

FINANCE COMMITTEE AGENDA

**Tuesday, September 22, 2020
11:30 a.m. – Council Chamber**

GENERAL BUSINESS

11:30 a.m.

1. Approval of the Draft Finance Committee Meeting Notes from July 14, 2020.

Contact: Donna Witt, Chief Financial Officer 455-3968

11:35 a.m.

2. Report on the General Fund Reserve for Contingencies.

Contact: Donna Witt, Chief Financial Officer 455-3968

11:40 a.m.

3. Adopt a resolution to amend the FY 2021 City/Federal/State Aid Fund budget and appropriate \$57,885 with resources of \$38,590 from the Department of Motor Vehicles Highway Safety Grant, an in-kind service and equipment match of \$16,617 and \$2,678 transferred from the FY 2021 General Fund Police Department budget to provide selective enforcement activities and attend related training.

Contact: Chief Ryan M. Zuidema, Police Department 455-6171

11:45 a.m.

4. Adopt a resolution to amend the FY 2021 City/Federal/State Aid Fund budget and appropriate \$24,938 with resources of \$16,625 from the Department of Motor Vehicles Highway Safety Grant, an in-kind service and equipment match of \$7,041 and \$1,272 transferred from the FY 2021 General Fund Police Department budget to provide funds for speed enforcement activities.

Contact: Chief Ryan M. Zuidema, Police Department 455-6171

11:50 a.m.

5. Adopt a resolution authorizing the submittal of an application for the 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$32,130 to purchase law enforcement equipment for the Lynchburg Police Department, Lynchburg Sheriff's Office, and the Office of the Commonwealth's Attorney.

Contact: Chief Ryan M. Zuidema, Police Department 455-6171

11:55 a.m.

6. Adopt a resolution to amend the FY 2021 City/Federal/State Aid Fund budget and appropriate \$97,836 with resources of \$88,942 from the Department of Homeland Security Federal Emergency Management Agency's (DHS/FEMA) FY 2019 Assistance to Firefighters Grant (AFG) Program and \$8,894 from the FY 2021 General Fund Fire Department budget to purchase fitness equipment and training in nutrition, injury prevention, cardio-respiratory health, and stress reduction.

Contact: Fire Chief Greg Wormser 455-6340

12:00 p.m.

7. Approve the submittal of a grant application to the Virginia Office of Emergency Medical Services – Rescue Squad Assistance Fund (RSAF) for \$77,715 with resources of \$38,857 from the RSAF grant and \$38,858 from the FY 2021 General Fund Fire Department budget to purchase one simulation mannequin for the Fire Department.

Contact: Fire Chief Greg Wormser

455-6340

12:05 p.m.

8. Approve the submittal of a grant application to the Virginia Office of Emergency Medical Services – Rescue Squad Assistance Fund (RSAF) for \$67,200 with resources of \$53,760 from the RSAF grant and \$13,440 from the FY 2021 General Fund Fire Department budget to purchase eighteen (18) Pharm Guard Temperature Controls systems for pharmacy boxes carried on fire and EMS apparatus.

Contact: Fire Chief Greg Wormser

455-6340

12:10 p.m.

9. Adopt a resolution to amend the FY 2021 City/Federal/State Aid Fund budget and appropriate \$31,405, with resources of \$31,405 provided through CESF under the federal Coronavirus Aid, Recovery, and Economic Security (CARES) Act awarded by the Department of Criminal Justice Services (DCJS) for Coronavirus Emergency Supplemental Funding to assist the Lynchburg Community Corrections and Pretrial Services Agency in preventing, preparing for, and responding to the coronavirus.

Contact: Cynthia Plummer, Community Corrections and Pretrial Services Agency 455-3990

12:15 p.m.

10. Roll Call

The next Finance Committee meeting is Tuesday, October 27, 2020, at 11:30 a.m.

FINANCE COMMITTEE NOTES-- DRAFT

Tuesday, July 14, 2020

GENERAL BUSINESS

Meeting commenced at 11:30 a.m. in Council Chamber in order to allow for social distancing requirements due to COVID-19.

ATTENDEES

Committee Members: Council Member Jeff S. Helgeson, Chair; Council Member Randy Nelson; Council Member Beau Wright; Mayor MaryJane Dolan, Ex-Officio.

Others: Bonnie Svrcek, City Manager; Reid Wodicka, Deputy City Manager; John H. Hughes IV, Assistant City Manager; Donna Witt, Chief Financial Officer; Rhonda Allbeck, Assistant Director of Financial Services; Starlette Early, Budget Analyst

1. Approval of the Draft Finance Committee Meeting Notes from May 26, 2020.

The meeting notes from May 26, 2020 were approved as submitted.

2. Report on the General Fund Reserve for Contingencies.

Donna Witt reported the FY 2020 General Fund Reserve for Contingencies ended with a balance of \$241,805. The FY 2021 General Fund Reserve for Contingencies has no items to report and a current balance of \$1.2 million.

3. Consider a request to adopt a resolution to amend the FY 2021 City/Federal/State Aid Fund budget and appropriate \$1,994 with resources from the Virginia Department of Housing and Community Development Virtual Training Support Grant to purchase mobile computing equipment for Community Development Inspections staff to use for training.

This item was approved by the Committee and will be considered by Council at the July 14, 2020 meeting.

4. Consider a request to adopt a resolution to amend the FY 2021 City/Federal/State Aid Fund budget and appropriate \$119,825 with resources of \$107,400 from the Commonwealth of Virginia Department of Social Services (VDSS) through the Employment Advancement for Temporary Assistance for Needy Families (TANF) Participants Community Wealth Building (CWB) Grant (BEN-19-024) and \$12,425 from an in-kind match, with the objective of furthering local efforts to reduce the poverty rate and increase median household income.

This item was approved by the Committee and will be considered by Council at the July 14, 2020 meeting.

5. Consider a request to adopt a resolution to amend the FY 2021 City/Federal/State Aid Fund budget and appropriate \$215,142 with resources from the Commonwealth of Virginia Department of Social

Services (VDSS) through the Employment Advancement for Temporary Assistance for Needy Families (TANF) Participants Community Wealth Building (CWB) Grant (BEN-19-113) to prepare participants to enter and maintain employment with the prospect of a career path and wage growth.

This item was approved by the Committee and will be considered by Council at the July 14, 2020 meeting.

6. Approve the guidelines for the operation of the City Council's Finance Committee.

The Finance Committee Guidelines were reaffirmed without any changes. This item will be considered by Council at the August 11, 2020 meeting.

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

Donna Witt reported Sales & Use Tax revenue exceeded the COVID-19 revised budget for the month of May by \$274,000 and the overall FY 2020 budget by almost \$500,000. The Consumer Utility Tax revenues continue to be down due to the mild weather and some businesses being closed. Collections for utility accounts continue to lag. She noted Meals Tax revenue collections were above the revised budget for May by \$324,000 and exceed the overall budget by \$378,000. Lodging Tax revenue is better than projected and Amusement Tax revenue is way down as expected, with the month of May collections at \$979, and overall down by almost \$8,000.

8. Roll Call

There were no roll call items.

Meeting adjourned at 11:46 a.m.

FY 2021 GENERAL FUND RESERVE FOR CONTINGENCIES

	<u>Reserve for Contingencies</u>	<u>City Manager's Discretionary Funding</u>
BEGINNING BALANCE, JULY 1, 2020	\$1,150,000	\$50,000
Carryforward to FY 2021 Reserve for Contingencies - FY 2021 Adopted Budget	0	0
BALANCE	<u><u>\$1,150,000</u></u>	<u><u>\$50,000</u></u>
 APPROPRIATIONS (Second Reading)		
City Manager's Discretionary Fund - Communications and Public Engagement - Everbridge Module Mass Notification Pro		(\$6,609)
City Manager's Discretionary Fund - Police - Rentals for Lynchburg Police Department (LPD) Listening Sessions		(\$1,181)
City Manager's Discretionary Fund - Council/Manager's Office - Training for Action for Change (A4C) Committee		(\$20,000)
 TOTAL APPROPRIATIONS	<u>\$0</u>	<u>(\$27,790)</u>
 REMAINING BALANCE	<u><u>\$1,150,000</u></u>	<u><u>\$22,210</u></u>
 ITEMS INTRODUCED		
 TOTAL INTRODUCED ITEMS	<u>\$0</u>	<u>\$0</u>
 REMAINING BALANCE	<u><u>\$1,150,000</u></u>	<u><u>\$22,210</u></u>
 PENDING ITEMS		
 TOTAL PENDING ITEMS	<u>\$0</u>	<u>\$0</u>
 PROJECTED BALANCE, JUNE 30, 2021	<u><u>\$1,150,000</u></u>	<u><u>\$22,210</u></u>

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **September 22, 2020**

AGENDA ITEM #: **3**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: 2020 DMV Highway Safety Grant – DUI (Alcohol) Enforcement

KEY ELEMENTS:

___ Economic Development ___ Excellent Government ___ Natural and Built Environment X Safe Community ___ Vibrant Community

RECOMMENDATION: Adopt a resolution to amend the FY 2021 City/Federal/State Aid Fund budget and appropriate \$57,885 with resources of \$38,590 from the Department of Motor Vehicles Highway Safety Grant, an in-kind service and equipment match of \$16,617 and \$2,678 transferred from the FY 2021 General Fund Police Department budget to provide selective enforcement activities and attend related training.

SUMMARY: The Department of Motor Vehicles Highway Safety Program has awarded the City a \$38,590 grant. The funds will be used for selective DUI activities, alcohol testing equipment and attendance to related training.

The grant excludes reimbursement of FICA (Medicare and Social Security) benefit costs associated with the allotted overtime; however, funding of \$2,678 is available for transfer from the FY 2021 Police Department budget to cover this expense.

An in-kind match of \$16,617 in police equipment and services is part of the grant agreement.

PRIOR ACTION(S): Finance Committee, September 22, 2020

FISCAL IMPACT: The grant requires the Police Department to pay the FICA (Medicare and Social Security) benefits associated with the allotted overtime funds; \$2,678 from the FY 2021 General Fund Police Department budget will be used to cover this expense.

CONTACT(S): Chief Ryan M. Zuidema, 455-6171
Amy Lowe, Administrative Manager, 455-6128

ATTACHMENT(S): Resolution

REVIEWED BY: raw

RESOLUTION:

BE IT RESOLVED that the FY 2021 City/Federal/State Aid Fund budget is amended and \$57,885 is appropriated with resources of \$38,590 from the Department of Motor Vehicles Highway Safety Grant, an in-kind service and equipment match of \$16,617, and \$2,678 transferred from the FY 2021 General Fund Police Department budget to provide selective enforcement activities, alcohol testing equipment and attend related training.

Introduced:

Adopted:

Certified:

Clerk of Council

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **September 22, 2020**

AGENDA ITEM #: **4**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: 2020 DMV Highway Safety Grant – Speed Enforcement

KEY ELEMENTS:

☐ Economic Development ☐ Excellent Government ☐ Natural and Built Environment ☒ Safe Community ☐ Vibrant Community

RECOMMENDATION: Adopt a resolution to amend the FY 2021 City/Federal/State Aid Fund budget and appropriate \$24,938 with resources of \$16,625 from the Department of Motor Vehicles Highway Safety Grant, an in-kind service and equipment match of \$7,041 and \$1,272 transferred from the FY 2021 General Fund Police Department budget to provide funds for speed enforcement activities.

SUMMARY: The Department of Motor Vehicles Highway Safety Program has awarded the City a \$16,625 grant. The funds will be used for speed enforcement activities.

The grant excludes reimbursement of FICA (Medicare and Social Security) benefit costs associated with the allotted overtime; however, funding of \$1,272 is available for transfer from the FY 2021 Police Department budget to cover this expense.

An in-kind match of \$7,041 in police equipment and services is part of the grant agreement.

PRIOR ACTION(S): Finance Committee, September 22, 2020

FISCAL IMPACT: The grant requires the Police Department to pay the FICA (Medicare and Social Security) benefits associated with the allotted overtime funds; \$1,272 from the FY 2021 General Fund Police Department budget will be used to cover this expense.

CONTACT(S): Chief Ryan M. Zuidema, 455-6171
Amy Lowe, Administrative Manager, Police Department, 455-6128

ATTACHMENT(S): Resolution

REVIEWED BY: raw

RESOLUTION:

BE IT RESOLVED that the FY 2021 City/Federal/State Aid Fund budget is amended and \$24,938 is appropriated with resources of \$16,625 from the Department of Motor Vehicles Highway Safety Grant, an in-kind service and equipment match of \$7,041 and \$1,272 transferred from the FY 2021 General Fund Police Department budget to provide funds for speed enforcement activities.

Introduced:

Adopted:

Certified:

Clerk of Council

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **September 22, 2020**

AGENDA ITEM #: **5**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: 2020 Edward Byrne Memorial Justice Assistance Grant (JAG)

KEY ELEMENTS:

☐ Economic Development ☐ Excellent Government ☐ Natural and Built Environment ☒ Safe Community ☐ Vibrant Community

RECOMMENDATION: Adopt a resolution authorizing the submittal of an application for the 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$32,130 to purchase law enforcement equipment for the Lynchburg Police Department, Lynchburg Sheriff's Office, and the Office of the Commonwealth's Attorney.

SUMMARY: The City of Lynchburg is applying for \$32,130 in Edward Byrne Memorial Justice Assistance Grant (JAG) funding. The Lynchburg Police Department will use this funding to purchase 70 protective suits and 70 sets of protective gloves (\$25,540). This equipment is essential for safety of both officers and citizens during events of civil unrest. We currently have 85 sets of protective gear. Purchasing these additional suits and gloves will move us closer to our goal of equipping all 176 sworn staff. The Lynchburg Sheriff's Office will use funds to purchase two laptops to assist with training (\$3,435). The Office of the Commonwealth's Attorney will use funds to purchase two laptops (\$3,155). The total equipment cost is \$32,130, which is fully reimbursable by the grant. No local matching funds are required. The grant application requires the approval of the governing body prior to submission of the grant request.

PRIOR ACTION(S): Finance Committee, September 22, 2020

FISCAL IMPACT: None, no local match is required

CONTACT(S): Chief Ryan M. Zuidema, Police Department, 434-455-6171
Amy Lowe, Administrative Manager, Police Department, 455-6128

ATTACHMENT(S): Resolution

REVIEWED BY: raw

RESOLUTION:

BE IT RESOLVED That the Lynchburg City Council approves the submission of an application for the 2020 Edward Byrne Memorial Justice Assistance Grant in the amount of \$32,130 to purchase law enforcement equipment for the Lynchburg Police Department, Lynchburg Sheriff's Office, and the Office of the Commonwealth's Attorney.

Adopted:

Certified:

Clerk of Council

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **September 22, 2020**

AGENDA ITEM #: **6**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Department of Homeland Security Federal Emergency Management Agency's FY 2019 Assistance to Firefighters Grant Program appropriation of funds for firefighting equipment, training, and wellness.

KEY ELEMENTS:

___Economic Development ___Excellent Government ___Natural and Built Environment **X**Safe Community ___Vibrant Community

RECOMMENDATION: Adopt a resolution to amend the FY 2021 City/Federal/State Aid Fund budget and appropriate \$97,836 with resources of \$88,942 from the Department of Homeland Security Federal Emergency Management Agency's (DHS/FEMA) FY 2019 Assistance to Firefighters Grant (AFG) Program and \$8,894 from the FY 2021 General Fund Fire Department budget to purchase fitness equipment and training in nutrition, injury prevention, cardio-respiratory health, and stress reduction.

SUMMARY: DHS/FEMA awards grant funding to provide critically needed resources that equip and train emergency personnel to recognized standards, enhance operational efficiencies, foster interoperability, and support community resilience.

The Fire Department has been awarded \$88,942 in AFG grant funds to purchase equipment that is vital to firefighter wellness and fitness to assist in the improvement of cardio-respiratory output, strength, flexibility, and nutrition. The department recognizes the need for a physical fitness program that follows the National Fire Protection Association (NFPA) 1583 Standard on Health-Related Fitness Programs for Fire Department Members. The funds will be used to contract with a qualified health and fitness coordinator, periodic fitness assessments for all members (including initial employment assessments and strengthening for new hires), exercise training, education and counseling, and the collection and maintenance of program data. This grant will also replace fitness equipment that has met its useful life and provide other new equipment to address specific needs.

This is a 90/10 matching grant with DHS providing \$88,942 and the local match of \$8,894. The match will be funded from the FY 2021 General Fund Fire Department budget.

PRIOR ACTION(S): September 22, 2020: Finance Committee will review this request

FISCAL IMPACT: \$8,894 in matching funds will be provided from the FY 2021 General Fund Fire Department budget. Future funds will be needed for periodic maintenance of the equipment.

CONTACT(S): Fire Chief Greg Wormser, 455-6340
Deputy Chief Jonathan Wright, 455-6353
Health and Safety Captain Jennifer Collins, 455-3889
Annette Pettyjohn, Fire Administrative Manager, 455-6368

ATTACHMENT(S): Resolution

REVIEWED BY: raw

RESOLUTION:

BE IT RESOLVED that the FY 2021 City/Federal/State Aid Fund budget is amended and \$97,836 is appropriated with resources of \$88,942 from the Department of Homeland Security Federal Emergency Management Agency's (DHS/FEMA) FY 2019 Assistance to Firefighters Grant (AFG) Program and \$8,894 from the FY 2021 General Fund Fire Department budget to purchase fitness equipment and training in nutrition, injury prevention, cardio-respiratory health, and stress reduction.

Introduced:

Adopted:

Certified:

Clerk of Council

Finance Committee Agenda Item Summary

MEETING DATE: **September 22, 2020**

AGENDA ITEM #: **7**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Virginia Office of Emergency Medical Services – Rescue Squad Assistance Fund Grant to purchase a Simulation Mannequin.

KEY ELEMENTS:

___Economic Development ___Excellent Government ___Natural and Built Environment **X**Safe Community ___Vibrant Community

RECOMMENDATION: Approve the submittal of a grant application to the Virginia Office of Emergency Medical Services – Rescue Squad Assistance Fund (RSAF) for \$77,715 with resources of \$38,857 from the RSAF grant and \$38,858 from the FY 2021 General Fund Fire Department budget to purchase one simulation mannequin for the Fire Department.

SUMMARY: The Virginia Office of Emergency Medical Services (EMS) awards grant funding to EMS agencies for the purpose of obtaining and maintaining emergency vehicles and equipment; providing EMS management, leadership, and advanced life support training; and achieving other goals that support the enhancement of community EMS services.

The Fire Department will apply for RSAF grant funds to purchase one simulation mannequin that will be used for EMS training. The mannequin not only interacts with providers using artificial intelligence, it also allows our providers to practice techniques and skills which would ordinarily not be possible.

The Fire Department plans to apply for the grant under a 50/50 match. With a total cost of \$77,715, the maximum required local match is \$38,858. Grants will be awarded in January 2021; therefore, if awarded, the match will be funded from the FY 2021 General Fund Fire Department budget.

PRIOR ACTION(S): None

FISCAL IMPACT: \$38,858 in matching funds will be provided from the Fire Department's FY 2021 budget; no additional appropriation is required. Future funds will be needed for periodic maintenance of the equipment.

CONTACT(S): Fire Chief Greg Wormser, 455-6340
Deputy Chief Robert Lipscomb, 455-6352
Annette Pettyjohn, Fire Administrative Manager, 455-6368

ATTACHMENT(S): None

REVIEWED BY: raw

Finance Committee

Agenda Item Summary

MEETING DATE: **September 22, 2020**

AGENDA ITEM #: **8**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Virginia Office of Emergency Medical Services – Rescue Squad Assistance Fund Grant to purchase Pharm Guard Temperature Control Systems.

KEY ELEMENTS:

___Economic Development ___Excellent Government ___Natural and Built Environment **X**Safe Community ___Vibrant Community

RECOMMENDATION: Approve the submittal of a grant application to the Virginia Office of Emergency Medical Services – Rescue Squad Assistance Fund (RSAF) for \$67,200 with resources of \$53,760 from the RSAF grant and \$13,440 from the FY 2021 General Fund Fire Department budget to purchase eighteen (18) Pharm Guard Temperature Controls systems for pharmacy boxes carried on fire and EMS apparatus.

SUMMARY: The Virginia Office of Emergency Medical Services (EMS) awards grant funding to EMS agencies for the purpose of obtaining and maintaining emergency vehicles and equipment; providing EMS management, leadership, and advanced life support training; and achieving other goals that support the enhancement of community EMS services.

The Fire Department will apply for RSAF grant funds to purchase eighteen (18) Pharm Guard Temperature Controls Systems for pharmacy boxes carried on fire and EMS apparatus. These devices are designed to provide climate control for the medications on each of our apparatus. The medications we carry must be climate controlled in accordance with Virginia Office of EMS regulations to ensure efficacy.

The Fire Department plans to apply for the grant under an 80/20 match; however, we typically receive a 50/50 match. With a total cost of \$67,200, the maximum required local match is \$33,600. Grants will be awarded in January 2021; therefore, if awarded, the match will be funded from the FY 2021 General Fund Fire Department budget.

PRIOR ACTION(S): None

FISCAL IMPACT: \$13,440 in matching funds will be provided from the Fire Department's FY 2021 budget; no additional appropriation is required. Future funds will be needed for periodic maintenance of the equipment.

CONTACT(S): Fire Chief Greg Wormser, 455-6340
Deputy Chief Robert Lipscomb, 455-6352
Annette Pettyjohn, Fire Administrative Manager, 455-6368

ATTACHMENT(S): None

REVIEWED BY: rw

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **September 22, 2020**

AGENDA ITEM #: **9**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Federal Grant No. 20-A5165CE20 for Coronavirus Emergency Supplemental Funding (CESF)

KEY ELEMENTS:

___Economic Development ___Excellent Government ___Natural and Built Environment ___**X** Safe Community ___Vibrant Community

RECOMMENDATION: Adopt a resolution to amend the FY 2021 City/Federal/State Aid Fund budget and appropriate \$31,405, with resources of \$31,405 provided through CESF under the federal Coronavirus Aid, Recovery, and Economic Security (CARES) Act awarded by the Department of Criminal Justice Services (DCJS) for Coronavirus Emergency Supplemental Funding to assist the Lynchburg Community Corrections and Pretrial Services Agency in preventing, preparing for, and responding to the coronavirus.

SUMMARY: The Virginia Department of Criminal Justice Services (DCJS) made federal Coronavirus Emergency Supplemental Funding Grant (CESF) funds available to assist applicants in preventing, preparing for, and responding to the coronavirus. The CESF Program is authorized by Division B of H.R. 748, Pub. L. No. 116- 136 (Emergency Appropriations for Coronavirus Health Response and Agency Operations) 28 U.S.C. 530C. The grant is in the amount of \$31,405 to purchase supplies and equipment to assist the agency in providing local probation and pretrial services to defendants and probationers while responding to the recommended protocols to prevent the spread of, prepare for and respond to the coronavirus.

The period for this grant is 1/20/20 through 9/30/21.

PRIOR ACTION(S): September 22, 2020: Finance Committee will review this request

FISCAL IMPACT: Funding is fully reimbursable through this grant and no matching funds are required.

CONTACT(S): Cynthia Plummer, Community Corrections and Pretrial Services Agency 455-3751

ATTACHMENT(S): Resolution

REVIEWED BY: raw

RESOLUTION:

BE IT RESOLVED that the FY 2021 City/Federal/State Aid Fund budget is amended and \$31,405 is appropriated with resources of \$31,405 from the federal Coronavirus Emergency Supplemental Funding Grant (CESF) under the Coronavirus Aid, Recovery, and Economic Security (CARES) Act awarded by the Department of Criminal Justice Services (DCJS) for Coronavirus Emergency Supplemental Funding to assist the Lynchburg Community Corrections and Pretrial Services Agency in preventing, preparing for, and responding to the coronavirus.

Introduced: September 22, 2020

Adopted:

Certified:

Clerk of Council

September 22, 2020

Finance Committee – 11:30 a.m. – Council Chamber

A G E N D A

City Council Meeting of September 22, 2020
Council Chamber
City Hall, 900 Church Street, Lynchburg, VA 24504

4:00 P.M. Work Session

- #1. Receive a report from the Fire Chief regarding the Fire Department Standard of Cover document
- #2. Receive a report and subsequent recommendations from the City Planner for Mixed Use Development in B1 Zoned Districts
- #3. Receive an update from the Lynchburg City Schools on the *Return to Learn* plan
- #4. Roll Call

7:30 P.M. City Council Agenda Items

COUNCILMEMBER WILDER WILL GIVE THE INVOCATION

GENERAL POLICY REGARDING PUBLIC PARTICIPATION AT CITY COUNCIL MEETINGS

Each speaker shall clearly state his or her name and locality of residence.

The City Council agenda is divided into four sections.

CONSENT AGENDA: This section includes routine items. All items may be approved by one vote.

PUBLIC HEARINGS: This section includes all public hearings as required by law or as Council may direct.

Procedure:

- Staff will make a presentation.
- For zoning petitions, the applicant or his or her representative shall have ten (10) minutes to make a presentation.
- Comments will then be solicited from those in favor.
- Comments will then be solicited from those in opposition.

During the public hearing, there shall be a time limit of three (3) minutes for each individual speaker. If the speaker represents a group, there shall be a time limit of five (5) minutes. A speaker representing a group shall identify that group at the beginning of his or her remarks. A group may have only one spokesperson. After public comments have been received, for zoning petitions, the applicant or the representative of the applicant, at his or her discretion, may respond with a rebuttal. There shall be a five (5)-minute time limit for rebuttal. Upon the conclusion of public comments or the applicant's rebuttal, the public hearing will be closed and the matter referred to Council for deliberation.

PUBLIC COMMENT: Public comment shall be for the purpose of allowing members of the public to present any matter, which, in their opinion, deserves the attention of the Council. They shall not serve as a forum for debate with the Council. Individuals may speak up to three (3) minutes; or group spokesperson up to five (5) minutes. Once Council has heard a presentation from a citizen or organization on a particular subject, the citizen or organization may not make another presentation on the same subject within three (3) months of the first presentation, except by a majority vote of the members of Council present and voting.

GENERAL BUSINESS: This section includes items of a general nature to be considered by Council.

City Council may make exceptions to these rules at its discretion. Prior to a meeting, any questions which citizens may have regarding any item on the agenda may be addressed to City Council or the City Administration. The following numbers are provided for the convenience of the citizens:

CITY COUNCIL 455-3995

MAYOR 455-3995

CITY MANAGER 455-3990

A reasonable charge may be made for copying and other activities related to responding to long and involved inquiries.

CITIZENS OFTEN EXPRESS CONFLICTING AND DIVERSE POSITIONS REGARDING SPECIFIC ISSUES UNDER CONSIDERATION. TO ENCOURAGE CITIZEN PARTICIPATION AND TO AVOID INTIMIDATION TO PERSONS WHO MAY EXPRESS SOMETIMES UNPOPULAR OPINIONS, APPLAUSE, CHEERS, OR JEERS FROM THE AUDIENCE ARE NOT PERMITTED. WHEN APPEARING BEFORE CITY COUNCIL, CITIZENS MAY NOT ENGAGE IN BEHAVIOR THAT INTIMIDATES OR INSULTS OTHERS, ENGAGE IN DISRUPTIVE BEHAVIOR, USE PROFANITY OR VULGAR LANGUAGE, PROMOTE PRIVATE BUSINESS VENTURES OR CAMPAIGN FOR PUBLIC OFFICE.

* PREVIOUSLY DISCUSSED AND/OR CONSIDERED BY CITY COUNCIL

RECOGNITION

- ❖ National Midwifery Week October 4 – 10, 2020

CONSENT AGENDA

- #5. Consideration of adopting minutes from the June 23, 2020 Meeting
- #6. Consideration of adopting minutes from the September 8, 2020 Meeting
- *#7. a. Consideration of adopting a resolution #R-20-069 amending the FY 2020 Operating Budget appropriating funds to reflect the FY 2020 Fourth Quarter Adjustment.
- b. Consideration of adopting a resolution #R-20-070 amending the FY 2021 Operating and Capital Budgets and appropriating or rescinding funds to reflect the FY 2021 First Quarter Adjustments.

PUBLIC COMMENT

- #8. Hear from a citizen regarding a concern (Robert Flood).
- #9. Hear from a citizen regarding a concern (Tom Morris).
- #10. Hear from a citizen regarding a concern (Keith Jennings).
- #11. Hear from a citizen regarding a concern (Hannah Wistrom).
- #12. Hear from a citizen regarding a concern (Vick Thomas).
- #13. Hear from a citizen regarding a concern (Sandra Travis).

GENERAL BUSINESS

- #14. Consideration of adopting a resolution concerning the issuance of not to exceed \$19,500,000 General Obligation Public Improvement Refunding Bonds, Series 2020B
#R-20-____
#R-20-____
- #15. Consideration of introducing a resolution to amend the FY 2021 City/Federal/State Aid Fund budget and appropriate \$31,405 to assist the Lynchburg Community Corrections and Pretrial Services Agency in preventing, preparing for, and responding to the coronavirus.
#R-20-____
- #16. Consideration of introducing a resolution to amend the FY 2021 City/Federal/State Aid Fund budget and appropriate \$97,836 to purchase fitness equipment and training in nutrition, injury prevention, cardio-respiratory health, and stress reduction.
#R-20-____
- #17. Consideration of introducing a resolution authorizing the submittal of an application for the 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$32,130 to purchase law enforcement equipment for the Lynchburg Police Department, Lynchburg Sheriff's Office, and the Office of the Commonwealth's Attorney.
#R-20-____

- #18. Consideration of introducing a resolution to amend the FY 2021 City/Federal/State Aid Fund budget and appropriate \$57,885 to provide selective enforcement activities and attend related training.
#R-20-____
- #19. Consideration of introducing a resolution to amend the FY 2021 City/Federal/State Aid Fund budget and appropriate \$24,938 to provide funds for speed enforcement activities.
#R-20-____
- #20. Consideration of adopting an ordinance to continue emergency procedures for the conduct of public business to ensure the continuity of City government and critical local services during the state of emergency and disaster caused by the COVID-19 pandemic.
#O-20-____
- #21. Consideration of a closed meeting to discuss the appointments to the following Boards and Commissions: LRHA, Social Service Authority, Boards of Building Code Appeals, & GLTC, pursuant to Section 2.2-3711(A.)(1) of the Code of Virginia, 1950, as amended.

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **September 22, 2020**

AGENDA ITEM #: **1**

CONSENT:
ACTION:

REGULAR:
INFORMATION: **X**

WORK SESSION: **X**

CLOSED SESSION:
(Confidential)

ITEM TITLE: Lynchburg Fire Department Community Risk Assessment – Standard of Cover Update

KEY ELEMENTS:

___Economic Development ___Excellent Government ___Natural and Built Environment **X**Safe Community ___Vibrant Community

RECOMMENDATION: Receive this presentation of the recent updates to the Community Risk Assessment – Standard of Cover (CRA-SOC) data as an informational item.

SUMMARY: The CRA-SOC provides a documented transparent view into the direct service delivery components of the Fire Department including but not limited to; response times, service delivery methodology, fire station locations, resource allocation (apparatus and staffing), hazard classification, and critical task analysis. This document provides response data to inform the current and future efforts of the Department as it relates to its stated service delivery methodology, goals, and planning for the future of our community. The CRA-SOC represents a snap shot in time providing trend analysis to anticipate future needs of the community, the result of which ensures the validity of service delivery models and that needed resources are provided.

The purpose of this presentation is to provide City Council with an update that includes data from CY2019.

PRIOR ACTION(S): September 24, 2019: Adoption of CRA-SOC

FISCAL IMPACT: None

CONTACT(S): Fire Chief Greg Wormser, 455-6345
Deputy Fire Chief Robert Lipscomb, 455-6352
Deputy Fire Chief Jonathan Wright, 455-6353

ATTACHMENT(S):
CRA-SOC Presentation

REVIEWED BY: raw



Fire Department Standard of Cover Update

City Council Work Session
September 22, 2020



Purpose and Outline

- Update the Fire Department's Community Risk Assessment-Standard of Cover (CRA-SOC):
 - Recent Updates to Standard of Cover
 - Summary of SOC Data Analysis
- Community Risk Assessment (CRA) component
 - Provides a factual review of our community
 - Demographics
 - Response statistics
- Standard of Cover (SOC)
 - Provide a fact based data driven review of service delivery
 - Provide a fact based resource allocation model
 - Provide a sustainable thoughtful plan for the future



Standard of Cover Background

- Approved by City Council in September 2019
- Documents the standard by which we deliver service
- Evaluates our system measured against baselines and benchmarks
 - Fire Station locations
 - Community Demographics
 - Call Types
 - Response Times



Current Benchmarks and Baselines High Risk Fire Responses

	Benchmark (NFPA 1710)	Baseline (actual response data) Average at 90 percentile
Call Processing	1 minute 4 seconds	2 minutes 28 seconds
Turnout Time	1 minutes 20 seconds	1 minute 43 seconds
Travel Time	4 minutes	5 minutes 26 seconds
Effective Response Force	8 minutes	9 minutes 22 seconds



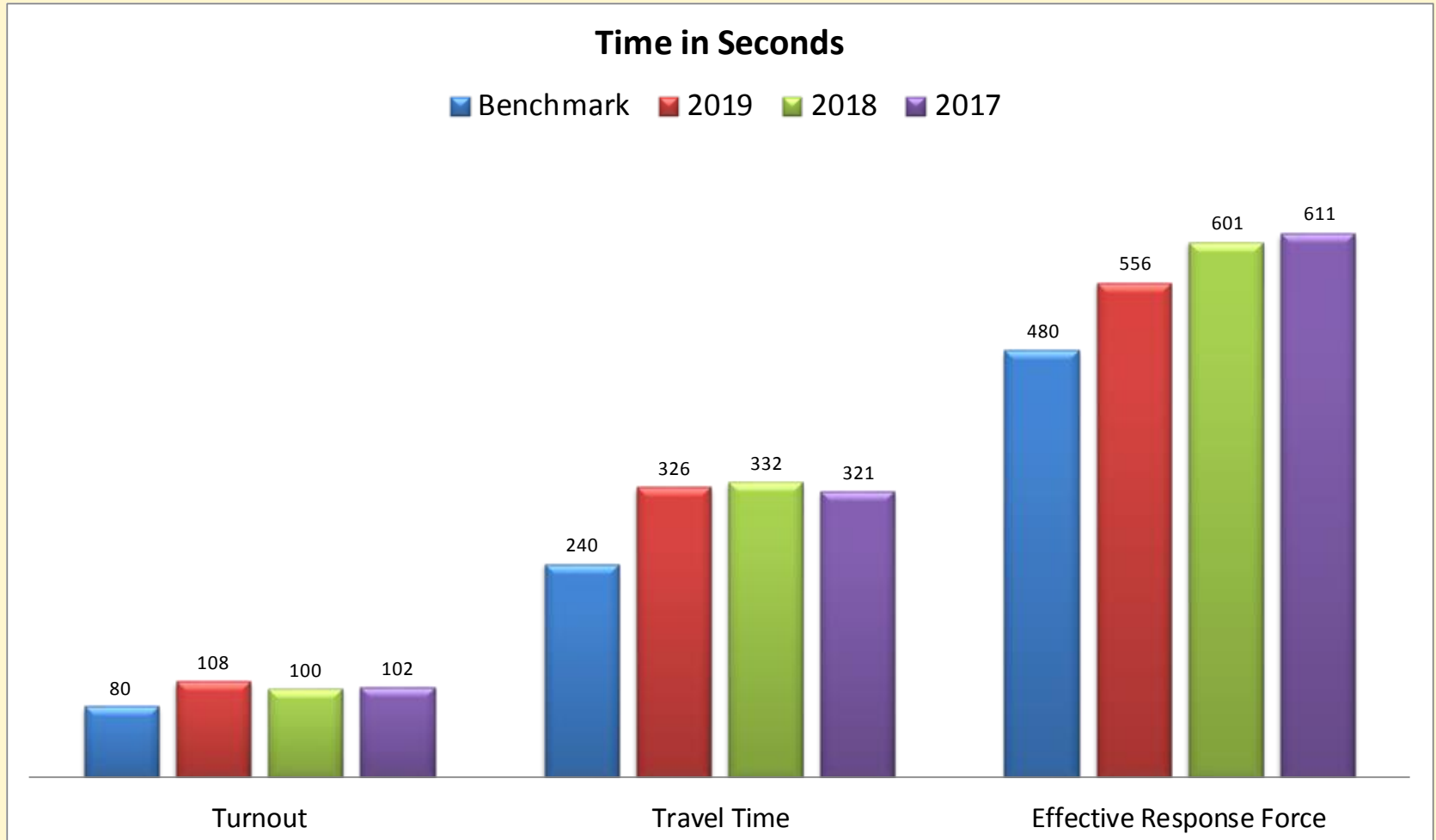
Response Time Trends

High Risk Fire Responses

	Benchmark	Baseline 2019	Baseline 2018	Baseline 2017
Turnout Time	1 minutes 20 seconds	1 minute 48 seconds	1 minute 40 seconds	1 minute 42 seconds
Travel Time	4 minutes	5 minutes 26 seconds	5 minutes 33 seconds	5 minutes 21 seconds
Effective Response Force	8 minutes	9 minutes 16 seconds	9 minutes 21 seconds	9 minutes 31 seconds

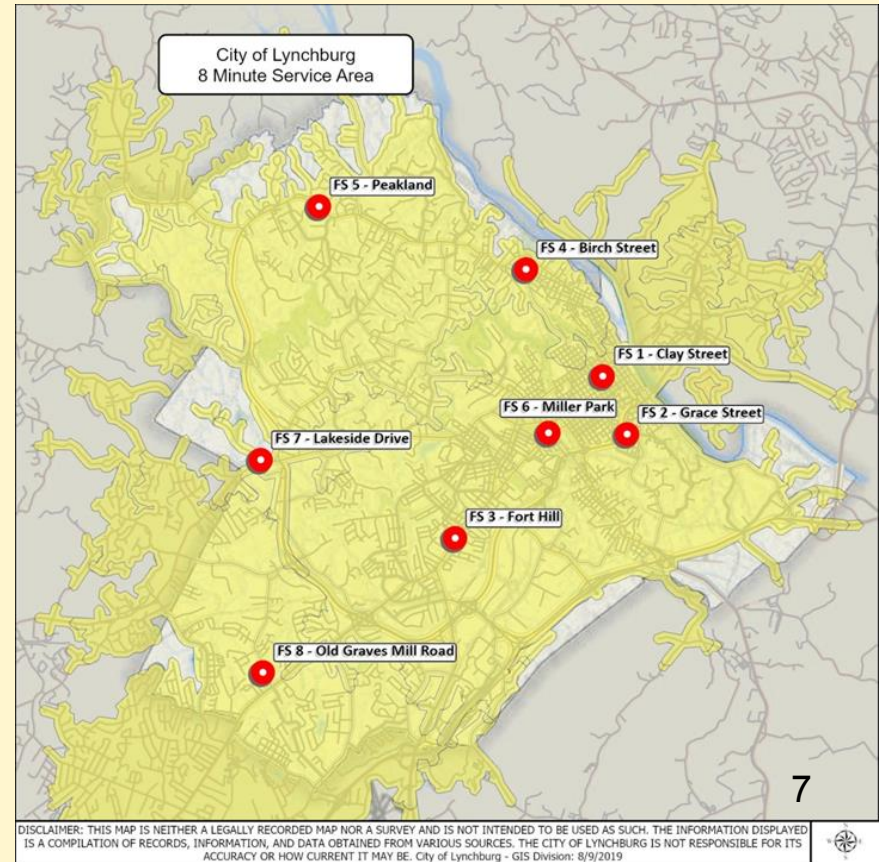
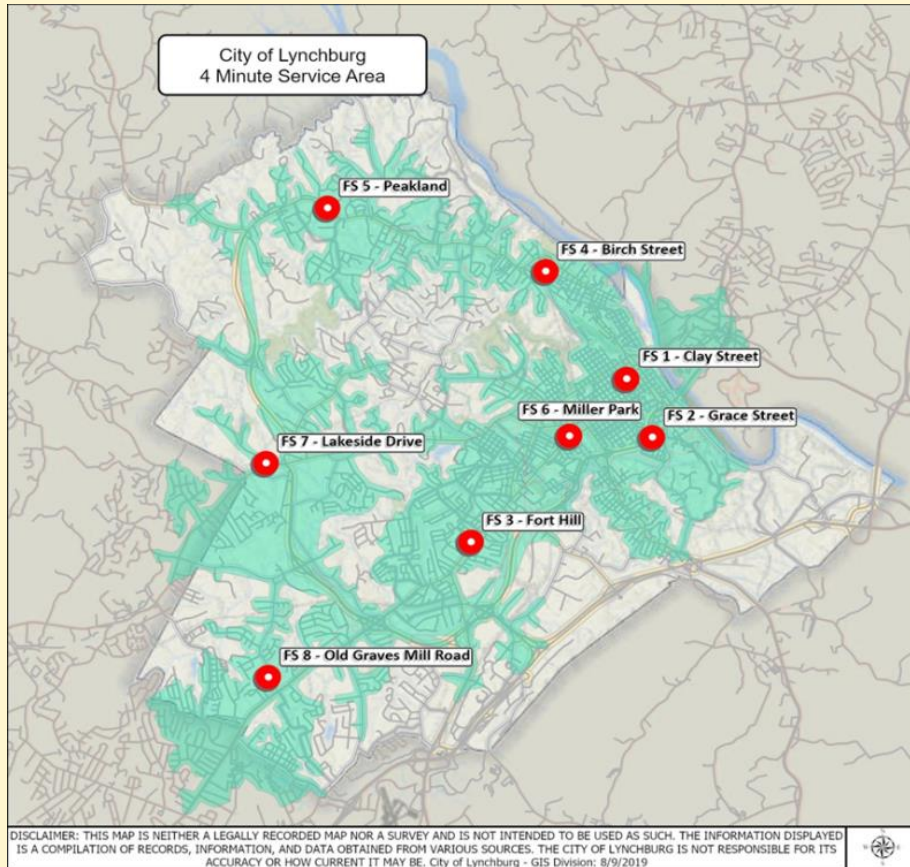


Fire Response Times





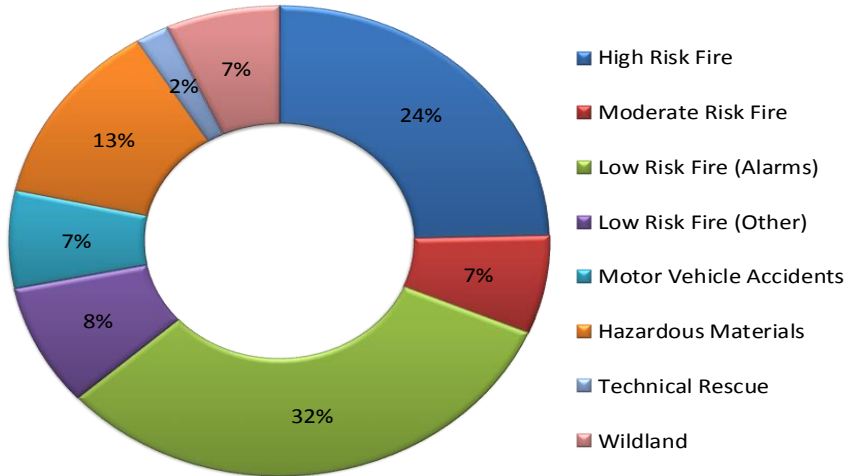
Fire Response Time Impacts



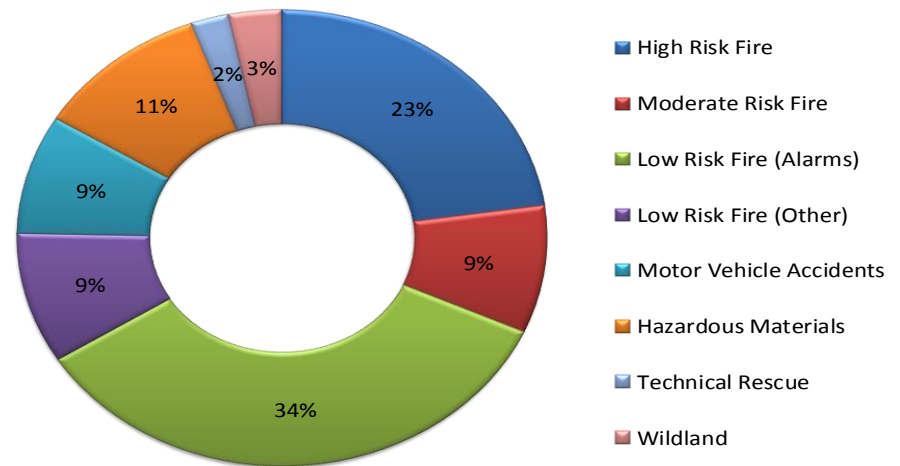


Fire Responses

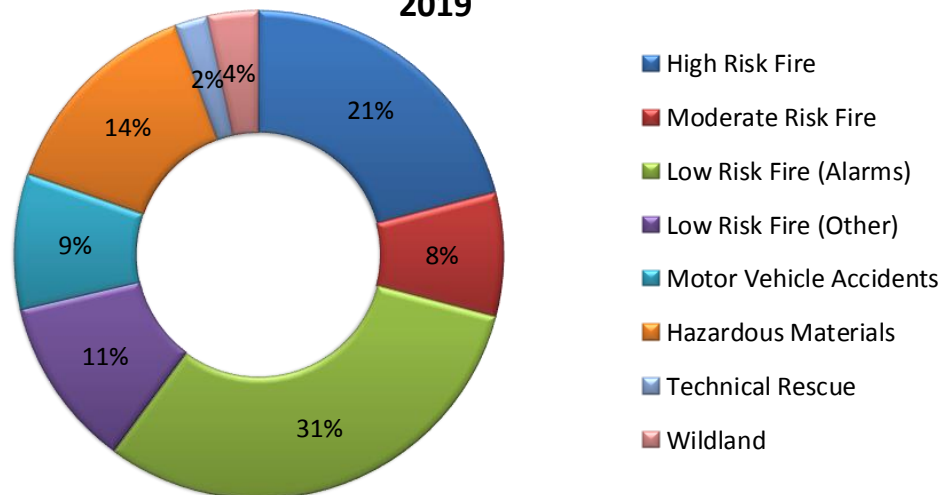
2017



2018



2019





Current Baselines and Benchmarks High Risk EMS Responses

	Benchmark (NFPA 1710)	Baseline (actual response data) Average at 90 percentile
Call Processing	1 minute 30 seconds	2 minutes 44 seconds
Turnout Time	1 minute	1 minute 45 seconds
Travel Time	4 minutes	5 minutes 13 seconds
Effective Response Force	8 minutes	7 minutes 1 second



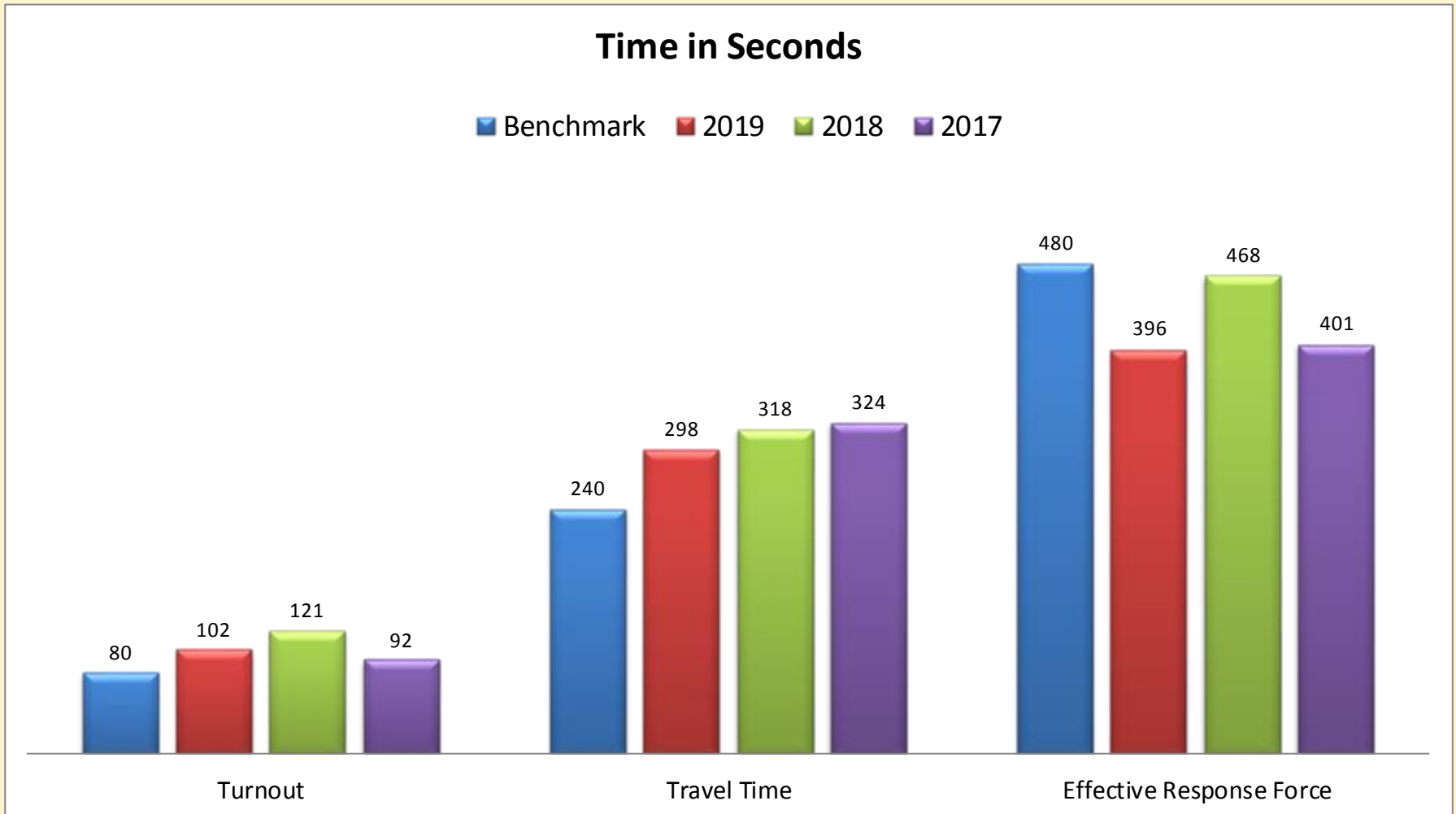
Response Time Trends

High Risk EMS Responses

	Benchmark	Baseline 2019	Baseline 2018	Baseline 2017
Turnout Time	1 minutes 20 seconds	1 minute 42 seconds	2 minutes 1 second	1 minute 32 seconds
Travel Time	4 minutes	4 minutes 58 seconds	5 minutes 18 seconds	5 minutes 24 seconds
Effective Response Force	8 minutes	6 minutes 36 seconds	7 minutes 48 seconds	6 minutes 41 seconds

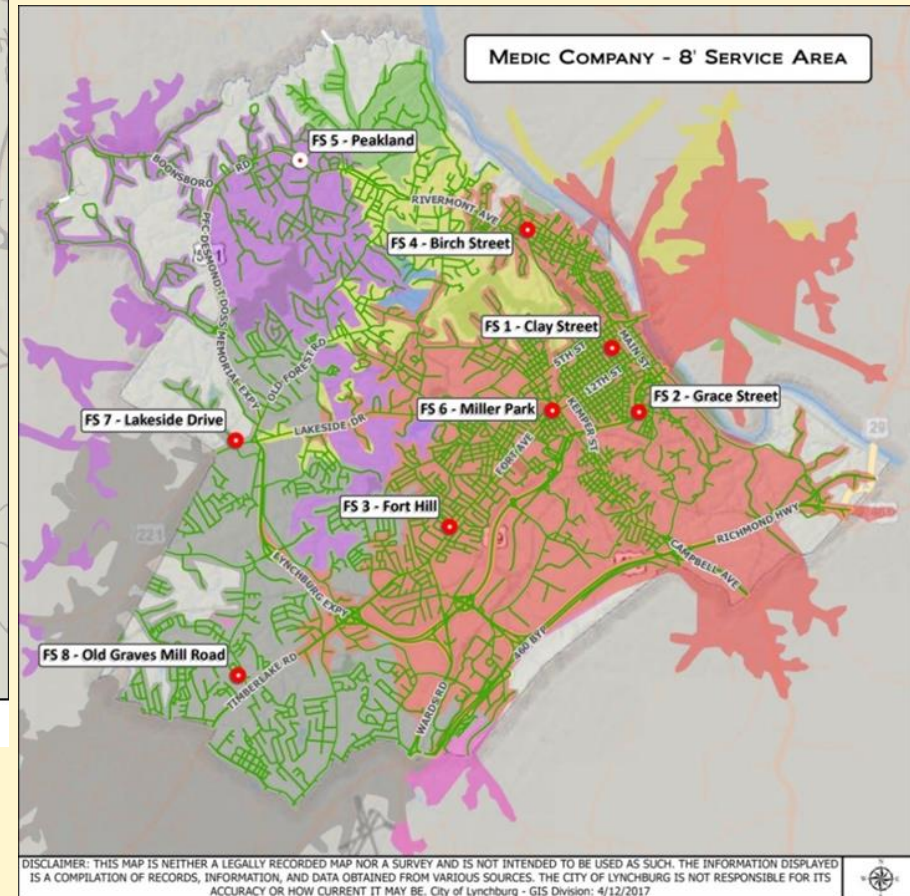
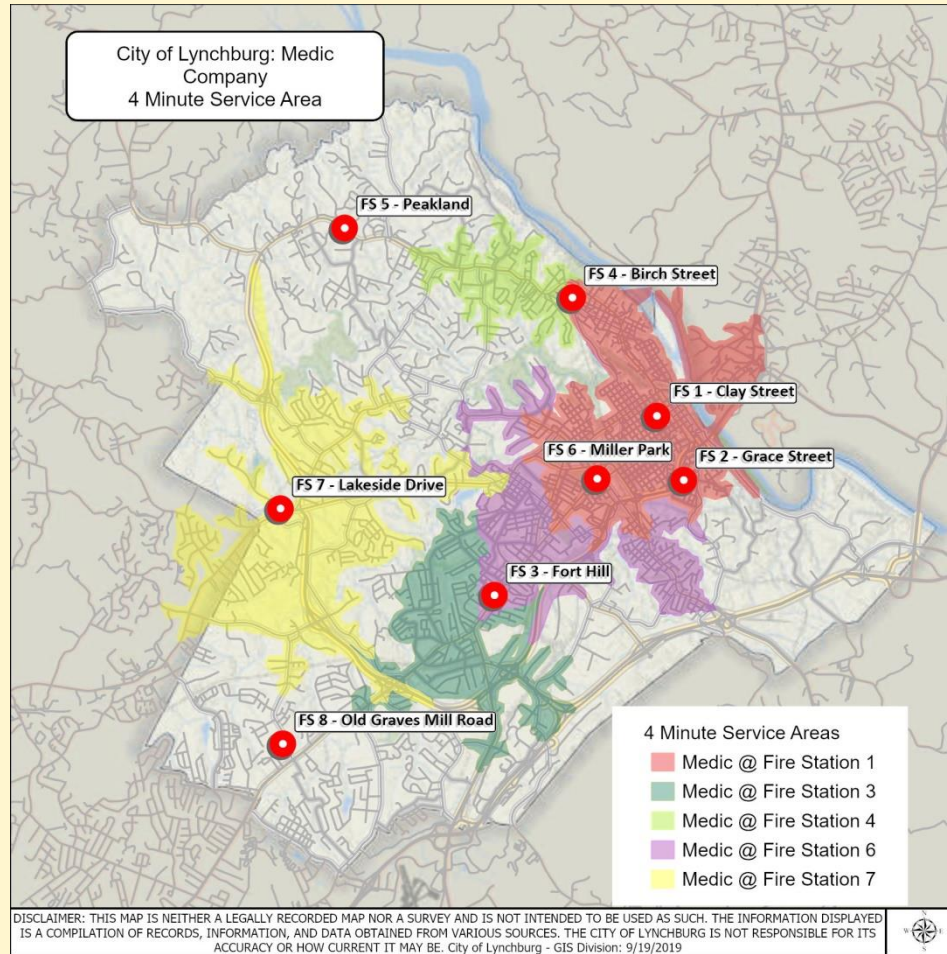


EMS Response Times





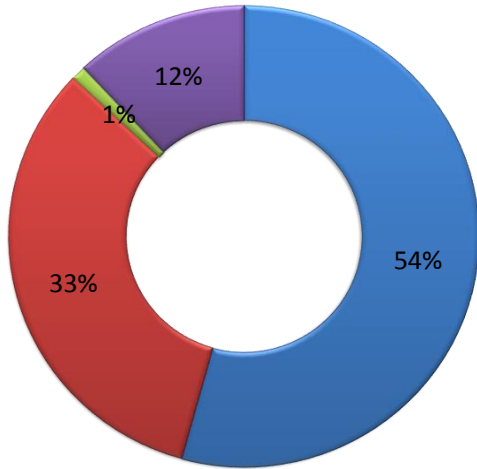
Medic Unit Service Area





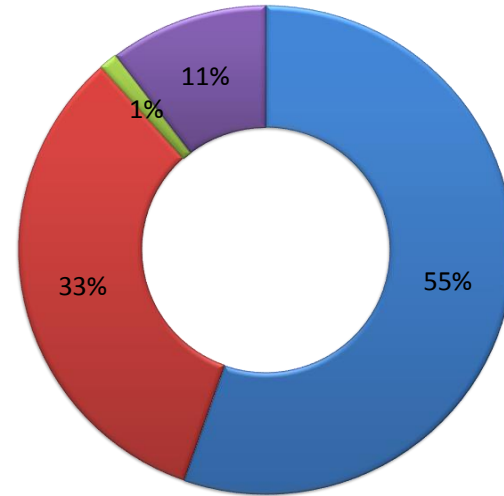
EMS Responses

2017



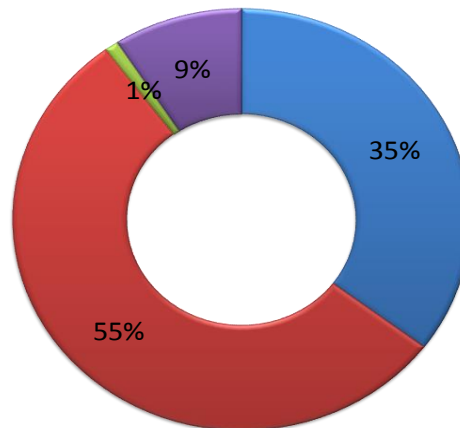
- Low Risk
- Moderate Risk
- High Risk
- Unknown Risk

2018



- Low Risk
- Moderate Risk
- High Risk
- Unknown Risk

2019



- Low Risk
- Moderate Risk
- High Risk
- Unknown Risk



Why is the CRA-SOC Important?

- Used as a playbook for continuous improvement of service delivery through validation
- Identifies trends which assists with future planning
- We are constantly owning what we do through data driven assessment



Fire Risk Categories Methodology

- Target Hazard Classification

- Low, Moderate, High, and Special
- Occupancy Type
- Construction Type
- Economic Impact

- Low

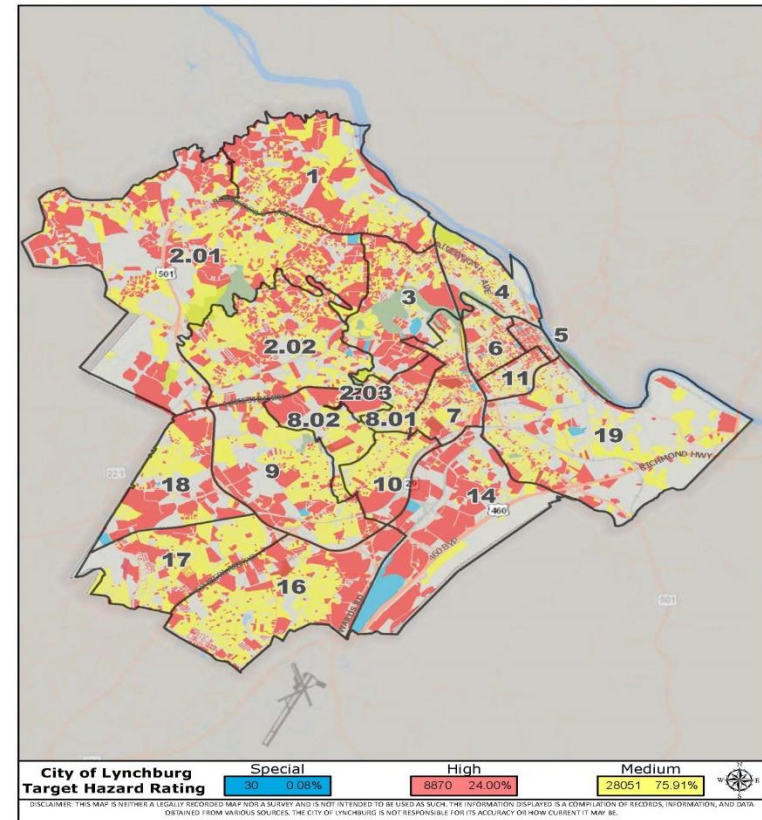
- Fire Alarms and Alarm Malfunctions

- Moderate

- Arson, Bomb Threat, Electrical Short Outside, Dumpster Fire

- High and Special

- Structure Fire, Chimney Fire, Smoke Odor Inside, Explosion





EMS Risk Categories Methodology

- EMS
 - Alpha: non-emergent calls that typically do not require transport
 - Falls without injury
 - Injuries that require evaluation but no transport
 - Bravo: non-emergent calls that require transport
 - Various call types that are minor but require transport
 - Charlie: more emergent calls
 - Can include; chest pain, injuries to areas of the body that are not life threatening
 - Delta: emergent calls
 - Can include; stroke, heart attack, difficulty breathing injuries to life threatening areas of the body
 - Echo: urgent calls
 - Can include entrapment and imminent death



Highlights of the Analysis

- We are providing an incredibly prompt, skilled, and efficient service
 - Call volume continues to trend up
 - Response times are improving slightly or are flat as compared to benchmarks
 - Service Delivery Outcomes remain strong



Response Statistics Summary

- Top census tract growth over last three years
 - EMS
 - 2.02 Ward I and Ward IV – Old Forest Road Corridor
 - 29% increase
 - 16 Ward III- Between Wards Road and Timberlake Road
 - 19% increase
 - 9 – Ward IV Fort Hill to Timberlake Road
 - 15% increase
 - Fire
 - 18 – Ward IV Graves Mill Road to Timberlake Road
 - 76%
 - 10 – Ward IV Fort Hill
 - 63%
 - 4 – Ward II Downtown
 - 54%



Moving Forward

- Living Planning Documents
 - Continuous improvement
 - Trend analysis
 - Block groups
- The city core continues to be the busiest
- Southwest portions of the city are growing
 - Justification remains for the 6th Medic Unit at Station 8 in Timberlake
- Dashboard
 - <https://cityoflynchburg.maps.arcgis.com/apps/MapSeries/index.html?appid=ee6336562621423c8593b5aee54b5166>

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **September 22, 2020**

AGENDA ITEM #: **2**

CONSENT:
ACTION: **X**

REGULAR:
INFORMATION:

WORK SESSION: **X**

CLOSED SESSION:
(Confidential)

ITEM TITLE: Proposed Amendments to mixed use development in the B-1, Limited Business Zoning District

KEY ELEMENTS:

X Economic Development **X** Excellent Government **X** Natural and Built Environment **X** Safe Community **X** Vibrant Community

RECOMMENDATION: Review the current requirements of the B-1, Limited Business Zoning District and initiate changes related to mixed-use developments.

SUMMARY: The City of Lynchburg's current Zoning Ordinance was adopted by City Council on February 23, 2016. When the B-1, Limited Business District Standards were drafted, the purpose was to provide for office, retail, restaurant and service uses that are compatible and in scale with nearby residential areas, have pedestrian-oriented designs and do not involve the constant traffic flows characteristic of community-scaled retail activities. The B-1 Zoning District also allows for a variety of residential uses. Single-household detached and mixed-use (typically commercial uses on lower floors with residential uses on upper floors) structures are permitted by right; two-household (duplexes), single-household attached (townhouses) and multi-household structures (apartments) are allowed with approval of a conditional use permit by City Council.

In an August 25, 2020 email to City Council, the Richland Hills Neighborhood Association expressed their concerns with a proposed mixed use development at 7051 Timberlake Road. Planning staff met with representatives from the neighborhood association on September 9, 2020. Although staff maintains the intent of the ordinance is to allow limited residential uses as part of a mixed-use development, the consensus is that the development as proposed does not meet the intent of the B-1, Limited Business District.

In lieu of eliminating the provision for "by right" mixed-use residential uses, staff recommends that City Council initiate changes to the B-1, Limited Business District that would (i) increase setbacks from lower density residential zoning districts, (ii) add a graphic and/or further explanation to the ordinance of when ground floor residential units are permitted as part of a mixed-use development, (iii) clarify that no development can exceed the fifty thousand (50,000) square foot maximum gross floor area and (iv) consider adding a maximum lot size or a requirement for a series of private or local streets to serve larger B-1 areas. If initiated by City Council, staff would also review applicability of the standards to other business zoning districts prior to scheduling public hearings with Planning Commission and City Council to amend the ordinance.

PRIOR ACTION(S):

January 14, 2014: *Comprehensive Plan 2013-2030* adopted by City Council

February 23, 2016: *Zoning Ordinance* adopted by City Council

FISCAL IMPACT: N/A

CONTACT(S):

Tom Martin, AICP, City Planner – 455-3900
Kent White, Community Development Director – 455-3900

ATTACHMENT(S): Presentation Slides; Memo; Logan's Landing II Preliminary Site Plan (excerpt)

REVIEWED BY: raw 120A



B-1, Limited Business District

Tom Martin, AICP

City Planner

Department of Community Development

City Council Work Session

September 22, 2020



Purpose and Outline

Purpose: Discuss staff recommendations to amend the B-1, Limited Business District

Outline:

- 1. Comprehensive Plan 2013-2030**
- 2. Proposed Logan's Landing II Development**
- 3. B-1 District Purpose**
- 4. B-1 District Residential Uses**
- 5. B-1 District Standards**
- 6. B-1 District Development Standards**
- 7. Richland Hill Neighborhood Concerns**
- 8. Staff Analysis and Recommendations**



Comprehensive Plan

Comprehensive Plan

- **Recognizes the need to make efficient use of limited land resources.**
- **Recommends policies that provide for accessory dwellings, density bonuses and mixed use development.**
- **Effort to provide for City's growing population without having to increase densities in residential districts.**



Proposed Logan's Landing II

Proposed Logan's Landing II

- 7051 Timberlake Road – 7.6 acres
- Zoned B-1, Limited Business District and B-3, Community Business District
- 123 Apartments, 17 Commercial Units
- 189,332 sf. In 4 Buildings
- 259 Parking Spaces
- Pool & Pool House



B-1 District Purpose

B-1 District Purpose

- Provide for office, retail, restaurant and service uses compatible with nearby residential areas.
- Be in scale with adjacent neighborhood development.
- Have pedestrian-oriented designs.
- Generate a moderate level of traffic.
- Provide a transition from retail districts and heavily traveled thoroughfares to residential areas.



B-1 District Purpose



2472-2496 Rivermont Avenue



Residential Uses in the B-1 District

Residential Uses in the B-1 District

- **Single-Household Detached – Permitted by Right**
- **Two-Household (Duplex) – Conditional Use Permit**
- **Single-Household Attached (Townhouses) – Conditional Use Permit**
- **Multi-Household Structures (Apartments) – Conditional Use Permit**
- **Mixed-use Residential Structures (Typically Commercial uses on lower floors with residential uses on upper floors – Permitted by Right**



B-1 District Standards

B-1 District Standards

- Limitations on drive-through location.
- Prohibited outdoor operations such as storage or display.
- Scale of business that is compatible with adjacent neighborhoods.
 - Multi-Tenant Commercial Developments – 50,000 sf.
 - Single-Office Development – 20,000 sf.
 - Single Retail or Service Business – 5,000 sf.
 - Restaurant – 4,000 sf.
- Except authorized single-household dwellings and other residential uses permitted by conditional use permit, ground floor residential uses shall be prohibited except when part of a mixed-use building where the residential access is taken from an urban collector or local street.



B-1 Development Standards

B-1 Development Standards

- **Visibility at Intersections**
- **Lot area regulations – 6,000 sf. minimum plus 1,000 sf. per dwelling unit**
- **Parking provided behind the front building line**
- **Dumpster screening**
- **Landscaping**
- **Height – 40 Feet Maximum**
- **Front Setback – 0 Foot**
- **Side Setback – 0 Foot**
- **Rear Setback – 25 Feet**
- **Lot Width – 50 Feet Minimum**
- **Lot Depth – 100 Feet Minimum**



Richland Hills Neighborhood Concerns

Neighborhood Concerns

1. Allowing commercially zoned land to be developed largely as high-density residential (apartment complexes) without review or approval by the Planning Commission or City Council.
2. The impact the proposed development would have on Timberlake Road traffic.
3. The intention of the developer to purchase the property at 1514 Brookville Lane to include as part of the proposed development.
4. Setbacks for B-1, Limited Business District uses adjacent R-1, Low Density Residential Districts.
5. Ratio of commercial space to residential units.
6. Mixed use developments ability to exceed the maximum 50,000 square foot maximum gross floor area.



Staff Response

Analysis and Recommendations

- Intent is not to allow high density apartments without review by Planning Commission or Council. Should allow for “limited” residential uses as part of a mixed-use development.
- A traffic analysis is being reviewed by the City Engineer.
- The property at 1514 Brookville Lane is not part of the submitted site plan and would require a *FLUM* Amendment and Rezoning.
- Amend Section 35.2-16 (j) to require a 50’ setback when B-1 Districts are adjacent to Low Density Residential Districts.



Staff Response

Analysis and Recommendations

- **Ground floor residential uses must take access from collector or local street. Developer expressed intent to appeal Zoning Administrator decision. (No official decision and no appeal filed)**
- **Amend B-1 standards or clarify explanation of when ground floor residential uses are permitted.**
- **Amend B-1 Standards to clarify no single development can exceed 50,000 square feet of maximum gross floor area.**
- **Consider maximum lot sizes or requirements for internal private or local streets.**



Recommended Action

Next Steps

- **Draft amendments to the B-1 Limited Business District**
 - increase setbacks if adjacent to lower density residential zoning districts;
 - add a graphic and/or further explanation to the ordinance of when ground floor residential units are permitted as part of a mixed-use development;
 - clarify that no development can exceed the fifty thousand (50,000) square maximum gross floor area; and
 - provide for a maximum lot size and/or a requirement for a series of private or local streets to serve larger B-1 areas.
- **Review applicability of the standards to other business districts.**
- **Schedule public hearings to amend the Zoning Ordinance with Planning Commission and City Council.**



Discussion

Questions?



Memorandum

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

To: City Council

From: Tom Martin, AICP, City Planner

CC: Reid Wodicka, Interim City Manager; John Hughes, IV, Assistant City Manager; Walter Erwin, City Attorney; Kent White, Director Community Development; Kevin Henry, Zoning Administrator

Date: September 17, 2020

Re: B-1, Limited Business Zoning District

The City of Lynchburg Zoning Ordinance was adopted by City Council on February 23, 2016. The updated ordinance was the result of a process that began in 2012 and included fifteen community listening sessions, interviews with staff, elected officials, appointed bodies and work sessions with Planning Commission and City Council. The adopted Zoning Ordinance replaced an ordinance that had not been comprehensively revised since 1978. It was intended to create a document that streamlined City processes to enhance the City's built environment and implement many of the goals of the *Comprehensive Plan 2013-2030*.

The *Comprehensive Plan 2012-2030* recognizes the need to make efficient use of the City's limited land resources and establishes policies that provide for accessory dwellings, density bonuses (for provision of community benefits e.g., open space or water quality enhancements) and mixed use development in commercial categories that previously excluded residences. *These policies were adopted in the plan and implemented in the subsequent rewrite of the Zoning Ordinance in an effort to provide for the City's growing population, without having to increase densities in the residential districts.*

As a result of concerns expressed by the Richland Hills Neighborhood related to a proposed development at 7051 Timberlake Road, City Council requested that staff provide an overview of the B-1, Limited Business District standards at an upcoming work session. The development proposes the construction of four "mixed use" buildings containing one hundred twenty-three (123) apartment units and seventeen (17) commercial units. Each building would contain a floor plate of fifteen thousand seven hundred seventy-seven (15,777) square feet and contain three (3) stories. Each building would contain approximately forty-seven thousand three hundred thirty-three (47,333) square feet. Total square footage of all four buildings would be approximately one hundred eighty-nine thousand, three hundred, thirty-two (189,332) square feet. The submitted site plan also indicates the construction of two hundred fifty-nine (259) parking spaces, a pool and pool house. The total disturbed area would be seven and six tenths (7.6) acres.

Zoning Ordinance Section 35.2-45.1 states the purpose of the B-1, Limited Business District:

- Provide for office, retail, restaurant and service uses compatible with nearby residential areas.
- Be in scale with adjacent neighborhood development.
- Have pedestrian-oriented designs.
- Generate a moderate level of traffic.
- Provide a transition from retail districts and heavily traveled thoroughfares to residential areas.

When the B-1, Limited Business District Standards were drafted, they were intended to create development patterns similar to what exists at 2472–2496 Rivermont Avenue. This block is zoned B-1, Limited Business District and contains thirty-seven thousand, three hundred ninety-four (37,394) square feet of commercial space on one and nineteen hundredths (1.19) acres. This area is bordered by residential neighborhoods and would meet all of the intended purposes as stated for the B-1, Limited Business District.



2472-2496 Rivermont Avenue

The B-1, Limited Business District allows a variety of residential uses:

- Single-Household Detached – Permitted by Right
- Two-Household (Duplex) – Conditional Use Permit
- Single-Household Attached (Townhouses) – Conditional Use Permit
- Multi-Household Structures (Apartments) – Conditional Use Permit
- Mixed-use Residential Structures (Typically Commercial uses on lower floors with residential uses on upper floors) – Permitted by Right

Mixed use residential structures permitted by right in the B-1, Limited Business District are subject to “District Standards”. District Standards include the following:

- Limitations on drive-through location.
- Prohibited outdoor operations such as storage or display.
- Scale of business that is compatible with adjacent neighborhoods.
 - Multi-Tenant Commercial Developments – 50,000 sf.
 - Single-Office Development – 20,000 sf.
 - Single Retail or Service Business – 5,000 sf.
 - Restaurant – 4,000 sf.
- Except authorized single-household dwellings and other residential uses permitted by conditional use permit, ground floor residential uses shall be prohibited except when part of a mixed-use building where the residential access is taken from an urban collector or local street.

The B-1, Limited Business District also includes the following “Development Standards”:

- Visibility at Intersections
- Lot area regulations – 6,000 sf. minimum plus 1,000 sf. per dwelling unit
- Parking provided behind the front building line
- Dumpster screening
- Landscaping
- Height – 40 Feet Maximum
- Front Setback – 0 Foot
- Side Setback – 0 Foot
- Rear Setback – 25 Feet
- Lot Width – 50 Feet Minimum
- Lot Depth – 100 Feet Minimum

In an August 25, 2020 e-mail to City Council, the Richland Hills Neighborhood Association expressed the following concerns with the proposed development at 7051 Timberlake Road:

1. Allowing commercially zoned land to be developed largely as high-density residential (apartment complexes) without review or approval by the Planning Commission or City Council.
2. The impact the proposed development would have on Timberlake Road traffic.
3. The intention of the developer to purchase the property at 1514 Brookville Lane to include as part of the proposed development.
4. Setbacks for B-1, Limited Business District uses adjacent R-1, Low Density Residential Districts.
5. Ratio of commercial space to residential units.
6. The provision for mixed use developments to exceed the maximum 50,000 square foot maximum gross floor area.

Planning staff agrees that the development as proposed does not meet the intent of the B-1, Limited Business District. The following are offered as responses to the concerns expressed by the Richland Hills Neighborhood Association and possible solutions that Council may wish to consider:

1. The intent of the B-1, Limited Business District was not to allow high-density residential (apartment complexes) without review by the Planning Commission or City Council. The B-1, Limited Business District expressly requires standalone, duplex, townhouse and apartment units to obtain a Conditional Use Permit from Planning Commission and City Council. Staff does believe it was the intent to allow “limited” residential uses as part of a mixed-use development.
2. The proposed development exceeded the thresholds for which a traffic study is required. The City Engineer has requested and reviewed a traffic-analysis for the proposed development. The City Engineer has requested corrections to the traffic-analysis, which have not yet been submitted. Primary access to the proposed development would be from Logan’s Lane. An access with turn-lane into the development is proposed from Timberlake Road. This access would be “right-in” and “right-out” of the development due to an existing median in Timberlake Road. Greater Lynchburg Transit Company (GLTC) Route 7 would serve the proposed development with a stop located at Middleview Street within

approximately seven hundred (700) feet. A sidewalk would be required along the entire property frontage of Timberlake Road.

3. The property located at 1514 Brookville Lane is currently zoned R-1, Low Density Residential District and recommended for Low Density Residential uses on the *Future Land Use Map (FLUM)*. If the developer was to propose using this property for anything other than low density residential uses it would need to have a *FLUM* Amendment and be rezoned. Planning staff informed the developer and the Richland Neighborhood Association that they would not support a *FLUM* Amendment or rezoning of this property. However, final decision on any proposed *FLUM* Amendment or zoning change would, of course, rest with City Council.
4. Setbacks for B-1, Limited Business Districts adjacent to R-1, Low Density Residential Districts. As written the underlying B-1, Limited Business District rear yard setback of twenty-five (25) feet is required. *Zoning Ordinance* Section 35.2-61.3, Setbacks establishes standards for adjacent districts. Section 35.2-61.3 (j) establishes the setback as fifty (50) feet when an R-4, B-3, B-5, IN-1 or IN-2 District is adjacent to R-1, R-2 or R-3 Districts. *City staff recommends City Council consider adding B-1, Limited Business District to this section of the Zoning Ordinance.*
5. Ratio of commercial space to residential units. City staff has informed the developer that the first floor of all buildings must be commercial space and that ground floor residential units are prohibited unless access to the residential units is taken from an urban collector or local street. The developer has indicated that he intends to appeal this decision of the Zoning Administrator; however, no official interpretation or appeal has been requested. The site plan will not be approved as submitted unless all ground floor space is commercial. *City staff recommends City Council consider adding a graphic and/or further explanation of when ground floor residential units are permitted as part of a mixed-use development.*
6. Mixed-use ability to exceed the maximum fifty thousand (50,000) square foot maximum gross floor area in the B-1, Limited Business District. The Zoning Administrator has opined that the fifty thousand square foot maximum gross floor area does not apply to mixed-use developments in the B-1, Limited Business District because it is not listed in Exhibit IV-13: Maximum Floor Area for the B-1 District. This is the largest “flaw” with the existing Ordinance. *City staff recommends City Council consider adding clarification that no development can exceed the fifty thousand (50,000) square maximum gross floor area in the B-1, Limited Business District. City Council may also want to consider adding a maximum lot size for the B-1, Limited Business District or adding a requirement for a series of private or local streets to serve larger B-1 areas.*

THIS SHEET IS INTENDED TO BE REPRODUCED AT 24"X36". ANY REPRODUCTION OF THIS SHEET AT A DIFFERENT SIZE SHALL VOID THE ORIGINAL SCALE SHOWN ON THE SHEET.

- NOTES**
1. THIS TOPOGRAPHIC SURVEY WAS COMPLETED UNDER THE DIRECT RESPONSIBLE CHARGE OF DOYLE B. ALLEN FROM AN ACTUAL GROUND SURVEY DONE AS PER DATE OF THIS PLAT AND THIS MAP MEETS MINIMUM ACCURACY STANDARDS UNLESS OTHERWISE NOTED.
 2. THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT, THEREFORE, NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
 3. THE AREA SHOWN HEREON IS LOCATED IN FLOOD HAZARD ZONE 'X' AND IS NOT LOCATED WITHIN FLOOD HAZARD ZONE 'AE' FOR A 100 YEAR FLOOD AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AS SHOWN ON FEMA MAP #5100930102D DATED JUNE 3, 2008.
 4. PROPERTY LINES SHOWN HEREON ARE FROM RECORD INFORMATION AND HAVE ONLY BEEN TIED DOWN IN THE FIELD ADEQUATELY ENOUGH TO USE FOR GENERAL INFORMATION PURPOSES ONLY. NO BOUNDARY SURVEY HAS BEEN PERFORMED AT THIS TIME.
 5. VERTICAL CONTROL FOR THIS PROJECT IS BASED ON NAVD 88, GEOID MODEL 128.
 6. THE UTILITIES SHOWN HEREON ARE PLOTTED PER VISIBLE EVIDENCE IN THE FIELD. UNDERGROUND UTILITIES HAVE NOT BEEN MARKED IN THE FIELD AT THIS TIME.
 7. THE SURVEYOR TAKES NO RESPONSIBILITY FOR THE LOCATION OR ACCURACY OF THE UTILITIES SHOWN HEREON OR ANY UTILITIES WITHIN THE PROJECT AREA THAT MAY NOT BE SHOWN HEREON. THE OWNER/CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING THE MISS UTILITY 1-800-522-7701 REQUEST 7-8 HOUR EXCAVATION TICKET BEFORE STARTING OF EXCAVATION/GROUND DISTURBANCE OF ANY KIND.
 8. THIS SURVEY WAS PREPARED AT THE REQUEST OF LOGANS LANDING, L.L.C.

SOURCE OF TITLE
THE AREA SHOWN WAS ACQUIRED BY LOGANS LANDING II, LLC FROM FW PROPERTIES VI LLC BY DEED DATED DECEMBER 16, 2019 AS RECORDED IN INSTRUMENT #19007961 OF THE CIRCUIT COURT CLERK'S OFFICE OF THE CITY OF LYNCHBURG.

PLATS OF REFERENCE
SUBDIVISION OF THE J.J. TERRELL EST.
(PLAT BOOK 3 PAGE 64 CAMPBELL COUNTY)

SURVEY FOR HORACE G. FRALIN, KAREN HOLLY WALDRON & ELBERT H. WALDRON
(DB 535 PAGE 283)

PLAT SHOWING DIVISION OF PROPERTY OF SCHEWEL-TIMBERLAKE, ELBERT H. WALDRON, HORACE G. FRALIN & KAREN HOLLY WALDRON
(PLAT CABINET 4 PAGE 361)

PLAT SHOWING DIVISION OF PROPERTY OF SCHEWEL-TIMBERLAKE
(PLAT CABINET 4 PAGE 362)

PLAT SHOWING RICHLAND HILLS SUBDIVISION OF PART OF THE PROPERTY OF WILLIAM N. NELSON, II
(PLAT BOOK 13 PAGE 64 CAMPBELL COUNTY)

HIGHWAY PLAT BOOK 4 PAGE 123

PID #24406002
DENNIS R. GUILL &
BRENDA E. GUILL
D.B. 778 PAGE 477
PB 13 PAGE 64 (CC)

PID #24406001
COLEY L. THORNSBURY &
BRENDA J. THORNSBURY
INST. #110055646
PB 13 PAGE 64 (CC)

PID #24805002
LARRY J. GRAY &
LYNN J. GRAY
INST. #100004339
PB 13 PAGE 64 (CC)

PID #24805003
MACK H. JOHNSON, SR. &
VIRGINIA JOHNSON
D.B. 1546 PAGE 541
PB 13 PAGE 64 (CC)

PID #24805004
PAUL D. BENNETT &
SARAH H. BENNETT
INST. #100007867
PB 13 PAGE 64 (CC)

PID #24406005
ROBERT J. PENDLETON &
LUCILLE W. PENDLETON
D.B. 907 PAGE 158
PB 13 PAGE 64 (CC)

PID #24405002
LOGANS LANDING II, LLC
INST. #160004961

PID #24405009
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SCHEWEL-TIMBERLAKE
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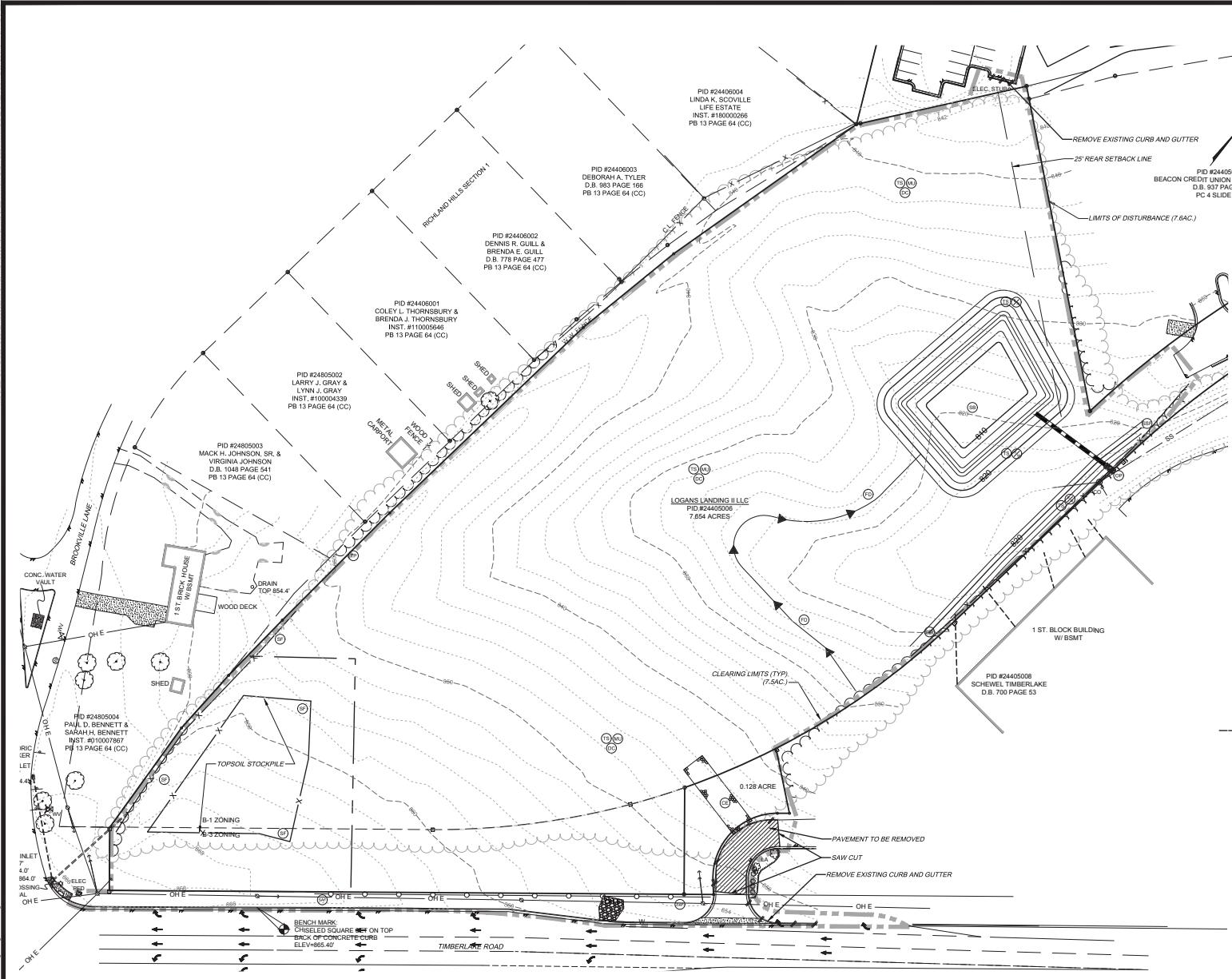
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PID #24405008
SCHEWEL-TIMBERLAKE
D.B. 700 PAGE

THIS SHEET IS INTENDED TO BE REPRODUCED AS PART OF A PROJECT. REPRODUCTION OF THIS SHEET AS A SEPARATE DOCUMENT SHALL VIOLATE THE SCALE AND/OR THE SHEET.



Anti-Sleep Collar Design

Pipe Diameter (ft)	3
$V = 10 \times \text{Depth of Water at Principal Spillage (ft)}$	4.6
$Z = \text{Slope of Upstream Embankment (2H:1V)}$	3
$S = \text{Barral Slope (ft/ft)}$	0.012
$L_s = \text{Length of Barral in Saturated Zone (ft)}$	33.8
$10\% \text{ Increase in Seepage Length (ft)}$	5.1
Number of Collars	2
Minimum Required Collar Projection (ft)	2.5
Collar Size	6' x 6'

Buoyancy Calculations

Riser Height (ft)	4.0
Riser Outside Diameter (ft)	6.0
Riser Volume (CY)	113
Buoyant Force (lb)	7957
Ballast Weight (lb) of 1.50 pcf	9850
Riser Weight (lb) of 1.50 pcf	5200
Ballast Weight	2160
Total Downward Force	13230
Downward Force/Buoyant Force	1.67

Sediment Basin Calculations

Drainage Area	AC	13.2
Dry Storage Volume Required	CY	884
Dry Storage Volume Provided	CY	1651
Wet Storage Volume Required	CY	884
Wet Storage Volume Provided	CY	1138
Length to Width Ratio	X:1	2
Bottom Elevation	FT	810.0
Sediment Cleanout Elevation	FT	813.0
Dewatering Orifice Elevation	FT	815.0
Principal Spillage Elevation	FT	819.0
Emergency Spillage Elevation	FT	N/A
Design High Water Elevation	FT	821.3
Embankment Elevation	FT	823.5
Riser Pipe Diameter	ft	60
Anti-Vortex Device Diameter	ft	N/A
Dewatering Tube Diameter	ft	6
Embankment Top Width	ft	25
Embankment Side Slopes	Z:1	2:1
Riser Base Depth	ft	1
Riser Base Diameter	ft	48
Number Of Anti-Sleep Collars		1

Basin Outlet Protection

Drainage Area	AC	13.2
C-Value		See Decision
Time of Concentration	MIN	See Decision
Intensity	IN/Hr	See Decision
Design Flow	CFS	26.2
Tailwater Depth	FT	1.3
Discharge Velocity	FT	8.7
Rip Rap Crestation	FT	10
Apex Length	FT	10
Apex Width	FT	10
Side Slopes	Z:1	2:1
Apex Depth	ft	24

VIRGINIA UNIFORM CODING SYSTEM FOR EROSION AND SEDIMENT CONTROL PRACTICES
* CHART TAKEN FROM THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK (JULY 1992)

- TEMPORARY SAFETY FENCE (3.01)
- TEMPORARY CONSTRUCTION ENTRANCE (3.02)
- SILT FENCE (3.05) WIRE REINFORCED SILT FENCE (3.05)
- INLET PROTECTION (3.07)
- DIVERSION DIKE (3.09)
- FILL DIVERSION (3.10)
- TEMPORARY SEDIMENT BASIN (3.14)
- OUTLET PROTECTION (3.18)
- ROCK CHECK DAMS (3.20)
- SURFACE ROUGHENING (3.29)
- TEMPORARY SEEDING (3.31)
- PERMANENT SEEDING (3.32)
- MULCHING (3.35)
- SOIL STABILIZATION BLANKETS & MATTING (3.36)
- DUST CONTROL (3.39)

DEMOLITION LEGEND

TO BE REMOVED

HURT & PROFFITT
INSPIRED / RESPONSIVE / TRUSTED

434.847.7786
2824 LYNCHBURG ROAD
LYNCHBURG, VA 24601

E & S STAGE 1 AND DEMOLITION PLAN
FOR
LOGAN'S LANDING II
CITY OF LYNCHBURG, VIRGINIA

PROJECT NO. 20191446
LAT. 37.365780°
LONG. -79.207180°
DATE 12/23/2019
DRAWN BY: ELC
CHECKED BY: DBA

REVIEW SET

0 20 40 80
SCALE 1" = 40'

HURT & PROFFITT

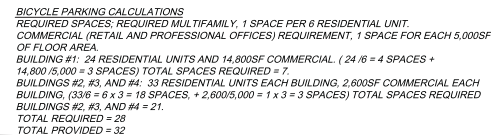
SHEET NO. C-101
REV. ---

PROJECT NO.	20191446
LAT.	37.365760°
LONG.	-79.207180°
DATE:	12/23/2019
DRAWN BY:	ELC
CHECKED BY:	DBA

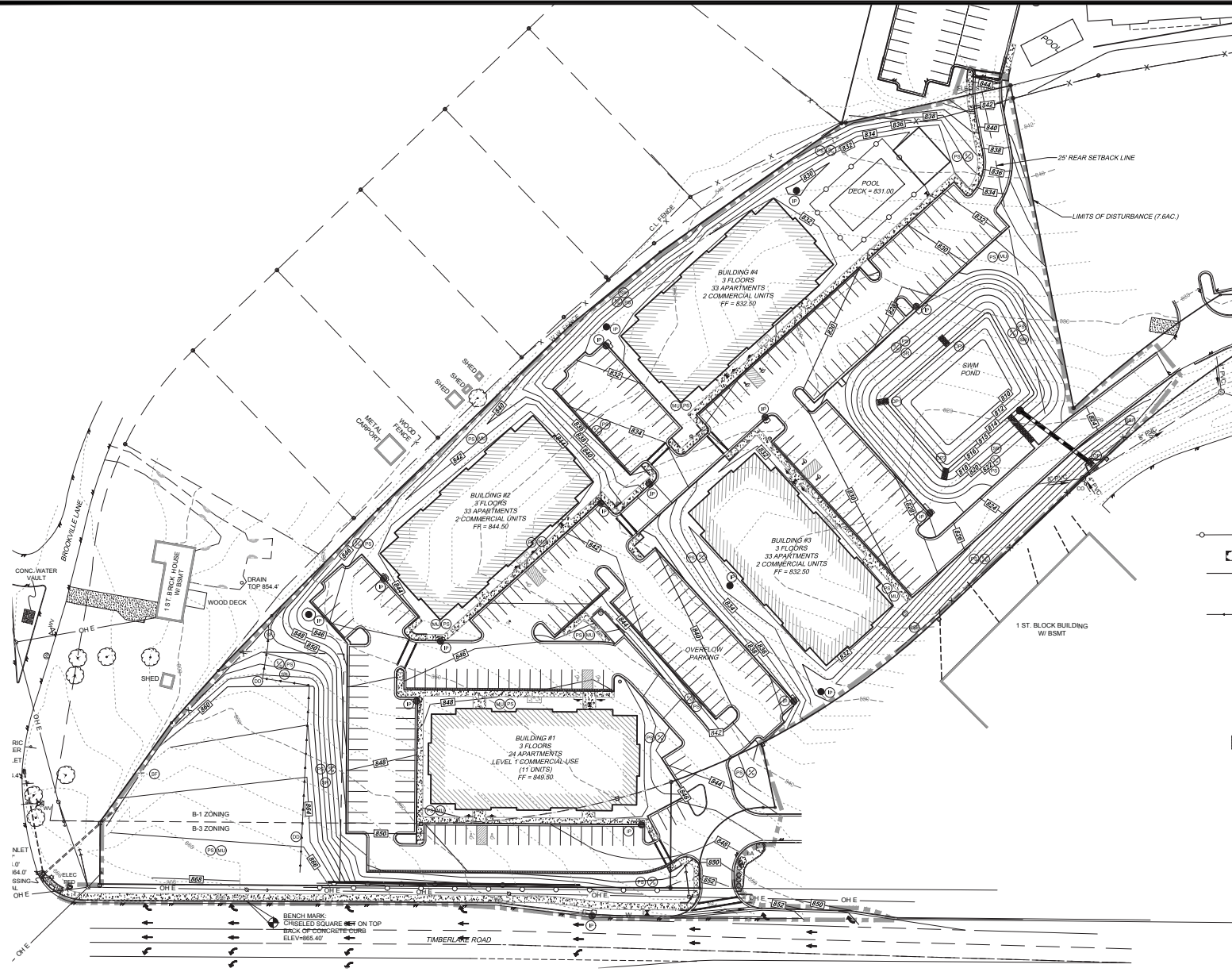


HURT & PROFFITT

SHEET NO. C-102	REV. ---
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THIS SHEET IS ATTACHED TO BE REPRODUCED AS PART OF A SUBMITTAL TO THE CITY OF LYNCHBURG, VIRGINIA. THE SCALE OF THIS SHEET IS 1" = 40'.



- VIRGINIA UNIFORM CODING SYSTEM FOR EROSION AND SEDIMENT CONTROL PRACTICES
* CHART TAKEN FROM THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK (JULY 1992)
- TSF TEMPORARY SAFETY FENCE (3.01)
 - CE TEMPORARY CONSTRUCTION ENTRANCE (3.02)
 - SF SILT FENCE (3.05) SRF WIRE REINFORCED SILT FENCE (3.05)
 - P INLET PROTECTION (3.07)
 - DD DIVERSION DIKE (3.09)
 - SB TEMPORARY SEDIMENT BASIN (3.14)
 - OP OUTLET PROTECTION (3.18)
 - SR SURFACE ROUGHENING (3.29)
 - TS TEMPORARY SEEDING (3.31)
 - PS PERMANENT SEEDING (3.32)
 - ML MULCHING (3.35)
 - SL SOIL STABILIZATION BLANKETS & MATTING (3.36)

OUTLET PROTECTION TABLE (3.19) (OP)

3-19 - OUTLET PROTECTION SUMMARY TABLE			
ID	OP-#1	OP-#2	OP-#3
DESIGN FLOW *	24.53	9.03	7.70
TAILWATER DEPTH	24"	18"	24"
DISCHARGE VELOCITY	8.12	5.11	2.95
PIP RAMP GRADATION	Q1.14	Q1.14	Q1.14
APRON LENGTH	8FT	7FT	8FT
APRON WIDTH(S)	5.5FT	4.5FT	5.5FT
SIDE SLOPES	3:1	3:1	3:1
APRON DEPTH	6"	6"	6"

HURT & PROFFITT
INSPIRED / RESPONSIVE / TRUSTED

434.847.7786
2024 LYNCHBURG ROAD
LYNCHBURG, VA 24601
HURTPROFF.COM

E & S STAGE 2 AND GRADING PLAN
FOR
LOGAN'S LANDING II
CITY OF LYNCHBURG, VIRGINIA

PROJECT NO. 20191446
LAT. 37.365780°
LONG. -79.207180°
DATE 12/23/2019
DRAWN BY: ELC
CHECKED BY: DBA

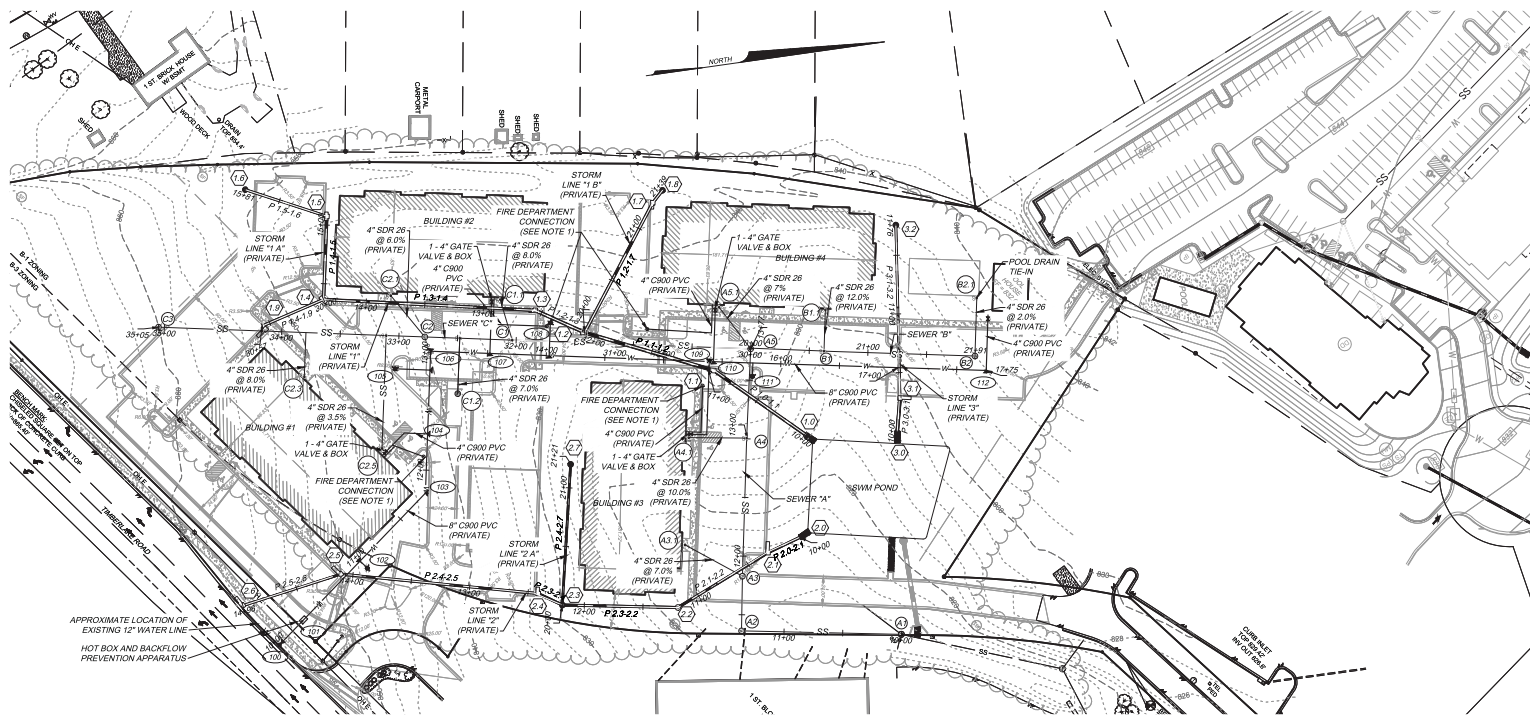
REVIEW
SET

0 20 40 80
SCALE 1" = 40'

HURT & PROFFITT

SHEET NO. C-103
REV. ---

THIS SHEET IS LIMITED TO THE INFORMATION SHOWN HEREON. NO OTHER INFORMATION SHALL BE SHOWN ON THIS SHEET. THE CITY OF LYNCHBURG, VIRGINIA, IS NOT RESPONSIBLE FOR THE DESIGN OR CONSTRUCTION OF THE PROJECT. THE CITY OF LYNCHBURG, VIRGINIA, IS NOT RESPONSIBLE FOR THE DESIGN OR CONSTRUCTION OF THE PROJECT.



STORM STRUCTURE SCHEDULE

1.0	VDOT STD DI-38, 12L TOP=827.90 INV IN=817.54 (FROM 2.2) INV IN=817.34	2.1	VDOT STD DI-38, 12L TOP=827.90 INV IN=817.54 (FROM 2.2) INV IN=817.34
1.1	VDOT STD DI-38, 6L TOP=831.63 INV IN=819.85 (FROM 1.2) INV OUT=819.85	2.2	VDOT STD DI-38, 6L TOP=831.63 INV IN=819.85 (FROM 1.2) INV OUT=819.85
1.2	VDOT STD DI-38, 6L TOP=837.06 INV IN=824.55 (FROM 1.3) INV IN=824.55 (FROM 1.7) INV OUT=824.55	2.3	VDOT STD DI-38, 6L TOP=837.06 INV IN=824.55 (FROM 1.3) INV IN=824.55 (FROM 1.7) INV OUT=824.55
1.3	VDOT STD DI-38, 6L TOP=842.00 INV IN=829.85 (FROM 1.4) INV OUT=829.85	2.4	VDOT STD DI-38, 6L TOP=842.00 INV IN=829.85 (FROM 1.4) INV OUT=829.85
1.4	VDOT STD DI-38, 6L TOP=846.15 INV IN=836.00 (FROM 1.5) INV OUT=836.00	2.5	VDOT STD DI-38, 6L TOP=846.15 INV IN=836.00 (FROM 1.5) INV OUT=836.00
1.5	VDOT STD DI-38, 6L TOP=849.50 INV IN=837.80 (FROM 1.6) INV OUT=837.80	2.6	VDOT STD DI-38, 6L TOP=849.50 INV IN=837.80 (FROM 1.6) INV OUT=837.80
1.6	VDOT STD DI-38, 6L TOP=853.17 INV IN=838.70 (FROM 1.7) INV OUT=838.70	2.7	VDOT STD DI-38, 6L TOP=853.17 INV IN=838.70 (FROM 1.7) INV OUT=838.70
1.7	VDOT STD DI-38, 6L TOP=857.50 INV IN=842.80 (FROM 1.8) INV OUT=842.80	2.8	VDOT STD DI-38, 6L TOP=857.50 INV IN=842.80 (FROM 1.8) INV OUT=842.80
1.8	VDOT STD DI-38, 6L TOP=860.90 INV IN=846.90 (FROM 1.9) INV OUT=846.90	2.9	VDOT STD DI-38, 6L TOP=860.90 INV IN=846.90 (FROM 1.9) INV OUT=846.90
1.9	VDOT STD DI-38, 6L TOP=864.90 INV IN=850.90 (FROM 2.0) INV OUT=850.90	3.0	VDOT STD DI-38, 6L TOP=864.90 INV IN=850.90 (FROM 2.0) INV OUT=850.90
2.0	VDOT STD DI-38, 6L TOP=868.90 INV IN=854.90 (FROM 2.1) INV OUT=854.90	3.1	VDOT STD DI-38, 6L TOP=868.90 INV IN=854.90 (FROM 2.1) INV OUT=854.90

STORM PIPE SCHEDULE

1.0-1.1	94LF OF 24" N12 HDPE @ 3.86%	1.1-1.2	115LF OF 24" N12 HDPE @ 3.92%
1.2-1.3	46LF OF 24" N12 HDPE @ 11.45%	1.3-1.4	125LF OF 18" N12 HDPE @ 1.00%
1.4-1.5	180LF OF 18" N12 HDPE @ 3.68%	1.5-1.6	73LF OF 15" N12 HDPE @ 1.23%
1.6-1.7	71LF OF 18" N12 HDPE @ 0.99%	1.7-1.8	57LF OF 18" N12 HDPE @ 8.94%
1.8-1.9	57LF OF 18" N12 HDPE @ 8.94%	1.9-2.0	30LF OF 18" N12 HDPE @ 4.47%
2.0-2.1	30LF OF 18" N12 HDPE @ 4.47%	2.1-2.2	90LF OF 18" N12 HDPE @ 2.73%
2.2-2.3	90LF OF 18" N12 HDPE @ 2.73%	2.3-2.4	23LF OF 18" N12 HDPE @ 23.02%
2.4-2.5	169LF OF 15" N12 HDPE @ 5.52%	2.5-2.6	120LF OF 15" N12 HDPE @ 6.18%
2.6-2.7	88LF OF 15" N12 HDPE @ 3.34%	2.7-2.8	28LF OF 24" N12 HDPE @ 2.87%
2.8-2.9	147LF OF 15" N12 HDPE @ 1.96%		

SANITARY STRUCTURE SCHEDULE

A1	SANITARY MANHOLE STA: 10+00.00 (LINE SEWER-A) N: 3657344.49 E: 11277404.82 INV IN=807.70 (FROM A2) INV IN=807.70 (FROM A2)	B1	CLEANOUT STA: 20+62.50 (LINE SEWER-B) N: 3657313.23 E: 11277156.61 INV IN=822.71 (FROM B1) INV IN=822.71 (FROM B2)
A2	SANITARY MANHOLE STA: 11+36.25 (LINE SEWER-A) N: 3657210.05 E: 11277382.71 INV IN=812.34 (FROM A3) INV IN=812.34 (FROM A3)	B1.1	CLEANOUT STA: 20+62.50 (LINE SEWER-B) N: 3657316.31 E: 11277321.80 INV IN=822.71 (FROM B1) INV IN=822.71 (FROM B2)
A3	SANITARY MANHOLE STA: 11+42.89 (LINE SEWER-A) N: 3657217.41 E: 11277308.65 INV IN=821.40 (FROM A4) INV IN=821.40 (FROM A4)	B2	CLEANOUT STA: 21+41.30 (LINE SEWER-B) N: 3657404.01 E: 11277178.81 INV IN=823.10 (FROM B2.1) INV IN=823.10 (FROM B2.1)
A3.1	CLEANOUT STA: 12+07.72 (LINE SEWER-A) N: 3657172.71 E: 11277033.38 INV IN=821.40 (FROM A3) INV IN=821.40 (FROM A3)	B2.1	CLEANOUT STA: 21+41.30 (LINE SEWER-B) N: 3657404.01 E: 11277178.81 INV IN=823.10 (FROM B2.1) INV IN=823.10 (FROM B2.1)
A4	CLEANOUT STA: 13+00.61 (LINE SEWER-A) N: 3657237.51 E: 11277220.66 INV IN=821.87 (FROM A4.1) INV IN=821.87 (FROM A4.1)	C2	CLEANOUT STA: 21+41.30 (LINE SEWER-B) N: 3657404.01 E: 11277178.81 INV IN=823.10 (FROM B2.1) INV IN=823.10 (FROM B2.1)
A4.1	CLEANOUT STA: 12+99.20 (LINE SEWER-A) N: 3657188.12 E: 11277213.31 INV IN=821.87 (FROM A4) INV IN=821.87 (FROM A4)	C2.1	CLEANOUT STA: 21+41.30 (LINE SEWER-B) N: 3657404.01 E: 11277178.81 INV IN=823.10 (FROM B2.1) INV IN=823.10 (FROM B2.1)
A5	SANITARY MANHOLE STA: 13+76.16 (LINE SEWER-A) N: 3657251.63 E: 11277145.63 INV IN=823.11 (FROM C1) INV IN=823.11 (FROM C1)	C2.5	CLEANOUT STA: 21+41.30 (LINE SEWER-B) N: 3657404.01 E: 11277178.81 INV IN=823.10 (FROM B2.1) INV IN=823.10 (FROM B2.1)
A5.1	CLEANOUT STA: 30+28.23 (LINE SEWER-C) N: 3657229.53 E: 11277106.94	C3	CLEANOUT STA: 30+28.23 (LINE SEWER-C) N: 3657229.53 E: 11277106.94

- NOTE: 1. EACH FIRE DEPARTMENT CONNECTION TO HAVE A PERMANENT LABEL IDENTIFYING BUILDING BEING SERVED.
2. LANDSCAPING AND/OR OTHER FEATURES SHALL NOT BE SUCH THAT THEY IMPACT THE REQUIRED ALLOWANCES FOR ANY PIPE AND/OR RIPRA FOR BACKFLOW NOW OR IN THE FUTURE.

WATER LINE STRUCTURE SCHEDULE

100	STA: 10+00+00 RECD: (1) - 12" X 8" WET TAPPING TEE (1) - 8" GATE VALVE AND BOX	108	STA: 14+00+00 RECD: (1) - FIRE HYDRANT ASSEMBLY
101	STA: 10+29+00 RECD: (1) - HOT BOX & RPZ (1) - 8" VALVE	109	STA: 15+38+00 RECD: (1) - 8" X 4" TEE (1) - 4" GATE VALVE AND BOX OFFSET 80' RT.
102	STA: 11+00+00 RECD: (1) - FIRE HYDRANT ASSEMBLY	110	STA: 15+43+00 RECD: (1) - 8" X 4" TEE (1) - 4" GATE VALVE AND BOX OFFSET 52' LT.
103	STA: 11+80+00 RECD: (1) - 8" 45° BEND (1) - CONCRETE ANCHOR	111	STA: 15+76+00 RECD: (1) - FIRE HYDRANT ASSEMBLY
104	STA: 12+31+00 RECD: (1) - 8" X 4" TEE (1) - 4" GATE VALVE AND BOX OFFSET 185' LT.	112	STA: 17+75+00 RECD: (1) - 8" X 4" TEE (1) - 4" GATE VALVE AND BOX OFFSET 47' LT.
105	STA: 12+85+00 RECD: (1) - FIRE HYDRANT ASSEMBLY		
106	STA: 13+01+00 RECD: (1) - 8" 90° BEND (1) - CONCRETE ANCHOR		
107	STA: 13+52+00 RECD: (1) - 8" X 4" TEE (1) - 4" GATE VALVE AND BOX OFFSET 46' LT.		

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LYNCHBURG, VA 24601

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UTILITY PLAN
FOR
LOGAN'S LANDING II
CITY OF LYNCHBURG, VIRGINIA

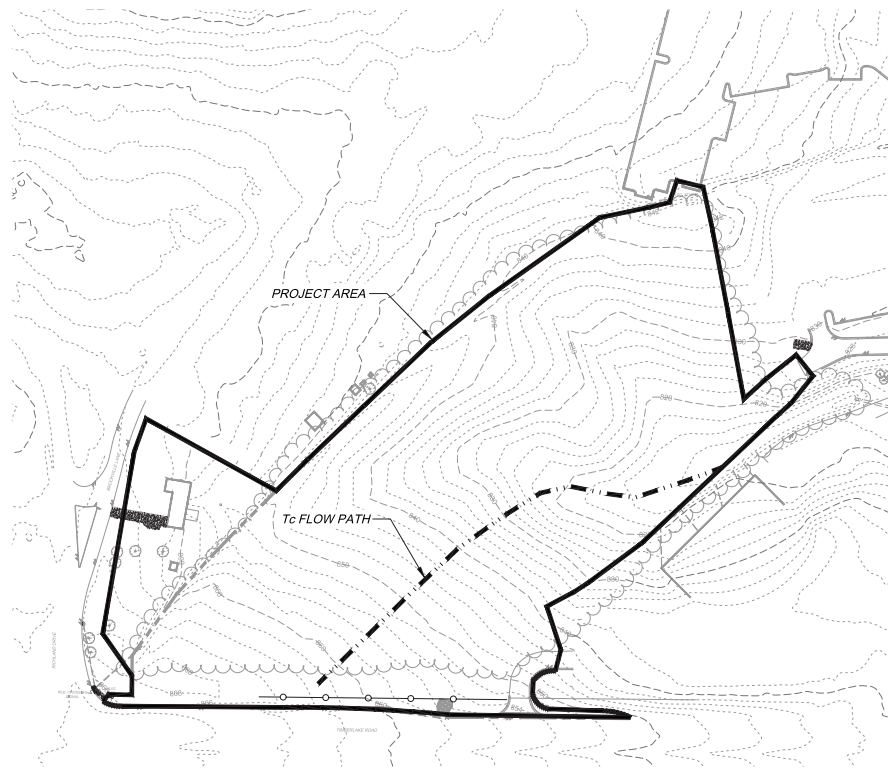
PROJECT NO. 20191446
LAT. -79.207180°
LONG. -79.207180°
DATE 12/23/2019
DRAWN BY: ELC
CHECKED BY: DBA

REVIEW
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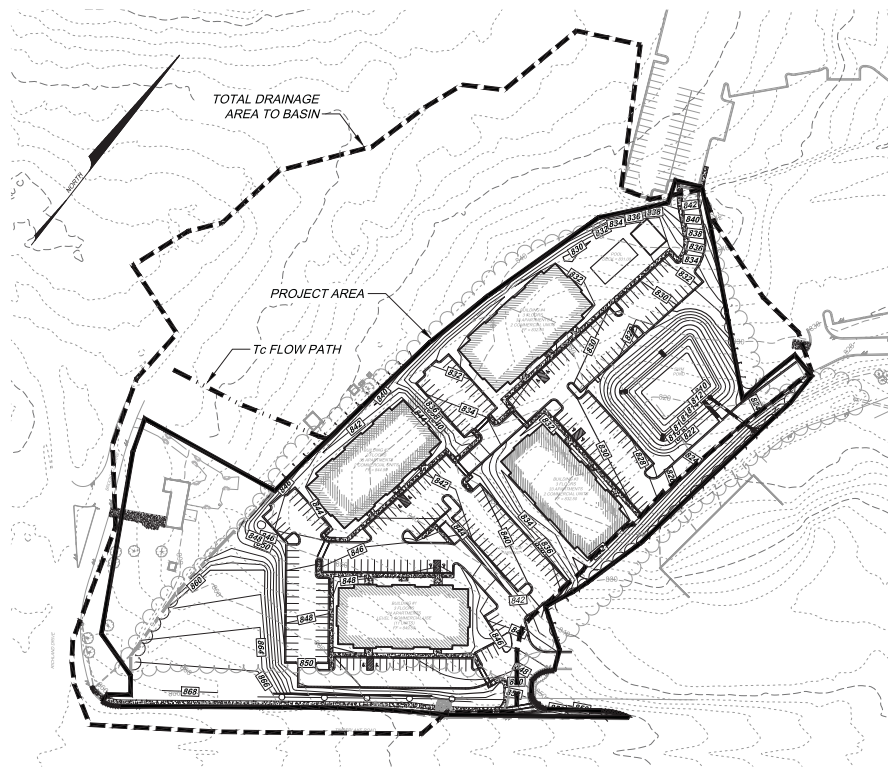
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SHEET NO. C-104
REV. ---

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PRE-DEVELOPED DRAINAGE AREA MAP



POST-DEVELOPED DRAINAGE AREA MAP

NOTE: PROJECT AREA INCLUDES FUTURE DEVELOPMENT ON AREA ADJACENT TO THE PROPOSED APARTMENT COMPLEX. THIS FUTURE DEVELOPMENT AREA IS ACCOUNTED FOR IN THE STORMWATER QUANTITY CALCULATIONS. STORMWATER QUALITY TREATMENT FOR THIS FUTURE AREA IS NOT PROVIDED AS PART OF THIS DEVELOPMENT.

Pre-developed Quantity Calculations		
Total Area	AC	8.50
Drainage Area Breakdown		
Description	CN	
Wooded/Open Space (B)	55	AC 7.10
Managed Turf (B)	61	AC 1.10
Impervious Area	98	AC 0.30
Weighted Curve Number		57
Time of Concentration	MIN	10
Design Flow (1-YR)	CFS	8.8
Design Flow (2-YR)	CFS	2.5
Design Flow (10-YR)	CFS	12.9

Post-developed Quantity Calculations		
Total Area	AC	8.50
Drainage Area Breakdown		
Description	CN	
Wooded/Open Space (B)	55	AC 0.00
Managed Turf (B)	61	AC 3.60
Impervious Area	98	AC 4.90
Weighted Curve Number		80
Time of Concentration	MIN	5
Design Flow (1-YR)	CFS	19.4
Design Flow (2-YR)	CFS	25.5
Design Flow (10-YR)	CFS	47.5
Routed Outflow (1-YR)	CFS	8.1
Routed Outflow (2-YR)	CFS	6.3
Routed Outflow (10-YR)	CFS	16.3

Note: Post-developed impervious area includes an additional 1.1 acres associated with the adjacent future commercial area.

Channel Protection Compliance (Energy Balance, 1-Year Storm)		
Channel Area	AC	8.50
Improvement Factor (IF)	IN	0.8
1-Year Rainfall (P)	IN	2.8
Pre-developed Area	AC	8.50
Pre-developed CN		57
Pre-developed S	IN	7.54
Pre-developed Runoff Depth	IN	0.19
Pre-developed E.B. Flow (Q _{max})	CFS	0.8
Pre-developed Volume (V _{max})	CF	5.423
Post-developed Area	AC	8.50
Post-developed CN		80
Post-developed S	IN	2.20
Post-developed Runoff Depth	IN	1.22
Post-developed Volume (V _{max})	CF	37.750
Allowable Flow from Energy Balance	CFS	0.1
$= IF \times (Q_{max} + RV_{max}) / RV_{max}$		
$= 0.8 \times (0.8 \text{ cfs} + 5.423 \text{ cf}) / 37.750 \text{ cf}$		
Post-developed Routed Flow	CFS	0.1

Flood Protection Compliance (10-Year Storm)		
Pre-developed Flow	CFS	12.9
Post-developed Flow	CFS	16.3

Total Drainage to Basin		
Total Area	AC	13.80
Drainage Area Breakdown		
Description	CN	
Wooded/Open Space (B)	25	AC 1.00
Managed Turf (B)	61	AC 6.40
Impervious Area	98	AC 6.40
Weighted Curve Number		78
Time of Concentration	MIN	10
Design Flow (1-YR)	CFS	20.5
Design Flow (2-YR)	CFS	28.3
Design Flow (10-YR)	CFS	57.1

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DRAINAGE AREA MAPS
FOR
LOGAN'S LANDING II
CITY OF LYNCHBURG, VIRGINIA

PROJECT NO. 20191446
LAT. 37.365760°
LONG. -79.207180°
DATE 12/23/2019
DRAWN BY: ELC
CHECKED BY: DBA



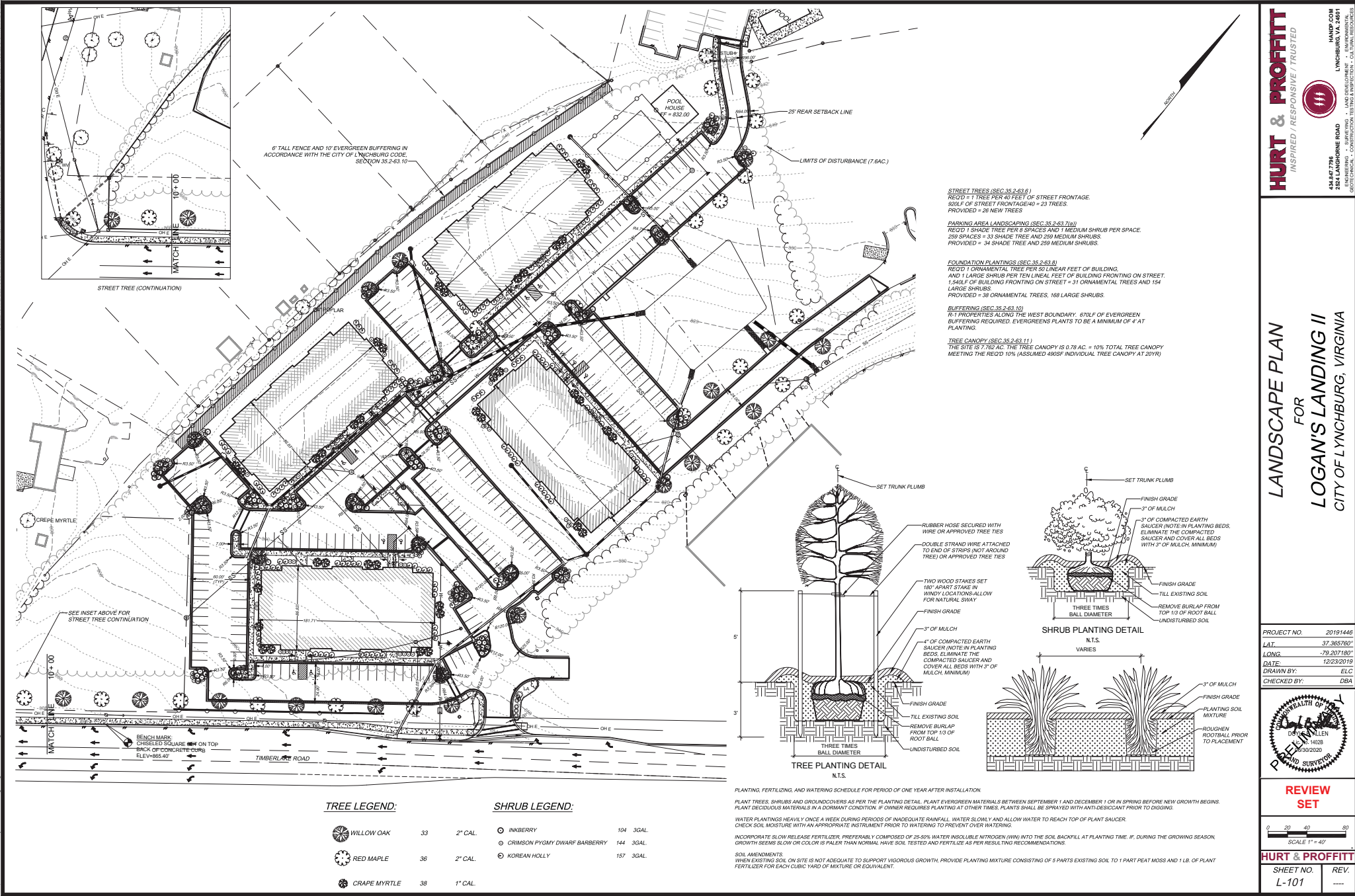
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SCALE 1" = 60'

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SHEET NO. C-601 REV. ---

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INCORPORATED - COMMERCIAL - RESIDENTIAL - CULTURAL INSTITUTIONS

LANDSCAPE PLAN
FOR
LOGAN'S LANDING II
CITY OF LYNCHBURG, VIRGINIA

PROJECT NO. 20191446
LAT. 37.365780°
LONG. -79.207180°
DATE 12/23/2019
DRAWN BY: ELC
CHECKED BY: DBA

HEALTH OF VA
REGISTERED
PROFESSIONAL
LANDSCAPE ARCHITECT
DAVID ALLEN
0000000000
30/2020

REVIEW
SET

0 20 40 80
SCALE 1" = 40'

HURT & PROFFITT

SHEET NO. L-101
REV. ---

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **September 22, 2020**

AGENDA ITEM #: **3**

CONSENT:
ACTION:

REGULAR:
INFORMATION: **X**

WORK SESSION: **X**

CLOSED SESSION:
(Confidential)

ITEM TITLE: Lynchburg City Schools Return to Learn

KEY ELEMENTS:

___ Economic Development **X** Excellent Government ___ Natural and Built Environment ___ Safe Community **X** Vibrant Community

RECOMMENDATION: Receive an update from the Lynchburg City Schools on their *Return to Learn* plans.

SUMMARY: Councilmembers Helgeson and Faraldi requested further information and discussion of the Lynchburg City Schools' present COVID-19 related operations and future phases of the division's *Return to Learn* plan.

Superintendent Crystal Edwards will be present and will provide a brief presentation.

Information regarding the Lynchburg City Schools *Return to Learn* plan can be found at the following address:
<https://www.lcsedu.net/return-to-learn>.

PRIOR ACTION(S): N/A

FISCAL IMPACT: N/A

CONTACT(S): Reid A. Wodicka, Interim City Manager – 455-3990

ATTACHMENT(S): None

REVIEWED BY: raw

121A

// A regular meeting of the Council of the City of Lynchburg was held on the 23rd day of June, 2020, at 7:30 P.M. in the Council Chamber, City Hall, Treney Tweedy, President, presiding. The following Members were present:

Present: Treney Tweedy, MaryJane Dolan, Jeff S. Helgeson, J. Randy Nelson, E.J. Turner	
Perrow, Sterling A. Wilder, Beau Wright	7
Absent:	0

Councilmember Nelson gave the invocation, followed by the Pledge of Allegiance.

// In the matter of recognitions, Mayor Tweedy commemorated Councilmember E.J. Turner Perrow's 12 years of service to Lynchburg City Council. As the representative of Ward IV, Councilmember Perrow was elected to City Council on July of 2008. Mayor Tweedy praised his belief in fiscal responsibility, smart growth, and his commitment to public safety. Councilmember Perrow served as the chair of the Physical Development Committee for 10 years and as the chair of the Lynchburg Redevelopment & Housing Authority for 6 years. Mayor Tweedy presented Councilmember Perrow with a key to the City; his term expires June 30, 2020.

// In the matter of the Consent Agenda, Councilmember Nelson made a motion to approve all items except the special meeting minutes from June 1, 2020 and June 3, 2020, due to proposed revisions he had not been able to suggest to the Clerk prior to this meeting. Councilmember Wilder seconded the motion and Council, by the following recorded vote approved the Consent Agenda:

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

// In the matter of the Community Development Block Grant, Agenda Item #9, Council conducted a public hearing in order to consider approving a resolution endorsing the Analysis of Impediments to Fair Housing (AI) report that will be submitted to the U.S. Department of Housing and Urban Development (HUD). Ms. Melva Walker, Grants Manager, provided Council with a brief summary. She explained that as a recipient of Community Development Block Grant (CDBG) and HOME Investment Partnerships

Program funds, the City must certify HUD that its housing programs are implemented in a non-discriminatory manner. The AI includes an analysis of public and private sector policies, programs and statutes which impact the development, financing, regulation and siting of housing in the City. The City has identified within the AI: (a) impediments to fair housing choice; and (b) recommended strategies that would eliminate the impediments to housing choice. The previous AI was prepared in January 2014. It is required by HUD that the City perform an AI typically once every five (5) years in conjunction with the Five-Year Consolidated Plan. A draft AI has been prepared for the City by the professional consulting team at Mullin & Lonergan Associates (M&L). M&L followed a comprehensive approach to complete the AI utilizing many different data sources, City documents, and specifically conducted interviews and focus group sessions with agencies and organizations that provide housing and housing related services to members of the protected classes. On December 17 and 18, 2019 M&L conducted several Stakeholder Workshops at The Miller Center with key community stakeholders to hear their thoughts and observations on fair housing in our community. These public meetings encompassed workshops on affordable housing, workforce development, housing for individuals and families in crisis, asset building in low-to-moderate income neighborhoods, and healthy housing and healthy neighborhoods as they related to not only the development of the AI but also the 2020-2024 Five-Year Consolidated Plan for the CDBG and HOME Program. At the work session on June 9th Marjorie Willow, Principal Partner at M&L, provided a presentation summarizing the AI. Ms. Willow was present at the public hearing to provide an updated presentation of the AI. At the conclusion of the public hearing, City Council is asked to adopt a resolution endorsing the AI and approving the submittal of the final document, with any recommended changes from the public and/or City Council, to HUD

Citizen Benjamin Blanks and Reverend Carl Hutcherson were both in the audience who spoke in favor of the request. There was no one in attendance to speak in opposition and the Clerk indicated she had no emails or voicemails from citizens, therefore the public hearing was closed. Councilmember Perrow made the motion to approve the resolution, seconded by Councilmember Wright. Councilmember Helgeson commented on the findings in the report about how education is important because when students finish high school they were more likely to receive double the income of those in poverty. The report was very instructive when looking at the impediments. He asked his fellow Councilmembers to be

thinking about what Council can do so that the City can actually have policies and help people to purchase homes in Lynchburg. Mayor Tweedy stated that a high school education doesn't cut it anymore and she encouraged students to reach higher. She also stated that there are a large number of Lynchburg citizens who are considered "working poor", meaning they work two or three jobs in order to make ends meet and she hopes that we continue to work on programs that further help this class. There was no other further discussion from Councilmembers, so the following vote was recorded:

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

Noes: 0

// In the matter of Community Development, Agenda Item #10, Council conducted a public hearing to receive comments on the 2020-2024 Community Development Block Grant and HOME Program Consolidated Plan and Program Year 2020 (FY 2021) Annual Action Plan and adopt a resolution approving the plans. Ms. Walker again provided a summary of the request. The Department of Housing and Urban Development (HUD) requires local governments, which receive federal community development funds, to prepare a five-year Consolidated Plan and an Annual Action Plan. The plans outline the City's needs, goals, and objectives for community development (both housing and non-housing areas). The City's 2020-2024 CDBG and HOME Program Consolidated Plan and program Year 2020 Annual Action Plan have been prepared and consist of the following:

1. A housing and homeless needs assessment that describes the affordable housing needs of very low income and low-income households, homeless families and individuals, and others with special needs.
2. A housing market analysis which profiles existing housing options and facilities to assist the homeless, identifies barriers to affordable housing, and reviews institutional and governmental capacities to develop and implement the Plan.
3. A Strategic Plan for addressing priority needs including the priority non-housing community development needs eligible for assistance under the Community Development Block Grant (CDBG) Program.

4. An Annual Plan which identifies the activities that will be undertaken to address priority needs and local objectives. The City of Lynchburg will receive \$714,865 in CDBG entitlement funds and \$424,288 in HOME entitlement funds for the program year beginning on July 1, 2020.

Ms. Walker stated that a public notice was placed in The News and Advance on Tuesday, May 19, 2020 and through social media. In accordance with the Council-adopted Citizen Participation Plan, the Community Development Advisory Committee (CDAC) conducted a virtual public meeting on June 3, 2020 to review and discuss these two Plans. CDAC recommended that the documents be approved by City Council. In consultation with City staff, these documents have been prepared for the City by the professional consulting team at Mullin & Lonergan Associates (M&L). City staff did not receive any public comments prior to, or after, the CDAC meeting. City Council and citizen comments received at the public hearing regarding the contents of the Consolidated Plan and Annual Action Plan will be incorporated into the final document and submitted to HUD for approval.

Again, Ms. Willow with M&L was present at the public hearing and provided a presentation summarizing the contents of the documents. There was no one in attendance who spoke in favor or opposition by either voicemails, emails, or in person, so the public hearing was closed. Councilmember Perrow disclosed that he is the chair of the Lynchburg Redevelopment & Housing Authority who is the beneficiary of many of these funds; however, he does not receive a salary from the LRHA and maintained that he would be able to vote fairly and objectively. Mayor Tweedy made a similar statement as she also sits on the LRHA board. Councilmember Wilder made the motion to approve the resolution, commenting about the continued good work of the Community Development Advisory Committee. Vice Mayor Dolan seconded the motion, and Council, by the following recorded vote, approved the motion:

Ayes: Dolan, Wright, Helgeson, Nelson, Tweedy, Wilder, Perrow	7
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Noes:	0
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// In the matter of Budget, Agenda Item # 11, Council conducted a public hearing in order to consider adopting a resolution to amend the FY 2020 City/Federal/State Aid Fund budget and appropriate \$7,168,841 with resources from the Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020

to fund public health and safety, continuity of operations, business and community support and public education initiatives related to the Coronavirus Disease 2019 (COVID-19). Ms. Donna Witt, Chief Financial Officer, gave a brief summary of the request. The Commonwealth of Virginia has received approximately \$3.1 billion as its share of the Coronavirus Relief Fund (CRF). The City has received an allocation, based on population, in the amount of \$7,168,841. These funds may be used for qualifying expenses of state and local governments. The CARES Act provides that payments from the CRF only may be used to cover costs that: 1) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019; 2) were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the state or government; and 3) were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020. The City Manager tasked the Long-Term Recovery Team (Emergency Support Function 14 [ESF 14]) to manage requests for use of these funds from departments. These requests were categorized into three priorities with a fourth priority, regarding public education, being added with general approval by City Council:

1. Public Health and Safety – consists of appropriate cleaning, personal protective equipment (PPE), and items to allow for required social distancing;
2. Continuity of Operations – consists primarily of technology related items allowing service to continue when buildings are closed;
3. Small Business Assistance – Business and Community Support offering businesses, required to close or restrict operations by Executive Order 53 and Order of Public Health 2, the opportunity to apply for a grant equal to up to 50% and 25% respectively of the 2020 business license payment made to the City. These grants will be administered by the Economic Development Authority and the Office of Economic Development and Tourism.
4. Public Education – includes technology to assist with distance learning, cleaning supplies, PPE, and food delivery items and the related transportation costs.

Dr. Atul Gupta was in attendance to speak in favor of the request as a Lynchburg citizen and not as a School Board representative, regarding the connectivity and internet access piece that will aid with distant learning. There was no one in attendance to speak in opposition and there were no phone calls or emails from citizens. The public hearing was closed. Councilmember Perrow made the motion to approve the request, seconded by Councilmember Wilder. Councilmember Perrow stated that he thought the small business program that Economic Development developed was very important. Council, by the following recorded vote, approved the motion:

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

Noes: 0

// In the matter of Public Comment, Agenda Item # 12, the citizen who originally requested to speak withdrew from their request. In regards to Agenda Item #13, Citizen Keith Anderson spoke on behalf of the group Lynchburg Police Reform Taskforce, requesting the Council to address policing practices within our community.

// In the matter of the Airport, Agenda Item #14, Council considered adopting two resolutions authorizing the City Manager to accept and execute a \$6,647,475 federal Cares Act Airport Grant Agreement on behalf of the City of Lynchburg. Mr. Andrew Lagala, Airport Director, provided Council with a brief summary of the request. This U.S. Department of Transportation / Federal Aviation Administration (FAA) grant was provided in accordance with the CARES Act to provide eligible Airports / Sponsors with funding to help offset a decline in revenues arising from diminished airport operations and activities as a result of the COVID-19 Public Health Emergency. CARES Act Airport Grant amounts to individual airports were derived by a federal legislative formula. The Airport may use these funds for any purpose for which Airport revenues may be lawfully used. The CARES Act states the funds may not be used for any purpose not related to the Airport.

Councilmember Perrow made the motion to acknowledge and accept the grant funding that Council has to appropriate, seconded by Councilmember Wright. Council, by the following recorded vote approved the motion:

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

Noes: 0

Councilmember Perrow made the motion to approve the resolution amending the FY 2020 Airport Fund budget and appropriate \$700,000 with resources from the Department of Transportation Federal Aviation Administration Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 grant to replace potential revenues lost related to the Coronavirus Disease 2019, seconded by Vice Mayor Dolan. Council, by the following recorded vote, approved the motion:

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

Noes: 0

Councilmember Wilder made the motion to approve the resolution to amend the FY 2021 Airport Fund budget and appropriate \$1,800,000 with resources from the Department of Transportation Federal Aviation Administration Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 grant to replace potential revenues lost related to the Coronavirus Disease 2019, seconded by Councilmember Wright. Council, by the following recorded vote, approved the motion:

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

Noes: 0

// In the matter of the Police Department, Agenda Item #15, Police Chief Ryan Zuidema presented Council with a report providing an overview of how the Lynchburg Police Department is addressing community concerns and feedback. Chief Zuidema outlined the department's current policy and procedures as well as plans for future changes that will address the concerns and feedback from the community.

Councilmember Nelson asked Chief Zuidema to further explain why Lynchburg may delay the release of body worn camera footage, even longer than other localities. Chief Zuidema explained that he consults with the Commonwealth Attorney on each case where the body worn camera footage is in

question so that each suspect can remain innocent until proven guilty. Councilmember Nelson also asked for clarification on whether some of the equipment purchased is done through grant programs and couldn't necessarily be given to other departments like Social Services. Chief Zuidema confirmed that the grants procured by the Police Department are only intended for police equipment.

Councilmember Wright asked for clarification on what the department will be doing to address diversity within the department and within the ranks. Chief Zuidema said they have recruiters who are going out and addressing these issues, but what he'd like to see is young men and women of color from the community in the department.

Mayor Tweedy wanted to know the status of the Community Action Team. Chief Zuidema said that they had to be pulled into the field to help with the civil unrest, but should be moving back to their original assignments soon. He reiterated that the Community Action Team remained short staffed.

// In the matter of Police Department, Agenda Item #16, Council considered recommendations to the City Code Section 7-42 regarding the tethering of dogs within the City. Chief Animal Warden Ryan Ball presented Council with a brief summary. As a result of section 3.2-6500 of the Code of Virginia being amended by the General Assembly of Virginia, it is necessary to amend City Code regarding tethering to be consistent with State law which will be effective July 1, 2020.

Councilmember Wright made the motion to move the ordinance, seconded by Councilmember Wilder. Councilmember Helgeson commented on the timeframe of not allowing tethering in the ordinance of 9:00 p.m. to 6:00 a.m. City Attorney Walter Erwin replied that the community provided the input that this timeframe worked. Councilmember Perrow stated that he was originally not supportive of this ordinance but feels these changes alleviate a lot of the concerns he had, and therefore would be supporting the motion. There was no further discussion and Council, by the following recorded vote, approved the motion:

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

6

Noes: Helgeson

1

// In the matter of Budget, Agenda Item #17, Council considered adopting Resolution #R-20-042 adopting the FY 2021 General Fund Operating Budget (excluding External Service Providers) and appropriating \$194,398,344 for this budget. Councilmember Wright made the motion to approve the resolution, seconded by Councilmember Wilder. This was the second reading and as such Councilmember Helgeson noted that he will not be voting in favor, but did not need to enter in any new comments as to why he would be voting in opposition.

Ayes: Dolan, Wright, Nelson, Tweedy, Wilder, Perrow 6

Noes: Helgeson 1

// In the matter of Budget, Agenda Item #18, Council considered the second reading of Resolution #R-20-044 adopting the FY 2021 Discretionary External Service Providers Budget for Virginia Legal Aid Society and appropriating \$12,167 for this budget. Councilmember Wright made the motion for approval, seconded by Vice Mayor Dolan. There was no further discussion and Council, by the following recorded vote approved the motion:

Ayes: Dolan, Wright, Nelson, Tweedy, Wilder 5

Noes: Helgeson, Perrow 2

// In the matter of Finance, Agenda Item #19, Council considered adopting an ordinance to amend and reenact Section 2-363.2 of the Code of the City of Lynchburg, 1981, relating to the assessment of courthouse security fees. Ms. Donna Witt provided Council with a brief summary of the request. Section 2-363.2 of the Code of Virginia allows a fee to be charged in each criminal or traffic case in the Circuit Court, Juvenile and Domestic Relations District Court and the General District Court in each case where the defendant is convicted of a violation of any statute or ordinance. As of July 1, 2020, this fee is increased from \$10.00 to \$20.00. This fee is collected as part of the court costs collected by the clerks of the respective courts and is remitted to the City's Billings and Collections division of Financial Services. The fee is held until appropriated to the Sheriff's Office by City Council for funding courthouse and courtroom security.

Councilmember Perrow made the motion to approve the ordinance, seconded by Councilmember Helgeson. Council, by the following recorded vote approved the ordinance:

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

Noes: 0

// In the matter of City Code, Agenda Item #20, Council considered amending Section 27-5 of the City Code so it will be consistent with the State Code. Mr. Walter Erwin provided Council with a brief summary, commenting that this is a simple housekeeping item. In 1931 the City adopted an ordinance prohibiting the purchase or possession of tobacco products by underage persons. However, the City's ordinance must be consistent with the state laws regulating the purchase or possession of tobacco products by underage persons. In addition to tobacco products, the State Code was recently amended to not only prohibit the purchase or possession of tobacco products, but to also prohibit the purchase or possession of nicotine vapor products and alternative nicotine products by persons under 21 years of age. Therefore, it is necessary to amend the Section 27-5 of the City Code so it will be consistent with the provisions of the State Code.

Councilmember Helgeson made a motion to table the ordinance, stating that he doesn't feel comfortable amending the code to state people under the age of 21 years old could not be in possession of nicotine. Councilmember Perrow seconded the motion, but asked for clarification from Mr. Erwin if there was a time limit to when Council would need to address aligning City Code with State Code. Mr. Erwin clarified that Council should repeal the ordinance, citing that this is the law that went into effect at the state level, and that this will be enforced whether we have a local ordinance or not. Councilmember Nelson asked to make a friendly amendment to the motion stating that Council will discuss the matter at its July 14th meeting. The motion failed by the following recorded vote:

Ayes: Nelson, Perrow, Helgeson 3

Noes: Wilder, Wright, Dolan, Tweedy 4

Councilmember Wilder made the motion to approve the ordinance as-is, seconded by Councilmember Wright. Councilmember Helgeson stated that he would be voting against this motion because he doesn't feel it is in the best interest of the citizens. Councilmember Perrow stated that he would rather just repeal the ordinance, but in favor of not belaboring the agenda, he will settle for voting in opposition of this motion. Vice Mayor Dolan said that this is a health issue and she has heard citizens state that they would like Council to vote in favor of this and also stated that this is a State law.

Ayes: Nelson, Wilder, Wright, Dolan, Tweedy 5

Noes: Perrow, Helgeson 2

// In the matter of the School Board, Agenda Item #21, Council considered making reappointments to vacancies that will exist June 30, 2020 in School Board districts I, II, and III. Council conducted a group interview with the three currently serving School Board members on June 11, 2020. It is Council's intention to reappoint Dr. Robert A. Brennan to District I; Dr. Kimberly A. Sinha to District II and Dr. James A. Coleman to District III. Councilmember Wilder made the motion to approve the request, seconded by Councilmember Wright. There was no discussion and Council, by the following recorded vote approved the motion:

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

Noes: 0

// In the matter of Management, Agenda Item #22, Council considered adopting a resolution approving the deferral of the City Manager's retirement date from July 1, 2020 to September 1, 2020.

Councilmember Perrow made the motion to approve the resolution, seconded by Councilmember Wilder, who both thanked her for extending her time under these unprecedented times. Councilmember Helgeson stated that the citizens deserve having a manger who is eager and ready to serve the City and that the City Manager is ready to retire. Vice Mayor Dolan commented that City Council asked the City Manager to stay.

Ayes: Dolan, Wright, Nelson, Tweedy, Wilder, Perrow 6

Noes: Helgeson

1

// In the matter of a closed session, Agenda Item #23, Councilmember Wilder made the motion, seconded by Councilmember Perrow, to consider appointments and scheduling of prospective candidates for the position of City Manager; and to discuss appointment to the Youth Services Citizens Board; and for consultation with legal counsel and briefings by staff members regarding a legal matter requiring the provision of legal advice, specifically legal matters relating to the Region 2000 Services Authority Member Use Agreement for the disposal of solid waste and the distribution of excess revenue, pursuant to Section 2.2-3711(A.)(7) of the Code of Virginia, 1950.

Ayes: Dolan, Wright, Helgeson, Nelson, Tweedy, Wilder, Faraldi

7

Noes:

0

// The meeting was adjourned at 11:30 p.m.

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

// The following motion was made and seconded:

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

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

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

Council, by the following recorded vote, adopted the motion:

Ayes:	Dolan, Wright, Helgeson, Nelson, Tweedy, Wilder, Perrow	7
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Noes:		0
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Interim Clerk of Council

From: Robert Flood <RFlood@lyncag.org>
Sent: Tuesday, September 01, 2020 12:43 PM
To: Finney, Alicia
Subject: Proposal

CAUTION: External Sender

To start right here in Lynchburg to change these Jim Crow Law's, my proposal is for(returning citizens record's to be expunged), if it's a none violent crime when company's are doing a back ground check, it should come up!

Finney, Alicia

From: Robert Flood <RFlood@lyncag.org>
Sent: Tuesday, September 01, 2020 1:36 PM
To: Finney, Alicia
Subject: Proposal

CAUTION: External Sender

I will be speaking on the behalf of Rescues of the youth Hoop City!

107A

Finney, Alicia

From: McDaniel, Phyllis
Sent: Friday, August 28, 2020 1:01 PM
To: Finney, Alicia; Hart, Gaynelle
Cc: Kidd, Chonna; Simpson, Sherilyn
Subject: Online Chat

Citizen First received the following comment through CF online chat from Tom Morris (434-██████████) email: Tpmorris520@hotmail.com He has requested to speak with Council.

Stop public works from spraying glyphosate into the stream on Hollins Mill Rd. You are poisoning our creek and my property AGAIN and Ganell Hart comes out to meet me again at the blooming flower garden at McGivor street where in 15 minutes we did not see a single honeybee bc my hive has again been killed by city spraying of 41% glyphosate. This chemical causes cancer in small doses yet this city keeps spraying it directly into our creek and on my property. STOP THE POISON

Tom Morris
12:50 PM

This continuing problem has been discussed w ms hart years ago yet it has gotten worse. Don't thank me for my comment, schedule me to speak to city council. It is poison and the city is busy painting pretty pictures on drop inlets while the environment the inlets feed is being poisoned by the city. STOP

Thank you.



Phyllis B. McDaniel
Senior Customer Service Representative
Citizens First Information Center
900 Church Street
Lynchburg, VA 24504
(434)856-CITY (2489)

www.lynchburgva.gov

From: Keith Jennings <keithmock25@gmail.com>
Sent: Sunday, September 13, 2020 7:07 PM
To: Finney, Alicia
Subject: Publicly comment

Follow Up Flag: Flag for follow up
Flag Status: Completed

CAUTION: External Sender

Alicia Finney,

I would like to speak at the city council meeting on the 22nd, regarding issues we're having with the school, and the school board's unwillingness to reopen.

Very Respectfully,
Keith Jennings
Liberty University
SPC | USAR | 304th MP Co.
[918.](#) [REDACTED]

109A

From: Hughes, John
Sent: Wednesday, September 16, 2020 8:51 AM
To: Finney, Alicia
Subject: Council presentation request

Hi Alicia-

I received a call from Vick (or Rick) Johnson concerning a desire to present a concern to City Council. He left the number of 434 [REDACTED] and his subject is posting of City signs when entering Lynchburg that indicate MLK Boulevard. I think you may have talked with him previously.

Thanks!
John

John H. Hughes, IV
Assistant City Manager
900 Church Street
Lynchburg, VA 24504
(434) 455-3990

118A

From: Hannah Wistrom <hwistrom@outlook.com>
Sent: Wednesday, September 16, 2020 2:04 PM
To: Finney, Alicia
Subject: Re: City Council

CAUTION: External Sender

From a nurse's perspective and my own personal experience, I would like to discuss the impact allowing expungement for non-violent felons could have on our community's well-being.

Does that work? Also, is there any way I could speak directly after Mr. Flood?

On Sep 16, 2020, at 1:53 PM, Finney, Alicia <Alicia.Finney@lynchburgva.gov> wrote:

Perfect, thank you! Could you provide a brief summary of your request to speak? A sentence should do.

Thank you!

ALICIA L. FINNEY – Administrative Services Associate III
City of Lynchburg, City Manager's Office
900 Church Street
Lynchburg, VA 24504
P: (434) 455-3990 **F:** (434) 847-1536

*Formerly alicia.campbell@lynchburgva.gov

From: Hannah Wistrom [<mailto:hwistrom@outlook.com>]
Sent: Wednesday, September 16, 2020 1:52 PM
To: Finney, Alicia
Subject: Re: City Council

CAUTION: External Sender

No, I'm not with his organization. I would be speaking as an individual. Thank you so much!

On Sep 16, 2020, at 1:40 PM, Finney, Alicia <Alicia.Finney@lynchburgva.gov> wrote:

Hi Hannah – as long as you're not representing the same group as Mr. Flood, you're allowed to speak on the same subject. If you can confirm that you're not representing Hill City Hoops (or Rescues of the Hoop City), I'd be happy to place you on the agenda.

Also, the meeting is on Tuesday, September 22, not Wednesday, September 23, just FYI!

ALICIA L. FINNEY – Administrative Services Associate III

City of Lynchburg, City Manager's Office
900 Church Street
Lynchburg, VA 24504
P: (434) 455-3990 F: (434) 847-1536

*Formerly alicia.campbell@lynchburgva.gov

From: Hughes, John
Sent: Tuesday, September 15, 2020 9:08 PM
To: Hannah Wistrom
Cc: Finney, Alicia
Subject: Re: City Council

Greetings Ms. Winstrom,

Thanks for your inquiry. I've included the current Interim Clerk of Council, Ms. Alicia Finney, for further discussion on addressing City Council.

Yours,

John H. Hughes, IV
Assistant City Manager

iOS [Outlook](#)

From: Hannah Wistrom <hwistrom@outlook.com>
Sent: Tuesday, September 15, 2020 8:07:01 PM
To: Svrcek, Bonnie <bonnie.svrcek@lynchburgva.gov>; Hughes, John <john.hughes@lynchburgva.gov>
Subject: City Council

CAUTION: External Sender

Hello, my name is Hannah Wistrom. I'm a nurse at Lynchburg General and I would like to speak in the City Council meeting on September 23rd. Is it ok to speak on the same topic as another person? I'm asking because both me and Mr. Flood would like to speak on the same issue, but from different perspectives. I looked in the Rules of Procedure and I could not find if this was allowed. Thank you!

Sent from [Mail](#) for Windows 10

117A

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **September 22, 2020**

AGENDA ITEM #: **14**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Bond Refunding: Resolution Concerning the Issuance of not to exceed \$19,500,000 General Obligation Public Improvement Refunding Bonds, Series 2020B

KEY ELEMENTS:

___ Economic Development **X** Excellent Government ___ Natural and Built Environment ___ Safe Community ___ Vibrant Community

RECOMMENDATION: City Council is requested to take the following actions to authorize the refunding of the General Obligation Public Improvement Bonds, Series 2010 and 2015

- (a) Adopt a resolution authorizing the issuance of not to exceed \$19,500,000 principal amount of General Obligation Public Improvement Refunding Bonds, Series 2020B
- (b) Adopt a resolution amending the FY 2021 General, Water, and Sewer Funds' Adopted Budgets and appropriate \$122,520, \$38,180, and \$39,300 respectively with resources from the refunding bond proceeds for a total of \$200,000 for estimated issuance costs.

SUMMARY: The City's financial advisors have reviewed the City's bond portfolio and believe that there is a refunding opportunity associated with the Series 2010 and 2015 bonds. This refunding is estimated to result in approximately \$2.6 million in net savings over the remaining life of the bonds. Savings would be allocated between the General, Water and Sewer Funds as appropriate.

This refunding is in alignment with the City's "Refinancing Debt Policy" which states "a refunding transaction to achieve debt service savings should only be undertaken when the net present value of the savings, net of issuance costs, will be at least 3% of the principal amount of the refunded bonds". The City's financial advisors estimate that the net present value of the savings will be in compliance with this policy.

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

Issuance Cost Components:	FY 2021 Estimates
Bond Counsel	\$55,000
Bond Ratings	63,750
Financial Advisor	55,000
Printing and Mailing of Official Statement	2,500
Escrow Agent	5,000
Verification	5,000
CUSIPs	1,500
Miscellaneous	12,250
Total	\$200,000

PRIOR ACTION(S): Issuance of Series 2010 Refunding Bonds in October 2010 and Issuance of Series 2015 Refunding Bonds in March 2015.

FISCAL IMPACT: Refunding bonds are long-term debt; this financing includes funding the issuance costs with the Series 2020B Refunding Bond proceeds. Anticipated savings are estimated to be approximately \$2.6 million over the life of the loan. Actual debt service savings will be determined as of the sale date of the refunding bonds, which is planned for October 15, 2020.

CONTACT(S): Donna S. Witt, Chief Financial Officer, 455-3968

ATTACHMENT(S): (1) Refunding Bond Resolution, (2) Appropriation Resolution for Issuance Costs, and (3) Davenport presentation

REVIEWED BY: raw

122A

RESOLUTION:

BE IT FURTHER RESOLVED THAT the FY 2021 General, Water, and Sewer Funds' Operating Budgets are amended; and \$122,520, \$38,180, and \$39,300 are appropriated respectively with resources of \$200,000 from refunding bond proceeds to fund issuance costs related to the General Obligation Public Improvement Refunding Bonds, Series 2020B. City Administration is authorized to realign appropriations for issuance costs among the Funds as necessary due to this refunding. City Administration is also authorized to record appropriations associated with the underwriter's discounts and expenses as determined with the bond sale and funded with bond proceeds.

Introduced:

Adopted:

Certified:

Interim Clerk of Council

A RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED NINETEEN MILLION FIVE HUNDRED THOUSAND DOLLARS (\$19,500,000) AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION PUBLIC IMPROVEMENT REFUNDING BONDS OF THE CITY OF LYNCHBURG, VIRGINIA, FOR THE PURPOSE OF PROVIDING FUNDS TO REFUND AND PREPAY CERTAIN OUTSTANDING GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS OF SUCH CITY; AUTHORIZING THE SALE OF SUCH BONDS; FIXING THE FORM, DENOMINATION AND CERTAIN OTHER DETAILS OF SUCH BONDS; AND PROVIDING FOR THE ISSUANCE AND SALE OF SUCH BONDS

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

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

(a) Pursuant to Chapter 26 of Title 15.2 of the Code of Virginia, 1950, the same being the Public Finance Act of 1991 (the "Public Finance Act of 1991"), and a resolution duly adopted by the Council (the "Council" or this "Council") of the City, the City has heretofore issued its outstanding General Obligation Public Improvement Bonds, Series 2010 (the "Series 2010 Bonds") dated October 20, 2010 and its General Obligation Public Improvement Refunding Bonds, Series 2015 (the "Series 2015 Bonds") dated March 12, 2015.

(b) The City has been advised by the City's Financial Advisor that the refunding of (i) all or a portion of the Series 2010 Bonds, (ii) all or a portion of the Series 2015 Bonds, and (iii) and certain maturities of certain other currently outstanding issues of general obligation public improvement bonds of the City would result in annual debt service cost savings to the City.

(c) The Council desires to authorize the issuance and sale of General Obligation Public Improvement Refunding Bonds of the City (hereinafter, the "Bonds") to provide funds to refund all or a portion of the outstanding principal amount of the Series 2010 Bonds, all or a portion of the Series 2015 Bonds, and such other outstanding general obligation public improvement bonds, the refunding of which shall be recommended by the City's Financial Advisor and approved by the Chief Financial Officer, the City Manager or the Deputy City Manager of the City (each an "Authorized Officer") through the issuance of General Obligation Public Improvement Refunding Bonds (such obligations to be refunded and or prepaid being referred to hereinafter as the "Refunded Obligations").

(d) Pursuant to the Public Finance Act of 1991, the City is authorized to issue refunding bonds to refund or prepay the Refunded Obligations.

(e) In the judgment of this Council, it is necessary and expedient to authorize the issuance and sale of not to exceed Nineteen Million Five Hundred Thousand Dollars (\$19,500,000) aggregate principal amount General Obligation Public Improvement Refunding

Bonds of the City for the purpose of providing funds (i) to refund the Refunded Obligations, and (ii) to pay certain costs related to the issuance of the Bonds.

SECTION 2. (a) Pursuant to the Public Finance Act of 1991, there are authorized to be issued not to exceed Nineteen Million Five Hundred Thousand Dollars (\$19,500,000) aggregate principal amount of General Obligation Public Improvement Refunding Bonds of the City for the purpose of providing funds (i) to refund the Refunded Obligations , and (ii) to pay certain costs related to the issuance of the Bonds.

(b) The Bonds shall be issued and sold in their entirety at one time in one or more series, or from time to time in part in series, as shall be determined by the Chief Financial Officer. The Bonds may be sold at the same time as other general obligation bonds are sold by the City. The Bonds shall be issued in fully registered form and shall be in the denomination of \$5,000 or any integral multiple thereof, or in such other denominations determined by an Authorized Officer at the time of sale of the Bonds. The Bonds of each series shall be numbered from R-1 upwards in order of issuance and shall have such other series designation as shall be determined by an Authorized Officer; shall mature annually, commencing in such year and on such date in each year and in such amount in each year as shall be determined by an Authorized Officer; and shall bear interest at such rate or rates per annum as shall be determined by an Authorized Officer pursuant to the provisions of Section 8 hereof, such interest being payable on the day which is not more than one (1) year from the date of the Bonds of such series and semiannually thereafter and, unless otherwise provided in the proceedings authorizing the issuance of the Bonds of any such series, such interest shall be computed on the basis of a three hundred and sixty (360) day year comprised of twelve (12) thirty (30) day months. Any Authorized Officer is authorized to determine, in accordance with and subject to the provisions of this Resolution: the date or dates of the Bonds; the interest payment dates thereof; the maturity dates thereof (*provided* that the final maturity of the Bonds of any series shall be not later than forty (40) years from their date of issuance); the amount of principal maturing on each maturity date; the place or places of payment thereof and the paying agent or paying agents therefor; the place or places of registration, exchange or transfer thereof and the registrar therefor; and whether or not the Bonds shall be subject to redemption prior to their stated maturity or maturities and if subject to such redemption, the premiums, if any, payable upon such redemption and the respective periods in which such premiums are payable.

(c) In the event the Bonds of any series shall be registered in any name other than in the name of DTC's nominee, or dated as of a date other than the first day of a calendar month or the dates on which interest is payable on such series are other than the first days of calendar months, the provisions of Section 2 hereof, Section 3 hereof with regard to the authentication of such Bonds and of Section 10 with regard to the forms of such Bonds shall be modified as any Authorized Officer shall determine to be necessary or appropriate.

(d) (i) If the Bonds of a given series are subject to redemption and if any Bonds of such series (or portions thereof in authorized denominations) are to be redeemed, notice of such redemption specifying the date, numbers and maturity or maturities of the Bond or Bonds to be redeemed, the date and place or places fixed for their redemption, and if less than the entire principal amount of a Bond called for redemption is to be redeemed, that such Bond

must be surrendered in exchange for payment of the principal amount thereof to be redeemed and the issuance of a new Bond or Bonds equalling in principal amount that portion of the principal amount of such Bond not to be redeemed, shall be mailed not less than thirty (30) days prior to the date fixed for redemption, by first class mail, postage prepaid, to the registered owner of each such Bond at the address of such registered owner as it appears on the books of registry kept by Chief Financial Officer of the City, who is hereby appointed as the Registrar and Paying Agent for the Bonds (the "Registrar and Paying Agent" or the "Registrar" or the "Paying Agent"), as of the close of business on the forty-fifth (45th) day next preceding the date fixed for redemption. If any Bonds shall have been called for redemption and notice thereof shall have been given as hereinabove set forth, and payment of the principal amount of such Bonds (or of the principal amount thereof to be redeemed) and of the accrued interest payable upon such redemption shall have been duly made or provided for, interest on such Bonds shall cease to accrue from and after the date so specified for their redemption.

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

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

(e) (i) The Bonds of each series shall be issued only in book-entry only form. One Bond representing each maturity of the Bonds of each series will be issued to and registered in the name of Cede & Co., as nominee of DTC, or in the name of such other nominee of DTC as may be requested by an authorized representative of DTC, as registered owner of the Bonds, and each such Bond shall be immobilized in the custody of DTC. DTC will act as securities depository for the Bonds. Individual purchases will be made in book-entry form only, in authorized denominations. Purchasers will not receive physical delivery of certificates representing their interest in the Bonds purchased.

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 5. The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and interest on the Bonds as the same become due. In each year while the Bonds, or any of them, are outstanding and unpaid, the Council shall be authorized and required to levy and collect annually, at the same time and in the same manner as other taxes of the City are assessed, levied and collected, a tax upon all taxable property within the City, over and above all other taxes, authorized or limited by law and without limitation as to

rate or amount, sufficient to pay when due the principal of and interest on the Bonds to the extent other funds of the City are not lawfully available and appropriated for such purpose.

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

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

SECTION 8. (a) The Bonds shall be sold in one or more series in accordance with the provisions of Section 2 at competitive or negotiated sale at not less than ninety-eight percent (98%) of the principal amount thereof (exclusive of underwriting compensation) and on such other terms and conditions as are provided in the Official Notice of Sale thereof or in the Purchase Contract or Bond Purchase Agreement relating thereto.

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

(c) Upon the determination by an Authorized Officer to sell the Bonds at competitive or negotiated sale, such Authorized Officer is hereby authorized, without further notice to or action by the Council, to determine the rates of interest the Bonds shall bear; *provided that*:

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

(ii) in no event shall the premium payable by the City upon the redemption of the Bonds exceed two percent (2%) of the principal amount thereof; *provided, however*, that the Bonds may be issued with a make-whole redemption price which may be determined pursuant to any make-whole calculation designated at the time of sale by any Authorized Officer; and

(iii) the Bonds of any series issued to refund the Refunded Obligations may be issued and sold only if the refunding of the Refunded Obligations refunded thereby will result in aggregate net present value savings of not less than three percent (3%) to the City.

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

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

SECTION 9. Any Authorized Officer is hereby authorized to execute and deliver to the purchasers of the Bonds of each series authorized hereunder a Continuing Disclosure Certificate or a Continuing Disclosure Agreement evidencing the City's undertaking to comply with the continuing disclosure requirements of Paragraph (b)(5) of such Rule 15c2-12 to the extent applicable to the Bonds, such Continuing Disclosure Certificate or Continuing Disclosure Agreement to be in such form as shall be approved by an Authorized Officer upon the advice of counsel (including the City Attorney or Bond Counsel to the City), such approval to be conclusively evidenced by the execution of such Continuing Disclosure Certificate or Continuing Disclosure Agreement by such Authorized Officer.

SECTION 10. The Bonds, the certificate of authentication of the Registrar and Paying Agent and the assignment endorsed on the Bonds, shall be in substantially the forms set forth in Exhibit A together with such changes in format as may be appropriate to conform with customs and practices applicable to comparable securities.

SECTION 11. (a) Subject to the issuance, sale and delivery of the Bonds pursuant to this Resolution for the purpose of refunding the Refunded Obligations and paying certain costs related to the issuance of such Bonds, this Council hereby designates for redemption or such other dates as shall be determined by any Authorized Officer, the Refunded Obligations selected for refunding or prepayment by any Authorized Officer pursuant to this Resolution. Any Authorized Officer is hereby authorized and directed to appoint a bank or trust company to serve, or the City may itself serve, as Escrow Agent, if necessary, and to deliver to such Escrow Agent or applicable City officials written instructions, to give notices, or to cause such notices to be given, in the name and on behalf of the City, to the holders of the Refunded Obligations of the redemption or prepayment thereof, such notices to be given in the manner and

at the time or times provided in proceedings authorizing the issuance of the Refunded Obligations and as set forth in the Escrow Agreement. Any Authorized Officer is hereby further authorized and directed to appoint a verification agent, if necessary, in connection with effecting the redemption or prepayment of the Refunded Obligations. Any Authorized Officer is hereby authorized to take all such actions as such Authorized Officer shall deem to be necessary or desirable to effect the redemption or prepayment of the Refunded Obligations.

(b) Any Authorized Officer is hereby authorized and directed to execute and deliver an Escrow Deposit Agreement by and between the City and the Escrow Agent in such form as shall be approved by such Authorized Officer upon the advice of counsel (including the City Attorney or Bond Counsel), such approval to be conclusively evidenced by the execution of the Escrow Deposit Agreement by such Authorized Officer.

(c) Any Authorized Officer is hereby authorized to execute, on behalf of the City, subscriptions for United States Treasury Obligations - State and Local Government Series, if any, to be purchased by the Escrow Agent from moneys deposited in the Escrow Deposit Fund created and established under any Escrow Deposit Agreement or to provide for the purchase by the Escrow Agent from monies on deposit in the Escrow Deposit Fund, of open market obligations of, or guaranteed by, the United States, or any other investments permitted by the Public Finance Act of 1991 (hereinafter referred to as the "Escrow Securities"). Such Escrow Securities so purchased shall be held by the Escrow Agent under and in accordance with the provisions of the related Escrow Deposit Agreement to be applied to the redemption of the Refunded Obligations. Any Authorized Officer is hereby authorized to enter into such purchase agreements, including forward supply agreements, if any, as shall be required in connection with the purchase by the Escrow Agent, from moneys deposited in the Escrow Deposit Fund created and established under any Escrow Deposit Agreement, of the Escrow Securities.

SECTION 12. (a) In addition to the authorization for a competitive or negotiated sale of the Bonds as set forth in Section 8 hereof, the Council hereby authorizes the issuance and sale of the Bonds to one or more lenders to evidence one or more loans made to the City by one or more lenders in accordance with any proposal made by such lender(s) to the City pursuant to any Request for Proposal issued by the City for any such loan (hereinafter any such Request for Proposal of the City and any proposal from any lender(s) submitted in response thereto shall be collectively referred to as a "Financing Proposal"). There is hereby delegated to any Authorized Officer, without further action by the Council, the authority to issue and deliver the Bonds pursuant to this Section 12 at such price(s) and rate(s), and on such other terms and conditions, as shall be provided in any Financing Proposal, which Financing Proposal shall be in such form and containing such terms and conditions as any Authorized Officer shall deem acceptable, acting with the advice of the City's financial advisor and legal counsel (including the City Attorney and the City's Bond Counsel), subject to the provisions and parameters set forth herein.

(b) Notwithstanding anything in this Resolution to the contrary, the interest rate on Bonds issued and sold pursuant to a Financing Proposal as provided in this Section 12 may be subject to adjustment upon the occurrence of certain events or conditions as may be set forth in any Financing Proposal, including, without limitation, adjustments to the stated interest

rate upon the occurrence of any event of taxability with respect to the Bonds, any default in payment with respect to the Bonds, and any change in the marginal corporate tax rate of corporations under federal law.

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

SECTION 13. All actions and proceedings heretofore taken by this Council, any Authorized Officer and the other officers, employees, agents and attorneys of the City in connection with the authorization, issuance and sale of the Bonds are hereby ratified, confirmed and approved.

SECTION 14. The City Attorney of the City is directed to file a copy of this Resolution, certified by the Clerk of Council of the City to be a true and correct copy hereof, with the Circuit Court of the City in accordance with Section 15.2-2607 of the Code of Virginia, 1950.

SECTION 15. All ordinances, resolutions and other proceedings in conflict herewith are, to the extent of such conflict, repealed.

SECTION 16. This Resolution shall take effect upon its adoption.

Adopted:

Certified:

Interim Clerk of Council

EXHIBIT A

**UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA
CITY OF LYNCHBURG
GENERAL OBLIGATION PUBLIC IMPROVEMENT
REFUNDING BOND, SERIES [2020]**

REGISTERED

REGISTERED

NO. [R-2020__]

\$_____

**INTEREST
RATE:**

**MATURITY
DATE:**

DATE OF BOND:

CUSIP NO.:

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM:

DOLLARS

The City of Lynchburg, a municipal corporation of the Commonwealth of Virginia (the "City"), for value received, acknowledges itself indebted and hereby promises to pay to the Registered Owner (named above), or registered assigns, on the Maturity Date (specified above), unless this Bond shall have been duly called for previous redemption and payment of the redemption price duly made or provided for, the Principal Sum (specified above) and to pay interest on such Principal Sum until the payment of such Principal Sum in full, at the Interest Rate (specified above) per annum, on _____, ____ and semiannually on each _____ and _____ thereafter (each such date is hereinafter referred to as an "interest payment date"), from the date hereof or from the interest payment date next preceding the date of authentication hereof to which interest shall have been paid, unless such date of authentication is an interest payment date if interest shall have been paid to that date, in which case from such interest payment date, or unless such date of authentication is within the period from the sixteenth (16th) day to the last day of the calendar month next preceding the following interest payment date, in which case from such following interest payment date. *[To be substituted if the interest payment date is the 15th day of the month: or unless such date of authentication is within the period from the first (1st) day to the fourteenth (14th) day of the calendar month in which the following interest payment date shall occur, in which event from such following interest payment date].* Such interest shall be computed on the basis of a three hundred and sixty (360) day year comprised of twelve (12) thirty (30) day months. Such interest is payable on each interest payment date by check mailed by the Registrar and Paying Agent hereinafter mentioned to the Registered Owner hereof at his address as it appears on such books of registry kept by the Registrar and Paying Agent, as of the close of business on the fifteenth

(15th) day (whether or not a business day) of the calendar month next preceding each interest payment date *[To be substituted if the interest payment date is the 15th day of the month: Such interest is payable on each interest payment date by check mailed by the Registrar and Paying Agent hereinafter mentioned to the Registered Owner hereof at his address as it appears on the books of registry kept by the Registrar, as of the close of business on the last day (whether or not a business day) of the calendar month next preceding each interest payment date]; provided, however,* that so long as this Bond is in book-entry only form and registered in the name of Cede & Co., as nominee of The Depository Trust Company (“DTC”), or in the name of such other nominee of DTC as may be requested by an authorized representative of DTC, interest on this Bond shall be paid directly to Cede & Co. or such other nominee of DTC by wire transfer.

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

This Bond is one of an issue of Bonds aggregating _____ Dollars (\$_____) in principal amount issued for the purpose of providing funds to refund certain outstanding general obligation bonds of the City, under and pursuant to and in full compliance with the Constitution and statutes of the Commonwealth of Virginia, including Chapter 15.2 of the Code of Virginia, 1950 (the same being the Public Finance Act of 1991) and resolutions and other proceedings of the Council of the City duly adopted and taken under the Public Finance Act of 1991.

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

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

interest payable upon such redemption shall have been duly made or provided for, interest hereon shall cease to accrue from and after the date so specified for the redemption hereof.

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

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

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

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

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

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

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

CITY OF LYNCHBURG, VIRGINIA

[SEAL]

Mayor

Attest:

Interim Clerk of Council

CERTIFICATE OF AUTHENTICATION

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

By: _____
Chief Financial Officer,
as Registrar and Paying Agent

Date of Authentication: _____

ASSIGNMENT

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

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

PLEASE INSERT SOCIAL SECURITY OR
OTHER TAX IDENTIFYING NUMBER OF ASSIGNEE

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

Dated: _____

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by a member firm of The New York Stock Exchange Inc. or a commercial bank or trust company.

(Signature of Registered Owner)
NOTICE: The signature to this assignment must correspond with the name as written on the face of the within Bond in every particular, without alteration, enlargement or any change whatsoever.

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **September 22, 2020**

AGENDA ITEM #: **15**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Federal Grant No. 20-A5165CE20 for Coronavirus Emergency Supplemental Funding (CESF)

KEY ELEMENTS:

___Economic Development ___Excellent Government ___Natural and Built Environment ___**X** Safe Community ___Vibrant Community

RECOMMENDATION: Adopt a resolution to amend the FY 2021 City/Federal/State Aid Fund budget and appropriate \$31,405, with resources of \$31,405 provided through CESF under the federal Coronavirus Aid, Recovery, and Economic Security (CARES) Act awarded by the Department of Criminal Justice Services (DCJS) for Coronavirus Emergency Supplemental Funding to assist the Lynchburg Community Corrections and Pretrial Services Agency in preventing, preparing for, and responding to the coronavirus.

SUMMARY: The Virginia Department of Criminal Justice Services (DCJS) made federal Coronavirus Emergency Supplemental Funding Grant (CESF) funds available to assist applicants in preventing, preparing for, and responding to the coronavirus. The CESF Program is authorized by Division B of H.R. 748, Pub. L. No. 116- 136 (Emergency Appropriations for Coronavirus Health Response and Agency Operations) 28 U.S.C. 530C. The grant is in the amount of \$31,405 to purchase supplies and equipment to assist the agency in providing local probation and pretrial services to defendants and probationers while responding to the recommended protocols to prevent the spread of, prepare for and respond to the coronavirus.

The period for this grant is 1/20/20 through 9/30/21.

PRIOR ACTION(S): September 22, 2020: Finance Committee will review this request

FISCAL IMPACT: Funding is fully reimbursable through this grant and no matching funds are required.

CONTACT(S): Cynthia Plummer, Community Corrections and Pretrial Services Agency 455-3751

ATTACHMENT(S): Resolution

REVIEWED BY: raw

RESOLUTION:

BE IT RESOLVED that the FY 2021 City/Federal/State Aid Fund budget is amended and \$31,405 is appropriated with resources of \$31,405 from the federal Coronavirus Emergency Supplemental Funding Grant (CESF) under the Coronavirus Aid, Recovery, and Economic Security (CARES) Act awarded by the Department of Criminal Justice Services (DCJS) for Coronavirus Emergency Supplemental Funding to assist the Lynchburg Community Corrections and Pretrial Services Agency in preventing, preparing for, and responding to the coronavirus.

Introduced: September 22, 2020

Adopted:

Certified:

Interim Clerk of Council

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **September 22, 2020**

AGENDA ITEM #: **16**

CONSENT:
ACTION: X

REGULAR: X
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Department of Homeland Security Federal Emergency Management Agency's FY 2019 Assistance to Firefighters Grant Program appropriation of funds for firefighting equipment, training, and wellness.

KEY ELEMENTS:

___Economic Development ___Excellent Government ___Natural and Built Environment XSafe Community ___Vibrant Community

RECOMMENDATION: Adopt a resolution to amend the FY 2021 City/Federal/State Aid Fund budget and appropriate \$97,836 with resources of \$88,942 from the Department of Homeland Security Federal Emergency Management Agency's (DHS/FEMA) FY 2019 Assistance to Firefighters Grant (AFG) Program and \$8,894 from the FY 2021 General Fund Fire Department budget to purchase fitness equipment and training in nutrition, injury prevention, cardio-respiratory health, and stress reduction.

SUMMARY: DHS/FEMA awards grant funding to provide critically needed resources that equip and train emergency personnel to recognized standards, enhance operational efficiencies, foster interoperability, and support community resilience.

The Fire Department has been awarded \$88,942 in AFG grant funds to purchase equipment that is vital to firefighter wellness and fitness to assist in the improvement of cardio-respiratory output, strength, flexibility, and nutrition. The department recognizes the need for a physical fitness program that follows the National Fire Protection Association (NFPA) 1583 Standard on Health-Related Fitness Programs for Fire Department Members. The funds will be used to contract with a qualified health and fitness coordinator, periodic fitness assessments for all members (including initial employment assessments and strengthening for new hires), exercise training, education and counseling, and the collection and maintenance of program data. This grant will also replace fitness equipment that has met its useful life and provide other new equipment to address specific needs.

This is a 90/10 matching grant with DHS providing \$88,942 and the local match of \$8,894. The match will be funded from the FY 2021 General Fund Fire Department budget.

PRIOR ACTION(S): September 22, 2020: Finance Committee will review this request

FISCAL IMPACT: \$8,894 in matching funds will be provided from the FY 2021 General Fund Fire Department budget. Future funds will be needed for periodic maintenance of the equipment.

CONTACT(S): Fire Chief Greg Wormser, 455-6340
Deputy Chief Jonathan Wright, 455-6353
Health and Safety Captain Jennifer Collins, 455-3889
Annette Pettyjohn, Fire Administrative Manager, 455-6368

ATTACHMENT(S): Resolution

REVIEWED BY: raw

RESOLUTION:

BE IT RESOLVED that the FY 2021 City/Federal/State Aid Fund budget is amended and \$97,836 is appropriated with resources of \$88,942 from the Department of Homeland Security Federal Emergency Management Agency's (DHS/FEMA) FY 2019 Assistance to Firefighters Grant (AFG) Program and \$8,894 from the FY 2021 General Fund Fire Department budget to purchase fitness equipment and training in nutrition, injury prevention, cardio-respiratory health, and stress reduction.

Introduced: September 22, 2020

Adopted:

Certified:

Interim Clerk of Council

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **September 22, 2020**

AGENDA ITEM #: **17**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: 2020 Edward Byrne Memorial Justice Assistance Grant (JAG)

KEY ELEMENTS:

___ Economic Development ___ Excellent Government ___ Natural and Built Environment **X** Safe Community ___ Vibrant Community

RECOMMENDATION: Adopt a resolution authorizing the submittal of an application for the 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$32,130 to purchase law enforcement equipment for the Lynchburg Police Department, Lynchburg Sheriff's Office, and the Office of the Commonwealth's Attorney.

SUMMARY: The City of Lynchburg is applying for \$32,130 in Edward Byrne Memorial Justice Assistance Grant (JAG) funding. The Lynchburg Police Department will use this funding to purchase 70 protective suits and 70 sets of protective gloves (\$25,540). This equipment is essential for safety of both officers and citizens during events of civil unrest. We currently have 85 sets of protective gear. Purchasing these additional suits and gloves will move us closer to our goal of equipping all 176 sworn staff. The Lynchburg Sheriff's Office will use funds to purchase two laptops to assist with training (\$3,435). The Office of the Commonwealth's Attorney will use funds to purchase two laptops (\$3,155). The total equipment cost is \$32,130, which is fully reimbursable by the grant. No local matching funds are required. The grant application requires the approval of the governing body prior to submission of the grant request.

PRIOR ACTION(S): September 22, 2020: Finance Committee will review this item

FISCAL IMPACT: None, no local match is required

CONTACT(S): Chief Ryan M. Zuidema, Police Department, 434-455-6171
Amy Lowe, Administrative Manager, Police Department, 455-6128

ATTACHMENT(S):
Resolution

REVIEWED BY: raw

RESOLUTION:

BE IT RESOLVED That the Lynchburg City Council approves the submission of an application for the 2020 Edward Byrne Memorial Justice Assistance Grant in the amount of \$32,130 to purchase law enforcement equipment for the Lynchburg Police Department, Lynchburg Sheriff's Office, and the Office of the Commonwealth's Attorney.

Introduced: September 22, 2020

Adopted:

Certified:

Interim Clerk of Council

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **September 22, 2020**

AGENDA ITEM #: **18**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: 2020 DMV Highway Safety Grant – DUI (Alcohol) Enforcement

KEY ELEMENTS:

☐ Economic Development ☐ Excellent Government ☐ Natural and Built Environment ☒ Safe Community ☐ Vibrant Community

RECOMMENDATION: Adopt a resolution to amend the FY 2021 City/Federal/State Aid Fund budget and appropriate \$57,885 with resources of \$38,590 from the Department of Motor Vehicles Highway Safety Grant, an in-kind service and equipment match of \$16,617, and \$2,678 transferred from the FY 2021 General Fund Police Department budget to provide selective enforcement activities and attend related training.

SUMMARY: The Department of Motor Vehicles Highway Safety Program has awarded the City a \$38,590 grant. The funds will be used for selective DUI activities, alcohol testing equipment and attendance to related training.

The grant excludes reimbursement of FICA (Medicare and Social Security) benefit costs associated with the allotted overtime; however, funding of \$2,678 is available for transfer from the FY 2021 Police Department budget to cover this expense.

An in-kind match of \$16,617 in police equipment and services is part of the grant agreement.

PRIOR ACTION(S): September 22, 2020: Finance Committee will review this request

FISCAL IMPACT: The grant requires the Police Department to pay the FICA (Medicare and Social Security) benefits associated with the allotted overtime funds; \$2,678 from the FY 2021 General Fund Police Department budget will be used to cover this expense.

CONTACT(S):

Chief Ryan M. Zuidema, 455-6171

Amy Lowe, Administrative Manager, 455-6128

ATTACHMENT(S): Resolution

REVIEWED BY: raw

RESOLUTION:

BE IT RESOLVED that the FY 2021 City/Federal/State Aid Fund budget is amended and \$57,885 is appropriated with resources of \$38,590 from the Department of Motor Vehicles Highway Safety Grant, an in-kind service and equipment match of \$16,617, and \$2,678 transferred from the FY 2021 General Fund Police Department budget to provide selective enforcement activities, alcohol testing equipment and attend related training.

Introduced: September 22, 2020

Adopted:

Certified:

Interim Clerk of Council

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **September 22, 2020**

AGENDA ITEM #: **19**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: 2020 DMV Highway Safety Grant – Speed Enforcement

KEY ELEMENTS:

☐ Economic Development ☐ Excellent Government ☐ Natural and Built Environment ☒ Safe Community ☐ Vibrant Community

RECOMMENDATION: Adopt a resolution to amend the FY 2021 City/Federal/State Aid Fund budget and appropriate \$24,938 with resources of \$16,625 from the Department of Motor Vehicles Highway Safety Grant, an in-kind service and equipment match of \$7,041, and \$1,272 transferred from the FY 2021 General Fund Police Department budget to provide funds for speed enforcement activities.

SUMMARY: The Department of Motor Vehicles Highway Safety Program has awarded the City a \$16,625 grant. The funds will be used for speed enforcement activities.

The grant excludes reimbursement of FICA (Medicare and Social Security) benefit costs associated with the allotted overtime; however, funding of \$1,272 is available for transfer from the FY 2021 Police Department budget to cover this expense.

An in-kind match of \$7,041 in police equipment and services is part of the grant agreement.

PRIOR ACTION(S): September 22, 2020: Finance Committee will review this request

FISCAL IMPACT: The grant requires the Police Department to pay the FICA (Medicare and Social Security) benefits associated with the allotted overtime funds; \$1,272 from the FY 2021 General Fund Police Department budget will be used to cover this expense.

CONTACT(S):

Chief Ryan M. Zuidema, 455-6171

Amy Lowe, Administrative Manager, Police Department, 455-6128

ATTACHMENT(S): Resolution

REVIEWED BY: raw

114A

RESOLUTION:

BE IT RESOLVED that the FY 2021 City/Federal/State Aid Fund budget is amended and \$24,938 is appropriated with resources of \$16,625 from the Department of Motor Vehicles Highway Safety Grant, an in-kind service and equipment match of \$7,041 and \$1,272 transferred from the FY 2021 General Fund Police Department budget to provide funds for speed enforcement activities.

Introduced: September 22, 2020

Adopted:

Certified:

Interim Clerk of Council

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **September 22, 2020**

AGENDA ITEM #: **20**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Re-adoption of the Continuity of Governance Ordinance and associated Council procedures

KEY ELEMENTS:

___Economic Development **X**Excellent Government ___Natural and Built Environment ___Safe Community ___Vibrant Community

RECOMMENDATION: Adopt an ordinance to continue emergency procedures for the conduct of public business to ensure the continuity of City government and critical local services during the state of emergency and disaster caused by the COVID-19 pandemic.

SUMMARY: On March 24, 2020, City Council adopted a "Continuity of Government" ordinance and on April 28, 2020 adopted associated rules of procedure for City Council to follow in the event that City Council elected to hold electronic meetings. Though City Council has not chosen to conduct electronic meetings, the City's Continuity of Government ordinance provides the authority to other City boards, commissions, and authorities to hold electronic meetings. Several of those bodies have chosen to conduct electronic meetings during the pandemic.

The Continuity of Government ordinance was originally adopted for an initial term of six months, which expires on September 24, 2020. If Council desires to continue to provide the authority to hold electronic meetings, re-adoption of this ordinance is necessary. The continuance ordinance, as presented, would remain in effect until City Council repeals the ordinance, or the local Declaration of Local Emergency is ended, whichever occurs first.

PRIOR ACTION(S): March 24, 2020: City Council adopted the Continuity of Government ordinance
April 28, 2020: Council adopted rules of procedure outlining the electronic meetings

FISCAL IMPACT: N/A

CONTACT(S): Reid A. Wodicka, Interim City Manager – 455-3990
Walter Erwin, City Attorney – 455-3973

ATTACHMENT(S):
Ordinance

REVIEWED BY: raw

An Ordinance to Continue Emergency Procedures for the Conduct of Public Business to Ensure the Continuity of City Government and Critical Local Services during the State of Emergency and Disaster Caused by the COVID-19 Pandemic

WHEREAS, on January 31, 2020, the United States Health and Human Services Secretary declared a public health emergency for the entire United States to aid the healthcare community in responding to COVID-19; and,

WHEREAS, on March 12, 2020, Governor Ralph S. Northam issued Executive Order Fifty-One declaring a state of emergency for the Commonwealth of Virginia arising from the coronavirus (COVID-19) pandemic; and,

WHEREAS, Executive Order Fifty-One acknowledged the existence of a disaster as defined by Virginia Code Section 44-146.16 arising from the public health threat presented by COVID-19, anticipated the spread of the disease, and ordered the implementation of the Commonwealth of Virginia's Emergency Operations Plan, activation of the Virginia Emergency Operations Center to provide assistance to local governments, and authorization for executive branch agencies to waive "any state requirement or regulation" as appropriate; and,

WHEREAS, on March 15, 2020, the City Manager as the City's Director of Emergency Management issued a Declaration of Emergency, as amended, applicable throughout the entire City of Lynchburg pursuant to Virginia Code Sections 44-146.21 and 15.2-1413, and on March 17, 2020, the City Council adopted an ordinance confirming the City Manager's Declaration of Emergency; and,

WHEREAS, Section 15.2-1413 of the Code of Virginia authorizes City Council to act to assure continuity of government in the event of a disaster, notwithstanding any contrary provisions of law and on March 24, 2020, the City Council adopted a continuity of government ordinance and on April 28, 2020, City Council adopted an ordinance establishing procedures for City Council to follow in the event City Council decided it was necessary to hold an electronic meeting; and,

WHEREAS, the March 24, 2020, continuity of government ordinance provided that the ordinance would be in effect until the earlier of its repeal or for a period not exceeding six months; and,

WHEREAS, government and health officials at the federal, state, and local level continue to advise that gatherings of people can spread the illness and prolong the disaster caused by the COVID-19 pandemic; and,

WHEREAS, the usual and necessary operations of government, by law, often require large gatherings of people in person, which would contradict the advice of the government and health officials responsible for addressing the continuing disaster caused by the COVID-19 pandemic; and,

WHEREAS, the City Council wishes to follow the guidance of government and health officials while providing for the continuity of City government and critical local services during the ongoing state of emergency and continuing disaster caused by the COVID-19 pandemic; and,

WHEREAS, the City Council determines that the continuity of City government and provision of critical local services requires the re-adoption of the March 24, 2020, continuity of government ordinance, the re-adoption of the April 28, 2020, ordinance establishing procedures for electronic meetings, and the adoption of this ordinance providing for the extension of the March 24, 2020, and the April 28, 2020, ordinances.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Lynchburg in accordance with Virginia Code Section 15.2-1413, notwithstanding any contrary provision of law, general or special, in order to ensure the continuity of government during the emergency and disaster created by COVID-19 that the March 24, 2020, continuity of government ordinance and the April 28, 2020, ordinance establishing procedures for City Council to follow in the event City Council decides it is necessary to hold an electronic meeting are hereby readopted and extended.

IT IS FURTHER ORDAINED that this ordinance will be in full force and effect on and after its passage as provided by law and will remain in effect until the earlier of its repeal by City Council or the end of the Declaration of Local Emergency. Upon repeal or expiration of this ordinance, the City's public bodies will resume operation in accordance with standard operating practices and procedures.

Adopted: September 22, 2020

Certified: _____
Interim Clerk of Council