or public debt financing has been issued for a project prior to July 1, 2012, such project shall be subject to the technical criteria of Part II C [9VAC25-870-93 through VAC25-870-99].

(f) Both water quality and quantity control shall be required for projects with new impervious cover greater than or equal to five thousand (5,000) square feet;

(g) Nothing in this section shall preclude an operator from constructing to a more stringent standard at their discretion.

~~Sec. 16.2-20. Technical criteria.~~

~~(a) An evaluation shall be performed for each proposed land development project not exempted from this chapter as provided in 16.2-5(b) to assure compliance with state law and the city ordinance concerning stormwater management.~~

~~(b) Ordinance applicability thresholds~~

~~(i) Neither stormwater quality nor quantity control shall be required for projects with new impervious cover of less than one thousand (1,000) square feet.~~

~~(ii) For projects with new impervious cover between one thousand (1,000) and five thousand (5,000) square feet, stormwater management shall be achieved through new landscaping at the rate of one (1) large shrub for every three and one half (3.5) feet of new building exterior perimeter and one (1) ornamental tree for every twenty (20) feet of new building exterior perimeter.~~

~~(iii) Both water quality and quantity control shall be required for projects with new impervious cover greater than or equal to five thousand (5,000) square feet.~~

	~~Residential~~	**~~Commercial/Industrial~~**
~~Stormwater plan not required if …~~	~~Single-family dwelling~~ ~~OR~~ ~~Residential subdivisions containing less than 5 lots and no new street construction~~	~~< 1,000 ft^2 of new impervious area~~ ~~OR~~ ~~< 5,000 ft^2 of new impervious area if landscaping is planted and the site has an adequate receiving channel~~
~~Stormwater plan required if …~~	~~Single-family subdivision with 5 or more lots~~ ~~OR~~ ~~Single-family subdivision with new street construction~~ ~~OR~~ ~~Construction of multi-family units or amenities exceed 5,000 ft^2 of new impervious area~~	~~Construction of commercial or industrial building or amenities exceeds 5,000 ft^2 of new impervious area~~

~~(c) All stormwater facility design, including hydrologic, hydraulic, water quality, and velocity components, must be verified with submitted engineering calculations, in accordance with the procedures outlined in the latest editions of the Virginia stormwater management handbook, the Virginia erosion and sediment control handbook, and the City of Lynchburg manual of specifications and standard details, including all appendices, or other methods approved by the city's plan approving authority.~~

~~(d) All design calculations must be submitted in formats as specified in the City of Lynchburg manual of specifications and standard details, and by the central Virginia erosion and sediment control committee.~~

~~(e) For proposed residential, commercial, and/or industrial subdivisions, these stormwater management criteria shall be applied to the land development as a whole, excluding any previously developed parcel(s) which have no new impervious area; individual lots in new subdivisions shall not be considered separate land development projects, but rather the entire subdivision shall be considered a single land development project. Hydrologic parameters which reflect the ultimate land development shall be used in all engineering calculations.~~

~~(f) Stormwater management facilities implemented prior to the date of the adoption of this ordinance shall be maintained in accordance with the stormwater management regulations that were in effect at the time the property on which the facilities are located was developed. Except where specifically required by federal, state or local laws or regulations, it is not the intent of this ordinance to require existing stormwater management facilities that were constructed under prior regulations to be upgraded until the property for which such facilities were constructed is developed or redeveloped to such an extent that it triggers the applicability thresholds set forth in section 16.2-20(b).~~

~~(g) Construction of stormwater management facilities or modifications to channels shall comply with all applicable laws and regulations. Evidence of approval of all necessary permits shall be presented.~~

~~(h) The design of impounding structures shall be checked by a design professional certified to practice in the Commonwealth of Virginia for structural integrity and floodplain impacts for the one hundred (100)-year storm event.~~

~~(i) Outflows from storm water management facilities shall be discharged to an adequate channel or an adequate stormwater conveyance system. Complete calculations and a narrative shall be included on the plan. Verification of channel adequacy should include the following:~~

~~(1) Channel adequacy shall be checked at all critical locations, as determined by the plan approving authority, downstream of the discharge as far as the point where the disturbed area represents less than one percent of the contributing watershed.~~

~~(2) The channel lining material shall be evaluated to determine its ability to withstand the design velocity as found in Table 5-22 of the Virginia erosion and sediment control handbook, 1992 edition and other published materials as approved by the plan approving authority.~~

~~(3) For natural channels, relative elevations should be taken along the channel length at the channel cross-sections in order to determine the average longitudinal slope of the channel.~~

~~(4) For enclosed conduits, a submitted hydraulic grade line calculation should verify that the flow is contained within the system during the design event.~~

~~(5) The necessary construction easements to accomplish the proposed design shall be required.~~

~~(6) Permanent drainage easements shall be dedicated to the city to permit reasonable access for maintenance of all stormwater facilities which are to become public property. A stormwater maintenance agreement shall be required for all stormwater management facilities which shall remain private property. Private drainage easements shall be provided for maintenance access to~~

~~all stormwater facilities that will be located on private property but will not be owned by the entity directly responsible for maintenance.~~

~~(7) Determination of the size and capacity of the drainage system shall be based on the planned development and existing development within the watershed.~~

~~(8) The drainage system shall be adequate for both off-site and on-site surface waters and properties over which the surface waters are conveyed shall not be adversely affected.~~

~~(9) Concentrated surface waters shall not be discharged on adjoining property, unless an easement expressly authorizing such discharge has been granted by the owner of the affected land or unless the discharge is into a natural watercourse or other appropriate discharge point as set forth above.~~

~~(i) Velocity dissipaters shall be placed at the outfall of all stormwater discharge points as necessary to provide a non-erosive velocity of flow from the outfall into an adequate channel. Conveyance channels shall be designed to provide a non-erosive surface for designed flows. Riprap shall only be used when protection of the channel geometry and lining cannot otherwise be achieved.~~

~~(j) Suitable safety measures should be incorporated into the design of all stormwater management facilities. These may include but are not limited to, safety ledges, fencing, warning signs, anti-vortex devices, stadia rod indicating depth at the lowest point, and outlet structures designed to limit public access. The plan approving authority reserves the right to require safety measures consistent with local policies for public safety.~~

~~(k) If stormwater management facilities are provided through which water passes at times other than following rainfall, documented provisions shall be made to pass existing flows. It is necessary for detention requirements to be met, despite the necessity of passing certain low flows. This applies to all onstream or online stormwater management facilities.~~

~~(l) All stormwater management facilities shall be designed to function without manual, electrical or mechanical controls, unless authorized in advance in writing by the plan approving authority.~~

~~(m) Detention facilities shall be designed to minimize propagation of insects, particularly mosquitoes.~~

~~(n) Outlets for all stormwater management facilities shall be designed to impede the downstream migration of trash and debris into natural and man-made channels.~~

~~Sec. 16.2-21. Computation methodologies.~~

~~(a) Stormwater quality: All stormwater quality control facilities shall meet the requirements of either a) technology-based water quality criteria as documented in the Virginia stormwater management handbook, b) performance-based water quality criteria as documented in the Virginia stormwater management handbook, or c) other criteria developed and published by the city department of community development.~~

~~(b) Stormwater quantity:~~

~~(1) Stormwater design events~~

~~(i) For stormwater detention, the post-development peak runoff rate from a two (2)-year storm and a ten (10)-year storm, considered individually, shall not exceed their respective pre-development rates.~~

~~(ii) All components of stormwater conveyance systems, including pipes, inlets, gutters, and open channels or swales shall be designed to convey a ten (10)-year rainfall event.~~

~~(iii) All structures conveying a perennial flow shall be designed to convey a twenty five (25)-year rainfall event.~~

~~(iv) All structures conveying the flow of a designated floodplain shall be designed to convey a one hundred (100)-year rainfall event.~~

~~(v) All impoundments, including detention and retention ponds, shall be designed to withstand a one hundred (100)-year rainfall event and shall meet all other applicable Virginia dam safety requirements.~~

~~(vi) Design storms shall be based on either a) type II, a twenty-four (24)-hour storm using the rainfall distribution recommended by the U.S. Soil Conservation Service and U.S. Soil Conservation Service calculation methods (TR-55 or TR-20), b) the rational method, or c) another calculation method, only with prior approval by the plan approving authority.~~

~~(2) For purposes of computing runoff, all lands in the site shall be assumed prior to development to be in good condition if the lands are pastures, lawns, or parks, with good cover if the lands are woods, or with conservation treatment if the lands are cultivated; regardless of conditions existing at the time of computation. Runoff coefficient values should be assigned according to Table 5-2 of the Virginia erosion and sediment control handbook.~~

~~(3) All stormwater management facilities which incorporate storage shall be verified by submitted routing calculations.~~

Sec. 16.2-2~~2~~1. Regional stormwater management.

Where possible all subdivisions, especially those for commercial and industrial use, shall employ a regional detention facility for all lots within the development. ~~If regional detention is not a viable option, as determined by the plan approving authority, a combination of non-structural, structural practices and/or on-site detention shall be designed to reduce the runoff peak on a lot-by-lot basis.~~ If a regional stormwater management plan has been adopted by the City of Lynchburg for the watershed in which the proposed land development is located, the applicant shall comply with the requirements of the regional watershed plan.

Sec. 16.2-2~~3~~2. Floodplain management.

(a) A study will be required for all new construction that provides a net increase in impervious area of the site and/or filling within the floodplain ~~[~~as determined by the most recent floodplain study adopted by the City of Lynchburg~~]~~. This study shall meet the requirements as specified in Sec. 35.1-45, Flood Hazard Districts.

(b) In addition, such construction shall be in compliance with all applicable regulations under the national flood insurance program and code of the City of Lynchburg.

~~Sec. 16.2-24~~3~~. Nonstructural measures.~~

~~It is not necessary that basic requirements for water quality and quantity control be satisfied solely by means of structural methods. Non-structural practices including, but not limited to, cluster land use development, low impact development, minimization of impervious surfaces, open space acquisition, floodplain management, and protection of wetlands, steep slopes, riparian buffers, and vegetation should be coordinated with structural requirements. Approval of non-structural practices can be granted at the discretion of the plan approving authority as an alternative to individual structural practices. The option of non-structural practices shall be justified by documentation.~~
Secs. 16.2-2~~5~~3—16.2-35. Reserved.

ARTICLE III. STORMWATER MANAGEMENT PLAN REQUIREMENTS

Sec. 16.2-36. Plan required.

(a) Except as provided for in section 16.2-5(b) of this chapter, no ~~grading~~ land-disturbing, building, or other permit shall be issued for land development unless a stormwater management plan has been submitted to and approved by the ~~City of Lynchburg~~ administrator or his designee.

(b) The applicant shall demonstrate that the project meets the criteria set forth in this chapter including the technical criteria in Article II of this chapter which shall apply to the entire land-disturbing activity. Individual lots in new residential, commercial, or industrial developments shall not be considered separate land-disturbing activities.

(c) A stormwater management plan shall consider all sources of surface runoff and all sources of subsurface and groundwater flows converted to surface runoff.

(~~c~~d) Failure of the applicant to demonstrate that the project meets the criteria set forth in this chapter shall be reason to deny the applicant's underlying application for approval.

(~~d~~e) Planning, design, and approach to storm water management in the City of Lynchburg shall be in ~~substantial~~ conformance with this chapter. (Ord. No. O-01-079, 4-24-01, eff. 5-1-01)

Sec. 16.2-37. Plan submission.

(1) The applicant shall submit, to the plan approving authority, the material required in a stormwater management plan in accordance with Section 16.2-38 of this chapter.

(2) Five (5) copies of the stormwater management plan shall be submitted.

(3) The fee specified in Section 16.2-56 of this chapter shall accompany the stormwater management plan. (Ord. No. O-01-079, 4-24-01, eff. 5-1-01; Ord. No. O-07-047, 4-10-07)

Sec. 16.2-38. Plan contents.

The following information, where applicable, shall be required for each proposed project subject to review under this ordinance. Stormwater management plans (maps, plans, designs and calculations) shall be appropriately sealed and signed by a professional in adherence to all minimum standards and requirements pertaining to the practice of that profession in accordance with Chapter 4 (54.1-400 et seq.) of Title 54.1 of the Code of Virginia and attendant regulations.

(a) General:

(1) General description of the project.

(2) General description of the erosion and sediment controls.

(3) Information on type/location of stormwater discharges, information on features to which stormwater is being discharged, including surface waters or karst features if present, and predevelopment/postdevelopment drainage areas.

(~~3~~4) General description of temporary and permanent stormwater management facilities and the mechanism through which the facilities will be operated and maintained after construction is complete.

(5) Information on proposed stormwater management facilities, including (i) type of facilities; (ii) location, including geographic coordinates; (iii) acres treated; and (iv) surface waters or karst features into which the facility will discharge

(~~4~~6) Project schedule and narrative, including a sequence of construction.

(~~5~~7) Names and contact information, including email addresses of the project owner, and the submitting agent.

(~~6~~8) The acreage of the disturbed area of the project.

(~~7~~9) An estimate of the amount of security for a bond or other instrument based on current construction costs; however, the city may use an average cost to determine this amount. The city shall not be required to use this estimated amount as its bond requirement.

(b) Technical:

(1) Map or maps of the project area showing:

a. The watershed in which the project site is located using hydrologic unit maps (as found in the design protocol manual) and the boundary of the drainage area tributary to the project site using ~~U.S.G.S.~~ United States Geological Survey quadrangle map or City of Lynchburg topography for offsite areas.

b. Contributing drainage areas;

~~b~~c. The location of the project relative to significant features in the general surroundings such as roads, adjacent land uses, property lines, existing manmade structures and public facilities.

~~c~~d. Existing contours at two (2)-foot intervals for the on-site area.

~~d~~e. Existing streams, lakes, ponds, culverts, ditches, ~~existing~~ drainage swales, wetlands, other water bodies, floodplains, ~~forested areas~~ and other physical features within or adjacent to the project area.

~~e~~f. Unique, unusual, or environmentally sensitive features that provide particular opportunities or constraints for development.

g. Soil types, geologic formations if karst features are present in the area, forest cover and other vegetative areas.

h. Sufficient information on adjoining parcels to assess impacts of stormwater from the site on these parcels;

~~f~~i. Current land use including existing structures, roads, locations of ~~existing and proposed~~ known utilities, sewers ~~and~~ water lines and easements.

~~g~~j. General alterations in the natural terrain, cover, and grade including lawns and other landscaping.

~~h~~k. The location of proposed buildings, roads, parking areas, utilities and other permanent structures.

~~i~~l. Proposed contours at two (2)-foot intervals.

~~j~~m. All stormwater management facilities including details, plan, profile, and cross-sections.

~~k~~n. If any infiltration facilities are proposed, the locations of existing and proposed wells and septic system drain fields must be shown.

~~l~~o. Limits of construction, clearing and grading and proposed drainage patterns on site.

p. Proposed land use with tabulation of percentage of surface area to be adapted to various uses, including but not limited to planned locations of utilities, roads and easements

Sec. 16.2-39. Reports.

(a) Comprehensive hydrologic, hydraulic and water quality design calculations, including all assumptions and criteria, for the pre-development and post-development conditions for the design storms specified in Article II of this chapter.

(b) A soils report/geotechnical analysis and boring logs, for infiltration facilities.

Sec. 16.2-40. Plan approval.

~~(a) A maximum of thirty (30) calendar days from the receipt of an application will be allowed for preliminary review of the application for completeness. During this period, the application will be accepted for review, which will begin the thirty (30) -day review period, or rejected for incompleteness. The applicant will be informed in writing of the information necessary to complete the application.~~

~~(b) The thirty (30) sixty (60)-day review period begins on the day the complete stormwater management plan is accepted for review. At this time, an acknowledgment letter will be sent to the applicant. During the thirty (30) sixty (60)-day review period, the plan approving authority shall either approve or disapprove the plan and communicate the decision to the applicant in writing. Approval or denial shall be based on the plan's compliance with this chapter.~~

~~(c) A disapproval of a plan shall contain the reasons for disapproval.~~

(a) The VSMP authority shall determine the completeness of a plan in accordance with 9VAC25-870-55, and shall notify the applicant of any determination, within 15 calendar days of receipt. Where available to the applicant, electronic communication may be considered communication in writing.

1. If within those 15 calendar days the plan is deemed to be incomplete, the applicant shall be notified in writing of the reasons the plan is deemed incomplete.

2. If a determination of completeness is made and communicated to the applicant within the 15 calendar days, an additional 60 calendar days from the date of the communication will be allowed for the review of the plan.

3. If a determination of completeness is not made and communicated to the applicant within the 15 calendar days, the plan shall be deemed complete as of the date of submission and a total of 60 calendar days from the date of submission will be allowed for the review of the plan.

4. The VSMP authority shall review, within 45 calendar days of the date of resubmission, any plan that has been previously disapproved.

(~~d~~b) The applicant or any aggrieved party authorized by law may appeal the plan approving authority's decision of approval or disapproval of a stormwater management plan application within thirty (30) days after the rendering of such a decision, to the City of Lynchburg Circuit Court.

(~~e~~c) Judicial review shall be on the record previously established and shall otherwise be in accordance with the provisions of the administrative process act (Sec. 9-6.14:1 et seq. of the Code of Virginia).

Sec. 16.2-41. Conditions of plan approval.

Each approved stormwater management plan shall be subject to the following conditions:

(a) A stormwater management plan approved for a residential, commercial, or industrial subdivision shall govern the development of the individual parcels, including those parcels developed under subsequent owners.

(~~a~~b) The applicant shall comply with all applicable requirements of the approved plan and the local program and shall certify that all land clearing, construction, land development and drainage will be done according to the approved plan.

(~~b~~c) The land development project shall be conducted only within the limits of construction, clearing and grading specified in the approved plan.

(~~c~~d) The City of Lynchburg or its designee shall be allowed, after giving notice to the owner, occupier or operator of the land development project, to conduct periodic inspections of the project. The owner, occupier or operator shall be given the opportunity to accompany the inspector.

(~~d~~e) No transfer, assignment or sale of the rights granted by virtue of an approved plan shall be made unless the transferee certifies agreement to comply with all obligations and conditions of the approved plan.

(~~e~~f) A set of certified as-built plans for the stormwater management facilities ~~or~~ and cover ~~a~~ letter from the design professional with the appropriate seal stating that the objectives of the design have been achieved by the facility as constructed shall be submitted to the City of Lynchburg upon completion of the project. Said as-builts shall include volume confirmation with supporting computations and include structural elevations and dimensions.

(~~f~~g) While the project is under bond, the person responsible for implementing the approved plan shall conduct monitoring and submit reports to ensure compliance with the approved plan and to determine whether the plan provides effective stormwater management.

Sec. 16.2-42. Performance bond required.

(a) All applicants shall submit to the City of Lynchburg a performance bond with surety, cash escrow, letter of credit, or such other legal arrangement acceptable to the city attorney, to ensure that measures could be taken by the city at the applicant's expense should the applicant fail, after proper notice, within the time specified to initiate or maintain appropriate actions which may be required of the applicant by the approved stormwater management plan.

(b) If the City of Lynchburg takes such action upon such failure by the applicant, the city may collect from the applicant the costs of such action in excess of the amount of the security held.

(c) Within sixty (60) days of the completion of the requirements of the approved stormwater management plan, including necessary stabilization, the bond, cash escrow, letter of credit or other legal arrangement, or the unexpended or unobligated portion thereof, shall be refunded to the applicant or terminated.

(d) These requirements are in addition to all other provisions of law relating to the issuance of such plans and are not intended to otherwise affect the requirements for such plans.

Sec. 16.2-43. Changes to an approved plan.

No changes may be made to an approved plan without review and written approval by the City of Lynchburg. Modifications to an approved stormwater management plan shall be allowed only after review and written approval by the administrator. The administrator shall have 60 calendar days to respond in writing either approving or disapproving such request. The administrator may also require amendments to an approved stormwater management plan, within a time prescribed by the administrator, to address any deficiencies noted during inspection. Upon the release of the land disturbance bond, any proposed changes to the site layout, increases in impervious area or alterations of stormwater conveyance systems, easements or facilities must be submitted to the plan approving authority of the City of Lynchburg for review and approval.

Secs. 16.2-44—16.2-54. Reserved.

Article IV. Stormwater Pollution Prevention Plan Requirements

16.2-55. Plan Contents

(a) The Stormwater Pollution Prevention Plan (SWPPP) shall include, but not be limited to, an approved erosion and sediment control plan, an approved stormwater management plan, a pollution prevention plan for regulated land-disturbing activities, and a description of any additional control measures necessary to address a TMDL as specified by Section 9VAC25-870-54 and must also comply with the requirements and general information set forth in Section 9VAC25-880-70 of the general permit.

(b) The SWPPP shall be amended by the operator whenever there is a change in design, construction, operation, or maintenance that has a significant effect on the discharge of pollutants to state waters which is not addressed by the existing SWPPP.

(c) The SWPPP must be maintained by the operator at a central location onsite. If an onsite location is unavailable, notice of the SWPPP's location must be posted near the main entrance at the construction site. Operators shall make the SWPPP available for public review in accordance with Section II of the general permit, either electronically or in hard copy.

16.2-56 Pollution Prevention Plan

(a) Pollution Prevention Plan, required by 9VAC25-870-56, shall be developed, implemented, and updated as necessary and must detail the design, installation, implementation, and maintenance of effective pollution prevention measures to minimize the discharge of pollutants. At a minimum, such measures must be designed, installed, implemented, and maintained to:

(1) Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;

(2) Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials present on the site to precipitation and to stormwater; and

(3) Minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures.

(b) The pollution prevention plan shall include effective best management practices to prohibit the following discharges:

(1) Wastewater from washout of concrete, unless managed by an appropriate control;

(2) Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds, and other construction materials;

(3) Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance; and

(4) Soaps or solvents used in vehicle and equipment washing.

(c) Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, are prohibited unless managed by appropriate controls.

ARTICLE ~~IV~~ V. ENFORCEMENT AND FEES

Sec. 16.2-5~~5~~6. Exceptions.

(a) A request for an exception shall be submitted, in writing, to the ~~program~~ administrator. An exception from this chapter may be granted, provided that: (i) exceptions to the criteria are the minimum necessary to afford relief, and (ii) reasonable and appropriate conditions shall be imposed as necessary upon any exception granted so that the purpose and intent of this chapter is preserved.

(b) Economic hardship is not sufficient reason to grant an exception from the requirements of this chapter.

Sec. 16.2-5~~6~~7. Fees.

The fee structure for stormwater management plan review within the City of Lynchburg will be incorporated into the erosion and sediment control review fee as part of the department of community development's technical review committee process.

(a)An applicant shall pay the fees provided in Table 1 for initial issuance of general permit coverage and VSMP authority permit coverage. No more than 50% of the total fee to be paid by the applicant set out in Table 1 shall be due at the time a stormwater management plan or an initial stormwater management plan is submitted to the City of Lynchburg for review. The balance shall be paid prior to the issuance of coverage under the general permit. When a site or sites are purchased for development within a previously permitted common plan of development or sale, the applicant shall be subject to fees in accordance with the disturbed acreage of the their site or sites according to the following table.

Table 1: Fees for permit issuance

Fee type	**Total fee to be paid by Applicant (includes both VSMP authority and Department portions where applicable)**	**Department portion of "total fee to be paid by Applicant" (based on 28% of total fee paid*)**
General / Stormwater Management - Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than 1 acre.)	$290	$81
General / Stormwater Management - Small Construction Activity/Land Clearing (Single family detached residential structure, within or outside a common plan of development or sale, with land disturbance acreage greater than one acre but less than five acres or areas with a land-disturbance acreage of less than one acre within a common plan of development or sale.	$209	N/A
General / Stormwater Management - Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 1 acre and less than 5 Acres)	$2,700	$756
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 5 acres and less than 10 acres)	$3,400	$952
General / Stormwater Management – Large Construction Activity/Land Clearing [Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres]	$4,500	$1,260

General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	$6,100	$1,708
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	$9,600	$2,688

* If the project is completely administered by the Department such as may be the case for a state or federal project or projects covered by individual permits, the entire applicant fee shall be paid to the Department.

(b) Fees for the modification or transfer of registration statements from the general permit issued by the State Board shall be imposed in accordance with Table 2. If the general permit modifications result in changes to stormwater management plans that require additional review by the City of Lynchburg, such reviews shall be subject to the fees set out in Table 2. The fee assessed shall be based on the total disturbed acreage of the site. In addition to the general permit modification fee, modifications resulting in an increase in total disturbed acreage shall pay the difference in the initial permit fee paid and the permit fee that would have applied for the total disturbed acreage in Table 1. Fees required by this section go to the City of Lynchburg

Table 2: Fees for the modification or transfer of registration statements for the General Permit for Discharges of Stormwater from Construction Activities

Type of Permit	**Fee Amount**
General / Stormwater Management – Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than 1 acre)	$20
General / Stormwater Management – Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 1 and less than 5 acres)	$200
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 5 acres and less than 10 acres)	$250
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres)	$300
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	$450
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	$700

(c) The following annual permit maintenance shall be imposed in accordance with Table 3, including fees imposed on expired permits that have been administratively continued. With respect to the general permit, these fees shall apply until the permit coverage is terminated. Fees specified by this section will go to the City of Lynchburg.

Table 3: Permit Maintenance Fees

Type of Permit	Fee Amount
Chesapeake Bay Preservation Act Land-Disturbing Activity (not subject to General Permit coverage; sites within designated areas of Chesapeake Bay Act localities with land-disturbance acreage equal to or greater than 2,500 square feet and less than 1 acre)	$50
General / Stormwater Management – Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than 1 acre)	$50
General / Stormwater Management – Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance equal to or greater than 1 acre and less than 5 acres)	$400
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 5 acres and less than 10 acres)	$500
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres)	$650
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	$900
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater 100 acres)	$1,400

General permit coverage maintenance fees shall be paid annually to the City of Lynchburg by the anniversary date of general permit coverage. No permit will be reissued or automatically continued without payment of the required fee. General permit coverage maintenance fees shall be applied until a notice of termination is effective.

(d) The fees set forth in subsections (a) through (c) above, shall apply to:

(1) All persons seeking coverage under the general permit.

(2) All permittees who request modifications to or transfers of their existing registration statement for coverage under a general permit.

(3) Persons whose coverage under the general permit has been revoked shall apply to the department for an individual permit for discharges of stormwater from construction activities.

(4) Permit and permit coverage maintenance fees outlined in this section may apply to each general permit holder.

(e) No general permit application fees will be assessed to:

(1) Permittees who request minor modifications to general permits as defined in section
? of this ordinance. Permit modifications at the request of the permittee resulting in changes to stormwater management plans that require additional review by the administrator shall not be exempt pursuant to this Section.

(2) Permittees whose general permits are modified or amended at the initiative of the department, excluding errors in the registration statement identified by the administrator or errors related to the acreage of the site.

(f) All incomplete payments will be deemed as nonpayments, and the applicant shall be notified of any incomplete payments. Interest may be charged for late payments at the underpayment rate set forth in §58.1-15 of the Code of Virginia and is calculated on a monthly basis at the applicable periodic rate. A 10% late payment fee shall be charged to any delinquent (over 90 days past due) account. The City of Lynchburg shall be entitled to all remedies available under the Code of Virginia in collecting any past due amount.

Sec. 16.2-58~~7~~. Inspections and monitoring.

(a) The ~~program~~ administrator or designee shall ~~make regular inspections during all phases of construction of the stormwater management facilities.~~ inspect the land-disturbing activity during construction for:

(1) Compliance with the approved erosion and sediment control plan;

(2) Compliance with the approved stormwater management plan;

(3) Development, updating, and implementation of a pollution prevention plan; and

(4) Development and implementation of any additional control measures necessary to address a TMDL.

(b) The applicant shall notify the city forty-eight (48) hours prior to the commencement of any activity covered by this ordinance so that appropriate inspections can be made to insure compliance with this chapter.

(c) The administrator or any duly authorized agent of the administrator may, at reasonable times and under reasonable circumstances, enter any establishment or upon any property, public or private, for the purpose of obtaining information or conducting surveys or investigations necessary in the enforcement of the provisions of this chapter.

(d) In accordance with a performance bond with surety, cash escrow, letter of credit, any combination thereof, or such other legal arrangement or instrument, the administrator may also enter any establishment or upon any property, public or private, for the purpose of initiating or maintaining appropriate actions which are required by the permit conditions associated with a land-disturbing activity when a permittee, after proper notice, has failed to take acceptable action within the time specified.

(e) The administrator may require every VSMP authority permit applicant or permittee, or any such person subject to VSMP authority permit requirements under this ordinance, to furnish when requested such application materials, plans, specifications, and other pertinent information as may be necessary to determine the effect of his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of this ordinance.

(f) Post-construction inspections of stormwater management facilities required by the provisions of this ordinance shall be conducted by the administrator or any duly authorized agent of the Administrator pursuant to the City of Lynchburg's adopted and State Board approved inspection program, and shall occur, at minimum, at least once every five (5) years.

(~~e~~g) Inspection reports shall be maintained as part of the land development project file.

(h) In order to assure compliance with the provisions of this chapter, and all applicable city ordinances, state and federal laws, orders or regulations, the stormwater administrator or his agent shall have the right to inspect any property on which a stormwater maintenance facility is located, public or private, within the city at any reasonable time. In the event the stormwater administrator or his agent shall be denied access to property, the stormwater administrator or his agent may present sworn testimony to a magistrate or court of competent jurisdiction and if such sworn testimony establishes (i) probable cause that a violation of this ordinance has occurred, or (ii) that the stormwater administrator or his agent has been denied access to property as part of a routine inspection program, request that the magistrate or court grant the stormwater administrator or his agent an inspection warrant to enable the stormwater administrator or his agent to enter the property for the purpose of determining whether a violation of this ordinance exists. The stormwater administrator or his agent shall make a reasonable effort to obtain consent from the owner or occupant of the subject property prior to seeking the issuance of an inspection warrant under this section. It shall be a violation of this section for any person to deny the stormwater administrator or his agent access to any property after the stormwater administrator or his agent has obtained an inspection warrant from a magistrate or a court of competent jurisdiction for the inspection of such property. Nothing herein shall be construed to authorize the stormwater administrator or his agent to enter or inspect the interior portions of any structure situated on such property unless the inspection is reasonably necessary to verify the presence and character of a stormwater maintenance facility or control measure that the owner of the property claims to be installed therein.

Sec. 16.2-59. – Hearings by the city manager, or his designee.

(a) Any permit applicant or permittee, or person subject to the requirements of this chapter, who is aggrieved by a permit of enforcement decision of the city, may request in writing a hearing by the city manager, or his designee, provided a written request of a hearing is filed with the city manager, or his designee, within fifteen days of the incident giving rise to the request for a hearing.

(b) Within thirty calendar days after receiving a written request for a hearing, the city manager, or his designee, will meet with the person filing the request for a hearing.

(c) A record of the hearing shall be taken and retained by the city manager, or his designee, pending an appeal to the circuit court as provided in section 16.2-60. The record shall contain documentation of the date the hearing took place, the decision made, and the date the decision was provided to the person requesting the hearing.

(d) Within fifteen calendar days after the hearing takes place, the city manager, or his designee, shall issue a written decision in the matter and shall provide a copy of the decision to the person requesting the hearing. The written decision will be retained as part of the record.

(e) All hearings shall be in accordance with the process adopted by the city manager. The hearing before the city manager, or his designee, is not intended to be conducted like a court proceeding, and the rules of evidence do not apply to such hearing. The city manager, or his designee, shall have the discretion to determine the propriety of attendance of persons at the hearing, and the admissibility of evidence, so long as a fair and full opportunity is afforded to all parties for the presentation of their evidence.

(f) The time frames in these procedures, may be extended by the mutual agreement of the city manager, or his designee, and the person requesting the hearing.

(g) The decision of the city manager, or his designee, may be appealed to the circuit court as provided in section 16.2-60.

Sec. 16.2-60. – Appeals to circuit court.

(a) Any permit applicant or permittee, or person subject to the requirements of this chapter, who is aggrieved by a permit or enforcement decision of the city manager, or his designee, may file with the clerk of the circuit court a petition for the review of such decision. An appeal must be filed in writing with the clerk of the circuit court within thirty (30) days after a final decision is rendered by the city manger, or his designee, and must specify the grounds on which the appeal is based. The filing of the said petition shall stay the decision of the city manager, or his designee, pending the outcome of the appeal.

(b) Upon the presentation of such petition, the court shall allow a writ of certiorari to review the decision of the city manager, or his designee, and shall prescribe therein the time within which a return thereto must be made to the petition. A copy of the writ of certiorari shall be served upon the city manager. Within fifteen calendar days after the writ of certiorari is served upon the city manager, the city manager shall transmit to the clerk of the court: a copy of the city manager's, or his designee's, decision, a copy of the record, and the exhibits. The court, sitting without a jury, shall hear the appeal on the record transmitted by the city manager and such additional evidence as the court determines may be necessary to resolve any controversy as to the correctness of the record. The court, in its discretion, may receive such other evidence as the ends of justice require.

(c) The burden of proof shall be upon the party filing the appeal to designate and demonstrate that the decision of the city manager or his designee, was arbitrary and capricious, or contrary to the law. When the decision on review is to be made on the record, the duty of the court with respect to issues of fact shall be to determine whether there was substantial evidence in the record to support the city manager's, or his designee's, decision. The duty of the court with respect to the issues of law shall be to review the city manager's, or his designee's, decision de novo to determine if there was an error of law. Whether the fact issues are reviewed on the record submitted by the city manager, or a record made during a review action, the court shall take due account of the presumption of the validity of the city's ordinances, the experience and specialized competence of city staff, and the purposes of the basic laws, regulations, and ordinances under which the city has acted.

(d) A party shall be deemed to be an aggrieved party for the purpose of filing an appeal if (i) such party has suffered an actual or imminent injury which is an invasion of a legally protected interest and which is concrete and particularized, (ii) such injury is fairly traceable to the decision of the city and not the result of the independent action of some third party not before the court, and (iii) such injury will likely be redressed by a favorable decision by the court.

Sec. 16.2~~-58~~-61. Maintenance agreement.

(a) A maintenance agreement, on a form prescribed by the City of Lynchburg, between the city and the owner of any permanent stormwater control facility shall be submitted and recorded prior to approval of the stormwater management plan required by this chapter. ~~implemented prior to the release of any performance bond that may be required by the city for this facility.~~

(b) Responsibility for the operation and maintenance of stormwater management facilities, unless assumed by the city or other governmental agency, shall run with the land and remain with the property owner and shall pass to any successor or owner. If portions of the land are to be sold, legally binding arrangements shall be made to pass the basic responsibility to successors in title. These arrangements shall designate for each parcel the property owner, governmental agency, or other legally established entity to be permanently responsible for maintenance.

(c) In the event that the stormwater management facilities are in need of maintenance or become a danger to public safety or public health, the responsible person shall be notified in writing, ~~advised of the corrective measures required,~~ and given a reasonable period of time to take necessary action. If the responsible person fails or refuses to perform such maintenance and repair, the city has the authority to perform the work and to recover the costs from the responsible person. Any costs, including interest, which remain unpaid, may be collected in the same manner as unpaid taxes are collected, and shall constitute a lien against the property, ranking on a parity with liens for unpaid taxes.

(d) To ensure proper performance of the stormwater management facility, the owner is responsible for inspecting the stormwater management facility on ~~a semi-~~ an annual basis and after any storm, which causes the capacity of the facility to be exceeded. More frequent inspections may be required if deemed necessary by the ~~program~~ administrator. The owner must file written record of inspections to the ~~program administrator~~ department of water resources within five (5) working days of the inspection. ~~Utilize the operation and maintenance checklist (appendix 3B) contained in the Virginia stormwater management handbook.~~

(e) The maintenance agreement submitted to the City of Lynchburg shall allow for the City to enter the property ~~Right of entry agreements or easements for the city shall be required from the applicant~~ for purposes of inspection by the ~~program~~ administrator or designee shall ~~Said agreements or easements may also~~ permit the city or designee to enter the property for the purpose of maintenance and repair should the responsible party not fulfill these duties~~.~~, shall provide for the submisstion of inspection and maintenance reports as required by the city, and shall be enforceable by all appropriate governmental parties.

Sec. 16.2-62. Maintenance of stormwater management facilities.

(a) Any property owner that has a stormwater management facility on his property, shall maintain such facility in a good operating condition. The maintenance of the stormwater management facility shall be in accordance with all applicable city and state requirements and regulations, and shall include but shall not be limited to the following:

(1) The filing of an annual inspection of the facility by a qualified inspector and the filing of an annual written inspection report with the City's stormwater administrator, describing the condition of the stormwater management facility. The annual inspection report shall be due by the end of each calendar year, and the inspection shall have been performed within two months prior to the date of the report. The report shall state the property's address, the owner's name, the inspection date, the inspector's name and qualifications, and shall describe any deficiencies and any required maintenance that is needed to bring the stormwater management facility into compliance with city and state requirements and regulations.

(2) The filing of a supplementary report on the remediation of any deficiencies identified in the annual inspection report; such supplementary report on remediation efforts shall be due within three months of the date of the inspection report.

(3) The removal and proper disposal of sediment when the flow or storage of the stormwater has been significantly restricted or reduced by sediment;

(4) The removal and proper disposal of trash, debris, loose brush and other growth from the stormwater management facility, as needed;

(5) The removal and proper disposal of any oil or grease which has accumulated within the stormwater management facility;

(6) The replacement and proper disposal of any chemical treatment media and any filter media which have ceased to function at design levels;

(7) The annual cutting of any brush and other woody growth on and around any embankment fill, and the stabilization of the banks of the stormwater management facility, as needed;

(8) The inspection, maintenance and repair of any fence installed around the stormwater management facility;

(9) any necessary repairs to the dam, emergency spillway and any low spots in any stormwater retention pond; and

(10) all other repairs and improvements which are reasonably necessary to keep the stormwater management facility operating in an efficient, safe and sanitary manner.

(b) In the event that the stormwater management facilities are in need of maintenance or become a danger to public safety or public health, the property owner shall be notified in writing, and given a reasonable period of time to take necessary action. If the property owner fails or refuses to perform such maintenance and repair, the city has the authority to perform the work and to recover the costs from the property owner. Any costs, including interest, which remain unpaid, may be collected in the same manner as unpaid taxes are collected, and shall constitute a lien against the property, ranking on a parity with liens for unpaid taxes.

(c) For purposes of this chapter, "property owner" means the owner or owners of the freehold of the property or lesser estate therein, a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, or lessee in control of the property.

Sec. 16.2-~~59~~ 63. Enforcement.

(a) If ~~it is~~ the administrator determine~~d~~s that there is a failure to comply with the VSMP authority permit conditions or determines there is an unauthorized discharge ~~approved plan~~, notice shall be served upon the ~~applicant~~ permittee or person responsible for implementing the plan by registered or certified mail to the address specified in the application or plan certification, or by delivery at the land development site to the agent or employee supervising such activities.

(b) The notice shall specify the measures needed to comply with the ~~plan~~ permit conditions and shall specify the time within which such measures shall be completed.

(c) Upon failure to comply within the time specified, a stop work order may be issued or the permit or approval may be revoked and the applicant or person responsible for implementing the plan shall be deemed to be in violation of this ordinance.

(d) Any person who violates any provision of this ordinance shall be guilty of a misdemeanor and shall be subject to a fine or imprisonment for each violation, or both, as provided for in Section ~~10.1-603.14~~ 62.1-44.15:48 of the Code of Virginia.

(e) The ~~program~~ administrator may apply to the circuit court to enjoin a violation or a threatened violation of this chapter as provided for in Section ~~10.1-603.14~~ 62.1-44.15.48 of the Code of Virginia without the necessity of showing that an adequate remedy at law does not exist.

(f) Without limiting the remedies, which may be obtained in this section, the ~~program~~ administrator may bring a civil action against any person for violation of this chapter, or any condition of the permit or approval, or any provision of the local program. The action may seek to impose of a civil penalty of not more than thirty-two thousand, five hundred dollars ($32,500) ~~two thousand dollars ($2,000)~~ for each violation as provided for in Section ~~10.1-604.14~~ 62.1-44.15.48 of the Code of Virginia.

(g) In addition to any other remedy provided by this chapter, if the administrator determines there is a failure to comply wit the provisions of this chapter, the administrator may initiate such ~~information~~ informal and/or formal administrative enforcement procedures in a manner authorized by this chapter and any applicable City-issued policies. Such procedures may include, but are not limited to:

(i) Verbal Warning;
(ii) Notices of corrective actions;
(iii) Consent special orders and civil charges pursuant to subsection (h) below;
(iv) Notices to comply;
(v) Special and emergency special orders;

~~(g)~~ (h) With the consent of any person who has violated or failed, neglected or refused to obey this ordinance or any condition of the permit or approval or any provision of the local program, the ~~program~~ administrator may issue an order against or to such person, for the payment of civil charges for violations in specific sums, not to exceed the limit specified in subsection (f) of this section. Such civil charges shall be instead of any appropriate civil penalty, which could be imposed under subsection (f).

(i) Violations for which a penalty may be imposed under this Subsection shall include but not be limited to the following:
(i) No state permit registration; (ii) No SWPPP;
(iii) Incomplete SWPPP;
(iv) SWPPP not available for review;
(v) No approved erosion and sediment control plan;
(vi) Failure to install stormwater BMPs or erosion and sediment controls;
(vii) Stormwater BMPs or erosion and sediment controls improperly installed or maintained;
(viii) Operational deficiencies;
(ix) Failure to conduct required inspections;
(x) Incomplete, improper, or missed inspections; and
(xi) Discharges not in compliance with the requirements of Section 9VAC25-880-1170 of the general permit.

Secs. 16.2-60~~0~~4—16.2-69. Reserved.

ARTICLE ~~V~~ VI. STORMWATER POLLUTION CONTROL

Sec. 16.2-70. Purpose.

(a) The 1987 amendments to the federal clean water act (CWA) required the United States environmental protection agency to establish national pollutant discharge elimination system (NPDES) requirements for municipal separate storm sewer systems (MS4). NPDES regulations require the city to reduce the flow of pollutants into waters of the United States through ordinance, permit, contract or other available means.

(b) Pollutants discharged from the city's municipal separate storm sewer system (MS4) have an adverse impact upon the quality of receiving waters. Stormwater, and any other materials which enter the city's MS4, travel through the system and are discharged into receiving waters with minimal or no treatment. Since pollutants entering this system come from many sources and are to date largely uncontrolled, reduction of pollutant discharges can only be achieved by a broad restriction on a variety of activities occurring throughout the city. This ordinance is intended to prevent pollutants from being discharged by the city's stormwater collection system by requiring all citizens to prevent such pollutants from initially entering the system.

(c) This article is adopted as an integral part of the city's stormwater management program. (Ord. No. O-07-032, 3-13-07)

Sec. 16.2-71. Discharges to the city's storm sewer system.

(a) It shall be unlawful and a violation of this article to:

(1) Connect, cause, or allow to be connected, any sanitary sewer to the separate storm sewer system;

(2) Discharge the following in any amount to the city's storm sewer system, to any private stormwater conveyance system, or to any stormwater management system whether intended for water quality or water quantity control, unless the system conveys the fluids to an appropriate water treatment facility or the discharge is permitted by a Virginia pollution discharge elimination system [VPDES] permit <u>or by a national pollution discharge elimination system [NPDES] permit</u>:

(i) Sewage;
(ii) Greases;
(iii) Fuels;
(iv) Oil or oil waste;
(v) Antifreeze;
(vi) Other automotive, motor or equipment fluids;
(vii) Paints and/or organic solvents;
(viii) PCBs;
(ix) Pesticides;
(x) Herbicides;
(xi) Toxic materials;
(xii) Waste disposal site leachate;
(xiii) Radioactive materials;
(xiv) Fertilizers
(xv) Organic matter;

(xvi) Any fluid at a temperature greater than 65° celsius;
(xvii) Any fluid having a pH less than 5.0 or greater than 9.0;
(xviii) Any fluid containing more than fifteen (15) milligrams per liter of total suspended solids;
(xix) Any fluid containing dyes or coloring material which discolor the water no more than fifty (50) American dye manufacturers institute [ADMI] units;
(xx) Any fluid containing material which causes a visible film, sheen or discoloration on the water surface;
(xxi) Any substance which may cause or do any injury to, interfere with the proper operation of, obstruct the flow into or through, or pollute a stormwater management facility;
(xxii) Any commercial, industrial, or manufacturing process water, wash water, or unpermitted discharge;
(xxiii) Boiler blowdown;
(xxiv) Any substance of non-stormwater origin unless specifically exempted from this article;
(xxv) Matter of any type which may:
a. Result in a hazard to any person, animal, property, or vegetation; or,
b. Impair the quality of the water in any well, lake, river, pond, spring, stream, reservoir or other water or watercourse.

(b) Subject to the provisions of subsection (c) of this section, the following activities shall be allowed:
(1) Potable water line flushing;
(2) Lawn watering;
(3) Landscape irrigation;
(4) Diverting stream flows or uncontaminated groundwater flows;
(5) Water from public safety activities, including, but not limited to, law enforcement and fire suppression;
(6) Pumping or drainage of uncontaminated groundwater from potable water sources, foundation drains, basements, springs, or water from crawl spaces, or footing drains;
(7) Non-commercial car washing;
(8) Swimming pool discharges with less than one (1) parts per million [PPM] chlorine;
(9) Street washing;
(10) Any activity authorized by a valid national pollutant discharge elimination system (NPDES) permit, waiver, or discharge order; a Virginia pollutant discharge elimination system (VPDES) permit, waiver, or discharge order; or a Virginia pollution abatement (VPA) permit;
(11) Any activity by a governmental entity or its employees and agents in accordance with federal, state, and local regulations and standards for the maintenance or repair of drinking water reservoirs or water treatment or distribution systems;
(12) Any activity by a governmental entity or its employees and agents in accordance with federal, state, and local regulations and standards, for the maintenance of any component of its stormwater management system.
(13) Discharges specified in writing by the program administrator and/or his or her designee as being necessary to protect public health and safety.
(14) Dye testing, following notification to the program administrator.

(15) Residential yard maintenance, including seasonal leaf pick-up and brush removal.

(c) If any of the activities listed in subsection (b), above, of this section are found to be sources of pollutants to public waters, the program administrator shall so notify the person performing such activities and shall order that such activities be stopped or performed in such a manner as to avoid discharge of pollutants into such waters. The failure to comply with any such order shall be unlawful and a violation of this article. (Ord. No. O-07-032, 3-13-07)

Sec. 16.2-72. Pesticides, herbicides, and fertilizers.

(a) Pesticides, herbicides, and fertilizers are common household products that have beneficial uses in the homes, lawns and gardens of many city residents. When used properly and in accordance with manufacturer's recommendations they provide significant enhancement of our quality of life. When used inappropriately, however, these products can have unintended negative impacts on the quality of public waters. These consequences frequently are not readily apparent to the individual responsible for the improper usage. Therefore to reduce the incidences of negative environmental impacts to water quality, the city enacts the following restrictions on the uses of pesticides, herbicides, and fertilizers.

(b) Pesticides and herbicides.

It shall be unlawful:

(1) To use any pesticide or herbicide not approved by the U.S. environmental protection agency (EPA).

(2) To use any pesticide or herbicide in a fashion not in accordance with manufacturer's recommendations or label directions as approved by the Virginia department of agriculture and consumer services [VDACS] and the U.S. environmental protection agency (EPA).

(c) Fertilizers.

To avoid contamination of water bodies and aquifers :

(1) Fertilizers should be applied in a manner which does not exceed manufacturer's recommendations for frequency and rates approved by the Virginia department of agriculture and consumer services [VDACS] and the U.S. environmental protection agency (EPA).

(2) Fertilizers should not be directly applied to impervious areas subject to runoff.

Sec. 16.2-73. Construction activities.

Stormwater management at all construction activities shall be governed by the city's erosion and sediment control and stormwater ordinance

Sec. 16.2-74. Good housekeeping requirements.

The following good housekeeping requirements shall be adhered to by all persons within the City of Lynchburg:

(a) The uncovered outdoor storage of unsealed containers containing hazardous substances or waste material is prohibited.

(b) Unless otherwise approved, objects such as vehicle motor parts containing grease, oil, or other hazardous materials, shall not be stored in such a manner as to cause leaks, spills, or discharges into stormwater management facilities.

(c) Unless otherwise approved, work on any machine that is to be repaired or maintained in an uncovered outdoor area shall be performed in such a manner as to prevent leaks, spills, or discharges into any stormwater management facilities and/or any municipal separate storm sewer system.

(d) Fuel and chemical residue or other types of potentially harmful material, garbage, or batteries, which are located in an area susceptible to runoff, shall be removed immediately and disposed at a hazardous waste collection site.

Sec. 16.2-75. Inspections and monitoring.

(a) The ~~program~~ administrator and/or his or her designee(s) shall have authority to carry out all inspection, surveillance and monitoring procedures necessary to determine compliance and noncompliance with the provisions of this article, including the prohibition of illicit discharges to the storm sewer system. The program administrator and/or his or her designee(s) may monitor stormwater outfalls or other components of the municipal storm sewer system as may be appropriate in the administration and enforcement of this article.

(b) The ~~program~~ administrator and/or his or her designee(s) shall have the authority to require pollution prevention plans from any person whose discharges cause or may cause a violation of any VPDES permit, including the one held by the city.

(c) The ~~program~~ administrator and/or his designee(s) shall have the authority to enter into private property to conduct investigations relative to this article. No inspection shall be conducted without the consent of the tenant, occupant, property owner or the owner's representative or pursuant to a duly issued administrative inspection warrant or as authorized by other lawful means.

Sec. 16.2-76. Violations and penalties.

(a) A willful violation of the provisions of this article shall constitute a Class 1 misdemeanor. Each day that a continuing violation of this article is maintained or permitted to remain shall constitute a separate offense.

(b) Any person who commits any act prohibited by this article shall be liable to the city for all costs of detecting, tracing, testing, containment, cleanup, abatement, removal, and disposal of any substance unlawfully discharged into the storm sewer system.

(c) Any person who commits any act prohibited by this article shall be subject to a civil penalty in an amount not to exceed one thousand dollars ($1,000.00) for each day that a violation exists. The city may issue a summons for the collection of the civil penalty and the action may be prosecuted in the local courts. Any civil penalties assessed by a court as a result of a summons issued by the city shall be paid into the treasury of the city for the purpose of abating, preventing or mitigating environmental pollution.

(d) The city may bring legal action to enjoin the continuing violation of and to insure compliance with the provisions of this chapter, including injunction, abatement or other appropriate action or proceeding. The existence of any other remedy, at law or in equity, shall be no defense to any such action.

(e) The ~~program~~ administrator and/or his or her designee(s) shall have authority to order that any activity found to be in violation of this article be stopped or conducted in such a manner as to avoid the discharge of any illicit materials into the storm sewer system.

(f) Any discharge caused or permitted to exist in violation of any provisions of this article constitutes a threat to the public health, safety and welfare, and is hereby declared and deemed a public nuisance. Following receipt of written notice of such nuisance from the ~~program~~ administrator and/or his or her designee(s), if the responsible person fails to abate or obviate such nuisance, then the city may do so and charge and collect the cost thereof from the responsible person, in any manner provided by law (including, without limitation, any manner provided by law for the collection of state or local taxes).

(g) The remedies set forth in this section shall be cumulative, not exclusive, and it shall not be a defense to any action, civil or criminal, that one or more of the remedies set forth herein has been sought or granted.

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **May 27, 2014**			AGENDA ITEM NO.: 17
CONSENT:	REGULAR: **X**	WORK SESSION:	CLOSED SESSION: (Confidential)
ACTION: **X**		INFORMATION:	

ITEM TITLE: **Public Hearing Regarding the Fiscal Year (FY) 2015 Annual Action Plan for the Community Development Block Grant (CDBG) and HOME Program**

RECOMMENDATION: Conduct a public hearing to receive comments on the Community Development Block Grant (CDBG) and HOME Program FY 2015 Annual Action Plan and adopt a resolution approving the FY 2015 Annual Action Plan.

SUMMARY: The Department of Housing and Urban Development (HUD) requires local governments, which receive federal community development funds, to prepare an Annual Action Plan as a component of the approved 2010-2015 Five-Year Consolidated Plan. The Annual Action Plan outlines the City's needs, goals, and objectives for community development (both housing and non-housing areas). The Plan has been prepared and is comprised of the required Action Plan components and the CDBG and HOME projects that will be initiated during the program year to address the identified needs and objectives.

On April 26, 2014 a public notice was published in *The News and Advance* stating that a draft of the proposed Program Year 2014 (FY 2015) Annual Action Plan was available for public review for a 30-day public comment period. The public comment period began on April 26, 2014 and will continue until May 27, 2014. The advertisement for the Annual Action Plan included the projects recommended by City Council at its April 8, 2014 meeting.

City staff has not yet received any public comments regarding the draft Plan. City Council and citizen comments received at the public hearing regarding the contents of the Annual Action Plan will be incorporated into the final document and submitted to HUD for approval.

PRIOR ACTION(S): March 25, 2014: Public Hearing to receive comments from the recommendations of the Community Development Advisory Committee (CDAC)
April 8, 2014: City Council meeting regarding the FY 2015 Allocation of Community Development Block Grant and HOME Program Funds

FISCAL IMPACT: N/A

CONTACT(S): Bonnie Svrcek, Deputy City Manager, 455-3987
Melva Walker, Grants Manager, 455-3916

ATTACHMENT(S): Fiscal Year 2015 Annual Action Plan Narrative
(Note: Individual Project Worksheets are available for Review in the Grants Administration Office, Department of Community Development, City Hall, 2nd Floor)
Resolution

REVIEWED BY: bms

RESOLUTION

BE IT RESOLVED that the Community Development Block Grant (CDBG) and HOME Program Fiscal Year 2015 Annual Action Plan is hereby approved for submittal to the Department of Housing and Urban Development (HUD).

Adopted:

Certified: ______________________________
Clerk of Council

067K

Fifth Annual Action Plan for 2010-2015 Consolidated Plan

The CPMP Annual Action Plan includes the SF 424 and Narrative Responses to Action Plan questions that CDBG, HOME, HOPWA, and ESG grantees must respond to each year in order to be compliant with the Consolidated Planning Regulations.

Narrative Responses

ACTION PLAN

Executive Summary

Mission: The mission of the City of Lynchburg's Consolidated Annual Action Plan for Program Year 2014 is to obtain the Community Development Block Grant (CDBG) and HOME Program funds that are fundamental to attaining the priorities and objectives identified in the 2010-2015 Consolidated Plan, thereby contributing to the health, welfare, safety, and future viability of the City, and specifically in the targeted low-to-moderate income areas and for low-to-moderate income persons.

Since 1975 the City of Lynchburg, as an entitlement jurisdiction through the Department of Housing and Urban Development (HUD), has received annual allocations for the Community Development Block Grant (CDBG) Program. In 1994 the HOME Investment Partnerships (HOME) Program began and the City was designated as a participating jurisdiction and began receiving annual formula allocations through the HOME Program.

The City of Lynchburg, as an entitlement jurisdiction in the CDBG and HOME Program, is required by HUD to submit a Consolidated Plan every five years and an Annual Action Plan in each of the five years of the Consolidated Plan. The Consolidated Plan and Annual Action Plan are mandated documents for receipt of CDBG and HOME Program funds and are designed to be a collaborative process whereby the community establishes a unified vision for community development actions. It offers local jurisdictions the opportunity to shape the various housing and community development programs into effective, coordinated neighborhood, and community development strategies. It also creates the opportunity for strategic planning and citizen participation to take place in a comprehensive context while reducing duplication of effort.

The Plan describes the resources available, the programs and projects to be funded and the proposed accomplishments for Program Year 2014 (FY 2015).

The Federal regulations set forth three basic goals against which HUD will evaluate the Consolidated Plan and Annual Action Plan and the jurisdiction's performance under the plan. Each jurisdiction's plan must state how it will pursue these goals for all community development programs, as well as all housing programs. These statutory program goals are as follows:

• Housing - The housing programs are to provide decent housing which includes: assisting homeless persons in obtaining affordable housing; assisting persons at risk of becoming homeless; retaining the affordable housing stock; increasing the availability of affordable permanent housing in standard condition to low-income and moderate-income families, particularly to members of disadvantaged minorities without discrimination on the basis of race, color, religion, sex, national origin, familial status, or disability; increasing the supply of supportive housing which includes structural features and services to enable persons with special needs (including persons with HIV/AIDS) to live in dignity and independence; and providing affordable housing that is accessible to job opportunities.

• Community Development - The community development programs are to provide a suitable living environment which includes: improving the safety and livability of neighborhoods; eliminating blighting influences and the deterioration of property and facilities; increasing access to quality public and private facilities and services; reducing the isolation of income groups within areas through spatial deconcentration of housing opportunities for lower income persons and the revitalization of deteriorating neighborhoods; restoring and preserving properties of special historic, architectural, or aesthetic value; and conserving energy resources and use of renewable energy sources.

• Economic Development - The economic development programs are to expand economic opportunities which include: job creation and retention; establishment, stabilization and expansion of small businesses (including micro-businesses); the provision of public services concerned with employment; the provision of jobs to low-income persons living in areas affected by those programs and activities, or jobs resulting from carrying out activities under programs covered by the plan; availability of mortgage financing for low-income persons at reasonable rates using non-discriminatory lending practices; access to capital and credit for development activities that promote the long-term economic and social viability of the community; and empowerment and self-sufficiency for low-income persons to reduce generational poverty in federally assisted housing and public housing.

This Annual Action Plan corresponds to the City's next Fiscal Year (FY 2015), which begins July 1, 2014 and ends June 30, 2015. HUD will provide entitlement funds in the amount of $671,454 in CDBG and $340,925 in HOME Program funds. The primary Federal funding resources for the Program Year 2014 (FY 2015) are the following:

Community Development Block Grant (CDBG): The primary objective of this program is to develop viable urban communities by providing decent housing, a suitable living environment, and economic opportunities, principally for persons of low and moderate income levels. Funds can be used for a wide array of activities, including: housing rehabilitation, homeownership assistance, lead-based paint detection and removal, construction or rehabilitation of public facilities and infrastructure, removal of architectural barriers, public services, rehabilitation of commercial or industrial buildings and loans or grants to businesses.

HOME Investment Partnership Program (HOME): The HOME program provides Federal funds for the development and rehabilitation of affordable rental and ownership housing for low and moderate income households. HOME funds can be used for activities that promote affordable rental housing and homeownership by low and moderate income households, including new construction, reconstruction, moderate or substantial rehabilitation, homebuyer assistance, and tenant-based rental assistance.

The Consolidated Plan and Annual Action Plan define a specific course of action for meeting the community development and housing needs of the community. It is the means to analyze the full local context and the linkages to the larger region. It builds on local assets and coordinates a response to the needs of the community. It integrates economic, physical, environmental, community and human development in a comprehensive and coordinated fashion so that families and communities can work together and thrive. A strategic plan also sets forth program goals, specific objectives, annual goals, and benchmarks for measuring progress. In so doing, it helps local governments and citizens keep track of results and learn what works in a community.

This year, the City will continue to make significant investments in our housing stock by way of the targeted neighborhood strategy, code enforcement compliance, removal of blighted properties, rental rehabilitation grants, public infrastructure, rehabilitation of public housing properties, homeowner and rental housing development/rehabilitation, direct homeownership assistance, and owner-occupied rehabilitation projects.

It is the intent of the City of Lynchburg to encourage and facilitate the participation of residents of the City in the formulation of priorities, strategies, and funding allocations in the Annual Action Plan. To expand and broaden citizen participation, City staff posted public notices on the City's web site at www.lynchburgva.gov/grants, community centers, and other neighborhood anchors (i.e. schools, neighborhood health centers, and public housing agencies/complexes).

In accordance with the City's adopted Citizen Participation Plan below is a summary of the public meetings and public hearings that were held to allow citizens the opportunity to participate and comment on the development of the Annual Action Plan in conjunction with the goals and objectives established for the 2010-2015 Consolidated Plan and the Program Year 2014 (FY 2015) Annual Action Plan.

■ On January 14, 2014 City Council conducted a public hearing to receive citizen comments regarding the goals for the development of the Program Year 2014 (FY 2015) Annual Action Plan and adopt a resolution approving the goals. A public notice advertisement was placed in *The News and Advance* on December 27, 2013 advising the public of this meeting. The notice was placed on the City's web site at www.lynchburgva.gov/grants and at various schools, neighborhood community centers, and public housing complexes. There were no public comments received at the public hearing or in writing to the Grants Administration office.

■ During the period of January 24, 2014 through February 14, 2014 the acceptance of applications for CDBG and HOME program funds for the City's Program Year 2014 (FY 2015) was conducted. A public notice advertisement was placed in *The News and Advance* on January 24, 2014 advising the public of this process. The notice was placed on the City's web site at www.lynchburgva.gov/grants and at various schools, neighborhood community centers, and public housing complexes.

■ On March 4, 2014 the Community Development Advisory Committee (CDAC) conducted a public meeting for the purpose of reviewing submitted CDBG and HOME Program applications and formulating recommendations for consideration by City Council regarding the allocation of an estimated $935,409 in CDBG funds and $474,275 in HOME funds. These amounts included entitlement, reprogrammed and anticipated program income funds. A public notice advertisement was placed in *The News and Advance* on February 17, 2014 advising the public of this meeting. The notice was placed on the City's web site at www.lynchburgva.gov/grants and at various schools, neighborhood community centers, and public housing complexes.

■ On March 25, 2014 City Council conducted a public hearing regarding the CDAC Annual Action Plan recommended projects. A public notice was placed in *The News and Advance* on March 10, 2014 advising the public of this hearing. The advertisement for the Annual Action Plan included the projects recommended by CDAC at its March 4, 2014 meeting. The notice was placed on the City's web site at www.lynchburgva.gov/grants and at various schools, neighborhood community centers, and public housing complexes. The recommendations included the projects from previous years that were being reprogrammed into the Program Year 2014 (FY 2015) Annual Action Plan projects and the anticipated program income.

■ On April 8, 2014 City Council discussed the recommendations of CDAC and the comments made at the March 25, 2014 public hearing. Prior to City Council's discussion of the CDAC recommendations, City staff stated that the final Program Year 2014 entitlement amounts had been received from the U. S. Department of Housing and Urban Development (HUD). The CDBG entitlement funds were decreased by $16,042 and the HOME entitlement funds were increased by $29,130 from the Program Year 2013 entitlement amounts. CDAC recommended that if the CDBG funds were increased/decreased that the Tinbridge Hill Neighborhood Public Infrastructure project recommendation be adjusted accordingly. CDAC did not address the HOME Program if an adjustment was necessary. City staff recommended that the additional $29,130 of HOME Program funds be allocated to the Lynchburg Redevelopment and Housing Authority (LRHA) Homeownership Development project. After review and discussion the final approval was given for the funding allocations for Program Year 2014 (FY 2015) as recommended by CDAC and City staff.

■ On April 26, 2014 a public notice was published in *The News and Advance* stating that a draft of the proposed Program Year 2014 (FY 2015) Annual Action Plan was available for public review for a 30-day public comment period, culminating with a public hearing scheduled for May 27, 2014 to receive comments regarding the draft Action Plan by City Council. The public comment period will begin on April 26, 2014 and will continue until May 27, 2014. The advertisement for the draft Annual Action Plan included how the proposed use of the $1,564,522.74 in Community Development Block Grant (CDBG) and HOME Program entitlement funds, reprogrammed funds, and program income will be used for the Program Year 2014 (FY 2015). Public comments will be incorporated into this document at the conclusion of the public hearing.

In addition to public meetings and hearings, copies of the draft Annual Action Plan were made available for public review at the following locations in and throughout the City:

- Community Development Department, Grants Administration Office, Second Floor, City Hall, 900 Church Street, Lynchburg, Virginia 24504

- Lynchburg Public Library, 2311 Memorial Avenue, Lynchburg, Virginia
- Downtown Branch Library, City Hall, Basement Floor, 900 Church Street, Lynchburg, Virginia 24504
- Community Development Department, Grants Administration Division website: www.lynchburgva.gov/grants

The City's past performance in the administration and implementation of the CDBG and HOME Program has met the intent of the federal legislation creating these programs.
Through years of effective planning, partnership and monitoring, Lynchburg has facilitated affordability for decent housing, availability and accessibility to a suitable living environment, sustainability of a suitable living environment and accessibility to economic opportunities. The following is a summary of the City's past performance as reported to HUD in the Consolidated Annual Performance Report (CAPER) for overall performance in Program Year 2012 (FY 2013). The CAPER noted that the City's performance in Program Year 2012 (FY 2013) met or exceeded regulatory expectations in regard to the following:

CDBG Program

Timeliness Expenditure of Funds
-As of May 1, 2013 Lynchburg met its overall compliance for expenditures with CDBG-assisted activities in a timely manner and in accordance with the statutory requirements of 24 CFR 570.902. The expenditure threshold is 1.5 times the entitlement amount for the current program year. Lynchburg's ratio was 1.42% for Program Year 2012.

Serving low and moderate income persons
- Approximately 98.11% ($565,768) of the amount subject to low/mod benefit was used for activities that benefited low-to-moderate (LMI) persons within the City, well above the minimum threshold of 70% set in 24 CFR570.901 (a).

Mandated budget category caps
- Approximately 17.30% ($641,543) of Lynchburg's CDBG allocation was spent on planning and administration, under the maximum of 20% allowed according to 24 CFR 570.206(g).

- There were no funds expended within Lynchburg's CDBG allocation for public service activities, therefore, the City was under the maximum of 15% mandated by 24CFR 570.201(e).

Home Program
- The Program Year 2012 HOME funds had commitments of 61.5% ($175,000) and no disbursements at the time of submittal.

The CAPER provided a comprehensive account of how its Program Year 2012 (FY 2013) HUD funds were expended and what was accomplished. The City identified each goal as contained in the 2010-2015 Consolidated Plan and provided information on the amount of CDBG and/or HOME funds that were expended and what was accomplished for each corresponding activity.

For the Fifth Year (Program Year 2014/FY 2015) of the 2010-2015 Consolidated Plan the City will receive $671,454 in CDBG entitlement funds. Along with these funds, reprogrammed funds in the amount of $94,182.37, and program income in the amount of $294,234.19, the following CDBG projects will be implemented:

CDBG Program

City Administration	$ 90,000.00
Continuum of Care- Coordinated Assessment Intake Social Worker	24,585.00
Tinbridge Hill Neighborhood Infrastructure Improvements	409,849.56
Lynchburg Community Action Group (Lyn-CAG) Fair Housing Education Initiative	6,800.00
Lynchburg Redevelopment & Housing Authority (LRHA) Admin & Delivery Costs	123,636.00
LRHA Brookside 4 Unit ADA Compliant Renovation	180,000.00
LRHA Dearington Apartments Energy-Efficient Window Replacements	125,000.00
LRHA Dearington Apartments Community Room Rehabilitation	100,000.00
Total CDBG	$1,059,870.56

For the Fifth Year (Program Year 2014/FY 2015) of the 2010-2015 Consolidated Plan the City will receive $340,925 in HOME Program entitlement funds. Along with these funds and reprogrammed funds in the amount of $163,727.18, the following HOME Program projects will be implemented:

HOME Program

City Administration	$ 18,000.00
Lyn-CAG Substantial Rehabilitation	75,000.00
Lyn-CAG Homeownership Down Payment & Closing Cost / Education	60,000.00
Lyn-CAG First-time Homebuyer Community Housing Development Organization (CHDO)	45,000.00
Greater Lynchburg Habitat for Humanity- Homeownership Program	90,000.00
Rush Homes (CHDO)- Armstrong Place Rehabilitation	10,500.00
Lynchburg Covenant Foundation (LCF) Frank Roane Apartments	60,000.00
LRHA Homeownership Development	146,152.18
Total HOME	$504,652.18

The City of Lynchburg realizes that it cannot meet all the housing and community development needs contained with this Plan. The responsibilities for these efforts must be shared among all facets of the community. The City will make every effort to direct Federal, state, and other funds for community development and housing into projects and activities that will best achieve the goals of the Plan.

For more information or to submit comments regarding this draft Annual Action Plan, please contact Melva Walker, Grants Manager, at (434) 455-3916; 900 Church Street, Lynchburg, VA 24504; or email at: melva.walker@lynchburgva.gov.

Citizen Participation

The Grants Administration office ensured that the public, Community Development Advisory Committee (CDAC) and City Council were kept advised of the annual consolidated planning process.

In accordance with the City's adopted Citizen Participation Plan below is a summary of the public meetings and public hearings that were held to allow citizens the opportunity to participate and comment on the development of the Annual Action Plan in conjunction with the goals and objectives established for the 2010-2015 Consolidated Plan. Copies of the public notices are included in Appendix B.

It is the intent of the City of Lynchburg to encourage and facilitate the participation of residents of the City in the formulation of priorities, strategies, and funding allocations in the Annual Action Plan. To keep citizens fully informed of the public participation process, City staff posted public notices on the City's web site (www.lynchburgva.gov/grants), at community centers and other neighborhood anchors (i.e. schools, neighborhood health centers, and public housing agencies/complexes).

On January 14, 2014 City Council conducted a public hearing to receive citizen comments regarding the goals for the development of the Program Year 2014 (FY 2015) Annual Action Plan and adopt a resolution approving the goals. There were no public comments at this meeting. City Council approved the goals as presented.

The goals, for the Program Year 2014 (FY 2015) Annual Action Plan, are as follows:

The primary objective of the CDBG program is to continue to develop viable urban communities through decent housing, suitable living environments and expanded economic opportunities for low- and moderate-income persons; the City of Lynchburg supports assisting individuals with disabilities, substance abuse or addiction, persons with AIDS, persons that are homeless, and elderly persons.

Housing Goals

- Increase the number of owner-occupied units.
- Rehabilitate substandard housing units. Emphasis is to be placed on programs that require an investment of funds and/or labor on the part of the owner commensurate with the owner's resources.
- Support initiatives to increase permanent affordable rental and housing ownership opportunities.
- Promote programs that assist eligible individuals in retaining their homes.

Non-Housing Goals

- Eliminate neighborhood deterioration, blight and blighting influences.
- Support the organized efforts in neighborhoods to leverage their resources to improve and sustain community livability and services.
- Support economic development efforts which will expand job opportunities and retention.

- Promote activities which support the healthy development of the City's at-risk youth, adults and families.

The acceptance and application process for CDBG and HOME program funds for Program Year 2014 (FY 2015) began on January 24, 2014 and ended on February 14, 2014. In accordance with the process outlined in the City's Citizen Participation Plan, a notice was published in *The News and Advance* on January 24, 2014, indicating the acceptance of applications for funding programs, projects and activities under the CDBG and HOME Programs. The advertisement indicated the expected amount of funding for both programs. This public advertisement notice was posted on the City's web site (www.lynchburgva.gov/grants), bulletin boards in City Hall, neighborhood community centers, the public libraries, and public housing complexes. City staff received seven (7) applications for CDBG funding and seven (7) applications for HOME funding.

CDAC conducted a public meeting on March 4, 2014 and received information from staff regarding the Annual Action Plan allocation of project funds. In accordance with the process outlined in the City's Citizen Participation Plan, a notice was published in *The News and Advance* on February 17, 2014 stating the purpose of this meeting was to review submitted CDBG and HOME Program applications and formulate recommendations for consideration by City Council regarding the allocation of entitlement and reprogrammable funds.

CDAC reviewed the applications, summary allocation worksheet, and the various requirements/regulations for the allocation of the CDBG and HOME Program funds. CDAC members discussed and developed their recommendations for CDBG and HOME Program projects for Program Year 2014 (FY 2015). CDAC made recommendations to City Council for projects that they concluded would be most beneficial to the low and moderate income persons within the targeted neighborhoods and within the broad national goals established by HUD of providing decent housing, a suitable living environment and expanding economic opportunities. (See Appendix A for a copy of the CDAC meeting minutes.)

CDAC and the public that were present were advised that City Council would hold a public hearing on March 25, 2014 on the project recommendations of the CDAC. In addition, a Timetable was provided that noted the remaining public meetings that would be held to complete the allocation process and submittal of the Annual Action Plan.

On March 25, 2014 City Council conducted a public hearing to allow citizen input regarding the CDAC Annual Action Plan recommended projects. A public notice advertisement was placed in *The News and Advance* on February 17, 2014 advising the public of this hearing.

At the public hearing six (6) persons spoke representing the various agencies that had submitted CDBG and HOME Program applications. The agencies that addressed City Council were: (1) Central Virginia Homeless and Housing Coalition; (2) Lynchburg Redevelopment and Housing Authority; (3) Greater Lynchburg Habitat for Humanity; (4) Lynchburg Community Action Group; (5) Lynchburg Covenant Fellowship (LCF); and (6) Rush Homes. Each of these agency representatives provided a brief overview of the benefits that the people they serve receive as a result of the use of the CDBG and HOME Program funds that are awarded to the represented agencies and asked that City Council support the CDAC funding recommendations.

On April 8, 2014 the recommendations of CDAC and the comments made at the March 25, 2014 public hearing was discussed at the City Council meeting. At this meeting, and prior to City Council's discussion of the CDAC recommendations, City staff stated that the final Program Year 2014 entitlement amounts had been received from the U. S. Department of Housing and Urban Development (HUD). The CDBG entitlement funds were decreased by $16,042 and the HOME entitlement funds were increased by $29,130 from the Program Year 2013 entitlement amounts. CDAC recommended that if the CDBG funds were increased/decreased that the Tinbridge Hill Neighborhood Public Infrastructure project recommendation be adjusted accordingly. CDAC did not address the HOME Program if an adjustment was necessary. City staff recommended that the additional $29,130 of HOME Program funds be allocated to the Lynchburg Redevelopment and Housing Authority (LRHA) Homeownership Development project. After review and discussion the final approval was given for the funding allocations for Program Year 2014 (FY 2015) as recommended by CDAC and City staff.

On April 26, 2014 a public notice was published in *The News and Advance* stating that a draft of the proposed Program Year 2014 (FY 2015) Annual Action Plan was available for public review for a 30-day public comment period, culminating with a public hearing scheduled for May 27, 2014 to receive comments regarding the draft Action Plan by City Council. The public comment period will begin on April 26, 2014 and will continue until May 27, 2014. The advertisement for the draft Annual Action Plan included how the proposed use of the $1,564,522.74 in Community Development Block Grant (CDBG) and HOME Program entitlement funds, reprogrammed funds, and program income will be used for the Program Year 2014 (FY 2015). Public comments will be incorporated into this document at the conclusion of the public hearing.

In addition to public meetings and hearings, copies of the draft Annual Action Plan were made available for public review at the following locations in and throughout the City:

- Community Development Department, Grants Administration Office, Second Floor, City Hall, 900 Church Street, Lynchburg, Virginia 24504
- Lynchburg Public Library, 2311 Memorial Avenue, Lynchburg, Virginia
- Downtown Branch Library, City Hall, Basement Floor, 900 Church Street, Lynchburg, Virginia 24504
- Community Development Department, Grants Administration Division website: www.lynchburgva.gov/grants

Resources

City Resources

The following are the Federal, state, and local resources expected to be made available to address the needs identified in the Annual Action Plan.

Federally-funded City Programs

Shelter Plus Care Program

The City of Lynchburg received $320,700 in HUD funds in 2002 for the Shelter Plus Care (S+C) Program. This funding was provided for a five-year period. At the end of the five-year period, HUD granted a five-year extension to allow for additional housing units and the expenditure of the remainder of the original grant funds. Beginning in Fiscal Year 2010 HUD began awarding the S+C grants annually. For the Program Year 2014 (FY 2015) Annual Action Plan, there has been a one-year renewal grant that was issued in the amount of $88,298.

The program provides rental assistance to approximately ten housing/household units. The overall goal of this grant is to identify homeless persons, ready for permanent housing, and offer additional time, financial assistance, and services to reinforce their own resources, skills and motivation to live independently and achieve self-sufficiency. The City conducts the program in collaboration with the Lynchburg Neighborhood Development Foundation (LNDF). Participants must be considered homeless, have a documented disability, and must cooperate with necessary services. LNDF secures the housing and provides services. Funds are received through the Permanent Supportive Housing Program (SHP).

Federal Housing Programs – Nonprofits Supportive Housing

The following agencies will receive $207,243 Continuum of Care funds through the Supportive Housing Program:

Applicant	Project	Amount
Lynchburg Community Action Group	The Family Living Center	$ 44,665
Miriam's House	Homeless Management Information System (HMIS)	$ 21,357
Miriam's House	Rapid Re-housing	$ 87,252
Rush Homes	Supportive Housing	$ 53,969
	Total:	**$ 207,243**

State Housing Programs
State program funds are funneled to the City through other non-profit organizations, which assist with homeownership and rehabilitation of homes for low-income residents. Lynchburg Community Action Group (Lyn-CAG) is a recipient of the State funds.

Affordable and Special Needs Housing (ASNH) Program: The Affordable and Special Needs (ASNH) Housing Program fills gaps in financing the development of new and rehabilitated affordable and special needs housing for low-income persons in the State. Funds from this flexible source have been used by housing development agencies in the City. Specifically, Rush Homes received $500,000 for the recently completed Victoria Ridge new construction project in which 24 units were produced for persons with disabilities. During Program Year 2014(FY 2015) Rush Homes will receive $700,000 for the rehabilitation of the Armstrong Place Apartments producing 28 units of housing for persons with disabilities. Coupling these funds with other funds specifically directed to projects serving special needs populations has resulted in a significant increase in the number of accessible houses available in Lynchburg. Both of these projects have HOME Program entitlement funds as a financial subsidy.

Private Equity Investment through Tax Credit Programs
Federal Low Income Housing Tax Credits (LIHTC)
This source of financing for affordable housing development has been used in Lynchburg since the program's inception in the mid-1980s. Five completed LIHTC projects include Victoria Ridge, Hilltop Homes, Lynchburg High Apartments, College Hill Homes and Central City Homes. These five projects provided 183 affordable rental units through new

construction, renovation and adaptive re-use of existing houses and buildings throughout Lynchburg's central city neighborhoods. In some cases, buildings were donated to the projects from LRHA, and the City invested HOME funds in each of these projects.

Currently there are three LIHTC projects underway and will be completed during Program Year 2014 (FY 2015). They are Armstrong Place Apartments, Shalom Apartments, and Frank Roane Apartments.

Armstrong Place will provide 28 apartments for people with special needs and low incomes, through historic rehabilitation (adaptive reuse) of Armstrong Elementary School (16 apartments) and new construction (12 apartments). In addition, Rush Homes, in partnership with the City of Lynchburg and with a separate construction contract from the apartments, will rehabilitate the gymnasium for use by the City for community activities. Funding sources include LIHTC, historic tax credits, Federal Home Loan Bank funds, local, private grants, Virginia Housing Development Authority (VHDA) low interest loan, and both Virginia Department of Housing and Community Development (VHCD) and City of Lynchburg HOME Program funds are committed to the development. The City's total HOME Program allocations for this project are $185,500.

The Shalom Apartments were constructed in 1970 by a non-profit corporation formed by Lynchburg Covenant Fellowship (LCF). The community is comprised of 46 multi-family units for low and very low-income individuals and families. Currently this project is under complete renovation utilizing LIHTC and a VHDA mortgage upon completion of construction. Renovations began in late November 2013 and will be completed by July 2014.

The Frank Roane School owned by Lynchburg Covenant Fellowship, Inc. (LCF) was acquired in 1979 and subsequently converted it into 26 affordable apartments for the elderly in 1980. Since the conversion, no additional capital improvements have been done except for the roof replacement and the usual unit turn to prepare an apartment for a new resident. As a result, the building and apartments are in need of major renovation. LCF is applying for LIHTC, federal and state historic tax credits and will secure a mortgage from VHDA to finance the project. The renovation will include repointing of masonry, repairing siding on balconies and all deteriorated exterior trim, installing a new elevator, converting five apartments to comply with Section 504 of the Rehabilitation Act/Americans with Disabilities, installing a security system, reworking of all windows and installing energy efficient central heat and air conditioning, sprinkler system, generator, energy efficient kitchen appliances, cabinets, countertops, bathroom fixtures and flooring. Current residents will be temporarily relocated during the renovations. Upon award of tax credits, the project should begin the end of this year and be completed by mid-2015. City HOME Program funds in the amount of $60,000 has been allocated for the rehabilitation.

Federal and State Historic Preservation Tax Credits

Lynchburg is a historic city and one that, over a century ago, was the second wealthiest city in the country on a per-capita basis. It was a port and distribution center on the James River and its leadership was comprised of wealthy merchants. Therefore, the housing stock, especially in the older City, is of varied historic design and architecture. Preserving these buildings has not always been a City priority; however, in recent years has taken on major significance. The Lynchburg Historical Foundation (LHF) is a non-profit organization that supports preservation efforts and works with local professionals and residents to maintain this important part of the City's history. LHF also works with other organizations such as Lynchburg College's Center for the History and Culture of Central Virginia to research and develop the record of Lynchburg's past. As revitalization of the City's downtown continues, the momentum and preservation will be a critical issue in terms of construction and in terms of funds. Many local residents, businesses, and non-profit organizations have begun to use the federal and state historic tax credits and enterprise zone tax credits. The amount of investment from the sale of these credits has increased substantially since the State credits have become effective.

The investment opportunities in the rehabilitation of historic properties in Virginia are two-fold. In addition to credits against federal income tax liability, investors can also seek credits against State income tax liability. A combined maximum of 25% of the cost of approved basis is available for tax credits under the State program and 20% is available under the Federal program. This incentive for investors to participate in the revitalization of the City, its downtown, and its residential neighborhoods is a positive boost to the City's renaissance.

New Market Tax Credits
The City has benefited from equity investment as the private sector has utilized this mechanism for some downtown projects and for projects included in the vision of the Fifth Street Master Plan. Specifically, the Bluffwalk project located in the Central Business District at the southern end of Downtown utilized New Market Tax Credits. The City continues to support the ongoing work of its partners to increase the private resources available to assist in implementing its plans.

Local Programs

City Code

The City Code of Ordinances of the City of Lynchburg authorizes City Council to designate rehabilitation districts and to waive customer availability charges for connection to the water and sewer systems. Non-profit housing developers may petition Council for the above designation when redeveloping residential property for low- and moderate-income households. This program has been used by Greater Lynchburg Habitat for Humanity in the past.

Real estate tax relief is available to the elderly and persons with disabilities earning $32,500 or less per year, with a net worth of $60,000 or less excluding the fair market value of the dwelling in which they live.

The City may also exempt from real estate taxes for 15 years qualified properties in which the structure is 50 years of age or older and the improvements that are considered as substantial rehabilitation/renovation to the existing structure will increase the assessed value by 40 percent or more. For commercial or industrial real estate, the existing structure must be 25 years of age or older and the improvements to the existing structure will increase the assessed value by 60 percent or more. This tax exemption is for a period of five (5) years.

There are also tax incentives provided to businesses that locate within the two designated enterprise zones.

Code Compliance

The City Inspections and Code Compliance Division supports neighborhood revitalization by providing code enforcement of existing structures in need of repair, and the enforcement of the abandoned vehicle program, the weed enforcement/inmate labor program, and the illegal dumping program. The goals of the program include strengthening cooperation between residents, businesses, religious organizations, non-profit agencies, and City departments to improve the livability of neighborhoods. One example of this type of collaboration exists in the creation of the Community Code Compliance Team originally chartered by City Council in 1997 as the Code Enforcement Task Force. The Team's purpose is to "develop and implement a coordinated and focused long term strategy to improve living conditions through consistent code enforcement, thereby facilitating a positive impact on the quality of life in Lynchburg". The Team conducts neighborhood walk-throughs addressing a variety of concerns including illegal dumping, overgrown yards, abandoned or inoperative motor vehicles, Property Maintenance Code violations, infrastructure, and other issues. The Team conducts walk-through inspections in various City neighborhoods. The walk-throughs include representatives from the neighborhood, as well as City Council, Community Development, Billings and Collections, Fire Marshal, Public Services, Police, City Attorney's Office, Social Services, Commissioner of the Revenue, and the Lynchburg Redevelopment and Housing Authority.

The Team continues to seek new connections with the City's neighborhoods to promote, protect, and improve the health, safety and welfare of the citizens and the environment. This is accomplished by providing equitable, expeditious and effective Code compliance while establishing a working partnership with the City's neighborhoods.

Private Resources

Greater Lynchburg Habitat for Humanity provides new single-family housing for purchase by low- and moderate-income families. Habitat has constructed over 282 such houses to date using mostly private donations and significant support from churches and faith communities. The City continues to provide HOME Program funds to Habitat who serves the low- and very low-income population and provides the opportunity for them to purchase a home. The City continues to encourage Habitat to renovate historic homes in the targeted area. This preserves the fabric of the City's historic neighborhoods and prevents further deterioration and vacancy in these areas.

The City will continue to cooperate with local non-profits, neighborhood groups, and others to address obstacles to meeting underserved need, foster and maintain affordable housing, remove barriers to affordable housing, evaluate and reduce lead based paint hazards, develop institutional structures, enhance coordination between public and private housing and social service agencies, and foster public housing improvements and resident initiatives. Agencies and groups that coordinate this effort are the Lynchburg Neighborhood Development Foundation (LNDF), Rebuilding Together Lynchburg, Central Virginia Continuum of Care, Lynchburg Community Action Group (Lyn-CAG), Lynchburg Redevelopment and Housing Authority (LRHA), Community Code Compliance Team, and the Lynchburg Department of Social Services.

Public Resources

The U. S. Department of Housing and Urban Development (HUD) has provided to Lynchburg Redevelopment and Housing Authority's (LRHA) Housing Assistance Payments (HAP) a total of $3,357,816 for Program Year 2014.

Annual Objectives

Goals and objectives to be carried out during the action plan period are indicated by placing a check in the following boxes.

☒	**Objective Category Decent Housing** Which includes:	☒	**Objective Category: Suitable Living Environment** Which includes:	☒	**Objective Category: Expanded Economic Opportunities** Which includes:
☒	assisting homeless persons in obtaining affordable housing	☒	improving the safety and livability of neighborhoods	☐	job creation and retention
☒	assisting persons at risk of becoming homeless	☒	eliminating blighting influences and the deterioration of property and facilities	☐	establishment, stabilization and expansion of small business (including micro-businesses)
☒	retaining the affordable housing stock	☒	increasing the access to quality public and private facilities	☐	the provision of public services concerned with employment
☒	increasing the availability of affordable permanent housing in standard condition to low-income and moderate-income families, particularly to members of disadvantaged minorities without discrimination on the basis of race, color, religion, sex, national origin, familial status, or disability	☒	reducing the isolation of income groups within areas through spatial deconcentration of housing opportunities for lower income persons and the revitalization of deteriorating neighborhoods	☒	the provision of jobs to low-income persons living in areas affected by those programs and activities under programs covered by the plan
☒	increasing the supply of supportive housing which includes structural features and services to enable persons with special needs (including persons with HIV/ADOS) to live in dignity and independence	☒	restoring and preserving properties of special historic, architectural, or aesthetic value	☒	availability of mortgage financing for low income persons at reasonable rates using non-discriminatory lending practices
☒	providing affordable housing that is accessible to job opportunities	☒	conserving energy resources and use of renewable energy sources	☒	access to capital and credit for development activities that promote the long-term economic social viability of the community

The City of Lynchburg will use an estimated $846,235 of its CDBG allocation and $486,652 of its HOME Program allocation to fund activities that benefit low-to-moderate income persons.

As stated in the Consolidated Plan, in March 2006, HUD issued the "Notice of Outcome Performance Measurement System for Community Planning and Development Formula Grant Programs." The HUD Outcome Measurement System includes Objectives, Outcome Measures and Indicators. The City must choose one of the three objectives and Outcomes for each activity. In identifying the outcome/objective, HUD has developed a numbering system that ties to the CPD Performance Measurement System (PMS).

The Housing Objective category is:

Provide Decent Housing. Activities that are categorized in this objective are designed to cover the wide range of housing activities under CDBG and HOME Program. The objective focuses on housing programs where the purpose of the program is to meet individual, family or community needs.

The three Outcome categories for housing are:

1. **Availability/Accessibility**. Applies to activities that make service, infrastructure, public service, public facilities, housing, or shelter available or accessible to low and moderate-income persons including persons with disabilities. Accessibility does not only refer to physical barriers, but also to making the basic of daily living available and accessible to low- and moderate-income persons who live in the housing unit or use the facility.
2. **Affordability**. Applies to activities that provide affordability in various ways in the lives of low- and moderate-income persons. It may include the creation or maintenance of affordable housing, basic infrastructure hook-ups, or services such as transportation or day care.
3. **Sustainability**. Promoting Livable or Viable Communities. Applies to activities that focus on improving communities or neighborhoods, helping to make them livable or viable by providing benefit to low- and moderate-income or by removing or eliminating slums or blighted areas, through multiple activities or services that sustain the communities or neighborhoods.

The charts below illustrate the allocated priorities and objectives and outcomes the City plans to meet during the Program Year(PY) 2014 (FY 2015) Annual Action Plan to promote the development, sustainability and suitability of housing and fair housing within the community:

	Availability/Accessibility	Affordability	Sustainability
Decent Housing	DH-1	DH-2	DH-3

Housing Ownership and Rehabilitation

PROGRAM	ANNUAL ACTION PLAN GOALS-PY 2014 (FY 2015)
Homeownership-Owner-occupied (CHDO) (DH-1)	Lynchburg Community Action Group (Lyn-CAG) plans to acquire and rehabilitate one (1) housing structure for sale to a low-to-moderate income person through the use of Community Housing Development Organization (CHDO) HOME Program funds.
Homeownership-Homebuyer (DH-1)	Lyn-CAG plans to provide down payment assistance and Homeownership Education courses to ten (10) homebuyers; Greater Lynchburg Habitat for Humanity (GLHFH) plans to provide down payment assistance to six (6) homebuyers; Lynchburg Redevelopment and Housing Authority (LRHA) plans to develop three (3) accessible new construction homes for qualified public housing families .
Homeownership-Retention/Housing Rehabilitation (DH-2)	Lyn-CAG plans to rehabilitate six (6) housing units to allow the homeowners to retain their homes.

Rental Housing Rehabilitation (DH-1)	Rush Homes plans to develop 28 apartments for people with special needs and low-income; Lynchburg Covenant Fellowship (LCF) plans to rehabilitate 26 apartments for the elderly; LRHA plans to rehabilitate four (4) public housing units to full American with Disabilities Act (ADA) compliance; LRHA plans to remove 100 old substandard windows in one of its public housing complexes and replace them with new energy efficient windows.
Homeownership and Rental Housing (DH-1) & (DH-2) – Fair Housing Education	Lyn-CAG plans to provide fair housing outreach and education for persons to understand their rights and responsibilities under the Fair Housing Act and to address the impediments to fair housing choices as identified in the City's Analysis of Impediments to Fair Housing Choice (AI).

The City of Lynchburg supports assisting individuals with disabilities, substance abuse or addiction, persons with AIDS, persons that are homeless, and elderly persons.

The overarching strategy for accomplishing the housing goals of the City is to conduct activities that complement and enhance the work being done by City departments and their partners using the various sources of public and private funding available.

The two objective categories for Community Development are:

1. **Creating Suitable Living Environment**. Relates to activities that are designed to benefit communities/neighborhoods, families, or individuals by addressing issues in their living environment. This objective relates to activities that are intended to address a wide range of issues faced by low- and moderate-income persons, from physical problems with their environment, such as poor quality infrastructure to social issues such as crime prevention, literacy, or elderly health services.
2. **Creating Economic Opportunities**. Applicable to activities that are related to economic development, commercial revitalization or job creation.

The three Outcome categories are:

1. **Availability/Accessibility**. Applies to activities that make service, infrastructure, public service, public facilities, housing, or shelter available or accessible to low and moderate-income persons, including persons with disabilities. Accessibility does not only refer to physical barriers, but also to making the basic of daily living available and accessible to low- and moderate-income persons who live in the housing unit or use the facility.

2. **Affordability**. Applies to activities that provide affordability in various ways in the lives of low- and moderate-income persons. It may include the creation or maintenance of affordable housing, basic infrastructure hook-ups, or services such as transportation or day care.
3. **Sustainability**. Promoting Livable or Viable Communities. Applies to activities that focus on improving communities or neighborhoods, helping to make them livable or viable by providing benefit to low- and moderate-income or by removing or eliminating slums or blighted areas, through multiple activities or services that sustain the communities or neighborhoods.

The charts below illustrate the allocated priorities and objectives and outcomes the City plans to meet during the Program Year 2014 (FY 2015) Annual Action Plan to meet the community development needs of the citizens.

	Availability/Accessibility	Affordability	Sustainability
Suitable Living Environment	SL-1	SL-2	SL-3
Economic Opportunity	EO-1	EO-2	EO-3

Support of Neighborhoods

PROGRAM	ANNUAL ACTION PLAN GOALS-PY 2014 (FY 2015)
Neighborhood/Community Meetings (SL-1)	Five (5) neighborhood walk-through meetings planned by Community Code Compliance Team
Infrastructure Improvements (SL-1) (Tinbridge Hill Neighborhood)	Tinbridge Hill Neighborhood Project – Public Infrastructure improvements
Public Facility Improvements (SL-1)	LRHA plans to rehabilitate the Community Room at the Dearington Public Housing complex to conform to ADA requirements and provide for proper access to the community room for all persons.

Economic Development Efforts

PROGRAM	ANNUAL ACTION PLAN GOALS-PY 2014 (FY 2015)
Enterprise Zone (EO-3) (Maintain current zone designations)	The City plans to maintain Zone #2 (includes CDBG Target Census Tract areas) and Zone #46 (Old Forest Road & Lakeside Drive area).
Downtown Redevelopment Improvements (EO-3) (Phase II & III – Lower Bluffwalk-Jefferson Street)	Continued infrastructure improvements to include the construction of a pedestrian-scaled street, ADA compliant walkway, and streetscape improvements.

Residential Rental Property Inspections Program and Property Maintenance Inspections

PROGRAM	ANNUAL ACTION PLAN GOALS-PY 2014 (FY 2015)
Rental Property Inspections (SL-3)	The Code Compliance Division of the Community Development Department plans on completing 450 rental property inspections
Property Maintenance Inspections (SL-3)	The Code Compliance Division of the Community Development Department plans on completing 2,000 property maintenance inspections

Code Enforcement

PROGRAM	ANNUAL ACTION PLAN GOALS-PY 2014 (FY 2015)
Weed Ordinance- Property Clearance (SL-3); Removal of Abandoned Vehicles (SL-3)	The Code Compliance Division of the Community Development Department plans to complete 338 complaint-based Neighborhood Services inspections which address weeds and abandoned vehicles

Public Service

PROGRAM	ANNUAL ACTION PLAN GOALS-PY 2014 (FY 2015)
Housing for Homeless (SL-1)	Provide funds for one (1) part-time staff person to support the Continuum of Care (CoC) Coordinated Homeless Intake and Access (CHIA) system.

Description of Activities

For the Fifth Year (Program Year 2014/FY 2015) of the 2010-2015 Consolidated Plan the City will receive $671,454 in CDBG entitlement funds. Along with these funds, reprogrammed funds in the amount of $94,182.37, and program income in the amount of $294,234.19, the following CDBG projects will be implemented:

CDBG Program

City Administration	$ 90,000.00
Continuum of Care- Coordinated Assessment Intake Social Worker	24,585.00
Tinbridge Hill Neighborhood Infrastructure Improvements	409,849.56
Lynchburg Community Action Group (Lyn-CAG) Fair Housing Education Initiative	6,800.00
Lynchburg Redevelopment & Housing Authority (LRHA) Admin & Delivery Costs	123,636.00
LRHA Brookside 4 Unit ADA Compliant Renovation	180,000.00
LRHA Dearington Apartments Energy-Efficient Window Replacements	125,000.00
LRHA Dearington Apartments Community Room Rehabilitation	100,000.00
Total CDBG	$1,059,870.56

For the Fifth Year (Program Year 2014/FY 2015) of the 2010-2015 Consolidated Plan the City will receive $340,925 in HOME Program entitlement funds. Along with these funds and reprogrammed funds in the amount of $163,727.18, the following HOME Program projects will be implemented:

HOME Program

City Administration	$ 18,000.00
Lyn-CAG Substantial Rehabilitation	75,000.00
Lyn-CAG Homeownership Down Payment & Closing Cost / Education	60,000.00
Lyn-CAG First-time Homebuyer Community Housing Development Organization (CHDO)	45,000.00
Greater Lynchburg Habitat for Humanity- Homeownership Program	90,000.00
Rush Homes (CHDO)- Armstrong Place Rehabilitation	10,500.00
Lynchburg Covenant Foundation (LCF) Frank Roane Apartments	60,000.00
LRHA Homeownership Development	146,152.18
Total HOME	$504,652.18

Summary of Program Year 2014 (FY 2015) CDBG and HOME Activities

The following Summary of Activities provides a narrative description of each activity to be funded through the Annual Action Plan. The summary identifies the agency or organization to be funded, the amount of the award, the activities to be undertaken, and if known, the location of the project.

Community Development Block Grant (CDBG) Activities

The City of Lynchburg will have available $1,059,871 in CDBG funds to support administrative and service delivery operations, housing, community development, and economic development, activities for eight (8) projects and activities.

Program Administration (City) - The City will use $90,000 of its CDBG allocation for the payment of reasonable administrative charges related to the planning and execution of community development activities. The majority of these funds will be used to pay a percentage of the salary and benefits of Community Development staff dedicated to managing the CDBG Program.

Continuum of Care- Coordinated Assessment Intake Social Worker - The City has allocated $24,585 for the continuation of funding a staff position for the Continuum of Care (CoC) Homeless Intake Coordinator project located within the Department of Human Services for the City. To achieve compliance with HUD regulations which require a coordinated intake process, the Lynchburg CoC has developed Coordinated Homeless Intake and Access (CHIA). The CoC has worked together to create a uniform intake tool in order to quickly assess individuals and families and insure that they are expeditiously placed in the most appropriate housing for their unique situation. The Homeless Intake Coordinator, a Family Services Specialist with Human Services, has been hired and trained.

CHIA's goals are to understand the client's need and eligibility for existing programs, to document the client's homeless and housing history and barriers, to identify needs through consistent use of a uniform assessment tool, and to capture data about area homelessness in order to better assess and provide for community needs. Gathering such data will also enable the Homeless Intake Coordinator to develop a housing plan for clients, check availability of beds in multiple shelters, and match the client need with existing bed space resulting in the right program for each individual client. Use of the Homeless Management Information System (HMIS) (data tracking and documentation system) will provide real-time knowledge of available beds, allow transfer of client information to the receiving program, provide enrollment status to the Homeless Intake Coordinator, and allow the Homeless Intake Coordinator to monitor the situation to insure the client is successfully enrolled into the selected program.

Tinbridge Hill Neighborhood Infrastructure Improvements – The City has allocated $409,850 for the Tinbridge Hill Neighborhood Infrastructure Improvements project. Over the past 3 years, the Tinbridge Hill Neighborhood Council (THNC), in partnership with City staff, and supported by the Friends of Tinbridge Hill (FTH), have targeted the investment of CDBG funds into Tinbridge Hill to assist its residents and community stakeholders to develop a model for a sustainable neighborhood. This Sustainable Neighborhood Strategy uses the elements of Lynchburg's Sustainable City Initiative – Arts and Culture, Citizen Engagement and Social Capital, Economic Development, Infrastructure, Healthy and Active Living, Land Use, Lifelong Learning, Natural and Environmental Resources, Neighborhoods, Safe Community, Social Equity and Transportation – to identify the assets and opportunities in the neighborhood. The goal of this project is, using Tinbridge Hill as a model, to develop a strategy that can be used in other neighborhoods throughout the City.

Priorities for this year's CDBG funding consideration include select sidewalk improvements identified in the *Growing Tinbridge Hill Neighborhood Plan* to improve connectivity, infrastructure and safety of the neighborhood. Although the complete priority list identified in the plan includes improvements to Monroe Street, Hollins Street, 2nd Street, McIvor Street, Jackson Street, Garland Street, 4th Street and Floyd Street, the allocated funds will address specific identified streets based on project estimates and then prioritize the scope of the improvements for engineering design, available right-of-way, drainage and topography considerations, and potential efficiencies gained by working with other projects.

Lynchburg Community Action Group (Lyn-CAG) Fair Housing Education Initiative – The City has allocated $6,800 to provide fair housing education and help targeted groups understand their rights and responsibilities under the Fair Housing Act. According to HUD, impediments to fair housing choices are any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin that restrict housing choices, or the availability of housing choices. To directly address the impediments outlined in the Analysis of Impediments for Fair Housing Choice (AI) for the City of Lynchburg, Lynchburg Community Action Group, Inc. will expend the CDBG funds to assist with the expansion of its current offerings of educational opportunities to a broad range of people in the housing industry, renters, homebuyers, real estate professionals, homeowners associations, property managers, Continuum of Care (CoC) members, community partners, institutions, and city and county employees who work with clients regarding housing needs and issues. Lyn-CAG's outreach and educational efforts will be to develop and distribute educational literature and resources that describe ways to prevent housing injustices and the applicable laws that protect against discrimination.

Lynchburg Redevelopment and Housing Authority (LRHA) – Administration & Direct Costs – The CDBG funds allocated in the amount of $123,636 will enable the Authority staff to undertake various Community Development Block Grant-financed activities. These include activities which were funded in previous years as well as activities to be undertaken during the proposed Program Year 2014 (FY 2015). The Administrative Costs will cover payment of pro-rata share of salaries, benefits, travel, communications, etc., attributable to employees' duties for the CDBG activities as outlined in the Authority's annual administrative budget. The allocation for Direct Costs will provide: (1) oversight of the Authority's loan portfolio of amortized and deferred payment residential loans in the College Hill, Daniel's Hill, Diamond Hill, Garland Hill, Grace Street and White Rock neighborhoods; single-family and multi-family rental rehabilitation loans and grants; commercial loans secured by Urban Development Action Grant funds, as well as bond financed loans. Oversight involves the collection of delinquent accounts, monitoring insurance coverage, negotiation of payment plans and participating in foreclosures and deed acquisition in lieu of foreclosure; (2) monitoring the security and maintenance of properties which were acquired under the Spot Blight Program; (3) monitoring eight properties under continuing Rehabilitation Agreements; (4) acquiring property and coordinating work with appraisers and legal counsel under the Spot Blight Program; (5) disposal and clearance of improved and unimproved properties acquired under the Spot Blight Program; (6) identifying and monitoring blighted properties and coordinating the required renovations with owners to remove the blight; (7) partnering in joint ventures with other local non-profit organizations; (8) determining best use options for the inventory of lots in LRHA inventory and building homes that create opportunities for disabled low to moderate public housing families; (9) monitoring the renovation of four units at Brookside to meet ADA / Section 504 guidelines for disabled persons; (10) monitoring the removal of substandard windows and installing energy efficient windows at Dearington

Apartments, making utilities more affordable; and (11) monitoring the renovation of the Dearington Apartments Community Room to meet ADA / Section 504 guidelines for public buildings.

<u>LRHA – Brookside 4 Unit ADA Compliant Renovation</u> - The City has allocated $180,000 to allow LRHA to convert four (4) existing units to full American with Disabilities Act (ADA) Section 504 of the Rehabilitation Act of 1973 compliance. During HUD REAC (Real Estate Assessment Center) on-site inspections and a FHEO (Fair Housing Equal Opportunity) on-site inspection, it was noted that HUD requires public housing authorities to provide 5% of their housing stock as ADA/504 accessible units. For LRHA, this means that 17 units should be accessible in order to provide low-moderate income families equal opportunity to the public housing program. This project is necessary to provide compliance with the requirements of ADA regulations for accessibility and assure that disabled families have equal opportunity to reside in public housing units.

These funds will be partnered with Public Housing Capital Fund monies to allow LRHA to convert four (4) existing units to full ADA/504 compliance. LRHA completed ADA / Section 504 renovations to two (2) units in November 2013. When Brookside was built, there were no units built that meet today's requirements for accessibility. The units will be completely gutted and renovated to comply with these requirements.

<u>LRHA – Dearington Apartments Energy-Efficient Window Replacements</u> – The City has allocated $125,000 of CDBG funds to remove old substandard windows currently installed in the Dearington Apartments and replace them with new Energy Star vinyl frame/sash, Low-E insulated glass with warm-edge spacer. The windows will be double-hung with tilt-in sashes and exterior screens. All windows in the 100 units at Dearington Apartments will be replaced.
Due to the rising cost and the environmental restraints of producing energy, Federal regulations require all public housing agencies to develop and implement energy conservation measures. In April 2013, LRHA contracted with an independent consultant to conduct an energy audit in accordance with the methodology required by HUD. This energy audit evaluated the current energy consumption and conservation measures and identified available conservation opportunities.

<u>LRHA – Dearington Apartments Community Room Rehabilitation</u> – The City has allocated $100,000 to complete all renovations needed to meet the requirements of the Americans with Disabilities Act for public buildings to provide access as required in the Uniform Federal Accessibility Standards (UFAS) at 24 CFR §8.32(a). LRHA will contract with an architect and builder to review all requirements of the regulations to assure compliance and provide proper access to this community building to all persons. The Community Room at Dearington Apartments provides a public meeting space for residents, organizations and LRHA to conduct meetings and activities that benefit the residents of LRHA. During HUD REAC (Real Estate Assessment Center) on-site inspections and a FHEO (Fair Housing Equal Opportunity) on-site inspection, this Community Room has been determined to not meet the current requirements of the Americans with Disabilities (ADA), Section 504 of the Rehabilitation Act of 1973 aaccessibility as required of all public access buildings. This results in a loss of points in the scoring system that HUD uses to determine the performance of the Housing Authority as well as FHEO findings of non-compliance. This project is necessary to provide compliance with the requirements of ADA regulations for accessibility and assure the facility can be approached, entered, and used by individuals with physical handicaps.

HOME ACTIVITIES

The City of Lynchburg will have available $504,652 in HOME program funds to support housing activities during Program Year 2014 (FY 2015). Eight (8) projects have been allocated funding for HOME eligible activities. The City has designated 17% of the entitlement funds for two (2) Community Housing Development Organization (CHDO) projects.

Program Administration (City) - The City will use $18,000 of its HOME Program allocation for the payment of reasonable administrative charges related to the planning and execution of HOME Program activities. The majority of these funds will be used to pay a percentage of the salary and benefits of Community Development staff dedicated to managing the HOME Program.

Lynchburg Community Action Group (Lyn-CAG) Rehabilitation Program -The $75,000 in HOME funds will be used to assist with the rehabilitation of owner-occupied housing. Lyn-CAG projects that six (6) low-to-moderate income homeowners will be served with substantial rehabilitation funds from the HOME Program funds and the State Department of Housing and Community Development (DHCD). The Program activities provide selective rehabilitation services designed to remove health and safety hazards and code violations from the homes of low-income homeowners who live in the City and meet HUD income guidelines for the HOME Program.

(Lyn-CAG) –Homeownership Down-Payment & Closing Cost / Education – The City has allocated $60,000 to Lyn-CAG to assist ten (10) first-time home buyers realize the American Dream. With the recent financial crisis in this Country, the obstacles for low- to moderate-income individuals to purchase a home has become a dream deferred. Mortgage regulations and new rules have made it next to impossible for this target population to purchase a home. Currently there are no Down Payment Assistance Programs in our area. In the past other nonprofit agencies offered down payment assistance to qualified buyers using local and state funds to offset the cost of purchasing a home. Lynchburg Community Action Group, Inc. is the only Certified HUD Housing counseling agency in Region 2000. With a staff of three (3) counselors having a combined 20 plus years of counseling experience, the Agency feels that it can best fill this gap that is needed in our area.

In addition to offering an average of $5,000 per client to help with down payment of a home purchase, clients will receive homeownership education. Pre and Post purchase education will be part of the criteria to qualify for one of these grants. Studies have shown that clients who have that support on the front end and through the first years of owning a home are more successful in maintaining that ownership. Lynchburg Community Action Group's Housing Counseling Department offers a six (6) hour Virginia Housing Development Authority (VHDA) Certified Homebuyer course which covers the A B C’s of owning a home. In addition to the six (6) hour course if a client needs credit repair or not quite ready to purchase, they can enter into the Home Buyer Program to spend up to 12 months working on cleaning up credit and starting a savings account to get them ready for purchase. Each counselor will assess the readiness of a potential buyer, work on a spending plan and review credit worthiness. There are several banks in the area which clients, once ready, can seek a loan to purchase a home. Several of the area banks, SunTrust, Wells Fargo, Citizens Bank currently work with staff to conduct Financial Literacy workshops for residents in Region 2000. Clients are free to choose which bank or credit union they would like to work with. Most of the banks are familiar with the DPA (Down Payment Assistance) Program.

<u>Lyn-CAG – First-time Homebuyer Community Housing Development Organization(CHDO)-</u> The $45,000 in HOME Program funds will be used for labor/material and developer's fee to assist with the acquisition and rehabilitation of one housing structure for a low-to-moderate income family. The Home Program CHDO First Time Homebuyers Program provides for acquisition of vacant properties for rehabilitation or new construction to eligible first time homebuyers. Proceeds from the sale of properties are reinvested in housing program services that benefit eligible low-to-moderate income persons. Lien documents and recapture restriction agreements are required for each property.

<u>Greater Lynchburg Habitat for Humanity (GLHFH) – Homeownership Program</u> – The City has allocated $90,000 in HOME Program funds to GLHFH for down payment assistance to low-income families. GLHFH plans to assist six (6) home buyers.

Greater Lynchburg Habitat for Humanity (GLHFH) develops homeownership opportunities for low-income families that would not qualify or be able to afford homeownership through conventional bank mortgages. GLHFH builds good quality, moderately appointed homes and sells them to qualified applicants. The target population for the program is families whose income falls in the range of 40% to 70% of HUD's median family income, adjusted for size of family. To qualify, families must demonstrate need (residing in poor, unsafe, unhealthy, and/or unaffordable housing); they must have the ability to pay a no-interest mortgage (must have a steady income and low debt to income ratio); and must be willing to partner with GLHFH (provide sweat equity, participate in training, and prepare for the responsibilities of homeownership).

GLHFH solicits funding, materials, and volunteer labor from the community and is thereby allowing the organization the ability to maintain low construction costs. GLHFH is therefore able to sell the home to the qualified family at cost and to offer a no-interest mortgage loan. Families have to provide 300 hours of labor, referred to as "sweat equity," to the project. The mortgagees must attend GLHFH's course designed to prepare them for homeownership. The series of classes provide education about financial literacy, budgeting, home maintenance, taxes and insurance, predatory lending, and loss mitigation options.

At mortgage closing, the family is required to pay a processing fee of $1000 which is applied to the attorney's fee and recording costs. GLHFH will use HOME funds to provide down payment assistance which will reduce the principal balance so that the family can afford the monthly mortgage payments. GLHFH defines "payment affordability" as not more than 30% of monthly income.

<u>Rush Homes (CHDO) – Armstrong Place Apartments</u> – The City has allocated $10,500 for continued rehabilitation costs associated with the development of the Armstrong Place Apartments.

Rush Lifetime Homes (Rush Homes), a certified CHDO, is developing Armstrong Place Apartments, 28 apartments for people with special needs and low incomes, through historic rehabilitation (adaptive reuse) of Armstrong Elementary School (16 apartments) and new construction (12 apartments), all at 1721 Monsview Place in Lynchburg. Fifty (50) percent of the apartments will achieve accessibility per Section 504 of the Rehabilitation Act of 1973 requirements with the remainder at least easily adaptable for disabilities. In addition, Rush Homes is renovating the gymnasium and will make it available to the City's Department of Parks and Recreation and the Monsview/Bedford Avenue area community for community activities.

These funds will assist with the rehabilitation costs incurred due to vandalism in the Armstrong Elementary School during the term of the Rush Homes' contract with the City to purchase the property. Costs include those related to significant damage of at least 18 of the internal doors, door frames, hardware and several display cabinet doors in former classrooms as well as associated clean up. These items are necessary to the rehabilitation of the property because Armstrong Elementary School is listed on the Virginia Register of Historic Landmarks and the National Park Service National Register of Historic Places.

Lynchburg Covenant Fellowship (LCF) –Frank Roane Apartments – The City has allocated $60,000 of HOME Program funds to assist with the renovation of the Frank Roane Apartments. This beautiful, historic building was built in 1899 and used as a high school and then as an elementary school. LCF purchased the school in 1979 and subsequently converted it into 26 apartments for elderly people age 62 and over. It is comprised of one-efficiency, 21-one bedroom apartments and four-two bedroom units. Frank Roane is a project-based Section 8 community in which the Department of Housing and Urban Development (HUD) provides rental subsidy to low-income elderly.

Since the conversion of the building from a school into apartments in 1980, no additional capital improvements have been done except for a roof replacement about eight years ago and unit turns when a resident moves out. The apartments currently have inefficient baseboard heat, no central air conditioning and extremely drafty old windows. The elevator which is essential for the residents living on the second and third floors is in dire need of replacing. Other than grab bars in some of the bathrooms, there are no apartments that meet the Section 504 of the Rehabilitation Act/Americans with Disabilities requirements. Five apartments will be converted to comply with Section 504 of the Rehabilitation Act requirements. These apartments will have wider doors, lower cabinets with work areas that allow a wheelchair to roll under, an accessible shower and bathroom.

Renovations will include installing energy efficient central heat and air conditioning, a sprinkler system, generator, cabinets, dishwashers, energy efficient refrigerators, stoves with fire suppression features, bathroom fixtures, flooring, apartment entry doors, repointing exterior masonry, repairing deteriorated siding and flashing, security system, a new elevator, painting and reworking old windows making them more energy efficient. LCF is applying for Low-Income Housing Tax Credits, federal and state historic tax credits and will secure a mortgage from the Virginia Housing Development Authority (VHDA) to finance the project.

LRHA Homeownership Development – The City has allocated $146,152 of HOME Program funds to LRHA for the development of three (3) lots that will provide new ADA/504 accessible homes for disabled, low-to-moderate income public housing families. The Analysis of Impediments to Fair Housing Choice (AI) recently conducted by the City of Lynchburg found that the City has limited housing opportunities for disabled families. The Authority has a 5(h) Homeownership program that provides homeownership opportunities to public housing residents. In a partnership of HOME Program and the 5(h) Homeownership funds, the Authority will develop these ADA / Section 504 accessible homes.

The Annual Action Plan includes the Project Worksheets that list the Objective and Outcome for each of the projects. (Attachment A)

Geographic Distribution/Allocation Priorities

Geographic Distribution of Assistance

According to the 2012 Population Estimates from the U. S. Census data, the population in Lynchburg is 77,113 and the Metropolitan Statistical Area (MSA) is 257,567. White citizens account for 65.7% of the City's population; African-American citizens account for 29.1%; 2.7% are Asian; 2% is made up of two or more races; and .5% identifies as some other race.

The median household income in 2012 was $37,774 and the number of persons below poverty was 16.7% of the population. This compares to an income range of $18,165-$27,550 in the target census tracts. Incomes in these neighborhoods are significantly lower than incomes City-wide. A disproportionate number of non-whites live in the target market (62.8 %) while the City-wide non-white population is 33.1% of the population.

Minorities in Lynchburg tend to be concentrated in the older portion of the City that is identified as Census Tracts 4, 5, 6, 7, 11, and 19. Minority concentration is defined as a census tract with a minority population of greater than 40%. This area corresponds to the area where a majority of persons are low and moderate-income as defined by the United States Department of Housing and Urban Development (HUD) and are the Census Tracts in which the Community Development Block Grant (CDBG) and HOME Program funds are distributed in the Annual Action Plan. (See Appendix B– Targeted Census Tract Map and Project Location Map.)

Basis for Allocating Investments

The City of Lynchburg's Consolidated Action Plan draws attention to the housing needs and services in six contiguous census tracts that comprise the CDBG targeted area: Census Tracts 4, 5, 6, 7, 11, and 19 (Tracts 12 and 13 from Census 2000 were combined in Census 2010). This area comprises the central city neighborhoods of Lynchburg that surround the Downtown Central Business District. Demographics and surveys in these neighborhoods indicate that this is where the highest degree of housing problems exists, where the most blight is observed, and where most of the City's low- and low-to-moderate-income persons reside.

These targeted census tracts were selected for concentrated assistance because of their high levels of low-to-moderate income residents and because of their distinct need for housing revitalization and development/redevelopment due to long-term neglect.

The City continues to focus on increasing homeownership and neighborhood stability, through the construction and sale of new housing on formerly abandoned vacant lots, the rehabilitation and sale of vacant houses and through rehabilitation assistance to owner-occupied housing for low and moderate income households not only in the targeted census tracts but throughout the City.

The City, through the HOME Program, provides funds for down payment assistance and principal reduction assistance to ensure affordability to low-to-moderate income persons throughout the City.

The City plans to use the CDBG and HOME Program funds to address the housing needs of low and moderate-income households. The funds will be used to help low- and moderate-income homeowners through minor and substantial home renovations that would help to maintain safety and increase energy efficiency and functionality in older homes. This provision helps to fulfill the needs of not only the low- to moderate-income homeowner, but also the elderly homeowner, where, in both cases, homeowners often delay investing in necessary rehabilitation due to the expense involved in repairing or renovating their home.

In addition, the City has allocated funds to address impediments to fair housing as identified in the Analysis of Impediments to Fair Housing Choice. Specifically, funds have been designated to provide outreach and education to a broad range of people in the housing industry, renters, homebuyers, real estate professionals, homeowners associations, property managers, housing providers, community partners, institutions, and city employees who work with clients regarding housing needs and issues. The outreach and educational efforts will be to develop and distribute educational literature and resources that describe ways to prevent housing injustices and the applicable laws that protect against discrimination.

Annual Affordable Housing Goals

The goals identified by City Council form the housing priorities for the Annual Action Plan and guide the direction of City funds and other available resources. The following are the goals and allocation priorities to reach them:

Increase the number of owner-occupied units.
The City supports and encourages owner-occupied housing units within distressed neighborhoods. The City's Comprehensive Plan states that a range of housing options is desirable but a greater proportion of owner-occupied housing is determined to create more stable neighborhoods as personal investment in long-range trends is stronger.

The 2012 Census data reported 54.4% of the City's occupied housing units were owner-occupied, compared with 45.6% rental units

This represents a slight increase in the owner-occupied units city-wide. A corresponding increase was also identified in the census tracts that make up the target market. However, the ratio of owner-occupied units to rental units is lower than in more stable areas of the City, or than in other parts of the country. Efforts to build attractive markets for homeownership in the neighborhoods surrounding downtown is a necessary part of this undertaking.

In order to achieve long-term stability and investment in City neighborhoods, homebuyers must be encouraged to purchase in these areas. This will entail incremental strategies that include working with developers, banks, and others to take collaborative action to achieve the goal of improving and retaining owner-occupancy and housing conditions for existing homeowners. With limited government resources, the

City believes the participation of the private, for-profit sector is necessary, with government involvement limited to leveraging other resources with CDBG and HOME dollars for those low- and moderate-income households, which require more assistance in order to become owners.

Additional strategies include: (1) provide diverse housing choices; (2) support initiatives to increase permanent affordable rental and housing ownership opportunities; (3) support programs that assist individuals in retaining their home in challenging economic times; and (4) rehabilitate substandard housing units.

Rehabilitate substandard housing units. Emphasis is to be placed on programs that require an investment of funds and/or labor on the part of the owner commensurate with the owner's resources.
The City should take an active role in encouraging the improvement of older housing within the City through loans, tax abatements and/or credits that make renovations more feasible. The housing stock in Lynchburg presents both challenges and opportunities to potential homebuyers. Over half of the City's single family dwellings are between 1,000 and 2,000 sq. ft. in size, and about 20 percent are less than 1,000 sq. ft. in size. The majority of homes less than 1,000 sq. ft. are found within the traditional neighborhoods mentioned above. Many potential homebuyers, especially families, are searching for homes with two full baths, large updated kitchens, and three bedrooms; criteria not easily found within the City's housing stock. To address this issue, the City should develop a program to encourage the renovation of outdated housing that reviews loan programs with lenders, works with builders and financial institutions in sponsoring workshops on modernizing and making appropriate upgrades and additions to homes to meet today's standards, and develops guides on the steps involved in renovation or rehabilitation efforts. Improving the process to clear property liens and establish clear title for older housing stock may accelerate improvements in housing conditions.

Another strategy is to extend some assistance programs to private landlords as well as homeowners. As business owners, these landlords are responsible for providing a quality product to the public, i.e. renting out only those properties which comply with the International Building Code. Landlords who do not correct Code violations within a 30-day time frame will be denied a Certificate of Occupancy for those units, and therefore, cannot legally rent them out. Potential loss of rental income provides a direct incentive for the landlord to correct the problems. The City is taking a proactive rather than a reactive approach to prevent the further decline of the targeted neighborhoods. The LRHA Rental Rehabilitation Program has received funding in the past and will continue the Program during this Annual Action Plan to address observed and eligible repairs according to this strategy.

Clearly, collaboration with other public and private resources is necessary. The primary home-repair agencies, Lyn-CAG and Rebuilding Together Lynchburg (RTL), will continue their owner-occupied home repair programs in order to assist the City in achieving its goal.

The City of Lynchburg completed an Analysis of Impediments to Fair Housing Choice in 2014 to satisfy the requirements of the Housing and Community Development Act of 1974 and

HOME Investments Partnerships Program, as amended. The City will start to designate funding within the CDBG budget that directly focuses on Fair Housing (up to 1% of the CDBG budget). In particular, education, outreach, training, and enforcement are the vital elements to furthering Fair Housing within the City.

The City's Residential Rental Property Inspections Program will continue to be a key strategy through the routine inspections of all rental properties throughout the City. In March 2005, City Council unanimously approved a new ordinance focusing on property maintenance of rental housing. This ordinance requires owners of rental property to register any rental unit in the CDBG-targeted area and confirm that the unit complies with the Property Maintenance Code of the Uniform Statewide Building Code (USBC). The City's Comprehensive Plan states that it will explore the effectiveness of incentives that encourage the rehabilitation of older rental properties, or possibly develop an awards program to recognize quality rehabilitation and maintenance of rental properties.

City funds will be made available for other housing providers, combining these with investment resources, such as the Low Income Housing Tax Credits program, which can be expanded to increase the stock of safe and affordable housing. However, the City's support of such equity investment for low-income rental units is limited to renovation of existing buildings so that the current stock of housing and structures appropriate for adaptive reuse can be exhausted before new units are constructed.

Acquisition and donation of vacant, blighted properties, by the City and LRHA, and the subsequent transfer to non-profits to develop affordable housing, both rental and owner-occupied, will continue and be expanded, as will the support of Lyn-CAG and other organizations that provide assistance to low-income owners.

Support initiatives to increase permanent affordable rental and housing ownership opportunities.

The City supports the national priority to increase the homeownership rate, particularly for low- or moderate-income families. Homeownership promotes stable neighborhoods and an increased sense of community along with personal financial investment. Owning a home is usually the largest investment, and largest asset, of most households. Data reveals that homeowners are less likely to experience housing problems (substandard conditions, cost-burdens) than renting families. There are several public and private efforts ongoing in the City to attract more first-time buyers by offering various incentives. The City's Comprehensive Plan states that the City will continue to coordinate with local lenders to implement programs for first-time home-buyers.

In order to increase homeownership, the City must be prepared to assist families who are unable to meet the entrance profiles for conventional lending but are still credit-worthy and able to meet their financial obligations. The City will need to partner with lenders and/or support alternative lending opportunities, by investing subsidies into the financing. The following are strategies that have been successful in Lynchburg and other places in meeting this priority: (1) continued and increased collaboration with area non-profit agencies, through the distribution of HOME Program and CDBG funds; (2) expanded partnerships in the private sector, including corporate and banking sponsorship of homebuyer initiatives; and (3) new incentives to support private developers who build/renovate affordable single-family homes.

These strategies include exploring other public and private funding programs throughout the country to see if they can form models for us to maximize the available loan programs for first-time homebuyers. The use of CDBG and HOME funds to adjust market factors that sometime prohibit credit-worthy homebuyers from access to mainstream lending programs will make a difference in making new homeowners.

In Program Year 2014 (FY 2015) the City has allocated funds to Lynchburg Community Action Group (Lyn-CAG) to provide down payment assistance and homeownership counseling/education. In addition, Lyn-CAG, as a certified HUD housing counseling agency, will continue to partner with local area banks and provide various workshops on financial literacy. As a counseling agency, Lyn-CAG staff not only provides homebuyer classes, assist with the process of obtaining the financing necessary to purchase a home, but also provides guidance in maintaining that ownership once the purchase is complete.

Moderate-income renters are an obvious target market for some of these programs. Most moderate-income persons could purchase a suitable house through programs that provide assistance in the form of lower interest rates and flexible loans for down payments and closing costs. City partners, such as LRHA, Lyn-CAG, and Greater Lynchburg Habitat for Humanity (GLHFH), share this goal and offer several homeownership programs to meet the needs of the City's low income families.

The need for permanent housing for homeless, the disabled, and those with special needs is documented in the Central Virginia Continuum of Care. The scope of the Continuum is regional and therefore, the City's desire is to support permanent housing development throughout the Region 2000. All persons in the region should have housing choices and assistance available.

Special needs populations include, but are not limited to, persons who are mentally ill, mentally disabled, physically disabled, and substance abusers/addicts, have AIDS, are homeless, and are elderly and in need of supportive housing. This population is spread throughout the region, but many of the supportive resources are located in the City of Lynchburg. Increased support of regional homeless and special needs facilities and services will continue to be specific objectives of the City. Another objective will be to improve regional transportation, especially for persons with special needs so as to maximize access to limited resources.

Promote programs that assist eligible individuals in retaining their homes.
The review of promising programs to address the challenges facing low-income families living in distressed neighborhoods reveals three key themes: (1) earnings and asset development programs are used to increase the economic self-sufficiency of low-income families and include: place-based employment programs, a focus on "good jobs," the use of work incentives, programs that promote banking, car and homeownership, and the use of the Earned Income Tax Credit; (2) family strengthening programs are used to improve health and educational outcomes, as well as link families to needed support and benefit services and include: nurse home visitation, parenting education, early childhood educational programs, and facilitating the receipt of support services; and (3) neighborhood strengthening programs are used to improve features of the neighborhood, collaboration among service providers, and resident involvement

in neighborhood affairs and include: the use of community development corporations, comprehensive community initiatives and community organizing strategies.

Whether they originate from federal programs, such as the HOME Program or CDBG, or local sources such as housing trust funds or housing bonds, local or state governments are generally the source for the subsidies that make homes affordable to low- and moderate-income families. These subsidies generally cover the difference between what it costs to develop the home and the purchase price that families in the targeted income range can afford and retain once purchased.

The City will continue to support homeowner rehabilitation programs and homebuyer programs that provide interest write-down loans to make the home affordable and allow homebuyers/homeowners to retain their home in challenging economic times.

Non-homeless Special Needs

The City is fortunate to have several resources through which services are delivered to the community. Some of these receive funding from public sources, such as federal and state grants. Others are private activities operating solely with donated funds from the private sector. In all cases, the City encourages this work and relies on it to complement its social service functions to City residents. The following describes a few programs and lists others that are active in the City.

The Johnson Community Health Center (JCHC), a full-service medical facility has been designated a federally-qualified Community Health Center and recipient of significant federal grants. Several years ago CENTRA created JCHC with funds from its Foundation to meet the observed and severe primary health care needs of the community, especially those of low-income. CENTRA invested more than $1 million to build and staff JCHC and provided ongoing support through the Foundation to continue its progress. When seeking the federal qualifications, JCHC split from CENTRA and established itself as a separate organization with more than 50% of its Board of Directors coming from patients at JCHC. The goals of JCHC have been met and it continues to expand to meet health needs in Lynchburg and the surrounding region.

Numerous civic groups provide gifts of volunteer time and money to assist low-income persons. The YWCA-Downtown Branch offers transitional housing for battered women, along with permanent housing above their offices, located in downtown. The ARC of Central Virginia provides enhanced physical and occupational therapy, supported employment, communication facilitation, and nursing care to individuals with mental retardation. The Lynchburg Area Center for Independent Living, Inc. (LACIL) is a private non-profit, non-residential consumer driven organization that promotes the efforts of persons with disabilities to live independently in the community and supports the efforts of the community to be open and accessible to all citizens. The Central Virginia Area Agency on Aging (CVAAA) provides services such as meals, care coordination, homemaker, and assisted transportation for seniors in the greater Lynchburg area, in order to keep seniors independent in their own homes

For health and human services “2-1-1 Virginia” provides access to one of the largest databases of health and human services in the State of Virginia. United Way of Central Virginia is a sponsor service provider for the Lynchburg area. Nonprofit organizations and federal, state and

local government agencies are included in the database and access to services in Lynchburg and statewide are available. Referrals for health and human services include:
▪ **Basic human needs:** food banks, shelters, rent or utility assistance;
▪ **Physical and mental health resources:** Medicaid, Medicare, pre-natal care, children's health insurance programs, crisis intervention, support groups, counseling, alcohol and drug rehabilitation;
▪ **Work initiatives:** educational and vocational training programs, English as a second language classes, job training, General Educational Development (GED) preparation, financial and transportation assistance;
▪ **Support for seniors and those with medical, respite care, home health care, transportation and recreation disabilities:** Area Agencies on Aging, independent living centers, adult day care, meals at home, respite care, home health care, transportation and recreation;
▪ **Support for children, youth and families:** After-school programs, tutoring, mentorship programs, family resource centers, protective services, counseling, early childhood learning programs, child care referral centers, and recreation; and
▪ **Volunteering in your community:** Volunteer centers, mentorship opportunities, locations to donate food, clothing, furniture, computers and other items.

In addition to the multiple public and private agencies providing supportive services to low-income citizens, the City currently operates a Citizens First Information Center phone hotline that coordinates with the United Way-sponsored Information and Referral Hot Line to inform citizens of available services.

Public Housing

During the next year, the Lynchburg Redevelopment and Housing Authority (LRHA) will be performing significant renovations on two community rooms and four one (1) bedroom public housing units in order to bring them into compliance with the American with Disabilities Act (ADA)/Section 504 requirements. These renovations will be funded from the Capital Funds Program (CFP) at LRHA and CDBG. Another significant renovation project to be started this year is the replacement of all windows and doors in the Dearington Apartment complex. The existing windows are very old, hard to find replacement parts for and not energy efficient. This project will also be funded from CFP and CDBG.

LRHA will also apply to convert 100 existing Moderate Rehabilitation project based vouchers to tenant protection vouchers which will allow the residents of a downtown building to locate housing in other areas of the City of Lynchburg. The owner of this downtown building has notified LRHA that they will cease operations at some point during the second half of 2014. LRHA and other community housing partners have begun determining needed and available resources for assisting the residents in the relocation efforts. Discussions with community housing partners will also include future housing needs and development of more accessible housing opportunities for the residents of Lynchburg and how to leverage funding to see these needs realized.

Utilizing the inventory of lots acquired with the CDBG Spot Blight funds in previous years, LRHA will revitalize the 5(h) Homeownership program started by LRHA in 1996. Several of the homes built and sold at this programs inception, have reached their loan maturity dates. The funds from the repayment of these loans will be used to partner with HOME Program funds awarded to LRHA by the City of Lynchburg to build at least three (3) new accessible homes that will be offered to eligible public housing residents. These residents will be required to complete homeownership training programs offered by other community housing partners. Upon successful completion of these programs, they will be offered the opportunity to purchase one of these new homes.

To further the partnership with the City and community housing partners, LRHA will participate in identifying opportunities to remove the impediments to fair housing within the City as identified in the Analysis of Impediments to Fair Housing Choice that was conducted by the City at the end of 2013.

Homeless and Special Needs

Most homelessness initiatives in the City are coordinated through the Central Virginia Continuum of Care (CoC), a recipient of funding through the U. S. Department of Housing and Urban Development's (HUD) Continuum of Care Supportive Housing Program and Shelter Plus Care. Also participating in the CoC are the counties of Amherst, Appomattox, Bedford, and Campbell.

The CoC is a regional organization comprised of agencies that serve as the lead entity for Supportive Housing Programs. The CoC currently has 26 member agencies.

The CoC has created a coordinated assessment process, Coordinated Homeless Intake and Access (CHIA), and is working with current providers to divert individuals from homelessness. The coordinator of CHIA is trained to divert households who seek assistance in an effort to decrease homelessness. The City has allocated CDBG funds to continue this activity during Program Year 2014 (FY 2015).

Recently the City of Lynchburg commissioned an analysis of fair housing in the area to update the Analysis of Impediments to Fair Housing Choice (AI). The findings revealed that affordable rental housing decreased in the past few years and that the rentals that were affordable were often located in certain neighborhoods rather than being distributed throughout the City. The CoC will make efforts this coming year to address these barriers to fair housing through recruitment of landlords to the Board of the CoC and to join as members of the CoC.

Sources of Funds

The homelessness initiatives in the City are coordinated through the CoC a recipient of funding through the Stewart B. McKinney programs (Supportive Housing Program and Shelter Plus Care). Recipients of these funds include: Miriam's House, Lynchburg Community Action Group, Lynchburg Neighborhood Development Foundation, Rush Homes and the City.

The City of Lynchburg utilizes its Shelter Plus Care annual renewal allocation to provide rental assistance to homeless persons that are transitioning to permanent housing.

During Program Year 2014 (FY 2015) the Virginia Department of Housing and Community Development (DHCD) will issue two year (July 1, 2014-June 30, 2016) grants to grantees as a result of a CoC–based application process. The Lynchburg CoC has requested $549,387 through DHCD's Virginia Homeless Solutions Program (VHSP). The request included the following programs:

- Shelter operations at Lyn CAG's Hand Up Lodge and the YWCA's Domestic Violence Prevention Center.
- Rapid Re-housing which includes both Lyn-CAG and Miriam's House to facilitate rapid re-housing programs. The Rapid Re-housing Program provides rental assistance, utility deposits, moving expenses for relocation, housing stabilization financial assistance, services/case management, search and placement, and credit repair.
- Housing Prevention Program (HPP) funds were requested through Lyn-CAG to serve low income persons and families. These funds will be used to provide rent assistance/rent arrears, housing stabilization financial assistance, housing stabilization service/case management, housing search and placement, mediation and credit repair.
- The City's Department of Human Services requested Coordinated Homeless Intake and Access funds to expand staff support for the centralized intake system for the CoC.
- Lyn-CAG, as the lead agency for the CoC, requested funds for direct costs associated with administering the CoC operations.
- Lyn-CAG, City of Lynchburg Department of Human Services, and Miriam's House requested funds for oversight, licensing, and technical assistance.
- Administration funds are being requested from agencies seeking funding through VHSP to include: Lyn-CAG, Miriam's House, and the YWCA of Central Virginia.
- Lyn-CAG requested funds for the continued support of the HOPWA Program. HOPWA funds will be used for long-term rental assistance; short-term rental, mortgage and/or utility assistance; case management; HIV/AIDS testing; counseling; HIV/AIDS education; client education; tenant eligibility determination and intake; housing inspections for compliance with HUD's guidelines; emergency rental, mortgage and utility assistance; coordination of care with medical providers; performing home visits with clients; performing resource identification; developing housing plans; monitoring of program performance; providing bi-monthly or monthly client-directed support group meetings; providing access to the HOPWA Food Pantry; client needs identification, recommendations and referrals; and providing information on the rights of the disabled.

Homelessness

Through the participation of its members, the CoC can more effectively address the needs of homeless individuals and families, including the following: homelessness prevention; outreach/assessment (i.e. case management); emergency services; transitional housing; and permanent supportive housing.

The priority needs for the homeless in Lynchburg are emergency housing, transitional housing, permanent support services, and rapid rehousing to move homeless persons and families safely out of the cycle of homelessness and back into self-sufficiency. The objective for homeless and other special populations is to provide for the priority needs of the homeless with an emphasis on services that break the cycle of homelessness. During this Annual Action Plan, the specific CoC objectives to meet the homeless needs include the following:

Objective 1: Create new permanent housing beds for chronically homeless Individuals;
Objective 2: Increase percentage of homeless persons staying in permanent housing over 6 months to at least 77 percent;
Objective 3: Increase percentage of homeless persons moving from transitional housing to permanent housing to at least 65 percent;
Objective 4: Increase percentage of persons employed at program exit to at least 20 percent; and
Objective 5: Decrease the number of homeless households with children.

Chronic Homelessness
All of the permanent supportive housing programs are implementing a new protocol in Program Year 2014 (FY 2015) to award priority to eligible chronically homeless persons when a unit becomes available and such persons apply for housing. During 2014, the permanent supportive housing programs will receive referrals through centralized intake. The coordinator of centralized intake will prioritize individuals who are chronically homeless for permanent supportive housing beds. Progress will be measured by tracking the number of chronically homeless individuals and families served.

Homelessness Prevention
The permanent supportive housing programs within the CoC presently meet the U. S. Department of Housing and Urban Development's (HUD's) goal of 80% for the objective of increasing housing stability. The programs will at least maintain and attempt to improve this performance by improving the quality of case management provided to each participant. The case managers of all permanent supportive housing programs will develop a housing stability plan with each participant to ensure stability is achieved. The case manager will develop a discharge plan with each participant exiting permanent supportive housing to ensure discharge to other more appropriate permanent housing. Additionally, the case managers will continue to strengthen the network of community support and resources available to the permanent housing participants.

Discharge Coordination Policies
In relation to youth aging out of foster care, patients released from medical facilities, patients released from mental health institutions, and prisoners released from correctional institutions, the CoC continues to work in cooperation with individuals from local law enforcement agencies, supportive service agencies, and other interested parties to coordinate discharge.

The following are supportive service agencies that coordinate discharge:

Foster Care (Youth Aging Out):
There is State mandated policy around discharge planning for foster children aging out of the foster care system but there are also best practices that are used to establish this community's discharge planning policy. The local Departments of Social Services meet with youth in foster care at least ninety days prior to discharge in order to plan for the impending discharge. Family Partnership Meetings are held to develop a transitional plan with each youth that focuses on

housing. The vast majority of youth leaving the foster care system return to their families of origin and many of them remain with their foster families despite being discharged from the system.

Health Care:
The CoC has guidelines in place in which it coordinates with CENTRA, the primary health care provider in the CoC area, adequate housing placement of those being released from the hospital system. This process strives to ensure that discharged persons are not released directly to the streets, emergency shelters, or other homeless assistance programs in the Region 2000 area. CENTRA's staff works closely with area housing agencies, providers, and organizations in the CoC to ensure safe and adequate placement of those being released from the hospital system. CENTRA coordinates with these agencies the appropriate release planning back to family, friends, or to private rental housing and service providers. In addition, in 2013 CENTRA completed a Community Health Needs Assessment (CHNA) for Lynchburg General Hospital, Virginia Baptist Hospital and CENTRA Specialty Hospital. For the CHNA the community is defined as the Greater Lynchburg community, which includes Lynchburg City, Town of Bedford, Bedford County, Campbell County, Amherst County, Appomattox County and Southern Nelson County in Central Virginia. The CHNA and the associated implementation plan may be viewed on the CENTRA website at www.centrahealth.com then click on the Wellness tab.

Mental Health:
The Commonwealth of Virginia mandates that persons discharged from State institutions or systems of care have a plan for discharge that prevents the occurrence of homelessness. The policy states that patients cannot be discharged into homelessness including the streets, shelters, or other HUD McKinney-Vento funded programs. Horizon Behavioral Health is an active member of the CoC in this region. The CoC has provided ongoing training to its members with regards to accessing services from Horizon Behavioral Health. In addition, Horizon as a member of the CoC has received information about current and new referral options in the area through organization presentations and announcements.

Corrections:
CoC agencies coordinate with the Virginia Department of Corrections' protocols in place which are to specifically include housing needs in their discharge plans. At discharge, the inmate must have a verifiable address in order to be released and the Probation and Parole District office is directed to address this need and use available local resources to help with housing. Often, the discharged inmate will return to family or referred to VA CARES, a program for ex- offenders, that one of the CoC member agencies conducts which assists with housing and employment services. In conjunction with the Virginia Department of Corrections the local housing providers including: YWCA Domestic Violence Prevention Center; Lynchburg Community Action Group, (Rapid Rehousing and VA CARES); and the local Departments of Social Services in the City of Lynchburg; Amherst County, Bedford County, and Campbell County coordinate to assist with the housing needs and a discharge plan for the inmates.

Barriers to Affordable Housing

Lynchburg is a city of relatively low housing costs. However, average income and cost-of-living also reflect these somewhat lower housing costs. In recent years there has been a resurgence of housing development, primarily in the outlying areas of the City. Development in the CDBG area remains limited to non-profit and subsidized activity. This is due to the low property values in these census tracts and a greater value placed on improvements to property than to the land itself. In the target area, this high value on improvements, or buildings, had the effect of costing more than clearing land and, thereby, negating the opportunities of redevelopment. This was also a large disincentive to development through renovation because the cost of repair typically exceeds the value of the renovated property. Therefore, subsidized development has been the primary construction tool in the CDBG neighborhoods to offset the resistance of these neighborhoods to general real-estate market forces.

The City's Analysis of Impediments to Fair Housing Choice (AI) indicated that the City had a few areas that could be barriers to affordable housing. The AI suggests that HOME Program funding, which is currently tied to those census tracts which qualify as Low-Moderate Income (LMI), be used throughout the City helping offer more opportunity across the City. More accessible units are needed in the City. The Lynchburg Redevelopment and Housing Authority (LRHA) has prioritized rental rehabilitation grants for those landlords willing to make accessibility upgrades to the unit. LRHA is also rehabilitating public housing units for accessibility improvement. The City's Zoning Ordinance which was adopted in 1978 promotes "suburban" style development, not conducive to affordable housing development. The City is currently undertaking a Zoning Ordinance overhaul in order to help better facilitate its goal of becoming a more sustainable City, as well as improve affordability options for housing.

In some cases the City has approved waiver of certain City fees that create undue costs of development of housing by non-profit organizations. These and other strategies will continue to be considered so that increased development costs would not be passed on to low-income home buyers.

Other Actions

Addressing Obstacles to Meeting Underserved Needs

The City will continue to cooperate with local non-profits, neighborhood groups, and others to address obstacles to meeting the underserved need, foster and maintain affordable housing, remove barriers to affordable housing, evaluate and reduce lead based paint hazards, develop institutional structure, enhance coordination between public and private housing and social services agencies, and foster public housing improvements, and resident initiatives. Agencies and groups that coordinate this effort are the Lynchburg Neighborhood Development Foundation (LNDF), Central Virginia Continuum of Care (CoC), Lynchburg Community Action Group (Lyn-CAG), Rebuilding Together Lynchburg, Lynchburg Redevelopment and Housing Authority (LRHA), Community Code Compliance Team and the Lynchburg Division of Social Services.

Access to Public Transportation
Public transportation is one of the systems that play a central role in supporting and sustaining the livability and economic vitality of the City. Ensuring that actions at all levels of government are coordinated, market-responsive, and sensitive to community development goals and objectives is of fundamental importance to the City. To the extent practical, the City will review its housing strategy and in coordination with the Greater Lynchburg Transit Company strive to provide residents of affordable housing access to public transportation.

COMMUNITY DEVELOPMENT

The goals identified by City Council form the Community Development needs for this plan, and guide the objectives and direction of City funds and available resources. The following are the priorities and strategies to reach them.

Eliminate neighborhood deterioration, blight, and blighting influences.
The City will continue its coordinated and aggressive code enforcement of dealing with weeds, abandoned motor vehicles, litter, and vacant buildings in an effort to improve the safety and appearance of neighborhoods, in which people live, work and play. The City will continue to use supervised inmate labor from the local jail to secure abandoned buildings against illegal entry, clean illegal dumpsites, and cut weeds on neglected properties. The Community Development staff will continue to involve the Police Department, Fire Marshall, and Lynchburg Redevelopment and Housing Authority (LRHA) in determining the priority for demolition of substandard housing. The above is part of the City's ongoing Code Compliance Program, and is a high priority activity that reports to City Council annually.

Another segment of this Program is the continued support of the Community Code Compliance Team, a cross-departmental group of City employees whose job responsibilities relate to enforcement and/or quality of life issues. This Team will continue to focus on enforcing codes in a fair and effective manner; devise new strategies to address neighborhood/citizen concerns; and walk neighborhood streets as a group so that they can see and hear concerns first-hand and respond with their own observations.

The City will continue its selective demolition program in the targeted neighborhoods. The program is focused on demolition of non-historic structures and site preparation for the collaboration with non-profit housing providers to offer the sites for housing construction and the waiver of fees for landfill and demolition costs.

Public infrastructure in the downtown area is being addressed by the Combined Sewer Overflow (CSO) project and street improvements as part of the downtown redevelopment. The City will seek to complete this CSO project within the next three to five years. The Riverfront Park will meet recreational and entertainment needs for the City and region, in particular the targeted neighborhoods.

Support the organized efforts in neighborhoods to leverage their resources to improve and sustain community livability and services.
Neighborhoods are an important foundation for improving and sustaining community livability and services. Strong neighborhoods help to create more active and informed citizens, which in turn result in a stronger community. Within neighborhoods there are shared identities, issues, concerns, and interests. Each neighborhood has its own unique priorities and character. The neighborhoods within Lynchburg's Historic Districts are working to preserve historical aesthetics. Some neighborhoods have traffic problems while others are dealing with beautification, crime, youth, socioeconomic, and/or family concerns. There are a variety of neighborhood issues and each neighborhood needs an avenue to deal with their own needs so that the community continues to be strengthened and protected.

Supporting the work of neighborhoods in order to create opportunities for citizens to take a leading role in their future is important for improving and sustaining community livability and services. The process must include citizens, government, community organizations and other stakeholders working together to develop a common goal, mission and vision to address neighborhood concerns. The purpose of supporting organized neighborhood efforts to leverage their resources to improve and sustain community livability and services is ultimately to develop mutual responsibility and collaboration in community building and problem solving.

Another important aspect of improving and sustaining community livability and services is to build on the existing assets within the various neighborhoods by investing in existing housing stock through revitalization and rehabilitation efforts. Also, creating opportunities to make home ownership available to qualified individuals and providing assistance to help homeowners keep their homes helps to strengthen neighborhoods.

City staff is continuing its review and update its Sustainable Neighborhood Strategy regarding the sustainability of neighborhoods. Operating principles that are proposed to guide the City's work in neighborhoods include:

- Sustaining neighborhoods through partnerships with non-profits, developers, businesses, neighborhood groups, and citizens.
- Recognizing and preserving neighborhood identity, character, history, and diversity.
- Public safety is necessary for vibrant and sustainable neighborhoods. Promoting well designed neighborhoods where residents are able to work, shop, and play close to home.
- Fostering connectivity within and among neighborhoods.

Proposed Goals that support the draft operating principles for neighborhoods include:

- Supporting mixed-use neighborhoods with accessible green space.
- Encouraging innovative, safe, and affordable housing choices.
- Recognizing the uniqueness of all neighborhoods and partnering in revitalization efforts.
- Promoting neighborhood partnerships to maximize community resources and facilitate self-sufficiency.
- Connecting neighborhoods through infrastructure and public services.

Objectives and specific benchmarks will be closely linked with the goals noted above.

The City has continued focusing funds and efforts on the Tinbridge Hill Neighborhood. Several non-profit groups and churches, Friends of Tinbridge Hill (FTH), have joined together to focus on improving the quality of housing and infrastructure in this neighborhood. Tinbridge Hill is anchored by the very active Yoder Community Center, which recently underwent a renovation which was partially funded with CDBG funds, City funds, and private funds.

In Program Year 2011 and each succeeding year, The Tinbridge Hill Neighborhood Council (THNC), in partnership with the City of Lynchburg, and supported by the Friends of Tinbridge Hill (FTH) proposed a long-term, targeted investment of CDBG funds into Tinbridge Hill to assist its residents and community stakeholders accomplish its goals and develop a comprehensive vision. The residents and Neighborhood Council have built strong and productive relationships with identified and proven achievements. THNC and FTH have successfully engaged a number of stakeholders including the Legacy Museum of African-American History, the Old City Cemetery, Johnson Health Center, Presbyterian Homes and Family Services, Habitat for Humanity, Saint John's Episcopal Church, Randolph College, Rebuilding Together Lynchburg and other organizations throughout the community for various neighborhood improvement efforts.

<u>Tinbridge Hill Neighborhood Plan</u>
In 2013, the City of Lynchburg launched a new initiative to prepare a Sustainable Neighborhood Plan for the area of Tinbridge Hill, in order to engage neighborhood residents and community leaders in a dialogue about the future of this historic area.

To complete the project, the City hired a consultant team, led by Clarion Associates from Chapel Hill, North Carolina, to gather information, identify neighborhood assets and needs, and develop a set of recommendations and priorities for action to help achieve community goals for the Tinbridge Hill area. The overall context for this initiative is the Sustainable Lynchburg Plan, which offers a framework for decision-making and action, including specific strategies for the Tinbridge Hill Neighborhood.

Through the initiative started in 2013, the City completed a neighborhood plan known as "Growing Tinbridge Hill." The Tinbridge Hill Neighborhood Council (THNC), in partnership with the City of Lynchburg, and supported by the Friends of Tinbridge Hill (FTH), proposed continued funding for a long-term, targeted investment of CDBG funds into Tinbridge Hill to assist its residents and community stakeholders in accomplishing their goals and implement the policies of the plan in order to become a sustainable neighborhood. "Growing Tinbridge Hill" is a model plan for developing sustainable neighborhoods within the City of Lynchburg. Housing, Infrastructure, Recreation and Safety are the essential elements of the plan. Developing leadership and a sense of ownership of the plan by the neighborhood are also vital to overcoming the obstacles that may be present when dealing with any of the essential elements. The Tinbridge Neighborhood Council is the responsible entity for the implementation of the plan objectives and policies.

In Program Year 2014 (FY 2015) the City has allocated CDBG funds that will be used for infrastructure improvements within the Tinbrdige Hill Neighborhood.

<u>Fifth Street Community Development Corporation (CDC)</u>
The Fifth Street Master Plan was adopted by City Council on May 23, 2006. The Plan establishes the Vision for a rehabilitated and revitalized corridor that serves the needs of the surrounding neighborhoods. The 2010 Census indicates that 77% of the residents in the immediate study area are African American and indicated that 49% of the individuals have an annual income below $15,000. The City has committed CDBG, and Capital funds to improve the streetscape over three phases. Phase I was completed in September 2009 and included the construction of water and sewer lines in addition to a modern urban roundabout and complimentary streetscape between Jackson & Harrison Streets. Phase II was completed in November 2013 and extended streetscape and utility improvements to Main Street.

Phase III would extend streetscape improvements south between Jackson and Taylor Streets and finish streetscape improvements as recommended in the Master Plan. Phase III is anticipated for construction in FY2016.

The Fifth Street Corridor is seeing considerable private development interest as a result of the streetscape improvements and the placement of the area on the State & National Register in February 2012. The Red Shoe Dance Academy located at 409 Fifth Street opened in the renovated Moser Furniture Building in 2012. The former Fisher Auto Parts Buildings located at 400-408 Fifth Street have been improved and the former Coiner Auto Parts Building at 500 Fifth Street is under new ownership and use. Buildings at 702 & 708 Fifth Street have been stabilized to prevent further deterioration. The convenience store at 521 Fifth Street is under new ownership and is undergoing renovations. The Economic Development Authority is currently working with a major national retailer concerning locating at Fifth & Federal Streets.

Support Economic Development efforts which will expand job opportunities and retention.
The City's goal is to incentivize and support commercial and industrial development in order to encourage economic growth, expand the tax base and increase job creation. The City will use the following strategies: (1) aggressive, targeted downtown redevelopment and revitalization efforts focused on existing business support, new business attraction and residential, infrastructure and quality of life investments; (2) continue to offer the Local Enterprise Zone Redevelopment Grant which was designed to support small business real property improvement in the downtown census tract to further redevelopment in this area and instill pride in Main Street; (3) encourage continued support from the area banks in the privately-funded Enterprise Zone Loan Pool, which provides reduced rate loans to eligible businesses; (4) continue to support the Business Development Centre, a non-profit organization which provides Small Business Administration loans, other loans, and technical assistance to emerging businesses; and (5) increase existing business and entrepreneurial participation in the Economic Development Authority's Revolving Loan Fund. The City will also support projects that recruit and train low-income persons and assist them in obtaining employment. The City will continue implementation of the downtown master plan for the redevelopment of downtown; (6) continue the James River Arts & Cultural Project Grant to generate activity, both economic and cultural.

Promote activities which support the healthy development of the City's at-risk youth, adults and families.
The City supports and will continue to serve at-risk youth, adults and families to provide comprehensive, collaborative, and quality services that empower youth and families. Goals established include: identifying the needs of youth and families and working collaboratively to meet those needs, providing high quality services and programs needed by youth and community programs that impact youth and families, and development of prevention resources and programs.

Although no CDBG funds have been directly allocated to public service nonprofit agencies, the City will continue to support public service providers in order to meet the needs of low-to-moderate income persons, individuals with disabilities, substance abuse or addiction, persons with AIDS, persons that are homeless, and elderly persons. In addition to the services provided by the City's Social Services Department, there are many nonprofit organizations that coordinate with the City to provide the services needed.

PROGRAM SPECIFIC REQUIREMENTS

CDBG

1. Identify program income expected to be received during the program year, including:
   - amount expected to be generated by and deposited to revolving loan funds;
   - total amount expected to be received from each new float-funded activity included in this plan; and amount expected to be received during the current program year from a float-funded activity described in a prior statement or plan.

The City expects to receive $2,400.00 from Lynchburg Redevelopment and Housing Authority (LRHA) from an amortized loan described in a prior plan.

2. Program income received in the preceding program year that has not been included in a statement or plan.

The City has made adjustments for additional program income received in the 2013 and 2012 plan years. The City has also received $2,500.00 that will be included in the next plan year.

3. Proceeds from Section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in its strategic plan.

The City does not have any proceeds from a Section 108 loan guarantee to be used during this year.

4. Surplus funds from any urban renewal settlement for community development and housing activities.

The City does not have an urban renewal settlement.

5. Any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan.

The City has made adjustments for returned grant funds received in the 2013 plan year.

6. Income from float-funded activities.

The City does not have any float-funded activities.

7. Urgent need activities, only if the jurisdiction certifies.

The City does not have any urgent need activities.

HOME PROGRAM

HOME Assistance

The City of Lynchburg expects to utilize HOME funding for homeownership, rehabilitation, and new construction.

Other Forms of Investment

The City of Lynchburg does not intend to use other forms of investment.

Guidelines for Financing and Refinancing

Not applicable. During Program Year 2014 (FY 2015), the City of Lynchburg does not anticipate using HOME funds to finance or refinance existing debt secured by multi-family housing that is being rehabilitated with HOME funds.

Recapture Provisions for Homebuyer and Homeownership Activities

In accordance with HOME program regulations at 24 CFR Part 92, properties assisted must remain affordable during the affordability period. Under recapture provisions, this period is based on the direct HOME subsidy to the homebuyer and includes down payment assistance, "gap" financing, and interest rate buy-downs, as available.

The HOME affordability periods are as follows:

HOME Investment Per Unit	Length of the Affordability Period
Less than $15, 000 subsidy	5 years
$15, 000 - $40,000 subsidy	10 years
More than $40,000 subsidy	15 years
New construction of rental housing	20 years

HOME-assisted units are subject to affordability for the entirety of the affordability period. These HOME-assisted units are subject to a recapture provision in order to assure that the units either remain affordable (i.e. housing eligible clients) or that the City recovers its investment based on the terms of the agreement. Funds are recaptured only from the net proceeds of the sale or foreclosure.

In accordance with HOME CPD 12-003 Notice "Guidance on Resale and Recapture Provision Requirements under the HOME Program" the City has submitted to the HUD Richmond Field Office the "Recapture Restriction Agreement" used by the City for homebuyer projects. This document includes the basic requirements for recapture provisions in HOME Investment Partnerships (HOME) program homebuyer projects. The document was reviewed by the HUD Richmond Field Office staff and was found to be acceptable for compliance with §92.254(a) (5) of the HOME Program regulations.

Tenant-based Rental Assistance

The HOME funds are not used for tenant-based rental assistance.

HOME Affirmative Marketing

The City's Affirmative Marketing Procedures that will be followed to affirmatively market housing containing five or more HOME-assisted units is attached. (See Appendix C)

HOME Minority Outreach Program

The City's Minority Outreach Program procedures that will be followed in accordance with Section 281 of the HOME Investment Partnership Act and 24 CFR 92.350 is attached. (See Appendix C)

HOME Matching Requirements

HOME matching requirements are met by volunteer hours committed through non-profit agencies.

HOPWA

The City of Lynchburg does not receive Housing Opportunities for Persons with AIDS (HOPWA) funds. A local nonprofit, Lynchburg Community Action Group, Inc. (Lyn-CAG) does receive funds from the Virginia Department of Housing and Community Development (DHCD) to administer this program. Lyn-CAG's HOPWA Program is the only program of its kind in Central Virginia and coordinates its services with not only local hospitals, but with the Medical College of Virginia (MCV) and University of Virginia (UVA) in Richmond and Charlottesville, respectively. Tenants have to reside in the catchment area which includes the City of Lynchburg and the Towns of Amherst, Appomattox, Bedford and the Counties of Campbell, Prince Edward and Charlotte. The Program partners with the local physicians' internal medicine practice specializing in HIV/Aids treatment located in Lynchburg and provide a support group that is attended by not only its eligible clients, but others not eligible for financial assistance, but needing support. Lyn-CAG was the first agency to offer services to those with HIV/Aids. Lyn-CAG fills a gap that otherwise would go unfilled. With stable housing, nutritious meals and consistent medical treatment, the HIV/Aids population is living longer and in some cases is almost finding remission. Without the HOPWA Program in Central Virginia, many more HIV/Aids clients would be homeless, lack treatment, and ultimately face death on a fast-track basis.

EMERGENCY SOLUTIONS GRANTS (ESG)

The Emergency Solutions Grant (ESG) Program is authorized by the McKinney-Vento Homeless Assistance Act funded through the U.S. Department of Housing and Urban Development (HUD). This federally funded program is administered through HUD by a formula allocation to ESG entitlement localities and states.

The Virginia Department of Housing and Community Development (DHCD) is responsible for administering the state ESG allocation for Virginia. Lyn-CAG is a recipient of the ESG funds in Lynchburg. These funds provide for shelter operations at the Hands Up Lodge. In addition there are funds allocated through the Rapid Re-housing Program which provides for pay rent and utility arrears for homeless male headed households. The goals of the State ESG Program are:

- To reduce the number of individuals/households who become homeless;
- To shorten the length of time an individual or household is homeless; and
- To reduce the number of individuals/households that return to homelessness.

OTHER NARRATIVES AND ATTACHMENTS

Available Resources - The Table below reflects the CDBG and HOME financial resources available during Program Year 2014 (FY 2015).

Program	***FY 2014 Federal Funding***
Community Development Block Grant Program (CDBG) Entitlement	**$671,454.00**
Prior Year Funds Available for Reprogramming:	
Bluffwalk (Interest Payment 2013-2014)	49,738.00
LRHA Rental Rehab (2012-2013)	30,000.00
Tinbridge Hill Admin (2013-2014)	8,500.00
LRHA Minor Property Repairs (2010-2011)	5,000.00
Lyn-CAG Housing Improvement (2010-2011)	944.37
Total Amount of Funds to Reprogram:	**94,182.37**
Returned Funds from LRHA	**3,000.00**
Program Income 2013-2014	**291,234.19**
Total CDBG Funds	**$1,059,870.56**
HOME Program-Entitlement	**$340,925.00**
Prior Year Funds Available for Reprogramming:	
LNDF Homeownership (2011-2012)	32,056.58
LNDF Homeownership (2012-2013)	14,999.60
LNDF Single Family Development (2012-2013)	65,424.00
LNDF Single Family Development (2013-2014)	50,000.00
Total Amount of Funds to Reprogram:	**162,480.18**
Program Income 2013-2014	**1,247.00**
Total HOME Funds	**504,652.18**
Total Federal Resources	**$1,564,522.74**

Low/Mod Benefit (91.220(1) (1) (iv) :

At least seventy percent (70%) of the CDBG funds will be used for activities that benefit persons of low- and moderate income or that live in a low- and moderate income area. The activities include housing rehabilitation, targeted neighborhood revitalization, acquisition, and slums and blight. The project detail sheets identify the location of each project, which includes the CDBG-targeted areas (Census Tracts 4, 5, 6, 7, 11, and 19).

Lead-based Paint 91.205 (e)

Paint hazards are given high priority and addressed in all residential rehabilitation projects undertaken with federal funds as mandated by HUD and the Environmental Protection Agency (EPA). Paint hazard evaluations, testing, risk assessments, safe work practices, clearance, and resident notifications will continue to be performed as part of the housing rehabilitation programs.

Fair Housing

Funding was allocated in the FY 2013 CDBG projects for the City to update the Analysis to the Impediments to Fair Housing Choice (AI). The AI was completed in January 2014 and included an analysis of public and private sector policies, programs and statutes which impact the development, financing, regulation and siting of housing in the City. The City has identified within the AI: (a) impediments to fair housing choice; and (b) recommended strategies that would eliminate the impediments to housing choice.

In Appendix F are the impediments that were identified and the proposed action steps. Over the next five years the City will seek to implement the action steps to enhance and/or eliminate the identified impediments to housing choice. The action steps that will be reviewed and implemented during Program Year 2014 (FY 2015) have been identified.

Section 108 Loan Guarantee

Project Name: **Bluffwalk Center Project**
Section 108 Project Number: **B-00-MC-51-0014**

Project Description:
In June 2003, the City was awarded a Section 108 Loan for the Bluffwalk Center. The Center consisted of a Boutique Hotel, Upscale Restaurant – Shoemakers, Microbrewery and Conference Center. The project later added another restaurant - Waterstone. This project has added new permanent full time jobs benefiting low and moderate-income recipients.

Current Status:
The Bluffwalk Center Project has been completed**.** Repayment of principal and interest is in progress**.**

Section 108 Loan Amount: **$3,200,000**

Economic Development Initiative (EDI) Grant: **$800,000**

Total Amount of CDBG Funds Provided to Project for Repayment: **$1,430,364**

Matrix Code: **19F-Planned Repayment of Section 108 Loan Principal**

The number of jobs made available to low and moderate-income recipients was actually 90 through full-time and part-time positions. However, the number of Full Time Equivalent (FTE) jobs made available to low and moderate-income recipients was 54.6. The projected amount for the Bluffwalk Center Project was 61. The number of jobs made available to low income recipients was determined by comparing the annual salaries to 50% of the median income for Lynchburg per the 2000 census. The number of jobs made available to moderate income recipients was determined by comparing the annual salaries to 80% of the median income for Lynchburg per the 2000 census.

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **May 27, 2014** AGENDA ITEM NO.: 18

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

ACTION: **X** INFORMATION:

ITEM TITLE: **Continuation of the Public Hearing Regarding School Board Appointments**

RECOMMENDATION:

Receive input from citizens regarding appointments (or reappointments) to vacancies that will exist June 30 in each of the three (3) School Board representational districts.

SUMMARY:

The Code of Virginia stipulates that Council may appoint only those nominees or applicants whose names have been considered at a public hearing. Following the public hearing City Council may either conclude the public hearing or continue it to the next meeting to allow more time for citizen input. The City Code requires that these appointments be made during the month of June; so therefore, no action may be taken on this matter except at the June 10 or June 24 meetings.

PRIOR ACTION(S): May 13, 2014, Public Hearing

FISCAL IMPACT:

None

CONTACT(S):

Valeria P. Chambers – 455-3990

ATTACHMENT(S):

School Board Appointment List

REVIEWED BY: lkp

066K

May 27, 2014

School Board Appointment List –

Current School Board Members to be Reappointed/Replaced.
Regina Dolan-Sewell, School District 1 (Willing to serve again)
Jennifer Poore, School District 2 (Willing to serve again)
(spoke on 5/13/14)
Treney L. Tweedy, School District 3 (Not eligible to serve again)

CURRENT VOLUNTEERS

SCHOOL DISTRICT 1 -
Lewis Lee, Jr. (spoke on 5/13/14)
Michael A. Bodnar

SCHOOL DISTRICT 2 –
Angela Goin Tyree (spoke on 5/13/14)

SCHOOL DISTRICT 3-
Stephen Burkett (spoke on 5/13/14)
***Leslie D. King**
***James Edward Coleman, Jr.**
***Les Faircloth**

***new names added to list**

Agenda Item # 19

W.I.T.H. Purpose Ministries, Inc.
Resource, Training & Development Center

May 16, 2014

To The Honorable Michael A. Gillette
900 Church Street
Lynchburg, VA 24504

Dear Mayor Michael A. Gillette:

W.I.T.H. Purpose Ministries, Inc. is a 501c3 corporation located at 915 Main Street, Suite 202, Lynchburg, VA. This ministry is a resource, training and development center which offers a full range of wrap around services that provide disadvantaged women the help and support they need to become stable and contributing members of the community.

We wish to expand our services to include a re-entry program for women who are/have been incarcerated. We are writing a federal grant to acquire funding for this project which requires the city's support. The wording in the grant is as follows:

- "The Authorized Representative must have the authority to enter the state, county, municipality, or other eligible unit of local government into a legal contract with the federal government. This person is typically a county commissioner, mayor, city manager, or other similarly designated official."

We have submitted a request with the Clerk of Council to be added to the agenda for May 27 to address the council on this matter.

Sincerely,

Debra Alexander

Debra Alexander
Director

Cc: City Council Members

070K

LYNCHBURG CITY FINANCE COMMITTEE
Agenda Item Summary

MEETING DATE: **May 27, 2014** AGENDA ITEM NO.: 20

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

ACTION: INFORMATION:

ITEM TITLE: **Application for a 2014 Edward Byrne Memorial Justice Assistance Grant (JAG)**

RECOMMENDATION: After providing an opportunity for public comment adopt a resolution authorizing an application for the 2014 Edward Byrne Memorial Justice Assistance Grant in the amount of $40,951 with resources from a Edward Byrne Memorial Justice Assistance Grant to purchase forensic computer software and hardware, map boards for field supervisor vehicles, an evidence refrigerator, impact munitions, tasers and a high capacity printer.

SUMMARY: The City of Lynchburg is eligible to receive $40,951 in Edward Byrne Memorial Justice Assistance Grant (JAG) funding. Funding will be utilized to purchase forensic computer software and hardware, map boards for field supervisor vehicles, an evidence refrigerator, impact munitions for the Police Department ($32,182), tasers for the Sheriff's Department ($4,988) and a high capacity printer for the Office of the Commonwealth's Attorney ($3,781). Total equipment cost is $40,753, which is fully reimbursable by the grant. No local matching funds are required.

The grant application process requires that an opportunity for public comment be provided prior to submission of the application.

PRIOR ACTION(S): Finance Committee, May 27, 2014

FISCAL IMPACT: None, no local match is required.

CONTACT(S): Police Chief Parks Snead, 455-6104; Captain K.R. Edwards, Police Department, 455-6119

ATTACHMENT(S): Resolution

REVIEWED BY: lkp

RESOLUTION:

BE IT RESOLVED that the Lynchburg City Council hereby authorizes the submission of an application for a 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of $40,951 to purchase forensic computer software and hardware, map boards for field supervisor vehicles, an evidence refrigerator, impact munitions, tasers and a high capacity printer.

Introduced: Adopted:

Certified: ______________________________
Clerk of Council

068K

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **May 13, 2014** AGENDA ITEM NO.: 10

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

ACTION: **X** INFORMATION:

ITEM TITLE: **1) Adopt and Appropriate the FY 2015 Operating Budget; 2) Adopt the FY 2015-2019 Capital Improvement Program; 3) Adopt and Appropriate the FY 2015 Capital Budget; 4) Adopt a Resolution Authorizing the City Manager to Award Monetary Incentives, Awards, and Bonuses to Employees for Exceptional Services; and 5) Adopt a resolution to set the personal property tax relief rate.**

RECOMMENDATION: Adopt and appropriate the FY 2015 Operating Budget; adopt the FY 2015-2019 Capital Improvement Program; adopt and appropriate the FY 2015 Capital Budget; adopt a resolution authorizing the City Manager to award monetary incentives, awards, and bonuses to employees for exceptional services; and adopt a resolution to set the personal property tax relief rate.

SUMMARY: Following the April 1, 2014 Public Hearing for the FY 2015 Budget, Council and staff adjusted the Proposed FY 2015 General Fund Budget as follows:

General Fund

Revenues and Use of Fund Balance	Proposed Operating Budget	Adjustments	Revised Budget
Revenues	$168,450,298	$70,953	$168,521,251
Use of Fund Balance	7,805,854		7,805,854
Total Revenues and Use of Fund Balance	**$176,256,152**	**$70,953**	**$176,327,105**
Expenditures			
Operations	$108,626,238	$42,307	$108,668,545
Debt Service	16,562,581	344,721	16,907,302
Schools-Operations	38,562,647	361,500	38,924,147
Greater Lynchburg Transit Company	1,394,038		1,394,038
Transfers to Other Funds	998,909	(46,075)	952,834
Reserves	2,772,063	(631,500)	2,140,563
Capital Improvements - City and Schools	6,299,676		6,299,676
Capital Improvements - School buses	1,040,000		1,040,000
Total Expenditures, Reserves, and Transfers	**$176,256,152**	**$70,953**	**$176,327,105**

Based on City Council's Work Session discussions regarding the FY 2015 budget, staff made the following adjustments:

To Revenues and Use of Fund Balance:

1. Added $42,065 in indirect cost revenue received from Water Resources.
2. Added $28,888 in Local Law Enforcement (HB 599) revenue to reflect the latest level of funding proposed by the General Assembly.

To Expenditures:

1. Added $23,823 to the Parks and Recreation budget for operational costs not included in the City Manager's Proposed Budget.
2. Reduced the Airport subsidy by $46,075 by utilizing a reserve for debt service in the Airport Fund.
3. Added $139,985 to fund an increase in Virginia Retirement System costs.

4. Reduced non-departmental costs by $53,380 to reflect moving College Lake Dam project oversight into the indirect cost program.
5. Added $6,600 to the Council/Manager Offices budget for outsourcing City Code updates, maintenance, and hosting.
6. Moved $270,000 from the debt service reserve to compensation adjustments for an additional 0.5% salary increase for City employees.
7. Moved $361,500 from the debt service reserve to Schools Operating for an additional 0.5% salary increase for Schools employees.
8. Reduced the Juvenile Services Detention Fund per diem budget by $300,000 and moved to debt service.
9. Eliminated a Juvenile Services caseworker position and moved $44,721 to debt service.

Details of all City Council and staff adjustments can be found in Attachment A.

Also, State code requires the personal property tax relief rate be set at the time the budget is adopted.

Adopting Resolutions A, B, E, F, I, J, K, L, M, N, O, P, and Q require a majority vote of all of the members of City Council in attendance, said vote to be taken by ayes and noes.

Adopting Resolutions C, D, G, and H require a two-thirds majority vote (i.e. five of seven) among the members elected to City Council, said vote to be taken by ayes and noes.

Fleet Services Fund
The Fleet Services Fund is adjusted by $3,135 to include the compensation adjustment for employees.

Regional Airport Fund
The Regional Airport Fund is adjusted by $46,075 to reflect a reduction in the transfer from the General Fund due to using a debt service reserve to make the debt payment.

Sewer Operating Fund
The Sewer Operating Fund is adjusted by $24,100 to eliminate the proposed increase to septic hauler charges.

HOME Fund
The HOME Fund is adjusted by $29,130 to reflect an increase based on the actual federal entitlement award.

Community Development Block Grant Fund
The Community Development Block Grant Fund is adjusted by a net amount of $13,642 to reflect a $16,042 decrease in the actual federal entitlement award offset by a $2,400 increase in programmed expenditures.

City Capital Projects Fund
The City Capital Projects Fund is adjusted by $4,859,815 to include the Juvenile Services Group Home project.

Schools Capital Projects Fund
The Schools Capital Projects Fund is reduced by $2,800,000 based on the need to appropriate funds related to start up and early construction for Heritage High School in FY 2014.

Fund Balance
With the adjustments noted above, the General Fund undesignated fund balance as of June 30, 2015 is projected to be $17,100,146 or 10.1% of revenues. Council's target for undesignated fund balance is 10% of revenues.

PRIOR ACTION(S):
March 11, 18, 25, April 8, 22, 2014 – City Council Work Sessions
April 1, 2014 – Public Hearing on the Proposed FY 2015 Budgets for General Government, Schools, Water, Sewer, Stormwater, Airport, and Other Funds, and the FY 2015 - 2019 Capital Improvement Program

FISCAL IMPACT:
See attached budget resolution.

CONTACT(S):
L. Kimball Payne, III, City Manager, 455-3990
Bonnie Svrcek, Deputy City Manager, 455-3990
Donna Witt, Director of Financial Services, 455-3968

ATTACHMENT(S):
Attachment A: Balancing the FY 2015 General Fund Budget, and Resolutions to 1) adopt and appropriate the FY 2015 Operating Budget; 2) adopt the FY 2015-2019 Capital Improvement Program; 3) adopt and appropriate the FY 2015 Capital Budget; 4) adopt a resolution authorizing the City Manager to award monetary incentives, awards, and bonuses to employees for exceptional services; and 5) adopt a resolution to set the personal property tax relief rate.

REVIEWED BY: lkp

058K

ATTACHMENT A

BALANCING THE FY 2015 GENERAL FUND BUDGET

Revenues and Use of Fund Balance	
Proposed Revenues (from the FY 2015 Proposed Operating Budget)	**$168,450,298**
Use of Fund Balance	7,805,854
Total Proposed Revenues and Use of Fund Balance	**$176,256,152**
Adjustments: Revenue Summary	
Dedicated Revenue Adjustments	
Indirect Cost	$42,065
Local Law Enforcement (HB599)	28,888
Revised Revenues and Use of Fund Balance	**$176,327,105**
Expenditures, Reserves, and Transfers	
Proposed Expenditures, Reserves, and Transfers (*from the FY 2015 Proposed Operating Budget*)	**$176,256,152**
Adjustments: Expenditures, Reserves, and Transfers	
Additional operating costs for the Parks and Recreation department	$23,823
Reduce Airport subsidy	(46,075)
Additional funding for an increase in Virginia Retirement System costs	139,985
Move College Lake Dam project oversight into the indirect cost program	(53,380)
Additional funding to outsource City Code updates, maintenance, and hosting	6,600
Reduce debt service reserve	(631,500)
Additional funding for 0.5% salary increase for City and Schools employees	631,500
Reduce Juvenile Services Detention Fund per diem	(300,000)
Eliminate Juvenile Services caseworker position	(44,721)
Increase debt service	344,721
Revised Expenditures	**$176,327,105**

A. BE IT RESOLVED that by majority vote the FY 2015 General Fund Operating Budget (excluding External Service Providers and Component Units expenditures) including the revenues and expenditures proposed by the City Manager and amended by City Council be adopted as the annual operating budget of the City of Lynchburg for the fiscal year beginning July 1, 2014 and ending June 30, 2015 and said funds be appropriated:

GENERAL FUND INCOME	
Beginning Balance	$24,439,822
Non-Dedicated Revenues	
General Property Taxes	74,766,839
Other Local Taxes	47,778,667
Permits, Privilege Fees and Licenses	717,150
Fines & Forfeitures	476,000
Use of Money & Property	433,064
Charges for Services	4,056,967
Miscellaneous	228,500
Revenue from the Commonwealth	6,147,584
Dedicated Revenues	
Revenue from Use of Money & Property	
Charges for Services	2,814,266
Recreation Revenue	377,100
Parking	431,800
Miscellaneous	2,797,338
Revenue from the Commonwealth	
Categorical Aid - State Shared Expenditures	3,047,794
Categorical Aid	17,802,722
Revenue from the Federal Government	6,645,460
Use of Reserves and Committed/Assigned Fund Balance	466,178
Total	**$193,427,251**

GENERAL FUND EXPENDITURES	
General Government	$12,275,209
Judicial Administration	4,778,402
Public Safety	33,859,278
Public Works	16,053,538
Health and Welfare	17,800,037
Parks, Recreation and Cultural	6,196,856
Community Development	2,320,360
Non-Departmental	7,134,331
Transfer to Other Funds	952,834
General Fund - Debt Service	8,101,419
Schools - Debt Service	8,805,883
Reserves	2,140,563
Transfer to Capital - City	4,914,676
Transfer to Capital - Schools	1,385,000
Transfer to Capital - School buses	1,040,000
Ending Balance	17,100,146
Subtotal	**$144,858,532**
External Service Providers[1]	$8,250,534
Component Units[1]	$40,318,185
Total	**$193,427,251**

[1] *To be considered separately*

Introduced: May 13, 2014 Adopted:

Certified: ______________________________
Clerk of Council

B. BE IT RESOLVED that by majority vote the FY 2015 Mandated and Contractual External Service Providers Budget of $8,081,521 proposed by the City Manager and amended by City Council be adopted as part of the operating budget of the City of Lynchburg for the fiscal year beginning July 1, 2014 and ending June 30, 2015 and said funds be appropriated:

MANDATED	
Blue Ridge Regional Jail Authority	$5,586,635
Horizon Behavioral Health	457,323
Health Department	830,977
TOTAL MANDATED	**$6,874,935**
CONTRACTUAL	
Central Virginia Regional Radio Board	$688,369
Lynchburg Humane Society - Operating	351,697
Southern Memorial Association (Old City Cemetery)	132,438
Virginia Cooperative Extension Service	34,082
TOTAL CONTRACTUAL	**$1,206,586**

Introduced: May 13, 2014 Adopted:

Certified: ______________________________
Clerk of Council

C. BE IT RESOLVED that by two – thirds majority vote (five of seven) the FY 2015 Central Virginia Area Agency on Aging Budget of $15,000 proposed by the City Manager be adopted as part of the operating budget of the City of Lynchburg for the fiscal year beginning July 1, 2014 and ending June 30, 2015 and said funds be appropriated.

Introduced: May 13, 2014 Adopted:

Certified: ______________________________
Clerk of Council

D. BE IT RESOLVED that by two – thirds majority vote (five of seven) the FY 2015 Central Virginia Community College Board and Related Operations Budget of $1,917 proposed by the City Manager be adopted as part of the operating budget of the City of Lynchburg for the fiscal year beginning July 1, 2014 and ending June 30, 2015 and said funds be appropriated.

Introduced: May 13, 2014 Adopted:

Certified: ______________________________
Clerk of Council

E. BE IT RESOLVED that by majority vote the FY 2015 Region 2000 Economic Development Partnership Budget of $81,586 proposed by the City Manager be adopted as part of the operating budget of the City of Lynchburg for the fiscal year beginning July 1, 2014 and ending June 30, 2015 and said funds be appropriated.

Introduced: May 13, 2014 Adopted:

Certified: ______________________________
Clerk of Council

F. BE IT RESOLVED that by majority vote the FY 2015 Robert E. Lee Soil & Water Conservation District Budget of $10,000 proposed by the City Manager be adopted as part of the operating budget of the City of Lynchburg for the fiscal year beginning July 1, 2014 and ending June 30, 2015 and said funds be appropriated.

Introduced: May 13, 2014 Adopted:

Certified: ______________________________
Clerk of Council

G. BE IT RESOLVED that by two – thirds majority vote (five of seven) the FY 2015 Virginia Legal Aid Society Budget of $10,816 proposed by the City Manager be adopted as part of the operating budget of the City of Lynchburg for the fiscal year beginning July 1, 2014 and ending June 30, 2015 and said funds be appropriated.

Introduced: May 13, 2014 Adopted:

Certified: ______________________________
Clerk of Council

H. BE IT RESOLVED that by two – thirds majority vote (five of seven) the FY 2015 Amazement Square Real Estate Tax Refund Budget of $5,302 proposed by the City Manager be adopted as part of the operating budget of the City of Lynchburg for the fiscal year beginning July 1, 2014 and ending June 30, 2015 and said funds be appropriated.

Introduced: May 13, 2014 Adopted:

Certified: ______________________________
Clerk of Council

I. BE IT RESOLVED that by majority vote the FY 2015 Region 2000 Local Government Council Budget of $44,392 proposed by the City Manager be adopted as part of the operating budget of the City of Lynchburg for the fiscal year beginning July 1, 2014 and ending June 30, 2015 and said funds be appropriated.

Introduced: May 13, 2014 Adopted:

Certified: ____________________________
Clerk of Council

J. BE IT RESOLVED that by majority vote the FY 2015 School Operating Budget, including the revenues and expenditures proposed by the City Manager, be adopted for the fiscal year beginning July 1, 2014 and ending June 30, 2015 and said funds be appropriated:

SCHOOL INCOME		SCHOOL EXPENDITURES	
Beginning Balance	$0	Operations	$88,219,340
State	47,036,973	Grant Funded Expenditures	8,516,356
Federal	426,000	Ending Balance	0
Grants	8,516,356	**Total**	**$96,735,696**
Local – Operating [1]	38,924,147		
Miscellaneous	1,832,220		
Total	**$96,735,696**		

[1] An additional $1,040,000 is included in the FY 2015 Schools Capital Project Fund for school buses.

Introduced: May 13, 2014 Adopted:

Certified: ____________________________
Clerk of Council

K. BE IT RESOLVED that by majority vote the FY 2015 Greater Lynchburg Transit Company Budget including the revenues and expenditures proposed by the City Manager be adopted for the fiscal year beginning July 1, 2014 and ending June 30, 2015 and said funds be appropriated:

GREATER LYNCHBURG TRANSIT COMPANY INCOME		GREATER LYNCHBURG TRANSIT COMPANY EXPENDITURES	
Beginning Balance	$0	Operations	$7,091,143
Fares	1,114,671	Ending Balance	0
Contracts	49,520	**Total**	**$7,091,143**
Federal	1,979,720		
State	1,390,000		
Local - Operating	1,394,038		
Partners	1,030,702		
Miscellaneous	132,492		
Total	**$7,091,143**		

Introduced: May 13, 2014 Adopted:

Certified: ____________________________
Clerk of Council

L. BE IT RESOLVED that by majority vote the FY 2015 budgets of the funds mentioned herein be adopted for the purposes herein mentioned and said funds be appropriated from the funds and resources of the City of Lynchburg for the fiscal year beginning July 1, 2014 and ending June 30, 2015:

FLEET SERVICES FUND INCOME	
Beginning Balance	$2,272,478
Revenues	6,568,898
Total	**$8,841,376**

FLEET SERVICES FUND EXPENDITURES	
Operations	$5,795,363
Debt Service	484,353
Ending Balance	2,561,660
Total	**$8,841,376**

AIRPORT FUND INCOME	
Beginning Balance	$200,000
Revenue from Cost Centers	2,012,727
Transfer from General Fund	152,443
Interest and Other	222,000
Use of Reserves	46,075
Total	**$2,633,245**

AIRPORT FUND EXPENDITURES	
Operations	$2,253,816
Debt Service	179,429
Ending Balance	200,000
Total	**$2,633,245**

WATER FUND INCOME	
Beginning Balance	$6,481,847
Charges for Service	11,650,558
Water Contracts (Amherst/Bedford/Campbell/Industrial)	2,654,950
Interest and Other	294,482
Total	**$21,081,837**

WATER FUND EXPENDITURES	
Operations	$9,653,810
Debt Service	3,839,779
Transfer to Water Capital Fund	800,000
Ending Balance	6,788,248
Total	**$21,081,837**

SEWER FUND INCOME	
Beginning Balance	$10,383,492
Charges for Services	17,183,336
Sewer Contracts (Amherst/Bedford/Campbell/Industrial)	3,252,820
Interest and Other	137,454
Total	**$30,957,102**

SEWER FUND EXPENDITURES	
Operations	$10,350,883
Debt Service	8,961,298
Transfer to Sewer Capital Fund	2,000,000
Ending Balance	9,644,921
Total	**$30,957,102**

STORMWATER FUND INCOME	
Beginning Balance	$1,413,154
Charges for Services	3,149,400
State Categorical Aid	275,000
Miscellaneous	74,450
Total	**$4,912,004**

STORMWATER FUND EXPENDITURES	
Operations	$2,701,030
Transfer to Capital Fund	1,050,000
Ending Balance	1,160,974
Total	**$4,912,004**

ASSET FORFEITURE FUND INCOME	
Beginning Balance	$139,468
Revenue	0
Total	**$139,468**

ASSET FORFEITURE FUND EXPENDITURES	
Operations	$0
Ending Balance	139,468
Total	**$139,468**

COMPREHENSIVE SERVICES ACT FUND INCOME	
Beginning Balance	$466,552
Miscellaneous	110,000
Transfer from General Fund	1,238,852
Lynchburg City School Transfer	196,541
Revenue from the Commonwealth	3,517,404
Total	**$5,529,349**

COMPREHENSIVE SERVICES ACT FUND EXPENDITURES	
Operations	$5,062,797
Ending Balance	466,552
Total	**$5,529,349**

HOME FUND INCOME	
Beginning Balance	$0
Federal Entitlement	340,925
Total	**$340,925**

HOME FUND EXPENDITURES	
Operations	$340,925
Ending Balance	0
Total	**$340,925**

LYNCHBURG BUSINESS DEVELOPMENT CENTRE INCOME	
Beginning Balance	$125,385
Revenue	0
Total	**$125,385**

LYNCHBURG BUSINESS DEVELOPMENT CENTRE EXPENDITURES	
Operations	$0
Ending Balance	125,385
Total	**$125,385**

LEAF FUND INCOME		LEAF FUND EXPENDITURES	
Beginning Balance	$182,836	Operations	$0
Pledges/Donations	0	Ending Balance	182,836
Total	**$182,836**	**Total**	**$182,836**

REGIONAL JUVENILE DETENTION CENTER FUND INCOME		REGIONAL JUVENILE DETENTION CENTER FUND EXPENDITURES	
Beginning Balance	$99,158	Operations	$2,658,929
Charges for Services	1,698,058	Debt Service	178,407
Intergovernmental	1,140,120	Ending Balance	100,000
Total	**$2,937,336**	**Total**	**$2,937,336**

RISK MANAGEMENT FUND INCOME		RISK MANAGEMENT FUND EXPENDITURES	
Beginning Balance	$2,351,543	Operations	$282,247
Charges for Services	914,034	Insurance and Claims	683,300
Interest	35,000	Ending Balance	2,360,030
Subrogation	25,000	**Total**	**$3,325,577**
Total	**$3,325,577**		

SPECIAL WELFARE FUND INCOME		SPECIAL WELFARE FUND EXPENDITURES	
Beginning Balance	$68,334	Operations	$104,700
Donations and Restitutions	68,450	Ending Balance	42,584
Interest	2,000	**Total**	**$147,284**
Revenue from the Commonwealth	8,500		
Total	**$147,284**		

TECHNOLOGY FUND INCOME		TECHNOLOGY FUND EXPENDITURES	
Beginning Balance	$1,604,166	Operations	$688,369
Use of Money & Property	10,000	Capital Outlay	85,000
Transfer from General Fund	622,294	Ending Balance	1,463,091
Total	**$2,236,460**	**Total**	**$2,236,460**

CITY/FEDERAL/STATE AID FUND INCOME		CITY/FEDERAL/STATE AID FUND EXPENDITURES	
Beginning Balance	$0	Operations	$2,671,658
Revenue from the Federal Government	1,616,073	Ending Balance	0
Revenue from the Commonwealth	937,090	**Total**	**$2,671,658**
Other	82,431		
In-Kind	23,706		
Transfer from General Fund	12,358		
Total	**$2,671,658**		

COMMUNITY DEVELOPMENT BLOCK GRANT INCOME		COMMUNITY DEVELOPMENT BLOCK GRANT EXPENDITURES	
Beginning Balance	$0	Operations	$853,330
Federal Entitlement	671,454	Ending Balance	1,250,888
Program Income	1,432,764	**Total**	**$2,104,218**
Total	**$2,104,218**		

Introduced: May 13, 2014 Adopted:

Certified: ______________________________

Clerk of Council

M. BE IT RESOLVED that by majority vote the amended FY 2015 - 2019 Capital Improvement Program Budget is hereby adopted.

Adopted: May 13, 2014

Certified: ______________________________

Clerk of Council

N. BE IT RESOLVED that by majority vote the FY 2015 Capital Budget is hereby adopted and said funds be appropriated from the funds and resources of the City of Lynchburg for the fiscal year beginning July 1, 2014 and ending June 30, 2015 in the total amount of $22,362,661 for the City Capital Projects Fund, $75,389,191 (including $1,040,000 for school buses) for the School Capital Projects Fund, $1,550,000 for the Airport Capital Projects Fund, $3,250,000 for the Water Capital Projects Fund, $3,070,000 for the Sewer Capital Projects Fund, and $1,480,000 for the Stormwater Capital Projects Fund.

Introduced: May 13, 2014 Adopted:

Certified: ______________________________
Clerk of Council

O. BE IT RESOLVED that by majority vote in accordance with Section 15.2-1508 of the Code of Virginia, 1950, as amended, City Council authorizes, and subject to the availability of appropriated funds, the payment of monetary incentives, awards, and bonuses to City employees for exceptional services rendered by those employees. Such monetary incentives, awards, or bonuses may not exceed $5,000 or five percent of the employee's annual salary, whichever is greater. Such incentives, awards, and bonuses may be offered and paid for such exceptional services as defined in the procedural directives issued by the City Manager or his/her designee, including, but not necessarily limited to, any or all of the following purposes:

(1) Individual incentive awards,
(2) Special recognition awards,
(3) Outstanding performance awards, and
(4) Cost savings or revenue generating suggestion awards.

The Director of Human Resources shall administer the incentive award and bonus program. The types of incentives, awards, and bonuses and the types of exceptional services for which they may be granted; the amount of particular incentives, awards, and bonuses; and the selection criteria and process for particular incentives, awards, and bonuses shall be set forth in the procedural directives issued by the City Manager. The total amount paid in monetary incentives, awards, and bonuses shall not exceed $60,000 annually.

Adopted: May 13, 2014

Certified: ______________________________
Clerk of Council

P. BE IT RESOLVED that by majority vote $50,000 of the FY 2015 Reserve for Contingencies funding is appropriated for use by the City Manager for the fiscal year beginning July 1, 2014 through June 30, 2015.

Introduced: May 13, 2014 Adopted:

Certified: ______________________________
Clerk of Council

Q. BE IT RESOLVED that by majority vote in accordance with Section 14.2 (b) 2 of the Code of Virginia, 1950, as amended, the personal property tax relief rate for the fiscal year beginning July 1, 2014 through June 30, 2015 shall be set at 49.28%.

Adopted: May 13, 2014

Certified: ______________________________

Clerk of Council