

**BURLINGTON CITY COUNCIL
CITY HALL, CONTOIS AUDITORIUM *OR*
REMOTE MEETING WITH CALL-IN
BURLINGTON, VERMONT
MINUTES OF MEETING
February 26, 2024
DRAFT**

MEMBERS PRESENT:

Karen Paul
Joan Shannon
Ali Dieng (via Zoom)
Zoraya Hightower
Sarah E Carpenter
Mark Barlow
Joe Magee
Gene Bergman (via Zoom)
Ben Traverse
Tim Doherty
Melo Grant
Hannah King

OTHERS PRESENT:

Miro Weinberger
Katherine Schad
Jared Pellerin
Kim Sturtevant
Steve Murray
Cathy Foley
Jane Knodell
Jeff Metcalf
Brian Pine
Meagan Tuttle
Charles Dillard
Samantha Dunn
John Caulo
Will Fleisig
Jennifer Nichols
Nick Anderson
Jeff Glassberg
Joe Larkin
Eric Farrell
Kyle Blake
Nancy Stetson
Alina Korsak

1. CALL TO ORDER and AGENDA

The meeting was called to order by City Council President Paul at 5:34 PM.

MOTION by Councilor Barlow, SECOND by Councilor King, to amend and adopt the agenda as follows:

- **Add to the consent agenda item 8.18 Communication: CAO Katherine Schad, re: Creation of Mayor Transition Fund;**
- **Add to the consent agenda item 8.19 Communication: Jackie Mattaliano, re: Supporting Neighborhood Code as it is Written;**
- **Add to the consent agenda item 8.20 Communication: Marty Gillies, re: public comment for 2/26/2024 council meeting;**
- **Add to the consent agenda item 8.21 Communication: Solveig Overby, re: 2/26 CC Agenda Item 5. Gateway Block RFP- No RFP; no 50 year ground lease commitment from Eric Farrell and Joe Larkin;**
- **Add to the consent agenda item 8.22 Communication: Solveig Overby, re: 2/26 City council – Agenda Item 9.7 - Burlington FY23 Audit Management Letter missing 2nd Recommendation from FY22 Management Letter;**
- **Remove from the consent agenda item 8.8 Parking Management Sublease Agreement with Unified Parking Partners – DPW and place it on the Deliberative Agenda as agenda item 9.9 (per Councilor Magee);**
- **Add to the consent agenda item 8.23 Communication: Grace Palmer, re: Please support Neighborhood Code;**
- **Add to the consent agenda item 8.24 Communication: Benjamin Cooley, re: Support for Neighborhood Code;**
- **Add to the consent agenda item 8.25 Communication: Todd DeLuca, re: Neighborhood Code and Inclusionary Zoning public comment;**
- **Add to the consent agenda item 8.26 Communication: Caryn Long, re: 11 Weston Street;**
- **Add to the consent agenda item 8.27 Communication: Taylor Adams, re: Neighborhood Code Comment;**
- **Add to the consent agenda item 8.28 Communication: Sequola Young, re: Neighborhood Code;**
- **Add to the consent agenda item 8.29 Communication: Paul Bierman, re: Neighborhood Code: Update for Monday's Council meeting;**
- **Add to the consent agenda item 8.30 Nick Persampieri, re: City Council Meeting 2/26/24 Agenda Items 9.2 & 9.3 (Neighborhood Code) and 9.4 (Climate Policy Review);**
- **Note proposed amendments regarding 9.4 (per Councilor King);**
- **Add to the consent agenda item 8.31 Communication: Rose Dumas, re: Vote for the Neighborhood Code;**
- **Add to the consent agenda item 8.32 Communication: Evan Gould, re: Parking Management Sublease Agreement with Unified Parking Partners;**
- **Add to the consent agenda item 8.33 Communication: Peter Wyman, re: Neighborhood Code;**
- **Add to the consent agenda item 8.34 Communication: Julia Randall, re: Comment on Wildlife Corridors & Neighborhood Code;**
- **Add to the consent agenda item 8.35 Communication: Jak Tiano, re: Neighborhood Code;**
- **Add to the consent agenda item 8.36 Communication: Jak Tiano, re: Inclusionary Zoning Resolution.**

VOTING: unanimous; motion carries.

2. WORK SESSION: DECKER TOWERS (VERBAL)

2.1 Work Session: Decker Towers (verbal)

Jane Knodell, member of the Burlington Housing Authority Board (BHA), began by noting the composition of the BHA's Board, saying that it is a board currently in transition, but they are working to understand how the building works and does not work, and have begun conducting site visits to learn more. She expressed appreciation to the City Council for their interest and concern about the Decker Towers, its conditions, and its residents, as well as the engagement of the Mayor and CEDO.

Cathy Foley noted that Decker Towers residents formed the first ever elected resident council several months ago. She noted that Decker Towers needs more resources in order to fix its issues (for example, securing its front doors in order to stop drug users and other individuals from gaining access to the building). She said that the residents are asking the City for resources to secure the front doors and provide more security. She said that the Mayor's proposal for a guard at the door and a change in policy for visitors (and enforcement of that policy) is what is needed. She said that additionally, the evictions being pursued by BHA leadership need to be followed through with. She said that the building itself is also in bad shape and that residents would like to help with projects to improve it, noting that if the residents have a stake in the building's condition, they will build pride of ownership in their home.

Jeff Metcalf, Director of Asset Management for BHA, spoke about the steps that have been taken to secure the Decker Towers building to date. He noted that they have installed a security camera, which means that they have a good sense of how people are getting into the building. He said that exterior gates have been locked and more lighting and illumination have been added. He noted that because the building was built as an open-concept design with many community and common spaces, it has been challenging to secure all of them but that they have continued to work to do so. He noted that these improvements have been unbudgeted, given that they are emergent and not anticipated. He said that the compassion and empathy toward the unhoused who are seeking shelter are real, but that it is a very challenging situation. He said that they are looking into what they can afford to do to increase security, including increased patrols.

Mayor Weinberger spoke about increased concern regarding the condition of the Decker Towers building. He said that the City is interested in being a partner to BHA through this challenge, both in the short term as well as the medium and longer-term.

CEDO Director Pine began by noting that Decker Towers is experiencing what can be categorized as some of the failures of society and the lack of a social safety net. He noted that the resources facing BHA are constrained, given that much of the funding comes from the federal level and that the current rent is capped. He said that the cost to operate housing is about \$700 a month, and that rent at Decker Towers is around \$750 per month, and that this is not a sustainable model even during normal times, let alone when facing some of these acute security and capital needs. He said that the City is committed to helping restructure Decker Towers to more sustainably ensure security for its residents going forward.

Councilor Dieng asked how long this current situation at Decker Towers has been going on. Steve Murray, Executive Director of BHA, said that these issues began last February. He said that they have been engaging with residents since that time, and the issues have only gotten worse. Councilor Dieng asked about implementing the Mayor's six-point plan laid out for Decker Towers, and Mr. Murray replied that they are determining which portions of the plan they are able to implement, as some of the recommendations may not be feasible and could have a disparate impact on different parts of the population of residents, so they are carefully assessing the Mayor's plan. Councilor Dieng asked about BHA staff that are working at Decker Towers. Mr. Murray replied that the turnover among staff is not high, but that the stress and anxiety associated with working at the building are palpable, and that workers are being given hazard pay. He said that he expects that BHA will see more staff attrition if the security issues at Decker Towers are not addressed. He said that BHA firmly believes that security guards will help mitigate these issues, and that BHA would like to partner with the City to secure third-party security, given that BHA does not have the resources to pay for this by itself. Councilor Dieng said that the City needs to help with this and should build a task force to address some of the more medium and long-term issues.

Councilor Carpenter said she supports BHA's pursuit of restructuring its finances to ensure a more sustainable model, given that the financial model that BHA (and other HUD housing authorities) operates under isn't sustainable. Mr. Murray replied that financially, BHA is not in dire straits, but that Decker Towers simply does not have the cash flow to support increased security to levels that are currently needed. Councilor Carpenter agreed, and said that it would be good to address these issues at Decker Towers, knowing that other housing projects could face similar issues around the state.

Councilor Traverse said that the City is trying to take steps to increase public safety and security more broadly, which will hopefully provide more tools for BHA to increase security in its buildings. He said that there are also smaller steps that can be taken to improve the quality of life and security at Decker Towers (such as the recent installation of a package cage), and that to the extent possible, open channels between the City and BHA should be maintained to continue to collaborate on security issues. He asked about the metrics that BHA is trying to achieve in order to begin to fill vacant units at Decker Towers again. Mr. Murray replied that their general metric is safety and security, and hope to open units up again once more security is obtained. Councilor Traverse asked about BHA's legal fees, given the number of evictions they are pursuing to try and address some of the crime and drug problems at Decker Towers. Mr. Murray noted that they budget about \$80,000 per year for rents and damages, but that in the current fiscal year they have already spent \$350,000 on rents and damages to units. He noted that evictions typically cost around \$20,000 per eviction. He said that they have exceeded their professional services line item by around \$90,000, the bulk of which is related to legal fees. Councilor Traverse said that the City's legal community could potentially help BHA with pro bono or reduced fee work.

Councilor Shannon asked whether there are similar issues with other properties than Decker Towers. Mr. Murray replied that Section 8 evictions for drug-dealing and non-payment of rent have significantly increased across the City. He said that the number of Section 8 vouchers that are being terminated due to drugs is extremely high. He noted that buildings that do not have interior hallways or interior spaces like Decker Towers are not suffering as much. He said that Decker's communal spaces and internal hallways exacerbates the issues. Councilor Shannon asked where these evicted people are going if they are being turned out of these units, given that these individuals are causing harm in the community. Mr. Murray said that when they evict people, those people tend to then migrate to another apartment or become homeless. He said that BHA has a fiduciary duty to its residents to remove harmful people from the premises, and that after that, those individuals become the responsibility of the City and State. Councilor Shannon asked about the financial structure of BHA and who ultimately is responsible for the debt if BHA is spending more than it brings in. Mr. Murray replied that BHA has spent about \$200,000 out of its reserves for increased security, but that these reserves are needed for capital improvements to the building in future years.

Councilor Grant said that this is an issue of equity, and that this problem has not been addressed because the residents in question are low-income and disabled. She said that people in the City continue to be serviced differently based on class, and that this is a glaring example of that. She apologized on behalf of the City for its lack of empathy. She expressed appreciation for the residents' courage and sense of community. She said that Decker Towers needs to be a standing agenda item for the Council, as it will help inform how to prevent this from occurring in other locations. She said that it seems that the current building manager is scared, but that she agrees with the suggestion of having incident reports filed by the building manager and sent to the Police Department, and that these incident reports should be acknowledged, if not followed up on. She cited the City's chronic problem with online incident reporting, noting that incident reporting from Decker Towers cannot just go into a black hole. She suggested a mutual aid project, similar to what was stood up in the Old North End (the ONE Mutual Aid Project), which started during COVID and is a way for the community to help individuals who have specific needs. She said that the number of UVM and Champlain students who are going into Decker Towers to buy drugs is unacceptable, that these students need to be held accountable, and that the colleges need to make it clear to their students that this type of behavior is unacceptable.

Councilor Hightower expressed sympathy and agreed with Councilor Traverse that if anything can be done in terms of City policy in the long term to strengthen security measures, they would like to engage with BHA on that. She acknowledged that security guards address the symptoms but not the root cause of the problems facing Decker Towers and the City.

3. WORK SESSION: SOUTH END COORDINATED REDEVELOPMENT DRAFT PRE-DEVELOPMENT AGREEMENT

3.1 Work Session: South End Coordinated Redevelopment Draft Pre-Development Agreement

Director Tuttle said that they are bringing this item forward tonight to share an update on an MOU that was executed between the City, Champlain College, and Ride Your Bike back in January of 2023 to advance coordinated planning with the parties that own properties in the central portion of the South End Innovation District, which was rezoned last summer. She said that they would like to present an update on planning work and high-level takeaways from the studies that have been conducted over the last year, as well as propose outlines of a draft pre-development agreement that would allow the City to continue to move forward with additional planning, with the goal of coming to the Council later this year with a draft development agreement.

Assistant Director Dunn began by noting that the site in question in the South End includes three parcels—68 Sears Lane, which is owned by the City, 125 Lakeside Avenue, which is owned by Ride Your Bike, LLC, and 175 Lakeside Avenue, which is owned by Champlain College. She noted that this MOU includes three phases, the goal of which was to arrive at a pre-development agreement, which is tonight's topic. She spoke about the outcomes that will inform this pre-development agreement, which included a mobility framework, a conceptual design program for analysis of potential development, a wastewater budget and infrastructure capacity expansion needs, and a car trip budget and promotion of the City's standard level of service.

City Planner Dillard spoke briefly about several elements of activities being worked on through this project. He spoke about the mobility framework, which had the guiding principle of having the majority of street space be dedicated to accessible and active modes of transportation, and that a network of shared parking facilities should serve the development and greater South End of the City. He also spoke about the development of a conceptual program that the parties used to assume what uses and development could occur on these three parcels. He said that they assumed about 1,100 homes and about 230,000 square feet of non-residential space, for uses like childcare, art studios and makerspaces, offices, recreation, restaurants, commercial spaces, and Champlain College classrooms and student housing. He said that these uses and their corresponding conceptual space needs, are critical to understanding the development's impact on local infrastructure (such as wastewater, parking, and traffic). He spoke about the public engagement the City has conducted relating to this MOU and project.

Assistant Director Dunn then spoke about more specifics related to the predevelopment agreement. She said that the agreement would represent a unique opportunity to develop a new, sustainable, walkable mixed-income neighborhood that encompasses the three parcels of land in question, that it utilizes the mobility framework outlined above, that it maximizes the number of new homes within the development, and that the project's phasing and design would be informed by infrastructure constraints, strategies, and financial feasibility. She said that the design goals include a visionary urban design, a housing-forward project with diversity of residents and housing types, prioritization of non-residential spaces to expand the South End's arts and innovative economy, a design district that is walkable, bikeable, and active-mobility focused, and sustainable building and site design practices.

Assistant Director Dunn then spoke about commitments to ongoing collaboration and study. These include the development of a housing plan that achieves a minimum of 20% affordable housing, leveraging an ACCD grant to have a public realm conceptual design, pursuing a Planned

Unit Development (PUD) application and phasing of development, exploring future interventions to the Champlain Parkway, and using 68 Sears Lane. She said that in terms of ongoing studies, they will continue to pursue the wastewater infrastructure analysis and options, determining what funding sources and uses could be leveraged for this project, conducting a traffic analysis and leveraging transportation demand management opportunities, and looking at potential land swaps and parcel modifications within these three sites.

Assistant Director Dunn said that in terms of next steps, they anticipate City Council action on the predevelopment agreement at its March 11, 2024 meeting, after which they have activities laid out for the next 9 months to move forward toward a development agreement.

John Caulo, of Ride Your Bike, LLC (owner of 125 Lakeside Avenue), thanked the Council for its support of this initiative, and acknowledged the work of City staff on this project. He emphasized the importance of creative thinking in solving the housing crisis that the community is facing.

Mayor Weinberger said that this is one of the largest housing opportunities that the City has to redevelop a large amount of underutilized parking lots in the South End. He emphasized the importance of a strong agreement between the parties and ensuring that the City has the infrastructure in place to accommodate this kind of an agreement. He said that in light of the administration change occurring in the next several months, he said that he would like to put the City in the best position possible by signing a pre-development agreement that would be non-binding but would serve to articulate the goals and parameters of the project and set it up for successful work under a new administration.

Councilor Traverse asked about what the built environment would do in this space with respect to stormwater and lake health, and how a future state would compare to what currently exists, which is largely surface parking lots. City Planner Dillard replied that the South End Innovation District is the most aggressive zoning district in the City with regards to stormwater infrastructure, and requires extensive green stormwater infrastructure on site. He noted that most of the stormwater will be contained on site, unless it is a large storm event. Mr. Caulo added that any development on these sites will be a vast improvement, given that much of the current surface is impermeable. Director Tuttle added that the City is currently working to understand the capacity of wastewater that may result from this sort of development, and said that they are looking to develop on-site solutions.

Councilor Hightower asked for clarification around the number of parking spaces on the plan, and Assistant Director Dunn replied that the plans are conceptual and the numbers are not firm yet. Councilor Hightower said that the vision of having 1,100 homes and 1,100 to 1,200 parking spaces isn't a vision she is excited about, as it seems to assume that people will use cars as much as they do now. She said that she would encourage this to be a much more walkable area, which was what was envisioned when they passed the South End rezoning. Director Tuttle replied that because the parking would be implemented in increments, it will help the City understand how much parking is demanded, which will help develop TDM solutions to support right-sizing the parking in that area.

Councilor Dieng asked whether the Water Division of DPW has been consulted about this project and given the opportunity to provide input. Director Tuttle replied that they have been working closely with DPW for over a year and have worked with the Water Division to understand the challenges related to this project, as well as to help with identifying solutions.

4. PUBLIC FORUM: **TIME CERTAIN – 7:15 PM**

4.1 Verbal Comments

Forum opened at 7:25 PM.

COMMENTS:

Burlington residents (in person):

- David Foss spoke as a resident of Decker Towers, expressing support for Councilor Grant's suggestion of an agenda item related to Decker Towers. He said that he has lived in Decker Towers for about 8.5 years, and that the last year and a half have been challenging. He noted that half of the evicted people have worked their way back into the building, and that at least 50-60 unhoused people end up in the Decker Towers stairwell on a nightly basis. He invited the Council to come visit Decker Towers.
- Abbie Wolff spoke as a resident of Decker Towers, expressing gratitude and hope for making progress on the current situation. She thanked many for bringing awareness to this issue and helping to build community. She thanked the Council for their engagement.
- Susan Miller spoke as a resident of Decker Towers, and spoke in support of residents and the Decker Towers community. She expressed concern that Executive Director Murray has been scapegoated, given that he has done so much for the residents to try and help this situation. She expressed concern for three staff members of BHA and asked for their resignation, given their lack of compassion over a situation that occurred over Christmastime.
- Solveig Overby expressed concern that the Gateway Block project did not go through the RFP process, as well as the lack of a fifty-year ground lease arrangement (similar to that of the Airport). She also expressed concern that this year's audit management letter did not include a recommendation from last year around CEDO's capital project accounting, but clarified that she is not intending to denigrate the Chief Administrative Officer's performance.
- Brett Yates spoke about the Neighborhood Code, urging the Council to pass it, given the City's very serious housing crisis. He said that it is a modest plan and that the Council should pass it without further watering down its impact. He said he wishes the Council would go further and increase density further.
- Jake Schumann spoke about the need to heal from collective trauma, saying that the community has not had closure from the trauma suffered in late November when 3 Palestinian men were shot in the community. He said that the Council failed to put political capital on the line and act. He spoke about the resolution that failed on December 11th, saying that it was amenable to all parties until a key stakeholder withdrew their support, resulting in divisiveness and inaction on the part of the Council. He said that the Council has individually and collectively failed to stand up against hate.
- Jane McDougal spoke about the Memorial Auditorium, asking what the City is going to do with it and saying that it should be used as a community space. She also asked why the food shelf isn't receiving financial support.
- Evan Gould spoke about the two amendments that were added to the Neighborhood Code ordinance over the weekend, one which lowers the lot coverage in RM to 55% and the number of units to 4, and the other keeps a single neighborhood RL despite the fact that it has the highest median lot coverage of all the neighborhoods being upzoned. He said that Burlington can't afford to make compromises on this, given the severity of its current housing crisis.
- Nick Persampieri expressed opposition to the climate policy review, saying that the scope of the study does not include fixing the defect with the existing ordinance by authorizing imposition of a fee on all thermal energy systems that emit greenhouse gases. He urged the Council to adopt the Neighborhood Code ordinance without amendments, saying that it is needed for a number of reasons (addressing the City's housing shortage and lack of affordable housing, which will also help businesses and addressing the climate crisis).
- Nolan Rogers noted the City's report on its 2030 net zero energy goals, which came out in 2019. He said that these goals hinge on the City incentivizing a change from gas heating to electric heat pumps as well as a transition to an 80% fully EV fleet for everyone in Burlington, and that the City is not meeting these goals. He asked when the City plans to move toward more heat pumps, and that the City should have already installed over 10,000 heat pumps to over half of the residential properties in order to meet these goals, which it has not done. He said that Burlington needs to be more of a leader, and needs to treat this emergency like an emergency.

- Alec Collins urged the Council to adopt the Neighborhood Code ordinance without amendments, speaking about the high price he pays for a rental unit and the terrible housing market in Burlington. He said that the City needs to adopt zoning code that permits as much housing as possible to be built.
- Josephine Brunnell spoke about the City's housing crisis and urged the Council to adopt the Neighborhood Code ordinance as written. She said that any changes to the Neighborhood Code should be to increase housing density, such as eliminating residential low zones in favor of residential medium as the City's baseline. She said that the City needs to take this as seriously as it can.
- Jak Tiano recommended rejecting both Councilor amendments to the Neighborhood Code ordinance, amend it to eliminate RL and use RM as a baseline and to otherwise pass the ordinance as written. He also asked that the Council pass a resolution asking the Planning Commission to investigate zoning policies that will enable Burlington to achieve a 1,000 unit per year development pace. He said that this pace would end the housing crisis within a decade, and that the current Neighborhood Code ordinance would only increase the number of units per year by 10 (or 1% of his pace).
- Philip Kiefer urged the Council to pass the Neighborhood Code ordinance without amendments. He said that he as a tradesman cannot afford to live in Burlington without the support of his partner. He said that people want to live and work in Burlington, and that if the status quo remains, people like him will not be able to stick around.
- Carlos Esquivel spoke in support of the Neighborhood Code ordinance without amendments, saying that the City should not put limits on development, given its housing crisis.
- Sandy Wynne said that the Neighborhood Code ordinance should be passed correctly so that everyone benefits from it. She said that changing one area with small lots close to UVM from RL to RM but leaving larger lots in areas for RL seems like inequality and discrimination. She asked whether the City has sufficient infrastructure to handle the increased housing that is needed, and sufficient resources to enforce and oversee increased rental units, to ensure that they are safe, as well as fire and rescue capacity. She said that the process should be slowed down and carefully thought through to ensure that there are no unintended consequences.
- Richard Hillyard spoke about the Neighborhood Code, the proposed UVM MOU, and the UVMMC MOU. He asked that the Council defer its final decision on all of these until the new administration comes online. He said that all three of these items affect Ward 1 disproportionately. He said that the UVM MOU is too short and unenforceable, and that both the UVM and UVMMC MOUs should dovetail with the Neighborhood Code, and not negatively impact them disproportionately.
- Kathleen Donohue spoke as a Ward 1 resident and raised concerns about how the Neighborhood Code ordinance was crafted and how hastily it's been decided. She urged the Council to slow it down to address long-term concerns (such as parking, green space and effects on stormwater runoff, student rental pressure, and equity).
- Lena Greenberg said that Burlington is already losing residents, given the high cost of property taxes and the lack of places to live. She said that the City needs to make younger generations welcome. She said that crises like affordability, public safety, and the drug crisis are all intertwined with the severe lack of housing, and that this ends up manifesting in situations like what is happening currently at Decker Towers. She said that the Neighborhood Code needs RM as its baseline and that the City needs real climate policy if it wants to retain its population.
- Chris Gish spoke in support of the Neighborhood Code and the higher increase in payments in lieu of fulfilling its inclusionary zoning requirements. He said that these are steps in the right direction to make it easier to have more affordable housing. He additionally spoke about the climate policy review resolution, urging the Council to vote against it, given that it is not climate policy, but represents a delay in implementing anything meaningful. He said that BED has zero credibility to lead any kind of review.
- Claire Bradley urged the Council to vote against the climate policy review, saying that there is nothing that could be brought forth in a report that is not already known, and that Burlington needs more urgent and strident climate action.
- Gordon Dagoon spoke in favor of keeping the Neighborhood Code in its current form or expanding it. He said that in order to be most climate and wildlife-friendly, the City should continue to handle the burden of density and not allow outward sprawl, which will only

negatively impact wildlife corridors. He spoke about the climate benefits of increased density, such as more energy-efficient units and more walkable neighborhoods.

- Kyle Blake spoke as the President of the Burlington Firefighter's Association. He spoke about Decker Towers, echoing the concerns that were brought forward by the community and residents, saying that crime in Decker Towers is starting to affect the Fire Department's ability to provide emergency medical and fire services to that building. He spoke of several specific incidents.
- Caryn Long asked about item 9.9, which is an agreement for subsidized parking, which seems to run counter to many of the City's statements about not needing parking.

Burlington residents (via Zoom)

- Romeo von Hermann expressed support for the working session related to Decker Towers, saying that while it is crucial, the City should also take a keen interest in other locations in the City, such as the Downtown Transit Center, where similar problems persist.
- Sharon Bushor spoke about the Memorial Block, saying that it should be clarified that the bond that failed in 2021 was not solely related to Memorial Auditorium and that the vote on it was not a referendum on Memorial Auditorium itself, and that the cost of the ravine sewer is being covered by the Great Streets project, and expressed concern that CityPlace and this project would add housing but that the Fire Station would need to be moved further away from downtown, and asked that that be taken into consideration.
- Jack Hanson said that though the City took a small step to decarbonize its buildings, there is still so much more that the City can be doing. He said that the City can adapt actions from other municipalities, rather than reinvent the wheel. He said that the Council needs to play an active role and stop being conservative on climate action. He said that the City needs to support sustainable, affordable, and accessible modes of transportation, and as such, he supports the Neighborhood Code ordinance.
- Nick Atherton spoke about the apartment building in Ward 6 in which he lives, noting that it was built prior to many of the single family homes in his neighborhood. He said that the City has the ability to build these buildings in a way that works for its neighborhoods. He said that he hopes the Neighborhood Code ordinance passes with amendments to allow for greater density.
- Rye Sherman said that Burlington has the ability to enact positive climate action, but that it has not taken strong enough action or leadership yet. He said that he wants to see real climate action from his elected leaders. He urged the Council to vote against the resolution on climate policy review, as it avoids climate action and uses up valuable time to come up with a study that would likely lead to a weak decarbonization policy. He also urged the City to vote in support of the current Neighborhood Code ordinance, given the grave housing shortage faced by the City. He further urged the City to vote against item 9.9, which would use City money to pay for parking spaces. He said that the City needs less car infrastructure and more investment in biking and public transit.
- Wylie Dolmage spoke in support of the Neighborhood Code, saying that in order to accommodate growth, the City needs to embrace increasing density.
- Amy Malinowski said that keeping a low intensity residential zone serves no purpose for Burlington other than to maintain economic segregation in the City and cater to the preferences of those who already have the most wealth and stable housing. She said that all avenues should be used to increase the production and supply of housing. She asked that the residential low zone be eliminated and that the residential medium be used as the baseline Citywide to more equitably share the burden of new development and simplify the code, she noted that the Neighborhood Code is a first, incremental step and said that the City should also work on larger, more sweeping changes, and finally, she asked the Council to support the resolution to update the inclusionary zoning code.
- Paul Behrman asked the Council to take up the amendments and to refer the Neighborhood Code ordinance back to the committee. He said that the code needs to take into account equity, water quality, and climate change, and he said that the current proposed ordinance does none of these well. He said that much of the proposed ordinance is based on faulty data. He said that the City should step up and demand that UVM house the 5,000 off-campus students who are taking up housing in the City, to free up those units for others to live in.

- Bob Duncan expressed support for the Neighborhood Code as originally written, and also urged the Council to listen to the younger people who are voicing their concerns during public forum and public hearings.

Non-Burlington residents (in person):

- Keren Sita spoke about Black History Month and made comments about one of the mayoral candidates.

Forum closed at 8:46 PM.

5. WORK SESSION: MEMORIAL BLOCK UPDATE **45 MINUTES, FOLLOWING PUBLIC FORUM**

5.1 Work Session: Memorial Block Update **45 minutes, following Public Forum**

Director Pine began by reminding the Council that the City brought to it a resolution seeking approval to engage in a letter of intent back in November of 2023, and that after 4 months of work, they are here to discuss the preliminary step and pre-development agreement for this project. He noted that the pre-development agreement is not a binding document and does not obligate the City to approve a future agreement, but articulates the roles and responsibilities of all parties. He began by describing the contents of Memorial Block, which is comprised of the properties that face Main Street, Memorial Auditorium, a church, the Fletcher Free Library, the Fire Station, a parking lot, and two privately held parcels. He provided a brief history of the Memorial Block (formerly known as the Gateway Block), noting that most recently, there was a successful \$1 million bond in 2022 to stabilize the Memorial Auditorium, that an RFP in 2022 was fielded and a proposal selected for redevelopment through a public/private partnership, but that that ultimately was withdrawn due to financial feasibility reasons, and that in 2023 a letter of intent was signed between the City and Eric Farrell and Joe Larkin for redevelopment.

Assistant Director Dunn spoke in more detail about the project and pre-development agreement. She outlined some of the barriers to previous projects. She said that they are articulating these because the current proposal being brought forward tonight has worked through and addressed those barriers. These barriers include a failed bond vote, the ravine sewer, a lack of control of the private land on the block, the City's inability to finance the 2018 vision due to its limited bonding capacity as a result of the BHS school project, and that the cost of repairing and renovating Memorial Auditorium makes adaptive reuse financially infeasible on its own. She spoke about the key priorities related to the project and public engagement activities around the project to date, and then outlined the pre-development agreement process and the contents of the pre-development agreement. She said that the agreement gives the developer a period of 9 months to conduct due diligence and present it to the City with a proposal, that the agreement represents the City's commitment to allowing the developer to investigate the property and propose a project that is responsive to the City's needs, and that while the City is obligated to act in good faith under this agreement, it isn't obligated to accept the developer's proposal or continue beyond the due diligence phase of the project. She noted that the agreement includes provisions for physical due diligence, programmatic due diligence, and exploration around the feasibility of relocating the City's central Fire Station (which they have heard many comments about during the public engagement and feedback). She noted a 2018 study that determined that a Pine Street location is feasible for relocating the Fire Station, but said that the Fire Department has asked for time to review that study and determine whether that is still appropriate, given the amount of time that has passed since that study was conducted. She further noted additional implementing documents and future agreements that would be needed for this project, as well as future public engagement around shaping the priorities for new civic spaces that would be incorporated into the project, as well as regular updates to the City Council. She outlined a proposed timeline, with an anticipated development agreement in place in 2025 and construction in November 2026.

Consultant Glassberg offered several contextual comments. He noted that this property has been an opportunity and a burden for the City, and that this current opportunity is a low-risk endeavor for the City and would help any redevelopment of this block move forward. He spoke

about the significant public processes over the last 6 years around this block and spoke about the private entities (Mr. Larkin and Mr. Farrell) who would be engaged in the redevelopment of this block.

Mr. Farrell made brief remarks about his interest in this project, noting that this pre-development agreement is currently aspirational and will take a lot of work, but that he thinks it is a good opportunity to create more housing and better the City. Mr. Larkin also spoke briefly, saying that this project will be a challenge but that he is eager to engage in it.

Mr. Blake, President of the Burlington Firefighters Association, spoke about this project's proposed relocation of the Central Fire Station. He said that the Fire Department is currently engaged in re-reviewing the 2018 study about relocation. He also emphasized that the current Central Fire Station is in bad shape and isn't meeting the needs of the employees there. He spoke positively about the level of engagement from CEDO leadership and staff with the Fire Department.

Mayor Weinberger spoke about how this project could differ from past projects. He noted that this project would allow the City to have site control over the entire site, which had been a critical deficiency in past efforts. He said that the current private partners engaged for this project are known entities who have done good work in Burlington and have a good track record. He said that the zoning is much better now than it was at times during the block's long history, and will be much more supportive of investment. He said that the TIF District that is in place is helping address some of the aging infrastructure issues (such as the ravine sewer) that had been barriers to work on this block in the past. He said that this pre-development agreement contains goals that are realistic about the situation and possibilities for the site.

Councilor Bergman requested that his written question's responses are sent to everyone and subject to transparency. He expressed concern about needing to vote on an amended pre-development agreement on March 11, and requested that every effort be made to have an amended version available as soon as possible, or push the vote to allow for Councilors to do diligence.

Councilor Dieng asked when the last RFP closed on this block. Assistant Director Dunn replied that the last RFP closed at the end of 2022 and a proposal was selected early in 2023, but that the bidder withdrew their proposal due to financial infeasibility. Councilor Dieng expressed concern that an LOI was executed without going through the RFP process. Assistant Dunn replied that Mr. Larkin and Mr. Farrell reached out to the City as they had secured site control and asked to work with the City on pursuing a public/private partnership on the site. Councilor Dieng asked why Mr. Farrell and Mr. Larkin did not reply to the RFPs issued for this project in the past. Mr. Farrell replied that it was a matter of timing. Councilor Dieng said that he thinks the City should open an RFP in case this development doesn't go through and keep other options open. Mr. Farrell noted that if the City were to open an RFP process at this time, they would step back.

Councilor Grant spoke about the importance of transparency and accountability, especially around this block. She asked for more details about CEDO's engagement with the Fire Department, which Mr. Blake provided and spoke positively about, and she emphasized that yes, the Central Fire Station is in an aging building that is no longer meeting its needs.

Councilor Carpenter reminded the Council that the City does not control the entirety of the block, and that it must engage in a partnership with the private developers that hold the private parcels on that land, hence why another RFP process was not pursued.

Councilor Hightower spoke about a comment made by Mr. Farrell, that if the City were to pursue an RFP he and Mr. Larkin would step back. Mr. Farrell replied that they are working with the City in good faith and that if the City signaled that they would like to pursue multiple options, they would step back from this project. Councilor Hightower said that this statement worries her and makes the project seem less

transparent, and that they are in a good faith arrangement with the current developer because there are no other interested developers, but there shouldn't be any harm seen in checking one last time if other developers are interested.

6. CLIMATE EMERGENCY REPORTS

6.1 Verbal Reports

None.

7. PUBLIC HEALTH & SAFETY EMERGENCY UPDATES

7.1 Verbal Reports

Mayor Weinberger provided an update on the motel program in the legislature in Montpelier, saying that the Agency of Human Services has advocated for the exit of 500-600 Vermonters on April 1 who remain in the motel program. He said that though there is talk of a shelter plan to house them, he questions whether that plan could come together by April 1st. He said that Burlington has presented an alternative plan that ensures that all of the 89 households who are still in the program in Chittenden County are permanently housed as of July 1 through the use of coordinated entry. He noted that the Senate and House have both included funding in the Budget Adjustment Act to avoid the end of this program on April 1, but that the legislation includes a very low per night cap on the amount of rent the state will pay to continue the program, which could have the back door effect of ending the program anyway.

Councilor Grant noted that the Police Commission is meeting tomorrow night at 6:00 PM, and will include the review of the monthly police report. She spoke about specifics in this report, noting that in 2023 the City hired 15 sworn officers (more than in any other single year since the 1990s), but that it also lost 9 officers. She said that this is a recurring pattern, and speaks to the department's history of not being able to retain officers and that the City is not honestly looking at that problem. She noted that the department is authorized for 87 officers but has budgeted for 77 officers in FY25, given how slowly it has built the department back. She noted that the department has spoke about authorizing 100 officers for FY27, but said that this seems premature, given that it can't even get to what is currently authorized.

8. CONSENT AGENDA

8.1 Motion to adopt the consent agenda (as amended) and take the actions indicated

8.2 Communication: C/T Office, re: Accountability List – waive the reading, accept the communication, and place it on file.

8.3 Communication: C/T Office, re: January 16, 2024 Regular City Council Meeting Minutes, Draft - waive the reading, accept the communication, place it on file and adopt the minutes as received at the February 12, 2024 Regular City Council Meeting.

8.4 Communication: C/T Office, re: January 22, 2024 Regular City Council Meeting Minutes, Draft - waive the reading, accept the communication, place it on file and adopt the minutes as received at the February 12, 2024 Regular City Council Meeting.

8.5 Communication: C/T Office, re: January 29, 2024 Regular City Council Meeting Minutes, Draft – waive the reading, accept the communication, place it on file and adopt the minutes as received at the February 12, 2024 Regular City Council Meeting.

8.6 Request for Authorization to Sign a Janitorial Services Contract with Janitech Services, LLC – Airport - approve and authorize the Director of Aviation to execute a contract for janitorial services with Janitech Services, LLC in the amount of \$799,200.00 for the first year, \$823,175.00 for the second year, and \$282,625.00 for the final few months through June 2026, subject to the final review and approval by the office of the City Attorney.

8.7 City Council Initiatives Fund Reimbursement Request: \$6,700.00 –approve and authorize the Chief Administrative Officer to expend \$6,700.00 in Council Initiative Funds for reimbursement to City Councilor Ali Dieng for the events he orchestrated with the New American communities and the Vermont National Guard, as outlined in the attached memo.

8.8 Parking Management Sublease Agreement with Unified Parking Partners – DPW - **now agenda item 9.9**

8.9 Budget Amendment between Penny for Parks Projects – BPRW – approve and authorize the Chief Administrative Officer, or their designee, to affect the necessary budget amendment and transfer of \$80,000 in funds between the Penny for Parks Projects (Calahan Park Court & Stormwater Design to Oakledge Park – Restrooms) as outlined on the Budget Amendment Request form.

8.10 2024 VTRANS Certificate of Highway Mileage – DPW - accept the recorded mileage for the City of Burlington, with the Vermont Agency of Transportation in the 2024 Highway Mileage Certificate, and authorize Chapin Spencer, Director of Public Works, to execute the certificate on behalf of City Council.

8.11 Conservation Legacy Fund Grant Awards – DPI - approve disbursement of \$152,060 in Conservation Legacy Fund monies via grant awards to Vermont Youth Conservation Corps (\$48,500), Vermont Garden Network (\$48,560), and Burlington Wildways (\$55,000) as recommended by the Conservation Board and Parks Commission.

8.12 Communication: Caryn Long, re: Neighborhood Code and more – waive the reading and place the communication on file.

8.13 Communication: Jonathan Chapple-Sokol, re: On the Neighborhood Code and Ward 1 – waive the reading and place the communication on file.

8.14 Communication: Sharon Bushor, re: Neighborhood Code - waive the reading and place the communication on file.

8.15 Communication: Ashton MacKenzie, re: Support for the Neighborhood Code - waive the reading and place the communication on file.

8.16 FIO Documents – for information only.

8.17 Ordinance: Solid Waste Generation Tax Updates (Department of Public Works) – suspend the rules, adopt the amendment to Chapter 14 of the Burlington Code of Ordinances as detailed in the attached ordinance form, and place the amendment in all stages of passage.

8.18 Communication: CAO Katherine Schad, re: Creation of Mayor Transition Fund – waive the reading, accept the communication and place it on file.

8.19 Communication: Jackie Mattaliano, re: Supporting the Neighborhood Code as it is Written - waive the reading and place the communication on file.

8.20 Communication: Mary Gillies, re: public comment for 2/26/2024 council meeting - waive the reading and place the communication on file.

8.21 Communication: Solveig Overby, re: 2/26 CC Agenda Item 5. Gateway Block RFP – No RFP; no 50 year ground lease commitment from Eric Farrell and Joe Larkin - waive the reading and place the communication on file.

8.22 Communication: Solveig Overby, re: 2/26 City Council – Agenda Item 9.7 – Burlington FY23 Audit Management Letter missing 2nd Recommendation from FY22 Management Letter - waive the reading and place the communication on file.

8.23 Communication: Grace Palmer, re: Please support Neighborhood Code - waive the reading and place the communication on file.

8.24 Communication: Benjamin Cooley, re: Support for Neighborhood Code - waive the reading and place the communication on file.

8.25 Communication: Todd DeLuca, re: Neighborhood Code and Inclusionary Zoning public comment - waive the reading and place the communication on file.

8.26 Communication: Caryn Long, re: 11 Weston Street - waive the reading and place the communication on file.

8.27 Communication: Taylor Adams, re: Neighborhood Code Comment - waive the reading and place the communication on file.

8.28 Communication: Sequola Young, re: Neighborhood Code - waive the reading and place the communication on file.

8.29 Communication: Paul Bierman, re: Neighborhood Code: Update for Monday's Council Meeting - waive the reading and place the communication on file.

8.30 Communication: Nicholas Persampieri, re: City Council Meeting 2/26/24: Agenda Items 9.2 & 9.3 (Neighborhood Code) and 9.4 (Climate Policy Review) - waive the reading and place the communication on file.

8.31 Communication: Rose Dumas, re: Vote for the Neighborhood Code - waive the reading and place the communication on file.

8.32 Communication: Evan Gould, re: Parking Management Sublease Agreement with Unified Parking Partners - waive the reading and place the communication on file.

- 8.33 Communication: Peter Wyman, re: Neighborhood Code - waive the reading and place the communication on file.
- 8.34 Communication: Julia Randall, re: Comment on Wildlife Corridors & Neighborhood Code - waive the reading and place the communication on file.
- 8.35 Communication: Jak Tiano, re: Neighborhood Code and the Housing Crisis - waive the reading and place the communication on file.
- 8.36 Communication: Jak Tiano, re: Inclusionary Zoning Resolution - waive the reading and place the communication on file.

MOTION by Councilor Magee, SECOND by Councilor King, to adopt the consent agenda as amended and take the actions indicated for items 8.1-8.36.

VOTING: unanimous; motion carries.

MOTION by Councilor Magee, SECOND by Councilor Carpenter, to suspend the rules and complete the deliberative agenda, and to postpone items 9.4, 9.5, 9.6, and 9.8 to the March 11, 2024 City Council meeting.

VOTING: unanimous; motion carries.

9. DELIBERATIVE AGENDA

9.1 March 5, 2024 Annual City Election Public Information Hearing
City Council President Paul opened the public hearing.
There was no public comment.

City Council President Paul closed the public hearing.

9.2 Public Hearing Regarding ZA-24-02 Neighborhood Code
City Council President Paul opened the public hearing.

COMMENTS:

- Colin Larson said that he supports the Neighborhood Code ordinance and said that he would like to see RM as the floor for the code. He spoke about previous downzoning of the City and that it has taken 30 years to rectify this. He said that the City should not weaken the code or pass the two amendments that have been proposed. He said that targeting an exemption to a specific neighborhood does not make sense.
- Marek Broderick urged the Council not to add regressive amendments to the Neighborhood Code ordinance. He said that the currently proposed Neighborhood Code does not go far enough and asked that it be further amended to require residential medium (RM) as the baseline Citywide, to increase further development and be equitable. He said that the Council should not ignore the urgency or severity of the current housing crisis.
- Tim Stevens spoke in favor of the Neighborhood Code ordinance without weakening it further, saying that the City needs to address the lack of housing and increased demand. He said that this code promotes dense, walkable environments that is better for the environment and more family-friendly. He said that supporting a watered-down Neighborhood Code will not help this.
- Dan Castrigano urged the City to support the Neighborhood Code ordinance without additional weakening amendments, and that RM should be the floor for density. He said that the best thing the City can do is to upzone, which will increase density, create more multi-use space, and help cut emissions to meet the City's net zero energy goals.

- Caryn Long said that the Neighborhood Code process has gone too quickly. She expressed concern about how some of this will affect Ward 1. She expressed concern about some of the mapping associated with the project, and asked that it be corrected. She said that the MOU with UVM is one of the biggest problems in the City related to housing, given that students are taking housing in Ward 1, Ward 8, Ward 6, and Ward 3. She noted that when Portland, Oregon upzoned several years ago, they did it incrementally.
- Michael Long said that density done well is what makes cities successful, but that the current Neighborhood Code as written does not do that. He said that it needs work for many reasons, including the fact that the entire PUD process was ignored. He said that the 20-acre minimum in RL for PUDs is very inequitable, compared to the minimums for other zones. He said that 8-10 structures on any lot is too extreme. He said that it doesn't deal with stormwater impacts, wastewater impacts, the vulnerability of the wards proximal to campus has been ignored, that there are equity ramifications, and he noted the fact that the maps and plans are inaccurate and deceptive.
- Ann Vivian said she supports the need for more housing in Burlington, but that severe burden has been put on her neighborhood and expressed concern about how significant the upzoning is in certain neighborhoods. She also asked that the City correct the maps and data with which they are working, saying that it is inaccurate.
- Cathy Olwell said that she supports increased density to increase housing in the City. She noted that the Neighborhood Code says nothing about affordability and expressed grave concerns about this lack. She expressed concern that the Neighborhood Code will result in more very expensive housing. She said that using RM as the floor for density requirements would be more equitable.
- Ryan Frink expressed support for passing the Neighborhood Code ordinance without further amendments, as it is the bare minimum that should be done. He urged that after passage, the code be further updated to make RM the floor for density in the City.
- Solveig Overby said that the Neighborhood Code should be delayed until the MOU with UVM is executed, as well as until the state auditor releases a report on the impact of UVM students on housing pressures in Burlington. She said that without these, it is difficult to make informed decisions related to the Neighborhood Code. She also asked whether developers even want to build the kinds of units being proposed through the Neighborhood Code. She further said that she is worried that the City will make affordability worse by making these properties more attractive to investors.
- Trey Cook expressed support for the Neighborhood Code as written, to make it easier to upzone and support more Burlingtonians.
- Liam Murphy encouraged the City to pass the Neighborhood Code ordinance, and to then have the Planning Commission examine how this ordinance is administered, since it was written in a complicated way and it could discourage development.
- Sharon Bushor expressed support for the Neighborhood Code's features such as RL and RM, as well as having duplexes and 2 structures on a property. She expressed concern with the number of units that are allowed in RL and RM in totality, saying that those numbers are too high. She said that there is value in knowing what this could look like. She said that affordability needs to be part of this plan, and that if it is not, it will not meet the needs of the people in the City.
- Jak Tiano said that the only way to get at affordability is to increase the vacancy rate.
- Paul Bierman said that the Council should take more time to think through the Neighborhood Code proposal, given the breadth of perspectives heard tonight from across the City.

City Council President Paul closed the public hearing.

9.3 Ordinance: Comprehensive Development Ordinance ZA-24-02 Neighborhood Code, Part 1

MOTION by Councilor Traverse, SECOND by Councilor Hightower, to waive the reading, approve the technical amendments proposed by the Office of City Planning, and warn for a public hearing for March 25, 2024.

DISCUSSION:

- Director Tuttle spoke about actions taken since the last City Council meeting discussion about the Neighborhood Code. She specifically noted that a Q&A document was posted on the Department's website, that there was a E Ward 1 NPA meeting on February 14 that discussed the Neighborhood Code, and that there was a Community Q&A Session on February 20th. She spoke about common questions related to the code, noting that the most frequent were related to building size and the number of units, and that those requirements could be more nuanced. She also noted a theme around the proposed changes to lot coverage, how it relates to stormwater management, and concerns about the proposal being too aggressive. She noted that there were many comments and questions focused on the Old North End East/North Hill area of Ward 1.
- Director Tuttle then spoke briefly about the proposed technical amendments from staff. These include making the depth of the property where the residential corridor is be consistent with the Multi-modal Mixed-used Parking District, as well as fixing incorrect internal cross-references.
- Councilor Traverse said that he moved to have a public hearing about this ordinance on March 25 because he does not think the underlying ordinance has enough support from the Council to pass currently. He asked whether separate amendments should also be warned for the March 25 meeting. Attorney Sturtevant replied that this is possible.
- Councilor Traverse asked when the first public engagement meetings related to Neighborhood Code occurred, and Director Tuttle replied that initial engagement sessions were held in 2022 and more in-depth engagement and input gathering occurred with the public in the summer of 2023. She said that they also attended meetings at all NPAs to present on the Neighborhood Code proposals. Councilor Traverse said that he is a strong supporter of the version of the ordinance that came out of the joint committee and would support proceeding with that version.
- Councilor Hightower said that one way of incentivizing more homeownership is to incentivize more four-unit condo buildings rather than six-unit condo buildings (which are more expensive to build). She also talked about ensuring that there is a wildlife corridor on Colchester Avenue. She further noted that RL did not get the up-zoning that it should have gotten, and it should have gotten a higher percentage increase than RM.
- Councilor Hightower made a friendly amendment to waive the reading and add four amendments to Councilor Traverse's original motion, which will be included in the public hearing on March 25, 2024. These amendments include changing the zoning on Colchester Avenue to accommodate the wildlife corridors, reduce the maximum number of units in RM neighborhoods from 6 to 4, reducing RM lot coverage from 60% to 55%, and reclassifying the North Hill section from RM to RL.
- Director Tuttle spoke about the wildlife activity on Colchester Avenue and that this was flagged by the Conservation Board. She noted that they will be receiving more updated wildlife corridor data and proposing more targeted solutions for wildlife considerations within the City's process on neighborhood level plans on North Avenue and updating the City's Open Space Plan.
- Mayor Weinberger expressed support for the Council taking this action tonight, saying that this direction will address so many of the City's pressing issues, including workforce challenges, climate, and housing.

VOTING: unanimous; motion carries.

9.4 Resolution: Climate Policy Review and Next Steps for Existing Commercial and Industrial Buildings Less Than 50,000 Square Feet (Councilors Traverse, Barlow)

This item was postponed to the March 11, 2024 City Council Meeting.

9.5 Resolution: Urging Vermont State Officials to Work with the USDA through 2024 to Ensure Reporting and other Capabilities for Compliance and Summer Grocery Benefits Program Eligibility in 2025 (Councilors Carpenter, Bergman, Shannon, Grant, Paul, Magee, King, Traverse)

This item was postponed to the March 11, 2024 City Council Meeting.

9.6 City of Burlington, VT 2021-2023 Dog Task Force Report

This item was postponed to the March 11, 2024 City Council Meeting.

9.7 Resolution: Acceptance and Approval of the FY 2023 Audit (Board of Finance)

MOTION by Councilor Barlow, SECOND by Councilor Magee, to waive the reading and adopt the resolution.

VOTING: unanimous; motion carries.

9.8 Resolution: Updating Inclusionary Zoning Payment In Lieu (Councilors Hightower, Bergman, Magee, Dieng)

This item was postponed to the March 11, 2024 City Council Meeting.

9.9 Parking Management Sublease Agreement with Unified Parking Partners – DPW **WAS AGENDA ITEM 8.8**

Councilor Magee said that he received an email from a constituent expressing concern about the climate implications of the City allocating additional resources to parking for single-occupancy vehicles, and said he would like to discuss the need to enter into this agreement and the current utilization of parking structures that exist in the City and why the City needs to rent these additional 85 spaces.

Senior City Engineer Wheelock said that back in 2016, when the Main Street Great Streets project began as a concept, the change in parking was a much larger conversation than it has been in the recent project, though it's still a prominent topic and is about being able to provide proximate parking for people who are mobility challenged or need parking at a reasonable distance. She said that the project has ensured that there is parking on both sides of the corridor, but that there still remain challenges for parking during construction, during which entire blocks of parking will be removed for long periods of time. She said that the parking in this agreement is in lieu of the parking that would otherwise be available on the street during non-construction times.

MOTION by Councilor Magee, SECOND by Councilor Doherty, to authorize the Director of Public Works to execute Attachment A – Parking Management Sublease Agreement with Unified Parking Partners and Courthouse Plaza, in an amount not to exceed \$142,715 per year.

DISCUSSION:

- **Councilor Grant said that while she agrees to providing access to lots, she does not believe the City should be subsidizing it.**

VOTING (by roll call): Councilor Barlow – aye, Councilor Bergman – aye, Councilor Carpenter – aye, Councilor Dieng – aye, Councilor Doherty – aye, Councilor Grant – nay, Councilor Hightower – aye, Councilor King – aye, Councilor Magee – aye, Councilor Shannon – aye, Councilor Traverse – aye, City Council President Paul – aye (11 ayes, 1 nay); motion carries.

10. COMMITTEE REPORTS

10.1. Verbal reports

None.

11. CITY COUNCIL – GENERAL AFFAIRS

11.1. Verbal reports

None.

12. CITY COUNCIL PRESIDENT – COUNCIL UPDATES

12.1. Verbal reports

None.

13. MAYOR – GENERAL AFFAIRS

13.1. Verbal reports

None.

14. ADJOURNMENT

14.1 Motion to Adjourn

MOTION by Councilor Barlow, SECOND by Councilor Magee, to adjourn the meeting.

VOTING: unanimous; motion carries.

The meeting adjourned at 11:57 PM.

RScty: AACoonradt