

**LYNCHBURG CITY COUNCIL
PHYSICAL DEVELOPMENT COMMITTEE**

**Tuesday, April 12, 2016
9:00 a.m.**

Information Items

Recent/Pending Contract Awards: -No new contract awards.

Update on priority projects: -See attached report.

General Business

- | | |
|---|--------------------|
| 1. Rives Street Vacation | Rachel Frischeisen |
| 2. Logan's Lane Ramp Solution | Maggie Cossman |
| 3. TIGER Grant Application | Bonnie Svrcek |
| 4. Two-Way Conversion for Main/Church Streets | Kimball Payne |
| 5. Roll Call | |

Pc: Kimball Payne, City Manager
Bonnie Svrcek, Deputy City Manager
Council Members
Gaynelle Hart, Director of Public Works
News & Advance

Next Meeting: May 10, 2016

Lynchburg Capital Projects Greater Than \$1 Million(General Fund)

April 12, 2016

Projects of Interest		Status		Notes
Timberlake / Logan's Lane Intersection		Design	December 2016	Revised layout to PDC
Midtown Connector		Construction	May 2016	Under Construction - Paving Cranking back up for Spring
Greenview Drive Phase 2		Construction	July 2017	Construction Starting in April
Kemper Street Bridge / Interchange		Construction	September 2016	Ramp Work and Bridge Parapets ongoing
One Way Pairs @ 501/221		Preliminary	August 2016	HB2 Submittal - Right of Way Vacation and Rezoning
Memorial - Park - Lakeside Intersection		Construction	September 2017	Construction Underway
Odd Fellows Road - P3		Construction	August 2018	Construction Underway
Juvenile Services Group Home		Construction	April 2016	Winding Down
Downtown Streetscapes		Construction	May 2017	Starting this Month
LU Intramural Field Road - Phase 1		Construction	September 2016	Underway
LU Intramural Field Road - Phase 2		Design	June 2016	Reviewing for Approval - Bid Late Spring

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **April 12, 2016 – Physical Development Committee**

AGENDA ITEM NO.:

CONSENT:

REGULAR: X

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: X

INFORMATION:

ITEM TITLE: **Vacate a portion of Rives Street**

RECOMMENDATION: Approval of the right-of-way vacation.

SUMMARY: Spring Hill Cemetery Association, the owner of 3000 Fort Avenue and 1550 James Street, is petitioning to vacate a portion of the right-of-way known as Rives Street, between James Street and Gordon Street. The petitioner is requesting the right-of-way vacation so that the portion of the road separating two large properties can be fenced off, thus creating one contiguous area for the cemetery. The total area of the proposed vacation is approximately four hundred ninety-six thousandths (0.496) of an acre.

The City's Transportation Engineer has reviewed the traffic study and concluded that traffic safety and congestion will not be adversely impacted. In addition, if this portion of Rives Street is vacated, Gordon Street will be converted to two-way traffic to accommodate the change. Staff believes that this street vacation would have a minimal impact on the neighborhood.

City Council amended the *Future Land Use Map (FLUM)* on February 9, 2016 to reflect the intent of the cemetery to expand its current boundaries. A Conditional Use Permit would still be required for any future expansion of the cemetery.

PRIOR ACTION(S):

September 1, 2015: The Technical Review Committee [TRC] reviewed the petition. The TRC comments have been incorporated into the proposed ordinance.

November 11, 2015: The Physical Development Committee reviewed this petition and requested further study on impacts to traffic.

February 9, 2016: The *FLUM* was amended for sixty-seven (67) parcels from Low Density Residential and Medium Density Residential to Institutional use.

FISCAL IMPACT: None

CONTACT(S):

Rachel Frischeisen, Planner I – 455-3900

Tom Martin, City Planner - 455-3900

Kent White, Director of Community Development – 455-3900

ATTACHMENT(S):

- Ordinance
- Application
- Right-of-way vacation plat
- Narrative Letter
- Right-of-way vacation map
- Rives Street Traffic Impact Study

REVIEWED BY:

UNCODIFIED ORDINANCE:

AN ORDINANCE VACATING A PORTION OF RIGHT-OF-WAY KNOWN AS RIVES STREET LOCATED BETWEEN JAMES STREET AND GORDON STREET.

WHEREAS, Spring Hill Cemetery, is petitioning to vacate a portion of right-of-way known as Rives Street located between James Street and Gordon Street; and

WHEREAS, City Council finds that no public inconvenience will result from vacating the right of way;

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

PARCEL "A":

BEGINNING AT A MONUMENT FOUND AT THE INTERSECTION OF JAMES STREET AND RIVES STREET THENCE N41°27'29"W 20.00' TO A P.K. NAIL SET; THENCE N48°32'31"E 540.00' TO A P.K. NAIL SET; THENCE S41°27'29"E 20.00' TO AN IRON REBAR SET; THENCE S48°32'31"W 540.00' TO THE POINT OF BEGINNING. BEING PARCEL "A" (A PORTION OF RIVES STREET) AND CONTAINING 0.248 ACRES.

PARCEL "B":

BEGINNING AT AN IRON REBAR SET AT THE RIGHT OF WAY OF RIVES STREET AT THE INTERSECTION OF JAMES STREET AND RIVES STREET; THENCE N48°32'31"E 540.00' TO AN IRON REBAR SET; THENCE S41°27'29"E 20.00' TO A P.K. NAIL SET; THENCE S48°32'31"W 540.00' TO AN P.K. NAIL; THENCE N41°27'29"W 20.00' TO THE POINT OF BEGINNING. BEING PARCEL "B" (A PORTION OF RIVES STREET) AND CONTAINING 0.248 ACRES.

Said property contains 0.496 acres more or less.

Said vacation is contingent upon the following: (1) Spring Hill Cemetery shall execute the necessary documents to dedicate utility easements for American Electric Power (AEP) and Verizon; (2) the failure of Spring Hill Cemetery to dedicate utility easements for American Electric Power (AEP) and Verizon within six months of the adoption of this resolution shall render the vacation of the above described portion of Rives Street null and void; (3) that an easement to locate, relocate, repair, replace, maintain and perpetually operate all utilities currently located therein or needed by the City in the future is hereby reserved unto the City of Lynchburg; and (4) the construction of any building or structure or the use of the vacated property in any manner that could interfere with the City's right to locate, relocate, repair, replace, maintain and perpetually operate utilities is prohibited without the prior written approval of the City Manager's Office, City Utilities Division and the City Engineering Division.

BE IT FURTHER ORDAINED that the City of Lynchburg relinquishes any interest it may have in the vacated right of way to Spring Hill Cemetery, that the Clerk of Council is hereby authorized and directed to deliver a duly certified copy of this ordinance to the Clerk of the Circuit Court for the City of Lynchburg so that said certified copy of this ordinance may be recorded as deeds are recorded and indexed in the name of the City of Lynchburg.

Adopted:

Certified:

Clerk of Council

APPLICATION FOR THE VACATION OF A

RIVES STREET

Lynchburg, Virginia

LOCATED BETWEEN

Gordon and James Streets

The undersigned applicant, Spring Hill Cemetery Association, pursuant to the provisions of Section 15.2-2006 of the Code of Virginia, 1950, as amended, and Section 35-71 through Section 35-77 of the City Code, 1981, as amended, respectfully makes application to the Lynchburg City Council for the vacation of that certain Rives Street described as follows:

Portion of Rives Street as follows:

Beginning at a monument found at the intersection of James Street and Rives Street thence N41°27'29"W 20.00' to a p.k. Nail set; thence W48°32'31"E 540.00' to a p.k. Nail set; thence S41°27'29"E 20.00' to an iron rebar set; thence S48°32'31"W 540.00' to the point of beginning. Being parcel "A" (a portion of Rives Street) and containing 0.248 acres.

Beginning at an iron rebar set at the right of way of Rives Street at the intersection of James Street and Rives Street; thence N48°32'31"E 540.00' to an iron rebar set; thence S41°27'29"E 20.00' to a p.k. nail set; thence S48°32'31"W 540.00' to an p.k. nail; thence N41°27'29"W 20.00' to the point of beginning. Being parcel "B" (a portion of Rives Street) and containing 0.248 acres.

The applicant further requests the Lynchburg City Council to hold a public hearing on this application at its meeting to be held in the Council Chambers, City Hall, 900 Church Street, Lynchburg, Virginia, on December 8, 2015, at 7:30 p.m., or as soon thereafter as the matter may be heard, and at the conclusion of which to consider whether or not to vacate the above described Rives Street.

The applicant further requests the Lynchburg City Council to hold a public hearing on this application at its meeting to be held in the Council Chambers, City Hall, 900 Church Street, Lynchburg, Virginia, on December 8, 2015, at 7:30 p.m., or as soon thereafter as the matter may be heard, and at the conclusion of which to consider whether or not to vacate the above described Rives Street.

Given under my hand this 18 day of August, 2015.

Spring Hill Cemetery

Applicant

3000 Fort Avenue, Lynchburg, VA 24501

Address

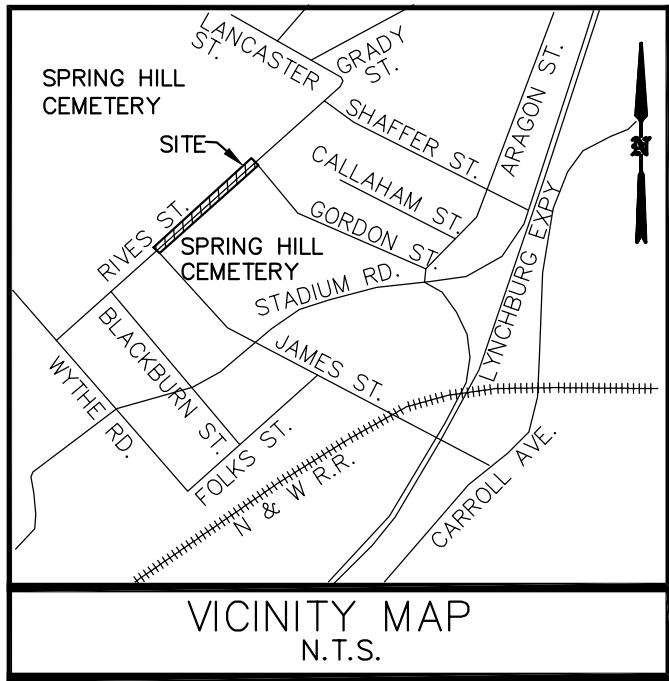
434-846-0801

Telephone Number

WE, THE ADJOINING PROPERTY OWNER(S), ARE IN AGREEMENT TO THE VACATION OF THE ABOVE DESCRIBED PROPERTY:

T. Ashby Watts III
T. Ashby Watts III (President)

8/18/15
Date



LEGAL DESCRIPTION: PARCEL "A"

BEGINNING AT A MONUMENT FOUND AT THE INTERSECTION OF JAMES STREET AND RIVES STREET THENCE N41°27'29"W 20.00' TO A P.K. NAIL SET; THENCE N48°32'31"E 540.00' TO A P.K. NAIL SET; THENCE S41°27'29"E 20.00' TO AN IRON REBAR SET; THENCE S48°32'31"W 540.00' TO THE POINT OF BEGINNING. BEING PARCEL "A" (A PORTION OF RIVES STREET) AND CONTAINING 0.248 ACRES.

LEGAL DESCRIPTION: PARCEL "B"

BEGINNING AT AN IRON REBAR SET AT THE RIGHT OF WAY OF RIVES STREET AT THE INTERSECTION OF JAMES STREET AND RIVES STREET; THENCE N48°32'31"E 540.00' TO AN IRON REBAR SET; THENCE S41°27'29"E 20.00' TO A P.K. NAIL SET; THENCE S48°32'31"W 540.00' TO AN P.K. NAIL; THENCE N41°27'29"W 20.00' TO THE POINT OF BEGINNING. BEING PARCEL "B" (A PORTION OF RIVES STREET) AND CONTAINING 0.248 ACRES.

TM# 01201001
45 ACRES
SPRING HILL CEMETERY
ASSOCIATION
D.B. 30 P. 293 S 41°27'29" E 20.00'
D.B. 33 P. 206

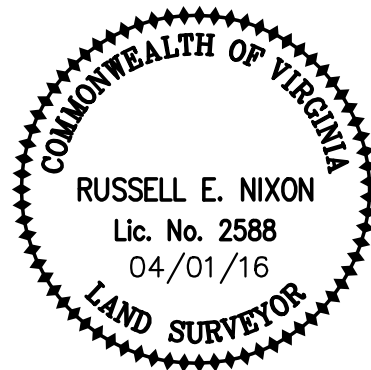
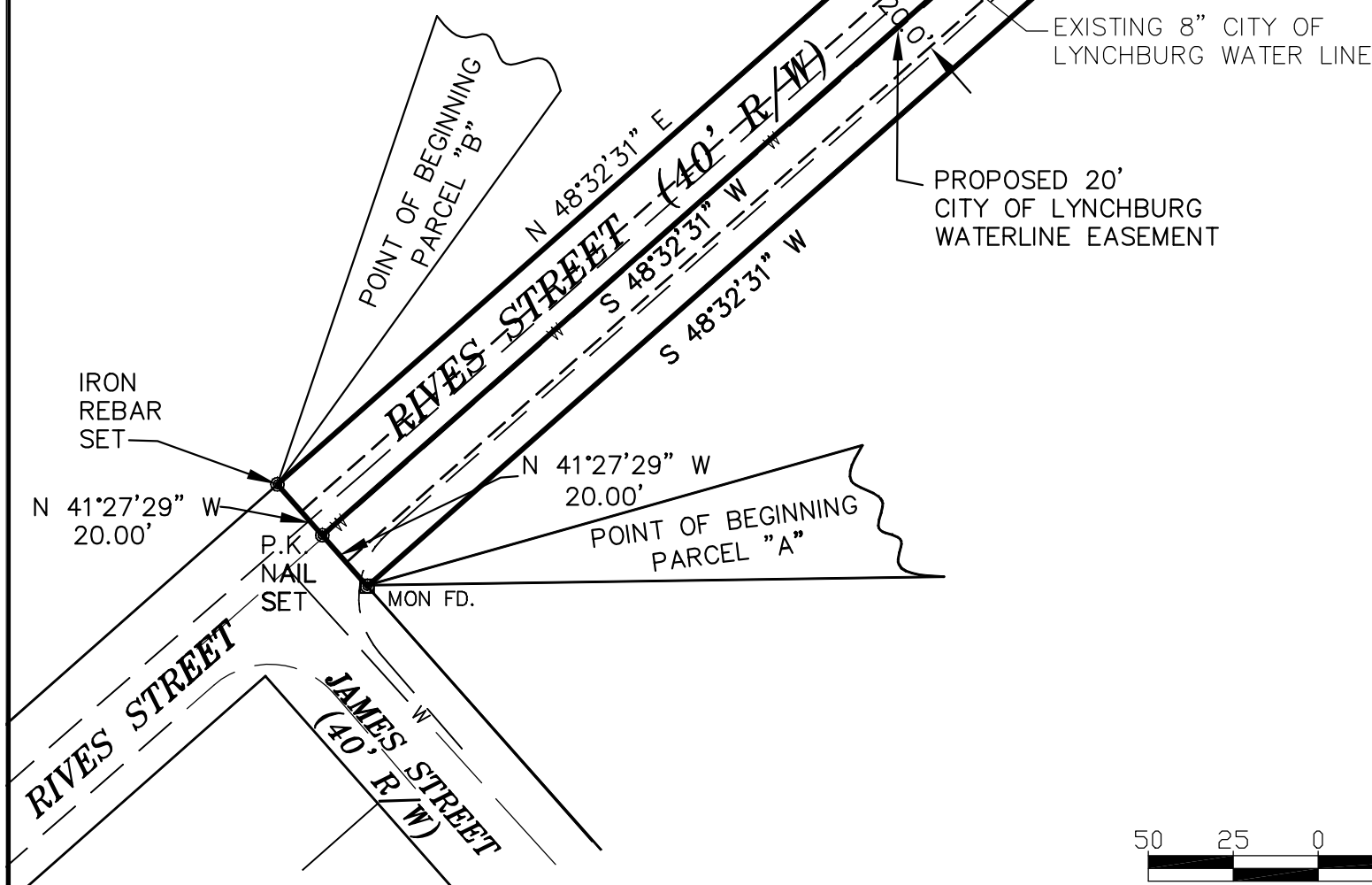
TM# 02801001
6.337 ACRES
SPRING HILL CEMETERY
ASSOCIATION
D.B. 126 P. 298

TM# 02736060
SPRING HILL CEMETERY
ASSOCIATION
D.B. 282 P. 462

TM# 02736061
SPRING HILL CEMETERY
ASSOCIATION
D.B. 282 P. 462

TM# 02736063
SPRING HILL CEMETERY
ASSOCIATION
D.B. 282 P. 462

TM# 02736001
SPRING HILL CEMETERY
ASSOCIATION
INSTR.NO. 130004747



NOTE:

- 1.) CEMETERY GATES SHALL BE LOCATED A MINIMUM OF 25' FROM THE TWO ENDS OF THE REMAINING RIVES STREET RIGHT-OF-WAY.
- 2.) NOTE THAT NO GRAVES AND NO PERMANENT STRUCTURES WILL BE INSTALLED WITHIN WATER LINE EASEMENT.

SURVEYED FOR:		SPRING HILL CEMETERY ASSOCIATION	
 Nixon Land Surveying, L.L.C. 1063C Airport Road Lynchburg, VA 24502 Phone: (434) 237-3600 Fax: (434) 237-0699 Email: ren@nixonlsec.com www.nixonlsec.com		PLAT SHOWING PROPOSED STREET VACATION OF A PORTION OF RIVES STREET FOR SPRING HILL CEMETERY ASSOCIATION CITY OF LYNCHBURG, VIRGINIA	
COMM. NO.: 2015197		REVISED: 10/27/15	
SCALE: 1"=50'		DR. BY: VPB	DATE: 08/14/15
SHEET: 1 OF 1		CHK. BY: REN	DRW. NME. SUBD2

DO NOT MOVE AN ANCIENT BOUNDARY STONE OR ENCROACH ON THE FIELDS OF THE FATHERLESS. PROVERBS 23:10 (NIV)



October 28, 2015

Rachel Frischeisen – Planner 1
Department of Community Development
900 Church Street
Lynchburg, Virginia 24504

Re: Rives Street Vacation

Dear Ms. Fischeisen:

On behalf of the Association, I want to thank you for taking the time to meet yesterday.

As you suggested, I have briefly commented on the history of recent acquisitions of neighboring properties by the Association, past meetings with city employees regarding the CSO work in the area and, lastly, the Association's concerns regarding the traffic on Rives Street. Please note the following comments:

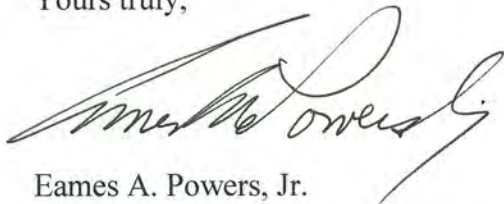
Spring Hill Cemetery Association over the past twenty five years has been actively purchasing the neighboring properties on Callaham Street, Gordon Street, James Street, Blackburn Street and Wythe Road for the purpose of expanding the cemetery. To date, the Association has purchased 33 of these properties leaving 12 properties remaining to be acquired. Currently, of the 31 improved properties purchased in the area, 22 dwellings have been demolished with the remaining 9 rented. It is the Association's intention in the future to demolish all dwellings in the expansion area and convert the land into cemetery.

On May 4, 2009, Eames Powers, Secretary/Treasurer of Spring Hill Cemetery Association, met with Jeff Scarano, P.E., City of Lynchburg and G. Keith Thompson, Jr., P.E., Wiley and Wilson to discuss CSO Project #16.3 and to relay the Association's plans for future expansion. It was agreed that the impact of this knowledge would prompt a review of the proposed design. It would be a cost savings to the City not to have to spend money on infrastructure that, in the near future, would be of no use. On February 7, 2012, Eames Powers met with James S. Talian, P.E., City of Lynchburg to review the Association's plans for expansion and the impact that it might have on the implementation of the CSO project. As a result of the meeting, Mr. Talian indicated that Phase B of the project, which affected the areas of James Street and Blackburn Street, would be reviewed to determine if the proposed work was needed.

Finally, Rives Street from Shaffer Street to Wythe Road is fronted on both sides (east and west) by the property of Spring Hill Cemetery Association, except for the two properties located at the corner of Rives Street and Blackburn Street. A large amount of the vehicular traffic on Rives Street passes up and down the street at a high rate of speed, which poses an unsafe condition for the employees of the Association, who must use the street for access to the existing cemetery grounds, as well as, to the families who are visiting the cemetery and must cross the street to get from the western part to the eastern part of the cemetery. Rives Street does not serve the needs of the immediate neighbors, and by closing it to thru traffic a hazardous condition can be eliminated. The proposed vacation of this portion of Rives Street will benefit the City of Lynchburg by reducing the cost of street maintenance and the elimination of an unsafe traffic pattern; and will benefit Spring Hill Cemetery Association by allowing it to join the divided grounds.

I hope these comments have provided you with some background information on the activities of the Association and our intentions. Please feel free to contact me or Proctor Harvey if we can be of further assistance.

Yours truly,

A handwritten signature in cursive script, appearing to read "Eames A. Powers, Jr.", written in dark ink.

Eames A. Powers, Jr.
Secretary/Treasurer
Spring Hill Cemetery Association

Cc Proctor S. Harvey



MEMORANDUM

TO: EAMES A. POWERS, JR.

FROM: BILL WUENSCH, P.E., PTOE

ORGANIZATION: SPRING HILL CEMETERY

DATE: MARCH 21ST, 2016

PHONE NUMBER:

SENDER'S REFERENCE NUMBER:

RE: RIVES ROAD TRAFFIC IMPACT STUDY

YOUR REFERENCE NUMBER:

☐ URGENT☒ FOR YOUR USE☐ PLEASE COMMENT☐ PLEASE REPLY☐ PLEASE RECYCLE

Rives Road Traffic Impact Study

1. Study Purpose

Spring Hill Cemetery is working with the City to vacate the right-of-way of Rives Street between James Street and Gordon Street such that Spring Hill Cemetery can take ownership of that section of the road and thereby begin to make the cemetery property contiguous across Rives Street. This is the first phase, and eventually, as Spring Hill Cemetery continues to expand, additional sections of Rives Road will be closed. **Figure 1** and **Figure 2** illustrate the vicinity and the location of this first phase of the project

The purpose of this study is to assess the impacts to the existing traffic flow and potential impacts to the adjacent streets that will in the future need to potentially handle additional traffic due to this first section of Rives Road becoming discontinuous.

2. Study Methodology

The methodology of this traffic impact study includes:

- Perform tube counts on Rives Street between James Street and Gordon Street to collect hourly traffic volumes;
- Perform manual observations in morning, mid-day, and afternoon peak hours (6 hours) to analyze the travel pattern;
- Map the travel pattern in peak hours;
- Estimate the traffic reassignment in peak hours;
- Compute the traffic volume changes in peak hours and extrapolate a projection for the daily volume shift (average daily traffic).

3. Hourly Traffic Volumes

Tube counts were performed on Rives Street between James Street and Gordon Street to collect hourly traffic volumes for both directions on March 1st – March 3rd 2016 (Tuesday – Thursday). **Figure 3** illustrates the existing hourly traffic volumes. The tube count summary sheets are included in **Appendix A**.

4. Travel Pattern

A travel pattern analysis for the traffic passing Rives Street between James Street and Gordon Street was performed by manual observations in morning, mid-day, and afternoon peak hours (6 hours) with the fieldwork sheets as attached in **Appendix B**. The fieldwork was performed March 3rd 2016 (Thursday) and the fieldwork results are attached in **Appendix C**. **Figures 4-9** illustrate the travel pattern of the traffic passing Rives Street between James Street and Gordon Street in the peak hours.

5. Traffic Reassignment

When Rives Street is closed between James Street and Gordon Street, the reassignment of the traffic passing Rives Street between James Street and Gordon Street was examined route by route, and the travel pattern as shown in Figures 4-9 was reassigned based on the new road network (note that Gordon Street will be a two-way road in the new road network). **Figures 10-15** illustrate the new travel pattern in the peak hours when Rives Street is closed between James Street and Gordon Street. As a conservative approach, it was assumed that traffic turning onto the sidestreets from Rives Street, or originating from the sidestreets onto Rives Street, actually started at the far end of the side street. (i.e. did not have a destination on the sidestreet). It was not possible to discern which vehicles actually had a destination on the sidestreet, so to estimate a worst case scenario it was assumed that they were all just passing through that sidestreet and not stopping. The final re-assignments reflect this assumption.

6. Peak Hour Traffic Volume Changes

The computation of the traffic volume changes were based on existing and future new travel patterns. The traffic volumes of the existing travel pattern (street directionality) were recorded, and consideration was given to the ability to use Gordon Street as two way travel in the future. **Figures 16-21** illustrate the traffic volume changes in the peak hours.

7. Average Daily Traffic Volume Changes

The changes of the average daily traffic volumes were estimated based on the traffic volume changes in the 6 peak hours and the percentage of the traffic volumes in these 6 peak hours compared to the average daily traffic volumes. **Figure 22** illustrate the traffic volume changes for the average daily traffic volumes.

8. Findings and Conclusions

Based on the analysis performed above in this study, the existing traffic flow passing Rives Street between James Street and Gordon Street will shift primarily to utilize Wythe Road, Stadium Road, Aragon Street, and Gordon Street. Additionally, motorists may choose to remain on Fort Avenue and utilize Lancaster Street to destinations on Grady, Watts, or Shaffer Streets (and vice-a-versa). This potential additional diversion route could further reduce the volumes shown in the reassignment graphics. Estimating that 80 of the 302 trips originate in the Grady / Watts area, then if half of these choose to divert via Lancaster then we could reduce 302 by 40 trips to approximately 260 trips.

Per **Figures 16-21**, we are estimating that the peak hour traffic volumes might increase on Wythe Road, Stadium Road, Aragon Street, and Gordon Street, and decrease on Rives Street, Blackburn Street, James Street, and Shaffer Street. This decrease of sidestreet traffic may be a little overstated per the prior described assumption about future traffic.

Per **Figure 22**, we are estimating that the average daily traffic volumes might increase 156 on Wythe Road between Rives Street and Stadium Road (2% compared to the existing 8,500 average daily traffic volumes on Wythe Road), 180 on Stadium Road between Wythe Road and Blackburn Street (3% compared to the existing 5,700 average daily traffic volumes on Stadium Road), 202 on Stadium Road between Blackburn Street and James Road (4% compared to the existing 5,700 average daily traffic volumes on Stadium Road), 302* on Stadium Road between James Road and Aragon Street Road (5% compared to the existing 5,700 average daily traffic volumes on Stadium Road), 302 on Aragon Street between Stadium Road and Gordon Street, 85 on Aragon Street between Gordon Street and Callaham Street, 83 on Aragon Street between Callaham Street and Shaffer Street, and 192 on Gordon Street between Aragon Street and Rives Street.

*Note: the 302 vehicles on Stadium Road could be further reduced based on an assumption that many of these trips are actually headed towards the expressway. Our data collection effort could not discern trip patterns once on Stadium Road, so to be very conservative in our estimate we assigned the full 302 vehicles onto Stadium Road heading towards Fort Avenue.

The final conclusion of this study is that, overall, these hourly and daily traffic numbers are relatively small. It appears, based on comparison of existing daily traffic counts, that each of the impacted roadways have sufficient capacity to absorb the anticipated shift in traffic volumes without experiencing additional congestion or safety concerns.

End of Memorandum

Attachments –

Figures

Figure 1 Project Vicinity
Figure 2 Project Location
Figure 3 Hourly Traffic Volumes
Figure 4 7AM-8AM Travel Pattern
Figure 5 8AM-9AM Travel Pattern
Figure 6 11AM-12PM Travel Pattern
Figure 7 12PM-1PM Travel Pattern
Figure 8 4PM-5PM Travel Pattern
Figure 9 5PM-6PM Travel Pattern
Figure 10 7AM-8AM Traffic Reassignment
Figure 11 8AM-9AM Traffic Reassignment
Figure 12 11AM-12PM Traffic Reassignment
Figure 13 12PM-1PM Traffic Reassignment
Figure 14 4PM-5PM Traffic Reassignment
Figure 15 5PM-6PM Traffic Reassignment
Figure 16 7AM-8AM Traffic Volume Changes
Figure 17 8AM-9AM Traffic Volume Changes
Figure 18 11AM-12PM Traffic Volume Changes
Figure 19 12PM-1PM Traffic Volume Changes
Figure 20 4PM-5PM Traffic Volume Changes
Figure 21 5PM-6PM Traffic Volume Changes
Figure 22 Average Daily Traffic Volume Changes

Appendix

Appendix A Tube Count Summary Sheets
Appendix B Manual Observation Fieldwork Sheets
Appendix C Manual Observation Fieldwork Results

Figure 1 Project Vicinity



Figure 2 Project Location

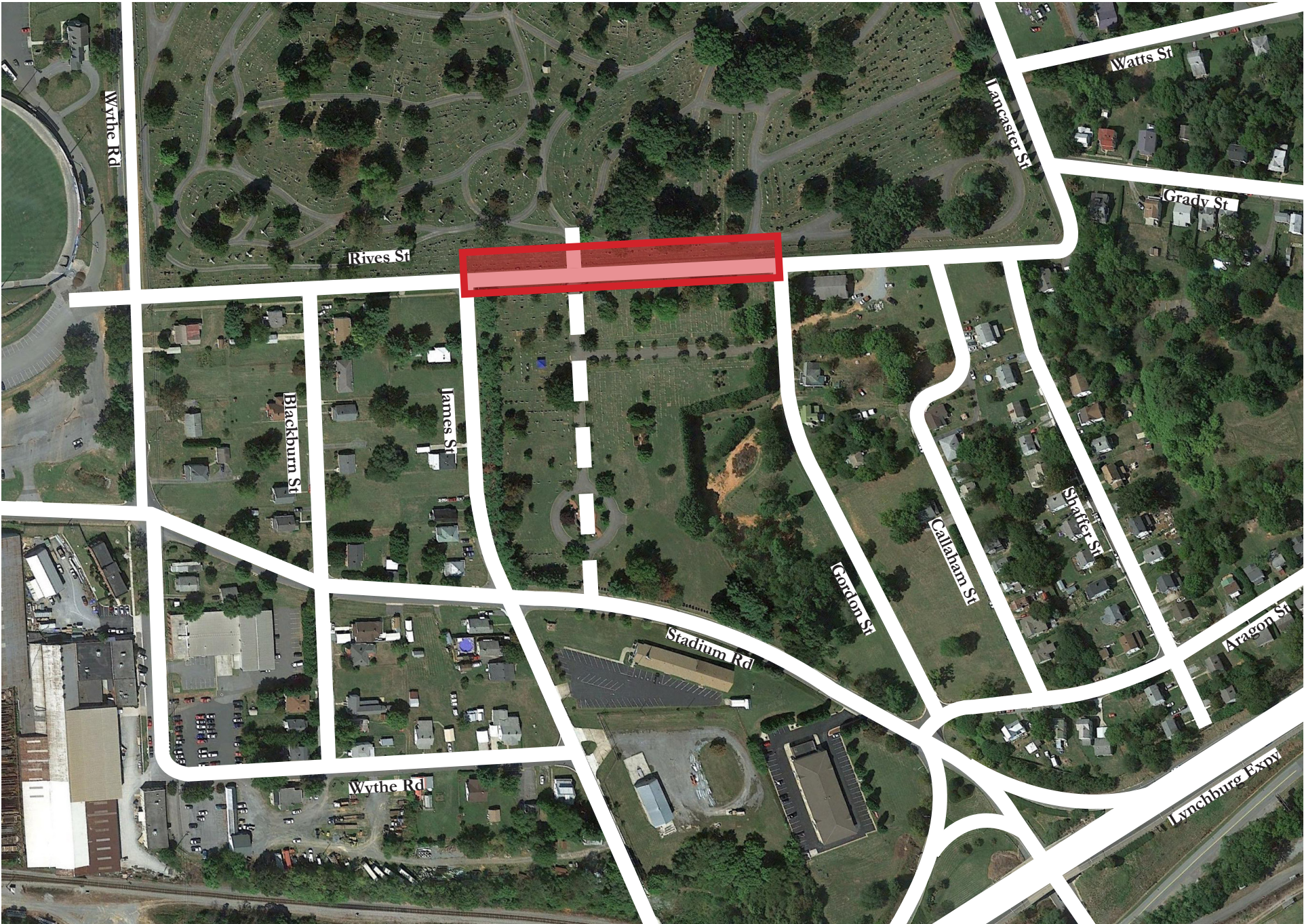


Figure 3 Hourly Traffic Volumes



Figure 4 7AM-8AM Travel Pattern

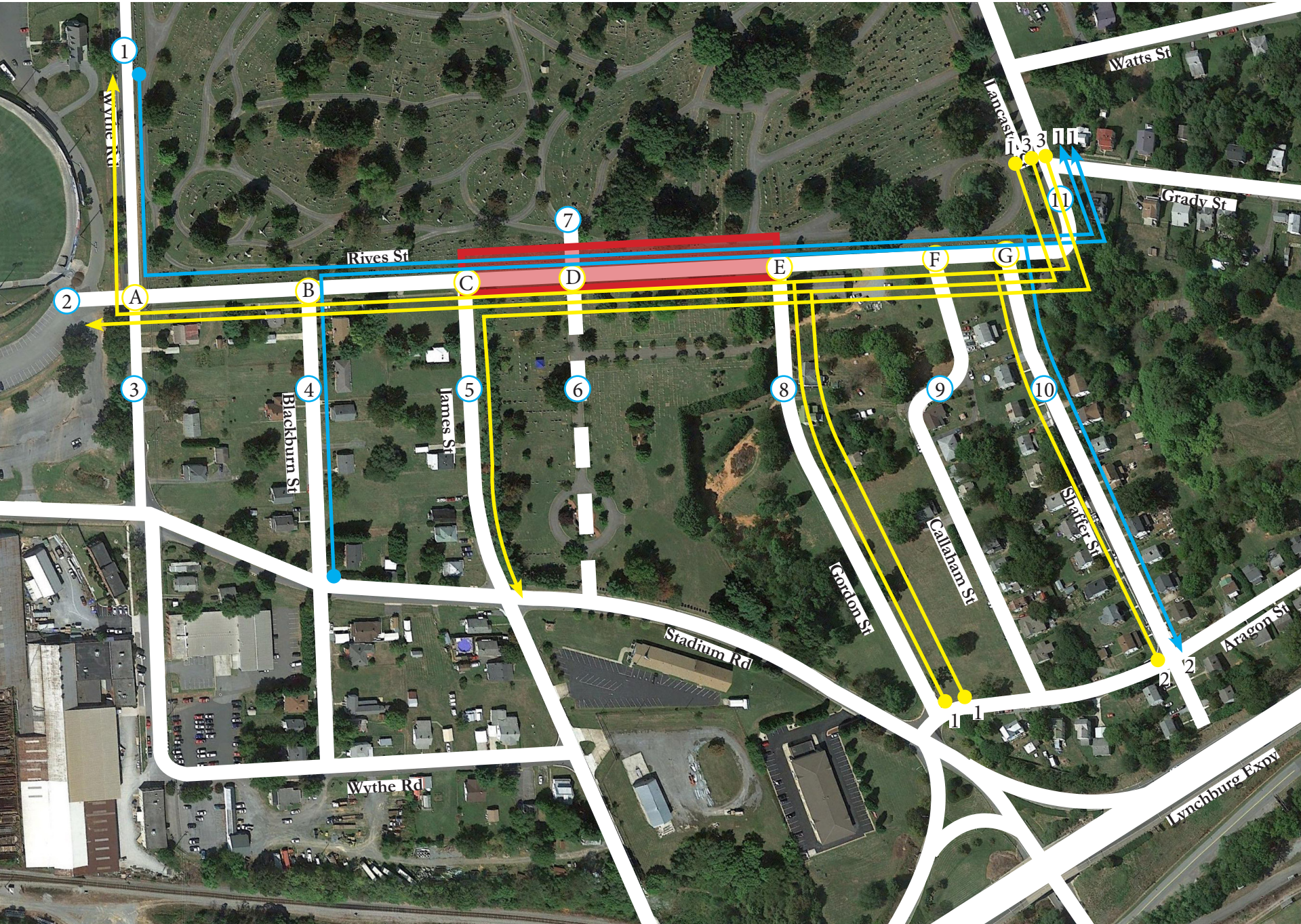
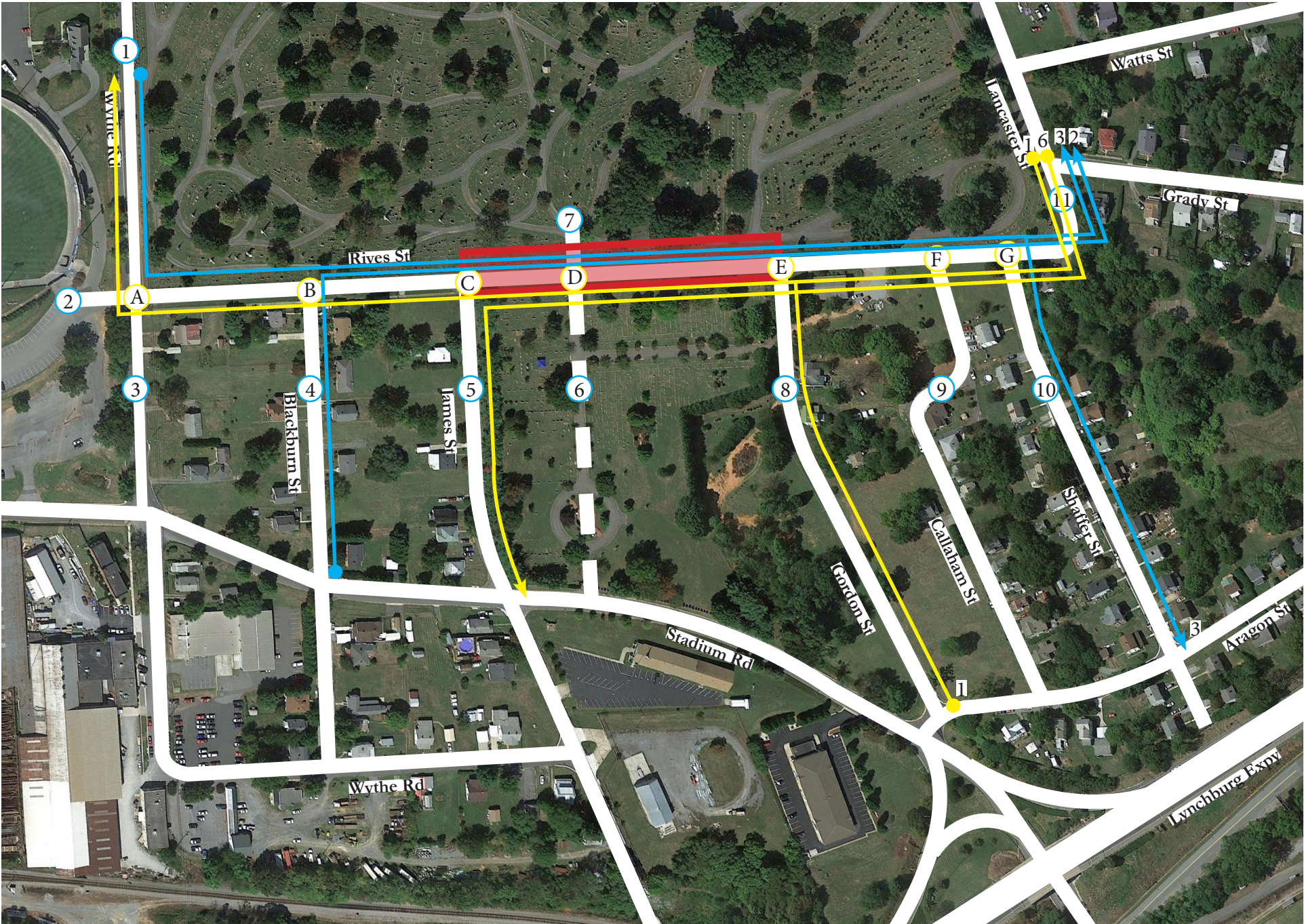


Figure 5 8AM-9AM Travel Pattern



This aerial map shows a residential area with a red highlighted route and numbered points 1 through 11. The route starts at point 1 on Wythe Rd, goes south to point 2, then east along Rives St through points 3, 4, 5, 6, 7, 8, 9, 10, and 11. The route is marked with a red line and yellow dots. Street names include Wythe Rd, Rives St, Blackburn St, James St, Stadium Rd, Gordon St, Callahan St, Shaffer St, Warts St, Grady St, Aragon St, and Lynchburg Expy.

Figure 7 12PM-1PM Travel Pattern

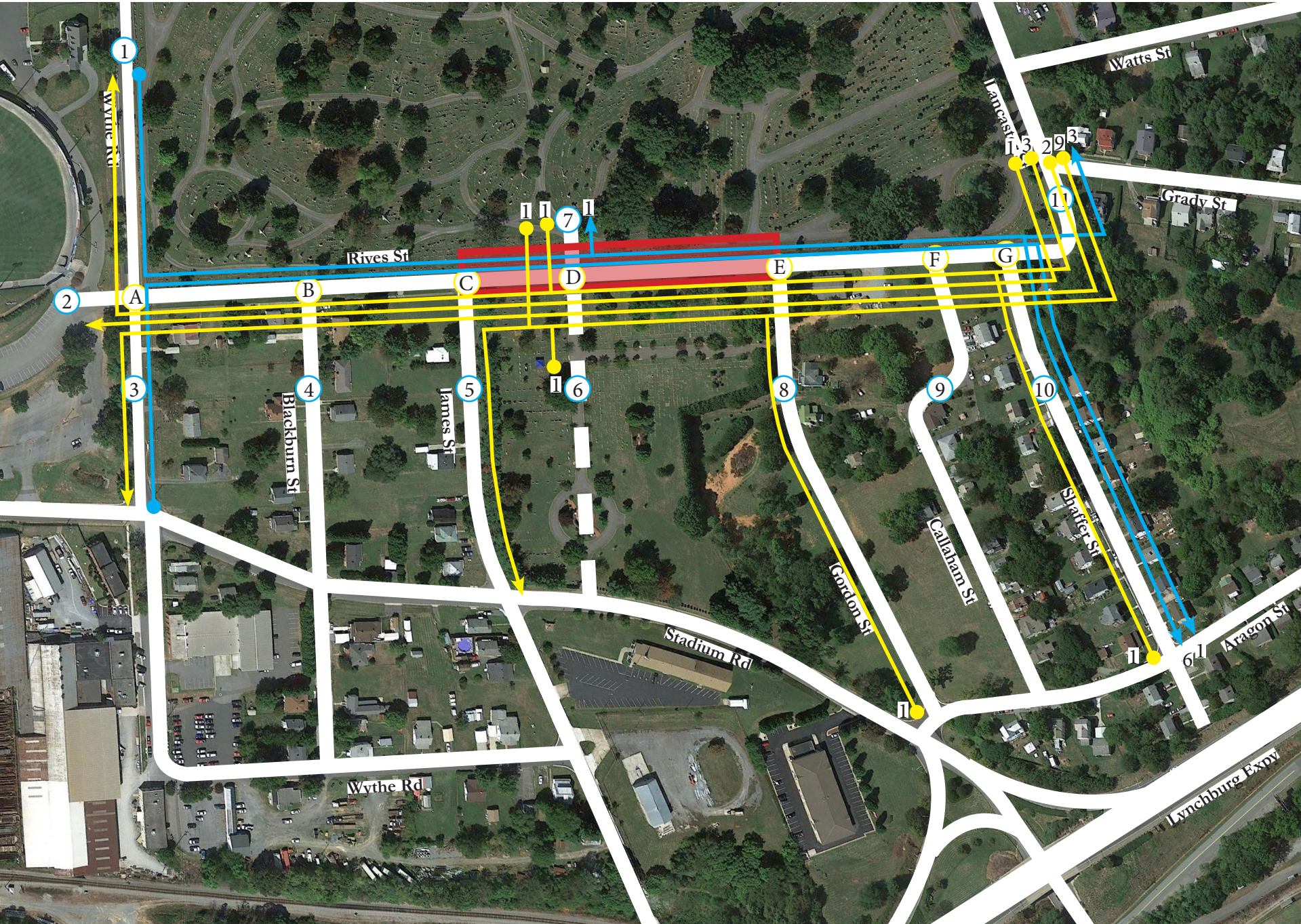


Figure 9 5PM-6PM Travel Pattern

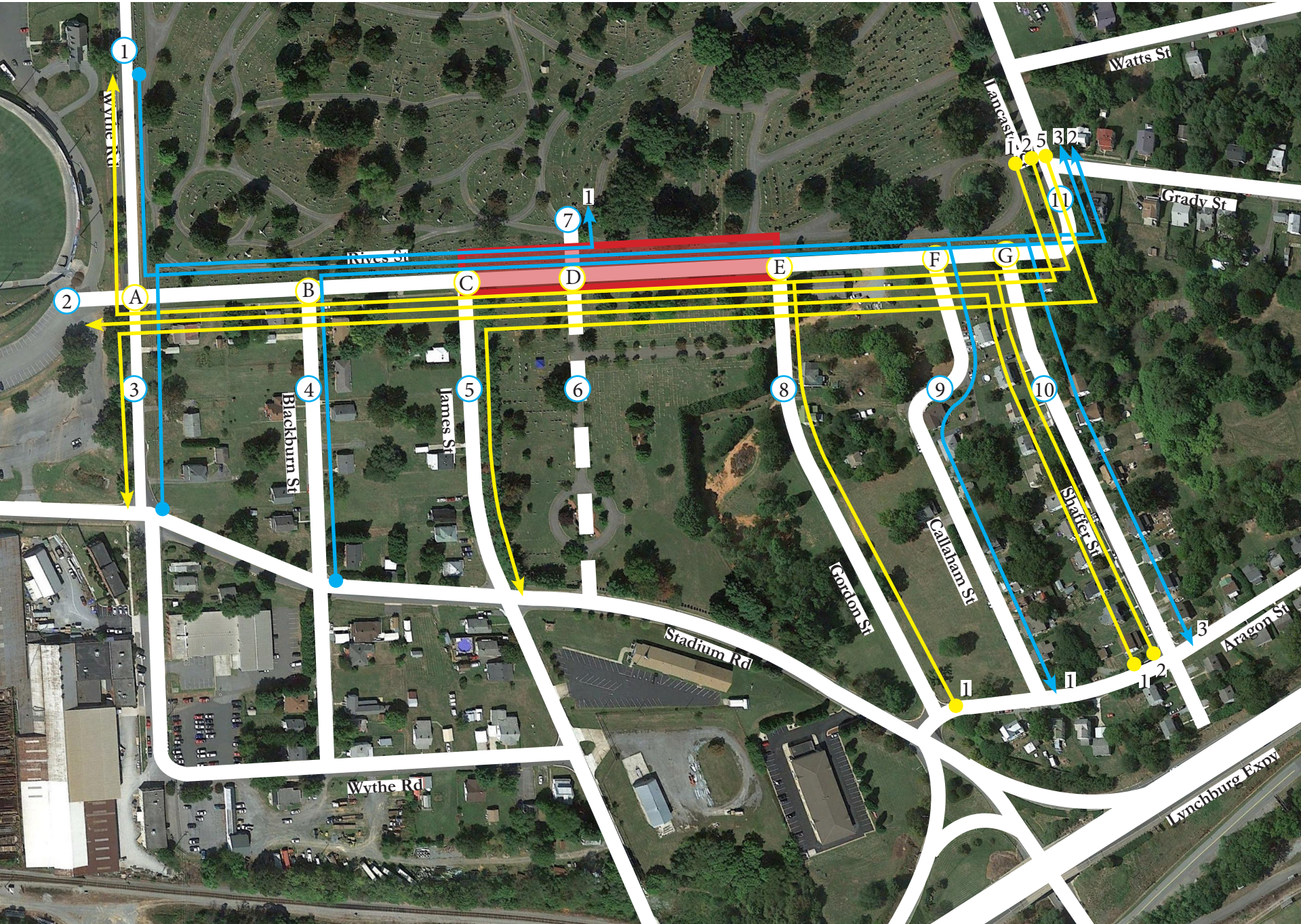


Figure 11 8AM-9AM Traffic Reassignment

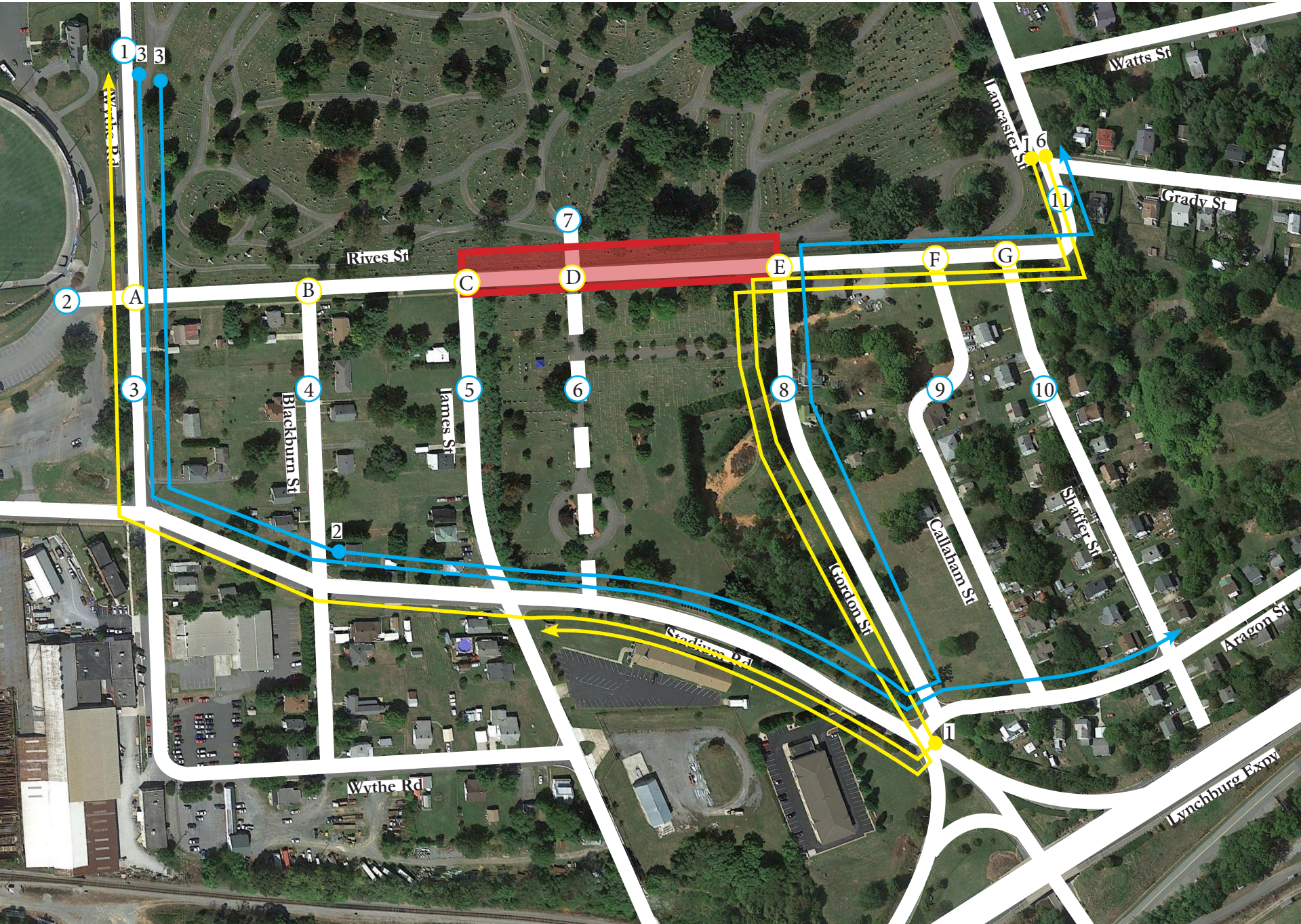


Figure 12 11AM-12PM Traffic Reassignment

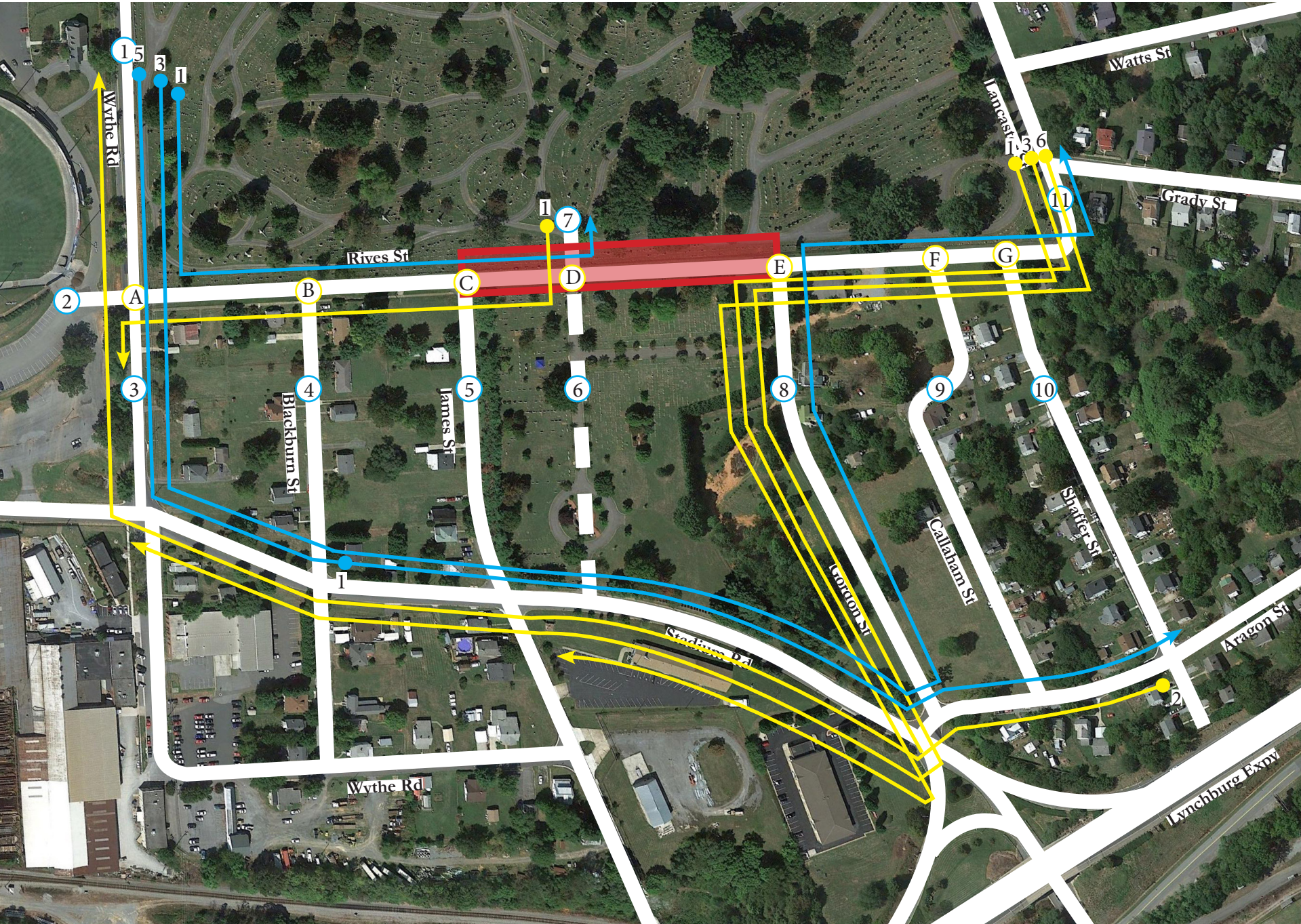
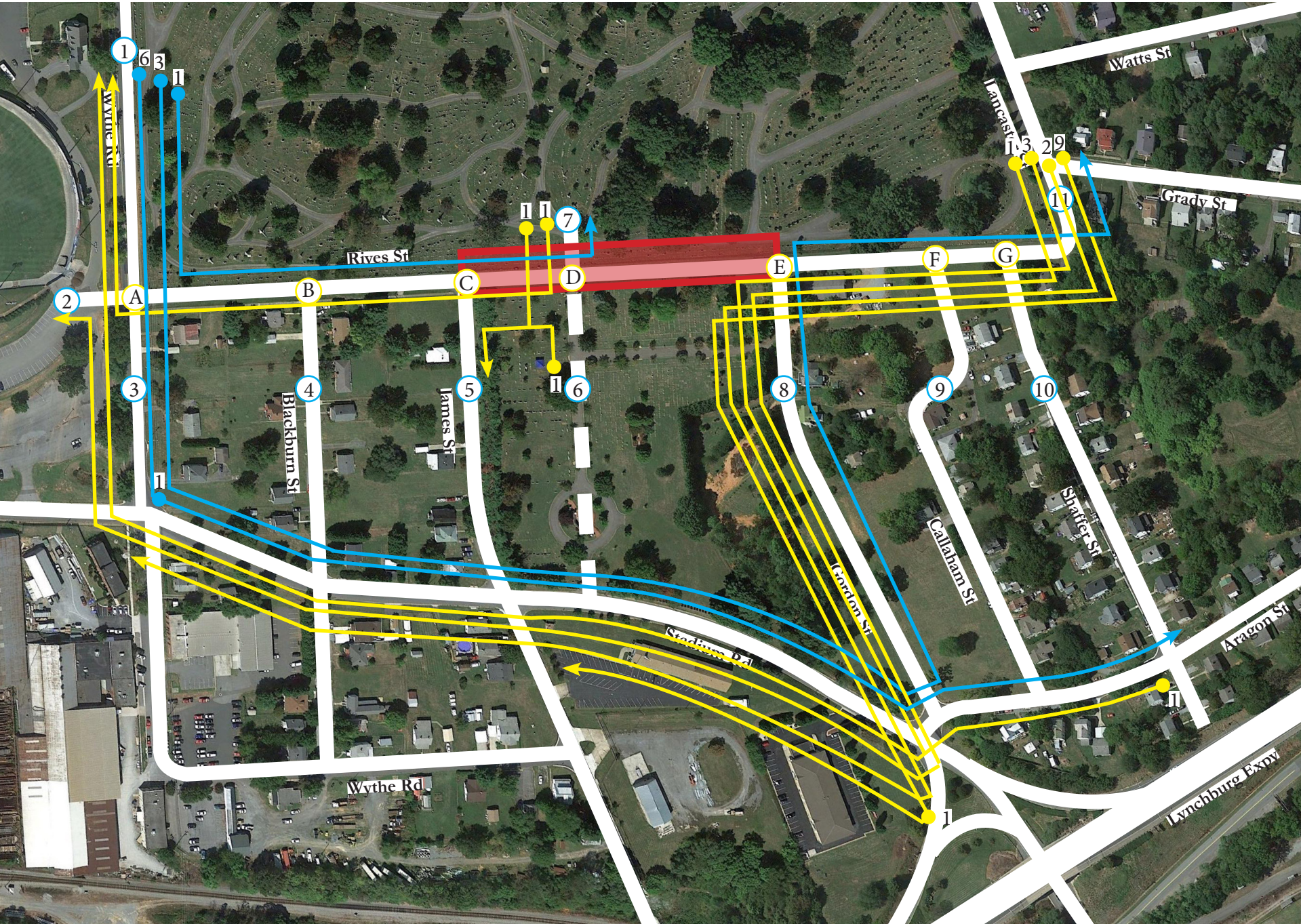


Figure 13 12PM-1PM Traffic Reassignment



This aerial map shows a residential neighborhood with a red highlighted area and yellow and blue lines indicating routes. The map includes street names like Wythe Rd, Rives St, Blackburn St, James St, Grady St, Warts St, Callahan St, Shafter St, Aragon St, and Lynchburg Expy. Numbered points 1 through 11 are marked along the routes. A red rectangular area is highlighted between Rives St and Grady St, and between Blackburn St and James St. Yellow lines connect points 1 through 11, and blue lines connect points 1 through 11.

Figure 15 5PM-6PM Traffic Reassignment

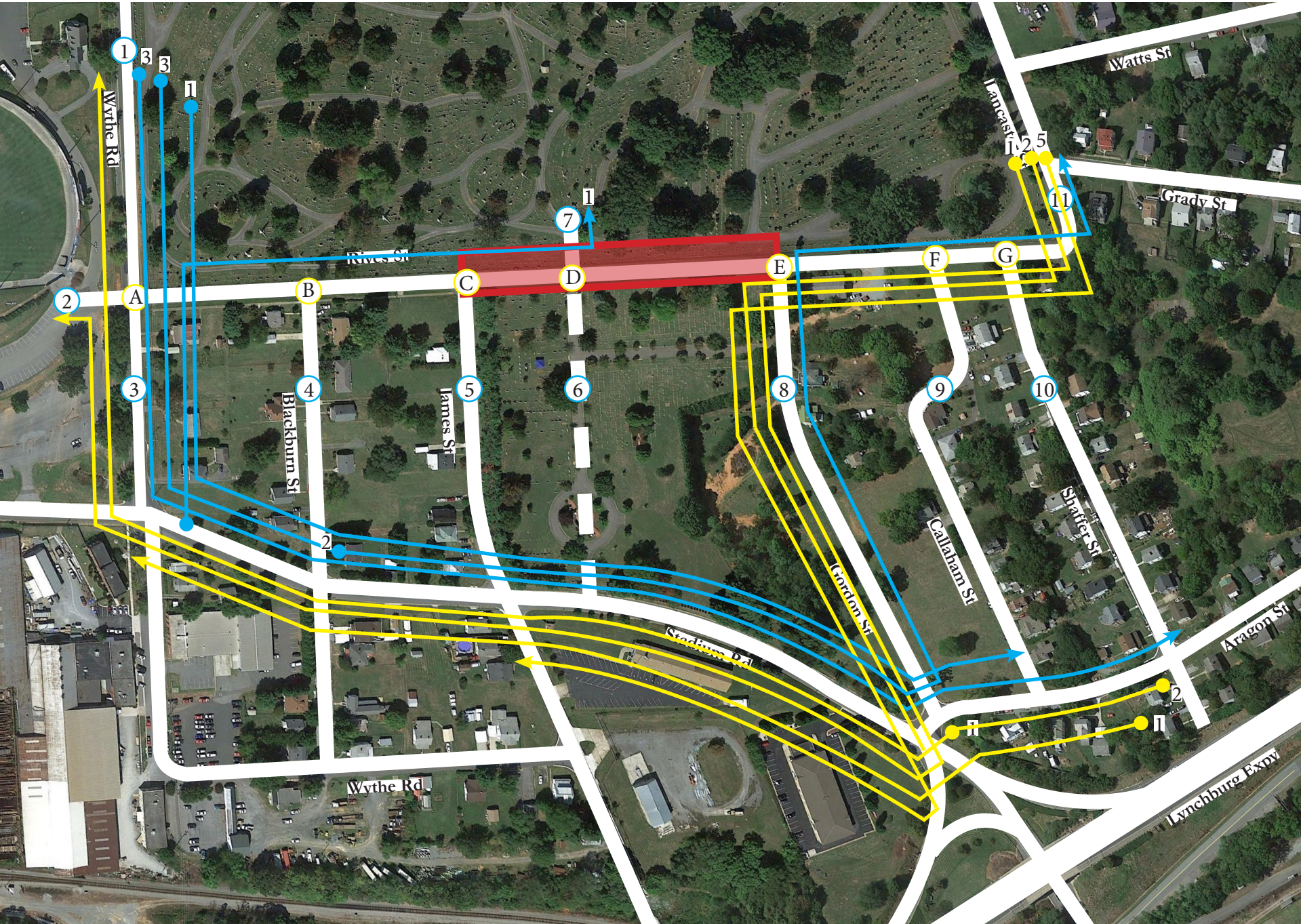


Figure 17 8AM-9AM Traffic Volume Changes

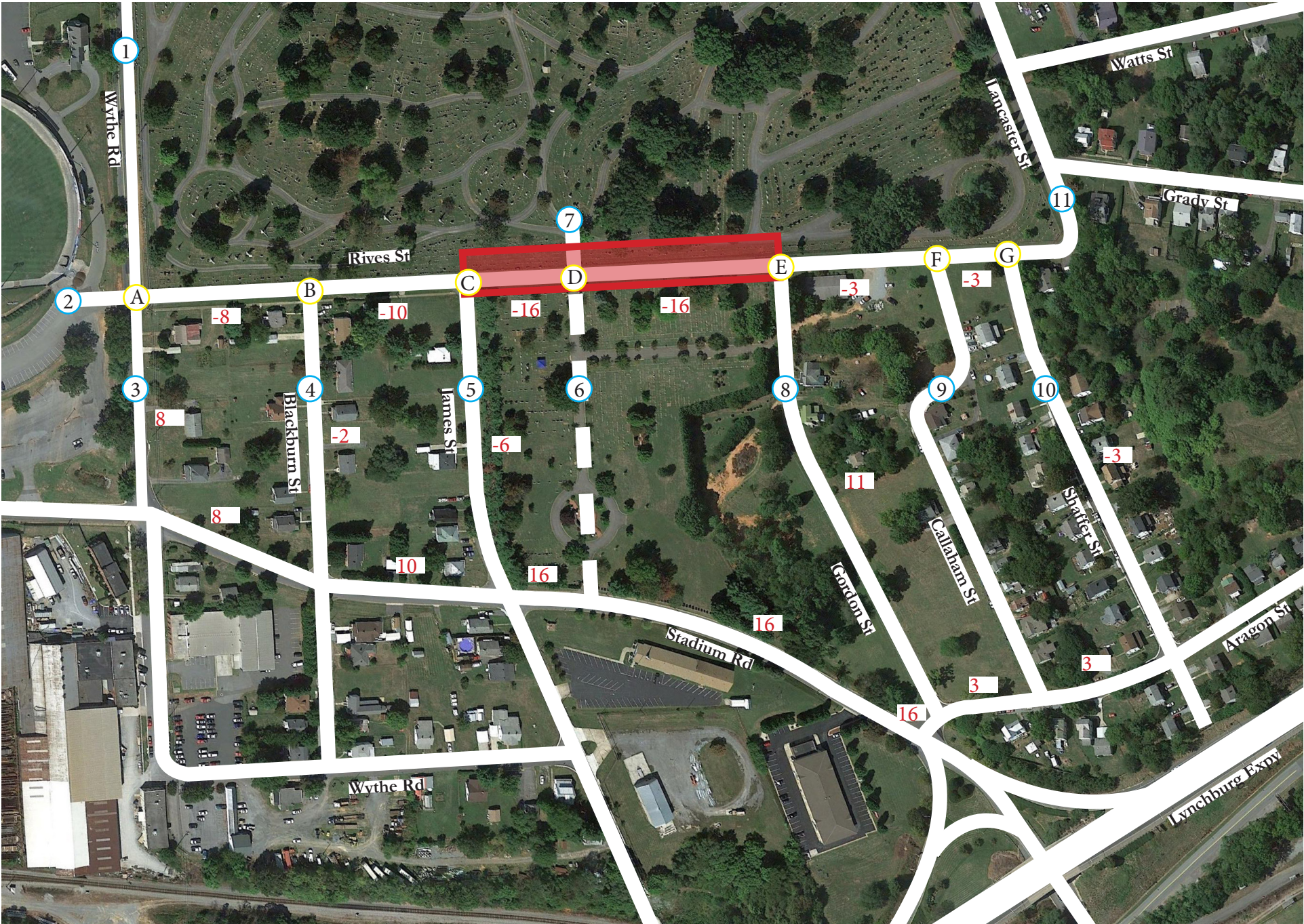
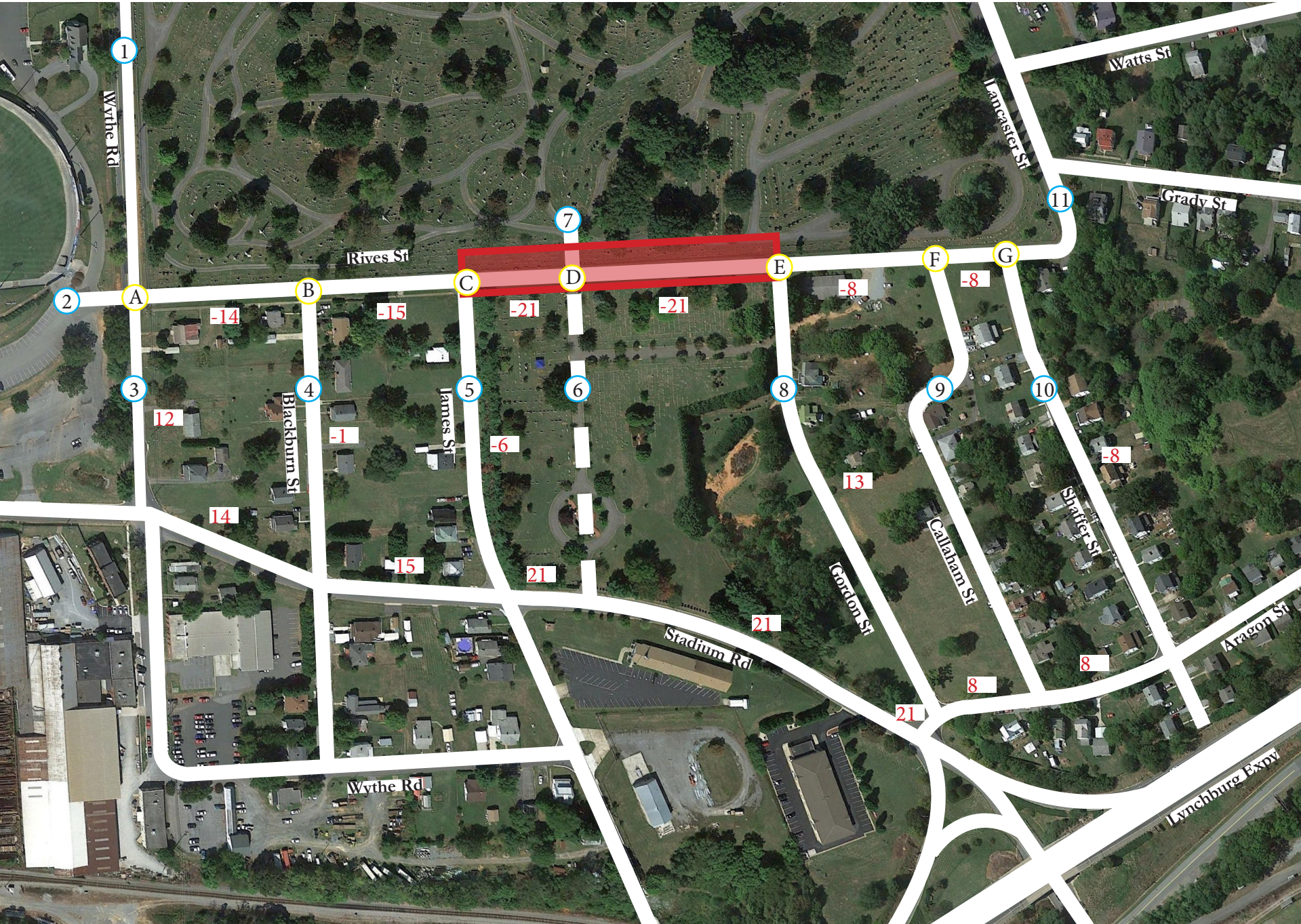


Figure 18 11AM-12PM Traffic Volume Changes



This aerial map displays a residential neighborhood with a red highlighted section of Rives St. The map includes the following streets and features:

- Streets:** Wythe Rd, Blackburn St, James St, Stadium Rd, Gordon St, Callahan St, Shafter St, Aragon St, Lynchburg Expy, Warts St, Grady St, Lancaster St, and Rives St.
- Highlighted Area:** A red line segment on Rives St, bounded by points C and E.
- Points:** A series of points labeled 1 through 11 are marked along the top and right edges of the map. Points A through G are also marked along the highlighted section of Rives St.
- Numbers:** Various numbers are scattered across the map, some in red boxes (e.g., -17, -27, -8, 17, 27, 11, 0, -10) and some in white boxes (e.g., 8, 10, 11).

Figure 20 4PM-5PM Traffic Volume Changes

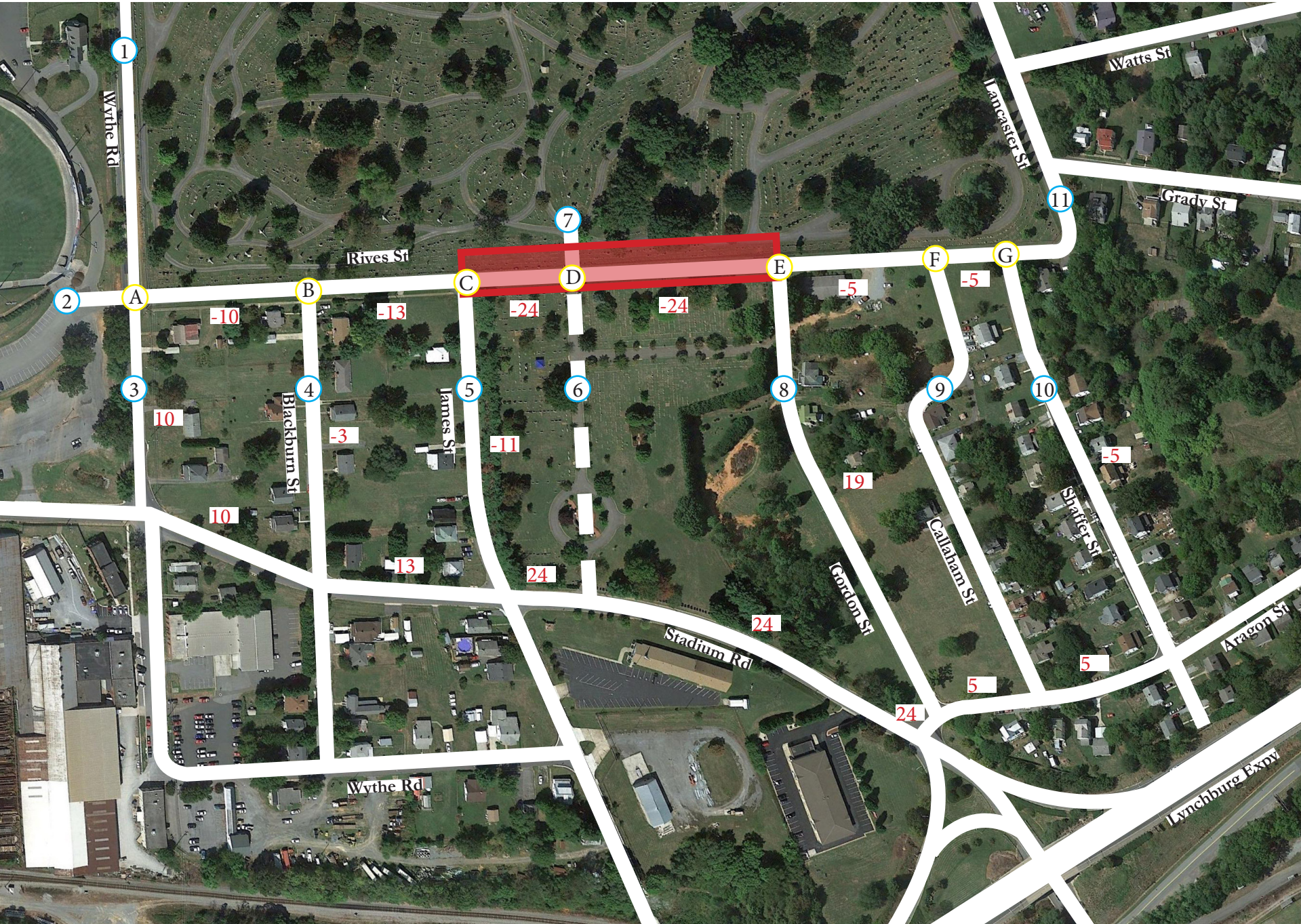


Figure 21 5PM-6PM Traffic Volume Changes

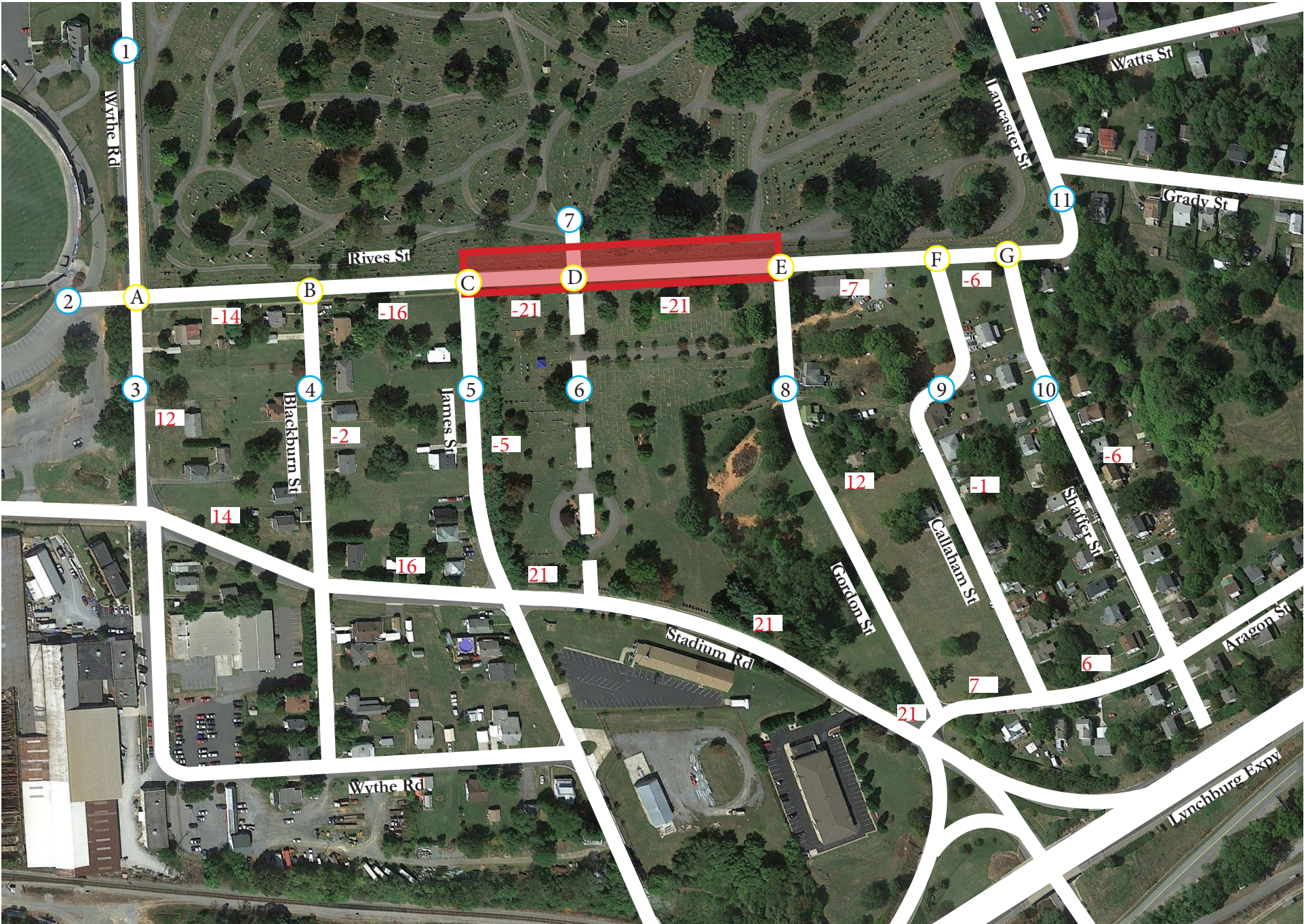
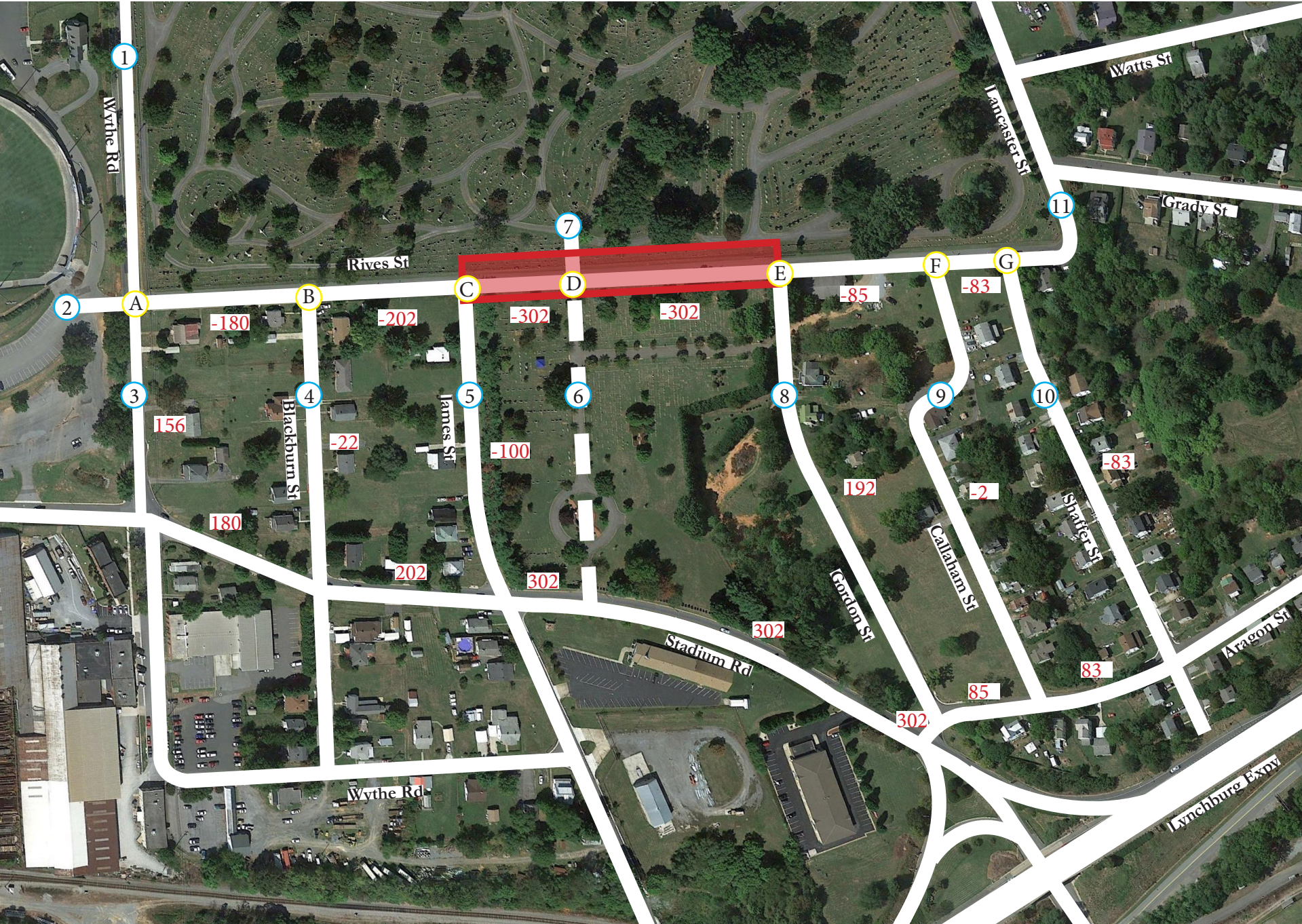


Figure 22 Average Daily Traffic Volume Changes





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Appendices



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Appendix A
Tube Count Summary Sheets

Site Code: 1
 Station ID:
 Rives, bw James and Cemetery Entrance
 Direction = Away from James
 Latitude: 0' 0.0000 Undefined

Start Time	29-Feb-16		Tue		Wed		Thu		Fri		Sat		Sun		Week Average	
	NE	Direction	NE	Direction	NE	Direction	NE	Direction	NE	Direction	NE	Direction	NE	Direction	NE	Direction
12:00 AM	*	*	1	0	2	0	4	0	*	*	*	*	*	*	2	0
01:00	*	*	0	0	1	0	1	0	*	*	*	*	*	*	1	0
02:00	*	*	0	0	0	0	1	0	*	*	*	*	*	*	0	0
03:00	*	*	0	0	0	0	1	0	*	*	*	*	*	*	0	0
04:00	*	*	0	0	2	0	1	0	*	*	*	*	*	*	1	0
05:00	*	*	1	0	1	0	1	0	*	*	*	*	*	*	1	0
06:00	*	*	4	0	4	0	6	0	*	*	*	*	*	*	5	0
07:00	*	*	7	0	2	0	4	0	*	*	*	*	*	*	4	0
08:00	*	*	11	0	8	0	8	0	*	*	*	*	*	*	9	0
09:00	*	*	6	0	8	0	4	0	*	*	*	*	*	*	6	0
10:00	*	*	7	0	12	0	12	0	*	*	*	*	*	*	10	0
11:00	8	0	9	0	9	0	10	0	*	*	*	*	*	*	9	0
12:00 PM	10	0	12	0	8	0	11	0	*	*	*	*	*	*	10	0
01:00	7	0	14	0	13	0	16	0	*	*	*	*	*	*	12	0
02:00	11	0	12	0	15	0	11	0	*	*	*	*	*	*	12	0
03:00	8	0	13	0	14	0	11	0	*	*	*	*	*	*	12	0
04:00	13	0	10	0	11	0	3	0	*	*	*	*	*	*	9	0
05:00	12	0	8	0	14	0	10	0	*	*	*	*	*	*	11	0
06:00	10	0	16	0	7	0	*	*	*	*	*	*	*	*	11	0
07:00	9	0	5	0	2	0	*	*	*	*	*	*	*	*	5	0
08:00	6	0	3	0	5	0	*	*	*	*	*	*	*	*	5	0
09:00	8	0	8	0	1	0	*	*	*	*	*	*	*	*	6	0
10:00	1	0	6	0	4	0	*	*	*	*	*	*	*	*	4	0
11:00	0	0	1	0	2	0	*	*	*	*	*	*	*	*	1	0
Lane	103	0	154	0	145	0	115	0	0	0	0	0	0	0	146	0
Day	103		154		145		115		0		0		0		146	
AM Peak	11:00	-	08:00	-	10:00	-	10:00	-	-	-	-	-	-	-	10:00	-
Vol.	8	-	11	-	12	-	12	-	-	-	-	-	-	-	10	-
PM Peak	16:00	-	18:00	-	14:00	-	13:00	-	-	-	-	-	-	-	13:00	-
Vol.	13	-	16	-	15	-	16	-	-	-	-	-	-	-	12	-

Comb. Total	103	154	145	115	0	0	0	146
ADT	ADT 150	AADT 150						

Site Code: 2
 Station ID:
 Rives bw James and Cemetery Entrance
 Direction = Toward James
 Latitude: 0' 0.0000 Undefined

Start Time	29-Feb-16		Tue		Wed		Thu		Fri		Sat		Sun		Week Average	
	SW	Direction	SW	Direction	SW	Direction	SW	Direction	SW	Direction	SW	Direction	SW	Direction	SW	Direction
12:00 AM	*	*	1	0	3	0	1	0	*	*	*	*	*	*	2	0
01:00	*	*	0	0	2	0	1	0	*	*	*	*	*	*	1	0
02:00	*	*	0	0	0	0	2	0	*	*	*	*	*	*	1	0
03:00	*	*	0	0	1	0	0	0	*	*	*	*	*	*	0	0
04:00	*	*	1	0	0	0	0	0	*	*	*	*	*	*	0	0
05:00	*	*	3	0	1	0	2	0	*	*	*	*	*	*	2	0
06:00	*	*	0	0	4	0	4	0	*	*	*	*	*	*	3	0
07:00	*	*	12	0	14	0	11	0	*	*	*	*	*	*	12	0
08:00	*	*	9	0	10	0	8	0	*	*	*	*	*	*	9	0
09:00	*	*	10	0	12	0	8	0	*	*	*	*	*	*	10	0
10:00	*	*	12	0	10	0	8	0	*	*	*	*	*	*	10	0
11:00	15	0	9	0	16	0	13	0	*	*	*	*	*	*	13	0
12:00 PM	11	0	18	0	7	0	20	0	*	*	*	*	*	*	14	0
01:00	8	0	12	0	7	0	14	0	*	*	*	*	*	*	10	0
02:00	13	0	18	0	13	0	15	0	*	*	*	*	*	*	15	0
03:00	15	0	19	0	15	0	10	0	*	*	*	*	*	*	15	0
04:00	19	0	16	0	16	0	22	0	*	*	*	*	*	*	18	0
05:00	20	0	15	0	15	0	12	0	*	*	*	*	*	*	16	0
06:00	16	0	14	0	8	0	*	*	*	*	*	*	*	*	13	0
07:00	10	0	3	0	1	0	*	*	*	*	*	*	*	*	5	0
08:00	6	0	4	0	5	0	*	*	*	*	*	*	*	*	5	0
09:00	3	0	4	0	2	0	*	*	*	*	*	*	*	*	3	0
10:00	4	0	2	0	2	0	*	*	*	*	*	*	*	*	3	0
11:00	1	0	0	0	0	0	*	*	*	*	*	*	*	*	0	0
Lane	141	0	182	0	164	0	151	0	0	0	0	0	0	0	180	0
Day	141		182		164		151		0		0		0		180	
AM Peak	11:00	-	07:00	-	11:00	-	11:00	-	-	-	-	-	-	-	11:00	-
Vol.	15	-	12	-	16	-	13	-	-	-	-	-	-	-	13	-
PM Peak	17:00	-	15:00	-	16:00	-	16:00	-	-	-	-	-	-	-	16:00	-
Vol.	20	-	19	-	16	-	22	-	-	-	-	-	-	-	18	-

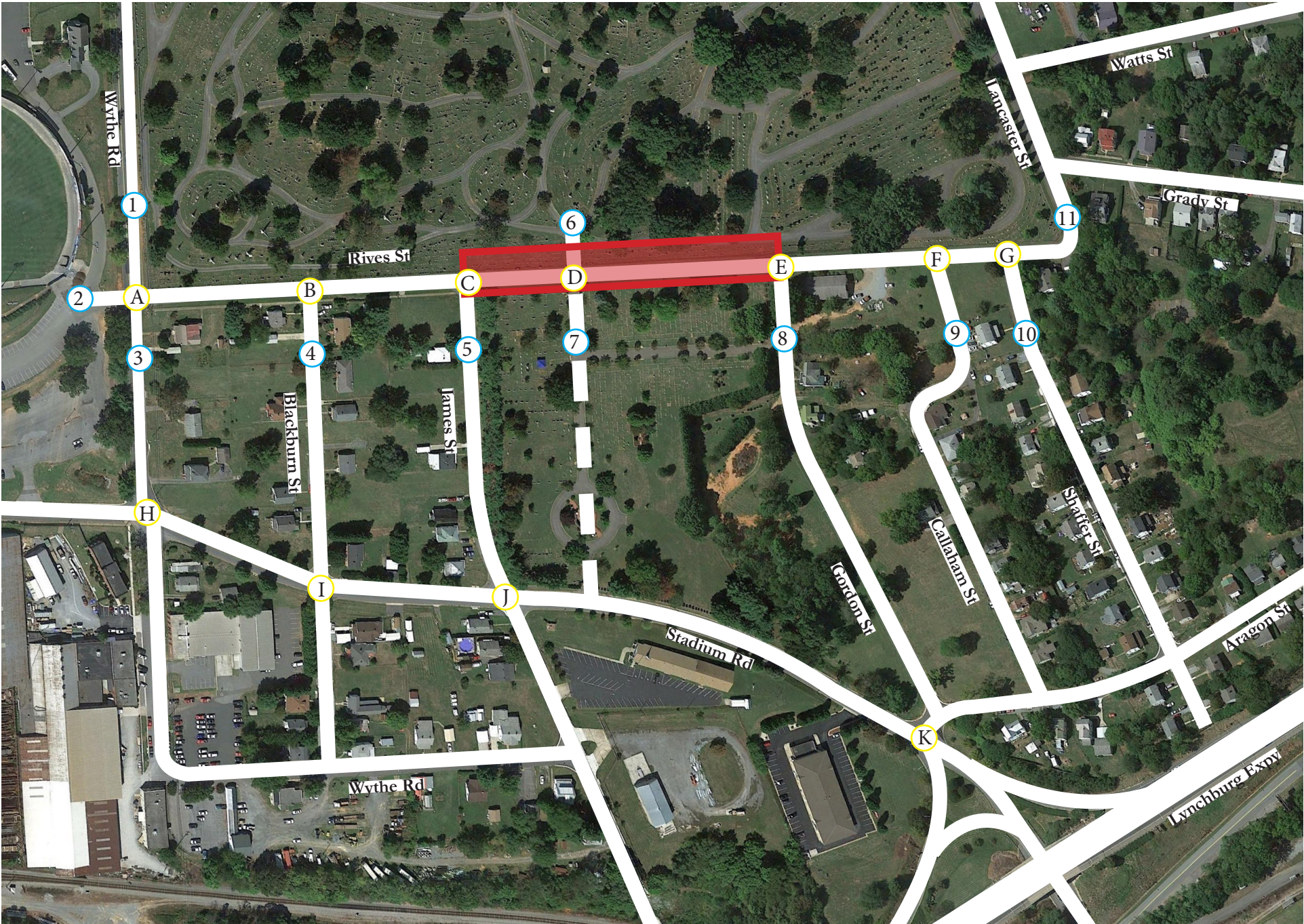
Comb. Total	141	182	164	151	0	0	0	180
ADT	ADT 173	AADT 173						



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Appendix B
Manual Observation Fieldwork Sheets

Spring Hill Cemetery Fieldwork Sheet Index



	1 -> (6-11)	(6-11) -> 1		4 -> (6-11)	(6-11) -> 4
1-A-D-6			4-B-D-6		
1-A-D-7			4-B-D-7		
1-A-E-8			4-B-E-8		
1-A-F-9			4-B-F-9		
1-A-G-10			4-B-G-10		
1-A-G-11			4-B-G-11		
	2 -> (6-11)	(6-11) -> 2		5 -> (6-11)	(6-11) -> 5
2-A-D-6			5-C-D-6		
2-A-D-7			5-C-D-7		
2-A-E-8			5-C-E-8		
2-A-F-9			5-C-F-9		
2-A-G-10			5-C-G-10		
2-A-G-11			5-C-G-11		
	3 -> (6-11)	(6-11) -> 3		6 -> (8-11)	(8-11) -> 6
3-A-D-6			6-D-E-8		
3-A-D-7			6-D-F-9		
3-A-E-8			6-D-G-10		
3-A-F-9			6-D-G-11		
3-A-G-10				7 -> (8-11)	(8-11) -> 7
3-A-G-11			7-D-E-8		
			7-D-F-9		
			7-D-G-10		
			7-D-G-11		



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Appendix C

Manual Observation Fieldwork Results

	1 -> (6-11)	(6-11) -> 1		4 -> (6-11)	(6-11) -> 4
1-A-D-6			4-B-D-6		
1-A-D-7			4-B-D-7		
1-A-E-8		1	4-B-E-8		
1-A-F-9			4-B-F-9		
1-A-G-10	2	2	4-B-G-10		
1-A-G-11	1	3	4-B-G-11	1	
	2 -> (6-11)	(6-11) -> 2		5 -> (6-11)	(6-11) -> 5
2-A-D-6			5-C-D-6		
2-A-D-7			5-C-D-7		
2-A-E-8		1	5-C-E-8		
2-A-F-9			5-C-F-9		
2-A-G-10			5-C-G-10		
2-A-G-11		1	5-C-G-11		3
	3 -> (6-11)	(6-11) -> 3		6 -> (8-11)	(8-11) -> 6
3-A-D-6			6-D-E-8		
3-A-D-7			6-D-F-9		
3-A-E-8			6-D-G-10		
3-A-F-9			6-D-G-11		
3-A-G-10				7 -> (8-11)	(8-11) -> 7
3-A-G-11			7-D-E-8		
			7-D-F-9		
			7-D-G-10		
			7-D-G-11		

	1 -> (6-11)	(6-11) -> 1		4 -> (6-11)	(6-11) -> 4
1-A-D-6			4-B-D-6		
1-A-D-7			4-B-D-7		
1-A-E-8		1	4-B-E-8		
1-A-F-9			4-B-F-9		
1-A-G-10	3		4-B-G-10		
1-A-G-11	3	1	4-B-G-11	2	
	2 -> (6-11)	(6-11) -> 2		5 -> (6-11)	(6-11) -> 5
2-A-D-6			5-C-D-6		
2-A-D-7			5-C-D-7		
2-A-E-8			5-C-E-8		
2-A-F-9			5-C-F-9		
2-A-G-10			5-C-G-10		
2-A-G-11			5-C-G-11		6
	3 -> (6-11)	(6-11) -> 3		6 -> (8-11)	(8-11) -> 6
3-A-D-6			6-D-E-8		
3-A-D-7			6-D-F-9		
3-A-E-8			6-D-G-10		
3-A-F-9			6-D-G-11		
3-A-G-10				7 -> (8-11)	(8-11) -> 7
3-A-G-11			7-D-E-8		
			7-D-F-9		
			7-D-G-10		
			7-D-G-11		

	1 -> (6-11)	(6-11) -> 1		4 -> (6-11)	(6-11) -> 4
1-A-D-6			4-B-D-6		
1-A-D-7	1		4-B-D-7		
1-A-E-8			4-B-E-8		
1-A-F-9			4-B-F-9		
1-A-G-10	5	2	4-B-G-10	1	
1-A-G-11	3	3	4-B-G-11		
	2 -> (6-11)	(6-11) -> 2		5 -> (6-11)	(6-11) -> 5
2-A-D-6			5-C-D-6		
2-A-D-7			5-C-D-7		
2-A-E-8			5-C-E-8		
2-A-F-9			5-C-F-9		
2-A-G-10			5-C-G-10		
2-A-G-11			5-C-G-11		6
	3 -> (6-11)	(6-11) -> 3		6 -> (8-11)	(8-11) -> 6
3-A-D-6			6-D-E-8		
3-A-D-7		1	6-D-F-9		
3-A-E-8			6-D-G-10		
3-A-F-9			6-D-G-11		
3-A-G-10				7 -> (8-11)	(8-11) -> 7
3-A-G-11		1	7-D-E-8		
			7-D-F-9		
			7-D-G-10		
			7-D-G-11		

	1 -> (6-11)	(6-11) -> 1		4 -> (6-11)	(6-11) -> 4
1-A-D-6			4-B-D-6		
1-A-D-7	1	1	4-B-D-7		
1-A-E-8			4-B-E-8		
1-A-F-9			4-B-F-9		
1-A-G-10	6	1	4-B-G-10		
1-A-G-11	3	3	4-B-G-11		
	2 -> (6-11)	(6-11) -> 2		5 -> (6-11)	(6-11) -> 5
2-A-D-6			5-C-D-6		1
2-A-D-7			5-C-D-7		1
2-A-E-8			5-C-E-8		1
2-A-F-9			5-C-F-9		
2-A-G-10			5-C-G-10		
2-A-G-11		1	5-C-G-11		9
	3 -> (6-11)	(6-11) -> 3		6 -> (8-11)	(8-11) -> 6
3-A-D-6			6-D-E-8		
3-A-D-7			6-D-F-9		
3-A-E-8			6-D-G-10		
3-A-F-9			6-D-G-11		
3-A-G-10	1			7 -> (8-11)	(8-11) -> 7
3-A-G-11		2	7-D-E-8		
			7-D-F-9		
			7-D-G-10		
			7-D-G-11		

	1 -> (6-11)	(6-11) -> 1		4 -> (6-11)	(6-11) -> 4
1-A-D-6			4-B-D-6		
1-A-D-7		1	4-B-D-7		
1-A-E-8			4-B-E-8		
1-A-F-9			4-B-F-9		
1-A-G-10	1	3	4-B-G-10		1
1-A-G-11		5	4-B-G-11	1	1
	2 -> (6-11)	(6-11) -> 2		5 -> (6-11)	(6-11) -> 5
2-A-D-6			5-C-D-6		
2-A-D-7			5-C-D-7		
2-A-E-8			5-C-E-8		
2-A-F-9			5-C-F-9		
2-A-G-10			5-C-G-10		
2-A-G-11		1	5-C-G-11	1	10
	3 -> (6-11)	(6-11) -> 3		6 -> (8-11)	(8-11) -> 6
3-A-D-6			6-D-E-8		
3-A-D-7			6-D-F-9		
3-A-E-8			6-D-G-10		
3-A-F-9			6-D-G-11		
3-A-G-10				7 -> (8-11)	(8-11) -> 7
3-A-G-11			7-D-E-8		
			7-D-F-9		
			7-D-G-10		
			7-D-G-11		

	1 -> (6-11)	(6-11) -> 1		4 -> (6-11)	(6-11) -> 4
1-A-D-6			4-B-D-6		
1-A-D-7			4-B-D-7		
1-A-E-8		1	4-B-E-8		
1-A-F-9	1		4-B-F-9		
1-A-G-10	3	2	4-B-G-10		
1-A-G-11	3	2	4-B-G-11	2	
	2 -> (6-11)	(6-11) -> 2		5 -> (6-11)	(6-11) -> 5
2-A-D-6			5-C-D-6		
2-A-D-7			5-C-D-7		
2-A-E-8			5-C-E-8		
2-A-F-9			5-C-F-9		
2-A-G-10			5-C-G-10		
2-A-G-11		1	5-C-G-11		5
	3 -> (6-11)	(6-11) -> 3		6 -> (8-11)	(8-11) -> 6
3-A-D-6			6-D-E-8		
3-A-D-7	1		6-D-F-9		
3-A-E-8			6-D-G-10		
3-A-F-9			6-D-G-11		
3-A-G-10		1		7 -> (8-11)	(8-11) -> 7
3-A-G-11			7-D-E-8		
			7-D-F-9		
			7-D-G-10		
			7-D-G-11		

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **April 12, 2016 (PDC)**

AGENDA ITEM NO.:

CONSENT:

REGULAR: **X**

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Timberlake Rd. - Logan's Lane concept discussion**

RECOMMENDATION:

Approve layout and proceed with design.

SUMMARY:

A traffic analysis of the roundabout configuration for the Timberlake-Logan's Lane-Expressway off-ramp has been performed by AECOM. Per the analysis a standard size roundabout is the preferred alternative as it provides superior traffic flow and safety compared to an all-way stop alternative. An all-way stop condition at the intersection of the off ramp, Logan's Lane at the bank entrance is more economical to construct than the roundabout configuration. However, the all-way stop produces longer delays and poses a greater safety risk as traffic unfamiliar with the intersection could travel the wrong way onto the off ramp. Mini-roundabouts are typically used in urbanized areas with low approach speeds and restrictive right of way conditions, requiring trucks to traverse the center median. Due to the higher approach speeds and location of the ramp, the standard roundabout is the preferred alternative over the mini-roundabout.

VDOT has reviewed the proposed roundabout alternative. The AECOM study addresses VDOT's concerns regarding queue lengths. Per AECOM's study neither the roundabout nor the all-way stop intersection back up traffic onto the Expressway. The queue from the signal at the intersection of Logans Lane and Timberlake does not back into the roundabout.

The roundabout alternative provides the best traffic flow, is safer than the all-way stop option and is more economical than the bridge option. Estimated construction cost is \$3.1M.

PRIOR ACTION(S):

- March 8, 2016-PDC review of revised concept with roundabout.
- January 12, 2016-Council approved purchase of the property at 7001 Timberlake Road with the condition that the conceptual design is brought back to Council for approval.
- March 10, 2015-PDC approved the conceptual bridge layout and authorized pursuing the purchase of the 7001 Timberlake Rd parcel.
- January 26, 2016, November 27, 2012, and May 10, 2011-Council approved applications for revenue sharing funds for this project.

FISCAL IMPACT:

Total project cost is \$5.4M with the new layout including design, land acquisition and construction. Funds for right of way acquisition are available as part of this revenue sharing project.

CONTACT(S):

Maggie Cossman – City Transportation Engineer – 455-3935; Lee Newland – City Engineer – 455-3947
Gaynelle Hart – Public Works Director – 455-4406

ATTACHMENT(S):

AECOM Traffic Analysis Report, dated April 2016

REVIEWED BY:

Traffic Analysis Report Logans Lane Improvements



City of Lynchburg, Virginia

Submitted to:
Maggie Cossman, P.E.
900 Church Street
Lynchburg, Virginia 24504

Prepared by:
AECOM
4840 Cox Road
Glen Allen, Virginia 23060

TRAFFIC ANALYSIS REPORT NARRATIVE

TRAFFIC ANALYSIS DATA APPENDIX 1

DESIGN LAYOUTS APPENDIX 2

TRUCK TURNING MOVEMENTS..... APPENDIX 3

PROJECT OVERVIEW

The City of Lynchburg has requested that AECOM perform traffic analysis of two new Logans Lane ramp termini intersections. AECOM has conducted a variety of work on Logans Lane the past several years including traffic analysis and design work. The genesis of the AECOM work was an Interchange Modification Report (IMR) that began in 2013 and was last revised in May 2014. The basic premise of the IMR was to relocate the existing southeast U.S. Route 501 off-ramp to Timberlake Road so that the reconfigured ramp would align with Logans Lane. The preferred alternative from the May 2014 IMR was a conventional unsignalized 4-way intersection with two-way stop control; the U.S. Route 501 off-ramp would free-flow through this intersection. Following the IMR there were several iterations of the design and an alternative that included a small bridge became the preferred alternative. Because the bridge alternative is a more expensive alternative the City is considering two new alternatives: a three-way, all stop controlled alternative and a roundabout alternative.

The analysis contained in this report is based on traffic data contained in the May 2014 Logans Lane IMR. Specifically, the two alternatives were evaluated under AM and PM weekday peak hours in the 2037 design year. SimTraffic 9 was used to assess the delay and queue lengths for both alternatives. Ten (10) one hour SimTraffic simulations were run for each peak hour, they were then averaged to provide the final results. Sidra 6.1 was also used to assess the roundabout alternative because it is one of VDOT's preferred software tools for analyzing roundabouts. The traffic analysis data can be found in Appendix 1.

AECOM has been working with the City to develop design concepts for the two alternatives. The three-way all stop controlled alternative and the roundabout alternative layouts can be found in Appendix 2.

TRAFFIC ANALYSIS

The traffic analysis of the two proposed alternatives demonstrates that the roundabout alternative will provide shorter delays and shorter queue lengths than the all-way stop-controlled alternative. In particular, delays and queues are shorter on the southbound U.S. Route 501 off-ramp in the roundabout alternative. The all-way stop controlled alternative may cause minor impacts to the operations of U.S. Route 501 in the PM peak hour whereas the roundabout alternative should not have any impacts on operations of U.S. Route 501. Based on operations alone, the roundabout intersection is a better alternative than the all-way stop controlled intersection.

For the ultimate build condition, the IMR provided queue lengths at the signalized intersection of Logans Lane and Timberlake Road. The maximum queue length is 250' in the peak traffic condition (PM peak), shown in Table VII.41 on page 79 of the IMR. The distance from the exit of the proposed roundabout to the stop bar at the intersection of Logans Lane and Timberlake Road is 420'. Based on this data, the queue at the signalized intersection will not back up into the roundabout.

SAFETY

The roundabout alternative provides the safest mode of transportation for the travelling public. The roundabout geometry results in the traffic entering the roundabout with minimal conflict points and circulating at slow speeds. The diameter of the roundabout provides the necessary area for larger

trucks (WB-67) to traverse the roundabout safely. The truck turning movements (produced with the design software Auto-Turn) can be found in Appendix 3.

The all-way stop intersection would create an unfamiliar traffic condition for the general public. The northbound lane of Logans Lane would align with the Route 501 off-ramp, which would be a one-way lane. This could create confusion and result in traffic travelling the wrong direction on the off-ramp. The all-way stop condition does not allow the ability to make a u-turn. The all-way stop condition would also introduce left-turn movements which would decrease intersection safety with additional conflict points.

MINI-ROUNDBABOUTS

A mini-roundabout was investigated and is not recommended at this location. Mini-roundabouts are typically used in urban environments with tight right-of-way situations with low approach speeds. The traffic volume and approach speed of the Route 501 off-ramp does not fit the typical mini-roundabout scenario. The small diameter of a mini-roundabout requires trucks to utilize the entire mini-roundabout to make left turns, using the traversable center island. The left turns across traffic and the smaller deflection entry angle would reduce driver safety.

AESTHETICS

The roundabout alternative can provide an attractive entry into the area from U.S. Route 501. Landscaping and decorative ornaments can be used to increase the aesthetic quality of the intersection.

CONCLUSION

In conclusion, AECOM recommends the roundabout alternative from both a traffic operations and safety standpoint. The roundabout alternative reduces delays, shortens queues, and increases safety for the travelling public.

APPENDIX 1

Table 1 displays a summary of the SimTraffic delay analysis for the all-way stop alternative. This alternative exhibited moderate delays with longer delays in the PM peak hour particularly on the southbound U.S. 501 off-ramp (22.6 seconds of delay per vehicle).

Table 1
All-Way Stop Alternative
SimTraffic Delay Analysis

Scenario	Overall Delay	Delay per Lane Group by Movement (sec/veh)			
		Southbound Rt. 501 Off-Ramp	Southbound Rt. 501 Off-Ramp	Northbound Logans Lane	Eastbound Bank Driveway
		Through	Right	Left	Right
AM Peak Hour					
2037 Build Conditions	10.4	12.0	6.3	4.6	3.8
PM Peak Hour					
2037 Build Conditions	18.6	22.6	19.4	6.0	5.4

Table 2 summarizes the SimTraffic queueing analysis of the all-way stop controlled intersection. Queues were generally short (>100 feet) with the exception of the southbound U.S. 501 off-ramp with 271 feet in the PM peak hour.

Table 2
All-Way Stop Alternative
SimTraffic Queue Analysis

Intersection	Movement	95% Queue Length (ft)	Storage Length Available (ft)
AM Peak Hour			
U.S. 501 Off-Ramp/Logans Lane	Southbound Through-Right	88	~700
U.S. 501 Off-Ramp/Logans Lane	Northbound Left	48	~300
U.S. 501 Off-Ramp/Logans Lane	Eastbound Right	57	~200
PM Peak Hour			
U.S. 501 Off-Ramp/Logans Lane	Southbound Through-Right	271	~700
U.S. 501 Off-Ramp/Logans Lane	Northbound Left	63	~300
U.S. 501 Off-Ramp/Logans Lane	Eastbound Right	67	~200

Table 3 displays a summary of the SimTraffic delay analysis for the roundabout alternative. This alternative exhibited short delays with slightly longer delays in the PM peak hour. Delays on the southbound U.S. 501 off-ramp were shorter with the roundabout alternative than they were with the all-way stop alternative.

Table 3
Roundabout Alternative
SimTraffic Delay Analysis

Scenario	Overall Delay	Delay per Lane Group by Movement (sec/veh)			
		Southbound Rt. 501 Off-Ramp	Southbound Rt. 501 Off-Ramp	Northbound Logans Lane	Eastbound Bank Driveway
		Through	Right	Left	Right
AM Peak Hour					
2037 Build Conditions	6.1	7.0	3.9	1.8	2.9
PM Peak Hour					
2037 Build Conditions	8.7	10.5	7.3	2.0	4.2

Table 4 summarizes the SimTraffic queueing analysis of the roundabout intersection. Queues were generally short (>100 feet) with the exception of the southbound U.S. 501 off-ramp with 122 feet in the PM peak hour. Queues on the southbound U.S. 501 off-ramp were shorter with the roundabout alternative than they were with the all-way stop alternative.

Table 4
Roundabout Alternative
SimTraffic Queue Analysis

Intersection	Movement	95% Queue Length (ft)	Storage Length Available (ft)
AM Peak Hour			
U.S. 501 Off-Ramp/Logans Lane	Southbound Through-Right	35	~700
U.S. 501 Off-Ramp/Logans Lane	Northbound Left	0	~300
U.S. 501 Off-Ramp/Logans Lane	Eastbound Right	44	~200
PM Peak Hour			
U.S. 501 Off-Ramp/Logans Lane	Southbound Through-Right	122	~700
U.S. 501 Off-Ramp/Logans Lane	Northbound Left	0	~300
U.S. 501 Off-Ramp/Logans Lane	Eastbound Right	61	~200

Table 5 displays a summary of the Sidra delay analysis for the roundabout alternative. This alternative exhibited short delays with slightly longer delays in the PM peak hour. All of the delays were less than 10 seconds per vehicle. Delays on the southbound U.S. 501 off-ramp were shorter with the roundabout alternative than they were with the all-way stop alternative.

Table 5
Roundabout Alternative
Sidra Delay Analysis

Scenario	Overall Delay (LOS)	Delay per Lane Group by Movement (sec/veh) (Level of Service)			
		Southbound Rt. 501 Off-Ramp	Southbound Rt. 501 Off-Ramp	Northbound Logans Lane	Eastbound Bank Driveway
		Through	Right	Left	Right
		AM Peak Hour			
2037 Build Conditions	5.2 (A)	5.5 (A)	5.5 (A)	2.8 (A)	4.8 (A)
PM Peak Hour					
2037 Build Conditions	8.2 (A)	9.1 (A)	9.1 (A)	3.3 (A)	7.6 (A)

Table 6 summarizes the Sidra queueing analysis of the roundabout intersection. Queues were all shorter than 100 feet with the longest queue on the southbound U.S. 501 off-ramp with 93 feet in the PM peak hour. Queues on the southbound U.S. 501 off-ramp were shorter with the roundabout alternative than they were with the all-way stop alternative.

Table 6
Roundabout Alternative
Sidra Queue Analysis

Intersection	Movement	95% Queue Length (ft)	Storage Length Available (ft)
AM Peak Hour			
U.S. 501 Off-Ramp/Logans Lane	Southbound Through-Right	34	~700
U.S. 501 Off-Ramp/Logans Lane	Northbound Left	0	~300
U.S. 501 Off-Ramp/Logans Lane	Eastbound Right	11	~200
PM Peak Hour			
U.S. 501 Off-Ramp/Logans Lane	Southbound Through-Right	93	~700
U.S. 501 Off-Ramp/Logans Lane	Northbound Left	0	~300
U.S. 501 Off-Ramp/Logans Lane	Eastbound Right	28	~200

APPENDIX 2

LOGANS LANE
ROADWAY IMPROVEMENTS
3-WAY STOP ALTERNATIVE

RTE 501 OFF-RAMP

OLD LOGANS LANE

BANK ENTRANCE

FURNITURE ENTRANCE

LOGANS LANE

TIMBERLAKE ROAD

CITY OF LYNCHBURG
AECOM

SCALE
0 25 50

LOGANS LANE
ROADWAY IMPROVEMENTS
3-WAY STOP ALTERNATIVE

RTE 501 OFF-RAMP

OLD LOGANS LANE

BANK ENTRANCE

FURNITURE ENTRANCE

LOGANS LANE

TIMBERLAKE ROAD

CITY OF LYNCHBURG
AECOM

SCALE
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LOGANS LANE
ROADWAY IMPROVEMENTS
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RTE 501 OFF-RAMP

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CITY OF LYNCHBURG
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BANK ENTRANCE

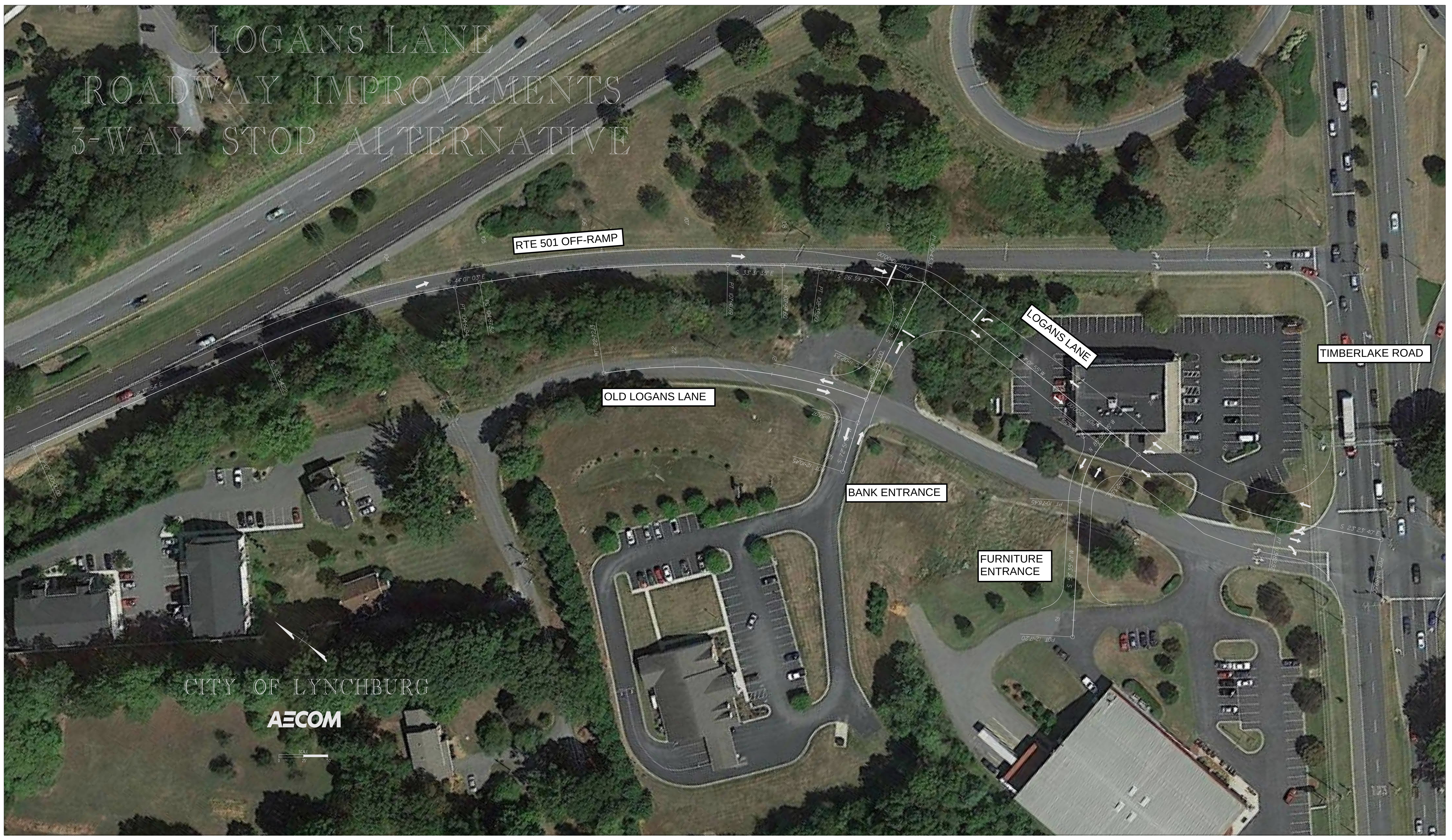
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LOGANS LANE

TIMBERLAKE ROAD

CITY OF LYNCHBURG
AECOM

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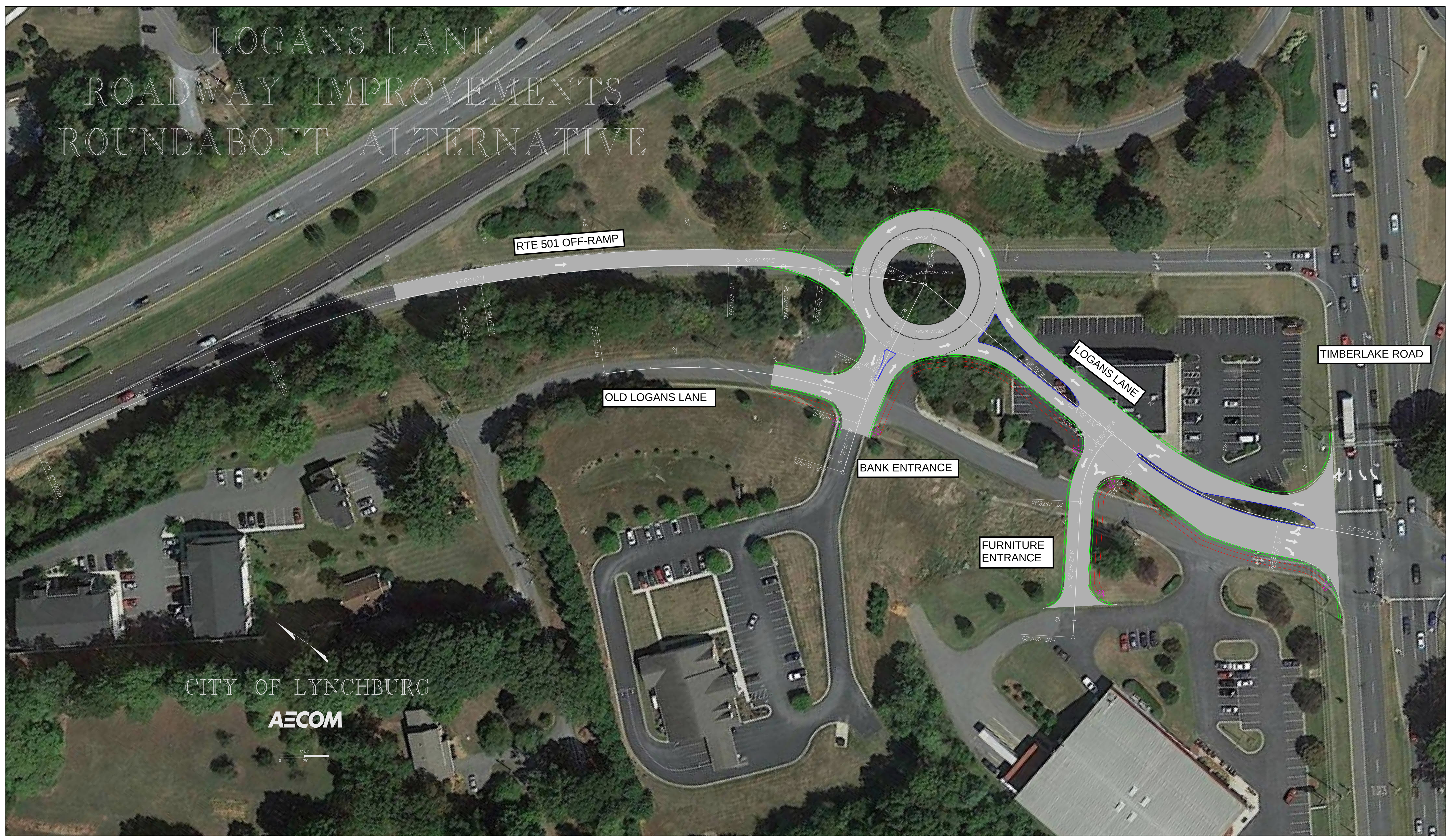
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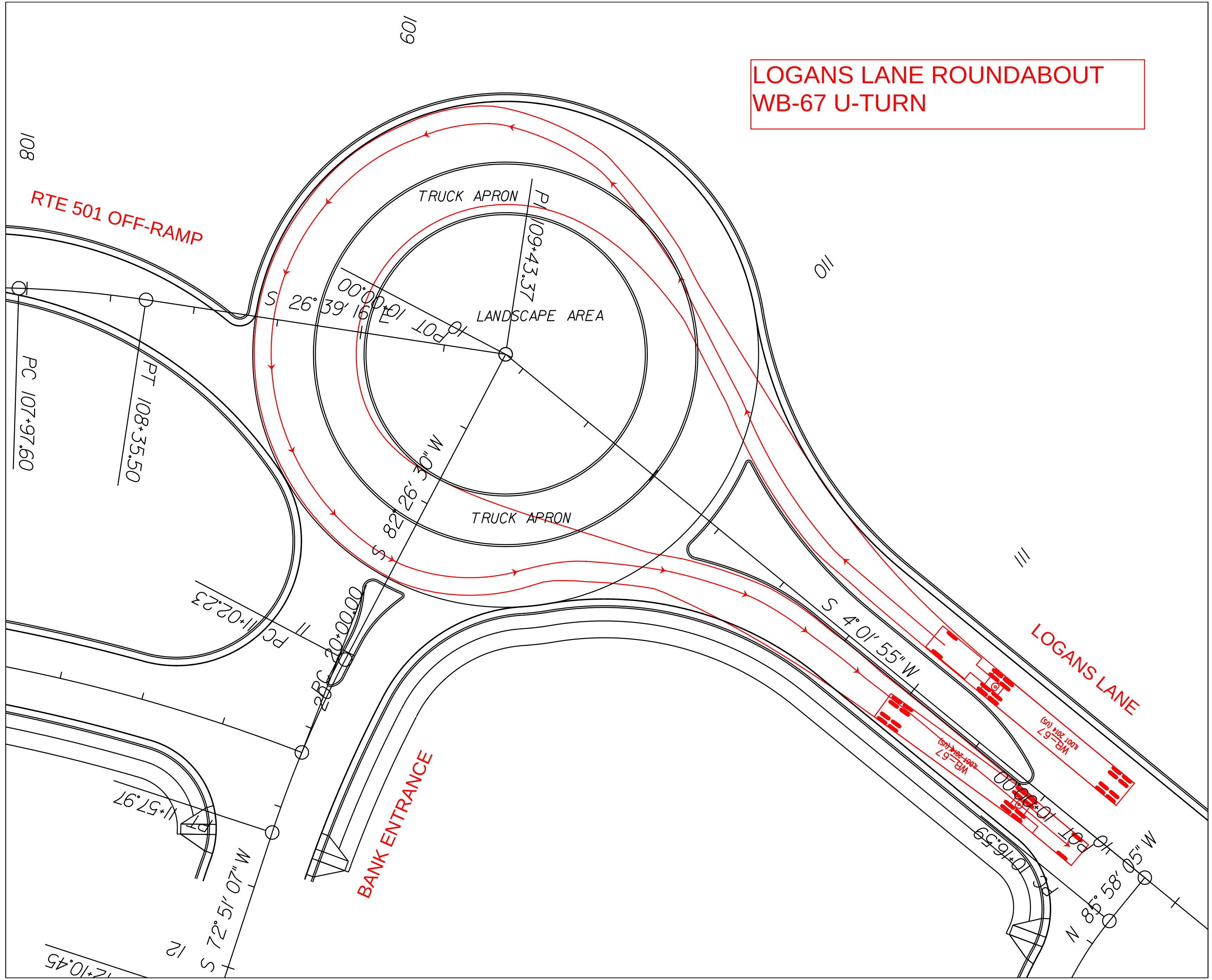
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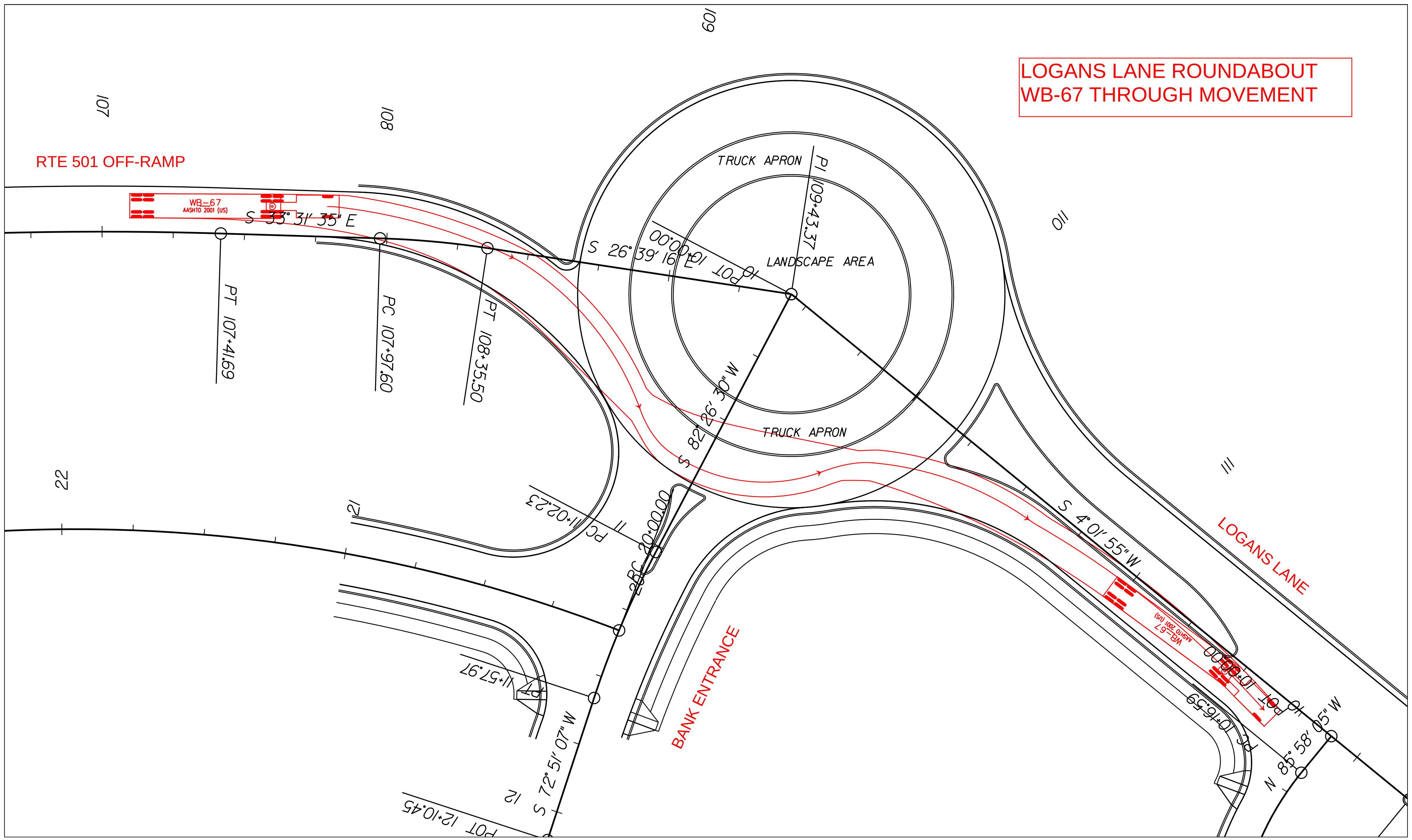


APPENDIX 3

LOGANS LANE ROUNDABOUT WB-67 U-TURN



LOGANS LANE ROUNDABOUT
WB-67 THROUGH MOVEMENT



LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **April 12, 2016 PDC**

AGENDA ITEM NO.:

CONSENT:

REGULAR: **X**

WORK SESSION:

CLOSED SESSION:
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Transportation Investment Generating Economic Recovery (TIGER) Grant Proposal**

RECOMMENDATION: Forward to full Council with recommendation to authorize the City Manager to submit a TIGER grant application and commit to provide matching funds if the grant is received.

SUMMARY: The United States Department of Transportation (USDOT) issued a Notice of Funding Availability (NOFA) for 2016 TIGER funds on Tuesday, February 23, 2016. The TIGER program is a USDOT discretionary grant that funds capital investments in surface transportation infrastructure that generates economic development and improves access to reliable, safe and affordable transportation in communities. Grants are awarded on a competitive basis and must include a minimum of a 20% match from the locality.

City staff, along with some consulting assistance, is working to submit a TIGER grant application that, if approved, would provide funding for multi-modal transportation improvements in conjunction with the Downtown Utility Line replacement and Streetscape improvements. Phase I of the project is under construction and includes the blocks along Church and Main Streets from 5th to 8th Street. Phase II includes the blocks along Main and Commerce Streets from 8th Street to the Main Street Bridge over the Lynchburg Expressway. Phase II also includes a Park & Ride lot and mini-public transit hub for the Greater Lynchburg Transit Company (GLTC) at 351 Court Street, as well as bicycle and pedestrian improvements to the John Lynch Bridge. Phase III includes improvements along Church Street from 8th Street to Pearl Street and Court Street from 7th Street to 11th Street.

If approved, the grant requires construction to start within three years of the grant award and project completion within five years of construction start. The projected budget numbers include a 25% match.

PRIOR ACTION(S):

FISCAL IMPACT: Total Project Cost (Phases II & III) - \$43.2 Million

- Design - Multi-Modal Improvement - \$2.6 Million (pre-grant, not included as match) (potential funding sources - CDBG, FY2019 & FY2020 Downtown Improvement funds)
- Design - Waterline - \$742,000 (pre-grant, not included as match)
- TIGER Grant Request - \$30.1 Million
- City Match from Water Fund - \$9.6 Million
- City Match from General Fund - \$218,000

CONTACT(S):

Maggie Cossman, Transportation Engineer – 455-3935

Anna Bentson, Deputy Director of Economic Development – 455-4493

Bonnie Svrcek, Deputy City Manager – 455-3987

ATTACHMENT(S):

- Resolution
- TIGER Grant Overview Map

REVIEWED BY:

RESOLUTION:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO THE UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT), TRANSPORTATION INVESTMENT GENERATING ECONOMIC RECOVERY (TIGER) DISCRETIONARY GRANT PROGRAM AND TO AUTHORIZE THE CITY MANAGER TO SIGN A LETTER OF COMMITMENT TO PROVIDE MATCHING FUNDS IF GRANT FUNDING IS RECEIVED.

WHEREAS, the USDOT issued a Notice of Funding Availability (NOFA) for 2016 TIGER funds on Tuesday, February 23, 2016; and

WHEREAS, the City of Lynchburg has identified a transportation project that meets the goals and requirements of generating economic development and improving access to reliable, safe and affordable transportation as contained within the NOFA; and

WHEREAS, City Council has identified that implementation of the Downtown transportation improvement project will further the Vision of the *Comprehensive Plan 2013-2030* by reinforcing Downtown as the heart of the Region's public, cultural and social life through strategic public and private investment; and

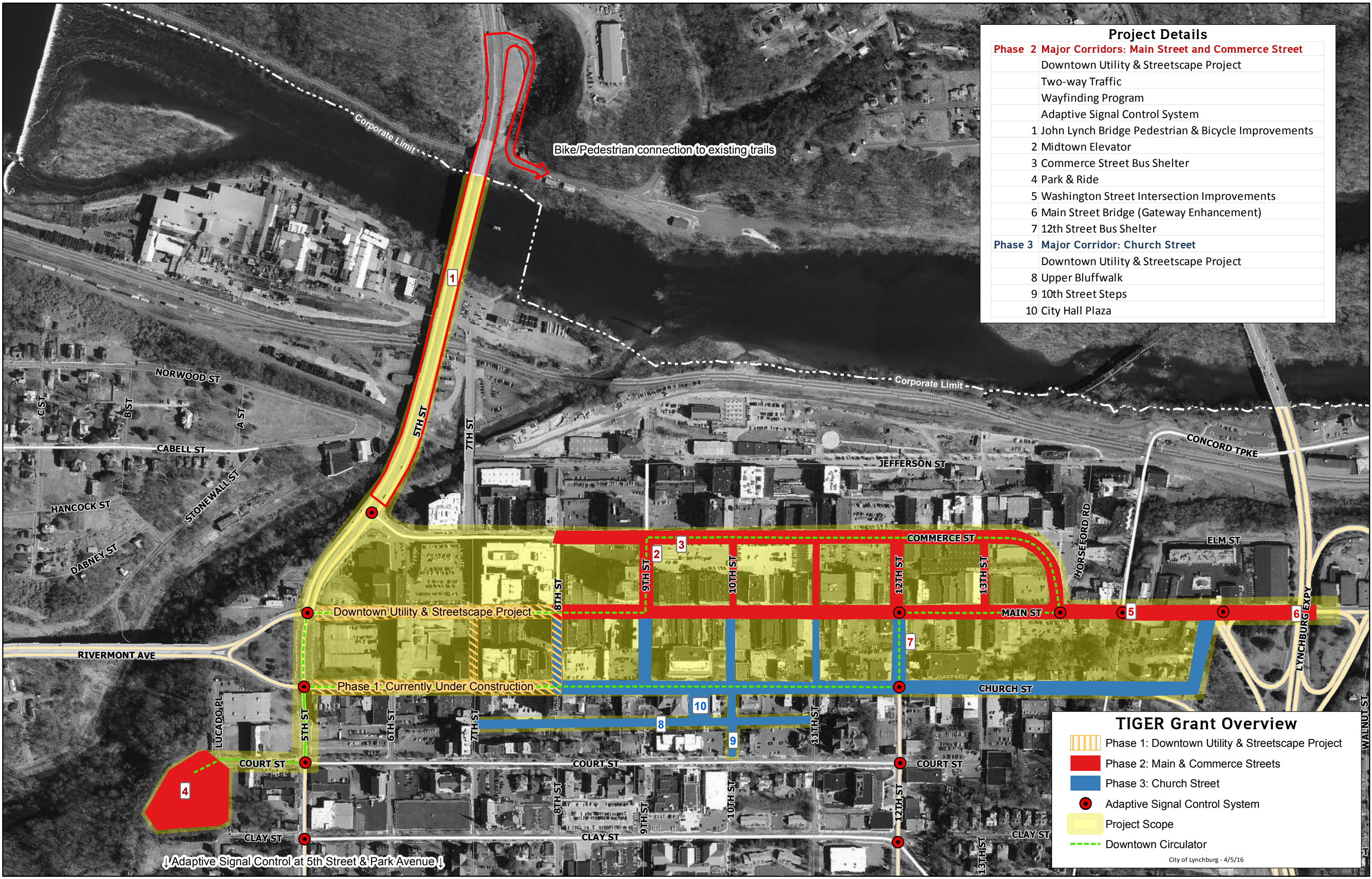
WHEREAS, City Council has identified that implementation of the Downtown transportation improvement project supports City Council's adopted FY 2015 priorities, will strengthen the pillars of Arts & Culture, Citizen Engagement and Social Capital, Economic Development, Healthy & Active Living, Infrastructure, Land Use, Life Long Learning, Natural Resources, Neighborhoods, Safe Community, Social Equity and Transportation of the 2014 Strategic Plan by making the City a Great Place to Live Work & Play; and

WHEREAS, City Council has identified that the Downtown transportation improvement project will further the implementation of the Downtown & Riverfront Master Plan 2000; and

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LYNCHBURG THAT the City Manager is hereby authorized to submit a grant application to the USDOT TIGER Program in response to the February 23, 2016 NOFA, and is further authorized to sign a letter indicating the City of Lynchburg's commitment to provide matching funds if grant funding is received.

Adopted:

Certified: _____
Clerk of Council



Project Details	
Phase 2	Major Corridors: Main Street and Commerce Street
	Downtown Utility & Streetscape Project
	Two-way Traffic
	Wayfinding Program
	Adaptive Signal Control System
	1 John Lynch Bridge Pedestrian & Bicycle Improvements
	2 Midtown Elevator
Phase 3	Major Corridor: Church Street
	Downtown Utility & Streetscape Project
	8 Upper Bluffwalk
	9 10th Street Steps
	10 City Hall Plaza

TIGER Grant Overview

-  Phase 1: Downtown Utility & Streetscape Project
-  Phase 2: Main & Commerce Streets
-  Phase 3: Church Street
-  Adaptive Signal Control System
-  Project Scope
-  Downtown Circulator

City of Lynchburg - 4/5/16

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **April 12, 2016 (PDC)**

AGENDA ITEM NO.:

CONSENT: REGULAR: **X** WORK SESSION:

CLOSED SESSION:
(Confidential)

ACTION: INFORMATION: **X**

ITEM TITLE: **Main and Church Street, Two-way Conversion**

RECOMMENDATION: Provide input on the proposed conversion.

SUMMARY:

Work on the first 8 segments of the Downtown Utility and Streetscape project has commenced with the relocation of the AEP poles along Church Street. Road and utility work will begin in April. The utility project provides the opportunity to improve downtown roads and sidewalks. Road closures will occur during construction to expedite the work. The logical time to convert Main and Church Streets to two-way traffic is at the completion of this project, when the roads open to full traffic.

Per a traffic study conducted by Engineering & Planning Resources, P.C. conducted in 2014, the downtown road grid system has the capacity to support the two-way conversion. Traffic speeds will reduce increasing pedestrian, bicycle and vehicular safety, while congestion will rise. Two-way conversion will also increase visibility to commercial uses, is more navigable to visitors, and decreases travel distance. Studies show two-way traffic conversions result in decreased crime with more “eyes on the street” viewing from both directions and with vehicles traveling at slower speeds.

Whitman, Requardt & Associates, LLP has studied truck turning movements and loading space allocation associated with the two-way conversion. The proposed streetscape design accommodates truck turning movements for large box trucks and busses. Loading zones are planned for each block, with supplementary time-restricted loading zone space dedicated to the 900 block of Main St, reserving space for morning deliveries. Additional loading zones are provided on Commerce between 9th & 10th to accommodate deliveries after the morning delivery hours.

After the presentation to PDC, a public meeting is planned prior to the proposal being taken to City Council.

PRIOR ACTION(S):

- PDC: July 14, 2015 & September 9, 2014

FISCAL IMPACT:

\$1.9M signal design, modification, signage, construction engineering & inspection, contingency.

Benefits include economic vitality, increased safety to pedestrians, bicycles and vehicles, reduction in crime and increased property values.

CONTACT(S):

Kim Payne, 455-3990; Lee Newland 455-3947; Maggie Cossman 455-3935

ATTACHMENT(S):

Summary of Two-Way Conversion Benefits as a Downtown Revitalization Tool

Summary of Two-Way conversion impact to truck movements and loading zones

Summary of costs

Map of signal modifications

REVIEWED BY:

Two-Way Conversion as a Downtown Revitalization Tool

Traffic Engineers have evaluated the conversion from one to two-way and it will work on a practical level. Staff and consultants have identified and modeled turning movements, traffic flow, loading zones, and on-street parking on Church and Main Streets.

One way streets allow for greater traffic and higher automobile speeds, while two-way streets provide the same functionality, while also increasing pedestrian safety and business visibility, essentials for successful downtowns.

Economic Vitality

The most important reason for changing the traffic flow of a downtown is to improve the economic well-being of the commercial district and, more specifically, to boost the visibility and accessibility of the retail segment. In this regard making the circulation system more “customer friendly” is a prerequisite in increasing the retail of downtown and appealing to investors and merchants who are interested in coming to main street.

Pedestrian Movement

Changing the downtown environment better serves pedestrian movement for residents and visitors. Two way streets are perceived to be narrower thereby slowing traffic which allows for more visibility to drivers. For instance, at 30 mph, the driver begins to see things at the road’s edge; and at 20 mph the foreground comes into focus. At 15 mph, motorists see pedestrians and other elements on adjacent buildings. This translates into safer streets for pedestrians.

Bicycle Movement

Two-way traffic also reduces conflicts between autos and bicycles as traffic speeds are slower and allow for bicyclists to remain with the flow of traffic. All-way stops further the decrease in conflicts as driver awareness is elevated when they look to the left and right before proceeding.

Safety

Two-way conversion improves the livability of a neighborhood by significantly reducing crime due in part to more “eyes on street”. A study in the City of Louisville found three years after the conversion crime dropped 23%. Auto theft dropped 36% while robberies dropped 42%.

Increased Property Value

Due to overall economic vitality and crime reduction, property values in the downtown area see an increase. Property owners take pride in ownership and neighbors demand property cleanliness and upgrades to building facades. Livable streets equal neighborhood prosperity especially when coupled with proven infrastructure improvements, such as street trees, public art, and street lighting.

Note: According to research, over 100 cities in America have converted to two-way as a method of traffic calming in their downtown core.

Links to articles used in the research of two-way conversion:

<http://www.preservationnation.org/main-street/main-street-news/2002/06/converting-one-way-to-two-way.html>

http://www.centralbaltimore.org/wp-content/uploads/2014/11/Converting-Downtown-Streets-From-One-way-to-Two-way-Yields-Positive-Results_Urban-Transportation-Monitor-2000.pdf

<http://www.planetizen.com/node/69354>

<http://www.governing.com/topics/transportation-infrastructure/The-Return-of-the.html>

http://tigerprints.clemson.edu/cgi/viewcontent.cgi?article=1595&context=all_theses



Two-Way Conversion

Date: April 1, 2016

From: David Newberger

Subject: Two-Way Conversion Findings

Work Order Number: 46485-001

Contract Number: 1100000829

Project: Downtown Water Mains Phase 1

The purpose of this memorandum is to present findings of the design impact (AutoTurn, loading/unloading, parking) associated with converting Main Street and Church Street from one-way to two-way between 5th Street and 12th Street. This builds off a previously prepared traffic impact analysis memorandum developed by E&PR, "Comparison of One-way versus Two-way Traffic Operations" (dated 9/30/12).

AutoTurn Design Vehicle:

1. Design Vehicles Tested
 - a. Passenger Vehicle
 - b. SU-30

AutoTurn Movements (Main/Church are assumed to run East/West)

2. Lane Use Configuration 1
 - a. Main Street and Church Street converted to two-way
 - b. Existing lane use on side streets (as of March 2016)
 - 7th Street two-way
 - 8th Street two-way
 - 9th Street two-way
 - 10th Street one-way NB
 - 11th Street one-way SB
 - 12th Street two-way

Results:

- Passenger vehicles adequately maneuver every movement.
- SU-30 shows significant issues navigating right and left turns at intersections with 7th Street, 8th Street, and 9th Street including tracking over existing/proposed curb lines and turning into oncoming traffic.
- During a findings meeting with the City of Lynchburg on 2/23/16, WRA proposed that 7th and 8th street be converted to one-way to accommodate truck movements. City discussed change with the Virginian hotel who agreed to the proposed changes if/when Main and Church Streets are converted to two-way.

3. Lane Configuration 2
 - a. Main Street and Church Street converted to two-way
 - b. Proposed lane use on side streets
 - 7th Street one-way NB
 - 8th Street one-way SB
 - 9th Street two-way
 - 10th Street one-way NB
 - 11th Street one-way SB
 - 12th Street two-way

Results: See Attachment 1 "AutoTurn Exhibits". Wheel paths highlighted in red indicate tracking over existing/proposed curb lines and/or turning into oncoming traffic. Per meeting with City of Lynchburg on 3/21/16 the following mitigations were discussed:

- Main Street & 5th Street
 - o Move WB Main Street left turn stop bar 15' away from intersection to allow for overturn of SU-30 from NB Main Street to EB 5th Street.
- Main Street & 7th Street
 - o Restrict trucks on 7th Street between Main Street and Court Street.
 - o Modify bump-out on NW corner to accommodate SU-30 right turn from SB 7th Street to WB Main Street.
- Main Street & 8th Street
 - o Reduce bump out on NW and/or SE corners to accommodate SU-30 left turn from SB 8th Street to EB Main Street.
 - o Remove parking along NB 8th Street within 40' of Main Street.
- Main Street & 9th Street
 - o No changes to 9th Street. SU-30 will use available road width to navigate turns. City to monitor and determine if movement restrictions are necessary.
- Main Street & 10th Street
 - o No conflicts
- Main Street & 11th Street
 - o No conflicts
- Main Street & 12th Street
 - o No conflicts
- Church Street & 5th Street
 - o Remove parking along EB Church Street within 40' of 5th Street.
- Church Street & 6th Street
 - o No conflicts
- Church Street & 7th Street
 - o Restrict trucks on 7th Street between Main Street and Court Street.
- Church Street & 8th Street
 - o Restrict right turns for trucks from SB 8th Street to WB Church
 - o Modify bump out in SE corner to accommodate SU-30 left turn from SB 8th Street to EB Church Street
- Church Street & 9th Street
 - o No changes to 9th Street. SU-30 will use available road width to navigate turns. City to monitor and determine if movement restrictions are necessary.
- Church Street & 10th Street
 - o No conflicts
- Church Street & 11th Street
 - o Restrict right turns for trucks from SB 11th Street to WB Church
- Church Street & 12th Street
 - o No conflicts



Loading/Unloading

4. Existing and proposed Loading/Unloading zones have been identified and are shown on Attachment 2 "Loading/Unloading Zones". Methodology for developing loading/unloading zones is as follows:
 - a. Provide all-day (7AM – 6PM) loading/unloading zones on each block.
 - b. Combine individual loading/unloading zones into one continuous loading/unloading zone to accommodate larger trucks.
 - c. Provide additional time restricted (9AM – 11AM) loading/unloading along Main Street between 9th Street and 10th Street.
 - d. Locate Loading / Unloading Zones along the North side of Main Street and South side of Church Street (where possible) to minimize need for delivery drivers to modify their delivery routes.
 - e. Provide additional all-day (7AM – 6PM) loading/unloading zones along Commerce Street between 9th Street and 10th Street to accommodate deliveries after 11AM.
- Existing Loading / Unloading Zones (7AM – 6PM): **13** parking spaces
- Proposed Loading / Unloading Zones (7AM – 6PM): **27** parking spaces
- Net Difference: **+14** parking spaces
- Proposed Loading / Unloading Zones (7AM – 11AM): **8** parking spaces

Parking

5. Existing parking spaces were counted and compared to proposed spaces:
 - Main Street: **-8** parking spaces between 5th Streets and 8th Streets
 - Church Street: **-6** parking spaces between 5th Streets and 8th Streets
 - Side Streets: **+18** parking spaces added to 7th Street and 8th Street between Commerce Street and Church Streets.
 - Net Difference: **+4** parking spaces.
 - With additional Loading / Unloading Zones (see below), Net Differences (7AM – 6PM): **-10** parking spaces



Summary of Costs for Two-Way Conversion

Remove eight (8) existing signals including foundations below grade and restoration	\$ 280,000
Remove and replace with modifications for two-way traffic five (5) signals	\$1,000,000
Signage relocation including addition of all-way stops	\$ 25,000
Design fees	\$ 200,000
CEI fees and contingencies	<u>\$ 395,000</u>
Total	\$ 1,900,000

MEMORANDUM

TO: City Council
L. Kimball Payne, III, City Manager
Bonnie Svrcek, Deputy City Manager

FROM: Donna Witt, Director of Financial Services 

SUBJECT: Responses to Questions Raised at the March 15, 2016 Budget Work Session

DATE: March 22, 2016

At the March 15th Work Session on the FY 2017 Proposed Budget, Council members raised the questions listed below, which required staff follow-up.

1. *In regard to Business License Tax what is the present value of the \$100,000 threshold? What is the associated revenue impact if the threshold is raised? (Helgeson)*

The estimated present value of the \$100,000 threshold is \$147,733 or approximately \$150,000 in current dollars based on a U.S. Department of Labor Statistics calculator which uses the Consumer Price Index (CPI) for a given calendar year.

The attached chart is based on raising the threshold to \$200,000.

2. *Provide a clearer definition of the proposed full-time Assistant City Manager position. (Foster/Helgeson)*

Primary Roles and Responsibilities of Proposed Assistant City Manager:

- Respond to citizen issues and concerns.
- Follow up on issues raised by City Council members.
- Research and work with City departments to create a meaningful performance management framework that synthesizes data that can be used to measure the City's success in supporting Council's twelve pillars.
- Create and maintain a Citywide "dashboard" of performance management measures that can be posted on the City's website and updated at least quarterly to increase transparency.
- Research and write grants as appropriate.
- Serve as a "civic innovator" exploring and creating new opportunities to make Lynchburg an even better place to live, work, and play.
- Provide leadership and staff support to a pilot process improvement initiative.
- Research issues, develop alternative approaches and make recommendations to the City Manager and Deputy City Manager.

3. *Page 128 of the FY 2017 Proposed Budget is incorrect. (Perrow)*

The totals were correct on the page even though the increase/decrease number for Contractual Services was incorrect. A replacement page for the FY 2017 Proposed Budget book is attached.

4. *What percentage of the off-duty increase is related to Crisis Intervention Team (CIT)? (Helgeson)*

- Increase of 4,499 (16%) hours when compared to 2014; of those 4,499 hours 3,894 is for the Crisis Intervention Team (CIT) Assessment Center at Centra Health.
- 87% of the overall increase in off-duty expenditures is due to the CIT Assessment Center.

The CIT Assessment Center began employing off duty officers in September of 2014 working 12 hour shifts. In October of 2015 the CIT Assessment Center went to employing officers 24 hours a day 7 days a week. Staffing the CIT Assessment Center is a shared responsibility with other regional public safety partners.

5. *Provide a list of housing complexes that the City supports with off-duty Police Officers. (Tweedy)*

- James Crossing
- Housing Authority Properties - Langview, Dearington, Birchwood, and Brookside
- Lynchburg Covenant - Lynchburg High, Shalom, and apartments on Rivermont across from Miles Market
- Maple Ridge Apartments - very limited basis
- College Hill Apartments - exploring the use of off-duty Police Officers

6. *Provide an explanation of the Other Charges after the Academy Center of the Arts transfer to a Reserve. (Helgeson)*

Tourism submitted an increase of \$384,582 in Other Charges including sponsorships for the Academy Center of the Arts (\$200,000), LOCK'N Music Festival (\$10,000), Harley Owners Rally Group (\$12,500), the Big South Conference (\$50,000), multiple Local/Regional sponsorships (\$54,500), and the Commonwealth Games (\$100,000). The Manager's Proposed Budget reduced the sponsorships line item request by \$310,000. Of this amount, \$200,000 was reallocated to the Academy Center of the Arts Reserve and \$110,000 of the original request was not funded due to other budget priorities. Overall, the Manager's Proposed Tourism and the Visitor Information Center Other Charges line item had a net increase of \$74,785 not including the \$200,000 set aside for the Academy Center of the Arts Reserve.

Page 220 has been updated to show the Academy Center of the Arts Reserve as part of Tourism and the Visitor Information Center budget. A replacement page for the FY 2017 Proposed Budget book is attached.

7. *Provide an explanation of the increase in the City's contribution to the Greater Lynchburg Transit Company (GLTC) in FY 2017. (Perrow)*

GLTC's Fiscal Year 2017 Operating Budget request includes an increase in expenditures that requires an increase in City support. These are summarized below, please note that as is the case with many

budgets these numbers are based on projections that could change dependent upon actual federal and State revenues.

- The primary increase is in labor and fringe benefits. There is a significant increase in health insurance costs and related benefits coupled with salary progression rate increases (longevity only as mandated by the labor contract). In addition GLTC is working to bring staffing levels to the proper proportion in order to reduce GLTC's ongoing overtime expenditures, this approach is anticipated to help with the situation.
- GLTC is opening the new Operations and Maintenance Facility in January of 2017. This will result in increased operating expenditures due to changes in insurance and operating costs. While the new facility is expected to be more energy efficient it is significantly larger than the current one particularly in maintenance (where energy costs are highest). This also includes maintaining minimum insurance and utility expenditures on the old facility for a "worst case" scenario in the event the property is not sold by the time GLTC moves out.
- Maintenance costs have continued to rise (compared to FY 2015) due to the aging fleet (*half the fleet is nearing end of life*), while staff is working to mitigate these costs they are unavoidable and necessary to keep service reliable. GLTC will begin fleet replacement in 2018-2019.
- Revenue sources have declined in FY 2016 and are projected to remain at or below those levels in FY 2017. These include farebox revenue (statewide has seen a decline), other contract revenue, federal and State funding levels.

The GLTC submitted budget does not include any salary increases to staff at any level in the organization.

8. Provide an explanation of the Fleet replacement and depreciation funding. (Helgeson)

Fleet replacements are budgeted in the Fleet Services Fund. Depreciation for vehicles and equipment is the funding source for Fleet replacements. Depreciation is funded in the non-departmental section of the General and Enterprise Funds. When Fleet replacements are more than the current year depreciation, an additional transfer is made from the General or Enterprise Funds to the Fleet Services Fund to cover the cost of the replacements. When the current year depreciation is more than the cost of the replacements, the excess either falls to fund balance in the Fleet Services Fund for future replacements or can be transferred back to the originating fund for one-time purchases.

Thank you.

ATTACHMENT

c: Valeria Chambers

POSSIBLE BUSINESS LICENSE RESTRUCTURING

GROSS RECEIPTS	NUMBER OF BUSINESSES	CURRENT RATE	CALENDAR YEAR ASSESSED REVENUE	IF A FLAT RATE	PROPOSED REVENUE	REVENUE IMPACT
0 - 10,000	846	\$0	\$0	\$0	\$0	\$0
10,001 - 50,000	877	\$30	\$26,310	\$30	\$26,310	\$0
50,001 - 100,000	466	\$50	\$23,300	\$50	\$23,300	\$0
100,001 - 150,000	223	Rate per \$100 of gross receipts \$0.16 contracting; \$0.20 retail; \$0.28/\$20 fee wholesale merchants; \$0.36 repair, personal, business, and other services; \$0.58 financial, real estate, and professional services	\$76,043	\$50	\$11,150	(\$64,893)
150,001 - 200,000	166	Rate per \$100 of gross receipts \$0.16 contracting; \$0.20 retail; \$0.28/\$20 fee wholesale merchants; \$0.36 repair, personal, business, and other services; \$0.58 financial, real estate, and professional services	\$85,397	\$50	\$8,300	(\$77,097)
200,001 +	1407	Rate per \$100 of gross receipts \$0.16 contracting; \$0.20 retail; \$0.28/\$20 fee wholesale merchants; \$0.36 repair, personal, business, and other services; \$0.58 financial, real estate, and professional services	\$7,671,797	Rate per \$100 of gross receipts \$0.16 contracting; \$0.20 retail; \$0.28/\$20 fee wholesale merchants; \$0.36 repair, personal, business, and other services; \$0.58 financial, real estate, and professional services	\$7,671,797	\$0
						(\$141,990)

**Police Department including Range Operations, Off-Duty, and Animal Control Unit**

	Actual FY 2015	Adopted FY 2016	Department Submitted FY 2017	Manager's Proposed FY 2017	Inc/(Dec) Adopted from Proposed
POSITION SUMMARY					
City Funded Sworn Full-Time	170.00	170.00	171.00	171.00	1.00
City Funded Civilian Full-Time	26.00	27.00	30.00	29.00	2.00
City Funded Part-Time	3.10	3.13	3.63	3.63	0.50
City Funded Hourly	0.70	0.70	0.70	0.70	0.00
Grant Funded Sworn Full-Time ¹	3.00	3.00	3.00	3.00	0.00
TOTAL FTE	202.80	203.83	208.33	207.33	3.50
BUDGET SUMMARY					
EXPENDITURES					
Personnel Services					
Salaries	\$10,735,743	\$10,816,238	\$11,116,590	\$10,996,694	\$180,456
Employee Benefits	3,838,360	3,944,787	4,014,293	3,884,916	(59,871)
Subtotal Personnel Services	\$14,574,103	\$14,761,025	\$15,130,883	\$14,881,610	\$120,585
Operating					
Contractual Services	\$505,947	\$556,867	\$814,282	\$814,282	\$257,415
Internal Service Charges	521,389	709,650	692,640	692,640	(17,010)
Other Charges	967,107	944,985	1,046,126	1,046,126	101,141
Rentals and Leases	54,678	62,502	63,171	63,171	669
Capital Outlay	26,949	63,805	306,169	306,169	242,364
Subtotal Operating	\$2,076,070	\$2,337,809	\$2,922,388	\$2,922,388	\$584,579
Total General Fund Expenditures	\$16,650,173	\$17,098,834	\$18,053,271	\$17,803,998	\$705,164
Total Grant Expenditures ²	\$224,999	\$162,324	\$167,943	\$167,943	\$5,619
TOTAL EXPENDITURES	\$16,875,172	\$17,261,158	\$18,221,214	\$17,971,941	\$710,783
DEDICATED REVENUES					
Police - Schools Resource Officer (SRO) Program	\$67,734	\$108,500	\$96,500	\$96,500	(\$12,000)
Local Law Enforcement Funding (House Bill 599)	2,653,798	2,930,790	2,930,790	2,930,790	0
Off-Duty Police Fee	796,508	800,000	995,403	995,403	195,403
Off-Duty Police Fee Penalty and Interest	13,731	0	0	0	0
Police Report Sales	13,775	13,500	13,500	13,500	0
Range Use Fee	15,600	15,000	15,000	15,000	0
State Grants	91,234	84,685	94,800	94,800	10,115
Locality/Other Reimbursements	50,000	50,000	50,000	50,000	0
TOTAL DEDICATED REVENUES	\$3,702,380	\$4,002,475	\$4,195,993	\$4,195,993	\$193,518
TOTAL CITY COST	\$13,172,792	\$13,258,683	\$14,025,221	\$13,775,948	\$517,265

¹ Council adopted a resolution to amend the FY 2015 Adopted Budget and accept the grant for three School Resource Officers.² Details of the Grant Expenditures are located in the Other Funds Section of this document.

**Tourism and the Visitor Information Center**

	Actual FY 2015	Adopted FY 2016	Department Submitted FY 2017	Manager's Proposed FY 2017	Inc/(Dec) Adopted from Proposed
POSITION SUMMARY					
City Funded Full-Time	5.00	5.00	5.00	5.00	0.00
City Funded Part-Time	1.00	1.00	1.00	1.00	0.00
City Funded Hourly	5.84	5.84	5.84	5.84	0.00
TOTAL FTE	11.84	11.84	11.84	11.84	0.00
BUDGET SUMMARY					
EXPENDITURES					
Personnel Services					
Salaries	\$296,988	\$415,536	\$409,294	\$409,294	(\$6,242)
Employee Benefits	96,716	121,820	120,625	117,940	(3,880)
Subtotal Personnel Services	\$393,704	\$537,356	\$529,919	\$527,234	(\$10,122)
Operating					
Contractual Services	\$307,034	\$228,104	\$283,134	\$243,134	\$15,030
Internal Service Charges	1,224	1,809	1,809	1,809	0
Other Charges	158,837	247,781	632,566	322,566	74,785
Rentals and Leases	708	0	3,000	3,000	3,000
Subtotal Operating	\$467,803	\$477,694	\$920,509	\$570,509	\$92,815
Total General Fund Expenditures	\$861,507	\$1,015,050	\$1,450,428	\$1,097,743	\$82,693
Academy Center of the Arts Reserve	\$0	\$0	\$0	\$200,000	\$200,000
TOTAL EXPENDITURES	\$861,507	\$1,015,050	\$1,450,428	\$1,297,743	\$282,693
DEDICATED REVENUES					
Tourism Miscellaneous Revenue	\$792	\$0	\$6,898	\$6,898	\$6,898
Visitor Center Merchandise	21,701	23,700	23,700	23,700	0
TOTAL DEDICATED REVENUES	\$22,493	\$23,700	\$30,598	\$30,598	\$6,898
TOTAL CITY COST	\$839,014	\$991,350	\$1,419,830	\$1,267,145	\$275,795

MEMORANDUM

TO: City Council
L. Kimball Payne, III, City Manager
Bonnie Svrcek, Deputy City Manager

FROM: Donna Witt, Director of Financial Services 

SUBJECT: Responses to Questions Raised at the March 22, 2016 Budget Work Session

DATE: March 29, 2016

At the March 22nd Work Session on the FY 2017 Proposed Budget, Council members raised the questions listed below, which required staff follow-up.

- 1. Are the Schools Incentive Program funded positions included in the SOQ positions?**
The Incentive Program funded positions, the Math/Reading Instructional Specialist and the Early Reading Specialists, are not included in the SOQ funded positions.
- 2. Fix the detailed position list presented by Schools to reflect the true increase in total positions.**
The corrected Schools position list is attached.
- 3. Explain the State and City funding for the 2% Compensation Adjustment including benefits for seven (7) months (December 1, 2016 – June 30, 2017). (Helgeson)**

Compensation Adjustment (2%) costs including benefits

	FY 2017 (7 Months) December 1, 2016 - June 30, 2017		FY 2018 July 1, 2017- June 30, 2018	
	State Contribution	City Contribution	State Contribution	City Contribution
Schools SOQ Employees	\$361,000	\$206,000	\$620,000	\$354,000
Schools NON-SOQ Employees	0	256,000	0	487,000
Source: Lynchburg City Schools, CFO	\$361,000	\$462,000	\$620,000	\$841,000

City Employees (General Fund ¹)	\$0	\$698,000	\$0	\$1,209,000
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Source: City of Lynchburg, HR Department

\$361,000	\$1,160,000	\$620,000	\$2,050,000
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¹ Enterprise and Internal Services Funds (Water Resources, Airport, Fleet) would need to find funding for 2% increase within their respective budgets.

4. Provide the FY 2017 projected revenue for Concealed Weapons Permits. What would be the revenue impact if the Concealed Weapons Permit fee was reduced from \$50 to \$15? (Helgeson)

The FY 2017 projected revenue for Concealed Weapons Permits is \$21,000 or 600 permits multiplied by \$35, the amount allowed for the law enforcement agency conducting the background investigation for the permit. The remaining \$15 is returned to the State for associated costs with a Concealed Weapons Permit. Therefore, if the fee was reduced from \$50 to \$15 the City revenue would be zero or a reduction of \$21,000 for FY 2017.

In Calendar Year 2015, 765 permits were issued with revenue of \$25,170. As of February 29, 2016, over 200 permits have been issued with revenue of \$7,947. Any retired law enforcement from any state with 15 or more years of service is exempt from the fee.

Thank you.

ATTACHMENT

c: Valeria Chambers

**Lynchburg City Schools
SOQ and Local Funded Position Totals
FY 2017 Proposed Budget**

SOQ Funded Positions

FY 2016 SOQ Funded Positions	746.68	
Moved to SOQ Funded Position from Local Funded Position	50.47	
FY 2017 SOQ Funded Positions	797.15	52.6%

Local Funded Positions

FY 2016 Local Funded Positions	744.52	
Moved from Local Funded Position to SOQ Funded Position	(50.47)	
FY 2017 Proposed New Local Funded Positions	25.50	
FY 2017 SOQ Funded Positions	719.55	47.4%

Total Positions

Total FY 2016 Schools Positions	1,491.20	
FY 2017 Proposed New Local Funded Positions	25.50	
Total FY 2017 Proposed Schools Positions	1,516.70	

Source: Lynchburg City Schools, Chief Financial Officer, March 24, 2016

Lynchburg City Schools
SOQ Funded Position Listing
FY 2017 Proposed Budget

	FY 2016 SOQ Funded Positions	FY 2017 SOQ Funded Positions	Change Over FY 2016 Inc/(Dec)
SOQ Support Positions			
Assistant Superintendent	1.06	1.18	0.12
Instructional Professional	13.90	14.71	0.81
Instructional Technical/Clerical	11.43	11.36	(0.07)
Attendance & Health Administrative	5.85	5.64	(0.21)
Attendance & Health Technical/Clerical	3.00	2.85	(0.15)
Administration Administrative	3.96	4.42	0.46
Administration Technical/Clerical	9.34	9.74	0.40
Technology Professional	2.60	3.00	0.40
Technology Technical/Clerical	1.09	1.26	0.17
Operation & Maintenance	1.77	1.86	0.09
Support Technology	7.88	8.40	0.52
School Based Clerical	25.08	26.45	1.37
Operation & Maintenance Technical/Clerical	54.87	57.34	2.47
Total SOQ Support Positions	141.83	148.21	6.38
SOQ Instructional Funded Positions			
Elementary Principals	8.76	9.17	0.41
Elementary Librarians	8.76	9.17	0.41
Elementary Guidance Counselors	7.76	8.28	0.52
Kindergarten Aides	7.79	8.15	0.36
Kindergarten Teachers	31.15	30.58	(0.57)
Grade 1 Teachers	29.20	30.58	1.38
Grade 2 Teachers	26.53	29.56	3.03
Grade 3 Teachers	26.28	28.16	1.88
Grade 4 Teachers	24.18	25.77	1.59
Grade 5 Teachers	23.60	26.09	2.49
Grade 6 Teachers	28.18	29.75	1.57
Grade 7 Teachers	28.60	29.41	0.81
Secondary Principals	4.87	5.10	0.23
Secondary Assistant Principals	3.89	4.08	0.19
Secondary Librarians	6.81	7.14	0.33
Secondary Guidance Counselors	10.97	11.58	0.61
Grade 8 Teachers	26.15	28.26	2.11
Grade 9 Teachers	29.57	30.97	1.40
Grade 10 Teachers	29.86	28.79	(1.07)
Grade 11 Teachers	24.29	29.56	5.27
Grade 12 Teachers	26.65	27.08	0.43
Secondary English Teachers	1.35	1.43	0.08
Elementary Resource Teachers	25.34	26.87	1.53
Instructional Technology Elementary Teachers	5.07	5.37	0.30
Instructional Technology Secondary Teachers	2.87	3.04	0.17
Sub-Total SOQ Instructional Funded Positions	448.48	473.94	25.46

**Lynchburg City Schools
SOQ Funded Position Listing
FY 2017 Proposed Budget**

	FY 2016 SOQ Funded Positions	FY 2017 SOQ Funded Positions	Change Over FY 2016 Inc/(Dec)
SOQ Instructional Funded Positions - Part of Special Education			
Special Education Aides	10.71	9.17	(1.54)
Special Education Elementary Teachers	51.20	52.74	1.54
Special Education Secondary Teachers	36.78	40.55	3.77
SOQ Instructional Funded Positions - Part of Vocational Education			
Vocational Education Teachers	7.16	13.30	6.14
SOQ Instructional Funded Positions - Part of Prevention, Intervention & Remediation			
PIR Elementary Teachers	27.20	32.47	5.27
PIR Secondary Teachers	15.38	18.36	2.98
SOQ Instructional Funded Positions - Part of Gifted Education			
Gifted Education Elementary Teachers	5.07	5.37	0.30
Gifted Education Secondary Teachers	2.87	3.04	0.17
Total SOQ Instructional Funded Positions	604.85	648.94	44.09
TOTAL SOQ FUNDED POSITIONS¹	746.68	797.15	50.47

¹ THE INCREASE OF 50.47 POSITIONS ONLY REFLECTS A SHIFT FROM LOCAL TO SOQ FUNDING. THESE ARE NOT NEW POSITIONS.

Lynchburg City Schools
Requested Local Funded New Positions and Initiatives
FY 2017 Proposed Budget

FY 2017 Proposed Initiatives and New or Expanded Initiatives Increase in Local Funded Positions	FY 2017 Proposed Local Funded Position Amount	FY 2017 Proposed Local Funded Positions
Instruction		
Hire .5 Speech Pathologist for LCS expected caseload challenges	\$31,926	0.50
Hire .5 Speech Pathologist for Hutcherson	\$31,926	0.50
Hire .5 Occupational Therapist for Hutcherson	\$31,926	0.50
Hire one (1) Instructional COACH for Special Education	\$60,000	1.00
Additional .5 day per week Speech pathologist added during 1516 after budget was finalized (Bass Elementary)	\$6,579	0.50
Hire five (5) elementary reading specialists	\$370,000	5.00
Hire one (1) Secondary Math Coach	\$80,000	1.00
Empowerment Academy Staff Hire five (5) Teachers (Math, Science, Social Studies, English, Sped), 1 guidance coordinator, 1 Administrator and 1 administrative secretary	\$468,000	8.00
Hire one (1) Culinary Teacher	\$60,000	1.00
Hire one (1) Precision Machining teacher	\$60,000	1.00
Hire 3 Teachers (History, Social Studies and Science)	\$183,000	3.00
Hire a .5 Art Teacher	\$27,300	0.50
Establish a JV and Varsity Field Hockey sport at Glass	\$30,000	
Criminal Justice additional cost per multi-year agreement with LPD	\$10,000	
Transportation of Department of Social Services placed students in foster homes in other localities (Transportation to and from private day school placements.)	\$30,240	
Additional funds to cover interpreting during extracurricular activities as required under the Individuals With Disabilities Educational Act and Section 504 of the Rehabilitation Act	\$5,000	
Sub-Total Instruction	\$1,485,897	22.50
Administration		
Hire an Asst. Director of Personnel	\$85,000	1.00
Infinite Campus annual maintenance	\$101,000	
Sub-Total Administration	\$186,000	1.00
Technology		
Hire two (2) Technology Technicians	\$120,000	2.00
Sub-Total Technology	\$120,000	2.00
TOTAL REQUESTED NEW LOCAL FUNDED POSITIONS	\$1,791,897	25.50
Requested Compensation Adjustment - 1% Salary Increase		
Instruction	\$570,116	
Administration	\$35,168	
Pupil Transportation	\$36,035	
Operation & Maintenance	\$46,272	
Facilities	\$673	
Technology	\$16,737	
Total Requested Compensation Adjustment - 1% Salary Increase	\$705,001	
Requested Market Adjustments		
Instruction - all IA/TEA's	\$571,653	
Pupil Transportation - all Bus Drivers and Bus Assistants	\$159,878	
Operation & Maintenance - for Custodians and Maintenance staff	\$58,096	
Operation & Maintenance - Upgrade one HVAC position to leadman	\$5,000	
Total Requested Market Adjustments	\$794,627	
TOTAL REQUESTS	\$3,291,525	25.50

MEMORANDUM

TO: City Council
L. Kimball Payne, III, City Manager
Bonnie Svrcek, Deputy City Manager

FROM: Donna Witt, Director of Financial Services 

SUBJECT: Responses to Questions Raised at the March 29, 2016 Budget Work Session

DATE: April 12, 2016

At the March 29th Work Session on the FY 2017 Proposed Budget, Council members raised the questions listed below, which required staff follow-up.

1. ***What would be the revenue impact if the Tobacco Tax was increased by \$0.10 (\$0.35 to \$0.45 per pack). (Tweedy)***
Increasing the Tobacco Tax by \$0.10 would result in approximately \$250,000 additional revenue based on a three-year average of sales.
2. ***Possible options for Business License Tax restructuring. (Helgeson)***
See attached chart.

Thank you.

ATTACHMENT

c: Valeria Chambers

POSSIBLE BUSINESS LICENSE RESTRUCTURING

GROSS RECEIPTS	NUMBER OF BUSINESSES	PERCENTAGE OF TOTAL	CURRENT FLAT FEE OR RATE PER \$100	CALENDAR 2015 ASSESSED REVENUE	REVENUE IMPACT EXCLUDING FIRST \$100,000 OF GROSS RECEIPTS	BALANCE OF PROJECTED REVENUE EXCLUDING FIRST \$100,000 OF GROSS RECEIPTS	REVENUE IMPACT EXCLUDING FIRST \$150,000 OF GROSS RECEIPTS	BALANCE OF PROJECTED REVENUE EXCLUDING FIRST \$150,000 OF GROSS RECEIPTS
\$0 - 10,000	846	21%	\$0.00	\$0	\$0	\$0	\$0	\$0
\$10,001 - 50,000	877	22%	\$30.00	\$26,310	(\$26,310)	\$0	(\$26,310)	\$0
\$50,001 - 100,000	466	12%	\$50.00	\$23,300	(\$23,300)	\$0	(\$23,300)	\$0
\$100,001 - 150,000								
Contractor	50	1%	\$0.16		(\$8,000)			
Retail	69	2%	\$0.20		(\$13,800)			
Wholesale	4	0%	\$0.28		(\$1,120)			
Business Services	79	2%	\$0.36		(\$28,440)			
Professional	21	1%	\$0.58		(\$12,180)			
SUB-TOTAL	223	6%		\$76,043	(\$63,540)	\$12,503	(\$76,043)	\$0
\$150,001 - 200,000								
Contractor	40	1%	\$0.16		(\$6,400)		(\$9,600)	
Retail	51	1%	\$0.20		(\$10,200)		(\$15,300)	
Wholesale	2	0%	\$0.28		(\$560)		(\$840)	
Business Services	44	1%	\$0.36		(\$15,840)		(\$23,760)	
Professional	29	1%	\$0.58		(\$16,820)		(\$25,230)	
SUB-TOTAL	166	4%		\$85,397	(\$49,820)	\$35,577	(\$74,730)	\$10,667
\$200,001 +								
Contractor	230	6%	\$0.16		(\$36,800)		(\$55,200)	
Retail	628	16%	\$0.20		(\$125,600)		(\$188,400)	
Wholesale	78	2%	\$0.28		(\$21,840)		(\$32,760)	
Business Services	273	7%	\$0.36		(\$98,280)		(\$147,420)	
Professional	198	5%	\$0.58		(\$114,840)		(\$172,260)	
SUB-TOTAL	1407	35%		\$7,671,797	(\$397,360)	\$7,274,437	(\$596,040)	\$7,075,757
TOTAL	3,985	100%		\$7,882,847	(\$560,330)	\$7,322,517	(\$796,423)	\$7,086,424

FY 2017 City Council Discussion for General Fund Adjustments "The List"

Work Session
April 12, 2016

Manager's Proposed Revenues and Use of Fund Balance		\$185,673,893
Revenue Adjustments for Council Discussion:		Increase/(Decrease)
Communications and Marketing	Loss of Community Handbook Ad Sales	(19,000)
Police	Reduce Concealed Weapons Permits - reduce fee from \$50 to \$15 The \$15 fee is what the State charges therefore the City would receive no revenue from this fee.	(21,000)
Other Local Taxes	Adjust Business License fee structure to move assessment of rate per \$100 of gross receipts from \$100,001 to \$150,001; flat rate fee of \$50 assessed \$100,001 - \$150,000	(64,893)
Other Local Taxes	Adjust Business License fee structure to move assessment of rate per \$100 of gross receipts from \$150,001 to \$200,001; flat rate fee of \$50 assessed \$100,001 - \$200,000	(77,097)
Other Local Taxes	Adjust Business License structure to exclude first \$100,000 of gross receipts from assessment of rate per \$100 or flat fee (i.e. no business license issued, or fee charged, for business with gross receipts < \$100,001)	(560,330)
Other Local Taxes	Increase Amusement Tax by 1% (Based on a 3-year average)	94,000
Manager's Proposed Expenditures		\$185,673,893
Expenditure Adjustments for Council Discussion:		Increase/(Decrease)
Council/Manager	Eliminate Assistant City Manager full-time position salary (\$81,205), benefits (\$28,795), training and dues (\$5,500), and supplies and equipment (\$3,300)	(118,800)
Communications and Marketing	Don't fund Community Handbook - (\$34,750); <i>net cost = \$15,750</i>	(34,750)
Communications and Marketing	Add Digital Media Specialist full-time position salary (\$48,630), benefits (\$20,192), and supplies and equipment (\$5,520)	74,342
Greater Lynchburg Transit Company (GLTC)	Reduce proposed increase in City Contribution	(281,767)
Schools	Reduce proposed increase in City Contribution	(617,390)
Schools	Eliminate funding for 25.5 New Local Funded Positions	(1,615,657)
Schools Compensation	Provide funding for 2% General Fund Compensation Adjustment for 7 months including benefits (December 2016 - June 2017)	462,000
Schools Compensation	Eliminate funding for Targeted Market Adjustments	(789,627)
City Compensation	Provide funding for 2% General Fund Compensation Adjustment for 7 months including benefits (December 2016 - June 2017)	698,000
City Compensation	Provide funding for \$250 Employee Bonus \$250 (subject to withholding) including benefits	263,944
City Compensation	Provide funding for \$250 Employee Bonus \$250 (grossed up to \$406) including benefits	428,646

March 22, 2016

267

// A regular meeting of the Council of the City of Lynchburg was held on the 22nd day of March, 2016, at 4:00 P.M. in the Council Chamber, City Hall, Michael Gillette, President, presiding. The following Members were present:

Present: Foster, Helgeson, Nelson, Perrow, Tweedy, Gillette 6

Absent: Johnson 1

// Vice Mayor Johnson arrived at 4:10 p.m.

// Mayor Gillette asked that the following announcement be read into the record.

"Pursuant to Section 2.2-3712(B) of the Code of Virginia, the Lynchburg City Council will be holding closed meetings at undisclosed locations within the following fifteen days for the purpose of interviewing candidates for the position of City Manager." He stated he would also make this announcement again at the 7:30 meeting.

// Dr. Scott Brabrand, Superintendent of Schools stated he wanted to thank City Manager Kimball Payne for the leadership, guidance and support that he has shown him during the last four years and wished him the very best in his retirement.

// Dr. Scott Brabrand, Superintendent of Schools presented the Proposed 2016-2017 School's Budget. First, he addressed the school's challenges which he stated were the same as last year:

- Attracting and Retaining High Quality Personnel
- Enhancing Targeted Instructional Support
- Increasing Student Opportunities by Name and By Need

Dr. Brabrand explained what's new this year in the Budget:

- Requested City increase to school budget is \$1.8 million
- Total Tier 1 request of \$3.27 million
- State budget \$247,727 less than governor's proposed budget
- State budget provides compensation supplement funds equal to 2% salary increase

He explained the Revenues/Expenses for the proposed budget with a funding gap of \$2 million. He stated that the funding request for the Operating Budget is \$1,772,320, Capital Project Budget is \$500,000 and School Bus Replacement Budget is \$500,000, which is a little over \$2.7 million in the Budget request. He mentioned several components of the budget process including Community Input, Parent Input, Employee Input and School Board Engagement. The total proposed Operating Budget request is \$93,392,414.

In conclusion, Dr. Brabrand stated that the Budget process ties directly to the implementation of the division's Comprehensive Plan.

- Vision – A tradition of Excellence for All
- Mission – Every child, By Name and By Need, to Graduation
- Goal – Excellence in Achievement, Behavior, Culture, Operations and Personnel

// Tim Mitchell, Water Resources Director provided an overview of the FY 2017 Rate Study and Annual Report which includes information on the following:

- Drinking Water, Wastewater and Stormwater Overview

- Financial overview including revenues and expenditures by fund and division, rate analysis and comparison
- Water, Sewer, and Stormwater Projections
- Statistical data

Mr. Mitchell stated the utility rate strategy developed for this year continues with the guiding principles of:

- Minimize the impact of rate adjustments on residential and other small customers.
- Ensure necessary funding is provided for increases in operating and debt service costs.
- Ensure compliance with the Special Order for Combined Sewer Overflow (CSO).
- Ensure compliance with adopted Fund Balance and Debt Management Financial Policies.
- Provide an equitable distribution of costs based on actual services provided.

The proposed increases include increasing the water volume charge by 4.9% from \$2.43 per hcf to \$2.55 per hcf and increasing the sewer volume charge by 3.3% from \$5.83 per hcf to \$6.02 per hcf. This will result in an increase to a typical residential utility bill by \$2.17 per month or an overall increase in the water and sewer bill of approximately 3.3%. The actual percent increase will vary depending upon actual consumption. In addition to the sewer volume rate the only other proposed increase is for the sewer only rate from \$47.18 per month to \$48.51 per month (2.8%). The City of Lynchburg customers' water and sewer bills are \$8.28 per month less than the statewide average. There are no stormwater rate recommendations needed at this time. Mr. Mitchell went on to say a 4.9% water rate increase and a 3.3% sewer rate increase is recommended. Even with the proposed increases, the City rates are still well below the State averages.

// Due to time constraints the FY 2017-2021 Capital Improvement Program (CIP) will be presented at the March 29, 2016 work session.

// During roll call Vice Mayor Johnson mentioned that Heritage High School graduate Kevin Keatts, coach for UNC-Wilmington has led his team to the NCAA Tournament.

// City Council recessed the meeting at 6:30 p.m.

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

The following Members were present:

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

7

Absent:

0

Council Member Perrow gave the Invocation, followed by the Pledge of Allegiance.

// Mayor Gillette presented Certificates of Recognition to E.C. Glass Girls 2016 4A Indoor Track and Field Champions.

// Mayor Gillette presented Certificates of Recognition to Liberty Christian Academy Boys 2016 Virginia High School League Group 4A Indoor Track and Field State Champions.

// Mayor Gillette read a recognition from the Government Finance Officers Association to the City of Lynchburg, Virginia for receiving a Certificate of Achievement for Excellence in Financial Reporting for the fiscal year ended June 30, 2015.

// Copies of the minutes of the March 8, 2016 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Perrow, seconded by Council Member Helgeson, Council by the following recorded vote approved the minutes as presented:

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

Noes: 0

// Copies of the minutes of the March 15, 2016 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Perrow, seconded by Council Member Helgeson, Council by the following recorded vote approved the minutes as presented:

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

Noes: 0

// In the matter of Courts, Resolution #R-16-022 to amend the FY 2016 City/Federal/State Aid Fund budget and appropriate \$22,680 with resources from a grant from the Library of Virginia to preserve eighty-four (84) Deed books numbered 298 through 382 with records dated July 1955 through December 1963 at the Lynchburg Circuit Court Clerk's Office, laid over from the March 8, 2016 meeting, was again presented and read, and on motion of Council Member Perrow, seconded by Council Member Helgeson, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of Courts, Resolution #R-16-023 to amend the FY 2016 General Fund Adopted Budget and appropriate \$84,071 from the General Fund Reserve for Contingencies to purchase and install equipment to display and capture into evidence any visual displays of evidence presented to the Circuit Court, laid over from the March 8, 2016 meeting, was again presented and read, and on motion of Council Member Perrow, seconded by Council Member Helgeson, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of Human Services – Detention Center, Resolution #R-16-024 to amend the FY 2016 Detention Home Fund budget and appropriate \$8,712 with resources of \$7,841 from the Juvenile Accountability Block Grant, Department of Criminal Justice Services and \$871 from the Department of Human Services/Juvenile Services to fund the upgrade of cameras to a digital system at the Detention Center, laid over from the March 8, 2016 meeting, was again presented and read, and on motion of Council Member Perrow, seconded by Council Member Helgeson, Council by the following recorded vote adopted the Resolution:

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

Noes: 0

// In the matter of Community Development/CDBG, a public hearing was held regarding City Council Report #10 to receive public comments and adopt a Resolution approving the allocation of the FY 2017

Community Development Block Grant (CDBG) and HOME Program funds and incorporate into the FY 2017 General Fund Operating Budget and Program Year 2016 Annual Action Plan. Melva Walker, Grants Manager gave a summary of the request with recommendations from the Community Development Advisory Committee (CDAC). Ms. Walker went on to say that she had not received any public comments before this meeting. Denise Crews spoke and thanked Council for their past support and asked Council to continue supporting their programs, (i.e. Lynchburg Community Action Group First-time Homebuyer, Lynchburg Community Action Group Homeownership Substantial Rehabilitation and Lynchburg Community Action Group Housing Counseling Initiative). She stated that she was speaking on behalf of the Central Virginia Continuum of Care (CoC) and Lyn-CAG, as Lead Agency for the CoC. She asked that Council support the funding recommended for the Coordinated Homeless Intake Assessment (CHIA) project that provides staff for the homeless intake system. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Foster, Chair of the Community Development Advisory Committee (CDAC), seconded by Council Member Nelson, Co-Chair of CDAC, Council by the following recorded vote adopted Resolution #R-16-025, as presented, approving the allocation of the FY 2017 Community Development Block Grant (CDBG) and HOME Program funds and incorporating into the FY 2017 General Fund Operating Budget and Program Year 2016 Annual Action Plan:

Ayes: Foster, Helgeson, Johnson, Nelson, Perrow, Tweedy, Gillette

7

Noes:

0

// In the matter of City Council, Ronald Shavers with Shopo Nation was not present at this meeting.

// In the matter of Finance - General, City Council Report #12 was considered. Director of Financial Services Donna Witt reviewed the financial policies and proposed amendments to the Fund Balance and Debt Management Policies. Staff recommends the policies be amended and reaffirmed with the changes. Council Member Helgeson, Chair of the Finance Committee (FC), stated that this item came before FC which recommended approval with changes. This motion does not require a second, and Council by the following recorded vote adopted Resolution #R-16-026, as amended, to amend and reaffirm the City's Financial Management Policies:

Ayes: Foster, Helgeson, Johnson, Nelson, Perrow, Tweedy, Gillette

7

Noes:

0

// In the matter of Taxes, City Council Report #13 was considered. Council Member Perrow, Chair of the Physical Development Committee (PDC), stated that this item came before PDC which recommended approval. This motion does not require a second. Several Council Members expressed concern with the City providing a waiver of the weed bills and taxes. Council by the following recorded vote adopted Resolution #R-16-027, as presented, approving the waiver of weed bills and Real Property Tax penalty and interest for 2006 Tulip Street:

Ayes: Foster, Johnson, Nelson, Tweedy, Gillette

5

Noes: Helgeson, Perrow

2

// In the matter of Bonds, City Council Report #14 was considered. On motion of Council Member Nelson,

seconded by Council Member Johnson, Council by the following recorded vote adopted Resolution #R-16-028, as presented, authorizing the reimbursement from the proceeds of tax-exempt obligations of expenditures to be made by the City in advance of the issuance and receipt of the proceeds of such tax-exempt obligations:

Ayes: Foster, Helgeson, Johnson, Nelson, Perrow, Tweedy, Gillette

7

Noes:

0

// In the matter of Police - General, City Council Report #15 regarding the body-worn camera policy and camera demonstration presentation was provided by the Police Department. There were two camera systems that were presented. One camera system would be clasped to clothing and the other camera system would be attached to eyewear or mounts that flip over the ears. The need to equip police officers with body-worn cameras has been apparent to the Lynchburg Police Department (LPD) in order to strive to remain a progressive, engaged and increasingly transparent law enforcement agency.

// The meeting was adjourned at 8:50 P.M.

Clerk of Council

272

March 29, 2016

// A special meeting of the Council of the City of Lynchburg was held on the 29th day of March, 2016, at 4:00 P.M. in the Council Chamber, City Hall, Michael Gillette, President, presiding. The purpose of the meeting was to conduct a work session regarding the FY 2017-2021 Capital Improvement Program (CIP).

The following Members were present:

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

Absent: 0

// Mayor Gillette asked that the following announcement be read into the record:

"Pursuant to Section 2.2-3712(B) of the Code of Virginia, the Lynchburg City Council will be holding closed meetings at undisclosed locations within the following fifteen days for the purpose of interviewing candidates for the position of City Manager."

// City Manager Kimball Payne reviewed the FY 2017-2021 Capital Improvement Program (CIP). Mr. Payne stated that the CIP is a method of planning for the effective and efficient provision of public facilities, infrastructure improvements, major maintenance requirements, and acquisition of property and equipment. The five year CIP allows an opportunity to view both the five-year capital construction and infrastructure maintenance needs of the City and the Lynchburg City Schools. One of the significant new items beginning in the FY 2017 CIP is the Greater Lynchburg Transit Company (GLTC) which includes Federal and State Grant funds for resources and capital projects. Mr. Payne also mentioned that the Pay-As-You-Go is \$1 million more in FY 2017 to provide reimbursement for Downtown Development projects. The total Proposed Five-year Capital Improvement Plan is close to \$200 million. Mr. Payne reviewed each of the CIP projects which include the following:

- Buildings – New/Active
- Transportation – New/Active
- Economic Development – New/Active
- Parks and Recreation – New/Active
- Reserves – New/Active
- Schools – New/Active
- Deferred Projects
- Airport Fund
- Water Fund
- Sewer Fund
- Stormwater Fund

The CIP is a document dedicated to a process designed to identify both the capital improvement needs and priorities of the City over a five-year period in concert with projected funding levels and City Council's Vision and Principles. Mr. Payne went on to say that actual programming of projects is dependent upon the financial resources available.

// After the CIP review several items were added to "The List:

- 2% across the board for school employees
- Funding for 25.5 new positions for Schools
- Suggested a \$250 bonus for City employees

// Vice Mayor Johnson made the announcement that Former Council Member Edward M. Barksdale passed away and funeral arrangements will be held this weekend.

// Council Member Nelson stated he had received two inquiries regarding ambulance charges. Why does it take Billings and Collection Department so long to process these charges?

// The meeting was adjourned at 5:40 P.M.

Clerk of Council

Agenda Item #5

274

April 5, 2016

// A special meeting of the Council of the City of Lynchburg was held on the 5th day of April, 2016, at 7:00 P.M. in the Council Chamber, City Hall, Ceasor Johnson, Vice President, presiding. The purpose of the meeting was to conduct a public hearing regarding the Proposed FY 2016 Budget and the 2017-2021 Capital Improvement Program. The following Members were present:

Present: Foster, Helgeson, Johnson, Perrow 4

Absent: Nelson, Tweedy, Gillette 3

// City Manager Kimball Payne provided an overview of the FY 2017 Proposed Budget totaling \$352.2 million. The General Fund expenditures of \$185.7 million is a projected increase of less than \$1 million from current year. The Proposed Budget does comply with the fiscal policies adopted by City Council. Mr. Payne stated that this Budget does not include any tax increases, however, does propose an increase in Water (4.9%) and Sewer (\$3.3%) rates. Mr. Payne further stated that issues and concerns impacting the budget include:

- Employee Compensation and Benefits
- Tax Revenues
- State Funding
- Body-Worn Cameras
- Greater Lynchburg Transit company (GLTC)
- Tourism
- Infrastructure
- Schools Funding

Mr. Payne described the Goals in balancing the Budget which are as follows:

- Continue targeted compensation adjustments for positions considerably below market
- Reserve as much as possible of the \$1.2 million General Fund Reserve for Contingencies for capital needs and
- Eliminate the use of Managed Vacancy savings to enhance end of year fund balance and provide greater future funding for pay-as-you-go capital projects.

He explained the General Fund Revenues which are projected to total \$180.4 million (i.e. Dedicated Revenue \$36.9 million and Non-Dedicated Revenue \$143.5 million), and a \$5.4 million increase compared to FY 2016 (3.1%). The Real Property Tax at 57.9 million with a \$1.4 million increase over Adopted Budget FY 2016 and the assessed are value projected to increase 1.25% due to new construction and renovations. Mr. Payne went on to say that the Capital Improvement Fund total for the Proposed Five - year Capital Improvement Plan is \$199.9 million.

// In the matter of Budget, a public hearing was held regarding City Council Report #1 pertaining to the FY 2017 Proposed Operating Budget and the FY 2017-2021 Capital Improvement Program for the City of Lynchburg, which includes funding for General, Schools, Fleet, Airport, Water, Sewer, Stormwater and Other Funds.

During the public hearing a total of 10 individuals spoke concerning the following programs:

- Two individuals spoke (Amy Gallaher and John Abell) in favor of continuing funding for the Lynchburg City Schools.
- Two individuals spoke (James Mundy and Bruce Phipps) in favor of supporting the new program Empowerment Academy in the Lynchburg City Schools.
- One individual spoke (Jim Weigand) concerning the City funding to the school system at a much higher level than what is required by the State.
- One individual spoke (Vincent Sawyer) asking City Council to consider a request for \$10,000 for a staff member for the "Healing Place" organization.
- Two individuals spoke (Patrick Arwood and Uel Hartless) to raise the priority on the road widening of Breezewood Drive project.
- One individual spoke (Don Sloan) to request a pay increase for part-time deputy sheriffs.
- One individual spoke (Melanie Thompson) expressing concern about the City's business license tax.

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

// The meeting was adjourned at 7:35 P.M.

Clerk of Council

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **April 12, 2016**

AGENDA ITEM NO.: 7

CONSENT: REGULAR: **X**

WORK SESSION:

CLOSED SESSION:
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Vacate a Portion of Rives Street**

RECOMMENDATION: After a public hearing, approve the right-of-way vacation.

SUMMARY: Spring Hill Cemetery Association, the owner of 3000 Fort Avenue and 1550 James Street, is petitioning to vacate a portion of the right-of-way known as Rives Street, between James Street and Gordon Street. The petitioner is requesting the right-of-way vacation so that the portion of the road separating two large properties can be fenced off, thus creating one contiguous area for the cemetery. The total area of the proposed vacation is approximately four hundred ninety-six thousandths (0.496) of an acre.

The City's Transportation Engineer has reviewed the traffic study and concluded that traffic safety and congestion will not be adversely impacted. In addition, if this portion of Rives Street is vacated, Gordon Street will be converted to two-way traffic to accommodate the change. Staff believes that this street vacation would have a minimal impact on the neighborhood.

City Council amended the *Future Land Use Map (FLUM)* on February 9, 2016 to reflect the intent of the cemetery to expand its current boundaries. A Conditional Use Permit would still be required for any future expansion of the cemetery.

PRIOR ACTION(S):

September 1, 2015: The Technical Review Committee [TRC] reviewed the petition. The TRC comments have been incorporated into the proposed ordinance.

November 11, 2015: The Physical Development Committee reviewed this petition and requested further study on impacts to traffic.

February 9, 2016: The *FLUM* was amended for sixty-seven (67) parcels from Low Density Residential and Medium Density Residential to Institutional use.

April 12, 2016: The Physical Development Committee will review this petition on this day.

FISCAL IMPACT: None

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

ATTACHMENT(S):

- Ordinance
- Application
- Right-of-way vacation plat
- Narrative Letter
- Right-of-way vacation map
- Rives Street Traffic Impact Study (see separate attachment)

REVIEWED BY: lkp

UNCODIFIED ORDINANCE:

AN ORDINANCE VACATING A PORTION OF RIGHT-OF-WAY KNOWN AS RIVES STREET LOCATED BETWEEN JAMES STREET AND GORDON STREET.

WHEREAS, Spring Hill Cemetery, is petitioning to vacate a portion of right-of-way known as Rives Street located between James Street and Gordon Street; and

WHEREAS, City Council finds that no public inconvenience will result from vacating the right of way;

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

PARCEL "A":

BEGINNING AT A MONUMENT FOUND AT THE INTERSECTION OF JAMES STREET AND RIVES STREET THENCE N41°27'29"W 20.00' TO A P.K. NAIL SET; THENCE N48°32'31"E 540.00' TO A P.K. NAIL SET; THENCE S41°27'29"E 20.00' TO AN IRON REBAR SET; THENCE S48°32'31"W 540.00' TO THE POINT OF BEGINNING. BEING PARCEL "A" (A PORTION OF RIVES STREET) AND CONTAINING 0.248 ACRES.

PARCEL "B":

BEGINNING AT AN IRON REBAR SET AT THE RIGHT OF WAY OF RIVES STREET AT THE INTERSECTION OF JAMES STREET AND RIVES STREET; THENCE N48°32'31"E 540.00' TO AN IRON REBAR SET; THENCE S41°27'29"E 20.00' TO A P.K. NAIL SET; THENCE S48°32'31"W 540.00' TO AN P.K. NAIL; THENCE N41°27'29"W 20.00' TO THE POINT OF BEGINNING. BEING PARCEL "B" (A PORTION OF RIVES STREET) AND CONTAINING 0.248 ACRES.

Said property contains 0.496 acres more or less.

Said vacation is contingent upon the following: (1) Spring Hill Cemetery shall execute the necessary documents to dedicate utility easements for American Electric Power (AEP) and Verizon; (2) the failure of Spring Hill Cemetery to dedicate utility easements for American Electric Power (AEP) and Verizon within six months of the adoption of this resolution shall render the vacation of the above described portion of Rives Street null and void; (3) that an easement to locate, relocate, repair, replace, maintain and perpetually operate all utilities currently located therein or needed by the City in the future is hereby reserved unto the City of Lynchburg; and (4) the construction of any building or structure or the use of the vacated property in any manner that could interfere with the City's right to locate, relocate, repair, replace, maintain and perpetually operate utilities is prohibited without the prior written approval of the City Manager's Office, City Utilities Division and the City Engineering Division.

BE IT FURTHER ORDAINED that the City of Lynchburg relinquishes any interest it may have in the vacated right of way to Spring Hill Cemetery, that the Clerk of Council is hereby authorized and directed to deliver a duly certified copy of this ordinance to the Clerk of the Circuit Court for the City of Lynchburg so that said certified copy of this ordinance may be recorded as deeds are recorded and indexed in the name of the City of Lynchburg.

Adopted:

Certified:

Clerk of Council

APPLICATION FOR THE VACATION OF A

RIVES STREET

Lynchburg, Virginia

LOCATED BETWEEN

Gordon and James Streets

The undersigned applicant, Spring Hill Cemetery Association, pursuant to the provisions of Section 15.2-2006 of the Code of Virginia, 1950, as amended, and Section 35-71 through Section 35-77 of the City Code, 1981, as amended, respectfully makes application to the Lynchburg City Council for the vacation of that certain Rives Street described as follows:

Portion of Rives Street as follows:

Beginning at a monument found at the intersection of James Street and Rives Street thence N41°27'29"W 20.00' to a p.k. Nail set; thence W48°32'31"E 540.00' to a p.k. Nail set; thence S41°27'29"E 20.00' to an iron rebar set; thence S48°32'31"W 540.00' to the point of beginning. Being parcel "A" (a portion of Rives Street) and containing 0.248 acres.

Beginning at an iron rebar set at the right of way of Rives Street at the intersection of James Street and Rives Street; thence N48°32'31"E 540.00' to an iron rebar set; thence S41°27'29"E 20.00' to a p.k. nail set; thence S48°32'31"W 540.00' to an p.k. nail; thence N41°27'29"W 20.00' to the point of beginning. Being parcel "B" (a portion of Rives Street) and containing 0.248 acres.

The applicant further requests the Lynchburg City Council to hold a public hearing on this application at its meeting to be held in the Council Chambers, City Hall, 900 Church Street, Lynchburg, Virginia, on December 8, 2015, at 7:30 p.m., or as soon thereafter as the matter may be heard, and at the conclusion of which to consider whether or not to vacate the above described Rives Street.

The applicant further requests the Lynchburg City Council to hold a public hearing on this application at its meeting to be held in the Council Chambers, City Hall, 900 Church Street, Lynchburg, Virginia, on December 8, 2015, at 7:30 p.m., or as soon thereafter as the matter may be heard, and at the conclusion of which to consider whether or not to vacate the above described Rives Street.

Given under my hand this 18 day of August, 2015.

Spring Hill Cemetery

Applicant

3000 Fort Avenue, Lynchburg, VA 24501

Address

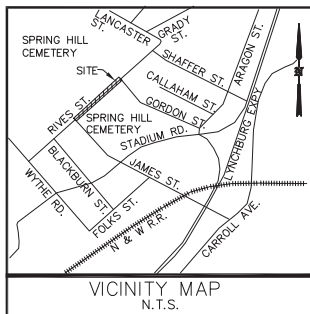
434-846-0801

Telephone Number

WE, THE ADJOINING PROPERTY OWNER(S), ARE IN AGREEMENT TO THE VACATION OF THE ABOVE DESCRIBED PROPERTY:

T. Ashby Watts III
T. Ashby Watts III (President)

8/18/15
Date



LEGAL DESCRIPTION: PARCEL "A"

BEGINNING AT A MONUMENT FOUND AT THE INTERSECTION OF JAMES STREET AND RIVES STREET THENCE N41°27'29"W 20.00' TO A P.K. NAIL SET; THENCE N48°32'31"E 540.00' TO A P.K. NAIL SET; THENCE S41°27'29"E 20.00' TO AN IRON REBAR SET; THENCE S48°32'31"W 540.00' TO THE POINT OF BEGINNING, BEING PARCEL "A" (A PORTION OF RIVES STREET) AND CONTAINING 0.248 ACRES.

LEGAL DESCRIPTION: PARCEL "B"

BEGINNING AT AN IRON REBAR SET AT THE RIGHT OF WAY OF RIVES STREET AT THE INTERSECTION OF JAMES STREET AND RIVES STREET; THENCE N48°32'31"E 540.00' TO AN IRON REBAR SET; THENCE S41°27'29"E 20.00' TO A P.K. NAIL SET; THENCE S48°32'31"W 540.00' TO AN P.K. NAIL; THENCE N41°27'29"W 20.00' TO THE POINT OF BEGINNING, BEING PARCEL "B" (A PORTION OF RIVES STREET) AND CONTAINING 0.248 ACRES.

TM# 01201001
45 ACRES
SPRING HILL CEMETERY
ASSOCIATION
D.B. 30 P. 293
D.B. 33 P. 206

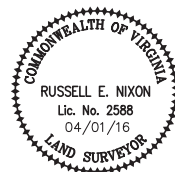
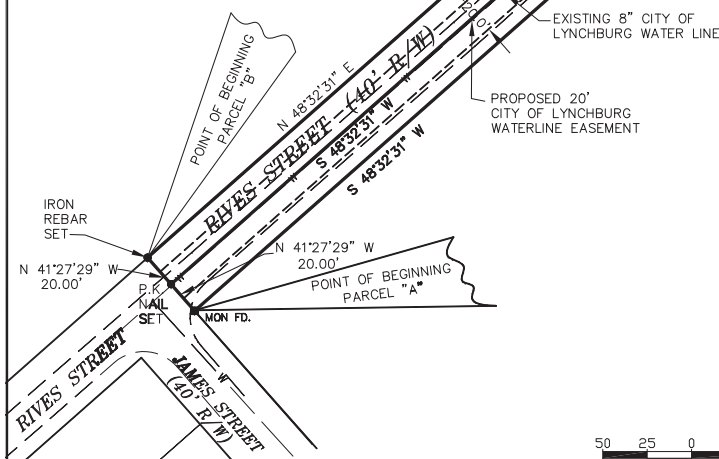
TM# 02801001
6.337 ACRES
SPRING HILL CEMETERY
ASSOCIATION
D.B. 126 P. 298

TM# 02736060
SPRING HILL CEMETERY
ASSOCIATION
D.B. 202 P. 462

TM# 02736061
SPRING HILL CEMETERY
ASSOCIATION
D.B. 282 P. 462

TM# 02736063
SPRING HILL CEMETERY
ASSOCIATION
D.B. 282 P. 462

TM# 02736001
SPRING HILL CEMETERY
ASSOCIATION
INSTR.NO. 130004747



REV. 04/01/16
REV. 03/31/16

NOTE:

- CEMETERY GATES SHALL BE LOCATED A MINIMUM OF 25' FROM THE TWO ENDS OF THE REMAINING RIVES STREET RIGHT-OF-WAY.
- NOTE THAT NO GRAVES AND NO PERMANENT STRUCTURES WILL BE INSTALLED WITHIN WATER LINE EASEMENT.

SURVEYED FOR:

Nixon Land Surveying, L.L.C.
1063C Airport Road
Lynchburg, VA 24502
Phone: (434) 237-3600
Fax: (434) 237-0699

Email: ren@nixonlsec.com
www.nixonlsec.com

DO NOT MOVE AN ANCIENT BOUNDARY STONE OR ENCRONCH ON THE FIELDS OF THE FATHERLESS, PROVIDING FOOD ONLY

SPRING HILL CEMETERY ASSOCIATION

PLAT SHOWING PROPOSED STREET VACATION OF A PORTION OF RIVES STREET FOR SPRING HILL CEMETERY ASSOCIATION

CITY OF LYNCHBURG, VIRGINIA

COMM. NO.: 2015197	REVISED: 10/27/15
SCALE: 1"=50'	DR. BY: VPB DATE: 08/14/15
SHEET: 1 OF 1 CHK. BY: REN DRW. NME. SUBD2	



October 28, 2015

Rachel Frischeisen – Planner 1
Department of Community Development
900 Church Street
Lynchburg, Virginia 24504

Re: Rives Street Vacation

Dear Ms. Fischeisen:

On behalf of the Association, I want to thank you for taking the time to meet yesterday.

As you suggested, I have briefly commented on the history of recent acquisitions of neighboring properties by the Association, past meetings with city employees regarding the CSO work in the area and, lastly, the Association's concerns regarding the traffic on Rives Street. Please note the following comments:

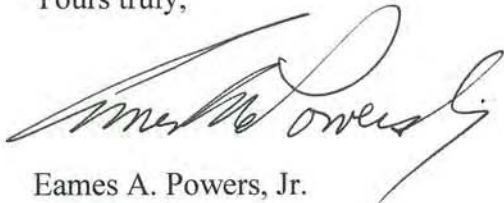
Spring Hill Cemetery Association over the past twenty five years has been actively purchasing the neighboring properties on Callaham Street, Gordon Street, James Street, Blackburn Street and Wythe Road for the purpose of expanding the cemetery. To date, the Association has purchased 33 of these properties leaving 12 properties remaining to be acquired. Currently, of the 31 improved properties purchased in the area, 22 dwellings have been demolished with the remaining 9 rented. It is the Association's intention in the future to demolish all dwellings in the expansion area and convert the land into cemetery.

On May 4, 2009, Eames Powers, Secretary/Treasurer of Spring Hill Cemetery Association, met with Jeff Scarano, P.E., City of Lynchburg and G. Keith Thompson, Jr., P.E., Wiley and Wilson to discuss CSO Project #16.3 and to relay the Association's plans for future expansion. It was agreed that the impact of this knowledge would prompt a review of the proposed design. It would be a cost savings to the City not to have to spend money on infrastructure that, in the near future, would be of no use. On February 7, 2012, Eames Powers met with James S. Talian, P.E., City of Lynchburg to review the Association's plans for expansion and the impact that it might have on the implementation of the CSO project. As a result of the meeting, Mr. Talian indicated that Phase B of the project, which affected the areas of James Street and Blackburn Street, would be reviewed to determine if the proposed work was needed.

Finally, Rives Street from Shaffer Street to Wythe Road is fronted on both sides (east and west) by the property of Spring Hill Cemetery Association, except for the two properties located at the corner of Rives Street and Blackburn Street. A large amount of the vehicular traffic on Rives Street passes up and down the street at a high rate of speed, which poses an unsafe condition for the employees of the Association, who must use the street for access to the existing cemetery grounds, as well as, to the families who are visiting the cemetery and must cross the street to get from the western part to the eastern part of the cemetery. Rives Street does not serve the needs of the immediate neighbors, and by closing it to thru traffic a hazardous condition can be eliminated. The proposed vacation of this portion of Rives Street will benefit the City of Lynchburg by reducing the cost of street maintenance and the elimination of an unsafe traffic pattern; and will benefit Spring Hill Cemetery Association by allowing it to join the divided grounds.

I hope these comments have provided you with some background information on the activities of the Association and our intentions. Please feel free to contact me or Proctor Harvey if we can be of further assistance.

Yours truly,

A handwritten signature in cursive script, appearing to read "Eames A. Powers, Jr.", written in dark ink.

Eames A. Powers, Jr.
Secretary/Treasurer
Spring Hill Cemetery Association

Cc Proctor S. Harvey



MEMORANDUM

TO: EAMES A. POWERS, JR.

FROM: BILL WUENSCH, P.E., PTOE

ORGANIZATION: SPRING HILL CEMETERY

DATE: MARCH 21ST, 2016

PHONE NUMBER:

SENDER'S REFERENCE NUMBER:

RE: RIVES ROAD TRAFFIC IMPACT STUDY

YOUR REFERENCE NUMBER:

☐ URGENT☒ FOR YOUR USE☐ PLEASE COMMENT☐ PLEASE REPLY☐ PLEASE RECYCLE

Rives Road Traffic Impact Study

1. Study Purpose

Spring Hill Cemetery is working with the City to vacate the right-of-way of Rives Street between James Street and Gordon Street such that Spring Hill Cemetery can take ownership of that section of the road and thereby begin to make the cemetery property contiguous across Rives Street. This is the first phase, and eventually, as Spring Hill Cemetery continues to expand, additional sections of Rives Road will be closed. **Figure 1** and **Figure 2** illustrate the vicinity and the location of this first phase of the project

The purpose of this study is to assess the impacts to the existing traffic flow and potential impacts to the adjacent streets that will in the future need to potentially handle additional traffic due to this first section of Rives Road becoming discontinuous.

2. Study Methodology

The methodology of this traffic impact study includes:

- Perform tube counts on Rives Street between James Street and Gordon Street to collect hourly traffic volumes;
- Perform manual observations in morning, mid-day, and afternoon peak hours (6 hours) to analyze the travel pattern;
- Map the travel pattern in peak hours;
- Estimate the traffic reassignment in peak hours;
- Compute the traffic volume changes in peak hours and extrapolate a projection for the daily volume shift (average daily traffic).

3. Hourly Traffic Volumes

Tube counts were performed on Rives Street between James Street and Gordon Street to collect hourly traffic volumes for both directions on March 1st – March 3rd 2016 (Tuesday – Thursday). **Figure 3** illustrates the existing hourly traffic volumes. The tube count summary sheets are included in **Appendix A**.

4. Travel Pattern

A travel pattern analysis for the traffic passing Rives Street between James Street and Gordon Street was performed by manual observations in morning, mid-day, and afternoon peak hours (6 hours) with the fieldwork sheets as attached in **Appendix B**. The fieldwork was performed March 3rd 2016 (Thursday) and the fieldwork results are attached in **Appendix C**. **Figures 4-9** illustrate the travel pattern of the traffic passing Rives Street between James Street and Gordon Street in the peak hours.

5. Traffic Reassignment

When Rives Street is closed between James Street and Gordon Street, the reassignment of the traffic passing Rives Street between James Street and Gordon Street was examined route by route, and the travel pattern as shown in Figures 4-9 was reassigned based on the new road network (note that Gordon Street will be a two-way road in the new road network). **Figures 10-15** illustrate the new travel pattern in the peak hours when Rives Street is closed between James Street and Gordon Street. As a conservative approach, it was assumed that traffic turning onto the sidestreets from Rives Street, or originating from the sidestreets onto Rives Street, actually started at the far end of the side street. (i.e. did not have a destination on the sidestreet). It was not possible to discern which vehicles actually had a destination on the sidestreet, so to estimate a worst case scenario it was assumed that they were all just passing through that sidestreet and not stopping. The final re-assignments reflect this assumption.

6. Peak Hour Traffic Volume Changes

The computation of the traffic volume changes were based on existing and future new travel patterns. The traffic volumes of the existing travel pattern (street directionality) were recorded, and consideration was given to the ability to use Gordon Street as two way travel in the future. **Figures 16-21** illustrate the traffic volume changes in the peak hours.

7. Average Daily Traffic Volume Changes

The changes of the average daily traffic volumes were estimated based on the traffic volume changes in the 6 peak hours and the percentage of the traffic volumes in these 6 peak hours compared to the average daily traffic volumes. **Figure 22** illustrate the traffic volume changes for the average daily traffic volumes.

8. Findings and Conclusions

Based on the analysis performed above in this study, the existing traffic flow passing Rives Street between James Street and Gordon Street will shift primarily to utilize Wythe Road, Stadium Road, Aragon Street, and Gordon Street. Additionally, motorists may choose to remain on Fort Avenue and utilize Lancaster Street to destinations on Grady, Watts, or Shaffer Streets (and vice-a-versa). This potential additional diversion route could further reduce the volumes shown in the reassignment graphics. Estimating that 80 of the 302 trips originate in the Grady / Watts area, then if half of these choose to divert via Lancaster then we could reduce 302 by 40 trips to approximately 260 trips.

Per **Figures 16-21**, we are estimating that the peak hour traffic volumes might increase on Wythe Road, Stadium Road, Aragon Street, and Gordon Street, and decrease on Rives Street, Blackburn Street, James Street, and Shaffer Street. This decrease of sidestreet traffic may be a little overstated per the prior described assumption about future traffic.

Per **Figure 22**, we are estimating that the average daily traffic volumes might increase 156 on Wythe Road between Rives Street and Stadium Road (2% compared to the existing 8,500 average daily traffic volumes on Wythe Road), 180 on Stadium Road between Wythe Road and Blackburn Street (3% compared to the existing 5,700 average daily traffic volumes on Stadium Road), 202 on Stadium Road between Blackburn Street and James Road (4% compared to the existing 5,700 average daily traffic volumes on Stadium Road), 302* on Stadium Road between James Road and Aragon Street Road (5% compared to the existing 5,700 average daily traffic volumes on Stadium Road), 302 on Aragon Street between Stadium Road and Gordon Street, 85 on Aragon Street between Gordon Street and Callaham Street, 83 on Aragon Street between Callaham Street and Shaffer Street, and 192 on Gordon Street between Aragon Street and Rives Street.

*Note: the 302 vehicles on Stadium Road could be further reduced based on an assumption that many of these trips are actually headed towards the expressway. Our data collection effort could not discern trip patterns once on Stadium Road, so to be very conservative in our estimate we assigned the full 302 vehicles onto Stadium Road heading towards Fort Avenue.

The final conclusion of this study is that, overall, these hourly and daily traffic numbers are relatively small. It appears, based on comparison of existing daily traffic counts, that each of the impacted roadways have sufficient capacity to absorb the anticipated shift in traffic volumes without experiencing additional congestion or safety concerns.

End of Memorandum

Attachments –

Figures

Figure 1 Project Vicinity
Figure 2 Project Location
Figure 3 Hourly Traffic Volumes
Figure 4 7AM-8AM Travel Pattern
Figure 5 8AM-9AM Travel Pattern
Figure 6 11AM-12PM Travel Pattern
Figure 7 12PM-1PM Travel Pattern
Figure 8 4PM-5PM Travel Pattern
Figure 9 5PM-6PM Travel Pattern
Figure 10 7AM-8AM Traffic Reassignment
Figure 11 8AM-9AM Traffic Reassignment
Figure 12 11AM-12PM Traffic Reassignment
Figure 13 12PM-1PM Traffic Reassignment
Figure 14 4PM-5PM Traffic Reassignment
Figure 15 5PM-6PM Traffic Reassignment
Figure 16 7AM-8AM Traffic Volume Changes
Figure 17 8AM-9AM Traffic Volume Changes
Figure 18 11AM-12PM Traffic Volume Changes
Figure 19 12PM-1PM Traffic Volume Changes
Figure 20 4PM-5PM Traffic Volume Changes
Figure 21 5PM-6PM Traffic Volume Changes
Figure 22 Average Daily Traffic Volume Changes

Appendix

Appendix A Tube Count Summary Sheets
Appendix B Manual Observation Fieldwork Sheets
Appendix C Manual Observation Fieldwork Results

Figure 1 Project Vicinity



Figure 2 Project Location



Figure 3 Hourly Traffic Volumes



Figure 4 7AM-8AM Travel Pattern

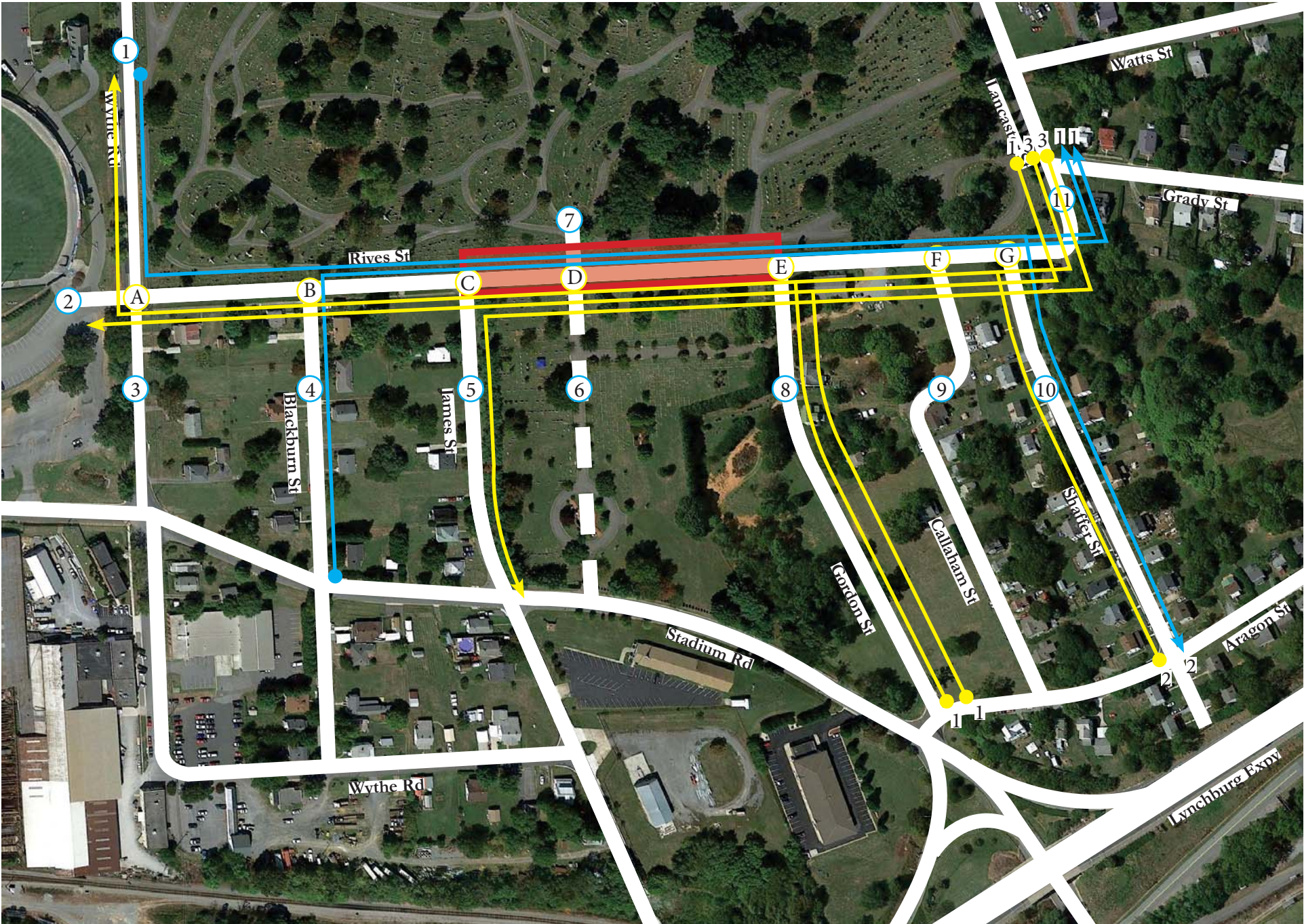


Figure 5 8AM-9AM Travel Pattern

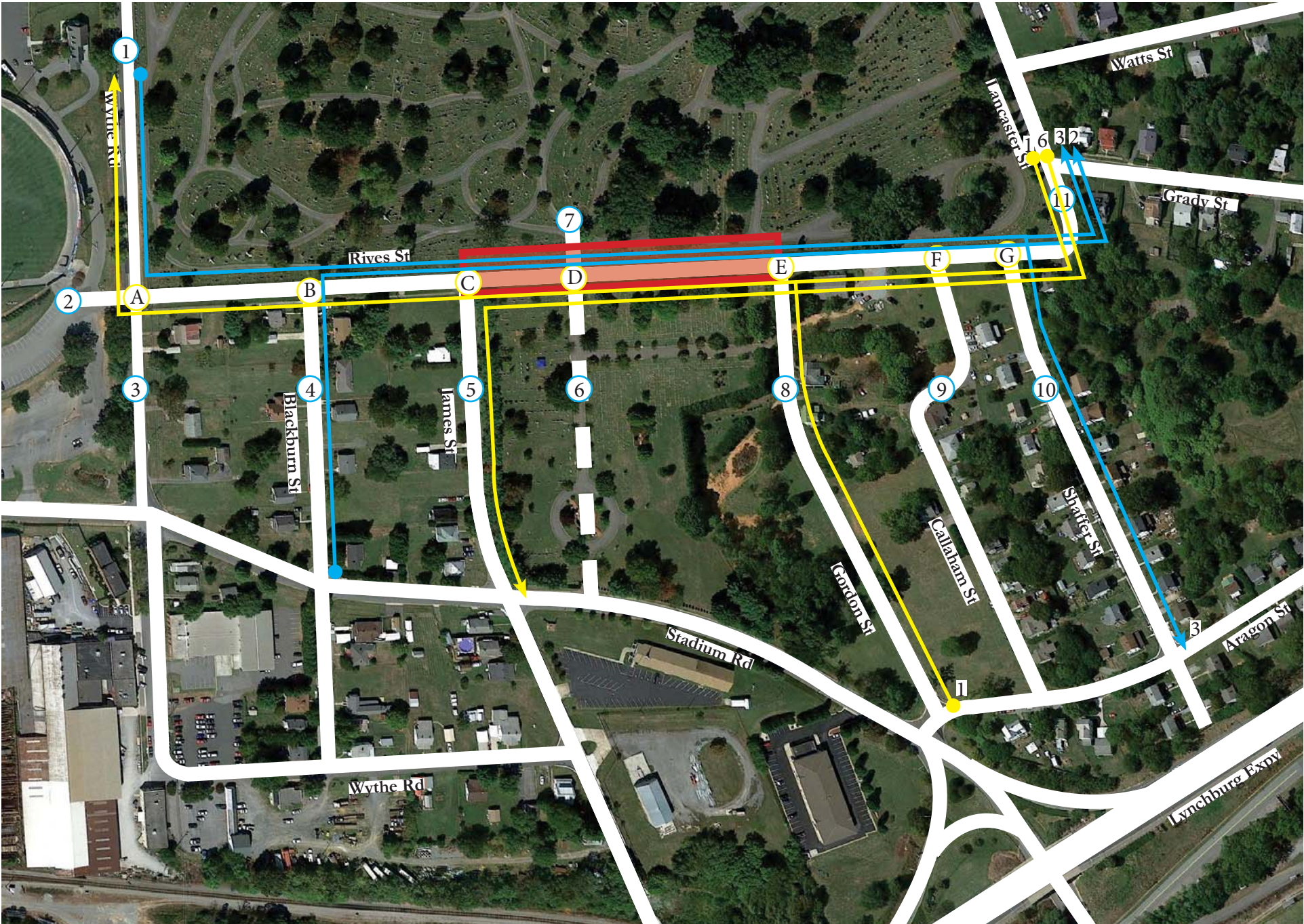


Figure 6 11AM-12PM Travel Pattern

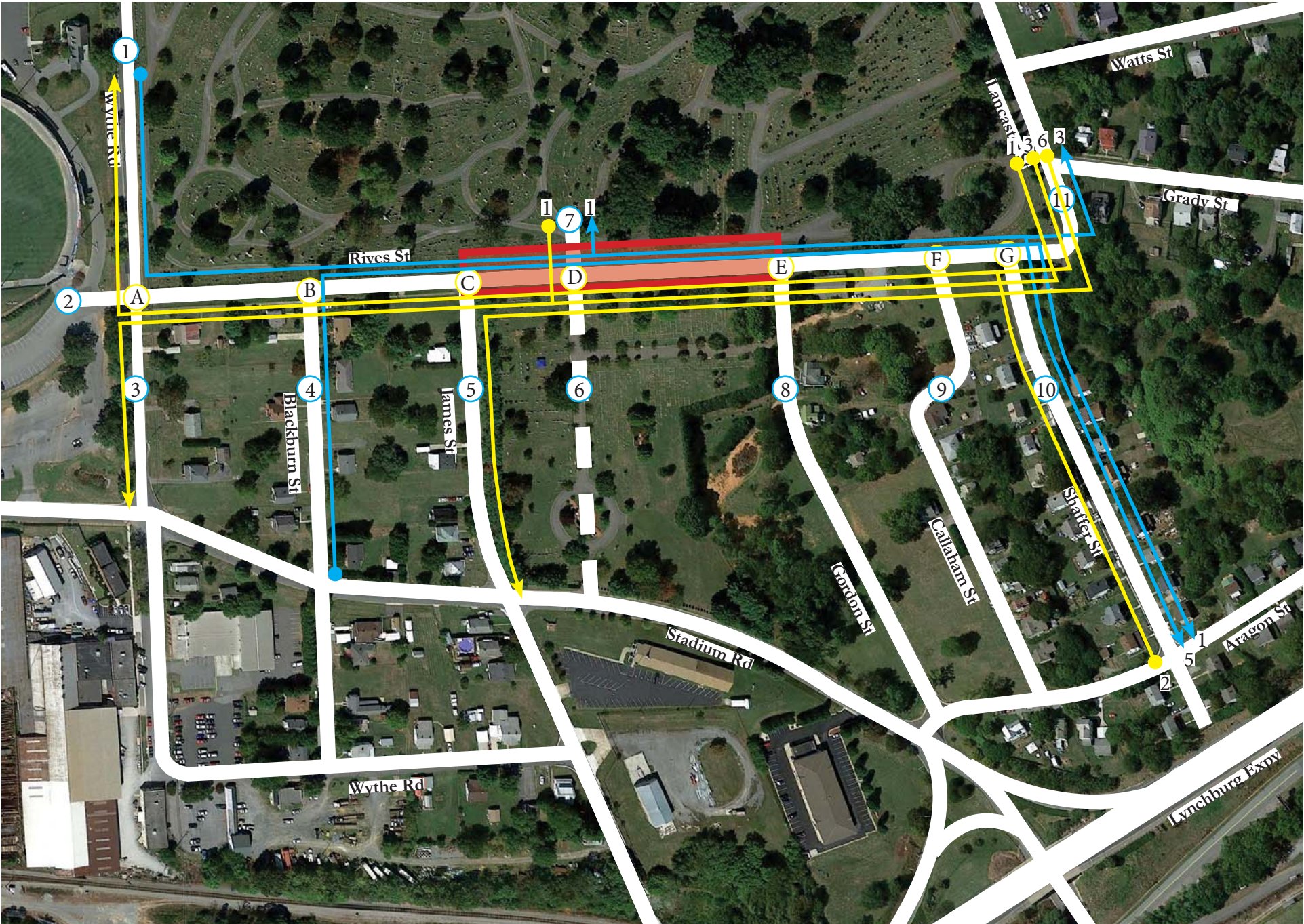


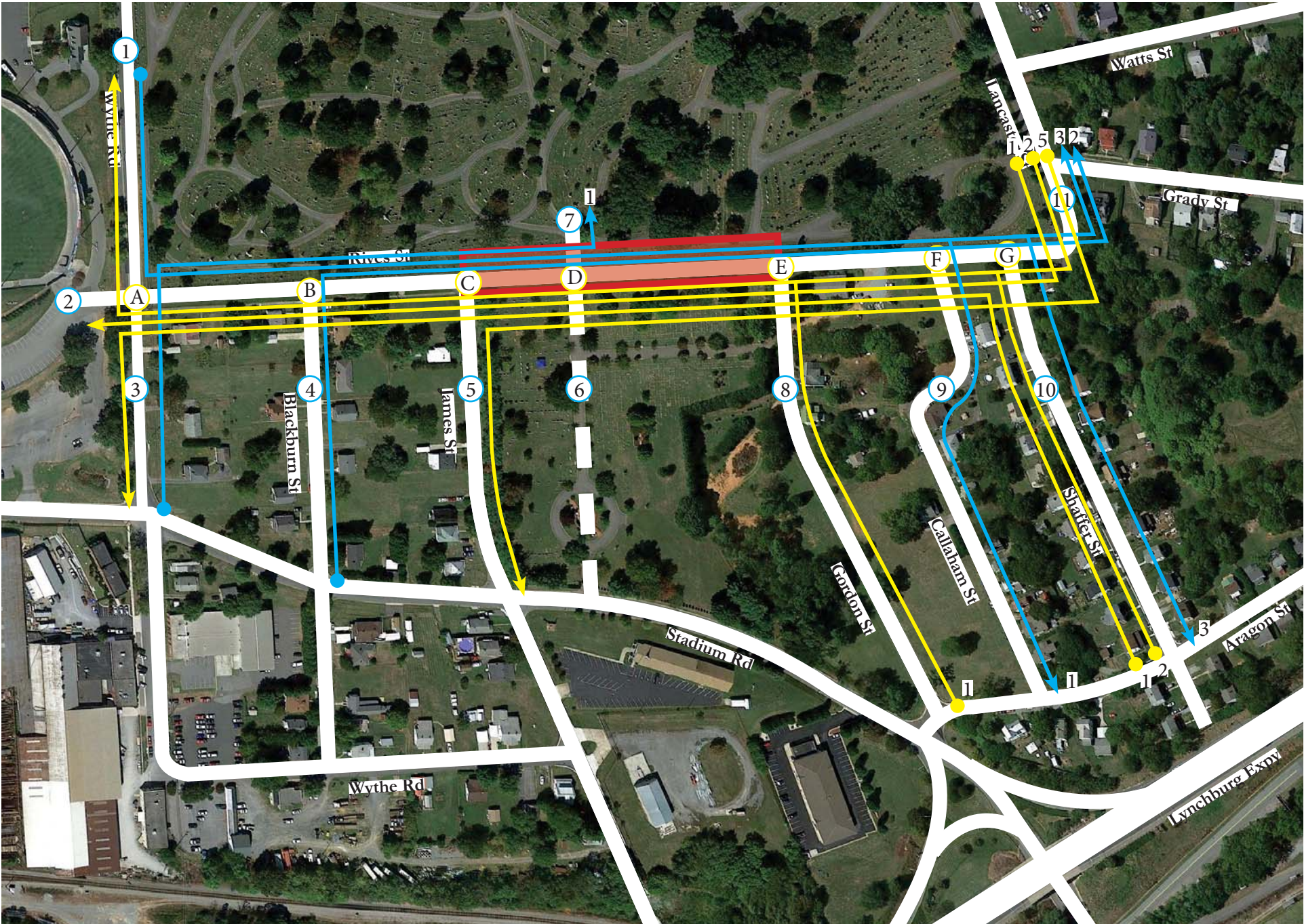
Figure 7 12PM-1PM Travel Pattern



Figure 8 4PM-5PM Travel Pattern



Figure 9 5PM-6PM Travel Pattern



This aerial map illustrates a network of movement paths between 11 numbered points (1-11) located in a residential neighborhood. The paths are color-coded: yellow lines represent one set of routes, and blue lines represent another. The red rectangular area highlights a specific zone between Rives St and Wythe Rd, spanning from Blackburn St to Calaham St. The paths show a complex web of connections, with many routes converging at point 11 near the intersection of Calaham St and Aragon St. Street names visible include Wythe Rd, Blackburn St, James St, Rives St, Watts St, Grady St, Calaham St, Slater St, Aragon St, and Lynchburg Blvd. A large parking lot is situated at the bottom center of the map.

Figure 11 8AM-9AM Traffic Reassignment

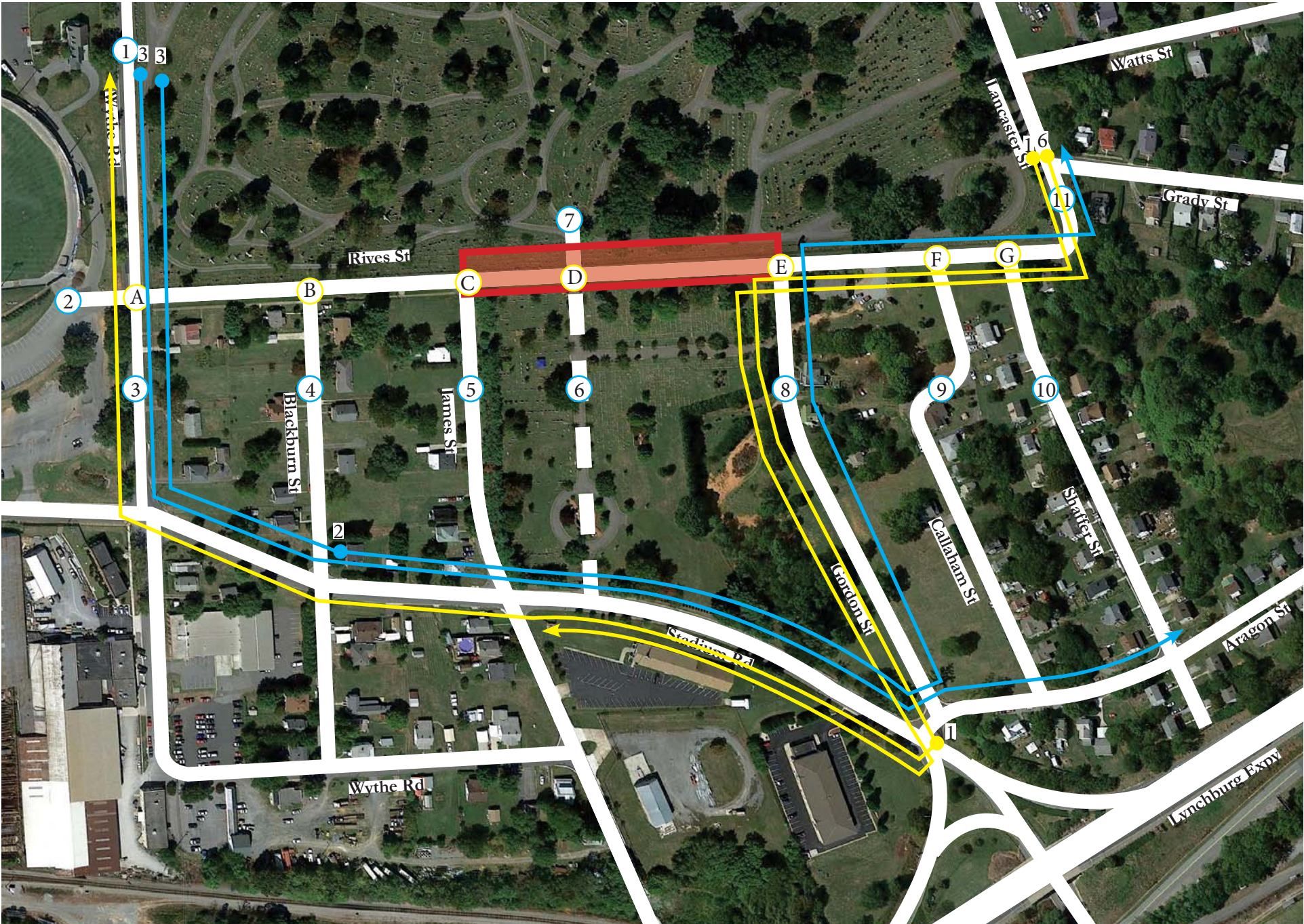


Figure 12 11AM-12PM Traffic Reassignment

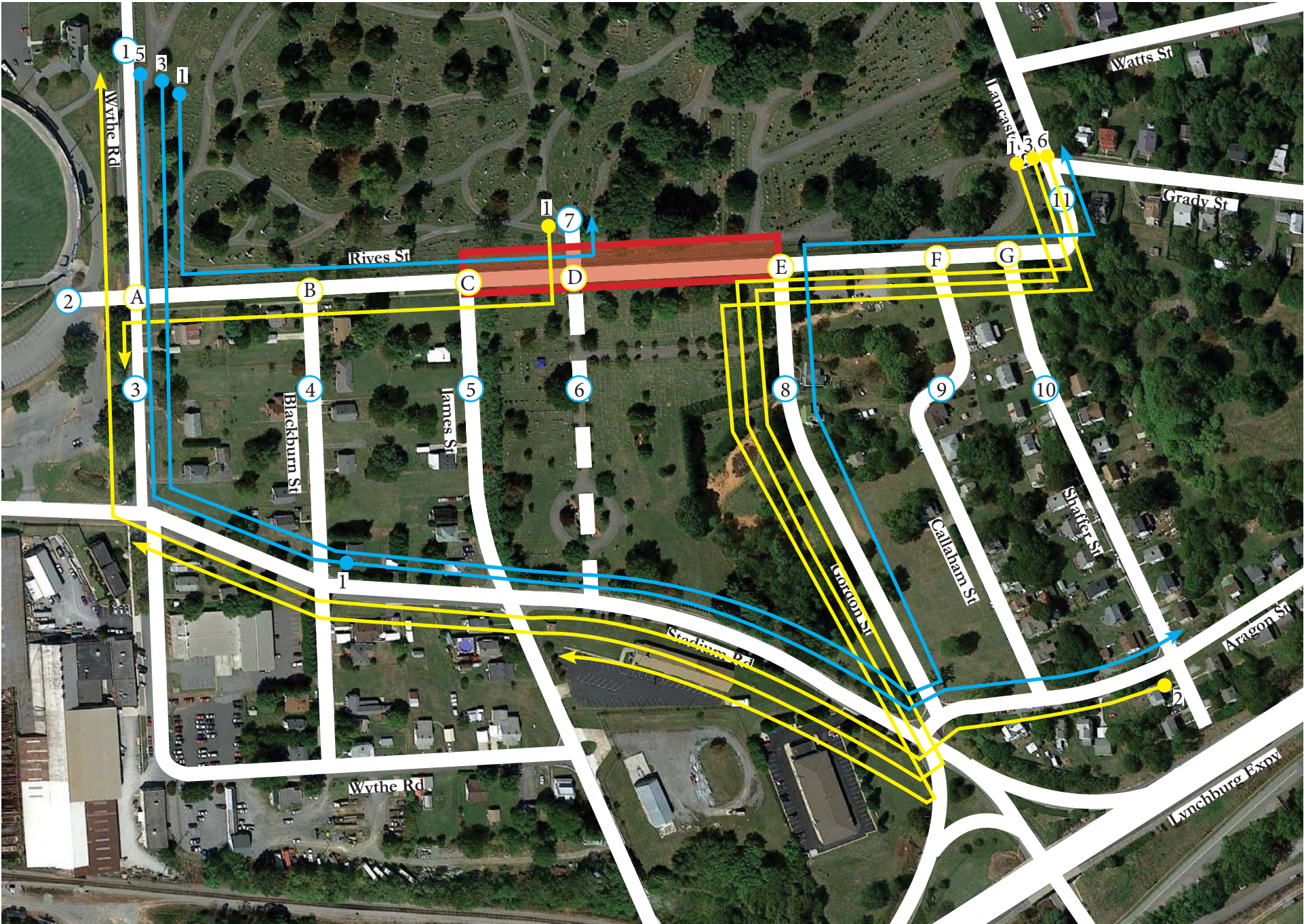


Figure 13 12PM-1PM Traffic Reassignment

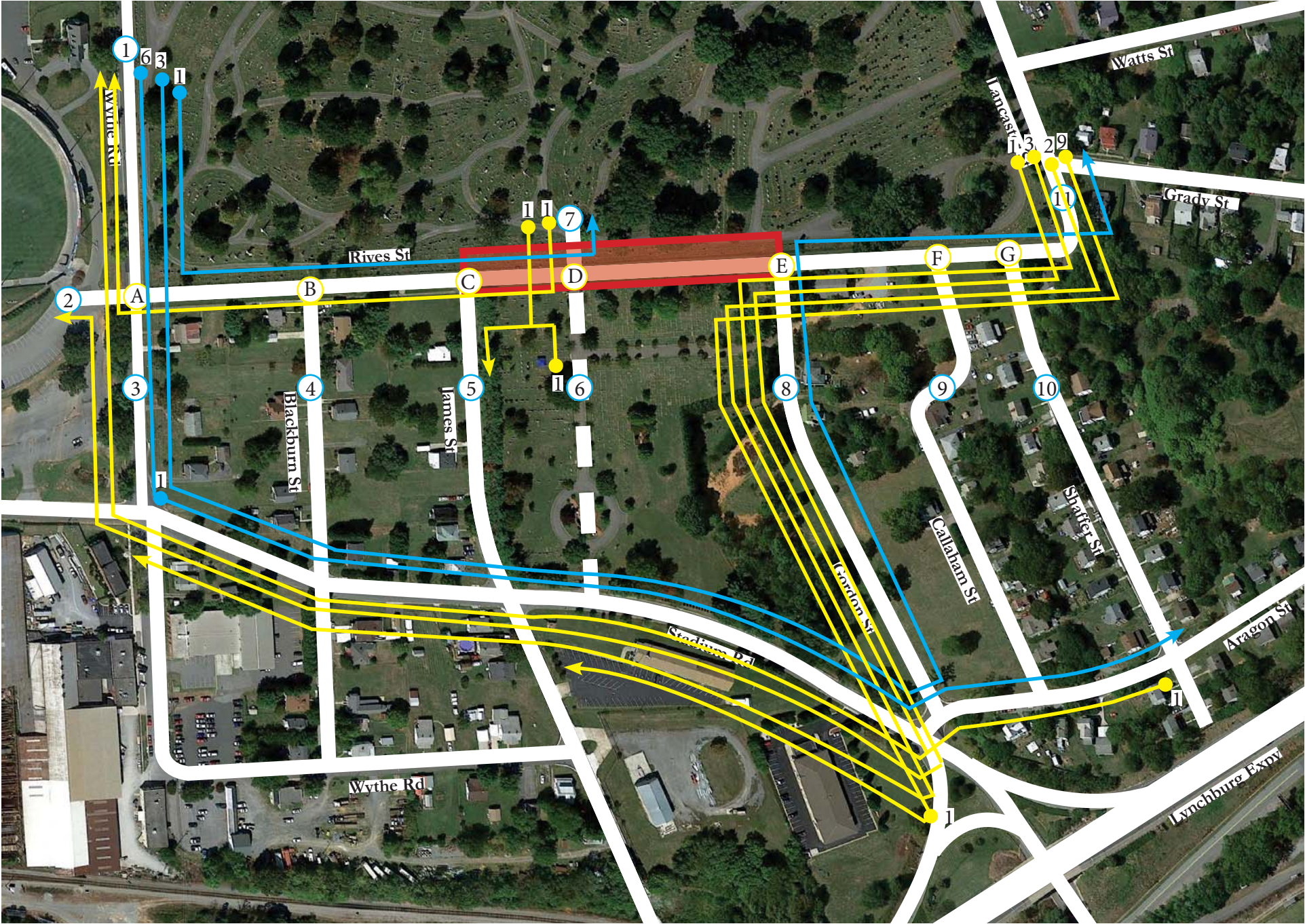


Figure 15 5PM-6PM Traffic Reassignment

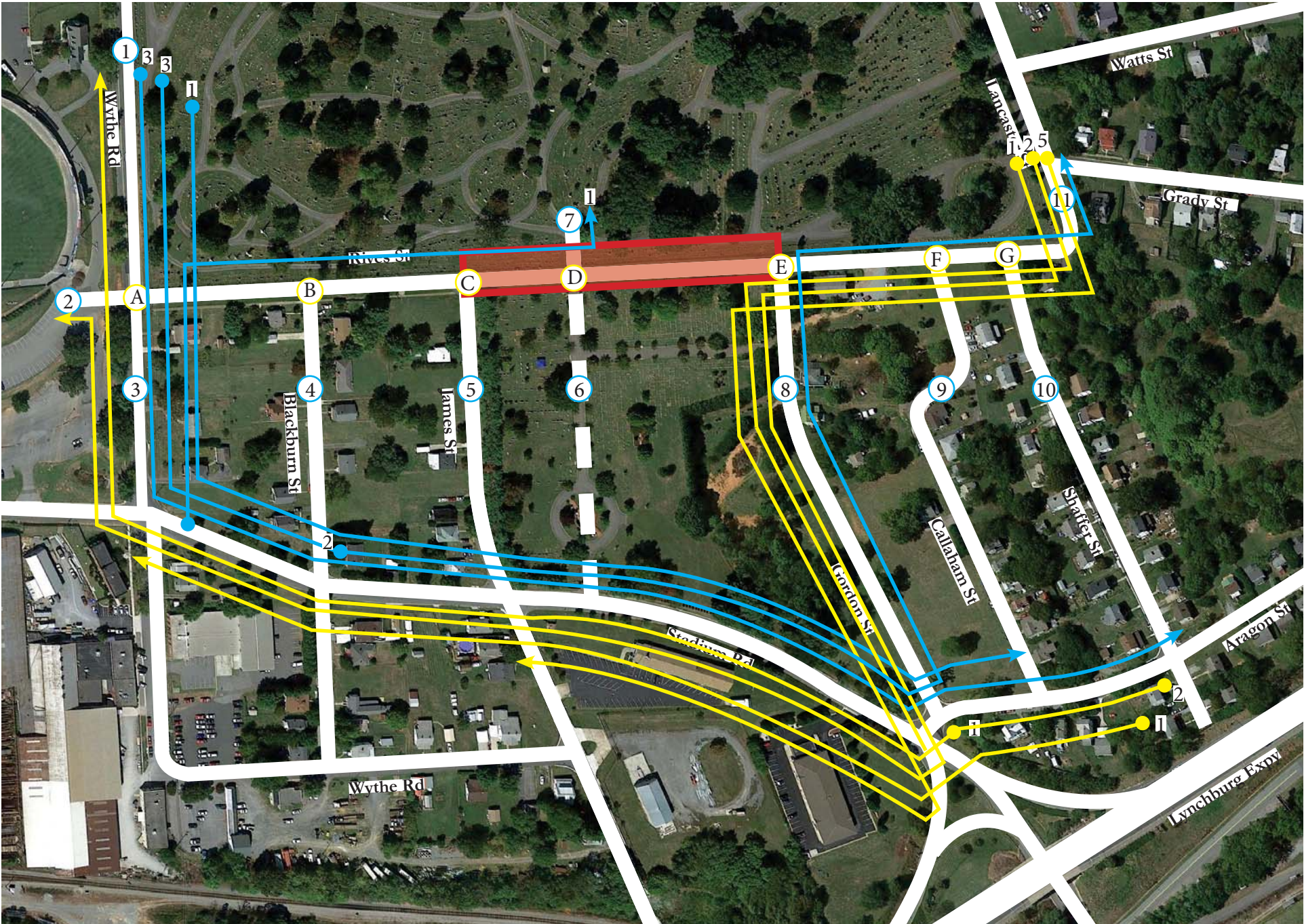


Figure 16 7AM-8AM Traffic Volume Changes

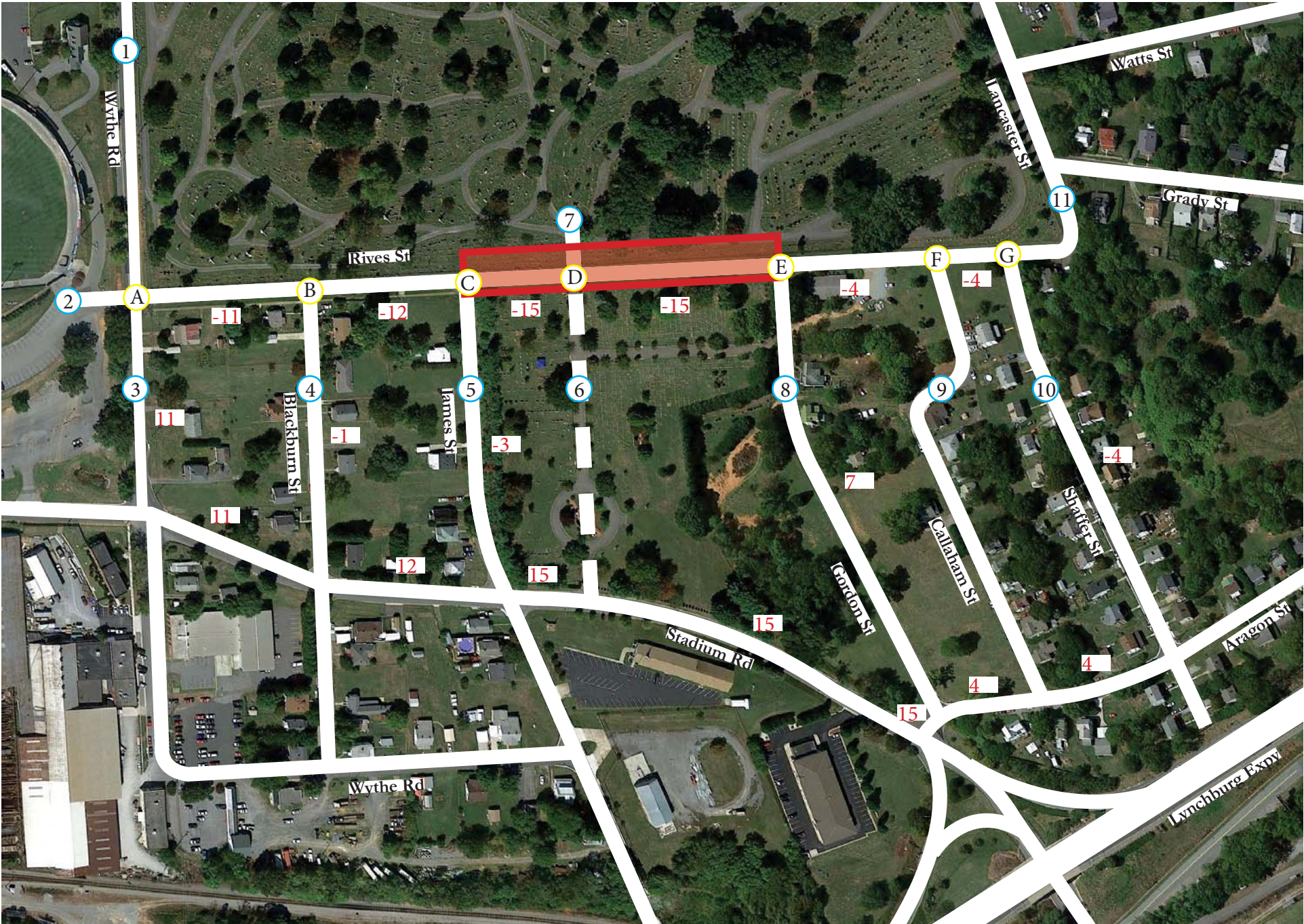


Figure 17 8AM-9AM Traffic Volume Changes



Figure 18 11AM-12PM Traffic Volume Changes



This aerial map shows a residential neighborhood with a red rectangular area highlighted. The highlighted area is located on Rives St, between points C and E. The map includes several streets: Wythe Rd, Rives St, Blackburn St, James St, Stadium Rd, Gordon St, Callahan St, Shafter St, Aragon St, and Lyncburg Blvd. A red rectangle highlights a section of Rives St between points C and E. Various numbers are scattered across the map, some in red boxes and some in blue circles. Points A, B, C, D, E, F, and G are marked along the top edge of the red rectangle.

Location	Value
Point A	2
Point B	4
Point C	5
Point D	6
Point E	8
Point F	9
Point G	10
Wythe Rd (Top Left)	1
Wythe Rd (Bottom Left)	3
Rives St (Top Center)	7
Stadium Rd (Bottom Center)	27
Gordon St (Bottom Right)	27
Callahan St (Bottom Right)	8
Shafter St (Bottom Right)	8
Aragon St (Bottom Right)	8
Lyncburg Blvd (Bottom Right)	27
Blackburn St (Left)	11
James St (Left)	10
Wythe Rd (Left)	17
Rives St (Left)	17
Stadium Rd (Left)	17
Gordon St (Left)	17
Callahan St (Left)	17
Shafter St (Left)	17
Aragon St (Left)	17
Lyncburg Blvd (Left)	17
Blackburn St (Right)	17
James St (Right)	17
Wythe Rd (Right)	17
Rives St (Right)	17
Stadium Rd (Right)	17
Gordon St (Right)	17
Callahan St (Right)	17
Shafter St (Right)	17
Aragon St (Right)	17
Lyncburg Blvd (Right)	17

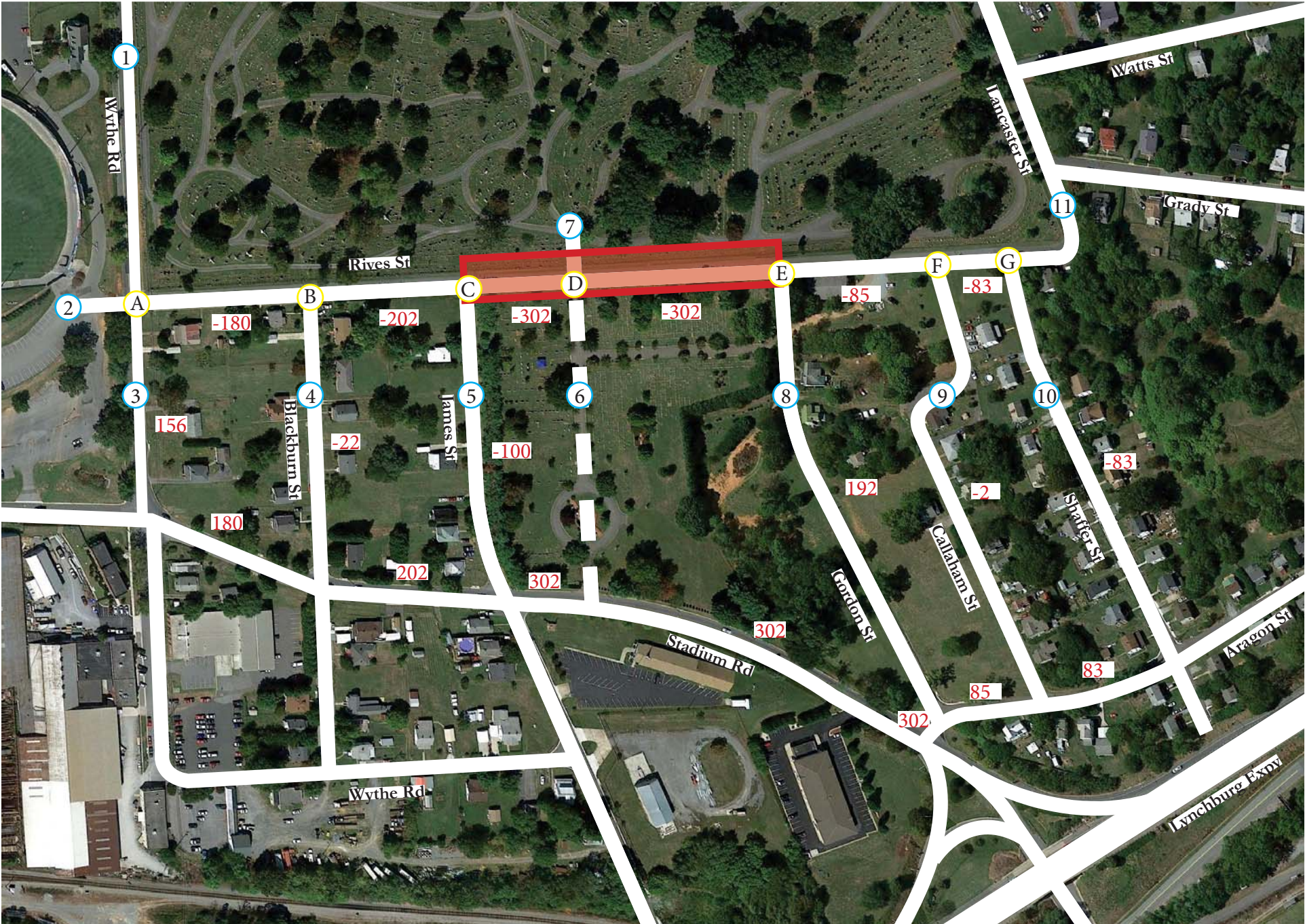
Figure 20 4PM-5PM Traffic Volume Changes



Figure 21 5PM-6PM Traffic Volume Changes



Figure 22 Average Daily Traffic Volume Changes





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Appendices



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Appendix A
Tube Count Summary Sheets

Site Code: 1

Station ID:

Rives, bw James and Cemetery Entrance

Direction = Away from James

Latitude: 0' 0.0000 Undefined

Start Time	29-Feb-16		Tue		Wed		Thu		Fri		Sat		Sun		Week Average	
	NE	Direction	NE	Direction	NE	Direction	NE	Direction	NE	Direction	NE	Direction	NE	Direction	NE	Direction
12:00 AM	*	*	1	0	2	0	4	0	*	*	*	*	*	*	2	0
01:00	*	*	0	0	1	0	1	0	*	*	*	*	*	*	1	0
02:00	*	*	0	0	0	0	1	0	*	*	*	*	*	*	0	0
03:00	*	*	0	0	0	0	1	0	*	*	*	*	*	*	0	0
04:00	*	*	0	0	2	0	1	0	*	*	*	*	*	*	1	0
05:00	*	*	1	0	1	0	1	0	*	*	*	*	*	*	1	0
06:00	*	*	4	0	4	0	6	0	*	*	*	*	*	*	5	0
07:00	*	*	7	0	2	0	4	0	*	*	*	*	*	*	4	0
08:00	*	*	11	0	8	0	8	0	*	*	*	*	*	*	9	0
09:00	*	*	6	0	8	0	4	0	*	*	*	*	*	*	6	0
10:00	*	*	7	0	12	0	12	0	*	*	*	*	*	*	10	0
11:00	8	0	9	0	9	0	10	0	*	*	*	*	*	*	9	0
12:00 PM	10	0	12	0	8	0	11	0	*	*	*	*	*	*	10	0
01:00	7	0	14	0	13	0	16	0	*	*	*	*	*	*	12	0
02:00	11	0	12	0	15	0	11	0	*	*	*	*	*	*	12	0
03:00	8	0	13	0	14	0	11	0	*	*	*	*	*	*	12	0
04:00	13	0	10	0	11	0	3	0	*	*	*	*	*	*	9	0
05:00	12	0	8	0	14	0	10	0	*	*	*	*	*	*	11	0
06:00	10	0	16	0	7	0	*	*	*	*	*	*	*	*	11	0
07:00	9	0	5	0	2	0	*	*	*	*	*	*	*	*	5	0
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09:00	8	0	8	0	1	0	*	*	*	*	*	*	*	*	6	0
10:00	1	0	6	0	4	0	*	*	*	*	*	*	*	*	4	0
11:00	0	0	1	0	2	0	*	*	*	*	*	*	*	*	1	0
Lane	103	0	154	0	145	0	115	0	0	0	0	0	0	0	146	0
Day	103		154		145		115		0		0		0		146	
AM Peak	11:00	-	08:00	-	10:00	-	10:00	-	-	-	-	-	-	-	10:00	-
Vol.	8	-	11	-	12	-	12	-	-	-	-	-	-	-	10	-
PM Peak	16:00	-	18:00	-	14:00	-	13:00	-	-	-	-	-	-	-	13:00	-
Vol.	13	-	16	-	15	-	16	-	-	-	-	-	-	-	12	-

Comb.
Total

103

154

145

115

0

0

0

146

ADT

ADT 150

AADT 150

Site Code: 2
 Station ID:
 Rives bw James and Cemetery Entrance
 Direction = Toward James
 Latitude: 0' 0.0000 Undefined

Start Time	29-Feb-16		Tue		Wed		Thu		Fri		Sat		Sun		Week Average	
	SW	Direction	SW	Direction	SW	Direction	SW	Direction	SW	Direction	SW	Direction	SW	Direction	SW	Direction
12:00 AM	*	*	1	0	3	0	1	0	*	*	*	*	*	*	2	0
01:00	*	*	0	0	2	0	1	0	*	*	*	*	*	*	1	0
02:00	*	*	0	0	0	0	2	0	*	*	*	*	*	*	1	0
03:00	*	*	0	0	1	0	0	0	*	*	*	*	*	*	0	0
04:00	*	*	1	0	0	0	0	0	*	*	*	*	*	*	0	0
05:00	*	*	3	0	1	0	2	0	*	*	*	*	*	*	2	0
06:00	*	*	0	0	4	0	4	0	*	*	*	*	*	*	3	0
07:00	*	*	12	0	14	0	11	0	*	*	*	*	*	*	12	0
08:00	*	*	9	0	10	0	8	0	*	*	*	*	*	*	9	0
09:00	*	*	10	0	12	0	8	0	*	*	*	*	*	*	10	0
10:00	*	*	12	0	10	0	8	0	*	*	*	*	*	*	10	0
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12:00 PM	11	0	18	0	7	0	20	0	*	*	*	*	*	*	14	0
01:00	8	0	12	0	7	0	14	0	*	*	*	*	*	*	10	0
02:00	13	0	18	0	13	0	15	0	*	*	*	*	*	*	15	0
03:00	15	0	19	0	15	0	10	0	*	*	*	*	*	*	15	0
04:00	19	0	16	0	16	0	22	0	*	*	*	*	*	*	18	0
05:00	20	0	15	0	15	0	12	0	*	*	*	*	*	*	16	0
06:00	16	0	14	0	8	0	*	*	*	*	*	*	*	*	13	0
07:00	10	0	3	0	1	0	*	*	*	*	*	*	*	*	5	0
08:00	6	0	4	0	5	0	*	*	*	*	*	*	*	*	5	0
09:00	3	0	4	0	2	0	*	*	*	*	*	*	*	*	3	0
10:00	4	0	2	0	2	0	*	*	*	*	*	*	*	*	3	0
11:00	1	0	0	0	0	0	*	*	*	*	*	*	*	*	0	0
Lane	141	0	182	0	164	0	151	0	0	0	0	0	0	0	180	0
Day	141		182		164		151		0		0		0		180	
AM Peak	11:00	-	07:00	-	11:00	-	11:00	-	-	-	-	-	-	-	11:00	-
Vol.	15	-	12	-	16	-	13	-	-	-	-	-	-	-	13	-
PM Peak	17:00	-	15:00	-	16:00	-	16:00	-	-	-	-	-	-	-	16:00	-
Vol.	20	-	19	-	16	-	22	-	-	-	-	-	-	-	18	-

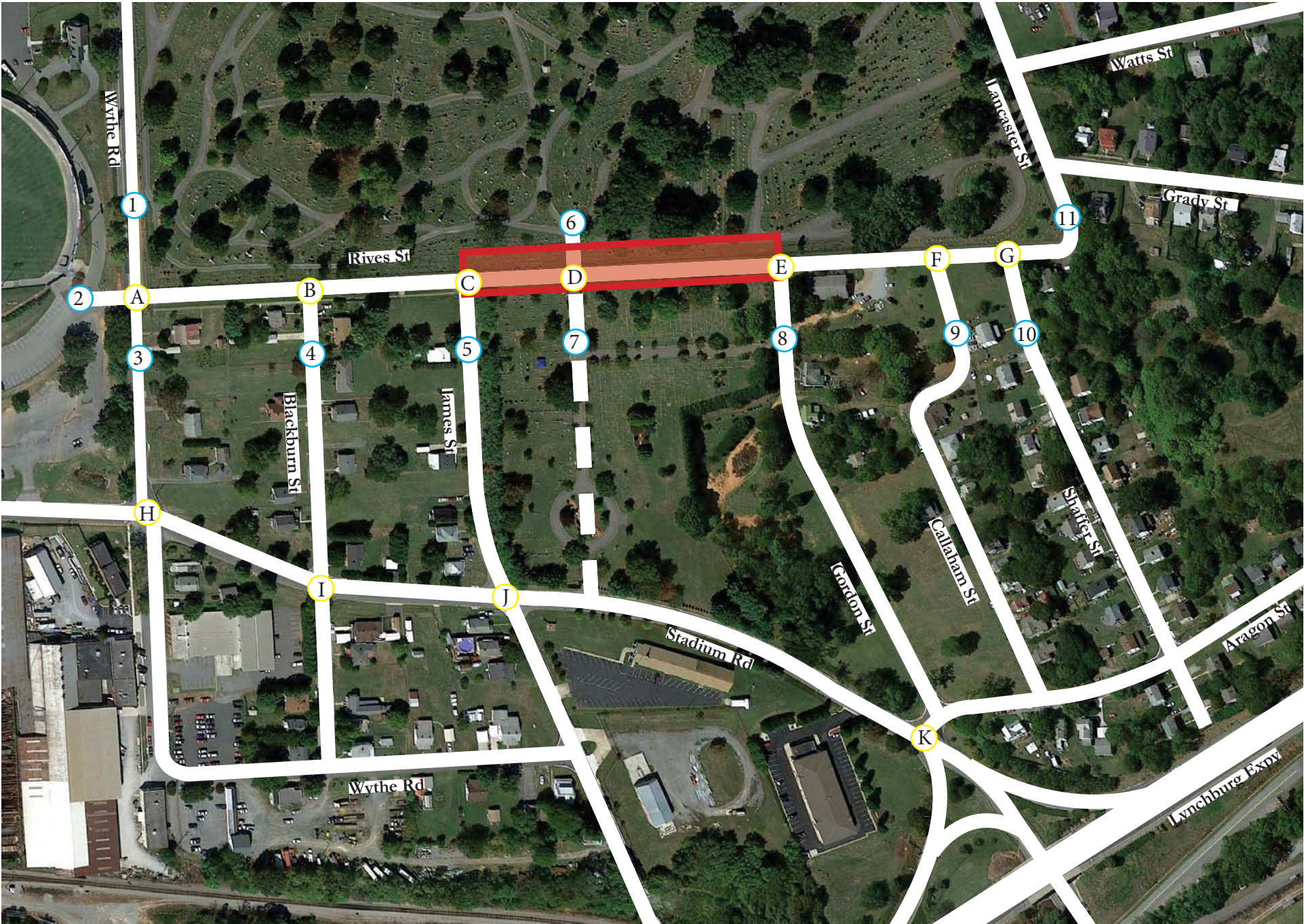
Comb. Total	141	182	164	151	0	0	0	180
ADT	ADT 173	AADT 173						



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Appendix B
Manual Observation Fieldwork Sheets

Spring Hill Cemetery Fieldwork Sheet Index



	1 -> (6-11)	(6-11) -> 1		4 -> (6-11)	(6-11) -> 4
1-A-D-6			4-B-D-6		
1-A-D-7			4-B-D-7		
1-A-E-8			4-B-E-8		
1-A-F-9			4-B-F-9		
1-A-G-10			4-B-G-10		
1-A-G-11			4-B-G-11		
	2 -> (6-11)	(6-11) -> 2		5 -> (6-11)	(6-11) -> 5
2-A-D-6			5-C-D-6		
2-A-D-7			5-C-D-7		
2-A-E-8			5-C-E-8		
2-A-F-9			5-C-F-9		
2-A-G-10			5-C-G-10		
2-A-G-11			5-C-G-11		
	3 -> (6-11)	(6-11) -> 3		6 -> (8-11)	(8-11) -> 6
3-A-D-6			6-D-E-8		
3-A-D-7			6-D-F-9		
3-A-E-8			6-D-G-10		
3-A-F-9			6-D-G-11		
3-A-G-10				7 -> (8-11)	(8-11) -> 7
3-A-G-11			7-D-E-8		
			7-D-F-9		
			7-D-G-10		
			7-D-G-11		



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Appendix C

Manual Observation Fieldwork Results

	1 -> (6-11)	(6-11) -> 1		4 -> (6-11)	(6-11) -> 4
1-A-D-6			4-B-D-6		
1-A-D-7			4-B-D-7		
1-A-E-8		1	4-B-E-8		
1-A-F-9			4-B-F-9		
1-A-G-10	2	2	4-B-G-10		
1-A-G-11	1	3	4-B-G-11	1	
	2 -> (6-11)	(6-11) -> 2		5 -> (6-11)	(6-11) -> 5
2-A-D-6			5-C-D-6		
2-A-D-7			5-C-D-7		
2-A-E-8		1	5-C-E-8		
2-A-F-9			5-C-F-9		
2-A-G-10			5-C-G-10		
2-A-G-11		1	5-C-G-11		3
	3 -> (6-11)	(6-11) -> 3		6 -> (8-11)	(8-11) -> 6
3-A-D-6			6-D-E-8		
3-A-D-7			6-D-F-9		
3-A-E-8			6-D-G-10		
3-A-F-9			6-D-G-11		
3-A-G-10				7 -> (8-11)	(8-11) -> 7
3-A-G-11			7-D-E-8		
			7-D-F-9		
			7-D-G-10		
			7-D-G-11		

	1 -> (6-11)	(6-11) -> 1		4 -> (6-11)	(6-11) -> 4
1-A-D-6			4-B-D-6		
1-A-D-7			4-B-D-7		
1-A-E-8		1	4-B-E-8		
1-A-F-9			4-B-F-9		
1-A-G-10	3		4-B-G-10		
1-A-G-11	3	1	4-B-G-11	2	
	2 -> (6-11)	(6-11) -> 2		5 -> (6-11)	(6-11) -> 5
2-A-D-6			5-C-D-6		
2-A-D-7			5-C-D-7		
2-A-E-8			5-C-E-8		
2-A-F-9			5-C-F-9		
2-A-G-10			5-C-G-10		
2-A-G-11			5-C-G-11		6
	3 -> (6-11)	(6-11) -> 3		6 -> (8-11)	(8-11) -> 6
3-A-D-6			6-D-E-8		
3-A-D-7			6-D-F-9		
3-A-E-8			6-D-G-10		
3-A-F-9			6-D-G-11		
3-A-G-10				7 -> (8-11)	(8-11) -> 7
3-A-G-11			7-D-E-8		
			7-D-F-9		
			7-D-G-10		
			7-D-G-11		

	1 -> (6-11)	(6-11) -> 1		4 -> (6-11)	(6-11) -> 4
1-A-D-6			4-B-D-6		
1-A-D-7	1		4-B-D-7		
1-A-E-8			4-B-E-8		
1-A-F-9			4-B-F-9		
1-A-G-10	5	2	4-B-G-10	1	
1-A-G-11	3	3	4-B-G-11		
	2 -> (6-11)	(6-11) -> 2		5 -> (6-11)	(6-11) -> 5
2-A-D-6			5-C-D-6		
2-A-D-7			5-C-D-7		
2-A-E-8			5-C-E-8		
2-A-F-9			5-C-F-9		
2-A-G-10			5-C-G-10		
2-A-G-11			5-C-G-11		6
	3 -> (6-11)	(6-11) -> 3		6 -> (8-11)	(8-11) -> 6
3-A-D-6			6-D-E-8		
3-A-D-7		1	6-D-F-9		
3-A-E-8			6-D-G-10		
3-A-F-9			6-D-G-11		
3-A-G-10				7 -> (8-11)	(8-11) -> 7
3-A-G-11		1	7-D-E-8		
			7-D-F-9		
			7-D-G-10		
			7-D-G-11		

	1 -> (6-11)	(6-11) -> 1		4 -> (6-11)	(6-11) -> 4
1-A-D-6			4-B-D-6		
1-A-D-7	1	1	4-B-D-7		
1-A-E-8			4-B-E-8		
1-A-F-9			4-B-F-9		
1-A-G-10	6	1	4-B-G-10		
1-A-G-11	3	3	4-B-G-11		
	2 -> (6-11)	(6-11) -> 2		5 -> (6-11)	(6-11) -> 5
2-A-D-6			5-C-D-6		1
2-A-D-7			5-C-D-7		1
2-A-E-8			5-C-E-8		1
2-A-F-9			5-C-F-9		
2-A-G-10			5-C-G-10		
2-A-G-11		1	5-C-G-11		9
	3 -> (6-11)	(6-11) -> 3		6 -> (8-11)	(8-11) -> 6
3-A-D-6			6-D-E-8		
3-A-D-7			6-D-F-9		
3-A-E-8			6-D-G-10		
3-A-F-9			6-D-G-11		
3-A-G-10	1			7 -> (8-11)	(8-11) -> 7
3-A-G-11		2	7-D-E-8		
			7-D-F-9		
			7-D-G-10		
			7-D-G-11		

	1 -> (6-11)	(6-11) -> 1		4 -> (6-11)	(6-11) -> 4
1-A-D-6			4-B-D-6		
1-A-D-7		1	4-B-D-7		
1-A-E-8			4-B-E-8		
1-A-F-9			4-B-F-9		
1-A-G-10	1	3	4-B-G-10		1
1-A-G-11		5	4-B-G-11	1	1
	2 -> (6-11)	(6-11) -> 2		5 -> (6-11)	(6-11) -> 5
2-A-D-6			5-C-D-6		
2-A-D-7			5-C-D-7		
2-A-E-8			5-C-E-8		
2-A-F-9			5-C-F-9		
2-A-G-10			5-C-G-10		
2-A-G-11		1	5-C-G-11	1	10
	3 -> (6-11)	(6-11) -> 3		6 -> (8-11)	(8-11) -> 6
3-A-D-6			6-D-E-8		
3-A-D-7			6-D-F-9		
3-A-E-8			6-D-G-10		
3-A-F-9			6-D-G-11		
3-A-G-10				7 -> (8-11)	(8-11) -> 7
3-A-G-11			7-D-E-8		
			7-D-F-9		
			7-D-G-10		
			7-D-G-11		

	1 -> (6-11)	(6-11) -> 1		4 -> (6-11)	(6-11) -> 4
1-A-D-6			4-B-D-6		
1-A-D-7			4-B-D-7		
1-A-E-8		1	4-B-E-8		
1-A-F-9	1		4-B-F-9		
1-A-G-10	3	2	4-B-G-10		
1-A-G-11	3	2	4-B-G-11	2	
	2 -> (6-11)	(6-11) -> 2		5 -> (6-11)	(6-11) -> 5
2-A-D-6			5-C-D-6		
2-A-D-7			5-C-D-7		
2-A-E-8			5-C-E-8		
2-A-F-9			5-C-F-9		
2-A-G-10			5-C-G-10		
2-A-G-11		1	5-C-G-11		5
	3 -> (6-11)	(6-11) -> 3		6 -> (8-11)	(8-11) -> 6
3-A-D-6			6-D-E-8		
3-A-D-7	1		6-D-F-9		
3-A-E-8			6-D-G-10		
3-A-F-9			6-D-G-11		
3-A-G-10		1		7 -> (8-11)	(8-11) -> 7
3-A-G-11			7-D-E-8		
			7-D-F-9		
			7-D-G-10		
			7-D-G-11		

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **April 12, 2016**

AGENDA ITEM NO.: 8

CONSENT: REGULAR: **X**

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Public Hearing and Action Regarding FY 2017 Water and Sewer Rates**

RECOMMENDATION: After a public hearing, adopt the attached ordinance enacting changes in the City Code related to water and sewer rates effective July 1, 2016.

SUMMARY: During the March 22, 2016 Work Session, Department of Water Resources staff presented the FY 2017 Rate Study and Annual Report to City Council. Staff recommendations and justifications for increases in the water volume rate, sewer volume rate, water connection fees, sewer connection fees, fire protection charges, sewer surcharges, and sampling charges for pretreatment and industrial surcharge were included in that presentation. The following guiding principles and goals were adhered to in the development of the recommended rates and fees:

- Minimize the impact of rate adjustments on residential and other small customers.
- Ensure necessary funding is provided for increases in operating and debt service costs.
- Ensure compliance with the Special Order for Combined Sewer Overflow (CSO).
- Ensure compliance with adopted Fund Balance and Debt Management Financial Policies.
- Provide an equitable distribution of costs based on actual services provided.

As shown in Attachment A – Proposed Water and Sewer Rates, the recommended rate changes include a 4.9% increase in the water volume rate from \$2.43 to \$2.55 per hcf, 3.3% increase in the sewer volume rate from \$5.83 to \$6.02 per hcf and sewer only rate is recommended to increase from \$47.18 to \$48.51. The proposed increases to these water and sewer volume rates will keep the combined water and sewer bill below the state average as in the previous six years.

Based on a recent cost of service study for other water and sewer services that compared existing charges and fees to actual costs reported, many of the existing fees and charges do not fully recover actual costs. Staff recommends the following proposed increases for FY 2017 although the proposed increases will not fully recover actual costs: 10% increase in water connection fees, 10% increase in sewer connection fees, 4% increase in fire protection charges, 5% increase in sampling charges for pretreatment and industrial surcharge, and a 4% increase in the BOD charge from \$23.52 to \$24.46 per 100 lbs.; a 4% increase in the TSS charge from \$26.60 to \$27.66.

Current fees for water and sewer connections have not increased in 10 years and they are 50% and 44% respectively less than the Virginia average. Fire protection charges have not increased in 7 years and sampling charges for pretreatment and industrial surcharges have not increased in 6 years. Sewer surcharges for BOD and TSS charges were last increased 2 years ago. Staff will develop a strategy to better recover overall costs for services in an affordable manner until recovery of costs are fully met.

PRIOR ACTION(S): March 22, 2016 City Council Work Session

FISCAL IMPACT: Increase the revenues in the Water and Sewer Enterprise Fund to meet existing operating and capital needs, and meet financial targets.

CONTACT(S): Tim Mitchell, Director of Water Resources, 455-4252
John Rosser, Financial Professional IV, 455-4445

ATTACHMENT(S): ORDINANCE – Water and Sewer Code Amendments
ATTACHMENT A – Proposed Water and Sewer Rates

REVIEWED BY: lkp

AN ORDINANCE TO AMEND AND REENACT SECTIONS 34-4, 34-12.1, 34-70, 39-27, 39-54.1 AND 39-54.1.2 OF THE CODE OF THE CITY OF LYNCHBURG, 1981, AS AMENDED, THE AMENDED SECTIONS RELATING TO WATER AND SEWER RATES

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That sections 34-4, 34-12.1, 34-70, 39-27, 39-54.1 AND 39-54.1. and 39-54.1.2 of the Code of the City of Lynchburg, 1981 are hereby amended and reenacted as follows:

Sec. 34-4. - General terms, conditions, and provisions applicable to sewer mains extended or installed with city approval.

- (a) Title to any sewer main extensions or service connections within the public right-of-way or requested easements shall vest in the city upon the completion of construction regardless of method of financing.
- (b) Where public sewer systems are already installed, replacement or enlargement of the sewer pipes, when deemed necessary by the city, shall be made at the sole cost and expense of the city.
- (c) Whenever any person owning property along the line of any sewer main in the city which has been extended, installed or purchased by the city in the preservation of the health and general welfare of the public, or by petition, but without the participation of him or a previous owner of this property, shall desire the sewer service from said main to his premises, he shall be required to do the following:
 - (1) Fulfill the criteria as outlined under subsection (g) hereof, involving sewer main connections;
 - (2) Make an additional payment of an availability charge, the purpose of which is to defray in part the cost of providing outfall lines, pumping stations and waste treatment facilities. The availability charges are as follows:
 - a. Single-family residence:
 - (i) Where 50 to 59 percent of the potential customers of the project as determined by the city engineer sign petitions requesting such project, the charge shall be \$1,950.00 per connection, for each such petitioner.
 - (ii) Where 60 to 69 percent of said customers sign such petitions, the charge shall be \$1,850.00 per connection, for each such petitioner.
 - (iii) Where 70 to 79 percent of said customers sign such petitions, the charge shall be \$1,750.00 per connection, for each such petitioner.
 - (iv) Where 80 to 89 percent of said customers sign such petitions, the charge shall be \$1,675.00 per connection, for each such petitioner.
 - (v) Where 90 to 94 percent of said customers sign such petitions, the charge shall be \$1,550.00 per connection, for each such petitioner.
 - (vi) Where 95 to 100 percent of said customers sign such petitions, the charge shall be \$1,450.00 per connection, for each such petitioner.
 - b. Multifamily structures and mobile home parks where a single connection is made:
 - (i) For the first five units, \$980.00 each.

(ii) For the second five units, \$730.00 each.

(iii) For all additional units, \$490.00 each.

Separate individual connections to each unit of a multifamily structure or mobile home park will require the same availability charge for each unit as a single-family residential unit. Separate connections serving more than one unit will require the availability charge as specified above in subsection 34-4(c)(2)b.

- c. Commercial service: Up to 2,000 square feet of floor space, or if a maximum four-inch diameter building sewer is used, the charge shall be \$1,950.00. If a connection sewer in excess of four inches in diameter is required, the following charges shall apply:

Availability Charge:	Floor Space
\$1,950.00	0 to 2,000 square feet
\$2,440.00	2,001 to 10,000 square feet
\$3,640.00	10,001 to 20,000 square feet
\$6,110.00	20,001 to 35,000 square feet
\$9,650.00	35,001 to 99,999 square feet
As determined by city council	100,000 square feet or greater

All availability charges for institutional service shall be as determined by city council on a case-by-case basis.

- d. Just prior to the conclusion of each fiscal year, the city manager or his designee shall review all availability charges and connection fees, and recommend to council appropriate charges.
- e. All extension agreements and service requests not included in original petitions shall be subject to the maximum prevailing availability charges and connection fees which are in effect at the time such agreement or request is approved by council, irrespective of the number of original petitioners.
- (d) Whenever any property abutting a street is without a city sewer main, the owner desiring city sewer service shall be required to sign a petition for extension of sewer mains.
- (1) Single-family and multifamily structures and mobile home parks: Upon receipt of said petition signed by at least 50 percent of the owners representing properties to be served by the sewer main extension, the city shall prepare an estimate for the installation of a sewer main.

Such estimate shall be prepared on the basis that the location, character and size of the extension, and the plans and specifications for the extension, and the materials

used in the installation, replacement, maintenance and repair of the extension shall be as specified by the city.

- (2) Commercial service: Where the council has determined the petitioned project to be economically feasible to the city, the availability charges set forth in subsection 34-4(c)(2)c, shall be applicable.

Where the council has determined that the petitioned project is not economically feasible to the city, the cost of the project will be apportioned by council between the city and the benefitted property owners. The entire non-city portion shall be apportioned by council between the petitioning property owners as their availability charge. Any nonsigning property owner later petitioning for service shall pay the same proportioned share for each connection as the original signers.

- (e) The owner or occupant of a single-family dwelling or a two-family dwelling that did not have access to city sewer lines prior to the extension of the line, may make arrangements to pay the availability charges in paragraph (c)(2)(a) and the connection charges in paragraph (g) of this section in installments. The city's billings and collections division may enter into a water and sewer service availability fee installment agreement with the owner or occupant of a single-family dwelling or a two-family dwelling under the following conditions:

- (1) Only an owner or occupant that actually connects their dwelling to the city's sewer system is eligible to enter into a water and sewer service availability fee installment agreement.
- (2) The availability and connection charges and interest must be paid in full within one year.
- (3) Interest at the rate of five percent per annum or the interest rate the city was charged for its most recent bond issue, whichever rate of interest is higher, will be charged on the unpaid balance of the availability and connection charges.
- (4) Payments will be made on such dates and in such amounts as the billings and collections division, in its discretion, determines are appropriate.
- (5) The unpaid balance of the availability and connection charges may be paid in full at any time without any prepayment penalty.
- (6) The water and sewer service availability fee installment agreement cannot be assigned or assumed without the prior written consent of the billings and collections division.
- (7) If the owners or occupants fail to make payments in accordance with the water and sewer service availability fee installment agreement, the city may discontinue water service to the property until all arrears for availability and connection fee installment payments due the city are paid in full.
- (8) As provided in Section 15.2-104 of the Code of Virginia, or any succeeding section, the city will place a lien against the property that is served by the sewer line to secure the payment of the unpaid availability and connection charges.

The installment plan offered by this paragraph is for the benefit of the owners or occupants of single-family dwellings and two-family dwellings and is not available to developers or builders of residential subdivisions, apartments, boarding houses, lodging houses, rooming houses or other multi-family dwellings or to commercial and institutional facilities, or similar housing units.

- (f) Sewer main extensions involving industrial development, residential subdivision development of three or more dwelling units per lot, and/or any other planned unit or special development are excepted from this section.
- (g) In addition to the previous applicable requirements, whenever any person owning property along the line of any sewer main in the city shall desire sewer service into his premises, he shall execute an agreement known as an "Application for Sewer." In addition thereto, the licensed plumber employed by him shall make written application therefore to the city on forms prescribed for that purpose.

Unless the building sewer, or connection, has been previously installed, the plumber or building contractor shall clearly indicate at the premises by a stake or otherwise the exact location of the building sewer. An applicant for any new connection must make an estimate of the size building sewer needed for all lines greater than four inches in diameter for the particular building in order that the proper size building sewer may be installed to satisfy the demand. Upon approval of the application, payment of certain fixed sewer connection fees must be made as follows:

- (1) Four-inch diameter house building sewer—~~\$1,210.00~~ one thousand three hundred thirty dollars (\$1,330.00).
- (2) Larger than four-inch diameter building sewer - cost plus 15%; minimum charge—~~\$1,320.00~~ one thousand four hundred fifty dollars (\$1,450.00).

Provided, that when any property owner grants to the city free of cost the right to construct and maintain a sewer across said property owner's property, that property owner shall be granted a credit of \$100.00 to be applied against the appropriate connection charge for one connection.

The city will then install a building sewer leading from the main in the street to the property line, or install a sewer saddle. This requirement also applies to houses formerly occupied by one family, but which are converted into two or more apartments, with a separate sewer connection for each apartment unit. When these requirements are complied with, the city will thereupon issue a permit for the plumber named in the application to make connection with the city's sewer. All such connections and all plumbing work shall conform in all respects to the provisions of the plumbing code of the city.

- (h) Residential subdivisions of no more than two dwelling units per lot. For all subdivisions located within the city containing no more than two dwelling units per lot, in addition to the construction of the system within the boundaries of the subdivision by the subdivider pursuant to subsection 24.1-31(a) of the city's subdivision ordinance, there shall be paid by the property owner to the city at the time of connection to the system a connection fee (without an easement credit) as required by subsection (g) for each connection, and an availability charge, the purpose of which is to defray in part the cost of providing extension lines, pumping stations and waste treatment facilities, the sum of \$400.00 per lot; provided, however, that if in any subdivision development any lot is served by a connection directly to lines installed by the city, the availability charges as listed in subsection 34-4(c)(2)a, will be paid by the property owner, except, however, that where he or a previous owner of this property participated in the cost of such lines, no availability charge shall be payable.
- (i) The owner or occupant of a single-family dwelling or a two-family dwelling that did not have access to city sewer lines at the time it was constructed, may make arrangements to pay the availability charges in paragraph (c)(2)(a) and the connection charges in paragraph (g) of this section in installments. The city's billings and collections division may enter into a

water and sewer service availability fee installment agreement with the owner or occupant of a single-family dwelling or a two-family dwelling under the following conditions:

- (1) Only an owner or occupant that actually connects their dwelling to the city's sewer system is eligible to enter into a water and sewer service availability fee installment agreement.
- (2) The availability and connection charges and interest must be paid in full within one year.
- (3) Interest at the rate of five percent per annum or the interest rate the city was charged for its most recent bond issue, whichever rate of interest is higher, will be charged on the unpaid balance of the availability and connection charges.
- (4) Payments will be made on such dates and in such amounts as the billings and collections division, in its discretion, determines are appropriate.
- (5) The unpaid balance of the availability and connection charges may be paid in full at any time without any prepayment penalty.
- (6) The water and sewer service availability fee installment agreement cannot be assigned or assumed without the prior written consent of the billings and collections division.
- (7) If the owners or occupants fail to make payments in accordance with the water and sewer service availability fee installment agreement, the city may discontinue water service to the property until all arrears for availability and connection fee installment payments due the city are paid in full.
- (8) As provided in Section 15.2-104 of the Code of Virginia, or any succeeding section, the city will place a lien against the property that is served by the sewer line to secure the payment of the unpaid availability and connection charges.

The installment plan offered by this paragraph is for the benefit of the owners or occupants of single-family dwellings and two-family dwellings and is not available to developers or builders of residential subdivisions, apartments, boarding houses, lodging houses, rooming houses or other multi-family dwellings or to commercial and institutional facilities, or similar types of housing units.

Sec. 34-12.1. - Schedule of sewer rates.

- (a) The monthly sewer rates for all consumers within the city shall be ~~\$5.83~~ six dollars and two cents (\$6.02) per h.c.f. of water used provided, however, that the rate of any party discharging industrial waste or processed water into the city system pursuant to an individual contract shall be as provided in such contract.
- (b) The monthly sewer rate for customer accounts deemed "sewer only" (customers within the city without a water service connection) shall be ~~\$47.18~~ forty eight dollars and fifty one cents (\$48.51). This rate is derived as follows: (monthly volume charge of ~~\$5.83~~ six dollars and two cents (\$6.02) per h.c.f. by 7 h.c.f. + a monthly service charge of \$6.37).
- (c) In addition to the sewer rates provided in this section, a high strength waste surcharge is established for all customers with discharges in excess of 25,000 gallons per day and having biological oxygen demand and/or suspended solids concentrations in excess of normal wastewater.

The surcharge shall be as follows:

(1) For BOD concentrations in excess of three hundred (300) milligrams per liter (MG/l), ~~twenty three dollars and fifty two cents (\$23.52)~~ twenty four dollars and forty six cents (\$24.46) per one hundred (100) pounds.

(2) For suspended solids concentrations in excess of four hundred (400) milligrams per liter (MG/l), ~~twenty six dollars and sixty cents (\$26.60)~~ twenty seven dollars and sixty six cents (\$27.66) per one hundred (100) pounds.

(3) Truck hauled wastes disposal charges for residential and restaurant wastes as defined in Section 34-13 will be assessed at the following rates: two hundred fifteen dollars and fifteen cents (\$215.15) up to a limit of two thousand five hundred (2,500) gallons of capacity and thirty six dollars and forty eight cents (\$36.48) for each five hundred (500) gallons of capacity over two thousand five hundred (2,500) gallons. Truck hauled wastes for special contract holders shall be charged in accordance to the terms of the contracting agreement.

(d) Annually, the director of financial services shall compute the average of each residential customer's level of monthly water consumption in hundred cubic feet (h.c.f.) for the most recent period beginning with the first billing in November and ending with the second billing in April. By multiplying this monthly average by 1.25, a seasonal consumption limit for sewer billing shall be derived for each residential account. This limit will apply during the period for the first billing in May through the second billing in October. This adjustment shall apply only to residential bills and shall not apply to any customers using water for the purpose of manufacturing or for commercial or multifamily dwellings.

Sec. 34-70. - Monitoring charges.

The purpose of this charge is to defray the cost to the city for the testing of wastewater discharges from industrial users and customers with high strength wastes (surcharge) who have been issued industrial wastewater discharge permits. The charges will be set to ensure recovery of the projected fiscal year monitoring costs.

The charges will be set to ensure recovery of the projected fiscal year monitoring costs. The charges shall be as follows:

Seven-day wastewater sampling for surcharge~~\$880.00~~ nine hundred twenty four dollars (\$924.00)

Three-day wastewater sampling for surcharge~~462.00~~ four hundred eighty five dollars (\$485.00)

One-day wastewater sampling for pretreatment and surcharge~~275.00~~ two hundred eighty nine dollars (\$289.00)

Three-day wastewater sampling of metal finishing for pretreatment and surcharge~~1,430.00~~ one thousand five hundred two dollars (\$1,502.00)

Four-day wastewater sampling of electroplating for pretreatment and surcharge~~1,595.00~~ one thousand six hundred seventy five dollars (\$1,675.00)

Three-day wastewater sampling of pharmaceuticals for pretreatment and surcharge~~2,035.00~~ two thousand one hundred thirty seven dollars (\$2,137.00)

Three-day wastewater sampling of other categories for pretreatment and surcharge~~825.00~~ eight hundred sixty six dollars (\$866.00)

Sec. 39-27. - General terms, conditions and provisions applicable to water mains extended or installed with city approval.

- (a) Title to any water main extensions or service connections within the public right-of-way or requested easements shall vest in the city upon the completion of construction regardless of method of financing.
- (b) Where public water systems are already installed, replacement or enlargement of the water pipes, when deemed necessary by the city, shall be made at the sole cost and expense of the city.
- (c) Whenever any person owning property along the line of any water main in the city which has been extended, installed or purchased by the city in the preservation of the health and general welfare of the public, or by petition, but without the participation of him or a previous owner of this property, shall desire the water service from said main to his premises, he shall be required to do the following:
 - (1) Fulfill the criteria as outlined under subsection (g) hereof, involving water main connections
 - (2) Make an additional payment of an availability charge, the purpose of which is to defray in part the cost of providing transmission mains, booster pumping and distribution storage facilities. The availability charges are as follows:
 - a. Single-family residence:
 - 1. Where 50 to 59 percent of the potential customers of the project as determined by the city engineer sign petitions requesting such project, the charge shall be \$1,220.00 per connection, for each such petitioner.
 - 2. Where 60 to 69 percent of said customers sign such petitions, the charge shall be \$1,160.00 per connection, for each such petitioner.
 - 3. Where 70 to 79 percent of said customers sign such petitions, the charge shall be \$1,100.00 per connection, for each such petitioner.
 - 4. Where 80 to 89 percent of said customers sign such petitions, the charge shall be \$1,040.00 per connection, for each such petitioner.

5. Where 90 to 94 percent of said customers sign such petitions, the charge shall be \$980.00 per connection, for each such petitioner.
 6. Where 95 to 100 percent of said customers sign such petitions, the charge shall \$920.00 per connection, for each such petitioner.
- b. Multifamily structures and mobile home parks where a master meter is used:
1. For the first five units, \$610.00 each.
 2. For the second five units, \$460.00 each.
 3. For all additional units, \$310.00 each.
 4. Separate individual connections to each unit of a multifamily structure or mobile home park will require the same availability charge for each unit as a single-family residential unit. Separate connections serving more than one unit will require the availability charge as specified above in subsection 39-27(c)(2)b.
- c. Commercial service: Up to 2,000 square feet of floor space or if a meter one inch in diameter or smaller is used, the charge shall be \$1,220.00. If a meter in excess of one inch in diameter is required, the following charges shall apply:

Availability charge	Floor space
\$1,220.00	0 to 2,000 square feet
\$1,530.00	2,001 to 10,000 square feet
\$2,290.00	10,001 to 20,000 square feet
\$3,820.00	20,001 to 35,000 square feet
\$6,110.00	35,001 to 99,999 square feet
As determined by city council	100,000 square feet or greater

All availability charges for institutional service shall be as determined by city council on a case-by-case basis.

- d. Just prior to the conclusion of each fiscal year, the city manager or his designee shall review all availability charges and connection fees, and recommend to council appropriate changes.
- e. All extension agreements and service requests not included in original petitions shall be subject to the maximum prevailing availability charges and connection fees which are in effect at the time such agreement or request is approved by council, irrespective of the number of original petitioners.

- (d) Whenever any property abutting a street is without a city water main, the owner desiring city water service shall be required to sign a petition for extension of water mains.
- (1) Single-family and multifamily structures and mobile home parks:
- a. Upon receipt of said petition signed by at least 50 percent of the owners representing properties to be served by the water main extension, the city shall prepare an estimate for the installation of a water main.
 - b. Such estimate shall be prepared on the basis that the location, character and size of the extension and the plans and specifications for the extension and the materials used in the installation, replacement, maintenance and repair of the extension shall be as specified by the city.
- (2) Commercial service:
- a. Where the council has determined the petitioned project to be economically feasible to the city, the availability charges set forth in subsection 39-27(c)(2)c. shall be applicable.
 - b. Where the council has determined that the petitioned project is not economically feasible to the city the cost of the project will be apportioned by council between the city and the benefitted property owners. The entire noncity portion shall be apportioned by council between the petitioning property owners as their availability charges. Any nonsigning property owner later petitioning for service shall pay the same proportioned share for each connection as the original signers.
- (e) The owner or occupant of a single-family dwelling or a two-family dwelling that did not have access to city sewer lines at the time it was constructed, may make arrangements to pay the availability charges in paragraph (c)(2)(a) and the connection charges in paragraph (g) of this section in installments. The city's billings and collections division may enter into a water and sewer service availability fee installment agreement with the owner or occupant of a single-family dwelling or a two-family dwelling under the following conditions:
- (1) Only an owner or occupant that actually connects their dwelling to the city's sewer system is eligible to enter into a water and sewer service availability fee installment agreement.
 - (2) The availability and connection charges and interest must be paid in full within one year.
 - (3) Interest at the rate of five percent per annum or the interest rate the city was charged for its most recent bond issue, whichever rate of interest is higher, will be charged on the unpaid balance of the availability and connection charges.
 - (4) Payments will be made on such dates and in such amounts as the billings and collections division, in its discretion, determines are appropriate.
 - (5) The unpaid balance of the availability and connection charges may be paid in full at any time without any prepayment penalty.
 - (6) The water and sewer service availability fee installment agreement cannot be assigned or assumed without the prior written consent of the billings and collections division.
 - (7) If the owners or occupants fail to make payments in accordance with the water and sewer service availability fee installment agreement, the city may discontinue water service to the property until all arrears for availability and connection fee installment payments due the city are paid in full.

- (8) As provided in Section 15.2-104 of the Code of Virginia, or any succeeding section, the city will place a lien against the property that is served by the sewer line to secure the payment of the unpaid availability and connection charges.

The installment plan offered by this paragraph is for the benefit of the owners or occupants of single-family dwellings and two-family dwellings and is not available to developers or builders of residential subdivisions, apartments, boarding houses, lodging houses, rooming houses or other multi-family dwellings or to commercial and institutional facilities.

- (f) Water main extensions involving industrial development, residential subdivision development of three or more dwelling units per lot, and/or any other planned unit or special development are excepted from this section.
- (g) In addition to the previous applicable requirements, whenever any person owning property along the line of any water main in the city shall desire water service into his premises, he shall execute an agreement known as an "application for water." In addition thereto, the licensed plumber employed by him shall make written application therefor to the city on forms prescribed for that purpose.

Unless the service pipe and meter box have been previously installed, the plumber or building contractor shall clearly indicate at the premises by a stake or otherwise the exact location of the proposed meter and service. An applicant for any new service must make an estimate of the size connection needed for all meters greater than five-eighths-inch with a three-fourths-inch service for the particular building in order that the proper size service pipe and meter may be installed to satisfy the demand. Upon approval of the application and payment of certain fixed water connection fees must be made as follows:

- (1) Three-fourths-inch service—5/8-inch meter, ~~\$1,045.00~~ one thousand one hundred fifty dollars (\$1,150.00);
- (2) One-inch service—5/8-inch meter ~~\$1,100.00~~ one thousand two hundred ten dollars (\$1,210.00);
- (3) One-inch service—1-inch meter ~~\$1,265.00~~ one thousand four hundred dollars (\$1,400.00);
- (4) Larger than one-inch service and one-inch meter — Cost plus 15%; minimum charge of ~~\$1,265.00~~ one thousand four hundred dollars (\$1,400.00);

The city will then install a service pipe leading from the main in the street to the water meter box near the property line and/or install the meter. This requirement also applies to houses formerly occupied by one family, but which are converted into two or more apartments, with a separate water service and meter for each apartment unit. When these requirements are complied with, the city will thereupon issue a permit for the plumber named in the application to make connection with the meter box. All such connections and all plumbing work incident to the introduction of water into the premises shall conform in all respects to the provisions of the plumbing code of the city.

- (h) Residential subdivisions of no more than two dwelling units per lot: For all subdivisions located within the city containing no more than two dwelling units per lot, in addition to the construction of the system within the boundaries of the subdivision by the subdivider pursuant to subsection 24.1-31(a) of the city's subdivision ordinance, there shall be paid by the property owner to the city at the time of connection to the system a connection fee (without an easement credit) as required by subsection (g) for each connection, and an availability charge, the purpose of which is to defray in part the cost of providing transmission mains, booster pumping and distribution facilities, the sum of \$300.00 per lot;

provided, however, that if in any subdivision development any lot is served by a connection directly to lines installed by the city, the availability charges as listed in subsection 39-27(c)(2)a. will be paid by the property owner except, however, that where he or a previous owner of this property participated in the cost of such line, no availability charge shall be payable.

- (i) Residential subdivisions of no more than one dwelling unit per lot: Notwithstanding the conditions of subsection 39-27(g) and 24-31(a) city council may, upon request and after having obtained appropriate commitments for development of streets, recreational facilities, and other issues related to providing for affordable housing in the city, enter into a special agreement with subdivision developers, whereas the city would reimburse the developer for 100 percent of the cost of installing waterlines within the subdivision boundaries provided that: the agreement provides for guarantees from the developer that 80 percent of the projected revenue from the annual water rates paid by customers connected to the installed waterline within the subdivision boundaries in the first ten years will pay the total cost of the reimbursed amount, within the following ten years. Guarantees may be in the form of liens placed on lots within the subdivision; cash payments; bonds; or other forms of securities satisfactory to the city attorney. Such guarantees shall remain in effect until the full amount of the security is paid. The director of utilities shall review such records relating to the agreement to assure that the projected revenue from the development will recover the cost of the waterline reimbursement over a period of 20 years. The developer shall be responsible for providing all information necessary to assure compliance with the terms of the agreement. The city shall render a bill to the developer after the first ten years that the agreement is in force for the difference of the amount of projected revenue from the customers connected to the waterlines at that time and the total amount of the reimbursement for the cost for the installation of the waterlines. If any covenants of the agreement are not satisfied, the city shall render a bill immediately relating to the remaining waterline costs.
- (j) The owner or occupant of a single-family dwelling or a two-family dwelling that did not have access to city water lines at the time it was constructed, may make arrangements to pay the availability charges in paragraph (c)(2)(a) and the connection charges in paragraph (g) of this section in installments. The city's billings and collections division may enter into a water and sewer service availability fee installment agreement with the owner or occupant of a single-family dwelling or a two-family dwelling under the following conditions:
 - (1) Only an owner or occupant that actually connects their dwelling to the city's water system is eligible to enter into a water and sewer service availability fee installment agreement.
 - (2) The availability and connection charges and interest must be paid in full within one year.
 - (3) Interest at the rate of five percent per annum or the interest rate the city was charged for its most recent bond issue, whichever rate of interest is higher, will be charged on the unpaid balance of the availability and connection charges.
 - (4) Payments will be made on such dates and in such amounts as the billings and collections division, in its discretion, determines are appropriate.
 - (5) The unpaid balance of the availability and connection charges may be paid in full at any time without any prepayment penalty.
 - (6) The water and sewer service availability fee installment agreement cannot be assigned or assumed without the prior written consent of the billings and collections division.

- (7) If the owners or occupants failed to make payments in accordance with the water and sewer service availability fee installment agreement the city may discontinue water service to the property until all arrears for availability and connection fee installment payments due the city are paid in full.
- (8) As provided in Section 15.2-104 of the Code of Virginia, or any succeeding section, the city will place a lien against the property that is served by the water line to secure the payment of the unpaid availability and connection charges.

The installment plan offered by this paragraph is for the benefit of the owners or occupant of single-family dwellings and two-family dwellings and is not available to developers or builders of residential subdivisions, apartments, boarding houses, lodging houses, rooming houses or other multi-family dwellings, or to commercial and institutional facilities.

The assessment and collection of the water rates and charges shall be under the direct charge of the office manager of the bureau of assessment and collection.

Sec. 39-54.1. - Schedule of water rates.

The monthly water rates for all consumers within the city shall be ~~\$2.43~~ two dollars and fifty five cents (\$2.55) per h.c.f. of water used.

There shall be, in addition to any other charge, a monthly service charge of \$3.69 plus \$4.00 per equivalent meter factor per meter for a total monthly service charge as shown in the following table.

Meter Size	Monthly Account Charge	Meter Factor	Fee per Equivalent Meter Factor	Fee per Meter	Total Monthly Service Charge
5/8"	\$3.69	1.0	\$4.00	\$2.00	\$7.69
3/4"	\$3.69	1.5	\$4.00	\$3.00	\$9.69
1"	\$3.69	2.5	\$4.00	\$5.00	\$13.69
1½"	\$3.69	5.0	\$4.00	\$10.00	\$23.69
2"	\$3.69	8.0	\$4.00	\$16.00	\$35.69
3"	\$3.69	15.0	\$4.00	\$30.00	\$63.69
4"	\$3.69	30.0	\$4.00	\$60.00	\$123.69
6"	\$3.69	60.0	\$4.00	\$120.00	\$243.69

8"	\$3.69	90.0	\$4.00	\$180.00	\$363.69
10"	\$3.69	150.0	\$4.00	\$300.00	\$603.69

Sec. 39-54.1.2. - Fire flow capacity charge.

The purpose of this charge is to recover the water system costs associated with providing fire protection and suppression capability from those customers with connections to the water system installed for the purpose of supplying water to on-site hydrants, standpipes, sprinkler systems or combinations thereof. The annual charges shall be as follows:

Hydrant or 8" or small fire line~~\$237.48~~ two hundred forty six dollars and ninety six cents (\$246.96)

10" fire line~~\$426.36~~ four hundred forty three dollars and forty cents (\$443.40)

12" fire line~~\$676.56~~ seven hundred three dollars and sixty eight cents (\$703.68)

2. That this ordinance shall become effective July 1, 20116.

Adopted:

Certified: _____
Clerk of Council

048K

ATTACHMENT A

Proposed Water and Sewer Rates

	Current FY 2016	Proposed FY 2017	% Increase
Water			
Water volume charge / hcf	\$2.43	\$2.55	4.9%
Sewer			
Volume charge / hcf	\$5.83	\$6.02	3.3%
BOD charge/ 100 lbs	\$23.52	\$24.46	4.0%
TSS charge/ 100 lbs.	\$26.60	\$27.66	4.0%
Sewer only	\$47.18	\$48.51	2.8%
Fire Protection			
Hydrants & 8" or smaller fire lines	\$19.79	\$20.58	4.0%
10" fire lines	\$35.53	\$36.95	4.0%
12" fire lines	\$56.38	\$58.64	4.0%
Water Connection Fees			
3/4" & 5/8" meters	\$1,045.00	\$1,150.00	10.1%
1" service - 5/8" meter	\$1,100.00	\$1,210.00	10.0%
1" service - 1" meter	\$1,265.00	\$1,400.00	10.7%
Greater than 1" - minimum	\$1,265.00	\$1,400.00	10.7%
Sewer Connection Fees			
4" sewer line	\$1,210.00	\$1,330.00	9.9%
Greater than 4" - minimum	\$1,320.00	\$1,450.00	9.9%
Sampling Charges for Pretreatment and Industrial Surcharge			
1 day sample	\$275.00	\$289.00	5.0%
3 day sample	\$462.00	\$485.00	5.0%
3 day sample - metal finishers	\$1,430.00	\$1,502.00	5.0%
3 day - pharmaceuticals	\$2,035.00	\$2,137.00	5.0%
3 day- other	\$825.00	\$866.00	5.0%
4 day - electroplating	\$1,595.00	\$1,675.00	5.0%
7 day	\$880.00	\$924.00	5.0%

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **April 12, 2016**

AGENDA ITEM NO.: 9

CONSENT:

REGULAR: **X**

WORK SESSION: X

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **FY 2016 Third Quarter Budget Adjustments**

RECOMMENDATION: After a public hearing, adopt a resolution to amend the FY 2016 Budget and appropriate or rescind funds to adjust revenue, expenditure, and transfers as identified on Attachment A for the General Operating, City/Federal/State Aid, Forfeited Asset, Children's Services Act (CSA), Lynchburg Expressway Appearance Fund (LEAF), City Capital Projects, Water Capital Projects, Sewer Operating, Sewer Capital Projects, Airport Operating, Airport Capital/Grant Projects, and Airport Passenger Facility Charge (PFC).

SUMMARY: In March, staff began a review of FY 2016 operating and capital revenues and expenditures of the City's various funds to determine if adjustments were needed prior to the end of the fiscal year. Departments were requested to submit any necessary adjustments that needed to be considered prior to the end of the fiscal year. Attachment A provides a list of proposed expenditure and revenue adjustments based on a third quarter review.

A public hearing is scheduled for April 12, 2016; the public was notified through an advertisement in *The News and Advance* on April 4, 2016.

PRIOR ACTION(S): Adoption of the FY 2016 Operating and Capital Budgets: May 26, 2015
First Quarter Adjustments: September 22, 2015

BUDGET IMPACT: As noted on Attachment A.

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

ATTACHMENT(S): Resolution
Attachment A: FY 2016 Third Quarter Summary by Fund and Detail – Funding Sources and Expenditures

REVIEWED BY: lkp

RESOLUTION:

BE IT RESOLVED that the FY 2016 Budget is amended and that there be appropriated or rescinded from the funds and resources of the City of Lynchburg the sums for the General Operating, City/Federal/State Aid, Forfeited Asset, Children's Services Act (CSA), Lynchburg Expressway Appearance Fund (LEAF), City Capital Projects, Water Capital Projects, Sewer Operating, Sewer Capital Projects, Airport Operating, Airport Capital/Grant Projects, and Airport Passenger Facility Charge (PFC) as identified on the FY 2016 Third Quarter Detail by Fund attachment.

Introduced:

Adopted:

Certified:

Clerk of Council

046K

ATTACHMENT A**FY 2016 Third Quarter Adjustment
SUMMARY BY FUND**

	Expenditures	Additional Revenues	Reserve for Contingencies or Use of Unassigned Fund Balance	Transfer or Use of Committed/ Assigned Fund Balance
GENERAL FUND	2,618,057	2,573,315	21,442	23,300
CITY/FEDERAL/STATE AID FUND	29,169	29,169	0	0
FORFEITED ASSET FUND	335,824	335,824	0	0
CHILDREN'S SERVICES ACT (CSA) FUND	858,500	858,500	0	0
LYNCHBURG EXPRESSWAY APPEARANCE FUND (LEAF)	45,635	19,458	0	26,177
CITY CAPITAL PROJECTS FUND	155,000	5,000	0	150,000
WATER CAPITAL PROJECTS FUND	13,445	13,445	0	0
SEWER FUND	475,000	0	475,000	0
SEWER CAPITAL PROJECTS FUND	475,000	475,000	0	0
AIRPORT FUND	337,000	337,000	0	0
AIRPORT CAPITAL/GRANT PROJECTS FUND	1,665,000	1,665,000	0	0
AIRPORT PASSENGER FACILITY CHARGE (PFC) FUND	1,425,000	0	0	1,425,000
TOTALS	\$8,432,630	\$6,311,711	\$496,442	\$1,624,477

FY 2016 Third Quarter Adjustment Details

ATTACHMENT A

		Source of Funding			
Department/Division	Amount	Additional Revenues	Reserve for Contingencies or Use of Unassigned Fund Balance	Transfer or Use of Committed/Assigned Fund Balance	Purpose
GENERAL FUND					
Electoral Board/Registrar	21,442		21,442		Estimated Costs for the June 14, 2016 Republican Primary Election.
Human Services - Social Services - Public Assistance	2,423,315	2,423,315			Appropriate additional State and federal revenue for Title IV-E programs, 100% reimbursable.
Parking Management	20,000			20,000	Use of Parking Reserve due to higher than anticipated expenditures associated with the pay station pilot project and new parking software implementation including training expenditures and integration expenditures with T2 Systems for enforcement communication with pay-by-cell and pay station parking components.
Public Works - Grounds	3,000			3,000	Use of Adopt-A-Bed Reserve to transfer to Public Works - Grounds Division for expenditures associated with the Adopt-A-Bed program.

TRANSFERS

Transfer funds to Public Works - Snow and Ice Removal Operating Budget from City Capital Projects Fund	150,000	150,000			<i>Transfer funds to Public Works - Snow and Ice Removal Operating Budget from City Capital Projects Fund for snow related expenditures that exceeded the FY 2016 Adopted budget.</i>
Transfer from General Fund to City/Federal/State Aid Fund	300			300	<i>Transfer from Human Services - Social Services General Fund Operating Budget to City/Federal/State Aid Fund to provide the local match for the Foster Parent Training grant.</i>

GENERAL FUND

FY 2016 Additional Revenues	\$ 2,573,315
Amount Funded with a Transfer of Use of Committed or Assigned Fund Balance	23,300
Amount Funded with FY 2016 General Fund Reserve for Contingencies	21,442
GENERAL FUND Appropriation Total	\$ 2,618,057

FY 2016 Third Quarter Adjustment Details

ATTACHMENT A

		Source of Funding			
Department/Division	Amount	Additional Revenues	Reserve for Contingencies or Use of Unassigned Fund Balance	Transfer or Use of Committed/Assigned Fund Balance	Purpose
CITY/FEDERAL/STATE AID FUND					
Community Corrections and Pre-Trial Services	5,299	5,299			True-up the FY 2016 grant award from Department of Criminal Justice Services (DCJS); during the City budget process \$490,463 was appropriated, \$495,762 was awarded in July 2015.
Emergency Services	5,599	5,599			The in-kind portion was not included in the FY 2016 Adopted budget for the Local Emergency Management Performance Grant (LEMPG) Program.
Human Services - Social Services	5,153	5,153			Appropriate additional State and federal revenue for the Foster Parent Training and the Independent Living Education grants. Includes a transfer of \$300 from Human Services - Social Services General Fund Operating Budget to City/Federal/State Aid Fund to provide the local match for the Foster Parent Training grant.
Public Works	3,118	3,118			True-up the FY 2016 grant award for the Citizen's for a Clean Lynchburg grant.
Tourism	10,000	10,000			A new grant received March 2016, DRIVE Tourism Destination Marketing Organizations (DMO) Facilitation Micro-Grant from the Virginia Tourism Corporation.
CITY/FEDERAL/STATE AID FUND Total		\$ 29,169			
FORFEITED ASSET FUND					
Commonwealth's Attorney Office	185,499	185,499			To appropriate Asset Forfeiture revenues received.
Police Department	150,325	150,325			To appropriate Asset Forfeiture revenues received.
FORFEITED ASSET FUND Total		\$ 335,824			
CHILDREN'S SERVICES ACT (CSA) FUND					
Human Services - Juvenile Services	858,500	858,500			Appropriate additional State and federal revenue for Title IV-E programs, 100% reimbursable.
CHILDREN'S SERVICES ACT (CSA) FUND		\$ 858,500			
LYNCHBURG EXPRESSWAY APPEARANCE FUND (LEAF)					
Public Works	45,635	19,458		26,177	True-up LEAF fund for Phase I, II, and III.
FY 2016 Additional Revenues			\$ 19,458		
Amount Funded with a Transfer of Use of Committed or Assigned Fund Balance			26,177		
LYNCHBURG EXPRESSWAY APPEARANCE FUND (LEAF) Total			\$ 45,635		

FY 2016 Third Quarter Adjustment Details

ATTACHMENT A

		Source of Funding			
Department/Division	Amount	Additional Revenues	Reserve for Contingencies or Use of Unassigned Fund Balance	Transfer or Use of Committed/ Assigned Fund Balance	Purpose
CITY CAPITAL PROJECTS FUND					
Public Works - Engineering	42,709	42,709			Rescind VDOT Revenue Sharing appropriations due to VDOT charges on Kemper St. Bridge (\$5,701) and NW Expressway Drainage Improvements (\$9,551). Appropriate UCI Interest (\$28,661), funds received from Lynchburg College for Lakeside Drive and Oakley Avenue Pedestrian Improvements (\$19,300), and funds received for the 13th Street - Humble, LLC agreement (\$10,000).
Public Works submitted by Water Resources	5,000	5,000			The City of Lynchburg has been awarded a grant totaling \$5,000 from the Virginia Department of Conservation and Recreation (DCR). This grant reimburses the City for costs associated with bringing College Lake Dam into compliance with minimum standards for dam safety regulations. No additional match is required. This is the fourth year such assistance has been awarded for the Inundation Study and Emergency Action Plan. Grant funds will be used to reimburse costs incurred by the City Capital Projects Fund for this project.
Public Works - Snow	150,000			150,000	Transfer funds from City Capital Projects Fund to Public Works - Snow and Ice Removal Operating Budget for snow related expenditures that exceeded the FY 2016 Adopted budget.

FY 2016 Additional Revenues	\$ 5,000
Amount Funded with a Transfer of Use of Committed or Assigned Fund Balance	150,000
CITY CAPITAL PROJECTS FUND Total	\$ 155,000

FY 2016 Third Quarter Adjustment Details

ATTACHMENT A

Department/Division	Amount	Source of Funding			Purpose
		Additional Revenues	Reserve for Contingencies or Use of Unassigned Fund Balance	Transfer or Use of Committed/Assigned Fund Balance	
WATER CAPITAL PROJECTS FUND					
Water Resources	11,200	11,200			The City of Lynchburg has been awarded a grant totaling \$11,200 from the Virginia Department of Conservation and Recreation (DCR). This grant reimburses the City for costs associated with bringing the Pedlar Dam into compliance with minimum standards for dam safety regulations. No additional match is required. This is the fourth year such assistance has been awarded for Inundation Study, Emergency Action Plan, and engineering for repairs. Grant funds will be used to reimburse costs incurred by the Water Capital Projects Fund for this project.
Water Resources	2,245	2,245			In conjunction with Liberty University Intramural Field Road project, appropriate funds for Change Order #2. Liberty University is paying 100% of the cost and reimbursing the City of Lynchburg.

FY 2016 Additional Revenues	\$ 13,445
WATER CAPITAL PROJECTS FUND Total	\$ 13,445

SEWER FUND

Water Resources	475,000		475,000		<i>Transfer funds from Sewer Operating Fund to Sewer Capital Projects Fund to remain in compliance with CSO Special Order of Consent that requires the City "to annually adjust sewer system reserve funds to equal no more than 25% of the subsequent year's budgeted operating expenditures."</i>
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Amount Funded with FY 2016 Year End Fund Balance	475,000
SEWER FUND Total	\$ 475,000

SEWER CAPITAL PROJECTS FUND

Water Resources	475,000	475,000			<i>Transfer funds to Sewer Capital Projects Fund from Sewer Operating Fund to remain in compliance with CSO Special Order of Consent that requires the City "to annually adjust sewer system reserve funds to equal no more than 25% of the subsequent year's budgeted operating expenditures." The entire amount will go to fund balance. Request for new appropriations to the capital improvement program are not being made at this time.</i>
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FY 2016 Additional Revenues	\$ 475,000
SEWER CAPITAL PROJECTS FUND Total	\$ 475,000

FY 2016 Third Quarter Adjustment Details

ATTACHMENT A

		Source of Funding			
Department/Division	Amount	Additional Revenues	Reserve for Contingencies or Use of Unassigned Fund Balance	Transfer or Use of Committed/Assigned Fund Balance	Purpose
AIRPORT FUND					
Airport	337,000	337,000			Increases in expenditures for additional contractual services (airfield lighting), rental car facility maintenance, contracted Airport Rescue and Firefighting (ARFF) services, maintenance of heavily-utilized snow removal equipment, additional snow and ice melting chemicals, largely 80% state funded non-recurring repair and maintenance projects. Increases in revenues for Aircraft parking fees, Virginia Aviation new lease, Centra Health new lease, Bon Air Brokerage new lease. <i>Transfer to the Airport Fund from the Airport Capital/Grant Projects Fund</i> for additional State funding for entitlements and maintenance projects.

FY 2016 Additional Revenues	\$	337,000
AIRPORT FUND Total	\$	337,000

AIRPORT CAPITAL/GRANT PROJECTS FUND

Airport	1,665,000	1,665,000			Increases in expenditures for contingency/future PFC #7 pending project for snow equipment in the FY 2015 CIP and to increase the ATCT budget from PFC #7 pending transfers. <i>Transfer to Airport Capital/Grant Projects Fund from the Airport Passenger Facility Charge (PFC) Fund for pending PFC #7 projects.</i> <i>Transfer from the Airport Capital/Grant Projects Fund to the Airport Fund for additional State funding for entitlements and maintenance projects.</i>
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FY 2016 Additional Revenues	\$	1,665,000
AIRPORT CAPITAL/GRANT PROJECTS FUND	\$	1,665,000

AIRPORT PASSENGER FACILITY CHARGE (PFC) FUND

Airport	1,425,000			1,425,000	<i>Transfer from the Airport Passenger Facility Charge (PFC) Fund to Airport Capital/Grant Projects Fund for pending PFC #7 projects.</i>
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Amount Funded with a Transfer of Use of Committed or Assigned Fund Balance		1,425,000
AIRPORT PASSENGER FACILITY CHARGE (PFC) FUND Total	\$	1,425,000

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **April 12, 2016**

AGENDA ITEM NO.: 10

CONSENT: REGULAR: **X**

WORK SESSION:

CLOSED SESSION:
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: Issuance of and not to exceed \$30,250,000 New General Obligation Public Improvement Bonds for City, Water, and Sewer Capital Projects; and Issuance of and not to exceed \$24,250,000 General Obligation Public Improvement Refunding Bonds, Series 2016

RECOMMENDATION: After a public hearing, authorize the issuance of up to \$30,250,000 of General Obligation Public Improvement Bonds and authorize the issuance of up to \$24,250,000 of General Obligation Public Improvement Refunding Bonds for City, Fleet, Water, and Sewer capital projects by taking the following actions:

1. Adopt a resolution (Resolution "A") authorizing the issuance of General Obligation Public Improvement Bonds not to exceed \$30,250,000 in principal to finance the costs of various public improvement projects in the amounts set forth below; and, authorizing the issuance of General Obligation Public Improvement Refunding Bonds not to exceed \$24,250,000 in principal, Series 2016. Total project costs of \$28,631,600 are outlined in the table below. The resolution authorizes the City Manager to make the final decision to either a negotiated bond sale with a group of investment banking firms or to hold a competitive sale where all investment banking firms are allowed to competitively bid on the City's bonds. At this time the municipal bond market is stable and as a result, the City's Financial Advisor, Davenport & Company LLC, is recommending a competitive sale. With this method of sale the investment banking firm's fee (underwriter's discount) to sell the bonds is built into their bid and will not be known until the day of the sale. Thus, a conservative estimate for this fee has been used when estimating the maximum bond size amount for the authorizing resolution. The resolution also sets the maximum interest rate that the City Manager can accept as five percent (5%).

In addition, refunding opportunities for previous bond issues may exist at the time of the bond sale due to low interest rates. An estimate for a refunding is approximately \$24,250,000 across numerous Funds; including the General Fund. This amount is not included in the advertised public hearing notice amount because for any refunding bond issue(s) that may occur with this bond sale, City Council previously provided authorization for the refunding simultaneously with the authorization for the original debt issue(s). The refunding bonds will be issued only if the Present Value Savings net of costs of issuance are at least 3% of the par amount being refunded. With the bond sale scheduled for April 28, 2016, this resolution provides options for the City to consider for a comprehensive financing approach.

2. Adopt a resolution (Resolution "B") amending the FY 2016 General, Water, and Sewer Funds' Operating Budgets to provide appropriations totaling \$400,000 with resources from the General Obligation Public Improvement Bonds, Series 2016 for costs associated with the issuance of \$30,250,000 General Obligation Public Improvement Bonds and bond refunding currently estimated at \$24,250,000.

SUMMARY: City Council has had two previous presentations on the proposed 2016 bond issuance to fund a number of capital projects in the General, Water and Sewer funds. The projects that will be funded with the new debt are listed on the attached spreadsheet. There is also the potential to refund debt issued in 2007 to realize savings from the current low interest rate environment. The latest version of the Plan of Finance is attached for reference. Staff will be making presentations to the credit rating agencies in New York on April 14th and 15th, with the closing on the bonds planned for May 19th.

In accordance with Section 15.2-2606.A of the *Code of Virginia, 1950*, to authorize the issuance of a \$30,250,000 General Obligation Public Improvement Bond of the City, a public hearing is required. Based on projected cash needs, the following summarizes the capital project costs (excluding the underwriter's fee) for the proposed total of \$28,631,600 for the FY 2016 Bond issue.

Project Categories	FY 2016 Estimates
Transportation Projects	\$11,391,600
Economic Development Projects	5,600,000
Water Improvement Projects	5,575,000
Sewer Improvement Projects	6,065,000
Total Project Cost Estimates	\$28,631,600

The following is a summary of the proposed cost of issuance for both the new bonds and the refunding bonds:

Issuance Cost Components	FY 2016 Estimates
Bond Counsel	\$35,000
Bond Ratings	105,000
Financial Advisor	193,000
Official Statement Preparation and Printing	3,000
Escrow Agent	10,000
Verification	5,000
Copying, Postage, Overnight Mailing, etc	6,000
Miscellaneous	43,000
Total	\$400,000

PRIOR ACTION(S): February 9, 2016, Presentation on Financing Options; February 23, 2016, follow up presentation and consensus on financing approach, March 29, 2016, review of CIP and projects to be funded with 2016 bonds; adopted FY 2016 Operating Budget and Appropriated FY 2016 Capital Improvement Program; City Council will consider the FY 2017-2021 Capital Improvement Program on May 10, 2016

FISCAL IMPACT: New long-term debt issued and issuance costs funded by bond proceeds. Potential long-term debt service savings based on the outcome of any refunding. The FY 2017 Adopted Budget for debt service across all funds includes an estimate for this new bond issue. Additionally, a Debt Service Reserve exists in the General Fund. All funds will be amended to reflect the actual debt service costs to include the new bonds and any bond refunding that may occur.

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

ATTACHMENT(S): Projects to be Funded; Plan of Finance; Resolution "A"; Resolution "B"

REVIEWED BY: lkp

City of Lynchburg, Series 2016 General Obligation Bond
List of New Projects

Location, function and principal components		Expected New Costs to be Financed by this Bond Issue	Expected Costs to be Reimbursed by this Bond Issue	Total Costs to be Financed by this Bond Issue	Expected Useful Life (Years)	Date Paid (for reimbursements)	Source of Payment (for expenses being reimbursed)	Expected in Service Date	Acquisition Costs	Construction Costs	Architectural /Engineering /Admin Costs	Method for Computing Engineering Costs
Buildings												
SERIES 2016 BOND ISSUE DOES NOT INCLUDE BUILDING PROJECTS		\$ -	\$ -	\$ -								
		-	-	-								
		-	-	-								
Total Buildings		\$ -	\$ -	\$ -					\$ -	\$ -	\$ -	
Transportation												
Main Street Bridge Replacement	Main Street Bridge over the Expressway	\$ 3,823,000	\$ -	\$ 3,823,000	50			June 2018	\$ -	\$ 3,325,932	\$ 497,068	All External Consultants -Recent History/%
Timberlake Road/Logan's Lane Improvements	Re-work Intersection for Increased Traffic Flow	2,531,800	-	2,531,800	30			May 2019	-	2,343,881	187,920	All External Consultants -Recent History/%
Wards Ferry Road Widening	Between Timberlake Road and Aaron Place	1,536,800	-	1,536,800	30			June 2017	-	1,531,625	5,175	All External Consultants -Recent History/%
McConville Road Culvert	Replace culvert and re-align roadway	750,000	-	750,000	30			June 2017	-	750,000	-	Actual Fees
Community Market Plaza Deck Renovation	Main Street	1,750,000	-	1,750,000	40			April 2017	-	1,750,000	-	Actual Fees
Culvert Replacement	Burnt Bridge Road	400,000	-	400,000	30			March 2018	-	360,000	40,000	All External Consultants -Recent History/%
General Street Improvements	Park Ave/ Stewart St to Euclid St	400,000	-	400,000	20			October 2018	-	360,000	40,000	All External Consultants -Recent History/%
Traffic Signal Replacement	Fort Ave & McKinney, Fort Ave & Toledo Ave.	200,000	-	200,000	20			October 2017	-	176,000	24,000	All External Consultants -Recent History/%
		-	-	-								
		-	-	-								
Total Transportation		\$ 11,391,600	\$ -	\$ 11,391,600					\$ -	\$ 10,597,438	\$ 794,163	
Economic Development												
Downtown Streetscape	Main and Church/ 5th St. to 8th St. Implementation of Two-Way traffic Downtown and design of Phase II	4,100,000	-	\$ 4,100,000	20			August 2017	\$ -	4,100,000	\$ -	All External Consultants -Recent History/%
Fifth Street Streetscape Phase III	Jackson St. to Park Ave.	1,500,000	-	1,500,000	20			December 2018	-	1,422,905	77,095	All External Consultants -Recent History/%
		-	-	-								
		-	-	-								
Total Economic Develop		\$ 5,600,000	\$ -	\$ 5,600,000					\$ -	\$ 5,522,905	\$ 77,095	

City of Lynchburg, Series 2016 General Obligation Bond
List of New Projects

Location, function and principal components		Expected New Costs to be Financed by this Bond Issue	Expected Costs to be Reimbursed by this Bond Issue	Total Costs to be Financed by this Bond Issue	Expected Useful Life (Years)	Date Paid (for reimbursements)	Source of Payment (for expenses being reimbursed)	Expected in Service Date	Acquisition Costs	Construction Costs	Architectural /Engineering /Admin Costs	Method for Computing Engineering Costs
Parks & Recreation												
SERIES 2016 BOND ISSUE DOES NOT INCLUDE PARKS AND REC PROJECTS		\$ -	\$ -	\$ -								
		-	-	-								
		-	-	-								
Total Parks & Recreation		\$ -	\$ -	\$ -					\$ -	\$ -	\$ -	
Total City Capital Projects Fund		\$ 16,991,600	\$ -	\$ 16,991,600					\$ -	\$ 16,120,342	\$ 871,258	
Estimated Spend Down of City Cap Projects		1,699,160	6,881,598	6,308,132	2,102,710	-	-	\$ 16,991,600				
		6 months	12 months	18 months	24 months	36 months	> 36 months	Total				

Schools												
SERIES 2016 BOND ISSUE DOES NOT INCLUDE SCHOOL PROJECTS		\$ -	\$ -	\$ -								
		-	-	-								
		-	-	-								
Total Schools		\$ -	\$ -	\$ -					\$ -	\$ -	\$ -	
Estimated Spend Down of School Projects		-	-	-	-	-	-	\$ -				
		6 months	12 months	18 months	24 months	36 months	> 36 months	Total				

Fleet												
SERIES 2016 BOND ISSUE DOES NOT INCLUDE FLEET PROJECTS		\$ -	\$ -	\$ -								
		-	-	-								
		-	-	-								
Total Fleet		\$ -	\$ -	\$ -					\$ -	\$ -	\$ -	
Estimated Spend Down of Fleet Projects		-	-	-	-	-	-	\$ -				
		6 months	12 months	18 months	24 months	36 months	> 36 months	Total				

Water												
1061 Zone - Expressway Crossing@Border Street	US 29 South Expressway, Border Street/ New pipe /Water pipe	\$ 50,000	\$ -	\$ 50,000	50			Aug-18	\$ -	\$ 50,000	\$ -	
Abert Lagoon Evaluation	Abert Road/Assessment of most cost efficient options for new infrastructure for continuance of lagoon use or waste disposal/Infrastructure and equipment	40,000	-	40,000	30			May-18	\$ -	-	40,000	Direct bill from outside vendor/firm
Blue Ridge Farms Phase IV - Design	Ramsgate Lane & Tunbridge Street, Ashbourne Street/Replacement of aging infrastructure/Water pipe	85,000	-	85,000	50			Dec-17	\$ -	-	85,000	Direct bill from outside vendor/firm
Downtown #2	Commerce Street between 7th & 12th Streets /Replacement of aging infrastructure/Water pipe	300,000	-	300,000	50			Aug-17	\$ -	292,500	7,500	Direct bill from outside vendor/firm
Harvard Street/Wards Ferry	Harvard Street, Wards Ferry Road/ New Infrastructure/Water pipe	180,000	-	180,000	50			Aug-18	\$ -	180,000	-	

City of Lynchburg, Series 2016 General Obligation Bond
List of New Projects

Location, function and principal components		Expected New Costs to be Financed by this Bond Issue	Expected Costs to be Reimbursed by this Bond Issue	Total Costs to be Financed by this Bond Issue	Expected Useful Life (Years)	Date Paid (for reimbursements)	Source of Payment (for expenses being reimbursed)	Expected in Service Date	Acquisition Costs	Construction Costs	Architectural /Engineering /Admin Costs	Method for Computing Engineering Costs
Main Street Bridge	Main Street/Replacement of aging infrastructure/Water pipe	50,000	-	50,000	50			Aug-17	\$ -	50,000	-	
Future Water Distribution Projects - Design	Multiple locations/Design of future projects/None, results to lead to future capital projects	110,000	-	110,000	50			Jun-18	\$ -	110,000	-	
Future Small Main Projects - SSES - Design	Multiple locations/Design of future projects/None, results to lead to future capital projects	400,000	-	400,000	50			Jun-18	\$ -	400,000	-	
Tinbridge Hill Small Main - SSES TBD	Jackson Street, Polk Street and Monroe Street between 2nd Street and Hollins Street/Replacement of aging infrastructure/Water main	700,000	-	700,000	50			Jun-18	-	700,000	-	
Fifth St Phase 3 Util Improv 10015-WS	5th Street and Park Avenue/Replacement of aging infrastructure/Water pipe	800,000	-	800,000	50			Jun-17	-	800,000	-	
College Hill Boiler Replacement	Taylor Street/Heating for College Hill Water Plant and Admin Building/New Boiler	50,000	-	50,000	50			Apr-17	-	50,000	-	
Denver Avenue Utilities Improvements	Denver Avenue & Yancey Street/Replacement of aging infrastructure/Water pipe	410,000	-	410,000	50			Apr-17	-	410,000	-	
Downtown Area Business Improvements	Church Street, Main Street between 7th and 8th Streets/Replacement of aging infrastructure	2,400,000	-	2,400,000	50			May-17	-	2,375,000	25,000	Direct bill from outside vendor/firm
		-	-	-								
Total Water		\$ 5,575,000	\$ -	\$ 5,575,000					\$ -	\$ 5,417,500	\$ 157,500	

Estimated Spend Down of Water Projects

1,215,000	2,635,000	800,000	925,000	-	-	\$ 5,575,000
6 months	12 months	18 months	24 months	36 months	> 36 months	Total

Sewer

Downtown #2 - Design	Commerce Street between 7th & 12th Streets/Replacement of aging infrastructure/Sewer pipe	\$ 100,000	\$ -	\$ 100,000	50			Aug-17			\$ 100,000	Direct bill from outside vendor/firm
Fishing Creek Sewer Replacement	Murray Place/Replace aging infrastructure/ Sewer pipe	350,000	-	350,000	50			Apr-18		330,000	20,000	Direct bill from outside vendor/firm
Future Sewer Pipe Replacements TBD	TBD/ Replace aging or failing infrastructure/Sewer pipe	50,000	-	50,000	50			Jun-18		50,000		
SSES Area #3 Castle Pl - Construction	Castle Place/Replace aging infrastructure/Sewer pipe	500,000	-	500,000	50			Apr-18		465,000	35,000	Direct bill from outside vendor/firm
Future Small Main Projects - SSES TBD	TBD/ Replace aging or failing infrastructure/Sewer mains	20,000	-	20,000	50			Feb-18		20,000		
Burton Creek Interceptor Replacement	Custer Drive to US 29/501 Expressway/Replace due to age and lack of capacity/Sewer pipe	3,110,000	-	3,110,000	50			May-18		3,060,000	50,000	Direct bill from outside vendor/firm
WWTP Operations Building Renovation	Concord Turnpike/Meet new regulations/Building upgrades and renovations.	1,935,000	-	1,935,000	50			May-18		1,885,000	50,000	Direct bill from outside vendor/firm
		-	-	-								
		-	-	-								
		-	-	-								
Total Sewer		\$ 6,065,000	\$ -	\$ 6,065,000					\$ -	\$ 5,810,000	\$ 255,000	

Estimated Spend Down of Water Projects

60,000	2,255,000	2,870,000	880,000	-	-	\$ 6,065,000
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City of Lynchburg, Series 2016 General Obligation Bond
List of New Projects

Location, function and principal components	Expected New Costs to be Financed by this Bond Issue	Expected Costs to be Reimbursed by this Bond Issue	Total Costs to be Financed by this Bond Issue	Expected Useful Life (Years)	Date Paid (for reimbursements)	Source of Payment (for expenses being reimbursed)	Expected in Service Date	Acquisition Costs	Construction Costs	Architectural /Engineering /Admin Costs	Method for Computing Engineering Costs
	6 months	12 months	18 months	24 months	36 months	> 36 months	Total				
Grand Total	\$ 28,631,600	\$ -	\$ 28,631,600					\$ -	\$ 27,347,842	\$ 1,283,758	
Percentage of Bond Proceeds used for Acquisition									0.00%		
Total Estimated Spend Down	\$ 2,974,160	\$ 11,771,598	\$ 9,978,132	\$ 3,907,710	\$ -	\$ -	\$ 28,631,600				
	6 months	12 months	18 months	24 months	36 months	> 36 months	Total				
	10%	52%	86%	100%							

Checks:	
Grand Total Bonds	28,631,600
Total Acquisition, Construction, Architect Costs	28,631,600
Variance	-

City of Lynchburg, Virginia

Plan of Finance



April 12, 2016

Background/Overview



- On February 9, 2016, Davenport, in our capacity as Financial Advisor, reviewed and presented a variety of financing scenarios/funding strategies for the City's upcoming capital needs in both the General Fund and Water & Sewer Funds.

- Additionally, Davenport evaluated the City's outstanding debt portfolio and identified the Series 2007 Bonds as a potential refunding candidate.
 - Note: All refunding candidates are preliminary, subject to change based upon market conditions.

- City Council, in consultation with City Staff, determined the desired financing scenario and directed Davenport to proceed ahead with the Plan of Finance.

- This presentation is designed to provide City Council with an update on the proposed final Plan of Finance and the potential Series 2016 Bond Issuance.

Current Interest Rate Environment

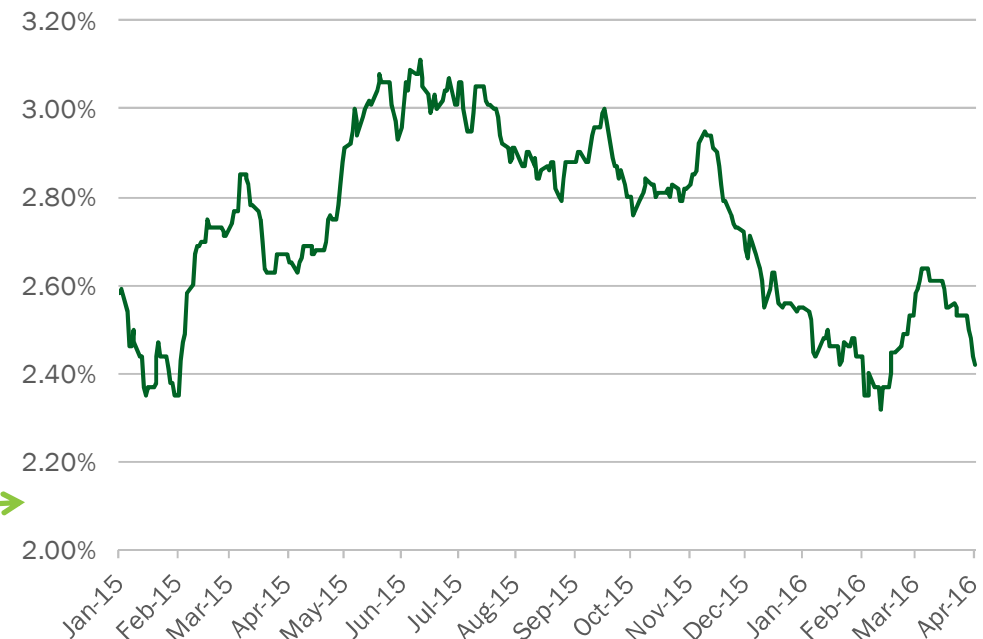


- Tax-Exempt interest rates remain near all-time lows and have been volatile over the past year.
- It is unclear how long rates will remain at their current levels.

20 Year AAA MMD (Since 2000)



20 Year AAA MMD (Since 2015)



Series 2016 Financing Summary



Tax-Supported Projects		Water and Sewer Self Supporting Projects	
<u>Series 2016 Bonds</u>			
<u>New Money</u>		<u>New Money</u>	
\$17 Million General Fund Projects		\$5.6 Million Water Fund Projects	
		\$6 Million Sewer Fund Projects	
<u>Refunding</u>		<u>Refunding</u>	
\$8.1 Million (Estimate)		\$12.9 Million (Estimate)	
<u>Total Tax-Supported</u>		<u>Total Self-Supporting</u>	
\$25.1 Million		\$24.5 Million	

↓

↓

Total Series 2016 Bond Size: \$49.6 Million

Potential Refunding Opportunity



Summary of Bonds Refunded

Series	2007
Coupon(s)	4.125 – 5.000%
Maturities Refunded	2018 – 2037
Par Refunded	\$21,390,000
Call Date	8/1/2017

Summary of Refunding Results

Gross Savings	\$2,246,868
Net Present Value Savings	\$2,088,360
Percent Savings	9.76%
All-In TIC	2.90%
Negative Arbitrage	\$542,020

Series 2007 Bonds Prior Bond Debt Service				Series 2016 Refunding Bonds Estimated Market Rates as of 3/10/2016			Debt Service Savings
Fiscal Year	Principal	Interest	Total	Principal	Interest	Total	Total
2017	\$0	\$959,888	\$959,888	\$0	\$927,307	\$927,307	\$32,581
2018	-	959,888	959,888	-	897,394	897,394	62,494
2019	1,305,000	933,788	2,238,788	1,235,000	897,394	2,132,394	106,394
2020	1,320,000	879,638	2,199,638	1,255,000	835,644	2,090,644	108,994
2021	1,345,000	822,166	2,167,166	1,285,000	772,894	2,057,894	109,272
2022	1,365,000	758,619	2,123,619	1,310,000	708,644	2,018,644	104,975
2023	1,390,000	694,088	2,084,088	1,335,000	643,144	1,978,144	105,944
2024	1,410,000	632,838	2,042,838	1,360,000	576,394	1,936,394	106,444
2025	1,435,000	570,603	2,005,603	1,390,000	508,394	1,898,394	107,209
2026	1,460,000	507,275	1,967,275	1,420,000	438,894	1,858,894	108,381
2027	1,485,000	441,925	1,926,925	1,450,000	367,894	1,817,894	109,031
2028	635,000	394,225	1,029,225	625,000	295,394	920,394	108,831
2029	665,000	364,144	1,029,144	650,000	270,394	920,394	108,750
2030	695,000	331,844	1,026,844	675,000	244,394	919,394	107,450
2031	730,000	298,000	1,028,000	705,000	217,394	922,394	105,606
2032	765,000	262,494	1,027,494	730,000	189,194	919,194	108,300
2033	800,000	225,325	1,025,325	750,000	165,469	915,469	109,856
2034	840,000	187,425	1,027,425	780,000	141,094	921,094	106,331
2035	875,000	148,838	1,023,838	800,000	115,744	915,744	108,094
2036	915,000	108,563	1,023,563	825,000	88,744	913,744	109,819
2037	955,000	66,488	1,021,488	855,000	60,900	915,900	105,588
2038	1,000,000	22,500	1,022,500	885,000	30,975	915,975	106,525
Total	\$21,390,000	\$10,570,556	\$31,960,556	\$20,320,000	\$9,393,688	\$29,713,688	\$2,246,868

Assumes Public Market Issuance (Competitive Sale) closing May 19, 2016 and estimated market rates as of March 10, 2016.

Assumes escrow is funded with SLGS.

All numbers are preliminary, subject to change and net of estimated local costs of issuance plus an underwriter's discount of \$5.00 per bond.

DAVENPORT & COMPANY

Timetable



Date		Action
February 9, 2016	✓	City Council Meeting: Davenport presented capital needs analysis, refunding updated and Plan of Finance.
Balance of February/ Early March	✓	• Develop financing documents and Credit Package. • Schedule meetings with Fitch, Moody's and Standard & Poor's in New York.
April 12, 2016	✓	City Council Meeting: City Staff and Davenport present update on the Plan of Finance and refunding opportunity. Public Hearing and City Council Considers adopting Bond Ordinance.
April 14-15		City meets with Credit Rating Agencies in New York.
April 20		Credit Ratings Received.
April 21		Mail/Post Preliminary Official Statement.
April 28		Sale/Pricing of Series 2016 Bonds.
May 19		Close on Series 2016 Bonds.



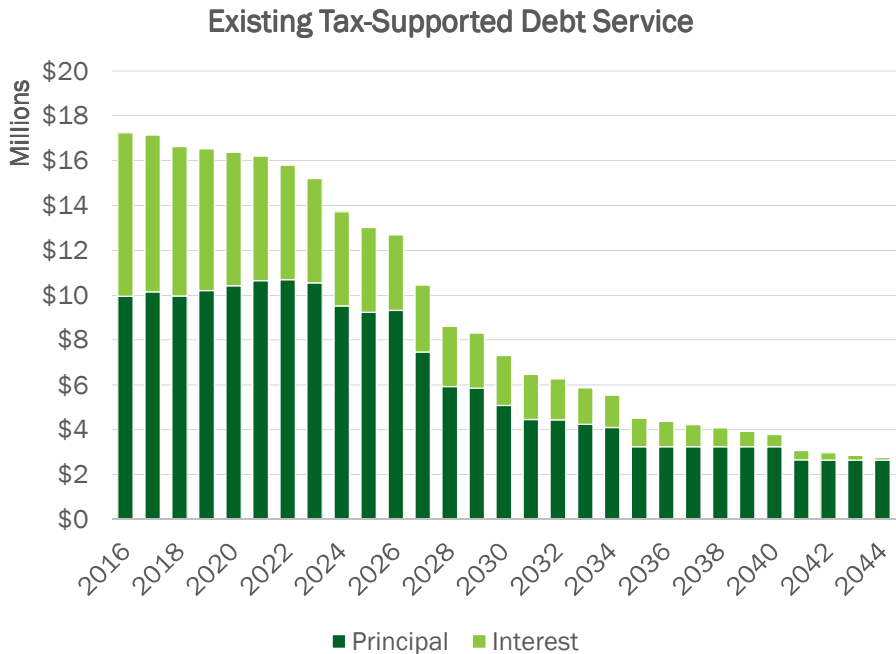
Appendix

City of Lynchburg, Virginia

Existing Tax-Supported Debt Service



Total Existing Tax-Supported Debt Service				
FY	Principal	Interest	Total	Payout Ratio
2016	\$9,954,827	\$7,285,342	\$17,240,169	
2017	10,150,722	6,986,273	17,136,995	
2018	9,970,153	6,656,857	16,627,010	
2019	10,209,727	6,316,175	16,525,901	
2020	10,427,916	5,936,582	16,364,498	
2021	10,661,249	5,536,769	16,198,018	8.1%
2022	10,700,038	5,095,793	15,795,832	16.2%
2023	10,551,532	4,641,485	15,193,016	24.3%
2024	9,514,319	4,200,237	13,714,557	31.5%
2025	9,228,453	3,790,970	13,019,423	38.5%
2026	9,312,185	3,384,044	12,696,229	45.6%
2027	7,469,058	2,982,822	10,451,880	51.2%
2028	5,921,280	2,683,565	8,604,845	55.7%
2029	5,858,878	2,441,147	8,300,025	60.2%
2030	5,088,376	2,214,061	7,302,437	64.1%
2031	4,453,100	2,008,514	6,461,614	67.5%
2032	4,444,310	1,818,388	6,262,698	70.8%
2033	4,236,280	1,631,434	5,867,714	74.0%
2034	4,095,640	1,450,494	5,546,134	77.2%
2035	3,245,000	1,274,477	4,519,477	79.6%
2036	3,245,000	1,129,408	4,374,408	82.1%
2037	3,240,000	984,340	4,224,340	84.6%
2038	3,240,000	839,471	4,079,471	87.0%
2039	3,240,000	694,603	3,934,603	89.5%
2040	3,240,000	549,734	3,789,734	91.9%
2041	2,655,000	424,200	3,079,200	94.0%
2042	2,650,000	318,000	2,968,000	96.0%
2043	2,650,000	212,000	2,862,000	98.0%
2044	2,650,000	106,000	2,756,000	100.0%
Total	\$182,303,043	\$83,593,187	\$265,896,229	



City Policy: The 10-Year Principal Payout ratio shall not be less than 60% at the end of each adopted five-year Capital Improvement Plan.

Projected Debt Service

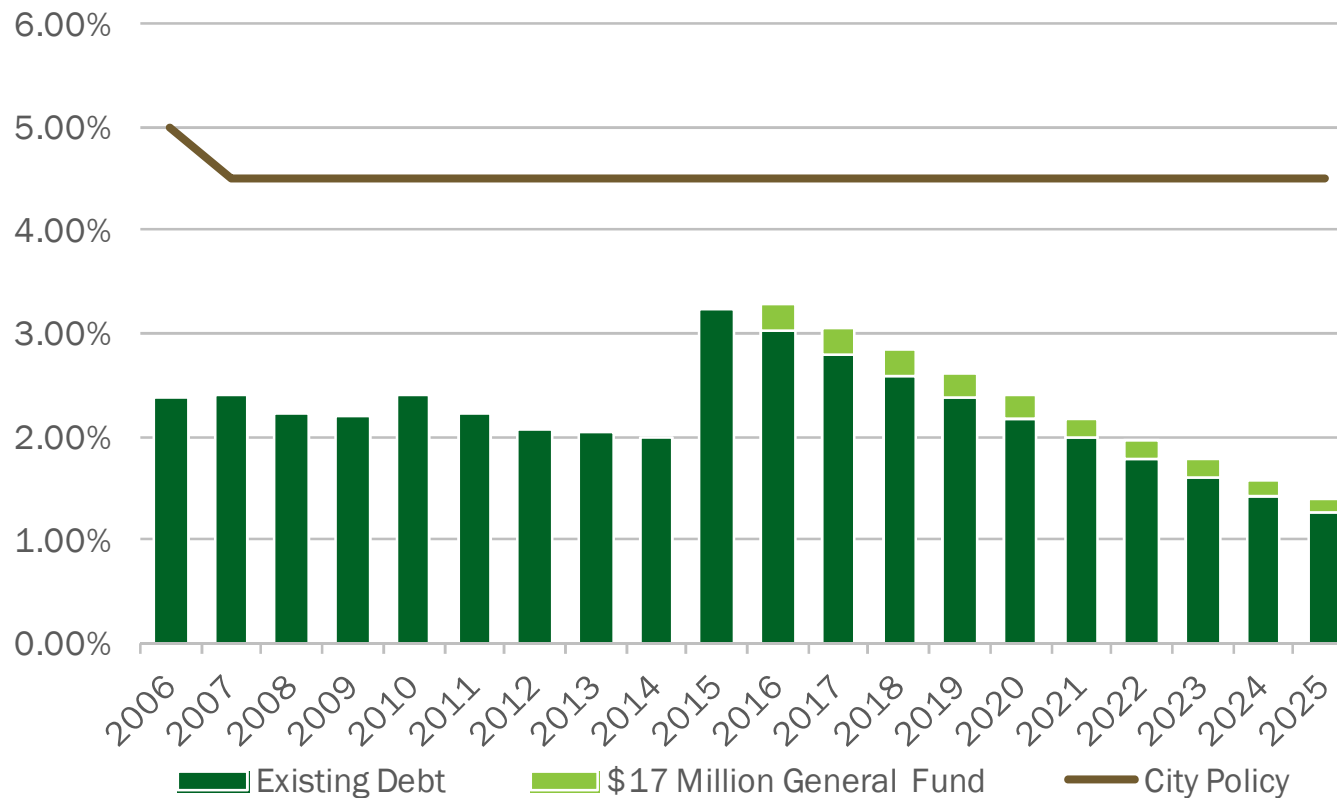


Existing Tax Supported Debt				Potential \$17 Million General Fund New Money			Total Existing and Potential Debt			
FY	Principal	Interest	Total Debt Service	Principal	Interest	Total Debt Service	Principal	Interest	Total Debt Service	Payout Ratio
2016	\$9,954,827	\$7,285,342	\$17,240,169	\$0	\$0	\$0	\$9,954,827	\$7,285,342	\$17,240,169	
2017	10,150,722	6,986,273	17,136,995	330,000	663,135	993,135	10,480,722	7,649,408	18,130,130	
2018	9,970,153	6,656,857	16,627,010	525,000	631,844	1,156,844	10,495,153	7,288,701	17,783,854	
2019	10,209,727	6,316,175	16,525,901	545,000	616,094	1,161,094	10,754,727	6,932,268	17,686,995	
2020	10,427,916	5,936,582	16,364,498	570,000	588,844	1,158,844	10,997,916	6,525,426	17,523,342	
2021	10,661,249	5,536,769	16,198,018	600,000	560,344	1,160,344	11,261,249	6,097,113	17,358,362	
2022	10,700,038	5,095,793	15,795,832	630,000	530,344	1,160,344	11,330,038	5,626,137	16,956,176	8.5%
2023	10,551,532	4,641,485	15,193,016	660,000	498,844	1,158,844	11,211,532	5,140,328	16,351,860	16.8%
2024	9,514,319	4,200,237	13,714,557	695,000	465,844	1,160,844	10,209,319	4,666,081	14,875,400	24.4%
2025	9,228,453	3,790,970	13,019,423	730,000	431,094	1,161,094	9,958,453	4,222,064	14,180,517	31.9%
2026	9,312,185	3,384,044	12,696,229	765,000	394,594	1,159,594	10,077,185	3,778,638	13,855,823	39.4%
2027	7,469,058	2,982,822	10,451,880	800,000	356,344	1,156,344	8,269,058	3,339,166	11,608,224	45.6%
2028	5,921,280	2,683,565	8,604,845	840,000	316,344	1,156,344	6,761,280	2,999,909	9,761,189	50.6%
2029	5,858,878	2,441,147	8,300,025	875,000	282,744	1,157,744	6,733,878	2,723,891	9,457,769	55.6%
2030	5,088,376	2,214,061	7,302,437	910,000	247,744	1,157,744	5,998,376	2,461,805	8,460,181	60.1%
2031	4,453,100	2,008,514	6,461,614	945,000	211,344	1,156,344	5,398,100	2,219,857	7,617,957	64.1%
2032	4,444,310	1,818,388	6,262,698	985,000	173,544	1,158,544	5,429,310	1,991,932	7,421,242	68.2%
2033	4,236,280	1,631,434	5,867,714	1,015,000	141,531	1,156,531	5,251,280	1,772,966	7,024,246	72.1%
2034	4,095,640	1,450,494	5,546,134	1,050,000	108,544	1,158,544	5,145,640	1,559,038	6,704,678	75.9%
2035	3,245,000	1,274,477	4,519,477	1,085,000	74,419	1,159,419	4,330,000	1,348,896	5,678,896	79.2%
2036	3,245,000	1,129,408	4,374,408	1,120,000	37,800	1,157,800	4,365,000	1,167,208	5,532,208	82.4%
2037	3,240,000	984,340	4,224,340	0	0	0	3,240,000	984,340	4,224,340	84.8%
2038	3,240,000	839,471	4,079,471	0	0	0	3,240,000	839,471	4,079,471	87.3%
2039	3,240,000	694,603	3,934,603	0	0	0	3,240,000	694,603	3,934,603	89.7%
2040	3,240,000	549,734	3,789,734	0	0	0	3,240,000	549,734	3,789,734	92.1%
2041	2,655,000	424,200	3,079,200	0	0	0	2,655,000	424,200	3,079,200	94.1%
2042	2,650,000	318,000	2,968,000	0	0	0	2,650,000	318,000	2,968,000	96.0%
2043	2,650,000	212,000	2,862,000	0	0	0	2,650,000	212,000	2,862,000	98.0%
2044	2,650,000	106,000	2,756,000	0	0	0	2,650,000	106,000	2,756,000	100.0%
Total	\$182,303,043	\$83,593,187	\$265,896,229	\$15,675,000	\$7,331,335	\$23,006,335	\$197,978,043	\$90,924,522	\$288,902,564	

Debt as a Percentage of Assessed Value



The City's Debt Service to Assessed Valuation is currently projected to be well below the City's policy of 4.50%.

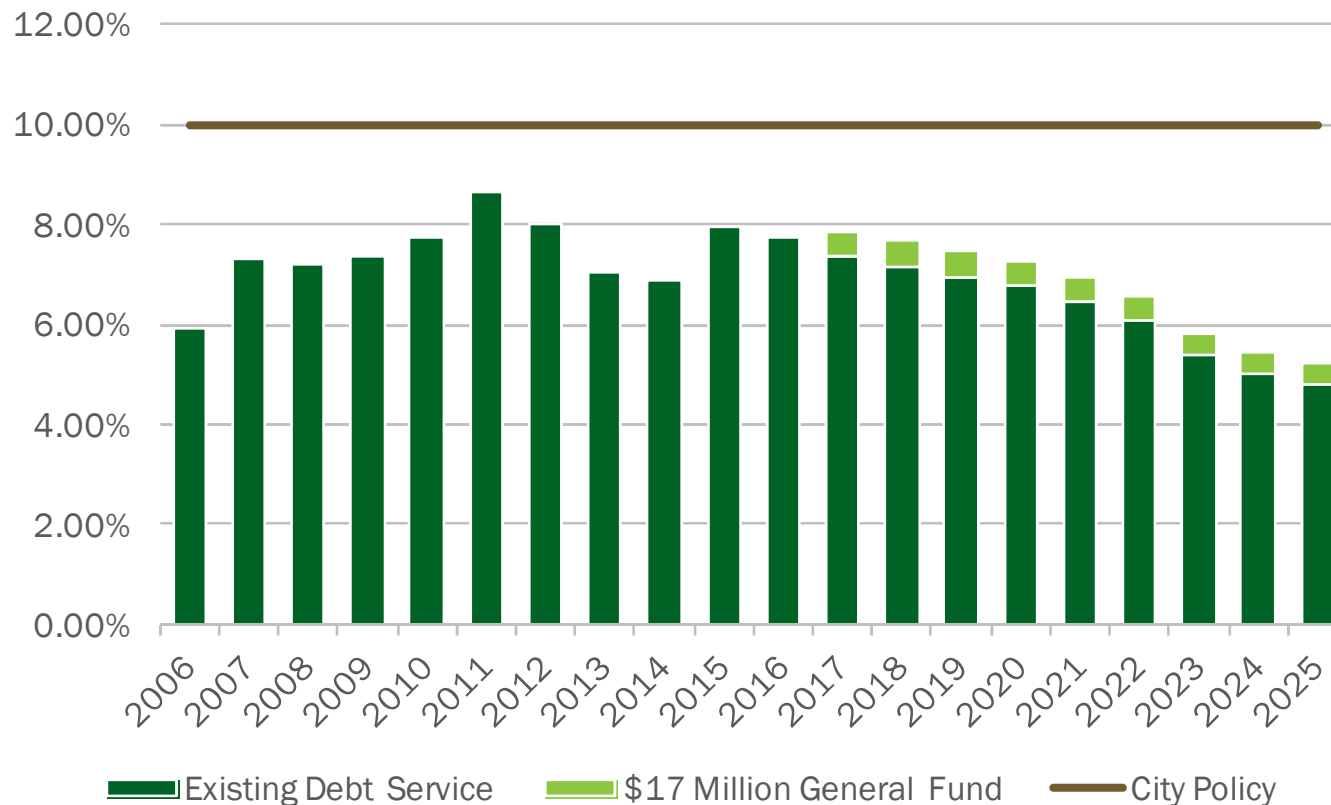


Including the potential \$17 million General Fund bond issuance, the City will remain below the 4.50% policy level.

Debt Service as a Percentage of Expenditures



The City's Debt Service to Expenditures Ratio is projected to stay below the City's Policy of 10%.



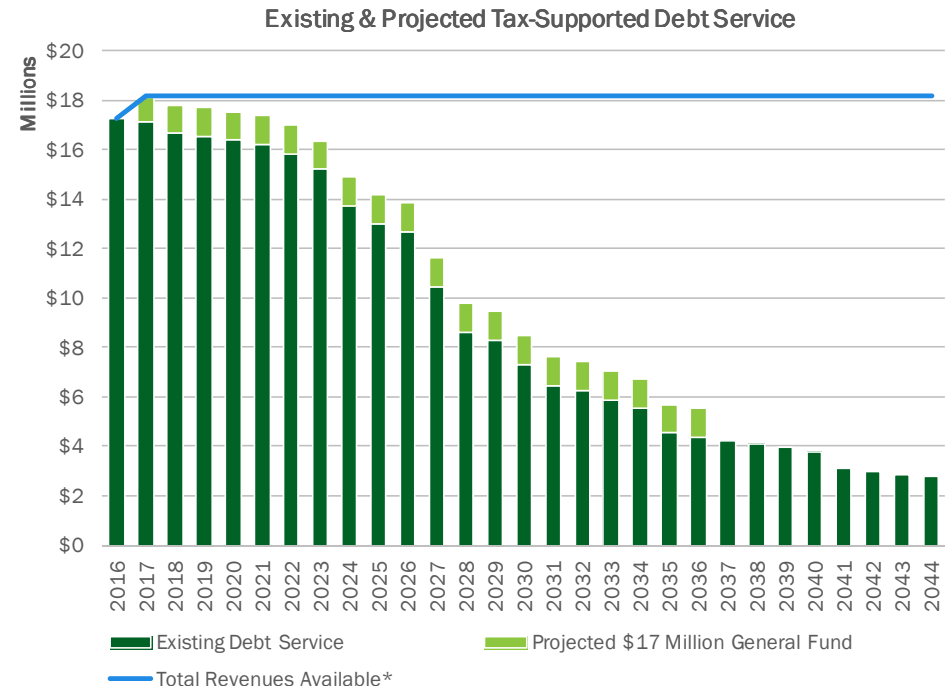
Including the potential \$17 million General Fund bond issuance, the City will remain below the 10% policy level.

Cash Flow Impact



	Existing Debt Service	Projected \$17 Million General Fund	Total Estimated Debt Service	Total Revenues Available*	Additional Revenues Needed
2016	\$17,240,169	\$0	\$17,240,169	\$17,240,169	
2017	17,136,995	993,135	18,130,130	18,140,169	
2018	16,627,010	1,156,844	17,783,854	18,140,169	
2019	16,525,901	1,161,094	17,686,995	18,140,169	
2020	16,364,498	1,158,844	17,523,342	18,140,169	
2021	16,198,018	1,160,344	17,358,362	18,140,169	
2022	15,795,832	1,160,344	16,956,176	18,140,169	
2023	15,193,016	1,158,844	16,351,860	18,140,169	
2024	13,714,557	1,160,844	14,875,400	18,140,169	
2025	13,019,423	1,161,094	14,180,517	18,140,169	
2026	12,696,229	1,159,594	13,855,823	18,140,169	
2027	10,451,880	1,156,344	11,608,224	18,140,169	
2028	8,604,845	1,156,344	9,761,189	18,140,169	
2029	8,300,025	1,157,744	9,457,769	18,140,169	
2030	7,302,437	1,157,744	8,460,181	18,140,169	
2031	6,461,614	1,156,344	7,617,957	18,140,169	
2032	6,262,698	1,158,544	7,421,242	18,140,169	
2033	5,867,714	1,156,531	7,024,246	18,140,169	
2034	5,546,134	1,158,544	6,704,678	18,140,169	
2035	4,519,477	1,159,419	5,678,896	18,140,169	
2036	4,374,408	1,157,800	5,532,208	18,140,169	
2037	4,224,340	0	4,224,340	18,140,169	
2038	4,079,471	0	4,079,471	18,140,169	
2039	3,934,603	0	3,934,603	18,140,169	
2040	3,789,734	0	3,789,734	18,140,169	
2041	3,079,200	0	3,079,200	18,140,169	
2042	2,968,000	0	2,968,000	18,140,169	
2043	2,862,000	0	2,862,000	18,140,169	
2044	2,756,000	0	2,756,000	18,140,169	

Total \$265,896,229 \$23,006,335 \$288,902,564



Note: The City will not need additional revenues dedicated for debt service.

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Version 01/13/2014 GL/DJG/CR

RESOLUTION “A”

A RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED THIRTY MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS (\$30,250,000) PRINCIPAL AMOUNT OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS OF THE CITY OF LYNCHBURG, VIRGINIA, FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COST OF THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, IMPROVEMENT, EXTENSION, ENLARGEMENT AND EQUIPPING OF VARIOUS PUBLIC IMPROVEMENT PROJECTS OF AND FOR THE CITY AND NOT TO EXCEED TWENTY FOUR MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS (\$24,250,000) PRINCIPAL AMOUNT OF GENERAL OBLIGATION PUBLIC IMPROVEMENT REFUNDING BONDS OF THE CITY OF LYNCHBURG, VIRGINIA, FOR THE PURPOSE OF PROVIDING FUNDS TO REFUND AND DEFEASE OR 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; PROVIDING FOR THE SALE OF SUCH BONDS AND DELEGATING TO THE CITY MANAGER CERTAIN POWERS WITH RESPECT THERETO; AUTHORIZING THE PREPARATION AND DELIVERY OF THE PRELIMINARY OFFICIAL STATEMENT AND FINAL OFFICIAL STATEMENT RELATING TO SUCH BONDS; AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER A CONTINUING DISCLOSURE CERTIFICATE OR A CONTINUING DISCLOSURE AGREEMENT RELATING TO SUCH BONDS; AUTHORIZING THE APPOINTMENT OF AN ESCROW AGENT; AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW DEPOSIT AGREEMENT BY AND BETWEEN THE CITY AND SUCH ESCROW AGENT AND THE PURCHASE OF THE SECURITIES TO BE HELD THEREUNDER; AUTHORIZING THE APPOINTMENT OF A VERIFICATION AGENT; AND AUTHORIZING THE DESIGNATION OF THE REFUNDED OBLIGATIONS FOR REDEMPTION OR PREPAYMENT

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, there were authorized to be issued, sold and delivered the City’s Thirty-Three Million Three Hundred Thousand Dollars (\$33,300,000) aggregate principal amount of General Obligation Public Improvement Bonds, Series 2007, dated August 2, 2007 and maturing in varying amounts on August 1 in each of the years 2008 through 2027 and the years 2032 and 2037 (the “Series 2007 Bonds”).

(b) The City has been advised by the City's Financial Advisor that the refunding and defeasing of all or a portion of the Series 2007 Bonds 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 Bonds and General Obligation Public Improvement Refunding Bonds to provide funds (i) to pay the costs of the acquisition, construction, reconstruction, improvement, extension, enlargement and equipping of various public improvement projects of and for the City set forth in Section 8 hereof, (ii) to refund and defease all or a portion of the outstanding Series 2007 Bonds and certain maturities such other outstanding general obligation public improvement bonds, the refunding of which shall be recommended by the City's Financial Advisor through the issuance of General Obligation Public Improvement Bonds (such obligations to be refunded and defeased 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 and defease 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 Thirty Million Two Hundred Fifty Thousand Dollars (\$30,250,000) principal amount of General Obligation Public Improvement Bonds of the City for the purpose of providing funds to pay the costs of the acquisition, construction, reconstruction, improvement, extension, enlargement and equipping of various public improvement projects of and for the City set forth in Section 8 hereof and not to exceed Twenty Four Million Two Hundred Fifty Thousand Dollars (\$24,250,000) principal amount of General Obligation Public Improvement Refunding Bonds of the City for the purpose of providing funds to refund and defease or prepay certain outstanding general obligation public improvement bonds and a general obligation public improvement bond anticipation note of the City, and paying certain costs related to the issuance of such bonds.

SECTION 2. Pursuant to the Public Finance Act of 1991, there are authorized to be issued not to exceed Thirty Million Two Hundred Fifty Thousand Dollars (\$30,250,000) principal amount of General Obligation Public Improvement Bonds of the City for the purpose of providing funds to pay the costs of the acquisition, construction, reconstruction, improvement, extension, enlargement and equipping of various public improvement projects of and for the City set forth in Section 8 hereof and not to exceed Twenty Four Million Two Hundred Fifty Thousand Dollars (\$24,250,000) principal amount of General Obligation Public Improvement Refunding Bonds of the City for the purpose of providing funds to refund and defease or prepay certain outstanding general obligation public improvement bonds and a general obligation public improvement bond anticipation note of the City, and paying certain costs related to the issuance of such Bonds.

(a) 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 Director of Financial Services. 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. 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 the Director of Financial Services; 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 the Director of Financial Services; and shall bear interest at such rate or rates per annum as shall be determined by the City Manager pursuant to the provisions of Section 9 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. The Director of Financial Services 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 the date the first Bonds of such series are issued under this Resolution); 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.

(b) In the event the Bonds of any series shall be 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 3 hereof with regard to the authentication of such Bonds and of Section 11 with regard to the forms of such Bonds shall be modified as the Director of Financial Services shall determine to be necessary or appropriate.

(c) If the Bonds of a given series are subject to redemption and if any Bonds of such series (or portions thereof in installments of \$5,000 or any integral multiple thereof) 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 Director of Financial Services 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.

(i) 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.

(ii) 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.

(d) 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 the principal amount of \$5,000 or any integral multiple thereof. Purchasers will not receive physical delivery of certificates representing their interest in the Bonds purchased.

(i) 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.

(ii) 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 Director of Financial Services 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. The Bonds shall be executed, for and on behalf of the City, by the manual or facsimile signature of the Mayor of the City and shall have an impression of 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.

(a) The Director of Financial Services 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.

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

SECTION 4. 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.

(a) 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.

(b) 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.

(c) 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.

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

(e) 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.

(f) 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.

(g) 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. The proceeds of the sale of the General Obligation Public Improvement Bonds shall be applied to the payment of the cost of the following public improvement projects of and for the City in substantially the following respective amounts (net proceeds constituting original issue premium may be allocated to the projects below in such amounts as may be determined by the City):

<u>Purpose</u>	<u>Amount</u>
Water Improvement Projects	\$5,890,100
Sewer Improvement Projects	6,407,800
Economic Development Projects	5,916,600
Transportation Projects	<u>12,035,500</u>
	\$30,250,000

If any project set forth above shall require less than the entire respective amount so set forth, the difference may be applied to any of the other projects so set forth without any further action of the Council.

SECTION 9. 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 (less any original issue discount) 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.

(a) 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, the Director of Financial Services 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.

(b) Upon the determination by the Director of Financial Services to sell the Bonds at competitive or negotiated sale, the City Manager 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; 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 net present value savings of not less than three percent (3%) to the City, calculated by using the amount of such net present value savings as the numerator and the Refunded Obligations refunded thereby which are subject to optional redemption as the denominator.

(c) If the Bonds are sold at negotiated sale, the City Manager 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.

(d) The Director of Financial Services 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. Either or both of the City Manager and the Director of Financial Services 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 is hereby authorized to execute and deliver the final Official Statement for the Bonds of each series authorized hereunder, and the City Manager, the Director of Financial Services and the City Attorney are hereby authorized to execute and deliver to the purchasers of the Bonds of each series certificates in the forms provided for in the Official Statement for the Bonds of such series.

SECTION 10. The City Manager 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 the City Manager 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 the City Manager.

SECTION 11. 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 12. 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 prepayment on such dates as shall be determined by the City Manager or the Deputy City Manager the Refunded Obligations selected for refunding or prepayment by the City Manager or the Deputy City Manager. The City Manager or the Deputy City Manager 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 irrevocable 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 of such Refunded Obligations on the date fixed for 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. The City Manager or the Deputy City Manager 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. The City Manager and the Deputy City Manager are hereby authorized to take all such actions as they shall deem to be necessary or desirable to effect the redemption or prepayment of the Refunded Obligations.

(a) The City Manager or the Deputy City Manager 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 the City Manager or the Deputy City Manager 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 the City Manager or the Deputy City Manager.

(b) The City Manager and the Deputy City Manager, or either of them, are 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. Such United States Treasury Obligations - State and Local Government Series, if any, so purchased shall be held by the Escrow Agent under and in accordance with the provisions of the related Escrow Deposit Agreement. The City Manager and Deputy City Manager, or either of them, are 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 Government Securities (as defined in the Escrow Deposit Agreement) other than United States Treasury Obligations - State and Local Government Series.

SECTION 13. The Council hereby authorizes the City to make expenditures for the purpose for which the General Obligation Public Improvement Bonds are to be issued in advance of the issuance and receipt of the proceeds of the General Obligation Public Improvement Bonds and to reimburse such expenditures from the proceeds of the General Obligation Public Improvement Bonds. The adoption of this resolution shall be considered as an "official intent" within the meaning of Treasury Regulation Section 1.150-2 promulgated under the Internal Revenue Code of 1986.

SECTION 14. All actions and proceedings heretofore taken by this Council, the City Manager, the Deputy City Manager, the Director of Financial Services 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 15. 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 16. All ordinances, resolutions and other proceedings in conflict herewith are, to the extent of such conflict, repealed.

SECTION 17. This Resolution shall take effect upon its adoption.

Adopted:

Certified:

Clerk of Council

045K

EXHIBIT A

**UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA
CITY OF LYNCHBURG
GENERAL OBLIGATION PUBLIC IMPROVEMENT
[REFUNDING] BOND, SERIES [2016]**

REGISTERED

REGISTERED

NO. [R-2016__]

\$_____

**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 **Director of Financial Services 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 finance the costs of the acquisition, construction, reconstruction, improvement, extension, enlargement and equipping of various public improvement projects of and for the City and to pay the outstanding principal amount of a general obligation public improvement bond anticipation note issued for the purpose of providing funds to finance the costs of the acquisition, construction, reconstruction, improvement, extension, enlargement and equipping of various public improvement projects of and for the City, together with the interest accrued thereon] [to refund and defease 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:

Clerk of Council

CERTIFICATE OF AUTHENTICATION

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

By: _____
Director of Financial Services,
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.

RESOLUTION "B":

BE IT RESOLVED THAT the FY 2016 General, Water, and Sewer Funds' Operating Budgets are amended for funding of \$200,669, \$110,778, and \$88,553 respectively, with resources from the General Obligation Public Improvement Bonds, Series 2016 for costs associated with the issuance. City Administration is authorized to realign appropriations for issuance costs among the Funds as necessary because of any bond refunding that occurs. City Administration also is 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:

Clerk of Council

045K-1

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **April 12, 2016**

AGENDA ITEM NO.: 11

CONSENT:

REGULAR: **X**

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Golf Carts and Utility Vehicles on Certain City Streets**

RECOMMENDATION: Adopt the attached ordinance allowing the City's colleges and university to operate golf carts and utility vehicles on certain city streets and sidewalks in proximity to the institutions.

SUMMARY: When this matter was discussed with City Council in September 2015 (agenda report and minutes attached) Council was generally receptive to allowing golf carts and utility vehicles, under certain conditions, to operate on City streets in the vicinity of college and university campuses. Council asked that staff again discuss the requests with the institutions and bring back a revised proposal, as appropriate.

Discussions were held with representatives of Liberty University, Lynchburg College, and Randolph College. As a result, the recommendations for Liberty University and Lynchburg College have been slightly modified, and Randolph College has submitted a written request (attached).

The Liberty University proposal has been modified to allow the operation of golf carts and utility vehicles on the sidewalk adjacent to a portion of Candler's Mountain Road. This is an area near a utility facility where the operation of golf carts on Candler's Mountain Road first brought this issue to light.

The Lynchburg College proposal has eliminated a couple of side streets.

The Randolph College proposal is new and also includes allowing the operation of golf carts and utility vehicles on the sidewalk of a portion of Rivermont Avenue, as is current practice.

The specific ordinance language is as follows:

(a) The city council hereby designates the following public highways within the city upon which golf carts and utility vehicles may be operated in accordance with the provisions of this article.

(1) *In the area of Randolph College, as follows:*

- a. *Rivermont Avenue (sidewalk only; must yield to pedestrians), from North Princeton Circle to 2470 Rivermont Avenue.*
- b. *The signalized crossing at Rivermont Avenue and North Princeton Circle.*
- c. *The crosswalk at the intersection of Rivermont Avenue and Norfolk Avenue.*
- d. *South Princeton Circle, from Rivermont Avenue to 220 South Princeton Circle.*
- e. *North Princeton Circle, from Rivermont Avenue to 80 North Princeton Circle.*
- f. *Norfolk Avenue, from the rear driveway at 2601 Rivermont Avenue to Cedar Drive.*
- g. *Westmoreland Avenue, from Rivermont Avenue to 227 Westmoreland Avenue.*
- h. *Arlington Street, from Rivermont Avenue to the driveway serving 2615 Rivermont Avenue.*

(2) *In the area of Lynchburg College, as follows:*

- a. *Faculty Drive, from Lakeside Drive to its end.*
- b. *Hood Street, from Lakeside Drive to Bristol Street.*
- c. *Bristol Street, from Hood Street to Monticello Avenue.*

- d. *Monticello Avenue, from Bristol Street to Lakeside Drive.*
- e. *The signalized crossing at the intersection of Monticello Avenue, Oakley Avenue and Lakeside Drive.*
- f. *Jubal Street, from Oakley Avenue to College Street.*
- g. *Hood Street, from Jubal Street to Lakeside Drive.*
- h. *Blue Ridge Street, from Jubal Street to Lakeside Drive.*
- i. *College Drive, from Lakeside Drive to Vernon Street.*
- j. *Vernon Street, from College Street to Richmond Street.*
- k. *Brevard Street, from College Street to Thomas Road.*
- l. *Westwood Avenue, from College Street to Thomas Road.*
- m. *College Street, from Vernon Street to its end.*
- n. *McCausland Street, from College Street to Thomas Road.*
- o. *Lakewood Street, from McCausland Street to Thomas Road.*

(3) *In the area of Liberty University, as follows:*

- a. *Candlers Mountain Road (sidewalk only; must yield to pedestrians), from Regents Parkway to University Boulevard.*
- b. *The signalized crossing at Regents Parkway and Candlers Mountain Road.*
- c. *The signalized crossing at Candlers Mountain Road and University Boulevard.*
- d. *University Boulevard, from Candlers Mountain Road to Liberty Mountain Drive.*
- e. *Liberty Mountain Drive, from Candlers Mountain Road to the City boundary with Campbell County.*

(4) *In the area of Central Virginia Community College, as follows:*

- a. *Harvard Street (State Route 368), from Wards Road to Wards Ferry Road.*

The ordinance provides that City Council may, upon the recommendation of the City Manager, revoke the designation if it becomes a problem in the future.

During Council's previous discussion on this matter there was some suggestion that golf carts or utility vehicles operating on City streets should be required to have more than standard safety equipment as is traditional for such vehicles. Staff recommends that Council not prescribe the addition of additional equipment for several reasons; the State Code allows for the operation of such vehicles on public streets as typically equipped, the liability for operating the vehicles lies with the owner and the City should not take any actions to assume any liability by prescribing some additional equipment out of a variety of options. Furthermore, at least one institution has asked for a grace period within which to allow the current vehicles to age out before being required to retrofit them with additional equipment. Finally, if City Council does not believe that golf carts and utility vehicles, as typically equipped, can operate safely on the designated streets, then it should simply decline to adopt the ordinance.

PRIOR ACTION(S): Physical Development Committee, August 11, 2015; City Council discussion, September 22, 2015.

FISCAL IMPACT: None

CONTACT(S): Kimball Payne, City Manager, 455-3990; Lee Newland, City Engineer, 455-3947

ATTACHMENT(S): September 22, 2015 Agenda Report; Excerpt from the minutes of the September 22, 2015 Council meeting; Letter from Randolph College; Maps showing proposed streets; Revised ordinance.

REVIEWED BY: lkp

AN ORDINANCE TO AMEND AND REENACT THE CODE OF THE CITY OF LYNCHBURG, 1981, BY ADDING THERETO NEW SECTIONS NUMBERED 25-200 through 25-200.8, RELATING TO THE OPERATION OF GOLF CARTS AND UTILITY VEHICLES ON THE PUBLIC STREETS .

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted by adding thereto Sections 25-200 through 25-200.8 as follows:

DIVISION 5. OPERATION OF GOLF CARTS AND UTILITY VEHICLES

Sec. 25-200. Definitions.

"Golf cart" for the purposes of this article means a self-propelled vehicle that is designed to transport persons playing golf and their equipment on a golf course.

"Utility vehicle" for the purposes of this article means a motor vehicle that is (i) designed for off-road use, (ii) powered by an engine of no more than 25 horsepower, and (iii) used for general maintenance, security, agricultural, or horticultural purposes. "Utility vehicle" does not include all-terrain vehicles as defined in Section 46.2-100 of the Code of Virginia, riding lawn mowers, or any other vehicle whose definition is included in Section 46.2-100 of the Code of Virginia.

Sec. 25-200.1. Use of golf carts or utility vehicles on public highways.

(a) No person shall operate a golf cart or utility vehicle on or over any public highway in the city except as provided in this division.

(b) The prohibitions of this section shall not apply to the operation of golf carts and utility vehicles by public employees and agents in the performance of governmental functions.

Sec. 25-200.2. Designation of public highways for golf cart and utility vehicle operations.

(a) No portion of the public highways may be designated for use by golf carts and utility vehicles unless the city council has reviewed and approved such highway usage.

(b) The city council may by ordinance authorize the operation of golf carts and utility vehicles on designated public highways within the city after (i) considering the speed, the volume of traffic, the average number of accidents, and the character of motor vehicle traffic using such highways, (ii) the physical characteristics of the public highways, such as the width, grade, condition of the pavement, etc. (iii) such other information as the city council may deem reasonably necessary to decide if golf carts and utility vehicles can be safely operated on such public highways, and (ii)

determining that the operation of golf carts and utility vehicles on particular highways is compatible with state and local transportation plans and consistent with the Commonwealth's Statewide Pedestrian Policy.

(c) No public highway shall be designated for use by golf carts and utility vehicles if such golf cart and utility vehicle operations will impede the safe and efficient flow of motor vehicle traffic.

(d) Signs, approved by the city traffic engineer, alerting motorists that golf carts and utility vehicles may be in operation shall be erected along all roads designated for golf cart and utility vehicle operation in such locations as determined by the city traffic engineer. The city shall be responsible for the installation and maintenance of any signs pertaining to the operation of golf carts or utility vehicles. The cost of the installation and continued maintenance of the signs on streets and highways designated for the use of golf carts and utility vehicles shall be the responsibility of the organizations, individuals, homeowners associations or other entities requesting the designations. All costs incurred by the city for the installation and continued maintenance of the signs shall be assessed to and recovered from the organization, individual, or entity that requested the designation.

(e) If such signage is not in place at all times, the operation of golf carts and utility vehicles shall be illegal and must immediately cease until the signs are repaired or replaced.

Sec. Sec. 25-200.3. public highways designated for golf cart and utility vehicle operations.

(a) The city council hereby designates the following public highways within the city upon which golf carts and utility vehicles may be operated in accordance with the provisions of this article.

(1) *In the area of Randolph College, as follows:*

- a. *Rivermont Avenue (sidewalk only; must yield to pedestrians), from North Princeton Circle to 2470 Rivermont Avenue.*
- b. *The signalized crossing at Rivermont Avenue and North Princeton Circle.*
- c. *The crosswalk at the intersection of Rivermont Avenue and Norfolk Avenue.*
- d. *South Princeton Circle, from Rivermont Avenue to 220 South Princeton Circle.*
- e. *North Princeton Circle, from Rivermont Avenue to 80 North Princeton Circle.*
- f. *Norfolk Avenue, from the rear driveway at 2601 Rivermont Avenue to Cedar Drive.*
- g. *Westmoreland Avenue, from Rivermont Avenue to 227 Westmoreland Avenue.*
- h. *Arlington Street, from Rivermont Avenue to the driveway serving 2615 Rivermont Avenue.*

(2) *In the area of Lynchburg College, as follows:*

- a. *Faculty Drive, from Lakeside Drive to its end.*

- b. Hood Street, from Lakeside Drive to Bristol Street.*
- c. Bristol Street, from Hood Street to Monticello Avenue.*
- d. Monticello Avenue, from Bristol Street to Lakeside Drive.*
- e. The signalized crossing at the intersection of Monticello Avenue, Oakley Avenue and Lakeside Drive.*
- f. Jubal Street, from Oakley Avenue to College Street.*
- g. Hood Street, from Jubal Street to Lakeside Drive.*
- h. Blue Ridge Street, from Jubal Street to Lakeside Drive.*
- i. College Drive, from Lakeside Drive to Vernon Street.*
- j. Vernon Street, from College Street to Richmond Street.*
- k. Brevard Street, from College Street to Thomas Road.*
- l. Westwood Avenue, from College Street to Thomas Road.*
- m. College Street, from Vernon Street to its end.*
- n. McCausland Street, from College Street to Thomas Road.*
- o. Lakewood Street, from McCausland Street to Thomas Road.*

(3) In the area of Liberty University, as follows:

- a. Candler's Mountain Road (sidewalk only; must yield to pedestrians), from Regents Parkway to University Boulevard.*
- b. The signalized crossing at Regents Parkway and Candler's Mountain Road.*
- c. The signalized crossing at Candler's Mountain Road and University Boulevard.*
- d. University Boulevard, from Candler's Mountain Road to Liberty Mountain Drive.*
- e. Liberty Mountain Drive, from Candler's Mountain Road to the City boundary with Campbell County.*

(4) In the area of Central Virginia Community College, as follows:

- a. Harvard Street (State Route 368), from Wards Road to Wards Ferry Road.*

Even if the city council has approved the operation of a golf cart or utility vehicle on a designated public highway, if the designated public highway is maintained by the Virginia Department of Transportation, no person shall operate any golf cart or utility vehicle on such public highway until the Virginia Department of Transportation also approves the operation of golf carts and utility vehicles on such public highway.

(b) With regard to each of the public highways listed in subsection (a) above, the city council has considered the factors set forth in subsection 25-200.2(b) above, as required by Section 46.2-916.2 of the Code of Virginia.

Sec. Sec. 25-200.4. Limitations on golf cart and utility vehicle operations on designated public highways.

(a) Golf cart and utility vehicle operations on designated public highways shall be in accordance with the following limitations:

(1) A golf cart or utility vehicle may be operated only on designated public highways where the posted speed limit is 25 miles per hour or less. A golf cart or utility vehicle may cross a highway at an intersection controlled by a traffic light if the highway has a posted speed limit of no more than 35 miles per hour;

(2) No person shall operate any golf cart or utility vehicle on any designated public highway unless the signage required by Section 25-200.2(d) of this division is installed at the time of said operation; if such signage is not in place, the operation of golf carts and utility vehicles shall be illegal and must immediately cease until the signs are repaired or replaced;

(3) No person shall operate any golf cart or utility vehicle on any public highway unless he has in his possession a valid driver's license;

(4) Every golf cart or utility vehicle, whenever operated on a public highway, shall display a slow-moving vehicle emblem in conformity with Section 4 6.2-1081 of the Code of Virginia;

(5) Golf carts and utility vehicles shall be operated upon the public highways only between sunrise and sunset, unless equipped with such lights as are required in Section 46.2-1010 *et seq.* of the Code of Virginia, for different classes of vehicles;

(6) Golf carts and utility vehicles operating on designated public highways pursuant to this section shall be covered by an insurance policy. Such policy shall meet the minimum liability amounts contained in Section 46.2-472 of Code of Virginia and provide coverage during the operation of the golf cart or utility vehicle on public highways; proof of such insurance shall be maintained in such golf cart or utility vehicle at all times such golf cart or utility vehicle is in operation on a designated public highway;

(7) Golf carts and utility vehicles must be operated in accordance with all applicable state and local laws and ordinances, including all laws, regulations, and ordinances pertaining to the possession and use of alcoholic beverages;

(8) Only the number of people the golf cart or utility vehicle is designed to seat may ride on a golf cart or utility vehicle. Additionally, passengers shall not be carried on the part of a golf cart or utility vehicle designed to carry golf bags or other cargo, and no one shall ride standing in a golf cart or utility vehicle;

(9) Golf carts and utility vehicles must be operated to the extreme right of the roadway and must yield to all vehicular and pedestrian traffic;

(10) Golf carts and utility vehicles should not be operated during inclement weather, nor when visibility is impaired by weather, smoke, fog, or other conditions; and

(11) The police chief or his designee may prohibit the operation of golf carts or utility vehicles on any highway if the police chief determines that the prohibition is necessary in the interest of public safety.

(b) The limitations of subsection (a) above shall not apply to golf carts and utility vehicles being operated as follows:

(1) To the extent necessary for local government employees or agents, operating only upon highways located within the locality, to fulfill a governmental purpose, provided the golf cart or utility vehicle is being operated on highways with speed limits of 35 miles per hour or less; and

(2) As necessary by employees of public or private two-year or four-year institutions of higher education if operating on highways within the property limits of such institutions, provided the golf cart or utility vehicle is being operated on highways with speed limits of 35 miles per hour or less.

Sec. 25-200.5. Application or nomination procedure.

(a) Any individual, organization, or entity may apply to the city manager to have a qualifying public highway in the city designated for golf cart or utility vehicle use, provided, however, that if the public highway is located within a neighborhood with a homeowners association, whether mandatory or not, the application shall be in the name of the homeowners association and shall be signed by a duly-authorized representative of the homeowners association.

(b) At a minimum, each application shall include the following:

(1) The full legal name of the individual, organization, or entity making the application;

(2) The name and route number, if any, of each public highway to be designated;

(3) An application fee of \$250.00.

(c) Upon receipt and acceptance of the application by the city manager, it shall be considered by the chief of police and the city traffic engineer, who shall make a recommendation to the city manager.

(d) The city manager shall review the recommendations of the chief of police and city traffic engineer and shall make a recommendation to the city council.

(d) The city council shall consider the recommendations of the city manager, the factors set forth in Section 25-200.2(d) of this division, and the general merits of the application before making a determination.

(e) Any costs associated with the application, including advertising costs, shall be the responsibility of the individual, organization, or entity making the application. All such

costs incurred by the city shall be assessed to and recovered from the individual, organization, or entity making the application.

Sec. Sec. 25-200.6. Penalty.

Except as otherwise specifically provided, any person who violates any provision of this article shall be guilty of a traffic infraction punishable by a fine of not more than \$250.00.

Sec. Sec. 25-200.7. Revocation of designation.

The city council may, at its sole discretion and upon recommendations of the city manager, suspend the designation of any public highway for golf cart or utility vehicle use at any time.

Sec. Sec. 25-200.8. Liability disclaimer.

All persons who operate or ride upon golf carts or utility vehicles on public highways do so at their own risk and peril, and must be observant of and attentive to the safety of themselves and others, including their passengers, other motorists, bicyclists, and pedestrians. The city shall have no liability under any theory of liability and assumes no such liability for permitting golf carts and utility vehicles to be operated on designated public highways.

2. That this ordinance shall become effective upon its adoption.

Adopted: April 12, 2016

Certified: _____
Clerk of Council

049K

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **September 22, 2015**

AGENDA ITEM NO.: 1

CONSENT:

REGULAR:

WORK SESSION: **X**

CLOSED SESSION:

(Confidential)

ACTION:

INFORMATION: **X**

ITEM TITLE: **Golf Carts and Utility Vehicles on Certain City Streets**

RECOMMENDATION: For discussion only.

SUMMARY: City staff has received requests (attached) from Liberty University, Lynchburg College, and Central Virginia Community College for City Council to adopt an ordinance allowing for the operation of golf carts and utility vehicles on certain streets near the respective institutions. In response, an ordinance was drafted that would establish the criteria for such operations.

Staff had some misgivings about allowing the operation of such vehicles on City streets and discussed the matter with the Physical Development Committee in August. There were mixed feelings on the committee regarding the proposal and staff was directed to bring it to full Council for discussion during a work session. Based on Council's guidance at that time, staff would finalize an ordinance for future adoption.

In response to comments made by members of the Physical Development Committee, staff conducted further review and made revisions to the draft ordinance (attached).

Council's options regarding this matter include:

- 1) Decline to allow the operation of golf carts and utility vehicles on City streets and instead encourage the use of "street legal" low speed/utility vehicles as proposed in the attached letter from an interested citizen.
- 2) Allow the use of golf carts and utility vehicles under certain conditions based on speed limits, traffic volume and road character, such as:
 - the vehicles should only be allowed on roads with posted speeds of 25 mph or less unless the road is within the property limits (internal streets) of a two or four year institution.
 - VDOT approval shall be required for any designated roadway that it maintains. VDOT standards include a traffic count of less than 1000 vpd, a pavement width of seventeen feet, and truck traffic of ten percent or less.

With respect to the specific requests from the institutions, staff offers the following for consideration:

- Liberty University: Allow the use of golf carts and utility vehicles on University Blvd, on Liberty Mt. Drive and crossing Clanders Mt. Road at University Blvd. at a designated and signal controlled crosswalk. It is not appropriate for such vehicles to operate on Clanders Mt. Road.
- Central Virginia Community College: Allow the use of golf carts and utility vehicles on Harvard Street (SR 368), which is maintained by VDOT.
- Lynchburg College: Public streets internal to Lynchburg College are appropriate for golf carts and utility vehicles. It is not appropriate for such vehicles to operate on Lakeside Drive, Thomas Road, Oakley Avenue (except for access to a crosswalk to cross Lakeside Drive), Breckenridge St., or Richmond St. Such vehicles could be allowed to cross Lakeside Drive at its intersection with Oakley Ave./Monticello Ave.; access to Oakley Ave. would be via Jubal St. and Macon St.

- It may also be appropriate to allow for the limited operation of golf carts and utility vehicles on sidewalks leading up to crosswalks at designated intersections.

Staff will be prepared to discuss this further with Council during the work session and representatives of the institutions have been advised of the discussion and may be in attendance.

PRIOR ACTION(S): Physical Development Committee, August 11, 2015

FISCAL IMPACT: None

CONTACT(S): Lee Newland, City Engineer, 455-3947

ATTACHMENT(S): Draft ordinance; State enabling legislation; Letters from institutions; Letter in opposition to the proposal.

REVIEWED BY: lkp

ORDINANCE

AN ORDINANCE TO AMEND AND REENACT THE CODE OF THE CITY OF LYNCHBURG, 1981, BY ADDING THERETO NEW SECTIONS NUMBERED 25-200 through 25-200.8, RELATING TO THE OPERATION OF GOLF CARTS AND UTILITY VEHICLES ON THE PUBLIC STREETS .

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted by adding thereto Sections 25-200 through 25-200.8 as follows:

DIVISION 5. OPERATION OF GOLF CARTS AND UTILITY VEHICLES

Sec. 25-200. Definitions.

"Golf cart" for the purposes of this article means a self-propelled vehicle that is designed to transport persons playing golf and their equipment on a golf course.

"Utility vehicle" for the purposes of this article means a motor vehicle that is (i) designed for off-road use, (ii) powered by an engine of no more than 25 horsepower, and (iii) used for general maintenance, security, agricultural, or horticultural purposes. "Utility vehicle" does not include all-terrain vehicles as defined in Section 46.2-100 of the Code of Virginia, riding lawn mowers, or any other vehicle whose definition is included in Section 46.2-100 of the Code of Virginia.

Sec. 25-200.1. Use of golf carts or utility vehicles on public highways.

(a) No person shall operate a golf cart or utility vehicle on or over any public highway in the city except as provided in this division.

(b) The prohibitions of this section shall not apply to the operation of golf carts and utility vehicles by public employees and agents in the performance of governmental functions.

Sec. 25-200.2. Designation of public highways for golf cart and utility vehicle operations.

(a) No portion of the public highways may be designated for use by golf carts and utility vehicles unless the city council has reviewed and approved such highway usage.

(b) The city council may by ordinance authorize the operation of golf carts and utility vehicles on designated public highways within the city after (i) considering the speed, the volume of traffic, the average number of accidents, and the character of motor vehicle traffic using such highways, (ii) the physical characteristics of the public highways, such as the width, grade, condition of the pavement, etc. (iii) such other information as the city council may deem reasonably necessary to decide if golf carts and utility vehicles can be safely operated on such public highways, and (ii) determining that the operation of golf carts and utility vehicles on particular highways is compatible with state and local transportation plans and consistent with the Commonwealth's Statewide Pedestrian Policy.

(c) No public highway shall be designated for use by golf carts and utility vehicles if such golf cart and utility vehicle operations will impede the safe and efficient flow of motor vehicle traffic.

(d) Signs, approved by the city traffic engineer, alerting motorists that golf carts and utility vehicles may be in operation shall be erected along all roads designated for golf cart and utility vehicle operation in such locations

as determined by the city traffic engineer. The city shall be responsible for the installation and maintenance of any signs pertaining to the operation of golf carts or utility vehicles. The cost of the installation and continued maintenance of the signs on streets and highways designated for the use of golf carts and utility vehicles shall be the responsibility of the organizations, individuals, homeowners associations or other entities requesting the designations. All costs incurred by the city for the installation and continued maintenance of the signs shall be assessed to and recovered from the organization, individual, or entity that requested the designation.

(e) If such signage is not in place at all times, the operation of golf carts and utility vehicles shall be illegal and must immediately cease until the signs are repaired or replaced.

Sec. Sec. 25-200.3. public highways designated for golf cart and utility vehicle operations.

(a) The city council hereby designates the following public highways within the city upon which golf carts and utility vehicles may be operated in accordance with the provisions of this article.

(1)

(2)

(3)

(4)

Even if the city council has approved the operation of a golf cart or utility vehicle on a designated public highway, if the designated public highway is maintained by the Virginia Department of Transportation, no person shall operate any golf cart or utility vehicle on such public highway until the Virginia Department of Transportation also approves the operation of golf carts and utility vehicles on such public highway.

(b) With regard to each of the public highways listed in subsection (a) above, the city council has considered the factors set forth in subsection 25-200.2(b) above, as required by Section 46.2-916.2 of the Code of Virginia.

Sec. Sec. 25-200.4. Limitations on golf cart and utility vehicle operations on designated public highways.

(a) Golf cart and utility vehicle operations on designated public highways shall be in accordance with the following limitations:

(1) A golf cart or utility vehicle may be operated only on designated public highways where the posted speed limit is 25 miles per hour or less. A golf cart or utility vehicle may cross a highway at an intersection controlled by a traffic light if the highway has a posted speed limit of no more than 35 miles per hour;

(2) No person shall operate any golf cart or utility vehicle on any designated public highway unless the signage required by Section 25-200.2(d) of this division is installed at the time of said operation; if such signage is not in place, the operation of golf carts and utility vehicles shall be illegal and must immediately cease until the signs are repaired or replaced;

(3) No person shall operate any golf cart or utility vehicle on any public highway unless he has in his possession a valid driver's license;

(4) Every golf cart or utility vehicle, whenever operated on a public highway, shall display a slow-moving vehicle emblem in conformity with Section 46.2-1081 of the Code of Virginia;

(5) Golf carts and utility vehicles shall be operated upon the public highways only between sunrise and sunset, unless equipped with such lights as are required in Section 46.2-1010 *et seq.* of the Code of Virginia, for different classes of vehicles;

(6) Golf carts and utility vehicles operating on designated public highways pursuant to this section shall be covered by an insurance policy. Such policy shall meet the minimum liability amounts contained in Section 46.2-472 of Code of Virginia and provide coverage during the operation of the golf cart or utility vehicle on public highways; proof of such insurance shall be maintained in such golf cart or utility vehicle at all times such golf cart or utility vehicle is in operation on a designated public highway;

(7) Golf carts and utility vehicles must be operated in accordance with all applicable state and local laws and ordinances, including all laws, regulations, and ordinances pertaining to the possession and use of alcoholic beverages;

(8) Only the number of people the golf cart or utility vehicle is designed to seat may ride on a golf cart or utility vehicle. Additionally, passengers shall not be carried on the part of a golf cart or utility vehicle designed to carry golf bags or other cargo, and no one shall ride standing in a golf cart or utility vehicle;

(9) Golf carts and utility vehicles must be operated to the extreme right of the roadway and must yield to all vehicular and pedestrian traffic;

(10) Golf carts and utility vehicles should not be operated during inclement weather, nor when visibility is impaired by weather, smoke, fog, or other conditions; and

(11) The police chief or his designee may prohibit the operation of golf carts or utility vehicles on any highway if the police chief determines that the prohibition is necessary in the interest of public safety.

(b) The limitations of subsection (a) above shall not apply to golf carts and utility vehicles being operated as follows:

(1) To the extent necessary for local government employees or agents, operating only upon highways located within the locality, to fulfill a governmental purpose, provided the golf cart or utility vehicle is being operated on highways with speed limits of 35 miles per hour or less; and

(2) As necessary by employees of public or private two-year or four-year institutions of higher education if operating on highways within the property limits of such institutions, provided the golf cart or utility vehicle is being operated on highways with speed limits of 35 miles per hour or less.

Sec. 25-200.5. Application or nomination procedure.

(a) Any individual, organization, or entity may apply to the city manager to have a qualifying public highway in the city designated for golf cart or utility vehicle use, provided, however, that if the public highway is located within a neighborhood with a homeowners association, whether mandatory or not, the application shall be in the name of the homeowners association and shall be signed by a duly-authorized representative of the homeowners association.

(b) At a minimum, each application shall include the following:

(1) The full legal name of the individual, organization, or entity making the application;

(2) The name and route number, if any, of each public highway to be designated;

(3) An application fee of \$250.00.

(c) Upon receipt and acceptance of the application by the city manager, it shall be considered by the chief of police and the city traffic engineer, who shall make a recommendation to the city manager.

(d) The city manager shall review the recommendations of the chief of police and city traffic engineer and shall make a recommendation to the city council.

(d) The city council shall consider the recommendations of the city manager, the factors set forth in Section 25-200.2(d) of this division, and the general merits of the application before making a determination.

(e) Any costs associated with the application, including advertising costs, shall be the responsibility of the individual, organization, or entity making the application. All such costs incurred by the city shall be assessed to and recovered from the individual, organization, or entity making the application.

Sec. Sec. 25-200.6. Penalty.

Except as otherwise specifically provided, any person who violates any provision of this article shall be guilty of a traffic infraction punishable by a fine of not more than \$250.00.

Sec. Sec. 25-200.7. Revocation of designation.

The city council may, at its sole discretion and upon recommendations of the city manager, suspend the designation of any public highway for golf cart or utility vehicle use at any time.

Sec. Sec. 25-200.8. Liability disclaimer.

All persons who operate or ride upon golf carts or utility vehicles on public highways do so at their own risk and peril, and must be observant of and attentive to the safety of themselves and others, including their passengers, other motorists, bicyclists, and pedestrians. The city shall have no liability under any theory of liability and assumes no such liability for permitting golf carts and utility vehicles to be operated on designated public highways.

2. That this ordinance shall become effective upon its adoption.

Adopted:

Certified:

Clerk of Council

095K

Excerpt from the Code of Virginia

§ 46.2-916.1. Golf cart and utility vehicle operations on public highways not otherwise designated for such operation.

No person shall operate a golf cart or utility vehicle on or over any public highway in the Commonwealth except as provided in this article. 2004, c. 746.

§ 46.2-916.2. Designation of public highways for golf cart and utility vehicle operations.

A. No portion of the public highways may be designated for use by golf carts and utility vehicles unless the governing body of the county, city, or town in which that portion of the highway is located has reviewed and approved such highway usage.

B. The governing body of any county, city or town may by ordinance authorize the operation of golf carts and utility vehicles on designated public highways within its boundaries after (i) considering the speed, volume, and character of motor vehicle traffic using such highways and (ii) determining that golf cart and utility vehicle operation on particular highways is compatible with state and local transportation plans and consistent with the Commonwealth's Statewide Pedestrian Policy provided for in § 33.2-354.

C. Notwithstanding the other provisions of this section, no town that has not established its own police department, as defined in § 9.1-165, may authorize the operation of golf carts or utility vehicles. The provision of this subsection shall not apply to the Towns of Claremont, Clifton, Irvington, Saxis, Urbanna, or Wachapreague.

D. No public highway shall be designated for use by golf carts and utility vehicles if such golf cart and utility vehicle operations will impede the safe and efficient flow of motor vehicle traffic.

E. The county, city or town that has authorized the operation of golf carts or utility vehicles shall be responsible for the installation and continuing maintenance of any signs pertaining to the operation of golf carts or utility vehicles. Such county, city or town may include in its ordinance for designating highways the ability to recover its costs of the signs and maintenance pertaining thereto from organizations, individuals or entities requesting the designations. The cost of installation and continuing maintenance of any signs pertaining to the operation of golf carts or utility vehicles shall not be paid by the Virginia Department of Transportation.

F. Notwithstanding the other provisions of this section, employees of the Department of Conservation and Recreation may operate golf carts and utility vehicles on those portions of public highways located within Department of Conservation and Recreation property and on Virginia Department of Transportation-maintained highways that are adjacent to Department of Conservation and Recreation property, provided the golf cart or utility vehicle is being operated on highways with speed limits of no more than 35 miles per hour. 2004, c. 746; 2006, c. 728; 2008, c. 196; 2009, cc. 68, 504; 2011, c. 469; 2012, c. 9; 2013, c. 64; 2014, c. 69.

§ 46.2-916.3. Limitations on golf cart and utility vehicle operations on designated public highways.

A. Golf cart and utility vehicle operations on designated public highways shall be in accordance with the following limitations:

1. A golf cart or utility vehicle may be operated only on designated public highways where the posted speed limit is 25 miles per hour or less. However, a golf cart or utility vehicle may cross a highway at an intersection controlled by a traffic light if the highway has a posted speed limit of no more than 35 miles per hour and in the Town of Colonial Beach may cross any highway at an intersection marked as a golf cart crossing by signs posted by the Virginia Department of Transportation;

2. In towns with a population of 2,000 or less, a golf cart or utility vehicle may cross a highway at an intersection conspicuously marked as a golf cart crossing by signs posted by the Virginia Department of

Transportation if the highway has a posted speed limit of no more than 35 miles per hour and the crossing is required as the only means to provide golf cart access from one part of the town to another part of the town;

3. No person shall operate any golf cart or utility vehicle on any public highway unless he has in his possession a valid driver's license;

4. Every golf cart or utility vehicle, whenever operated on a public highway, shall display a slow-moving vehicle emblem in conformity with § 46.2-1081; and

5. Golf carts and utility vehicles shall be operated upon the public highways only between sunrise and sunset, unless equipped with such lights as are required in Article 3 (§ 46.2-1010 et seq.) of Chapter 10 for different classes of vehicles.

B. The limitations of subdivision A 1 shall not apply to golf carts and utility vehicles being operated as follows:

1. To cross a highway from one portion of a golf course to another portion thereof or to another adjacent golf course or to travel between a person's home and golf course if (i) the trip would not be longer than one-half mile in either direction and (ii) the speed limit on the road is no more than 35 miles per hour;

2. To the extent necessary for local government employees, operating only upon highways located within the locality, to fulfill a governmental purpose, provided the golf cart or utility vehicle is being operated on highways with speed limits of 35 miles per hour or less;

3. As necessary by employees of public or private two-year or four-year institutions of higher education if operating on highways within the property limits of such institutions, provided the golf cart or utility vehicle is being operated on highways with speed limits of 35 miles per hour or less;

4. On a secondary highway system component that has a posted speed limit of no more than 35 miles per hour and is within three miles of a motor speedway with a seating capacity of at least 25,000 but less than 90,000 on the same day as any race or race-related event conducted on that speedway; and

5. To the extent necessary for employees of the Department of Conservation and Recreation, operating only on highways located within Department of Conservation and Recreation property or upon Virginia Department of Transportation-maintained highways that are adjacent to Department of Conservation and Recreation property, to fulfill a governmental purpose, provided that the golf cart or utility vehicle is being operated on highways with speed limits of no more than 35 miles per hour.

C. The governing body of any county, city, or town may by ordinance impose additional restrictions or limitations on operations of golf carts, utility vehicles, or both, on public highways within its boundaries, provided that the restrictions or limitations imposed by any such ordinance are no less stringent than the restrictions and limitations contained in this article. In the event that any provision of any such ordinance conflicts with any provision of this section other than subdivision B 5, the provision of the ordinance shall be controlling. 2004, c. 746; 2008, c. 456; 2009, cc. 743, 835; 2010, c. 112; 2011, cc. 68, 140, 469.



LIBERTY UNIVERSITY[®]

OFFICE *of the* PRESIDENT

April 10, 2015

VIA U.S. MAIL & EMAIL

Kim Payne
City Manager
900 Church Street, 3rd Floor
Lynchburg, VA 24504

RE: Ordinance to Permit Golf Cart and Utility Vehicle Use on Certain Public Roads

Dear Kim:

In response to Walter Erwin's letter of January 2, 2014 and pursuant to Virginia Code Section 46.2-916.3.B.3., I write to request that the Lynchburg City Council adopt an ordinance that would designate certain public roads in the vicinity of Liberty University to permit use by golf carts and utility vehicles.

Section 46.2-916.3.B.3. of the Virginia Code provides an exception to the general rule that golf carts and utility vehicles may not be operated on public roads. A recent opinion from the Attorney General has indicated that an institution may only take advantage of this exception to the extent that the City has already designated, by ordinance, the specific public roads as permitting use by golf carts and utility vehicles by the public generally. It would be beneficial for the City to designate certain public roads within and adjacent to properties owned or controlled by Liberty University.

Like other such institutions within Lynchburg, Liberty University's day-to-day operations, particularly with regard to maintenance, landscaping, and the like, depend on having golf cart and utility vehicle access across campus via the public roads. In Liberty's case, the roads that we request be designated for use by golf carts and utility vehicles are described as follows and are graphically depicted on the attached Exhibit A:

- Candler's Mountain Road: Beginning on Candler's Mountain Road/US 501 just as it splits with the on-ramps to US 460, between the Norfolk Southern bridge and the Department of Emergency Services Communications Center, and ending where Candler's Mountain Road reaches the boundary the City of Lynchburg approximately 1.9 miles away (Highlighted in yellow on Exhibit A).

- University Boulevard: Beginning at the intersection of Candler's Mountain Road and University Boulevard, and ending at the intersection of University Boulevard and Liberty University Drive approximately .4 miles away (Highlighted in green on Exhibit A).
- Liberty University Drive (US 460 Overpass): Beginning where Liberty University Drive intersects University Boulevard and ending where Liberty University Drive intersects Liberty Mountain Drive approximately .1 miles away (Highlighted in blue on Exhibit A).
- Liberty Mountain Drive: Beginning where Liberty Mountain Drive intersects Candler's Mountain Road and ending where Liberty Mountain Drive reaches the southern boundary of Liberty University's property approximately 1.1 miles away (Highlighted in orange on Exhibit A).

Liberty University respectfully requests that you submit this proposal to the City Council to facilitate the operation of golf carts and other utility vehicles by Liberty University employees on the public roads described.

As you may know, other Lynchburg institutions of higher education would benefit from similar designation. Liberty University supports their efforts and believes it would be more efficient and enlightening for the City to consider such designations at the same time.

Please let me know if you have any questions regarding this matter.

Sincerely,



Jerry Falwell
President

Enclosure

cc: David Corry, General Counsel, Liberty University
Walter Erwin, City Attorney, City of Lynchburg

EXHIBIT

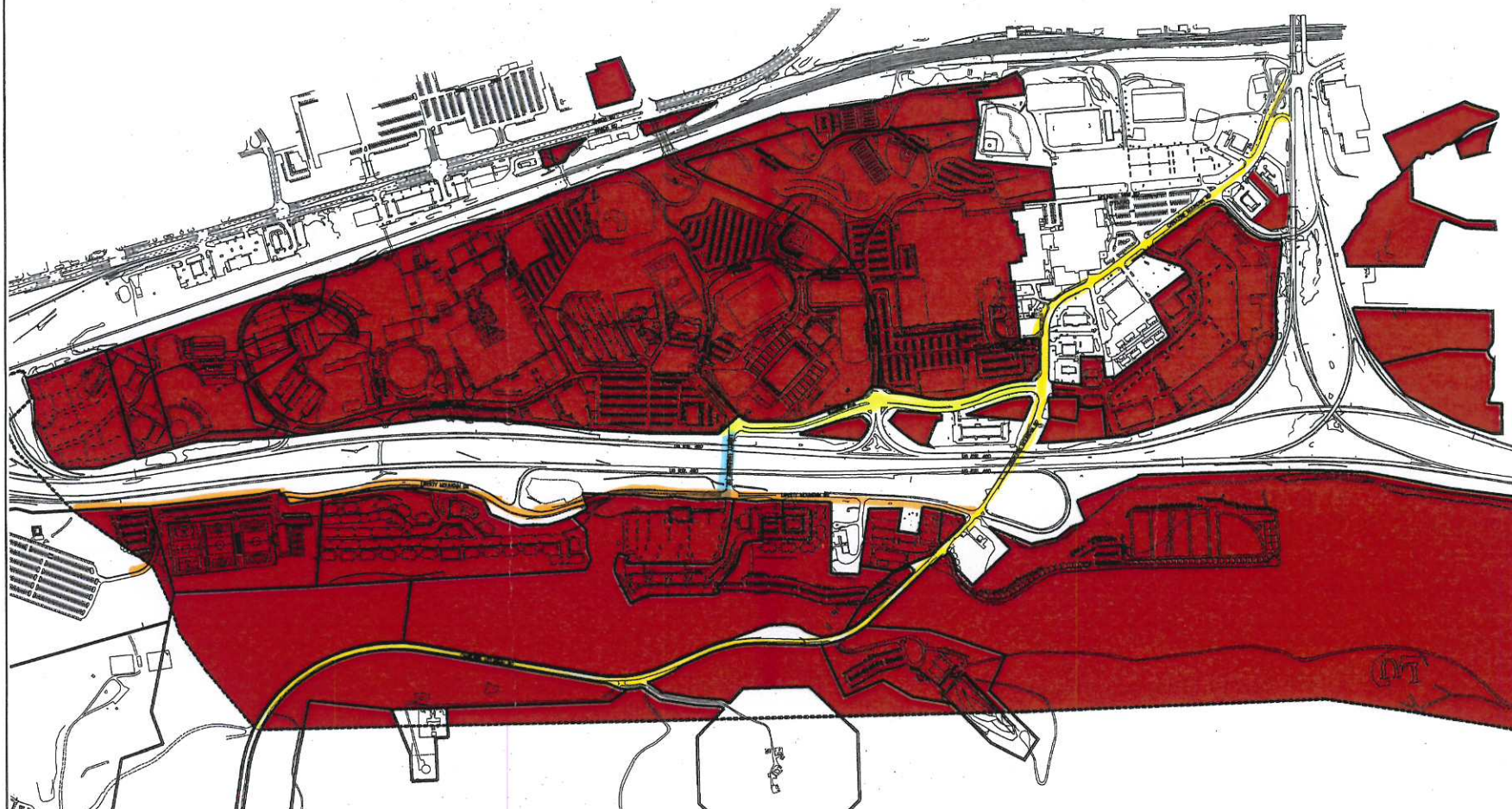
A

LIBERTY UNIVERSITY
PLANNING AND CONSTRUCTION
1071 UNIVERSITY BLVD
LYNCHBURG, VA. 24502
PHONE: 434-562-4131
FAX: 434-522-0473

NAME:
LIBERTY UNIVERSITY
CITY OF LYNCHBURG, VIRGINIA

[illegible]

Ced File Number: ATV TOWEL	
PROJECT NUMBER	DRAWING NUMBER
DRAWN BY: SSD	
CHECKED BY: MHC	
APPROVED BY: MHC	
SHEET: C-100	SHEET NO.: 1 OF 1

 PROPERTY OWNED BY
LIBERTY UNIVERSITY, INC.



3506 Wards Road, Lynchburg, VA 24502-2498
434-832-7600 • FAX: 434-386-4681 • www.cvcc.vccs.edu

OFFICE OF THE PRESIDENT

March 12, 2015

Mr. Kim Payne
Lynchburg City Manager
900 Church Street, 3rd Floor
Lynchburg, VA 24504

RE: Ordinance to Permit Golf Cart and Utility Vehicle Use on Certain Public Roads

Dear Kim:

Pursuant to Virginia Code Section 46.2-916.3.B.3., I write to request that the Lynchburg City Council adopt an ordinance that would designate certain roads in the vicinity of Central Virginia Community College to permit use by golf carts and utility vehicles.

Section 46.2-916.3.B.3., of the Virginia Code provides an exception to the general rule that golf carts and utility vehicles may not be operated on public roads. A recent opinion from the Attorney General has indicated that an institution may only take advantage of this exception to the extent that the City has already designated, by ordinance, the specific public roads as permitting use by golf carts and utility vehicles by the public generally. It would be beneficial for the City to designate certain public roads within adjacent properties owned by Central Virginia Community College.

Like other such institutions within Lynchburg, the College's day-to-day operations particularly with regard to maintenance, landscaping, and the like, depends on having golf cart and utility vehicle access across campus via the public roads. In Central Virginia Community College's case, the road that we request be designated for use by golf carts and utility vehicles is Harvard Street from Wards Road to Wards Ferry and the access road across the front of the campus, all designated as State Route 368.

Central Virginia Community College respectfully requests that you submit this proposal to the City Council to facilitate the operation of golf carts and other utility vehicles by Central Virginia Community College employees on the public road described.

As you may know, other Lynchburg institutions of higher education would benefit from similar designation. Central Virginia Community College supports their efforts and believes it would be more efficient and enlightening for the city to consider such designations at the same time.

Please let me know if you have any questions regarding this matter.

Sincerely,


John Capps
President

cc: John Poole

March 6, 2015

VIA U.S. MAIL & EMAIL

Mr. Kim Payne
City Manager
900 Church Street, 3rd Floor
Lynchburg, VA 24504

RE: Ordinance to Permit Golf Cart and Utility Vehicle Use on Certain Public Roads

Dear Kim:

Pursuant to Virginia Code Section 46.2-916.3.B.3., I write to request that the Lynchburg City Council adopt an ordinance that would designate certain public roads in the vicinity of Lynchburg College to permit use by golf carts and utility vehicles.

Section 46.2-916.3.B.3. of the Virginia Code provides an exception to the general rule that golf carts and utility vehicles may not be operated on public roads. A recent opinion from the Attorney General has indicated that an institution may only take advantage of this exception to the extent that the City has already designated, by ordinance, the specific public roads as permitting use by golf carts and utility vehicles by the public generally. It would be beneficial for the City to designate certain public roads within and adjacent to properties owned or controlled by Lynchburg College.

Like other such institutions within Lynchburg, the College's day-to-day operations, particularly with regard to maintenance, landscaping, and the like, depend on having golf cart and utility vehicle access across campus via the public roads. In Lynchburg College's case, the roads that we request be designated for use by golf carts and utility vehicles are described as follows:

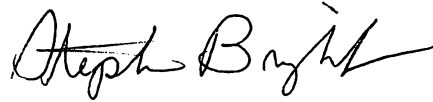
- From the entrance of Lynchburg College on Lakeside Drive to the entrance to Faculty Drive and including Faculty Drive.
- The block including McCausland Street to Thomas Road, Thomas Road to Vernon Street, Vernon Street to College Street back to McCausland.
- The block of Vernon Street, College Drive, Breckenbridge, and Richmond Streets.
- From College Drive to the entrance of Lynchburg College from Lakeside Drive.
- The block including College Drive to Jubal Street, Oakley Avenue, and Macon Street.
- The block including Hood Street, Bristol Street, Monticello Avenue, and Lakeside Drive.

Lynchburg College respectfully requests that you submit this proposal to the City Council to facilitate the operation of golf carts and other utility vehicles by Lynchburg College employees on the public roads described.

As you may know, other Lynchburg institutions of higher education would benefit from similar designation. Lynchburg College supports their efforts and believes it would be more efficient and enlightening for the City to consider such designations at the same time.

Please let me know if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen E. Bright". The signature is fluid and cursive, with a long horizontal stroke at the end.

Stephen E. Bright
Vice President for Business & Finance

SEB/lbw



1750 Independence Blvd. Bedford, VA 24523 – 540-586-8221

August 28, 2015

L. Kimball Payne, III
City Manager
City of Lynchburg, VA

By email to: kpayne@lynchburgva.gov

Kim,

An article entitled “Colleges in Lynchburg petition council for use of golf carts on city streets” was published in The News & Advance on August 12, 2015. I am writing you to discuss this petition.

On behalf of my employees, my family, our fellow citizens and myself I state my opposition to the operation of off-road vehicles on city streets. Such off-road vehicles are not designed to operate safely on public roads and can therefore put all drivers and pedestrians at risk. For example:

1. Many off-road models are only equipped with mechanical drum brakes on rear wheels. This braking system is not as safe as automobile style 4-wheel hydraulic brakes found on most Street-Legal models.
2. Most off-road vehicles only have a rudimentary suspension and turf tires that are not designed for and cannot handle the potholes and other imperfections in our pavement.
3. The top speed of most off-road vehicles is 10 – 15 miles per hour. Operation on public streets at this slow speed would create road hazards, traffic jams and other safety concerns.
4. Off-road vehicles have virtually no safety equipment at all – no seat belts, no safety glass windshield, no windshield wiper, no turn signals, no horn, no reflectors, etc. This puts operators, other motorists and pedestrians at high risk of serious injury.

However, there is a simple and readily available compromise solution to the colleges’ petition. My business and several others in the area sells various models of vehicles generically referred to as “golf carts” that are designed and certified as “Street-Legal” (also referred to as Low Speed Vehicles) under both Federal and State laws.

In Virginia § 46.2-100 these vehicles are defined as:

"Low-speed vehicle" means any four-wheeled electrically-powered vehicle, except a motor vehicle or low-speed vehicle that is used exclusively for agricultural or horticultural purposes or a golf cart, whose maximum speed is greater than 20 miles per hour but not greater than 25 miles per hour and is manufactured to comply with safety standards contained in Title 49 of the Code of Federal Regulations, 571.500.

Virginia § 46.2-908.2 specifies the minimum vehicle safety equipment required to comply with this law.

Virginia § 46.2-908.3 defines the permitted operation of these vehicles on city streets.

The use of Certified Street-Legal vehicles is the ideal compromise solution to the petition from the colleges because:

1. These vehicles have much more safety equipment than off-road golf carts and can thus offer protection for drivers and passenger in low speed operations. They must have safety glass windshields, windshield wipers, turn signals, horn, headlights, brake lights, tail lights, 4-way hazard lights, center high-mounted stop light, reflectors, 3-point seat belts and Street-Rated tires. All of this safety gear must be approved by the department of Transportation.
2. Street-legal vehicles can go 25 MPH. They are thus better able to keep up with traffic on city streets with speed limits of 35 MPH or less. At 25 MPH these vehicles are unlikely to cause traffic jams and road hazards.
3. The additional cost for Street-Legal equipment and certification is reasonable and affordable
4. Off-Road golf carts frequently are equipped with gas motors that are both noisy and high emissions. Street-Legal vehicles in Virginia must be electric powered. This reduces the carbon footprint of the city and helps attain your various Green and Sustainability goals
5. There are a wide variety of makes, models, configurations and manufacturers of Street-Legal vehicles. I have attached flyers on the models our company sells.

I recommend that you deny the petition of the colleges to use off-road carts on city streets due to safety concerns. Instead I recommend that you encourage the colleges to use Street-Legal carts for this purpose.

We would be glad to bring demonstration models of the Street-Legal vehicles we sell to your office, to a Council Meeting or anywhere else you suggest. This would give interested parties the opportunity to evaluate the suitability of these vehicles for the intended purpose of the colleges.

Thank you very much for your consideration of this opinion.

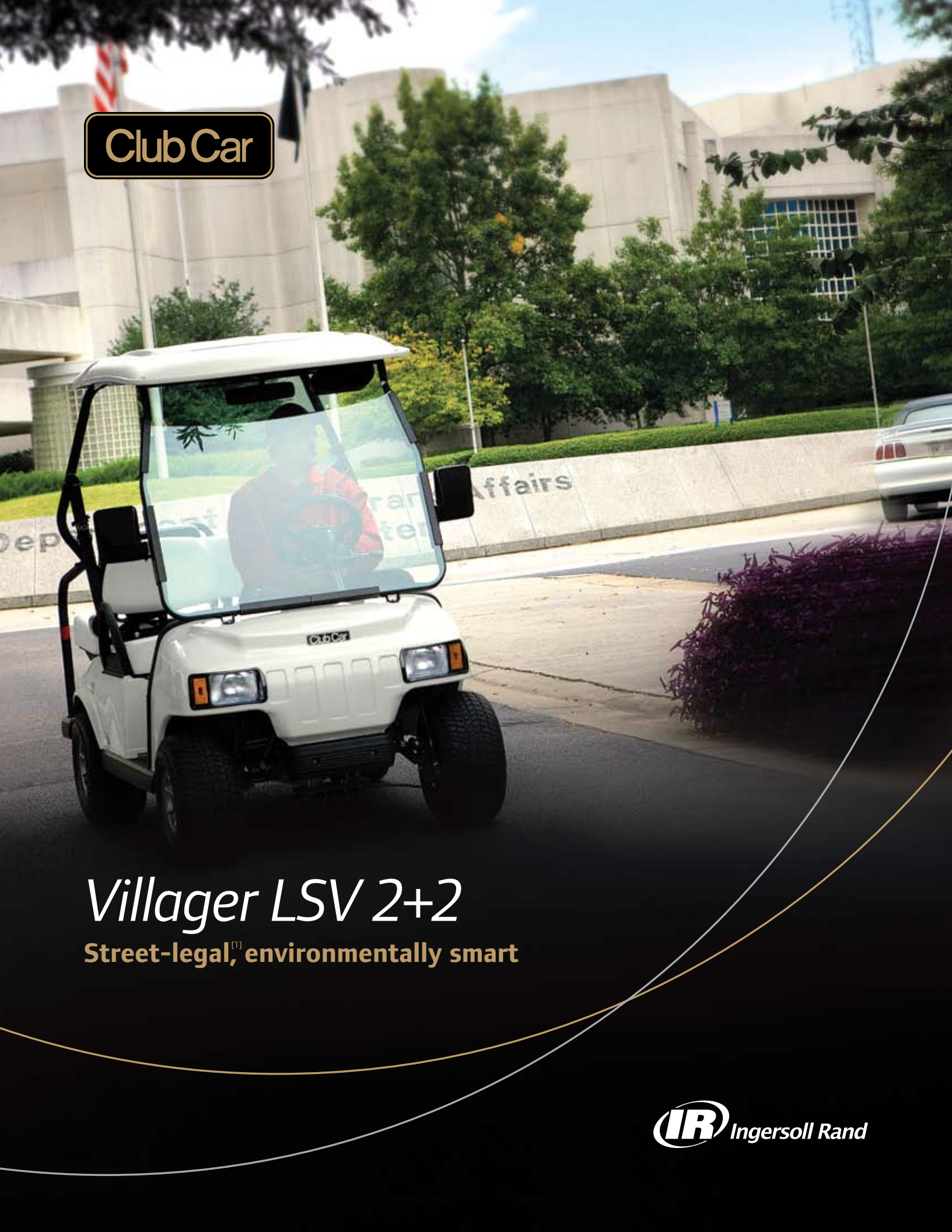
Sincerely,

Andy

Andy Kaplan

540-793-2777 cell

akaplan@dominiondodge.com



Club Car

Villager LSV 2+2

Street-legal^[1], environmentally smart

 **Ingersoll Rand**

Club Car

Villager LSV 2+2

Legendary Club Car performance, now street-legal.

There's no question Club Car has the most reliable and cost-effective transport vehicles in the industry. Now, we are equipping them to be street legal on many roads posted at 35 mph or less.

Introducing the all new electric Villager LSV. It emits zero emissions, seats 4 passengers, costs just pennies per mile to operate, and helps reduce your annual operating expenses. Test drive one today and experience the thrill of a zero-emission transportation vehicle.



Vehicle may be shown with additional options.

Features

- 20 – 30 mile range on a single charge
- 800 lb vehicle load capacity
- Impact-resistant ABS / ArmorFlex body with UV protective coating
- Corrosion resistant, aircraft aluminum chassis
- Independent front suspension
- 2-passenger canopy with 3-point front seat belts, rear lap seat belts
- Automotive glass windshield with wiper
- Headlights, LED taillights / turn signals, reverse / back-up lights and horn
- Center and driver-side mirrors
- Dual beverage / radio holders
- On-board charger
- Two-year limited warranty (including parts and labor)

LX Package

10-in alloy wheels (205/50R-10)

Passenger side mirror

Beige / Oyster 2-tone sport seats

Custom dash with wood accents

Speedometer / odometer / trip

Battery capacity indicator

LX accent package

Hour meter

SPECIFICATIONS

Drive Motor	5 hp continuous, 14 hp intermittent
Electrical System	48-volt DC, reduced speed reverse
Steering	Self-adjusting rack & pinion
Suspension	Front / rear leaf springs and dual hydraulic shocks
Brakes	4-wheel drum
Frame / Chassis	Aluminum I-Beam
Body (front / rear)	ABS/Armorflex®
Tires	18 x 8.5-8
Instrumentation	Battery warning light
Overall (L x W x H)	110.1 x 50.8 x 49.8 in
Wheelbase	67.3 in
Ground Clearance	4.5 in
Weight (without batteries)	742 lb
Weight (with batteries)	1129 lb
Forward Speed	22 – 24 mph
Outside Clearance Circle	19.4 ft (5.9 m)
Vehicle Warranty ^[3]	2-year limited vehicle / 4-year battery

Options^[2]

Factory Accessories

10-in alloy wheels (205/50R-10)
 Extended length canopy
 Unique key switch
 Speedometer / odometer / trip
 Rear reflector triangle
 Differential guard
 Hour meter
 Ashtray
 Beige / Oyster 2-tone sport seats
 White, beige, gray, or black seats
 Battery capacity indicator

Field-Installed Accessories

Accessory plug
 CartKey vehicle security
 Enclosure
 Single point watering system
 Safety strobe post mounted
 Wheel covers
 Windshield washer kit
 Passenger side mirror
 Custom Dash with wood accents

Standard



White



Beige



Black

Non-standard



Red



Classic Blue

Premium Metallic



Diamond White Pearl



Titanium Silver



Desert Sand

www.clubcar.com 1.800.ClubCar

[1] The vehicles referenced herein have been designed and manufactured to comply with the United States National Highway Transportation and Safety Administration's Low Speed Vehicle rules and regulations. The operation of these vehicles is also subject to all applicable state and local laws, the effect of which may be to further limit or prohibit the lawful operation of these vehicles in certain environments. Do not operate these vehicles without a valid and appropriate state-issued driver's license. Club Car supports only the safe and legal use of our products and, therefore, strongly recommends that you inquire with the relevant state and local municipalities before attempting to operate these vehicles on roadways or in closed communities. Do not operate these vehicles in violation of applicable law, contrary to the instructions or recommendations contained in the Owner's Manual or in a manner that impedes traffic. To reduce the risk of injury, always operate these vehicles in a safe and conscientious manner while wearing the seat belts that come as standard safety equipment on all Carryall LSV models. [2] All vehicles shown may include additional options/accessories and may not be available on all models. Ask your authorized Club Car dealer representative for a complete listing of accessories and availability. [3] There are no warranties, expressed or implied, contained herein. See Limited Warranty found in the owner's manual or write to Club Car, Inc. The company reserves the right to make design changes without obligation to make these changes on units or systems previously sold.



TRANSPORT (LSV)

GEM HIGHLIGHTS:

All-electric
Zero emissions

Street legal on roads
less than 35 mph (48
kph) - most states

Plugs in to any standard
110-volt outlet

Low cost of ownership –
less than \$.02 per mile
to operate

Exceptional safety and
carlike comfort

2 year warranty

PACKAGE OPTIONS:

CLASSIC

Windshield Washer
Mud Flaps
Gel Batteries

DELUXE

Classic Package PLUS
Chrome Headlight
Bezels
Chrome Hood
Decals
Chrome License
Plate Light
Deluxe Steering Wheel

LUXURY

Deluxe Package PLUS
Embroidered Floor Mats
Audio System

e2



UNIQUE FEATURES:

- Ergonomic seating for two
- Six 12-volt flooded electrolyte batteries
- 99" length (251 cm)
- 11.5 ft (3.5 m) Turning radius
- Up to 35 miles (56 km)*

THE PERFECT VEHICLE FOR:

- Valet & customer service
- Parking enforcement
- Campus & public safety patrol
- Neighborhood commuting

e4



UNIQUE FEATURES:

- Ergonomic seating for four
- Six 12-volt flooded electrolyte batteries
- 128" length (325 cm)
- 15 ft (4.6 m) Turning radius
- Up to 30 miles (48 km)*

THE PERFECT VEHICLE FOR:

- Facility site tours
- Neighborhood commuting
- Guest transportation

e4S model available with additional cargo space of 34 x 48 in (86 x 122 cm) and box capacity of 330 lbs (150 kg)

e6®



UNIQUE FEATURES:

- Ergonomic seating for six
- Nine 8-volt maintenance free batteries
- 162" length (411cm)
- 15 ft (4.6 m) Turning radius
- Up to 30 miles (48 km)*

THE PERFECT VEHICLE FOR:

- Client transportation
- Shuttles
- Facility site tours
- Neighborhood commuting

e6S model available with additional cargo space of 34 x 48 in (86 x 122 cm) and box capacity of 330 lbs (150 kg)

* Range will vary depending on temperature, grade, payload and driving style



Build and customize your perfect GEM® at GEMcar.com.



LIGHT UTILITY (LSV)

STANDARD GEM LSV FEATURES:

7.0 HP DC Motor

25 mph top speed

Regenerative Braking

3 pt seat belts

High/low beam headlights

Street Rated Tires

72 Volt Battery System with Onboard Charger

Advanced Suspension

4 wheel hydraulic brakes w/ front disc and rear drum

Customizable to fit your needs

COLOR OPTIONS:



Red Rock Pearl



Crystal White



Ocean Sapphire Metallic

eS



UNIQUE FEATURES:

- 108" length (274 cm)
- 670 lbs payload capacity (305 kg)
- 34" x 48" flatbed (86 x 122 cm)
- Six 12-volt flooded electrolyte batteries
- Up to 35 miles (56 km)*

THE PERFECT VEHICLE FOR:

- Hospitality
- Foodservice
- Parking enforcement
- Security patrol

eL



UNIQUE FEATURES:

- 144" length (366 cm)
- 1,015 lbs payload capacity (462 kg)
- 70" x 48" flatbed (178 x 122 cm)
- Six 12-volt flooded electrolyte batteries
- Up to 30 miles (48 km)*

THE PERFECT VEHICLE FOR:

- Indoor warehousing
- Maintenance
- Groundskeeping
- Hospitality

eL XD



UNIQUE FEATURES:

- 144" length (366 cm)
- 1,450 lbs payload capacity (659 kg)
- 70" x 48" flatbed (178 x 122 cm)
- Nine 8-volt maintenance free gel batteries
- Up to 40 miles (64 km)*

THE PERFECT VEHICLE FOR:

- Housekeeping
- Emergency service
- Maintenance
- Groundskeeping



Build and customize your perfect GEM® at GEMcar.com.

†Polaris® LSVs comply with the NHTSA Low Speed Vehicles rules and regulations and can be operated on many streets with posted speed limits of 35 mph or less. Check local laws regarding street use and vehicle equipment requirements. Drivers must be at least 16 years old with a valid driver's license. Driver and passengers should always wear seat belts. Range on all Polaris® electric vehicles will vary depending on temperature, grade, payload, and driving style. All pricing, specifications, claims, and information contained in this sell sheet are based on information available at the time of publication. Polaris® assumes no responsibility for any inaccuracies, opinions, or omissions in those publications. All pricing, specifications, and descriptions are subject to change without notice, and Polaris® assumes no responsibility for changes in pricing or specifications. Unless otherwise noted, all trademarks are the property of Polaris Industries, Inc. © 2014 Polaris Industries Inc. Part # 9930087



Shown with optional accessories

GEM® eM™1400 LSV

DIMENSIONS/CAPACITIES

- Dry Wt. 1,703 lbs. (773 kg)
- GVW 2,950 lbs. (1,342 kg)
- Payload cap. 1,250 lbs. (567 kg)
- Towing cap. 1,250 lbs. (567 kg)
- Length 115" (292 cm)
- Height 73" (185 cm)
- Width 57" (144 cm)
- Cargo box inside 51.5" x 41.75" (131 cm x 106 cm)
- Wheelbase 79" (201 cm)
- Ground clearance 8.5" (22 cm)
- Turning radius 13.9 ft. (424 cm)
- Range – range up to 45 mi. (72 km)
- Top speed – 25 mph (40 kph)



FEATURES

- 2-passenger seating
- LSV compliant – horn, headlights/taillight/turn signals, automotive grade windshield, wiper and seat belts
- Indicator panel indicates directional selection, park brake and motor or controller malfunction
- Digital charge indicator – indicates battery discharge
- Digital hour meter indicates accumulative hours of use
- 12-volt accessory auxiliary power outlet
- Dual 55 watt headlights/taillights
- LED 1.8 watts brake lights at 12 volts
- Glove box storage
- Receiver hitch 2" standard
- Options: Under seat storage, manual and electric box lifts, 3,500 lbs. winch, Max Box, Box sides, Poly cab, Poly roof, Poly or canvas door set, Poly cab rear panel, Canvas cab roof + rear panel, Chainsaw mount, Reverse beeper, Nerf bars, Canvas cab poly windshield, Canvas bimini top, Lock & Ride® cargo box, 60" snow blade, Plow frame, Plow mount plate, Maintenance free batteries

ACCESSORIES



Scan code with your mobile device to view all GEM accessories



Build and customize your perfect GEM® eM™1400 LSV at [GEMcar.com](https://www.gemcar.com).



Assembled in the USA

GEM® eM™1400 LSV

PERFORMANCE

- Single, 48-volt, high efficiency, AC induction motor
- 7.5 HP continuous, 16.35 HP peak
- 450 amp Sevcon Gen IV controller with regenerative braking
- 10.4 kw battery pack at 48VDC with 8 ea. 6-volt batteries in series configuration
- Redundant non-contact, inductive sensing speed throttle
- Delta Q 120 volt AC on-board charger, 48-volt DC output
- Charge time – 8 hours (depending on depth of discharge)

SUSPENSION

- Independent MacPherson front suspension struts with 5" (13 cm) travel
- Dual A-arm rear suspension with 6" (15 cm) travel

DRIVE TRAIN

- Direct drive motor to transaxle with low noise gears
- Turf friendly rear wheel drive

BRAKING

- 4-wheel hydraulic disc brakes
- Lever actuated mechanical park brake

VEHICLE WARRANTY

- Two year or 8,000 mile (12,750 km) limited warranty (whichever occurs first) on all components (except batteries) against defects in material or workmanship. Warranty covers the parts and labor charges for repair or replacement of defective parts. Pro-rated battery coverage. See owner's manual for more details.



GS-30F-0017W

polarisdefense.com



090512-PSI



Build and customize your perfect GEM® eM™1400 LSV at GEMcar.com.

Polaris® LSVs comply with the NHTSA Low Speed Vehicles rules and regulations and can be operated on many streets with posted speed limits of 35 mph or less. Check local laws regarding street use and vehicle equipment requirements. Drivers must be at least 16 years old with a valid driver's license. Driver and passengers should always wear seat belts. Where appropriate for work and riding conditions, helmets and eye protection should also be worn. Never engage in stunt driving, and avoid excessive speeds and sharp turns. Range on all Polaris® electric vehicles will vary depending on temperature, grade, payload, and driving style. All pricing, specifications, claims, and information contained in this brochure are based on information available at the time of publication. Polaris® assumes no responsibility for any inaccuracies, opinions, or omissions in those publications. All pricing, specifications, and descriptions are subject to change without notice, and Polaris® assumes no responsibility for changes in pricing or specifications. Unless otherwise noted, all trademarks are the property of Polaris Industries Inc. ©2014 Polaris Industries Inc.

HARDWORKING HERO: JOB 610

Road Runner. Why use a fuel-guzzler just to pick up a part from a supply house, shuttle a worker from site to site, or run errands when a street-legal Carryall 510 LSV are so much less expensive? The zero-emission electric vehicles cost just pennies a day to operate, make parking a breeze and get about 30 miles to a full charge.



HARDWORKING HERO: JOB 555

Green power. Busy downtown areas can be a challenge. Congestion, pollution and limited parking can create issues for parking enforcement. The Carryall 710 street-legal LSV overcomes these issues and for just pennies a day.



1.800.ClubCar

www.clubcardealer.com/HardworkingHero

ClubCar[®]

CARRYALL 510/710

A THOUSAND JOBS. ONLY ONE
CARRYALL



VERSATILITY & RELIABILITY

Payload. Total Vehicle Capacity of up to 1250 lb (567 kg).

Street legal. Carryall LSVs can be driven on streets with speed limits of 35 mph or less in almost all states. Check state and local laws.

Green. Reduce your carbon footprint and cut fuel costs with this sturdy electric vehicle.

Safety-equipped. Carryall LSVs come with all required safety equipment: headlights, tail lights, turn signals, 3-point safety belts, hip restraints and more.

Improved charging. The industry's only standard on-board high-efficiency charger with cord retractor. This new system operates on voltages around the globe, and tolerates voltage swings that would shut down lesser chargers.

More durable than steel. Carryalls are built on Club Car's exclusive lightweight, rustproof, air-craft-grade aluminum frame that's designed to be stronger than steel. Unlike competitive steel frames, it resists corrosion and retains resale value.

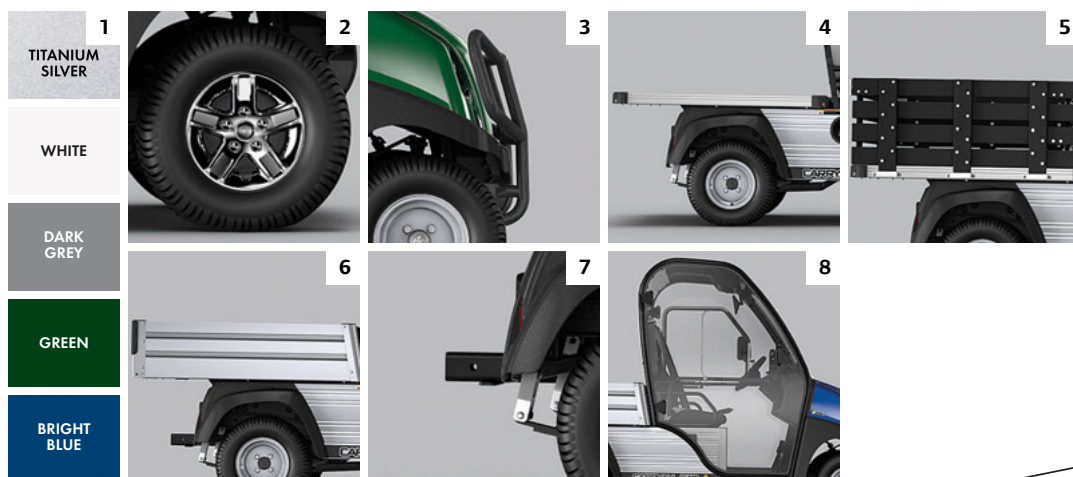
Fit-to-task utility. A one-of-a-kind bed box with an integrated track-based attachment system, optional tool holders, bed dividers and cargo tie downs increases versatility and saves floor space. So you can do more with less.

The best warranty in the industry. The industries longest standard battery, powertrain and bumper to bumper warranty.

CATEGORY	510 ELECTRIC	710 ELECTRIC
Engine/Motor Type	48V 3-phase AC	
Controller	400 Amp - Solid State	
Horsepower (Rated)	4.4 hp (3.3 kW), Peak 16 hp (11.7 kW)	
Transmission	Direct drive, double reduction helical gear	
Gear Selection	Forward/Neutral/Reverse	
Gear Ratio	12.32:2	
Battery	Eight (8) - 6 V Flooded Lead Acid	
Charger	DeltaQ QuiQ (1KW High Frequency)	
Lighting	37.5 Watt Halogen headlights, turn signals, horn, and LED taillights/brake light	
Steering Mechanism	Self-adjusting Rack and Pinion	
Suspension (Front)	Independent leaf spring with dual hydraulic shocks	
Suspension (Rear)	Independent leaf spring with dual hydraulic shocks	
Brakes	4-wheel hydraulic disk/drum	
Park Brake	Hand Operated, Multi-lock	
Body (Front & Finish)	ArmorFlex with automotive paint/clearcoat	
Body (Rear)	Aluminum rear body	
Tires (Front)	205-65-10 6-Ply, DOT	
Tires (Rear)	205-65-10 6-Ply, DOT	
Wheelbase	78.1 in (198.3 cm)	
Overall Height	74.3 in (188.72 cm)	
Overall Length	118 in (299.7cm)	137.5 in (349.3 cm)
Bed L x W x H (Cargo Box)	46.3 x 49.8 x 10.5 in (117.6 x 126.5 x 26.7 cm)	67.6 x 49.8 x 10.5 in (171.7 x 126.5 x 26.7 cm)
Ground Clearance (Differential)	5.6 in (14.2 cm)	
Track Width (Front)	34.6 in (87.8 cm)	
Track Width (Rear)	39.2 in (99.5 cm)	
Max Width (w/o Mirrors)	50.3 in (127.7cm)	
Total Vehicle Capacity	950 lb (430.0 kg)	1250 lb (567.0 kg)
Bed Load Capacity	550 lb (249.5 kg)	850 lb (385.6 kg)
Towing Capacity	1250 lb (567.0 kg)	1250 lb (567.0 kg)
Combined Gross Vehicle Capacity	1250 lb (567.0 kg)	1250 lb (567.0 kg)
Tongue Weight	150 lb (68.0 kg)	150 lb (68.0 kg)
Max Speed	25 mph (40 kph)	
Warranty	2 year/2000 hour limited warranty	

ACCESSORIES & OPTIONS

- Vehicle Colors
- Wheel Cover
- Brush Guard
- Flatbed
- Stakeside
- Cargo Box
- Rear Receiver Hitch
- Cab (Shown with optional glass doors)



// A regular meeting of the Council of the City of Lynchburg was held on the 22nd day of September, 2015, at 4:30 P.M. in the Council Chamber, City Hall, Ceasor Johnson, Vice President, presiding. The following Members were present:

Present: Foster, Helgeson, Johnson, Nelson, Perrow, Tweedy

6

Absent: Gillette

1

// City Manager Kimball Payne stated that he had received requests from Liberty University, Lynchburg College, and Central Virginia Community College to adopt an ordinance allowing for the operation of golf carts and utility vehicles on certain streets near the respective institutions. Mr. Payne further stated that in response, an ordinance was drafted that would establish the criteria for such operations. Mr. Payne went on to say that staff had some concerns about allowing the operation of such vehicles on City streets and discussed the matter with the Physical Development Committee (PDC). There were mixed feelings on the committee regarding the proposal and they asked staff to bring it to full Council for discussion during a work session. In response to comments made by members of the Physical Development Committee, staff conducted further review and made revisions to the draft ordinance. Council's options regarding this matter include:

- 1) Decline to allow the operation of golf carts and utility vehicles on City streets and instead encourage the use of "street legal" low speed/utility vehicles.
- 2) Allow the use of golf carts and utility vehicles under certain conditions based on speed limits, traffic volume and road character, such as:
 - the vehicles should only be allowed on roads with posted speeds of 25 mph or less unless the road is within the property limits (internal streets) of a two or four year institution.
 - VDOT approval shall be required for any designated roadway that it maintains. VDOT standards include a traffic count of less than 1000 vpd, a pavement width of seventeen feet, and truck traffic of ten percent or less.

With respect to the specific requests from the institutions, staff offers the following for consideration:

Liberty University: Allow the use of golf carts and utility vehicles on University Boulevard, on Liberty Mountain Drive and crossing Candler's Mountain Road at University Boulevard at a designated and signal controlled crosswalk. It is not appropriate for such vehicles to operate on Candler's Mountain Road.

Central Virginia Community College: Allow the use of golf carts and utility vehicles on Harvard Street (SR 368), which is maintained by VDOT.

Lynchburg College: Public streets internal to Lynchburg College are appropriate for golf carts and utility vehicles. It is not appropriate for such vehicles to operate on Lakeside Drive, Thomas Road, Oakley Avenue (except for access to a crosswalk to cross Lakeside Drive), Breckenridge

Street, or Richmond Street. Such vehicles could be allowed to cross Lakeside Drive at its intersection with Oakley Avenue/Monticello Avenue; access to Oakley Avenue would be via Jubal Street and Macon Street.

- It may also be appropriate to allow for the limited operation of golf carts and utility vehicles on sidewalks leading up to crosswalks at designated intersections.

During Council discussion the majority of Council was in favor of receiving more information on the request by the three area institutions to allow golf carts and utility vehicles on certain city streets near their campuses. Council made no decision in regards to the draft golf cart ordinance, but suggested that Staff revise the draft ordinance to address concerns posed by Council such as the type of safety equipment installed on the vehicles, and which roadways would be specified in the ordinance. Based on Council's guidance at that time, staff would finalize an ordinance for future consideration.



RANDOLPH COLLEGE

Office of the President

2500 RIVERMONT AVENUE
LYNCHBURG, VIRGINIA 24503-1526

PH: 434.947.8140
FX: 434.947.8139
www.randolphcollege.edu

April 4, 2016

Mr. L. Kimball Payne, III
City Manager
City of Lynchburg
900 Church Street, 3rd Floor
Lynchburg, VA 24504

RE: Ordinance to Permit Golf Cart and Utility Vehicle Use on Certain Public Roads

Dear Kim:

Pursuant to Virginia Code Section 46.2-916.3.B.3., I write to request that the Lynchburg City Council adopt an ordinance that would designate certain public roads and/or sidewalks to permit use by golf carts and utility vehicles in the vicinity of Randolph College.

Section 46.2-916.3.B.3. of the Virginia Code provides an exception to the general rule that golf carts and utility vehicles may not be operated on public roads. A recent opinion from the Attorney General has indicated that an institution may only take advantage of this exception to the extent that the City has already designated, by ordinance, the specific public roads as permitting use by golf carts and utility vehicles by the public generally. It would be beneficial for the City to designate certain public roads and/or sidewalks within and adjacent to properties owned or controlled by Randolph College.

Like other such institutions within Lynchburg, Randolph College's day-to-day operations, particularly with regard to security, maintenance, landscaping, and the like, depend on having golf cart and utility vehicle access across campus via the public roads and/or sidewalks. In Randolph's case, the roads and/or sidewalks that we request be designated for use by golf carts and utility vehicles are described as follows:

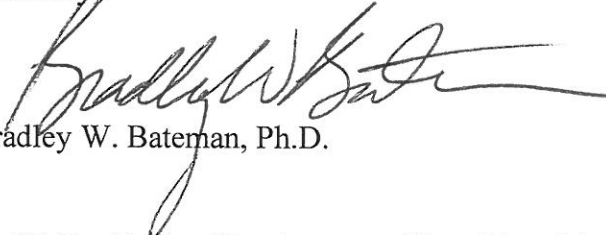
- Rivermont Avenue (sidewalk only) - beginning at the intersection of Rivermont Avenue and Princeton Circle to 2460 Rivermont Avenue; additionally, we request that the carts be permitted to cross Rivermont Avenue at the Princeton Circle intersection and the Norfolk Avenue intersection;
- Princeton Circle - beginning at 220 South Princeton Circle to 80 North Princeton Circle;
- Norfolk Avenue - beginning at Arlington Place and continuing to Cedar Drive;
- Westmoreland Avenue - beginning at Rivermont Avenue to 227 Westmoreland Avenue;
- Arlington Street - from Arlington Place to Rivermont Avenue;
- Arlington Place - in its entirety; and

- the following drives internal to campus - Conway Lane, E Campus Drive, and Quinlan Drive (to Norfolk Avenue where it becomes public).

Randolph College respectfully requests that you submit this proposal to the City Council to facilitate the operation of golf carts and other utility vehicles by Randolph College employees on the public roads and/or sidewalks as described.

Please let me know if you have any questions regarding this matter.

Sincerely,

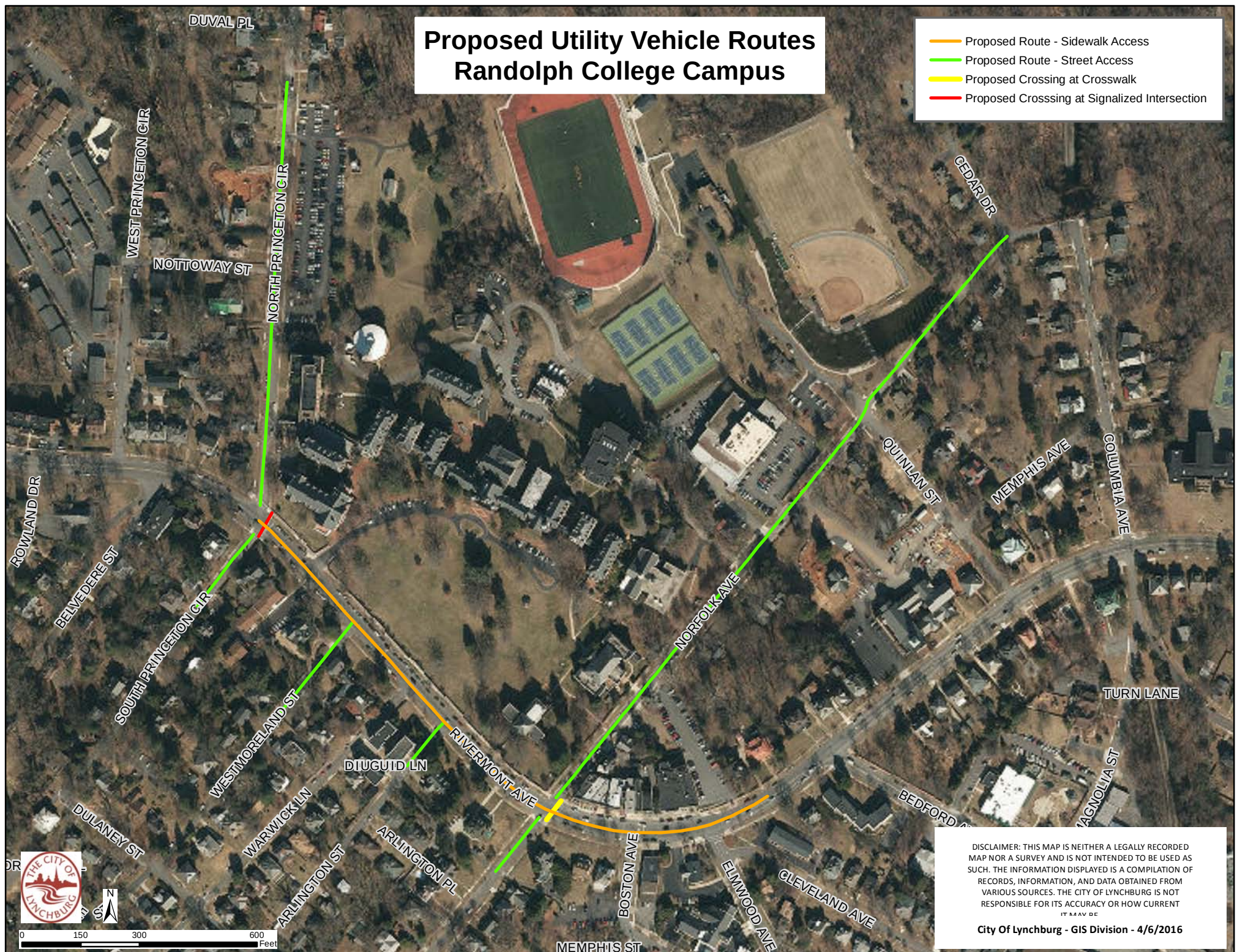
A handwritten signature in black ink, appearing to read "Bradley W. Bateman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Bradley W. Bateman, Ph.D.

cc: Walter Erwin, City Attorney, City of Lynchburg

Proposed Utility Vehicle Routes Randolph College Campus

- Proposed Route - Sidewalk Access
- Proposed Route - Street Access
- Proposed Crossing at Crosswalk
- Proposed Crossing at Signalized Intersection



0 150 300 600 Feet

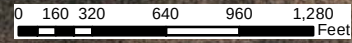
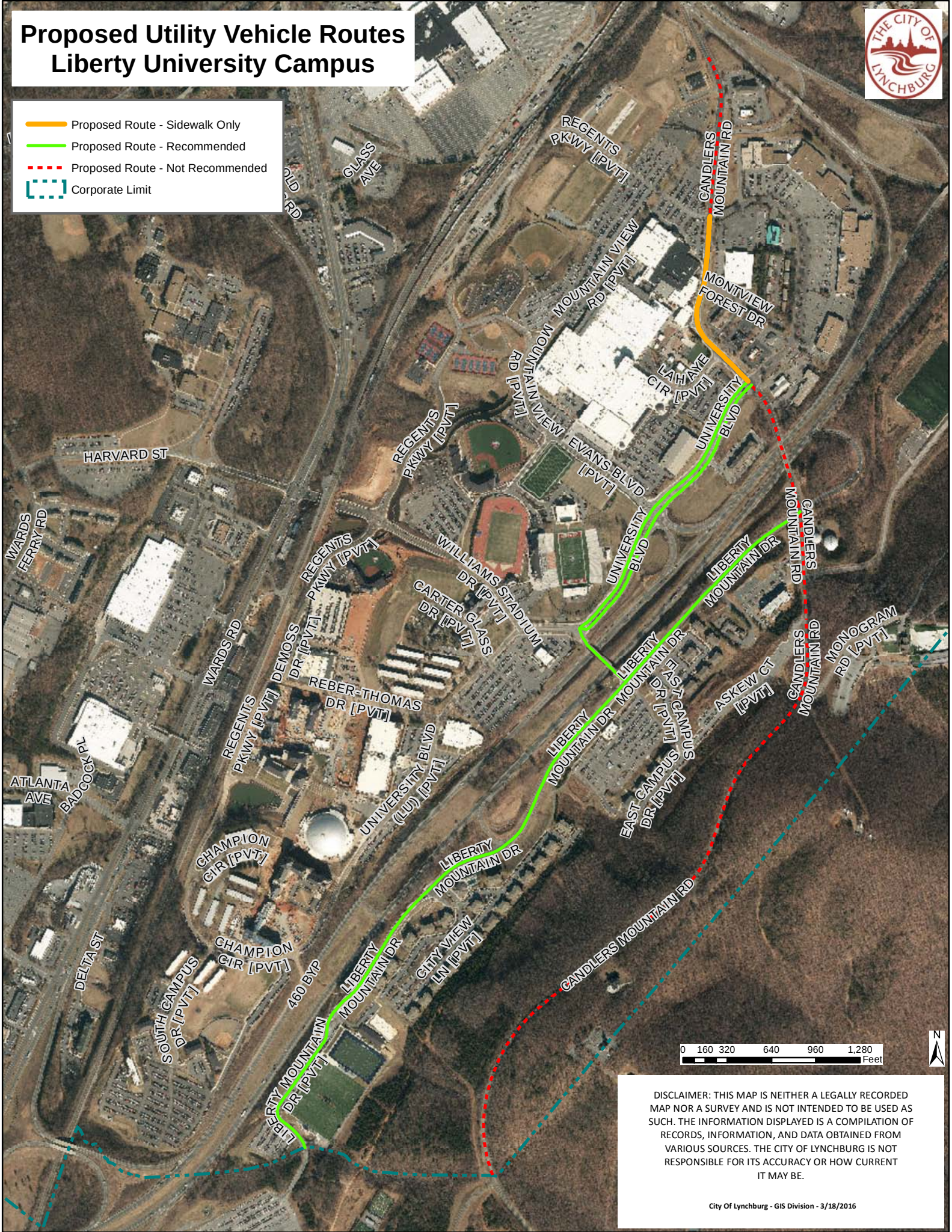
DISCLAIMER: THIS MAP IS NEITHER A LEGALLY RECORDED MAP NOR A SURVEY AND IS NOT INTENDED TO BE USED AS SUCH. THE INFORMATION DISPLAYED IS A COMPILATION OF RECORDS, INFORMATION, AND DATA OBTAINED FROM VARIOUS SOURCES. THE CITY OF LYNCHBURG IS NOT RESPONSIBLE FOR ITS ACCURACY OR HOW CURRENT IT MAY BE.

City Of Lynchburg - GIS Division - 4/6/2016

Proposed Utility Vehicle Routes Liberty University Campus



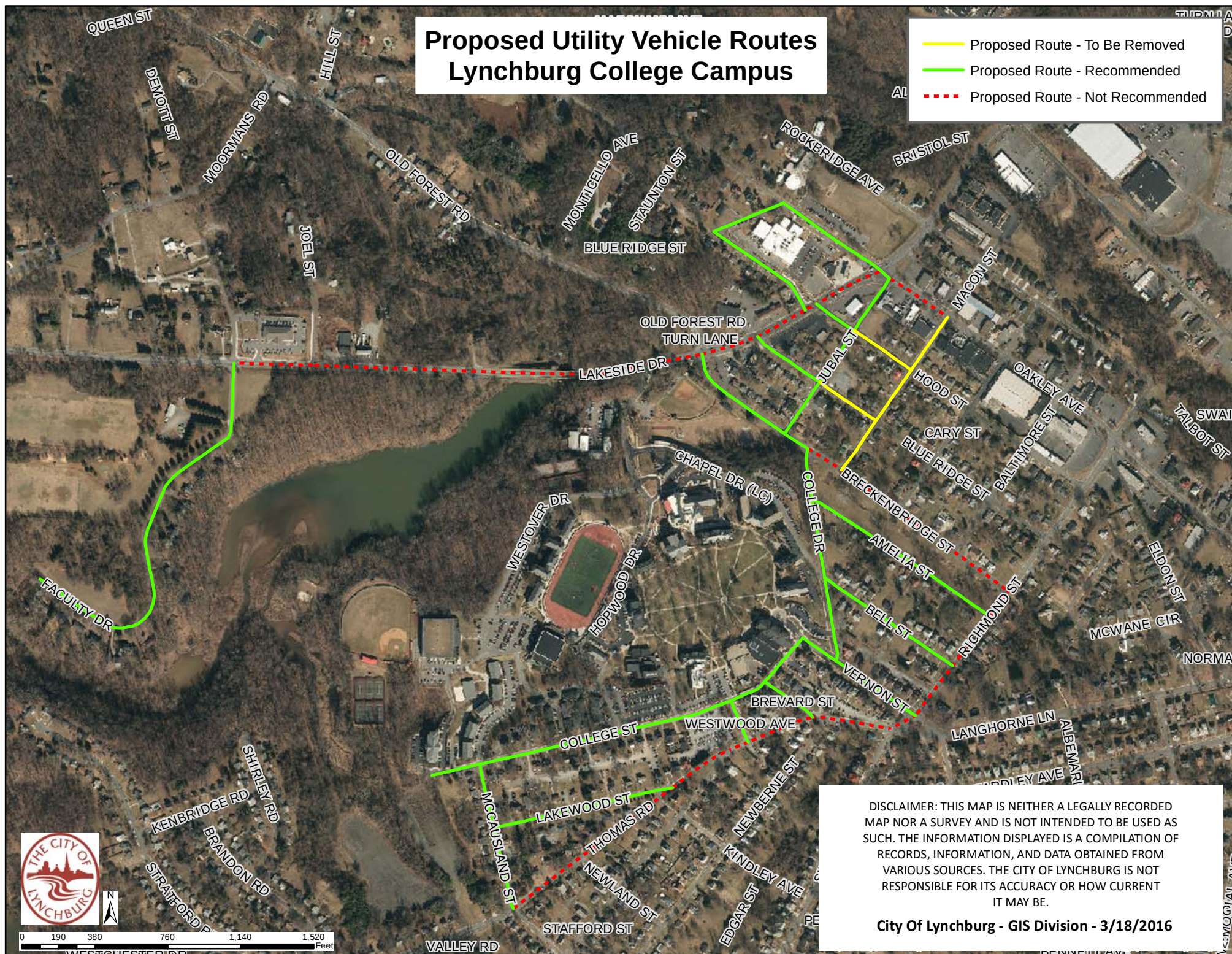
- Proposed Route - Sidewalk Only
- Proposed Route - Recommended
- - - Proposed Route - Not Recommended
- - - Corporate Limit



DISCLAIMER: THIS MAP IS NEITHER A LEGALLY RECORDED MAP NOR A SURVEY AND IS NOT INTENDED TO BE USED AS SUCH. THE INFORMATION DISPLAYED IS A COMPILATION OF RECORDS, INFORMATION, AND DATA OBTAINED FROM VARIOUS SOURCES. THE CITY OF LYNCHBURG IS NOT RESPONSIBLE FOR ITS ACCURACY OR HOW CURRENT IT MAY BE.

Proposed Utility Vehicle Routes Lynchburg College Campus

-  Proposed Route - To Be Removed
 Proposed Route - Recommended
 Proposed Route - Not Recommended



DISCLAIMER: THIS MAP IS NEITHER A LEGALLY RECORDED MAP NOR A SURVEY AND IS NOT INTENDED TO BE USED AS SUCH. THE INFORMATION DISPLAYED IS A COMPILATION OF RECORDS, INFORMATION, AND DATA OBTAINED FROM VARIOUS SOURCES. THE CITY OF LYNCHBURG IS NOT RESPONSIBLE FOR ITS ACCURACY OR HOW CURRENT IT MAY BE.

City Of Lynchburg - GIS Division - 3/18/2016

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: April 12, 2016		AGENDA ITEM NO.: 12	
CONSENT:	REGULAR: X	WORK SESSION:	CLOSED SESSION: (Confidential)
ACTION: X		INFORMATION:	
ITEM TITLE: Transportation Investment Generating Economic Recovery (TIGER) Grant Proposal			

RECOMMENDATION: Authorize the City Manager to submit a TIGER grant application and commit to provide matching funds if the grant is received.

SUMMARY: The United States Department of Transportation (USDOT) issued a Notice of Funding Availability (NOFA) for 2016 TIGER funds on Tuesday, February 23, 2016. The TIGER program is a USDOT discretionary grant that funds capital investments in surface transportation infrastructure that generates economic development and improves access to reliable, safe and affordable transportation in communities. Grants are awarded on a competitive basis and must include a minimum of a 20% match from the locality.

City staff, along with some consulting assistance, is working to submit a TIGER grant application that, if approved, would provide funding for multi-modal transportation improvements in conjunction with the Downtown Utility Line replacement and Streetscape improvements. Phase I of the project is under construction and includes the blocks along Church and Main Streets from 5th to 8th Street. Phase II includes the blocks along Main and Commerce Streets from 8th Street to the Main Street Bridge over the Lynchburg Expressway. Phase II also includes a Park & Ride lot and mini-public transit hub for the Greater Lynchburg Transit Company (GLTC) at 351 Court Street, as well as bicycle and pedestrian improvements to the John Lynch Bridge. Phase III includes improvements along Church Street from 8th Street to Pearl Street and Court Street from 7th Street to 11th Street.

If approved, the grant requires construction to start within three years of the grant award and project completion within five years of construction start. The projected budget numbers include a 25% match.

PRIOR ACTION(S): April 12, 2016: Physical Development Committee

FISCAL IMPACT: Total Project Cost (Phases II & III) - \$43.2 Million

- Design - Multi-Modal Improvement - \$2.6 Million (pre-grant, not included as match) (potential funding sources - CDBG, FY2019 & FY2020 Downtown Improvement funds)
- Design - Waterline - \$742,000 (pre-grant, not included as match)
- TIGER Grant Request - \$30.1 Million
- City Match from Water Fund - \$9.6 Million
- City Match from General Fund - \$218,000

CONTACT(S): Maggie Cossman, Transportation Engineer – 455-3935
Anna Bentson, Deputy Director of Economic Development – 455-4493
Bonnie Svrcek, Deputy City Manager – 455-3987

ATTACHMENT(S):

- Resolution
- TIGER Grant Overview Map

REVIEWED BY: lkp

RESOLUTION:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO THE UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT), TRANSPORTATION INVESTMENT GENERATING ECONOMIC RECOVERY (TIGER) DISCRETIONARY GRANT PROGRAM AND TO AUTHORIZE THE CITY MANAGER TO SIGN A LETTER OF COMMITMENT TO PROVIDE MATCHING FUNDS IF GRANT FUNDING IS RECEIVED.

WHEREAS, the USDOT issued a Notice of Funding Availability (NOFA) for 2016 TIGER funds on Tuesday, February 23, 2016; and

WHEREAS, the City of Lynchburg has identified a transportation project that meets the goals and requirements of generating economic development and improving access to reliable, safe and affordable transportation as contained within the NOFA; and

WHEREAS, City Council has identified that implementation of the Downtown transportation improvement project will further the Vision of the *Comprehensive Plan 2013-2030* by reinforcing Downtown as the heart of the Region's public, cultural and social life through strategic public and private investment; and

WHEREAS, City Council has identified that implementation of the Downtown transportation improvement project supports City Council's adopted FY 2015 priorities, will strengthen the pillars of Arts & Culture, Citizen Engagement and Social Capital, Economic Development, Healthy & Active Living, Infrastructure, Land Use, Life Long Learning, Natural Resources, Neighborhoods, Safe Community, Social Equity and Transportation of the 2014 Strategic Plan by making the City a Great Place to Live Work & Play; and

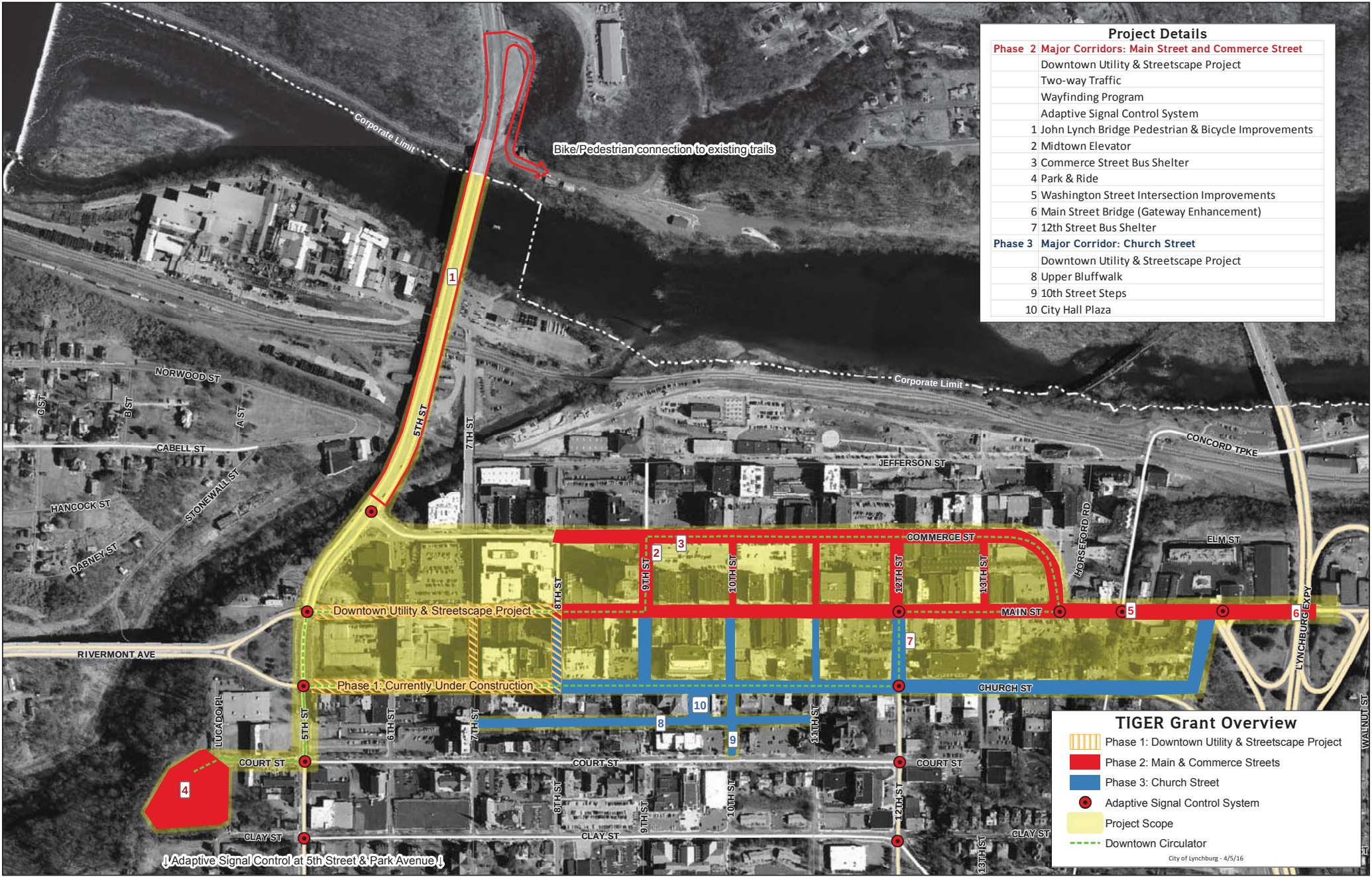
WHEREAS, City Council has identified that the Downtown transportation improvement project will further the implementation of the Downtown & Riverfront Master Plan 2000; and

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LYNCHBURG THAT the City Manager is hereby authorized to submit a grant application to the USDOT TIGER Program in response to the February 23, 2016 NOFA, and is further authorized to sign a letter indicating the City of Lynchburg's commitment to provide matching funds if grant funding is received.

Adopted:

Certified: _____
Clerk of Council

050K



Project Details	
Phase 2	Major Corridors: Main Street and Commerce Street
	Downtown Utility & Streetscape Project
	Two-way Traffic
	Wayfinding Program
	Adaptive Signal Control System
	1 John Lynch Bridge Pedestrian & Bicycle Improvements
	2 Midtown Elevator
	3 Commerce Street Bus Shelter
	4 Park & Ride
	5 Washington Street Intersection Improvements
	6 Main Street Bridge (Gateway Enhancement)
	7 12th Street Bus Shelter
Phase 3	Major Corridor: Church Street
	Downtown Utility & Streetscape Project
	8 Upper Bluffwalk
	9 10th Street Steps
	10 City Hall Plaza

TIGER Grant Overview

Phase 1: Downtown Utility & Streetscape Project

Phase 2: Main & Commerce Streets

Phase 3: Church Street

Adaptive Signal Control System

Project Scope

Downtown Circulator

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **April 12, 2016**

AGENDA ITEM NO.: 13

CONSENT:

REGULAR: **X**

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Approval of Agreement with the Academy Center of the Arts
Re: Funding for the Historic Theatre**

RECOMMENDATION: Adopt a resolution approving an Agreement between the City, the Economic Development Authority and the Academy Center of the Arts.

SUMMARY: On August 11, 2015, City Council directed staff to explore how \$3.5 million might be identified to support the renovation of the Historic Academy Theatre in response to a funding request from the leadership of the Academy of Fine Arts (now called the Academy Center of the Arts [ACOA]). On October 13, 2015 staff provided City Council with a funding plan to support the Academy's request. City Council amended the funding plan presented by staff and directed the City Manager to draft an Agreement outlining the plan approved by City Council.

In addition, the Economic Development Authority has approved \$600,000 in funding at \$200,000 per year for three years beginning in FY 2017 (July 1, 2016 - June 30, 2017) for the Theatre. The combined City and EDA contribution is \$2.9 million. In addition, the ACOA has received a grant of \$186,000 from the State Department of Housing and Community Development's Industrial Revitalization Fund.

Attached is a copy of the Agreement that has been reviewed and approved by both the Academy Center of the Arts, Inc. and the Economic Development Authority; signature is pending City Council approval.

PRIOR ACTION(S): August 11, 2015, City Council Meeting – Update on the Academy Theatre Restoration
October 13, 2015 Council Meeting – City Contribution to the Academy Theatre Restoration

FISCAL IMPACT: See attached agreement.

CONTACT(S): L. Kimball Payne, III, City Manager, 455-3990
Bonnie Svrcek, Deputy City Manager, 455-3987

ATTACHMENT(S): Agreement between the City, the Economic Development Authority, and Academy Center of the Arts, Inc.; Resolution

REVIEWED BY: lkp

RESOLUTION

BE IT RESOLVED that the City Council approves the Agreement made and dated April 12, 2016 by and between the City of Lynchburg, the Lynchburg Economic Development Authority and the Academy Center of the Arts, Inc. and authorizes the City Manager to sign such Agreement.

Adopted:

Certified:

Clerk of Council

047K

AGREEMENT

This Agreement made and dated this _____ day of _____, 2016, by and between the **CITY OF LYNCHBURG, VIRGINIA**, a political subdivision of the Commonwealth of Virginia, (the “City”), the **LYNCHBURG ECONOMIC DEVELOPMENT AUTHORITY** (the “Authority”), and the **ACADEMY CENTER OF THE ARTS, INC.**, a Virginia nonstock, nonprofit corporation (the “Academy”).

WHEREAS, the Academy is the owner of and is currently in the process of restoring the historic Academy of Music Theatre buildings and other improvements located on the real property located at 524 & 526 Main Street (the “Historic Theatre”). In addition to the Historic Theatre , the Academy also owns real property with buildings and improvements constructed thereon located at both 600 Main Street (the “Gas Building”) and 501 Commerce Street (the “Warehouse Theatre”); and,

WHEREAS, when it opened in 1905, the Historic Theatre quickly became the heart and centerpiece of the arts, entertainment and social network for downtown Lynchburg and the surrounding communities; and,

WHEREAS, even though the Historic Theatre closed in 1958, a renovated Historic Theatre has a real and significant potential to return as the centerpiece for the community and to serve as a showplace for the visual and performing arts, to help anchor downtown Lynchburg, and to serve as a stimulus for significant business investment and economic growth within the City; and,

WHEREAS, in view of the positive financial and social impact the restoration of the Historic Theatre will have on the City of Lynchburg, the City and the Authority wish to contribute funds to the restoration and future operations of the Historic Theatre in return for covenants to run with the properties set forth herein which, subject to certain limitations, will limit the Academy’s ability to transfer those properties and improvements thereon to certain third parties, as set forth herein; and,

WHEREAS, this Agreement is entered into pursuant to action taken by the Lynchburg City Council on October 13, 2015, and action taken by the Authority on November 19, 2015.

NOW THEREFORE, the City, the Authority (and its successors or assigns), and the Academy (or its successors and assigns), for and in consideration of the mutual covenants herein contained and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, do agree as follows:

1. **Funding**--The City and the Authority will provide funding to the Historic Theatre restoration and operations project as follows, with each amount to be paid on or before August 1 for each Fiscal Year (FY) as indicated below:

Source of Funding	FY 2017	FY 2018	FY 2019	FY 2020	Total
CITY FUNDS					
Annual Funding of CIP Downtown Improvements Project	-0-	\$500,000	\$500,000	\$500,000	\$1,500,000
Increased funding of the Department of Tourism Operating Budget from existing Lodging Tax	\$200,000	\$200,000	\$200,000	\$200,000	\$800,000
Total	\$200,000	\$700,000	\$700,000	\$700,000	\$2,300,000
EDA GRANT FUNDING	\$200,000	\$200,000	\$200,000		\$600,000
GRAND TOTAL	\$400,000	\$900,000	\$900,000	\$700,000	\$2,900,000

2. **Last Dollar Contribution**--The City's and the Authority's payments for funding as set forth above will be "last dollar" contributions to be made only upon both (a) the official

completion of the Academy's fundraising campaign in 2016 (as described more fully below); and (b) the Academy finalizing and executing a guaranteed maximum price (GMP) construction contract for Phase 2 of the construction of the Historic Theatre and its associated improvements. The Academy presently intends and expects that the fundraising for the Academy Theatre Capital Campaign (which began on October 1, 2012) will be concluded (upon the receipt of pledges and donations in the total amount of \$16.6 million) on or before June 1, 2016, but that date is not certain. Furthermore, the Academy presently intends to finalize a GMP construction contract on or before June 1, 2016, but that date is also not certain. Accordingly, both of these conditions will be set and satisfied upon the Academy providing written notice and confirmation to both the City and the Authority as set forth in this Agreement. Upon the satisfaction by the Academy of those two conditions, then the City and Authority shall make all the funding payments as set forth in Paragraph 1 of this Agreement.

3. **Covenants**--The Academy agrees that neither the Academy nor its successors and assigns for a period of 50 years (as set forth in more detail below) will voluntarily sell, grant, convey or otherwise transfer any interest in the following properties for the following time periods (as set forth below in Sections 3A and 3B) to any third party who intends to use any of the properties for any use other than the current and exclusive use and purpose as an arts and culture center for the benefit of the Lynchburg community, unless the Academy, or its successors and assigns, first provides written notice of such a potential sale or transfer to a third-party for some other use and obtains the City's (not including the Authority) prior written permission to make such sale or other transfer (which permission shall be within the discretion of the City).

A. The Historic Theatre, located at 524 & 526 Main Street, for fifty (50) years commencing upon the Academy providing the City and the Authority with official notice of the expiration of any applicable historic rehabilitation and/or New Markets Tax Credit compliance periods (currently expected to expire on approximately July 1, 2023). The Academy (or its successors and assigns) shall not transfer any interest in the Historic Theatre to any third-party during the applicable historic rehabilitation and/or New

Markets Tax Credit compliance periods, except as required in connection with obtaining and maintaining the tax credits (in which event, the Academy (and its successors and assigns) will not have to first obtain the City's permission prior to such excepted transfer). In amplification of the foregoing, the City and the Authority acknowledge and agree that in connection with the tax credit financing, the Academy will transfer and convey the Historic Theatre to a to-be-formed for-profit entity that will own the Historic Theatre and such entity may further master lease the Historic Theatre to another to-be-formed for-profit entity if required in connection with the tax credit financing. Any and all transfers of the Historic Theatre, including without limitation, fee simple, ground lease and long-term lease conveyances, in connection with the tax credit financing shall not require the City's or Authority's prior consent;

B. The Gas Building and the Warehouse Theatre, located at 600 Main Street and 501 Commerce Street respectively, for fifty (50) years commencing upon the date of the Academy's first receipt of any funds from the City or the Authority pursuant to this Agreement.

The Academy will agree to prepare and file with the land records on file with the Clerk of Court for the City of Lynchburg a document(s) as needed to provide record notice of these covenants reasonably prior to the date that these covenants commence and take effect, but in no event shall such restrictive covenant be executed and recorded prior to the expiration of the applicable historic rehabilitation and New Markets Tax Credit compliance periods. It is the intent of the parties to this Agreement that such covenants shall run with the land at issue until the expiration of the time periods set forth in Paragraphs 3A and 3B above.

Notwithstanding anything to the contrary in the foregoing part of this Paragraph 3 of this Agreement, however, nothing in this Agreement shall prohibit the Academy from financially encumbering, transferring or pledging an interest in either the Historic Theatre, the Gas Building or the Warehouse Theatre properties to any bank, lender, or other financial institution or entity for the sole purpose of obtaining a loan of capital or other funds or things of value to be secured by the real estate and assets on those properties; however, in the event

that the Academy does seek to obtain that financing, the Academy agrees to (a) provide the City and the Authority with written notice of the grant of a security interest (or deed of trust or mortgage) in those properties to any third-party lender; and (b) to make such security interests (or deed of trust or mortgage) subject to the restrictive covenants set forth in this paragraph.

4. **Project Balance and the Endowment Fund**--In addition, the Academy agrees that in the event that any capital campaign funds raised and collected by the Academy remain unspent after both (a) the renovation of the Historic Theatre is completed and paid for in full, and (b) all potential historic rehabilitation and/or New Markets Tax Credit transaction-related costs and liabilities are paid for and settled in full, then the Academy will place such remaining funds in the Academy's endowment fund and allocated only for the support and payment of future operations of the Academy, including without limitation the maintenance and operation of the Historic Theatre.
5. **Default by Academy.** In the event of a default of this Agreement by the Academy, the parties agree that such default may cause irreparable harm for which the City and the Authority may have no adequate remedy at law and, therefore, the City and the Authority are entitled to seek both legal and equitable relief (including, without limitation, the right to seek a temporary restraining order or a preliminary or permanent injunction) to prevent or remedy such default. In the event of a default hereunder, the City and the Authority shall deliver written notice of such default to the Academy and provide for at least thirty (30) days upon receipt of such written notice to cure such default, provided, however, in the event that a cure is incapable of being cured within the original 30-day period, the Academy shall be given such additional reasonable period of time to cure if the Academy is diligently pursuing such cure.
6. **Notices**--Any notices, requests, consents and other communications and correspondence regarding this Agreement shall be in writing and shall be sufficient if sent, by registered mail, postage prepaid, and addressed to the following receiving party's addresses set forth below, or to such other or additional addresses as the parties may from time-to-time designate in

writing, and shall be (i) delivered by hand, (ii) sent by overnight courier, or (iii) sent by certified or registered mail, return receipt requested, postage prepaid:

City of Lynchburg

City Manager
City of Lynchburg
900 Church Street
Lynchburg, Virginia 24504

Economic Development Authority

Lynchburg Economic Development Authority
900 Church Street
Lynchburg, VA 24504
Attention: Authority Chair

Academy Center of the Arts

President – Board of Trustees
Academy Center of the Arts
600 Main Street
Lynchburg, Virginia 24504

7. **Complete Agreement.** -- This Agreement contains the entire and complete agreement of the Parties with respect to the matters set forth herein, and it supersedes all prior negotiations and agreements, and it represents the parties' final and complete understanding. All terms and conditions with respect to this Agreement are expressly contained herein, and the Parties agree that no representative or agent of the City, the Authority, or the Academy have made any representation or promise with respect to this Agreement not expressly contained herein. This Agreement may not be modified, amended, or changed except by written instrument executed by both parties.

8. **Severability.** In the event that any provision of this Agreement shall be construed to be invalid or unenforceable, then the remaining provisions shall remain in full force and effect.
9. **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Virginia.

[End of Text; Signature Page Immediately Follows]

WITNESS the following signatures:

THE CITY OF LYNCHBURG VIRGINIA

By: _____
L. Kimball Payne, III, City Manager

**ECONOMIC DEVELOPMENT AUTHORITY
OF THE CITY OF LYNCHBURG, VIRGINIA**

By: _____
H. Michael Lucado, Chair

ACADEMY CENTER OF THE ARTS, INC.

By: _____
R. Sackett Wood, President
Board of Trustees

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **April 12, 2016**

AGENDA ITEM NO.: 14

CONSENT:

REGULAR: **X**

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Additional City Street Mileage for VDOT Highway Maintenance Payments**

RECOMMENDATION: Approve the attached resolution requesting VDOT to increase the official City Street lane mileage for reimbursement of highway maintenance funds for FY 2017.

SUMMARY: When required, usually each year, the City submits a list of new or improved streets to VDOT for acceptance into the street maintenance system for payments. For FY 15-16 VDOT audited the City's lane mileage and determined about 4 miles of reductions due to duplications of segments. In reviewing the audit, staff determined about 1.5 miles of missing street segments needed to be added. This action is to add those missing segments for additions of 1.68 miles.

PRIOR ACTION(S): None

FISCAL IMPACT: 1.68 additional lane miles of local streets for an increase in highway maintenance funds in the amount of \$19,688 annually.

CONTACT(S):

Lee Newland, City Engineer

455-3947

Gaynelle Hart, Director of Public Works

455-4406

ATTACHMENT(S): Resolution
Form U-1

REVIEWED BY: lkp

RESOLUTION

WHEREAS, the Virginia Department of Transportation (VDOT) requires action to increase the lane mileage for street maintenance entitlement funds from the Commonwealth; and,

WHEREAS, 1.68 miles of local streets have been identified to be added to the system; and,

NOW, THEREFORE, BE IT RESOLVED THAT: The Lynchburg City Council requests the Commonwealth Transportation Board to approve the addition of lane mileage as enumerated on Form U-1.

Adopted:

Certified:

Clerk of Council

043K

LOCAL ASSISTANCE DIVISION
VDOT
REQUEST FOR STREET ADDITIONS AND DELETIONS
FOR STREET PAYMENTS
SECTION 33.2-319
CODE OF VIRGINIA

MUNICIPALITY: City of Lynchburg

STREET NAME ROUTE NUMBER *	TERMINI		R/W WIDTH (FEET)	PAVEMENT WIDTH (FEET)	CENTER- LANE MILES	NUMBER OF LANES	LANE MILES	FUNC. CLASS. (T&MPD USE ONLY)
	FROM	TO						
Confederate Ave.	Previous end	New end	50'	20'	0.07	2	0.14	
Cupola St.	Moreview Dr.	Dead end	50'	20'	0.03	2	0.06	
Kemper St.	Previous end	Park Ave.	60'	42'	0.11	2	0.22	
Mill Ridge Rd.	Previous end	New end	60'	30'	0.11	2	0.22	
Frederick Dr.	Previous end	New end	50'	30'	0.12	2	0.24	
Beverly Hills Cir.	Pearson Dr. northward	Dead end	50'	15'	0.07	2	0.14	
Beverly Hills Cir.	Pearson Dr. southward	Beverly Hills Cir.	50'	16'	0.22	2	0.44	
Campbell Ave Spur	Martin St.	Dead end	60'	45'	0.11	2	0.22	

*Council Resolution and Map Attached

SIGNED _____
AUTHORIZED VDOT OFFICIAL DATE

SIGNED _____
MUNICIPAL OFFICIAL DATE

CLASSIFIED BY _____
T&MPD ENGINEER DATE

Submit to: District Point of Contact in triplicate

// A regular meeting of the Council of the City of Lynchburg was held on the 12th day of April, 2016, at 4:00 P.M. in the Council Chamber, City Hall, Michael Gillette, President, presiding. The following Members were present:

Present: Foster, Helgeson, Nelson, Perrow, Gillette 5

Absent: Johnson, Tweedy 2

// Vice Mayor Johnson arrived at 4:13 p.m.

// Mayor Gillette asked that the following announcement be read into the record:

"Pursuant to Section 2.2-3712(B) of the Code of Virginia, the Lynchburg City Council will be holding closed meetings at undisclosed locations within the following fifteen days for the purpose of interviewing candidates for the position of City Manager."

// Mayor Gillette presented to the Procurement Department an Award they received for Excellence in Achievement 2015 from the Universal Public Procurement Certification Council.

// City Manager Kimball Payne provided information for balancing the FY 2017 Budget. Mr. Payne stated that during the Budget public hearing on April 5, 2016, there were questions about the City's tax rate compared to tax rates in other First Cities. Lynchburg's revenue rates were the highest out of all the First Cities. Lynchburg falls into the lower half and below the average in real property tax rates. In addition, the personal property tax is above average. The State uses these rates to determine the fiscal stress index, which is composed of three parts:

- Median household income
- Revenue capacity
- Revenue effort

The first item on the "List" is Business License Tax restructuring. During Council discussion there were several options that were considered and voted on:

Motion made by Council Member Perrow, seconded by Council Member Nelson that no Business License would be issued for \$10,000 or less. This motion passed by a voice vote.

Motion made by Council Member Foster, seconded by Council Member Helgeson that the Business License fee structure for \$100,001 to \$150,000 would be charged a flat fee of \$160.00.

This motion passed by the following recorded vote:

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

Noes: 0

Absent: Tweedy 1

Motion made by Council Member Helgeson, seconded by Council Member Perrow, to add another tier to the Business License structure to raise the Business License fee for \$150,001 to \$200,001, this motion failed by a tie vote:

Ayes: Helgeson, Nelson, Perrow 3

Noes: Foster, Johnson, Gillette 3

Absent: Tweedy 1

Mr. Payne stated that the next steps would be to change the Code. The Code change would both eliminate the business license for \$10,000 or less and establish a new tier for \$160.00 for gross receipts up to \$150,000.

The next item of discussion was the Community Handbook which Council agreed to retain in the Budget. This item comes off the "List" both as a revenue and expenditure.

The other items of Revenues were:

- Police – Reduce Concealed Weapon Permits – to reduce fee from \$50.00 to \$15.00. The \$15.00 fee is what the State charges therefore, the City would receive no revenue from this fee. Council Member Perrow made the motion, seconded by Council Member Helgeson to reduce the concealed weapon permit fee from \$50.00 to \$30.00. This motion failed by the following recorded vote:

Ayes: Helgeson, Perrow 2

Noes: Foster, Johnson, Nelson, Gillette 4

Absent: Tweedy 1

The Assistant City Manager position was discussed, which was in the City Manager's Proposed Budget to fund this position. Council Member Helgeson made a motion, seconded by Council Member Foster to eliminate the Assistant City Manager position from the budget with cost savings of \$118,000. Several Council Members were in favor not to eliminate this position. The motion is to eliminate the Assistant City Manager position from the Budget. This motion failed by the following recorded vote:

Ayes: Helgeson 1

Noes: Foster, Johnson, Nelson, Perrow, Gillette 5

Absent: Tweedy 1

Council Member Foster stated that she voted for the motion but pushed the incorrect button. Mayor Gillette stated, "let the record show that Council Member Helgeson and Council Member Foster voted in favor of the motion". This motion still failed.

The remaining items on the "List" will be discussed at the April 19, 2016 work session.

// During roll call Council Member Helgeson expressed a concern about stormwater regulations and business owners trying to maintain the cleanliness of their properties and, the city stormwater inspector warned of a \$1,000 city fine if he pressure washes his business again.

// Vice Mayor Johnson mentioned a contingency fund to be readdressed during the next meeting for bonuses.

// City Council recessed the meeting at 6:06 p.m.

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

The following Members were present:

Present: Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 6

Absent: Tweedy 1

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

// Mayor Gillette presented a Proclamation of Recognition to the Lynchburg Public Library in recognition of its 50th Anniversary.

// Mayor Gillette recognized Vice Mayor Ceasor Johnson on receiving the Diamond Award in Leadership from the National League of Cities.

// Copies of the minutes of the March 22, 2016 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Johnson, seconded by Council Member Foster, Council by the following recorded vote approved the minutes as amended:

Ayes: Foster, Helgeson, Johnson, Nelson, Perrow, Gillette	6
Noes:	0
Absent: Tweedy	1

// Copies of the minutes of the March 29, 2016 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Johnson, seconded by Council Member Foster, Council by the following recorded vote approved the minutes as presented:

Ayes: Foster, Helgeson, Johnson, Nelson, Perrow, Gillette	6
Noes:	0
Absent: Tweedy	1

// Copies of the minutes of the April 5, 2016 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Johnson, seconded by Council Member Foster, Council by the following recorded vote approved the minutes as presented:

Ayes: Foster, Helgeson, Johnson, Nelson, Perrow, Gillette	6
Noes:	0
Absent: Tweedy	1

// In the matter of Fire – General, City Council Report #6 was considered. On motion of Council Member Johnson, seconded by Council Member Foster, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-16-029 as presented, to amend the FY 2016 City/Federal/State Aid Fund budget and appropriate \$75,000 with resources from the 2015 State Homeland Security Program grant from the U.S. Department of Homeland Security to fund replacement of aged equipment for Technical Rescue Teams:

Ayes: Foster, Helgeson, Johnson, Nelson, Perrow, Gillette	6
Noes:	0
Absent: Tweedy	1

// Council Member Tweedy arrived at 7:42 p.m.

// In the matter of Public Works – Street Vacation, a public hearing was held regarding City Council Report #7 regarding the petition of Spring Hill Cemetery Association to vacate a portion of Rives Street, which is approximately forty (40) feet wide and extends approximately five-hundred forty (540) feet, between Gordon and James Streets. The portion proposed for vacation is approximately four-hundred ninety-six thousandths (.496) of an acre. Rachel Frischeisen, Planner I, provided a summary of the request to vacate a portion of Rives Street, between Gordon and James Streets. Mr. Eames Powers, representing

Spring Hill Cemetery Association spoke outlining the request and asking Council for approval. Two individuals spoke in support of the request. There was no one else present who wished to speak to this item, and the public hearing was closed. Council Member Perrow, Chair of the Physical Development Committee (PDC), stated that this item came before PDC, which recommended approval. This motion does not require a second. Council by the following recorded vote adopted Ordinance #O-16-030, as presented, approving the petition of Spring Hill Cemetery Association to vacate a portion of Rives Street, which is between Gordon and James Streets:

Ayes: Foster, Helgeson, Johnson, Nelson, Perrow, Tweedy, Gillette

7

Noes:

0

// In the matter of City Code/Water - #31 and Sewer, a public hearing was held regarding City Council Report #8 regarding the adoption of an Ordinance to amend the City Code relating to Water and Sewer Rates. Director of Water Resources Tim Mitchell gave an overview of the changes relating to the Water and Sewer Rates. Mr. Mitchell stated that the recommended rate changes include a 4.9% increase in the water volume rate from \$2.43 to \$2.55 per hcf, 3.3% increase in the sewer volume rate from \$5.83 to \$6.02 per hcf and sewer only rate is recommended to increase from \$47.18 to \$48.51. Mr. Mitchell went on to say that these rate changes will go into effect July 1, 2016. There was no one else present who wished to speak to this item, and the public hearing was closed. Council Member Helgeson stated he was concerned that citizens will be burdened again with an increase in the water and sewer rates. On motion of Council Member Perrow, seconded by Council Member Johnson, Council by the following recorded vote adopted Ordinance #O-16-031, as presented, to amend the City Code relating to Water and Sewer Rates:

Ayes: Foster, Johnson, Nelson, Perrow, Tweedy, Gillette

6

Noes: Helgeson

1

// In the matter of Budget, a public hearing was held regarding City Council Report #9 regarding amending the FY 2016 Third Quarter Adopted Budget and appropriating funds to implement revenue, expenditure, and transfer adjustments. Director of Financial Services Donna Witt provided an overview of the FY 2016 Third Quarter Budget adjustments. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Johnson, seconded by Council Member Foster, Council by the following recorded vote adopted Resolution #R-16-032, as presented, amending the FY 2016 Third Quarter Adopted Budget and appropriating funds to implement revenue, expenditure, and transfer adjustments:

Ayes: Foster, Helgeson, Johnson, Nelson, Perrow, Tweedy, Gillette

7

Noes:

0

// In the matter of Bonds, a public hearing was held regarding City Council Report #10 regarding authorizing the issuance of and not to exceed \$30,250,000 New General Obligation Public Improvement Bonds for City, Water, and Sewer Capital Projects; and the issuance of and not to exceed \$24,250,000 General Obligation Public Improvement Refunding Bonds, Series 2014, and amending the FY 2016

General, Water, and Sewer Funds' Operating Budgets to provide appropriations totaling \$400,000 with resources from the General Obligation Public Improvement Bonds, Series 2016 for costs associated with the issuance. City Manager Kimball Payne gave an overview of the proposed bond issuance to fund a number of capital projects in the General, Water and Sewer funds. There was no one else present who wished to speak to this item, and the public hearing was closed. After Council discussion, a motion was made by Council Member Johnson, seconded by Council Member Tweedy, to approve the \$30,250,000 New General Obligation Improvement Bond. Council Member Helgeson offered a substitute motion, seconded by Council Member Perrow to remove \$5.6 million from the list of capital projects that would be funded by the Bond issuance. Mayor Gillette called for a vote on the substitute motion to remove \$5.6 million from the \$30,250,000 Bond issuance. This motion failed by the following recording vote:

Ayes: Helgeson, Perrow 2

Noes: Foster, Johnson, Nelson, Tweedy, Gillette 5

Since the substitute motion failed, Mayor Gillette called for a vote on the original motion made by Council Member Johnson and seconded by Council Member Tweedy to approve the \$30,250,000 New General Obligation Improvement Bond. Council by the following recorded vote adopted Resolution #R-16-033, as presented, authorizing the issuance of and not to exceed \$30,250,000 New General Obligation Public Improvement Bonds for City, Water, and Sewer Capital Projects; and the issuance of and not to exceed \$24,250,000 General Obligation Public Improvement Refunding Bonds, Series 2014:

Ayes: Foster, Johnson, Nelson, Tweedy, Gillette 5

Noes: Helgeson, Perrow 2

On motion of Council Member Johnson, seconded by Council Member Nelson, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-16-034, as presented, amending the FY 2016 General, Water, and Sewer Funds' Operating Budgets to provide appropriations totaling \$400,000 with resources from the General Obligation Public Improvement Bonds, Series 2016 for costs associated with the issuance.

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

Noes: 0

// Council Member Tweedy left the meeting at 8:41 p.m.

// In the matter of City Code, City Council Report #11 was considered. On motion of Council Member Nelson, seconded by Council Member Helgeson, Council by the following recorded vote adopted Ordinance #0-16-035, as presented, to amend and reenact the Code of the City of Lynchburg, 1981, by adding new sections Numbered 25-200 through 25-200.8, relating to the operation of Golf Carts and Utility Vehicles on the Public Street:

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

Noes: 0

Absent: Tweedy 1

// In the matter of Economic Development – General, City Council Report #12 was considered. Council Member Perrow, Chair of the Physical Development Committee, (PDC) stated that this item came before

PDC, which recommended approval. This motion does not require a second. Council by the following recorded vote adopted Resolution #R-16-036, as presented, authorizing the City Manager to submit an application to the United States Department of Transportation (USDOT) for the Transportation Investment Generating Economic Recovery (TIGER) Grant:

Ayes: Foster, Helgeson, Johnson, Nelson, Perrow, Gillette	6
Noes:	0
Absent: Tweedy	1

// In the matter of Economic Development – General, City Council Report #13 was considered. City Manager Kimball Payne provided a summary of the request to approve an Agreement with the Academy Center of the Arts. Several Council Members had concerns with the City approving this Agreement. On motion of Council Member Nelson, seconded by Council Member Foster, Council by the following recorded vote adopted Resolution #R-16-037, as presented, approving an Agreement between the City, the Economic Development Authority and the Academy Center of the Arts:

Ayes: Foster, Johnson, Nelson, Gillette	4
Noes: Helgeson, Perrow	2
Absent: Tweedy	1

// In the matter of Public Works – General, City Council Report #14 was considered. On motion of Council Member Johnson, seconded by Council Member Nelson, Council by the following recorded vote adopted Resolution #R-16-038, as presented, requesting Virginia Department of Transportation (VDOT) to increase the official City Street lane mileage for reimbursement of highway maintenance funds:

Ayes: Foster, Helgeson, Johnson, Nelson, Perrow, Gillette	6
Noes:	0
Absent: Tweedy	1

// The meeting was adjourned at 9:06 P.M.

Clerk of Council