

FINANCE COMMITTEE AGENDA

Tuesday, September 27, 2016
11:30 a.m. – Bidder's Room**

GENERAL BUSINESS

11:30 a.m.

1. Approval of the Draft Finance Committee Meeting Notes from August 9, 2016

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

11:35 a.m.

2. Report on the General Fund Reserve for Contingencies

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

11:40 a.m.

3. Consider a request to adopt a resolution to amend the FY 2017 City/Federal/State Aid Fund budget to appropriate \$448,770 with resources from the FY 2017 Office on Violence Against Women – Improving Criminal Justice Response Program, also known as Arrest Program, to enhance the criminal justice response to sexual assault, domestic violence, dating violence, stalking, and protective order process.

Contact: Donna Nash, Office of Commonwealth's Attorney 455-3770

11:45 a.m.

4. Adopt a resolution to amend the FY 2017 City/Federal/State Aid Fund budget and appropriate \$63,942 with resources of \$42,628 from the Department of Motor Vehicles Highway Safety Grant, an in-kind service and equipment match of \$18,537 and \$2,777 transferred from the FY 2017 General Fund Police Department budget to provide selective DUI and occupant restraint enforcement activities, attend related training and purchase equipment.

Contact: Chief Raul Diaz, Police Department 455-6104

11:50 a.m.

5. Adopt a resolution to amend the FY 2017 City/Federal/State Aid Fund budget and appropriate \$21,000 with resources of \$14,000 from the Department of Motor Vehicles Highway Safety Grant, an in-kind service and equipment match of \$5,929 and \$1,071 transferred from the FY 2017 General Fund Police Department budget to provide funds for speed enforcement activities.

Contact: Chief Raul Diaz, Police Department 455-6104

11:55 a.m.

6. Adopt a resolution to amend the FY 2017 City/Federal/State Aid Fund budget and appropriate \$43,797 with resources from an Edward Byrne Memorial Justice Assistance Grant (JAG) to purchase law enforcement equipment for the Lynchburg Police Department, Lynchburg Sheriff's Office and the Office of the Commonwealth's Attorney.

Contact: Chief Raul Diaz, Police Department 455-6104

12:00 p.m.

7. Adopt a resolution to amend the FY 2017 City/Federal/State Aid Fund budget and appropriate \$49,459.20 with resources of \$24,729.60 from the Bulletproof Vest Partnership 2016 Grant Program and \$24,729.60 transferred from the FY 2017 General Fund Police Department

(\$20,865.60) and Sheriff's Office (\$3,864) budgets to purchase 64 replacement bulletproof vests for law enforcement officers.

Contact: Chief Raul Diaz, Police Department

455-6104

12:05 p.m.

8. Adopt a resolution to amend the FY 2017 City Capital Projects Fund budget and appropriate \$510,000 with resources from a Highway Safety Improvement Program grant to install pedestrian and signal improvements along Rivermont Avenue from Bedford Avenue to Link Road.

Contact: Gaynelle Hart, Director of Public Works

455-4406

12:10 p.m.

9. Adopt a resolution to amend the FY 2017 City Capital Projects Fund budget and appropriate \$168,244 with resources from a Virginia Department of Transportation (VDOT) Transportation Alternatives Program grant to install sidewalk in the Dearington neighborhood.

Contact: Gaynelle Hart, Director of Public Works

455-4406

12:15 p.m.

10. Investment Summary.

Contact: Donna Witt, Director of Financial Services

455-3968

12:20 p.m.

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

Contact: Donna Witt, Director of Financial Services

455-3968

12:25 p.m.

12. Roll Call

The next Finance Committee meeting is Tuesday, October 25, 2016, at 11:30 a.m.

*****Please note the Finance Committee has been moved back to the Bidder's Room on 3^d Floor, City Hall.***

FINANCE COMMITTEE NOTES-- DRAFT
Tuesday, August 9, 2016

GENERAL BUSINESS

Meeting commenced at 11:30 a.m.

ATTENDEES

Committee Members: Councilmember Jeff S. Helgeson, Chairman; Councilmember Randy Nelson; Councilmember Mary Jane Dolan, Mayor Joan Foster, Ex-Officio

Others: Bonnie Svrcek, City Manager; Margaret Schmitt, Interim Deputy City Manager; Donna Witt, Director of Financial Services, Rhonda Allbeck, Assistant Director of Financial Services

1. Approval of the Draft Finance Committee Meeting Notes from July 12, 2016

The Finance Committee meeting notes for July 12, 2016 were unanimously approved as submitted.

2. Report on the General Fund Reserve for Contingencies

Donna Witt reported one new item was being introduced: \$52,545 for Case Management Software System for the Office of Commonwealth's Attorney. If approved, the balance of the FY 2017 General Fund Reserve for Contingencies is \$1,147,455.

3. Consider a request to adopt a resolution to amend the FY 2017 City/Federal/State Aid Fund budget to appropriate \$133,078 with resources from the FY 2017 Victim Witness Grant Program to meet the direct victim assistance service needs of the community.

The Committee unanimously approved this item. This item will be considered by City Council at tonight's meeting, August 10, 2016.

4. Consider a request to adopt a resolution to amend the FY 2017 General Fund budget and appropriate \$52,545 with resources from the General Fund Reserve for Contingencies to support the purchase of a new prosecution case management system.

The Committee unanimously approved this item. This item will be considered by City Council at tonight's meeting, August 10, 2016.

5. Direct staff to amend the attached Performance Agreement with Golden Mile, LLC based on the attached key elements and bring to City Council for consideration at its Work Session on September 13, 2016.

Golden Mile LLC attorney made a presentation regarding the developer's new proposal. Extensive discussion was held regarding the proposal and the changes from the developer's original proposal. Approval was given for this item to be discussed at the September 13, 2016 Council Work Session.

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

Donna Witt presented the latest revenues through the month of May. She noted May collections were on target with projections.

7. Roll Call

There were no items for roll call.

Meeting adjourned at 1:30 p.m.

The next Finance Committee meeting is Tuesday, September 27, 2016, at 11:30 a.m.

DRAFT

FY 2017 GENERAL FUND RESERVE FOR CONTINGENCIES

	<u>Reserve for Contingencies</u>	<u>City Manager's Discretionary Funding</u>
BEGINNING BALANCE, JULY 1, 2016	\$1,150,000	\$50,000
Carryforward to FY 2017 Reserve for Contingencies - 05/24/16 Council Meeting	0	
BALANCE	<u>\$1,150,000</u>	<u>\$50,000</u>
APPROPRIATIONS (Second Reading)		
Case Management Software System- Office of Commonwealth's Attorney - 08/09/16 Council Meeting	\$52,545	
TOTAL APPROPRIATIONS	<u>\$52,545</u>	<u>\$0</u>
REMAINING BALANCE	<u>\$1,097,455</u>	<u>\$50,000</u>
ITEMS INTRODUCED		
TOTAL INTRODUCED ITEMS	<u>\$0</u>	<u>\$0</u>
REMAINING BALANCE	<u>\$1,097,455</u>	<u>\$50,000</u>
PENDING ITEMS		
TOTAL PENDING ITEMS	<u>\$0</u>	<u>\$0</u>
PROJECTED BALANCE	<u>\$1,097,455</u>	<u>\$50,000</u>

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **September 27, 2016**

AGENDA ITEM #: **3**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Improving Criminal Justice Responses Grant Program

Strategic Pillar(s) Impacted:

<input type="checkbox"/> Arts & Culture	<input type="checkbox"/> Citizen Engagement & Social Capital	<input type="checkbox"/> Economic Development	<input type="checkbox"/> Healthy & Active Living
<input type="checkbox"/> Infrastructure	<input type="checkbox"/> Land Use	<input type="checkbox"/> Lifelong Learning	<input type="checkbox"/> Natural Resources
<input type="checkbox"/> Neighborhoods	<input checked="" type="checkbox"/> Safe Community	<input type="checkbox"/> Social Equity	<input type="checkbox"/> Transportation
			<input type="checkbox"/> Administrative

RECOMMENDATION: Adopt a resolution to amend the FY 2017 City/Federal/State Aid Fund budget to appropriate \$448,770 with resources from the FY 2017 Office on Violence Against Women – Improving Criminal Justice Response Program, also known as Arrest Program, to enhance the criminal justice response to sexual assault, domestic violence, dating violence, stalking, and protective order process.

SUMMARY: The Commonwealth's Attorney's Office, was awarded \$448,770 in FY 2017 Improving Criminal Justice Responses Program for the period of 10/1/2016 to 9/30/19. The Office of the Commonwealth's Attorney is requesting approval to appropriate \$448,770 towards the following criminal justice responses and victim services:

- hire a part-time Community Safety Investigator
- hire a part-time Domestic/Dating Violence Prosecutor
- hire a consultant for the Domestic Abuse Coordinated Community Response Team
- in partnership with the YWCA Domestic Violence Prevention Center and Sexual Assault Response Program, place a full-time community advocate within the Lynchburg Juvenile and Domestic Relations District Court to assist victims with the protective order process
- training for new and seasoned staff members
- computers and equipment for newly hired staff

Staff hired within FY 2017 will be informed that the renewal of the position will be based on the amount of grant monies available. At the conclusion of the grant award period or September 30, 2019, there is an opportunity to apply for continuation of these funds for 36 months or to 10/1/19 to 9/30/22.

PRIOR ACTION(S):

September 27, 2016 Finance Committee

FISCAL IMPACT: No local impact

CONTACT(S):

Michael Doucette, Commonwealth's Attorney, 455-3762

Donna Nash, Office/Grants Administer, Office of the Commonwealth's Attorney, 455-3770

ATTACHMENT(S):

Resolution

Copy of the FY2017 U.S. Department of Justice, Office on Violence Against Women Award

REVIEWED BY: bms

RESOLUTION:

BE IT RESOLVED that the FY 2017 City/Federal/State Aid Fund budget is amended and \$448,770 is appropriated with resources from the FY 2017 Office on Violence Against Women -- Improving Criminal Justice Response Program to meet the needs of the community regarding criminal justice responses and victim services.

Introduced:

Adopted:

Certified:

Clerk of Council



U.S. Department of Justice

Office on Violence Against Women

September 13, 2016

Washington, D.C. 20531

Mr. L. Kimball Payne III
City of Lynchburg
900 Church Street
Lynchburg, VA 24504

Dear Mr. Payne:

On behalf of Attorney General Loretta Lynch, it is my pleasure to inform you that the Office on Violence Against Women has approved your application for funding under the Improving Criminal Justice Responses Program in the amount of \$448,770 for City of Lynchburg. The Improving Criminal Justice Responses Program is designed to encourage partnerships between state, local, and tribal governments; courts; victim service providers; coalitions; and rape crisis centers to ensure that sexual assault, domestic violence, dating violence, and stalking are treated as serious violations of criminal law.

Enclosed you will find the award package. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact Tya Johnson at (202) 514-8680. For financial grants management questions, contact the OVW Grants Financial Management Division at (202) 514-8556, or by e-mail at ovw.gfmd@usdoj.gov. For payment questions, contact the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or by email at ask.ocfo@usdoj.gov.

Congratulations, and we look forward to working with you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bea Hanson".

Bea Hanson
Principal Deputy Director

Enclosures



OFFICE FOR CIVIL RIGHTS

Office of Justice Programs

U.S. Department of Justice

810 7th Street, NW
Washington, DC 20531

Tel: (202) 307-0690

TTY: (202) 307-2027

E-mail: askOCR@usdoj.gov

Website: www.ojp.usdoj.gov/ocr

September 13, 2016

Mr. L. Kimball Payne III
City of Lynchburg
900 Church Street
Lynchburg, VA 24504

Dear Mr. Payne:

Congratulations on your recent award. In establishing financial assistance programs, Congress linked the receipt of federal funding to compliance with federal civil rights laws. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) is responsible for ensuring that recipients of financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) comply with the applicable federal civil rights laws. We at the OCR are available to help you and your organization meet the civil rights requirements that come with DOJ funding.

Ensuring Access to Federally Assisted Programs

Federal laws that apply to recipients of financial assistance from the DOJ prohibit discrimination on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in employment but also in the delivery of services or benefits. A federal law also prohibits recipients from discriminating on the basis of age in the delivery of services or benefits.

In March of 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013. The statute amends the Violence Against Women Act of 1994 (VAWA) by including a nondiscrimination grant condition that prohibits discrimination based on actual or perceived race, color, national origin, religion, sex, disability, sexual orientation, or gender identity. The new nondiscrimination grant condition applies to certain programs funded after October 1, 2013. The OCR and the OVW have developed answers to some frequently asked questions about this provision to assist recipients of VAWA funds to understand their obligations. The Frequently Asked Questions are available at <http://ojp.gov/about/ocr/vawafaqs.htm>.

Enforcing Civil Rights Laws

All recipients of federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to prohibitions against unlawful discrimination. Accordingly, the OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, the OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal opportunity standards.

Providing Services to Limited English Proficiency (LEP) Individuals

In accordance with DOJ guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). See U.S. Department of Justice, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 67 Fed. Reg. 41,455 (2002). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website <http://www.lep.gov>.

Ensuring Equal Treatment for Faith-Based Organizations

The DOJ regulation, Equal Treatment for Faith-Based Organizations, 28 C.F.R. pt. 38, requires State Administering Agencies (SAAs) to treat faith-based organizations the same as any other applicant or recipient. The regulation prohibits SAAs from making awards or grant administration decisions on the basis of an organization's religious character or affiliation, religious name, or the religious composition of its board of directors.

The regulation also prohibits faith-based organizations from using financial assistance from the DOJ to fund inherently (or explicitly) religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must hold them separately from the program funded by the DOJ, and recipients cannot compel beneficiaries to participate in them. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the DOJ are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. For more information on the regulation, please see the OCR's website at http://www.ojp.usdoj.gov/about/ocr/equal_fbo.htm.

SAAs and faith-based organizations should also note that the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, as amended, 42 U.S.C. § 3789d(c); the Victims of Crime Act of 1984, as amended, 42 U.S.C. § 10604(e); the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, 42 U.S.C. § 5672(b); and VAWA, Pub. L. No. 113-4, sec. 3(b)(4), 127 Stat. 54, 61-62 (to be codified at 42 U.S.C. § 13925(b)(13)) contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the DOJ has concluded that it may construe the Religious Freedom Restoration Act (RFRA) on a case-by-case basis to permit some faith-based organizations to receive DOJ funds while taking into account religion when hiring staff, even if the statute that authorizes the funding program generally forbids recipients from considering religion in employment decisions. Please consult with the OCR if you have any questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment.

Using Arrest and Conviction Records in Making Employment Decisions

The OCR issued an advisory document for recipients on the proper use of arrest and conviction records in making hiring decisions. See Advisory for Recipients of Financial Assistance from the U.S. Department of Justice on the U.S. Equal Employment Opportunity Commission's Enforcement Guidance: Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964 (June 2013), available at http://www.ojp.usdoj.gov/about/ocr/pdfs/UseofConviction_Advisory.pdf. Recipients should be mindful that the misuse of arrest or conviction records to screen either applicants for employment or employees for retention or promotion may have a disparate impact based on race or national origin, resulting in unlawful employment discrimination. In light of the Advisory, recipients should consult local counsel in reviewing their employment practices. If warranted, recipients should also incorporate an analysis of the use of arrest and conviction records in their Equal Employment Opportunity Plans (EEOs) (see below).

Complying with the Safe Streets Act

An organization that is a recipient of financial assistance subject to the nondiscrimination provisions of the Safe Streets Act, must meet two obligations: (1) complying with the federal regulation pertaining to the development of an EEO (see 28 C.F.R. pt. 42, subpt. E) and (2) submitting to the OCR findings of discrimination (see 28 C.F.R. §§ 42.204(e), .205(c)(5)).

Meeting the EEOP Requirement

If your organization has less than fifty employees or receives an award of less than \$25,000 or is a nonprofit organization, a medical institution, an educational institution, or an Indian tribe, then it is exempt from the EEOP requirement. To claim the exemption, your organization must complete and submit Section A of the Certification Form, which is available online at <http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf>.

If your organization is a government agency or private business and receives an award of \$25,000 or more, but less than \$500,000, and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form), but it does not have to submit the report to the OCR for review. Instead, your organization has to maintain the Utilization Report on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to the OCR. The Certification Form is available at <http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf>.

If your organization is a government agency or private business and has received an award for \$500,000 or more and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form) and submit it to the OCR for review within sixty days from the date of this letter. For assistance in developing a Utilization Report, please consult the OCR's website at <http://www.ojp.usdoj.gov/about/ocr/eeop.htm>. In addition, your organization has to complete Section C of the Certification Form and return it to the OCR. The Certification Form is available at <http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf>.

To comply with the EEOP requirements, you may request technical assistance from an EEOP specialist at the OCR by telephone at (202) 307-0690, by TTY at (202) 307-2027, or by e-mail at EEOSubmission@usdoj.gov.

Meeting the Requirement to Submit Findings of Discrimination

If in the three years prior to the date of the grant award, your organization has received an adverse finding of discrimination based on race, color, national origin, religion, or sex, after a due-process hearing, from a state or federal court or from a state or federal administrative agency, your organization must send a copy of the finding to the OCR.

Ensuring the Compliance of Subrecipients

SAs must have standard assurances to notify subrecipients of their civil rights obligations, written procedures to address discrimination complaints filed against subrecipients, methods to monitor subrecipients' compliance with civil rights requirements, and a program to train subrecipients on applicable civil rights laws. In addition, SAs must submit to the OCR every three years written Methods of Administration (MOA) that summarize the policies and procedures that they have implemented to ensure the civil rights compliance of subrecipients. For more information on the MOA requirement, see http://www.ojp.usdoj.gov/funding/other_requirements.htm.

If the OCR can assist you in any way in fulfilling your organization's civil rights responsibilities as a recipient of federal financial assistance, please contact us.

Sincerely,



Michael L. Alston
Director

cc: Grant Manager
Financial Analyst



U.S. Department of Justice
Office on Violence Against Women

Grant

PAGE 1 OF 10

1. RECIPIENT NAME AND ADDRESS (Including Zip Code) City of Lynchburg 900 Church Street Lynchburg, VA 24504		4. AWARD NUMBER: 2016-WE-AX-0020	
		5. PROJECT PERIOD: FROM 10/01/2016 TO 09/30/2019 BUDGET PERIOD: FROM 10/01/2016 TO 09/30/2019	
2a. GRANTEE IRS/VENDOR NO. 546001405		6. AWARD DATE 09/13/2016	7. ACTION Initial
2b. GRANTEE DUNS NO. 010038073		8. SUPPLEMENT NUMBER 00	
3. PROJECT TITLE Improving Lynchburg's Community wide Response to Sexual Assault, Domestic Violence, Dating Violence, Stalking, and Protective Order Process.		9. PREVIOUS AWARD AMOUNT \$ 0	
		10. AMOUNT OF THIS AWARD	\$ 448,770
		11. TOTAL AWARD	\$ 448,770
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).			
13. STATUTORY AUTHORITY FOR GRANT This project is supported under 42 U.S.C. §§ 3796hh-3796hh-4 (OVW- Improving Criminal Justice Responses Program, also known as Arrest Program)			
14. CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number) 16.590 - Improving Criminal Justice Responses Grant Program also known as the Arrest Program			
15. METHOD OF PAYMENT GPRS			
AGENCY APPROVAL		GRANTEE ACCEPTANCE	
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Bea Hanson Principal Deputy Director		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL L. Kimball Payne City Manager	
17. SIGNATURE OF APPROVING OFFICIAL 		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL	19A. DATE
AGENCY USE ONLY			
20. ACCOUNTING CLASSIFICATION CODES FISCAL FUND BUD. DIV. YEAR CODE ACT. OFC. REG. SUB. POMS AMOUNT X A W4 29 00 00 448770		21. W416D00051	



U.S. Department of Justice
Office on Violence Against Women

**AWARD CONTINUATION
SHEET**
Grant

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PROJECT NUMBER 2016-WE-AX-0020

AWARD DATE 09/13/2016

SPECIAL CONDITIONS

5. Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide as posted on the OVW website.

6. OVW Training Guiding Principles

The recipient understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OVW Training Guiding Principles for Grantees and Subgrantees, available at <https://www.justice.gov/ovw/grantees>.

7. Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

8. The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

9. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

10. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38, specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries. Part 38 of 28 C.F.R., a DOJ regulation, was amended effective May 4, 2016.

Among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38 also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

The text of the regulation, now entitled "Partnerships with Faith-Based and Other Neighborhood Organizations," is available via the Electronic Code of Federal Regulations (currently accessible at <http://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.



U.S. Department of Justice
Office on Violence Against Women

**AWARD CONTINUATION
SHEET
Grant**

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PROJECT NUMBER 2016-WE-AX-0020

AWARD DATE 09/13/2016

SPECIAL CONDITIONS

14. Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.



U.S. Department of Justice
Office on Violence Against Women

**AWARD CONTINUATION
SHEET
Grant**

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PROJECT NUMBER 2016-WE-AX-0020

AWARD DATE 09/13/2016

SPECIAL CONDITIONS

24. Grant funds may be used only for the purposes in the recipient's approved application. The recipient shall not undertake any work or activities that are not described in the grant application, and that use staff, equipment, or other goods or services paid for with OVW grant funds, without prior written approval from OVW.
25. The Director of OVW, upon a finding that there has been substantial failure by the recipient to comply with applicable laws, regulations, and/or the terms and conditions of the award or relevant solicitation, will terminate or suspend until the Director is satisfied that there is no longer such failure, all or part of the award, in accordance with the provisions of 28 CFR Part 18, as applicable mutatis mutandis.
26. The grantee agrees to comply with the provisions of 42 U.S.C. 13925(b)(2), nondisclosure of confidential or private information, which includes creating and maintaining documentation of compliance, such as policies and procedures for release of victim information. The grantee also agrees to ensure that any subgrantees meet these requirements.
27. The grantee agrees to submit semiannual progress reports that describe project activities during the reporting period. Progress reports must be submitted within 30 days after the end of the reporting periods, which are January 1 - June 30 and July 1 - December 31 for the duration of the award. Future awards may be withheld if progress reports are delinquent. Grantees are required to submit this information online, through the Grants Management System (GMS), on the semi-annual progress report for the relevant OVW grant programs.
28. Under the Government Performance and Results Act (GPRA), VAWA 2000 and subsequent legislation, grantees are required to collect and maintain data that measure the effectiveness of their grant-funded activities. Accordingly, the grantee agrees to submit semi-annual electronic progress reports on program activities and program effectiveness measures. Grantees are required to collect the information that is included on the Measuring Effectiveness Progress Report for the OVW Program under which this award is funded.
29. A final report, which provides a summary of progress toward achieving the goals and objectives of the award, significant results, and any products developed under the award, is due 90 days after the end of the award. The Final Progress Report should be submitted to the Office on Violence Against Women through the Grants Management System with the Report Type indicated as "Final".
30. The recipient agrees that it will submit quarterly financial status reports to OVW on-line (at <https://grants.ojp.usdoj.gov>) using the SF 425 Federal Financial Report form (available for viewing at www.whitehouse.gov/omb/grants/standard_forms/ff_report.pdf), not later than 30 days after the end of each calendar quarter. The final report shall be submitted not later than 90 days following the end of the award period.
31. Funds allocated for OVW-sponsored technical assistance may not be used for any other purpose without prior approval by OVW. To request approval, grantees must submit a Program Office Approval Grant Adjustment Notice (GAN) via the Grants Management System (GMS). The grantee must include a copy of the event's brochure, curriculum and/or agenda, a description of the hosts or trainers, and an estimated breakdown of costs should be attached to the GAN. The GAN request must be submitted to OVW at least 20 days prior to registering for the event. Approval to attend non-OVW sponsored events will be considered on a case-by-case basis. This prior approval process also applies to requests for the use of OVW-designated technical assistance funds to pay a consultant or contractor not designated as an OVW technical assistance provider to develop and/or provide training and/or technical assistance.
32. The grantee agrees to attend and participate in OVW-sponsored technical assistance. Technical assistance includes, but is not limited to, national and regional conferences, audio conferences, webinars, peer-to-peer consultations, and workshops conducted by OVW-designated technical assistance providers. All training will be coordinated by OVW-designated technical assistance providers.



U.S. Department of Justice
Office on Violence Against Women

**AWARD CONTINUATION
SHEET
Grant**

PAGE 9 OF 10

PROJECT NUMBER 2016-WE-AX-0020

AWARD DATE 09/13/2016

SPECIAL CONDITIONS

39. Pursuant to 2 CFR §200.315(b), the recipient may copyright any work that is subject to copyright and was developed, or for which ownership was acquired, under this award. The Office on Violence Against Women reserves a royalty-free, nonexclusive and irrevocable right to reproduce, publish or otherwise use the work, in whole or in part (including in the creation of derivative works), for Federal purposes, and to authorize others to do so.

The Office on Violence Against Women also reserves a royalty-free, nonexclusive and irrevocable right to reproduce publish or otherwise use, in whole or in part (including in the creation of derivative works), any work developed by a subrecipient of this award, for Federal purposes, and to authorize others to do so.

In addition, the recipient (or subrecipient, contractor or subcontractor) must obtain advance written approval from the Office on Violence Against Women program manager assigned to this award, and must comply with all conditions specified by the program manager in connection with that approval, before: 1) using award funds to purchase ownership of, or a license to use, a copyrighted work; or 2) incorporating any copyrighted work, or portion thereof, into a new work developed under this award.

It is the responsibility of the recipient (and of each subrecipient, contractor or subcontractor as applicable) to ensure that this condition is included in any subaward, contract or subcontract under this award.

40. The recipient agrees to comply with applicable requirements to report first-tier subawards of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients of award funds. Such data will be submitted to the FFATA Subaward Reporting System (FSRS). The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the Office on Violence Against Women web site at: <http://www.ovv.usdoj.gov/docs/ffata-award-term.pdf> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here. This condition, and its reporting requirement, does not apply to grant awards made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own and/or operate in his or her name).

41. Pursuant to 42 USC 3796hh(d), the grantee understands that 5% of this award is being withheld and that it may not obligate, expend or drawdown that 5% unless, by the period ending on the date on which the next session of the State legislature ends, the State or unit of local government:

(1) certifies that it has a law, policy, or regulation that requires -

(A) the State or unit of local government at the request of a victim to administer to a defendant, against whom an information or indictment is presented for a crime in which by force or threat of force the perpetrator compels the victim to engage in sexual activity, testing for the immunodeficiency virus (HIV) not later than 48 hours after the date on which the information or indictment is presented and the defendant is in custody or has been served with the information or indictment;

(B) as soon as practicable notification to the victim, or parent and guardian of the victim, and defendant of the testing results; and

(C) follow-up tests for HIV as may be medically appropriate, and that as soon as practicable after each such test the results be made available in accordance with subparagraph (B).

The "next session of the State legislature" means the next session after the date on which the application for this award was submitted.

If the grantee submits a certification, a Grant Adjustment Notice (GAN) will be issued, and the funds will become available for drawdown. If, by the date on which the next session of the State legislature ends, the grantee is not in compliance with this provision, the withheld funds will be deobligated from the amount of funds awarded for this award period.



U.S. Department of Justice

Office on Violence Against Women

Washington, D.C. 20531

Memorandum To: Official Grant File

From: Marnie Shiels, Attorney Advisor

Subject: Categorical Exclusion for City of Lynchburg

The Improving Criminal Justice Responses to Sexual Assault, Domestic Violence, Dating Violence, and Stalking Grant Program (formerly known as the Grants to Encourage Arrest Program) implements certain provisions of the Violence Against Women Act, which was enacted in September 1994 as Title IV of the Violent Crime Control and Law Enforcement Act of 1994, and reauthorized in the Violence Against Women Acts of 2000, 2005, and 2013. The program enhances victim safety and offender accountability in cases of sexual assault, domestic violence, dating violence, and stalking by encouraging jurisdictions to implement pro-arrest policies as an effective intervention that is part of a coordinated community response. An integral component of the Improving Criminal Justice Responses Program is the creation and enhancement of collaborative partnerships between criminal justice agencies, victim services providers, and community organizations which respond to sexual assault, domestic violence, dating violence and stalking.

None of the following activities will be conducted under the OVW federal action:

1. New construction.
2. Any renovation or remodeling of a property either (a) listed on or eligible for listing on the National Register of Historic Places or (b) located within a 100-year floodplain.
3. A renovation which will change the basic prior use of a facility or significantly change its size.
4. Research and technology whose anticipated and future application could be expected to have an effect on the environment.
5. Implementation of a program involving the use of chemicals. Consequently, the subject federal action meets the criteria for a categorical exclusion as contained in paragraph 4.(b) of Appendix D to Part 61 of the Code of Federal Regulations (adopted by OVW at 28 CFR § 0.122(b)).

follows: 65.7% Caucasian, 28.5% African-American, 3.1% Asian, 3.3% Hispanic or Latino origin, 0.5% American Indian and Alaska Native, and 2.1% are persons with two or more races. The target population for this Improving Criminal Justice Responses program project will be victims of sexual assault, domestic violence, dating violence, stalking, and those entering the criminal justice and civil systems seeking safety and offender accountability and needed services.

The City of Lynchburg, in collaboration with the YWCA of Central Virginia -Domestic Violence Prevention Center and Sexual Assault Response Program, Lynchburg Police Department, Lynchburg Office of the Commonwealth Attorney, and the Lynchburg Juvenile and Domestic Relations District Court Services Center, will use this new award to: 1) improve and provide assistance to victims obtaining protective orders by strengthen legal/civil advocacy and support services to ensure accessibility all victims; and 2) improve investigation and evidence collection to enhance prosecution of sexual assault, domestic violence, dating violence, and stalking. Specifically, the City of Lynchburg will: 1) hire a Community Safety Officer and Domestic and Dating Violence Prosecutor while increasing outreach to the underserved communities of lesbian/gay/bisexual/transgender populations; 2) conduct officer training to ensure mandatory pro-arrest policies and enforcement of protective orders and to enhance the quality of the investigation throughout annual in-service trainings; 3) review and update existing interagency responses within the framework of the Coordinated Community Response Team to ensure current practices are effective and do not jeopardize the safety of victims by holding monthly meeting to assess best practices within the city of Lynchburg, develop outreach efforts to address gaps and barriers among underserved and culturally specific populations; and 4) coordinate cultural competency training for system responders and service providers by improve cultural competency among system responders to ensure sensitivity and understanding to all needs and cultures among all victim populations.

The timing for performance of this award is 36 months.

CA/NCF

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **September 27, 2016**

AGENDA ITEM #: **4**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Police Department Participation in the DMV Highway Safety Grant – Driving Under the Influence (DUI) Enforcement and Other Safety Related Activities

Strategic Pillar(s) Impacted:

<input type="checkbox"/> Arts & Culture	<input type="checkbox"/> Citizen Engagement & Social Capital	<input type="checkbox"/> Economic Development	<input type="checkbox"/> Healthy & Active Living
<input type="checkbox"/> Infrastructure	<input type="checkbox"/> Land Use	<input type="checkbox"/> Lifelong Learning	<input type="checkbox"/> Natural Resources
<input type="checkbox"/> Neighborhoods	<input checked="" type="checkbox"/> Safe Community	<input type="checkbox"/> Social Equity	<input type="checkbox"/> Transportation
			<input type="checkbox"/> Administrative

RECOMMENDATION: Adopt a resolution to amend the FY 2017 City/Federal/State Aid Fund budget and appropriate \$63,942 with resources of \$42,628 from the Department of Motor Vehicles Highway Safety Grant, an in-kind service and equipment match of \$18,537 and \$2,777 transferred from the FY 2017 General Fund Police Department budget to provide selective DUI and occupant restraint enforcement activities, attend related training and purchase equipment.

SUMMARY: The Department of Motor Vehicles Highway Safety Program has awarded the City a \$63,942 grant. The funds will be used for selective DUI and speed enforcement activities, to attend related training and to purchase equipment for DUI enforcement.

This grant excludes reimbursement of FICA (Medicare and Social Security) benefit costs associated with the allotted overtime; however, funding of \$2,777 is available for transfer from the FY 2017 General Fund Police Department budget to cover this expense.

An in-kind match of \$18,537 in police equipment and services is part of the grant agreement.

PRIOR ACTION(S):

September 27, 2016 Finance Committee

FISCAL IMPACT: The grant requires the Police Department to pay the FICA (Medicare and Social Security) benefits associated with the allotted overtime funds; \$2,777 from the FY 2017 General Fund Police Department budget will be used to cover this expense.

CONTACT(S):

Chief R.M. Diaz, 455-6104

Captain R.S. Trent, 455-6182

ATTACHMENT(S):

Resolution

REVIEWED BY: bms

RESOLUTION:

BE IT RESOLVED that the FY 2017 City/Federal/State Aid Fund budget is amended and \$63,942 is appropriated with resources of \$42,628 from the Department of Motor Vehicles Highway Safety Grant, an in-kind service and equipment match of \$18,537 and \$2,777 transferred from the FY 2017 General Fund Police Department budget to provide selection DUI and occupant restraint enforcement activities, attend related training and purchase equipment.

Introduced:

Adopted:

Certified:

Clerk of Council

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **September 27, 2016**

AGENDA ITEM #: **5**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Police Department Participation in the DMV Highway Safety Grant – Speed Enforcement

Strategic Pillar(s) Impacted:

<input type="checkbox"/> Arts & Culture	<input type="checkbox"/> Citizen Engagement & Social Capital	<input type="checkbox"/> Economic Development	<input type="checkbox"/> Healthy & Active Living
<input type="checkbox"/> Infrastructure	<input type="checkbox"/> Land Use	<input type="checkbox"/> Lifelong Learning	<input type="checkbox"/> Natural Resources
<input type="checkbox"/> Neighborhoods	<input checked="" type="checkbox"/> Safe Community	<input type="checkbox"/> Social Equity	<input type="checkbox"/> Transportation
			<input type="checkbox"/> Administrative

RECOMMENDATION: Adopt a resolution to amend the FY 2017 City/Federal/State Aid Fund budget and appropriate \$21,000 with resources of \$14,000 from the Department of Motor Vehicles Highway Safety Grant, an in-kind service and equipment match of \$5,929 and \$1,071 transferred from the FY 2017 General Fund Police Department budget to provide funds for speed enforcement activities.

SUMMARY: The Department of Motor Vehicles Highway Safety Program has awarded the City a \$14,000 grant. The funds will be used for speed enforcement activities.

The grant excludes reimbursement of FICA (Medicare and Social Security) benefit costs associated with the allotted overtime; however, funding of \$1,071 is available for transfer from the FY 2017 Police Department budget to cover this expense.

An in-kind match of \$5,929 in police equipment and services is part of the grant agreement.

PRIOR ACTION(S):

September 27, 2017 Finance Committee

BUDGET IMPACT: The grant requires the Police Department to pay the FICA (Medicare and Social Security) benefits associated with the allotted overtime funds; \$1,071 from the FY 2017 General Fund Police Department budget will be used to cover this expense.

CONTACT(S):

Chief R.M. Diaz, 455-6104

Captain M.L. Jamison, 455-6168

ATTACHMENT(S):

Resolution

REVIEWED BY: bms

RESOLUTION:

BE IT RESOLVED that the FY 2017 City/Federal/State Aid Fund budget is amended and \$21,000 is appropriated with resources of \$14,000 from the Department of Motor Vehicles Highway Safety Grant, an in-kind service and equipment match of \$5,929 and \$1,071 transferred from the FY 2017 General Fund Police Department budget to provide funds for speed enforcement activities.

Introduced:

Adopted:

Certified:

Clerk of Council

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **September 27, 2016**

AGENDA ITEM #: **6**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: 2016 Edward Byrne Memorial Justice Assistance Grant (JAG)

Strategic Pillar(s) Impacted:

<input type="checkbox"/> Arts & Culture	<input type="checkbox"/> Citizen Engagement & Social Capital	<input type="checkbox"/> Economic Development	<input type="checkbox"/> Healthy & Active Living
<input type="checkbox"/> Infrastructure	<input type="checkbox"/> Land Use	<input type="checkbox"/> Lifelong Learning	<input type="checkbox"/> Natural Resources
<input type="checkbox"/> Neighborhoods	<input checked="" type="checkbox"/> Safe Community	<input type="checkbox"/> Social Equity	<input type="checkbox"/> Transportation
			<input type="checkbox"/> Administrative

RECOMMENDATION: Adopt a resolution to amend the FY 2017 City/Federal/State Aid Fund budget and appropriate \$43,797 with resources from an Edward Byrne Memorial Justice Assistance Grant (JAG) to purchase law enforcement equipment for the Lynchburg Police Department, Lynchburg Sheriff's Office and the Office of the Commonwealth's Attorney.

SUMMARY: The City of Lynchburg is eligible to receive \$43,797 in Edward Byrne Memorial Justice Assistance Grant (JAG) funding. Funding will be utilized by the Lynchburg Police Department to purchase tourniquets to equip officers with additional first aid measures, to purchase two (2) money scanners with software for the Special Investigations Unit and Property and Evidence Unit to allow for a more efficient and effective way of tracking and counting money used in undercover operations, to purchase forensic software to enhance the Lynchburg Police Department's means of investigating and closing cases involving technology, and to purchase Surface computer systems for the Vice/Narcotics Unit to replace outdated laptops (\$34,587). The Lynchburg Sheriff's Office will utilize funds to purchase thirty-one (31) pistol flashlights and holsters (\$4,940). The Office of the Commonwealth's Attorney will utilize funds to purchase three (3) laptop computers (\$4,270). Total equipment cost is \$43,797, which is fully reimbursable by the grant. No local matching funds are required.

PRIOR ACTION(S):

September 27, 2016 Finance Committee;
June 14, 2016 Finance Committee – Approval of grant application submission;

FISCAL IMPACT: None, no local match is required

CONTACT(S):

Police Chief Raul Diaz, 455-6104
Captain R.S. Trent, 455-6182

ATTACHMENT(S):

Resolution

REVIEWED BY: bms

RESOLUTION:

BE IT RESOLVED that the FY 2017 City/Federal/State Aid Fund budget is amended and \$43,797 is appropriated with resources from the 2016 Edward Byrne Memorial Justice Assistance Grant (JAG) to purchase law enforcement equipment for the Lynchburg Police Department, Lynchburg Sheriff's Office and the Office of the Commonwealth's Attorney.

Introduced:

Adopted:

Certified:

Clerk of Council

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **September 27, 2016**

AGENDA ITEM #: **7**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Police Bulletproof Vest Partnership 2016 Grant Funding

Strategic Pillar(s) Impacted:

<input type="checkbox"/> Arts & Culture	<input type="checkbox"/> Citizen Engagement & Social Capital	<input type="checkbox"/> Economic Development	<input type="checkbox"/> Healthy & Active Living
<input type="checkbox"/> Infrastructure	<input type="checkbox"/> Land Use	<input type="checkbox"/> Lifelong Learning	<input type="checkbox"/> Natural Resources
<input type="checkbox"/> Neighborhoods	<input checked="" type="checkbox"/> Safe Community	<input type="checkbox"/> Social Equity	<input type="checkbox"/> Transportation
			<input type="checkbox"/> Administrative

RECOMMENDATION: Adopt a resolution to amend the FY 2017 City/Federal/State Aid Fund budget and appropriate \$49,459.20 with resources of \$24,729.60 from the Bulletproof Vest Partnership 2016 Grant Program and \$24,729.60 transferred from the FY 2017 General Fund Police Department (\$20,865.60) and Sheriff's Office (\$3,864) budgets to purchase 64 replacement bulletproof vests for law enforcement officers.

SUMMARY: Total vest replacement costs are \$49,459.20. The grant requires a 50% local match; these funds are available in the FY 2017 General Fund Police Department and Sheriff's Office operating budgets.

PRIOR ACTION(S):

September 27, 2016 Finance Committee

FISCAL IMPACT: The required local match is budgeted in the FY 2017 General Fund Police Department and Sheriff's Office operating budgets; therefore, no additional funds are required.

CONTACT(S):

Chief R.M. Diaz, 455-6104
Captain R.S. Trent, 455-6182

ATTACHMENT(S):

Resolution

REVIEWED BY: bms

RESOLUTION:

BE IT RESOLVED that the FY 2017 City/Federal/State Aid Fund budget is amended and \$49,459.20 is appropriated with resources of \$24,729.60 from the Bulletproof Vest Partnership 2016 Grant Program and \$24,729.60 transferred from the FY 2017 General Fund Police Department (\$20,865.60) and Sheriff's Office (\$3,864) budgets to purchase 64 replacement bulletproof vests for law enforcement officers.

Introduced:

Adopted:

Certified:

Clerk of Council

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **September 27, 2016**

AGENDA ITEM #: **8**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Highway Safety Improvement Program Grant Award for Pedestrian and Signal Improvements on Rivermont Avenue

Strategic Pillar(s) Impacted:

<input type="checkbox"/> Arts & Culture	<input type="checkbox"/> Citizen Engagement & Social Capital	<input type="checkbox"/> Economic Development	<input checked="" type="checkbox"/> Healthy & Active Living
<input checked="" type="checkbox"/> Infrastructure	<input type="checkbox"/> Land Use	<input type="checkbox"/> Lifelong Learning	<input type="checkbox"/> Natural Resources
<input checked="" type="checkbox"/> Neighborhoods	<input checked="" type="checkbox"/> Safe Community	<input type="checkbox"/> Social Equity	<input checked="" type="checkbox"/> Transportation
			<input type="checkbox"/> Administrative

RECOMMENDATION: Adopt a resolution to amend the FY 2017 City Capital Projects Fund budget and appropriate \$510,000 with resources from a Highway Safety Improvement Program grant to install pedestrian and signal improvements along Rivermont Avenue from Bedford Avenue to Link Road.

SUMMARY: The City has been awarded \$510,000 in federal funds for pedestrian and signal improvements along Rivermont Avenue from Bedford Avenue to Link Road. Staff is developing a scope of work and anticipates finalizing design by spring 2017.

The project is funded through the Highway Safety Improvement Program and is 100% reimbursable, requiring no local match.

PRIOR ACTION(S): September 12, 2016 Physical Development Committee (PDC)
September 27, 2016 Finance Committee

FISCAL IMPACT: The federal grant is 100% reimbursable; therefore, no local match is required.

CONTACT(S): Lee Newland, City Engineer, 455-3947
Maggie Cossman, City Transportation Engineer, 455-3935
Gaynelle Hart, Director of Public Works, 455-4406

ATTACHMENT(S): Resolution

REVIEWED BY: bms

RESOLUTION:

BE IT RESOLVED that the FY 2017 City Capital Project Fund budget is amended and \$510,000 is appropriated with resources from a Highway Safety Improvement Program grant to install pedestrian and signal improvements along Rivermont Avenue from Bedford Avenue to Link Road.

Introduced:

Adopted:

Certified:

Clerk of Council

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **September 27, 2016**

AGENDA ITEM #: **9**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Virginia Department of Transportation (VDOT) Transportation Alternatives Program Grant Award for Dearington Neighborhood Sidewalk

Strategic Pillar(s) Impacted:

<input type="checkbox"/> Arts & Culture	<input type="checkbox"/> Citizen Engagement & Social Capital	<input type="checkbox"/> Economic Development	<input checked="" type="checkbox"/> Healthy & Active Living
<input checked="" type="checkbox"/> Infrastructure	<input type="checkbox"/> Land Use	<input type="checkbox"/> Lifelong Learning	<input type="checkbox"/> Natural Resources
<input checked="" type="checkbox"/> Neighborhoods	<input checked="" type="checkbox"/> Safe Community	<input type="checkbox"/> Social Equity	<input checked="" type="checkbox"/> Transportation
			<input type="checkbox"/> Administrative

RECOMMENDATION: Adopt a resolution to amend the FY 2017 City Capital Projects Fund budget and appropriate \$168,244 with resources from a Virginia Department of Transportation (VDOT) Transportation Alternatives Program grant to install sidewalk in the Dearington neighborhood.

SUMMARY: In November 2015 an application was submitted to the Virginia Department of Transportation (VDOT) requesting funds to install sidewalk in the Dearington neighborhood under the Transportation Alternatives Program. The proposal was to complete the sidewalk route from Dearington Heights Apartments to the Dearington Elementary School, the neighborhood market, and the GLTC bus stop. This section of sidewalk was left out of the original Safe Routes to School project due to lack of funding. The scope of work includes safety measures such as ADA ramps and a crosswalk as well as storm drainage inlets. In September, the City was notified its grant application was approved.

The program uses federal pass-through funds. The cost estimate for the project is \$210,305; \$168,244 in grant funds with a required 20% local match of \$42,061. Funds already appropriated in the General Street Improvement Project within the City Capital Projects Fund will be moved to this project to satisfy the match requirement; therefore, only the \$168,244 of grant funds needs appropriation.

PRIOR ACTION(S): November 10, 2015 Physical Development Committee (PDC) and City Council
September 12, 2016 PDC
September 27, 2016 Finance Committee

FISCAL IMPACT: The required local match of \$42,061 is already appropriated in the City Capital Projects Fund; therefore, only the grant funds of \$168,244 need appropriation.

CONTACT(S): Lee Newland, City Engineer, 455-3947
Maggie Cossman, City Transportation Engineer, 455-3935
Gaynelle Hart, Director of Public Works, 455-4406

ATTACHMENT(S): Resolution

REVIEWED BY: bms

RESOLUTION:

BE IT RESOLVED that the FY 2017 City Capital Project Fund budget is amended and \$168,244 is appropriated with resources from a Virginia Department of Transportation (VDOT) Transportation Alternatives Program grant to install sidewalk in the Dearington neighborhood.

Introduced:

Adopted:

Certified:

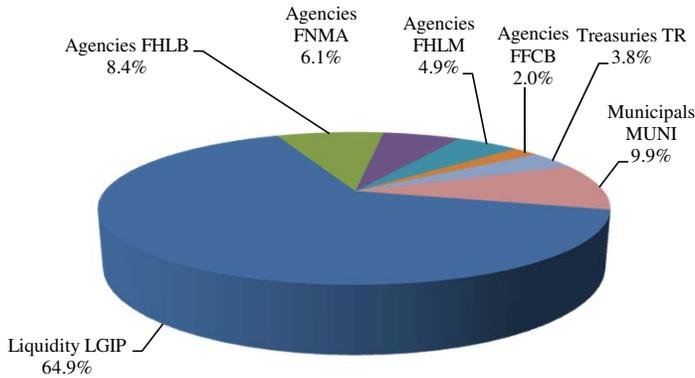
Clerk of Council

Investment Summary

Quarterly Investment Review - 7/31/2016

City of Lynchburg

Current Holdings



Portfolio Statistics

Total Investments

This Quarter	75,057,288
Last Quarter	82,444,266
One Year Ago	71,860,651

Weighted Average Yield

Portfolio	0.65%
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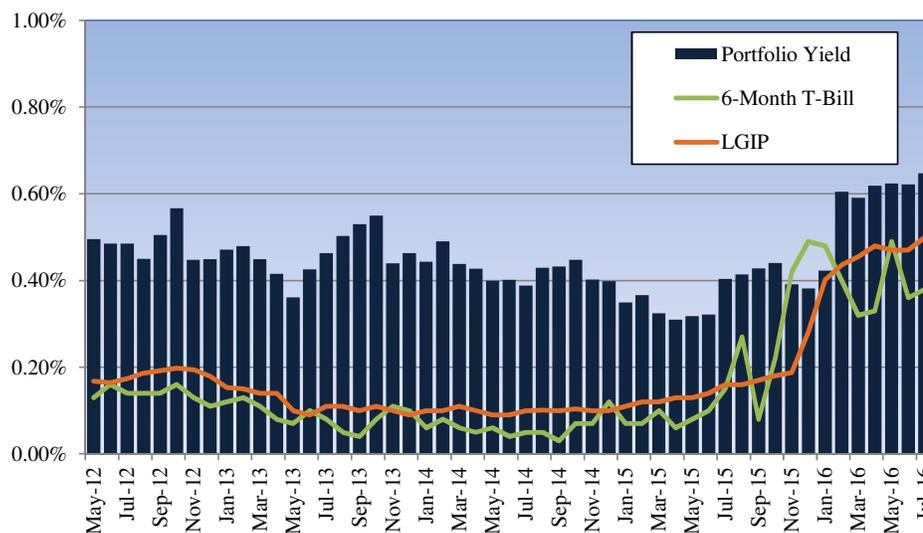
Weighted Average Maturity (days)

Excluding Liquidity (days)	272
Including Liquidity (days)	95

Comments

This quarter, the City made four purchases, totaling \$4.95 million in new investments. Additionally, \$8.10 million of the portfolio's securities matured during the quarter. The weighted average yield increased over the quarter, from 0.62% to 0.65%, while the average maturity of the portfolio (excluding liquidity) decreased by 14 days.

Portfolio Yield



**STATE STREET & LGIP INVESTMENTS
BY SECURITY TYPE AND BANK**

July 31, 2016

<u>Type</u>	<u>Amount Invested</u>	<u>Investment Percentages</u>	<u>Target Investment %</u>
SSGA	\$2,277.36	0%	
Certificate of Deposits	0.00	0%	8%
FFCB	1,500,000.00	2%	10%
FHLB	6,300,000.00	8%	20%
FHLMC	3,700,000.00	5%	10%
FNMA	4,550,000.00	6%	10%
Subtotal Agencies	<u>\$16,050,000.00</u>		
Treasuries	2,850,000.00	4%	10%
Commercial Paper	0.00	0%	8%
Bonds	7,420,000.00	10%	8%
INVESTED ST STREET	<u>\$26,320,000.00</u>		
INVESTED LGIP	<u>\$48,735,010.61</u>	65%	16%
		100%	100%
TOTAL INVESTED	<u>\$75,057,287.97</u>		
(Includes SSGA & LGIP Funds)			

BANK DISTRIBUTION

B B & T Capital Mkts	\$1,200,000.00	5%
Baird & Company	6,000,000.00	23%
FTN Financial	1,000,000.00	4%
Raymond James	15,370,000.00	58%
SunTrust Capital Mkts	2,100,000.00	8%
Wells Fargo Securities	650,000.00	2%
INVESTED ST STREET	<u>\$26,320,000.00</u>	100%
State Street (SSGA)	<u>\$2,277.36</u>	
TOTAL INVESTED ST STREET	<u>\$26,322,277.36</u>	

LGIP Funds	
1. General	13,143,119.16
School Operating	3,387,276.00
City Capital Projects	4,512,468.36
City Capital/VDOT Fnds	2,598,125.00
School Capital Projects	6,379,859.87
Technology	132,479.53
Regional Airport	1,001,860.39
Airport Debt Reserve	70,310.44
Airport Projects Grant	1,455,830.89
Self Insurance	1,334,191.75
Internal Services	1,532,894.25
Special Welfare	44,097.93
2. Water Operating	2,799,911.08
Water Capital	2,992,715.28
3. Sewer Operating	2,841,053.23
Sewer Capital	3,256,464.83
4. Stormwater Operating	251,744.49
Stormwater Capital Projects	1,000,000.00
5. PFC Fund	608.13
TOTAL LGIP	<u>\$48,735,010.61</u>

FINANCE COMMITTEE

Agenda Item Summary

MEETING DATE: **September 27, 2016**

AGENDA ITEM NO.: **11**

CONSENT:

REGULAR:

WORK SESSION:

CLOSED SESSION:

ACTION:

INFORMATION: **X**

(Confidential)

ITEM TITLE: **Revenue Update**

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

SUMMARY: Five of the City's major revenue sources are taxes collected on a monthly basis: Sales Tax, Consumer Utility Tax – Electric, Communications Sales and Use Tax, Meals Tax, and Lodging Tax. Since the last Finance Committee meeting, revenue information through June 2016 has been posted for these five revenue streams.

PRIOR ACTION(S):

This information is provided monthly to the Finance Committee.

FISCAL IMPACT:

None

CONTACT(S):

Donna Witt, Director of Financial Services, 455-3968

ATTACHMENT(S):

Comparison of Collections Budget to Actual FY 2015 – FY 2016

REVIEWED BY:

**Comparison of Collections
Budget to Actual FY 2015 - FY 2016**

	Actual FY 2012	Actual FY 2013	Actual FY 2014	Actual FY 2015	Adopted FY 2016	Actual FY 2016	Actual FY 2016 to Adopted FY 2016	Actual FY 2016 to Actual FY 2015
SALES & USE TAX								
<i>ADOPTED FY 2016 BUDGET - \$14,700,000</i>								
JULY	\$1,014,596	\$996,646	\$1,075,816	\$1,131,485	\$1,119,202	\$1,207,589	\$88,387	\$76,104
AUGUST ¹	1,079,129	1,145,592	1,098,342	1,299,763	1,142,228	1,198,772	56,544	(100,991)
SEPTEMBER	1,100,698	1,117,209	1,083,199	1,204,336	1,191,262	1,269,930	78,668	65,594
OCTOBER	1,055,941	1,033,859	1,161,965	1,185,608	1,172,738	1,231,666	58,928	46,058
NOVEMBER	1,117,090	1,187,008	1,155,729	1,241,898	1,228,417	1,227,636	(781)	(14,262)
DECEMBER ²	1,488,926	1,466,715	1,316,419	1,669,810	1,651,684	1,600,507	(51,177)	(69,303)
JANUARY	998,052	1,085,312	1,103,175	1,073,237	1,061,587	1,055,364	(6,223)	(17,873)
FEBRUARY	1,134,434	1,074,819	1,172,252	1,131,392	1,119,110	1,161,810	42,700	30,418
MARCH	1,196,149	1,138,611	1,217,930	1,282,807	1,268,882	1,323,375	54,493	40,568
APRIL	1,053,637	1,129,443	1,183,748	1,311,297	1,297,062	1,202,186	(94,876)	(109,111)
MAY	1,078,175	1,089,235	1,112,579	1,213,149	1,199,980	1,222,060	22,080	8,911
JUNE	1,124,148	1,125,297	1,161,140	1,261,544	1,247,848	1,294,236	46,388	32,692
TOTAL	\$13,440,975	\$13,589,746	\$13,842,294	\$15,006,326	\$14,700,000	\$14,995,131	\$295,131	(\$11,195)
CONSUMER UTILITY TAX - ELECTRIC								
<i>ADOPTED FY 2016 BUDGET - \$3,790,000</i>								
JULY	\$341,729	\$323,141	\$325,815	\$321,596	\$320,615	\$332,876	\$12,261	\$11,280
AUGUST	345,615	345,163	318,738	305,012	304,082	333,953	29,871	28,941
SEPTEMBER	325,754	318,915	317,324	317,947	316,978	328,411	11,433	10,464
OCTOBER	280,745	279,145	273,646	273,264	272,431	281,514	9,083	8,250
NOVEMBER	281,842	282,035	280,945	273,353	272,520	270,434	(2,086)	(2,919)
DECEMBER	325,287	330,714	348,750	346,565	345,509	321,380	(24,129)	(25,185)
JANUARY	344,439	346,399	374,541	365,859	364,744	346,212	(18,532)	(19,647)
FEBRUARY	322,546	342,839	372,254	381,844	380,680	361,670	(19,010)	(20,174)
MARCH	298,405	326,828	334,289	339,965	338,929	312,928	(26,001)	(27,037)
APRIL	271,034	320,253	306,485	288,704	287,824	282,659	(5,165)	(6,045)
MAY	266,883	262,832	272,343	277,296	276,451	267,796	(8,655)	(9,500)
JUNE	301,838	295,319	303,173	310,184	309,238	301,340	(7,898)	(8,844)
TOTAL	\$3,706,117	\$3,773,583	\$3,828,303	\$3,801,589	\$3,790,000	\$3,741,173	(\$48,827)	(\$60,416)
COMMUNICATIONS SALES & USE TAX								
<i>ADOPTED FY 2016 BUDGET - \$3,300,000</i>								
JULY	\$349,339	\$293,358	\$286,999	\$283,594	\$275,000	\$276,750	\$1,750	(\$6,844)
AUGUST	294,910	291,560	284,691	281,957	275,000	270,038	(4,962)	(11,919)
SEPTEMBER	179,549	263,295	284,249	283,441	275,000	273,974	(1,026)	(9,467)
OCTOBER	309,437	319,011	288,830	287,702	275,000	277,686	2,686	(10,016)
NOVEMBER	284,123	300,665	284,176	279,441	275,000	271,470	(3,530)	(7,971)
DECEMBER	233,654	297,855	289,726	282,491	275,000	276,524	1,524	(5,967)
JANUARY	337,936	282,620	264,960	275,361	275,000	271,160	(3,840)	(4,201)
FEBRUARY	287,492	287,759	280,480	291,186	275,000	275,887	887	(15,299)
MARCH	302,278	299,333	288,500	285,971	275,000	282,470	7,470	(3,501)
APRIL	292,542	287,442	285,052	276,473	275,000	270,594	(4,406)	(5,879)
MAY	287,784	266,034	286,178	285,053	275,000	271,168	(3,832)	(13,885)
JUNE	303,576	282,873	288,892	270,246	275,000	265,047	(9,953)	(5,199)
TOTAL	\$3,462,620	\$3,471,805	\$3,412,733	\$3,382,916	\$3,300,000	\$3,282,768	(\$17,232)	(\$100,148)

**Comparison of Collections
Budget to Actual FY 2015 - FY 2016**

	Actual Assessed FY 2013	Actual Collected FY 2013 ⁵	Actual Assessed FY 2014	Actual Collected FY 2014 ⁵	Actual Assessed FY 2015	Actual Collected FY 2015 ⁵	Adopted FY 2016	Actual Assessed FY 2016	Actual Assessed FY 2016 to Adopted FY 2016	Actual Collected FY 2016 ⁵	Actual Collected FY 2016 to Adopted FY 2016	Actual Collected FY 2016 to Assessed FY 2016
MEALS TAX												
<i>ADOPTED FY 2016 BUDGET - \$13,715,000</i>												
JULY ³	\$943,431	\$1,044,556	\$944,920	\$1,159,786	\$1,009,124	\$970,597	\$1,026,218	\$1,090,368	\$64,150	\$1,046,770	\$20,552	(\$43,598)
AUGUST	1,042,850	1,026,544	1,056,821	1,024,718	1,152,551	1,119,585	1,172,074	1,173,209	1,135	1,213,559	41,485	40,350
SEPTEMBER	1,011,701	1,012,294	1,030,134	1,052,079	1,107,413	1,159,391	1,126,172	1,187,734	61,562	1,167,356	41,184	(20,378)
OCTOBER	1,006,966	1,003,032	1,046,550	958,359	1,149,721	1,119,430	1,169,196	1,181,133	11,937	1,152,017	(17,179)	(29,116)
NOVEMBER	964,775	868,692	1,019,305	1,064,385	1,079,590	1,099,028	1,097,877	1,104,321	6,444	1,156,651	58,774	52,330
DECEMBER	1,044,178	1,083,983	1,061,859	1,035,379	1,138,978	1,117,510	1,158,271	1,225,475	67,204	1,224,108	65,837	(1,367)
JANUARY	927,026	889,358	968,124	971,677	1,089,143	963,288	1,107,592	1,007,562	(100,030)	908,712	(198,880)	(98,850)
FEBRUARY	983,390	995,618	987,205	957,979	1,032,923	1,198,810	1,050,420	1,143,880	93,460	1,154,457	104,037	10,577
MARCH	1,092,759	1,091,421	1,144,197	1,142,746	1,222,307	1,177,822	1,243,012	1,258,241	15,229	1,393,915	150,903	135,674
APRIL	1,052,568	1,067,037	1,098,389	1,034,811	1,206,781	978,156	1,227,223	1,241,103	13,880	1,244,722	17,499	3,619
MAY ³	1,058,790	841,164	1,107,395	1,100,601	1,186,546	1,303,652	1,206,645	1,230,822	24,177	1,242,988	36,343	12,166
JUNE ³	994,811	950,882	1,028,837	1,164,223	1,111,472	1,228,487	1,130,299	1,135,413	5,114	1,203,793	73,494	68,380
TOTAL	\$12,123,245	\$11,874,581	\$12,493,736	\$12,666,743	\$13,486,549	\$13,435,756	\$13,715,000	\$13,979,261	\$264,261	\$14,109,048	\$394,048	\$129,787

LODGING TAX
ADOPTED FY 2016 BUDGET - \$2,037,000

JULY ³	\$180,074	\$197,072	\$174,759	\$223,419	\$189,065	\$180,395	\$186,540	\$180,587	(\$5,953)	\$180,808	(\$5,732)	\$221
AUGUST ⁴	163,020	275,903	185,662	185,340	185,946	185,402	183,463	206,422	22,959	202,217	18,754	(4,205)
SEPTEMBER	160,661	157,680	181,706	204,758	173,904	173,875	171,582	204,267	32,685	206,009	34,427	1,742
OCTOBER	183,064	191,453	184,462	185,014	209,859	209,788	207,056	196,681	(10,375)	160,131	(46,925)	(36,550)
NOVEMBER	131,993	129,941	153,745	148,082	141,855	144,988	139,961	140,923	962	177,048	37,087	36,125
DECEMBER	112,277	113,067	141,137	126,077	115,033	119,891	113,497	130,478	16,653	130,150	16,653	(328)
JANUARY	134,471	129,578	133,071	125,716	117,665	108,523	116,094	120,072	3,978	109,217	(6,877)	(10,855)
FEBRUARY	136,660	136,660	136,497	139,851	130,777	133,217	129,031	150,144	21,113	140,716	11,685	(9,428)
MARCH	158,737	158,706	176,151	172,029	184,242	178,963	181,782	204,178	22,396	222,261	40,479	18,083
APRIL	161,422	161,391	170,639	171,590	181,003	162,085	178,586	177,191	(1,395)	175,590	(2,996)	(1,601)
MAY	193,883	193,290	226,865	225,048	227,296	245,223	224,261	228,349	4,088	216,253	(8,008)	(12,096)
JUNE ¹	190,364	122,651	208,725	218,221	207,926	223,849	205,149	192,508	(12,641)	181,884	(23,265)	(10,624)
TOTAL	\$1,906,626	\$1,967,392	\$2,073,419	\$2,125,145	\$2,064,571	\$2,066,199	\$2,037,000	\$2,131,800	\$94,472	\$2,102,284	\$65,284	(\$29,516)

¹ The August FY 2015 Actual amount includes a one-time, \$145,000 payment in taxes, which was redistributed to the City from another locality.

² Retailer over-reported Sales & Use Tax in December FY 2015 by \$50,000; Corrected in December FY 2016 by reducing owed tax of \$39,000 and taking additional \$11,000

³ Due to year end accounting activities, a portion of Meals and Lodging Tax revenues associated with May and June were posted in June and July.

⁴ The August FY 2013 collection amount includes a one-time, \$140,000 payment in delinquent taxes.

⁵ Meals and Lodging Tax data includes columns titled "Actual Collected ." The figures listed under these columns include all revenue received per month regardless of whether the payment is current or delinquent.