

// A regular meeting of the Council of the City of Lynchburg was held on the 27th day of March, 2012, at 3:00 P.M. in the Council Chamber, City Hall, Joan F. Foster, President, presiding. The following Members were present:

Present: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster

7

Absent:

0

// School Board Chair Charlie White gave a brief report regarding the Proposed FY 2013 School Budget on the following topics: Your Return on Investment (ROI) and Educational Opportunity.

// Interim Superintendent Dr. Larry Massie provided an overview of the Proposed FY 2013 School Budget.

// Grants Manager Melva Walker briefly reviewed the restructuring of the Citizens Participation Plan (CPP) at the CDBG/HOME Work Session on CDAC Recommendations. Ms. Walker provided an overview of City Council's direction for the Program Year 2012 (FY 2013) application funding requests. Ms. Walker further explained the 2010-2015 Consolidated Plan goals along with the CDBG and HOME Allocations.

// City Manager Kimball Payne continued with the FY 2013 Proposed Budget document with the following department presentations.

- Parks & Recreation – Parks & Recreation Director Kay Fraizer
- Community Development – Community Development Director Kent White
- Economic Development – Economic Development Director Marjette Upshur
- Fleet Services – Fleet Services Director John McCorkhill
- Parking Manager – City Manager Kimball Payne (Council Member Helgeson suggested putting the Parking Management Division on the Matrix for further discussion).

// Due to time constraints the Capital Improvement Program will be discussed at a Special Work Session on April 3, 2012 at 4:00 p.m.

// During roll call Council Member Perrow stated two items; 1) a citizen had contacted him regarding the policy of having chickens and roosters in the City, and 2) asked that someone do a report on what effect the EPA ruling by the Supreme Court would have on the City's stormwater issues. Council Member Gillette stated that he had been contacted by a constituent about a car tax bill that the City was trying to collect from him. It turned out that the constituent was owed a refund because he had paid taxes in another locality and questioned why the City could not put a notification in a tax bill about this.

// City Council recessed the meeting at 6:45 p.m.

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

The following Members were present:

Present: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster

7

Absent:

0

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

// Mr. Tim Groove with Angels Race Triathlon thanked City Council and the community for their continued support and appreciation and will host the 10th Annual Angels Race Triathlon in Lynchburg on April 22, 2012.

// Mr. Billy McBratney with Citizens Advocacy Strengthening Community Group presented the City with a plaque with over thirty (30) businesses entitled "Creative Thinking ".

// Ms. Anna Bentson, Director of Lynch's Landing, announced to the City that Lynchburg had received the "Virginia Main Street Milestone Awards".

// Mayor Foster and Vice Mayor Johnson recognized two professors at Lynchburg College with certificates.

// Copies of the minutes of the March 13, 2012 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Nelson, seconded by Council Member Gillette, Council by the following recorded vote approved the minutes as presented:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster 7

Noes: 0

// Copies of the minutes of the March 20, 2012 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Nelson, seconded by Council Member Gillette, Council by the following recorded vote approved the minutes as presented:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster 7

Noes: 0

// In the matter of Police – General, Resolution #R-12-024 amending the FY 2012 City/Federal/State Aid Fund budget and appropriating \$10,492, fully reimbursable, to purchase gas masks for use in critical incident response and related fit testing equipment for routine inspection of gas mask reliability, laid over from the March 13, 2012 meeting, was again presented and read, and on motion of Council Member Nelson, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster 7

Noes: 0

// In the matter of Police – Emergency Services, Resolution #R-12-025 amending the FY 2012 City/Federal/State Aid Fund budget and appropriating \$75,000, fully reimbursable, to replace the Computer-Aided Dispatch application server located in the Emergency Communications Center, laid over from the March 13, 2012 meeting, was again presented and read, and on motion of Council Member Nelson, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster 7

Noes: 0

// In the matter of Human Services – General, Resolution #R-12-026 amending the FY 2012 City/Federal/State Aid Fund budget and appropriating \$139,332, fully reimbursable, to help reduce the number of alcohol-related vehicle crashes involving drivers between 15 and 24 years of age, laid over from the March 13, 2012 meeting, was again presented and read, and on motion of Council Member Nelson, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster 7

Noes: 0

// In the matter of Economic Development – General, Resolution #R-12-027 amending the FY 2012 City/Federal/State Aid Fund budget and appropriating \$151,200, to remediate and stabilize ten parcels along Fifth Street, laid over from the March 13, 2012 meeting, was again presented and read, and on motion of Council Member Nelson, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster 7

Noes: 0

// In the matter of Fire – General, Resolution #R-12-028 amending the FY 2012 City/Federal/State Aid Fund budget and appropriating \$491,760, to purchase replacement Self-Contained Breathing Apparatus (SCBA) for the Fire Department, laid over from the March 13, 2012 meeting, was again presented and read, and on motion of Council Member Nelson, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster 7

Noes: 0

// In the matter of City Code/Public Works – Water, a public hearing was held regarding City Council Report #13 outlining an Ordinance amending the City Code relating to Water and Sewer Rates. Tim Mitchell, Director of Water Resources, gave a summary of the request. There was no one else present who wished to speak to this item, and the public hearing was closed.

After Council discussion, Council Member Perrow made a motion, seconded by Council Member Cary to change the water and sewer rate to 5%. With continued discussion, Council Member Nelson made a substitute motion, seconded by Council Member Perrow to reduce the rate from 5% to 4%. Council Member Helgeson stated he would not support a rate increase and not to burden the citizens with more taxes.

On motion of Council Member Nelson, seconded by Council Member Perrow, Council by the following recorded vote adopted Ordinance #O-12-032, as amended, amending the City Code relating to Water and Sewer Rates to 4%:

Ayes: Cary, Gillette, Johnson, Nelson, Perrow, Foster 6

Noes: Helgeson 1

// In the matter of City Code/Public Works – Sewer, a public hearing was held regarding City Council Report #14 outlining an Ordinance amending the City Code relating to Stormwater Rates and Billing. Tim Mitchell, Director of Water Resources, gave a summary of the request. Nine individuals spoke to this item supporting the Stormwater initiatives. There was no one else present who wished to speak to this item, and the public hearing was closed.

During Council discussion there were some concerns about the property owners paying one rate and businesses paying a different rate. City Attorney Walter Erwin stated that the State does not say how it should be done. After further discussion a consensus was reached from Council to table the Stormwater Rates and Billing item to a later date:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster 7

Noes: 0

// Mr. Steve Troxel spoke before Council regarding a request for City Council to amend the Compensation philosophy.

// In the matter of Police – General, City Council Report # 16 was considered. On motion of Council Member Helgeson, seconded by Council Member Cary, Council approved the submittal of an application to the Office of Community Oriented Policing Services' (COPS) 2012 Hiring Program for five new officers:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster 7

Noes: 0

// The meeting was adjourned at 9:33 P.M.

Clerk of Council

// An additional scheduled meeting of the Council of the City of Lynchburg was held on the 3rd day of April, 2012, at 4:00 P.M. in the Council Chamber, City Hall, Ceasor T. Johnson, Vice President, presiding. The purpose of the meeting was to continue with Capital Improvement Program (CIP) regarding the FY 2013 Budget. The following Members were present:

Present: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster

6

Absent: Foster

1

// Mayor Foster arrived at 4:03 P.M.

// School Board Chair Charlie White introduced the new School Superintendent, Dr. Scott Brabrand. Dr. Brabrand stated that he pledged to be a straight shooter regarding the schools and wants to make Lynchburg Public Schools the best they can be.

// City Manager Kimball Payne gave an overview of the five year, \$165,749,795 million Capital Improvement Program (CIP) for FY 2013-2017. Mr. Payne stated Water, Sewer, and Airport Funds, along with Schools, are a large part of the CIP Budget. Mr. Payne reviewed the CIP by budget categories – Buildings, Transportation, Economic Development, Parks and Recreation, Miscellaneous, and Reserves.

// Mr. Payne discussed the remaining budget calendar with the following changes:

April 10th Budget Work Session would start at 4:00 P.M.

April 17th Budget Work Session would start at 3:00 P.M.

April 24th Budget Work Session would start at 3:00 P.M.

Mr. Payne stated that a possible date of May 1 could be used if the Budget was still not approved.

// City Manager Kimball Payne stated that the Civic Engagement Result reports were available for reference purposes and to be used as Council so desires.

// City Manager Kimball Payne stated that the Budget Matrix process would start at the April 17th work session.

// The meeting was adjourned at 6:01 P.M.

Clerk of Council

// An additional scheduled meeting of the Council of the City of Lynchburg was held on the 3rd day of April, 2012, at 7:00 P.M. in the Council Chamber, City Hall, Joan F. Foster, President, presiding. The purpose of the meeting was to conduct a public hearing regarding the proposed increase in the Real Estate Tax, Meals Tax, the Proposed FY 2013 Budget and the 2013-2017 Capital Improvements Program. The following Members were present:

Present: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster 7

Absent: 0

// City Manager Kimball Payne provided an overview regarding the proposed increase in the Real Estate Tax from \$1.05 to \$1.15 and the proposed increase in the Meals Tax from 6.5% to 7.5%, and the Proposed Fiscal Year 2013 Budgets of the City Government, Public Schools, Water, Sewer, Stormwater, Airport and Other Funds, and the Proposed 2013-2017 Capital Improvement Program.

// In the matter of Budget, a public hearing was held regarding City Council Report #1 regarding the Proposed Increase in the Real Estate Tax from \$1.05 to \$1.15 and the proposed increase in the Meals Tax from 6.5% to 7.5%. Twelve (12) individuals spoke regarding the proposed increase in Real Estate Tax and the proposed increase in the Meals Tax. There was no one else present who wished to speak to this item and the public hearing was closed.

// In the matter of Budget, a public hearing was held regarding City Council Report #2 regarding the Proposed Fiscal Year 2013 Budgets of the City Government, Public Schools, Water, Sewer, Stormwater, Airport and Other Funds, and the Proposed 2013-2017 Capital Improvements Program. During the public hearing a total of 31 individuals spoke concerning the following programs:

- 9 spoke in favor of funding for Lynchburg Public Schools
- 7 spoke in favor of funding for the Parks and Recreation Centers
- 4 spoke in favor not to cut the funding for the Library
- 2 spoke not to support an increase for Real Estate and Meals Taxes
- 1 spoke not to support funding for Lynchburg Public Schools
- 1 spoke in favor not to cut the positions in the Fire Department
- 1 spoke in favor not to remove funding for the Lynchburg Life Saving Crew
- 1 spoke in favor not to cut the position of the Assistant to the City Manager
- 1 spoke in support of the Lynchburg Humane Society
- 1 spoke in support of CASA of Central Virginia
- 1 spoke regarding trash collection
- 1 spoke in favor to continue support the Central Virginia Community Services Board

There was no one else present who wished to speak to this item and the public hearing was closed.

// The meeting was adjourned at 9:34 P.M.

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **April 24, 2012**

AGENDA ITEM NO.: 1

CONSENT:

REGULAR:

WORK SESSION: **X**

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Lynchburg Humane Society Terms of Agreement and Lease**

RECOMMENDATION: Approve the terms of an agreement and lease between the City of Lynchburg and the Lynchburg Humane Society and direct staff to develop a formal agreement and lease based on the attached terms.

SUMMARY: On February 14, 2012 City Council directed staff to issue a Request for Qualifications (RFQ) for the provision of animal shelter services based on the current level of services currently provided by the Lynchburg Humane Society. There were no responses to the RFQ.

Council directed staff to negotiate with the Lynchburg Humane Society (LHS) in the event there were no responses to the RFQ. Staff has negotiated with the LHS and the general terms of an agreement and lease are outlined on the attached term sheet.

PRIOR ACTION(S):

March 28, 2001: Council approval of an agreement and lease between the City and the Lynchburg Humane Society, Inc.

September 13, 2011: Council approval of rezoning for the Lynchburg Humane Education and Adoption Center

February 14, 2012: Council consideration of authorizing staff to negotiate a long term service agreement with the Lynchburg Humane Society for Animal Shelter Services

FISCAL IMPACT: As noted on the attached term sheet.

Proposed operating costs will result in \$138,462 in FY 2013 General Fund savings.

Capital Improvement Program costs in FY 2013 will result in pay-as-you-go savings of \$425,000 (\$500,000 budgeted in FY 2013 CIP for Animal Shelter Improvements)

CONTACT(S): L. Kimball Payne, City Manager, 455-3986

Bonnie Svrcek, Deputy City Manager, 455-3987

ATTACHMENT(S): Resolution
Term Sheet

REVIEWED BY: bms

RESOLUTION:

BE IT RESOLVED that City Council approves the terms of agreement and lease between the City of Lynchburg and the Lynchburg Humane Society and directs staff to execute an agreement and lease as described on the attached term sheet.

Introduced:

Adopted:

Certified:

Clerk of Council

059L

**Lynchburg Humane Society
Term Sheet
Operating Agreement and Lease Costs**

Operating Costs	Lease Costs
Term: Ten (10) Years	Term: Ten (10) Years
Compliance: Comply with State Code plus City Council's February 14, 2012 directive to deliver animal shelter services based on the current level of services.	Compliance: Comply with all <i>Code of Virginia</i> Regulations and Directives for Pound and Shelter Services and provide a facility that is adequate for the delivery of current shelter services.
Definition of Services: - The Lynchburg Humane Society (LHS) shall accept dogs and other animals which are required to be confined in accordance with any and all applicable Laws, including, but not limited to, dogs running at large without the tag required by Section 3.2-6531 of the State Code. - Other domesticated animals picked up and delivered to the shelter by the City's Animal Control Officers, Animal Warden and Police Officers, that LHS can responsibly house and care for. - Livestock and feral cats are not considered domesticated animals by the LHS and will only be accepted upon prior approval except in cases of bite holds and injured animals. - Owner surrenders are subject to approval by the LHS. - The LHS, may, at its discretion accept for shelter such other animals as it may elect to accept. - Any animal brought to the LHS by City Animal Control or Police Officer(s) may be ordered by the Animal Warden to be euthanized for reasons of public safety.	Assumptions: City will lease 7,917 square feet from LHS at a rate of \$8.52/sf. - 6,198 sf. for shelter services - 1,748 sf. shared space (30% of total facility) Payment Schedule: FY 2012: \$200,000 FY 2013: \$ 75,000 FY 2014: \$200,000 FY 2015: \$200,000 Notes: - Independent Appraiser provided a market analysis that indicated a lease rate ranging from \$18.37 to \$23.99 sf. Using \$18.37/sf x 7,917 total sf the annual lease cost would be \$145,435.30. - FY 2012 source of funds is from the Capital Improvement Program project that has \$246,000 budgeted for Animal Shelter Repairs; \$46,000 would be retained in this project for unanticipated emergency repairs if required until the new shelter is

Operating Costs (continued)	Lease Costs (continued)
Cost of Operations: Based on actual FY 2009 costs (pre no-kill) as reflected in the FY 2009 LHS Statement of Revenues and Expenses – Income Tax Basis. Actual FY 2009 Expenses: \$351,697 (adjusted to exclude services that were not included in the City’s current agreement with LHS); total FY 2009 annual expenditures were \$388,626. Proposed Costs of Operations (including utilities): FY 2013: \$281,538 (20% discount from FY 2009 expenditure base of \$351,697) FY 2014: \$281,538 (20% discount from FY 2009 expenditure base of \$351,697) FY 2015: \$351,697 (discount eliminated due to occupancy of new facility) FY 2016: To be determined based on review of actual expenses in new facility and metrics as defined and agreed upon by the Humane Society and the City.	built and for costs associated with future use of the existing building after it is vacated. - The Humane Society is honoring its initial request of \$675,000 for the Animal Shelter and shared space. - After 10 years the City would only be responsible for 30% of capital improvements/maintenance in the existing 7,917 sf. leased by the City. - If the Humane Society has not issued a construction contract for the new facility by December 31, 2013, then all lease funds paid to the Humane Society by the City will be refunded to the City.

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **April 24, 2012**

AGENDA ITEM NO.: **2**

CONSENT:

REGULAR:

WORK SESSION: **X**

CLOSED SESSION:

(Confidential)

ACTION:

INFORMATION: **X**

ITEM TITLE: **Stormwater Utility Credit Program**

RECOMMENDATION: Authorize staff to proceed with the development of the stormwater credit program.

SUMMARY: On December 13, 2011, City Council approved an ordinance to implement a Stormwater Utility. Since then, City staff has developed an outline of the credit program for single-family residential properties and for non-residential/multi-family properties. The credit program would allow a credit for property owners or occupants who implement or have implemented certain stormwater management measures that provide a permanent reduction in post-development stormwater runoff and pollutant loading pursuant to section § 15.2-2114 of the Code of Virginia. The credit amount would be determined based on the type of Best Management Practice (BMP) that is installed and the percentage of the impervious area of the site that is treated by the BMP. The maximum credit that may be earned is 50% of the stormwater fee. In April, City staff met with members of the Stormwater Advisory Committee to review and receive comment on the programs. The attached documents summarize the application process, credit term, eligible stormwater BMPs and maintenance requirements. A user's guide available through the Department of Water Resources office or website that will be developed for each program outlining the application process and requirements.

PRIOR ACTION(S): Approval of the Stormwater Utility Ordinance, December 13, 2011.

FISCAL IMPACT: Will vary based on level of participation in the credit program.

CONTACT(S): Tim Mitchell, 455-4252; Erin Hawkins, 455-3869

ATTACHMENT(S): Attachment 1: Single-Family Residential Credit and application
Attachment 2: Non-Residential/Multi-Family Credit and application
Attachment 3: Presentation

REVIEWED BY: lkp

058L

Overview

The City is implementing a stormwater credit program for citizens that implement stormwater management measures on their property. Residents that implement stormwater best management practices (BMPs) to reduce the stormwater volume flowing from their properties to the storm system or surrounding bodies of water, can qualify to receive a reduction in their stormwater fee. BMPs shall remain privately owned and maintained with the owner having sole responsibility for all maintenance. The BMP shall not become part of the Stormwater Utility.

Program Management

The Department of Water Resources will provide program management for the stormwater utility and stormwater credit program, applications for stormwater credits, appeal of charges and inspection of practices.

Credit Amount

Each BMP will earn the property owner a credit of 20% of the stormwater utility fee, up to a maximum credit of 50% of the fee. No property owner shall receive a credit of greater than 50% of the fee.

Application Process

Prior to receiving a stormwater credit the property owner must submit a completed Single-Family General Credit Application, along with supporting information (including pictures) on the design and installation of the practice(s). The property owner is responsible for making all appropriate applications prior to receiving a credit on their stormwater utility account.

When a credit application is received by the Department an administrative completeness review will be conducted. If the application is not complete, the Department will contact the applicant and may request additional information necessary to complete the application. Once a complete application has been received the Department will review all documentation and the applicant will be notified in writing when an application is approved or denied within 30 days of submittal of a complete application. If an application is denied, the applicant can appeal based on the established appeals procedures.

A credit will not be applied to the Utility Billing Account until the BMP has been constructed and an inspection performed on the practice(s) implemented.

Credit Renewal

The credit to the stormwater utility billing will be valid for a period of three years. Property owners will be required to reapply for the credit prior to the expiration of the credit to continue receiving the credit. There will be an inspection of the property at least once during the three year period to affirm the practice(s) are installed and maintained. If the inspection reveals that the practice has not been maintained or has been removed the credit will be suspended and the property owner must reapply prior to the credit being reinstated on the account.

Transfer of Credit

The residential property credit applies only to the applicant. Credits do not transfer if ownership changes. If there is a change in property ownership, the new owner is responsible for making a new application with the Department of Water Resources to receive the credit.

Best Management Practice Type(s)

There are four types of Best Management Practices that would qualify for a customer to receive a credit.



Grass Filter Strip



Permeable Pavers



Rain Garden



Rain Barrel/Cistern

Maintenance Requirements

The stormwater BMP must be maintained per the prescribed maintenance requirements of the practice. The single-family property owner will not be required to have a recorded stormwater maintenance agreement for the practice. By signing credit application the property owner agrees to the terms of the credit program the property owner agrees to maintain and keep the practice functioning for the duration of the credit.

Right to Inspection

An inspection of the BMP(s) by the Department of Water Resources is required prior to application approval. The City may inspect the best management practice after giving notice anytime during the three year period of the credit term for compliance with maintenance requirements and the credit program. If the inspection reveals that the practice has not been maintained or has been removed the credit will be suspended and the property owner must reapply prior to the credit being reinstated on the account.



Single -Family Residential Stormwater Credit Application

Applicant Information

Full Name:

Last

First

M.I.

Address:

Street Address

Apartment/Unit #

City

State

ZIP Code

Home Phone:

()

Alternate Phone:

()

E-mail Address:

Mailing Address :

(if different than property address)

Parcel ID Number

Credit Information

Check One:

☐

This is the first credit application for this property.

☐

This is a new credit request or reapplication.

☐

This is a reapplication after a credit suspension.

Type of Credit

☐

Rain Garden

Total Impervious Area =

Amount of Impervious area draining to garden

Size of garden (square feet)

Date of Construction

☐

On-site Stormwater Storage

☐ Rain barrels

☐

Cistern

☐

Other

of downspouts draining to storage system

Volume of on-site storage gallons

Method of draw-down

☐

Pervious Pavement

☐ Paving blocks

☐

Grid or grass pavers

☐

Pervious concrete or asphalt

Area of installation

☐ Stone reservoir depth

☐

Vegetated filter strip

of downspouts draining to vegetated filter strip

Slope of yard (%)

Length of filter strip

Type of vegetation



Single -Family Residential Stormwater Credit Application

Sketch of property showing location of BMPs

Owner Certification

By signing below, I hereby certify that I own or live at the property and I further declare, under penalty of perjury, that the information provided by me in this application is the truth to the best of my knowledge and belief.

Signature: _____

Date: _____

Mail to:

City of Lynchburg
Department of Water Resources
Attn: Stormwater Management
525 Taylor Street
Lynchburg VA 24501

Non-Residential and Multi-Family STORMWATER CREDIT PROGRAM



Overview

The City is implementing a stormwater credit program for properties that install stormwater management measures on their property. Properties that install stormwater best management practices (BMPs) to reduce the stormwater volume flowing or pollutant loading from their property to the storm system or surrounding bodies of water, can qualify to receive a reduction in their stormwater fee. BMPs shall remain privately owned and maintained with the owner having sole responsibility for all maintenance. The BMP shall not become part of the Stormwater Utility. The annual credit renewal will be contingent on the property owner submitting a Stormwater Annual Report along with the BMP Inspection Checklist and all supporting documentation.

Program Management

The Department of Water Resources will provide program management for the stormwater credit program, applications for stormwater credits, appeal of charges and inspection of practices.

Application Process

Prior to receiving a stormwater credit the property owner must submit a completed Non-Residential/Multi-Family General Credit Application, along with supporting information (including pictures) on the design and installation of the practice(s). The property owner is responsible for making all appropriate applications prior to receiving a credit on their stormwater utility account. Application and documentation requirements include a complete application, signed Stormwater Maintenance Agreement and design calculations and construction plans.

When a credit application is received by the Department an administrative completeness review will be conducted. If the application is not complete, the Department will contact the applicant and may request additional information necessary to complete the application.

Once a complete application has been received the Department will review all documentation and the applicant will be notified in writing when an application is approved or denied within 30 days of submittal of a complete application. If an application is denied, the applicant can appeal based on the established appeals procedures.

A credit will not be applied to the Utility Billing Account until the BMP has been constructed and an inspection performed on the practice(s) implemented.

Types of Credit and Qualification

The table below outlines the credits available to different types of account holders. Credits are available to customers who successfully apply for, implement and maintain an approved Best Management Practice (BMP).

Credit Category	Commercial, Industrial	Multi-Family Residential
Stormwater Quality	✓	✓
Stormwater Quantity	✓	✓
VPDES Industrial Permit Compliance	✓	
TOTAL Available Credit	Up to 50%	Up to 50%

Determining Credit Amount

The amount of credit earned by a property is determined by the type of BMP and number of BMPs and the percentage of the impervious area on the site that drains to the BMP. No property owner shall receive a credit of greater than 50% of the fee. The credit will be for the term of one year. The property owner must submit an annual renewal application to continue to receive credit.

Applicants must complete a one page Non-Residential/Multi-Family Credit application and submit documentation including photographs, design calculations and construction plans.

Stormwater Quality Credit

A Stormwater Quality credit of up to 20% is available to applicants who have installed an approved Best Management Practice (BMP) that provides water quality treatment to stormwater runoff flowing through the BMP. The credit is only available for the percentage of impervious surfaces that drain to the BMP.

$$\text{Credit Earned} = 20\% \times (\text{stormwater fee}) \times (\% \text{ of impervious area treated})$$

The Stormwater Utility has adopted the Virginia Department of Conservation and Recreation guidelines for BMPs based on removal of phosphorus. The credit reduction will be applied based on the percentage of the total site impervious area treated by each BMP.

All BMPs must be designed and constructed in accordance with the Virginia Stormwater Management Handbook which can be found at http://www.dcr.virginia.gov/soil_and_water/stormwat.shtml. An alternative source of design criteria is the Virginia Stormwater BMP Clearinghouse Standards and Specification. These can be found at : <http://www.vwrrc.vt.edu/swc/>.

Both standards and specifications are acceptable to the Stormwater Utility.

Practice Number	Practice	Design Specification
3	Grass Channel	SW Handbook Min Std. 3.13, VA DCR Design Spec. No. 3
7	Permeable Paver	SW Handbook Min Std. 3.10D, VA DCR Design Spec. No. 7
8	Infiltration	SW Handbook Min Std. 3.10, VA DCR Design spec. No. 8
9	Bio-retention 1	SW Handbook Min Std. 3.11, VA DCR Design Spec. No. 9
	Bio-retention 2	
	Urban Bio-retention	
10	Dry Swale 1	VA DCR Design Spec. No. 10
	Dry Swale 2	
11	Wet Swale 1	VA DCR Design Spec. No. 11
	Wet Swale 2	
12	Filtering Practice 1	SW Handbook Min Std. 3.10, VA DCR Design Spec. No 12
	Filtering Practice 2	
13	Constructed Wetland 1	SW Handbook Min Std. 3.09 VA DCR Design Spec. No. 13
	Constructed Wetland 2	

Non-Residential and Multi-Family STORMWATER CREDIT PROGRAM



14	Wet Pond 1	SW handbook Min Std. 3.06, VA DCR Design Spec. No. 14
	Wet Pond 2	
15	Extended Detention Pond 1& 2	SW Handbook Min Std. 3.07 VA DCR Design Spec. No. 15
NA	Manufactured BMP Systems	SW Handbook Min Std 3.15, SW Technical Bulletin #6

Stormwater Quantity Credit

A Stormwater Quantity credit of up to 50% is available to applicants who have installed an approved Best Management Practice (BMP) that reduces stormwater volume. These practices reduce the demand or burden on Lynchburg's storm sewers, the combined sewer system and our streams and rivers. The credit is only available for the percentage of impervious surfaces that drain to the BMP.

$$\text{Credit Earned} = 50\% \times (\text{stormwater fee}) \times (\% \text{ of impervious area treated})$$

The Stormwater Utility, in accordance with the Stormwater Management Regulations, has adopted the Virginia Department of Conservation and Recreation guidelines for Stormwater Quantity BMPs. Removal of phosphorus nutrients by reducing runoff will qualify for credit. The credit reduction will be applied based on the percentage of the total site impervious area treated by each BMP.

All BMPs must be designed and constructed in accordance with the Virginia Stormwater Management Handbook which can be found at http://www.dcr.virginia.gov/soil_and_water/stormwat.shtml. An alternative source of design criteria is the Virginia Stormwater BMP Clearinghouse Standards and Specification. These can be found at: <http://www.vwrrc.vt.edu/swc/>.

Both standards and specifications are acceptable to the Stormwater Utility.

Practice Number	Practice	Design Specification
1	Rooftop Disconnection	VA DCR Design Spec. No. 1
2	Vegetated Filter	SW Handbook Min Std. 3.14 VA DCR Design Spec. No. 2
6	Rainwater Harvesting	VA DCR Design spec. No. 6
9	Vegetated Roof 1	VA DCR Design Spec. No. 5
	Vegetated Roof 2	

Stormwater VPDES Credit

Some activities that take place at industrial facilities, such as material handling and storage, are often exposed to the elements. As runoff from rain or snowmelt comes into contact with these activities, it picks up pollutants and transfers them to the storm sewer system and ultimately into the creeks and rivers of Lynchburg.

To minimize the impact of these discharges, the Virginia Department of Environmental Quality began requiring industrial facilities to register for a VPDES (Virginia Pollutant Discharge Elimination System) Stormwater General Permit.

Property owners who hold a valid and compliant VPDES Industrial Stormwater Permit and who discharge either to a stream through a private facility or to the Lynchburg storm sewer or combined sewer system are eligible to receive a 20 % credit.

Credit Renewal

The credit to the stormwater utility billing will be valid for one year. Property owners will be required to reapply for the credit prior to the expiration of the credit to continue receiving the credit.

Homeowner or Condominium Associations

A Homeowners or Condominium Association can apply on behalf of its members for the Stormwater Credit. The Association must own and have legally-binding responsibility to maintain an approved BMP. The Association must document its legally binding agreement with the property owners who will be receiving the stormwater fee credit to provide funding necessary to maintain the BMP. If a credit application is approved, the credit will be applied to each account holder listed as a member of the Association whose property drains to the BMP.

Transfer of Credit

The credit applies only to the applicant. Credits do not transfer if ownership changes. If there is a change in property ownership, the new owner is responsible for making a new application with the Department of Water Resources to receive the credit.

Local Community Requirements

The BMP must meet all applicable building, planning and zoning requirements.

Annual Report

An annual report with all supporting documentation is required to be submitted to receive credit. The report will not be deemed complete if it is not signed and dated.

Maintenance Requirements

The stormwater BMP must be maintained per the prescribed maintenance requirements of the practice. All maintenance must be completed within the recommended guidelines of the Virginia Stormwater Management Handbook or BMP Clearinghouse. A Stormwater Maintenance Agreement will be required for any practice installed to receive a credit. An annual inspection report is required to be submitted to the Department with all applicable inspection checklists and pictures. The inspection forms are required to be signed and dated.

Right to Inspection

An inspection of the BMP(s) by the Department of Water Resources is required prior to application approval. The City may inspect the best management practice after giving notice for compliance with maintenance requirements and the credit program. If the inspection reveals that the practice has not been maintained or has been removed the credit will be suspended and the property owner must reapply prior to the credit being reinstated on the account.



Non-Residential/Multi-Family Stormwater Credit Application

Applicant Information

Full Name:

Last

First

M.I.

Address:

Street Address

Apartment/Unit #

City

State

ZIP Code

Phone:

()

Alternate Phone:

()

E-mail Address:

Mailing Address :

(if different than property address)

Parcel ID Number

Credit Information

Check One:

☐

This is the first credit application for this property.

☐

This is a new credit request or reapplication.

☐

This is a reapplication after a credit suspension.

Type of Credit

☐

Stormwater Quality Credit

Type of BMP utilized:

☐

Design Calculations included

☐

Construction plans or as-built drawings included

☐

Signed Stormwater Maintenance Agreement included

☐

Stormwater Quantity Credit

Type of BMP utilized:

☐

Design Calculations included

☐

Construction plans or as-built drawings included

☐

Signed Stormwater Maintenance Agreement included

☐

Stormwater VPDES Credit

☐

Copy of VPDES Industrial Stormwater Permit included

☐

Copy of Stormwater Pollution Prevention Plan (SWPPP) included

☐

Documentation of permit compliance from regulating authority

Note: Include photograph of each Best Management Practice



Non-Residential/Multi-Family Stormwater Credit Application

Credit adjustment calculation: (For Quality and Quantity credits only):

Stormwater BMP #1:

Stormwater fee "A":

Impervious area treated, % "B":

Credit adjustment, \$ = Credit % Amount (A x B):

Stormwater BMP #2:

Stormwater fee "A":

Impervious area treated, % "B":

Credit adjustment, \$ = Credit % Amount (A x B):

Stormwater BMP #3

Stormwater fee "A":

Impervious area treated, % "B":

Credit adjustment, \$ = Credit % Amount (A x B):

Owner Certification

By signing below, I hereby certify that I own or live at the property and I further declare, under penalty of perjury, that the information provided by me in this application is the truth to the best of my knowledge and belief.

Signature: _____

Date: _____

Mail to:

City of Lynchburg
Department of Water Resources
Attn: Stormwater Management
525 Taylor Street
Lynchburg VA 24501

Stormwater Credit Program

Single-family residential & Non-residential/multi-family

City Council Worksession

April 24th, 2012

Credit applies to customer who...

- *...develops, redevelops or retrofits outfalls, discharges or property so that there is a permanent reduction in post-development stormwater flow and pollutant loading. The locality shall base the amount of the waiver in part on the percentage reduction in both stormwater flow and pollutant loading, from pre-development to post-development.*

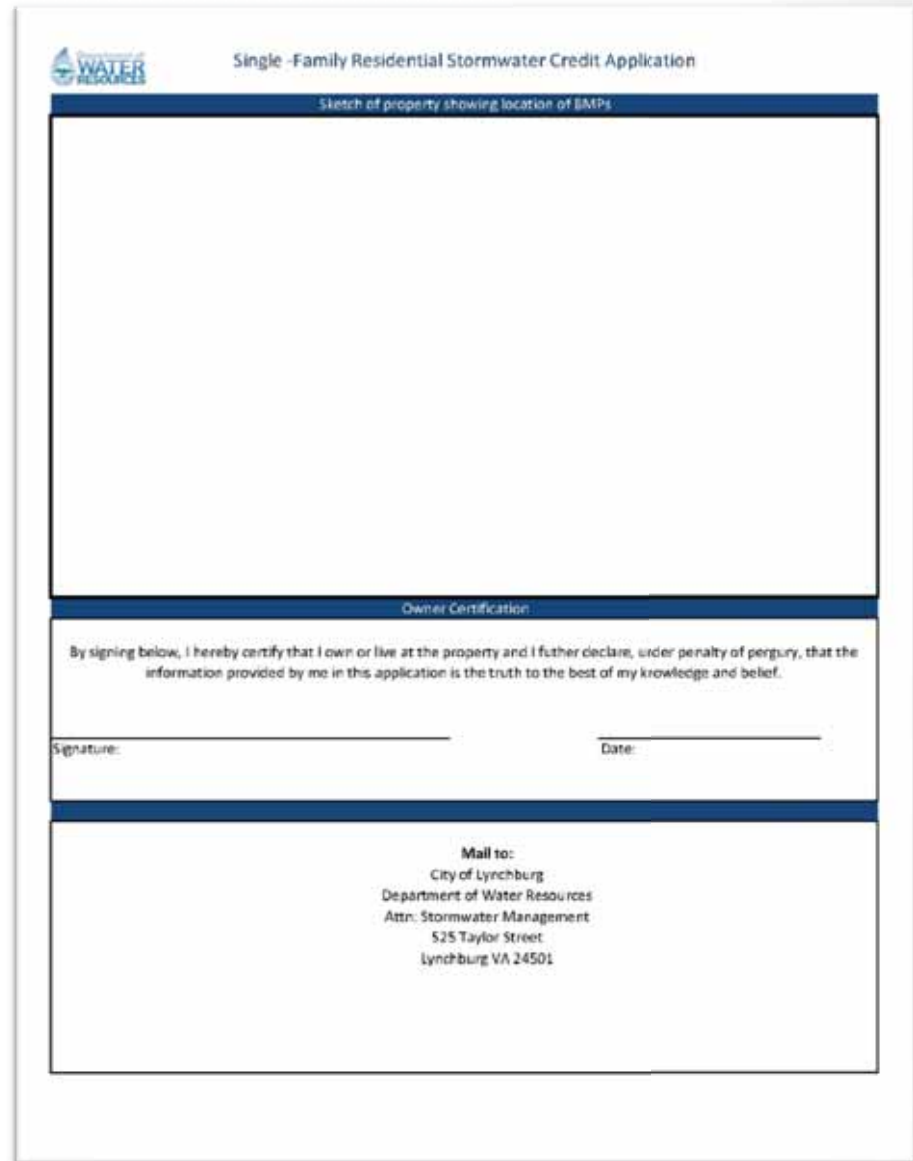
Code of Virginia § 15.2-2114.B

Overview

- Single-Family Residential credit and Non-residential/Multi-Family credit
- Program provides ability for customers to receive a reduction in the stormwater utility fee.
- Maximum credit allowed is 50% of the fee.

Single-Family Residential

- Applications can be made at any time.
- Credit only valid after BMP is installed.
- Once approved credit valid for 3 years.
- Credit does not transfer if ownership changes.
- BMP Inspection by City staff during each credit period



The form is titled "Single-Family Residential Stormwater Credit Application" and features the "WATER RESOURCES" logo. It is divided into three main sections: a large sketch area for property details, an owner certification section with a signature and date line, and a mailing address section at the bottom.

WATER RESOURCES

Single-Family Residential Stormwater Credit Application

Sketch of property showing location of BMPs

Owner Certification

By signing below, I hereby certify that I own or live at the property and I further declare, under penalty of perjury, that the information provided by me in this application is the truth to the best of my knowledge and belief.

Signature: _____ Date: _____

Mail to:
City of Lynchburg
Department of Water Resources
Attn: Stormwater Management
525 Taylor Street
Lynchburg VA 24501

Single-Family Residential

Best Management Practices



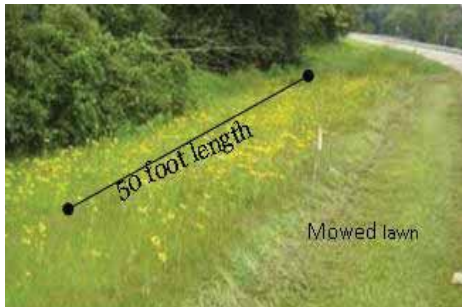
Rain Barrel/Cistern

- Provide 1 gallon/3 square feet treat $\frac{1}{2}$ inch of rain for 50% of rooftop area.
- Provide for use of water and drain down of the system within 24 to 48 hours after rain event.



Permeable Pavers

- Minimum 1000 square feet of area with depth of stone reservoir at least 10 inches deep.



Vegetated Filter Strip

- Dense grasses/trees that treat at least 50% of roof or impervious surfaces.
- Minimum 50 foot length
- Slope must be less than 5%



Rain Garden

- Treats at least 50% of property's impervious area.
- Double credit for treating 90% of impervious area

Each measure earns a **20% credit** with a maximum credit of 50%

Non-Residential/Multi-Family

- Applications can be made at any time.
- Credit only valid after BMP is installed.
- Once approved credit valid for 1 year.
- Maintain compliance with inspection, maintenance and SWMA.
- Credit does not transfer if ownership changes.
- BMP Inspection by City staff during each credit period.

 Non-Residential/Multi-Family Stormwater Credit Application

Credit adjustment calculation: (For Quality and Quantity credits only):

Stormwater BMP #1:

Stormwater fee "A": _____

Impervious area treated, % "B": _____

Credit adjustment, \$ = Credit % Amount (A x B): _____

Stormwater BMP #2:

Stormwater fee "A": _____

Impervious area treated, % "B": _____

Credit adjustment, \$ = Credit % Amount (A x B): _____

Stormwater BMP #3:

Stormwater fee "A": _____

Impervious area treated, % "B": _____

Credit adjustment, \$ = Credit % Amount (A x B): _____

Owner Certification

By signing below, I hereby certify that I own or live at the property and I further declare, under penalty of perjury, that the information provided by me in this application is the truth to the best of my knowledge and belief.

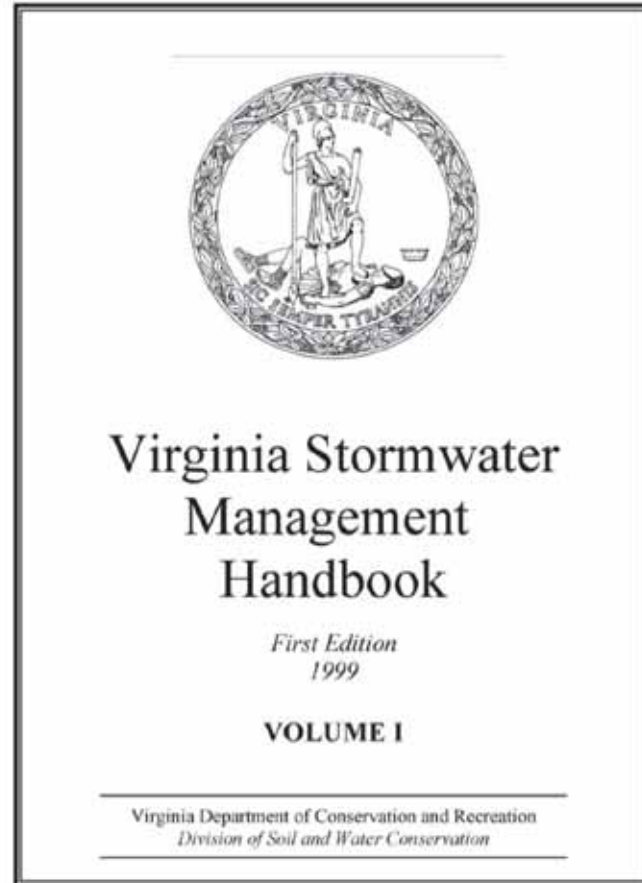
Signature: _____ Date: _____

Mail to:
City of Lynchburg
Department of Water Resources
Attn: Stormwater Management
525 Taylor Street
Lynchburg VA 24501

Non-Residential/Multi-Family

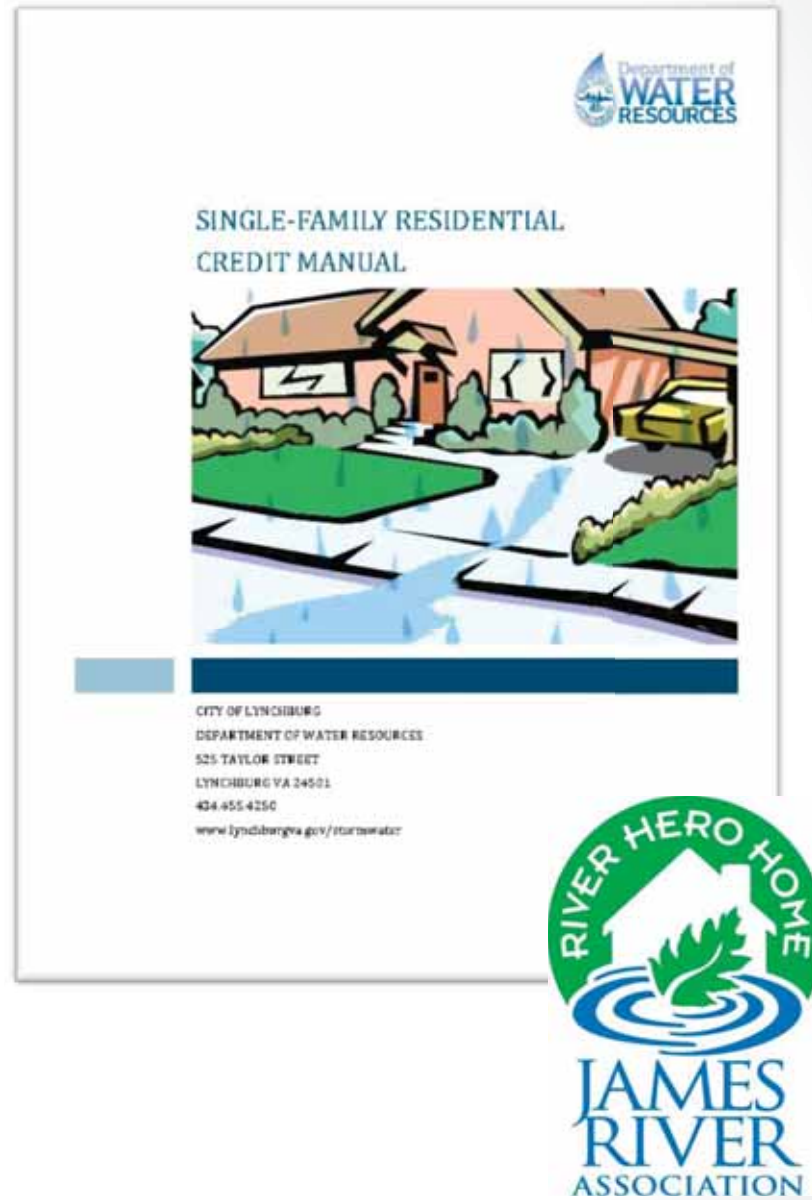
Best Management Practices

- Stormwater Quality Credit
 - Earn up to 20% credit
 - Impervious area treated
- Stormwater Quantity Credit
 - Earn up to 50% credit
 - Impervious area treated
- Stormwater VPDES Credit
 - Earn up to 20% credit
 - Compliant VPDES Permit



Resources

- Department Website
- User Manuals
- Partnership with James River Association



DRAFT



SINGLE-FAMILY RESIDENTIAL CREDIT MANUAL



CITY OF LYNCHBURG
DEPARTMENT OF WATER RESOURCES
525 TAYLOR STREET
LYNCHBURG VA 24501
434-453-4256
www.lyncburgva.gov/stormwater

DRAFT

WHAT IS THE COST TO THE CUSTOMER?

Stormwater runoff is the water that flows off roofs, driveways, parking lots, streets and other hard surfaces during rain storms. Stormwater runoff is also the water that flows off grass surfaces and wooded areas that is not absorbed into the soil. Runoff that is not absorbed into the ground flows into ditches, culverts, catch basins and storm sewers and typically does not receive any treatment to remove pollutants before entering our local creeks and streams.

Water from rain or melting snow either seeps into the ground or flows across the ground, ultimately making its way into streams, creeks, and other water bodies. On its way, this runoff can pick up many natural and man-made substances that can pollute local water bodies. Examples of common pollutants include fertilizer, pesticide, pet waste, sediment, oil, salt, trace metals, grass clippings, leaves, and litter. Polluted runoff can be generated anywhere people use or alter the land, such as farms, yards, roofs, driveways, parking lots, construction sites, and roadways.

BENEFITS OF A STORMWATER UTILITY

A stormwater utility is based on the premise that the urban drainage system is a public drainage system, similar to water or wastewater systems. When a demand is placed on these systems, the user pays. Stormwater runoff needs to be managed just as any other process in the City is managed, such as the water, sewer, roadway, or solid waste systems.

Management is essential to protect the quality of our natural watercourses as drinking water supplies and for recreational activities such as swimming, fishing and boating. Stormwater also needs to be managed to ensure that during storm events that stormwater runoff does not flood or erode private property or otherwise put public safety or private property at risk.



WHY IS STORMWATER IMPORTANT?

Parking lots, rooftops and driveways can't absorb water, so it moves quickly over these surfaces into nearby storm sewers and streams. A greater flow of water — i.e., a greater demand — is placed on the urban drainage system. So, the more paved — or "impervious" — surfaces there are on your property, the greater the demand on the system.

For single-family residential properties, the fee is based on square footage of impervious surface. These properties are placed in three categories based on total impervious area.

Tier	Impervious Area	Fee
Small	1,300 sq. ft. or less	\$2
Medium	1,301 to 4,300 sq. ft.	\$4
Large	4,301 sq. ft. or more	\$6.40



How can I earn a credit?

Residents that implement stormwater best management practices (BMPs) to reduce the stormwater rate or volume flowing from their properties to the storm system or surrounding bodies of water, can qualify to receive a reduction in their stormwater fee.

If approved, each device will earn the property owner a credit of 20% of the stormwater utility fee, up to a maximum credit of 50% of the fee. No property owner shall receive a credit of greater than 50% of the fee.

The City shall affirm or deny credit applications and reapplications within 45 days of submittal. Any credit denial shall include comments from the City indicating what modification the applicant can make in order to achieve acceptance of the credit or shall include a statement that the credit application as submitted must be reconstructed significantly to achieve approval.

Property owner can submit a BMP design for approval prior to construction. Credit will not be applied until the BMP has been constructed and the construction has been approved.

- The maximum credit a homeowner can receive is 50%.
- Credit are valid for three years
- Proper installation and maintenance is required to continue receiving the credit.



APPROVED BMPs

Rain Garden



A rain garden is a landscaped area in a depression designed to capture and filter stormwater runoff from an impervious surface.

Design Requirements

At least 50% of a property's impervious surface area must drain to the rain garden. The rain garden must be designed according to either:

- Virginia Department of Conservation and Recreation - Stormwater Design Specification No. 9 - Retention
- Virginia Department of Conservation and Recreation - Minimum Standard 3.11 - Retention Basin Practices

If 90% of a property's impervious surface area drains to a rain garden, double credit may be given up to the maximum amount. Include mosquito prevention and overflow controls.

Rain Barrel/Cistern



Temporary storage of stormwater runoff can reduce peak runoff volumes and can result in reduced overall stormwater volumes by discharging runoff over less saturated soil, thereby allowing greater infiltration and evaporation of runoff to occur.

Other comparable configurations may be approved with appropriate detention time, volume, and release rate calculations.

In order to be effective, empty storage space must be available when rain falls. Therefore, the rain barrel or other storage device must empty itself within 4 to 40 hours of the end of rainfall. If the property owner wishes to save rainfall for use in gardening or other non-potable uses, additional storage for such uses may be installed. However, stormwater utility credit is granted only for storage that empties itself.

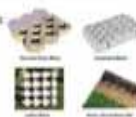
Design Requirements

- At least 50% of a property's roof area must drain to a rain barrel or other self-emptying storage device.
- At least one gallon of storage must be provided for every three square feet of roof area (stores one half inch of rain).
- Must drain in no less than 24 hours and no more than 4 days after each rainfall event.
- Overflows from storage must be directed to appropriate outlets or areas and away from neighboring properties, sidewalks, steep slopes or retaining walls.

Pervious Pavement

Pervious pavements are designed to allow infiltration of stormwater through the surface into the soil below where water is naturally filtered and pollutants are removed. Pervious pavements may include paving blocks, grid pavers, pervious concrete, or pervious asphalt. Gravel is not considered pervious and is not eligible for a credit.

- At least 1000 square feet of pervious pavement must be installed.
- Stone reservoir must be at least 10 inches deep at all points.

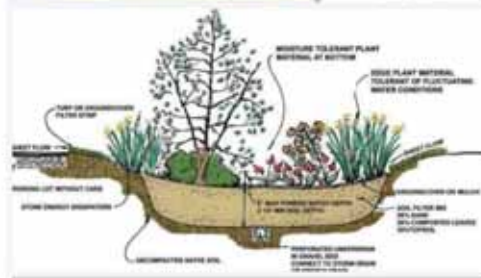


Once a complete application has been received the Department will review all documentation and the applicant will be notified in writing when an application is approved or denied. If an application is denied, the applicant can appeal based on the appeals procedures in Chapter 16.3 of the City of Lynchburg Stormwater Utility Ordinance.

City of Lynchburg
Department of Water Resources
Attn: Stormwater
525 Taylor Street
Lynchburg VA 24501



- At least 25 % of the property's roof area or equivalent impervious surface must drain to the rain garden.
- The rain garden must be sized and constructed according to the Virginia Department of Forestry Rain Gardens Technical Guide. Any alternate design must be pre-approved.
- Overflows must be directed to appropriate outlets or areas and away from neighboring properties, sidewalks, steep slopes or retaining walls.

Rain garden
cross sec
tion

- The property owner is responsible for maintaining the rain garden. The credit renewal process will require documentation that the rain garden continues in function as approved.



include a photo of the rain garden with your application!

ON SITE STORMWATER STORAGE

On-site stormwater storage structures can include rain barrels, cisterns or other devices as approved by the City of Lynchburg Stormwater Utility. These structures collect and capture rooftop rainwater that would otherwise drain directly to the stormwater system or streams. The collected rainwater can be used in water plants, trees or lawn during dry periods.

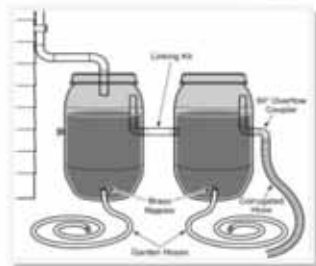
20% Credit

RAIN BARREL

A rain barrel is composed of a 40-55 gallon barrel or drum with some type of diverter or connection from a downspout, a spigot or hose to drain the barrel and some type of overflow mechanism. Any openings in the air should be screened to keep debris and insects out.

An overflow mechanism must be provided so that when the rain barrel is full, excess water can flow back into the downspout and then to a storm drain or onto a landscaped area.

Saving water not only helps protect the environment, it saves money and energy because of the decreased demand for treated tap water. You can purchase a rain barrel or make your own. Ensure your rain barrel will meet the credit requirements on the next page.



CISTERN

Cisterns are similar to rain barrels in function but hold larger quantities of water. They can be installed underground, at ground level, or elevated depending on the site and space constraints of the property.

A cistern should be constructed out of reinforced concrete, galvanized steel, or plastic, and should have smooth interior surfaces, be watertight, have enclosed lids and be sized according to the installation standards on the next page to manage the proper amount of runoff.



Certain design standards and guidelines must be met to obtain a SFR Credit.

Keep reading to find out more on the next page

on-site stormwater storage structures, cont.

Installation Standards

To obtain a single family residential property credit for on-site stormwater storage the following standards and requirements must be met:

1. 50% of the property's roof area is properly connected to rain barrels or other approved storage devices that provide at least 40 gallons of storage per downspout.
2. On-site stormwater storage must be completed in such a way that does not provide mosquito breeding grounds; such as making sure rain barrels are covered with a lid or screen that prevents mosquitoes from entering the storage structure.
3. On-site stormwater storage must be equipped with an overflow or bypass mechanism to divert rainwater to the storm drainage systems when storage structure is full. These mechanisms must not cause erosion, property damage or overflow onto a neighboring property.
4. On-site stormwater storage must be completely drained in no less than 24 hours and no longer than 4 days after each rainfall event.
5. All on-site stormwater storage structures must meet the local codes for downspout disconnection, property setbacks and all other applicable codes.

Maintenance Guidelines

1. Clean your gutters regularly to reduce debris.
2. Clear off any screens as necessary.
3. Periodically check any hoses associated with the storage structure to clear any debris.
4. To winterize, disconnect and return the downspout to its original configuration. Remove the hoses and mesh screen and store them. Make sure to drain the container to prevent it from freezing and cracking. If possible, store it upside down, so no water or materials will be able to enter.
5. For cisterns, leave the outflow spigot fully open during frost/freezing periods and unhook the drain hose about twice a year to clean out any compacted sediment.



Where to get a rain barrel:

You can purchase a rain barrel at most major lawn and garden centers. Call your local center to see if they carry them or if they can order one for you. There are numerous online suppliers as well.

You can also make your own rain barrel using a large trashcan, agricultural supply container, or other large container and a little ingenuity.

For further recommendations, talk to your local Soil & Water Conservation District or watershed group (see back page).



Include a photo of the rain garden with your application!

DRAFT

Pervious Pavement

PERVIOUS PAVEMENTS are designed to allow percolation or infiltration of stormwater through the surface into the soil below where the water is naturally filtered and pollutants are removed. Pervious pavement may include paving blocks, grid pavers, pervious concrete, or pervious asphalt. Gravel driveways are not considered pervious and are not eligible for a credit.

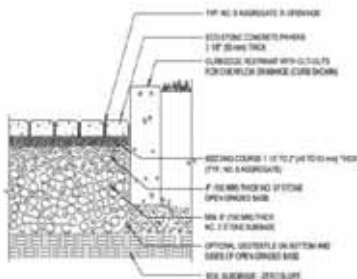
20%
Credit

It is recommended that a qualified installer with knowledge of hydrology and hydraulics be consulted for applications using pervious pavement to ensure desired results. This fact sheet provides an overview of construction guidelines and research to date and is not meant to replace the services of experienced, professional installers.

Installation standards:

To obtain a credit for pervious pavement the following criteria must be met:

- Installed for the purpose of runoff filtration.
- Area of pervious pavement is at least 1,000 sq. ft.
- Stone reservoir underneath the pavement type is at least 10 inches deep at all points.
- Installation meets all local building and zoning standards for driveway installations.



Maintenance Guidelines:

1. Ensure pervious pavement system is draining and there are no visible signs of standing water on the surface.
2. Do not apply salt or sand during winter months.
3. Use a professional vacuum service annually to remove sediment accumulation and organic debris on the pavement surface.
4. Remove accumulated leaves and debris from pavement surface in the fall.



Remember to include a photo of the pervious pavement and a photo of the construction identifying the depth of stone reservoir with your application!

DRAFT

Vegetative Filter Strips

VEGETATED FILTER STRIPS are uniform strips of dense turf, meadow grasses, trees, or other vegetation with a minimum slope to treat runoff from roof downspouts.

20%
Credit

Installation standards:

To obtain a credit for vegetated filter strips the following criteria must be met:

- 50% of the property's roof area drains to the vegetated filter strip.
- Filter strips are fully vegetated and there are no areas of bare soil or mulch.
- Filter strips must be at least 50 feet long.
- Runoff from roof downspouts must be dispersed using splash block.



Maintenance guidelines:

1. Clean gutters regularly to reduce debris.
2. Check the splash blocks twice a year to make sure they are not broken or damaged.
3. Maintain healthy vegetation along the filter strip.
4. Plant additional vegetation if bare soil or erosion is present.

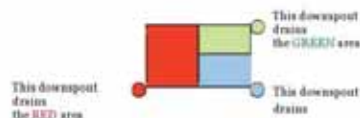


Include a photo of the vegetated filter strip with your application!

Example

The Smith's want to apply for a stormwater credit. Follow along as they decide which stormwater Best Management Practices (BMPs) will work for their property and fills out their application.

Let's look at their home:



For the Smith's to qualify for the credit either the red downspout or both the green and blue downspouts need to be connected to rain barrels. They decide to put a rain barrel on the red drain and goes to their neighborhood garden center and purchases a rain barrel kit. They attach the rain barrel to the red downspout and is now eligible for a **20% credit!**

But they are not finished! They like saving water and decide to add two more barrels and capture all the rain from their roof. They install two more rain barrels and applies for another credit. Their credit is **up to 40%!**

Let's review the Smith's situation. They have installed three rain barrels and has **qualified for 40% off their stormwater bill.** They can **earn up to 50% off** so they still have 10% more to save. What else can they do to get that last 10% credit? Their driveway and patio square footage equals 675 square feet so they don't meet the 1000 square foot installation requirement for pervious pavement.

The Smith's review their Credit Manual and discovers another way to save. They like gardening, so they choose a rain garden for their next BMP. They download the *Rain Garden Technical Guide* on the Department of Forestry's website. They have already captured all of the rain from their roof, so they search for drainage from another impervious surface area where water can be captured. With a little reworking of the landscaping, they can capture the runoff from the small driveway into an appropriately sized rain garden. They fill out a third credit application for the **remaining 10% credit.**

With a little bit of research, sweat equity and planning, the Smith's have accomplished great things! They have saved water, reduced pollution and added a beautiful new garden.

Oh—and they **saved 50%** on their stormwater bill. Good job Smith family!!!

RESOURCES

Department of Forestry
Information on Water Quality and rain gardens
Rain Garden Technical Guide
<http://www.dof.virginia.gov>
434-977-6555

Virginia Soil & Water Conservation District
Watershed education, low impact development information, backyard conservation, lawn and tree care tips, rain garden and rain barrel information
<http://www.vaswcd.org>
804-559-0324

Virginia Department of Conservation and Recreation
Watershed education, lawn care and pet waste information, land conservation
<http://www.dcr.virginia.gov>
804-786-1712

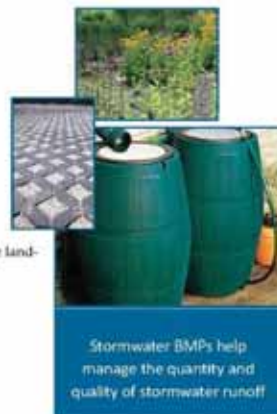
James River Association
7 South 12th Street, 4th Floor
Richmond, VA 23219
www.jamesriverassociation.org
(804) 788-0911

Clean Virginia Waterways
Rain barrel workshops and supplies, watershed education
<http://www.jong@ooj.edu/cleanva>
434-395-2602

Chesapeake Bay Foundation
Water Quality, Lawn care tips, Bay education, rain garden & rain barrel information
<http://www.cb.org>
804-648-4011

Alliance for the Chesapeake Bay
Bay education, Clean Stream projects, rain barrel and native landscaping information
<http://www.allianceforthebay.org>
804-775-0951

Environmental Protection Agency (EPA)
Pollution Prevention
<http://www.epa.gov/stormwater>
800-438-2474



Stormwater BMPs help manage the quantity and quality of stormwater runoff

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **April 24, 2012**

AGENDA ITEM NO.: **7**

CONSENT: REGULAR: **X**

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: Request of Cliff Edge Lofts, LLC, to purchase a portion of 100 5th Street (Tax Parcel #04511002) consisting of fifty-one thousandths (0.051) acre. (Adjacent to rear of 612 Commerce Street)
Right-of-Way Vacation – Portion of 7th Street

RECOMMENDATION: After a public hearing, authorize the City Manager to sell the subject property. Vacate portion of 7th Street.

SUMMARY: Cliff Edge Lofts, LLC is currently renovating 612 Commerce Street into fifty-two (52) market rate apartment units. The building was constructed in 1910 and was formerly the home of the Lynchburg Shoe Company. In order to finalize Virginia Housing & Development Authority (VHDA) financing for the project, Cliff Edge Lofts is requesting to purchase fifty-one thousandths (0.051) acre on which a portion of the building encroaches and to vacate a portion of 7th Street in order to allow the installation of dumpster. A retaining wall was previously constructed in this portion of right-of-way.

The petitioner requests to purchase City property on which a portion of their building encroaches (Parcel "A"). Although the property includes part of the Blackwater Creek Nature Trail, Parks & Recreation staff determined that the sale of the property would not impact future trail plans or any previous grants for the trail construction. The parcel was acquired from Norfolk & Western Railway on February 20, 1991, as a multi-parcel transaction. The current assessed value of the three and seven hundred eighty-seven thousandths (3.787) acre parcel is \$21,800 or \$5,756 per acre. Due to the unique location of the property, limited access and no recent comparable land sales, the City Assessor, recommends the land value be set at \$300. (\$5,756 x 0.051)

The portion of 7th Street requested to be vacated is located adjacent to 612 Commerce Street and extends in a northeasterly direction two hundred (200) feet. (Parcel "B") Staff is concerned that vacating this portion of 7th Street may impact future maintenance of the 7th Street Bridge (Williams Viaduct) or utility installation. If the right-of-way is vacated, staff recommends easements are maintained by the City for bridge maintenance or utility installation. This language has been incorporated into the draft ordinance.

PRIOR ACTION(S):

March 20, 2012: The Technical Review Committee (TRC) has not reviewed the petition, but it has been discussed by Community Development, Economic Development and Engineering Staff.
April 10, 2012: Physical Development Committee (PDC) recommended approval of selling the property. PDC recommended approval of the street vacation.

FISCAL IMPACT: \$300 to General Fund

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

ATTACHMENT(S):

- Resolution
- Ordinance
- Plat
- Property Photos

REVIEWED BY: lkp

RESOLUTION:

A RESOLUTION TO CONVEY A FIFTY-ONE THOUSANDTHS ACRE PORTION OF THE PROPERTY LOCATED AT 100 5th STREET TO CLIFF EDGE LOFTS, LLC.

WHEREAS, the City of Lynchburg owns the property located at 100 5th Street (Tax Parcel #04511002) consisting of three and seven hundred eighty-seven thousandths (3.787) acres; and

WHEREAS, a portion of the building owned by Cliff Edge Lofts, LLC and located at 612 Commerce Street encroaches onto a fifty-one thousandths (0.051) acre portion of the city owned property; and

WHEREAS, the property owned by Cliff Edge Lofts, LLC, is being renovated into fifty-two (52) market rate loft apartments; and

WHEREAS, Cliff Edge Lofts, LLC, must own the portion of the property on which the building encroaches in order to finalize Virginia Housing & Development Authority (VHDA) financing; and

WHEREAS, the property in question has never been used for a public purpose and the City has no plans for the fifty-one thousandths (0.051) acre portion of the property on which the building encroaches; and

WHEREAS, the sale of the City owned property will not impact the Blackwater Creek Nature Trail; and

WHEREAS, Cliff Edge Lofts, LLC is requesting to purchase the property from the City for the sum of \$300; and

WHEREAS, the City Assessor has determined the sum of \$300 to be the value of the fifty-one thousandths (.051) acre.

NOW, THEREFORE, BE IT RESOLVED that City Council determines that the City has no use for the fifty-one thousandths (0.051) acre located at 100 5th Street (Tax Parcel #04511002) on which the building located at 612 Commerce Street encroaches and has determined that the sale of the property will not impact the Blackwater Creek Nature Trail; and

BE IT FURTHER RESOLVED that the City Council hereby vacates any public purpose of the fifty-one thousandths (0.051) acre located at 100 5th Street on which the building located at 612 Commerce Street encroaches; approves the conveyance of the property to Cliff Edge Lofts, LLC for the sum of \$300; authorizes the City Manager to execute a deed and any other documents that may be needed to convey said property to Cliff Edge Lofts, LLC.

Adopted:

Certified:

Clerk of Council

056L1

ORDINANCE:

AN ORDINANCE VACATING A PORTION OF THE RIGHT-OF-WAY OF 7TH STREET LOCATED ADJACENT TO 612 COMMERCE STREET.

WHEREAS, Cliff Edge Lofts, LLC is petitioning to vacate a portion of the right-of-way of 7th Street located adjacent to 612 Commerce Street and extending in a northeasterly direction approximately two hundred (200) feet; and

WHEREAS, City Council finds that no public inconvenience will result from vacating a portion of the unopened right-of-way; and

WHEREAS, City Council has determined that the City has no need for the portion of public right-of-way in question and the City's continued ownership of such public right-of-way is not necessary or required to serve the best interest of the City;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Lynchburg, on its own motion, and in accordance with the provisions of Section 15.2-2006 of the Code of Virginia, 1950, as amended, and Section 35-71 through Section 35-77 of the City Code, 1981, as amended, that the following described right-of-way be, and the same hereby is, discontinued and vacated, namely:

The portion of right-of-way of 7th Street located adjacent to 612 Commerce Street which extends in a northeasterly direction two hundred feet and terminates at 100 5th Street.

Said vacation is contingent upon the following: (1) that an easement to locate, relocate, repair, replace, maintain, and perpetually operate all utilities or bridges currently located therein or needed by the City in the future is hereby reserved unto the City of Lynchburg, and (2) the construction of any building or structure or the use of the vacated property in any manner that could interfere with the City's right to locate, relocate, repair, replace, maintain and perpetually operate utilities or bridges is prohibited without the prior written approval of the City Manager's Office, City Water Resources Division and the City Engineering Division.

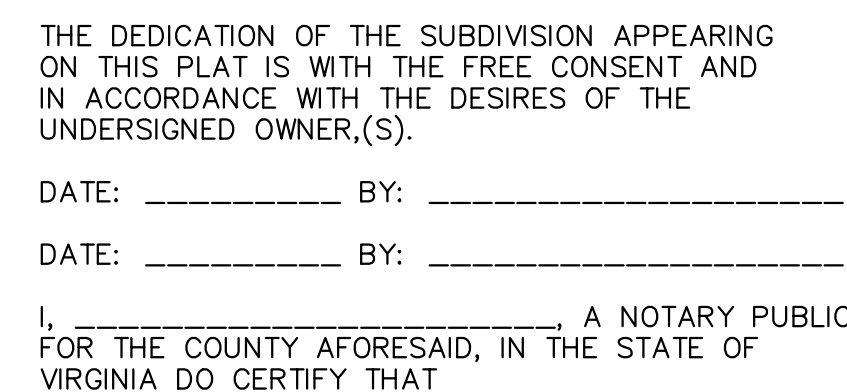
BE IT FURTHER ORDAINED that the Clerk of the Council is hereby authorized and directed to deliver a duly-certified copy of this ordinance to the Clerk of the Circuit Court for the City of Lynchburg so that said certified copy of this ordinance may be recorded as deeds are recorded and indexed in the name of the City of Lynchburg.

Adopted:

Certified:

Clerk of Council

056L2



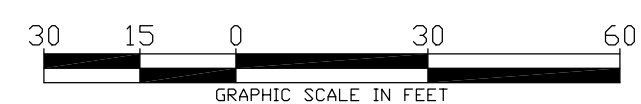
NOTES:

1. THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE REPORT AND DOES NOT, THEREFORE, NECESSARILY INDICATE ALL ENCUMBRANCES UPON THE PROPERTY.
2. THIS PROPERTY FALLS WITH IN ZONE "X" AS SCALED FROM FROM THE F.E.M.A. MAP PANEL NUMBER 5100930042D, DATED 06/03/08, WHICH DOES NOT INDICATE THAT THIS PROPERTY IS SUBJECT TO FLOODING. THIS SURVEYOR DOES NOT CERTIFY TO THE ACCURACY OF THE F.E.M.A. MAP.
3. THIS PLAT HAS BEEN PREPARED FROM AN ACTUAL FIELD SURVEY DONE PER DATE OF THIS PLAT AND THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS EXCEPT AS SHOWN HEREON.
4. THE BUILDING SHOWN IS A FIVE STORY BUILDING, THREE FLOORS ARE BELOW THE COMMERCE MAIN ENTRANCE LEVEL.
5. NO DETERMINATION OF WETLANDS HAVE BEEN MADE BY NIXON LAND SURVEYING, LLC OR THIS SURVEYOR.
6. THE ORIGINAL FIELD SURVEY WAS COMPLETED ON 04/30/2009 BY THIS SURVEYOR AND UPDATED ON 5/25/11.
7. PROPERTY SERVED BY PUBLIC WATER AND SEWERAGE CONNECTION.
8. PARCEL "A" AND PARCEL "B" TO BECOME AN INTREGAL PART AND PARCEL OF THE PARENT TRACT BEING A PART OF LOT 477, AND CONTAINING A TOAL ACREAGE OF 0.688 ACRES.

LINE TABLE		
LINE	BEARING	LENGTH
L1	N68°57'37"W	14.00
L2	N68°57'37"W	14.03

LEGEND

⊙ IPF	IRON PIN FOUND
⊗	ELECTRIC POLE
⊘	TELEPHONE POLE
□	TELEPHONE PEDESTAL
⊗	WATER METER
WV	WATER VALVE
①	STORM MANHOLE
Ⓢ	SANITARY MANHOLE
⊗	FIRE HYDRANT
⊗	LIGHT POLE
—*—	EDGE OF CONCRETE
— OH E —	OVERHEAD ELECTRIC



THE SOURCE OF TITLE AS RECORDED IN THE CITY OF LYNCHBURG
CLERKS OFFICE IS CLIFFS EDGE LOFTS, LLC AND THE INSTRUMENT
IS RECORDED IN INSTRUMENT NUMBER 110002101

 SURVEYED FOR: Nixon Land Surveying, L.L.C. 1063C Airport Road Lynchburg, VA 24502 Phone: (434) 237-3600 Fax: (434) 237-0699 Email: ren@nixonlsec.com www.nixonlandsurveying.com DO NOT MOVE AN ANCIENT BOUNDARY STONE OR ENCROACH ON THE FIELDS OF THE FATHERLESS. PROVERBS 23:10 (NIV)	CLIFFS EDGE LOFTS, LLC PLAT SHOWING RECONFIGURATION OF PART OF LOT 477, PLAN OF THE CITY OF LYNCHBURG PROPERTY OF CLIFFS EDGE LOFTS, LLC CITY OF LYNCHBURG, VIRGINIA <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">COMM. NO.: 2009032</td> <td style="width: 50%;">REVISED:</td> </tr> <tr> <td>SCALE: 1"=30'</td> <td>DR. BY: REN DATE: 03/29/12</td> </tr> <tr> <td colspan="2">SHEET: 1 OF 1 CHK. BY: REN DRW. NME. SUBD</td> </tr> </table>	COMM. NO.: 2009032	REVISED:	SCALE: 1"=30'	DR. BY: REN DATE: 03/29/12	SHEET: 1 OF 1 CHK. BY: REN DRW. NME. SUBD	
COMM. NO.: 2009032	REVISED:						
SCALE: 1"=30'	DR. BY: REN DATE: 03/29/12						
SHEET: 1 OF 1 CHK. BY: REN DRW. NME. SUBD							







LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **April 24, 2012**

AGENDA ITEM NO.: **8**

CONSENT:

REGULAR: **X**

WORKSESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **\$7,700,000 Loan from the Virginia Clean Water Revolving Loan Fund**

RECOMMENDATION: Conduct the required public hearing pursuant to Section 15.2-2206.A of the Code of Virginia for the issuance of \$7,700,000 of Sewer Revenue Bonds and adopt a resolution authorizing the issuance of not to exceed \$7,700,000 Sewer Revenue Bonds.

SUMMARY: As part of the City's continuing program of combined sewer overflow (CSO) correction, applications are submitted in July of each year to the State Water Control Board for funding from the Virginia Clean Water Revolving Loan Fund (VCWRLF). On December 15, 2011, the State Water Control Board authorized a \$7,000,000 VCWRLF zero percent (0%) interest loan to the City for combined sewer overflow projects. The resolution authorizes an issuance of not to exceed \$7,700,000 to provide for debt issuance in excess of the \$7,000,000 in the event the future project bids exceed current estimates. The projects included in this loan are:

Design:

CSO Separation Project 16.1A

CSO Separation Project 16.1B

Construction Administration and Inspection:

James River Interceptor – Division 3A

Construction:

James River Interceptor – Division 3A

In order to accept the VCWRLF loan, the City is required to follow the requirements of the Public Finance Act of the Commonwealth of Virginia. The Act requires localities issuing long-term debt to conduct a public hearing and adopt a bond resolution to issue the debt so advertised.

PRIOR ACTION(S): Adoption of the FY 2012-2016 Capital Improvements Program including receipt of a Virginia Clean Water Revolving Loan for Combined Sewer Overflow correction projects

Finance Committee, April 24, 2012

FISCAL IMPACT: Issuance of up to \$7,700,000 Sewer Revenue bonds secured by a pledge of the revenues from the sewer system as collateral for the loan. Costs related to the loan have been included in the FY 2013 Water Resources Budget.

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

ATTACHMENT(S): Resolution

REVIEWED BY: lkp

A RESOLUTION OF THE COUNCIL OF THE CITY OF LYNCHBURG, VIRGINIA, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED SEVEN MILLION SEVEN HUNDRED THOUSAND DOLLARS (\$7,700,000) PRINCIPAL AMOUNT OF REVENUE OBLIGATIONS OF THE CITY OF LYNCHBURG, VIRGINIA, IN THE FORM OF SEWER REVENUE BONDS OF THE CITY OF LYNCHBURG, VIRGINIA, FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COST OF CAPITAL IMPROVEMENTS TO THE SEWER SYSTEM OF THE CITY, A REVENUE-PRODUCING UNDERTAKING OF THE CITY, SUCH CAPITAL IMPROVEMENTS CONSTITUTING WASTEWATER TREATMENT FACILITIES WITHIN THE MEANING OF TITLE 62.1, CHAPTER 22, SECTION 62.1-224, OF THE CODE OF VIRGINIA, 1950; FIXING THE FORMS, DENOMINATIONS AND CERTAIN OTHER DETAILS OF SUCH BONDS; PROVIDING FOR THE ISSUANCE OF SUCH BONDS TO THE VIRGINIA RESOURCES AUTHORITY (“VRA”), AS ADMINISTRATOR OF THE VIRGINIA WATER FACILITIES REVOLVING FUND, TO EVIDENCE THE BORROWINGS TO BE MADE BY SUCH CITY FROM VRA PURSUANT TO ONE OR MORE FINANCING AGREEMENTS BY AND BETWEEN VRA AND SUCH CITY; APPROVING THE FORMS AND THE TERMS, CONDITIONS AND PROVISIONS OF SUCH FINANCING AGREEMENTS AND AUTHORIZING AND DIRECTING THE EXECUTION AND DELIVERY THEREOF; AND APPOINTING THE DIRECTOR OF FINANCIAL SERVICES AS REGISTRAR AND PAYING AGENT FOR SUCH BONDS

WHEREAS, in the judgment of the Council (the “Council”) of the City of Lynchburg, Virginia (the “City”), it is desirable to authorize the issuance of not to exceed Seven Million Seven Hundred Thousand Dollars (\$7,700,000) principal amount of revenue obligations of the City in the form of Sewer Revenue Bonds to provide funds to pay the cost of capital improvements to the sewer system of the City, a revenue-producing undertaking of the City, such capital improvements constituting wastewater treatment facilities within the meaning of Title 62.1, Chapter 22, Section 62.1-224, of the Code of Virginia, 1950;

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

SECTION 1. Pursuant to Chapter 26 of Title 15.2 of the Code of Virginia, 1950, the same being the Public Finance Act of 1991, for the purpose of providing funds to pay the cost of capital improvements to the sewer system of the City, a revenue-producing undertaking of the City, such capital improvements constituting wastewater treatment facilities within the meaning of Title 62.1, Chapter 22, Section 62.1-224, of the Code of Virginia, 1950, there are authorized to be issued not to Seven Million Seven Hundred Thousand Dollars (\$7,700,000) exceed principal amount of revenue bonds of the City to be designated “City of Lynchburg, Virginia, Sewer Revenue Bonds” (the “Bonds”). The Bonds may be issued in one or more series and shall bear the series designation “Series 2012” and such other series designation as shall be determined by the City Manager or the Deputy City Manager.

SECTION 2. The Bonds of each series shall be issued to the Virginia Resources Authority ("VRA"), as administrator of the Virginia Water Facilities Revolving Fund (the "Fund"), pursuant to the terms, conditions and provisions of, and to evidence the borrowing to be made by the City from VRA under, a Commitment Letter for the Bonds of each series (a "Commitment Letter" or, collectively, the "Commitment Letters"), from VRA to the City, and a Financing Agreement for the Bonds of each series (a "Financing Agreement" or, collectively, the "Financing Agreements"), by and between VRA, as administrator of the Fund, and the City, as the Borrower thereunder. The City Manager or the Deputy City Manager is hereby authorized and directed to execute and deliver to VRA a Commitment Letter and a Financing Agreement for the Bonds of each series in such forms as the City Manager or the Deputy City Manager executing the same shall approve upon the advice of counsel (including the City Attorney and Bond Counsel to the City), such approval to be conclusively evidenced by the execution and delivery thereof by the City Manager or the Deputy City Manager. In accordance with the terms, conditions and provisions of the Commitment Letters and the Financing Agreements, as the same may be amended from time to time, the Bonds of each series shall have a term of not exceeding the term provided for in the Financing Agreement relating to the Bonds of such series as executed, shall bear interest at the rate of zero per centum (0%) per annum and shall mature on such dates (*provided* that the final maturity date of the Bonds of each series shall not be later than thirty-five (35) years after the dated date of the Bonds of such series) and in such principal amounts as shall be specified in the definitive forms of the Financing Agreements and the forms of the Bonds attached to the definitive forms of the Financing Agreements as Exhibit A.

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

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

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

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

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

SECTION 5. The City Manager, the Deputy City Manager, the Director of Financial Services, the City Attorney and other appropriate officers and employees of the City shall take all actions as shall be necessary to carry out the provisions of this Resolution.

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

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

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

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

Adopted

Certified: _____
Clerk of Council

054L

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **April 24, 2012**

AGENDA ITEM NO.: **9**

CONSENT:

REGULAR: **X**

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **FY 2012 Third Quarter Budget Adjustments**

RECOMMENDATION: Hold a public hearing and adopt a resolution to amend the FY 2012 Adopted Budget and appropriate funds to implement revenue, expenditure, and transfer adjustments as identified on Attachment A for the General Operating, City/Federal/State Aid, City Capital Projects, Comprehensive Services Act, Fleet Services, Regional Airport Operating, Regional Airport Capital, Regional Airport Passenger Facility, and LEAF Funds.

SUMMARY: In March staff began a review of FY 2012 operating revenues and expenditures of the City's various funds to determine if adjustments were needed prior to the end of the fiscal year. Departments were requested to submit any adjustments that needed to be considered prior to the end of the fiscal year. Attachment A provides a list of proposed expenditure and revenue adjustments based on a third quarter review.

PRIOR ACTION(S): Adoption of the FY 2012 Operating Budget: May 24, 2011

BUDGET IMPACT: As noted on Attachment A, the impact to the General Fund Reserve for Contingencies is \$426,985, leaving a balance of \$629,796. An amount of \$500,000 is included to be carried over to the FY 2013 General Fund Reserve for Contingencies.

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

ATTACHMENT(S): Attachment A: FY 2012 Third Quarter Detail – Revenues and Expenditures

REVIEWED BY: lkp

RESOLUTION:

BE IT RESOLVED that the FY 2012 budget is amended and that there be appropriated from the funds and resources of the City of Lynchburg the sums for the General Fund as identified on the FY 2012 Third Quarter Detail by Fund;

BE IT FURTHER RESOLVED that the FY 2012 budget is amended and that there be appropriated from the funds and resources of the City of Lynchburg the sums for the City/Federal/State Aid Fund as identified on the FY 2012 Third Quarter Detail by Fund;

BE IT FURTHER RESOLVED that the FY 2012 budget is amended and that there be appropriated from the funds and resources of the City of Lynchburg the sums for the City Capital Projects Fund as identified on the FY 2012 Third Quarter Detail by Fund;

BE IT FURTHER RESOLVED that the FY 2012 budget is amended and that there be appropriated from the funds and resources of the City of Lynchburg the sums for the Comprehensive Services Act Fund as identified on the FY 2012 Third Quarter Detail by Fund;

BE IT FURTHER RESOLVED that the FY 2012 budget is amended and that there be appropriated from the funds and resources of the City of Lynchburg the sums for the Fleet Services Fund as identified on the FY 2012 Third Quarter Detail by Fund;

BE IT FURTHER RESOLVED that the FY 2012 budget is amended and that there be appropriated from the funds and resources of the City of Lynchburg the sums for the Regional Airport Fund as identified on the FY 2012 Third Quarter Detail by Fund;

BE IT FURTHER RESOLVED that the FY 2012 budget is amended and that there be appropriated from the funds and resources of the City of Lynchburg the sums for the Regional Airport Capital Projects Fund as identified on the FY 2012 Third Quarter Detail by Fund;

BE IT FURTHER RESOLVED that the FY 2012 budget is amended and that there be appropriated from the funds and resources of the City of Lynchburg the sums for the Passenger Facility Charge Fund as identified on the FY 2012 Third Quarter Detail by Fund;

BE IT FURTHER RESOLVED that the FY 2012 budget is amended and that there be appropriated from the funds and resources of the City of Lynchburg the sums for the LEAF Special Revenue Fund as identified on the FY 2012 Third Quarter Detail by Fund;

Introduced:

Adopted:

Certified:

Clerk of Council

053L

FY 2012 THIRD QUARTER DETAIL

GENERAL FUND

DEPARTMENT/DIVISION	REVENUES	EXPENDITURES	PURPOSE
Emergency Services	\$5,000	\$5,000	Appropriate donation received from Harris Corp. for Day in the Park.
Fire		\$64,590	Appropriate wages and FICA for seven recruits attending recruit academy.
Fire	\$150,000	\$20,000	Appropriation for increased ambulance fees due to the receipt of additional revenue.
Fire	\$10,000	\$10,000	Appropriate revenue from the sale of two defibrillators to purchase medical supplies.
Fire	\$2,500	\$2,500	Appropriate PIER revenue received to purchase a replacement trailer for the Technical Rescue Team.
Police		\$166,000	Appropriation for unanticipated overtime expenses due to staffing shortages.
Police		\$7,000	Appropriation for increased polygraph expenditures.
Police		\$21,500	Appropriation for bullet resistant vests.
Police		\$5,300	Appropriation to replace computer equipment damaged by lightning.
Police		\$11,600	Appropriation for fuel purchased from external vendors.
Police		\$24,000	Appropriation to replace two police canines due to a retirement and an unexpected death.
Sheriff	\$26,212	\$26,212	Funding for part-time employees, fully reimbursable by the Compensation Board.
Sheriff	\$7,864	\$7,864	Funding for salary increases for two State funded position promotions, fully reimbursable by the Compensation Board.
Sheriff	\$15,728	\$15,728	Restoration of funding previously reduced by Compensation Board for part-time expenditures and supplies.
Social Services	\$1,325,000	\$1,325,000	Appropriate expenditures for ongoing social services programs based upon increased federal and state revenues. No additional local match is required.
Various Departments		\$330,169	Appropriate funds for increased cost of fuel.
Airport		(\$73,174)	Reduce the General Fund Subsidy to the Airport.
Public Works		(\$36,000)	Move unspent snow removal funds to Fleet budget to cover shortfall in replacement budget for 2 dump trucks with snow removal equipment.
Transfer to Fleet		\$36,000	Transfer to Fleet Fund to cover shortfall in replacement budget for 2 dump trucks with snow removal equipment.
Reserve for Contingency		(\$426,985)	Net difference between revenues and expenditures to be funded with Reserve for Contingency.
GENERAL FUND TOTAL	\$1,542,304	\$1,542,304	
Juvenile Detention Group Home Reserve		\$440,185	Transfer balance of Juvenile Detention Group Home Reserve from General Fund to City Capital Projects Fund.

FY 2012 THIRD QUARTER DETAIL

CITY/FEDERAL/STATE AID FUND

DEPARTMENT/DIVISION	REVENUES	EXPENDITURES	PURPOSE
Commonwealth Attorney - Violence Against Women	\$4,570	\$4,570	Adjustment based on final grant award letter.
Region 2000 - Workforce Investment Act	\$423,699	\$423,699	Increase in federal revenues for Workforce Investment Act Program.
Fire - 4 for Life	\$7,198	\$7,198	Adjustment to final award letter.
Fire - Fire Programs	\$3,464	\$3,464	Adjustment to final award letter.
Social Services - Independent Living	\$3,670	\$3,670	Increase in Federal and State revenues for Independent Living grant.
CITY/FEDERAL/STATE AID FUND TOTAL	\$442,601	\$442,601	

CITY CAPITAL PROJECTS FUND

DEPARTMENT/DIVISION	REVENUES	EXPENDITURES	PURPOSE
Economic Development	\$25,000	\$25,000	Appropriate federal reimbursement from Region 2000 Local Government Council for the Odd Fellows Rd/Campbell Ave land use study project.
Economic Development		\$5,000,000	Appropriate funds for Downtown projects to be funded with cash in the fund and paid back with Pay-As-You-Go over the next five years.
Buildings	\$440,185	\$440,185	Appropriate transfer from General Fund for Juvenile Detention Group Home project.
Buildings	\$200,000	\$200,000	Appropriate transfer from CSA Fund for Juvenile Detention Group Home project.
Transportation	(\$684,543)	(\$684,543)	Adjustments to match amounts awarded by the Virginia Department of Transportation for Kemper Street Station (\$114,779), Memorial/Park/Lakeside (\$277,000), and Kemper Street Bridge (\$292,764).
CITY CAPITAL PROJECTS FUND TOTAL	(\$19,358)	\$4,980,642	

COMPREHENSIVE SERVICES ACT FUND

DEPARTMENT/DIVISION	REVENUES	EXPENDITURES	PURPOSE
Juvenile Services	\$400,000	\$400,000	Appropriate funds for anticipated CSA expenditures.
Transfer to City Capital Projects Fund		\$200,000	Transfer to City Capital Projects Fund for Juvenile Detention Group Home project.
COMPREHENSIVE SERVICES ACT FUND TOTAL	\$400,000	\$600,000	

FLEET SERVICES FUND

DEPARTMENT/DIVISION	REVENUES	EXPENDITURES	PURPOSE
	\$525,000	\$525,000	Appropriate funds due to increasing cost of fuel.
	\$536,093	\$536,093	Appropriate auction proceeds to purchase vehicle replacements.
	\$36,000	\$36,000	Transfer from Public Works Snow Division to cover shortfall in replacement budget for 2 dump trucks with snow removal equipment.
FLEET SERVICES FUND TOTAL	\$1,097,093	\$1,097,093	

FY 2012 THIRD QUARTER DETAIL

FUND	REVENUES	EXPENDITURES	PURPOSE
AIRPORT OPERATING FUND	\$428,250	\$428,250	Appropriate revenue received for additional fuel and various maintenance and repair projects. This includes a \$73,174 reduction in the General Fund Subsidy to the Airport.
AIRPORT CAPITAL FUND	\$170,000	\$170,000	Transfer state portion of maintenance and repair projects to Airport Operating Fund.
AIRPORT PASSENGER FACILITY CHARGES FUND	\$3,046,338	\$3,046,338	Transfer PFC charges to the Airport Capital Fund to provide reimbursement for completed projects.
LEAF FUND		\$20,000	Appropriate revenue for Phase I, II, and III landscaping projects.

April 9, 2012

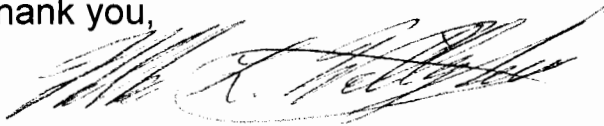
Ms. Valeria Chambers

City Clerk

Lynchburg, VA

I would like to appear before City Council on April 24, 2012 regarding the water bill practices, procedures and updates. To help the City and residents move forward for future savings.

Thank you,

A handwritten signature in black ink, appearing to read "Nicholas Willoughby", written over a faint circular stamp.

Nicholas Willoughby

10 McKinley Street

Lynchburg, VA 24504

(434) 528.3683

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **April 24, 2012**

AGENDA ITEM NO.: **11**

CONSENT: REGULAR: **X**

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Region 2000 Radio Board Financing Resolution**

RECOMMENDATION: Adopt the attached resolution allowing the Industrial Development Authority of the Town of Amherst (Amherst Town Authority) to assist in the financing of a new regional emergency communications system.

SUMMARY: Region 2000 Radio Communications Board is in the process of replacing the regional communications system that currently serves the City of Lynchburg, City of Bedford, the County of Bedford, and the County of Amherst. This system provides radio communications for public safety responders and other public services within each jurisdiction. The Amherst Town Authority issued the original bond in 1996 for the amount of \$9,931,000 to build the existing system and that bond has been paid in full. The Board has chosen to go through the Amherst Town Authority because it will allow for the borrowing of the funds to be tax exempt. The City of Lynchburg also has an Industrial Development Authority therefore the Amherst Town Authority needs approval to provide financing for facilities that will be located within the City per Section 15.2-4905 of the Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2 Code of Virginia.

Region 2000 Radio Communications Board conducted an extensive procurement process and Bank of America was chosen to provide the debt service for this project. The new bond will be in an amount just under \$13.1 million dollars. As part of the agreement Bank of America will hold a lien on the emergency communications equipment that is currently being used until the new system is completed.

PRIOR ACTION(S): December 13, 2011 City Council approved Cooperative Agreement between the member jurisdictions.

FISCAL IMPACT: To be determined, however, it is anticipated that the City's previous debt service payments on the regional radio system will cover the majority of the City's share of the new debt service payments.

CONTACT(S): William A. Aldrich, Director, Department of Emergency Services, 455-4285; Kimball Payne, 455-3990

ATTACHMENT(S): Resolution

REVIEWED BY: lkp

**CONCURRENCE RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LYNCHBURG, VIRGINIA**

WHEREAS, the Industrial Development Authority of the Town of Amherst, Virginia **(the “Amherst Town Authority”)** has been requested by Virginia's Region 2000 Local Government Council **(the “Council”)** to issue its revenue bond or note in an amount not to exceed \$13,100,000 **(the “2012 Bond”)** to finance significant upgrades and replacements of the existing regional emergency communications system for the Counties of Amherst and Bedford and the Cities of Lynchburg and Bedford **(the “Member Jurisdictions”)** by the issuance of debt to be paid by the Council through payments received by the Member Jurisdictions under a Regional Cooperative Agreement **(the “Cooperative Agreement”)** for the acquisition, construction, installation and equipping of a new emergency communications system **(the “Facilities”)** for the Council to be operated by a new committee of the Council, known as the Region 2000 Radio Communications Board **(the “Radio Board”)** and portions of the Facilities will be placed on property in each of the Member Jurisdictions, including property located in the City of Lynchburg, Virginia **(the “City”)**;

WHEREAS, Section 15.2-4905 of the Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2 of the Code of Virginia, as amended **(the “Act”)** provides that if a locality has created an industrial development authority, no industrial development authority created by another locality may finance a facility located in a locality unless the governing body of such locality concurs with the inducement resolution adopted by the industrial development authority created by another locality;

WHEREAS, a portion of the Facilities will be located in the City for the benefit of the City, and the City Council of the City of Lynchburg, Virginia **(the “City Council”)** constitutes the local governing body of the City; and

WHEREAS, the Council, and in turn, the Radio Board has requested that the City Council concur with the Amherst Town Authority inducement resolution and issuance of the 2012 Bond for facilities located in the City:

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

1. The City Council concurs with the Amherst Town Authority's inducement resolution and its issuance of the 2012 Bond for facilities located or to be located in the City for the benefit of the Council and in turn the Radio Board, as required by Section 15.2-4905 of the Code of Virginia, as amended **(the “Code”)** to permit the Amherst Town Authority to assist in the financing.
2. The City Council's action in adopting this resolution concurring with the inducement resolution and the issuance of the 2012 Bond by the Amherst Town Authority does not constitute an endorsement of the 2012 Bond or the creditworthiness of the Council or the Member Jurisdictions.

3. The City Manager and other officials of the City are authorized to execute and deliver such documents, agreements or certificates as appropriate for the issuance of the 2012 Bond by the Amherst Town Authority and in furtherance of the City's obligations under the Cooperative Agreement, including but not limited to conveyances to the Council and security agreements providing a lien on existing emergency communications equipment previously financed by the Member Jurisdictions for the predecessor to the Radio Board as security for the holder of the 2012 Bond until the Facilities are operational.
4. This resolution shall take effect immediately upon its adoption.

Adopted:

Certified: _____
Clerk of Council

057L

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **April 24, 2012**

AGENDA ITEM NO.: **12**

CONSENT: REGULAR: **X**

WORK SESSION:

CLOSED SESSION:
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Shelter Plus Care Grant Renewal**

RECOMMENDATION: Adopt a resolution to amend the FY 2012 City/Federal/State Aid Fund budget and appropriate \$91,288 with resources from the U.S. Department of Housing and Urban Development (HUD), Department of Social Services, and Juvenile Services to provide 10 units of tenant-based rental assistance and associated supportive services.

SUMMARY: The City has received a Shelter Plus Care renewal grant award in the amount of \$91,288 from the U.S. Department of Housing and Urban Development (HUD). 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.

With the annual renewal grants issued since Fiscal Year 2010 the City, as grant recipient, in conjunction with Lynchburg Neighborhood Development Foundation (LNDF), has been coordinating this program to provide Tenant-Based Rental Assistance to 10 eligible homeless persons and/or households who are prepared to enter into permanent housing. Participation in the program is conditional on continuing appropriate services, such as counseling, medications, and rehabilitative programs. LNDF will provide supportive services needed, and continue to engage local property owners to work with the program so that appropriate housing is available to the participants that are currently in the Shelter Plus Care Program.

The Departments of Social Services and Juvenile Services, through contractual services within their FY 2012 budget, will be providing funds totaling \$10,000 for the supportive services component of this grant.

PRIOR ACTION(S): April 24 and February 28, 2012: Finance Committee

FISCAL IMPACT: Funding in the amount of \$10,000 from Department of Social Services (\$5,000) and Juvenile Services (\$5,000) for supportive services.

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

ATTACHMENT(S): Resolution
Shelter Plus Care Grant Award Letter

REVIEWED BY: lkp

RESOLUTION:

BE IT RESOLVED that the FY 2012 City/Federal/State Aid Fund budget is amended and \$91,288 is appropriated with resources of \$81,288 from the U.S. Department of Housing and Urban Development (HUD) to provide 10 units of tenant-based rental assistance; and \$5,000 from the Department of Social Services and \$5,000 from the Department of Juvenile Services for associated supportive services.

Introduced:

Adopted:

Certified:

Clerk of Council

055L



U. S. Department of Housing & Urban Development

Community Planning & Development Division

Richmond Field Office

600 E. Broad Street, 3rd Floor

Richmond, VA 23219-1800

1-800-842-2610

APR - 5 2012

Ms. Bonnie Svrcek
Deputy City Manager
City of Lynchburg
900 Church Street
Lynchburg, VA 24504

Dear Ms. Svrcek:

SUBJECT: Processing Your Shelter Plus Care Grant
Shelter Plus Care (S+C) Program
Grant Number: VA0139C3F081103

Congratulations on the final selection of Lynchburg Shelter Plus Care for renewal funding under the FY 2011 Shelter Plus Care Program. All conditions attached to your award for this project have been met. This one year award will continue to support your program previously funded by HUD in FY 2010, further contributing to our national effort to end homelessness.

The original grant number was VA36C108001 and was awarded in FY 2001. The previous renewal grant number was VA0139C3F081002 and was awarded in FY 2010. The effective date of the Renewal Grant is March 1, 2012. Upon execution of the Renewal Grant Agreement by you and HUD, HUD will obligate the total funds for this project in the amount of \$81,288.

Enclosed are three copies of the Grant Agreement that constitute the agreement between the City of Lynchburg and HUD. Please sign all three, and return them to this office within two weeks of receipt of this letter. When they are received, HUD will sign and execute them, and one will be returned to you. Your new Voice Response Number for your renewal grant will be generated and sent to you under separate cover.

You are advised that your grant cannot begin and no funds can be disbursed to you for this project until the Grant Agreement is fully executed.

RECEIVED
APR - 9 2012
Council/Manager
Offices

If you have any questions, please call me at (804) 822-4831. Staff requiring technical assistance should contact Mr. Jay C. Grant at (804) 822-4830. We look forward to working with you toward the successful continuation of your Shelter Plus Care project.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronnie J. Legette". The signature is stylized with a large initial "R" and a long horizontal stroke at the end.

Ronnie J. Legette
Director

Enclosures

Cc: Ms. Melva Walker,
Grants Manager

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: ~~April 10, 2012~~ April 24, 2012

AGENDA ITEM NO.: ~~8~~ 13

CONSENT:

REGULAR: X

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: X

INFORMATION:

ITEM TITLE: **Greater Lynchburg Transit Company Structural Deficit**

RECOMMENDATION: Adopt the attached resolution amending the FY 2012 General Fund Budget in an amount of \$506,496, with resources from the unassigned General Fund Balance, to satisfy the Accounts Payable related to Greater Lynchburg Transit Company (GLTC) operations and to preclude the renewal of a line of credit to fund GLTC operations.

SUMMARY: The FY 2011 audit identified "Accounts Payable" to GLTC in the amount of \$506,496 that represent the cumulative operating deficit that developed over several years. This cumulative deficit was created through the use of a line of credit that was originally meant to cover short term cash flow needs related to the timing of the receipt of federal and state funds in support of GLTC operations. The line of credit provides for a maximum coverage of \$500,000 and has been renewed annually for several years. Due to various factors, including a reduction in state funding, increased costs, and a reluctance to reduce services, the cumulative deficit was created. This resulted in a structural imbalance in the GLTC budget of approximately \$500,000.

GLTC has used the line of credit to cover the deficit. In the last months of FY 2011 the line of credit was utilized to fund operations. At the beginning of FY 2012 the line of credit was paid off utilizing funds appropriated for FY 2012. Inevitably, the same situation repeats for the last months of FY 2012 and GLTC will need additional funds to finish the fiscal year. This occurs even though the GLTC Board of Directors has taken steps to balance the FY 2012 budget through service reductions and it will continue each year until the structural deficit is resolved.

GLTC had planned to renew the line of credit on its renewal date, May 1st. This year, however, the bank has added an additional condition, that there be a moral obligation pledge by the City of Lynchburg as additional security. At its meeting of April 4th, the GLTC Board asked for the City's assistance.

City staff does not recommend providing a moral obligation pledge by the City as security for the GLTC line of credit. Furthermore, City staff does not recommend utilizing a line of credit to cover short term cash flow issues related to the timing of the receipt of federal and state funds for GLTC operations. The City should be able to cover short term cash flow issues with existing cash balances and thereby avoid paying interest costs related to a line of credit.

Two actions are recommended:

- 1) That the structural deficit (Accounts Payable) be eliminated by transferring \$506,496 from the unassigned General Fund Balance to GLTC, and
- 2) That a process be developed for FY 2013 and future fiscal years to cover short term cash flow issues within the context of an approved and balanced budget.

Council has several options in this matter:

- Act as recommended to eliminate the structural deficit
- Provide the moral obligation pledge required by the bank for the renewal of the letter of credit and defer action on eliminating the structural deficit
- Take no action, which will result in a massive reduction in GLTC services, and the possible cessation of all City transit service, for the remainder of the fiscal year.

PRIOR ACTION(S): None. This matter was discussed with Council on September 27, 2011 with action on the structural deficit in the GLTC budget deferred.

FISCAL IMPACT: \$506,496 from the unassigned General Fund Balance will potentially reduce the capability to fund pay-as-you-go capital projects in the future; however, it addresses an issue raised by the auditors in the FY 2011 Comprehensive Annual Financial Report (CAFR).

CONTACT(S): Kimball Payne, 455-3990

ATTACHMENT(S): Resolution; GLTC report on Line of Credit

REVIEWED BY: lkp

RESOLUTION

BE IT RESOLVED THAT the Fiscal Year 2012 General Fund Budget is hereby amended in the amount of \$506,496, and that same amount appropriated, with resources from the unassigned General Fund Balance, to satisfy the Accounts Payable related to the operation of the Greater Lynchburg Transit Company (GLTC) as identified in the FY 2011 CAFR, and

BE IT FURTHER RESOLVED that staff is directed to establish a process to provide for the cash flow needs of the GLTC as may arise from time to time during the fiscal year due to the timing of the receipt of federal and state funding, within the constraints of the annual adopted budget.

Introduced: April 10, 2012

Adopted:

Certified:

Clerk of Council

052L



GLTC Board Item Summary

MEETING DATE: 4.4.12

AGENDA ITEM NO.: 9

CONSENT:

REGULAR: x

CLOSED SESSION:
(Confidential)

ACTION: X

INFORMATION: x

ITEM TITLE: Sun Trust Line of Credit

RECOMMENDATION: Approve resolution to renew Line of Credit, and request "Moral Obligation" Resolution from City Council.

SUMMARY: The current commercial line of credit with Sun Trust will expire on May 1, 2012. Mr. Dennis Howard of Sun Trust has advised me that the bank will require a new condition to the agreement, namely a "Moral Obligation" resolution from City Council.

I have forwarded this new requirement to the City Manager.

As I have reported, we are currently in and out of the current line for cash flow purposes, but we anticipate that the line will be fully tapped by the end of the fiscal year.

If the line is not renewed or funds are otherwise made available, GLTC will not be able to sustain current operations on or around the first of May.

If we do not anticipate a successful resolution of the issue, we will need to make draconian service cuts as soon as possible.

CONTACT(S): Michael Carroll

ATTACHMENT(S): Sun Trust Line of Credit Renewal

REVIEWED BY: mjc

Greater Lynchburg Transit Company

Proposed Terms and Conditions

General Structure: Listed below is an outline of the significant terms and conditions of the financing, subject to completion of due diligence and final credit approval.

Borrower: Greater Lynchburg Transit Company (the "Company")

Amount: Up to \$500,000

Facility: Revolving Taxable Line of Credit (the "Line")

Purpose: To provide short term financing for cash shortfalls arising from timing differences between expenditures and the receipt of both operating revenues and federal/state/local assistance payments.

Security:

- First lien deed of trust on the Company's real property located in the City Lynchburg, Virginia;
- Senior Pledge of revenues from the Company's operations and assistance payments from federal, state, and local sources.
- Moral Obligation pledge of the City of Lynchburg, Virginia

Final Maturity: March 1, 2013

Interest Rate:

Variable Rate Pricing

	Current Rate
Taxable Rate: 1 month LIBOR + 2.50%	*2.75%
Upfront Costs	
Renewal Fee	\$500
Accrual basis shall be Actual/360 days	

** This is an indication. Actual rate will be set at closing based on the current 1 month LIBOR index and will be reset monthly.*

Interest Due: Monthly, in arrears.

Amortization: At maturity.

Greater Lynchburg Transit Company
Proposed Terms and Conditions

- Payout Requirement:** The Line will be required to be paid down to \$0 for a period of 30 consecutive days during the term of the Line.
- Closing Date:** To be determined upon acceptance.
- Documentation:**
- Loan Agreement between SunTrust and the Company;
 - Resolution approved by the Company's Board authorizing the transaction;
 - Moral Obligation resolution of the City of Lynchburg City Council;
 - Others as required by Bond Counsel.
- Legal Fees and Transaction Costs:** The Company will pay all fees and expenses of the transaction including but not limited to reasonable fees and expenses of its counsel. In order to reduce the Company's financing costs, SunTrust would not anticipate using outside Bank Counsel.
- Legal Opinions:** Bond Counsel will give the customary opinion as to authorization, validity, permits and other matters requested by the Bank.
- General Covenants:**
- Timely payment of principal and interest as required by the Line;
 - Certification from the Company that no material adverse change in financial condition has occurred since June 30, 2011;
 - The Company will provide annually audited financial statements within 150 days of year end;
 - Others as customary.

Greater Lynchburg Transit Company
Proposed Terms and Conditions

**Acceptance of
Proposal:**

Acceptance of SunTrust's proposal should be directed to
any of the following.

Dennis Howard
(804) 847-2356

Submitted By:

Dennis Howard
Senior Vice President
SunTrust Bank

Disclaimer

This Term sheet is presented to the above-referenced borrower in connection with a credit facility proposed by SunTrust Bank. This Term Sheet describes some of the basic terms proposed to be included in loan documents between the Bank and the borrower. This Term Sheet is for discussion purposes only and is not a commitment, nor does it purport to summarize all of the conditions, covenants, representations, warranties, events of default or other provisions that may be contained in documents required to consummate this financing. The terms are subject to standard credit underwriting and approval and to negotiation and execution of loan documents in form and substance satisfactory to the Bank and its counsel. This Term Sheet is confidential and may not be disclosed to third parties without prior consent of the Bank.

Name of Corporation _____ Date Resolution Adopted _____ Taxpayer I.D. No. _____

I hereby certify to SunTrust Bank, its present and future affiliates and their successors and assigns (collectively the "Bank") that I am the Secretary of the above corporation (the "Corporation") which is duly organized and existing under the laws of the state of _____, that the following is a true copy of resolutions duly adopted by the Board of Directors of the Corporation at a meeting duly held on the date above at which a quorum was present and voting throughout and that such resolutions have not been rescinded or modified:

"RESOLVED, that any _____ (insert **number** of signatures required) of the following (insert the **titles** of authorized officers) _____

and their successors and any agents which they may appoint from time to time, are hereby authorized and empowered (1) to make application, release financial information and borrow from time to time on behalf of the Corporation from the Bank such sums of money as they or any of them may deem requisite for the use of the Corporation and to discount, sell, assign, or otherwise transfer to the Bank any property belonging to the Corporation including, but not limited to, accounts receivable, promissory notes, instruments, leases, trade paper and chattel paper, and to endorse or guarantee the same in the name of the Corporation, all on such terms and conditions as may be agreed upon by any of such officers and the Bank from time to time; (2) to make, execute and deliver agreements and promissory notes or other obligations of the Corporation, including, but not limited to, obligations under letters of credit, credit card agreements, interest rate hedge agreements and other derivative transaction agreements, in form satisfactory to the Bank for any sums so obtained; and (3) to mortgage, assign transfer or pledge as collateral security for any sums so obtained or otherwise any property belonging to the Corporation (whether real or personal, tangible or intangible) including, but not limited to, accounts receivable, promissory notes, instruments, documents of title, chattel paper, contract rights, securities, securities entitlements, insurance policies, inventories and equipment and to make any endorsements or execute any instruments in the name of the Corporation, including, but not limited to, security agreements, deeds of trust, financing statements, assignments, transfers and guarantees which may be necessary or proper to effect such mortgage, assignment, transfer or pledge in form satisfactory to the Bank, and

FURTHER RESOLVED that the obtaining by the Corporation of any sums of money from the Bank heretofore, and any notes or other instruments or agreements previously executed in the name of the Corporation by its authorized officers or employees and any assignment, transfer or pledge of any property belonging to the Corporation as security for such loans, or otherwise, are hereby approved and ratified.

FURTHER RESOLVED that the foregoing resolutions shall remain in full force and effect until written notice of their amendment or rescission shall have been received by the Bank and receipt of such notice acknowledged by it, and that receipt and acknowledgment of such notice shall not affect any action taken by the Bank prior thereto."

I further certify that there is no provision in the Charter or By-Laws or any Shareholder Agreement of the Corporation, or in any instruments to which the Corporation is a party or by which it may be bound, limiting the power of the Board of Directors to adopt the above resolutions and that such resolutions are in conformity with the provisions of the Charter and By-Laws and any Shareholder Agreement and do not violate the provisions of any such instrument.

IN WITNESS WHEREOF, I have subscribed my name as Secretary of the Corporation and affixed the Corporate Seal on the _____ day of _____, _____.

(Affix Corporation Seal Here)

_____(Seal)
Secretary

(The Certificate below must be signed by an additional officer or the Corporation.)

I, _____, the _____ of the above name Corporation do hereby certify that _____ is the duly elected Secretary and is now acting in this capacity and is authorized to sign this Resolution.

_____(Seal)
Signature