

**LYNCHBURG CITY COUNCIL
PHYSICAL DEVELOPMENT COMMITTEE
MEETING HIGHLIGHTS
Tuesday, February 26, 2013
9:00 a.m.**

Attendees: Council Member Turner Perrow, Chair, Vice Mayor Ceasor Johnson, Mayor Michael Gillette, ex-officio

Staff Present: Kimball Payne, Lee Newland, Dave Owen, Kent White, Steve Lawson, J.P. Morris and Starlette Early

Others Present: Doug Herring (Mid-Atlantic Broadband) and Alicia Petska (News & Advance)

Contract Awards:

Mr. Newland reported there was one recent pending contract award. The 2nd Street Water Line project had a budgeted amount of \$215,000 and was contracted to J L Crawford for \$161,863.

Update on Priority Projects:

Mr. Newland noted there was little change on capital priority projects since last reported due to winter months. Some projects have moved forward, but nothing out of the ordinary. Rivermont Avenue Bridge is still waiting on installation of the finalis.

General Business:

a. Mid-Atlantic Broadband Cooperative (MBC) request for approval for installation of fiber optic cable from Hangar Road to Wards Road, crossing city owned property at Lynchburg Regional Airport: Mr. Lawson introduced Mr. Doug Herring, Operations Manager for MBC and provided a summary of MBC's request. He noted the installation would be a diverse route from the MBC hut located on Hangar Road to Wards Road. All new installations by MBC are now engineered with diverse routes. The route is necessary in case a failure occurs in the aerial section of cable that MBC currently has located on AEP pole lines located on Airport Road and City owned property at the airport.

The staff recommends holding a public hearing to consider granting MBC license agreement to install fiber optic cable on city owned property.

Council Member Perrow inquired about MBC and the types of services they provide. Mr. Herring explained MBC is a 501(c)(3) formed in 2004 primarily by a grant from the Virginia Tobacco Commission. This grant, along with three additional stimulus grants, has funded about 1,600 miles of fiber optic from Blacksburg, Virginia to Bedford areas, 117 schools in the Central part of Virginia and their current building from Emporia, Virginia to the areas of Surry, Smithfield, Chesapeake and Suffolk. Mr. Herring noted MBC was established to assist with industrial development, industrial parks, and to provide low-cost broadband services to schools and higher learning institutions. MBC is a Level 1 transport, serving corporations rather than single individual customers as a wholesale rather than retail supplier of data transport services. MBC provides an open access to the "data highway" for national carriers and others that need to connect in markets they are not currently located in to serve.

The current request is to provide a diverse route on their current node, establishing a back-up route for data traffic serving areas going out to Gretna and Appomattox. As currently equipped, if a cut in the line occurs, these areas would be without service. MBC would like to upgrade the equipment so the routes can automatically switch over to a different cable to provide uninterrupted service if necessary.

Vice Mayor Johnson indicated his support of the project, suggesting it opens up the rural community. Council Member Perrow confirmed a consensus by the Committee to move the request forward to a public hearing with full Council.

b. Mid-Atlantic Broadband Cooperative (MBC) request for lease of portion of one (1) three-inch (3") conduit on city owned property at Lynchburg Regional Airport from Hand Hole #10 to Hand Hole #2: Mr. Lawson summarized MBC's request to lease space in one (1) of two (2) three inch (3") conduits located at the Lynchburg Regional Airport. They would like to use approximately 3,600 feet of conduit to place their fiber optic cable. MBC has agreed to pay \$1,500 per year for a five (5)-year initial term, and would like an option to extend this lease for three (3) additional five (5)-year terms. This lease would reduce the length of the fiber run from their hut on Hanger Road to Route 29 and provide a cost savings for the project noted in Item #1.

Mayor Gillette confirmed his understanding that the conduit was not currently in use and inquired as to the need for its initial installation. Council Member Perrow suggested that anytime he builds something that can't be cut open again he always installs additional conduits for potential use in the future. He indicated most all are used at some point in time. Agreeing the installation of the conduits was smart planning, Mayor Gillette inquired whether the city has any reason to believe they would be needed for something else in the near future. Mr. Lawson indicated there were no plans and indicated the city was only signing a 5-year lease if it needed them later. Further discussion elaborated on how the cable would be installed within the conduit (conduit within a conduit) and clarification of the lease terms. Mr. Herring explained in addition to making the requirements for cable length shorter, it was also more secure since digging would not occur around the airport location.

Mayor Gillette indicated his approval, and Vice Mayor Johnson added he felt it was a good use for the conduits. Council Member Perrow agreed and, by consensus, the Committee voted to move this item forward with recommendation to Council to proceed with the lease.

c. Midtown Connector Phase 1 – Progress Report: Mr. Morris presented a verbal progress report, to be provided to full Council, summarizing work accomplished since signing contract on May 25th. He referenced the ground-breaking during the middle of summer at the intersections of Kemper, Fort Avenue, and Park Avenue. Since that timeframe, City has spent slightly over \$4.3 million, which accounts for 28% of the work to be done. He summarized this has been a \$4 million project encompassed in one plan sheet; analogous to working inside the surface area of an aircraft carrier (4 acre area). Work completed in this \$4 million expenditure within this 4 acre area included installation of 2,000 linear feet of concrete storm sewer; 18 drop inlets; 1,900 linear feet of curb and gutter; 300 square yards of sidewalk; 6,000 tons of asphalt and stone combined in pavement section and 1400 linear feet of new water line.

Mr. Morris recognized they have had challenges expected for a project of this magnitude and history of development. As an example, in some areas, workers did not hit original ground until 15 – 20 feet below digging level; everything above it was a conglomerate of things developed over the past 200 years.

City is working hard to get the Fort Avenue/Park Avenue leg of the intersection open back up this spring; signal poles arrived late last week and crews have been assembling mast arms and signal heads and getting those installed with adjustments to signal heads in next few weeks. Once asphalt plan opens back up, City will have what they need to get the final course of surface on the Fort Avenue/Park Avenue leg that has been closed the longest due to the bridge burning. The railroad right-of-way chasm has been filled where the bridge burned and the other bridge was eliminated.

Mr. Morris summarized the City has been fortunate to have a talented group of construction administrative people involved with this project. The level of detail required by VDOT in documentation, testing, and QA/QC programs has been consistent for what they expected in a project of this scope. He confirmed Council Member Perrow's inquiry that meeting the administrative component of federally funded projects is especially time and human resource intensive.

Vice Mayor Johnson commented he has been around the area of work consistently over the last few months and noted the work crews are always busy (like ants on an ant farm) and it was heartwarming to see that the project was coming to fruition. Mayor Gillette confirmed the asphalt opening was contingent on the weather and asked Mr. Morris for an estimate of the paving and opening of the road. Mr. Morris indicated late spring (mid to late May) would be a safe estimate.

The next big phase is to shut down half of Langhorne Road and make it one way to the hospital. He estimated mid to late summer for completion of Park Avenue and to getting Langhorne started.

Mayor Gillette noted the pace appeared ahead of schedule; however Mr. Morris indicated work was holding steady to schedule. The derecho this summer and winter weather have kept the project on a tight schedule. City is retooling the schedule to incorporate the multi-phase concurrent projects. Council Member Perrow inquired about the completion schedule and Mr. Morris explained the contract was bid as a fixed date completion for late November 2014. Pay requests are at 28% of the project completion and within 5% of the work schedule.

d. Appropriation of proceeds from the sale of property for highway projects: Mr. Newland provided a background summary of the City's 2009 acquisition of property from VDOT as result of excess right of way in area of intersection of Old Forest Rd and Lakeside Drive. The City combined this land with an existing parcel to create a plot conducive to development and sold to developer with plans to build a shopping center (Fresh Market). The City is partnering with this developer to improve Whitehall Road and coordinate traffic signals in the area to improve traffic flow and safety. The cost of this project is estimated at \$500,000.

State of Virginia requires proceeds received from the sale of property originally acquired through State transportation funds be used on transportation projects. The project on Whitehall Road meets this mandate. The remaining \$712,137 will be used on the Greenview Drive Phase II improvements transportation project. At the November 2012 City Council meeting, this project was listed as one of four projects requested to receive funding from the FY 2014 VDOT Revenue Sharing Program grant funds. The \$712,137 will cover a portion of the City's required local match. Additionally, the expenditure would be within the State mandate of how the proceeds are spent.

Council Member Perrow indicated his support of using proceeds from sale of State property to leverage additional funding from the State in grant matching dollars. He indicated the appropriation would be a one-time capital expenditure but questioned the financing side of cash used for the projects. Mr. Payne stated the City would not have applied for the revenue sharing program without the availability of these funds. If the City didn't use the funds on these projects, we would need to go ahead and start designing

the Lakeside Drive intersection. Mr. Payne indicated there is a conceptual design for the intersection, but would like to get more specificity on the plan. We want to have a plan in place so when there are funds available from the State's transportation package, the City will be in a better position. The City's top priorities are currently Greenview Drive, Odd Fellows Road, and Logan's Lane.

There was consensus to move this forward to full Council with recommendation to support resolution to amend the FY 2013 City Capital Projects Fund and appropriate \$1,212,137 from sale of property at 3901 Old Forest Road to make improvements to transportation infrastructure at Whitehall Road (\$500,000) and Greenview Drive (\$712,137).

Roll Call:

Mayor Gillette inquired if it was reasonable to create a more visual distinction between the road and the raised median on Rivermont Bridge. He has received feedback from a constituent that the median is difficult to see and questioned if it was appropriate to stripe, paint or otherwise mark in some way. Mayor Gillette offered he surveyed the area and noticed a number of tire marks. He questioned if it was routine to mark these types of medians in some fashion. Mr. Newland indicated the preferred option would be to place a stripe on the pavement as opposed to painting the side of the median. The maintenance is easier and much less expensive.

Council Member Perrow presented his thoughts on whether it might be fiscally responsible for the City to contract with a 3rd party independent cost estimator to provide another cost estimate for the construction of Heritage High School. He feels a 3rd party estimator would work hand-in-hand with the school's team but provide an independent cost estimate to the City so Council would be better prepared on how to handle the upcoming costs and eliminate any finger-pointing between the groups. The 3rd party would reconcile the numbers of the school's architect and provide a consensus for the numbers. He further suggested this estimator could be funded out of the capital project budget and indicated a similar process was mandatory for state contracts in their procurement process.

Mayor Gillette noted a 3rd party estimator would improve the value engineering of the project and provide a greater return on the City's investment beyond the actual cost estimates. Council Member Perrow confirmed that value engineering is performed throughout the construction process and not just at the end. Vice Mayor Johnson indicated he was not comfortable in supporting this proposal yet as it was the first time he had heard this discussion. He also voiced his concern that a 3rd party estimator may send the wrong message with key stakeholders in the project. Council Member Perrow indicated this was a preliminary discussion and only wanted the Committee to discuss the pros/cons associated with involving a 3rd party estimator.

Next meeting: March 12, 2013