BURLINGTON BOARD OF FINANCE
BUSHOR CONF. ROOM, FIRST FLOOR, CITY HALL *OR*
REMOTE MEETING WITH CALL-IN NUMBER
BURLINGTON, VERMONT
MINUTES OF MEETING
DRAFT
April 9, 2024

MEMBERS PRESENT:	Ben Traverse Mark Barlow Sarah E Carpenter Joe Kane Emma Mulvaney-Stanak
OTHERS PRESENT:	Katherine Schad Kim Sturtevant Melo Grant Michael LaChance Kyle Blake Laura Wheelock Julia Ursaki Norm Baldwin Chapin Spencer Madeline Suender Megan Moir Steve Roy Brian Pine

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1.0 CALL TO ORDER and AGENDA

1.1 Motion to amend/adopt the agenda
Mayor Mulvaney-Stanank called the Board of Finance meeting to order at 5:33 PM

MOTION by Councilor Barlow, SECOND by City Council President Traverse, to amend and adopt the agenda as follows:

- **Remove items 3.2-3.4 from the consent agenda, per CAO Schad.**

VOTING: unanimous; motion carries.

2.0 PUBLIC FORUM

2.1 Verbal Comments

Sharon Bushor began by speaking about the budget neutral amendment, saying that it impacts this year's budget but also sets the stage for FY25 in that it realizes savings, of which she is supportive. She also said that she hopes that the events around the solar eclipse augments the revenues around the rooms, sales, and meals tax, and looks forward to seeing potentially positive budget impacts for those line items. She also spoke about the Fire Department's Community Response Team pilot, expressing her support for this initiative and her thanks that it has been successful so far. She said that tonight's agenda item would extend the pilot until June 16th, but said that she hopes the Mayor and City Council will consider extending the pilot through the end of FY24. She said that she looks forward to the conversation around potentially extending the CRT program in FY25 as well. She additionally spoke about the item related to the Colchester/Riverside/Barrett/Mill Intersection agreement, requesting that when DPW presents its final project plan, it also present this plan to the Ward 1 NPA, as these residents will be affected by the project and they should be given the opportunity for targeted feedback. She further spoke about the potential sale of the 200 Church Street property, expressing concern about the displacement of certain City departments in other spaces downtown, given the high cost of renting office space downtown.

Councilor Grant spoke about consent agenda item 3.6, saying that she would like future grant items of this nature discussed by the REIB Committee prior to coming to Board of Finance. She expressed support for these organizations, but said that the City should be assisting these organizations in securing other non-City grants to help ensure their sustainability, given the City's tough budget climate for Fiscal Year 2025.

3.0 CONSENT AGENDA

3.1 Motion to adopt the consent agenda as amended and take the actions indicated.
3.2 March 11, 2024 Board of Finance Meeting Minutes, Draft – **item removed from consent agenda**
3.3 March 18, 2024 Board of Finance Meeting Minutes, Draft – **item removed from consent agenda**
3.4 March 25, 2024 Board of Finance Meeting Minutes, Draft – **item removed from consent agenda**
3.5 Authorization to Accept Grant funds from Vermont Housing Conservation Board (VHCB) and increase our budget – BPRW – 1. Approve and authorize the acceptance of grant funds in the amount of $6,000 from the VHCB; and, to authorize the Director of Parks, Recreation, and Waterfront to execute all documents necessary to accept the funding, subject to the final review and approval of the City Attorney's Office and Chief Administrative Officer; and 2. Approve and authorize a budget amendment to increase the Conservation Legacy Fund budget by $18,240 through a $6,000 VHCB grant and $12,240 of CLF Fund Balance; and, to authorize the Chief Administrative Officer or designee to effect such amendment and all necessary transfers of funds in furtherance of increasing the budget.
3.6 Sponsorship Agreements for the Congolese Community of Vermont and Village Hydroponics – REIB – 1. Approve and authorize the Acting Director of the Racial Equity, Inclusion, and Belonging Office and the Chief Administrative Officer to issue a grant of City funds to the Congolese Community of Vermont for a total authorized grant agreement memorializing the same, subject to review by the City Attorney's Office; and 2. Approve and authorize the Acting Director of the Racial Equity, Inclusion, and Belonging Office and the Chief Administrative Officer to issue a grant of City funds to Vermont Hydroponics for a total authorized grant amount of $10,000 from the Empowerment Fund GL and to execute a grant agreement memorializing the same, subject to review by the City Attorney's Office.
3.7 Waterfront Overnight Security Contract – BPRW – approve and recommend that the City Council approve and authorize the contract with Green Mountain Concert Services to provide waterfront overnight security services for a total contract amount not to exceed $138,000 and to authorize Cindi Wight, BPRW Director to execute the contract and any related documents, subject to review by the City Attorney's Office.
3.8 Lease for the Spirit of Ethan Allen – BPRW – approve and recommend that the City Council approve and authorize the lease of the assigned area shown in the map in Attachment A to Green Mountain Boat Lines through 12/31/2028, in substantial conformance with the existing lease terms and the updated terms as detailed herein; and, to further authorize Mayor Emma Mulvaney-Stanak to execute the lease agreement and any related documents, subject to review by the City Attorney's Office.

MOTION by City Council President Traverse, SECOND by Councilor Carpenter, to adopt the consent agenda and take the actions indicated for items 3.1-3.8

VOTING: unanimous; motion carries.

4.0 DELIBERATIVE AGENDA

4.1 Budget Neutral Amendment making adjustments based on recent budget to actual – C/T
Chief Administrative Officer Schad said that this is a budget-neutral amendment related to the budget-to-actual reports that the City has begun producing. She said that this proposed adjustment is in response to those reports, which have shown that there is approximately $700,000 in revenue in the C/T budget that is not achievable. She said that the $500,000 of miscellaneous revenue and $200,000 in purchasing savings have been in the General Fund budget for many years, but that since 2019, these items haven't been able to be realized. She said that these items shouldn't be budget for the FY25 budget, and that a commensurate reduction in expenses should also be applied. She said that expense reductions have been proposed for the City Attorney Office, Clerk/Treasurer's Office, and REIB Office, given staff vacancies, which should make up for the revenue shortfall.

Councilor Barlow asked whether this was contemplated in earlier contemplations of the FY25 budget and are already baked into the budget shortfall. Chief Administrative Officer Schad replied that this was not part of the $9 million gap, and that part of that gap was $4 million in one-time funding related to ARPA and the assigned fund balance, and less to do with revenues that weren't being realized.

Councilor Carpenter asked if the CRT savings are anticipated in the FY25 budget. Chief Administrative Officer Schad replied that CRT programming is being covered by the opioid settlement funding, and the City is anticipating continuing funding CRT costs through that mechanism.

MOTION by Councilor Barlow, SECOND by City Council President Traverse, to approve and recommend that the City Council approve and authorize the City's Chief Administrative Officer or their designee, to execute a budget amendment to reduce the CT budget by $700,000 and to reduce expenses by a total of $700,000 in the CT, REIB, CA, ad Assessor departments, per the attached form.

VOTING: unanimous; motion carries.

4.2 Burlington Fire Department Community Response Team (CRT) – Fire
Chief LaChance said that this item relates to a request to extend the Fire Department's CRT program. He said that this is a pilot program that was begun in October of 2023 and was intended to be a six-month pilot (which would end in mid-April of 2024). He said that as of the end of the six month pilot period, the program still has some funding available from the Opioid Settlement Fund that was earmarked for this use, and they are requesting continuing to use the funding for the CRT program until it is exhausted, which is projected to be around June 16, 2024. He said that he would also be supportive of continuing this program through the end of this fiscal year, and noted that the pilot has been extremely successful and supported by the community.

Councilor Carpenter asked whether the program could be extended through June 30 rather than June 16, and Chief LaChance replied that an extension through the end of the fiscal year would cost an additional approximately $10,000. Chief Administrative Officer Schad replied that the intent was to extend the time of the pilot but not necessarily add more than the already-earmarked funding, saying that it represents a cash flow issue. She said that this extension allows the program to use the earmarked funding available. Councilor Carpenter asked whether it would be feasible to approve funding through the end of the fiscal year, contingent upon the availability of additional funding.

Councilor Kane asked about the cost estimates for the program, and Chief LaChance replied that this is based on an average approximate cost of $4,437 per week. Chief LaChance presented additional data on Fire Department activities. He noted that this year's call volume is estimated to have increased 11% over the prior year, based on current trends. He presented data on overdose totals that the CRT program responded to, both for overdoses transported and overdoses who refused transport. He said that they are working with UVM Medical Center and other community organizations to try and bring down the number of overdoses who are refusing transport to the hospital. He noted that average overdose numbers are down in 2024 compared to 2023, saying that offerings such as the CRT programs and other programs have helped to decrease that average. Firefighter Association President Blake noted that the City is coming into the season where it typically sees increased overdoses (late spring into the summer), and said that the Association would like to see funding continued for this program past June 16th and through the peak months of overdoses, to test whether it can continue to impact downward trends in overdoses.

Councilor Carpenter noted that this program is funded through Opioid Settlement Fund money and asked whether the program could be extended through September now (contingent upon funding), rather than following the Fiscal Year budget process. Chief LaChance said that there are some deeper conversations that are needed if this program is extended, given that it is being staffed with overtime hours from Fire Department staff. Councilor Carpenter stressed the importance of guaranteed consistency. Chief LaChance said that they will have more discussion with the Mayor, administration, and Council around this over the next month. Mayor Mulvaney-Stanak agreed, saying that her goals are to make this more sustainable for existing staff and maintain consistency around this critical service. Chief LaChance then showed data comparing 2022/2023 and 2023/2024 overdose totals, and overdose totals 25 weeks prior to and after the implementation of the CRT pilot. He noted that the data has been showing consistent decreases in overdoses after the pilot was implemented in October 2023.

Councilor Carpenter asked about the availability of funding from Medicaid or other state sources. Chief LaChance noted that if the Fire Department provides medical transport, they bill insurance companies for it. Mayor Mulvaney-Stanak added that there is a bill in the current legislative session looking at increasing reimbursement rates for ambulance services, as well. Councilor Carpenter said that she would like to continue exploring ways to obtain further state support for some of these initiatives, given that the burden has often fallen on the City for funding.

MOTION by Councilor Carpenter, SECOND by Councilor Kane, to approve and recommend that the City Council authorize the Chief Administrative Officer to make any and all necessary budget amendments to allocate the use of the assigned Opioid Money Fund to support operating costs of the Fire Department Community Response Team until funds are exhausted with a budget not to exceed the original approval of $182,598.00; and, to further authorize the extension of the CRT pilot program through the end of City Fiscal Year '24 or the end of available funding; and to further earmark an additional $10,000 of funding to fund the program through Fiscal Year 2024, contingent upon availability of additional Opioid Settlement Funds.

VOTING: unanimous; motion carries.

4.3 Burlington Electric Department Memorandum of Understanding for CityPlace Public Improvements – DPW
Senior Engineer Wheelock said that this is an item related to the Public Improvements portion of the CityPlace Project. She said that this is specifically a contract between the Burlington Electric Department (BED) and the Department of Public Works (DPW) so that BED can purchase and install the new lighting in the public improvement portions of the project. She spoke briefly about BED's lighting policy, saying that BED cannot incur the additional costs of decorative/improved lighting and pass that cost on to their rate payers. Public Engineer Ursaki

noted that the cost of standard lighting for this project is $109,000, and the cost of the improved/decorative lighting is $420,000, and the City is responsible for the difference between those two numbers ($311,230). Senior Engineer Wheelock noted that they are entering into an MOU with a fellow City department because that department is regulated by the Public Utility Board, it requires additional transparency and documentation around BED's transactions of City funding.

Councilor Carpenter asked whether it would be appropriate to review the lighting policy that was developed 25 years ago, and Mayor Mulvaney-Stanak said that BED could take that back internally and review and potentially have the Public Utility Board review it, but that for tonight's decision, the City will move forward under the current lighting policy.

MOTION by Councilor Barlow, SECOND by Councilor Carpenter, to approve and recommend that the City Council authorize the Director of Public Works to execute a Memorandum of Understanding with the Burlington Electric Department in an amount up to $311,237 for construction of street lighting associated with the CityPlace Public Improvements project, subject to the review and approval of the City Attorney's Office.
DISCUSSION:

- **City Council President Traverse asked why the City has decided to pursue more decorative lighting than standard lighting for this project, given the City's current budgetary environment. Senior Engineer Wheelock said that the decorative lighting was vetted under the Great Streets process as an initial capital investment. She noted that the maintenance and repairs of the lighting becomes part of BED's expenses and is carried back to the rate payers. She said that the choice of the lighting is important to the users on the street, saying that the decorative lighting is lower, a little less bright, and creates a continuous lighting experience for pedestrians, rather than the standard LED lighting that creates hot spots in its light patterns. City Council President Traverse asked whether this decorative lighting requires more labor to install than the standard lighting, and Senior Engineer Wheelock replied that these decorative lights are not more complex to install than standard lighting, and noted that there is already decorative lighting existing in the downtown area.**
- **Councilor Kane suggested that the City examine how its capital outlay methodology is established and calculated going forward, given the current budgetary environment.**

VOTING: unanimous; motion carries.

4.4 Champlain Parkway – City of Burlington and Champlain Water District MOA – DPW
Assistant Director Baldwin began by noting that this is the initial Memorandum of Agreement (MOA) with Champlain Water District (CWD) for the Champlain Parkway, from Home Avenue north to Kilburn Street. He said that this is for a bypass segment near the Route 7, I-189 Interchange. He said that this is related to the CWD easement for a 24-inch water transmission line. He noted that CWD's goals were to mutually agree on their responsibility for maintenance of the shared use path that crosses their water transmission line, should their system need to be repaired. He said that the MOA protects both CWD's interests and the City's interests. He said that CWD's manager has already approved the MOA, and that now the Board of Finance and City Council need to approve it.

Councilor Barlow asked whether this ultimately says that if CWD needs to fix their waterline, the City is responsible for fixing disruption to the shared use path as a result of that fix. Assistant Director Baldwin replied that CWD would finish the grade back to where it was prior to the fix, and that the City would be responsible for refinishing the grade and repairing the bike path, as well as potentially replacing any disrupted landscaping. He noted that CWD requested that any landscaping not include deep-rooted trees, to avoid negative impacts to their facilities.

MOTION by Councilor Carpenter, SECOND by Councilor Kane, to approve and recommend that the City Council authorize the Director of Public Works or his designee to execute the Memorandum of Agreement with Champlain Water District, for the purposes of delineating the Parties' respective rights and obligations with respect to CWD's existing easement that was recorded in the City of Burlington Land Records on March 19, 1984 and City's easement originally executed on November 7, 1988.

VOTING: unanimous; motion carries.

4.5 Colchester/Riverside/Barrett/Mill Intersection Finance and Maintenance Agreement Acceptance: Burlington STP 5000(29) – DPW
Director Spencer began by noting that this relates to the next agenda item as well, as it is for the intersection just before the Winooski Bridge. He said that this finance and maintenance agreement, along with the next agenda item's finance and maintenance agreement, unlocks the ability to advance a comprehensive overhaul of this infrastructure by harnessing federal and state funding to make this overhaul possible. He said that in response to former Councilor Bushor's request during public forum, DPW would be happy to present this project at a future Ward 1 NPA meeting.

Senior Engineer Wheelock began by noting that these finance and maintenance agreements are VTrans' mechanisms for asserting that they are the leads on these projects, and that they request the City's permission to have the authority to conduct work in the public right of way. She said that these agreements allow the City to incur costs and bill them back to the grant, and they do not lock the City into an exact concept at this juncture.

MOTION by Councilor Barlow, SECOND by Councilor Kane, to 1. Approve and recommend that the City Council authorize the Director of Public Works to execute the FM0477: Standard Finance and Maintenance Agreement for Federal-Aid Projects, Burlington STP 5000(29) from the Vermont Agency of Transportation for design and construction of the Colchester/Riverside/Barrett/Mill Intersection with a VTrans commitment to cover 100% of eligible project costs; and 2. Approve and recommend that the City Council authorize the Chief Administrative Officer, or their designee, to effect all necessary budget amendments and transfers of funds to and from the above-referenced funding sources as needed to pay the above-referenced project expenses in FY24 and Overall Project Budgets, as further detailed in Attachment 2.
<u>DISCUSSION:</u>

- **Councilor Grant noted that when the design concept was reviewed at a previous City Council meeting there had been significant feedback from the public and Councilors around the bridge design. She asked whether the design has been finalized and whether the number of lanes has been finalized. Mayor Mulvaney-Stanak said that the bridge item itself is the next agenda item, and they can address this question under that item.**
- **Councilor Carpenter said that these agreements signal the City's agreement to allow the state and federal government to contribute funding for the projects, but that this doesn't lock in the final designs.**

VOTING: unanimous; motion carries.

4.6 Burlington – Winooski Bridge Finance and Maintenance Agreement Acceptance BF RAIZE(2) – FM0449 – DPW
Senior Engineer Wheelock noted that with help from the State and Chittenden County Regional Planning Commission (CCRPC), the City applied for a RAIZE grant in April of 2022, which is a grant used for larger-scale projects. She noted that the City was successful in its grant application, and that the grant secured about $25 million of the $60-$73 million needed to replace the bridge. She noted that Burlington's share of the local match is 5% (and that Winooski's is the other 5%), with 10% covered by the State and 80% covered by the federal

government. She noted that the State also found funding to cover the gap between the RAIZE grant and the full cost of replacing the bridge. She noted that in addition to these participating costs are non-participating costs, which are specific to the City of Burlington and that the City is solely responsible for, such as removal of contaminated soils.

Senior Engineer Wheelock also provided an update on the public process related to the Winooski Bridge (and intersection) project. She noted that since last presenting on the project before the City Council in January, DPW has had around half a dozen meetings with bike/walk oriented groups within the City, and has proposed an alternative configuration to the bridge cross section, widening the downstream side from 12 to 15 feet to allow for dedicated bi-directional bike facilities and 5 foot pedestrian space. She noted that while the State and Winooski agreed to this proposal, it widens the bridge by at least a foot and more due diligence is required to ensure that it can be accommodated as it was not included in the original scoping study.

MOTION by City Council President Traverse, SECOND by Councilor Carpenter, to 1. Approve and recommend that the City Council authorize the Director of Public Works to execute the FM0449: Standard Finance and Maintenance Agreement for Federal-Aid Projects, Burlington-Winooski BF RAIZ(2) from the Vermont Agency of Transportation for design and construction of the Winooski Bridge with the funding split for this project being 80% Federal, 10% State, 5% Burlington, and 5% Winooski; and 2. Approve and recommend that the City Council authorize the Chief Administrative Officer, or their designee, to effect all necessary budget amendments and transfers of funds to and from the above-referenced funding sources as needed to pay the above-referenced project expenses in FY24 and Overall Project Budgets, as further detailed in Attachment 2.
DISCUSSION:

- **Councilor Kane asked for a further explanation of the cross-section of the bridge, and Senior Engineer Wheelock replied that it would be 15 feet allocated as a flat cross-section, with striping and designation mapping, and would not be a protected bicycle or pedestrian space separated from each other, though the vehicular space is still separated. Councilor Kane asked whether the pedestrian space could be elevated slightly higher to help further protect pedestrians. Senior Engineer Wheelock replied that consultants found that if the volume of traffic is there, people generally stay in their lanes, but that having this flexible space is helpful. She noted that raising the pedestrian portion would be challenging because it creates an edge that would be difficult to maintain and navigate with sidewalk tractors.**

VOTING: unanimous; motion carries.

4.7 Authorization to Execute a Contract with Hallam ICS for Supervisory Control and Data Acquisition (SCADA) System Upgrade at Water Point – DPW – Water Resources
Senior Water Resources Engineer Roy began by noting that the drinking water plant is regulated by computers, but by industrial computers that are different than the personal computers and software used in other industries. He said that this item is to request an upgrade to the plant's computer system, since it had its last full upgrade in 2010. He noted that a previous City Council approved the beginning of a new upgrade in 2020 and that this request would complete the remainder of that upgrade. He spoke about the procurement process for the apparently successful bidder (Hallam ICS), which is a local company. He noted that the City worked with the bidder to develop a Phase A and Phase B for the upgrade project, saying that they would like to complete Phase A in this fiscal year and Phase B in Fiscal Year 2025.

MOTION by Councilor Kane, SECOND by Councilor Barlow, to approve and recommend that the City Council authorize the Director of the Department of Public Works to award a contract with Hallam-ICS for up to $110,000 to complete the SCADA upgrade scope at the Water Plant, subject to final review and approval of the City Attorney's Office.

VOTING: unanimous; motion carries.

4.8 Authorization to Execute a Contract with Corrosion Products & Equipment for the Rebuild of Three Finished Pumps at Water Plant – DPW – Water Resources
Senior Water Resources Engineer Roy said that this relates to ensuring smooth operation and condition of the distribution pumps at the City's drinking water facility. He said that the City has 3 older pumps that are not in use but that were determined to be in good condition after an expert assessment, and once rebuilt, could be reused for general and emergency finished water pumping operations, should other pumps fail. He said that rebuilding them and having them on hand creates redundancy and resiliency to Burlington's water treatment plant operations. He said that the City issued an RFP to rebuild these pumps, and this item relates to pursuing a contract with the apparently successful bidder to rebuild the pumps. He said that they are proposing to repair one of the pumps in this fiscal year and the other two pumps in the next (or in future) fiscal years. Director Spencer noted that there are parts of the plant that these pumps will benefit, and will benefit the City's ability to continue cleaning and improving parts of the plant that are in the essential train. He said that the pumps will give the plant more flexibility. He noted that the plant hasn't received a capital upgrade in 40 years, and that this work is to get additional time out of the plant to plan for the generational upgrade that will eventually be coming.

Councilor Traverse asked for more detail on how this rebuild will fit into any generational modernization that will come to the plant in future. Division Director Moir replied that the main thing that would affect these pumps would be flows, and that rebuilding them does not give DPW concerns that it would be a misstep in the context of future upgrades.

MOTION by Councilor Barlow, SECOND by Councilor Carpenter, to approve and recommend that the City Council authorize the Director of the Department of Public Works to award a contract with Corrosion Products & Equipment for up to $182,500 to complete the rebuilding of the Water Plant's three (3) Vertical Turbine finished pumps, subject to the final review and approval of the City Attorneys Office.

VOTING: unanimous; motion carries.

5.0 FOR DISCUSSION

5.1 Sale of 200 Church Street – CEDO
Director Pine began by noting that the City acquired 200 Church Street in 2005 as part of its efforts to stand up the lease and Burlington Telecom, and that shortly thereafter, several City Departments (the Community Justice Center and Human Resources) moved into offices in that building. He noted that given that, the City decided that it was important to retain this property when Burlington Telecom was sold. He noted that because of the current nature of Burlington Telecom, they tend to not lease their properties for their network operations centers, and their strong preference is to control the property rather than lease it. He said that as such, when the lease for 200 Church Street is up in 2029, Burlington Telecom has right of first refusal on the property. However, he noted that the City today faces at least $1 million in capital grades for the property, one of which is urgent. He noted that it is also anticipated that CJC will move out in 2025 to another property. He further noted that the City's current bonding capacity is very constrained by other projects, including building a new high school. He said that the item in front of the Board of Finance tonight is a draft negotiated agreement, and that the administration would like to gauge whether the Board of Finance, Mayor, and Council support this direction.

Councilor Carpenter asked whether the CJC move is finalized and the expenses for that would be coming out of their own operations. Director Pine replied that the City has a letter of intent with Champlain Housing Trust, the details of which are being worked out right now, but that there is the commitment for CJC to be there.

Councilor Kane noted that one of the major capital upgrades for 200 Church Street relates to its HVAC system and air conditioning, and asked whether it necessarily needs to be replaced or whether there are opportunities for more remote work for the personnel in the building. Director Pine replied that the HVAC system is air conditioning, heating, and ventilation, so it is more about indoor air quality and preventing mold than just the cooling component.

Councilor Grant asked if, regardless of any imminent transaction, the City's agreement with Burlington Telecom's parent company is that it would ultimately sell them the building in 2029. Director Pine confirmed this, and said that Burlington Telecom is currently paying the City $120,000 per year for the lease.

The Board of Finance discussed next steps related to this item, which will include a brief informational presentation at the Council's next meeting, followed by an executive session to discuss details around a potential negotiation for the sale of the property.

6.0 ADJOURNMENT

6.1 Motion to Adjourn

With no further business and without objection the meeting was adjourned at 7:36 PM.

RScty: AACoonradt