

// A regular meeting of the Council of the City of Lynchburg was held on the 13th day of May, 2008, at 7:30 P.M. in the Council Chamber, City Hall, Joan F. Foster, President, presiding. Council Member Gillette gave the Invocation, followed by the Pledge of Allegiance. The following Members were present:

Present: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Absent: 0

// Mayor Foster presented a Certificate of Recognition to high school seniors Sung Kyu Kim, Virginia Episcopal School, and Jean-Jose Sopngwi, Virginia Episcopal School, for serving on the Mayor's Youth Council. Mayor Foster also recognized Charlie Andrews, E. C. Glass High School, for his service on the Mayor's Youth Council.

// Copies of the minutes of the April 8, 2008 (two meetings) meetings, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Gillette, seconded by Council Member Seiffert, Council by the following recorded vote approved the minutes as presented:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// Copies of the minutes of the April 15, 2008 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Gillette, seconded by Council Member Seiffert, Council by the following recorded vote approved the minutes as presented:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// Copies of the minutes of the April 17, 2008 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Gillette, seconded by Council Member Seiffert, Council by the following recorded vote approved the minutes as presented:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// Copies of the minutes of the April 22, 2008 (two meetings) meetings, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Gillette, seconded by Council Member Seiffert, Council by the following recorded vote approved the minutes as presented:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// In the matter of Commonwealth's Attorney, City Council Report #5 was considered. On motion of Council Member Gillette, seconded by Council Member Seiffert, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-08-047, as presented, amending the City/Federal/State Aid fund budget and appropriating \$400,000, fully reimbursable, to continue the Domestic Violence Prosecution Unit program:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster

Noes:

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// In the matter of Schools – Board of Trustees, a public hearing was held to receive input from citizens regarding appointments (or reappointments) to vacancies that will exist June 30 in each of the three (3) School Board representational districts. At the request of Mayor Foster, the Clerk read into the record the names of the current School Board members whose terms will expire on June 30: District 1, Ellis M. Frankfort; District 2, Sterling A. Wilder; and District 3, Treney L. Tweedy. The Clerk then read into the record the names of volunteers who have applied to-date to serve on the School Board: District 1—Alex Bell, Regina Dolan-Sewell, Robert A. Hopkins, Danna R. Jones, Kelly Love, Kevin G. Smith, Dr. Lloyd G. Tannenbaum, Bryan E. Tiller, Terry G. Ward, and Mona M Williams; District 2—Joseph T. Catlett, Jr., Jeffrey Pixton, Ada La'Verne Smith, and Thomas H. Webb. The following candidates spoke before City Council to communicate their interest and present their credentials and qualifications to serve on the School Board – Dr. Regina Dolan-Sewell, Robert A. Hopkins, Kelly Love, Jeffrey Pixton, Ada La'Verne Smith, Kevin G. Smith, Dr. Lloyd G. Tannenbaum, Thomas H. Webb, and Mona M Williams. Charlie White and Ellen Nygaard spoke in support of Dr. Regina Dolan-Sewell. Don Harvey and Martha Hicks spoke in support of Thomas Webb. There was no one else present who wished to speak. Council Members discussed whether to close the public hearing or continue it to the May 27 meeting to allow more time to receive names of volunteers. While some Council Members expressed interest in closing the public hearing due to the number of qualified applicants, other Council Members commented that the normal process has been to continue the public hearing to allow more time to receive the names of additional applicants. In response to questioning, City Attorney Walter Erwin stated that City Council could schedule the interviews of candidates for the School Board prior to closing the public hearing. City Council reached consensus to continue the public hearing until the May 27 meeting to allow more time for citizens to apply for the positions on the School Board.

// In the matter of Community Planning - CDBG, a public hearing was held to receive public input regarding the 2008/09 allocation of \$1,007,647 in Community Development Block Grant (CDBG) and \$472,719.29 in HOME Program funds. Council Member Garrett read the following statement: "In addition to serving on City Council, I also serve as commissioner for the Lynchburg Redevelopment and Housing Authority. However, I do not receive a financial interest or benefit from my service as a commissioner and therefore I do not have a conflict of interest in

this manner. Even though I serve as a member of City Council and as a commissioner for the Redevelopment and Housing Authority, I am able to participate in the distribution of CDBG funds fairly, objectively and in the public interest. Therefore I will participate in the discussion of and vote on this matter.” Council Member Seiffert, who is also a commissioner for the Lynchburg Redevelopment and Housing Authority, stated that since City Council is only conducting the public hearing tonight, he will wait and make his declaration at the May 27 work session. Community Development Director Charlene Montford provided a brief summary regarding the CDBG and HOME Programs. Fourteen (14) individuals spoke in support of the following projects: Fifth Street Corridor Project; Jubilee Occupational Readiness Program; Hunton Community Center; The Gateway; Amazement Square Reach for the Stars Outreach Program; and the Spot Blight Abatement Program. One individual asked that funding be provided to improve the bus service, since it is mostly low income individuals who use the public transit system as their main means of transportation. Mr. Tom Daniel, on behalf of Lynchburg Community Action (LynCAG), spoke in support of the various projects submitted for funding by LynCAG. Lynchburg Redevelopment and Housing Authority (LRHA) Executive Director Ed McCann along with LRHA Board Member Shanda Rowe spoke in support of the various projects submitted for funding by the Housing Authority. Mr. Walter Fore, a member of the Community Development Advisory Committee, expressed concern regarding use of CDBG funds for the Section 108 loan for Bluffwalk. Mr. Fore also expressed concern regarding the process used to distribute the HOME Program funds and requested that the Committee be provided with a detailed line item accounting for the money that the different agencies and corporations have received since 2005 to the present. There was no one else present who wished to speak to this item, and the public hearing was closed. Mayor Foster announced that a work session regarding the FY 2009 Community Development Block Grant (CDBG) and HOME Programs is scheduled for May 27. // In the matter of Community Planning - CDBG, a public hearing was held to receive public input regarding the adoption of a Resolution to approve the reallocation of \$40,273 in FY 2006-07 HOME Program funds for the rehabilitation of the Shalom Apartments. Community Development Director Charlene Montford provided a brief summary regarding the request. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Gillette, seconded by Council Member Garrett, Council by the following recorded vote adopted Resolution #R-08-048, as presented, approving the reallocation of \$40,273 in FY 2006-07 HOME Program funds for the rehabilitation of the Shalom Apartments:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster

Noes:

// In the matter of Community Planning - Zoning, a public hearing was held regarding City Council Report #9 outlining the petition of Hernan and Guadalupe Garces for a conditional use permit at 1 Vista Avenue to allow the operation of a bed and breakfast with up to 3 guest rooms as part of an

existing residence in an R-2, Low-Medium Density Single-Family Residential District. City Planner Tom Martin provided a brief summary regarding the petition. Mr. Hernan Garces outlined the request and asked for approval. Two individuals spoke in support of the request. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Garrett, seconded by Council Member Gillette, Council by the following recorded vote adopted Resolution #R-08-049, as presented, granting the Conditional Use Permit:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster

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Noes:

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// In the matter of Community Planning - Zoning, a public hearing was held regarding City Council Report #10 outlining the petition of Quaker Memorial Presbyterian Church for a conditional use permit at 5810 Fort Avenue to allow the expansion of church parking facilities in an R-2, Low-Medium Density Single-Family Residential District. City Planner Tom Martin provided a brief summary regarding the petition. Vice Mayor Dodson stated that he is a life long member of the Church and would therefore like to abstain from discussion and voting on this petition. Mr. Russ Nixon, Nixon Land Surveying, representing the petitioner, outlined the request and asked for approval. Mr. Nixon explained that the Church understands that they will need to meet all of the stormwater quantity and quality requirements, which would include stabilization of the channel. There was no one else present who wished to speak to this item, and the public hearing was closed. In response to Council questioning, Mr. Nixon stated that the Church plans to build no more than 40 parking spaces. On motion of Council Member Seiffert, seconded by Council Member Johnson, Council by the following recorded vote adopted Resolution #R-08-050, as presented, granting the Conditional Use Permit:

Ayes: Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster

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Noes:

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Abstention: Dodson

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// In the matter of City Code, a public hearing was held regarding City Council Report #11 regarding amending Section 35.1-45 of the City Code relating to flood hazard districts. Environmental Planner Erin Hawkins provided a brief summary regarding the request, explaining that the City is required by the Federal Emergency Management Agency (FEMA) to update its ordinance to remain in compliance with and participate in the National Flood Insurance Program. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Gillette, seconded by Council Member Johnson, Council by the following recorded vote adopted Ordinance #O-08-051, as presented, amending Section 35.1-45 of the City Code relating to flood hazard districts:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster

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Noes:

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// In the matter of CATV, a public hearing was held regarding City Council Report #12 regarding adopting an Ordinance authorizing the City Manager to sign an amendment to the cable television franchise agreement with Ntelos, changing the terms and conditions such that Ntelos is treated the same as Comcast. Information Technology Director Mike Goetz provided a brief summary regarding the request. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Johnson, seconded by Council Member Garrett, Council by the following recorded vote adopted Ordinance #O-08-052, as presented, authorizing the City Manager to sign an amendment to the cable television franchise agreement with Ntelos, changing the terms and conditions such that Ntelos is treated the same as Comcast:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster

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Noes:

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// In the matter of Finance - Bonds, a public hearing was held regarding City Council Report #13 regarding authorizing the issuance of \$14,200,000 principal amount of revenue obligations in the form of Sewer Revenue Bonds to pay the cost of capital improvements to the sewer system. Financial Services Director Donna Witt provided a brief summary regarding the request. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Seiffert, seconded by Council Member Garrett, Council by the following recorded vote adopted Resolution #R-08-053, as presented, authorizing the issuance of \$14,200,000 principal amount of revenue obligations in the form of Sewer Revenue Bonds to pay the cost of capital improvements to the sewer system:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster

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Noes:

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// In the matter of Budget FY 2008, a public hearing was held regarding City Council Report #14 regarding amending the FY 2008 Budgets to implement the Third Quarter budget adjustments and appropriating funds to implement revenue, expenditure and transfer adjustments for the General Fund Operating, City/Federal/State Aid, Asset Forfeiture, Regional Airport, Airport Capital Projects, Fleet Services, Solid Waste Management, Solid Waste Capital, Water Operating, Water Capital Projects, Sewer Operating, Sewer Capital Projects, School Operating, School Capital Projects, Regional Juvenile Detention, City Capital Projects and Comprehensive Services Act Funds. Financial Services Director Donna Witt provided a brief summary regarding the request. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Gillette, seconded by Council Member Johnson, Council by the following recorded vote introduced and laid over to a later meeting Ordinance #O-08-054, as presented, amending the FY 2008 Budgets to implement the Third Quarter budget adjustments and appropriating funds to implement revenue, expenditure and transfer adjustments for the General Fund Operating, City/Federal/State Aid, Asset Forfeiture,

Regional Airport, Airport Capital Projects, Fleet Services, Solid Waste Management, Solid Waste Capital, Water Operating, Water Capital Projects, Sewer Operating, Sewer Capital Projects, School Operating, School Capital Projects, Regional Juvenile Detention, City Capital Projects and Comprehensive Services Act Funds:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster

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Noes:

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// In the matter of Industrial Development Authority (IDA), City Council Report # 15 regarding approving the issuance of bonds not to exceed \$5,600,000 through the Economic Development Authority of Amherst County, Virginia (EDA), for Randolph College was considered. Mr. Ted Craddock, Lynchburg IDA legal counsel, provided a brief summary regarding the request. On motion of Council Member Johnson, seconded by Council Member Gillette, Council by the following recorded vote adopted Resolution #R-08-055, as presented, approving the issuance of bonds not to exceed \$5,600,000 through the Economic Development Authority of Amherst County, Virginia (EDA), for Randolph College:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster

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Noes:

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// In the matter of City Council, City Council Report #16 regarding establishing a Local Sesquicentennial Committee and designating Greg Starbuck, Executive Director of the Historic Sandusky Foundation, as liaison to coordinate with the Virginia Sesquicentennial of the American Civil War Commission was considered. City Manager Kimball Payne provided a brief summary regarding the request. Council Member Garrett stated that he serves on the Historic Sandusky Foundation Board, that he does not receive any funding for his service and therefore does not have a conflict of interest, and that he is able to participate objectively and in the public interest regarding this matter. On motion of Council Member Seiffert, seconded by Council Member Gillette, Council by the following recorded vote adopted Resolution #R-08-056, as presented, establishing a Local Sesquicentennial Committee and designating Greg Starbuck, Executive Director of the Historic Sandusky Foundation as liaison to coordinate with the Virginia Sesquicentennial of the American Civil War Commission:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster

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Noes:

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// In the matter of Community Planning - General, City Council Report # 17 regarding approving the public street dedication and naming of "Wheatland Court" in the Ivy Creek Farm Subdivision off Link Road was considered. City Planner Tom Martin provided a brief summary regarding the request. On motion of Council Member Helgeson, seconded by Council Member Gillette, Council by the following recorded vote adopted Resolution #R-08-057, as presented, approving the public street dedication and naming of "Wheatland Court" in the Ivy Creek Farm Subdivision off Link Road:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster

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Noes:

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// In the matter of FY2009 Budget/CIP, City Council Report #18 regarding adoption of the FY2009 Budget and FY2009-2013 Capital Improvement Program (CIP) was considered. City Manager Payne provided a brief summary regarding the request. Council Members decided to vote on each budget ordinance separately. Council Member Garrett inquired regarding information contained in a letter placed before Council just prior to the meeting from Mike Carroll, General Manager, Greater Lynchburg Transit Company (GLTC), regarding a projected surplus of \$376,907 due to additional funds from the State. GLTC General Manager Mike Carroll stated that recently GLTC learned that the amounts originally programmed in its budget for Federal and State operating assistance were lower than the amounts now reflected in the State's Six Year Transportation Plan, and that it is anticipated that the net result is that GLTC will have a revenue in excess of projected expenditures of \$376,907. Mr. Carroll explained that the GLTC Board of Directors is recommending that this amount be tagged as an "unobligated reserve" in its budget to provide a source of funding for GLTC should budgeted funds not be sufficient in FY2009 due to extremely volatile fuel prices and to help reduce future requests to City Council for funding. Council Members discussed other options for use of the projected surplus, including funding the five additional police officers and related equipment that were not budgeted due to lack of resources. Mr. Carroll informed that the primary cause of the additional State revenue is the boost in transit funding and that it is his understanding that the intent of the General Assembly, as expressed by the staff of the Virginia Department of Rail & Public Transportation, is that any additional State funds are to be utilized for service enhancements and not to reduce the local match. City Manager Kimball Payne recommended that City Council take no action at tonight's meeting regarding the \$376,907 and to allow staff time to determine if there are any "strings" attached to the additional monies from the State. Mr. Payne went on to say that staff could also prepare some options for City Council to consider at the May 27 work session. Mr. Payne stated that he would like for City Council to go ahead and introduce the budget ordinances as presented since City Council would need to take action at some point regarding the additional State funding. In response to questioning, Mr. Payne stated that the action could be in the form of a budget amendment. Following discussion, and on motion of Council Member Gillette, seconded by

Council Member Seiffert, Council by the following recorded vote introduced and laid over to a later meeting for final action Budget Ordinance #O-08-058, as presented, adopting the FY 2009 General Fund Operating Budget (excluding External Service Provider expenditures) and appropriating \$178,430,834 for this budget:

Ayes: Dodson, Garrett, Gillette, Johnson, Seiffert, Foster 6

Noes: Helgeson 1

On motion of Council Member Johnson, seconded by Vice Mayor Dodson, Council by the following recorded vote introduced and laid over to a later meeting for final action Budget Ordinance #O-08-059, as presented, adopting the FY 2009 Mandated and Contractual External Service Providers Budget and appropriating \$6,505,875 for this budget:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

On motion of Council Member Gillette, seconded by Council Member Johnson, Council by the following recorded vote introduced and laid over to a later meeting for final action Budget Ordinance #O-08-060, as presented, adopting the FY 2009 Central Virginia Area Agency on Aging Budget and appropriating \$15,000 for this budget:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

On motion of Council Member Gillette, seconded by Council Member Johnson, Council by the following recorded vote introduced and laid over to a later meeting for final action Budget Ordinance #O-08-061, as presented, adopting the FY 2009 Central Virginia Community College Board and Related Operations Budget and appropriating \$1,834 for this budget:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

On motion of Council Member Gillette, seconded by Vice Mayor Dodson, Council by the following recorded vote introduced and laid over to a later meeting for final action Budget Ordinance #O-08-062, as presented, adopting the FY 2009 Court Appointed Special Advocate Budget and appropriating \$12,000 for this budget:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

On motion of Council Member Johnson, seconded by Council Member Gillette, Council by the following recorded vote introduced and laid over to a later meeting for final action Budget Ordinance #O-08-063, as presented, adopting the FY 2009 Dr. Martin Luther King, Jr./Lynchburg Community Council Budget and appropriating \$5,000 for this budget:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

On motion of Council Member Garrett, seconded by Council Member Gillette, Council by the following recorded vote introduced and laid over to a later meeting for final action Budget Ordinance #O-08-064, as presented, adopting the FY 2009 Region 2000 Economic Development Council Budget and appropriating \$82,250 for this budget:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

On motion of Council Member Johnson, seconded by Council Member Garrett, Council by the following recorded vote introduced and laid over to a later meeting for final action Budget Ordinance #O-08-065, as presented, adopting the FY 2009 Robert E. Lee Soil & Water Conservation District Budget and appropriating \$10,000 for this budget:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

On motion of Council Member Gillette, seconded by Council Member Johnson, Council by the following recorded vote introduced and laid over to a later meeting for final action Budget Ordinance #O-08-066, as presented, adopting the FY 2009 Virginia Legal Aid Society Budget and appropriating \$10,000 for this budget:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

Council Members Helgeson and Seiffert expressed concern regarding the increase in the Schools budget in light of declining student enrollment. On motion of Vice Mayor Dodson, seconded by Council Member Johnson, Council by the following recorded vote introduced and laid over to a later meeting for final action Budget Ordinance #O-08-067, as presented, adopting the FY 2009 School Operating Budget and appropriating \$94,773,891 for this budget:

Ayes: Dodson, Garrett, Gillette, Johnson, Foster 5

Noes: Helgeson, Seiffert 2

On motion of Vice Mayor Dodson, seconded by Council Member Johnson, Council by the following recorded vote introduced and laid over to a later meeting for final action Budget Ordinance #O-08-068, as presented, adopting the FY2009 Greater Lynchburg Transit Budget and appropriating \$6,268,268 for this budget:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

On motion of Council Member Gillette, seconded by Council Member Johnson, Council by the following recorded vote introduced and laid over to a later meeting for final action Budget Ordinance #O-08-069, as presented, adopting all other FY 2009 Operating Fund Budgets and appropriating the sums for each fund:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

On motion of Council Member Johnson, seconded by Council Member Gillette, Council by the following recorded vote introduced and laid over to a later meeting for final action Ordinance #O-08-070, as presented, adopting the FY 2009-2013 Capital Improvement Program:

Ayes: Dodson, Garrett, Gillette, Johnson, Seiffert, Foster

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Noes: Helgeson

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On motion of Council Member Seiffert, seconded by Council Member Johnson, Council by the following recorded vote introduced and laid over to a later meeting for final action Ordinance #O-08-071, as presented, adopting the FY 2009 Capital Budget and appropriating \$27,881,658 for the City Capital Projects Fund; \$1,478,520 for the Schools Capital Projects Fund; \$1,300,000 for the Airport Capital Projects Fund; \$6,972,000 for the Water Capital Projects Fund; and \$18,225,000 for the Sewer Capital Projects Fund:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster

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Noes:

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On motion of Council Member Johnson, seconded by Council Member Garrett, Council by the following recorded vote introduced and laid over to a later meeting for final action Ordinance #O-08-072, as presented, approving the payment of monetary incentives, awards and bonuses to City employees under certain circumstances:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster

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Noes:

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On motion of Council Member Gillette, seconded by Council Member Johnson, Council by the following recorded vote introduced and laid over to a later meeting for final action Ordinance #O-08-073, as presented, setting the personal property tax relief rate for the fiscal year beginning July 1, 2008 through June 30, 2009 at 52.94%:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster

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Noes:

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// On motion of Council Member Johnson, seconded by Council Member Seiffert, Council by the following recorded vote elected to hold a closed meeting to consider appointments to Council-appointed Boards and Commissions, i.e., School Board, and a discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the City pursuant to Section 2.2-3711(A)(1) and (5), respectively, of the Code of Virginia, 1950, as amended:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster

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Noes:

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

// Council Member Gillette made the following motion:

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

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

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

The Motion was seconded by Council Member Seiffert, and Council by the following recorded vote adopted the motion:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster

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Noes:

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// The meeting was recessed at 11:33 P.M. to May 27, at 1:00 P.M., to conduct a work session regarding several items.